



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 at far right.

Regular Meeting

MEETING LOCATION
Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

May 7, 2013

9:04 AM Meeting called to order by Chairman Hunt.

*Supervisors present: Alpers, Fesko, Hunt, Johnston and Stump.
Supervisors absent: None.*

Pledge of Allegiance led by Leslie Chapman.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Closed Session: 9:05 a.m.

Break: 10:27 a.m.

Reconvene: 10:34 a.m.

Lunch: 1:30 p.m.

Reconvene: 1:38 p.m.

Break: 3:57 p.m.

Closed session: 4:50 p.m.

Adjourn: 7:00 p.m.

CLOSED SESSION

There was nothing to report out of closed session.

BOARD OF SUPERVISORS

- 1a) Closed Session - IT Director - PUBLIC EMPLOYMENT. Government Code Section 54957. Title: IT Director.
- 1b) Closed Session - Animal Control Director - PUBLIC EMPLOYMENT. Government Code Section 54957. Title: Animal Control Director.
- 1c) Closed Session - Conference with Real Property Negotiators - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: APN: 015-010-065 ("Rodeo Grounds"). Agency negotiators: Supervisors Johnston and Alpers. Negotiating parties: Mono County and Intrawest. Under negotiation: price and terms

of payment.

- 1d) Closed Session - Conference with Legal Counsel - 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.
- 1e) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph. 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.
- 1f) Closed Session - CAO Position - PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Jim Ackles:

- His letter is in correspondence; this is another issue.
- Spoke about property he purchased and values, etc.
- Discussed his experience with Assessor's office; he is not satisfied with customer service received and with letter he received after filing his Assessment Appeal.
- Board suggested he contact County Counsel. John Vallejo, County Counsel, offered to work with Mr. Ackles.

Steve Marti (Fisheries Commission):

- Here to report on a recent Commission meeting; gave brief update.
- Discussed water content levels; very bad numbers. He's very concerned about the levels of water being let in.

2) APPROVAL OF MINUTES

M13-97 Approve minutes of the Special Meeting held on April 2, 2013.

Fesko moved; Stump seconded

Vote: 5 yes; 0 no

M13-98 Approve minutes of the Regular Meeting held on April 9, 2013.

Johnston moved; Stump seconded

Vote: 5 yes; 0 no

M13-99 Approve minutes of the Regular Meeting held on April 16, 2013.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M13-100 Approve minutes of the Special Meeting held on April 25, 2013.

Alpers moved; Johnston seconded

Vote: 5 yes; 0 no

3) **BOARD MEMBER REPORTS**

All Board Member Reports were deferred due to time constraints.

COUNTY ADMINISTRATIVE OFFICE

- 4) CAO Report regarding Board Assignments
Receive brief oral report by County Administrative Officer (CAO)
regarding work activities.

Marshall Rudolph (Acting CAO):

- Deferred due to time constraints.

DEPARTMENT REPORTS/EMERGING ISSUES

Supervisor Hunt:

- Gave update on Lynda Salcido's recovery; it is going to take time for her to heal and be able to travel.

Leslie Chapman:

- Handed out current Financial Statements.
- Issued March 31, 2013; finally got bound copies in.
- Management Report: standard, talks about how findings went. (Stump asked question that Leslie will find answer to.)
- Single Audit Report (A133 – Auditors audit all federal expenditures – findings clean).
- Audit Report (recommended several sections for Board members to read).
- Supervisor Hunt read a letter about economy.

Jeff Walters:

- Tioga Pass – goal is May 11th. This is still the targeted date but last night all three passes closed due to snow.
- He will keep Board updated.
- Park is still handling snow removal and hasn't had to ask for help.

Lynda Roberts:

- Housekeeping item: glitch with wording regarding teleconferencing on Housing Authority agenda. This has been corrected for future meetings.

