

# SUMMARY OF PROCEEDINGS

## BOARD OF DIRECTORS KERN COUNTY AIR POLLUTION CONTROL DISTRICT

**Location:** Mojave Veteran's Recreational Building  
15580 "O" Street, Mojave, California

Special Meeting  
Thursday, April 30, 2009

1:00 P.M.

DISTRICT RECONVENED

DIRECTORS: Maben (Chairman), Holloway (Vice Chairman), McQuiston, Grimes and Adams

ROLL CALL: Absent - Directors Grimes and Adams

SALUTE TO FLAG: Led by Kirk Perkins

Air Pollution Control Officer: David L. Jones

Clerk of the Board: Debra Mullins

Administrative Coordinator: Louise Roman

District Counsel: Kirk Perkins

BOARD ACTION SHOWN AFTER EACH ITEM IN CAPS. NOTE: The vote is placed in **bold** below each item. For example, **Maben - Holloway** denotes Director Maben made the motion and Director Holloway seconded the motion.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: all items listed with a (-CA) are consent items and considered routine and noncontroversial by district staff and were approved by one motion - ITEMS: 4, 5, 6, 7, 8, 9, AND 10 WERE VOTED AS CONSENT ITEMS.

**McQuiston - Holloway: All Ayes, 2 Absent - Grimes and Adams**

### 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 - WILLIAM DEAYER HEARD REGARDING SPECIAL SPEAKER CONGRESSMAN KEVIN MCCARTHY AT REGULAR MOJAVE CHAMBER OF COMMERCE MEETING SCHEDULED MAY 11, 2009 AT 12:00PM AT THE MOJAVE VETERAN'S BUILDING.

**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)] - NO ONE HEARD.

**DISTRICT REQUESTS**

- 3) Recommendations of KCAPCD's Motor Vehicle Emission Reduction Program (MVERP) Committee - DAVID L. JONES, APCO, REPORTED THAT A MVERP COMMITTEE MEETING IS SET FOR JUNE 8, 2009 TO DISCUSS POLICY & PROCEDURE; THE NEED FOR A ROAD PAVING MAINTENANCE STANDARD AND MVERP COMMITTEE TERM EXPIRATION DISCUSSED. NANCY BASS, CHAIR OF MVERP COMMITTEE PRESENTED MVERP'S COMMITTEE RECOMMENDATION LIST TO BOARD FOR APPROVAL; MEMBERS OF THE PUBLIC DIANE GRATTAROTI, WOMEN'S CENTER HIGH DESERT, STACY BOHN, JOHN DALY, CERRO COSO COMMUNITY COLLEGE, RICHARD WILLIFORD, MOUNTAIN MEADOWS CSD WERE HEARD REGARDING THE MARCH 19, 2009 MVERP COMMITTEE MEETING ETIQUETTE. BOARD MADE REFERRAL TO STAFF TO INVESTIGATE COST OF BROADCASTING OR TAPING THE 2010 MVERP COMMITTEE MEETING AND TO SEND COPIES OF EACH PROJECT PROPOSAL TO THE BOARD. APPROVED MVERP COMMITTEE'S RECOMMENDATIONS AS SUBMITTED BY STAFF; AUTHORIZED STAFF AND COUNSEL TO DRAFT NECESSARY PROJECT IMPLEMENTATION AGREEMENTS; AND TO BRING BACK THOSE AGREEMENTS FOR CONSIDERATION AT A FUTURE BOARD OF DIRECTORS MEETING.

**Holloway - Maben: All Ayes, 2 Absent - Grimes and Adams**

- 4-CA) Lease Agreement No. 04-010-2009 for Field Office at 20406 Brian Way, Suite 4A in Tehachapi - APPROVED AND AUTHORIZED CHAIRMAN TO SIGN LEASE AGREEMENT NO. 04-010-2009 WITH DAVID AND BERNICE ROMO.

**McQuiston - Holloway: All Ayes, 2 Absent - Grimes and Adams**

- 5-CA) Sub-Recipient Agreement from California Air Pollution Control Officers Association for the District to receive PM2.5 Grant Funds - AUTHORIZED CHAIRMAN TO SIGN SUB-RECIPIENT AGREEMENT NO. 04-011-2009 WITH THE CALIFORNIA AIR POLLUTION CONTROL OFFICERS ASSOCIATION AND AUTHORIZED APCO TO DO ALL OTHER ACTS NECESSARY TO RECEIVE FUNDS FROM THE PM2.5 MONITORING PROGRAM.

