



**DRAFT 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 5, 2019**

Flash Drive	Portable Recorder
Minute Orders	M19-235 – M19-243
Resolutions	R19-76 – R19-78
Ordinance	ORD19-07

9:05 AM Meeting called to Order by Chair Peters.

Supervisors Present: Corless, Gardner, Kreitz (Teleconference), Peters, and Stump (Teleconference).

Supervisors Absent: None.

All votes roll – call.

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

Pledge of Allegiance led by Chief Curti.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Chief Mike Curti, Antelope Valley Fire:

- 10/23 fire in Sonoma County, Kincadee fire. Mono County was asked for mutual aid assistance, task force put together to assist.

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

Steve Barwick, CAO:

- Received parcel analysis from Kevin Carunchio.

Note:

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- Received from Grant from State of California for around \$153,000 related to Public Safety Power Shutoff events; Possibly more funds coming from the state and SCE.
- Has been spending time meeting with lots of departments.
- Tour of District 2 with Supervisor Stump.

4. DEPARTMENT/COMMISSION REPORTS

Louis Molina, Environmental Health:

- Letter of recognition of Jill Kearney.

Cathy Young, Social Services:

- Last week, had emergency shelter fundamentals training in Lee Vining; had 19 local participants.
- 8 participants are interested in starting a Community Emergency Response Team (CERT) in Lee Vining.

Robin Roberts, Behavioral Health Director:

- Restructure in her department, thanked Janet for her help.
- People know how to contact her during a tragedy.

Stacey Simon, County Counsel:

- Formally announced the sale of Davison house.

Wendy Sugimura, Community Development Director:

- Provided update of the planning activity in the Community Development Department.

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 the minutes of the regular Board of Supervisors meeting on October 1, 2019.

Action: Approve the minutes of the regular Board of Supervisors meeting on October 1, 2019.

Corless moved; Gardner seconded

Vote: 5 yes; 0 no

M19-235

B. Board Minutes

Departments: Clerk of the Board

Approval of the minutes of the regular Board of Supervisors meeting on October 8, 2019.

Action: Approve the minutes of the regular Board of Supervisors meeting on October 8, 2019.

Gardner moved; Kreitz seconded

Vote: 4 yes; 0 no; 1 abstain

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M19-236

Supervisor Stump:

- Recused himself, as he was absent from this meeting.

C. Approve Transfer from General Fund Contingency for Mammoth Lakes Fire Safe Council

Departments: Finance

Approve transfer from General Fund (GF) Contingency account in the amount of \$30,425 to satisfy Mono County's funding gap commitment to Mammoth Lakes Fire Safe Council (MLFSC) in support of the Lakes Basin Fuel Reduction Project (requires 4/5ths approval of the Board).

Action: Approve transfer of \$30,425 from GF Contingency to GF Contributions and Transfers.

Corless moved; Gardner seconded

Vote: 5 yes; 0 no

M19-237

D. Performance Contract between California Department of Healthcare Services and Mono County Behavioral Health

Departments: Behavioral Health

Amended Performance Contract with California Department of Healthcare Services (DHCS) adjusting performance standards.

Action: Approve and authorize Director of Behavioral Health Robin Roberts to sign amended Performance Contract.

Corless moved; Gardner seconded

Vote: 5 yes; 0 no

M19-238

E. Voting System Replacement Grant

Departments: Elections

The Secretary of State is offering a Voting System Replacement Grant Amendment with state funds to reimburse the county for voting system replacement activities. This grant is an amendment of a previously approved grant, for an additional available amount of \$122,036.30.

Action: 1. Approve and authorize the Mono County Clerk-Recorder-Registrar to sign Agreement #18G30126 AMDT. #01 (Voting System Replacement) with the California Secretary of State for receipt of up to \$116,000 to be used to offset the cost of election equipment and \$6,036.30 to be used to offset costs of election management system replacement. 2. Increase appropriations by \$122,036.30, offset by grant revenues of \$122,036.30.

Corless moved; Gardner seconded

Vote: 5 yes; 0 no

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M19-239

F. Approved Increase in Appropriations to the Lone Pine Interagency Visitor's Center

Departments: Finance

The Eastern Sierra Visitor Center in Lone Pine, CA is a multi-partner funded center, which includes Mono County. Mono County contributed \$5,000 Funds are provided to it every year. This item is a request for a one-time additional payment to the center in order to extend its operating hours through the end of November.

