



**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 just below.

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

**Regular Meeting
November 7, 2017**

9:05 AM Meeting called to order by Chair Corless.
Supervisors Present: Corless, Gardner, Peters, and Stump.
Supervisors Absent: Johnston.

The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link:
<http://www.monocounty.ca.gov/meetings>

Pledge of Allegiance led by Supervisor Peters.

Moment of silence requested by Supervisor Stump for the victims of the mass shooting at the First Baptist Church in Sutherland Springs, Texas.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Mark Westerlund, Bridgeport Gun Club:

- Asked for a letter of support from the Board for proposed changes to the rifle / pistol shooting range.
- Handed out a letter and referenced a packet (available in additional documents).
- Board consensus to add to a future agenda.

Eric Edgerton, Till Farms:

- Mono County Cannabis regulations FAQs released on November 2. In regards to the timeline for applying to the County.

2. RECOGNITIONS

A. 2017 CSAC Challenge Merit Award for Biomass Boiler Project

Departments: CAO

(Leslie Chapman) - Presentation of the 2017 CSAC Challenge Merit Award.

Action: The Board will be presented with the award, followed by an opportunity to comment.

Leslie Chapman, CAO:

- Presented award.
- Read from the staff report.

Supervisor Corless:

- Heard from Supervisor Johnston, he is sorry he couldn't be here today.

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Leslie Chapman, CAO:

- 10/17 - Met with Cannabis group to discuss responses to citizen questions and making sure the County's message is consistent. Also discussed how to move forward in bringing back the interim policy request to the Board.
- 10/18 - Met with Chief Mokracek and Bob Rooks to discuss EMS priorities.
- Met with Dave Butters for a salary survey update and to discuss benchmark positions.
- 10/19 - Attended a meeting regarding County emergency communications policy including current issues and how to move forward in developing a policy to bring forward to the Board.
- Met with Superintendent Stacey Adler to discuss County issues including the proposed new child care center and whether that project would be a good candidate for CDBG funding, and decided that there are other projects that better fit the CDBG criteria.
- Continued labor negotiations with the Public Safety Officers Association.
- 10/20 - Attended the ESCOG meeting and enjoyed the Broadband Consortium update.
- Met with Kathleen Taylor and Mickey Brown regarding the Local Civic Engagement Series presentation.
- Attended a meeting with the Town and Forest Service regarding the Recreation Coordinator position.
- Week of 10/23 – California Association of County Executives Conference.
- **Supervisor Corless:** Cannabis Working Group: When will the Board hear the request for the pilot program? First week in December.

4. DEPARTMENT/COMMISSION REPORTS

Stacey Simon, County Counsel:

- Recovery efforts by counties hit by the fires. Some of our materials have been provided to these counties through the County Counsels Association, so that they can use them as they move forward in their recovery efforts. Example of collaboration counties.

Tony Dublino, Assistant CAO / Interim Director of Public Works:

- Training held on 18th of last month, coordinated with Risk Management and Human Resources, just for Public Works supervisors; talked about how to best utilize the evaluation process, turning good employees into great employees, and how to deal with disciplinary issues. Funded by Trindel.

Sherriff Ingrid Braun:

- Last week on the 24th and 25th two days of training on drug-endangered children, collaborative training with lots of people, facilitated through Social Services. Full classroom each day. The training was for when law enforcement, probation, or anyone comes into contact with children at risk because of the drug use of their parents. Working

on revamping the MOU in place for this. Want to applaud Kathy Peterson for putting that all together. Brought in Inyo County as well.

- Pigs and Pistols contest at the Bishop range. Good competition, kudos to California Highway Patrol who took the team competition and Inyo Sheriff who took the individual competition.

5. 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.)

A. Board Minutes

Departments: Clerk of the Board

Approval of Board minutes.

Action: Approve the minutes from the Regular Board meeting of October 10, 2017

Peters moved; Gardner seconded

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

M17-211

B. Board Minutes

Departments: Clerk of the Board

Approval of Board minutes.

Action: Approve the minutes from the regular Board meeting on October 17, 2017, as corrected.

Stump moved; Peters seconded

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

M17-212

Supervisor Stump:

- Page 4, changed to: If people in the Antelope Valley wish more local control around Cannabis regulations, then they can pursue incorporation as a town.

Supervisor Gardner:

- Page 4, changed to: Doesn't think entire cost should be paid by the general taxpayer.

C. Maternal, Child, and Adolescent Health (MCAH) FY 17/18 Agreement Funding Application

Departments: Health Department

Approval of the Maternal, Child, and Adolescent Health (MCAH) Agreement Funding Application (AFA) for fiscal year 2017-18. The AFA operates as a contract between the County and the California Department of Public Health (CDPH) defining the scope of work to be provided during the fiscal year.

