

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT
GOVERNING BOARD MINUTES
May 10, 2018

(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 May 10, 2018 in the Lee Vining Community Center, 296 Mattly Avenue, Lee Vining, California 93541.

Governing Board members present:

David Griffith, Board Chair, Alpine County
Dan Totheroh, Board Vice Chair, Inyo County
Fred Stump, Mono County
Stacy Corless, Mono County
Matt Kingsley, Inyo County
Ron Hames, Alpine County
John Wentworth, Town of Mammoth Lakes

Governing Board members absent:

None

A quorum was present.

GBUAPCD staff present:

Phill Kiddoo, Air Pollution Control Officer
Ann Logan, Deputy Air Pollution Control Officer
Susan Cash, Administrative Projects Manager
Chris Howard, Senior Research Systems Analyst
Chris Lanane, Air Monitoring Specialist
Alex Clayton, Air Monitoring Tech Specialist
Tori DeHaven, Clerk of the Board

Members of the public included: (as indicated by voluntary sign-in)

John Pedersen, Mammoth Community Water District

Agenda Item #1
Call to Order
Pledge of Allegiance

Board Chair Griffith called to order the regular meeting of the Governing Board at 10:01 a.m.

Board member Hames then led the Pledge of Allegiance.

Agenda Item #2
Public Comment on
Matters not on the
Agenda

Board Chair Griffith asked for public comment on items not on the agenda at 10:02 am. He then indicated that each member of the public would be given three minutes to speak.

(No Action)

Ms. Irene Yamashita, Mammoth Community Water District (MCWD), presented material to the Board regarding the Wildermuth report which was submitted May 1, 2018. She gave a brief introduction to the MCWD and its functions. She then explained that the CD-IV geothermal project may be affecting the groundwater resources for the community of Mammoth. She displayed a map which showed the current geothermal project and noted that the affects have been documented by the United States Geological Survey (USGS).

Board Chair Griffith responded that this topic is subject to litigation and is not appropriate for public comment.

Mr. John Pedersen, MCWD, explained that the MCWD has been commenting on this subject since 2005. The project originated in Casa Diablo and has since expanded to include production wells in Basalt Canyon. Effects have been documented in those areas and subsequent areas. He added that Ormat has not produced new or current data that clearly demonstrates that there haven't been significant effects to the groundwater resources.

Board Chair Griffith encouraged the MCWD to speak directly with District staff or have legal counsel contact each other as the matter is subject to litigation.

Board member Corless announced that the Mono County Supervisors have agendized an item specific to this issue for their May 15, 2018 meeting.

Board member Wentworth added that although this issue isn't within the immediate jurisdiction of the Town of Mammoth Lakes Town Council, of which he is a council member, there may be future presentations at the request of MCWD in front of the Town Council. During such presentations he will recuse himself as he intends to play an active role in this matter as a Governing Board member for the GBUAPCD.

Ms. Yamashita submitted documents and map to the Clerk of the Board.

Board Chair Griffith replied that although she is welcome to submit the documents to the Clerk, the Board would not address them due to the litigation.

APCO Kiddoo added that material submitted will be handed over to District legal counsel and advises MCWD to submit any future material through representative legal counsel.

Agenda Item #3
PUBLIC HEARING
– a. Adoption of
Orders to the City of
Los Angeles to Pay

Ms. Susan Cash, Administrative Projects Manager for the District, gave a brief presentation on agenda item no. 3a. She noted that no public comment was received by staff.

2018-2019 Fiscal Year Fees as Provided by Section 42316 of the California Health and Safety Code (SB270) b. Fiscal Year 2018-2019 Total District Budget – Approval of the District and SB270 Sub-budgets (Second of Two Required Budget Hearings) (Action)

Board Chair Griffith asked for public comment at 10:20 am.

No comment was offered.

Motion (Stump/Hames) adopting the Fiscal Year 2018-2019 SB 270 Fee Assessment Order to Pay and including the following:

1. Staff recommends that the Board conduct the scheduled public hearing for input regarding the proposed fiscal year 2018-2019 SB 270 Fee Assessment Order.
2. Staff recommends that the Board adopt the attached “Fiscal Year 2018-2019 SB 270 Fee Assessment Order to Pay” for the base SB 270 costs in the amount of \$5,118,500.00

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

B/O #180510-01

Ms. Cash then presented on agenda item no. 3b.

