



MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified at far right.

Regular Meeting

MEETING LOCATION
Mammoth Lakes BOS
Meeting Room, 3rd Fl. Sierra
Center Mall, Suite 307, 452
Old Mammoth Rd.,
Mammoth Lakes, CA 93546

April 16, 2013

9:00 AM

Meeting Called to Order by Supervisor Hunt, Chair

- Supervisors present: Alpers, Fesko, Hunt, Johnston, and Stump
- Supervisors absent: None

Pledge of Allegiance led by Supervisor Johnston

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- **Leigh Gaasch:** Introduced her guide dog in training, Folana. Took her previous guide dog, Jayman, back to the guide dog organization and heard first-hand accounts about how the dogs help the vision impaired. Distributed an information folder to the Board; asked the Supervisors to pass this information along to people who may be interested in being a puppy starter/trainer. On April 29th at the Mammoth Library, there will be an evening presentation about therapy dogs and guide dogs.

Closed Session: 9:07 a.m.

Break: 10:35 a.m.

Reconvened: 10:40 a.m.

Closed Session/Lunch: 12:08 p.m.

Reconvened: 1:05 p.m.

Break: 2:06 p.m.

Reconvened: 2:14 p.m.

Adjourned: 3:04 p.m.

CLOSED SESSION

The Board had nothing to report from Closed Session.

BOARD OF SUPERVISORS

1a)

Closed Session - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one.

1b)

Closed Session - CAO Position - PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer.

- 1c) Closed Session - Conference With Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Luman v. Mono County.
- 1d) Closed Session - Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: dispute regarding Conway Ranch grant compliance.
- 1e) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph and Lynda Salcido. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- **Ron Day**, Eastern Sierra Connect: They will have a booth at the Earth Day event to be held this Saturday (April 20), 11:00-3:00, in Bishop behind Fendon's furniture store.

2) APPROVAL OF MINUTES

- M13-77** A. Approve minutes of the Regular Meeting held on April 2, 2013.
Johnston moved; Stump seconded
Vote: 5 Yes; 0 No

3) BOARD MEMBER REPORTS

Supervisor Alpers

1. Nothing to report at this time.

Supervisor Fesko

1. Was unable to attend the LTC meeting.
2. Attended the Reno Outdoor Expo Show; Antelope Valley Chamber of Commerce had a booth promoting the ATV jamboree. Was very beneficial for the upcoming event.
3. Completed the CSAC new supervisor training in Sacramento last week; he is making important connections in other counties. Also attended a course about realignment.
4. The Planning Commission reviewed a request for a transient overlay in Virginia Lakes. Three owners wanted the overlay, but due to the opposition of other homeowners, the originator of the request pulled it off the table.
5. Road barriers on Virginia Lakes Road came down this morning, the road is open just past the resort and the remainder should be open by the end of the week.

Supervisor Hunt

1. Last week attended a meeting to discuss the proposed MOU with Caltrans concerning Conway Ranch; things are moving in a positive direction.
2. Attended the Town-County Liaison meeting last week. Discussed: 1) Town's need for IT services; 2) solid waste, the MRF and CalRecycle mandates, and how to make things happen between the County and Town; 3) presentation by John Urdi regarding the Business Improvement District and possibility of generating \$4.2 million (MMSA will be adding 2% of ticket sales); 4) will talk about volunteer efforts at future meetings.

Supervisor Johnston

1. Attended a meeting with the Town about leased space in Minaret and Sierra Center Malls.
2. Attended the Great Basin Air Pollution Control District meeting. They are planning to meet with DWP commissioners on May 9 to discuss a plan of action.
3. Attended a Mammoth Lakes Housing special meeting. They appointed a new executive director. Still waiting for information from their attorney about the makeup of the board.

Supervisor Stump

1. Attended the LTC meeting.
2. Attended the Planning Commission meeting last Thursday. They approved the first transient overlay in June Lake, and formalized the changes made to the Rock Creek Ranch project in Paradise.
3. Updates regarding the SRA fee: The bill to repeal failed. Two other bills have been introduced: one would exempt property owners living in fire districts from paying, and would exempt low-income persons; the second assembly bill authored by Chesbro, would impose a 4.8% tax on property insurance to be placed in a state disaster relief fund. If this bill passes, the SRA would be repealed. Most residents inside a fire district would pay more with the 4.8% tax.

COUNTY ADMINISTRATIVE OFFICE

4)

CAO Report regarding Board Assignments

Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

Marshall Rudolph, Acting CAO

1. Attended the Town-County Liaison committee meeting.
2. Has been signing paperwork.
3. Lynda Salcido contacted him; she is doing well.

Supervisor Hunt: Publically acknowledged the work Rudolph is doing to oversee administration while Salcido is away. The Board expressed its appreciation.

