

**MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
REGULAR GOVERNING BOARD MEETING
MONDAY, JUNE 25, 2018 - 10:00 A.M.
BOARD CHAMBERS, MDAQMD OFFICES
VICTORVILLE, CA**

MINUTES

Board Members Present:

Jim Cox, Chair, City of Victorville
Ed Camargo, City of Adelanto
John Cole, City of Twentynine Palms
Carmen Hernandez, City of Barstow
Robert Leone, Town of Yucca Valley
Robert Lovingood, San Bernardino County
V. Manuel Perez, Riverside County
Barbara Riordan, Public Member
Paul Russ, City of Hesperia

Board Members Absent:

Jeff Williams, Vice Chair, City of Needles
Joseph "Joey" DeConinck, City of Blythe
James Ramos, San Bernardino County
Barb Stanton, Town of Apple Valley

CALL TO ORDER

Chair **JIM COX** called the meeting to order at 10:02 a.m.

Chair **JIM COX** asked Board Member **BARBARA RIORDAN** to lead the Pledge of Allegiance.

Chair **JIM COX** asked for roll call; roll was called. Chair **JIM COX** noted that Ms. Nowak was substituting for Ms. Hernandez today.

Chair **JIM COX** indicated that there were no items with potential conflict of interest – for information only: None.

Chair **JIM COX** called for **PUBLIC COMMENT** – Hearing none, **JIM COX** noted that there were a variety of dignitaries in the audience to present commendations on the MDAQMD's 25th anniversary and directed that these presentations be made at this time. Mr. Poiriez made some general remarks regarding the District's history. Board Member **BARBARA RIORDAN** provided general remarks as one of the longest serving members and as a member of the California Air Resources Board. Mr. Dakota Higgins presented a resolution on behalf of 8th District U.S. Congressman Col. Paul Cook (Ret.). Ms. Rebecca Tennison presented a resolution on behalf of 21st District California Senator Mr. Scott Wilke. Mr. Chris Nunez presented a resolution on behalf of 33rd District Assemblyman Mr. Jay Obernolte. Board Member **MANUEL PEREZ** presented, via video conference, a proclamation from the County of Riverside. Board Member **ROBERT LOVINGOOD** presented

a resolution on behalf of the County of San Bernardino.

CLOSED SESSION

Chair **JIM COX** inquired whether a closed session was necessary. The Executive Director indicated that it was not. Upon Motion by Board Member **ROBERT LOVINGOOD**, seconded by Board Member **BARBARA RIORDAN** and carried by unanimous roll call vote, the Board waived the following closed sessions.

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.

Closed session was waived.

CONSENT CALENDAR – Chair **JIM COX** polled the Board to determine if any member wished to pull an item on the consent calendar, specifically Agenda Item 5. Upon hearing none the Chair pulled Agenda Item 6 to as potentially unnecessary if Agenda Item 5 passed. The following consent items were acted upon by the Board at one time without discussion, upon motion by Board Member **PAUL RUSS**, seconded by Board Member **JOHN COLE**, and carried by the following roll call vote, with nine **AYES** votes by Board Members **ED CAMARGO, JOHN COLE, JIM COX, CARMEN HERNANDEZ, ROBERT LEONE, ROBERT LOVINGOOD, V. MANUEL PEREZ, BARBARA RIORDAN,** and **PAUL RUSS** as follows:

Agenda Item 3 – Approve Minutes from Regular Governing Board Meeting of June 11, 2018.

Approved Minutes from Regular Governing Board Meeting of June 11, 2018.

Agenda Item 4 – Authorize the acceptance of the Emission Inventory District Grant (AB 197) from the California Air Resource Board (CARB) estimated amount of \$38,267 to be used to review and update data currently stored or being uploaded into the California Emissions Inventory Development and Reporting System (CEIDARS) database; Authorize the Executive Director/APCO to execute the agreement approved as to legal form; and to direct staff actions.

Authorized the acceptance of the Emission Inventory District Grant (AB 197) from the California Air Resource Board (CARB) estimated amount of \$38,267 to be used to review and update data currently stored or being uploaded into the California Emissions Inventory Development and Reporting System (CEIDARS) database; **Authorized** the Executive Director/APCO to execute the agreement approved as to legal form; and to direct staff actions.

Agenda Item 5 – Adopt a resolution approving and adopting the budget for FY 2018-19.

Adopted Resolution 18-14, titled, **“A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT APPROVING AND ADOPTING THE PROPOSED OPERATING BUDGET FOR FISCAL YEAR 2018-19.”**

Agenda Item 6 – Approve spending authority for the District consistent with the Fiscal Year 2017-18 Budget until the FY 2018-19 Budget is adopted.

Chair **JIM COX** withdrew item as unnecessary as the previous item #5 was adopted.

Agenda Item 7 – Receive and file the Legislative Report for June 8, 2018.