Action: Approve increase of \$2,400 in Geothermal Royalties Fund to make a one-time payment to the Interagency Visitor's Center in Lone Pine for extending the center's operating hours through the end of November 2019 (requires 4/5ths vote).

Supervisor Gardner:

- Correction: The increase is for the Mono Basin Interagency Center so it can stay open through December 2.
- This is an example of the County stepping up when the Forest is unable to do so.

Stacey Simon:

- Would like to reschedule the item to next week to put on the agenda correctly.

G. Monthly Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 9/30/2019.

Action: Approve the Treasury Transaction Report for the month ending 9/30/2019.

Corless moved; Gardner seconded

Vote: 5 yes; 0 no

M19-240

H. Quarterly Investment Report

Departments: Finance

Investment Report for the Quarter ending 9/30/2019.

Action: Approve the Investment Report for the Quarter ending 9/30/2019.

Corless moved; Gardner seconded

Vote: 5 yes; 0 no

M19-241

I. Amendment to the Voting System Agreement with Dominion Voting Systems

Departments: Elections

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An amendment to an existing agreement with Dominion Voting Systems, Inc. to update the scope of purchase under the original agreement to include the ImageCast Remote UOCAVA/RAVBM (Uniformed and Overseas Citizens Absentee Voting Act/Remote Access Vote-By-Mail System).

Action: Approve County entry into proposed Agreement and First Amendment to the Voting System Agreement by and between Dominion Voting Systems, Inc and Mono County, and authorize County Administrative Officer to execute said contract on behalf of the County.

Corless moved; Gardner seconded

Vote: 5 yes; 0 no

M19-242

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. Inyo - Mono 4-H Road Runner Newsletter Fall 2019

The Inyo-Mono 4-H Road Runner Newsletter for Fall 2019.

B. Temporary Urgency Change (TPUC) of Licenses for LADWP

Two documents that were shared with the Board of Supervisors regarding Rush, Lee Vining, Parker, and Walker Creeks: Notice of Petitions for Renewal of Temporary Urgency Change for Licenses 10191 and 10192 (Applications 8042 and 8043) of the City of Los Angeles, Department of Water and Power (LADWP); Order Approving Petitions for Renewal of Temporary Urgency Change of Licenses 10191 and 10192 (Applications 8042 and 8043) of the City of Los Angeles, Department of Water and Power

C. Application for Alcoholic Beverage License - Mammoth Brewing Company

An application to the State of California Department of Alcoholic Beverage Control for Alcoholic Beverage License by Mammoth Beers, LLC, doing business as Mammoth Brewing Company, in Mammoth Lakes, CA.

D. FERC Environmental Inspection Follow-Up Items

A letter from the Federal Energy Regulatory Commission (FERC) to Wayne Allen, Principal Manager of Southern California Edison (SCE) in response to his May 29, June 12, and August 21, 2019 letters regarding the status of

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various follow-up items from the Commission's August 20-22, 2018 environmental inspection of the Lee Vining, Lundy, and Bishop Creek Projects.

E. Inyo National Forest Record of Decision Notice

A letter stating that the signed Record of Decision for the Inyo National Forest land management plan and associated final environmental impact statement is now available on the Forest's public website:

<https://www.fs.usda.gov/main/inyo/landmanagement/planning>.

Supervisor Gardner:

- This is the end of a long process. Some of the outcomes are excellent. The plan will become a useful document for the County to use.

7. REGULAR AGENDA - MORNING

A. CalTrout Presentation

Departments: Board of Supervisors

(Lia Webb, Project Manager) - Presentation from CalTrout on the June Mountain Fuels Reduction project, a restoration project to remove dying trees across 518 acres of National Forest System lands over five years. CalTrout is pursuing additional funding to accomplish this, and intends to leverage funds to implement further scientific research to measure long-term ecosystem changes and determine best alternatives for biomass utilization.

Action: None.

Eric Huber and Lia Webb, CalTrout:

- Went through presentation (available in additional documents).

