

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT
GOVERNING BOARD MEETING
TUESDAY, AUGUST 16, 2022
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
Newton Chelette, Public Member
Howard Harris, Los Angeles County
Ron Hawkins, Los Angeles County
Raj Mahli, City of Lancaster
Steven Hofbauer, City of Palmdale

CALL TO ORDER

Chair **CRIST** called the meeting to order at 10:06 a.m. Chair **CRIST** called for roll call, roll call was taken. Chair **CRIST** asked Board Member **HOFBAUER** to lead the Pledge of Allegiance.

PUBLIC COMMENT

❖ Chair **CRIST** called for **PUBLIC COMMENT**. At this time, no public comment was made in person, or electronically, moved onto **CONSENT CALENDAR**.

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 **HOFBAUER**, and carried by the following roll call vote, with seven **AYES** votes by Board Members, **AUSTIN BISHOP, NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and RAJ MAHLI**, on the Consent Calendar, as follows:

Agenda Item #1 – Approve Minutes from Regular Governing Board Meeting of July, 2022.

Approved Minutes from Regular Governing Board Meeting of July 19, 2022.

Agenda Item #2 – Monthly Grant Funding Summary. Receive and file.

Presenter: Bret Banks, Executive Director/APCO.
Received and Filed Monthly Grand Funding Summary.

Agenda Item #3 – Monthly Activity Report. Receive and file.

Presenter: Bret Banks, Executive Director/APCO.
Received and Filed Monthly Activity Report.

Agenda Item #4 – Approve payment to MDAQMD in the amount of \$217,071.49 for June 2022 expenditures.

Presenter: Bret Banks, Executive Director/APCO.

Approved payment to MDAQMD in the amount of \$217,071.49 for June 2022 expenditures.

Agenda Item #5 – Receive and file the Financial Report. This Preliminary Financial Report is provided to the Governing Board for information concerning the fiscal status of the District at June 30, 2022. The Financial Reports for June 2022 provide financial and budgetary performance information for the District for the period referenced.

Presenter: Bret Banks, 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 June 30, 2022. The Financial Reports for June 2022 provide financial and budgetary performance information for the District for the period referenced.

Agenda Item #6 – 1) Authorize the acceptance of Community Air Protection (CAP) Funds; 2) Accept the terms and conditions for the funds; and 3) Authorize the Executive Director/APCO and staff to execute the agreement, approved as to legal form, and to negotiate and execute agreements for eligible projects.

Presenter: Julie McKeehan, Grants Analyst.

1) **Authorized** the acceptance of Community Air Protection (CAP) Funds; 2) **Accepted** the terms and conditions for the funds; and 3) **Authorized** the Executive Director/APCO and staff to execute the agreement, approved as to legal form, and to negotiate and execute agreements for eligible projects.

ITEMS FOR DISCUSSION

DEFERRED ITEMS

None.

NEW BUSINESS

Agenda Item #7 – 1) Allocate an amount not to exceed \$99,000 in AB 134 (Community Air Protection Program) funds to Desert Haven Enterprises to replace gasoline lawn and garden equipment with zero-emissions battery-electric; 2) Authorize the Executive Director/APCO the option to change the funding source if warranted or 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 agreements, approved as to legal form by the Office of District Counsel .

Presenter: Julie McKeehan, Grants Analyst.

Chair **CRIST** opened the public hearing. Julie McKeehan, Grants Analyst, presented 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. A combined motion for Item #7 and Item #8 by Board Member **HOFBAUER**, seconded by Board Member **HAWKINS**, and carried by the following roll call vote, with seven **AYES** votes by Board Members **AUSTIN BISHOP, NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and RAJ MAHLI**, the Board, 1) **Allocated** an amount not to exceed \$99,000 in AB 134 (Community Air Protection Program) funds to Desert Haven Enterprises to replace gasoline lawn and garden equipment with zero-emissions battery-electric; 2) **Authorized** the Executive Director/APCO the option to change the funding source if warranted or 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 agreements, approved as to legal form by the Office of District Counsel.

Agenda Item #8 – 1) Allocate an amount not to exceed \$2,000 in Mobile Source Emission Reductions Program (AB 923) funds to Desert Haven Enterprises to construct charging infrastructure to support charging of zero-emissions battery-electric lawn and garden equipment; 2) Authorize the Executive

Director/APCO the option to change the funding source if warranted or 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 agreements, approved as to legal form by the Office of District Counsel .

Presenter: Julie McKeehan, Grants Analyst.

