

**February 13, 2018**

**Regular Meeting**

**Item # 6c**

**Correspondence**

**Bridgeport Arch/ Banner**

**Project Survey**

## Bridgeport Arch/Banner Project Survey

Printed Name	Voter City of Residence	Support		Date	Signature
		Yes	No		
Minerva Damon	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	02-09-18	
Kevin Perez	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	
JOSIE ANNETI	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	
Tony Dublino	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	
Debra VanDeBroke	Walker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	
Amber Rickner	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	
Victoria Luque	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	
Leslie Lent Rangel	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	
JASON BULLINGTON	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	
NEELY WINDER	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	
Brad Dunn	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-11-18	
Eric M. Bucklin	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-11-18	
Jake Winder	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-12-18	
John Glazier	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/12/18	
Delphine Painter	Bridgeport, CA.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/12/18	
ZAIRA GONZALES	BRIDGEPORT, CA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/12/18	
Joseph Lent	Bridgeport CA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/12/18	
ADAM REILLE	BRIDGEPORT CA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/12/18	
Cynthia Oseguera	Bridgeport, CA.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/12/18	
CELIA TADOR	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/2/18	
TIM WINDER	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	02-12-18	
Olivia Nader	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	02-12-18	
April Deal	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	02/12/18	
Jane Deal	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	02/12/18	
JEFF BEARD	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	02/12/18	
JOHN PELICKOWSKI	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-12-18	
		<input type="checkbox"/>	<input type="checkbox"/>		
		<input type="checkbox"/>	<input type="checkbox"/>		

## Bridgeport Arch/Banner Project Survey

Printed Name	Voter City of Residence	Support		Date	Signature
		Yes	No		
GENE KINUM	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	<i>Gene Kinum</i>
Barry Beck	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	<i>Barry Beck</i>
Taylor Muniz	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	<i>Taylor Muniz</i>
Rose Lierly	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	<i>Rose Lierly</i>
<del>Brian M</del>	<del>Bridgeport</del>	<del><input checked="" type="checkbox"/></del>	<del><input type="checkbox"/></del>	<del>2-9-18</del>	<del><i>[Signature]</i></del>
SEAN ROBISON	COLEVILLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	<i>Sean Robison</i>
Alex Lick	Coleville	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>Alex Lick</i>
Kirk Hartstrom	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	<i>Kirk Hartstrom</i>
Ryan Goodner-Belli	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>Ryan Goodner-Belli</i>
Hannah Laid Eckert	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	<i>Hannah Laid Eckert</i>
WILLIAM CLAYTON	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>William Clayton</i>
JOHN MICLORZI	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>John Miclorzi</i>
Sean Elliott	NUT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>Sean Elliott</i>
Ruben Z. Gonzalez	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>Ruben Z. Gonzalez</i>
Keith S Bondron	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>Keith S Bondron</i>
Paulina Zamarrin	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	<i>Paulina Zamarrin</i>
Rosee Eckert	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	<i>Rosee Eckert</i>
Tacy Thompson	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	<i>Tacy Thompson</i>
Armin Saldivar	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>Armin Saldivar</i>
Ronda Muniz	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	02/09/18	<i>Ronda Muniz</i>
Amber Mendez	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>Amber Mendez</i>
Nikolas Wold	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>Nikolas Wold</i>
Richard L GIESER	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>Richard L Gieser</i>
JAMES E. REID	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>James E. Reid</i>
J R Sturdivant	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	J. BRAD STURDIVANT
Shayla Gussinger	Smith / Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2/9/18	<i>Shayla Gussinger</i>
Mary Noble	Bridgeport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	<i>Mary Noble</i>
STEVE R NOBLE	BRIDGEPORT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2-9-18	<i>Steve R Noble</i>







**February 13, 2018**  
**Regular Meeting**  
**Item # 11b**

**CAO**

**Letter re: Conway Ranch**

February 12, 2018

Re: Conway and Mattly Ranch Agenda Item for February 13, 2018

Dear Members of the Mono County Board of Supervisors,

I regret that I am unable to attend Tuesday's Board meeting, but offer the following comments regarding the Recommended Actions to draft a lease document for cattle grazing, establish a Grazing Management Plan (GMP) and initiate a CEQA process on proposals.