DEPARTMENT REPORTS/EMERGING ISSUES

- **Roberta Reed:** Mono County has been selected for an IRS audit. All information has been compiled.
- **Sheriff Obenberger:** 1) Moving forward with background checks on deputy applicants; the position will be filled within the next three weeks. 2) Finished testing PSO applicants; the department will interview 16 people. 3) Another deputy may retire within the next 9 months. 4) Will have extra deployment for next week's fishing season opener.

CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

Item #6a: Pulled from agenda per staff request.

Supervisor Johnston: Pulled Item #5d.

CLERK OF THE BOARD

5a)

Proclamation Designating April 2013 as Child Abuse Prevention Month - April is nationally recognized as Child Abuse Prevention Month. Wild Iris is asking the Board to approve a proclamation designating April, 2013 as Child Abuse

Prevention Month in Mono County. This item is being sponsored by Chairman Hunt.

- M13-78** **Action:** Approve Proclamation designating April 2013 as Child Abuse Prevention Month in Mono County.
Stump moved; Fesko seconded
Vote: 5 Yes; 0 No

- 5b) Proclamation Designating April 2013 as Sexual Assault Awareness Month - April is nationally recognized as Sexual Assault Awareness Month. Wild Iris is asking the Board to designate April, 2013 as Sexual Assault Awareness month in Mono County.

- M13-79** **Action:** Approve Proclamation designating April 2013 as Sexual Assault Awareness Month in Mono County.
Stump moved; Fesko seconded
Vote: 5 Yes; 0 No

- 5c) Appoint Mono County Representatives to the Trindel Insurance Fund and the CSAC-EIA Board of Directors - Appointment of Mono County representatives to the Trindel Insurance Fund Board of Directors and the CSAC-EIA Board of Directors, effective April 16, 2013, as required by the JPA's already in place.

- M13-80** **Action:** Authorize appointment of Mono County representatives to the Trindel Insurance Fund Board of Directors and the CSAC-EIA Board of Directors, effective April 16,2013; the County Administrative Officer as Board Member and the Director of Human Resources/Risk Management as Alternate Board Member.
Stump moved; Fesko seconded
Vote: 5 Yes; 0 No

- 5d) Appointment of Deborah Preschutti to the CSA #1 Board - At a recent CSA #1 Board meeting, a motion was made to recommend that Deborah Preschutti be appointed to fill a vacancy on this Board created by the resignation of Robert Matthiessen. This term will expire November 30, 2015.

- M13-81** **Action:** Appoint Deborah Preschutti to the CSA #1 Board, filling a vacancy created by the resignation of Robert Matthiessen. This term will expire on November 30, 2015.
Johnston moved; Stump seconded
Vote: 5 Yes; 0 No

- Supervisor Johnston: Supports the appointment but expressed concern about the process whereby the board to which the appointment will be made has recommended the person. This practice could make it difficult for persons outside the group to be appointed. Suggested agendaing a future discussion.

COUNTY COUNSEL

- 6a) Approve Mammoth Community Water District's Amended Conflict of Interest Code - The Political Reform Act, Gov. Code sections 81000, et seq. requires public agencies to conduct a biennial review and update of their conflict of interest codes. As such, the Mammoth Community Water District has amended its Conflict of Interest Code by Ordinance No. 10-18-12-12 and seeks approval of its new Conflict of Interest Code by the Mono County Board of Supervisors, its code-reviewing body.

Deferred **Action:** Approve the Mammoth Community Water District's Conflict of Interest Code, as amended by Mammoth Community Water District Ordinance No. 10-18-12-12.

This item was pulled at the request of staff and will be agendized at a later date.

Additional Departments: Public Works

- 6b) Proposed SCE Easement For Digital 395 - Proposed resolution approving an agreement to convey an easement to Southern California Edison for crossing certain County-owned property.

R13-21 **Action:** Adopt Resolution No. R13-21, approving an agreement to convey an easement to Southern California Edison for crossing certain County-owned property.

Stump moved; Fesko seconded

Vote: 5 Yes; 0 No

- 6c) Additional Emergency Standby Officials - Presentation of additional nominations for emergency standby officials.

M13-82 **Action:** Appoint Phil West to the second option for acting as the Sheriff-Coroner, Jeff Beard to the third option for acting as the Sheriff-Coroner, Jeff Walters as the first option for acting as the Director of Public Works, Garrett Higerd as the second option for acting as the Director of Public Works, Lynda Salcido as the first option for acting as the CAO, and Scott Burns for the second option for acting as the CAO, (as highlighted on the Emergency Standby Official List attached to the agenda item,) in the event of an emergency requiring Emergency Standby Officials, and direct the Director of the Office of Emergency Services to aid in the investigation of the appointees, as appropriate, to ensure they are fit for said positions.

