

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

GOVERNING BOARD MINUTES

February 1, 2016

(All Meetings Are Mechanically Recorded)

The Great Basin Unified Air Pollution Control District Governing Board of the Counties of Alpine, Inyo and Mono, State of California met at 10:00 am on February 1, 2016 at the City of Bishop Council Chambers, 377 West Line Street, Bishop, California 93514.

The following Board members were present: Board Chair Matt Kingsley, Inyo County; Board Vice Chair Larry Johnston, Mono County; Board member Jeff Griffiths, Inyo County; Board Member Fred Stump Mono County; Board Member Jo Bacon, Town of Mammoth Lakes; and Board Member Ron Hames, Alpine County. Board Member Mary Rawson, Alpine County, was absent.

GBUAPCD staff present: Phill Kiddoo, Air Pollution Control Officer; Duane Ono, Deputy Air Pollution Control Officer; Shirley Ono, Administrative Projects Manager; Grace Holder, Senior Scientist; and Tori DeHaven, Clerk of the Board.

**Agenda Item #1** Board Chair Kingsley called to order the regular meeting of the Governing Board at 10:03 a.m.  
Call to Order  
Pledge of Allegiance

Board member Griffiths then led the Pledge of Allegiance.

**Agenda Item #2** Board Chair Kingsley asked for public comment on items not on the agenda at 10:04 am.  
Public Comment on Matters not on the Agenda  
(No Action) No public comment was offered. The Board elected to convene into closed session prior to the other agenda items.

**Agenda Item #9 & 10** Board Chair Kingsley convened the Board into closed session at 10:04 am.  
**CLOSED SESSION**

**9. CLOSED SESSION**

- a. **CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** [Pursuant to Government Code Section 54956.9(d)(4)] – discussion with legal counsel regarding potential initiation of litigation (one case.)

**10. CLOSED SESSION**

- a. **CLOSED SESSION** – The Board will recess into closed session for a conference with legal counsel regarding existing litigation in the following matter: Russell Covington; Robert Moore; Randy Sipes; Randal Sipes, Jr.; Laborers' International Union of North America Local Union No. 783 vs. Great Basin Unified Air Pollution Control District; Mono County Superior Court, Case

No. CV140075; pursuant to subdivision (a) of Section 54956.9 of the California Government Code.

- b. Mammoth Community Water District vs. Great Basin Unified Air Pollution Control District; Mono County Superior Court, Case No. CV140076; pursuant to subdivision (a) of Section 54956.9 of the California Government Code.

The Board reconvened into open session at 11:09 am with nothing to report.

**Agenda Item #3**  
Consent Items  
(Action)

**Motion** (Hames/Bacon) approving consent agenda items a through d as follows:

- a. December 7, 2015 Governing Board meeting minutes
- b. Approve 2016 District rule adoption/revision schedule as required by California Health and Safety Code section 40923
- c. Purchase of Air Pollution Monitoring Equipment Maintenance Items from Thermo Environmental, A Sole-Source Provider, for \$50,000
- d. Approve the transfer of funds from SB270 capital asset reserves monitoring equipment, to the current 2015-2016 fiscal year II.C-Equipment: Scientific and approve purchase order 9032 with Draganfly Innovations Inc. for the total amount of \$26,941.81 for the purchase of Draganflyer Commander UAV system and associated equipment

*Ayes: Kingsley, Johnston, Stump, Bacon, Rawson, Hames, Griffiths*

*Noes: 0*

*Abstain: 0*

*Absent: Rawson*

Motion carried 6/0 and so ordered.

B/O 160201-03

*(Recording temporarily interrupted; technical issues. Recording resumed during item no. 4 discussion.)*

**Agenda Item #4**  
Approval of  
Agreements and  
Resolution to Adopt  
and Approve a  
Governmental  
Accounting  
Standards Board  
(GASB) Statement  
No. 68 Irrevocable  
Trust to Prefund

Discussion occurred between staff and the Board. It was decided to choose Option A from the staff report with item 3d being omitted.

**Motion** (Griffiths/Johnston) approving agreements and resolution 2016-01 to adopt and approve a Governmental Accounting Standards Board (GASB) Statement No. 68 Irrevocable Trust to prefund pension benefit expenses as follows:

**Option A**

- 1. Approve Resolution 2016-01 that:

- a. Adopts the Public Agencies Post-Employment Benefits Trust, including the Post-Employment Health Care Plan, effective February 1, 2016;
  - b. Adopts the Public Agencies Post-Employment Benefits Trust *Trust Agreement*;
  - c. Adopts the Public Agencies Post-Employment Benefits Trust *Master Plan Document*;
  - d. Appoints the Air Pollution Control Officer, or his/her successor or his/her designee as the District's Plan Administrator for the Program;
  - e. Authorizes the District's Plan Administrator to execute PARS legal and administrative documents as necessary;
  - f. Authorizes the Plan Administrator to transfer assets held in a trust adopted/effective September 14, 2009 to the OPEB Account established in the name of the District under the Public Agencies Post-Employment Benefits Trust adopted herewith (1a.)
2. Approve and authorize the APCO to execute the *Adoption Agreement* (SB270 and District), *Agreement for Administrative Services*, *Investment Strategy Selection and Disclosure Form* with discretionary authority to US Bank, *Discretionary Trustee Fee Schedule*, *Mutual Fund Disclosure Statement*, *U.S. Bank Authorized Signature Form*, and *IRS Form W-9*.
  3. Approve and adopt the Funding Policy;
    - a. Funding Option 1 in the amount of \$442,136 from District reserves for the District pension trust.
    - b. Funding Option 5 in the amount of \$55,674 for FY 2016-17 plus the ADC for future years, both as a proposed budget line item for the District pension trust.
    - c. Funding Option 7 in the amount of \$1,146,528 from SB 270 reserves for the SB 270 pension trust.
  4. Authorize the APCO to sign any other necessary documentation, take necessary actions and to direct the funding and disbursement of funding intervals over 4-8 months to the trust. Actions taken will be reported to the Board on an annual or semi-annual basis or as taken.

*Ayes: Kingsley, Johnston, Stump, Bacon, Rawson, Hames, Griffiths*

*Noes: 0*

*Abstain: 0*

*Absent: Rawson*

Motion carried 6/0 and so ordered.

B/O 160201-04

**Agenda Item #5**  
Informational Items  
(No Action)

APCO Kiddoo repeated a presentation that was given at the American Bar Association Environment, Energy and Resources Stewardship Award ceremony in Chicago, Illinois on October 30, 2015.

**Agenda Item #6**  
Board Member  
Reports  
(No Action)

Board member Hames indicated there was nothing to report however he would like the presentation given by APCO Kiddoo to be given at a future Alpine County Supervisor's meeting.

Board Vice Chair Johnston noted that with the recent snowfall, PM<sub>10</sub> is expected to be generated with the distribution of cinders on the roads. Board member Johnston indicated he would like the presentation given by APCO Kiddoo to be given at a future Mono County Supervisor's meeting.

Board member Stump reported that the Forest Service has been aggressively trying to burn their back-log of piles; there have been a few public concerns but no long lasting major impacts of smoke. The information boards that the Forest Service has put up for public access are much appreciated.

Board member Griffiths reported that there is a standing committee coming up and one of the topics of discussion that Inyo County would like to bring up has to do with the Master Plan Project on Owens Lake. Inyo County would like to ensure that any water savings are retained within the valley. The dust issues in the valley seem to be increasing which looks to be directly related to the City's efforts to "tighten the screws" on irrigation as well as the City not completing their mitigation projects.

Board Chair Kingsley reported that he learned at the last RCRC meeting that federal legislation, specifically pertaining to the exceptional events rule, looks like it might give all federal agencies more leeway in their burning programs. Also, 2016 is Inyo County's 150<sup>th</sup> anniversary.

**Agenda Item #7**  
Air Pollution  
Control Officer's  
Report  
(No Action)

APCO Kiddoo gave a brief report on District activities. He began by telling the Board that the variance period for GB15-01, City of Los Angeles of DWP, is over as of 5:00 pm on January 16, 2016. The City is now in compliance with all of the shallow flood areas. The test is considered successful. The test also allowed the City to save somewhere between 7,000 and 9,000 acre feet of water. APCO Kiddoo then went on to discuss the 2016 SIP progress. At this time staff is really close to having a public draft available for inspection. Staff should be ready for an internal review of the document sometime this week and will share it with the California Air Resources Board, U.S. Environmental Protection Agency and the City. Staff plans to hopefully have a final document in front of the Board for approval in April. APCO Kiddoo added that this is going to be the "most comprehensive document District staff has ever created, by a long shot." He then noted that the Hearing Board issued a short term variance for Coso Operating Company on January 5, 2016. Coso needed to do a clean out of one of their LoCat scrubbers. This is normally done on an annual basis but because of curtailments from Southern California Edison Coso had to bring down their power generation during some line repair or line build out which brought on a situation beyond Coso's control. A 10-day variance was granted however the work was completed in 20 hours with no impacts to monitors.

**Agenda Item #8**  
Set Date and  
Location of Next  
Regular Meeting  
(April in Keeler, CA)

The next regular meeting of the District Governing Board will convene at 10:00 am on April 13, 2016 in Keeler, California. The District's Clerk of the Board will find and reserve a handicap accessible meeting room and contact the District Board members as to its location.

**Adjournment**

The meeting was adjourned at 12:01 pm. The Board will reconvene in open session at 10:00 am, on Wednesday, April 13, 2016 in Keeler, California.

**Attest:**

  
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Tori DeHaven, Board Clerk

  
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, Board Chair