

# 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 July 2, 2019

9:02 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 Sheriff Braun.

# 1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

# 2. RECOGNITIONS

# A. Recognition of California State Park Ranger Dave Marquart

Departments: Board of Supervisors

(Supervisor Gardner) - Proposed resolution in appreciation and recognition of Dave Marquart, Mono Lake Tufa State Natural Reserve Park Ranger, who will be retiring.

**Action:** Adopt resolution in appreciation and recognition of Dave Marguart.

Gardner moved; Stump seconded

Vote: 5 yes; 0 no

M19-139

# **Supervisor Gardner:**

- Introduced item, and Dave Marquart.
- Read proclamation.

#### **Dave Marquart:**

• Spoke of his career and expressed his gratitude to the Board.

# B. Recognition for Mono County Sheriff Search and Rescue Team

Departments: Sheriff

(Sheriff Ingrid Braun) - Proposed resolution in appreciation and recognition of the Mono County Sheriff Search and Rescue Team.

**Action:** Approve resolution of Appreciation and Recognition of the Mono County Sheriff Search and Rescue Team.

Stump moved: Corless seconded

Vote: 5 yes; 0 no

M19-140 Sheriff Braun:

- Introduced item. Read proclamation.
- Introduced Alex Kirsonis. He was rescued by the Mono County Search and Rescue team. He was trapped under a boulder and remains friends with one of the team members.
- Alex expressed his gratitude to the group.
- Recognized two coordinators: John Pelichowski and Crystal (??) Hansen.
- Discussed the use of the Snow Cat that was recently approved by the Board to purchase.
- There is a non-profit. organization that people can donate to.

### Barry Beck John Pelichowski

Break: 9:30 AM Reconvene: 9:32 AM

#### 3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

**Dave Wilbrecht, Interim CAO:** 

- Continuing to meet with Department Heads. More discussion in Closed Session.
- Hoping CAO Recruitment will be completed.
- Working with CCP Executive Committee.
- Attended meeting with Nate Greenberg in Bishop on local dispatch.

#### 4. DEPARTMENT/COMMISSION REPORTS

Shannon Kendall, County Clerk:

• Discussed the CAO Recruitment. Expressed gratitude to Rebecca Buccowich, Megg Hawkins, and Scheereen Dedman for their work.

#### **Justin Nalder, Solid Waste Superintendent:**

- Mammoth Lakes community clean up event on June 8.
- Fee waiver program: 2018-19 waived a little over \$22,000 of waste.
- Metal recycling: Processed and shipped 715 tons of metal; expecting a payback of \$50 / ton.

Conway Ranch, AB 88, requirement measuring and reporting of water diversion data.
 Two diversion points left to be fitted with instruments, both should be completed by the end of the week.

### Nate Greenberg, IT Director:

Radio project update: He will be back in late August with the study that is coming out.
 County retained federal engineering to develop a strategic plan for the engineering aspect of County radio.

#### Wendy Sugimura:

- Pumped storage project: in the last meeting stated would do a staff cover report. Turned
  out to be more complicated, so will be bringing back a letter to the Board next week.
- Thanked Michael Draper for his work on this and Tioga Inn specific plan.

#### Barry Beck, Assessor:

- Successfully closed roll on June 20.
- Total roll increase was just over \$352 million, 5.86% increase since 2018.
- Removed 304 properties from reduced status this year.

#### **Sheriff Braun:**

 Fatal collision north of Walker. A car crossed the double yellow line. Serves as a reminder to slow down and pay attention.

### 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. Authority to Hire at Step B - Probation

Departments: Probation

The Probation Department is seeking to fill a vacant Deputy Probation Officer I/II/III position. The Department is requesting authorization to offer employment at Step B of the salary range (Range 59) for this position, based on the candidate's past experience and qualifications.

**Action:** Grant the Probation Officer authority to fill a Deputy Probation Officer I/II/III position (Range 59) at Step B.

Stump moved; Gardner seconded

Vote: 5 yes; 0 no

M19-141

# Supervisor Stump:

- Pulled item.
- Asked if this position was being back-filled and for a clarification of the mention of MCPE (Mono County Public Employee bargaining unit) in the staff report.

### Karin Humiston, Probation Chief:

- This is a modification of the probation assistant position.
- Probation Department employees are under DPO. MCPE should not be there.

# **B. June Lake Citizens Advisory Committee Appointment**

Departments: Community Development - Planning

Consider the appointment of Joseph Bogorad for the June Lake Citizens Advisory Committee, as recommended by Supervisor Gardner.