Action: Approve County entry into proposed contract and authorize the Chairperson to sign the Maternal, Child, and Adolescent Health (MCAH) Agreement Funding Application (AFA) Agency Information Form for fiscal year

2017-18 to execute the contract on behalf of the County. Additionally, provide authorization for the Public Health Director to approve minor amendments and/or revisions that may occur during the contract period provided they are approved by County Counsel and do not materially affect the County's rights. Provide any desired direction to staff.

Peters moved; Gardner seconded

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

M17-213

Supervisor Gardner:

- Information included on this item is excellent, should add to the agenda in the future. Focus Board on where the County is with this program.

D. Monthly Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 9/30/2017.

Action: Approve the Treasury Transaction Report for the month ending 9/30/2017.

Peters moved; Gardner seconded

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

M17-214

E. Code Enforcement Compliance Agreement - Connie Lear

Departments: Code Enforcement

Proposed compliance agreement with Connie Lear pertaining to short-term rental vacations by Rainbow Ridge Realty and Reservations.

Action: Approve entry into proposed compliance agreement requiring \$15,000 payment to County and agreement to refrain from short-term rental activities in violation of County prohibitions.

Gardner moved; Corless seconded

Vote: 3 yes; 1 no; 1 absent: Johnston

M17-215

June Lake Resident (no name provided):

- Disappointed this is going to agreement instead of hearing.
- Feels that Ms. Lear hasn't accepted full responsibility.
- Feels like \$15,000 is not sufficient - she is not an ethical business owner.

Anne Larsen, County Counsel:

- There was negotiation, getting to the figure of \$15,000.
- County Counsel is hopeful that this is sufficient to deter Ms. Lear to do this in the future.
- Ms. Lear's counsel is in trial in Independence, so could not be present today.
- There would be consequences if she were found to be in violation of this agreement, she can be cited again.

F. Appointment to Mono County Child Care Council

Departments: Clerk of the Board

Appointment of Sofia Flores to the Mono County Child Care Council for a term of two years beginning 11/1/2017 and expiring 10/31/2019. This item is sponsored by Supervisor Corless.

Action: Appoint Sofia Flores to the Mono County Child Care Council, with a term expiring 10/31/2019.

Peters moved; Gardner seconded

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

M17-216

6. CORRESPONDENCE RECEIVED

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

A. Dream Mountain Drive Letter

Departments: Clerk of the Board

Letter from Alice Suszynski thanking the Board for their time given to the residents of Dream Mountain Drive in June Lake.

B. Letter from Melissa Poore

Departments: Clerk of the Board

Letter from Melissa Poore, Swauger Creek resident, thanking the Board for CALFIRE presentation on Forest Practices Act at October 10 Board of Supervisors meeting.

C. Wilcox Letter

Letter from James Wilcox regarding the winter-time maintenance of Virginia Lakes road.

Supervisor Peters:

- Other letters were read and distributed to Public Works.
- If anyone wants to see a specific letter on a future agenda as correspondence, will be happy to have it formally added to a future agenda.

Stacey Simon, County Counsel:

- Letters should be addressed to the Board of Supervisors and sent to the County Clerk (if a person wants it on the agenda).

7. REGULAR AGENDA - MORNING

A. Review of Need for Continuation of Local Emergency - Severe Winter Storms

(Leslie Chapman, Ingrid Braun) - On January 31, 2017 the Mono County Sheriff declared a state of local emergency as a result of extreme winter weather. The Board of Supervisors ratified this declaration on February 7, 2017, and further declared a continuing state of emergency. Government Code section 8630

requires that the Board review the need at least every 30 days until it is terminated. This item is provided for that purpose.

Action: Determine that need for declaration of emergency no longer exists, direct staff to prepare a declaration terminating local emergency.

Sheriff Braun:

- Discussed items A and B together.
- Determined we have reached the end of the emergencies.
- Found all damage, filed all claims, per county code, once the county is out of the woods, the county is to end the emergency.
- Resolution to end the emergency is on agenda next week.

B. Review of Need for Continuation of Local Emergency - Snowmelt and Runoff

(Leslie Chapman, Ingrid Braun) - On March 20, 2017 the Mono County Sheriff declared a state of local emergency as a result of continuing snowmelt and runoff from severe winter storms beginning in January 2017. The Board of Supervisors ratified this declaration on March 21, 2017, and further declared a continuing state of emergency. Government Code section 8630 requires that the Board review the need at least every 30 days until it is terminated. This item is provided for that purpose.

