

**MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT  
REGULAR GOVERNING BOARD MEETING  
MONDAY, MAY 23, 2016 - 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  
Barb Stanton, Town of Apple Valley  
Merrill Gracey (Alternate), City of Barstow  
Barbara Riordan, Public Member  
Joseph "Joey" DeConinck, City of Blythe  
Robert Leone, Town of Yucca Valley  
Ed Camargo, City of Adelanto  
John Cole, City of Twentynine Palms  
John J. Benoit, Riverside County

Board Members Absent:

James Ramos, San Bernardino County  
Paul Russ, City of Hesperia  
Jeff Williams, City of Needles

**CALL TO ORDER**

Chair **ROBERT LOVINGOOD** called the meeting to order at 10:00 a.m. and asked Board Member **BARB STANTON** to lead the Pledge of Allegiance.

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

**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 **BARBARA RIORDAN**, and carried by unanimous roll call vote, as follows:

Agenda Item 1 – Approve Minutes from Regular Governing Board Meeting of April 25, 2016.  
**Approved** the minutes from the Regular Governing Board meeting of April 25, 2016.

Agenda Item 2 – Set date of June 27, 2016 to conduct a Public Hearing to consider the amendment of Regulation XIII – New Source Review and adoption of Rule 1600 – Prevention of Significant Deterioration and approval of California Environmental Quality Act (CEQA) documentation.

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**Set the date of June 27, 2016** to conduct a Public Hearing to consider the amendment of Regulation XIII – New Source Review and adoption of Rule 1600 – Prevention of Significant Deterioration and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 3 – Adopt the Investment Guidelines Document for the Mojave Desert Air Quality Management District Other Post-Employment Benefits Trust (OPEB), April 2016, and authorize the Executive Director, or designee, to execute the document, subject to review by Special Counsel to the Governing Board.

**Adopted** the Investment Guidelines Document for the Mojave Desert Air Quality Management District Other Post-Employment Benefits Trust (OPEB), April 2016, and **authorized** the Executive Director, or designee, to execute the document, subject to review by Special Counsel to the Governing Board.

Agenda Item 4 – Adopt Policy 16-01 Technical Advisory Committee (TAC).

**Adopted** Policy 16-01 Technical Advisory Committee (TAC).

Agenda Item 5 – Receive and File: Finance Report and Budget Performance.

**Received and Filed:** Finance Report and Budget Performance through March 2016.

Agenda Item 6 – Receive and File: The Legislative Report for May 5, 2016.

**Received and Filed:** The Legislative Report for May 5, 2016.

Agenda Item 7 – DEFERRED ITEMS:

None.

Agenda Item 8 – PUBLIC COMMENT.

Fred Lowe, Teamsters Local 1932, expressed the opinion of the Teamsters about the current state of the District regarding: management relations; staffing; budget and reserves; and conduct of recently commenced negotiations.

Agenda Item 9 – Conduct a Public Hearing to receive comments and staff presentation for the proposed MDAQMD Budget for FY 2016-17; a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing and continue item to the Governing Board meeting of June 27, 2016 for adoption.

Vice Chair **JIM COX** opened the public hearing. Staff member Jean Bracy provided a power point presentation and answered questions from Board Members. Vice Chair **JIM COX** solicited public comment, being none, Vice Chair **JIM COX** closed the public hearing. Item continued to the Governing Board meeting of June 27, 2016 for adoption.

Agenda Item 10 – Conduct a Public Hearing to consider the amendment of Regulation III Fees: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Continue public Hearing to June 27, 2016.

Vice Chair **JIM COX** opened the public hearing. Staff member Alan DeSalvio provided a power point presentation and answered questions from Board Members. Vice Chair **JIM COX** solicited public comment, being none, Vice Chair **JIM COX** closed the public hearing. Item continued to the Governing Board meeting of June 27, 2016 for adoption.

Agenda Item 11 – Conduct a Public Hearing to consider the amendment of Rule 219 – Equipment Not Requiring a Permit: 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 of Exemption, amending the rule and directing staff actions.

