



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
June 18, 2013

MEETING LOCATION
Mammoth Lakes BOS
Meeting Room, 3rd Fl. Sierra
Center Mall, Suite 307, 452
Old Mammoth Rd.,
Mammoth Lakes, CA 93546

9:00 AM

Meeting Called to Order by Supervisor Hunt, Chair

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

Pledge of Allegiance led by Marshall Rudolph, County Counsel

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Closed Session: 9:02 a.m.

Break: 10:30 a.m.

Reconvened: 10:36 a.m.

Lunch/Closed Session: 12:11 p.m.

Reconvened: 1:05 p.m.

Break: 2:52 p.m.

Reconvened: 3:00 p.m.

Adjourned: 5:47 p.m.

CLOSED SESSION

The Board had nothing to report from Closed Session.

BOARD OF SUPERVISORS

1a)

Closed Session - Conference with Legal Counsel - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Mono County v. Mono County Personnel Appeals Board et al.

1b)

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.

- 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 - Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph and Jim Leddy. 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.
- 1e) Closed Session - Public Employment - PUBLIC EMPLOYMENT. Government Code section 54957. Title: deputy county counsel.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- Gary Walker: 1) Better signage about the location of the Board's meeting room is needed on the first floor. 2) Consent Agenda Items 6a and 8a do not contain enough information for complete understanding.
 - Supervisor Fesko: The complete agenda packet is online.

2) APPROVAL OF MINUTES

M13-144 A. Approve minutes of the Regular Meeting held on June 4, 2013, as corrected.

Johnston moved; Alpers seconded

Vote: 5 Yes; 0 No

- Supervisor Fesko: Under first Opportunity for the Public to Address the Board, second bullet point should read, "He's at Renown Hospital and is doing well."
- Supervisor Stump: Item #16b, Aquaculture Plan Consulting Contract, Stump's comments, bullet point #3 should read, "If we take funds from contingency, then we should replace them with Conway Ranch Fund money."
- Supervisor Johnston: Item #17a, Mono County Community Trails Workshop, Danna Stroud's comments, bullet point #3, correct misspelled word to read "wand."

3) BOARD MEMBER REPORTS

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.

Jim Leddy, CAO

1. Attended the monthly management meeting; discussed long-term issues.
2. Attended the Mono Basin RPAC meeting last week. Discussed trail work and volunteer support.

3. Attended the MAG meeting (Mammoth Association of Governments). The speaker was from Cerro Coso Community College; discussed investing in the workforce and how to partner with local agencies.
4. Saturday: Attended the ATV/UTV jamboree dinner in Antelope Valley. This is a great economic development event for the County.
5. That state has passed its budget on time; sent the CSAC initial report to department heads to analyze potential impacts. Invited CSAC staff to give a Board presentation on July 2.
6. Thanked Scott Burns and Nick Criss for traveling to Sacramento to talk with the Mines and Geology Board. Because of their efforts, there are no deficiencies being reported in Mono County.

DEPARTMENT REPORTS/EMERGING ISSUES

- Dr. Johnston: 1) Talked about two workshops held in Mammoth last month: Targeting organizations that deal with visitor populations, and organizations that deal with special needs populations. They discussed balancing family needs and organizational needs when dealing with visitor and special needs populations. The workshops were well attended. 2) Has been appointed to the Governor's EMS Commission; will be attending a meeting in Sacramento. One item on the agenda is the topic of community para-medicine. 3) Last week attended training in Sacramento on public health and the medical mutual aid system. Local training will be coming this fall. 4) Funding for emergency preparedness is stable this year. 5) There was recently an outbreak of Hepatitis A and six families in Mono County were impacted. All the children had been immunized, so no one got sick. 6) Listed a variety of current epidemics worldwide; due to foreign visitors, the local population could be exposed.
 - Supervisor Stump: Referred to the potential mandate for state licensing of first responders. On behalf of the first responders, Stump asked Johnston to express opposition at the upcoming EMS Commission meeting.

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.)

Supervisor Stump: Pulled items 6a and 8a.

HEALTH DEPARTMENT

- 5a) Amendment to the Certified Unified Program Agency (CUPA) Underground Storage Tank Grant Agreement No. G11-UST-14 - Amendment 1 to the Certified Unified Program Agency (CUPA) Rural Underground Storage Tank (UST) Prevention Grant Agreement, Agreement No. G11-UST-14.

M13-145 Action: Approve the amendment to the Certified Unified Program Agency (CUPA) Rural Underground Storage Tank Prevention Grant Agreement No. G11-UST-14.

Alpers moved; Stump seconded

Vote: 5 Yes; 0 No

COMMUNITY DEVELOPMENT - PLANNING DIVISION

- 6a) Employment Agreement with Heather deBethizy - Resolution approving an employment agreement with Heather deBethizy and prescribing the compensation, appointment, and conditions of said employment.

R13-45 Action: Adopt Resolution #R13-45, approving an employment agreement with

Heather deBethizy and prescribing the compensation, appointment, and conditions of said employment.

Alpers moved; Johnston seconded

Vote: 5 Yes; 0 No

- Scott Burns, Community Development Department: This agreement is changing deBethizy from full time to 80%, and the salary will be reduced 20%. She will work on duties that she can do remotely, and will be attending meetings, such as the Mono Basin RPAC. She will continue to have access to her office phone, and will remain integrated in the department. The department needs to retain deBethizy because she is involved with two grants.

