

Mojave Desert Air Quality Management District
Brad Poiriez, Executive Director
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REGULAR GOVERNING BOARD MEETING
MONDAY, APRIL 22, 2019 - 10:00 A.M.
MDAQMD OFFICES, BOARD CHAMBERS
VICTORVILLE, CA

MINUTES

Board Members Present:

Carmen Hernandez, City of Barstow

Ed Camargo, City of Adelanto

Jim Cox, City of Victorville

Joseph "Joey" DeConinck, City of Blythe

Kari Leon – Town of Apple Valley

V. Manuel Perez, Riverside County

Barbara Riordan, Public Member

Dawn Rowe, San Bernardino County

Rebekah Swanson, City of Hesperia

Board Members Absent:

Jeff Williams, Chair, City of Needles

Merl Abel, Town of Yucca Valley

Robert Lovingood, San Bernardino County

Daniel Mintz, Sr., City of Twentynine Palms

CALL TO ORDER

Vice Chair **CARMEN HERNANDEZ** called the meeting to order at 10:00 a.m.

Board Member **DAWN ROWE** lead the Pledge of Allegiance.

Vice Chair **CARMEN HERNANDEZ** asked for roll call; roll was called.

Vice Chair **CARMEN HERNANDEZ** called for items with potential conflict of interest –

- Item #5 - The parties to this agreement(s) will be the District, District Board members and officers and CalPortland Company with its principals and agents.

- Item#6 - Public Agency Retirement System (PARS), U.S. Bank, HighMark Capital Management, respectively their Directors and Officers; Governing Board members and officers of the MDAQMD.
- Item #7 - Governing Board Members, and Jerry Kinkade.

Vice Chair **CARMEN HERNANDEZ** called for **PUBLIC COMMENT** – None.

CLOSED SESSION

Vice Chair **CARMEN HERNANDEZ** requested that the Closed Session Items be read. District Counsel Karen Nowak read the Closed Session Items aloud.

Upon Motion by Board Member **BARBARA RIORDAN**, seconded by Board Member **ED CAMARGO** and carried by unanimous roll call vote, the Board adjourned to Closed Session at 10:03 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 10:29 a.m., and District Counsel Karen Nowak stated that the Board met in Closed Session on the above Agenda Items with no reportable action.

CONSENT CALENDAR – Vice Chair **CARMEN HERNANDEZ** requested that the Consent Calendar Items be read. Senior Executive Analyst Deanna Hernandez read the Consent Calendar Items aloud. Vice Chair **CARMEN HERNANDEZ** polled the Board to determine if any member wished to pull an item on the consent calendar. The following consent items were acted upon by the Board at one time without discussion, upon motion by Board Member **JIM COX**, seconded by Board Member **BARBARA RIORDAN**, and carried by the following roll call vote, with nine **AYES** votes by Board Members **ED CAMARGO, JIM COX, JOSEPH “JOEY” DECONINCK, CARMEN HERNANDEZ, KARI LEON, V. MANUEL PEREZ, BARBARA RIORDAN, DAWN ROWE, and REBEKAH SWANSON**, with Board Member **DAWN ROWE ABSTAINING** on agenda item #5, as follows:

Agenda Item 3 – Approve Minutes from Regular Governing Board Meeting of March 25, 2019.
Approved Minutes from Regular Governing Board Meeting of March 25, 2019.

Agenda Item 4 – Amend and update Governing Board Policy 02-01, "Financial Reserves."
Presenter: Jean Bracy, Deputy Director — Administration.
Amended and updated Governing Board Policy 02-01, "Financial Reserves."

Agenda Item 5 – 1) Award an amount not to exceed \$339,948.80 from the Mobile Source Emissions Reduction Fund Pool to CalPortland Company to replace a 1987 Trackmobile 9TM 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.

Presenter: Jorge Camacho, Grants Specialist.

1) **Awarded** an amount not to exceed \$339,948.80 from the Mobile Source Emissions Reduction Fund Pool to CalPortland Company to replace a 1987 Trackmobile 9TM 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 6 – Approve the Investment Selection for the Pension Rate Stabilization Program (PRSP); Adopt updated Investment Guidelines Document (April 2019); and authorize the Executive Director/APCO, or designee, to execute required documents, subject to review by District Counsel.

Presenter: Jean Bracy, Deputy Director — Administration.

Approved the Investment Selection for the Pension Rate Stabilization Program (PRSP); **Adopted** updated Investment Guidelines Document (April 2019); and **authorized** the Executive Director/APCO, or designee, to execute required documents, subject to review by District Counsel.

Agenda Item 7 – Appoint Jerry Kinkade to the Hearing Board of the Mojave Desert Air Quality Management District (MDAQMD) as a Public Member for a 3-year term to expire April 22, 2022.

Presenter: Brad Poiriez, Executive Director/APCO.

Appointed Jerry Kinkade to the Hearing Board of the Mojave Desert Air Quality Management District (MDAQMD) as a Public Member for a 3-year term to expire April 22, 2022.

Agenda Item 8 – Receive and file the District Activity Report.

Presenter: Brad Poiriez, Executive Director/APCO.

Received and filed the District Activity Report.

Agenda Item 9 – Receive and file the Financial Report for FY19, through the month of February 2019, which provides financial information and budget performance concerning the fiscal status of the District.

Presenter: Jean Bracy, Deputy Director — Administration.

Received and filed the Financial Report for FY19, through the month of February 2019, which provides financial information and budget performance concerning the fiscal status of the District.