Bill – SB 391 – Impose \$75 fee on recording real estate documents:

- Would apply to refinances; could be up to an additional \$300 charge to record.
- Discussed possible impacts of this fee.
- The Clerk-Recorder's Association has sent a letter of opposition to this. (The purpose of this bill is to build a fund to help with affordable housing.)
- Wanted Board to review; it is scheduled for a hearing next Monday. If the Board wishes a letter to be drafted stating their position one way or another, she'd be happy to agendize this.
- Board consensus: draft a letter of opposition for next Tuesday.

Garrett Higerd:

- Convict Lake Road Project submitted on April 30th: He's hoping to hear good news.
- There is a lot of work being done on School St. Plaza. Portion of road will be closed for duration; probably at least 30 days.
- Lee Vining Streets project scheduled to begin by end of this week. Will start on 3rd and 4th streets near Nicely's.
- Rock Creek project also in the works.
- Chalfant Project still to be coordinated; to begin next year.
- Supervisor Stump: very supportive of Garrett's efforts and will do whatever he can to keep things moving forward.

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.)

COUNTY COUNSEL

- 5a) Approve Mammoth Community Water District's Amended Conflict of Interest Code - All local government agencies are required by state law to adopt their own conflict-of-interest codes and to review such codes once every two years. However, a local agency should amend its conflict-of-interest code as frequently as circumstances require. As such, the Mammoth Community Water District has amended its 2012 Conflict of Interest Code by Ordinance No. 02-21-13-02 to reflect a new position that has been added to the Code's list of designated employees and seeks approval of its new Conflict of Interest Code by the Mono County Board of Supervisors, its code-reviewing body.

M13-101 **Action:** Approve the new Conflict of Interest Code adopted by the Mammoth Community Water District on February 21, 2013, and direct the Clerk to notify the District's Executive Assistant of the Board's action.
Alpers moved; Johnston seconded
Vote: 5 yes; 0 no

Additional Departments: Public Works

- 5b) ESTA Bus Stop in Chalfant - Request from the Eastern Sierra Transit Authority to install a bus stop at the Chalfant Park on land leased by the County from DWP.

M13-102 **Action:** Authorize the County Administrative Officer to enter into an agreement on behalf of the County with ESTA to install a bus stop at the Chalfant Park on land leased by the County from DWP. Authorize the waiver of any applicable fees for ESTA to install the bus stop.
Alpers moved; Johnston seconded
Vote: 5 yes; 0 no

- 5c) License Agreement re Gateway Landscaping Extension - Proposed license agreement with the Town of Mammoth Lakes, pertaining to an extension of landscaping for the Gateway monument sign.

M13-103 **Action:** Approve County entry into a license agreement with the Town of Mammoth Lakes, pertaining to an extension of landscaping for the Gateway monument sign. Authorize the Board Chair to sign said agreement on behalf of the County.
Alpers moved; Johnston seconded
Vote: 5 yes; 0 no

Additional Departments: Clerk / Recorder

- 5d) Update To MCC Chapter 3.24 - Second Reading - Proposed ordinance amending sections 3.24.020, 3.24.060, 3.24.080, 3.24.100, 3.24.110,

3.24.120, 3.24.140, 3.24.150, 3.24.160, and 3.24.170, repealing section 3.24.130, and adding sections 3.24.180, 3.24.190, 3.24.200 and 3.24.210 to the Mono County Code pertaining to real property transfer tax.

ORD13-01 **Action:** Adopt Ordinance No. Ord13-01, an ordinance of the Mono County Board of Supervisors amending sections 3.24.020, 3.24.060, 3.24.080, 3.24.100, 3.24.110, 3.24.120, 3.24.140, 3.24.150, 3.24.160, and 3.24.170, repealing section 3.24.130, and adding sections 3.24.180, 3.24.190, 3.24.200 and 3.24.210 to the Mono County Code pertaining to real property transfer tax.

