

**Mojave Desert Air Quality Management District**  
**Brad Poiriez, Executive Director**  
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**REGULAR GOVERNING BOARD MEETING**  
**MONDAY, FEBRUARY 24, 2020 - 10:00 A.M.**  
**MDAQMD OFFICES, BOARD CHAMBERS**  
**VICTORVILLE, CA**

MINUTES

Board Members Present:

*Jeff Williams, Chair, City of Needles*  
*Carmen Hernandez, Vice Chair, City of Barstow*  
Merl Abel, Town of Yucca Valley  
Ed Camargo, City of Adelanto  
Jim Cox, City of Victorville  
William “Bill” Holland – City of Hesperia  
Kari Leon – Town of Apple Valley  
Robert Lovingood, San Bernardino County  
V. Manuel Perez, Riverside County  
Barbara Riordan, Public Member  
Dawn Rowe, San Bernardino County

Board Members Absent:

Joseph “Joey” DeConinck, City of Blythe  
Daniel Mintz, Sr., City of Twentynine Palms

**CALL TO ORDER**

Chair **JEFF WILLIAMS** called the meeting to order at 10:02 a.m.

Chair **JEFF WILLIAMS** asked Board Member **BILL HOLLAND** to lead the Pledge of Allegiance.

Chair **JEFF WILLIAMS** asked for roll call; roll was called.

Items with potential Conflict of Interests – If you believe you have a conflict of interest, please recuse yourself at the appropriate time. If you have a question regarding a potential conflict of interest, please contact District Counsel.

Chair **JEFF WILLIAMS** asked if any members wished to indicate a conflict of interest in regards to any agenda items.

Board Member **ED CAMARGO** ask legal advice regarding a potential conflict of interest on Agenda Item #14. Karen Nowak, District Counsel, advised Board Member Camargo she did not believe that there was a conflict of interest, but offered Board Member Camargo that he may recuse himself if he so wished.

Chair **JEFF WILLIAMS** called for **PUBLIC COMMENT**.

**PUBLIC COMMENT** made by Barbara Whittington, Teamsters Local 1932, on Agenda Item #4. Ms. Whittington thanked management and staff for their efforts with the resolution of the Memorandum of Understanding (MOU) adoption.

### **CLOSED SESSION**

Upon motion by Board Member **ROBERT LOVINGOOD**, seconded by Board Member **BARBARA RIORDAN**, with ten **AYES** votes by Board Members **ED CAMARGO, JIM COX, CARMEN HERNANDEZ, WILLIAM “BILL” HOLLAND, KARI LEON, ROBERT LOVINGOOD, V. MANUEL PEREZ, BARBARA RIORDAN, DAWN ROWE and JEFF WILLIAMS** with Board Members **MERL ABEL, JOSEPH “JOEY” DECONINCK and DANIEL MINTZ, Sr. absent, the board entered into 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 LABOR NEGOTIATORS (Government Code Section 54957.6). Agency Designated Representative: Brad Poiriez. Employee Organization: Teamsters Local Union No. 1932.

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 10:18 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** – Chair **JEFF WILLIAMS** polled the Board to determine if any member wished to pull an item on the consent calendar for discussion. No member did so. The following consent items were acted upon by the Board at one time without discussion. Upon motion by Board Member **WILLIAM “BILL” HOLLAND**, seconded by Board Member **JIM COX**, and carried by the following roll call vote, with eleven **AYES** votes by Board Members **MERL ABEL, ED CAMARGO, JIM COX, CARMEN HERNANDEZ, WILLIAM “BILL” HOLLAND, KARI LEON, ROBERT LOVINGOOD, V. MANUEL PEREZ, BARBARA**

**RIORDAN, DAWN ROWE and JEFF WILLIAMS**, with Board Member **DAWN ROWE abstaining** on agenda item #3, and with **Board Members JOSEPH “JOEY” DECONINCK and DANIEL MINTZ, Sr. absent**, on the Consent Calendar, as follows:

Agenda Item 3 – Approve Minutes from Regular Governing Board Meeting of January 27, 2020.  
**Approved** Minutes from Regular Governing Board Meeting of January 27, 2020.

