

Mojave Desert Air Quality Management District
Brad Poiriez, Executive Director
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REGULAR GOVERNING BOARD MEETING
MONDAY, JUNE 22, 2020 - 10:00 A.M.
MDAQMD OFFICES, BOARD CHAMBERS
VICTORVILLE, CA

MINUTES

Board Members Present:

Carmen Hernandez, Vice Chair, City of Barstow
Merl Abel, Town of Yucca Valley
Brigit Bennington, City of Hesperia
Jim Cox, City of Victorville
Joseph “Joey” DeConinck, City of Blythe – via telephone
Kari Leon, Town of Apple Valley
Robert Lovingood, San Bernardino County
Daniel Mintz, Sr., City of Twentynine Palms – via telephone
V. Manuel Perez, Riverside County – via telephone
Barbara Riordan, Public Member
Dawn Rowe, San Bernardino County

Board Members Absent:

Jeff Williams, Chair, City of Needles
Ed Camargo, City of Adelanto

CALL TO ORDER

Vice Chair **CARMEN HERNANDEZ** called the meeting to order at 10:00 a.m.

Vice Chair **CARMEN HERNANDEZ** asked Board Member **BARBARA RIORDAN** to lead the Pledge of Allegiance.

Vice Chair **CARMEN HERNANDEZ** asked for roll call; roll was called.

Items with potential Conflict of Interests – If you believe you have a conflict of interest, please recuse yourself at the appropriate time. If you have a question regarding a potential conflict of interest, please contact District Counsel.

Vice Chair **CARMEN HERNANDEZ** asked if any members wished to indicate a conflict of interest in regards to any agenda items.

Vice Chair **CARMEN HERNANDEZ** called for **PUBLIC COMMENT**. Being none, moved onto the **CONSENT CALENDAR**.

Executive Director/Air Pollution Control Officer (APCO) Brad Poiriez requested to state for the record, prior to a motion being made on the **CONSENT CALENDAR**, a correction on Agenda Item #2, page 14 of the agenda, under **SUMMARY** of the minute item that the **SUMMARY** should read, “the MDAQMD Budget for Fiscal Year 2020-21 is presented to the Governing Board for adoption effective July 1, 2020.”

Mr. Poiriez also requested that the Governing Board, as part of its action on Agenda Item #2, continue the public hearing to consider the amendment of Regulation III – *Fees* specifically the amendment of Rule 301 – *Permit Fees*, Rule 302 – *Others Fees*, and Rule 303 – *Hearing Board Fees* to the Governing Board Meeting of August 24, 2020. Vice Chair **CARMEN HERNANDEZ** granted the request and continued the public hearing to the Governing Board Meeting of August 24, 2020.

CONSENT CALENDAR – Vice Chair **CARMEN HERNANDEZ** polled the Board to determine if any member wished to have the consent calendar items read and if any member wished to pull an item on the consent calendar for discussion. No member did so. The following consent items were acted upon by the Board at one time without discussion. Upon motion by Board Member **MERL ABEL**, seconded by Board Member **BARBARA RIORDAN**, and carried by the following roll call vote, with eleven **AYES** votes by Board Members **MERL ABEL, BRIGIT BENNINGTON, JIM COX, JOSEPH “JOEY” DECONINCK, CARMEN HERNANDEZ, KARI LEON, ROBERT LOVINGOOD, DANIEL MINTZ, Sr., V. MANUEL PEREZ, BARBARA RIORDAN and DAWN ROWE, with Board Members, ED CAMARGO and JEFF WILLIAMS absent,** on the Consent Calendar, as follows:

Agenda Item 1 – Approve Minutes from Regular Governing Board Meeting of June 8, 2020.
Approved Minutes from Regular Governing Board Meeting of June 8, 2020.

Agenda Item 2 – Adopt a resolution approving and adopting the budget for FY 2020-21.
Presenter: Jean Bracy, Deputy Director – Administration and Laquita Cole, Finance Manager.
Adopted Resolution 20-10, “A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT APPROVING AND ADOPTING THE PROPOSED OPERATING BUDGET FOR FISCAL YEAR 2020-21.”