Alpers moved; Johnston seconded

Vote: 5 yes; 0 no

REGULAR AGENDA

CORRESPONDENCE RECEIVED

(INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK OF THE BOARD

- 6a) Department of Alcoholic Beverage Control - Application for Alcoholic Beverage License(s) received from the Department of Alcoholic Beverage Control for The Chalfant Mercantile LLC. For information only.
- 6b) J.W. Ackles Letter - Correspondence dated March 27, 2013 from Mr. J. W. Ackles, a Bridgeport resident, regarding a complaint he has with the Mono County Tax Collector's Office.
- 6c) CalRecycle Letter Regarding Benton Crossing - Information dated April 11, 2013, from CalRecycle regarding the removal of the Benton Crossing Landfill Facility from the inventory of solid waste facilities which violate State minimum standards.
Supervisor Johnston:
 - Thanked Tony Dublino for all his efforts on this.

The Board acknowledged receipt of the correspondence.

BOARD OF SUPERVISORS

- 7a) Town of Mammoth Lakes--Information Technology Needs (Marianna Marysheva-Martinez, Town Manager; Mayor Matthew Lehman) - Discuss the request from the Town of Mammoth Lakes for contractual support of the Town's information technology needs. The Board of Supervisors requested this agenda item.

M13-104 **Action:** Direct staff to prepare and negotiate a long term contract and bring back to board; Authorize Acting CAO to enter into a short term agreement that would allow the Town's emergency items (to be defined by the Acting CAO and the IT Director) to be addressed and completed.

Johnston moved; Hunt seconded

4 yes; 1 no: Fesko

Marianna Marysheva-Martinez, (Town Manager):

- The Town would like to utilize the county IT department and acquire services.
- She is very impressed with the response she has gotten from our IT department.
- Town would like to contract with county for all services and ongoing support.
- Town has some critical needs – servers have failed, email inactivity issues, she desperately needs our help.
- Her requests for today are: 1. direct legal staff and IT staff to work with Town to develop contract. 2. Authorize IT Department to assist with emergency needs relating to server issues; maybe a separate stand alone contract.
- She acknowledges that they've fallen behind in responsibilities; moving forward they plan to make this important.
- She will not recommend the money set aside in their budget for anything else but our IT services, shortfall or not.
- She feels the way local governments do business and how they collaborate with other agencies is the trend of the future.
- They eliminated IT person due to major personnel issues she can't address in a public forum.
- It is her understanding that current IT staffing will address the Town's emergency needs.
- She absolutely could hire an outside consultant for long term; she doesn't want to do that. She thinks County has most expertise.
- Next Town/County Liaison meeting is June 20th - she expects shortly after that meeting there would be public discussions regarding solid waste parcel fees.

Matthew Lehman (Town Mayor):

- He doesn't have much to add; he believes we need to work together to operate more efficiently. He sees this as a good opportunity.
- Asked if Supervisor Stump saw improvement at last Liaison meeting regarding solid waste.

Clay Neely:

- Town has some serious IT issues; old equipment, software, etc.
- There is \$84,000 available in this year's Town budget; we should utilize that now.
- We can't just drop everything that our IT department is doing for our county; we would need to work this in.
- He'd initially start with ordering two servers – to be in place within next month or two.
- The Town will need to purchase a "person" for this job.
- They are already connected on the network. He suggested that we house their servers where we have ours in Mammoth.
- If they do this, he'd have to work in his staff with the Town's needed work.
- County will not break and fall apart if they help the Town.

Supervisor Hunt:

- How behind is the Town? Long term partnership or temporary?
- He's fully supportive of this.

Supervisor Johnston:

- Pleased Town is finally asking for help.
- Disturbing that critical infrastructure has been ignored for so long; these are basic things that should have been addressed. The Town never had enough staff.
- There is another potential shortfall projected for Town. How will we know the Town is going to have funding for this in the future?
- He'd go with this but will watch actual costs going into it.

