



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
 Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

August 6, 2013

Flash Drive	#1001
Minute Orders	M13-175 to M13-181
Resolutions	R13-59 to R13-61
Ordinance	Ord13-04 – NOT USED

9:01 AM

Meeting Called to Order at

*Supervisors Present: Alpers, Fesko, Johnston and Stump.
 Supervisors Absent: Hunt.*

Pledge of Allegiance led by Tony Dublino.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Closed Session: 9:02 a.m.

Break: 10:30 a.m.

Reconvene: 10:36 a.m.

Lunch: 12:06 p.m.

Reconvene: 1:05 p.m.

Break: 1:58 p.m.

Reconvene: 2:10 p.m.

Adjourn: 3:30 p.m.

CLOSED SESSION

There was nothing to report out of closed session.

BOARD OF SUPERVISORS

- 1a) 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: United States and Walker River Paiute Tribe v. Walker River Irrigation District et al.
- 1b) 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: Inland Aquaculture Group, LLC v. Mono County et al.

- 1c) 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: legal dispute regarding Davison Street real property transaction.
- 1d) 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: Mono County v. Standard Industrial Minerals et. al.
- 1e) Closed Session - Public Employment - PUBLIC EMPLOYMENT. Government Code section 54957. Title: Deputy County Counsel.
- 1f) Closed Session - Pumice Valley Landfill Site - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: Pumice Valley Landfill. Agency negotiators: Jim Leddy, Tony Dublino, Stacey Simon. Negotiating parties: County of Mono and Los Angeles Department of Water and Power. Under negotiation: price and terms of payment.
- 1g) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman and Jim Leddy. 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

Supervisor Fesko:

- His father passed away July 24, 2013; services held yesterday.
- Gave a brief history of his father's life.
- Asked for a moment of silence for his father Jacob Edward Fesko.
- Meeting to be adjourned later in his memory.

2) APPROVAL OF MINUTES

M13-175 Action: Approve minutes of the Regular Meeting held on July 9, 2013.
Alpers moved; Stump seconded
Vote: 4 yes; 0 no; 1 absent: Hunt

M13-176 Action: Approve minutes of the Regular Meeting held on July 16, 2013.
Stump moved; Alpers seconded

Vote: 4 yes; 0 no; 1 absent: Hunt

3) **BOARD MEMBER REPORTS**

Supervisor Alpers:

- Has had a lot of company lately.
- Attended YARTS meeting yesterday.

Supervisor Fesko:

- No board report.

Supervisor Hunt:

- Absent.

Supervisor Johnston:

- He's been attending the ARC meetings.
- Attended CPT meeting; he did ask Forest Service about June Mountain; progress sounds positive.
- CSAC looking at several bills – AB325 and AB755.

Supervisor Stump:

- On EMS Manager interview panel; agrees it's best to bring two top candidates in for Board to meet.
- Met with Scott Burns and Wendy Sugimura about yellow-legged frog issues. Need to get a message of appreciation to her.

COUNTY ADMINISTRATIVE OFFICE

4) **CAO Report regarding Board Assignments**
Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

Jim Leddy:

- Budget workshops next week.
- Starting to do status updates with departments and day to day management. He's also doing a weekly written report.
- Assessor panel technical interviews: One person had family emergency, coming back this Friday.
- Had EMS Manager interviews, will be a recommendation.
- He was scheduled to do a presentation at Rotary on the 24th, missed it. Will reschedule.
- Meeting with Bridgeport Gun Club.

DEPARTMENT REPORTS/EMERGING ISSUES

Nate Greenberg:

- Digital 395 update.
- Resolution should be released this week; county to provide comments on this.
- Conversations still happening about the work in Inyo.
- Answered general questions.

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.)

FINANCE

5a) **2013 Property Tax Sale - The Revenue and Taxation Code requires approval from the Board of Supervisors before the Tax Collector may conduct a sale of tax defaulted property. The attached request includes a list of property subject to sale and the relevant amount due from owner**

(minimum bid).

- M13-177** **Action:** Approve sale of tax defaulted property subject to power to sell.
Alpers moved; Fesko seconded
Vote: 4 yes; 0 no; 1 absent: Hunt

SOCIAL SERVICES

- 6a) Medi-Cal Privacy and Security Agreement - Proposed contract with State of California, Department of Health Care Services pertaining to County Medi-Cal Privacy and Security Agreement.