I commend staff for recognizing that a grazing lease should be subject to a GMP and that a CEQA process applies to any proposal going forward. I appreciate that staff consulted with concerned agencies on a wide range of topics; it is important that this consultation continues.

My concern is that sufficient data will be collected regarding current on-the-ground conditions to inform the Desired Conditions that the GMP will identify, along with an adequate monitoring program and an adaptive management program that is committed to by Mono County and the proponent under the terms of a lease.

The lack of current environmental information is likely to require data collection throughout the first year of a project (not just spring, but also summer and fall), and fencing to exclude cattle grazing from additional areas for sampling that represent the full diversity of habitats at Conway and Mattly Ranches. The CEQA process should be robust enough to identify the inadequacies in current data and to require further data acquisition and monitoring in order to reduce the potential for environmental impacts.

In addition to the topics reviewed by the agencies at the January 24th, 2018 meeting, I urge that the GMP and the CEQA analysis also address existing and potential butterfly populations and host plants on the ranches; I have become aware of the strong interest by the entomological and botanical communities in Eastern Sierra wetland, irrigated and adjacent habitats for these and other pollinator species.

A review of alternatives under CEQA should include the use of controlled burns for fuels management and rejuvenation of meadow habitat. Also of concern is the possibility that Mono County may choose to pursue acquisition of the property by the State as a Wildlife Area or Reserve. It is important that such an action would not be precluded by a ten year grazing lease.

Thank you very much for your time and consideration of these comments.

Sincerely,

Ilene Mandelbaum  
PO Box 89  
Lee Vining, Ca 93541  
monogreens@aol.com

**February 13, 2018**

**Regular Meeting**

**Item # 11c**

**Public Health**

**Tobacco Presentation /  
Letter re: Flavored Tobacco**



**“If you can’t breathe,  
nothing else matters.”**

**American Lung Association**

**Nancy Mahannah, PHN**

Health Program Manager

**Dustlyne Beavers**

Tobacco Control Program Coordinator

Mono County Public Health Department

February 13, 2018

# Definition of Public Health

Public Health is what we, as a society, do collectively to assure the conditions in which people can be healthy.

# Public Health Policy Rationale

**Smoke free policies effectively do the following:**

- **Reduce tobacco use**
- **Reduce exposure to secondhand smoke**
- **Increase the number of tobacco users who quit**
- **Reduce initiation of tobacco use among young people**
- **Reduce tobacco-related illnesses and death**

# Proposed Ordinance Components

- ▶ **Smoke-free outdoor places**
- ▶ **Smoke-free multi-unit housing**
- ▶ **Penalties and enforcement**
- ▶ **Prevent sales of flavored tobacco**



# Community Education Since September 5, 2017

- Bridgeport RPAC 10/10/17
- Eastern Sierra Unified School Board 10/18/17
- Crowley Lake 60 MUH owners – educational letters 10/24/17 & 11/12/17
- Vaping Concern meeting MUSD 12/12/17
- Face-to-face flavors & menthol education to all tobacco retailers 12/13/17
- Board Newsletter Updates – November, December, January
- June Lake CSA 1/3/18
- Mono County Child Care Council 1/18/18
- Mammoth Unified School Board in Superintendent's report 1/25/18

# What We Know As Previously Presented in September 2017

- ▶ **Desire for tobacco control and smoke free policy crosses partisan lines.**
- ▶ **More than 50% of Mono County survey respondents indicate support for a variety of tobacco control & smoke free policies.**
- ▶ **Research supports expansion of smoke free areas, smoke free multiunit housing and prohibition of the sales of menthol and flavored tobacco.**

# What We Know As Previously Presented in September 2017

- ▶ Marijuana & tobacco second hand smoke likely have the similar public health effects.
- ▶ American Society of Heating Refrigerating & Air-conditioning Engineers recommends that multiunit housing be free from environmental tobacco, marijuana and the aerosol of electronic smoking devices.
- ▶ Third hand smoke refers to tar and nicotine that are left behind in drapes, carpets, and clothing.
- ▶ Smoking damages property and causes fires.