Supervisor Fesko:

- Surprised that they let go of their Senior IT person.
- Doesn't believe it's the county's job to provide services to other entities; he thinks our current IT staff is overworked. He doesn't think one additional person is enough.
- He doesn't think any type of delay for our county due to Town services is acceptable. He doesn't see how he can support this at this time.
- Why don't we tie the Solid Waste parcel fee issue with the IT Computer issue?
- This is not against people that live in Mammoth.

Supervisor Stump:

- Appreciates Town asking for assistance.
- County needs long term commitment to secure stability in our solid waste programs (in terms of parcel fee). And, there will be other things that come up in the future.
- He has no problem taking the first step but there needs to be reciprocity. Asked that Mayor please take solid waste fee issue to Council.
- We need to address their emergency needs first and then he'd agree to a long term agreement tying in parcel fees and IT issues.

Marshall Rudolph:

- The item today is only an idea; not an action item.
- This could turn into a contract; this will all have to come back to the board.
- At a minimum, the Board will want full cost recovery.
- Today, as Acting CAO, he could take action and work on the 2-3 month emergency items.
- He would be comfortable allowing IT staff to start working on this on a workload permitting basis; on an agreed-upon hourly basis.
- Agendize placeholder item for May 21 for a check in/update to see where things are at.

Supervisor Alpers:

- He thinks this is a first good start.
- Good opportunity for us to start working together; there is a lot of water under the bridge; need to move forward.
- If not now, when? If not us, who?

INFORMATION TECHNOLOGY

Additional Departments: Town of Mammoth Lakes

- 8a) Request from Town of Mammoth Lakes for a Rule 20A Loan (Ray Jarvis, Town of Mammoth Lakes; Nate Greenberg) - Request from the Town of Mammoth Lakes for a Rule 20A Loan from Mono County's allocation for the purposes of undergrounding approximately 1,200' of a Southern California Edison power line along Main Street in Mammoth Lakes.

- R13-24** **Recommended Action:** Adopt proposed resolution #R13-24, authorizing the CAO to enter into an agreement with the Town of Mammoth Lakes to loan the County's rule 20A allocation to the Town for the Main Street / Highway 203 undergrounding project. Direct County staff to work with Town of Mammoth Lakes to assist in moving the Main Street project forward. Further direct County staff to begin work on developing a Rule 20 project for Mono County.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

Nate Greenberg:

- Explained Rule 20A.
- Opportunity to pool allocations for the Town for the Main Street/Highway 203 undergrounding project.

Peter Bernasconi, Assoc. Civil Engineer (Town of Mammoth Lakes):

- Explained the Town's needs for this project.
- Provides cooperation between Town and County; the Town doesn't have enough allocations to complete project.
- In the future the Town could assist the County if needed.
- In regards to Mammoth Times article, there were several misquotes.

Marianna Marysheva-Martinez, (Town Manager):

- Town doesn't have a lot of control over BID process.

Matthew Lehman (Town Manager):

- Problem for too long with town is they get a bag of seeds and eat them; this is slowly changing.

Supervisor Fesko:

- Commended staff for working together.
- Great project – this is a good example of collaboration. He supports this.

Supervisor Johnston:

- In the paper, it sounded like if the County didn't do this, we'd be "bad guys"; he didn't like that.
- Direction town is headed with BID – don't ignore basic infrastructure issues.
- He's supportive of this; it's a high priority.

Supervisor Hunt:

- Supportive of this.

BOARD OF SUPERVISORS

- 9a) Digital 395 Report (Michael Ort, Praxis) - In response to a request by the Board of Supervisors, Michael Ort of Praxis will give a progress report and status update about the Digital 395 project.

Action: None.

Taken prior to 7a and 8a.

Michael Ort (Praxis):

- Here to speak about Digital 395 project; and specifically Board's letter from 10 days ago. Email that Nate forwarded regarding response to locations identified in letter.
- With spring weather turning, soil still moist, still waiting for some final decisions from various agencies.
- They've been working on one contractor to find out about impaction requirements.
- They are committed to restoring everything to the state they found it in or even better.
- There are some areas they can't immediately restore because of moist earth; will hopefully be remedied within 2-3 weeks. They are working with county on this project.
- They've had good luck on this project as far as mishaps. They've had very good safety program with little to no incidents.
- Once restoration is done, certain things could surface but they have a 10-year insurance coverage on this project.
- He is still optimistic about completing on time; extensions will be applied for but mostly for administrative purposes.

