

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

GOVERNING BOARD MINUTES

July 18, 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 July 18, 2019 in the Alpine County Administrative Center, 99 Water Street (State Hwy 89), Markleeville, California 96120.

Governing Board members present:

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

Governing Board members absent: 0

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
Nik Barbieri, Director of Technical Services
Sondra Grimm, Technical Services Specialist
Chris Lanane, Air Monitoring Specialist

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

Agenda Item #1 Board Vice Chair Stump called to order the regular meeting of the Governing Board
Call to Order at 10:01 a.m.
Pledge of
Allegiance

Board Member Hames then led the Pledge of Allegiance.

Agenda Item #2 Board Vice Chair Stump asked for public comment on items not on the agenda at
Public Comment on Matters not on the Agenda at 10:02 am.

(No Action) No comment was offered.

Agenda Item #3
Consent Items
(Action)

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

- a. Approval of the May 2, 2019 Regular Governing Board Meeting Minutes

Ayes: Board Members – Kingsley, Totheroh, Stump, Hames

Noes: 0

Abstain: Board Members – Peters, Griffith

Absent: Board Members – Wentworth

Motion carried 4/0 and so ordered.

B/O #190718-03a

Motion (Stump/Hames) approving consent items b through c as follows:

- b. Re-Appointment of Current Hearing Board Members (Pumphrey, Sweeney)
- c. Approval of Temporary Increase in Authorized Strength, Adding .25 Full Time Equivalents (All General Fund), to Accommodate Training of New Staff

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

Noes: 0

Abstain: 0

Absent: Board Members – Wentworth

Motion carried 6/0 and so ordered.

B/O #190718-03b

Board member Wentworth arrived at 10:03 am.

Agenda Item #4
Consider
Appointing One
Person to the
Vacant Position
on the District’s
Hearing Board to
serve a Three-
Year Term
(Action)

Board member Stump nominated Mr. Connolly, the nomination failed.

Motion (Griffith/Totheroh) appointing Ms. Betty Hylton to serve a three-year term on the District’s Hearing Board.

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

Noes: 0

Abstain: Board Members - Wentworth

Absent: 0

Motion carried 6/0 and so ordered.

B/O #190718-04

Agenda Item #5
Discussion
Regarding
Alternates for
Inyo, Mono, and
Town of
Mammoth Lakes,
Which are
Currently

Ms. Susan Cash, Administrative Projects Manager, gave a brief summary on the staff report contained in the Board Packet. It was noted that due to recent issues with alternates for Board meetings, staff reviewed the bylaws and found that only Alpine County is allowed to use an alternate. At this time staff would like direction from the Board as to how to proceed. Ms. Cash explained that the Board should consider two options:

Appointed but not Accounted for in the Bylaws (No Action)

- (a) Direct staff to notify Inyo, Mono, and the Town of Mammoth Lakes that Alternates are not authorized by the Unification Agreement, and therefore need not (and cannot) be appointed to the District Board.
- (b) Direct staff to initiate changes to the Unification Agreement to allow for Alternates from all member agencies. If this is the direction, consider rescinding Rule 1102 and incorporating it into a new Unification Agreement, and clarify the requirement for an affirmative vote. An update to the Unification Agreement requires ratification by all four-member agency governing boards.

The Board directed staff, based on option b in the staff report, to go back to the four-member agency governing boards. Staff acknowledged that they would also be checking with counsel to determine exactly how to address this issue. In regard to voting requirements, the Board was supportive of having an affirmative vote being four Board members and not changing any of the other special circumstances. They also supported the rescission of Rule 1102 and rolling it all into one document. The Board noted that a draft does not need to come back to them, but a finalized document does. Staff responded that they would confirm with counsel.

Agenda Item #6
Owens Lake Scientific Advisory Panel Update (No Action)

APCO Kiddoo reported on item 6. In November 2018, the District Governing Board elected to enter into an agreement with the National Academies of Sciences (NAS) to create the Owens Lake Scientific Advisory Panel (OLSAP). The 2014 Stipulated Judgment had a provision for the OLSAP to evaluate, assess and provide ongoing advice on the reduction of airborne dust in the Owens Valley. The first step of the NAS was to solicit nominations from the District and LADWP for the Panel. Nominations were approved and the panel was formed. The first meeting of the OLSAP occurred in May 2019 for the purpose of information gathering. They are continuing this process at meetings to be held in July.

The Board expressed interest in having specific staff members of their respective county's attend future meetings. District staff was directed to email the agendas of current and future OLSAP meetings to the specified people.

Agenda Item #7
Informational Items (No Action)

Mr. Chris Lanane, Air Monitoring Specialist, gave a brief report on Informational Item a.i. summarizing staffs attendance at the Primary Quality Assurance Organization Training, June 4 – 6, 2019 in Davis, California.

Agenda Item #8
Board Members Reports (No action)

Board Member Totheroh – Nothing to report.

Board Member Peters – Nothing to report.

Board Member Stump – Nothing to report.

Board Member Griffith – Alpine Biomass Collaborative received its \$100,000 Grant for economic development administration and community vision. They have started a scoping study on how best to utilize the excess biomass in the forests to reduce the

risk of catastrophic fire, improve forest health and improve the local economy. Hopefully it will be finished in December-January.

Board Member Wentworth – Current member of Integrated Climate Adaptation and Resiliency Program (ICARP) through the Office of Planning and Research. There was a very interesting meeting in Sonoma County where many different agencies were represented. Also met with California Air Resources Board (CARB) staff regarding natural resources and climate change.

Board Member Hames – Thanked everyone for coming to Alpine County.

Board Member Kingsley – Supportive of efforts between GBUAPCD staff, the Forest Service, and the Bureau of Land Management to develop a new Memorandum of Understanding (MOU) for smoke management on controlled burns. He is hoping something will come back to the Board that will work better before the next burning season.

Agenda Item #9
Air Pollution
Control Officer's
Report
(No Action)

Nothing to report.

Agenda Item #10
CLOSED SESSION

The Board convened into closed session at 11:14 am.

The Board re-convened into open session at 12:07 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: Information given.

Agenda Item #11
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: Information given.

Agenda Item #12
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: Information given.

Agenda
#13
CLOSED
SESSION

Item


CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS

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

Report: Information given.

Adjournment

The meeting was adjourned by Board Chair Kingsley at 12:07 pm. The Board will reconvene in open session at 10:00 am, on Thursday, September 5, 2019 in Mammoth Lakes, California.



Matt Kingsley, Board Chair

Attest:



Tori DeHaven, Board Clerk

Tori DeHaven, Board Clerk