



**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
May 14, 2019**

9:00 AM Meeting Called to Order by Chair Peters.

Supervisors Present: Corless, Gardner, Halferty, Peters, and Stump.

Supervisors Absent: None.

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 Corless.

- 1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**
- 2. RECOGNITIONS - NONE**
- 3. COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments

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

Dave Wilbrecht, Interim CAO:

- Continued meeting with Department Heads.
- Attended the Communications meeting in Bishop regarding regional radio communications with law enforcement, fire, and EMS in Inyo and Mono Counties.
- Civic Center update; Tony is working on getting an on-site manager for project.
- Collective bargaining update.
- Budget update.
- Has been out for a few days celebrating his new granddaughter.

- 4. DEPARTMENT/COMMISSION REPORTS**

Kathy Peterson:

- Update on Social Security Income/CalFresh, change in available benefits.
- Governor's budget includes enough funding for In-Home Supportive Services Program.

- Discussion regarding Foster Families; funding remains mostly intact for providing funds to foster families to make changes to homes, etc. while they are fostering children. There are five new completed foster family applications being processed.
- Supervisor Stump thanked her staff from the entire board.

Stacey Simon:

- On May 10th, letter from LADWP (regarding monitoring well proposal to install wells) indicated they are not going to do this project now. They are withdrawing the CEQA Notice of Exemption they filed. If/when they move forward again with this, various impacts from first proposal should be eliminated.

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. Reappointments to Mono County First 5 Commission

Departments: Clerk of the Board

The First 5 Mono County Executive Director requests that the Mono County Board of Supervisors reappoint to the Mono County Children and Families Commission: Dr. Stacey Adler, PhD, to serve an indefinite term, or until she no longer holds the position of Superintendent of Schools; Berta Jimenez to serve a three-year term commencing June 3, 2019 and expiring June 4, 2022.

Action: Reappoint Berta Jimenez and Dr. Stacey Adler to the First 5 Mono County Children and Families Commission.

Halferty moved; Corless seconded

Vote:5 yes; 0 no

M19-99

Molly DesBaillets handed out a replacement staff report; clerk also received a copy to go onto website as additional documents.

B. Allocation List Amendment: Behavioral Health Department

Departments: Behavioral Health

In October of 2018, Mono County Behavioral Health had three employees who met the criteria to move into the next level related to their current job. Two Case Manager I's met the qualifications to become Case Manager II's and our employee who is currently an FTS III met the qualifications to be moved into an FTS IV position.

Action: Adopt proposed resolution R19-30, Authorizing the County Administrative Officer to amend the list of allocated positions to add one fiscal and technical specialist (FTS) IV position and two case manager II positions and to delete one FTS III position and two case manager I positions within the Department of Behavioral Health.

Halferty moved; Corless seconded

Vote:5 yes; 0 no

R19-30

C. Mobile Power Screen Purchase

Departments: Public Works - Solid Waste

Proposed purchase of an Ultra 3Way from Ultra Screen as the selected responsible bidder in response to the solicitation for a mobile power screen needed to produce wood-chip feedstock for the Bridgeport Shop biomass boiler.

Action: Authorize Public Works Department Director to purchase an Ultra 3Way mobile power screen from Ultra Screen on behalf of the County in an amount not to exceed \$123,000.

Halferty moved; Corless seconded

Vote: 5 yes; 0 no

M19-100

D. Women, Infants and Children (WIC) Program Prerequisite Contract Application Documents

Departments: Public Health

The California State WIC Program is requesting that the California Rights Laws Attachment (DGS OLS 04) and Contractor Certification Clauses (CCC 04/2017) forms are signed prior to bringing the FFY 2020-2022 WIC Contract to the Board for consideration and signature. These signed forms will be included as part of the complete contract packet to bring forward at a future date.

Action: Authorize the Board of Supervisors Chairperson to sign the prerequisite contract application documents for FFY 2020-2022 for the California Department of Public Health (CDPH) Women, Infants, and Children (WIC) Program.

