



**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 Mammoth Lakes Suite Z, 437 Old Mammoth Rd, Suite Z, Mammoth Lakes, CA 93546

**Regular Meeting
November 19, 2019**

9:06 AM Meeting Called to Order by Chairman Peters.

*Supervisors Present: Corless, Gardner, Kreitz, Peters, and Stump.
Supervisors Absent: None.*

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 Supervisor Stump.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2. RECOGNITIONS

A. PSPS Operational Effectiveness Innovation Award

Departments: Information Technology

(Nate Greenberg) - The Mono County Information Technology Department was recently presented with an Innovation Award for its work on managing Public Safety Power Shutoff events. IT Director Greenberg would like to formally recognize the good work from County and Town staff which led to receiving this award.

Action: None.

Nate Greenberg (IT Director):

- Recognizing Olivia Hollenhurst and Eric Miller.
- The award was for Operational Effectiveness, based in large part on work done by Olivia and Eric towards the Public Safety Power Shutoff (PSPS).

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

Steve Barwick (CAO):

- Preparing a report to be presented to the Board about Mono County-owned parcels, emphasis on ones that can be used for housing or can be put up for sale.
- Assistant CAO position has been advertised.
- Meeting with Mammoth Town Manager this Friday to discuss a variety of topics including housing, tax increment financing, solid waste, child care, regional dispatch, and the radio system.
- Bishop City Council approved up to \$25,000 to be used for the feasibility study on the regional radio dispatch center.
- Participated in a scoping meeting on housing with others including Supervisor Kreitz. Helped him find future work plans. Can work on the job description for housing coordinator.
- Continuing to meet with departments and all county employees.

Supervisor Peters:

- There is a need for a new California Highway Patrol office, that is currently in Bridgeport. Would like to see if there are any properties that can be identified for that purpose.

4. DEPARTMENT/COMMISSION REPORTS

Kathy Peterson, Social Services Director:

- Staffing update.
- Losing Megan Foster in the Walker office, retiring due to unforeseen medical issue.
- Supervisor Stump asked that there be a letter of recognition for Megan.

Michelle Raust:

- Introduced Rose Martin, who was recently promoted to Child Welfare Supervising position.

Jennifer Esparza:

- Introduced Alex Amado and Yvonne Freeman, who are new to the eligibility department.

Justin Nalder, Solid Waste Superintendent / Environmental Manager:

- Conway Ranch – Mono Basin Historic Society approached County to see what they can do to assist.
- County Counsel Stacey Simon asked that the item be agendaized in order to discuss everything the Board wanted.

Wendy Sugimura, Community Development Director:

- The building code cycle goes into effect January 1, which precipitates a flurry of applications trying to meet that cycle. The deadline for building applications is December 29. A complete application requires a planning permit.

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. Children's Medical Services Plan

Departments: Health Department

Mono County Children's Medical Services (CMS) Fiscal Year 2019-2020 Plan. This document includes Certification Statements, agency information, data

forms, performance measures and budgets and is an annual requirement for the CMS program. These programs are funded with a mix of Federal Title XIX (Medicaid), Federal Title XXI funds, State General Fund and Realignment dollars totaling \$199,174. This year's allocation is \$82,883 less than the prior year's allocation, yet the scope of work and caseload remains unchanged.

Action: Approve the Mono County Children's Medical Services (CMS) Plan for fiscal year 2019 – 2020 and authorize the Chairman to sign two copies of the California Children's Services Certification Statement and two copies of the Child Health and Disability Prevention Program Certification Statement.