- M13-178** **Action:** Authorize Kathy Peterson, Director of Mono County Department Social Services, to execute the Medi-Cal Privacy and Security Agreement required by the State of California for the administration of Medi-Cal benefits.
Alpers moved; Fesko seconded
Vote: 4 yes; 0 no; 1 absent: Hunt

COMMUNITY DEVELOPMENT - PLANNING DIVISION

- 7a) General Plan Update Environmental Impact Report - Proposed contract with Bauer Planning and Environmental Services, Inc. pertaining to General Plan Update Environmental Impact Report.

- M13-179** **Action:** Approve County entry into proposed contract and authorize Vice-Chair to execute said contract on behalf of the County.
Stump moved; Alpers seconded
Vote: 4 yes; 0 no; 1 absent: Hunt

Pulled from consent for discussion.

Supervisor Stump:

- Asked about the \$40,000 General fund impact in budget?

Scott Burns:

- This is in budget; status quo.
- Can't fully fund the EIR but the primary funding source will be from LTC.

Leslie Chapman:

- Already included in budget.

INFORMATION TECHNOLOGY

Additional Departments: County Administrative Office

- 8a) Town of Mammoth Lakes IT and GIS Support Services Contract - Information Technology (IT) and Geographic Information Systems (GIS) Services professional services contract with the Town of Mammoth Lakes.

- M13-180** **Action:** Authorize the County Administrator to negotiate and enter into a five-year professional services contract with the Town of Mammoth Lakes, consistent with the proposed Scope of Work, for the purpose of providing Information Technology and Geographic Information Systems Services. The contract shall ensure recovery of the County's direct and indirect

costs of providing the professional services. (Note: With respect to GIS services, this contract will subsume and replace the existing contract under which the County provides such services.)

Alpers moved; Fesko seconded

Vote: 4 yes; 0 no; 1 absent: Hunt

HUMAN RESOURCES

Additional Departments: CAO

- 9a) Greenberg Employment Agreement (IT Director) - Proposed resolution approving an employment agreement with Nate Greenberg and prescribing the compensation, appointment, and conditions of said employment. Mr. Greenberg is currently the County's Geographic Information System (GIS) Coordinator and Digital 395 Project Manager. Under this agreement, Mr. Greenberg would become the County's new Information Technology (IT) Director and would also continue to serve as the County's Digital 395 Project Manager.

Action: None. Pulled from agenda.

Pulled from the consent agenda for discussion.

Peter Kobylarz (IT Dept.):

- He's spoken with his colleagues. They would like to express their support for Nate Greenberg in this position; he would be a great leader.
- It would take a lot of time to recruit from the outside; Nate has the background and understands the department.
- Other members of Department expressed agreement.

Supervisor Johnston:

- Asked that testimonials not be taken during this time.
- This item is pulled for this meeting and will be taken up at a future meeting.

Additional Departments: County Administrator

- 9b) Van Lente Employment Agreement (Human Resources Director/Risk Manager) - Proposed resolution approving an employment agreement with William (Bill) Van Lente and prescribing the compensation, appointment, and conditions of said employment in the position of Human Resources Director/Risk Manager for Mono County. Under this agreement, Mr. Van Lente would become the County's Human Resources Director/Risk Manager. The start date for Mr. Van Lente would be August 19, 2013.

- R13-59** **Action:** Approve Resolution #R13-59, approving an employment agreement with William Van Lente, and prescribing the compensation, appointment, and conditions of said employment.

Fesko moved; Stump seconded

Vote 4 yes; 0 no; 1 absent: Hunt

Pulled from consent for discussion.

Supervisor Fesko:

- His problem with both 9a and 9b is that these need to be open recruitments.
- He feels that the policy isn't being followed. Everyone should have to go through the full recruitment process.
- We can't keep making exceptions.

Jim Leddy:

- Appreciates what Supervisor Fesko said.
- Want to make sure there is a practice being followed.
- He wants his five board members voting together when building a team.
- He suggests that further policy discussion may need to occur.

Supervisor Stump:

- When they met with former IT director, there appeared to be direction on how to fill the position. That is what the board was doing.
- If a mistake is made the Board needs to step up but not punish the individual in question.
- He's fine with a policy that says, "For all future positions".
- In this case, we look foolish to backtrack in this particular point in time. Should have been stopped a long time ago, not now.

Supervisor Alpers:

- He needs more information before he makes a vote.
- He supports pulling 9a right now.

