

**ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT  
GOVERNING BOARD MEETING  
TUESDAY, DECEMBER 19, 2023  
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  
Andrea Alarcón, City of Palmdale  
Ken Mann, City of Lancaster  
Howard Harris, Los Angeles County  
Ron Hawkins, Los Angeles County  
Newton Chelette, Public Member

Board Members Absent:

**CALL TO ORDER**

Chair **CRIST** called the meeting to order at 9:59 a.m. Chair **CRIST** asked Board Member **MANN** to lead the Pledge of Allegiance. Chair **CRIST** called for roll call, roll call was taken.

**PUBLIC COMMENT**

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

**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.**

**Agenda Item #2 - Public Employee Performance Evaluation - Pursuant to Government Code Sections 54954.5(e) and 54957(b) Title: Executive Director/APCO**

The Governing board entered the Closed session at 10:16 am and concluded at 10:59 am with no report.

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

**Agenda Item #3 – Approve Minutes from Regular Governing Board Meeting of November 21, 2023. Find that the California Environmental Quality Act does not apply to this item.**

**Approved** Minutes from Regular Governing Board Meeting November 21, 2023.

**Agenda Item #4 – Monthly Grant Funding Summary. Receive and file.**

Presenter: Barbara Lods, Executive Director/APCO.

**Received and Filed Monthly Grant Funding Summary.**

**Agenda Item #6– 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 October 31, 2023.**

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 October 31, 2023.

**CONSENT CALENDAR** – Due to Board Member questions, a separate vote was conducted for Agenda Item #5 and Agenda Item #7. 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 **ALARCÓN**, and carried by the following roll call vote, with seven **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, ANDREA ALARCON, NEWTON CHELETTE, HOWARD HARRIS, RON HAWKINS, and KEN MANN**, on the Consent Calendar, as follows:

**Agenda Item #5 – Monthly Activity Report. Receive and file.**

Presenter: Barbara Lods, Executive Director/APCO.

**Received and Filed Monthly Activity Report.**

**Agenda Item #7 - 1) Authorize the acceptance of Community Air Protection (CAP) Funds; 2) Accept the terms and conditions for the funds; 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; and 4) Find that the California Environmental Quality Act (CEQA) does not apply to this item.**

Presenter: Julie McKeehan, Grants Analyst.

1) **Authorized** the acceptance of Community Air Protection (CAP) Funds; 2) **Accepted** the terms and conditions for the funds; 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; and 4) Find that the California Environmental Quality Act (CEQA) does not apply to this item.

**ITEMS FOR DISCUSSION**

**DEFERRED ITEMS**

None.

**NEW BUSINESS**

**Agenda Item #8– 1) Award as amount not to exceed \$19,000 in Mobile Source Emission Reductions Program (AB 923) funds to EV Charging Solutions, Inc. 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 **ALARCÓN**, seconded by Board Member **BISHOP**, and carried by the following roll call vote, with seven **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, ANDREA ALARCON, NEWTON CHELETTE, HOWARD HARRIS, RON HAWKINS, and KEN MANN**, the Board, 1) **Awarded** as amount not to exceed \$19,000 in Mobile Source Emission Reductions Program (AB 923) funds to EV Charging Solutions, Inc. 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 #9– 1) Award an amount not to exceed \$48,000 in Carl Moyer Program funds to Peter Tejada for the replacement of an older diesel tractor 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, 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 **HARRIS**, seconded by Board Member **BISHOP**, and carried by the following roll call vote, with seven **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, ANDREA ALARCON, NEWTON CHELETTE, HOWARD HARRIS, RON HAWKINS, and KEN MANN**, the Board, 1) **Awarded** an amount not to exceed \$48,000 in Carl Moyer Program funds to Peter Tejada for the replacement of an older diesel tractor 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 #10– 1) Award an amount not to exceed \$36,842 in Carl Moyer Program funds to Delores Yarnall for the replacement of an older diesel tractor 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 **ALARCON** seconded by Board Member **BISHOP**, and carried by the following roll call vote, with seven **AYES** votes by Board Members, **MARVIN CRIST, AUSTIN BISHOP, ANDREA ALARCON, NEWTON CHELETTE, RON HAWKINS, HOWARD HARRIS, and KEN MANN**, the Board, 1) **Awarded** an amount not to exceed \$36,842 in Carl Moyer Program funds to Delores Yarnall for the

replacement of an older diesel tractor 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 #11– 1) Award an amount not to exceed \$70,584 of Mobile Source Emission Reductions Program (AB 2766) funds to Antelope Valley Fair Association (AV Fair) to retire older in-use conventional fuel equipment with clean, zero emission technologies; 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 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. Board Member **AUSTIN BISHOP** recused himself from this item due to conflicts of interest and left the room prior to the vote. Upon motion by Board Member **MANN**, seconded by Board Member **HAWKINS**, and carried by the following roll call vote, with six **AYES** votes by Board Members, **MARVIN CRIST, ANDREA ALARCON, NEWTON CHELETTE, HOWARD HARRIS, RON HAWKINS , and KEN MANN**, with Board Member **AUSTIN BISHOP** recused, the Board, 1) **Awarded** an amount not to exceed \$70,584 of Mobile Source Emission Reductions Program (AB 2766) funds to Antelope Valley Fair Association (AV Fair) to retire older in-use conventional fuel equipment with clean, zero emission technologies; 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 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 #12– Reports.**

**Governing Board Counsel –**

- Wished the Board and Staff a Merry Christmas and a Happy New Year.

**Executive Director/APCO –**

- Wished The Board and Staff a Merry Christmas and a Happy New Year.
- Updated the Board on the CAPS separation, hoping to be separated by January.
- Finance Audit has been moved to the week of January 8<sup>th</sup>

**Staff –**

- No report.

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

- The Board wished everyone a Merry Christmas and a Happy New Year.

**Agenda Item #14– Adjourn to Regular Governing Board Meeting of Tuesday, January 16, 2024.**

Being no further business, the meeting adjourned at 11:01 a.m. to the next regularly scheduled Governing Board Meeting of Tuesday, January 16, 2024.

**ACTION OF THE GOVERNING BOARD  
APPROVED**

Upon motion by **KENN MANN**, seconded by **HOWARD HARRIS**, as  
Approved by the following vote:

**Ayes: 6 CRIST, BISHOP, CHELETTE, HARRIS, HAWKINS, MANN**

**Noes:**

**Absent:**

**Abstain: 1 LOA**

**ADRIANNA CASTANEDA, EXECUTIVE ASSISTANT**

**BY *Adrianna Castañeda***

**Dated: JANUARY 16, 2024**