Kreitz moved; Gardner seconded

Vote: 5 yes; 0 no

M19-248

B. YARTS Grant Application to CalSTA for the 2020 TIRCP Grant

Departments: Board of Supervisors

The Transit and Intercity Rail Capital Program (TIRCP) provides grants from the Greenhouse Gas Reduction Fund (GGRF) to fund transformative capital improvements that will modernize California's intercity, commuter, and urban rail systems, and bus and ferry transit systems, to significantly reduce emissions of greenhouse gases, vehicle miles traveled, and congestion. The Yosemite Area Regional Transportation System (YARTS) has asked the Mono County Board of Supervisors to write a letter of support for its grant application to the California State Transportation Agency (CalSTA).

Action: Approve the letter of support for the YARTS application to CalSTA for the 2020 TIRCP Grant for the purchase of six battery electric over-the-road coach buses and solar mobile charging systems.

Kreitz moved; Gardner seconded

Vote: 5 yes; 0 no

M19-249

C. Consolidation of Elections - Mammoth Lakes Fire Protection District

Departments: Elections

The Mammoth Lakes Fire Protection District has requested that its Special Election on the imposition of a special tax on each parcel of land within the boundaries of the District to pay for fire protection services be consolidated with the 2020 Presidential Primary Election on March 3, 2020. and that the Mono County Elections Division conduct the election and canvass the returns.

Action: Adopt Resolution R19-81, Approving the Mammoth Lakes Fire Protection District's Request to Consolidate its Special Election with the March 3, 2020 Presidential Primary Election.

Kreitz moved; Gardner seconded

Vote: 5 yes; 0 no

R19-81

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. Letter from U.S. Congressman Rodney Davis re Ballot Harvesting and State's Response

The Mono County Elections office recently received a letter from a ranking member of the U.S. House Committee on House Administration, Rodney Davis, regarding concern over "ballot harvesting" in the State of California. Apparently all California counties were sent this letter. Upon notification from various counties to the Secretary of State regarding the letter, Secretary Padilla drafted and sent out a reply letter on behalf of all the counties in the state. Both the original letter and his response are attached, for informational purposes.

Supervisor Stump:

- Is the County going to rely on the Secretary of State's response or will there be a separate response from the County?

Jason Canger, Deputy County Counsel:

- Is working with the Elections office to review questions to see how to respond, if necessary.

B. Letter regarding Mill Creek and Wilson System

Letter from the Mono Lake Committee, Inyo National Forest, Bureau of Land Management, California Department of Fish and Wildlife, American Rivers, California Trout and Southern California Edison responding to Board of Supervisors' July 16th letter regarding environmental stewardship and transparency in the Mill Creek and Wilson System in the northern Mono Basin of Mono County. This letter was intended for inclusion with the November 12, 2019, agenda, but was inadvertently omitted.

C. Letter from Crystal Joy Condor re Housing Issues in Mono County

Letter received from Crystal Joy Condor regarding her concerns about housing issues in Mono County.

Supervisor Kreitz:

- Personally reached out to Stanislaus, and has been difficult to get a response.
- Asks that someone from Stanislaus come speak to the Board and staff here in Mono County.

Crystal Joy Condor:

- Explained why she applied for the program. She said her rent was too low for the guidelines.

Stacey Simon, County Counsel:

- This warrants a full agenda item.
- And it's Stanislaus Housing Authority which is not part of Stanislaus County, and it covers multiple areas including Mono County.

Patricia Robertson, Executive Director Mammoth Lakes Housing:

- Housing choice voucher program. A housing authority can request that the market rates be increased. Happy to work with team to discuss how to facilitate that.

Break: 9:54 AM

Reconvene: 10:06 AM

7. REGULAR AGENDA - MORNING

A. Public Hearing: Proposed Ordinance Amending Chapter 15.40 of Title 15 of the Mono County Code Enacting Housing Mitigation Requirements

Departments: Community Development, Finance

(Wendy Sugimura, Megan Mahaffey) - Proposed ordinance amending Chapter 15.40 of the Mono County Code enacting housing mitigation requirements and resolution setting the fee structure and proposed ordinance continuing existing suspension of housing mitigation requirements until February 9, 2019, or another date as directed.

