



**MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA**

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

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

**Regular Meeting
August 4, 2015**

9:00 AM Meeting Called to Order by Chairman Fesko.

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

*Break: 10:12 a.m.
Reconvene: 10:26 a.m.
Closed Session: 10:41 a.m.
Reconvene: 11:40 a.m.
Adjourn: 12:31 p.m.*

Pledge of Allegiance led by Supervisor Johnston.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2. APPROVAL OF MINUTES - NONE

3. RECOGNITIONS - NONE

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- 7/24 - Met with new Mono City Fire Chief Beverly Brewster at the Mono City Fire Station. We discussed her desire to upgrade the fire station facility through the pursuit of grant funding. Most of the meeting was dedicated to fire prevention/defensible space in the Mono City area including Lundy Canyon, HWY 395 corridor, Cottonwood Canyon and Conway Ranch. She

would like to have BLM mow the fire break every year instead of once every 2 years. I want to thank Beverly for taking on this position as her positive energy and enthusiasm will move Mono City forward.

- 7/24 - Met out on the Conway Ranch with the ESLT staff, Supervisor Stump and Tony Dublino to assist in the tour sponsored by the ESLT. The turnout was good with about 30 folks attending including interested agency staff and management. The tour and discussion was well-rounded touching on the history, acquisition, current activities, and future ideas for the property. A special thanks to Tony Dublino for preparing the property for visitors and to Supervisor Stump for adding his technical expertise to the discussion.
- 7/25 - Attended the ESLT fund raiser dinner held at McCoy Station at the MMSA. Kay Ogden and Rusty Gregory hosted and were the masters of ceremony with excellent food and entertainment. At last count, the event raised over \$66,000 not counting all of the anonymous donations. A BIG thank you to all of the event sponsors and especially Rusty for donating the dinner and matching the first \$10,000 raised that evening. Kay Ogden, Executive Director of the ESLT, announced that the Hunewill Ranch had been purchased by the ESLT to perpetuate its current use of the property.
- 7/27 - Chaired the quarterly YARTS meeting held in BOS Conference Room, 3rd Floor, Sierra Center Mall, Mammoth Lakes. YARTS Transit Manager Dick Whittington was in attendance in Mammoth. Action items were as follows:
 - Adopted the YARTs Title VI Program for FY 2014/2017. This action basically codifies the YARTS operating plan.
 - Approved the Mariposa County Annual contract for services.
 - Approved the Amtrak contract with the negotiated rate increases.
 - Approved the National Park Service Cooperative Agreement - Authorized Transit Manager Whittington to execute the Letter of Understanding between the City of Fresno and YARTS.
 - Directed Manager Whittington to schedule a special meeting later this month to move forward on budgeting issues focusing on a revenue growth strategy.
- 7/31 - Met with Patti Heinrich, Chairperson of the JLCAC, at the JLCC to discuss a variety of issues affecting the JL Loop. Topics included, but were not limited to: rain gutters for the JLCC; JLPUD staffing and water availability for the community; the future of the June Lake Historical Society; TROD issues throughout the June Lake Loop; the health of the reservation/rental industry in June Lake; Peterson Tract emergency ingress and egress issues; June Lake Trails usage; and Community Development issues in June Lake. Thank you to Patti for 3 hours of intense discussion.
- 7/22 - 8/3 - Participated in several individual meetings and constituent appointments throughout Lee Vining, June Lake and Mammoth regarding issues under governmental jurisdiction. An additional "thank you" to Nick Criss for extended code enforcement work in the June Lake area.

Supervisor Corless:

- 7/22: Budget/Strategic Plan town hall: several participants, including town manager Dan Holler and citizens from Mammoth and June, great discussion, thanks to Lynda Salcido, Leslie Chapman, Barry Beck, Megan Mahaffey for excellent presentations, and Greg Newbry for tech support.
- 7/23: Dinner with SCE executives, including President Pedro Pizarro, elected officials and staff from Cal City, Ridgecrest, Inyo County, City of Bishop, Town of Mammoth Lakes, discussed local issues (undergrounding power lines), hydro power status, future of SCE.
- Great time at the Wheeler Crest Fire Dept fundraiser 7/25—beautiful evening and fantastic event.