Action: Appoint Joseph Bogorad to the June Lake Citizens Advisory Committee

for a term ending December 31, 2023. Corless moved; Halferty seconded

Vote: 5 yes; 0 no

M19-142

# C. Street Identification Signs in Bridgeport Valley

Departments: County Counsel and Public Works

Proposed resolution authorizing the purchase, installation and maintenance of street identification signs on privately-owned roads located in the Bridgeport Valley to facilitate emergency response, and authorizing the Public Works Director to accept, on behalf of the County, easement grants necessary for said purposes.

**Action:** Adopt proposed resolution R19-48, Authorizing the purchase, installation and maintenance of street identification signs on privately-owned roads located in the Bridgeport Valley to facilitate emergency response and authorizing the Public Works Director to accept, on behalf of the county, easement grants necessary for said purposes(4/5 vote required).

Corless moved; Halferty seconded

Vote: 5 yes; 0 no

TOIC. 0 yes, 0

R19-48

# D. Economic Development, Tourism & Film Commission - Reappointment

Departments: Economic Development

Reappointment of Geoff McQuilkin to the Economic Development, Tourism & Film Commission for a 4-year term, July 1, 2019 - June 30, 2023.

**Action:** Reappoint Geoff McQuilkin to the Economic Development, Tourism & Film Commission for a 4-year term beginning July 1, 2019 and ending June 30, 2023.

Corless moved; Halferty seconded

Vote: 5 yes; 0 no

M19-143

# E. First Amendment to Agreement with McGinley and Associates for Groundwater Sampling and Reporting Services

Departments: Public Works - Solid Waste Division

Proposed amendment to contract with McGinley and Associates, Inc. for groundwater sampling, testing, reporting, and related services and work.

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**Action:** Approve First Amendment to agreement with McGinley and Associates, Inc. and authorize Interim County Administrative Officer to execute the First Amendment on behalf of the County.

Corless moved; Halferty seconded

Vote: 5 yes; 0 no

M19-144

# F. Ordinance Amending Mono County Code Section 10.17.100 – Use Restrictions in County Skateboard Parks

Departments: County Counsel

Amendment to Mono County Code Chapter 10.17, Section 10.17.100 to add the Crowley Lake Skate Park to the list of Skateparks to which certain use restrictions apply.

**Action:** Adopt proposed ordinance ORD19-03, Amending Chapter 10.17, Section 10.17.100 of the Mono County Code to add the Crowley Lake Skate Park to the list of Skateparks to which certain use restrictions apply.

Corless moved; Halferty seconded

Vote: 5 yes; 0 no

ORD19-03

# G. Amendment to Mono County Code Chapter 7.08 - Retail Food Facilities

Departments: Environmental Health

Amendment to Chapter 7.08 - Retail Food Facilities, which will incorporate and adopt the California Retail Food Code, by reference, with a single change to restroom requirements for food facilities with onsite customer seating.

**Action:** Adopt proposed ordinance ORD19-04, Amendment to Chapter 7.08 - Retail Food Facilities, which will incorporate and adopt the California Retail Food Code, by reference, with a single change to restroom requirements for food facilities with onsite customer seating.

Corless moved; Halferty seconded

Vote: 5 yes; 0 no

ORD19-04

# H. Out-of-State Travel Authorization for NACo's 84th Annual Conference and Exposition

Departments: Board of Supervisors

Out-of-state travel request for Supervisors Gardner and Halferty to attend the National Association of Counties' (NACo) 83rd Annual Conference and Exposition in Las Vegas, NV.

**Action:** Approve out-of-state travel for Mono County Supervisor Bob Gardner and Supervisor Jennifer Halferty to attend NACo's 84th Annual Conference and

Exposition in Las Vegas from July 12-15, 2019.

Corless moved; Halferty seconded

Vote: 5 yes; 0 no

M19-145

**Supervisor Corless:** 

• She will also be attending this conference, but at no cost to the County.

#### 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. TOML Letter to Madera County Regarding Emergency Services in Eastern Madera County

A letter from the Town of Mammoth Lakes (TOML) Mayor Cleland Hoff to the Madera County Board of Supervisors discussing emergency and other public services provided in eastern Madera County, stating the Town's shared concerns with the Mono County Board of Supervisors.

# B. Frontier Communications Response to Board Letter re: 911 Outages

Reply from Frontier Communications to May 29, 2019 Board of Supervisors letter discussing 911 outages, providing an update on their process.

#### **Supervisor Peters:**

Pulled item to get an update from Nate Greenberg.