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

- 10a) Katusich Letter Regarding Antelope Valley Senior Center
Correspondence dated July 25, 2013 from Lynne Katusich to Supervisor Fesko regarding the important benefits of the Antelope Valley Senior Center.
- 10b) CHP Letter of Appreciation to Public Works - Correspondence dated July 10, 2013 from Lt. Commander R.D. Cohan of the California Highway Patrol, commending the Public Works Department and various employees for their outstanding work done in reference to the Bridgeport 4th of July parade.
- 10c) Bridgeport RPAC Passed Resolutions - On July 18, 2013, the Bridgeport RPAC passed two resolutions. One supporting the new Bridgeport Main Street Design and continued revitalization efforts and the second requesting continued participation of Douglas E. Power, Marine Corps Mountain Warfare Training Center Community Planning and Liaison Officer. These are copies of these resolutions for your information.

Supervisor Fesko:

- Spoke about this piece of correspondence.
- Gave additional information about the resolutions.
- In reference to Bridgeport Main Street – regarding diagonal parking – the RPAC

is in support of this.

Supervisor Alpers:

- With the amount of time that's gone into Bridgeport and the diagonal parking, even though he didn't think it would work, he's behind it.

Supervisor Stump:

- He was one of the Supervisors commenting on the diagonal parking, but he does support the RPAC and their solution. Nothing in previous comments to change their mind.

Supervisor Johnston:

- How do the RPACS evaluate the success of this? If something isn't working, you don't keep doing it.

10d) Inyo Board Of Supervisors Letter Regarding Yellow-Legged Frog - Correspondence dated July 15, 2013 from the Inyo Board of Supervisors to interested parties regarding proposed listing and designation of critical habitat for the Sierra Nevada Yellow-Legged Frog, and northern distinct population segment of the Mountain Yellow-Legged Frog, and the Yosemite Toad.

Jim Leddy:

- There will be more information before the Board regarding this to provide additional comments.

10e) June Lake Winter Activities - Announcement about the 2014 June Lake Winter Festival.

10f) Hutton Correspondence - Letter from Wayne Hutton of Hammil Valley, regarding the 7/15/13 budget workshop held in Chalfant Valley and comments relating to this workshop.

10g) O'Sullivan Letter Regarding Mono County Government - Correspondence dated July 14, 2013 commending Mono County about the new CAO, Jim Leddy and the new CFO, Leslie Chapman. Also included in this letter is a desire to have more Board meetings (than one) in Mammoth each month.

Supervisor Stump:

- This is the first person he knows of that's written a letter although not the first constituent he's heard from.
- He doesn't think there is enough support to have more meetings, but the room we teleconference to needs to be better; bigger.
- We need things more accessible for south county residents.

Supervisor Fesko:

- There isn't much public that attends now in Mammoth. We don't need more space. Better technology, yes.

Supervisor Johnston:

- This will come back up in January for additional discussion.

The Board acknowledged receipt of the correspondence.

COUNTY ADMINISTRATIVE OFFICE

Additional Departments: Public Works

- 11a) Presentation of Recognition Plaques from Bridgeport Fourth of July Committee (Jim Leddy) - Presentation of 2 recognition plaques received from the Bridgeport Fourth of July Committee for the Public Works Department and the Mono County Board of Supervisors in appreciation of their support and efforts during the 151st Annual Fourth of July Celebration.

Action: None.

Taken after public hearing item #13.

Jim Leddy:

- Suggested a thank you note from the Board to Lynda Pemberton and the Bridgeport 4th of July Committee.
- Presented the Board with the plaque.

BOARD OF SUPERVISORS

- 12a) NFWF Presentation - Walker River Water Acquisition Program (Joy Giffin, NFWF) - Presentation and update by representatives of the National Fish and Wildlife Foundation regarding the Walker River Water Acquisition Program.

Action: None.

Stacey Simon:

- Introduced item.
- David Yardas is here today.
- Walker River Irrigation District has not yet appeared before the Board, despite requests. General response is that they are too busy but we will continue to make requests.
- WRID's two change applications: board weighed in on this back in April. Time to address concerns comes to an end in August.
- MOU is in staff report; puts board in the driver's seat with a decision making role.

David Yardas, Program Director:

- Handouts (information about the Walker Basin Restoration Program) to be posted online as additional documents.
- Gave brief history of organization.
- Walker Basin Restoration established by an act of congress in October of 2009.
- Discussion about Walker Lake.
- Referenced MOU with Mono County RCD (March 2012).
- Thursday he'll be doing a status update for the Nevada parties involved.

Supervisor Comments:

Supervisor Johnston:

- What's the target level for Walker Lake? (Yardas: 10,000 – 12,000 range would be beneficial for fish, etc.)
- Intervening in natural process?
- Recognized Stacey Simon for her efforts.

Supervisor Fesko:

- Discussion on TDS levels. (Yardas: salts can be removed from water but water

needs to be balanced.)