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- YARTS board meeting 7/27 held in Mammoth, hosted executive director Dick Whittington, discussed long-term funding issues and planning a special meeting in August with the advisory board.
- Sheriff Braun and department staff worked with secret service to assure former First Lady Laura Bush had a safe vacation in the Eastern Sierra; Mrs. Bush also participated in a re-dedication ceremony commemorating the 100th anniversary of the opening of Tioga Pass Road.
- Request to adjourn meeting in memory of James Wilson, whose celebration of life took place at Mono Lake Park on Sunday.

Supervisor Fesko:

July 21-22

- Attend the RCRC Executive meeting in Sacramento. Updated on the state of various legislation. Big focus on Medical Cannabis and local County authority over land use. Executive Committee recommended to the full RCRC Board that Greg Norton, RCRC CEO/President continue in this capacity.

July 30th

- Attended the quarterly CPT meeting in Mammoth. Various updates by USFS, BLM, CalTrans, etc.
- Stopped by the Bridgeport Animal Control facility near the Road Shop. Now that the staff has been moved in he wanted to stop by and see how things are working. He was really dismayed at the work conditions, or lack of. The desks are not really desks but small tables, including a coffee table. At times one staff must use a "TV Tray table" as their desk. Felt that the working conditions are pathetic at best!

August 4th

- Spoke with Jeff Ulrich, Bridgeport District Ranger, on the status of two fires local to the Antelope Valley. The Desert Fire, east of Antelope Valley, was contained to ~40 acres. Several engines, 2 helicopters and ~100 crew were put on this fire. This was a lightning caused fire.
- The Mill Canyon Fire started up beyond Lost Canyon Creek due to lightning. Due to the Mill Canyon Road closure, access was limited. At this time, it appears it may have extinguished itself.

Supervisor Johnston:

- Nothing to report this week.

Supervisor Stump:

- 7-22: Attended the Land Development Technical Advisory Committee (LDTAC) - Cell tower for Chalfant was discussed, Developer was advised of County processes and of potential changes in the County General Plan to be adopted in December that could simplify the permit process.
- 7-23: telephone meeting with Dr. Johnston of Public Utilities Commissioner Sandoval's staff about a scheduled PUC hearing in Mammoth on 8-21. He was informed that the PUC will want to hear any issues concerning Verizon Landline from agency representatives or citizens that could affect the PUC Decision on the proposed sale of Verizon to Frontier Communications. Meeting will be in Suite Z starting at 5:00 PM.
- 7-24: Attended the Eastern Sierra Land Trust Tour of Conway Ranch. Nice group of people with many good questions. Tony Dublino was there and did an excellent job. Supervisor Alpers impressed the group with his historical knowledge.
- 7-25: Attended the Fund Raiser for the Wheeler Crest Fire Department in Swall Meadows. Event sold out and raised almost \$30,000.
- 7-26: Attended a wedding in Mono Lake Park. Wonderful setting. Park looked great, has obviously had regular attention over the years.
- 7-30: Visited the Eastern Sierra Bible Camp that used the Benton Community Center. Over 70 kids participated from California and Nevada. At least 14

were Benton locals including Tribal members. 10th year of the event and it continues to grow. Accommodations are made for low income kids. This is one of the largest group events each year in Benton. For those worried about the separation between Church and State the event organizers schedule and pay for the use of County Facilities like any other group. Thanks to Steve Worable of Public Works for getting the Park bathroom toilette repaired prior to the event. It had been vandalized by having sticks flushed down it which caused it to back up. Second vandalism of a toilette at the park in a month. First time it was a role of paper towels. Sheriff's Office is involved.

- 8-3: Attended the LDTAC meeting - New well for the Lower Rock Creek Mutual Water Company noise variance if well drilling operations are 24 hour was on the agenda. The EIR for the Hooper Development already analyzed the creation of a new well so the only potential new issue is after hour noise. Thanks to Community Development Staff for having the foresight to cover this new well in an EIR.
- Requested that today's meeting be adjourned in honor of Lloyd "Digger" Wilson who passed away Saturday.

5. COUNTY ADMINISTRATIVE OFFICE

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

Marshall Rudolph:

- Lynda Salcido is gone for two weeks; he is filling in for her while she's gone.
- He's just here to help her while she's out by handling day to day stuff; offered assistance in any capacity.
- Supervisor Corless: HR and CAO recruitment, asked for update. He confirmed both positions are open; recruitments are ongoing for both positions. There should be a link on the website Recruitment is being done by professional company Anderson and Associates. Will be open for at least a month.

