

**MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
REGULAR GOVERNING BOARD MEETING
MONDAY, SEPTEMBER 24, 2018 - 10:00 A.M.
BOARD CHAMBERS, MDAQMD OFFICES
VICTORVILLE, CA**

MINUTES

Board Members Present:

Jim Cox, Chair, City of Victorville
Jeff Williams, Vice Chair, City of Needles
Ed Camargo, City of Adelanto
John Cole, City of Twentynine Palms
Joseph "Joey" DeConinck, City of Blythe
Carmen Hernandez, City of Barstow
Robert Lovingood, San Bernardino County
V. Manuel Perez, Riverside County
Paul Russ, City of Hesperia
Barb Stanton, Town of Apple Valley

Board Members Absent:

Robert Leone, Town of Yucca Valley
James Ramos, San Bernardino County
Barbara Riordan, Public Member

CALL TO ORDER

Chair **JIM COX** called the meeting to order at 10:00 a.m.

Chair **JIM COX** asked Board Member **JEFF WILLIAMS** to lead the Pledge of Allegiance.

Chair **JIM COX** asked for roll call; roll was called.

Special Announcements/Presentation:

- A. Plaque presentation to Board Member Barb Stanton. Presenter. Brad Poiriez, Executive Director/APCO. Executive Director/APCO Brad Poiriez took a moment to thank Member Barb Stanton for her service on the District Board. During her time on the Board, she has shaped the policies of the District and helped forge a plan for continued success in the future. It's rewarding to see a board member show the same compassion for air quality, and the residents throughout the District, as she has done for those that elected her to serve in Apple Valley. The District has been honored to have had Member Stanton help steer the District ship over many years and wish her all the best in the future.

- B. Presentation of 2017/2018 Exemplar Award to the Marine Corps Logistics Base Barstow. Presenter: Brad Poiriez, Executive Director/APCO.

Executive Director/APCO Brad Poiriez provided background information on the Exemplar Award and was proud to recognize the Marine Corps Logistics Base, Barstow for their efforts in being compliant coupled with being proactive in seeing what they can do to further reduce emissions, and always preemptively ensuring that they are meeting all current permit requirements. Based upon these accomplishments, the Marine Corps Logistics Base has earned the distinction of being named the recipient of the 2017/2018 Exemplar Award.

Chair **JIM COX** called for items with potential conflict of interest – 2 items for information only:

- A. Item #8. The parties to this agreement(s) will be the District, District Board members and officers and Linda Noroian, Nish Noroian Farms with its principals and agents.
- B. Item #9. The parties to this agreement(s) will be the District, District Board members and officers and Ryan Seiler, Seiler Equipment Company, LLC with its principals and agents.

Chair **JIM COX** called for **PUBLIC COMMENT** – None.

CLOSED SESSION

Upon Motion by Board Member **PAUL RUSS**, seconded by Board Member **ROBERT LOVINGOOD** and carried by unanimous roll call vote, the Board adjourned to Closed Session at 10:10 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 10:26 a.m., and District Counsel Karen K. Nowak stated that the Board met in Closed Session on the above Agenda Items with no reportable action.

CONSENT CALENDAR – Chair **JIM COX** polled the Board to determine if any member wished to pull an item on the consent calendar. Being none, 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 **ROBERT LOVINGOOD**, and carried by the following roll call vote, with ten **AYES** votes by Board Members **ED**

CAMARGO, JOHN COLE, JIM COX, JOSEPH “JOEY” DECONINCK, CARMEN HERNANDEZ, ROBERT LOVINGOOD, V. MANUEL PEREZ, PAUL RUSS, BARB STANTON, and JEFF WILLIAMS as follows:

Agenda Item 3 – Approve Minutes from Regular Governing Board Meeting of August 27, 2018.

Approved Minutes from Regular Governing Board Meeting of August 27, 2018.

Agenda Item 4 – Receive and file the minutes of the Technical Advisory Committee (TAC) meeting September 4, 2018. **Received and filed** the minutes of the Technical Advisory Committee (TAC) meeting September 4, 2018.

Agenda Item 5 – Receive and file the Legislative Report for September 7, 2018.

Received and filed the Legislative Report for September 7, 2018.

Agenda Item 6 – Adopt a resolution approving and adopting the MDAQMD Budget for FY 2018-19.

Adopted Resolution 18-17, “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 7 – Amend and update Governing Board Policy 95-3, “Persons Authorized to Incur Costs;” and Governing Board Policy 06-02, “Authority of District Counsel,” and delete Governing Board Policy 95-2, “Retaining of Outside Litigation Counsel, Different From Outside Legal Counsel.”

