

**MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT  
REGULAR GOVERNING BOARD MEETING  
MONDAY, JUNE 11, 2018 - 10:00 A.M.  
BOARD CHAMBERS, MDAQMD OFFICES  
VICTORVILLE, CA**

MINUTES

Board Members Present:

Ed Camargo, City of Adelanto  
John Cole, City of Twentynine Palms  
Joseph "Joey" DeConinck, City of Blythe  
Robert Leone, Town of Yucca Valley  
Barbara Riordan, Public Member  
Paul Russ, City of Hesperia  
Barb Stanton, Town of Apple Valley

Board Members Absent:

*Jim Cox, Chair, City of Victorville*  
*Jeff Williams, Vice Chair, City of Needles*  
Carmen Hernandez, City of Barstow  
Robert Lovingood, San Bernardino County  
V. Manuel Perez, Riverside County  
James Ramos, San Bernardino County

**CALL TO ORDER**

In the absence of the Chair and Vice Chair, the Senior Executive Analyst call the meeting to order at 10:00 am. A motion was made to elect a temporary presiding officer by the Governing Board Members present. Upon motion by Board Member **BARBARA RIORDAN**, seconded by Board Member **JOHN COLE** and carried by unanimous roll call vote, the Board elected Board Member **PAUL RUSS** as temporary presiding officer.

Presiding Officer **PAUL RUSS** asked Board Member **ROBERT LEONE** to lead the Pledge of Allegiance.

Presiding Officer **PAUL RUSS** asked for roll call; roll was called.

Presiding Officer **PAUL RUSS** called for items with potential conflict of interest – for information only:

A. Item #6. The parties to this agreement(s) will be the District, District Board members and officers and Shawn Barker Construction with its principals and agents.

Presiding Officer **PAUL RUSS** called for **PUBLIC COMMENT** – None.

**CLOSED SESSION**

Upon Motion by Board Member **JOHN COLE**, seconded by Board Member **BARB STANTON** and carried by unanimous roll call vote, the Board adjourned to Closed Session at 10:06 a.m.

Agenda Item 1 - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Name of Case: Michele Baird vs MDAQMD et. al CIVDS 1612446 San Bernardino County Superior Court (Government Code Section 54956.9).

Agenda Item 2 - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Name of Case: Victor Ramirez vs MDAQMD et. al CIVDS 1809642 San Bernardino County Superior Court (Government Code Section 54956.9).

OPEN SESSION - Disclosure of any Reportable Action(s) taken in Closed Session(s); and the Vote and Abstention of Every Member Present in the Closed Session.

**The Governing Board reconvened to open session at 10:45 a.m.,** and Special Counsel **Piero Dallarda** stated that the Board met in Closed Session on both items with no reportable action for either item.

**CONSENT CALENDAR** - The following consent items were acted upon by the Board at one time without discussion, upon motion by Board Member **BARBARA RIORDAN**, seconded by Board Member **ED CAMARGO**, and carried by the following roll call vote, with seven **AYES** votes by Board Members **ED CAMARGO, JOHN COLE, JOSEPH DECONINCK, ROBERT LEONE, BARBARA RIORDAN, PAUL RUSS, and BARB STANTON** as follows:

Agenda Item 3 – Approve Minutes from Regular Governing Board Meeting of April 23, 2018.  
**Approved** Minutes from Regular Governing Board Meeting of April 23, 2018.

Agenda Item 4 – 1) Authorize the acceptance of “Community Air Protection Funds Supplement to the Carl Moyer Memorial Air Quality Standards Attainment Program 2017 Guidelines” from the California Air Resource Board (CARB) in an estimated amount of \$828,000, 2) authorize the Executive Director/APCO to execute the grant agreement approved as to legal form, 3) authorize Executive Director/APCO to assign excess or additional funds under this program to eligible projects and direct staff to perform actions necessary to comply with program requirements.

