

**MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
REGULAR GOVERNING BOARD MEETING
MONDAY, SEPTEMBER 25, 2017 - 10:00 A.M.
BOARD CHAMBERS, MDAQMD OFFICES
VICTORVILLE, CA**

MINUTES

Board Members Present:

Jim Cox, Chair, City of Victorville
Jeff Williams, Vice Chair, City of Needles
Ed Camargo, City of Adelanto
John Cole, City of Twentynine Palms
Joseph "Joey" DeConinck, City of Blythe
Carmen Hernandez, City of Barstow
Robert Leone, Town of Yucca Valley
Robert Lovingood, San Bernardino County
Barbara Riordan, Public Member
Barb Stanton, Town of Apple Valley

Board Members Absent:

V. Manuel Perez, Riverside County
James Ramos, San Bernardino County
Paul Russ, City of Hesperia

CALL TO ORDER

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

Chair **JIM COX** asked for roll call; roll was called.

Special Announcements/Presentations:

Plaque presentation to Maple Elementary School in Hesperia for the Pilot School Flag Program. Chair **JIM COX** and Executive Director Brad Poiriez, on behalf of the Governing Board, congratulated and presented Maple Elementary with a plaque for being selected as the first school to pilot the program and for their efforts in supporting the program.

Presentation of 2016/2017 Exemplar Award to the Marine Corps Air Ground Combat Center in Twentynine Palms, CA. Chair **JIM COX** and Executive Director Brad Poiriez, on behalf of the Governing Board, congratulated and presented the Marine Corps Air Ground Combat Center the Exemplar Award for their leadership in energy efficiency, implementing renewable energy projects which have significantly reduced emissions and for demonstrating a solid commitment to improving air quality.

Chair **JIM COX** called for items with potential conflict of interest – for information only: None.

Chair **JIM COX** called for PUBLIC COMMENT – None made at this time.

CLOSED SESSION

Upon Motion by Board Member **JOHN COLE**, Seconded by Board Member **BARB STANTON** and carried by unanimous roll call vote, the Board adjourned to Closed Session at 10:21 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).

Agenda Item 2 - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: (1 Case).

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 10:36 a.m., and Special Counsel **Piero Dallarda** stated that the Board met in Closed Session on all items with no reportable action for all items.

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 **JOHN COLE**, and carried by the following roll call vote, with ten **AYES** votes by Board Members **ED CAMARGO**, record to reflect that Board Member **ED CAMARGO** abstained on Agenda Item #3, **JOHN COLE, JIM COX, JOSEPH DECONINCK, CARMEN HERNANDEZ, ROBERT LEONE**, record to reflect that Board Member **ROBERT LEONE** abstained on Agenda Item #3, **ROBERT LOVINGOOD**, record to reflect that Board Member **ROBERT LOVINGOOD** abstained on Agenda Item #3, **BARBARA RIORDAN, BARB STANTON and JEFF WILLIAMS** as follows:

Agenda Item 3 – Approve Minutes from Regular Governing Board Meeting of August 28, 2017.

Approved the minutes from the Regular Governing Board meeting of August 28, 2017.

Agenda Item 4 – Amend the MDAQMD Personnel Policies and Procedures (PPP) to incorporate changes in specified terms and conditions to conform to the recently adopted Memorandum of Understanding (MOU), to conform to recent legislation and guidance, and make other administrative changes.

Amended the MDAQMD Personnel Policies and Procedures (PPP) to incorporate changes in specified terms and conditions to conform to the recently adopted Memorandum of Understanding (MOU), to conform to recent legislation and guidance, and make other administrative changes.

Agenda Item 5 – Amend Governing Board Policy 11-02, “Designation of “Local Agency Officials” for Purposes of Ethics Training and Designation of Clerk of the Boards as Filing Official.”

Amended Governing Board Policy 11-02, “Designation of “Local Agency Officials” for Purposes of Ethics Training and Designation of Clerk of the Boards as Filing Official.”

Agenda Item 6 – Receive and file. This item reports the status of the District’s Other Post-Employment Benefits (OPEB) irrevocable trust and investment summary.

Received and filed. This item reports the status of the District’s Other Post-Employment Benefits (OPEB) irrevocable trust and investment summary.

Agenda Item 7 – Receive and file the Legislative Report for September 8, 2017.

Received and filed the Legislative Report for September 8, 2017.

Agenda Item 8 – Ratify the Air Pollution Control Officer’s new appointment to the General Member position due to the recent vacancy on the Technical Advisory Committee (TAC).

Ratified the Air Pollution Control Officer’s new appointment to the General Member position due to the recent vacancy on the Technical Advisory Committee (TAC).

Agenda Item 9 – Set date of October 23, 2017 to conduct a public hearing to consider the amendment of Rule 102 – *Definition of Terms* and approval of California Environmental Quality Act (CEQA) documentation.