Halferty moved; Corless seconded

Vote:5 yes; 0 no

M19-101

E. MOU between Caltrans and Mono County Regarding Unanticipated Maintenance Activities

Departments: Public Works

This item will modernize an existing MOU between Caltrans and Mono County to include current standards and protocols. The MOU enables mutual assistance between Caltrans and the County (upon consent by the offering agency), as needed during emergency situations.

Action: Ratify MOU between the County and Caltrans, authorizing the Director of Public Works to enter the MOU on behalf of the County.

Halferty moved; Corless seconded

Vote:5 yes; 0 no

M19-102

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.

The Board acknowledged receipt of the correspondence.

A. GBUAPCD 2018-2019 Mammoth Lakes PM10 and Meteorological Summary

The Great Basin Unified Air Pollution Control District (GBUAPCD) finalized the data to complete the 2018-2019 air monitoring year of March 16, 2018 to March 15, 2019, and provided a report.

Brief discussion amongst Board members regarding this correspondence.

B. California SWRCB Order Approving Petitions for Temporary Urgency Change

An order from the California State Water Resources Control Board (SWRCB) to the Los Angeles Department of Water and Power (LADWP) approving LADWP's petitions for temporary urgency change of licenses 10191 and 10192 (Applications 8042 and 8043) in Rush, Lee Vining, Parker, and Walker Creeks.

7. REGULAR AGENDA - MORNING

A. Letter to FERC and Resolution Regarding Premium Energy's Application for the Owens Valley Pumped Storage Project

Departments: CDD

(Wendy Sugimura) - Proposed comment letter to the Federal Energy Regulatory Commission (FERC) and Board Resolution opposing the Owens Valley Pumped Storage Project

Action: 1. Approve and authorize the Board Chair to sign the comment letter to FERC on the Owens Valley Pumped Storage project with the following two changes: 1. Add an additional Whereas clause to the resolution indicating that the President has indicated that local government officials are the most knowledgeable about local conditions and that they should be consulted and have input into decisions that affect their jurisdictions; and 2. Add the President and our state and federal legislators to the list of individuals copied on the letter. Direct staff to submit via the FERC online system. 2. Adopt Resolution R19-31 with any desired modifications and, if desired, direct staff to submit as a comment on the FERC online system.

Gardner moved; Halferty seconded

Vote:5 yes; 0 no

M19-103

R19-31

Wendy Sugimura:

- Pump storage project overview.
- Great team effort; a lot of work went into it and was gone over in detail at the last meeting. The letter/resolution is to memorialize this.
- Suggested Board take action on items presented today and then staff can look into the new proposals brought up by Supervisor Stump.
- Discussion regarding permitting process; this new information is in the very preliminary stages. Might be good to meet directly with proponent?

Supervisor Stump:

- Advised Board that Premium Energy had filed an amended application.

- Not sure what this does for the letter already prepared; feels we should go ahead with approving item today.
- He will send Jason Canger a copy.

Supervisor Corless:

- There are a lot of new project proposals coming up; she supports going ahead with approving item today.
- She will take copies of the approved resolution/letter to NACo conference.

Supervisor Gardner:

- Supports going forward today with item.

PUBLIC COMMENT:

Liz O'Sullivan:

- Thanked staff for taking on this project.
- Thinks maybe FERC might be violating code section about who should be getting notified.
- Supports Supervisor Corless' idea of amending General Plan – putting in some language or framework to deal with these kinds of issues.

Mike O'Sullivan:

- Community letter that they sent was received by FERC on Monday.

B. Consideration of Change to the Mono County Cannabis Business Tax for cultivators to change the timing of tax return filing and/or payment

Departments: Finance

(Janet Dutcher) - Cannabis Cultivators are expressing concerns about the ability to pay a quarterly tax based on the square footage of canopy in advance of revenues realized after harvesting their crops. This item will discuss a potential option to amend the Mono County Cannabis Business Tax to change the quarterly tax filing and/or payment process for cultivators only, as required by the current ordinance.

Action: None.