- Future Broadband: if County is looking for aerial solutions, he believes it will be hard in the future to depend on pole.
- Pole in June Lake failed adding more attachments to them; will be expensive to dig from Hwy 395 into June, but June will not be forgotten.
- Thanked Supervisors and staff for support.

Supervisor Hunt:

- Will there be a lot of restoration after project is done
- Still optimistic about completing this on schedule?
- Will be able to handle his retirement?

Supervisor Stump:

- Are there permits you're waiting for?
- Are extensions being applied for where necessary?
- Poles in Benton? Water company update?

Tim Alpers:

- What about access to June Lake?

Supervisor Johnston:

- Make sure that obvious things are fixed; he understands moist ground issues.
- Safety issues should be addressed immediately.

- 9b) Forest Fire Prevention Act, AB 350 (Supervisor Fred Stump) - The Forest Fire Prevention Exemption Act of 2013, AB 350, joint-authored by Assembly Members Bigelow and Wieckowski, would give private forest-land owners the tools necessary to protect forests from destructive fires by expanding the diameter of a tree stump exempted from the Forest Fire Prevention Exemption under the Timber Harvest Plan.

M13-105 Action: Authorize the Chair to sign a letter of support (for AB 350), on behalf of the Mono County Board of Supervisors.

Stump moved; Johnston seconded

Vote; 5 yes; 0 no

Supervisor Stump:

- Explained nature of item.
- Is asking for Board Support.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Rick Phelps (High Sierra Energy Foundation):

- Refrigerator recycling program. Information handed out. Date scheduled for May 18th.
- Supervisor Fesko: why must the appliances work?
- In order to get the rebate, you want to not have that energy on the grid.

CLERK OF THE BOARD

- 10a) Western Counties Alliance Public Land Update (Kenneth R. Brown) - Receive update from Ken Brown of WCA regarding Public Land Issues. Chairman Hunt is sponsoring this item.

Action: None. Informational Only.

Ken Brown (Western Counties Alliance):

AGENDA (all backup documentation included with packet):

- PILT (Payments in Lieu of Taxes)
- Secure Rural Schools
- Geothermal
- Sage Grouse
- Wild Horse Burro
- Public Land Transfer
- Grazing Fees
- Other Issues
- He will keep Clerk informed of changes and updates.
- He requested Mono County membership in WCA as they go forward with new fiscal year.
- They do work with other organizations.

Supervisor Hunt:

- Do you coordinate with other organizations?

Supervisor Johnston:

- There is a lot of designated wilderness in our area; we need to maintain the quality of environment people come here to see.
- Was wondering why the Southern Utah Wilderness Alliance (SUWA) wasn't a member of the WCA.

PUBLIC WORKS - SOLID WASTE DIVISION

- 11a) Solid Waste - Update (Tony Dublino) - Update on any developments relating to the County Solid Waste program.

Action: None (informational only).

Tony Dublino:

- Enterprise Fund on solid ground this year and shouldn't need the approved General Fund loan.
- Parcel Fees – to be brought to Board on May 21st. Bringing early to hopefully celebrate next year's agreement with the Town.
- Permitting update.
- Brought up LADWP's request for a long term strategic plan; he's currently working on it.

Supervisor Johnston:

- Good work on getting the landfills in line and also on revenues.

Supervisor Stump:

- \$225,000 was encumbered for the solid waste, but won't be used?
- Asked Tony about likelihood of agreements between agencies.

Roberta Reed:

- The \$225,000, if not used, will go back to general fund and can be re-appropriated.

