

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

GOVERNING BOARD MINUTES

March 7, 2019

(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 March 7, 2019 in the Town of Mammoth Lakes Council Chambers, 437 Old Mammoth Road (Suite Z), Mammoth Lakes, California 93546.

Governing Board members present:

David Griffith, Board Chair, Alpine County
Dan Totheroh, Board Vice Chair, Inyo County
Matt Kingsley, Inyo County
Kirk Stapp, Alternate, Town of Mammoth Lakes
Fred Stump, Mono County
John Peters, Mono County
Ron Hames, Alpine County

Governing Board members absent:

John Wentworth, Town of Mammoth Lakes

A quorum was present.

GBUAPCD staff present:

Phill Kiddoo, Air Pollution Control Officer
Ann Logan, Deputy Air Pollution Control Officer
Tori DeHaven, Clerk of the Board
Susan Cash, Administrative Projects Manager
Grace Holder, Senior Scientist
Sondra Grimm, Technical Services Specialist
Paige Austin, Field Services Technician I
Matt Picken, Research & Systems Analyst II

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

None indicated by sign in.

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.

Dr. Grace Holder then led the Pledge of Allegiance.

Agenda Item #2
Public Comment
on Matters not on
the Agenda
(No Action)

Board Chair Griffith asked for public comment on items not on the agenda at 10:02 am.

No comment was offered.

Agenda Item #3
Election of
Governing Board
Chair and Vice
Chair for 2019
(Action)

Motion (Totheroh/Peters) electing Board Member Kingsley to the position of Chair for 2019.

Ayes: Board Members – Kingsley, Totheroh, Stapp, Griffith, Hames, Peters, Stump

Noes: 0

Abstain: 0

Absent: Board Members – Wentworth

Motion carried 7/0 and so ordered.

B/O #190307-03

Motion (Peters/Griffith) electing Board Member Stump to the position of Vice Chair for 2019.

Ayes: Board Members – Kingsley, Totheroh, Stapp, Griffith, Hames, Peters, Stump

Noes: 0

Abstain: 0

Absent: Board Members – Wentworth

Motion carried 7/0 and so ordered.

B/O #190307-03

Agenda Item #4
PUBLIC
HEARING –
Fiscal Year
2019-2020 Total
District Budget –
Staff Report and
Public
Comments on the
Draft General
Fund and SB 270
Sub-budgets
(No Action, First
of Two Required
Budget Hearings)

Board Chair Kingsley opened the public hearing at 10:05 am.

Ms. Susan Cash, Administrative Projects Manager, gave a presentation regarding the proposed Fiscal Year 2019-2020 Draft General Fund and SB 270 Sub-budgets. Ms. Cash noted that the budget previously known as the “District budget” has been re-named the “General Fund,” in order to avoid confusion when speaking about the District as an agency vs. the District as a budget. Ms. Cash noted that the General Fund Budget for Fiscal Year 2019-2020 is \$133,500 higher than last Fiscal Year. She then added that the proposed SB 270 fee for Fiscal Year 2019-2020 will see an increase of \$947,281. Increases and/or decreases to the above-mentioned budgets as well as the other District sub-budgets are detailed within the staff report.

Mr. Nelson Mejia, City of Los Angeles DWP (LADWP), commented that LADWP is still in the process of reviewing the (SB 270) budget. LADWP has worked with District staff to answer any questions or concerns. LADWP does not anticipate any major concerns or comments.

Board Chair Kingsley closed the public hearing at 10:24 am.

Motion (Stump/Griffith) approving consent items b through g and i through k as follows:

- b. Waiver of District Rule 1102 Annual \$0.55 Per Capita Town and Counties Assessment Fee for Fiscal Year 2019-2020
- c. Authorization to Enter into Grant Agreement for Quality Assurance Review of Point Source Emissions Data from the California Air Resources Board
- d. Designation of Environmental Permitting Specialists as a Sole Source Provider and Approval of \$4,000 Contract Amendment with Environmental Permitting Specialist for a Total Contract Amount Not to Exceed \$13,900
- e. Approval of Contract with American Conservation Experience (ACE) for Work Crew for the Keeler Dunes Project for an Amount Not to Exceed \$39,276
- f. Approval of Tech Office Lease for the Period April 1, 2019-June 30, 2020 at the Rate of \$850/Month
- g. Approve Purchase for the Propagation and Delivery of 10,000 Native Shrubs for the Keeler Dunes Project with Greenheart Farms of Arroyo Grande, California, a Sole-Source Provider, for an Amount Not to Exceed \$26,710.30
- i. Approve Purchase of One (1) Filter-Based Particulate Matter Monitor (Partisol 2025i-AV) from Thermo Scientific, A Sole-Source Provider, for \$25,000
- j. Approval of District Family and Medical Leave Policy
- k. Approval of District Reasonable Accommodation Policy

Ayes: Board Members - Kingsley, Totheroh, Griffith, Hames, Peters, Stump

Noes: 0

Abstain: Board Member - Stapp

Absent: Board Member – Wentworth

Motion carried 6/0 and so ordered.

