

# SUMMARY OF PROCEEDINGS

## BOARD OF DIRECTORS EASTERN KERN AIR POLLUTION CONTROL DISTRICT

Special Meeting  
Wednesday, November 13, 2024  
2:00 P.M.

**Location:** Eastern Kern Air Pollution Control District Board Room  
414 W. Tehachapi Blvd., Suite D, Tehachapi, CA 93561

Ridgecrest City Hall  
100 W. California Ave., Ridgecrest, CA 93555

Zoom Video Conferencing - <https://zoom.us>  
Meeting ID # 826 861 7254

### DISTRICT TO RECONVENE

DIRECTORS: Davies (Chairman), Creighton, Gorman, and Peters

ROLL CALL: 4 Present (Davies, Creighton -Tehachapi) (Gorman, Peters - Zoom)

SALUTE TO FLAG: Director Creighton

AIR POLLUTION CONTROL OFFICER: Gary Ray, Jr.

LEGAL COUNSEL: Phillip Hall (Via Zoom)

BOARD SECRETARY: Cristina Bolton

BOARD ACTION SHOWN AFTER EACH ITEM IN CAPS. The vote is placed in **bold** below each Board Action. For example, **Creighton-Peters** denotes Director Creighton 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. **Davies - Creighton: Roll call vote: Davies – Aye, Creighton – Aye, Gorman – Aye, Peters– Aye, 4 – Ayes**

### **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.**

**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-CA) Re-Appointment of Hearing Board Member – REAPPOINT MR. CHRIS ELLIS TO THE HEARING BOARD FOR A THREE-YEAR TERM ENDING NOVEMBER 30, 2027. **Davies - Creighton: Roll call vote: Davies – Aye, Creighton – Aye, Gorman – Aye, Peters– Aye, 4 – Ayes**
- 4) Adoption of Amendments to Rule 425, Stationary Gas Turbines (Oxides of Nitrogen) – OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; ADOPT AMENDED RULE 425, STATIONARY GAS TURBINES (OXIDES OF NITROGEN), AND RESOLUTION NUMBER 2024-001-11. **Davies - Creighton: Roll call vote: Davies – Aye, Creighton – Aye, Gorman – Aye, Peters– Aye, 4 – Ayes**
- 5) Adoption of Amendments to Rule 425.3, Portland Cement Kilns (Oxides of Nitrogen) – OPEN HEARING; RECEIVE PUBLIC COMMENT; CLOSE HEARING; ADOPT AMENDED RULE 425.3, PORTLAND CEMENT KILNS (OXIDES OF NITROGEN), AND RESOLUTION NUMBER 2024-002-11. **Davies - Creighton: Roll call vote: Davies – Aye, Creighton – Aye, Gorman – Aye, Peters– Aye, 4 – Ayes**

**DISTRICT REQUESTS**

- 6-CA) Environment Protection Agency’s Inflation Reduction Act (IRA) Grant – APPROVE RESOLUTION NO. 2024-003-11 AND AUTHORIZE THE AIR POLLUTION CONTROL OFFICER TO SIGN AND SUBMIT THE GRANT APPLICATION, AND TO TAKE ALL OTHER STEPS NECESSARY TO RESERVE AND RECEIVE THE IRA GRANT FUNDS. **Davies - Creighton: Roll call vote: Davies – Aye, Creighton – Aye, Gorman – Aye, Peters– Aye, 4 – Ayes**