B. Public Hearing: General Plan Amendment (GPA) 19-03 Housing Element Update Adoption

Departments: Community Development

(Bentley Regehr) - Adoption of the 2019-2027 Mono County Housing Element, with final edits from the California Department of Housing and Community Development (HCD).

Action: Approve Resolution 19-76, Making the required findings, certifying the Addendum, and adopting General Plan Amendment 19-03.

Gardner moved; Kreitz seconded

Vote: 5 yes; 0 no

R19-76

Bentley Regehr, Planning Analyst:

- Introduced item.

Public Hearing Opened: 10:07 AM

Public Hearing Closed: 10:10 AM

Break: 10:11 AM

Reconvene: 10:23 AM

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C. Tourism Business Improvement District (TBID) Workshop

Departments: Economic Development

(Nichole Farley, Civitas) - Presentation by Nichole Farley, Director of Business Development and Client Engagement with Civitas regarding the Tourism Business Improvement District program and parameters.

Action: None.

Alicia Vennos, Economic Development Director:

- Introduced Nichole Farley.
- Directly involved with formation districts throughout California.

Nichole Farley

- Went through presentation.

Board consensus – this is not the revenue-generating approach that they want to take. Not interested in moving forward with a marketing of Mono County approach. Would like County Counsel to research the legal parameters.

Next step – feasibility of a tourism district in the community. Speak with businesses, build support, inquire what their needs are. Return in four months.

D. Employment Agreement with Sarah Gillespie

Departments: District Attorney

(Tim Kendall, District Attorney) - Employment agreement with Sarah Gillespie for the position of Operations and Programming Supervisor.

Action: Approve Resolution R19-77, Approving an employment agreement with Sarah Gillespie for the position of Mono County Operations and Programming Supervisor.

Fiscal Impact: The proposed salary is \$79,169. If filled, the remaining FY 2019-2020 is \$59,378 which \$50,378 is funded by the Victim/Witness Grant and \$9,000 to be funded by the District Attorney's CalMet Budget. Additional PER's contribution is \$7,512 per year. Remaining FY 2019-2020 PER's increase of \$5,634 will be funded by the District Attorney's CalMet Budget. There is no General Fund Impact.

Stump moved; Corless seconded

Vote: 5 yes; 0 no

R19-77

Tim Kendall, District Attorney:

- Introduced item. Funding should be stable through the contract.

Fiscal impact read into record by Chair Peters.

E. Employment Agreement with Kevin Julian

Departments: Public Works

(Tony Dublino, Director of Public Works) - Proposed resolution approving a contract with Kevin Julian as Road Operations Superintendent, and prescribing the compensation, appointment and conditions of said employment.

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Action: Announce Fiscal Impact. Approve Resolution #R19-___, Approving a contract with Kevin Julian as Road Operations Superintendent, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Fiscal Impact: Total Cost of position for remainder of FY 19/20 is \$101,021, of which \$66,696 is salary and \$34,325 is benefits. Total cost for a full year is \$151,501 of which \$100,044 is salary and \$51,457 is benefits. The position has been budgeted in the 19/20 Fiscal Year, although at a lower annual salary of \$83,044. The position has been vacant for 4 months, which will make up the difference.

Corless moved; Kreitz seconded

Vote: 5 yes; 0 no

R19-78

Tony Dublino, Public Works Director:

- Introduced item and Kevin Julian.

Fiscal impact read into record by Chair Peters.

F. Civic Center Update

Departments: Public Works

(Tony Dublino, Director of Public Works) - Update on the County's Civic Center project at 96 Thompson Way.

Action: None.

Tony Dublino:

- Provided update.

G. Request for Waiver of Encroachment Permit Fees

Departments: Public Works

(Tony Dublino, Director of Public Works) - Request for waiver of encroachment permit fee for manufactured home at 2125 Eastside Lane in Coleville, providing safe and compliant housing for a Benton tribal member to replace substandard housing previously located on property.

Action: Approve waiver of Encroachment Permit fee of \$528.

Stump moved; Kreitz seconded

Vote: 5 yes; 0 no

M19-243

Tony Dublino:

- Introduced item.

Stacey Simon:

- Gift of public funds doctrine. – Prohibits what does not have a public purpose. Tony has laid out what he views to be the public purpose.