Board Chair Griffith asked for public comment at 10:23 am.

No comment was offered.

Motion (Corless/Totheroh) adopting the Fiscal Year 2018-2019 Total District Budget considering and including the following:

1. Staff recommends that the Board conduct the second of two public hearings on the total budget, consider all comments and testimony, and make whatever changes are found appropriate to District or SB 270 budgets.
2. Staff recommends that the Board adopt the total Great Basin Unified Air Pollution Control District budget which includes: a) the proposed final 2018-19 District budget; and b) the proposed final 2018-19 SB 270 budget.
3. Staff recommends that the Board waive the automatic Consumer Price Index increase for District permit fees based on the adopted FY 2018-19 District budget (less special funds) for the 2018-19 fiscal year and the amount of current District (non-SB 270) reserve funds.

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

B/O #180510-03b

Agenda Item #4
Consent Items
(Action)

Motion (Kingsley/Corless) approving consent item a as follows:

- a. Approval of the March 8, 2018 Regular Governing Board Meeting Minutes

Ayes: Board Members – Griffith, Hames, Corless, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: Board Members - Stump

Absent: 0

Motion carried 6/0 and so ordered.

B/O #180510-04a

Motion (Hames/Totheroh) approving consent items b through h as follows:

- b. Approve Consulting and Services Contracts for Fiscal Year 2018-2019
- c. Appropriation Changes, Year End Transfer Authority, and Carryovers
- d. Approve Purchase Order with Campbell Scientific in the Amount of \$28,834.97 for Dust ID Network Dataloggers and Radio Equipment
- e. Out-of-State Travel Authorization for the 2018 National Air Monitoring Conference in Portland, Oregon on August 13-16, 2018
- f. Acceptance of the Community Air Protection Program Grant from the California Air Resources Board in the Amount of \$5,618.00 and Authorize the APCO to Sign Grant Documents
- g. Adoption of Publicly Available Pay Schedules
- h. Purchase of Two (2) Filter-Based Particulate Matter Monitors (Partisol 2025i-AV) From Thermo Scientific, A Sole-Source Provider, for \$44,000.00

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

B/O #180510-04b

Agenda Item #5
Janitorial Services
Request for Proposal
(Action)

Motion (Wentworth/Corless) taking action as follows:

- a. Declare DNS solutions, Inc. the Lowest Responsible Bidder for the Request for Proposal for Janitorial Services RFP 2018-01.
- b. Reject all other Bids for RFP 2018-01.

- c. Approve the Contract Between the District and DNS Solutions, Inc. for Janitorial Services for Fiscal Years 2018-2019 through 2020-2021 in the amount of \$14,000.00 Per Year Contingent Upon Approval of Future Budgets.
- d. Authorize the Air Pollution Control Officer to Sign the Contract on Behalf of the District.

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

B/O #180510-05

Agenda Item #6
Approval of the 2018
Owens Valley
Planning Area
Reasonable Further
Progress Report for
Submittal to the U.S.
Environmental
Protection Agency
(Action)

(A slide show presentation was given by staff. The presentation is attached to the official record and is available upon request to the Clerk of the Board)

Board member Stump noted that recently he has been facing third party implications from LADWP staff that he has been potentially obstructive. He encouraged LADWP staff, management and commissioners to contact him directly if they have questions or concerns.

Motion (Stump/Hames) approving the 2018 Owens Valley Planning Area Reasonable Further Progress Report for submission to the United States Environmental Protection Agency.

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

B/O #180510-06

Agenda Item #7
Approval of the 2018
Mono Basin Planning
Area Reasonable
Further Progress
Report for Submittal
to the U.S.
Environmental
Protection Agency
(Action)

(A slide show presentation was given by staff. The presentation is attached to the official record and is available upon request to the Clerk of the Board)

Motion (Corless/Totheroh) approving the Reasonable Progress Reports for Mono Basin PM-10 State Implementation Plan, dated May 2018, for submission to the United States Environmental Protection Agency.