6. DEPARTMENT/COMMISSION REPORTS

Bob Musil:

- CPUC Commission – they've contacted our office and requested permission to present to the board on 8/18.
- Mentioned SB 450 and where it is in legislation; tabled until January. Any changes not to go into effect until 2017 at the earliest.

Joe Blanchard:

- Minaret Mall AC system fail update: new compressor to be installed tomorrow at cost of \$3500.
- A few years ago all systems were inspected; at that time five were identified as problem units. We are responsible for these units. Only changing out compressor is like replacing a motor on an old beat up car, what's next?
- Marshall: We are a subtenant of the Town in that space. Landlord would like to negotiate a new long term lease with us. It may turn out that the Town has some responsibility for AC unit. If things can wait they should, if not they can be brought to board.
- Should this be agendized?

Garrett Higerd:

- Paving on Rock Creek road starting tomorrow.
- People can expect 30 minute delays; they will start at 6:00 a.m. and go till 6:00 p.m. or later and possibly the next two Saturdays.

- Will be pretty intensive couple of weeks.
- Last day scheduled is Monday, August 17th.

Scott Burns:

- Announcement: Long Awaited General Plan is out for review – target to be to Board by December.
- Big thank you to his staff; just about everyone has been involved in this.
- Association of Environmental Professionals conference to happen in Mammoth in September.
- Dr. Paulus did a lot of work to help us streamline future project permitting.

7. 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. Department of Public Health Immunization Grant Fiscal Year 2015-2017

Departments: Public Health

Proposed grant with the California Department of Public Health pertaining to immunization services.

Action: Approve and authorize the Chair of the Board to sign the Standard Agreement Number 15-10434 with the California Department of Public Health (CDPH) for the Immunization Program for FY 2015-2017.

Corless moved; Alpers seconded

Vote: 5 yes; 0 no

M15-165

Supervisor Corless:

- This is a large part of what our Health Department does; this needs to be highlighted in our Strategic Plan as a mandated project.
- Although it takes work to integrate into plan, it also meets our goals and has very clear measurable activities.

B. Information Technology Strategic Plan

Departments: Information Technology

After an initial presentation of the Information Technology Strategic Plan to the Board on July 14th, 2015, the document was presented to and adopted by the Mammoth Lakes Town Council on July 15th, 2015. The document is now being brought back before you for adoption.

Action: Adopt the final draft of the 2015-2018 Information Technology Strategic Plan.

Corless moved; Alpers seconded

Vote: 5 yes; 0 no

M15-166

C. California Broadband Cooperative Director Compensation

Departments: Information Technology

Pursuant to the bylaws of the California Broadband Cooperative (of

which Mono County is a Class A member), members of the Cooperative's board of directors are entitled to compensation of \$2,000 annually plus \$1,000 per meeting. Mono County has the right to appoint one such director and previously appointed Nate Greenberg. The Cooperative's bylaws also allow for a Class A member (such as Mono County) to request that the compensation for its director's services be eliminated, reduced, or paid directly to the member (i.e., Mono County). This item is seeking authorization from the Board of Supervisors to have the full amount of this compensation paid directly to Mono County and be realized as revenue in the IT Department's budget.

Action: Authorize that the full amount of compensation for Nate Greenberg's services as Mono County's appointed director on the California Broadband Cooperative's (CBC) board of directors be paid directly to Mono County.

Corless moved; Alpers seconded

Vote: 5 yes; 0 no

M15-167

Supervisor Stump:

- Recognized Nate Greenberg for this diversion of funds.

D. Request to Hold Special Election

Departments: Elections

Notice has been given by the Town of Mammoth Lakes, that a Special Municipal Election is to be held in the Town of Mammoth Lakes on Tuesday, October 6, 2015, at which there will be submitted to the voters the following measure: MEASURE Z: Shall the ordinance to require voter approval to alter transient rental zoning in certain residential neighborhoods be adopted? Yes or No? The Town of Mammoth Lakes has requested the Mono County Registrar of Voters conduct this election. This item is being brought forward pursuant to Elections Code section 10002 to provide authorization from the Mono County Board of Supervisors allowing the Mono County Registrar of Voters to conduct said election. All costs associated with this election will be reimbursed by the Town of Mammoth Lakes.