Amended and updated Governing Board Policy 95-3, “Persons Authorized to Incur Costs;” and Governing Board Policy 06-02, “Authority of District Counsel,” and **deleted** Governing Board Policy 95-2, “Retaining of Outside Litigation Counsel, Different From Outside Legal Counsel.”

Agenda Item 8 – 1) Award an amount not to exceed \$363,748.00 in Carl Moyer Program funds to Linda D Noroian for the replacement of two tractors with newer cleaner engine technology thus reducing emissions; (2) authorize the Executive Director/APCO the option to change the funding source if other applicable sources become available; and, 3) 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 \$363,748.00 in Carl Moyer Program funds to Linda D Noroian for the replacement of two tractors with newer cleaner engine technology thus reducing emissions; (2) **authorized** the Executive Director/APCO the option to change the funding source if other applicable sources become available; and, 3) **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 9 – 1) Award an amount not to exceed \$161,533.00 in Carl Moyer Program funds to Ryan Seiler for the replacement of two tractors with newer cleaner engine technology thus reducing emissions; (2) authorize the Executive Director/APCO the option to change the funding source if other applicable sources become available; and, 3) 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 \$161,533.00 in Carl Moyer Program funds to Ryan Seiler for the replacement of two tractors with newer cleaner engine technology thus reducing emissions; (2) **authorized** the Executive Director/APCO the option to change the funding source if other applicable sources become available; and, 3) **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 10 – Set date of October 22, 2018 to conduct a public hearing to consider the adoption of the *Federal Negative Declaration for One Control Techniques Guidelines Source Category (Motor Vehicle Materials)* and approval of CEQA documentation.

Date set for October 22, 2018 to conduct a public hearing to consider the adoption of the *Federal Negative Declaration for One Control Techniques Guidelines Source Category (Motor Vehicle Materials)* and approval of CEQA documentation.

Agenda Item 11 – Receive and file the Financial Report for **FY19**, through the month of **July 2018**, which provides financial information and budget performance concerning the fiscal status of the District.

Received and filed the Financial Report for **FY19**, through the month of **July 2018**, which provides financial information and budget performance concerning the fiscal status of the District.

Agenda Item 12 – DEFERRED ITEMS.

None.

Agenda Item 13 – PUBLIC COMMENT.

Public Comment made on Agenda Item #14 by Mr. Jason E. Songer Sr., A-Z Bus and Mr. Matt Essex, Adomani Inc., regarding electric school buses. They also had an electric school bus on site to provide a demonstration and a ride to the Governing Board members.

Agenda Item 14 – Receive and file presentation regarding the responsibilities and duties of the Grants Program.

Received and filed presentation regarding the responsibilities and duties of the Grants Program. No action required of the Governing Board – informational item only.

Agenda Item 15 – Reports:

Special notes from Mr. Poiriez:

- Signed MOA's for additional purple air sensors installations;
- Legislative Update on several bills: SB 100 – signed by Governor – 100% clean energy bill to be achieved by 2045. SB 64 – died – would have required additional amendments to remove air district concerns regarding forecasting and electrical generating units of 25mw or more operations.
- Publicly thanked Board Member Barb Stanton for her service on the Mojave Desert AQMD Governing Board.

Mr. Poiriez updated the Board of past events:

- September 14th – Met with SCAQMD Executive Staff regarding “Step-Up” program, grant opportunities and regional collaborations efforts;
- September 5th - attended State of the County conference;
- September 6th – attended Victor Valley College Foundation luncheon;
- September 12th – MEEC hosted teachers workshop onsite and MDAQMD staff participated;

- September 17th -20th – attended WRAP Fall Board meeting;
- Mr. Poiriez updated the Board of upcoming events:
- September 24th – will be participating in CAPCOA Legislative Retreat & Board meeting conference call;
- September 28th – will be attending 2034 Hesperia Infrastructure Committee meeting;
- October 3rd – is California Clean Air Day and the District will be doing social media outreach;
- October 10th – will be attending ACT Transit Luncheon at the request of Victor Valley Transit Authority;
- October 14th – will be attending NACAA Fall meeting.

Agenda Item 16 - Board Member Comments and Suggestions for Future Agenda Items.

- Board Member **BARB STANTON** expressed a heartfelt thank you to all.

Being no further business Chair **JIM COX** adjourned the meeting at **10:59 a.m.** to the next Regular Meeting of **October 22, 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, DECONINCK, HERNANDEZ, LEONE, PEREZ, RUSS, RIORDAN

Noes:

Absent: 4 LOVINGOOD, RAMOS, STANTON, WILLIAMS

Abstain:

Vacant:

DEANNA HERNANDEZ, SENIOR EXECUTIVE ANALYST

BY  _____

Dated: OCTOBER 22, 2018