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

Agenda Item #8
Adoption of the 2018
Great Basin Unified
APCD Air Quality
Monitoring Network
Plan
(Action)

Motion (Totheroh/Stump) adopting the District’s 2018 Annual Air Quality Monitoring Network Plan for submission to the US EPA Region IX administrator for approval.

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

Agenda Item #9
Lee Vining Air
Quality Monitoring
Station Presentation
and Site Tour
(No Action)

Mr. Lanane, Air Monitoring Specialist, gave a brief presentation on the new monitoring site. *(A slide show presentation was given by staff. The presentation is attached to the official record and is available upon request to the Clerk of the Board)*

The Board departed for the Lee Vining Air Monitoring Station site tour at 12:05 pm and returned to the regular meeting at 12:22 pm.

Board member Stump left at 12:15 pm.

It was noted that the community has raised visual concerns regarding the monitoring site.

Agenda Item #10
Informational Items
(No Action)

No comments offered.

Agenda Item #11
Board Member
Reports
(No Action)

The Board made the following member reports as follows:

Board member Corless noted that Mono County does currently have a significant issue with the City of Los Angeles, Department of Water and Power (LADWP) regarding the renewal of ranching leases in the Long Valley area. The Mono County Board is actively working with the Cattlemen’s Association and appreciates the support and assistance from Inyo County. She added that she will forward correspondence between Mono County and LADWP to APCO Kiddoo in order to keep him apprised of goings on.

Board member Kingsley added that Inyo County has multiple significant issues with LADWP as well. He also reported that the District is close to setting a date with LADWP for a policy meeting to discuss District issues.

Board Chair Griffith reported that AB 2585 regarding prescribed burning is proceeding and the Board should be aware of it. Also, a significant part of Alpine

County and part of Mono County are in Region 4 of the Forest Service. Region 4 of the Forest service does not currently have a good neighbor authority agreement with the state of California. However, both sides are now talking and hopefully progress forward may help bring resources to the area. He requested that staff minimize the use of acronyms in future board reports.

Board member Wentworth announced that multiple agencies are entering into an Eastern Sierra Recreation Partnership. There may be future opportunities for Inyo and Mono to join as well. This may be a significant tool to leverage resources for the areas.

Agenda Item #12
Air Pollution Control
Officer's Report
(No Action)

APCO Kiddoo gave a report on the following items:

- 1) Introduction of new employee Mr. Alex Clayton, Air Monitoring Tech Specialist. Mr. Clayton began work with the District on April 16, 2018.
- 2) 2018 Staff Summit – The District held a two-day staff summit event. The theme was “Inspiration and Education”. The summit provided a forum where all District staff could attend, participate and showcase important components of their jobs. The first day focused on District staff. The second day included special guests such as motivational speakers, District legal counsel and visitors with historical perspective and experience.
- 3) Bike Month – May is bike month. The District is an advocate of active transportation. There will be multiple opportunities throughout the month for the community to participate.

Agenda Item #13
Confirm Date and
Location of Next
Regular Meeting (July
12, 2018, in
Markleeville, CA)
(No Action)

The next regular meeting of the District Governing Board will convene at 10:00 am on July 12, 2018 in Markleeville, 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.

Agenda Item #14
CLOSED SESSION

The Board convened into closed session at 12:37 pm.

**CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL –
EXISTING LITIGATION:**

- a. 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.

**Agenda Item #15
CLOSED SESSION**

**CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL –
EXISTING LITIGATION:**

- c. City of Los Angeles vs. Great Basin Unified Air Pollution Control District, et al., Superior Court of California, County of Sacramento, Case No. 34-2013-80001451-CU-WM-GDS, pursuant to California Government Code Section 54956.9(d)(1).

The Board reconvened into open session at 1:01 pm with nothing to report.

Adjournment

The meeting was adjourned by Board Chair Griffith at 1:01 pm. The Board will reconvene in open session at 10:00 am, on Thursday, July 12, 2018 in Markleeville, California.



David Griffith, Board Chair

Attest:



Tori DeHaven, Board Clerk

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Fred Stump, Mono County
Stacy Corless, Mono County
Matt Kingsley, Inyo County
Ron Hames, Alpine County
John Wentworth, Town of Mammoth Lakes

Governing Board members absent:

None

A quorum was present.