Action: Authorize the Mono County Registrar of Voters to conduct a Special Election for the Town of Mammoth Lakes, concerning Measure "Z", on October 6, 2015. Direct staff to bill the Town of Mammoth Lakes for conducting said election.

Corless moved; Alpers seconded

Vote: 5 yes; 0 no

M15-168

8. CORRESPONDENCE RECEIVED (INFORMATIONAL) - NONE

9. REGULAR AGENDA - MORNING

A. Presentation on Walking Water

Departments: Clerk of the Board

(Kate Bunney) - Kate Bunney is coordinating the Walking Water event beginning the first week of September. The group is walking to raise awareness about water issues and will trek from Saddlebag Lake to Owens Lake over a 3 week period.

Action: None.

Kate Bunney:

- Handed out fliers and postcards.
- She's completely in awe of the beauty of this area.
- Walking Water – raise awareness to the water situation; how the world wants us to walk through the world.
- Walking Water is trying to practically contribute to issue: walking from Mono Lake down to Los Angeles.
- Power of water – how can we bring communities together and inspire people to change behavior?
- Explained route they will take. Asked if one of the Board members would want to walk.
- She's here to ask for support from Board and asked what they might need from Walking Water?
- Starting September 1st at approximately 9:30 a.m. at Mono Lake near the airport.
- Website: www.walking-water.org.

Supervisor Johnston:

- Dates? We have a board meeting but could maybe arrange to meet at the starting point and then reconvene in Bridgeport for meeting.

Supervisor Alpers:

- Willing to host certain areas of their walk.

Supervisor Corless:

- Thanked her for her presentation.
- She fully supports this. She'd be interested in partially walking if possible.

Marshall Rudolph:

- Is there a majority of the board interested in convening September 1st meeting at Walking Water start site?
- We can find a way to facilitate that with staff.
- Mentioned that the permitting of this event is ongoing and is in the works.

Supervisor Fesko:

- Will work to arrange the September 1st meeting so that Board can attend.
- Asked to be kept informed.

Supervisor Stump:

- Will there be a website showing stop/start points in case anyone wants to walk for one day?

B. Verizon Request to Permanently Deviate From Scenic Highway Underground Requirements

Departments: Community Development Department, IT

(Nate Greenberg, Scott Burns) - Proposed comment letter responding to Verizon's request to permanently deviate from Highway 395 Scenic Highway underground utility requirement.

Action: Authorize the Chairman's signature on the attached comment letter (as amended to reflect Scenic Byway language) opposing Verizon's request to the CPUC.

Stump moved; Johnston seconded

Vote: 5 yes; 0 no

M15-169

Scott Burns:

- Introduced item; follow up to a three to four year old issue.
- Thanks to Stephen Kalish for all work done on this.
- We've been accepting to Verizon's need due to services they provide but it was clear that when the ability to go underground became available that they would do that.
- There is information out that Verizon may plan to stay overhead indefinitely.
- Thanks to Nate Greenberg for draft letter; he has highlighted the importance of current services (redundancy and underground).
- Asking for authorization of signature on draft letter.

Nate Greenberg:

- A lot of these details will come back to board on 8/11.
- This item and draft letter plays into the overall scheme of things.
- Gave detailed information regarding item and requested letter.
- Doesn't see a lot of value to waiting to send out letter.
- Additional text to be added by Scott Burns?

Supervisor Stump:

- Thanked Nate for touching on Verizon and costs they quote for wholesale/broadband.
- Question about letter – is there an advantage to debunking claim about prices?
- Should we wait for their letter to come out or state objection up front?
- Feels letter is appropriate and well written.

Supervisor Johnston:

- He feels letter needs a bit more scenic quality.
- Need to state that overhead lines don't fit with our Wild by Nature slogan.

Supervisor Alpers:

- Agrees with previous Supervisor's comments; does support letter.

Supervisor Corless:

- Supports letter.

Supervisor Fesko:

- He feels that removing those lines aren't going to make that much difference.
- Need to push the safety aspect; the scenic aspect isn't going to matter.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

11. CLOSED SESSION

There was nothing to report out of closed session.

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall

Rudolph, John Vallejo, Leslie Chapman, and Lynda Salcido. 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 - 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: 1. Facts and circumstances: Mass wasting of slope adjacent to Mill Canyon Road.