Stump moved; Fesko seconded

Vote: 5 Yes; 0 No

SOCIAL SERVICES

- 7a) Notice of Intent to Ensure Continued Use of Child Abuse Prevention Funds in Accordance with State and Federal Law (Kathy Peterson, Social Services) - The current Notice of Intent (NOI) for Mono County's 2010-2013 Child Welfare and

Juvenile Probation Systems improvement Plan (SIP) expires on June 09, 2013. The next Board of Supervisors approved SIP is due on December 11, 2013. In order to continue to expend CAPIT/CBCAP/PSSF funds, Mono County must have a current NOI on file with the Office of Child Abuse Prevention. As such, Mono County needs to submit a new NOI in order to expend the CAPIT/CBCAP/PSSF funds during the lapse of time between the current SIP period plan end date (June 09, 2013) and the new 5-year SIP period plan begin date (December 11, 2013).

- M13-83** **Action:** Authorize the Chair of the Board of Supervisors to approve the Notice of Intent to ensure the Office of Child Abuse Prevention that the CAPIT/CBCAP/PSSF child abuse prevention funds will continue to be used in accordance with state and federal statute, and identify the Department of Social Services as the BOS designated public agency to continue to administer the CAPIT and CBCAP funds, for the period of June 10, 2013 through December 11, 2013.
Stump moved; Fesko seconded
Vote: 5 Yes; 0 No

BOARD OF SUPERVISORS

- 8a) Roberts employment contract amendment - Amendment to Agreement re Employment of Lynda Roberts. The amendment would simply extend the term of the current agreement through June 30, 2013.
- R13-22** **Action:** Adopt Resolution No. R13-22, A Resolution of the Mono County Board of Supervisors Approving an Agreement and First Amendment to the Agreement re Employment of Lynda Roberts.
Stump moved; Fesko seconded
Vote: 5 Yes; 0 No
- 8b) Resolution of Appreciation - Resolution of Appreciation acknowledging recent efforts of a citizen to benefit Mono County. Supervisor Alpers agendized this item.
- M13-84** **Action:** Approve Resolution of Appreciation acknowledging Bart Hall for his recent efforts to benefit Mono County.
Stump moved; Fesko seconded
Vote: 5 Yes; 0 No

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK OF THE BOARD

- 9a) Ombudsman - Advocacy Services of Inyo-Mono - Letter dated March 26, 2013 regarding Ombudsman/Advocacy Services closing its doors. This will occur due

to the Inyo County Health and Human Services assuming operation of the Long-Term Care Ombudsman Program in April.

- Supervisor Hunt thanked the group for their work. The Board directed staff to prepare a resolution of appreciation.

The Board acknowledged receipt of correspondence.

BOARD OF SUPERVISORS

10a) Letter of Support for AB 151 (Duane "Hap" Hazard) - Proposed letter of support for AB 151 (reintroduced and renumbered from last year's AB 1592), which would authorize cities and counties to waive certain building and inspection fees for ADA-type modifications to homes owned by veterans with a service-related disability. This item was requested by Chairman Hunt.

M13-85 **Action:** Approve and authorize the Board Chair to sign the proposed letter of support for AB 151, as amended to include letters addressed to Senators Gaines and Berryhill.

Johnston moved; Stump seconded

Vote: 5 Yes; 0 No

Hap Hazard: Provided background about this issue.

- AB 151 provides a mechanism to waive building inspection fees for military service members that have returned with a disability and need to modify their homes.
- Mono County has no legal authority to waive fees for a class of people.
- The original concern came from a disabled veteran in Chalfant. At the time this issue was raised, the County was unable to accommodate the request.
- The first legislative attempt came about three years ago, but the bill could not get through the session in time. A second attempt was made last season, but the bill did not make it through. The bill was resubmitted again this year and is moving forward with a lot of support. It unanimously passed the Assembly last Thursday, and is currently in the Senate.
- The bill is crafted specifically for service-related disabilities that will be noted on a person's military separation form. Participation by counties and cities would be optional.
- Financial impact to the County would be minimal.
- Hazard asked for support from the Board of Supervisors by approving the proposed letter.

Board Comments

- **Supervisor Fesko:** Asked how the waiver would impact general funds.
 - Marshall Rudolph, County Counsel: The County would not receive revenue it would otherwise be entitled to receive; and the cost of the waiver is not to be added to fees for others. Currently, the code allows the County to assist indigent veterans, but not those facing issues due to disabilities.
 - Hazard: The shortfall could be covered by groups that may be willing to help subsidize the waiver, such as Rotary groups.
- **Supervisor Johnston:** Minimal revenue will be deferred.

PUBLIC WORKS - ENGINEERING DIVISION

11a) Bryant Field Airport – Helibase Lease Renewal (Vianey White) - The U.S. Department of Agriculture (USDA) Forest Service is seeking a 20 year lease

renewal for the Bryant Field Airport Helibase facility.

M13-86

Action: Approve the U.S. Department of Agriculture (USDA) Forest Service 20 year lease renewal for the Bryant Field Airport Helibase facility.