Chair CRIST opened the public hearing. Julie McKeehan, Grants Analyst, 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. **A combined motion for Item #7 and Item #8** by Board Member **HOFBAUER**, seconded by Board Member **HAWKINS**, and carried by the following roll call vote, with **seven** AYES votes by Board Members **AUSTIN BISHOP, NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and RAJ MAHLI**, the Board, 1) **Allocated** an amount not to exceed \$2,000 in Mobile Source Emission Reductions Program (AB 923) funds to Desert Haven Enterprises to construct charging infrastructure to support charging of zero-emissions battery-electric lawn and garden equipment; 2) **Authorized** the Executive Director/APCO the option to change the funding source if warranted or 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 agreements, approved as to legal form by the Office of District Counsel.

Agenda Item #9 – Approve an Agreement between the Antelope Valley Air Quality Management District (AVAQMD) and the City of Lancaster to provide administrative and operations services; Authorize the Chairman to finalize terms and conditions of the proposed Agreement; and Authorize the Chairman to execute the final Agreement.

Presenter: Bret Banks, Executive Director/APCO

Chair CRIST opened the public hearing. Bret Banks, Executive Director/APCO, presented the agreement between AVAQMD and City of Lancaster 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 REVISED MOTION OF: Approve an Agreement between the Antelope Valley Air Quality Management District (AVAQMD) and the City of Lancaster to provide administrative and operations services; Authorize the Chairman and the Mayor of Palmdale (Board Member Hofbauer) to finalize terms and conditions of the proposed Agreement; and Authorize the Chairman and the Mayor of Palmdale (Board Member Hofbauer) to execute the final Agreement.** Upon motion by Board Member **HOFBAUER**, seconded by Board Member **MAHLI**, and carried by the following roll call vote, with six **AYES** votes by Board Members **NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER, and RAJ MAHLI**, with member **AUSTIN BISHOP**, Recused the Board, Approved an Agreement between the Antelope Valley Air Quality Management District (AVAQMD) and the City of Lancaster to provide administrative and operations services; Authorize the Chairman to finalize terms and conditions of the proposed Agreement; and Authorize the Chairman to execute the final Agreement.

Agenda Item #10 – Appoints and/or reappointments for the Antelope Valley Air Quality Management District (AVAQMD) effective October 1, 2022. Presenter: Allison Burns, Special Counsel.

Presenter: Allison Burns

Chair CRIST opened the public hearing. Allison Burns, presented the reappointment of APCO, Legal counsel, auditor controller of the County of Los Angeles and, the County of Los Angeles treasurer 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 **HARRIS**, seconded by Board Member **HAWKINS**, and carried by the following roll call vote, with seven **AYES** votes by Board Members **AUSTIN BISHOP, NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and RAJ MAHLI**, the Board, Appointed and/or reappointed for the Antelope Valley Air Quality Management District (AVAQMD) effective October 1, 2022. Presenter: Allison Burns, Special Counsel

Agenda Item #11-Adopt a resolution authorizing the duly reappointed Treasurer and/or Controller for the Antelope Valley Air Quality Management District (AVAQMD) to issue warrants effective October 1, 2022

Presenter: Allison Burns

Chair **CRIST** opened the public hearing. Allison Burns, presented the reappointment of APCO, Legal counsel, auditor controller of the County of Los Angeles and, the County of Los Angeles treasurer 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 **HOFBAUER**, seconded by Board Member **BISHOP**, and carried by the following roll call vote, with seven **AYES** votes by Board Members **AUSTIN BISHOP, NEWTON CHELETTE, MARVIN CRIST, HOWARD HARRIS, RON HAWKINS, STEVEN HOFBAUER and RAJ MAHLI**, the Board, Adopted a resolution authorizing the duly reappointed Treasurer and/or Controller for the Antelope Valley Air Quality Management District (AVAQMD) to issue warrants effective October 1, 2022.

Agenda Item #12– Reports.

Governing Board Counsel –

- Presented a draft AVAQMD/MDAQMD contract termination letter to the board, that memorializes the terms for continued for future actuarial costs, administration fees and for Other Post Employment Benefits for the retirees of the Antelope Valley Air Quality Management District that were covered by the Mojave Desert Air Quality Management District contract for services.

Executive Director/APCO –

- Notified Board Members that nominations are open for the Achievement In Reducing Emissions (AIRE) Award next month
- California Air Resources Board Chair appointed Dr. Steven Cliff as CARB’s new Executive Officer.
- Informed the Board of an upcoming site tour of the BYD facility and the AVTA facility by a variety of Sacramento special district agencies.

Staff –

- No report.

Agenda Item #13– Board Member Reports and Suggestions for Future Agenda Items.

- Chairman **CRIST** nominated Desert Haven for the upcoming Achievement In Reducing Emissions (AIRE) Award.

Agenda Item #14– Adjourn to Regular Governing Board Meeting of Tuesday, August 16, 2022.

Being no further business, the meeting adjourned at 10:28 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, September 20, 2022.