REGULAR SESSION CONTINUES

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

13. REGULAR AGENDA - AFTERNOON

A. Mill Canyon Road

Departments: Public Works - Road

(Jeff Walters) - Board Chairman Fesko requested this item. Mill Canyon Road is a county maintained road located south west of Walker. It is a dirt road crossing through Bureau of Land Management land. The slope above and below a section of the road is sliding downhill, thereby affecting the road. The county temporarily closed affected portions of the road on July 21.

Action: Ratify and continue closure of affected portion of Mill Canyon Road for period of up to six months, utilizing a locked gate to limit access. At the expiration of six months, the closure and the condition of the road shall be re-evaluated by the Board. Delegate authority to the Public Works Director (as County Road Commissioner) to open or close the road during the six month closure period for emergency purposes only if, in his opinion, conditions at that time are such as to not endanger the safety of emergency personnel, the public, or county staff. Request that California Fish and Wildlife refrain from using its irrigation ditch uphill from the road until such time as the ditch has been lined or a pipe installed.

Fesko moved; Corless seconded

Vote: 5 yes; 0 no

M15-170

Jeff Walters:

- Here to discuss ongoing issue in Mill Canyon.
- There is a large section of road sliding downhill.
- County put up a temporary closure before the first fracture and has maintained that (k rail).
- Explained the options relating to the road at this point.
- There was an on-site meeting on 7/24 with many agencies.
- Nothing was decided at this meeting; nothing is certain. There is evidence this has happened in the past.
- Options going forward include: 1. Maintain “hard” road closure (concrete K-rails) and monitor road as necessary. 2. Install soft road closure with lockable gate and monitor as necessary. Open and close road based upon conditions of slope. 3. Keep road open and monitor as necessary. 4. Re-route road above failing slope. This would require NEPA permitting, engineering etc. 5. Recreate abandoned section of Lost Cannon Road. This would also require NEPA permitting, engineering etc. 6. Research funding opportunities for “repair” of failing slope. 7. Request that California Fish and Wildlife refrain from use of irrigation ditch above the road until they install pipe or line the ditch. 8. Install water/soil monitoring stations to determine ground water depth and monitor as necessary. 9. Install slope monitoring stations to observe slope movement and monitor as necessary.
- Fixing slide will be terribly expensive; rerouting may make the most sense.

Supervisor Johnston:

- Asked if there was water in ditch above the road.
- Is ditch leaking?
- Is road otherwise passable other than one section?
- Can this become an abandoned road?

Supervisor Fesko:

- Doesn't appear to be an area that's used very often. But, now that it's closed he has heard some complaints about it being closed. He very much appreciates Public Works getting on this so quickly.
- It is a road used by Marine Corp.
- Unfortunate situation – we need to look for more permanent fix for this.
- There are ideas out there to fix, funding is another issue.

Supervisor Stump:

- Asked about boundaries in exhibit A.
- Has it happened before? What was done?
- Mono County doesn't have money like federal agencies do.
- In reference to recommended actions: feels we're not limited to just one.
- #7 and #2?
- Does it fall on County to be information coordinator? Need to coordinate who is going to take the lead.

Supervisor Corless:

- Supports a temporary road closure to all travel except access for emergency or agency use. Build a locking gate. Monitor slide and direct staff to work with agencies involved on options for a permanent solution to address this road issue.

Aaron Johnson (Fish and Wildlife):

- Their agency shares concern for the road; they are investigating and looking at possible uses of ditch in the future.
- They've asked staff about the use of ditch in past – state acquired this wildlife area in 1979. There was no recollection since that time of a slide like this in their records.
- Not clear on whether outlying areas would be included in investigation or just affected road.

- They have historical rights that go along with this allowing them to convey water in old ditch.

Stacey Simon:

- Explained which code sections this road issue applies to.
- Gave details on possible recommended actions.

ADJOURN AT 12:31 P.M. IN HONOR OF LLOYD “DIGGER” WILSON, LONG TIME RESIDENT WHO PASSED AWAY ON SATURDAY, AUGUST 1st and JAMES WILSON WHO ALSO RECENTLY PASSED AWAY.

ATTEST

TIMOTHY E. FESKO
CHAIRMAN

SHANNON KENDALL
ASSISTANT CLERK OF THE BOARD