Alpers moved; Johnston seconded

Vote: 5 Yes; 0 No

Vianey White, Public Works: The USDA Forest Service seeks approval for a 20-year lease renewal at Bryant Field Airport; the current lease expires on June 13, 2013. The new lease includes \$100 per month rent paid to Mono County to cover insurance costs. County staff time will be required to clean restrooms; the cost will be charged to the airport fund. Language has been added to the new lease to 1) allow the County to continue using equipment and storage rooms; 2) allow negotiations on terms to ensure they are compliant with FAA grant requirements; and 3) make restrooms available to the public. This action requires a 4/5 vote or the lease will have to go out for RFP. Staff recommends renewal.

Stacey Simon, Assistant County Counsel: If the Board suggests modifications, the proposed lease can be changed and brought back for approval. This is a special provision for airport property that exempts the RFP requirement with a 4/5 vote.

Board Comments and Questions

- **Supervisor Stump:** Is the \$100 per month rate reasonable? Humboldt-Toiyabe indicated to Inyo County that they would bill them for fighting fires, is this correct? The fee at Bishop and Independence airports is over \$10,000 per year.
 - **White:** Based on a conversation with the insurance company, the \$100 fee is reasonable; if insurance increases, the County can reopen the contract and ask for an increased amount. The area leased in Mono County is smaller than Inyo County, and Mono County didn't ask for more due to the in-kind services provided by the Helibase. Plus she didn't want to open the potential for fire service charges.
 - **Simon:** The current lease charges \$1.00 for rent, so the \$100 represents an increase. The County is only leasing the raw land; the Forest Service constructed the building. The Helibase is included in the Bryant Field insurance, and according to the carrier, the rate will only experience a minimal increase. A substantial increase will allow for reopening of the lease. The Helibase has historically been considered to be a public benefit. Regarding billing for services, the Forest Service didn't believe they would charge for in-kind service if the insurance increased significantly and the rental fee increased.
- **Supervisor Fesko:** Is the building owned by the Forest Service? Who provides maintenance? He would prefer a 10-year lease rather than 20 years.
 - **Simon:** The building is owned by the Forest Service and there is a federal procedure for disposing of it if the County doesn't renew the lease. The lease includes a 180 day termination clause.
 - **White:** The Forest Service maintains the building, but the County will maintain the restrooms so they can stay open for the public.
 - **Garrett Higerd**, Public Works: The County receives a benefit by having the restrooms open to the public since this eliminates the need for a portable restroom unit; and airport users appreciate access to the restroom. Higerd provided information about development potential of hangars at the airport.

11b)

Contract Award for the Bridgeport Streets Rehabilitation Project (Garrett Higerd) Rehabilitation of approximately 3 miles of local streets in Bridgeport.

M13-87

Action: Based on the staff report concerning bids received in response to a solicitation for bids and responsibility of the apparent lowest responsive bidder:

1) identify Qualcon Contractors, Inc. as responsible bidder submitting the lowest responsive bid; 2) award contract to Qualcon Contractors, Inc. for the Bridgeport Streets Rehabilitation Project in an amount not to exceed \$1,821,836.20; 3) authorize the Public Works Director, in consultation with County Counsel, to administer that contract, including making minor amendments to said contract from time to time as the Public Works Director may deem necessary, and authority to approve and issue change orders to the contract in accordance with Public Contract Code §20142, in an amount not to exceed \$103,591.81 per change order, provided such amendments do not substantially alter the scope of work, do not cause spending on the project to exceed the budgeted authority of \$2,119,000, and are approved as to form and legality by County Counsel.

Fesko moved; Stump seconded

Vote: 5 Yes; 0 No

Garrett Higerd, Public Works: They received six very competitive bids for the project; the lowest was submitted by Qualcon out of Minden, Nevada. Qualcon has done a lot of quality work for the County in the past 10+ years. Their bid comes in under budget, which allows for flexibility with the amount of change orders. The state has awarded funding for his item and the Lee Vining streets project (Item #11c). Requested Board approval.

Board Comments and Questions

- **Supervisor Fesko:** Are there any contractors from Mono County? Asked for clarification about the bids.
 - **Higerd:** 1) For this type of work, Minden is generally the closest location for qualified contractors. 2) Lump sum items in the bid are paid at the amount listed; profit is built into the bid.
- **Supervisor Johnston:** Will this project preclude future plaza work on Bryant Street?
 - **Higerd:** No; work constructed under this project could be modified in the future to expand the plaza.

11c) Contract Award for the Lee Vining Streets Rehabilitation Project (Garrett Higerd) Rehabilitation of approximately 1.7 miles of local streets in Lee Vining.

M13-88

Action: Based on the staff report concerning bids received in response to a solicitation for bids and responsibility of the apparent lowest responsive bidder: 1) identify Herback General Engineering as responsible bidder submitting the lowest responsive bid; 2) award contract to Herback General Engineering for the Lee Vining Streets Rehabilitation Project in an amount not to exceed \$1,327,452.80; 3) authorize the Public Works Director, in consultation with County Counsel, to administer that contract, including making minor amendments to said contract from time to time as the Public Works Director may deem necessary, and authority to approve and issue change orders to the contract in accordance with Public Contract Code §20142, in an amount not to exceed \$78,872.64 per change order, provided such amendments do not substantially alter the scope of work, do not cause spending on the project to exceed the budgeted authority of \$2,047,000, and are approved as to form and legality by County Counsel.