Approved set date of October 23, 2017 to conduct a public hearing to consider the amendment of Rule 102 – *Definition of Terms* and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 10 – Set date of October 23, 2017 to conduct a public hearing to consider the amendment of Rule 461 *Gasoline Transfer and Dispensing*, Rule 462 *Organic Liquid Loading* and Rule 463 *Storage of Organic Liquids* as well as the approval of California Environmental Quality Act (CEQA) documentation.

Approved set date of October 23, 2017 to conduct a public hearing to consider the amendment of Rule 461 *Gasoline Transfer and Dispensing*, Rule 462 *Organic Liquid Loading* and Rule 463 *Storage of Organic Liquids* as well as the approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 11 – Set date of October 23, 2017 to conduct a public hearing to consider the amendment of Rule 1115 *Metal Parts & Products Coating Operations* and approval of California Environmental Quality Act (CEQA) documentation.

Approved set date of October 23, 2017 to conduct a public hearing to consider the amendment of Rule 1115 *Metal Parts & Products Coating Operations* and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 12 – Set date of October 23, 2017 to conduct a public hearing to consider the amendment of Rule 1160 *Internal Combustion Engines* and approval of California Environmental Quality Act (CEQA) documentation.

Approved set date of October 23, 2017 to conduct a public hearing to consider the amendment of Rule 1160 *Internal Combustion Engines* and approval of California Environmental Quality Act (CEQA) documentation.

Agenda Item 13 – DEFERRED ITEMS:

None

Agenda Item 14 – PUBLIC COMMENT.

None

Agenda Item 15 – Receive and file a presentation from the Compliance Section describing the work and responsibilities associated with Compliance activities.

Received and filed a presentation from the Compliance Section describing the work and responsibilities associated with compliance activities (no motion required, informational item only).

Agenda Item 16 – Reports:

Executive Director Brad Poiriez:

- Mr. Poiriez recognized 5 years milestone for staff members Catherine Tran, William Berghoff and Hector Arreola;
- Mr. Poiriez informed the Board that Jean Bracy was elected Special District Risk Management Authority (SDRMA) Board of Directors as President.
- Mr. Poiriez informed the Board that the District had “no” paid property/liability claims or workers compensation claims in 2016-17 that contributes to a lower risk factor providing affordable coverage in the future.
- Mr. Poiriez informed the Board that the National Air Quality Conference in Austin, TX was cancelled due to hurricane Harvey. The conference will be rescheduled for a future date in Texas and will moderate a panel discussion.
- Mr. Poiriez informed that Board that MD AQMD Logo shirts available for Board Members and staff.

Mr. Poiriez updated the Board of past events:

- September 6th – attended the State of the County Valley Morning Insight gathering;
- September 13th – the District mailed out a letter regarding Cannabis Cultivation;
- September 15th – the District provided harassment training for staff presented by SDRMA;
- September 17th – U.S. Circuit Court of N. District of California S. F. Division approved the trust agreement for the VW Environmental Mitigation Trust;
- September 17th – the Governor of California signed AB 109 Budget Act of 2017;
- September 19th – 21st – attended the AAPCA.
- September 20th – Contacted by Eleanor Torres, co-director of Incredible Edibles Community Gardens, regarding an upcoming tree planting project to start in Barstow on October 12, 2017. Ms. Torres is a member of the State Environmental Justice Advisory Committee. I’m proud to announce that I’m able to award a donation of \$2500.00 from our newly created Clean Air Fund for this project.

Mr. Poiriez informed the Board of upcoming events:

- October 23rd – 26th – CAPCOA Fall Membership Conference, Monterey, CA;

Agenda Item 17 - Board Member Comments and Suggestions for Future Agenda Items.

- Board Member **STANTON** publicly thanked the District for supporting the school flag program and publicly thanked Sarah Strout for her presentation.
- Board Member **HERNANDEZ** added that the trees being planted in Barstow on October 12th will be planted with a tag honoring a veteran.
- Board Member **WILLIAMS** brought an asbestos issue in Needles to the Board attention.
- Board Member **LEONE** mentioned that an electric charging station will be placed at the public library.
- Board Member **RIORDAN** briefly conversed about the electric charging station process and the VW & CARB settlement.
- Board Member **COLE** briefly conversed about the electric charging station process also.

Being no further business, Chair **JIM COX** adjourned the meeting at **11:32 a.m.** to the next Regular Meeting of **October 23, 2017.**

ACTION OF THE GOVERNING BOARD

APPROVED

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

Ayes: 10 CAMARGO, COLE, COX, DECONINCK, LEONE, PEREZ, RIORDAN, RUSS, STANTON, WILLIAMS

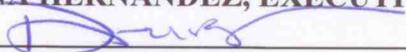
Noes:

Absent: 3 HERNANDEZ, LOVINGOOD, RAMOS

Abstain:

Vacant:

DEANNA HERNANDEZ, EXECUTIVE OFFICE MANAGER

BY  _____

Dated: OCTOBER 23, 2017