#### Nate Greenberg:

- We are finally making some progress on a very long-standing battle with Verizon.
- Background: The county and TOML has been asking and pushing Verizon to help improve routing and overall service quality in Mono County.

# C. Mono County Board of Supervisors Letter Supporting the Governor's May Revision Proposal on Homelessness Funding

A letter to Assemblyman Bigelow (also sent to Senator Andreas Borgeas) from the Mono County Board of Supervisors, signed by the Chair pursuant to the Board's adopted legislative platform, in support of Governor Newsom's May Revision proposal for the Homeless Aid for Planning and Shelter Program.

### D. TOML Plan the Parcel Notice

The Town of Mammoth Lakes (TOML) is inviting the community to help Plan the Parcel, a planning process for the 25-acre affordable housing site located in the center of town.

# E. Mono County Board of Supervisors Letter Opposing AB 1366

A letter to State Senator Ben Hueso, Chair of the Legislative Committee on Energy, Utilities, and Communications, from the Mono County Board of Supervisors, signed by the Chair pursuant to the Board's adopted legislative platform, in opposition to Assembly Bill 1366 (AB1366), which extends the qualified prohibition upon the California Public Utilities Commission, a department, an agency, or a political subdivision of the state regulating Voice over Internet Protocol (VoIP) - enabled communications services.

# F. SCE Letter re: Mill Creek and Wilson Systems

A letter from Cal Rossi, Southern California Edison (SCE) Government Relations Manager, thanking the Board for the opportunity to discuss their Lundy Hydroelectric Project, and offering to hold an informational briefing at a future Board meeting to discuss the Mill Creek Accounting and Planning Tool.

# G. T-Mobile Notification of Intent to Begin 600MHZ Operations Affecting CSA Over Air TV Broadcast Service

A notice from T-Mobile that they are preparing to commence operations on its 600 MHz spectrum in the Partial Economic Area (PEA) #76, which will affect the over air TV Broadcast service for County Service Areas #1 (CSA1) and #2 (CSA2).

### **Supervisor Stump:**

- Pulled item.
- This letter directly relates to the CSA service previously discussed by the Board, which gave permission for over-air service to be discontinued. This letter amplifies why that needs to happen.
- Need to go back and address some hanging issues, such as what happens with the sites.

# 7. REGULAR AGENDA - MORNING

### A. Cannabis Operation Permit 19-002 - Walker River Farms

Departments: Community Development - Planning

(Hailey Lang) - Consider and potentially approve Cannabis Operation Permit 19-002 (Walker River Farms), an adult-use commercial cannabis microbusiness operation located at 1129 Larson Lane in Coleville, APN #002-110-021. The microbusiness consists of 5,120 square feet of indoor cannabis cultivation in four buildings, processing, distribution, packaging, and labeling.

**Action:** 1. Find that the project qualifies as an exemption under CEQA guideline 15183 and direct staff to file a Notice of Exemption. 2. Make required findings;

approve Cannabis Operation Permit 19-002 (subject to the findings and conditions) as recommended.

Halferty moved; Corless seconded

Vote: 5 yes; 0 no

M19-146

### Hailey Lang, Permit Technician:

- Introduced item.
- Updates to the agenda packet (available in additional documents).
- Went through presentation.

#### Justin Nalder:

Discussed solid waste related issues.

# B. Emergency Management Program Grant (EMPG) update and request for budget amendment

Departments: Information Technology, Finance

(Nate Greenberg, Janet Dutcher) - Beginning Fiscal Year 2018 – 2019, the County Administrative Office and Information Technology (IT) Department assumed management and utilization of the Emergency Management Program Grant (EMPG). Staff will provide a status update of the grant program and request a budget adjustment of \$127,787 to include the approved grant expenditures and funding in the County's Fiscal Year 2018-2019 General Fund budget.

**Action:** Approve increase in Radio budget unit 100-17-151 appropriations and grant revenues of \$127,787 for Fiscal Year 2018-2019. Provide any direction to staff. Requires a 4/5th vote of the Board.

Gardner moved; Corless seconded

Vote: 5 yes; 0 no

M19-147

#### Nate Greenberg:

- Introduced item. Addressed the use of the EMPG monies within the County. Address the budget adjustment.
- Fiscal Impact correction to \$127,787.

# C. Proposed Ordinance Amending Mono County Code Chapter 3.30, Cannabis Business Tax

Departments: Finance; County Counsel

(Janet Dutcher) - Proposed ordinance amending Mono County Code Chapter 3.30, Cannabis Business Tax, to provide for a once-annual payment (4th quarter – due January 31st each year) for cultivators. There is no change to the amount of the tax, which was approved by the Voters.