**McQuiston - Holloway: All Ayes, 2 Absent - Grimes and Adams**

- 6-CA) Janitorial Service Agreement No. 04-012-2009 for Field Office at 20406 Brian Way, Suite 4A, Tehachapi - APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 04-012-2009, FOLLOWING SUBMITTAL OF INSURANCE DOCUMENTATION BY PEARCE CLEANING SERVICES THAT IS FOUND TO BE ACCEPTABLE BY STAFF.

**McQuiston - Holloway: All Ayes, 2 Absent - Grimes and Adams**

NON-AGENDA ITEM

MOTION TO CONSIDER NON-AGENDA ITEM 6A: MADE FINDING THAT THE NEED TO TAKE ACTION ON NON-AGENDA MATTER OCCURRED AFTER THE AGENDA WAS POSTED. THE DISTRICT WAS NOTIFIED ON APRIL 28, 2009 STATE BUDGET CUTS TO THE AMOUNT OF CARL MOYER PROGRAM FUNDING AVAILABLE FOR THE YEAR 11 ALLOCATION, REDUCED THE DISTRICT'S ALLOCATION FROM \$350,510 TO \$327,574 AND INCREASED MATCH REQUIREMENT FROM \$54,091 TO \$58,329. THE DISTRICT CANNOT WAIT TO ADOPT THE ATTACHED RESOLUTION AT THE NEXT SCHEDULED BOARD OF DIRECTORS MEETING IN JULY BECAUSE THE DISTRICT'S ALLOCATION WILL BE REDISTRIBUTED TO OTHER AIR DISTRICTS.

**McQuiston - Holloway: All Ayes, 2 Absent - Grimes and Adams**

- 6A) Increase in Carl Moyer Program Year 11 Match Funds and Reduction in State Funds - ADOPTED RESOLUTION 2009-001-04; AUTHORIZED AIR POLLUTION CONTROL OFFICER TO SIGN AWARD LETTER; AND DO ALL OTHER ACTS NECESSARY TO RECEIVE CARL MOYER PROGRAM YEAR 11 FUNDS.

**McQuiston - Holloway: All Ayes, 2 Absent - Grimes and Adams**

MATTERS FOR EXECUTIVE APPROVAL

- 7-CA) Schedule of KCAPCD Governing Board Meetings additions/changes of rotating locations - APPROVED AND FILED.

**McQuiston - Holloway: All Ayes, 2 Absent - Grimes and Adams**

- 8-CA) Summary of Proceedings for Meeting of March 12, 2009 - APPROVED AND FILED.

**McQuiston - Holloway: All Ayes, 2 Absent - Grimes and Adams**

DOCUMENTS FOR FILING

- 9-CA) District's Notice of Violation update - RECEIVED AND FILED.

**McQuiston - Holloway: All Ayes, 2 Absent - Grimes and Adams**

- 10-CA) Audit Report of KCAPCD's Financial Controls and Financial Statements for Fiscal Year Ending June 30, 2007 - RECEIVED AND FILED SHINAULT BAKER & COMPANY'S AUDIT REPORT FOR KCAPCD'S FISCAL YEAR ENDING JUNE 30, 2007.

**McQuiston - Holloway: All Ayes, 2 Absent - Grimes and Adams**

DISTRICT UPDATE

- 11) APCO Report (Verbal)

- EVR Phase II compliance status discussed
- EPA Mercury future testing requirements discussed
- MVERP Committee meeting set for June 8, 2009 to discuss policies and procedures

**ADJOURNED TO THURSDAY, JULY 9, 2009; 1:00 P.M. REGULAR BOARD  
SESSION AT THE GOLDEN HILLS COMMUNITY SERVICES DISTRICT  
AT 21415 REEVES, TEHACHAPI, CA  
McQuiston - Holloway**

**###**

*(District Seal)*

*/s/*  
Debra Mullins, Clerk of the Board

*/s/*

*/s/*  
Don Maben, Chairman