ELECTIONS

7a) Help America Vote Act Polling Place Accessibility Training Program Grant - The purpose of this agreement is to provide the County of Mono with federal reimbursement funds to assist in implementing HAVA Section 261 (Help America Vote Act). Funds will be used for required training (Polling Place Accessibility Surveyor Training), conducting accessibility surveys of polling places, purchasing mitigation supplies, and assisting with upgrading Memorial Hall restroom to meet ADA standards.

M13-146 **Action:** Approve entry into an agreement (#13G26116) with the California Secretary of State for receipt of up to \$30,000 to be used for the HAVA Polling Place Accessibility Training Program, and authorize the Mono County Registrar of Voters in consultation with County Counsel to sign said agreement, including future amendments, if any.

Alpers moved; Stump seconded

Vote: 5 Yes; 0 No

FINANCE

8a) May Transaction Report - Monthly Portfolio Transaction Report for May 2013.

M13-147 **Action:** Receive report.

Alpers moved; Johnston seconded

Vote: 5 Yes; 0 No

- Leslie Chapman, Finance Director: The monthly investment report shows money coming in, how it was invested, and what came out; it includes accrued and earned interest. There is a large amount of cash in Oak Valley Bank because April is when the second installment of property taxes are deposited into the local bank. The funds are then transferred into the investment fund.

PUBLIC WORKS - ROAD DIVISION

9a) Regional Surface Transportation Program (RSTP) State Match Exchange - Mono County just received their Optional Regional Transportation Program (RSTP) Federal Exchange and State Match Program for FY 2012/2013.

M13-148 **Action:** Approve Agreement for Optional Regional Transportation Program (RSTP) Federal Exchange and State Match Program for FY 2012/2013.

Alpers moved; Stump seconded

Vote: 5 Yes; 0 No

BOARD OF SUPERVISORS

Additional Departments: CAO, County Counsel

- 10a) Resolution Adopting Revised Management Benefits Policy - Proposed resolution amending the policy regarding benefits of management-level officers and employees.
- R13-46** **Action:** Adopt Resolution #R13-46, amending the policy regarding benefits of management-level officers and employees.
Alpers moved; Stump 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

- 11a) Mono County Fisheries Commission - Letter from Mono County Fisheries Commission regarding termination of the Conway Ranch water master contract with Mr. Fred Fulstone.
- 11b) Mt. Whitney and White Mountain Ranger Districts - Correspondence dated June 4, 2013 from Margaret Wood, District Ranger of the Mt. Whitney and White Mountain Ranger Districts regarding an Environmental Assessment for a proposal to implement a restoration project along with information on how to comment on the EA.

The Board acknowledged receipt of correspondence.

BOARD OF SUPERVISORS

- 12a) Resolution Recognizing George Milovich for His Years of Service with Mono County (Byng Hunt, Chair) - Resolution of Appreciation recognizing George Milovich for his years of service with Mono County.
- M13-149** **Action:** Approve Resolution of Appreciation recognizing George Milovich for his years of Service with Mono County.
Hunt moved; Johnston seconded
Vote: 5 Yes; 0 No
- Supervisor Hunt: Read the resolution and presented it to Milovich.
- George Milovich: Thanked the Board for this recognition. He has enjoyed working with the Mono County Board of Supervisors, and has been proud to serve this region. He appreciates the Board, Staff, and Department Heads. Some of the best quality people are working in Mono County.

CLERK OF THE BOARD

- 13a) Sierra Nevada Conservancy Proposition 84 Report (Julie Bear, Mt. Whitney Area Representative) - Presentation of the results/impacts of the Proposition 84 grant program administered by the Sierra Nevada Conservancy. Chairman Hunt has agreed to sponsor this item.

Action: None, informational only.

Danna Stroud, Sierra Nevada Conservancy: Apologized on behalf of Julie Bear; she could not attend due to issues with a wildfire. Stroud gave a brief update about the activities and work of Sierra Nevada Conservancy; she will provide hard copies of the Prop 84 report when it is available.

- SNC is a state land conservancy agency that was formed in 2004 and consists of 22 counties in the Sierra Nevada region. It is governed by a 16-member board; Supervisor Hunt is a representative for the Eastside. Three members are appointed by the Governor, and three members are at-large.
- Reviewed the SNC mission, and its seven mandates.
- Mono County has received nearly \$2.8 million in Prop 84 funds, which have supported 13 projects. Reviewed the list of grantees that have received funding, and the list of specific projects that have been funded.
- Currently SNC is hosting a part-time AmeriCorps member to assist with projects. They are hoping to secure a full-time member.
- SNC is embarking on the Sierra Nevada Forest and Community Initiative. They will act as a liaison to public land management agencies, linking them with communities.
- The geo-tourism map is a joint-funded project with Sierra Business Council. SNC's role has been to help start promotional funding and reach out to the business community to help build and populate the website.
- The Great Sierra River Cleanup Project will be held September 21, 2013. Two locations have been identified; there may be others. This is done in partnership with the Coastal Commission.
- Regarding SNC's future, they will: 1) Administer the remaining Prop 84 grant funds (about \$2.4 million), focusing on projects that will improve the health of the forest and habitat conditions, use biomass materials, and improve water quality. They are working with County staff to identify projects that will fit within these criteria. 2) Ensure inclusion of SNC in any water bond measures. 3) Lend support to regional initiatives.
- Stroud thanked the Board for their on-going support. SNC is organizing a legislative tour of the Eastern Sierra in September. She invited the Supervisors to join this tour and take the opportunity to talk with legislators about the grants. She will keep the Board updated.