# Current Mono County Ordinance

**ADOPTED: July 16, 2002**

**7.92.020 Prohibitions: County-owned Buildings.**

**Smoking shall be prohibited within twenty (20) feet from main entrances, open windows, ventilation intake systems and covered entryways of any County building.**

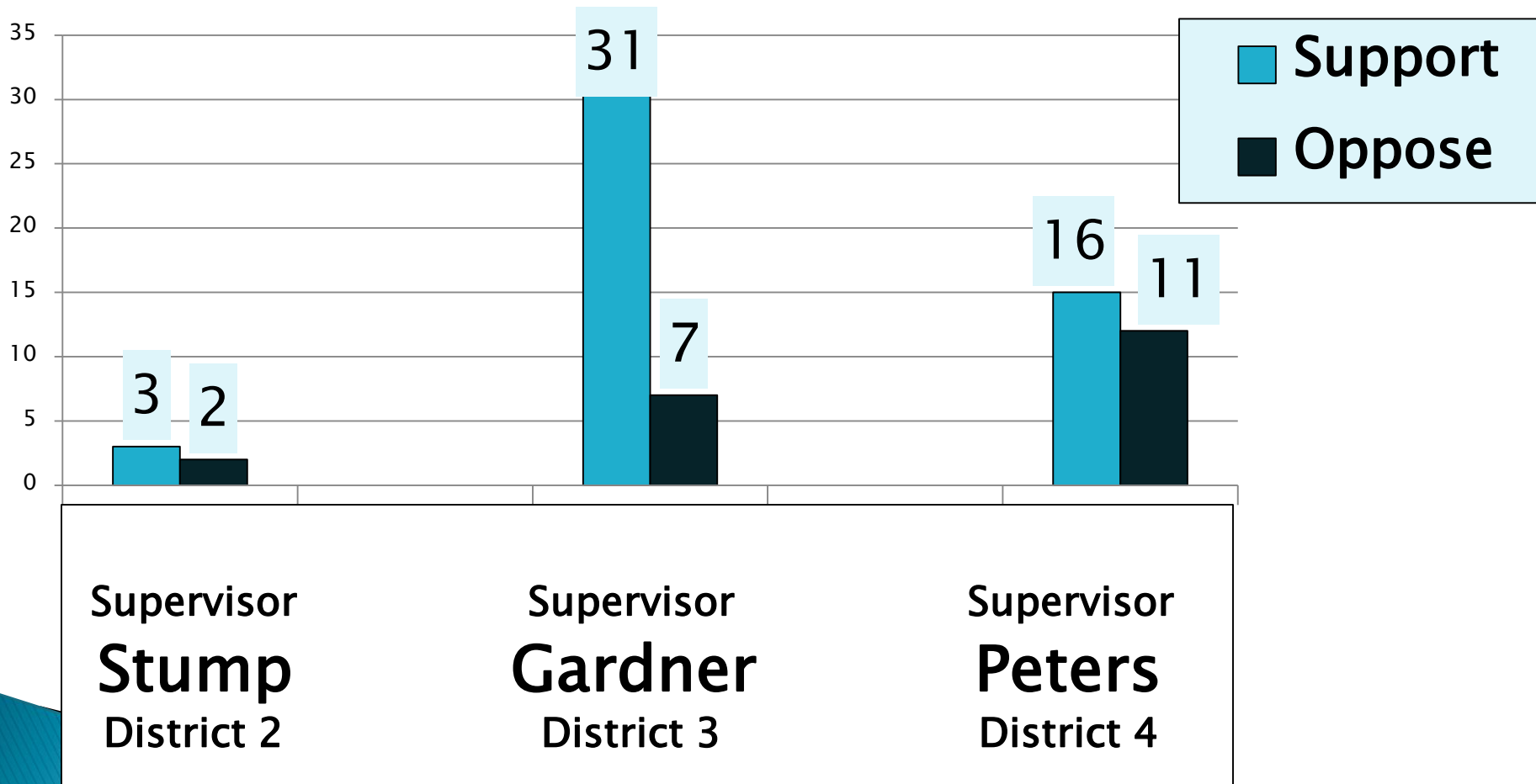


# Proposed: Smoke-Free Outdoor Places

- All areas where smoking is prohibited by state or federal law, e.g. indoor workplaces, county buildings, tot lots, & playgrounds.
- County vehicles.
- Outdoor dining areas.