Action: (1) Introduce, read title and waive further reading of proposed ordinance amending Chapter 15.40 of the Mono County Code enacting housing mitigation requirements; and (2) Introduce, read title and waive further reading of proposed ordinance extending the current suspension of the Mono County Housing Mitigation Ordinance to February 9, 2020.

Kreitz moved; Peters seconded

Vote: 5 yes; 0 no

M19-250

Wendy Sugimura:

- Introduced item and went through presentation.
- Could go back to what the Board recommended but have to consider the underlying policy to justify that choice.
- Attachment 2 – Ordinance, Fee Resolution comes back as separate public hearing on December 10.
- Correction: Housing fund is Housing fund not Housing TRUST fund. Striking that word.

Public Hearing Opened: 11:11 AM

Public Hearing Closed: 11:12 AM

Continued to the afternoon agenda. At that time will consider other recommended actions.

Returned to item at 1:34 PM

Wendy Sugimura:

- Summarized changes made. Handed out documents with changes (see additional documents).

B. Public Safety Power Shut-Off Discussion

Departments: Board of Supervisors

Discussion of public safety power shut-off events (PSPS events) in Mono County, including specific local concerns and proposed solutions. SCE Executives had been scheduled to attend this item, but before the agenda was

finalized, they were called to a meeting in Sacramento. Comments on November 8, 2019 post-event report by Southern California Edison.

Action: None if no motion taken.

Direct staff to provide feedback to California State Association of Counties (CSAC) on November 8, 2019 PSPS post-event report of Southern California Edison.

Nate Greenberg:

- Introduced item.

Items 7c to 7g moved to afternoon.

Moved to closed session at 11:58 AM

C. Civic Center Update

Departments: Public Works

(Tony Dublino, Director of Public Works) - Monthly update on the progress of the Mono County Civic Center at 96 Thompson Way in Mammoth Lakes

Action: None.

Tony Dublino, Public Works Director:

- Provided an update of the Civic Center progress.
- Transition team meeting tomorrow to discuss the move.
- Can add site plan, basic drawings, and estimated time of occupancy to the website.
- Have discussed need for bus stop but have not identified a location.

Supervisor Peters:

- Would like a "Coming soon" sign on a flyer – the be posted around town so people can be aware of it.

D. Solid Waste Update

Departments: Public Works - Solid Waste

(Justin Nalder) - Update and discussion on recommendations from the 2019 Grand Jury Report relating to future solid waste services.

Action: None.

Justin Nalder:

Grand Jury Report response.

Moved to item 7a.

E. 2019 / 2020 California State Association of Counties (CSAC) Nominations

Departments: Board of Supervisors

(Chair Peters) - Nomination of a member and alternate to serve on the California State Association of Counties (CSAC) Board of Directors for 2019/20.

Appointment of individuals nominated by the Board is made by the CSAC Executive Committee and appointments are for one year.

Action: Appoint Supervisor Peters to serve on the CSAC Board of Directors for the 2019/2020 Association year beginning December 5, 2019; appoint Supervisor Jennifer Kreitz to serve as the alternate.

Corless moved; Gardner seconded

Vote: 5 yes; 0 no

M19-251

F. Appointment of 2020 RCRC Delegates

Departments: Board of Supervisors

(Chair Peters) - Each year the Mono County Board of Supervisors appoints a Delegate and two alternates to serve on the RCRC board. The Delegate and first alternate (for RCRC and Golden State Finance Authority Boards) are Mono County Supervisors; the second alternate (who serves on the RCRC Environmental Services Joint Powers Authority) is typically the Solid Waste Superintendent. RCRC has requested confirmation of delegates/alternates for the 2020 calendar year.

Action: Appoint Supervisor Stacy Corless as the 2020 RCRC delegate; appoint Supervisor John Peters as the first alternate; appoint Justin Nalder as the second alternate (to the RCRC ESJPA board in his capacity as Solid Waste Superintendent). These appointments will expire in December 2020.