Public Comments

- John Wentworth, MLTPA: SNC created momentum and was the impetus behind the trails program in Mammoth Lakes. The grants enable and empower rural communities.
- Kay Ogden, Executive Director of the Eastern Sierra Land Trust: Thanked SNC for the projects they have helped fund through ESLT; they just received \$350,000 to help with a project in the Bridgeport Valley.

Board Comments

- **Supervisor Hunt:** He is in his second term on the SNC board. The work of this board has been substantial, and it acts as facilitator and catalyst to help organizations develop and grow.
- **Supervisor Alpers:** Asked about SNC's interaction with ranching on preservation issues.
 - Stroud: The SNC board approved the action plan for 2013-14 that includes a significant initiative pertaining to preserving agriculture and ranch lands. SNC works with private land owners throughout the region to identify projects such

as restoration and weed abatement. Private land owners apply to SNC or work through a third party (such as ESLT).

- **Supervisor Stump:** Asked what would happen once Prop 84 funding is gone.
 - Stroud: This is a large concern because without Prop 84 funding the projects would not have been completed. SNC is currently working to convince legislators to include them in the next water bond, and show legislators that SNC provides a vital role in the Sierra Nevada and is accountable for how funds are awarded. SNC receives appropriations for administration and overhead through the state budget, so they can continue working on initiatives. But without additional funding, they won't do grant administration.
- **Supervisor Johnston:** SNC funded the initial IRWMP process (Integrated Regional Water Management Plan). Johnston expressed appreciation for SNC's work on the biomass project.

COUNTY COUNSEL

Additional Departments: Mono County Superior Court

- 14a) County - Court Collections Memorandum of Understanding (Hector Gonzalez) - Proposed MOU with Mono County Superior Court pertaining to collection services.

M13-150

Action: Authorize the CAO to enter into MOU between the County and the Superior Court for debt collection services.

Alpers moved; Stump seconded

Vote: 4 Yes; 0 No; 1 Abstain (Johnston)

Supervisor Johnston abstained from this discussion since he has a relative working in the court.

Hector Gonzalez, Court Administrative Officer: They have created a good MOU with Mono County. Costs have been reduced by reducing the hours of the collections clerk position. This employee will work at .75 for the first three months, and will work at .5 thereafter. The intent is to minimize cost and maximize revenue. The salary will be reduced from \$48,000 to \$41,000 for the first year. Gonzalez responded to the Board's questions:

- 46% of the fees collected will go to the County, and the County will pay 46% of the FTE for the collections clerk.
- The rate for the outside collection agency is set by the Franchise Tax Board (the scale is contained in the MOU as Exhibit A). There are a limited number of outside collections agencies, and they are vetted by the State Office of the Courts. Gonzalez proposed using the agency familiar with this area, which is the agency currently used by Inyo County. If the court receives complaints, they can terminate the agreement and use a different agency. The term of the agreement is two years.
- The collections clerk and fiscal director will determine which accounts are best to collect on, thus eliminating some need for the outside collections agency.
- If the fees collected don't fully cover the cost, the court will pay the difference.
- Monthly status reports are required by the state.
- Collections efforts will go back as far as documentation is available. But they will start with the most current delinquent accounts. There is not a statute of limitations for these accounts.
- Accounts are put into collections if people fail to appear or fail to pay when given proper notice. People will know that they owe a debt. Only a judge sends someone to collections. The court does not want to hurt those who are following through.
- This process eliminates warrants and arrests, and removes the Sheriff's Department from the role as collection agency.
- Once a program is established, it runs indefinitely since it is self-sustaining.

SOCIAL SERVICES

- 15a) Tribal Temporary Assistance to Needy Families (TANF) Memorandum of Understanding (Kathy Peterson, Social Services) - Proposed MOU with Owens Valley Career Development Center pertaining to provision of Tribal TANF services in Mono County.

M13-151 Action: Approve and authorize the Chair to sign the Memorandum of Understanding (MOU) with the Owens Valley Career Development Center for the transfer of Tribal Temporary Assistance to Needy Families (TTANF) services for eligible recipients.

Stump moved; Alpers seconded

Vote: 5 Yes; 0 No

Kathy Peterson, Social Services: The TANF program provides cash assistance and welfare-to-work services; there is a time limit for people in the program. Social Services currently serves 27 families. The federal government recently approved Owens Valley Career Development Center as a program operator for eligible Native Americans. Individuals can decide which program to use. The proposed MOU is a non-financial agreement that outlines mutual responsibilities between the County and OVDCD. Social Services will create an announcement about the new program. Both agencies will share information and data so people are not enrolled in both programs. Peterson introduced the members of the OVDCD.

Tilford Denver, Inter-governmental Affairs for the Paiute and Shoshone Reservations in Big Pine and Lone Pine: Expressed his excitement about the opportunity to provide services to tribal members. They are currently working with five California counties, and serving about 700 families with 213 employees. OVDCD plans to open two new offices—one in Benton and one with the Bridgeport Indian Colony. Denver is looking forward to working with Mono County to provide services. In addition to TANF, they will provide career, education, and native language revitalization services. They are currently working with people in Coleville and Benton.