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H. Participation in CPUC Proceedings Regarding Public Safety Power Outages

Departments: County Counsel

(Stacey Simon) - Opportunities for participation in California Public Utility Commission (CPUC) rulemaking proceedings related to electrical de-energization (PSPS).

Action: Presentation regarding County's options for participation in ongoing rulemaking of the California Public Utilities Commission (CPUC) related to electrical de-energization (PSPS) in California and/or in related processes. Potential options are included in the staff report.

Stacey Simon:

- Handed out the RCRC Comments on De-energization (available in additional document).
- Introduced item.
- Board consensus: Participate in the CPUC rulemaking through the California State Association of Counties (CSAC). Direct staff to provide County input to CSAC's outside legal counsel for inclusion in CSAC's comments and advocacy related to the rulemaking or in other venues;
- Direct staff to provide comments to the CPUC as a non-party to the rulemaking and to participate in other venues as appropriate;
- Rely on the participation of other local government entities with interests similar to Mono County's to provide input and advocate for outcomes that address Mono County's issues. Monitor those activities to ensure the County's interests and issues are addressed.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

9. CLOSED SESSION at 12:55 PM

A. Closed Session - Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Steve Barwick, Stacey Simon, 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 - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.
Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name

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of case: *County of Mono and Sierra Club v. City of Los Angeles, et al.*
(Alameda Superior Court Case no.: RG18923377)

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: Michael Hallum v. Mono County (Mono County Superior Court Case
No. CV170086).

D. Closed Session - Public Employment

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code
section 54957. Title: County Administrative Officer.

E. 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: one.

**THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 1:00
P.M.**

Reconvene: 2:03 PM

Nothing to report out of Closed Session.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

11. REGULAR AGENDA - AFTERNOON

**A. Public Hearing: Proposed Ordinance Extending the Temporary
Moratorium on Industrial Hemp Cultivation within the Unincorporated
Areas of Mono County**

Departments: Community Development - Planning

(Michael Draper) - Public hearing pursuant to Government Code section
65858(a) regarding adoption of proposed urgency ordinance extending the
temporary moratorium prohibiting cultivation of industrial hemp within the
unincorporated areas of Mono County.

Action: Adopt proposed ordinance No. ORD19-07, extending the temporary
moratorium prohibiting cultivation of industrial hemp in the unincorporated
areas of Mono County established by Mono County Ordinance No. ORD18-14.
Ordinance will be effective immediately.

Gardner moved; Kreitz seconded

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Vote: 5 yes; 0 no

ORD19-07

Michael Draper

- Introduced the item.

Nate Reade, Agricultural Commissioner:

- Explained what Inyo county does.

Public Hearing Opened: 2:13 PM

Public Hearing Closed: 2:14 PM

12. BOARD MEMBER REPORTS

Supervisor Corless:

- Request to close the meeting in memory and honor of Hugo Hernandez, Mono County IT department team member, who passed away at his home in June Lake on October 15. Asks to keep Hugo's family and friends in our thoughts and hearts during this difficult time, as well as his co-workers. He was a valuable member of our team and will be truly missed.
- 10/16—RCRC Executive Committee and Golden State Natural Resources Committee meeting in Sacramento, also met with legislative staff from Senator Borgeas' and Asm. Bigelow's offices regarding Mono County's PSPS experiences
- 10/17—Eastern Sierra Sustainable Tourism & Recreation stakeholder meeting in Bishop: great participation with nearly 100 people from many Eastern Sierra communities, Alpine County to Lone Pine. Also participated in some planning calls/meetings for ESSRP.
- 10/18—California Local Behavioral Health Boards and Commissions meeting
- 10/21—Behavioral Health Advisory Board meeting—still looking for new members
- 10/29-30: NACo Western Interstate Region Board of Directors meeting in Mariposa, hosted by Mariposa county supervisor Kevin Cann who is the president of WIR this year. Priority issue discussion; BLM acting director William Perry Pendley presentation; need for legislation to address US Forest Service infrastructure and deferred maintenance backlog.
- Southern Sierra Leadership Forum—group including Yosemite, Sequoia-Kings, Inyo/Sierra/Stanislaus/Sequoia national forests, convened by Sierra Nevada Conservancy looking at public lands management across agencies.
- 10/31: Collaborative Planning Team meeting—discussion of wildlife crossing project and need for funding to get it off the ground.
- 11/4: Attended last Mammoth Lakes Housing for last time as a board member—enjoyed serving on the board and appreciate all that the MLH board and staff do.