**Action:** Introduce, read title, and waive further reading of proposed ordinance.

Gardner moved; Halferty seconded

Vote: 5 yes; 0 no

M19-148
Janet Dutcher:

- Thanked County Counsel for their assistance.
- Follow up to May 14 discussion on existing County Ordinance on Cannabis.

Break: 10:48 AM Reconvene: 10:57 AM

# D. Proposed Updates to Mono County Code Chapter 2.84 - "County Administrator"

Departments: County Counsel, CAO

(Stacey Simon and Dave Wilbrecht) - Presentation regarding proposed updates to Mono County Code Chapter 2.84 "County Administrator."

**Action:** Review proposed draft updated code provisions and provide direction regarding additional revisions and/or return to the Board for introduction (first reading).

- Stacey Simon: Introduced item.
- Red line version of updated code handed out (available in additional documents).
- Board direction to bring it back for adoption.

Moved to item 7f.

# E. Exclusive Negotiating Agreement (Integrity Housing)

Departments: Behavioral Health

(Robin Roberts, Amanda Greenberg) - Presentation by Behavioral Health staff regarding entry into exclusive negotiating agreement with Affordable Housing Alliance II, Inc. (dba Integrity Housing) related to the investigation and potential site identification, development and operation of affordable and supportive housing in Mammoth Lakes.

**Action:** Approve County entry into proposed contract and authorize Chair to execute said contract on behalf of the County.

Gardner moved; Halferty seconded

Vote: 5 yes; 0 no

M19-150

#### Amanda Greenberg, Behavioral Health:

Teleconference technical issues - could not present.

### **Stacey Simon:**

- Introduced item. BH Amanda and Robin in Behavioral Health have been working for over a year to move forward on a combined affordable and permanent supportive housing.
- Vision is to have a 30- to 40-unit housing unit.

# F. HUD Proposed Rule Change

Departments: Board of Supervisors

(Supervisor Jennifer Halferty) - A letter to the Department of Housing and Urban Development (HUD) in opposition to its proposed rule "Verification of eligible status," which would restrict eligibility for federal housing assistance based on immigration status.

**Action:** Approve letter to be submitted to HUD and authorize Board chair to sign.

Halferty moved; Corless seconded

Vote: 5 yes; 0 no

M19-149

Supervisor Halferty:

• Introduced item.

Moved to Board reports.

# 8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

# 9. CLOSED SESSION at 11:54 AM

### 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 - Initation of Litigation

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: one.

# 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: Three.

Reconvene: 2:55 PM

Nothing to report out of closed session.

### 10. BOARD MEMBER REPORTS

#### **Supervisor Corless:**

- 6/19—RCRC board meeting, see meeting highlights document (available in additional documents). One highlight was discussion with Natural Resources Secretary Wade Crowfoot on his agency's priorities around wildfire and water issues.
- 6/21—California Association of Local Behavioral Health Boards and Commissions meeting and training in Orange County.
- 6/24-25—CAO interviews, receptions
- 6/26—Community Corrections Partnership Executive Committee Meeting; Town Council/Planning and Ec Dev Workshop on Parcel Development; town council meeting included solid waste franchise agreement update—I made a comment urging the town and county to work together on this (and note that the grand jury report makes a similar recommendations). On the subject of town/county partnership, I am very concerned about the lack of formal communication between the Board of Supervisors and the Town Council, and request that the board agendize a discussion
- 7/1:
- --Meeting at Reds Meadow Resort with owners Bobby Tanner and Claudia Moya, discussing concerns about the road opening and interagency coordination/prioritization, and the status county line adjustment/MOU development.
- · --Mammoth Lakes Housing Board Meeting:
- Measure A presentation—how funds are allocated, reserves, how to change allocations, etc.
- Approved TOML contract
- Approved letter/mixed status residents in subsidized housing
- 7/22—community meeting on Sierra Manor Road project
- Parcel development—MLH wanting more formal role in feedback on development.