B/O #190307-05b

Motion (Stump/Griffith) approving consent item a as follows:

- a. Approval of January 3, 2019 Governing Board Meeting Minutes

Ayes: Board Members - Kingsley, Totheroh, Griffith, Hames, Stump

Noes: 0

Abstain: Board Members – Stapp, Peters

Absent: Board Member – Wentworth

Motion carried 5/0 and so ordered.

B/O #190307-05a

Board Vice Chair Stump acknowledged that he pulled this item (h) for discussion due to his concern about whether staff has the proper training to operate the vehicles being considered as well as if they have the proper safety equipment.

APCO Kiddoo assured the Board that staff has the proper training and safety equipment needed.

Motion (Stump/Griffith) approving consent item h as follows:

h. Authorization for the Purchase of Two (2) 4WD Gas 4 or 6 Seat Utility Task Vehicles (UTVs) for use in the Keeler Dunes Project for an amount not to exceed \$40,000

Ayes: Board Members - Kingsley, Totheroh, Griffith, Hames, Peters, Stump

Noes: 0

Abstain: Board Members – Stapp,

Absent: Board Member – Wentworth

Motion carried 6/0 and so ordered.

B/O #190307-05h

Agenda Item #6
Approval and
Authorization of
(1) Purchase of
Property at 157
Short Street,
Bishop, CA
93514 for
\$500,000, (2)
Funding up to
\$100,000 for
Expenses and
Capital
Improvements
and (3)
Utilization of
\$90,000 from
General Fund
Reserves and
\$510,000 from
SB 270 Reserves
for (1) and (2)
(Action)

Board Chair Kingsley asked for public comment at 10:36 am. No comment was offered.

Mr. Mejia was asked specifically what he thought about this purchase, from the perspective of LADWP. He replied that he fully supported the idea and thinks it makes sense.

Motion (Totheroh/Hames) approving agenda item number 6 as follows:

1. Approve the purchase of the building and land where the District offices are currently located, at 157 Short Street, Bishop CA 93514 for \$500,000 and allow the APCO to sign any and all documents in order to complete the purchase.
2. Adopt attached Resolution No. 2019-01.
3. Authorize the transfer and use of \$510,000 from the SB270 Reserve Fund and \$90,000 from the General Fund Reserve for the purchase of the building and land, costs associated with the purchase (title insurance, title search, closing costs, etc.) and for capital improvements yet to be determined. (Requires 5/7 vote).

Ayes: Board Members – Kingsley, Totheroh, Stapp, Griffith, Hames, Peters, Stump

Noes: 0

Abstain: 0

Absent: Board Member – Wentworth

Motion carried 7/0 and so ordered.

B/O #190307-06

Agenda Item #7
Acceleration of
Payment of the
CalPERS
Pension
Unfunded
Accrued Liability
(UAL) Reducing
Payoff Time from
30 Years to 15
Years
(Action)

Board Chair Kingsley asked for public comment at 10:46 am.

Motion (Griffith/Hames) approving agenda item number 7 as follows:

1. Approve District request CalPERS combine and “fresh starts” the UAL balance for the Classic Miscellaneous Plan as of the 6/30/2019 balance of \$2,629,835 and that future UAL payments on this balance be split 94.25%/5.75% SB270/GF in recognition of the current corresponding responsibility for that balance.
2. Approve District make yearly lump-sum UAL payments for the Classic Miscellaneous Plan on that balance following the 15-year amortization schedule as attached and direct staff not make an official agreement with CalPERS to make 15-year amortization payments in order to leave the Board flexibility in future years to suspend the larger, accelerated payments and resume the 30-year default amortization schedule should the Board so choose.
3. Approve District pay the UAL for the PEPRA Miscellaneous Plan in full on a yearly basis in order to not accumulate a new unfunded liability for the next tier of employees.

Ayes: Board Members – Kingsley, Totheroh, Stapp, Griffith, Hames, Peters, Stump

Noes: 0

Abstain: 0

Absent: Board Member – Wentworth

Motion carried 7/0 and so ordered.

