

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT  
GOVERNING BOARD MEETING  
TUESDAY, APRIL 16, 2024  
ANTELOPE VALLEY TRANSIT AUTHORITY DISTRICT OFFICE  
LANCASTER, CA**

**Minutes**

Board Members Present:

Marvin Crist, *Chair*, City of Lancaster  
Austin Bishop, *Vice Chair*, City of Palmdale  
Richard Loa, City of Palmdale  
Ken Mann, City of Lancaster  
Howard Harris, Los Angeles County  
Newton Chelette, Public Member

Board Members Absent:

Ron Hawkins, Los Angeles County

**CALL TO ORDER**

Chair **CRIST** called the meeting to order at 10:00 a.m. Chair **CRIST** asked Board Member **MANN** to lead the Pledge of Allegiance. Chair **CRIST** called for roll call, roll call was taken.

**NEW BUSINESS**

**Agenda Item #6– The annual financial audit for Fiscal Year 2022-23 is complete and presented for review and to receive and file. Find that the California Environmental Quality Act does not apply to this item .**

Presenter: Barbara Lods, Executive Director/APCO.

Barbara Lods, Executive Director/APCO, introduced Chris Brown of CJ Brown and Associates and Jaime Alvarez and Viri Iguaran from City of Lancaster. Chris Brown presented the FY 23 Financial Audit results and answered questions from the Board. The Board reviewed and received the FY 23 Financial Audit report.

**PUBLIC COMMENT**

- ❖ Chair **CRIST** called for **PUBLIC COMMENT**. The Board recognized Coach Milcah White attending what she thought was the Antelope Valley Transit Authority meeting. The Board then moved onto **CONSENT CALENDAR**.

**CONSENT CALENDAR** – The following consent items were acted upon by the Board at one time without discussion. Upon motion by Board Member **BISHOP**, seconded by Board Member **MANN**, and carried by the following roll call vote, with six **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, NEWTON CHELETTE, HOWARD HARRIS, RICHARD LOA and KEN MANN**, with Board Member **RON HAWKINS** absent, on the Consent Calendar, as follows:

**Agenda Item #2 – Approve Minutes from Regular Governing Board Meeting of March 19, 2024. Find that the California Environmental Quality Act does not apply to this item.**

**Approved** Minutes from Regular Governing Board Meeting March 19, 2024.

**Agenda Item #3 – Monthly Grant Funding Summary. Receive and file. Find that the California Environmental Quality Act does not apply to this item.**

Received and Filed Monthly Grant Funding Summary.

**Agenda Item #4 – Monthly Activity Report. Receive and file.**

Presenter: Barbara Lods, Executive Director/APCO.

Received and Filed Monthly Activity Report.

**Agenda Item #5– This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at February 29, 2024.**

Presenter: Barbara Lods, Executive Director/APCO.

Received and filed the Financial Report. This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at February 29, 2024.

**ITEMS FOR DISCUSSION**

**DEFERRED ITEMS**

None.

**Agenda Item #7– 1) Award \$2,880 in Mobile Source Emission Reductions Program (AB 923) funds to Antelope Valley Fair Association toward an existing Electric Vehicle Charging Station; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; 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; and 4) Find that the California Environmental Quality Act (CEQA) does not apply to this item.**

Presenter: Julie McKeehan, Grants Analyst.

Chair CRIST opened the public hearing. Julie McKeehan, Grants Analyst, presented background information and answered questions from the Board. Chair CRIST called for public comment, no public comment was made in person, or electronically, being none, Chair CRIST closed the public hearing. Upon motion by Board Member MANN, seconded by Board Member LOA, and carried by the following roll call vote, with six AYES votes by Board Members, MARVIN CRIST, AUSTIN BISHOP, RICHARD LOA, NEWTON CHELETTE, HOWARD HARRIS, and KEN MANN, with Board member RON HAWKINS absent, the Board, 1) Awarded \$2,880 in Mobile Source Emission Reductions Program (AB 923) funds to Antelope Valley Fair Association toward an existing Electric Vehicle Charging Station; 2) Authorized the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; 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; and 4) Find that the California Environmental Quality Act (CEQA) does not apply to this item.

**Agenda Item #8– 1) Award an amount not to exceed \$191,000 in Carl Moyer Program funds to Jose Diaz for the replacement of older diesel tractors with new, cleaner technology; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable funding sources become available; 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; and 4) Find that this item is not a project pursuant to the California Environmental Quality Act.**

Presenter: Julie McKeehan, Grants Analyst.

Chair **CRIST** opened the public hearing. Julie McKeehan, Grants Analyst, presented background information and answered questions from the Board. Chair **CRIST** called for public comment, no public comment was made in person, or electronically, being none, Chair **CRIST** closed the public hearing. Upon motion by Board Member **CHELETTE**, seconded by Board Member **LOA**, and carried by the following roll call vote, with six **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, RICHARD LOA, NEWTON CHELETTE, HOWARD HARRIS, and KEN MANN, with Board Member RON HAWKINS** absent, the Board, 1) **Awarded** an amount not to exceed \$191,000 in Carl Moyer Program funds to Jose Diaz for the replacement of older diesel tractors with new, cleaner technology; 2) **Authorized** the Executive Director/APCO the option to change the funding source if warranted or if other applicable funding sources become available; 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; and 4) Find that this item is not a project pursuant to the California Environmental Quality Act.