Staff member Alan DeSalvio provided a power point presentation and staff recommendation. Vice Chair **JIM COX** opened the public hearing. Staff member Alan DeSalvio answered questions from Board Members. Vice Chair **JIM COX** solicited public comment, being none, Vice Chair **JIM COX** closed the public hearing. Upon motion by Board Member **BARBARA RIORDAN**, Seconded by Board Member **ROBERT LEONE**, and carried by unanimous roll call vote, the Board amended Rule 219, directed staff actions and adopted **Resolution 16-01**, titled, **“A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, AMENDING RULE 219- EQUIPMENT NOT REQUIRING A PERMIT AND DIRECTING STAFF ACTIONS.”**

Agenda Item 12 – Reports:

Executive Director Eldon Heaston updated the Board on their interest to review policies on a regularly basis. Staff has started to work on this subject as this will be pertinent and especially useful with the new APCO. Mr. Heaston noted that labor negotiation will be an opportunity to see some of the policies as these negotiated policies will need to be approved.

Mr. Heaston updated the Board on Other Post-Employment Benefits (OPEB). Staff is working on this subject and is developing a report for the Board in the near future.

Mr. Heaston announced that CDAWG is scheduled for November 15 & 16 at the Orleans Resort and Casino in Las Vegas, Nevada.

Mr. Heaston announced that the Solar Cook Off held on May 14 was a great success. Thirteen teams of students from local schools showed off their “zero emission” culinary skills during the 4<sup>th</sup> Annual Solar Oven Cook Off on Saturday, May 14 at the San Bernardino County Museum in Apple Valley. The daylong event – sponsored by the MDAQMD and MEEC, in association with San Bernardino County’s Office of the First District – challenged students to design and build solar cookers and use them to prepare mouthwatering dishes. Over \$2,000 in prize money was awarded to winning teams in three age groups in the categories of “Best Solar Oven Design” and “Top Recipe.”

Mr. Heaston congratulated Violette Roberts as Air & Waste Management Association (A&WMA), and it’s Education Council, recipient of its “2016 Exceptional Education Contributor” award in recognition of her commitment to educating students, other members of

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A&WMA, and the community about air quality. The Award will be presented at AWMA's *109th Annual Conference & Exhibition*, to be held in New Orleans, Louisiana on Wednesday, June 22th.

**Agenda Item 13 - Board Member Comments and Suggestions for Future Agenda Items.**

Board Member Barb Stanton complimented staff for their efforts in the poster contest and thanked staff for the invite.

Board Member Robert Leone announced that Yucca Valley is reinstating their Rodeo and will be having Grub Steaks next week.

**CLOSED SESSION**

Upon Motion by Board Member **BARBARA RIORDAN**, Seconded by Board Member **BARB STANTON** and carried by unanimous roll call vote, the Board adjourned to Closed Session at 10:07 a.m.

**Agenda Item 14 - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Government Code Section 54956.9 (b): (1 Case).**

**Agenda Item 15 – CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6). Agency Designated Representatives: Eldon Heaston. Employee Organization: SBPEA, Teamsters Local 1932.**

**Agenda Item 16 – PUBLIC EMPLOYMENT - (Government Code Section 54957). Position to be filled: Executive Director/Air Pollution Control Officer.**

**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 11:24 a.m., and Chair ROBERT LOVINGOOD** stated that the Board met in Closed Session on Items #14, 15 and 16 and there was no reportable action.

Being no further business, Vice-Chair **JIM COX** adjourned the meeting at **12:02 p.m.** to the next Regular Meeting of *June 27, 2016*.

**ACTION OF THE GOVERNING BOARD**

**APPROVED**

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

**Ayes: 8 DECONINCK, LOVINGOOD, HERNANDEZ, STANTON, COX, LEONE, RIORDAN, WILLIAMS**

**Noes:**

**Absent: 4 BENOIT, CAMARGO, RAMOS, COLE**

**Abstain: 1 RUSS**

**Vacant:**

**DEANNA HERNANDEZ, EXECUTIVE LEAD**

**BY** 

**Dated: JUNE 27, 2016**