Janet Dutcher:

- Gave overview and explanation of item.
- Discussion about how cannabis tax is currently being billed; she recommends that we bill quarterly taxes but have one annual payment at end of January, paying the county in one lump sum.
- Currently handled like transient occupancy tax.
- This would help alleviate burden for cultivators, they would pay tax *after* they've done the harvest and sale of their crop.
- Still need to require the filing of quarterly tax returns; going to just one would be too expensive to administer and enforce.
- On Board direction, plans to come back to Board with amended ordinance to have quarterly tax returns with no payment in first three quarters but a full payment in fourth quarter, or by January 31st.

Supervisor Stump:

- Is Janet comfortable that county can deal with this?
- Are there other business in county that might ask for additional considerations because of this amendment?

Supervisor Peters:

- Are there any other ongoing costs cultivator would be subject to?

Wendy Sugimura:

- There are several permits being processed at the moment.
- There is an annual operating permit payable to county; there are state licenses and taxes as well.

- Eric has paid all his fees and is up to date.

Eric Edgerton (Tilth Farms):

- Thanked board for considering deferring taxes until revenue can be seen.
- Whole process has been a group effort.

Break: 10:08 a.m.

Reconvene: 10:24 a.m.

C. FY 2019-2020 Budget Update

Departments: Finance

(Janet Dutcher) - Finance will update the Board about the FY 2019-2020 budget development and process.

Action: None.

Janet Dutcher:

- Last of three budget updates before we head into budget workshops.
- June 18th – public hearing. Prior to the hearing, we want to review everything with workshops on May 28-29th. The Departments will give a five-minute intro to get started.
- Gave overview of what the departments will bring to the board at the workshop.
- Gave board an overview of each category, went through reports and gave overview of process thus far.
- Gave information about categories where money was saved in this budget.

Dave Wilbrecht (Interim CAO):

- Gave clarification regarding recruiting.

Board Discussion:

- Board asked various questions, discussion about revenue, taxes, etc. Board thanked Janet for all the hard work that has gone into this.

D. Mono County Audit Reports for FY 2017-2018

Departments: Finance

(Janet Dutcher) - Presentation of the Comprehensive Annual Financial Report (CAFR) and the Single Audit Report.

Action: None.

Janet Dutcher:

- We are here to talk about last year's financial reports.
- Both the budget going forward and the reports looking back have accountability.
- Went over audit report in detail referencing various pages.

Board Discussion:

- Board asked for various clarifications and had questions answered.

E. Resolution to Promote Investments in Young Children and Families from Prenatal to Three

Departments: First 5

(Molly DesBaillets) - A resolution to prioritize and invest in Prenatal-to-Three efforts to promote a healthy start at birth, support for families with infants and toddlers and high-quality care and learning environments.

Action: Adopt proposed resolution R19-32, Signing on to the Call to Action of the National Collaborative for Infants and Toddlers (NCIT) and the National Association of Counties (NACo) to prioritize and invest in prenatal-to-three efforts that promote a healthy start at birth, support for families with infants and toddlers and high quality care and learning environments.

Gardner moved; Halferty seconded
Vote: 5 yes; 0 no
R19-32

**This item taken prior to 7D*

Molly DesBaillets:

- Gave overview and explanation of item.

Board Discussion:

- General Board comments/discussion.
- Board commended Molly for such a comprehensive report; all Board Members in support of focusing on this age group and making it a priority.

Amber Hise:

- Spoke about her program, WIC, and how they also work with same age group. Reiterated the importance of it.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

No one spoke.

9. CLOSED SESSION

**Board Reports taken prior to Closed Session*

Closed Session: 12:25 p.m.

Regular session reconvened:

There was nothing to report out of closed session.

A. Closed Session - Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Dave Wilbrecht, Dave Butters, Janet Dutcher, and Anne Larsen. 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.

B. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer (CAO).

C. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: *Cox v. Padilla*, Sacramento Superior Court Case No. 34-2019-80003090.