- 20 feet minimum from business doorways.
- Public parks & recreational areas.
- Service areas, lines & waiting areas.
- Public places, events for the general public.

# Unincorporated Mono Businesses Support for Smoke-Free Zone Ordinance Fall 2015

N=70



# **Proposed: Smoke-Free Multi-Unit Housing**

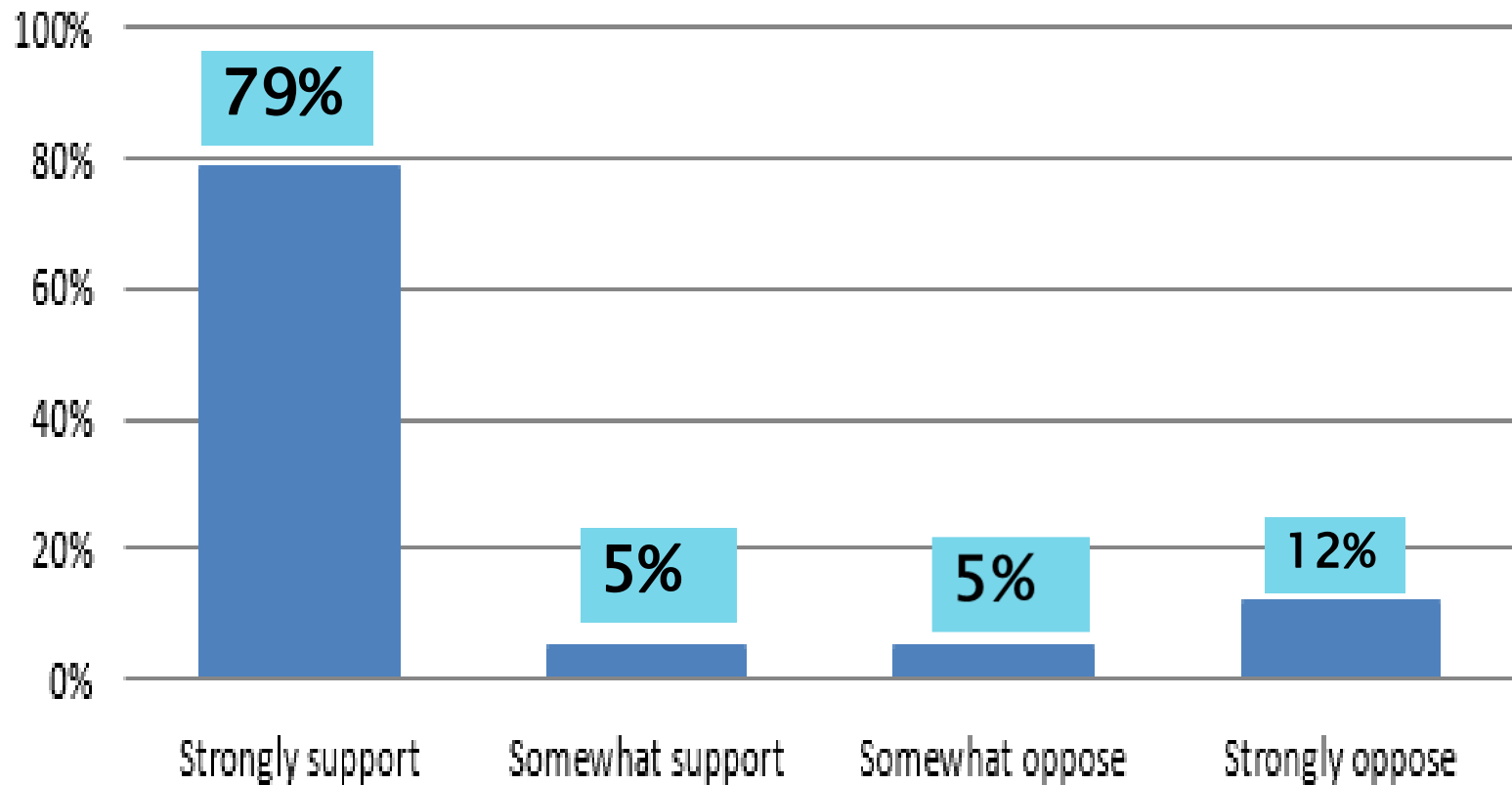
**Smoking by visitors and residents is prohibited within all units, the patios or balconies, within 20 feet of buildings and within all common areas indoors and outdoors.**