Alpers moved; Johnston seconded

Vote: 5 Yes; 0 No

Garrett Higerd, Public Works: They received six competitive bids for this project; Herback General Engineering is the lowest bid. The bid came in under budget so there will be flexibility within the project. Herback has previously worked in Mono County (overlay on Highway 167 with CalTrans). Since the County has three major construction projects this year, and staff time required to manage and inspect all three is limited, Higerd may need to hire a consultant to help with inspection and construction management; the cost will be paid from available funding. Higerd will report the work schedule at the next Mono Basin RPAC meeting.

11d) Application for Federal Lands Access Program (FLAP) Grant Funding to Rehabilitate Convict Lake Road (Garrett Higerd) - If selected this project would rehabilitate approximately 2.3 to 2.7 miles of Convict Lake Road and add an up-hill bicycle climbing lane.

M13-89 Action: Approve submittal of a Federal Lands Access Program (FLAP) grant application to the Federal Highway Administration for a potential road rehabilitation project on Convict Lake Road.

Johnston moved; Alpers seconded

Vote: 5 Yes; 0 No

Garrett Higerd, Public Works: This opportunity became available in February. The funding is the same as the grant for the Rock Creek Road Rehabilitation project. FLAP is a good program; there is less overhead and management than state-funded projects. The Federal Highway Administration designs the project and manages construction, and the County maintains the finished work. The application will request about \$2.5 million in funding, and will require an 11.47% local match (approximately \$300,000). There may be funds available for the match as the project moves forward. The deadline is April 30. Applications will be ranked in May and a short list developed in June; funding awards will be announced in August of 2013. The project won't be delivered for about 5 years. The Inyo National Forest and Community Development Department are very supportive of the project.

Board Comments and Questions

- **Supervisor Johnston:** In the application, they should add information about RV use on the road. Views this opportunity as a windfall and beneficial to Mono County. The Convict Lake Road continues to deteriorate and the work will need to be done at some point.
 - **Higerd:** He will add that information along with additional information from Community Development.
- **Supervisor Fesko:** This is a great project, but he has concerns about the match. How does it work? If the County is awarded the grant but can't fund the match, can they back out?
 - **Higerd:** If awarded the grant, there will be another discussion with the Board about terms of the match; Higerd does not know the terms at this time. Usually a match is categorized in different phases and not paid up front. If awarded, project agreements will come before the Board for further consideration and they can review the financial commitment at that time. Mono County has not contributed much to road infrastructure due to external funding, but matches may become more commonplace in the future.
- **Supervisor Hunt:** Maintaining the road system needs to be weighed against other needs. However, this project is down the road and there will be the opportunity to decline a grant offer.
 - **Higerd:** Will research answers to the questions raised today.
- **Supervisor Alpers:** This is good news, but the Board will need to stay informed due to the match requirement and need to consider other commitments.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

HUMAN RESOURCES

12a) Employment Contract for Leslie Chapman (Marshall Rudolph) - Proposed resolution approving a two-year contract with Leslie Chapman as the Director of Finance and prescribing the compensation, appointment and conditions of said employment.

R13-23 Action: Approve Resolution #R13-23, approving a contract with Leslie Chapman as Director of Finance and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Alpers moved; Johnston seconded.

Vote: 5 Yes; 0 No

Marshall Rudolph, County Counsel/Acting CAO: The County conducted a thorough recruitment and interviewed a well-qualified group of finalists. Leslie Chapman emerged as the top candidate for Finance Director. She is currently the elected auditor/controller of Inyo County, has a public accounting background, is a CPA, has experience with a large accounting firm, and has managed her own accounting firm. Chapman has accepted the position starting on May 1st.

Supervisors: Welcomed Chapman to the County. They look forward to working with her, and invited her to ask the Board for assistance if needed. Supervisor Alpers participated on the interview panel, and Chapman did an excellent job. Supervisor Fesko's constituents have asked a lot of questions about compensation, but his concerns have been assuaged.

Chapman: Looks forward to the new position and believes that due to her background, the compensation will be an investment for Mono County. She thanked Roberta Reed for all of her work.

SOCIAL SERVICES

13a) Children's Trust Fund Request (Kathy Peterson) - Request of the Mono County Child and Family Advisory Board to spend funds held in the County's Children's Trust Fund.

M13-90 Action: Approve request to use Children's Trust Fund monies in an amount not to exceed \$800.00 to fund the purchase of child passenger car seats for distribution to Mono County families, as recommended by the Child and Family Advisory Board.