GBUAPCD staff present:

Phill Kiddoo, Air Pollution Control Officer
Ann Logan, Deputy Air Pollution Control Officer
Susan Cash, Administrative Projects Manager
Chris Howard, Senior Research Systems Analyst
Chris Lanane, Air Monitoring Specialist
Alex Clayton, Air Monitoring Tech Specialist
Tori DeHaven, Clerk of the Board

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Pledge of Allegiance

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Board member Hames then led the Pledge of Allegiance.

Agenda Item #2
Public Comment on
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(No Action)

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Ms. Yamashita submitted documents and map to the Clerk of the Board.

Board Chair Griffith replied that although she is welcome to submit the documents to the Clerk, the Board would not address them due to the litigation.

APCO Kiddoo added that material submitted will be handed over to District legal counsel and advises MCWD to submit any future material through representative legal counsel.

Agenda Item #3
PUBLIC HEARING
– a. Adoption of
Orders to the City of
Los Angeles to Pay

Ms. Susan Cash, Administrative Projects Manager for the District, gave a brief presentation on agenda item no. 3a. She noted that no public comment was received by staff.

2018-2019 Fiscal Year Fees as Provided by Section 42316 of the California Health and Safety Code (SB270) b. Fiscal Year 2018-2019 Total District Budget – Approval of the District and SB270 Sub-budgets (Second of Two Required Budget Hearings) (Action)

Board Chair Griffith asked for public comment at 10:20 am.

No comment was offered.

Motion (Stump/Hames) adopting the Fiscal Year 2018-2019 SB 270 Fee Assessment Order to Pay and including the following:

1. Staff recommends that the Board conduct the scheduled public hearing for input regarding the proposed fiscal year 2018-2019 SB 270 Fee Assessment Order.
2. Staff recommends that the Board adopt the attached “Fiscal Year 2018-2019 SB 270 Fee Assessment Order to Pay” for the base SB 270 costs in the amount of \$5,118,500.00

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

B/O #180510-01

Ms. Cash then presented on agenda item no. 3b.

Board Chair Griffith asked for public comment at 10:23 am.

No comment was offered.

Motion (Corless/Totheroh) adopting the Fiscal Year 2018-2019 Total District Budget considering and including the following:

1. Staff recommends that the Board conduct the second of two public hearings on the total budget, consider all comments and testimony, and make whatever changes are found appropriate to District or SB 270 budgets.
2. Staff recommends that the Board adopt the total Great Basin Unified Air Pollution Control District budget which includes: a) the proposed final 2018-19 District budget; and b) the proposed final 2018-19 SB 270 budget.
3. Staff recommends that the Board waive the automatic Consumer Price Index increase for District permit fees based on the adopted FY 2018-19 District budget (less special funds) for the 2018-19 fiscal year and the amount of current District (non-SB 270) reserve funds.

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

B/O #180510-03b

Agenda Item #4
Consent Items
(Action)

Motion (Kingsley/Corless) approving consent item a as follows:

- a. Approval of the March 8, 2018 Regular Governing Board Meeting Minutes

Ayes: Board Members – Griffith, Hames, Corless, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: Board Members - Stump

Absent: 0

Motion carried 6/0 and so ordered.

B/O #180510-04a

Motion (Hames/Totheroh) approving consent items b through h as follows:

- b. Approve Consulting and Services Contracts for Fiscal Year 2018-2019
- c. Appropriation Changes, Year End Transfer Authority, and Carryovers
- d. Approve Purchase Order with Campbell Scientific in the Amount of \$28,834.97 for Dust ID Network Dataloggers and Radio Equipment
- e. Out-of-State Travel Authorization for the 2018 National Air Monitoring Conference in Portland, Oregon on August 13-16, 2018
- f. Acceptance of the Community Air Protection Program Grant from the California Air Resources Board in the Amount of \$5,618.00 and Authorize the APCO to Sign Grant Documents
- g. Adoption of Publicly Available Pay Schedules
- h. Purchase of Two (2) Filter-Based Particulate Matter Monitors (Partisol 2025i-AV) From Thermo Scientific, A Sole-Source Provider, for \$44,000.00

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

B/O #180510-04b

Agenda Item #5
Janitorial Services
Request for Proposal
(Action)

Motion (Wentworth/Corless) taking action as follows:

- a. Declare DNS solutions, Inc. the Lowest Responsible Bidder for the Request for Proposal for Janitorial Services RFP 2018-01.
- b. Reject all other Bids for RFP 2018-01.