- 7-CA) California Air Resources Board’s Carl Moyer Heavy Duty Engine Program (CMP) Year 27 – APPROVE AND AUTHORIZE RESOLUTION NO. 2024-004-11 REQUESTING THE DISTRICT’S FULL ALLOCATION OF YEAR 27 CMP FUNDS; AUTHORIZE THE APCO TO SUBMIT THE APPLICATION REQUESTING SAID FUNDS; SIGN THE GRANT AWARD LETTER; AND DO ALL OTHER ACTS NECESSARY TO RESERVE AND RECEIVE YEAR 27 CMP FUNDS. **Davies - Creighton: Roll call vote: Davies – Aye, Creighton – Aye, Gorman – Aye, Peters– Aye, 4 – Ayes**
- 8-CA) Carl Moyer Program Grant Agreement with Ryan Hanzel to Replace a Diesel-Fueled Clark Loader – AUTHORIZE CHAIRMAN TO SIGN AGREEMENT 11-001-2024 WITH RYAN HANZEL FOR THE PURCHASE OF A NEW LOW-EMITTING LOADER. **Davies - Creighton: Roll call vote: Davies – Aye, Creighton – Aye, Gorman – Aye, Peters– Aye, 4 – Ayes**
- 9-CA) Carl Moyer Program Grant Agreement with Brian A. Cain to Replace a Diesel-Fueled Bobcat – AUTHORIZE CHAIRMAN TO SIGN AGREEMENT 11-002-2024 WITH BRIAN A. CAIN FOR THE PURCHASE OF A NEW LOW-EMITTING COMPACT WHEELED LOADER. **Davies - Creighton: Roll call vote: Davies – Aye, Creighton – Aye, Gorman – Aye, Peters– Aye, 4 – Ayes**
- 10-CA) Carl Moyer Program Grant Agreement with Tracy Cartwright to Replace a Diesel-Fueled Kubota Tractor – AUTHORIZE CHAIRMAN TO SIGN AGREEMENT 11-003-2024 WITH TRACY CARTWRIGHT FOR THE PURCHASE OF A NEW LOW-EMITTING TRACTOR. **Davies - Creighton: Roll call vote: Davies – Aye, Creighton – Aye, Gorman – Aye, Peters– Aye, 4 – Ayes**
- 11-CA) List of Regulatory Control Measures to be Considered for Amendment or Adoption During 2025. – RECEIVE AND FILE DISTRICT LIST OF 2025 REGULATORY CONTROL MEASURES, WHICH COULD BE CONSIDERED FOR AMENDMENT OR ADOPTION DURING CALENDAR YEAR 2025. **Davies - Creighton: Roll call vote: Davies – Aye, Creighton – Aye, Gorman – Aye, Peters– Aye, 4 – Ayes**

#### **MATTERS FOR EXECUTIVE APPROVAL**

- 12) 2025 Proposed Board Meeting Dates and Locations. – APPROVE AND AUTHORIZE THE AIR POLLUTION CONTROL OFFICER TO MAKE THE CALENDAR YEAR 2025 BOARD OF DIRECTORS MEETING

SCHEDULE THE ABOVE PROPOSED DATES OR DIFFERENT DATES  
AS APPROVED BY YOUR BOARD. **Davies - Creighton: Roll call vote:**  
**Davies – Aye, Creighton – Aye, Gorman – Aye, Peters– Aye, 4 – Ayes**

- 13-CA) Summary of Proceedings for Meeting of September 5, 2024 – APPROVE  
AND FILE. **Davies - Creighton: Roll call vote: Davies – Aye, Creighton  
– Aye, Gorman – Aye, Peters– Aye, 4 – Ayes**

**DOCUMENTS FOR FILING**

- 14-CA) DISTRICT Notice of Violation's update – RECEIVE AND FILE. **Davies -  
Creighton: Roll call vote: Davies – Aye, Creighton – Aye, Gorman –  
Aye, Peters– Aye, 4 – Ayes**

**DISTRICT UPDATES**


- 15) APCO Report (Verbal)


**THE APCO THANKED DIRECTOR CREIGHTON FOR SERVING  
THE ON THE BOARD FROM 2021 THROUGH 2024. DIRECTOR  
CREIGHTON HELPED THE BOARD NAVIGATE THROUGH  
COVID, ALLOCATED RESOURCES FOR THE BOARD AND WAS  
RESPONSIBLE FOR PROVIDING THE CITY OF CALIFORNIA  
CITY WITH AN EV CHARGE STATION AND AN AIR QULITY  
MONITOR.**

ADJOURN TO THURSDAY, JANUARY 9, 2025, 2:00 PM, REGULAR  
BOARD SESSION AT EASTERN KERN AIR POLLUTION CONTROL  
DISTRICT BOARD ROOM, 414 W. TEHACHAPI BLVD., SUITE D,  
TEHACHAPI, CA.

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(District Seal)

  
Cristina Bolton, Board Secretary  
Eastern Kern APCD

  
Michael Davies, Chairman  
Eastern Kern APCD