1) **Authorized** the acceptance of “Community Air Protection Funds Supplement to the Carl Moyer Memorial Air Quality Standards Attainment Program 2017 Guidelines” from the California Air Resource Board (CARB) in an estimated amount of \$828,000, 2) **authorized** the Executive Director/APCO to execute the grant agreement approved as to legal form, 3) **authorized** Executive Director/APCO to assign excess or additional funds under this program to eligible projects and direct staff to perform actions necessary to comply with program requirements.

Agenda Item 5 – Authorize the acceptance of “Voluntary NOx Remediation Measure Funding” from the California Air Resource Board (CARB) estimated amount of \$282,973 to be used for eligible NOx reducing projects, authorize the Executive Director/APCO to execute the agreement approved as to legal form, authorize Executive Director/APCO to assign excess or additional funds under this program to eligible projects and direct staff to perform actions necessary to comply with program requirements.

**Authorized** the acceptance of “Voluntary NOx Remediation Measure Funding” from the California Air Resource Board (CARB) estimated amount of \$282,973 to be used for eligible NOx reducing projects, authorize the Executive Director/APCO to execute the agreement approved as to legal form, authorize

Executive Director/APCO to assign excess or additional funds under this program to eligible projects and direct staff to perform actions necessary to comply with program requirements.

Agenda Item 6 – 1) Award an amount not to exceed \$265,997 in Voluntary NOx Remediation Measure funds to Shawn Barker Construction to replace a 1981 Caterpillar Loader (1981 Loader) with newer, cleaner engine technology; and 2) Authorize the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel.

1) **Awarded** an amount not to exceed \$265,997 in Voluntary NOx Remediation Measure funds to Shawn Barker Construction to replace a 1981 Caterpillar Loader (1981 Loader) with newer, cleaner engine technology; and 2) **Authorized** the Executive Director/APCO and staff to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel.

Agenda Item 7 – Receive and file the Mobile Source Emission Reductions Program Work Plan as amended on March 25, 2018 and provide a program update.

**Received and filed** the Mobile Source Emission Reductions Program Work Plan as amended on March 25, 2018 and provide a program update.

Agenda Item 8 – Receive and file the Financial Report for FY18, through the month of April 2018, which provides financial information and budget performance concerning the fiscal status of the District.

**Received and filed** the Financial Report for FY18, through the month of April 2018, which provides financial information and budget performance concerning the fiscal status of the District.

Agenda Item 9 – Receive and file the Legislative Report for May 3, 2018.

**Received and filed** the Legislative Report for May 3, 2018.

Agenda Item 10 – DEFERRED ITEMS.

None.

Agenda Item 11 – PUBLIC COMMENT.

None.

Agenda Item 12 – Conduct a Public Hearing to receive comments and staff presentation for the proposed MDAQMD Budget for FY 2018-19: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing and continue the item to the Governing Board meeting of June 25, 2018 for adoption.

Presiding Officer **PAUL RUSS** opened the public hearing. Staff Member Jean Bracy presented the proposed budget and answered questions from Board Members. After discussion, Presiding Officer **PAUL RUSS** solicited public comment, being none, Presiding Officer **PAUL RUSS** closed the public hearing and continued the item to the Governing Board meeting of June 25, 2018.

Agenda Item 13 – Conduct a public hearing to consider the amendment of Regulation III – Fees specifically the amendment of Rule 301 – Permit Fees, Rule 302 – Other Fees, and Rule 303 – Hearing Board Fees and the adoption of Rule 300 – Delinquency Penalty: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Continue public Hearing to June 25, 2018.

Presiding Officer **PAUL RUSS** opened the public hearing. Executive Director Brad Poiriez presented the staff report. Presiding Officer **PAUL RUSS** solicited public comment, being none, Presiding Officer **PAUL RUSS** continued the public hearing to June 25, 2018.