Stump moved; Alpers seconded

Vote: 5 Yes; 0 No

Kathy Peterson, Social Services: The Child Abuse Prevention Council is requesting up to \$800 from the County Children's Trust Fund to purchase child car seats for distribution to families in need in Benton, Bridgeport, Coleville, and Walker. The Council will be hosting community

events to talk about laws and make sure seats are properly installed. Car seats are not readily accessible in Mono County and are expensive (\$70-90 for a good one), so families have a hard time making a purchase. This is a good program, and the \$800 will facilitate the purchase of 9-10 car seats.

COUNTY COUNSEL

Additional Departments: Clerk / Recorder

- 14a) Update to MCC Chapter 3.24 (John-Carl Vallejo) - Proposed ordinance of the Mono County Board of Supervisors Amending sections 3.24.020, 3.24.060, 3.24.080, 3.24.100, 3.24.110, 3.24.120, 3.24.140, 3.24.150, 3.24.160 and 3.24.170, repealing section 3.24.130, and adding sections 3.24.180, 3.24.190, 3.24.200 and 3.24.210 to the Mono County Code pertaining to real property transfer tax.
- M13-91** **Action:** Introduce, read title, and waive further reading of proposed ordinance pertaining to real property transfer tax.
Johnston moved; Fesko seconded
Vote: 5 Yes; 0 No
John-Carl Vallejo, Deputy County Counsel: The proposed update to the documentary transfer tax ordinance will clarify confusion about the scope of the tax, and will incorporate state law regarding exemptions.
- 14b) Walker River Irrigation District Storage Water Leasing Program - Change Petition (Stacey Simon) - Presentation regarding the Walker River Irrigation District storage water leasing program and related change petition filed with the California State Water Resources Control Board. Provide direction to staff regarding County comments on petition.
- M13-92** **Action:** Approve and authorize Chair to sign letter, as amended, to the California State Water Resources Control Board providing comments on water rights change petitions filed by the Walker River Irrigation District for its storage water leasing program.
Fesko moved; Stump seconded
Vote: 5 Yes; 0 No
Stacey Simon, Assistant County Counsel: Distributed copies of the proposed letter; she has been working with Fish and Game to gather information for the letter. Simon reviewed the following:
- The WRID has been working to develop a three-year leasing demonstration program using federal funds.
 - Mono County has historically supported water leasing as an alternative to other solutions, such as litigation, transfer of water rights or outright purchase of water rights.
 - The WRID has presented a more constrained and smaller proposal for the first year, which may not be implemented until next year. It would allow for lease of 25,000 acre feet of stored water in Bridgeport and Topaz reservoirs.
 - The agricultural community is generally supportive.
 - Local interest is focused on preservation of the environment and protection of recreation and fisheries.
 - There is a process of review before the program is approved, so the Board of Supervisors should have ample time to comment further as needed.
 - Simon outlined an additional change; she distributed copies of a revised page one. Revisions include 1) language about proposed changes to the MOU to ensure

environmental reviews pursuant to CEQA prior to implementation of water transfer to Walker Lake; 2) emphasizes environmental review and decision making, and long-term economic impacts. Points out benefits of the program.

- The NFWF is committed to not moving forward before hearing from the County.
- Simon informed the WRID about the agenda item (no one was present to speak); they may not be pleased with some of the comments.

Steve Tilmack, Fish and Wildlife: worked hard on the MOU to come to agreement and would like to move forward.

Additional Departments: Economic Development

14c) Amendment to Conway Ranch Foundation Permission Agreement (Marshall Rudolph, Dan Lyster) - Proposed amendment to Conway Ranch Permission Agreement. The amendment would extend the term of the Agreement for one year.

M13-93 **Action:** Approve County entry into proposed Agreement and First Amendment to Conway Ranch Foundation Permission Agreement and authorize the Board Chair to sign said Agreement and First Amendment on behalf of the County.

Alpers moved; Fesko seconded

Vote: 5 Yes; 0 No

Marshall Rudolph, County Counsel/Acting CAO: The County has an agreement with IAG and Conway Ranch called a permission agreement. This allows IAG to subcontract with Conway Ranch Foundation for educational and public activities on the Ranch; 100% of the proceeds are dedicated to the Ranch. The term of the agreement is for one year, and the current agreement will expire on April 21 if it is not amended. The requested action will extend the contract for another year.

John Frederickson, IAG: Did not have any comments.

Supervisor Hunt: Looking forward to a positive future with the Conway Ranch Foundation.

14d) Gateway Sign Landscaping (Marshall Rudolph, Jessica Morriss) - Proposed extension of landscaping associated with the Gateway monument sign onto adjacent County property. The extension could be permitted through a license from the County to the Town under which the Town would assume all costs and liability risks associated with the landscaping. The County could terminate the license if and when it needs to use the affected land for another purpose. Town staff will present information regarding this proposal.

M13-94 **Action:** Conceptually approve County entry into a license agreement with the Town of Mammoth Lakes for proposal to extend landscaping associated with the Gateway monument sign onto adjacent County property.

