

SUMMARY OF PROCEEDINGS

BOARD OF DIRECTORS EASTERN KERN AIR POLLUTION CONTROL DISTRICT

Regular Meeting
Thursday, May 6, 2021
2:00 P.M.

Location: Eastern Kern Air Pollution Control District; Field Office
20406 Brian Way, Suite 4A, Tehachapi, CA

IN ACCORDANCE WITH GOVERNOR NEWSOM'S EXECUTIVE ORDER N-25-20, PUBLIC PRESENTATIONS WERE LIMITED TO THE EASTERN KERN AIR POLLUTION CONTROL DISTRICT'S FIELD OFFICE, OR CONDUCTED VIA ZOOM VIDEO CONFERENCING, USING MEETING ID: 826 861 7254.

DISTRICT RECONVENED

DIRECTORS: Davies (Chairman), Scrivner (Vice-Chairman), Peters, Blades, and Creighton

ROLL CALL: 4 Present – (Davies, Creighton – Tehachapi) (Scrivner – Telephonically) (Blades – Via Zoom)

1 Absent – Peters

SALUTE TO FLAG: Director Davies

AIR POLLUTION CONTROL OFFICER: Glen E. Stephens, P.E.

AQ ADMINISTRATIVE MANAGER: Gary Ray

LEGAL COUNSEL: Brian Van Wyk (Via Zoom)

BOARD SECRETARY: Katie Lantz

BOARD ACTION SHOWN AFTER EACH ITEM IN CAPS. The vote is placed in **bold** below each Board Action. For example, **Scrivner – Peters** denotes Director Scrivner made the motion and Director Peters seconded the motion.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: All items listed with a (-CA) were considered routine and approved by one motion.

Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)

STAFF RECOMMENDATIONS SHOWN IN CAPS AFTER EACH ITEM

PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask questions for clarification; make referrals to staff for information or request staff to report to the Board at a later meeting. In addition, the Board may take action to direct staff to place a matter of business on a future agenda – **NO ONE HEARD.**

BOARD MEMBER PRESENTATIONS OR ANNOUNCEMENTS

- 2) On their own initiative, Board members may make brief announcements or brief reports on their own activities. They may ask questions for clarification, make referrals to staff or take action to have staff place a matter of business on a future agenda [Gov. Code Sec. 54954.2(a)] – **DIRECTOR CREIGHTON REQUESTED MORE INFORMATION ON THE DMV GRANT PROGRAM, SUCH AS THE APPLICATION PROCESS, QUALIFYING PROJECTS, AND AVAILABLE FUNDING. DISTRICT STAFF WILL PROVIDE INFORMATION AT A LATER DATE.**

HEARINGS

- 3-CA) Re-Appointment of Hearing Board Member – REAPPOINTED MS. DORIS LORA TO THE HEARING BOARD FOR A THREE-YEAR TERM ENDING JUNE 30, 2024.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)

DISTRICT REQUESTS

- 4-CA) 2021 DMV Grant Program Recommended Projects – RECEIVED PUBLIC COMMENT; APPROVED THE DISTRICT'S 2021 DMV GRANT PROGRAM RECOMMENDED PROJECT LIST; AUTHORIZED STAFF AND LEGAL COUNSEL TO DRAFT NECESSARY PROJECT IMPLEMENTATION AGREEMENTS; AND BRING BACK SAID AGREEMENTS FOR CONSIDERATION AT THE JULY 2021 BOARD MEETING.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)
- 5-CA) Revised budget for the District Board/Meeting Room and Field Office relocation – APPROVED THE PROPOSED BUDGET INCREASE; AUTHORIZED APCO TO PROCEED WITH THE PROJECT; AND DO ALL OTHER NECESSARY ITEMS TO FACILITATE ACQUISITION OF THE NEW DISTRICT BOARD/MEETING ROOM AND DISTRICT FIELD OFFICE.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)

- 6-CA) Sub-Recipient Agreement from California Air Pollution Control Officers Association for the District to receive PM_{2.5} 103 Grant Funds – AUTHORIZED THE APCO TO SIGN A SUB-RECIPIENT AGREEMENT WITH THE CALIFORNIA AIR POLLUTION CONTROL OFFICERS ASSOCIATION, AND AUTHORIZED THE AIR POLLUTION CONTROL OFFICER TO DO ALL OTHER ACTS NECESSARY TO RECEIVE FUNDS FROM THE PM_{2.5} MONITORING PROGRAM.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)
- 7-CA) Community Air Protection (CAP) Funds as Authorized Under Assembly Bill (AB) 134 – ADOPTED RESOLUTION NO. 2021-001-05 REQUESTING FISCAL YEAR 2020-2021 AB 134 CAP FUNDS; AUTHORIZED THE APCO TO SIGN THE AWARD LETTER; SUBMIT A CERTIFIED COPY OF THE BOARD RESOLUTION TO CARB, AND DO ALL OTHER ACTS NECESSARY TO RESERVE AND RECEIVE FISCAL YEAR 2020-2021 CAP FUNDS.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)
- 8-CA) Redirect remaining balance of Fiscal Year 2017-2018 Funding Agricultural Replacement Measures for Emission Reductions (FARMER) funds to the Mojave Desert Air Quality Management District (MDAQMD) – APPROVED AND AUTHORIZED THE AIR POLLUTION CONTROL OFFICER TO SIGN THE REDIRECTION MEMORANDUM OF UNDERSTANDING (MOU) WITH MDAQMD FOR THE REDIRECTION OF THE REMAINING BALANCE OF FY 17/18 FARMER PROGRAM FUNDS IN THE AMOUNT OF \$86,363.32, AND DO ALL OTHER ACTS NECESSARY TO ENSURE REDIRECTION OF THE FUNDS.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)
- 9-CA) Amendment to Agreement No. 07-008-2020 with Project Clean Air to extend the life of the project by one year – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 05-001-2021a WITH PROJECT CLEAN AIR TO EXTEND THE LIFE OF THE PROJECT BY ONE YEAR.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)
- 10-CA) Proposed Agreement with the Kern County Fire Department, utilizing Carl Moyer Program Grant Funds for fire crew transporter replacement – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 05-002-2021 WITH THE KERN COUNTY FIRE DEPARTMENT.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)

