

# SUMMARY OF PROCEEDINGS

## BOARD OF DIRECTORS EASTERN KERN AIR POLLUTION CONTROL DISTRICT

Regular Meeting  
Thursday, November 2, 2023  
2:00 P.M.

**Location:** Eastern Kern Air Pollution Control District Board Room  
414 W. Tehachapi Blvd., Suite D, Tehachapi, CA 93561  
  
Kern County Administration Building  
1115 Truxtun Avenue, Suite #501, Bakersfield, CA 93301  
  
Ridgecrest City Hall  
100 W. California Ave., Ridgecrest, CA 93555  
  
Zoom Video Conferencing - <https://zoom.us>  
Meeting ID # 826 861 7254

### DISTRICT RECONVENED

**DIRECTORS:** Davies (Chairman), Scrivner (Vice-Chairman), Peters, Blades, and Creighton  
**ROLL CALL:** 4 Present (Davies, Creighton – Tehachapi) (Blades – Zoom)  
1 Late Arrival (Peters – Zoom)  
1 Absent (Scrivner)

**SALUTE TO FLAG:** Director Creighton

**AIR POLLUTION CONTROL OFFICER:** Glen E. Stephens, P.E.  
**AQ ADMINISTRATIVE MANAGER:** Gary Ray  
**LEGAL COUNSEL:** Bryan Van Wyk (Via Zoom)  
**BOARD SECRETARY:** Doreatha Fouts

**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: Creighton – Aye, Davies – Aye, Blades – Aye; 3 – Ayes, 2 – Absent (Scrivner, Peters)**

### **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. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU. NO ONE HEARD**

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**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.**

**HEARINGS**

- 3) Hearing to Present Eastern Kern APCD's Annual AB 2588 (Air Toxics) Report – OPENED HEARING; RECEIVED PUBLIC COMMENT; CLOSED HEARING; RECEIVED AND FILED THE DISTRICT'S ANNUAL AB2588 (AIR TOXICS) REPORT; AND DIRECTED STAFF TO DISTRIBUTE REPORT.  
**Creighton – Davies: Roll call vote: Creighton – Aye, Davies – Aye, Blades – Aye; 3 – Ayes, 2 – Absent (Scrivner, Peters)**

**DISTRICT REQUESTS**

- 4-CA) California Air Resources Board Carl Moyer Heavy Duty Engine Program (CMP) Year 26 – ADOPTED RESOLUTION NO. 2023-001-11 REQUESTING \$459,619 IN CARL MOYER PROGRAM YEAR 26 FUNDS; AUTHORIZED THE APCO TO SIGN THE AWARD LETTER; SUBMITTED THE APPLICATION REQUESTING THE FUNDS; PROVIDED IT IS IN SUBSTANTIALLY THE SAME FORM AS THE DRAFT PROVIDED HEREIN, AND DO ALL OTHER ACTS NECESSARY TO RESERVE AND RECEIVE THE CMP FUNDS.  
**Creighton – Davies: Roll call vote: Creighton – Aye, Davies – Aye, Blades – Aye; 3 – Ayes, 2 – Absent (Scrivner, Peters)**
- 5-CA) Proposed Agreement with Hafenfeld Ranch, LLC to utilize Carl Moyer Program funds for backhoe replacement – APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AGREEMENT NO. 11-001-2023 WITH HAFENFELD RANCH, LLC.  
**Creighton – Davies: Roll call vote: Creighton – Aye, Davies – Aye, Blades – Aye; 3 – Ayes, 2 – Absent (Scrivner, Peters)**

**MATTERS FOR EXECUTIVE APPROVAL**

- 6) Schedule of 2024 EKAPCD Governing Board Regular Meetings – DISCUSSED, APPROVED AND FILED  
**Creighton – Davies: Roll call vote: Creighton – Aye, Davies – Aye, Blades – Aye; 3 – Ayes, 2 – Absent (Scrivner, Peters)**
- 7-CA) Summary of Proceedings for Meeting of September 7, 2023 – APPROVED AND FILED.  
**Creighton – Davies: Roll call vote: Creighton – Aye, Davies – Aye, Blades – Aye; 3 – Ayes, 2 – Absent (Scrivner, Peters)**

**DOCUMENTS FOR FILING**

- 8-CA) List of Regulatory Control Measures to be considered for Amendment or Adoption During 2024 - RECEIVED AND FILED.  
**Creighton – Davies: Roll call vote: Creighton – Aye, Davies – Aye, Blades – Aye; 3 – Ayes, 2 – Absent (Scrivner, Peters)**
- 9-CA) DISTRICT Notice of Violation's update – RECEIVED AND FILED.  
**Creighton – Davies: Roll call vote: Creighton – Aye, Davies – Aye, Blades – Aye; 3 – Ayes, 2 – Absent (Scrivner, Peters)**

**DISTRICT UPDATES**

- 10) APCO Report (Verbal) NONE  
ADJOURNED TO CLOSED SESSION

**CLOSED SESSION**

(If public reporting is required by Government Code Section 54957.1 relating to the following matter, the public reporting of any action taken in closed session will be made when the Board reconvenes.)

- 11) Request for Closed Session regarding public employee recruitment/ interviews/ appointment – Title: Air Pollution Control Officer (Government Code Section 54957).  
**NO REPORTABLE ACTION**

RECONVENED FROM CLOSED SESSION

ADJOURNED TO THURSDAY, JANUARY 11, 2024, 2:00 PM, REGULAR BOARD SESSION AT EASTERN KERN AIR POLLUTION CONTROL DISTRICT BOARD ROOM, 414 W. TEHACHAPI BLVD., SUITE D, TEHACHAPI, CA. **Davies**

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Doreatha Fouts, Board Secretary  
Eastern Kern APCD



Michael Davies, Chairman  
Eastern Kern APCD

(District Seal)