Johnston moved; Stump seconded

Vote: 5 Yes; 0 No

Marshall Rudolph, County Counsel/Acting CAO: Last Fall the County conveyed a portion of its parcel on 203 (adjacent to the Court) to the Town of Mammoth Lakes to be used for a gateway monument sign; construction was to include landscaping. The monument has been constructed and the people working on the project would like to extend the landscaping beyond the boundaries of the parcel conveyed and onto remaining County property. The Board packet includes a diagram. If the Board agrees to proceed, Rudolph will bring a license agreement

back to the Board which will give the Town the right to landscape; all costs and liability will be assumed by the Town. The agreement will include a termination clause to allow for County use for another purpose.

Board Comments

- **Supervisor Fesko:** Since the parcel in question is bounded by the trail segment, the County may not need to retain the triangular piece in question.
 - **Jessica Morriss,** Mammoth Lakes: The Court's sign is on the County's property so the parcel can't be transferred to the Town. The proposed action seems to be the simplest way to accomplish the goal. The Court will provide water and the Water District will provide landscaping and maintenance. The gateway monument on the north side of 203 is on Forest Service Land and they want the site to remain in a natural state.
- **Supervisor Hunt:** The action makes sense; the County won't use the parcel for several years.

Additional Departments: Economic Development and Fisheries Commission

14e)
ADDENDUM

Trout Stocking (Marshall Rudolph, Dan Lyster, and Steve Marti) – Proposed expenditure of \$19,150 for additional trout stocking by Inland Aquaculture Group before the opening of fishing season. Said expenditure could be paid from available fish enhancement funds that were not previously budgeted this year for trout stocking.

M13-95

Action: Authorize expenditure of \$19,150 for additional trout-stocking by Inland Aquaculture Group under its existing contract for trout-stocking services, and increase the fish-enhancement line item within the Economic Development budget by said amount.

Fesko moved; Stump seconded

Vote: 4 Yes; 0 No; 1 Abstain (Alpers)

Marshall Rudolph, County Counsel/Acting CAO: Money for additional trout stocking is available in the fish enhancement fund, but it was not budgeted; \$100,850 was budgeted for this fiscal year, and the not-to-exceed cap is \$120,000 per fiscal year. The Fisheries Commission would like the additional funding in order to stock fish prior to season opener.

Steve Marti, Fisheries Commission: This item was discussed in their March meeting, and more waters are available this year for stocking due to the light winter. Usually IAG doesn't plant prior to opening so this would be out of the norm. Marti spoke with John Urdi, Mammoth Lakes Tourism, who said the basin might even open. Mono County has an opportunity to piggy-back on advertising planned by Mammoth Lakes Tourism. The requested amount will purchase about 20-25, 3-5 pound rainbow trout per body of water. Some of the requested money will be held back to stock waters later when they open.

Alicia Vennos, Economic Development: The County tourism office fully supports this request.

Supervisor Alpers: Will abstain from voting on this budget item due to being a former principal in IAG.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Additional Departments: Economic Development

15a) Merced River Plan Comments (Heather deBethizy, Alicia Vennos) - Merced Wild and Scenic River Draft Comprehensive Management Plan and Environmental Impact Statement Comments.

M13-96 **Action:** Authorize the Chair's signature on comment letter, as revised, regarding Merced Wild and Scenic River Draft Comprehensive Management Plan.

Johnston moved; Alpers seconded

Vote: 5 Yes; 0 No

Alicia Vennos, Economic Development: She drafted the proposed letter per direction from the Board. It reflects comments from Community Development, Tourism/ Film Commission, and the Local Transportation Commission. The comment period ends on April 18th.

Board Comments

- **Supervisor Johnston:** The letter is well written. In the second paragraph regarding restrictions, suggested changing the word "minimal" to "reasonable". The National Parks should have reasonable restrictions that pertain to things like water quality, parking, number of people on a trail, and sewage disposal. However, some of the proposals contradict an environmental outlook, such as restricting bicycle rentals. Johnston believes problems caused by the historic bridge could be dealt with in another way that didn't require removal, and believes some segments of the Merced River shouldn't be designated as a wild river because it hasn't been for decades.
- **Supervisor Alpers:** Agreed with Johnston's recommendation since the word "reasonable" forces an explanation. Policies need to be on the table so the rationale can be explained.
- **Supervisor Hunt:** Believes eliminating some of the historical amenities, such as horseback riding, is confusing. One goal is to reduce vehicular traffic.
- **Supervisor Stump:** Concurred with Hunt.

PUBLIC WORKS - SOLID WASTE DIVISION

16a) Change in Hours of Operation at County Transfer Stations (Tony Dublino) - Presentation by Tony Dublino regarding proposed change to Transfer Station hours of operation.

