

**MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
REGULAR GOVERNING BOARD MEETING
MONDAY, JANUARY 23, 2017 - 10:00 A.M.
BOARD CHAMBERS, MDAQMD OFFICES
VICTORVILLE, CA**

MINUTES

Board Members Present:

Robert Lovingood, Chair, San Bernardino County
Jim Cox, Vice-Chair, City of Victorville (absent for supplemental agenda item S-1)
Carmen Hernandez, City of Barstow
Joseph "Joey" DeConinck, City of Blythe
Robert Leone, Town of Yucca Valley
Jeff Williams, City of Needles
Paul Russ, City of Hesperia
Marion Ashley, Riverside County
James Ramos, San Bernardino County (absent for supplemental agenda item S-1)
Barb Stanton, Town of Apple Valley
John Cole, City of Twentynine Palms
Ed Camargo, City of Adelanto
Barbara Riordan, Public Member

Board Members Absent:

None

CALL TO ORDER

Chair **ROBERT LOVINGOOD** called the meeting to order at 10:01 a.m. and asked Board Member **JEFF WILLIAMS** to lead the Pledge of Allegiance.

Chair **ROBERT LOVINGOOD** asked the Clerk to call roll; roll was called.

Chair **ROBERT LOVINGOOD** called for a moment of silence for the passing of Supervisor John J. Benoit.

Supplemental Agenda 17-01 **Monday, January 23, 2017**

SUPPLEMENTAL ITEM (to precede swearing-in of new board member)

S-1 Adopt resolution approving agreement for representation of Riverside County on the Mojave Desert Air Quality Management District (MDAQMD) Board.

Upon Motion by Board Member **PAUL RUSS**, Seconded by Board Member **CARMEN HERNANDEZ**, and carried with ten **AYES** votes by Board Members **JOSEPH DECONINCK**,

ROBERT LOVINGOOD, PAUL RUSS, CARMEN HERNANDEZ, BARB STANTON, JEFF WILLIAMS, ED CAMARGO, BARBARA RIORDAN, JOHN COLE and ROBERT LEONE the Board adopted **RESOLUTION 17-01**, titled, “**A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT APPROVING AGREEMENT REGARDING REPRESENTATION OF RIVERSIDE COUNTY ON THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT.**”

MOVE TO SWEARING-IN OF NEW BOARD MEMBER SUPERVISOR MARION ASHLEY

Chair **ROBERT LOVINGOOD** moved to the swearing-in of new Board Member **MARION ASHLEY**. The Clerk swore-in new Board Member **MARION ASHLEY**.

Chair **ROBERT LOVINGOOD** called for PUBLIC COMMENT – No public comment made.

CLOSED SESSION

Upon Motion by Board Member **ROBERT LEONE**, Seconded by Board Member **CARMEN HERNANDEZ** and carried by unanimous roll call vote, the Board adjourned to Closed Session at 10:07 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).

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 10:23 a.m., and Special Counsel **Piero Dallarda** stated for the record that the Board met in Closed Session on Item #1 and that there is no reportable action.

CONSENT CALENDAR - The following consent items were acted upon by the Board at one time without discussion, upon motion by Board Member **BARB STANTON**, Seconded by Board Member **JEFF WILLIAMS**, and carried by unanimous roll call vote, record to reflect that Board Member **MARION ASHLEY** abstained on Agenda Item #2, as follows:

Agenda Item 2 – Approve Minutes from Regular Governing Board Meeting of October 24, 2016.
Approved the minutes from the Regular Governing Board meeting of October 24, 2016.

Agenda Item 3 – Receive and File: The Finance Report.
Received and filed the Finance Report.

Agenda Item 4 – Receive and File: The financial audit for Fiscal Year 2015-16, with the management letter, is complete and presented for review. Harold Manning, CPA, a partner with

Burkey, Cox, Evans & Bradford, Accountancy Corporation will present the results of this audit during the meeting.

Received and filed the financial audit for Fiscal Year 2015-16.

Agenda Item 5 – Receive and file the Financial Report for FY 17 to October 31 which provides financial information and budget performance concerning the fiscal status of the District.

Received and filed the Financial Report for FY 17 to October 31 which provides financial information and budget performance concerning the fiscal status of the District.

Agenda Item 6 – Receive and File: The Legislative Report for January 5, 2017.

Received and filed the Legislative Report for January 5, 2017.

Agenda Item 7 – Reappoint Barbara Cram Riordan to remain as the Public Member on the Governing Board for an additional two year term to expire January 2019.

Reappointed Barbara Cram Riordan to remain as the Public Member on the Governing Board for an additional two year term to expire January 2019.

Agenda Item 8 – Ratify the Air Pollution Control Officer’s new appointments to the Technical Advisory Committee (TAC) and the re-appointments to the TAC.

Ratified the Air Pollution Control Officer’s new appointments to the Technical Advisory Committee (TAC) and the re-appointments to the TAC.

Agenda Item 9 – Set date of February 27, 2017 to conduct a public hearing to consider the adoption of the MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area) and approval of California Environmental Quality Act (CEQA) documentation.