CLERK OF THE BOARD

Additional Departments: Public Works--Facilities Division

- 12a) Status of Antique Clock in Board of Supervisors Chambers (Lynda Roberts and Joe Blanchard) - The antique clock in the Bridgeport Courthouse Board Chambers needs to be repaired a second time since being restored. The Board will consider options pertaining to future efforts and expense to maintain the clock in working order.

Action: None.

Lynda Roberts:

- Her goal was to put this into a historical perspective.
- Explained documentation submitted with packet.
- Clock over time has been a great source of pride as part of historical courthouse.
- Is a working clock vs. a decorative clock an issue?
- Discussed various maintenance alternatives.

Supervisor Stump:

- Stump agrees with this-matter of prioritization; he doesn't think using public money is appropriate.

Supervisor Fesko:

- Fesko agrees with Stump; there are areas where money can be better spent. He's fine with non-working clock.

Supervisor Hunt:

- Does a dysfunctional clock represent a dysfunctional board? He sees historical value of courthouse; there's an image we have to maintain.

Supervisor Johnston:

- He thinks it does reflect on the county to not fix. To argue about a couple hundred dollars about fixing a clock is ridiculous.

Supervisor Alpers:

- What about letting a private entity come in and take care of maintenance? (Mary Booher to look into this.)

Board consensus:

- Each member will put in \$50 to apply toward the repair of the clock.
- The clock will get taken to the clock shop and an estimate will be given. There's even a possibility the repairs needing to be done are under warranty.
- This is a one-time donation. If more than \$250 is required (or if the clock breaks again soon), it will not be fixed again but will remain in the chambers in non-working order. A majority of the Board agreed on this last point, but there was not unanimous agreement among Supervisors.

Joe Blanchard:

- Issues are that staff isn't clear on how to wind the clock.
- He'd put money in for a one time fix.

Additional Departments: Finance

12b) Publication of Mono County Notices (Lynda Roberts and Roberta Reed) - At their regular meeting of February 19, 2013, the Board of Supervisors directed staff to prepare a Request for Proposals for Publication of Legal Notices. The deadline for proposals to be submitted was Friday, March 29, 2013, 3:00 p.m. The County Clerk's Office received proposals from The Sheet and Mammoth Times. Both proposals were submitted timely and were complete, so are presented to the Board of Supervisors for their review.

M13-106 **Action:** Continue to publish Legal Notices in both The Mammoth Times and The Sheet to maximize coverage in the County and the Town of Mammoth Lakes.

Alpers moved; Stump seconded

Vote: 5 yes; 0 no

M13-107 **Action:** Establish contracts between Mono County and The Sheet and

Mono County and The Mammoth Times regarding publication of Legal Notices based on their submitted bids.

Alpers moved; Stump seconded

Vote: 5 yes; 0 no

Lynda Roberts:

- Detailed chart that was included with the packet; costs of legal notices, how it was published, column size, etc.
- Should we have contracts based on the bid?

Supervisor Fesko:

- Asked about full page costs.

Aleksandra Gajewski, Mammoth Times:

- Ted Carleton (The Sheet) distracts people really well.
- The point of legals is to make a decision that best suits the county's needs.
- All staff at Mammoth Times are locals; the paper is owned by a separate company but not run by it.
- New Thursday publication date; display ad bid covers a wide array of readership and distributions; all legals are available online for free. If someone doesn't want to pay .50 for a paper, they can view online or get for free at various spots in Mammoth.
- 50 racks in Mammoth; also sells in bulk.

Ted Carleton, The Sheet:

- Times would be cheaper; so cheap that he doesn't see how they can do it and not operate at a loss.
- The bid demonstrates a show of disrespect.
- His bid is the same for private or public sector; everyone pays the same. The county is paying The Sheet the same fees as they were four years ago.
- His paper is free; the Times costs .50; costs public more.
- Is bid cheaper because product isn't derived with as much love?
- As a function of his price, we are getting better coverage. The Sheet goes to each and every noteworthy event.