Agenda Item 10 – Receive and file the Legislative Report for April 5, 2019.

Presenter: Brad Poiriez, Executive Director/APCO

Received and filed the Legislative Report for April 5, 2019.

Agenda Item 11 – Set date of June 10, 2019 to conduct a public hearing to consider the amendment of Rule 501 — Procedures Before the Hearing Board and the rescission of the remaining rules in Regulation V — Procedures Before the Hearing Board and Regulation VIII — Orders for Abatement and approval of California Environmental Quality Act (CEQA) documentation.

Presenter: Alan De Salvio, Deputy Director — Mojave Desert Operations

Date set for June 10, 2019 to conduct a public hearing to consider the amendment of Rule 501 — Procedures Before the Hearing Board and the rescission of the remaining rules in Regulation V — Procedures Before the Hearing Board and Regulation VIII — Orders for Abatement and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 12 – DEFERRED ITEMS.

None.

Agenda Item 13 – PUBLIC COMMENT.

None.

Agenda Item 14 – Reports:

Special notes from Mr. Poiriez:

- Happy Earth Day – staff participating in event hosted by Helendale Community Services, expected to draw at least 150 people – CRE Staff will man one of 7 stations that focus on air quality.
- Earth Day is now a yearly global event – participants numbering more than 1B people in 192 countries; this year’s theme is “Protecting Our Species.” The District will participate in social media.
- Training room improvements continue: dry erase writable walls, new audio visual and configuration for increased use.
- APCO evaluation forms have been handed out and will be emailed today, please return no later than May 10, 2019.
- No May 2019 Board meeting due to holiday; two board meetings in June 2019 due to budget process – June 10th and June 24th.

Mr. Poiriez updated the Board of past events:

- April 3rd – 5th – Staff participated in CAPCOA Fiscal Managers and HR committee meetings;
- April 9th – 11th – attended CAPCOA Board meeting in Sacramento – main topics: Criteria & Toxic Regulation (CTR) update – CARB now proposing some changes the District requested, 1) phase in approach, 2) change in scope, and 3) added abbreviated reporting source categories: 1A) first group to report only district with selected communities under AB 617 and Title V and mandatory reporting facilities (2020 to 2021); second group will be sources with over 4 ton threshold push to 2022 (additional 2 years); 2A) abbreviated reporting to now include more source categories – retail gas stations, IC engines, NG boilers, crematories and looking at adding others like asphalt, aggregate and small auto body paint shops, the District currently gets activity data on these sources every year, CARB will allow districts to write engineering methodology for evaluation that CARB can approve to allow every 3 year evaluations; 3A) Ag is the last source category to be

addressed in 2022; other CARB discussion items: draft admin guidelines for CAP funding and advanced pay regulation for incentive funds; Legislation Update: AB 661 – Wildfire Smoke Air Pollution Emergency plan now will be a Sacramento Metro only pilot project; AB 836 (Wicks) – statewide program to create “Clean Air Centers” during wildfires includes schools working on funding source; AB 966 (Bonta) – third party verifier requirement on cement plants local industry aware and working with author; SB 723 – SCAQMD Transaction & Use Tax – SCAQMD pulling bill; will look what options are available;

- April 16th – send a letter of support for VVTA seeking funding for additional electric buses; budget preparation meeting with Fiscal staff;
- April 17th – participated in WRAP Board Admin subcommittee conference call; attended MEEC Board meeting.
- April 18th – Capital Improvement Project (CIP) facility walkthrough with contractors for RFP; participated in AAPCA Air Director conference call;
- April 20th – Lawn & Garden Exchange Event, this year 17% increase – unofficial numbers 256 pieces of equipment – 143 mowers, 40 blowers, and 73 trimmers;

Mr. Poiriez updated the Board of upcoming events:

- April 25th – MEEC Teacher/Student of the Year Banquet.
- ❖ Follow-up on Board Member Requests from last Board meeting:
 - Member Cox – asked about who has jurisdiction over indoor air quality? Spoke with many air districts and it is the County Public Health Officer/Agency, districts cooperate and coordinate with them.
 - Member Riordan – requested and update on electric bus programs. In Antelope Valley, Wilsona School got an EV bus through the Rural School Bus Pilot Program. Issues/Concerns: battery life, cabin heating, charging times, acceleration. All issues/concerns have been addressed with additional experiences/use, adjusting routes, and driving training. They have offered an additional bus and accepted. In AV it is Elion Bus brand, in MD it will be Bluebird through A&Z.

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

- Board Member DeConinck publicly thanked Executive Director Brad Poiriez for sending 3 District Staff members to the Palo Verde Valley Outlook Conference.
- Board Member Hernandez requested to work with District Staff member Jorge Camacho on the CNG Trolley project in Barstow.
- Board Member Swanson commented on a conference she attended regarding CEQA Reform and requested information regarding the District CEQA process with other Board Members concurring. District staff will prepare and present a CEQA Presentation in the near future.

Being no further business, Vice Chair **CARMEN HERNANDEZ** adjourned the meeting at **10:59 a.m.** to the next Regular Meeting of **June 10, 2019**.

ACTION OF THE GOVERNING BOARD

APPROVED

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

Ayes: 7 **COX, DECONINCK, HERNANDEZ, LEON, RIORDAN, ROWE, SWANSON**

Noes:

Absent:

Abstain: 3 **ABEL, LOVINGOOD, MINTZ**

DEANNA HERNANDEZ, SENIOR EXECUTIVE ANALYST

BY Deanna Hernandez

Dated: JUNE 10, 2019