PUBLIC WORKS - SOLID WASTE DIVISION

- 16a) Solid Waste Update, Community Cleanup Events (Tony Dublino) - Update by Tony Dublino on Solid Waste Planning efforts, community cleanup events, and request for Board direction.

No Motion Action: The Board concurred with waiving fees associated with recent community cleanup events pursuant to Resolution #R12-72.

Tony Dublino, Solid Waste Division, updates:

- The parcel fee agreement with the Town of Mammoth Lakes will go before the Town Council tomorrow; it is a one-year agreement. Dublino will continue to work with the Town for a long-term parcel fee.
- Tax bills now include information about how to appeal the parcel fee.
- Continues meeting with DWP and the local enforcement agency about Pumice Valley Landfill permitting. Dublino will be travelling to Sacramento to attend the quarterly meeting of the ESJPA; he will discuss Mono County's solid waste issues with the hopes of getting feedback from that experienced group.
- Met with Inyo County representatives to discuss opportunities for regionalization and whether or not it will benefit both organizations; the idea seems to be gaining traction.
- The next Solid Waste Task Force meeting will be held in July to review goals and objectives of the planning documents.
- Community cleanup events occurred recently in Mammoth, June Lake, Lee Vining, and

Mono City. The event in Mammoth was handled well and their waiver request decreased from previous years. It appears that some of the waste (\$758 worth) did not meet the intent of Resolution #R12-72, such waste included TVs and monitors. However, Dublino asked the Board to waive the total amount of \$2,264; otherwise Mammoth Disposal would have to get the funds from the Town or absorb the cost.

- There will be recycling in place for the Bridgeport July 4th event.

Board Comments

- **Supervisor Johnston:** Asked about recycling efforts in County offices.
 - Dublino: Bridgeport offices started mixed paper recycling and people are using centralized containers; beverage bottle recycling containers are also located in offices throughout the County.
 - Supervisor Stump: There is a container in the Bridgeport Board Chambers for paper recycling.
- Comments pertaining to community clean-up costs:
 - **Supervisor Johnston:** Regarding community clean-up costs, believes the County is moving in the right direction. It is a balancing act to get people to participate.
 - **Supervisor Stump:** Concurred with Johnston. Asked if TVs and monitors were accepted from all clean-up events.
 - Dublino: These items were not supposed to be accepted at the various locations, but people were not turned away if they brought them; the Town was accepting these items.
 - **Supervisor Fesko:** TVs and monitors have been dumped on public land. He would rather have people bring them to the bins than leave them on public lands.
- The Supervisors thanked Dublino for his work.

Jim Leddy, CAO: Expressed his commitment to support Dublino, and will help him with the recycling effort as much as possible.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

FINANCE

17a) Public Hearing regarding proposed county fee schedule (Leslie Chapman, Finance Director) - Proposed Resolution #R13- ____, a resolution of the Board of Supervisors adopting fees for certain County permits and other services, and authorizing the Finance Director to compile and maintain one or more lists of County fees.

R13-47 **Action:** Adopt Resolution #R13-47, a resolution of the Board of Supervisors adopting fees for certain County permits and other services, and authorizing the Finance Director to compile and maintain one or more lists of County fees.

Alpers moved; Fesko seconded

Vote: 5 Yes; 0 No

Leslie Chapman, Finance Director: This is an annual review of the fee schedule. Chapman noted the following:

- Assessor's fees decreased due to new time studies; Aimee Brewster's letter substantiates the changes.

- The Probation Department has new fees in compliance with the statutes.
- The EMS/Health Department has one new fee for certain in-home treatments. Some minor changes were made in Health Department fees to accommodate rounding.
- Changes in the Clerk's fees are statutory.
- Yesterday morning the Board received a 5-year analysis of fees.
- The Resolution today is for new fees and changed fees.

Board Discussion

- **Supervisor Fesko:** Asked about the EMS fees, collections and insurance.
 - Mary Booher, Finance Department: Insurance companies won't cover these costs separately; they consider them to be part of the base rate.
- Supervisors raised questions about fees on the Master Fee Schedule:
 - **Johnston:** Understands that fees stem from Prop 13, but the County has a lot of fees.
 - **Stump:** Questions about fees associated with temporary food facilities, restaurant inspections, and a new CUPA fee (Certified Unified Program Agency).
 - **Fesko:** Questions about solid waste inspections.
 - **Hunt:** Whether fees reflect an efficient use of time to perform the service.
- Supervisors thanked Chapman for providing the 5-year fee analysis.

Marshall Rudolph, County Counsel: The Master Fee Schedule is not part of the resolution, but was provided for information only. The exhibit referred to in the resolution contains the specific fees proposed for change. Today's action pertains to the resolution and exhibit (new fees and changes only).

Chapman suggested scheduling a workshop so the Board can discuss all fees contained in the Master Fee Schedule.

Public hearing opened at 1:50 p.m.

- Gary Walker: The Board of Supervisors raised excellent points. He would be hesitant to pass the resolution today before knowing how it fits into a workshop.
 - Supervisor Hunt: Fees are reviewed annually. They are not set in concrete, so the Board can change them.