Approved set date of February 27, 2017 to conduct a public hearing to consider the adoption of the MDAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Nonattainment Area) and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 10 – Amend Governing Board Policy 11-01, “Ticket and/or Passes Receipt and Distribution.”

Amended Governing Board Policy 11-01, “Ticket and/or Passes Receipt and Distribution.”

Agenda Item 11 – DEFERRED ITEMS:

None

Agenda Item 12 – PUBLIC COMMENT.

None

Agenda Item 13 – Adopt a Resolution to authorize the District to participate in the Public Agencies Post-Employment Benefits Trust administered by Public Agency Retirement System (PARS); Authorize a deposit up to \$1,000,000; Appoint the Executive Director/APCO as the

Plan Administrator; and Authorize the Executive Director/APCO to execute the documents to implement the program.

Staff Member Jean Bracy provided background information and staff recommendation. Staff Member Bracy and Mitch Barker, PARS Representative, answered various questions from Board Members. Upon Motion by Board Member **PAUL RUSS**, Seconded by Board Member **JIM COX**, and carried with eleven **AYES** votes by Board Members **JOSEPH DECONINCK, ROBERT LOVINGOOD, PAUL RUSS, CARMEN HERNANDEZ, BARB STANTON, JEFF WILLIAMS, ED CAMARGO, BARBARA RIORDAN, JIM COX, JOHN COLE and ROBERT LEONE** the Board adopted **RESOLUTION 17-02, titled, "A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT APPROVING THE ADOPTION OF THE PUBLIC AGENCIES POST-EMPLOYMENT BENEFITS TRUST ADMINISTERED BY PUBLIC AGENCY RETIREMENT SERVICES (PARS)";** **Authorized** a deposit up to \$1,000,000; **Appointed** the Executive Director/APCO as the Plan Administrator; and **Authorized** the Executive Director/APCO to execute the documents to implement the program

Agenda Item 14 – Reports:

Executive Director Brad Poiriez:

Mr. Poiriez updated the Board of past events:

- Implemented Board approved re-organization steps; filled 3, out of 5, vacant positions, 1 AQS May Mamari and 2 AQ Instrument Techs Chris Wills and Jennifer Eberwein; recruitment for 2 Supervisor positions completed with interviews set-up for first week in February;
- Next phase of the Board approved re-organization will address the Executive Office and bring to the Board in February;
- EPA is proposing to approve the District's initial 6-yr 15% rate of progress for the 1997 Ozone Standard;
- CARB continues to hold training classes here at the District for District Staff and industry;
- MEEC received a generous donation of \$10,000.00 from Southern California Gas and publicly thanked Southern California Gas;
- Special kudos to Jean Bracy for being elected President of Special District Risk Management Authority (SDRMA) by her peers in addition to being SDRMA's first female president.

Mr. Poiriez informed the Board of upcoming events:

- January 24th the District will be having a full staff meeting then later in the day be speaking at an air pollution class at Cal State University San Bernardino;
- February 20th – 22nd he will be attending the CAPCOA Medium District meeting in Bakersfield which he has been elected the Chair;
- February 27th the District's 2008 Ozone RACT SIP will be on the agenda.

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

- Board Member **JOSEPH DECONINCK** suggested that when the video conferencing is experiencing technical difficulties, staff switch to a phone conference call.

- Board Member **CARMEN HERNANDEZ** would like follow-up information on the natural gas issue – Ivanpah Solar.
- Board Member **BARB STANTON** would like staff to investigate why it seems that at every meeting there's an issue with the sound system when the Board has approved for over \$100,000 to upgrade the system.

Election of Chair and Vice-Chair of the Governing Board for 2017:

Chair **ROBERT LOVINGOOD** called for nominations for Chair of the Governing Board for 2017. Board Member **PAUL RUSS** nominated Board Member **JIM COX** for Chair, Seconded by Board Member **ED CAMARGO**, and being no other nominations, nominations for Chair was closed. By unanimous roll call vote, Board Member **JIM COX** was elected Chair for 2017.

Chair **ROBERT LOVINGOOD** called for nominations for Vice Chair of the Governing Board for 2017. Board Member **JOHN COLE** nominated Board Member **JEFF WILLIAMS** for Vice Chair, Seconded by Board Member **PAUL RUSS**, and being no other nominations, nominations for Vice Chair was closed. By unanimous roll call vote, Board Member **JEFF WILLIAMS** was elected Vice Chair for 2017.

Being no further business, Chair **ROBERT LOVINGOOD** adjourned the meeting at **11:06 a.m.** to the next Regular Meeting of *February 27, 2017*.

ACTION OF THE GOVERNING BOARD

APPROVED

Upon Motion by **BARB STANTON**, Seconded by **BARBARA RIORDAN**, as approved by the following roll call vote:

Ayes:	8	DECONINCK, CAMARGO, HERNANDEZ, STANTON, RIORDAN, COX, COLE, LEONE
Noes:		
Absent:	5	ASHLEY, LOVINGOOD, RUSS, RAMOS, WILLIAMS
Abstain:		
Vacant:		

DEANNA HERNANDEZ, EXECUTIVE OFFICE MANAGER

BY 

Dated: FEBRUARY 27, 2017