Gardner moved; Kreitz seconded

Vote: 5 yes; 0 no

M19-252

G. Letter of Support for California Department of Fish & Wildlife Proposition 1 Grant Application

Departments: Board of Supervisors

(Chair Peters) - The proposed letter is in support of a Proposition 1 Grant Application to the California Department of Fish & Wildlife for the John Muir Trail Foundation Wilderness Restoration Program, in the Ansel Adams Wilderness.

Action: Approve and authorize Chair to sign letter of support.

Corless moved; Gardner seconded

Vote: 5 yes; 0 no

M19-253

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

9. CLOSED SESSION: 11:58 AM

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 - Public Employment

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

C. 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.

D. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: *United States, Walker River Paiute Tribe v. Walker River Irrigation District et al*, U.S. District Court of Nevada, Case No. 3:73-cv-00127-MMD-WGC.

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

Reconvene: 1:08 PM
Nothing to report out of Closed Session.

Moved to item 7c.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

11. BOARD MEMBER REPORTS

Supervisor Corless:

- 11/14- NACo Public Lands Steering Committee Call
- RCRC Executive Committee Meeting: approved budgets, recommendations for membership criteria that will go to the full board in December.
- 11/16 - Mill City CERCLA (Superfund) Site Investigation Update/Meeting with Cabin Owners: after conducting more soil testing, USFS has better idea of the scope of cleanup, and shared "response action" alternatives for minimizing exposure to heavy metals in the cabin tract, the preferred one costing nearly \$6 million for onsite encapsulation/bringing in soil to cover up the contaminated soil and removing some 900 trees. They also need to clean up the actual Mill site, which will cost an additional \$4 million or so. There is no time frame for starting this...USFS will release the full investigation report later this month.
- Sierra Nevada Conservancy Watershed Improvement Program capacity assessment report released—findings for Eastside: "This geography has the least amount of collaborative activity and organizational capacity. Resources are needed at a basic level to promote collaboration and

- partnership development and to build capacity to design, fund, and implement
- projects. Many tribal organizations in this geography have a difficult time engaging with
- planning processes and public land management efforts.” I am submitting this assessment with my board report.

Supervisor Gardner:

- Last Wednesday Nov. 13 I participated in a conference call with the NACO Public Lands Steering Committee. Topics covered included the status of Federal budget appropriations (no bills passed, and the US government is still operating under a Continuing Resolution, which will expire Thursday but will be extended until Dec. 20), summaries of recent hearings on the Payment in Lieu of Taxes Program, the Secure Rural Schools Program, and the Renewable Energy Development Act (this latter legislation would speed up geothermal project applications), and the Good Neighbor Authority in the US Forest Service, which expands cooperative opportunities with USFS and counties.
- Also, on Wednesday I attended the Mono Basin RPAC meeting. Topics covered included the recent SCE Power Outages, the General Plan amendments, and Mono Basin concerns regarding USFS support for the region.
- I recently received information regarding the Lee Vining/Hess Park Pioneer Solar Pavilion. Oct. 31 was the 1-year anniversary of the 21 solar panels at Hess Park and they have produced about 9,300 kWh (kilowatt hour) of power that went to the grid. June and July were the peak months producing an average of 37-38 kWh/day or 3.4 kWh for 11 hours. In contrast, Dec. produced only 270 kWh with an average of 8.7 kWh/day or 1.24 kWh for 7 hours.
- Also, I recently received information about the Lee Vining/Hess Park car charger. A level 2 universal electric vehicle car charger was installed on September 24 with the capability to charge two cars at once. There is a meter on the car charger circuit that provides usage information. As of October 31, 23 cars have used the charger using a total of 204.2 kWh: 15 charged for 1 hour or less, 7 charged for about 1-3 hours, and one car charged overnight. An electric car uses 3.4 or 7.5 kW/hr. depending on the car so in summer, the solar panels can offset five hours of cars charging at 7.5 kW/hr. and 1 hour of charging in December. The cost of charging these 23 cars so far is \$0 (\$16.10, if it weren't offset by the solar panels).