Public hearing closed at 1:51 p.m.

Board Comments

- **Supervisor Stump:** Not completely happy with all the information, but the Board needs to move forward to effectuate reductions in the Assessor's Office.
- **Supervisor Fesko:** Feels torn about today's action, but supports a workshop to discuss the Master Fee Schedule.
- **Supervisor Alpers:** People have asked him about the methodology of setting fees. The Board needs to review ways to make the process more efficient.
- **Supervisor Johnston:** Voted against fee increases the last two years because of the economy. He can support the action today, and supports having a workshop so the Board can understand the basis of the fees

Chapman: Regarding the CUPA fees, she will work with Public Health. And she will schedule a workshop after the budget process is finished.

Jim Leddy, CAO: Will bring this issue back with answers to base-line questions, such as methodology used for calculating fees, how the fees work, what they fund, and how efficiencies are addressed.

17b) Fiscal Year 2013-14 Recommended Budget (Leslie Chapman) - Proposed Resolution #R13- _____, a resolution of the Mono County Board of Supervisors adopting the recommended budget for Fiscal Year 2013-2014.

R13-48 **Action:** Adopt Resolution #R13-48, a resolution of the Mono County Board of Supervisors adopting the recommended budget of \$53,617,322 for Fiscal Year 2013-2014.

Fesko moved; Johnston seconded

Vote: 5 Yes; 0 No

Leslie Chapman: Today's action concerns adopting a preliminary budget and giving legal authority to spend money from July until the Board adopts the final budget. Property taxes appear to be stabilizing, and the PILT payment came in only \$13,000 less than last year.

Supervisor Stump: Asked about the funding for CARB compliance. His intent is to ensure that the Board starts allocating funds for this requirement.

- Chapman: It was not feasible for Public Works to order the equipment and have it in place before year end; this item will be included in next year's budget.

Supervisor Fesko: Wants to discuss this issue as a policy item in context with the larger budget. **Supervisor Johnston** agreed.

17c) Home Investment Partnerships Program (HOME) Grant Resolution (Mary Booher, Jennifer Halferty) - Proposed resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the HOME Investment Partnership Program; and if selected, the execution of a Standard Agreement, any amendments thereto, and any of the related documents necessary to participate in the HOME Investment Partnership Program.

R13-49 **Action:** Adopt Resolution #R13-49, authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the HOME Investment Partnership Program; and if selected, the execution of a Standard Agreement, any amendments thereto, and any of the related documents necessary to participate in the HOME Investment Partnership Program.

Johnston moved; Alpers seconded

Vote: 5 Yes; 0 No

Mary Booher, Finance Department: This program provides assistance to eligible first-time homebuyers. Mammoth Lakes Housing would administer the funds. Booher introduced Jennifer Halferty with Mammoth Lakes Housing.

Jennifer Halferty, Mammoth Lakes Housing, presented the following:

- MLH has administered this grant before; it has helped nine households purchase property.
- This is a competitive grant process; a total of \$28 million is available through the HOME program. There is no match required.
- This program helps stabilize communities.
- \$1.4 million has been put into Mono County for down payment assistance.
- The grant fills the gap between the sales price and what the family can afford.
- \$20,000 is provided for administration, but MLH spends more hours than the funding covers.

Board Comments

- **Supervisor Johnston:** This is a good program and has served Mono County well.
- **Supervisor Stump:** Likes the program, but outlying areas didn't know it existed. He asked Halferty to provide more outreach using RPAC mailing lists.
- **Supervisor Fesko:** Suggested advertising in the Sierra Scoop so North County residents would be informed.

Public Comment

- Leigh Gaasch: Asked if Supervisor Johnston had a conflict because he sits on the board of Mammoth Lakes Housing. She expressed apprehension about a partnership with the Town of Mammoth Lakes regarding affordable housing since some people question whether or not this is needed in light of other needs such as police and infrastructure.
 - **Supervisor Johnston,** addressed the concerns: He does not have a conflict of interest. Funding for Mammoth Lakes Housing has been cut, but the program provides affordable housing for the workforce, which helps create community, and aids businesses and families.
 - **Marshall Rudolph,** County Counsel: The action before the Board does not involve a contract with MLH, just a grant application. If a contract does come before the Board, he can review the question about a conflict of interest even though he does not foresee one.
 - **Supervisor Stump:** This action would only authorize MLH to apply for a grant to use on behalf of Mono County.

ECONOMIC DEVELOPMENT

18a) Mono County Fisheries Commission Request for Fund Transfer (Dan Lyster) - The Mono County Fisheries Commission (MCFC), is requesting a transfer of unexpended funds from their budget to the Conway Ranch fund for future use in the event an agricultural well is installed at Conway Ranch.

M13-152 **Action:** Approve the request of the Mono County Fisheries Commission to transfer the balance of their unexpended funds to the Conway Ranch Fund account for the future drilling and installation of an agricultural well on Conway Ranch.

Fesko moved; Alpers seconded

Vote: 5 Yes; 0 No

Dan Lyster, Economic Development: At their last meeting, the Fisheries Commission decided to request transfer of remaining discretionary funds (\$5,584.34) to the Conway Ranch fund to be used to drill an agricultural-size production well in an effort to mitigate problems during times of drought. However, a well is a short-term solution since it needs to be recharged by surface moisture. Southern California Edison wants to discharge some water out of Lundy, which will create enough flow to the Ranch in the short term.