D. 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: two.

10. BOARD MEMBER REPORTS (begin at 12:11, prior to closed session)

Supervisor Corless:

- 5/7 Mammoth Fire Safe Council, overall grant management issue for these volunteer groups.
- 5/8 participated in stakeholder interview for Town of Mammoth Lakes/the Parcel development.
- Co-hosting Fire Town Hall on June 12 in Mammoth, featuring Inyo NF, information on the Lakes Basin fuels reduction project, location TBD.
- Traveling to Spokane for NACo Western Interstate Region Conference (travel covered by CSAC).

Supervisor Gardner:

- On April 17 attended an Inyo National Forest Partners meeting in Bishop. The meeting included a briefing by Tammy Randall-Parker, the INF Supervisor and updates from various partners, both public and non-profit, in the region. These meetings will continue and are a great opportunity for us to keep informed about USFS activities and be involved in their decision-making.
- On April 19 participated in a conference call with SCE and June Lake residents in the Down Canyon area regarding anticipated runoff and the potential for flooding this spring. SCE presented their projections for runoff from the Rush Creek Dam System and will provide updates as the flows increase.
- On April 24 attended a meeting of the Eastern Sierra Sustainable Recreation Partnership in Bishop. We were updated on progress moving forward on the grant received from the Sierra Nevada Conservancy.

Supervisor Halferty:

May 8th:

- Participated in a stakeholder interview for the conceptual development plan for The Parcel, located with District 1.
- Attended the NACo Community, Economic, and Workforce Development Committee Meeting.
- Attended a State Housing and Community Development technical assistance training on the first year SB2, affordable housing permanent source, planning grant along with staff from Alpine County, Mammoth Lakes, Bishop, Inyo County and Mono County.

May 9th:

- Attended an interview with Beth Cohen, attended the quarterly Mono County Treasury Oversight Committee meeting, and had a meeting with Finance Director Dutcher on this year's County budget.

May 13th:

- Attended the monthly Local Transportation Committee meeting.
- Tonight is the showing of the film, Quiet Force at the Mammoth Middle School, beginning at 6PM.
- On Friday, the Federal Housing and Urban Development (HUD) announced a proposed rule change to Section 214, Housing and Community Development Act of 1980 on mixed status immigrant families. This will mainly impact public housing and Section 8, but there are other programs.
- There will be a much wider chilling impact on immigrant families accessing and maintaining federal housing benefits, not just the properties and programs subject to

Section 214. Many immigrant families may choose to leave housing programs they are eligible for because of this rule. In fact, HUD admitted in an analysis that the agency is banking on this happening. This could have a local impact to our community members currently living in federally subsidized housing in Mammoth Lakes. These community members are key contributors to our communities' overall health and diversity. Any jeopardy to their housing could further exacerbate our housing crisis and the business community's ability to recruit and fill employment vacancies. It could further challenge the development of The Parcel, depending on the funding sources used to build out that site.

Supervisor Peters:

- 7th CSA #5
- 7th AV RPAC Water Transfer – Jason Canger, Wendy Sugimura, Bentley Regehr and Hailey Lange
- 13th LTC

Upcoming:

- 14th BP RPAC
- 15th LAFCO
- June 2 Governor's Office on Emergency Services Summit
- June 19th Town Hall – Radio, Fisheries

Supervisor Stump:

- 5-13 : Attended the Local Transportation Commission Meeting - Excellent discussions on unmet transportation needs. Entire County was covered. - Draft Electric Vehicle Policy out. Hailey Lang did an excellent job.
- Spent considerable time on the Premium Energy Pump Back project. The latest iteration, according to a message forwarded by a resident from Victor Rojas the Company President, is to bury the entire project. The claim was made that an amended proposal has been sent to FERC. A 40-year-old buried PG&E project on the west side is being touted as a success. That project did not tunnel under private property. I am familiar with that project, Helm is the name, and it has yet to pay for itself. We need to keep our awareness up.

ADJOURN 1:30 p.m.

ATTEST

**JOHN PETERS
CHAIR OF THE BOARD**

**SHANNON KENDALL
CLERK OF THE BOARD**