# Unincorporated Mono County Condo/Apartment MUH Owner Survey Fall 2016

- ▶ Mailed to 292 condo/apartment owners with valid address
- ▶ 46/292 completed (15.7%)
  - June Lake 31
  - Crowley 10
  - Bridgeport 1
  - Unknown area 4
- ▶ Owners from 16 MUH complexes are represented in the survey



# Would you support a county ordinance that creates smoke free areas within MUH, on patios, balconies & 20 ft. from doorways?



# CROWLEY MULTIUNIT HOUSING SURVEY

Sept -Oct 2017      34/61 responding

Would you support a county ordinance that creates smoke free areas within multiunit housing units, on patios and balconies, 20 feet from doorways of multiunit housing, and in common areas of multi-unit housing?

<b>Strongly support</b>	<b>66%</b>	<b>23</b>
<b>Somewhat support</b>	<b>3%</b>	<b>1</b>
<b>Somewhat oppose</b>	<b>6%</b>	<b>2</b>
<b>Strongly oppose</b>	<b>24%</b>	<b>8</b>

# Celebrate Smoke Free Living!

**100% SMOKE FREE CAMPUS WITHIN UNITS  
& WHOLE PROPERTY!!!**

**The Summit Condominiums & 80/50**

**SMOKE FREE WITHIN UNITS AND 20-50 FEET FROM BUILDINGS!**

1849

Aspen Village

Blizzard Property

Management

Bristlecone

Chateau Sans