Agenda Item 4 – Adopt a Resolution to: 1) Extend the current Memorandum of Understanding (“MOU”) with Teamsters Local 1932 (“Teamsters”) for employees in the General Unit to June 30, 2025; 2) Authorize conforming changes in terms and conditions, as specified, for exempt employees in the Exempt Compensation Plan (“ECP”); 3) Authorize conforming changes, as specified, in the Personnel Policies and Procedures (“PPP”); and 4) Direct staff actions.  
Presenter: Brad Poiriez, Executive Director/APCO.

**Adopted Resolution 20-02, “A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT TO EXTEND THE CURRENT MEMORANDUM OF UNDERSTANDING (“MOU”) WITH TEAMSTERS LOCAL 1932 FOR REPRESENTED EMPLOYEES IN THE GENERAL UNIT EFFECTIVE JULY 1, 2017 AND EXTENDING THE TERM TO JUNE 30, 2025; AUTHORIZE CONFORMING AMENDMENTS IN THE EXEMPT COMPENSATION PLAN (“ECP”) AND THE PERSONNEL POLICIES & PROCEDURES (“PPP”); AND DIRECT STAFF ACTIONS.”** to: 1) Extend the current Memorandum of Understanding (“MOU”) with Teamsters Local 1932 (“Teamsters”) for employees in the General Unit to June 30, 2025; 2) Authorize conforming changes in terms and conditions, as specified, for exempt employees in the Exempt Compensation Plan (“ECP”); 3) Authorize conforming changes, as specified, in the Personnel Policies and Procedures (“PPP”); and 4) Direct staff actions.

Agenda Item 5 – Amend the MDAQMD Exempt Compensation Plan (ECP) to incorporate changes in specified terms and conditions to conform to the recently adopted Memorandum of Understanding (MOU), and make other administrative changes. Presenter: Brad Poiriez, Executive Director/APCO.

**Amended** the MDAQMD Exempt Compensation Plan (ECP) to incorporate changes in specified terms and conditions to conform to the recently adopted Memorandum of Understanding (MOU), and make other administrative changes.

Agenda Item 6 – Amend the MDAQMD Personnel Policies & Procedures (“PPP”) to conform to the recently adopted Memorandum of Understanding (MOU), and make other administrative changes. Presenter: Brad Poiriez, Executive Director/APCO.

**Amended** the MDAQMD Personnel Policies & Procedures (“PPP”) to conform to the recently adopted Memorandum of Understanding (MOU), and make other administrative changes.

Agenda Item 7 – Ratify the Board Chair’s appointment of members to serve on the Budget Committee and the Personnel Committee for calendar year 2020. Presenter: Brad Poiriez, Executive Director, on behalf of the Governing Board Chair.

**Ratified** the Board Chair’s appointment of members to serve on the Budget Committee and the Personnel Committee for calendar year 2020.

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 FY20, through the month of December 2019, which provides financial information and budget performance concerning the fiscal status of the District. Presenter: Jean Bracy, Deputy Director – Administration and Laquita Cole, Finance Manager.

**Received and filed** the Financial Report for FY20, through the month of December 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 February 2020. Presenter: Brad Poiriez, Executive Director/APCO.

**Received and filed** the Legislative Report for February 2020.

Agenda Item 11 – DEFERRED ITEMS.

None.

Agenda Item 12 – PUBLIC COMMENT.

None.

Agenda Item 13 – The Annual Financial Report and Management Report (Audit) for Fiscal Year 2018-19 is being presented for receive and file. The audit process is complete and the information is provided to the Governing Board. Presenter: Jean Bracy, Deputy Director – Administration and Laquita Cole, Finance Manager.