#### **Supervisor Gardner:**

- On Thursday June 20 I attended the Eastern Sierra Sustainable Recreation Partnership meeting in Mammoth. I reported to the group the status of the Joint Powers Authority proposal being considered by the Eastern Sierra Council of Governments. ESSRP continues to move forward on several projects increasing and improving recreation across our region.
- On Thursday the 20<sup>th</sup> I also attended a meeting of the First 5 Commission in Mammoth.
  The Commission reviewed the California state Annual First 5 Report and approved the
  budget for the next fiscal year.
- On Sunday, Monday, and Tuesday June 23-25, I participated with the other Supervisors in the receptions and interviews of prospective CAO candidates for Mono County. I appreciate the participation of many County staff and citizens in this process.
- On Wednesday June 26 I participated with supervisor Stump in a meeting of the Local Agency Formation Commission. We reviewed and approved a proposal for an agency boundary change in District 1 and approved the budget for LAFCO for the next fiscal year.
- On Thursday June 27 and yesterday July 1, I participated in two conference calls to discuss proposed policy resolutions for the National Association of Counties Annual Conference coming up July 12-15 in Las Vegas. I have submitted two policy resolutions, one advocating for more funds for federal public lands agencies that benefit our local recreation-based economy, and another urging Congress and the President to enact the federal budget by Oct 1 of each year, thereby avoiding continuing resolutions and potential federal government shutdowns.

### **Supervisor Halferty:**

- Participated in the social meet and greets and interviews for a new CAO on June 23-25th. The events were seamless, many thanks to the staff for organizing these three days.
- On June 26th I attended the joint meeting of the Mammoth Lakes Town Council and the Mammoth Lakes Planning and Economic Development Commission. The topic was the kick-off of the conceptual planning process of The Parcel. The survey, which is now closed, was reviewed. Then the Town's consultant sought clarity and feedback on a range of topics that are to help inform the final concept plan. The final plan is expected in December 2019.

### **Supervisor Peters:**

- 19<sup>th</sup> Town Hall Roger Bloom and Russel Black
- Behavioral Health Social
- Attendees from Bishop
- 20<sup>th</sup> Jan Cutts
- 22<sup>nd</sup> BFEF Annual Fishing Tournament and Dinner
- 23<sup>rd</sup> 25<sup>th</sup> CAO Recruitment
- 26<sup>th</sup> CSAC Regional Meeting in Fresno Economic Development
- Ahmad Alkhayyat Madera County PW Director
- 26<sup>th</sup> IHSS MOE Subcommittee of our IHSS Working Group. Co-Chair with Sup Belia Ramos Napa to determine individual Counties MOE contributions
- 27<sup>th</sup> CSAC Regional Opportunity Zones Workforce Development
- 1st Family Day Lower Twin Lakes MWTC 400 attendees
- Upcoming:
- July 16<sup>th</sup> Cal Trans Contractor Project Manager
- July 17<sup>th</sup> Mammoth High School PSPS Protocol
- Fisheries Commission
- BP Free Fireworks Display and 4<sup>th</sup> events Including Parade Judge Eddie Denton GM
- Hospice Fundraiser
- Lions Club passes out 4000 Flags

#### Supervisor Stump:

- Activities other than CAO Recruitment of 6-23, 24, and 25. Big thank you to all the staff that supported the effort.
- 6-19: Attended Supervisor Peters sponsored Town Hall in Bridgeport to hear the Ca
  Fish and Wildlife staff update on fishing regulations. Thank you to Supervisor Peters for
  getting the CDFW State and Regional Fish Management people here.
- 6-26: Attended the LAFCO meeting. Budget was adopted and Wheeler Crest CSD expansion to cover the recently approved Haber Subdivision was approved.
- 6-26: Attended the Tri Valley Water Commission. Commission continues to wrestle with SGMA issues.
- 6-27: Two-hour meeting with SCE. Topics included Power Safety Shutdowns and grid
  reliability. SCE has prepared a separate report for each Supervisor District. Batter
  backup systems for end of line service areas also discussed. Those areas include North
  County and the Tri Valley. SCE staff reported that the likelihood of a safety shutdown
  has gone up since last year's fires. Still vague issues here. Thank you to Tony Dublino
  for setting up the meeting and sitting in.
- PUC President Picker was scheduled to testify before a State Legislative committee on 7-1 about poor landline service in rural areas effecting 911 availability. He was supplied with over a dozen official letters of complaint from Hammil Residents against Frontier as

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well as a quote from me to share with the representatives. Thank you to Nate Greenberg for his help with this.

Thank you to the Public Works staff who have started the cement replacement project at
the Crowley Community Center. The existing cement had deteriorated to the point that it
was a tripping hazard. Original stairs are being replaced with an ADA rated ramp and a
retaining wall will be installed to protect the sidewalk from the parking lot to the ramp.

Moved to item 7E.

ADJOURNED at 2:56 PM	
ATTEST	
JOHN PETERS CHAIR OF THE BOARD	
SCHEEREEN DEDMAN SR. DEPUTY CLERK	