Action: Determine that need for declaration of emergency no longer exists, direct staff to prepare a declaration terminating local emergency.

C. Emergency Road Repairs – Upper Summers Meadow Road Bridge

(Garrett Higerd) - Update on emergency road repairs.

Action: 1. Receive update on Upper Summers Meadow Road emergency bridge project. 2. As established by Public Contract Code Division 2, Part 3, Chapter 2.5 “Emergency Contracting Procedures”, review the emergency action taken on August 1, 2017 and make a finding, based on substantial evidence set forth in this staff report and at the meeting, that the emergency continues to exist as to Upper Summers Meadow Road, and that continuation of the action to replace the washed-out bridge on that road is necessary to respond to the emergency (A 4/5 vote is required). 3. Direct the County Engineer to continue procuring the necessary equipment, services, and supplies to make emergency repairs to Upper Summers Meadow Road, without giving notice for bids to let contracts.

Stump moved; Peters seconded

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

M17-217

Garrett Higerd, Engineer:

- Presented item.
- Bridge will be delivered some time in winter and will be set on the abutments.
- Potential reestablishing of grazing on federal lands.

D. Ordinance Authorizing CAO to Purchase Real Property Deemed Appropriate for Use as a Site for Supportive Residential Housing

Departments: Behavioral Health; County Counsel; CAO

(Robin Roberts) - Proposed ordinance ORD17- 14, An Ordinance of the Mono County Board of Supervisors Authorizing the CAO to Perform Any and All Acts Necessary to Approve and Accept for the County the Acquisition of Any Interest in Real Property Deemed Appropriate for Use as a Site for Supportive Residential Housing and Ratifying the County Administrator's Signature on an Agreement and Any such Other Documents as May be Necessary to Consummate the Purchase and Close of Escrow of Any Such Acquisition.

Action: Introduce, read title, and waive further reading of proposed ordinance. Provide any desired direction to staff.

Stump moved; Gardner seconded

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

M17-218

Cristy Milovich, Assistant County Counsel:

- Presented item.

Robin Roberts, Behavioral Health:

- All processes for input are not bypassed by this - allows the County to be competitive.
- Went over discussion items.

Break: 10:05 AM

Reconvene: 10:19 AM

E. Snow Removal Policies, Procedures and Priorities

Departments: Public Works, Road Division

(Tony Dublino, Brett McCurry) - Proposed annual resolution re-establishing snow removal policies, procedures and priorities for County-maintained roads.

Action: Adopt proposed resolution, Re-Establishing Snow Removal Policies, Procedures, and Priorities for County-Maintained Roads.

Peters moved; Gardner seconded

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

R17-80

Tony Dublino, Public Works Interim Director:

- Introduced Brett McCurry: Roads Superintendent
- Seeking approval of the maps of the snow removal priorities in the communities.
- Every year the Board has the opportunity to make changes, or redirect staff, or if there are no changes, asks the Board to consider the resolution as has been presented.
- Discussed how the County will deal with Virginia Lakes Road this year.

Public Comment:

Jack Copeland

Ross Oswald: (Handed out a map, available in Additional Documents)

Mark Stoltz

Carolyn Webb

Supervisor Corless:

- Owns property in Virginia Lakes subdivision; not near area in discussion and it is undeveloped.
- Comfortable voting on this item.
- Support pilot program staff is recommending.

F. Quarterly Investment Report

Departments: Finance

(Gerald Frank) - Investment Report for the Quarter ending 9/30/2017.

Action: Approve the Investment Report for the Quarter ending 9/30/2017.

Gardner moved; Stump seconded

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

M17-219

Gerald Frank:

- Presented the Quarterly Investment report.
- Missing from last report: Solid Waste account.
- Correction (ADDITIONAL DOCUMENT) to Distribution by Asset Category. A little over \$9000 in local government notes.

G. Update on Owens Valley Groundwater Authority; Funding Commitment

Departments: CAO, County Counsel; Community Development

(Leslie Chapman, Jason Canger, Wendy Sugimura) - Update on activities of the Owens Valley Groundwater Authority (OVGA) and the Sustainable Groundwater Management Act (SGMA); Mono County funding commitment to the development of a groundwater sustainability plan (GSP) for the Owens Valley Groundwater Basin.

Action: Receive update from staff on activities of the Owens Valley Groundwater Authority (OVGA). Consider and approve amendment to 2017-18 Mono County Budget to appropriate up to \$91,000, from contingencies for GSP development by the OVGA (A 4/5 vote is required).