Brad Poiriez, Executive Director/APCO presented the audit report and answered questions from the Board. After discussion and upon motion by Board Member **BARBARA RIORDAN**, seconded by Board Member **WILLIAM “BILL” HOLLAND**, with eleven **AYES** votes by Board Members **MERL ABEL, ED CAMARGO, JIM COX, CARMEN HERNANDEZ, WILLIAM “BILL” HOLLAND, KARI LEON, ROBERT LOVINGOOD, V. MANUEL PEREZ, BARBARA RIORDAN, DAWN ROWE and JEFF WILLIAMS**, with Board Members **JOSEPH “JOEY” DECONINCK and DANIEL MINTZ, Sr. absent**, the board, **accepted, received and filed** the Annual Financial Report and Management Report (Audit) for Fiscal Year 2018-19.

Agenda Item 14 – 1) Award an amount not to exceed \$800,000.00 in Community Air Protection Funds to Adelanto Elementary School District to replace two (2) diesel school buses with two (2) zero-emission all-electric school buses; (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.

Presenter: Jorge Camacho, Grants Specialist.

Jorge Camacho, Grants Specialist, presented the background information and answered questions from the Board. After discussion and upon motion by Board Member **WILLIAM “BILL” HOLLAND**, seconded by Board Member **ED CAMARGO**, with eleven **AYES** votes by Board

Members **MERL ABEL, ED CAMARGO, JIM COX, CARMEN HERNANDEZ, WILLIAM “BILL” HOLLAND, KARI LEON, ROBERT LOVINGOOD, V. MANUEL PEREZ, BARBARA RIORDAN, DAWN ROWE and JEFF WILLIAMS, with Board Members JOSEPH “JOEY” DECONINCK and DANIEL MINTZ, Sr. absent**, the board, 1) **Awarded** an amount not to exceed \$800,000.00 in Community Air Protection Funds to Adelanto Elementary School District to replace two (2) diesel school buses with two (2) zero-emission all-electric school buses; (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 15 – Reports:

Special notes from Mr. Poiriez:

- Congratulated Michelle Powell for 20 years of service.
- Legislative Highlight/Update:
  - SB 802 (Glazer) – exempts hospital generators from air requirements during a PSPS event.
  - AB 2182 (Rubio) – exempts water and wastewater facilities from air district authority over backup generators.

Mr. Poiriez updated the Board of past events:

- February 5<sup>th</sup> – attended Victorville State of City conference and San Bernardino County State of County conference.
- February 10<sup>th</sup> – 12<sup>th</sup> – attended CAPCOA Board meeting – items of discussion included: potential CAPCOA hosted prescribed fire/wildfire conference; AB 617 funding implementation and incentive; CARB CTR 2.0 Rulemaking; 105 Grant presentation by EPA; updated statewide AG inventory, survey results to be presented in March 2020.
- February 14<sup>th</sup> – District held staff breakfast potluck.
- February 19<sup>th</sup> – 21<sup>st</sup> – attended the Medium District APCO meeting – items of discussion included: legislative updates; governor’s budget; CAP incentive & implementation funding; EV incentives & infrastructure; District updates.
- February 25<sup>th</sup> – District will have a call with EPA & CARB regarding NSR Rules comments and progress.

Mr. Poiriez updated the Board of upcoming events:

- March 4<sup>th</sup> – participate in WRAP Board conference call.
- March 5<sup>th</sup> – attend Victor Valley College President’s Circle lunch.
- March 9<sup>th</sup> – 11<sup>th</sup> – attend CAPCOA Board meeting.

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

- Board Members Rowe, Hernandez and Holland requested to receive information on District Lawn & Garden equipment exchange events.

Being no further business, Chair **JEFF WILLIAMS** adjourned the meeting at **10:35 a.m.** to the next Regular Meeting of **March 23, 2020**.

**ACTION OF THE GOVERNING BOARD**

**APPROVED**

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

**Ayes:**            **10**     **ABEL, COX, CAMARGO, HERNANDEZ, LEON, MINTZ,  
LOVINGOOD, PEREZ, RIORDAN, ROWE**

**Noes:**

**Absent:**         **3**         **DECONINCK, HOLLAND, WILLIAMS**

**Abstain:**

**DEANNA HERNANDEZ, SENIOR EXECUTIVE ANALYST**

**BY *Deanna Hernandez***

**Dated: April 27, 2020**