- **Supervisor Fesko:** The Commission also had a unanimous vote to direct the Board of Supervisors to authorize drilling the well; Lyster will bring this item back to the Board. If the well is not drilled, the Board can designate use of the money for something else.
- **Supervisor Alpers:** The Ranch needs to conduct a flow test of the current well prior to drilling a new well; they need to get maximum information about the current well.

PUBLIC WORKS - ROAD DIVISION

19a) Environmental Protection Agency Grant Application - Vehicle Replacement (Jeff Walters and Jerry VandeBrake) - The Environmental Protection Agency (EPA)

has a potential grant opportunity to partially fund replacement of Mono County's heavy equipment. The grant, if awarded, would fund up to 25% of the cost of an eligible replacement vehicle/equipment. The total cost to replace two 1999 Caterpillar loaders is approximately \$600,000.

No Motion

Action: The Board agreed unanimously to postpone applying for this grant.

Jeff Walters, Interim Public Works Director: At a previous meeting, the Board directed staff to research all funding opportunities to help upgrade the fleet.

- The EPA grant before the Board today could be used to replace some equipment, but it has requirements that eliminate a vast majority of the County's fleet, requirements such as not replacing vehicles older than 1989 or vehicles that are past their useful hours.
- This grant focuses on replacing vehicles earlier than is required or necessary. Only five pieces of equipment would be eligible; also, the grant match would be \$450,000.
- Walters wanted the Board to know that he is reviewing potential options, but this grant would require moving forward quickly on equipment they didn't plan to replace right away.
- Walters pointed out that there is a national joint powers alliance that will provide a cost break for municipalities, so the County could save 24%. He is checking into this, along with other programs.
- This particular grant opens numerous times until 2016, so the Board could re-evaluate it at a later time.

ECONOMIC DEVELOPMENT

20a)

Economic Development Update on Grant-sourcing Research (Dan Lyster and Ethan James) - Presentation by Dan Lyster and Ethan James to update the Board on grant-sourcing research and projects conducted by the Economic Development Intern, along with a request to temporarily extend the internship position through the interim budget period, July 1-Sept. 1, 2013, (or upon adoption of FY 2013-14 Budget). The approved amount for the internship has not been fully expended and there is sufficient appropriation in the temporary budget to cover this expenditure.

M13-153

Action: Approve the request for temporary extension of the intern position through the interim budget period, July 1-Sept. 1, 2013, (or upon adoption of FY 2013-14 Budget), to allow ongoing grant-sourcing efforts to continue.

Fesko moved; Johnston seconded

Vote: 5 Yes; 0 No

Dan Lyster, Economic Development: Ethan James is an excellent intern, and has done a lot of work finding grants. Lyster distributed copies of Mono County Economic Development Initiatives showing the work James has done. He asked the Board to authorize the position through the interim budget period.

Supervisor Johnston: Supported this position initially because the duties would focus on non-tourism type projects and aid the goal of creating non-tourism jobs.

- Lyster: The majority of the work is not related to tourism.

Supervisor Fesko: There is enough money left in the original appropriation to cover the continuation.

BOARD OF SUPERVISORS

- 21a) Mammoth Mountain and June Mountain Ski Areas (Supervisor Tim Alpers) - Letter from the Board of Supervisors addressed to Mono County Congressional Delegation in Washington, DC, regarding a comprehensive package of policies and actions supporting the future success of the Mammoth Mountain and June Mountain Ski Areas, and the winter recreation corridor.

M13-154 **Action:** 1) Approve the proposed letter with the following revisions: a) Change point #3 to read, "...to assist with an environmentally- and community-compatible bed-base development...", and add, "This would include consideration of a land trade at the base of the June Mountain Ski Area." b) Add Mammoth Lakes Tourism Department to point #4. c) Include Eastern Sierra Transit Authority in point #6g. d) Include the Town of Mammoth Lakes in the last paragraph. 2) Direct the County Administrative Officer, in consultation with the Board and Mammoth Mountain Ski Area, if necessary, to draft a short cover letter indicating the Board's support for the Mammoth Mountain Ski Area land trade, and requesting the congressional delegation to give serious consideration to the attached letter since it provides background information and direction about this complicated issue. 3) Agendize the revised letter and staff cover letter for approval on the July 2, 2013, consent agenda.

Alpers moved; Johnston seconded

Vote: 5 Yes; 0 No

Supervisor Hunt: The proposed letter was submitted by Supervisor Alpers and contains a plan for the Mammoth Mountain land exchange and overall recreation corridor.

Supervisor Alpers reviewed the following:

- The Board has conducted many hearings regarding this issue, so this is a multi-faceted letter.
- Staff members in the offices of Senators Boxer and Feinstein indicated the importance of drafting a comprehensive, overall plan that outlines the vision for a recreation corridor. This letter supports advancing the corridor.
- Everyone wants to get to the same place by having two complementary recreation areas.
- Met last Friday with the peer resort tour team in June Lake, and received information about marketing and projects being undertaken by Mammoth Mountain Ski Area.
- Over the months there has not been a lot of discussion about the value of the land trade at MMSA. To maintain and build market share, certain actions need to occur.
- The County and the Town need to grow their way out of current fiscal issues--to take what we have and make it better in order to improve the economy.
- The proposed letter addresses June Mountain Ski Area, support for the MMSA land trade, building various relationships, and building on efforts of last year in June Lake (i.e. special events and marketing).
- The community can't count on MMSA to do everything; communities and agencies have to step up.
- Big picture strategic, long-term planning will be beneficial. Alpers' interest is to advance the cause of one of the world's greatest recreation areas and make it the best it can be.