Authorize the County's Primary Director on the OVGA Board of Directors to enter into a legally binding obligation to fund the OVGA's Groundwater Sustainability Plan (GSP) Development Budget pursuant to Article IV of the joint powers agreement forming and governing the OVGA up to \$45,000 per year for a three-year period, subject to review and approval as to form by County Counsel.

Stump moved; Gardner seconded

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

M17-220

Approve amendment to 2017-18 Mono County Budget to appropriate up to \$91,000 from contingencies for GSP development by the OVGA.

Stump moved; Gardner seconded

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

M17-221

Authorize a contribution of up to \$23,000 to Wheeler Crest CSD and up to \$23,000 to TVGMD (subject to agreement to be drafted by County Counsel) for

their participation as funding members of the OVGA and contribution towards the costs of GSP preparation by the Authority.

Stump moved; Gardner seconded

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

M17-222

Jason Canger, Deputy County Counsel:

- Provided update.

Glenn Inouye, Wheeler Crest Community Service District:

- Significant investment for the Wheeler Crest Board to make that commitment.

Moved to Item 8, Opportunity for the Public to address the Board.

H. Proposed Fee Increases in National Parks

Departments: CAO

(Tony Dublino) - Mono County Position and Comments on Proposed Fee Increases at National Parks and Other Alternatives for Funding Deferred Maintenance at National Parks

Action: Consider facts and analysis, consider whether to submit comments from Mono County, and if so, authorize Chair to sign letter and submit.

Tony Dublino, Assistant CAO:

- Presented item.

Alicia Vennos, Economic Development Manager:

- Discussed at Mono County Economic Development, Tourism, and Filminommission meeting, general consensus an opposition to the proposed fee increase, because there seem to be a lot of comments and questions around the increase.
- Seems like it will drive users away from the entrance fee to the annual park pass.
- Recognize need for fee increase, but reject this specific proposal; Request a more well-researched process, and refined strategy.
- Concerned about the impact to our gateway communities.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

9. CLOSED SESSION

A. Closed Session - Initiation of Litigation

Departments: Code Enforcement

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:1.

B. Closed Session - Exposure to Litigation

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: 4.

Closed Session: 12:22 PM
Reconvene: 1:17 PM

Supervisor Corless:

- Opportunity for public to address the Board; no one spoke.
- Report out of closed session: Direction was given to legal counsel to initiate litigation against Ernesto and Elvira Bravo to enforce compliance with Mono County general plan and Sierra Business Park specific plan requirements applicable to property owned by them within the Sierra Business Park.

Moved to item 7H

10. BOARD MEMBER REPORTS

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

Supervisor Corless:

- 10/18: Community Corrections Partnership: working on new 5 year plan.
- 10/20: Eastern Sierra Council of Governments: Presentation from broadband advisory council on grant-funded work about adoption and education; governance and capacity discussion that will need Board attention in the near future to continue work on regional issues.
- 10/23: Mariposa for YARTS JPA board meeting; Dick Whittington's retirement, presented his resolution and welcomed Cindy Kelly in her new role as transit manager; Merced County Assoc. of Governments talked about staffing adjustments that'll add more capacity for YARTS, as well as additional transportation dollars dedicated to YARTS: summer 2018 schedule approved, including adjustments to 395/120E route to make all runs continue to valley (no more Tuolumne only)—this and other changes will result in \$80,000; report from Yosemite National Park regarding visitor access improvement program/ addressing issues of overcrowding—Top 50 busiest days in park, 38 were in 2016, 75% in last two years. This effort is funded for 3 years, looking to create a pilot program, need partner support.
- 10/26: Collaborative Planning Team; Mammoth Lakes Trail System update; BLM shout-out to Supervisor Peters for his leadership during Slinkard Fire.
- 10/30: Behavioral Health Advisory Board Meeting.
- Mammoth Voices Civic Engagement Sessions on Town and County government, 10/30 and 11/6; great attendance and many thanks to CAO Chapman and County Counsel Simons, Alicia Vennos/Economic Development and Robin Roberts/Behavioral Health. Assessor Barry Beck also attended both sessions. Really valuable community service.
- 11/6: Mammoth Lakes Housing Board, housing working group meeting; big announcement that Town has a deal to purchase Shady Rest parcel.
- Upcoming: Transit in Old Mammoth—meeting 11/8 1:30pm Suite Z to look at short-term solution to start this winter.
- 11/16 Community Conversation at Mammoth Brewing, 6pm

Supervisor Gardner:

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- On Oct. 20 I attended the Eastern Sierra Council of Governments (ESCOG) meeting in Mammoth. ESCOG is getting more involved in several regional issues, including cannabis, housing, short term rentals, economic development, and our airports. We will need to decide how best to provide support for these efforts as this increased involvement grows next year.
- I also attended a meeting of the Eastern Sierra Transit Board on Oct. 20. ESTA had a good summer season even though several key routes opened late. We will be holding a meeting in June Lake on Nov. 14 to discuss whether to continue the free June Lake Summer Shuttle.