Supervisor Alpers:

- How many people pick up both of them?
- If we go with one, we're going to eliminate a number of people that may get the legals.
- He wants to make sure all constituents are reached.
- The times front pages makes more of an impression.
- We should continue to go with both papers.

Supervisor Johnston:

- Being put in a position where they have to choose; for a number of years we've been going with both papers.
- It's costing public more than it should most likely.
- Maybe there is a way to make it cheaper for each paper to operate public notices?
- He has a hunch that not many people pick up the papers for the legal notices; we should continue to publish in both.

Supervisor Hunt:

- He appreciates both papers and reads and enjoys both.
- He's trying to look at it from a consumer standpoint.
- He thinks that the easiest access with the notice would be the Sheet because it's free.
- There is a higher copy distribution with the sheet.
- It isn't that much money to go with both papers but if he has to pick one, he'd pick the Sheet.

Supervisor Stump:

- Concurs with Supervisor Hunt.
- If he has to pick one, he'd pick the Sheet because it's free.
- Votes for both.

Supervisor Fesko:

- Fiscal responsibility is his concern: we shouldn't be paying double for the same service. It adds up.
- He reads both papers. Both papers are in the stores in Walker but the Sheet seems to get picked up more, probably because it's free.
- He'd pick the Sheet if he had to pick, it's free.
- Hates to see the tension between the two papers.
- He thinks we should continue with both papers.

Fiscal Impact: Will depend on Board action.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

- 13a) Rock Creek Ranch Specific Plan Amendment and Tentative Tract Map Modification (Courtney Weiche) - Public hearing regarding proposed amendment to the Rock Creek Ranch Specific Plan and Tentative Tract Map 37-56 (Rock Creek Ranch) which would eliminate 5 density bonus lots within the subdivision, thereby reducing the total number of lots on the TTM from 60 to 55; eliminating the requirement that eleven lots be deed-restricted for an accessory dwelling unit; and making conforming changes to the Rock Creek Ranch Specific Plan.

R13-25 **Action:** Adopt proposed Resolution R13-25; accepting the EIR Addendum and approving Specific Plan Amendment 13-001 and Tentative Tract Map 37-56 Modification.

Stump moved; Fesko seconded

Vote: 4 yes; 0 no; 1 abstain: Johnston

Taken prior to 12 a and 12b.

Supervisor Johnston abstained from this issue.

Courtney Weiche:

Rock Creek Ranch Specific Plan Power Point:

- Background
- Housing Requirement
- Approved Housing Requirement
- Since 2009 Approval
- Approved Housing Mitigation Agreement
- Need Board to approve (1) an amendment to the Tentative Tract Map and (2) an amendment to the Specific Plan
- Environmental Review
- Planning Commission Recommendation

Supervisor Stump:

- Prior Board approved conceptually, PC approved to form, just back to us for final approval?

Stacey Simon:

- The board envisioned that this would come forward.
- This would be consistent with prior board's understanding and original recommendation.

PUBLIC HEARING OPENED: 2:30 P.M.

Matthew Lehman (owner of property):

- Brought forward in response to previous board's attempts for stimulus type program.
- He's here to answer any questions about project.
- Been working on this for 12 years; would just like to not go backward. Without any real estate issues, might be done in ½ this time.
- Property values have come way down.

Supervisor Alpers:

- How long has this process been?

Supervisor Hunt:

- When Housing Mitigation Ordinance was modified it was to stimulate program.

Supervisor Fesko:

- Asked about sewer treatment plan.

PUBLIC HEARING CLOSED: 2:38 P.M.

Supervisor Alpers:

- Commended him on determination.

13b)

General Plan Amendment 13-001, Double Eagle Resort Transient Rental Overlay District (Courtney Weiche) - Public hearing regarding proposed amendment to the General Plan Use Designation Maps to establish a Transient Rental Overlay District allowing nightly rentals in June Lake on four adjoining parcels (APNs 016-094-007, -008, -009, & 016-098-015).