Invited Speakers

- Rusty Gregory: Provided a copy of a position statement from MMSA regarding the history of the land trade and justification for why it should be supported. Also provided copies of a 2011 support letter from the Town of Mammoth Lakes, and a 2012 support letter from Mono County. Introduced staff from MMSA, and talked about their new

roles; the new leadership team will provide a fresh perspective. The drought years caused many ski areas to restructure. Since closing June Mountain, they have focused more on it; the community involvement has been valuable. Outlined the needs of June Mountain, such as better marketing, allocating more resources by increasing operating capability and performance of MMSA, and viewing June Mountain as part of MMSA, not separate. Even though the proposed letter supports the land trade, there are still many approvals to go through (such as NEPA) as this issue moves forward. Opening and operating June Mountain is very important. Redeveloping Mammoth Mountain Inn is important, but MMSA can't get financing because it does not own the land. It is dangerous to leverage one good project against another good project; MMSA and the community of June Lake need to work together. Regarding the proposed letter, he suggested making it more succinct about the land trade in order to be more effective for congressional approval.

- Greg Dallas, new MMSA COO, introduced the new leadership team for June Mountain, which will have the ability to engage June Mountain and link the two resorts. MMSA has shown its commitment by placing top resources at June Mountain.
- Geoff McQuilken, Executive Director of the Mono Lake Committee: Talked about the parcel of land at Mono Lake that would be part of the land trade. Provided a historical overview of the parcel in question and what led to inclusion of this property in a potential land trade. This is a beneficial piece of land to protect as part of the public land system; it is compatible with the tourist based economy of Lee Vining and Mono Basin.
- Tom Cage, owner of several businesses in Mammoth Lakes: Talked about the difficulties faced by June Lake last year, but the added vigor going in to June Mountain will be beneficial. MMSA is committed to reopening June Mountain, but has many vulnerabilities; marketing is a significant component to remind people about the Eastern Sierra. Agrees with the concept of the resort corridor; true benefit will come by working together. Additional tax money will come by development at both June Mountain and Mammoth Mountain main lodge. Visitors need to be offered a quality experience. As a business owner, he will support efforts of both MMSA and June Mountain. Asked the Board to support the land trade, and continue planning for needs in June Lake. The letter needs to be shorter, but it is a good guide for future planning efforts. Suggested adding language that includes Mammoth Lakes Tourism.
- John Urdi, Mammoth Lakes Tourism: The Tourism Business Improvement District (TBID) has the potential to increase tourism funds from \$2.5 million to \$7 million. As more people start visiting Mammoth, the Town's general fund will grow through increased TOT. Urdi talked about what the tourism department means to the region. The Eastern Sierra needs to work as one community. TBID is about collaboration with restaurants and retail businesses, as well as lodging. Tourism is the only industry in this area. MMSA is a world class resort but the infrastructure is below the standard. Mammoth Mountain Inn does not have the guest experience that MMSA wants to provide. Mammoth Lakes Tourism provides exposure to areas throughout Mono County, including June Lake; they need to make sure there is a four-season message that includes the County. Benefits of June Lake include fishing, small village ambience, and room to grow; animating the town is the right thing to do. Urdi encouraged the Board to support the land trade.
- Matthew Lehman, mayor, Town of Mammoth Lakes: Referred to the Town's 2011 letter to Congressman McKeon supporting the land exchange, and said the Town Council continues to support the land exchange. Lehman read a letter from Councilmember Raimondo supporting the land trade. Lehman asked the Board to provide clear and unqualified support for the land trade. The solution to economic issues is to grow out of the problem by supporting MMSA in their endeavors that will allow for growth.

Board Comments

- **Supervisor Johnston:** Clarified the misperception that speakers believe Board actions had presented hurdles to the land trade. The Board of Supervisors has not yet taken a position about the land trade or contacted the congressional delegation about it.
- **Supervisor Stump:** Added that a County constituency was impacted by the closure of June Lake, and the Board held many hearings so the community could address issues. He did not know where the misperception came from (i.e. that the Board was holding the land exchange hostage). Citizens have a right to contact their senators and representatives. Item two in the proposed letter supports the land exchange.
- **Supervisor Hunt:** The Board is here to collaborate and work together, and move ahead with something that is right for the community.