Action: None

Tony Dublino, Public Works: Summer hours at the transfer stations will be implemented on May 1st. Dublino presented an idea about making the hours consistent throughout the year in order to avoid log jams and inefficiencies. The agenda packet includes a table showing hours of operation and use. There are few customers in evening hours but a line forms in the morning, which causes delays. Some customers benefit from the current schedule, but more people are inconvenienced due to log jams in the morning hours. Moving forward Dublino recommended standardizing hours of operation at all transfer stations and open from 7:30-3:30 every day rather than changing to summer hours. He suggested eliminating the practice of opening late in order to stay open late. Under this new model, the number of operating hours will remain the same.

Board Comments

- **Supervisor Fesko:** Changing hours is confusing. He can support implementing consistent hours even though there may be pushback from his constituents. But people will adapt and the benefit of consistency outweighs the inconvenience.
- **Supervisor Alpers:** Agreed with Fesko. A quick survey of some constituents present at the meeting showed support for consistent hours.
- **Supervisor Johnston:** The information needs to be widely disseminated.
- **Supervisor Stump:** District 2 would be minimally impacted based on Dublino's data, plus there would still be weekend hours. Agrees with making this small adjustment to create efficiency.
- The Supervisors agreed with the idea of implementing consistent hours.

Suggestions for announcements: Sierra Scoop, posters in the Walker Country Store and General Store, post notices at the sites, post a notice on the website, send emails to RPAC groups, publish announcements in the newspapers, place notices at the various post offices.

BOARD OF SUPERVISORS

17a)

June Mountain Ski Area (Supervisor Alpers) - Opportunity for the public to provide new information about the re-opening of June Mountain. Supervisor Tim Alpers sponsored this agenda item.

Action: None

Supervisor Alpers: To summarize recent meetings, information about the peer resort tour was presented at a special meeting held on April 2nd. At the regular meeting on April 9th, Mammoth Mountain Ski Area presented information about the re-opening of June Mountain. The hearing on the 9th extended beyond 2 hours, so Alpers wanted the public to have another opportunity to finish presenting information.

Public Comments

- **Alice Suszynski:** Information from the Committee for a Viable June Mountain was provided in the agenda packet, She provided a letter from the Toiyabe Chapter of the Sierra Club expressing concern about the proposed land exchange between Mammoth Mountain and the Forest Service. Suszynski read a statement pertaining to the history of community actions taken on behalf of re-opening June Mountain and addressing community concerns about stewardship.
- **Al Heinrich:** Read a statement about stewardship concerns and HR 1241 (land exchange between Mammoth Mountain and the Forest Service). Asked the Board to write a letter of non-support for HR 1241.
- **Patti Heinrich:** Read a statement presenting information and facts about nearly identical promises that have been made by MMSA over that last 9 years and not accomplished. Asked the Board to write a letter of non-support for HR 1241.
- **Kirk Maes:** Read a statement from Michael Bogash opposing the land exchange until improvements are in place on June Mountain. Maes read his statement urging the Board to not support HR 1241 until promised improvements are in place on June Mountain.
- **P.K. Edwards:** Regarding the MMSA land exchange, Edwards believes this would help perpetuate a failed business model (i.e. improvements at Mammoth assist June Mountain); the overflow from Mammoth Mountain only helps on weekends and holidays. MMSA has said capital improvements are not justifiable without community support; Edwards believes that better marketing and competition with MMSA would provide a corrective solution. June Mountain has a negative image due to lack of capital improvements. The Board of Supervisors has leverage with the proposed land exchange.

- **Dorothy Burdette:** Provided written comments. Asked Supervisor Johnston to expound on his idea pertaining to the rodeo grounds.
 - **Supervisor Johnston:** His concept relates to using the rodeo grounds for a land exchange with the Forest Service at the base of June Mountain.
 - If the County purchased the rodeo grounds (through financing), a land exchange might proceed more smoothly between governmental entities.
 - The water rights on the property could potentially provide the source needed for snowmaking and fire suppression for a development at the base.
 - Potentially the worst case scenario would be if the County couldn't trade the land, which would open the possibility of splitting the land into four large parcels and selling them.
 - Believes a concept drawing for a development at the base of June Mountain could be prepared by using sustainability grant funding.
 - A land exchange doesn't seem to be out of the realm of possibility with the Forest Service.
 - Believes a land trade would give MMSA a viable opportunity for development at the base of June Mountain.

Written comments provided by the above speakers are on file with the Clerk of the Board.

Board Comments

- **Supervisor Alpers:** Intends to consolidate all the information presented in the last 9 months, and will bring recommendations addressing the multitude of issues to the Board. He will be meeting with people in both June Lake and Mammoth. The community has done a great job of organizing and presenting information, and engaging both the Board and their congressional delegation. Alpers wanted to ensure maximum public input.
- **Supervisor Hunt:** The Board is taking this issue seriously.

ADJOURN: 3:04 p.m.

- Adjourn in memory of those killed and injured at the Boston Marathon.

ATTEST:

BYNG HUNT
CHAIR

LYNDA ROBERTS
CLERK OF THE BOARD

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