Supervisor Johnston:

- **Absent**

Supervisor Peters:

- 17th Cannabis Working Group Mono County Internal Staff
- 18th ESAAA
- 23rd LTC
- 30th Cannabis Working Group CSAC Phone Conference
- 31st Tourism & Film Commission
- 1st Fish and Wildlife Commission
- 2nd AV RPAC
- 6th BP Gun Club
- 6th Virginia Lakes Resort owners and operators John and Carolyn Webb
- **Upcoming:**
- 7th tonight CSA
- 10th Marine Corp Birthday Ball
- 16th State Bureau of Cannabis Control 1st Advisory Committee Meeting
- CSAC Annual Conference

Supervisor Stump:

- 10-18: Attended the Tri Valley Water Commission meeting. The Commission is continuing to participate in the SGMA JPA at least until final budget adoption for the JPA. County Counsel Simon also supplied more information about the different methods the Commission could raise funds to support a potential JPA contribution.
- 10-21: Attended the Mountain Meadows Mutual Water Company meeting. Discussed SB 623 which if passed next year would add a fee to all water users receiving their water from water systems of 200 connections or more. Mountain Meadows is not there yet but will be at build-out. I was pleased to hear that the water levels in the Water Company's wells have recovered to pre-drought levels. SB 623 deserves more discussion by the Board. Regrettably RCRC has already come out in support although CSAC has not.
- 10-23: Participated in a conference with the airport consultants hired by Mammoth Lakes Tourism. Supervisor Corless, Leslie Chapman, and Alicia Vennos also participated. Topics ranged from aircraft types to use of Bishop. There was an acknowledgement that the cancellation rate is too high and must be addressed.
- 10-23: Attended the Local Transportation Commission meeting. Discussion of pass openings and Cal Trans capabilities. Cal Trans will be able to add a guardrail maintenance crew in District 9 due to increased SB 1 funding which should help. Also discussed was the level of Mono LTC participation and part of the Inyo, Mono, Kern MOU in the Olancho/Cartago four improvement. The Commission asked for more information on State Transportation Improvement Cycles and how shares from a future cycle can be applied to a current project. I requested Cal Trans to look into culvert cleaning in the June Lake Loop and they did respond. I asked ESTA about Grey Line service. Their staff reported that due to the larger size busses that ESTA is using a

turnaround is required to resume that service. ESTA is working with the Town Manager to try and create a turnaround.

- 10-24: Attended the CSA 1 meeting. Primary topic was a construction update on the Skate Park. CSA 1 voted to request to increase the budget for the park by \$40,000 to add some finishing touches to the park. \$10,000 of the \$40,000 has been raised by fundraising to support the project. The baseball field in Crowley was cited as an example of what can happen if projects are not completely finished. When the County built the field there were no bathrooms or drinking fountains provided which deterred people from using the field. A never-used scoreboard was included. It took several years for CSA 1 to step up and pay for bathrooms. The message is if you build something make it complete.
- 10-26: Attended the JPA meeting for the SGMA mandated Groundwater Sustainability Agency. The JPA approved the Plan preparation budget of \$747,585.00 for the entire basin. The Budget document is attached. The JPA also decided to table any discussion of teleconference locations for now. Next meeting was scheduled for 11-9-17 in Bishop but has been cancelled due to a number of participating entities not being ready to discuss funding commitments. The next meeting is now set for 12-14-17 and will be held at the Bishop Fairgrounds. Funding commitments and vote share allocations will be decided at that meeting unless the JPA Board votes to defer those commitments until the January meeting. Such an action is allowed under JPA language.
- 10-30: Emailed with the General Manager of KUNR to get a status update on when the station will be back on the air. The problem is with the translator in Bishop which is not transmitting a signal. The signal from Bishop is rebroadcast into Mono County by CSA 1. KUNR is working to resolve the issue.
- 11-1: Attended a special meeting of the Tri Valley Water Commission - Primary focus of the meeting was a Brown Act presentation by Jason Canger. The Commission may also wish to pursue some legislative changes to update its operational framework given the impact of SGMA and other changes since it was created by the State Legislature in 1989.

Leslie Chapman, CAO:

- Request for tour of Visitor Center, December 12 right after lunch.

ADJOURNED at 2:33 PM

ATTEST

**STACY CORLESS
CHAIR OF THE BOARD**

**SCHEEREN DEDMAN
SENIOR DEPUTY CLERK**