Supervisor Kreitz:

- November 6-8th I attended the California Coalition for Rural Housing Annual Summit and Board meeting. California Senator Scott Wiener spoke about his bills to expand multi family housing to all zones in California - 75% of the state is zoned for single family homes. California State Treasurer, Fiona Ma spoke about some of the programs her offices offers and a program she is working to get off the ground - a revolving loan fund for infrastructure projects. I cofacilitated the “Not Just Your Granny’s Flat: Strategies to Make Accessory Dwelling Units a Rural Solution” workshop. There was consensus on need to market new laws, reduce fees, and establish viable financing tools for homeowners. I continue to talk with people in the legal aid services industry about our lack of such services in the Eastern Sierra. With \$300 mm in state funding for legal aid, it seems reasonable for Mono and Inyo Counties to have this service at some regular and dependable level, at a minimum.
- On Wednesday, November 13th, I participated in the NACo Community, Economic and Workforce Development Steering Committee conference call. We discussed the Committee’s 2020 Legislative priorities, which were a result of a committee survey. The top priority is to support increased funding for CDBG & HOME Programs.
- Later that day I attended the Census 2020 Committee meeting. The team is gearing up for a public outreach campaign to raise awareness beginning in January for the April Census. And after that I had a call with a developer interested in partnering with larger employers in the area on housing development.

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- November 14th, I took part in the Mono County Treasury Oversight Committee Meeting.
- This past Saturday, I attended part of the USFS meeting on the Mill City cleanup project.
- Yesterday, I took part in the LTC meeting. ESTA executive director, Phil Moores shared a copy of their annual report and is celebrating his one-year anniversary with ESTA. They must electrify 25% of their fleet by 2026 and 100% by 2029. Mono County feet? I then attended a special meeting of the MLH Board where we approved a contract with Kevin Daly Architect for the design work on the 238 Sierra Manor Road property for conversion from commercial to apartments.
- Following up from last week's meeting and the agenda item on Wilson and Mill Creeks. After 20 years of uncertainty, it's difficult for me to see that the upcoming presentation is going to resolve this matter. It seems it will require a third neutral party. I believe the CSWRCB could help here and want to reiterate that I believe the Board should write to them for guidance, input and assistance.

Supervisor Peters:

- 12th BP RPAC
- 16th Marine Corp Ball
- 18th LTC
- 18th Dana Jorgensen Sen Borgeous and Asemb Bigelow
- Ted Gaines BOE District 1 member 30 Counties
- Veterans Day 11th Mammoth Fire Station 1 Mammoth lakes Foundation Keynote George Savage Mayor Pro Tem Lynda Salcido
- ESAAA Board member
- Upcoming:
- CSAC Annual
- No Meeting on December 3rd

Supervisor Stump:

- 11-14 : Attended the Owens Valley Groundwater Authority meeting - Advised the Authority that Mono would continue to participate at least until the GSP is prepared - Had good presentations from the consultant doing the plan and Bob Harrington on hydrology of the region. Still no word from DWR. The Inyo Board has requested their staff to prepare a letter to DWR asking them to make notification sooner than later. I requested a copy hoping that our Board can do the same.
- 11-18 : Attended the Local Transportation Commission - Received Annual Report from ESTA - Regional Transportation Plan update was presented and will occupy a major portion of the December meeting since it has to be adopted by then - Supervisor Kreitz has put in considerable work on this and I appreciate her efforts.

ADJOURNED at 2:03 PM

ATTEST

**STACY CORLESS
CHAIR OF THE BOARD**

SCHEEREN DEDMAN
SENIOR DEPUTY CLERK OF THE BOARD