

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

GOVERNING BOARD MINUTES

September 3, 2020

(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 September 3, 2020, via teleconference (*in light of COVID-19 concerns and in response to Governor Newsom's Executive Order N-29-20 dated March 17, 2020*).

Governing Board members present:

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

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
Tori DeHaven, Clerk of the Board
Christopher Howard, Senior Research & Systems Analyst
Kimberly Mitchell, Research & Systems Analyst II
Christopher Lanane, Air Monitoring Specialist
Luke Eisenhardt, Air Quality Specialist II
Jonathan Tuttle, Field Services Technician I
Grace Chuchla, District Counsel (closed session only)

Members of the public included: (as indicated by voluntary verbal identification)

None identified

Agenda Item #1
Call to Order
Pledge of
Allegiance

Board Vice Chair Wentworth called to order the regular meeting of the Governing Board at 10:04 a.m.

APCO Kiddoo then led the Pledge of Allegiance.

Board Vice Chair Wentworth noted that the numbering sequence on the agenda was out of order due to a clerical error. Items 13 and 14 should have been 10 and 11.

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

Board Vice Chair Wentworth asked for public comment on items not on the agenda at 10:05 am.

No comment was offered.

Agenda Item #3
PUBLIC
HEARING –
Consideration of
Recission of
Great basin
Unified Air
Pollution Control
District Rule
1102 (Governing
Board
Membership,
Funding, and
Voting
Procedures)
(Action)

Susan Cash, Administrative Projects Manager, gave a brief report as outlined in the staff report.

Board Vice Chair Wentworth opened the public hearing at 10:07 am. He then asked for public comment. Hearing none, the public comment period closed at 10:08 am.

Motion (Griffith/Stump) approving recission of Rule 1102 and adoption of Resolution 2020-04.

Motion by Roll Call:

Ayes: Board Members – Kingsley, Wentworth, Hames, Griffith, stump

Noes: 0

Abstain: 0

Absent: Board Member – Peters, Totheroh

Motion carried 5/0 and so ordered.

B/O #200903-03

Agenda Item #4
Award the
Contract for the
Bishop Office
Building
Ductless Mini-
Split HVAC
Installation RFQ
CIP 2020-003 to
Dean's Plumbing
and Heating of
Bishop, CA, in
an Amount Not
to Exceed
\$77,066
(Action)

Motion (Stump/Griffith) approving the item as follows:

1. Award the Contract for the Bishop Office Building Ductless Mini-Split HVAC Installation RFQ CIP 2020-003 to Dean's Plumbing and Heating of Bishop, CA, in an amount not to exceed \$77,066

2. Authorize the APCO to execute all project contract documents, including contract change orders, to the extent permitted by the district's Purchasing Policies and Procedures

Motion by Roll Call:

Ayes: Board Members – Kingsley, Wentworth, Hames, Griffith, stump

Noes: 0

Abstain: 0

Absent: Board Member – Peters, Totheroh

Motion carried 5/0 and so ordered.

B/O #200903-04

Agenda Item #5
Consent Agenda
(Action)

Motion (Griffith/Hames) approving consent agenda items a through c as follows:

- a. Approval of the July 2, 2020 Regular Governing Board Meeting Minutes
- b. Authorize Air Pollution Control Officer to Sign and Submit Application for Subvention Funds
- c. Designation and Disposal of Surplus Vehicles (2011 Toyota Tacoma SR 5, VIN #5TFMU4N68X002247; 2001 Toyota 4-Runner, VIN #JT3HN86R510348164)

Motion by Roll Call:

Ayes: Board Members – Kingsley, Wentworth, Hames, Griffith, stump

Noes: 0

Abstain: 0

Absent: Board Member – Peters, Totheroh

Motion carried 5/0 and so ordered.

B/O #200903-05

Agenda Item #6
Informational
Items
(No Action)

No comments or questions regarding this item.

Board member Totheroh arrived at 10:19 am.

Agenda Item #7
Board Member
Reports
(No Action)

Board member Totheroh: Nothing to report.

Board member Stump: Thanked staff for deploying an EBAM in the Crowley Lake area and for taking a proactive approach to keeping the public informed.

Board member Hames: Also noted that smoke impacts are currently affecting the whole state and that he is thankful for the air quality reports.

Board member Kingsley: Asked staff if there have been any public complaints from the south county area which has also been affected by smoke (*staff noted there have not been complaints but there have been public comments and questions*). He then indicated his frustration with the time it is taking staff to develop grants/programs to be given to the counties and the Town of Mammoth Lakes.

Board member Griffith: Noted that smoke measurements are incredibly variable in time and space and people should really be encouraged to use common sense and not to rely solely on monitoring data and information.

Board Vice Chair Wentworth: Asked the Board to be aware of the Agreement for Shared Stewardship of California’s Forest and Rangelands between the State of California and the USDA, Forest Service Pacific Southwest Region. In the future, data may be needed from GBUAPCD for a vulnerability assessment.

Agenda Item #8
Air Pollution
Control Officer’s
Report
(No Action)

APCO Kiddoo introduced new employees Luke Eisenhardt, Air Quality Specialist II, and Jonathan Tuttle, Field Services Technician I. He also noted that at the November 5, 2020, staff will provide an extensive report regarding smoke activities for 2020. In the meantime, he gave a brief update regarding smoke noting that fires are currently widespread with the District currently tracking 51 fires. There are large impacts to Alpine, Inyo and Mono counties with additional monitors being deployed in multiple locations.

Agenda Item #9
CLOSED
SESSION

The Board convened into closed session at 10:46 am.

The Board re-convened into open session at 11:39 am.

**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
#13
(mis-numbering)
CLOSED
SESSION

**CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL -
ANTICIPATED LITIGATION -** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9 (one case)

Report: Action was taken and reported out of closed session, by Grace Chuchla, District Counsel, as follows:

“With respect to agenda item 13, the Board voted to approve initiation of litigation by the Inyo County Counsel, acting as counsel for Great Basin Unified Air Pollution Control District. It was a unanimous vote with 6 Board members present. As provided for in the Brown Act, at this time, the Board will not be identifying the nature of the action or the defendants, but those will be identified once the action has been formally commenced.”

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

Noes: Ø

Abstain: Ø

Absent: Board Members – Peters


Motion carried 6/0 and so ordered.

B/O #200903-13

(Board member Kingsley was not present for the report or adjournment)


Adjournment

The meeting was adjourned by Board Vice Chair Wentworth at 11:44 am. The Board will reconvene in open session at 10:00 am, on Thursday, November 5, 2020, via teleconference (details to follow).



John Peters, Board Chair

Attest:



Tori DeHaven, Board Clerk