Nom

Discovery 4

Eagle Run

Grand Sierra

Hidden Valley Village

Horizons 4

Jefferys Apartments

Juniper Springs Lodge

La Vista Blanc

Lakeview Villas

Lincoln House @ the Village

Mammoth Estates

Mammoth Point

Mammoth Ski/Racket

Mammoth View Villas

Manzanita Apartments

Saint Moritz

Seasons 4

St. Anton

Lodestar Apartments

Sunstone

White Mountain

Woodlands

*“There is no safe level of  
second hand smoke.”*

Tobacco Industry per Federal Court  
Order. 2017

# Multi-Unit Housing Points

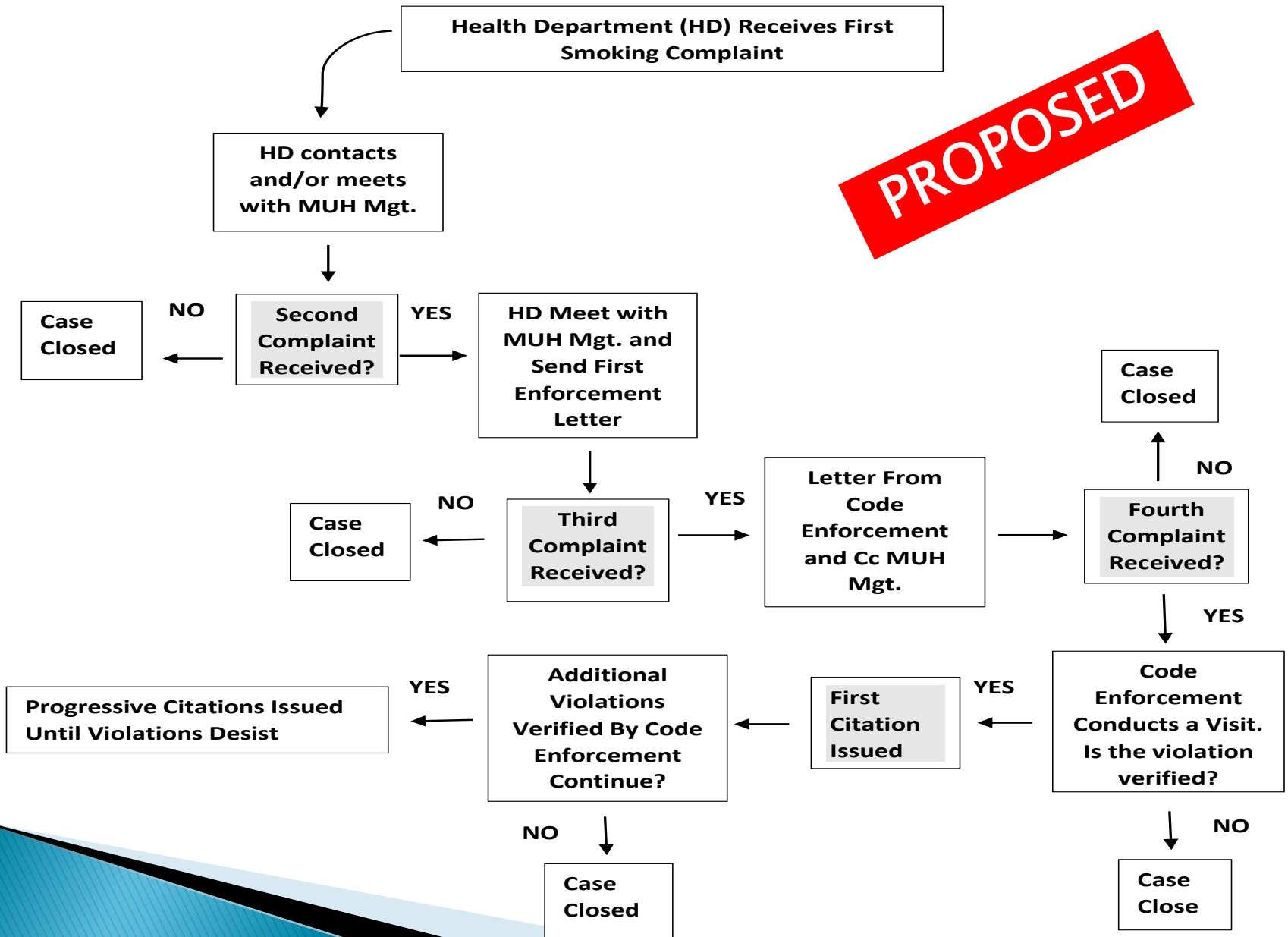
- ▶ Smoking is not a protected status under the law.
- ▶ Litigation favors smoke free multiunit housing residents.

**51** (formerly 37) CA cities and counties have 100% smoke free multiunit housing ordinances which include both public and private housing.

# Keys to Success – Implementation

- ▶ Educate public and stakeholders
- ▶ Provide resources for landlords and HOA's
- ▶ Provide resources for tenants and condo owners
- ▶ Provide complaint forms
- ▶ Provide smoking cessation services
- ▶ Create a system for up-to-date information and to handle complaints
- ▶ Delineate enforcement strategy