Supervisor Stump:

- Estimation of time to restore lake levels? (Yardas: 10-20 years? It took 150 years to get where it is now.)

12b)

Presentation by Mono County Resources Conservation District (RCD Member) - Presentation by Mono County Resources Conservation District (RCD) regarding its activities related to the Walker River Water Leasing Program within Mono County.

Action: None.

Stacey Simon:

- Introduced item and explained that the Mono County Resources Conservation District is a Special District.
- Introduced Bruce Woodworth and Shannon Peterson (consultant gathering information and performing analyses).
- This is all bulk data, not from individual water users.
- This is only a workshop, not an action item.
- May put Water Master in an awkward position to get Board letter now.

Bruce Woodworth (Mono County RCD):

- Discussion about Walker River Water Acquisition Program within Mono County.
- Might be appropriate for the Board at some point to weigh in.
- Without unanimous support, water won't be released.
- RCD board is not a litigious organization, not seeking to go into a legal battle but would appreciate any support they can get.

Shannon Peterson (Shannon Peterson Ciotti Consulting):

- One of five organizations that applied to work with this grant.
- She's one member of a team assembled to work on a feasibility analysis.
- Would participating in a water right's program be beneficial or not?

Supervisor Johnston:

- Asked about Water Master and board.
- How would you accomplish anything without the data?

Supervisor Fesko:

- Trying to gather stats? Details?
- Getting an 80% response of ok? Or less?

Supervisor Stump:

- How long to complete work? (Peterson: draft by next April, then to RCD, then maybe completed by next July.)
- Would a preemptive letter or resolution be helpful to the court? Or are you still in a negotiating phase?

Jeff Hunewill (property owner in Bridgeport):

- US Board of Water Commissioners.
- Most of the data she needs is on GIS sites.
- Water Master rides herd on him in a loose fashion.
- Storage water here could easily be put in the lease program.
- Doesn't have a lot of information regarding Antelope Valley.
- Probably not necessary for Board to write a letter yet.
- Mentioned the TDS in Walker Lake.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

FINANCE

Additional Departments: Community Development, Mammoth Lakes Housing

- 13a) Public Hearing to Close Community Development Block Grant (Mary Booher) - Public hearing to review and receive public comment on the final Grant Performance Report for Community Development Block Grant #10-STBG-6730.

Action: None.

Mary Booher:

- Last formality for this grant which was awarded in 2010.
- Over \$400,000 awarded; only about \$400 not used.
- Final report; any questions?

Jennifer Hafferty:

- This was a very success grant.

Public Hearing opened: 1:07 p.m.

Public Hearing closed: 1:08 p.m.

Jim Leddy:

- Bid farewell to Mary?

Supervisor Johnston:

- Thanked Mary for all her work for the county.

Tim Fesko:

- Sad to see such a wealth of information leave.
- On a professional level, wished her well on this opportunity.
- She will be missed.

Supervisor Stump:

- Sorry she's going.
- Has found her very helpful.

COUNTY ADMINISTRATIVE OFFICE

Additional Departments: County Counsel

- 14a) Proposed Resolution Determining that Michael McGovern is Eligible for Industrial Disability Retirement (John Vallejo) - Proposed resolution determining that Michael McGovern is eligible for Industrial Disability Retirement.

R13-60 Action: Adopt proposed resolution #R13-60, determining that Michael McGovern is eligible for Industrial Disability Retirement.

Fesko moved; Alpers seconded

Vote: 4 yes; 0 no; 1 absent: Hunt

John Vallejo:

- There is no doubt as to the reasons Mr. McGovern is requesting this.
- He'd like to see this approved by our board; he is confident that Calpers will

approve it.

- If application denied, the county and Mr. McGovern would have to work it out.

Supervisor Fesko:

- Are we 99.9% sure Calpers will approve this?

PUBLIC WORKS - ROAD DIVISION

15a) Speed Survey Results (Jeff Walters) - In April of 2013, at the direction of the Public Works department, Omni-Means conducted speed surveys on three county roads. The results of these speed surveys were presented to the Board of Supervisors in June who directed Public Works to share the results with the respective communities.

Action: None.

Jeff Walters:

- Here to report back with community feedback on the speed survey results.
- Discussion about 25 vs. 15 mph sign in Lee Vining. Right by school, community wants 15 mph.
- 30 mph proposed on Chalfant Avenue. Community supportive.
- Asking for direction – bring back as ordinances for board to approve, authorizing the proposed changes?
- Or is there some other direction? Or no change?