- c. Approve the Contract Between the District and DNS Solutions, Inc. for Janitorial Services for Fiscal Years 2018-2019 through 2020-2021 in the amount of \$14,000.00 Per Year Contingent Upon Approval of Future Budgets.
- d. Authorize the Air Pollution Control Officer to Sign the Contract on Behalf of the District.

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

B/O #180510-05

Agenda Item #6
Approval of the 2018
Owens Valley
Planning Area
Reasonable Further
Progress Report for
Submittal to the U.S.
Environmental
Protection Agency
(Action)

(A slide show presentation was given by staff. The presentation is attached to the official record and is available upon request to the Clerk of the Board)

Board member Stump noted that recently he has been facing third party implications from LADWP staff that he has been potentially obstructive. He encouraged LADWP staff, management and commissioners to contact him directly if they have questions or concerns.

Motion (Stump/Hames) approving the 2018 Owens Valley Planning Area Reasonable Further Progress Report for submission to the United States Environmental Protection Agency.

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

B/O #180510-06

Agenda Item #7
Approval of the 2018
Mono Basin Planning
Area Reasonable
Further Progress
Report for Submittal
to the U.S.
Environmental
Protection Agency
(Action)

(A slide show presentation was given by staff. The presentation is attached to the official record and is available upon request to the Clerk of the Board)

Motion (Corless/Totheroh) approving the Reasonable Progress Reports for Mono Basin PM-10 State Implementation Plan, dated May 2018, for submission to the United States Environmental Protection Agency.

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

B/O #180510-07

Agenda Item #8
Adoption of the 2018
Great Basin Unified
APCD Air Quality
Monitoring Network
Plan
(Action)

Motion (Totheroh/Stump) adopting the District's 2018 Annual Air Quality Monitoring Network Plan for submission to the US EPA Region IX administrator for approval.

Ayes: Board Members – Griffith, Hames, Corless, Stump, Kingsley, Totheroh, Wentworth

Noes: 0

Abstain: 0

Absent: 0

Motion carried 7/0 and so ordered.

B/O #180510-08

Agenda Item #9
Lee Vining Air
Quality Monitoring
Station Presentation
and Site Tour
(No Action)

Mr. Lanane, Air Monitoring Specialist, gave a brief presentation on the new monitoring site. *(A slide show presentation was given by staff. The presentation is attached to the official record and is available upon request to the Clerk of the Board)*

The Board departed for the Lee Vining Air Monitoring Station site tour at 12:05 pm and returned to the regular meeting at 12:22 pm.

Board member Stump left at 12:15 pm.

It was noted that the community has raised visual concerns regarding the monitoring site.

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(No Action)

No comments offered.

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Board Member
Reports
(No Action)

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County and part of Mono County are in Region 4 of the Forest Service. Region 4 of the Forest Service does not currently have a good neighbor authority agreement with the state of California. However, both sides are now talking and hopefully progress forward may help bring resources to the area. He requested that staff minimize the use of acronyms in future board reports.

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(No Action)

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- 2) 2018 Staff Summit – The District held a two-day staff summit event. The theme was "Inspiration and Education". The summit provided a forum where all District staff could attend, participate and showcase important components of their jobs. The first day focused on District staff. The second day included special guests such as motivational speakers, District legal counsel and visitors with historical perspective and experience.
- 3) Bike Month – May is bike month. The District is an advocate of active transportation. There will be multiple opportunities throughout the month for the community to participate.

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Confirm Date and
Location of Next
Regular Meeting (July
12, 2018, in
Markleeville, CA)
(No Action)

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- 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.

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The Board reconvened into open session at 1:01 pm with nothing to report.

Adjournment

The meeting was adjourned by Board Chair Griffith at 1:01 pm. The Board will reconvene in open session at 10:00 am, on Thursday, July 12, 2018 in Markleeville, California.

David Griffith, Board Chair

Attest:

Tori DeHaven, Board Clerk