Received and filed the Legislative Report for June 8, 2018.

Agenda Item 8 – DEFERRED ITEMS.

None.

Agenda Item 9 – PUBLIC COMMENT.

None.

Agenda Item 10 – Conduct a continued 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. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice Exemption, amending Rules 301, 302, and 303, adopting Rule 300, and directing staff actions.

Chair **JIM COX** opened the public hearing. Staff Member Alan De Salvo presented the staff report. Chair **JIM COX** solicited public comment, being none, Chair **JIM COX** closed the public hearing. Chair **JIM COX** **made** a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies and **waived** reading of Resolution. Upon motion by Board Member **ROBERT LOVINGOOD**, seconded by Board Member **PAUL RUSS**, and carried by the following roll call vote, with nine **AYES** votes by Board Members **ED CAMARGO, JOHN COLE, JIM COX, CARMEN HERNANDEZ, ROBERT LEONE, ROBERT LOVINGOOD, V. MANUEL PEREZ, BARBARA RIORDAN,** and **PAUL RUSS** the Board **adopted RESOLUTION 18-15, titled, “A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, AMENDING RULES 301, 302, AND 303, ADOPTING RULE 300, AND DIRECTING STAFF ACTIONS.”**

Agenda Item 11 – Reports:

Notes from Mr. Poiriez:

- Next Board meeting is August 27, 2018. No meeting in July; Personnel Committee Meetings are scheduled July 10, 2018 and July 30, 2018. Personnel Committee members have been provided packets.

Mr. Poiriez updated the Board of past events:

- June 12th – attended CAPCOA Board meeting focusing on the following topics: AB 617 update with CARB Management that included program status, emissions reporting, BACT/BARCT clearing house,

community selection process; CARB Research work briefing; CAPCOA/CALRECYCLE/CARB composting white paper – rough draft coming soon – present for public comment in July – will drive most Districts to do a compost rule; CAPCOA Legislative Committee:

- The State Budget was adopted June 14th; State Legislature will recess July 6th and resume in August – most likely “Greenhouse Gas Reduction Funding” (where a lot of incentive grant programs are now) will probably be taken up in at that time;
- Bills in the Legislature potentially affecting the MDAQMD: SB 64 as currently written requires power plants to shut down when the local air district declares an “unhealthy” air day. This bill will be going to the Utilities commission where it faces stiff opposition. CAPCOA has taken an oppose unless amended position; SB 327 (a South Coast AQMD bill only) would require fleets more than 15 vehicles trade out up to 15% of their fleet per year with cleanest vehicles – CAPCOA is currently supporting South Coast AQMD efforts;
- June 21st – Conference call with CARB & South Coast AQMD regarding withdrawal of South East Desert 1-hour Ozone SIP, moving forward with withdrawing and working with EPA;

Mr. Poiriez updated the Board of upcoming events:

- June 27th – Conference call with South Coast AQMD regarding “trade-up” locomotion efforts targeting Barstow rail yard focusing on contract language in South Coast AQMD jurisdiction requiring newer units replaced in South Coast AQMD jurisdiction be designated to replace the Tier 0 units in Barstow.

Agenda Item 12 - Board Member Comments and Suggestions for Future Agenda Items.

- Board Member **JOHN COLE** expressed his congratulations upon the District’s 25th Anniversary. He indicated that regulating a wide variety of business interests in such a large area was impressive.
- Board Member **ROBERT LEONE** requested that an item be placed on a future agenda to reiterate Board support for legislation giving local jurisdictions the authority to place speed limits on dirt roads.
- Board Member **CARMEN HERNANDEZ** expressed interesting in the pending composting white paper and requested the Executive Director to keep the Board updated.
- Board Member **ROBERT LOVINGOOD** requested that the District investigate a potential action applicable to the South Coast Air Quality Management District which would allegedly require monitoring of warehousing and distribution sites with provisions for immediate shutdown of such sites if certain emissions levels are exceeded.
- Board Member **PAUL RUSS** congratulated District staff on 25 years of exemplary service to the High Desert.
- Board Member **V. MANUEL PEREZ** again congratulated the District upon its 25th Anniversary.

Being no further business Chair **JIM COX** adjourned the meeting at **10:51 a.m.** to the next Regular Meeting of **August 27, 2018.**

ACTION OF THE GOVERNING BOARD

APPROVED

Upon Motion by **BARBARA RIORDAN**, seconded by **ROBERT LEONE**, as approved by the following roll call vote:

Ayes: **8** **CAMARGO, COLE, COX, DECONINCK, HERNANDEZ, LEONE, RIORDAN, and RUSS**


Noes:

Absent: **5** **LOVINGOOD, PEREZ, RAMOS, STANTON, and WILLIAMS**

Abstain:

Vacant:

DEANNA HERNANDEZ, SENIOR EXECUTIVE ANALYST

BY  _____

Dated: AUGUST 27, 2018