# Smoking Enforcement Process Model





# Proposed: Prevent Sales of Flavored Tobacco



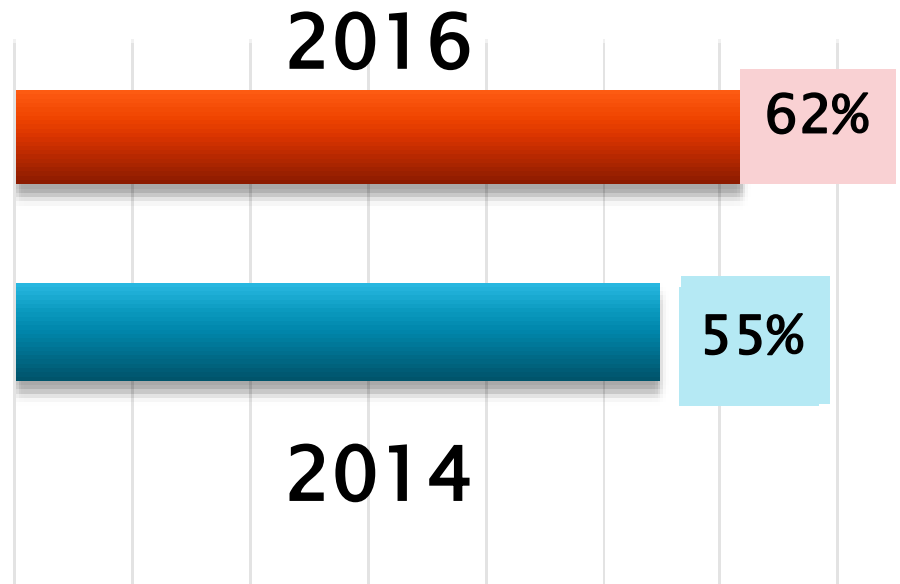
**Public Opinion Survey - Unincorporated County**

**2016 n=184**

**2014 n= 104**

**Level of support for tobacco control laws:**

Law Banning Sale  
of Flavored  
Tobacco Products



# Mono County CA Healthy Kids Survey – Fall 2017

- ▶ More kids are using electronic vaping devices than are smoking traditional cigarettes.
- ▶ Cigarette AND chew use in the last 30 days is about 0% to 6% among 9<sup>th</sup> – 11<sup>th</sup> graders.
- ▶ Marijuana use in the last 30 days among MUSD 9<sup>th</sup> and 11<sup>th</sup> graders is 27% to 30%. Daily use is 4% to 12%. ESUSD 11<sup>th</sup> and 12<sup>th</sup> graders range from 4% to 13%.
- ▶ Perceived harm from frequent smoking is Cigarette 75% to 91%, Marijuana 65% to 86%

# Individuals Who Smoke: Care at Mammoth Hospital October 2015 - September 2017

Distinct Count of Patients -

REVISED

Zip Code	Age Group							Grand
	16-25	26-35	36-45	46-55	56-65	66-75	76-85	Total
93512	1	2	1	3	1	3		11
93517	3	14	4	5	6	7	1	40
93529	5	15	11	9	10	3	1	54
93541	3	5	2	2	3	2		17
93546	123	172	94	80	64	21	2	556
96107	3	3	4	9	6	4	1	30
<b>Grand Total</b>	<b>138</b>	<b>211</b>	<b>116</b>	<b>108</b>	<b>90</b>	<b>40</b>	<b>5</b>	<b>708</b>

# Unincorporated Mono County Tobacco Retailer Survey August 2017 n = 13; refused 1

Regular cigarettes are the most requested	13
---	----

Regular cigarillos are the most requested	7
---	---

Carry only regular cigarillos	5
-------------------------------	---

Do not carry cigarillos	3
-------------------------	---

Regular chew is most requested	7
--------------------------------	---

Do not carry chew	3
-------------------	---

Do not carry electronic cigarettes	9
------------------------------------	---

**NO other tobacco products (hookah, vape mods, etc.) are carried in unincorporated Mono tobacco retail stores.**

# Unincorporated Mono County Tobacco Retailer Survey August 2017 n = 13

**How important to your business  
are sales of flavored tobacco  
products, including menthol  
cigarettes?**

Very important	0
Pretty important	3
Not very important	5
Insignificant	6

**How important to your business  
are sales of just the menthol  
tobacco products?**

Very important	0
Pretty important	2
Not very important	8
Insignificant	4

# Unincorporated Mono County Tobacco Retailer Survey August 2017n = 13

Do you think it would be a burden on your business if ALL stores in unincorporated Mono, including yours, stopped selling ALL flavored tobacco products?