- 11-CA) Proposed Agreement with the Kern County Fire Department, utilizing Carl Moyer Program Grant Funds for fire crew transporter replacement – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 05-003-2021 WITH THE KERN COUNTY FIRE DEPARTMENT.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)
- 12-CA) Proposed Agreement with the Kern County Fire Department, utilizing Carl Moyer Program Grant Funds for fire crew transporter replacement – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 05-004-2021 WITH THE KERN COUNTY FIRE DEPARTMENT.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)
- 13-CA) Proposed Agreement with Daniells Phillips Vaughan & Bock CPAs and Advisors for District Financial Records Audit and Reports for the Fiscal Year Ending June 30, 2021 – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 05-005-2021 WITH DANIELLS PHILLIPS VAUGHAN & BOCK CPAS AND ADVISORS FOR FINANCIAL RECORDS AUDIT AND REPORTS.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)
- 14-CA) Proposed Amendment to Agreement 01-002-2021 with Frank J. Bellino, Jr. D.B.A. Pentangeles Farms – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AMENDMENT NO. 05-006-2021a WHICH AMENDS THE GRANTEE NAME.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)
- 15-CA) Proposed Amendment to Agreement 01-003-2021 with Frank J. Bellino, Jr. D.B.A. Pentangeles Farms – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AMENDMENT NO. 05-007-2021a WHICH AMENDS THE GRANTEE NAME.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)
- 16-CA) Proposed Agreement with Sierra Sands Unified School District to provide \$400,000 from AB 1550 Community Air Protection (CAP) and Carl Moyer Program (CMP) funding for a new school bus – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 05-008-2021 WITH SIERRA SANDS UNIFIED SCHOOL DISTRICT FOR THE PURCHASE OF A NEW SCHOOL BUS.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)

- 17-CA) Proposed Agreement with Sierra Sands Unified School District to provide \$400,000 from AB 1550 Community Air Protection (CAP) and Carl Moyer Program (CMP) funding for a new school bus – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 05-009-2021 WITH SIERRA SANDS UNIFIED SCHOOL DISTRICT FOR THE PURCHASE OF A NEW SCHOOL BUS.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)

MATTERS FOR EXECUTIVE APPROVAL

- 18-CA) Summary of Proceedings for Meeting of March 4, 2021 – APPROVED AND FILED.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)

DOCUMENTS FOR FILINGS

- 19-CA) DISTRICT Notice of Violation's update – RECEIVED AND FILED.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)
- 20-CA) Request to submit letter to reclassify from Moderate to Serious Nonattainment Status for the 2015, 8-hour Ozone National Ambient Air Quality Standards (NAAQS) – REVIEWED AND APPROVED ATTACHED LETTER TO BE SENT TO THE CALIFORNIA AIR RESOURCES BOARD FOR THE RECLASSIFICATION OF THE ATTAINMENT STATUS FROM MODERATE TO SERIOUS NONATTAINMENT.
Creighton-Davies: Roll call vote: Davies – Aye, Scrivner – Aye, Blades – Aye, Creighton – Aye ; 4 Ayes – 1 Absent (Peters)

DISTRICT UPDATES

- 21) APCO Report (Verbal) – AS DISTRICT STAFF IS PREPARING THE BUDGET FOR NEXT FISCAL YEAR, THE DISTRICT INTENDS ON IMPOSING A TEN PERCENT FEE INCREASE OVER A TWO-YEAR PERIOD TO ACCOUNT FOR GENERAL OPERATIONAL COST INCREASES. THE DISTRICT WILL ALSO REQUEST THE ADDITION OF ONE AIR QUALITY SPECIALIST POSITION FOR THE NEW DISTRICT FIELD OFFICE. APCO DEFERRED TO STAFF; GARY RAY, AIR QUALITY ADMINISTRATIVE MANAGER TO PROVIDE UPDATE ON THE NEW DISTRICT FIELD OFFICE PROJECT.

MR. RAY ANNOUNCED THAT THE PLANS FOR RENOVATION HAVE BEEN APPROVED BY THE CITY OF TEHACHAPI AND BIDS FOR THE PROJECT HAVE BEEN RECEIVED. THE PROPERTY MANAGEMENT TEAM WILL DRAFT A LEASE AGREEMENT WHICH WILL BE TAKEN TO THE BOARD OF SUPERVISORS AT THE MAY 25TH BOARD MEETING. THE RENOVATIONS WILL HOPEFULLY BE COMPLETE BY SEPTEMBER.

ADJOURNED TO THURSDAY, JULY 22, 2021, 2:00 PM, REGULAR BOARD SESSION AT EASTERN KERN AIR POLLUTION CONTROL DISTRICT FIELD OFFICE, 20406 BRIAN WAY, SUITE 4A, TEHACHAPI, CA.

Davies

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Katie Lantz, Board Secretary
Eastern Kern APCD



Michael Davies, Chairman
Eastern Kern APCD