**Agenda Item #9– 1) Allocate an amount not to exceed \$130,000 in Mobile Source Emissions Reduction Program funds (AB 2766) in support of Public Transit Rideshare Programs in the Antelope Valley; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; 3) Authorize the Executive Director/APCO and staff to negotiate target time frames, technical project details and agreements, approved as to legal form by the Office of District Counsel; and 4) Find that the California Environmental Quality Act (CEQA) does not apply to this item.**

Presenter: Julie McKeehan, Grants Analyst.

Chair **CRIST** opened the public hearing. Julie McKeehan, Grants Analyst, presented background information and answered questions from the Board. Chair **CRIST** called for public comment, no public comment was made in person, or electronically, being none, Chair **CRIST** closed the public hearing. Upon motion by Board Member **CHELETTE**, seconded by Board Member **HARRIS**, and carried by the following roll call vote, with six **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, RICHARD LOA, NEWTON CHELETTE, HOWARD HARRIS, and KEN MANN, with Board Member RON HAWKINS** absent, the Board, 1) **Allocated** an amount not to exceed \$130,000 in Mobile Source Emissions Reduction Program funds (AB 2766) in support of Public Transit Rideshare Programs in the Antelope Valley; 2) **Authorized** the Executive Director/APCO the option to change the funding source if warranted or if other applicable sources become available; 3) **Authorized** the Executive Director/APCO and staff to negotiate target time frames, technical project details and agreements, approved as to legal form by the Office of District Counsel; and 4) Find that the California Environmental Quality Act (CEQA) does not apply to this item.

**Agenda Item #10 Conduct a public hearing to consider the amendment of AVAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Ozone Nonattainment Area): a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the CEQA Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, adopting the amendment of Antelope Valley Air Quality Management District (AVAQMD) Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Ozone Nonattainment Area).**

Presenter: Barbara Lods, Executive Director/APCO.

Chair **CRIST** opened the public hearing. Barbara Lods, Executive Director/APCO, presented background information and answered questions from the Board. Chair **CRIST** called for public comment, no public comment was made in person, or electronically, being none, Chair **CRIST** closed the public hearing. Upon

motion by Board Member **BISHOP**, seconded by Board Member **MANN**, and carried by the following roll call vote, with six **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, RICHARD LOA, NEWTON CHELETTE, HOWARD HARRIS, and KEN MANN**, with Board Member **RON HAWKINS** absent, the Board, Conduct a public hearing to consider the amendment of AVAQMD Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Ozone Nonattainment Area): a. **Opened** public hearing; b. **Received** staff report; c. **Received** public testimony; d. **Closed** public hearing; e. **Made** a determination that the CEQA Categorical Exemption applies; f. **Waived** reading of Resolution; g. **Adopted** Resolution making appropriate findings, certifying the Notice of Exemption, adopting the amendment of Antelope Valley Air Quality Management District (AVAQMD) Federal 75 ppb Ozone Attainment Plan (Western Mojave Desert Ozone Nonattainment Area).

## **CLOSED SESSION**

### **Agenda Item #1- CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION Antelope Valley Air Quality Management District v. United States Environmental Protection Agency, et al. 9th Cir. Case No. 23-1614.**

Prior to entering Closed Session, Board Member **NEWTON CHELETTE** excused himself from the meeting. The Governing board entered the Closed session at 10:37 am and concluded at 10:42 am with no report.

### **Agenda Item #11– Reports.**

#### **Governing Board Counsel –**

- No report.

#### **Executive Director/APCO –**

- EPA mediation is ongoing
- Approved Contingency Measure Plan will go out 04/16/2024 to expedite CARB’s submission to EPA.
- New admin job posting has been posted and we are accepting applications.
- Budget will be presented at the May Meeting and adopted at the June Meeting.
- Interim FY 23-24 Financial Audit will begin in the beginning of May.

#### **Staff –**

- No report.

### **Agenda Item #12– Board Member Reports and Suggestions for Future Agenda Items.**

- No Report.

### **Agenda Item #13– Adjourn to Regular Governing Board Meeting of Tuesday, May 21, 2024.**

Being no further business, the meeting adjourned at 10:44 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, May 21, 2024.

**ACTION OF THE GOVERNING BOARD  
APPROVED**

Upon motion by **NEWTON CHELETTE**, seconded by **RON HAWKINS**, as approved by the following vote:

**Ayes: 5 CRIST, CHELETTE, HAWKINS, HARRIS, MAHLI**

**Noes:**

**Absent: 2 BISHOP, LOA**

**Abstain:**

**ADRIANNA CASTANEDA, EXECUTIVE ASSISTANT**

**BY *Adrianna Castañeda***

**Dated: May 21, 2023**