Public Comment

- **Alice Suszynski:** Read a letter from Congressman Cook stating that he will not move forward with HR 1241 (land trade) until concerns are addressed. The issue is not the land exchange but poor stewardship of June Mountain. MMSA has made improvements while June Lake has received nothing. Asked the Board to wait another six months before sending a letter so the community can ensure that the promises from MMSA are real. The community will publically support the land trade if they see results. Regarding the proposed letter, she supports the corridor concept but does not think the County will have control of the situation once they endorse the land trade.
- **Jack Copeland,** president, Mammoth Lakes Chamber of Commerce: Supports the land exchange; it could have an immediate positive impact on the Town. Many of the people who live in surrounding areas earn their livings in Mammoth Lakes. Anything the community can do to stimulate its own economy will help grow the economy, and then money can be spent to improve the Town. Movement toward improving Mammoth Mountain Inn can be very beneficial; revitalizing the property will make the visitor experience much better. Getting the word out would be beneficial.
- **Jon Regelbrugge,** Inyo National Forest: After June Mountain was closed last year the Forest Service issued a letter of non-compliance to MMSA. The Forest Service also conducted a financial review and found that MMSA had serious cash-flow problems; the company is highly leveraged. They have been working with MMSA to encourage them to operate June Mountain and make it more sustainable; they are moving in that direction. In January of 2014, MMSA will submit its proposals, and the analysis process will start thereafter. The success of both ski areas is in the public interest. Regarding the land exchange, the Inyo National Forest believes it is in the public interest. The main lodge is encumbered with ski area resort development so the land is not available for other national forest purposes. The exchange would allow for an opportunity to acquire a number of beneficial lands to add to the national forest system, including the land at Mono Lake. Regelbrugge reviewed the statutory authority regarding equal value land exchanges. The legislation for the MMSA land trade is necessary because some parcels are outside the boundary of the Inyo National Forest, and because of the cash value of the land at Mammoth Mountain. Part of the exchange process would include an environmental review and an opportunity for public involvement. Completion of all steps for the land exchange will take 2-5 years from the date legislation passes giving the National Forest authority to proceed. Also, there are always uncertainties associated with land exchanges.
- **Ralph Lockhart,** business owner/resident June Lake: Thanked the Board for the thoughtful process they have conducted over the last year. He supports the letter as drafted, and does not believe it will delay or reverse decisions about the land exchange. He believes the strategic plans and commitments made by MMSA will move forward.
- **Patti Heinrich,** June Lake resident: Asked the Board to consider postponing a decision on the letter until the community sees tangible evidence of MMSA's commitment to June Lake. The issue for June Lake is sustainability. The Revitalization Committee has created positive things for the winter season, but support for the land trade is

premature. MMSA has not been a good steward for June Mountain.

- **John Morris**, Director of Operations at Snow Creek Resort: Supports the land exchange. The Mountain needs to improve guest facilities in order to remain competitive and remain financially strong. The success of MMSA trickles down to the Town, to June Lake and to the County. Long-term financial stability is required; this is the opportunity to stabilize the economic future of the County. Believes MMSA will be a conscientious steward.
- **Gary Walker**, new resident: June Lake is an extraordinarily beautiful area; it is special and unique. Agreed that June Lake will be improved by the success of MMSA. Encouraged the Board to write an executive summary and attach the full letter as an appendix. Urged the Board not to wait, but take advantage of the current momentum.

Board Comments

- **Supervisor Fesko**: Understands financial decisions that a business has to make, but many businesses rely on June Mountain. Last winter was June Lake's opportunity to make their community sustainable, and that opportunity still exists. Does not see the issue of the land trade and June Mountain as being linked. From an economic and business standpoint, it makes sense for MMSA to control the land at the base. Agrees that the letter should be accompanied by a succinct version. He can support the land trade.
- **Supervisor Hunt**: Wants to focus efforts on the regional commonalities. The proposed letter helps gain regional support. The community needs to look forward at what will be best regionally and for the future. Wants to work to make both MMSA and JLSA successful. Suggested additions to the letter: Add language that includes ESTA, the Town of Mammoth Lakes, and Mammoth Lakes Tourism. Agreed that a succinct cover letter will be beneficial.
- **Supervisor Johnston**: Asked about the length of time it would take to entitle the land. During the peer resort tour, it became evident that ski areas with control of their base could make both summer and winter improvements more easily. Supports a land trade for the base areas of both MMSA and June Mountain. Believes the Rodeo Grounds land trade is a key to success in June Lake. Believes the letter as written would be read since the congressional delegation is expecting it. Suggested adding language to include a potential land exchange in June Lake. Wondered if the letter should be vetted by the Planning Commission, Tourism Commission, and Fisheries Commission.
 - **Rusty Gregory**: Entitlements are embedded in the general plan, so they are ready to gear up during the trade process. The first phase of building would take 18 months; they would bring in partners to do the development. Capital will start presenting itself to resorts that are ready to receive it by having plans in place. He has been working on this trade since 1998; land trades take a long time. A lot of momentum has been lost with perceptions about the land trade being linked to June Mountain. The issue of the land trade went to congress for the reasons stated by Regelbrugge (the cash issue and parcels not in the boundaries of the Inyo National Forest).
- **Supervisor Stump**: District 2 supports the land exchange because they are closely linked with the success of MMSA. He can support the revised letter. He would like to review the CAO cover letter and revised Board letter before signing it.
 - Supervisors Johnston and Fesko suggested agendaing this item for final action on July 2.
- **Supervisor Alpers**: Clarified that as a Supervisor-elect, he contacted Senator Feinstein's office informing them that June Mountain had been closed and further actions should slow down. He has seen recent actions by MMSA that have convinced him about their commitment. Believes two complementary ski areas is the way to go.

ADJOURN: 5:47 p.m.

ATTEST:

BYNG HUNT
CHAIR

LYNDA ROBERTS
CLERK OF THE BOARD

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