R13-26

Action: The Planning Commission recommends adopting proposed Resolution R13-26, approving and accepting Addendum 13-01 to the Mono County General Plan EIR and approving General Plan Amendment 13-001 creating a Transient Rental Overlay District on four parcels in June Lake.

Alpers moved; Johnston seconded

Vote: 5 yes; 0 no

Courtney Weiche:

General Plan Amendment 13-001/Double Eagle Resort Transient Rental Overlay District Power Point:

- Project Description
- Project Location
- Background
- Chapter 26 Regulations
- Land Technical Advisory Committee
- Planning Commission
- Noticing
- Environmental Review
- Summary of Project Findings
- Planning Commission Recommendation

PUBLIC HEARING OPEN: 2:45 P.M.

Public Comments:

Ralph Lockhart (Owner, Double Eagle Resort):

- Handed out information (to be posted to the website)

- Closest property to guest house is 260 feet away or across Hwy 158.
- Happy to be first applicant coming forward under the Transient Overlay situation.
- Will help to support the community and mountain by having overnight stays at guest house.
- He's been working on this since 2004 – he thanks Vikki Bauer for her work on this.
- There are plenty of opportunities for public input in the process; they will next request a vacation rental permit; he'll report back to board once it's finished.

Supervisor Alpers:

- How long has he been working on this?

Supervisor Johnston:

- He supports this.
- Can you give Board feedback on this process? How they might streamline?

Scott Burns:

- This property is very well suited for transient rental due to its location.

Supervisor Fesko:

- He's glad to see this process going through; supports it.

PUBLIC HEARING CLOSED: 2:54 P.M.

Moved to Item #12b after this one.

Additional Departments: County Counsel

13c) Housing Mitigation Ordinance Workshop (Brent Calloway, Mary Booher, Scott Burns) - Housing mitigation ordinance workshop.

M13-108 **Action:** Direct Staff to pursue Option Two: Extending the Suspension for a period of 18 months.

Stump moved; Fesko seconded

Vote: 4 yes; 1 no: Johnston

Mary Booher (Powerpoint):

- In 2011 Board suspended the ordinance; goes till July 2013 and then would go back to its previous form.

Comes down to six options:

1. No Action
 2. Extending the suspension for a set period of time.
 3. Modifying specific provisions.
 4. Extending the suspension of specific provisions.
 5. Combination of modifying some provisions and suspending other provisions.
 6. Repealing the ordinance.
- This is on planning agenda for Thursday.
 - During that 18 months, staff should bring back additional information to Board in a workshop.

Scott Burns:

- Within a year we will need a housing element update.

Supervisor Fesko:

- This ordinance only applies to county, not town.
- Fesko would like option six.
- He could maybe live with number two but would hope for number five.

Supervisor Stump:

- Preferred option six but could live with two.
- If extend, maybe 18 or 19 months.

- This was not originally well presented to the community.
- Outreach to community was minimal.

Supervisor Johnston:

- He picks no action.
- Battle of fundamental policy here.
- We live in tourist economy – doesn't accommodate regular service people.
- Our Ordinance doesn't even come close to make up for work force required for housing.
- He wants people that live here to be able to work here and participate in everything.
- As government, we can help sustain livable communities.
- This ordinance is set up to be changed if necessary.
- Big step to jerk the rug out from this thing; future very bleak if we don't do something.

Supervisor Hunt:

- Has this been running through the Planning Commission?
- He doesn't want to dispose of all of this; question is how do we monitor changes?
- He supports option two, suspending the extension for 18 months.
- He favors integrated communities.

Supervisor Alpers:

- In thinking long term and the big picture, Ordinance adds order as they develop.
- He favors number two hoping to get to number five at some point.

ADJOURN: 7:00 p.m.

ATTEST:

BYNG HUNT
CHAIR

SHANNON KENDALL
SR. DEPUTY CLERK OF THE BOARD

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