Agenda Item 3 – Amend the District’s Classification Plan to add three new Class Specification series for positions in Administrative Services in the areas of Fiscal and Grants; assign pay

ranges; authorize the Executive Director/APCO to assign and/or promote eligible incumbents, if applicable; and inform the Board regarding other administrative matters.

Presenter: Brad Poiriez, Executive Director/APCO.

Amended the District's Classification Plan to add three new Class Specification series for positions in Administrative Services in the areas of Fiscal and Grants; assign pay ranges; **authorized** the Executive Director/APCO to assign and/or promote eligible incumbents, if applicable; and inform the Board regarding other administrative matters.

Agenda Item 4 – 1) Award an amount not to exceed \$66,692.00 in the Mojave Desert Clean Air Funds to eligible projects shown on Exhibit A; (2) authorize the Executive Director/APCO the option to change the funding source 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 an agreement, approved as to legal form by the Office of District Counsel.

Presenter: Jorge Camacho, Grants Specialist.

1) **Awarded** an amount not to exceed \$66,692.00 in the Mojave Desert Clean Air Funds to eligible projects shown on Exhibit A; (2) **authorized** the Executive Director/APCO the option to change the funding source 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 an agreement, approved as to legal form by the Office of District Counsel.

Agenda Item 5 – 1) Allocate an additional amount not to exceed \$75,000.00 in Mobile Source Emission Funds (AB 2766) to the Lawn & Garden Equipment Exchange Program (LGEP); (2) authorize the Executive Director/APCO the option to change the funding source 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 an agreement, approved as to legal form by the Office of District Counsel.

Presenter: Jorge Camacho, Grants Specialist.

1) **Allocated** an additional amount not to exceed \$75,000.00 in Mobile Source Emission Funds (AB 2766) to the Lawn & Garden Equipment Exchange Program (LGEP); (2) **authorized** the Executive Director/APCO the option to change the funding source 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 an agreement, approved as to legal form by the Office of District Counsel.

Agenda Item 6 – 1) Authorize the acceptance of AB 617 Implementation funds from the California Air Resource Board (CARB) in an estimated amount of \$100,706.00, 2) authorize the Executive Director/APCO to execute the grant agreement approved as to legal form, 3) authorize Executive Director/APCO to assign excess or additional funds under this program to eligible projects and direct staff to perform actions necessary to comply with program requirements.

Presenter: Jorge Camacho, Grants Specialist.

1) **Authorized** the acceptance of AB 617 Implementation funds from the California Air Resource Board (CARB) in an estimated amount of \$100,706.00, 2) **authorized** the Executive Director/APCO to execute the grant agreement approved as to legal form, 3) **authorized** Executive Director/APCO to assign excess or additional funds under this program to eligible projects and direct staff to perform actions necessary to comply with program requirements.

Agenda Item 7 – Receive and file. This item reports the status of the District’s Other Post-Employment Benefits (OPEB) and Pension Rate Stabilization Program (PRSP) irrevocable trust and investment summary.

Presenter: Jean Bracy, Deputy Director – Administration.

Received and filed the reports of the status of the District’s Other Post-Employment Benefits (OPEB) and Pension Rate Stabilization Program (PRSP) irrevocable trust and investment summary.

Agenda Item 8 – Receive and file the District Activity Report.

Presenter: Brad Poiriez, Executive Director/APCO.

Received and filed the District Activity Report.

Agenda Item 9 – Receive and file the Financial Report for **FY20**, through the month of **April 2020**, which provides financial information and budget performance concerning the fiscal status of the District.

Presenter: Jean Bracy, Deputy Director – Administration and Laquita Cole, Finance Manager.

Received and filed the Financial Report for **FY20**, through the month of **April 2020**, which provides financial information and budget performance concerning the fiscal status of the District.

Agenda Item 10 – Receive and file the Legislative Report for June 2020.

Presenter: Brad Poiriez, Executive Director/APCO.

Received and filed the Legislative Report for June 2020.

Agenda Item 11 – DEFERRED ITEMS.

None.

Agenda Item 12 – PUBLIC COMMENT.

None.