Supervisor Gardner:

- No report.

Supervisor Kreitz:

- On October 15th, I attended the Mono County Democratic Committee meeting fundraising event
- On October 16th, I met with Chris Bubser, US Congressional Candidate for District 8, later that day I attended the Census 2020 Committee meeting. A representative from

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Evangelists Community Relations, Thomas came to the meeting. He is going to look into the concern around getting participation from Mammoth Lakes given the USPS exclusive use of Post Office Boxes and the US Census's deflation that they won't mail to Post Office Boxes.

- On Monday, October 22, I attended the MLH Governance Committee Meeting and then donated blood.
- On October 23, I attended the initial Mono County Substance Use Task Force/Coalition meeting.
- On October 24, I attended the Yosemite Gateway Partners Housing Summit meeting along with Assessor Barry Beck. I gave a presentation to the group on some of the Mammoth Lakes and Mono County successes in addressing affordable workforce housing.
- October 31, I attended the NACo Rural Impact County Challenge call where we received a presentation on Housing Trust Funds.

Supervisor Peters:

- 17th Phil Kiddoo
- 23rd Barwick/Corless
- 29th Tourism Commission
- 4th Homelessness Workshop CSAC LOC
- HEAP(Home Energy Assistance Program) HHAP(Homeless housing Assistance Program)
- Land Use GP amendments
- PIT Count Drills
- What is best possible creation of housing paths.
- AV Road Projects
- Don Nunn Museum Work Roof Replacement
- AV Fire Department
- **Upcoming:**
- Fisheries Commission
- Great Basin Air Quality Control Board
- IMACA AV RPAC
- Veterans Day 11th Mammoth Fire Station 1 Mammoth lakes Foundation

Supervisor Stump:

- 10-22 - Attended the CSA 1 meeting - TV service discontinuation is proceeding along with County Site cleanup - That Board, and the rest of the Crowley Community, are very pleased with the CSA 1 funded improvements at the Crowley Community Center.
- 10=23 - CAO Barwick and I took a tour of District 2 - Thank you to Steve not just for his time but his interest.
- 10-23 - Attended the Tri Valley Water Commission meeting - Thar Board discussed what action it plans to take if the final DWR Water Basin is confirmed as low. The discussion included whether or not to continue as a member of the Owens Valley Groundwater Authority. The Mono Board will have a similar discussion on 11-12.
- 10-24 - Spent a couple of hours meeting with one of the candidates running to replace me.
- 10-28 - Received update from staff on the status of the "graffiti house". Looking forward to the discussion of that ordinance to see if faster abatement of graffiti can be achieved.

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- There was an apparent arson, appears to be children playing with fire, at the bathroom building next to the Crowley ball field. Caused damage to the drinking fountains but could have been worse. SO took a report. Fountains had been shut down for the winter.
- I am requesting an agenda item to discuss continuing the avalanche program. Staff does not think it necessary but I disagree. The Board established the program and if a majority of Board members no longer think it necessary the so be it. Discussion cannot happen without an item on a agenda. Discussion should also include what to do with the remote weather station that the County was going to install at the McGee County lease site.
- I was in the Reno area last week and took the opportunity to tour the new business development east of Reno. The area is over 100,000 acres and already includes Tesla Battery production. There is a completed four lane highway connecting to development with both Hwys 80 and 50. Connections to get Hwys 95 and 6 are at close to the Hwy 50 junction. Mono County traffic will only increase as the business area develops.
- Also looked at how the Washoe County Government Center accommodates both a drop off area and a bus stop to support ease of access for residents. Hope our new building will do the same.
- 11-4 - Attended the Wheeler Crest Fire Safe Council meeting. Fire Safety, SCE activities included, on the agenda.

ADJOURNED in honor of Hugo Hernandez at 2:44 PM

ATTEST

**JOHN PETERS
CHAIR OF THE BOARD**

**SCHEEREN DEDMAN
SENIOR DEPUTY CLERK**