Definitely a large burden	1
Somewhat of a burden	0
No Difference	10
Don't sell flavored products	2

Do you think it would be a burden on your business if ALL stores in (jurisdiction), including yours, stopped selling all menthol tobacco products?

Definitely a large burden	2
Somewhat of a burden	2
No Difference	9



# Flavors Ordinances

City/County	PROHIBITS FLAVORED TOBACCO / MENTHOL CIGARETTES	LOCATION WITHIN...	Allows sales in adult-only venues
Berkeley	YES	Within 600 ft. of schools	No
Contra Costa County	YES	Within 1000 ft. of a school, playground, library, park	No
El Cerrito	YES EXCEPT menthol cigarettes	Within the city limits	No
Hayward	YES EXCEPT menthol cigarettes	Within 500 ft. of schools (grandfathering)	No
Los Gatos	YES	Within the city limits	Yes
Oakland	YES	Within the city limits	Yes
San Francisco	YES	Within city	No
Santa Clara	YES	Within unincorporated areas	Yes
West Hollywood	ALL TOBACCO PRODUCTS	Within 600 ft. of any youth-populated area	No
Yolo	YES	Within unincorporated areas	No
Oroville	YES	Within the city limits	NO

## ***Recommendation***

***First reading of amendments  
to Chapter 7.92 of the  
Mono County Code.***

***Provide feedback on any changes and  
direction to staff.***

***LOCAL IS WHERE  
THE ACTION  
BEGINS***





February 12, 2018

Mono County Board of Supervisors  
c/o Clerk of the Board  
PO Box 715  
Bridgeport, CA 93517

Re: Agenda Item 11-C Flavored Tobacco Ban

Dear Supervisors,

I write on behalf of the American Petroleum and Convenience Store Association (APCA), a grassroots organization of independent gasoline and convenience store owners located throughout the state of California including Oroville.

It is our understanding that the Board will introduce an ordinance banning the sale of flavored tobacco at its February 13, 2018. **APCA opposes flavor bans and we urge you to consider the impact that this ordinance will have on small businesses that operate in the County and on county tax revenues.**

Tobacco is a key category for retailers because it drives foot traffic and incidental sales within stores. The inability to sell flavored tobacco has a significant financial impact on a store. In other municipalities that have enacted similar bans, retailers have reported 15 - 30% revenue losses. Retailers operate on thin profit margins and the loss of important products can mean going out of business.

Flavored tobacco bans also have an impact on county revenue. As the City and County of San Francisco noted in its staff report that accompanied its flavored tobacco ban, the City's Office of Economic Analysis (OEA) determined that the flavor ban would have a material economic impact on the city's economy. OEA estimated the value of flavored tobacco to be approximately \$50 million dollars. ***The OEA analysis also noted that consumers would switch to retailers outside the city or online resulting in a net loss to local retailers and the City's economy without any countervailing benefit.***

Over the past 2 years, many new state laws and taxes have been enacted by the state that render further local regulation unnecessary:

In 2016, the State passed six bills that further regulate the sale and use of tobacco including raising the minimum age to purchase tobacco products to age 21, regulating e-cigarettes as tobacco products and expanding the ban on smoking in workplaces.

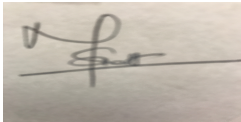
Additionally, the Board of Equalization increased its state licensing fees from a one-time fee of \$100 for a tobacco license to an annual license fee of \$265. This fee increase is intended to provide the BOE with more revenue to ensure that tobacco retailers are in compliance with state tobacco laws.

Finally, the passage of Prop 56 increased the tax on cigarettes by \$2 per pack effective April 1, 2017.

The intent of these measures was to reduce youth access to tobacco products and reduce the rate of smoking statewide. Indeed, professor of medicine and director of the UCSF Center for Tobacco Control Research and Education Stanton Glantz has stated that the \$2 tax increase will cut smoking prevalence over the next 5 years to around 7 percent.

Given these facts, we urge you to reconsider your intent to introduce a ban on flavored tobacco.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Manraj Natt", is written over a horizontal line on a light-colored background.

Manraj Natt  
Chairman