Agenda Item 13 – Adopt a Resolution to oppose a petition to the California Fish and Game Commission to list the Joshua Tree as threatened under the California Endangered Species Act and direct staff action.

Presenter: Robert Lovingood, Governing Board Member.

Governing Board Member **ROBERT LOVINGOOD**, stated for the record a correction for this item to list the Joshua Tree as threatened, not endangered under the California Endangered Species Act. Board Member **LOVINGOOD** also presented the background information and answered questions from the Board. After discussion and upon motion by Board Member **ROBERT LOVINGOOD**, seconded by Board Member **BARBARA RIORDAN**, with eleven **AYES** votes by Board Members **MERL ABEL, BRIGIT BENNINGTON, JIM COX, JOSEPH “JOEY” DECONINCK, CARMEN HERNANDEZ, KARI LEON, ROBERT LOVINGOOD, DANIEL MINTZ Sr., V. MANUEL PEREZ, BARBARA RIORDAN, and DAWN ROWE**, with Board Members, **ED CAMARGO** and **JEFF WILLIAMS** absent, the board, **Adopted** Resolution 20-11, “A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT (MDAQMD)

OPPOSING A PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION TO LIST THE JOSHUA TREE AS THREATENED UNDER THE CALIFORNIA ENDANGERED SPECIES ACT.”

Agenda Item 14 – Approve a letter of support for the high-speed rail project XpressWest and authorize the Executive Director/APCO to execute and send.

Presenter: Brad Poiriez, Executive Director/APCO.

Executive Director, Brad Poiriez, presented the background information and answered questions from the Board. After discussion and upon motion by Board Member **ROBERT LOVINGOOD**, seconded by Board Member **JIM COX**, with ten **AYES** votes by Board Members **MERL ABEL, BRIGIT BENNINGTON, JIM COX, JOSEPH “JOEY” DECONINCK, KARI LEON, ROBERT LOVINGOOD, DANIEL MINTZ Sr., V. MANUEL PEREZ, BARBARA RIORDAN, and DAWN ROWE**, with Board Member **CARMEN HERNANDEZ** voting **NO** and Board Members **ED CAMARGO** and **JEFF WILLIAMS** absent, the board, **approved** a letter of support for the high-speed rail project XpressWest and authorize the Executive Director/APCO to execute and send.

Agenda Item 15 – Reports:

Special notes from Mr. Poiriez:

- ❖ Welcomed Alternate Governing Board Member Brigit Bennington – City of Hesperia, to the meeting.
- ❖ In response to Board Member Rowe’s comments last meeting regarding technical terms and acronyms, we will be adding a glossary of acronyms to Board member binders, email them out to Board members and post on our website.
- ❖ The actions the Board took today on several administration positions concludes the Workforce Development Plan that has taken us 3-4 years and many steps to complete. In the future there still could be some classification refinements. Thanks to the team that has worked hard on this – Jean Bracy, Alan DeSalvio, and Robyn Simpson.
- ❖ The July Board meeting will be canceled and our next meeting will be August 24th. As a reminder when we return from our summer hiatus, there will be a focus on updating rules and regulations to meet our RACT SIP commitments and requirements that will eventually bring us to the adoption of the new 2015 Ozone SIP hopefully in the Jan./Feb. timeframe.
- ❖ The District Lawn/Garden equipment replacement program very successful this year and the program will end in June due to lack of available funds.

Mr. Poiriez updated the Board of past events:

- June 9-10: Participated in CAPCOA Board meeting: topics included: Legislative Updates, CAPCOA Financials, State Budget status, Grants status, AB2588 Public Noticing requirements, Emission Factor guidance for CTR Reporting.
- June 11: Held LMTF Follow up meeting
- June 15-19: Were informed by AZ Bus that the two electric school buses for Adelanto were to be delivered. We will schedule a press release, etc. at a later date, along with a rescheduled press release for Lucerne Valley and Apple Valley all electric bus delivery.
- June 17: AAPCA Local Government Committee call
- June 17: MEEC Board meeting
- June 17: Participated in CSUSB Environmental Science Advisory Committee meeting
- June 18: Participated in the AAPCA June Air Directors Call