Supervisor Fesko:

- Sees the potential for a speed trap with the 15 mph/25 mph area in Lee Vining.
- He thinks it's going to create anger in people.
- Same with Chalfant Avenue and the changing mph signs.

Supervisor Alpers:

- 15 mph sign is needed. Maybe not 25.

Supervisor Stump:

- He recommends that Jeff bring back the community suggestions to be approved as Ordinances.

SOCIAL SERVICES

Additional Departments: Probation

16a) Child Welfare and Juvenile Probation Services, Child and Family Services Self-Assessment (Kathy Peterson, Social Services and Karin Humiston, Probation) - Receive brief overview of the recently completed Child and Family Services Self-Assessment from Child Welfare and Probation Department staff, and authorize Board Chair to sign assessment for submission to State Department of Social Services for final approval.

M13-181 **Action:** Approve and authorize Board Vice-Chair to execute the Child Welfare and Juvenile Probation Services, Child & Family Services Self-Assessment.

Stump moved; Alpers seconded

Vote: 4 yes; 0 no; 1 absent: Hunt

Kathy Peterson:

- Explained item.
- The Social Services Department and Probation get together and do self-assessments, periodically.

- Once they have authority by Board to move forward, will be submitted to the State. A five-year plan will then be written.
- Highlights of self-assessment: lack of foster care homes,

Alex (Social Services Supervisor):

- Gave detailed information about Child Welfare Program.

Karin Humiston:

- She will now have two additional people working in Juvenile.

Supervisor Johnston:

- Thanked Child Support and Probation for their services and work on self-assessment.

PROBATION

17a) Evidence-Based Practices to Improve Public Safety EBT-IT (Karin Humiston) - Proposed resolution approving the Evidence Based Practices to Improve Public Safety (EBP-TIPS) Grant.

R13-61 Action: Adopt Resolution #R13-61, approving the Evidence Based Practices to Improve Public Safety (EBP-TIPS) Grant.

Alpers moved; Fesko seconded

Vote: 4 yes; 0 no; 1 absent: Hunt

Karin Humiston:

- Gave explanation of grant.
- A new powerful system will allow them to do their jobs better.

Supervisor Stump:

- What is county match? (Humiston: time spent only)
- Asked about professional services line item? (Humiston: would be the installation, training, etc.)
- Actual cost of program itself?

17b) Approval of Memorandum of Understanding with Division of Juvenile Justice (Karin Humiston) - Proposed resolution approving a Memorandum of Understanding with the California Department of Corrections and Rehabilitation (CDCR) Division of Juvenile Justice (FY 2013-14).

Action: None. To be moved to next week's agenda.

FINANCE

18a) Quarterly Investment Report/June Transaction Report (Rose Glazier) - Report on Mono County Treasury Pools quarter ending 6/30/2013 activities and investments. Per Mono County Investment policy report treasury transactions for June 2013.

Action: None.

Rose Glazier:

- Introduced item.
- Gave general figures included in report which was submitted with the agenda packet.
- Not much activity during this quarter.

18b) Investment Workshop (Rose Glazier and Carlos Oblites) - Workshop

presented by Carlos Oblites, Senior Managing Consultant with PFM Asset Management to discuss and explain today's bond market, how it effects the Mono County portfolio & will give his insight on forecasting the market.

Action: None.

Rose Glazier:

- Introduced Carlos Oblites; in the past, he has given Finance Department mini-seminars.
- Senior management consultant with PFM Asset Management.
- He is here to discuss today's bond market, how it affects our county and what the future holds.

Carlos Oblites:

- Gave handout to be posted to the web.
- Overview of what we can do as a county, the outside forces that are affecting everything.
- Borrowing money from the Treasury Pool? Legally, yes. Not sure about doing it cheaper, however. Would need to ask a lot of questions.
- Asked if our county has a treasury Oversight Committee?

HANDOUT: INVESTING PUBLIC FUNDS & MARKET UPDATE

- Considerations for Investing Public Funds.
- Additional Strategies for Investing Public Funds.

Supervisor Johnston:

- Why can't you invest in gold?
- Can we loan ourselves money from the Treasury Pool? We have Car Compliance coming up. Right now we're borrowing it from our taxpayers. He wants to explore this
- We do not have a Treasury Oversight Committee.

Supervisor Stump:

- Asked about unemployment/under-employment.
- What about the other entities that have money in the Treasury Pool?

ADJOURN at 3:30 p.m. in honor of Supervisor Fesko's father, Jacob Edward Fesko.

ATTEST:

LARRY JOHNSTON
VICE-CHAIR

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD

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