B/O #190307-07

Agenda Item #8
Keeler Dunes
Dust Control
Project Update
and Long-Term
Plan
(No Action)

The Board took a break at 10:49 am.

The Board reconvened at 10:54 am.

Dr. Grace Holder, Senior Scientist, gave a slideshow presentation. Noted within the staff report as well as the presentation were points as follows:

- The goal of the Keeler Dunes Project is to eliminate the PM₁₀ exceedances in the communities of Keeler and Swansea that come from the Keeler Dunes through the establishment of a stable vegetated dune system.
- The Keeler dunes project is in its 5th year with implementation beginning in September 2014.
- The project has decreased the number of Federal and State PM₁₀ exceedances as well as overall concentration of dust in the local area and in the community of Keeler from the dunes but has not yet achieved its goal of clean air.

- Long term plans for 2019 include: plan developed for next five years through 2024; plant in smaller focused efforts; provide additional water for newly planted shrubs with sprinklers during first growing season; and use seasonal work crew from American Conservation Experience (ACE) for planting and irrigation.

(the presentation is available upon request to the Clerk of the Board)

Board Chair asked for public comment at 11:49 am.

Mr. Mejia indicated that there are resources available to LADWP that could possibly help with the Keeler Dunes Project. Although he cannot commit money or water, there may be other things he can do to support the District.

Agenda Item #9
Informational
Items
(No Action)

APCO Kiddoo elaborated on the travel report, specifically activity in January.

Agenda Item #10
Board Member
Reports
(No Action)

Board member Totheroh: Nothing to report.

Board Alternate Stapp: Nothing to report.

Board member Griffith: Reported that Governor Newsom mandated Cal Fire to produce a report, within forty-five days, specific to what the state can do about forest health and catastrophic wildfires. The report has been completed and released and anyone interested should read it and get involved.

Board member Hames: Reported that he and Board member Griffith went to Sierra Nevada Conservancy yesterday and learned that one of the tools being considered to help manage/control future wildfires is prescribed burning. There is a plan to do a lot more prescribed burning which may affect the east side more than usual.

Board member Peters: Reported that he would like to thank District staff for deploying monitors during recent events which produced data that was placed on the District website to help address decision making while evaluating health effects of contaminants in the air during the events. Perhaps a future agenda item could be a discussion as to how to deploy monitors to collect data even sooner.

Board Vice Chair Stump: Nothing to report.

Board Chair Kingsley: Reported that as forest health has gained a lot of attention, money has been set aside within the state to begin considering what can be done to address forest health. Although there may never be enough money to completely address the issue and solve the problem, it's good that the governor and others are continuing to discuss solutions and plans for use of the money to address forest health.

Agenda Item #10
Air Pollution Control Officer's Report
(No Action)

APCO Kiddoo noted that he had two items to report on. The first being the introduction of the District's newest employee, Mr. Matthew Picken, who will serve as a Research & Systems Analyst II. The second item he reported was that the District has submitted an application, to the Owens Valley Groundwater Authority, as an Interested Party.

Agenda Item #12
Confirm Date and Location of Next Regular Meeting (May 2, 2019, in Mono County, CA)

The next regular meeting of the District Governing Board will convene at 10:00 am on May 2, 2019 in Bridgeport, 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 #13

The Board convened into closed session at 12:21 pm.

CLOSED SESSION

The Board reconvened into open session at 1:46 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.

Report: Nothing to report.

Agenda Item #14
CLOSED SESSION

CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

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).

Report: Nothing to report.

Agenda Item #15
CLOSED SESSION

CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS

Conference with labor negotiators – Section 54957.6 of the California Government Code: Changes regarding the salaries, salary schedules or compensation paid in the form of fringe benefits. Employee group: Non-Management Employees.

Report: Nothing to report.

**Agenda Item
#16
CLOSED
SESSION**

CLOSED SESSION – CONFERENCE WOTH LABOR NEGOTIATORS

Conference with labor negotiators – Section 54957.6 of the California Government Code: Changes regarding the salaries, salary schedules or compensation paid in the form of fringe benefits. Employee group: Management Employees.

Report: Nothing to report.

Adjournment

The meeting was adjourned by Board Chair Kingsley at 1:46 pm. The Board will reconvene in open session at 10:00 am, on Thursday, May 2, 2019 in Bridgeport, California.



Matt Kingsley, Board Chair

(Vice Chair Stump for Chair Kingsley)

Attest:



Tori DeHaven, Board Clerk