#### Agenda Item 14 – Reports:

Notes from Mr. Poiriez:

- The District lost a past Board Member a few days ago; Hesperia Mayor Russ Blewett; Mr. Blewett served on our Board in 2011 and condolences to the Blewett Family;
- Board Member Stanton lost her father in May, the District sent a sympathy card and plant and condolences to the Stanton Family;
- Finalizing expenditure plans of AB 2766; funds on hand with all cities;
- Monitoring is busy with installing Purple Air Sensors; currently co-locating at all monitoring sites; working now to site and install in communities in addition to identifying and securing locations for portable monitors to be deployed during wildfires;
- Working with South Coast Air Quality Management District (SCAQMD) on a joint cooperative “Step-Up” program for locomotives (a first of a kind program). This program would be for SCAQMD to use TAG/DERA Grants to replace Tier 2/3 locomotives in the South Coast basin and requires those units be designated and deployed to Barstow Rail Yard to replace pre-tier 0 switcher locomotives (program still in early stage);
- Board Actions on more Grants today brought in an additional \$1.1 million for projects in the High Desert;
- CAPCOA Board currently working on budget funding issues for State FY18-19 Budget to ensure additional funding for AB 617, Farmer, etc.; gets put into budget for Air Districts;
- Looks like the bill language that would move the Carl Moyer monies to Fish & Wildlife is DEAD! Good thing, we worked hard on this;
- Next Board meeting is June 25<sup>th</sup> to adopt the Budget. No meeting in July; a Personnel Committee to be scheduled.

Mr. Poiriez updated the Board of past events:

- May 1<sup>st</sup> – working lunch with Antelope Valley AQMD Staff;
- May 2<sup>nd</sup> – Spoke at CCMEC Meeting in Glendora on updates that included fee increase proposal, Rules, and legislative bills of interest;
- May 3<sup>rd</sup> – Attended MEEC Teacher of Year/Student of Year Award Banquet; great turnout, rewarding event for local students and teachers;
- May 8<sup>th</sup> – Attended Labor Management Task Force (LMTF) Meeting; working to hold these meeting quarterly;
- May 9<sup>th</sup> – Budget Committee Meeting held; committee members supportive of fee increase as proposed;
- May 14<sup>th</sup> – 16<sup>th</sup> – Attended CAPCOA Spring Membership Conference; participated on a panel regarding AB 617 implementation; Alan De Salvio participated on a panel regarding cannabis permitting;
- May 21<sup>st</sup> – 24<sup>th</sup> – Attended NACAA Spring Conference; participated on a panel regarding reorganizational efforts; met with President Trump EPA Officials Bill Wehrum and Clint Woods;
- May 25<sup>th</sup> – CARB approved VW Mitigation Plan for \$423 million that includes: 130M Zero Emission throttle buses, school buses and transit projects; \$90M Zero Emission heavy duty freight and drayage trucks; \$70M Zero Emission Port equipment and marine projects; \$60M Combustion Port equipment; \$10M light duty vehicle infrastructure; \$63M in reserves;

- June 6<sup>th</sup> – participated on WRAP Air Director conference call;
- June 6<sup>th</sup> – Poster contest award meeting.

Agenda Item 15 - Board Member Comments and Suggestions for Future Agenda Items.

- Board Member **Leone** commented that Yucca Valley local school buses have seat belts and thanked the District for his District shirts.
- Board Member **Russ** publicly thanked Board Members, staff and the community for kind thoughts and he is glad to be here.
- Board Member **Stanton** publicly thanked staff for kind thoughts in the passing of her father Robert. She very appreciated of staff efforts on District budget and wished everyone have a great summer.

Being no further business and in memory of Hesperia’s Mayor Russ Blewett and Board Member Barb Stanton’s father Robert, Presiding Officer **PAUL RUSS** adjourned the meeting at **11:35 a.m.** to the next Regular Meeting of **June 25, 2018.**

**ACTION OF THE GOVERNING BOARD**

**APPROVED**

Upon Motion by **PAUL RUSS**, seconded by **JOHN COLE**, as approved by the following roll call vote:

**Ayes:            9        CAMARGO, COLE, COX, HERNANDEZ, LEONE, LOVINGOOD, PEREZ, RIORDAN, and RUSS**


**Noes:**

**Absent:        4        DECONINCK, RAMOS, STANTON, WILLIAMS**

**Abstain:**

**Vacant:**

**Karen K. Nowak, District Counsel (for Deanna Hernandez, Senior Executive Analyst)**

BY   
**Dated: JUNE 25, 2018**