



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

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

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

**Regular Meeting  
October 9, 2018**

9:06 AM Meeting called to order by Chair Gardner.

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

**The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>.**

Pledge of Allegiance led by Supervisor Peters.

**1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

**Pam Haas-Duhart, Devil's Gate resident:**

- County Road 029. On maps for fire routes according to a fire crew she spoke to.
- Would like residents on the road to be sent a letter that there is an understanding that the road is for public use.
- Handout (available in additional documents).

**John Wharton:**

- SB 1459 which was just signed by the Governor, relating to provisional cannabis licenses. Temporary licenses being issued while the CEQA process is happening. Thinks the County should consider doing the same.

**2. RECOGNITIONS**

**A. Resolution of Appreciation for Cassie Gilson**

Departments: Board of Supervisors

(John Peters, Stacy Corless) - Proclamation of the Mono County Board of Supervisors recognizing Cassie Gilson for donating her valuable time -- and significant expertise -- to the County's efforts to prevent and mitigate impacts

from the increased export of water from Mono County to the City of Los Angeles in the Summer of 2018.

**Action:** Adopt proposed resolution.

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-213**

**Supervisor Corless:**

- Appreciates Ms. Gilson for her guidance in navigating the issue with Los Angeles Department of Water and Power.
- She was also at meetings and able to intervene and try to steer the conversation towards something productive.

**Supervisor Peters:**

- She is an expert in lobbying, but she is also an expert in the history of Eastern Sierra. Her love of the area is why she volunteered her time.

**Supervisor Stump:**

- Sometimes he gets queried by people if it's worth it to spend resources to send people to Sacramento on the County's behalf and this resolution is an indication of why it is worth it.

**Stacey Simon, County Counsel:**

- Cassie was available to her at all hours.
- There is so much talent and capital on this Board, someone was needed to guide them to make the talent and capital resonate in Sacramento.

**Supervisor Gardner:**

- Read the proclamation.

**B. Employee Service Awards**

Departments: CAO

(Leslie Chapman) - Presentation by the Board of Supervisors, Leslie Chapman and Department Heads to Mono County employees, celebrating years of service to the County.

**Action:** Present awards, gratitude and congratulations to employees who have earned awards for years of service and dedication to the County

**Leslie Chapman, CAO:**

- Introduced item. Advised people at the meeting who are not on the program (available in additional documents), to come forward so they could be recognized, too.

Angelle Nolan  
Karin Humiston  
Barry Beck  
Debbie VandeBrake  
Caron Timpone  
Stacey Westerlund  
Gerald Frank  
Christy Milovich  
Erin Knight  
Stacie Casabian

Erin VanKampen  
Alicia Vennos  
Ray McGrayle  
John Alameda  
Art Torres  
Francie Avitia  
Jerry VandeBrake  
Nubia Peters  
Anabell Cornejo  
Walt Lehmann

*Break: 10:09 AM*

*Reconvene: 10:29 AM*

### **3. COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments

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

**Leslie Chapman:**

- Leadership team meeting.
- Interviewed Public Defender candidates.
- Friday, worked on salary survey, meeting with departments to make decision about benchmark positions being used for comparison.

### **4. DEPARTMENT/COMMISSION REPORTS**

**Shannon Kendall, Clerk – Recorder – Registrar:**

- Ballots successfully ordered and delivered.
- Sample ballots have been sent out.
- Vote by mail (VBM) period began yesterday. Have until Oct. 30 to request a VBM ballot.
- People can drop off completed VBM ballots at Community Development department in Mammoth, and the Clerk-Recorder's office in Bridgeport.
- Registration deadline is October 22, conditional registration in Bridgeport only after that date.
- Outreach presentation at Supervisor Peters Town Hall.
- Community conversation in Mammoth on 22<sup>nd</sup>.
- Outreach in papers and radio.
- Informational flyers.
- Webpage has a lot of information. Added information about security.
- Federal grant of \$116,000 to go towards equipment.
- Supervisor Stump: was contacted by an individual adamant about the font.
- The font issue was addressed by the Registrar's office and County Counsel.
- Stacey Simon: The County is using a font that she believes meets criteria.
- Supervisor Corless: Spanish language outreach?
- Sample ballots in Spanish, and an example of the ballot at every polling place. But due to population, Mono County is not required to have more than that.

### **5. CONSENT AGENDA**

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

### **A. Revenue Services Agreement with Franchise Tax Board**

Departments: Finance

Proposed three-year contract with State Franchise Tax Board for collection of unpaid court-ordered fines, forfeitures, and penalties.

**Action:** Approve County entry into proposed contract and execute two copies of said contract on behalf of the County.

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-214**

### **B. Monthly Treasury Transaction Report**

Departments: Finance

Treasury Transaction Report for the month ending 8/31/2018.

**Action:** Approve the Treasury Transaction Report for the month ending 8/31/2018.

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-215**

**Supervisor Peters:**

- Recognize Pat Espinoza, who is instrumental in the community of Antelope Valley, senior center. She does a lot that is critical to the needs of seniors of AV.

### **C. Freedom From Workplace Bullies Week Proclamation**

Departments: Clerk of the Board

Michelle Smith and Carrie Clark, Co-founders of California Healthy Workplace Advocates, have requested that the Board adopt a proclamation recognizing the week of October 14 to 20, 2018, as Freedom From Workplace Bullies Week. California Healthy Workplace Advocates is a coalition of citizens throughout California who are dedicated to ensuring civility and professionalism within the workplace. Part of our mission to raise public awareness about workplace bullying as a growing problem that affects both the public and private sectors.

**Action:** Approve proposed proclamation recognizing the week of October 14 to 20, 2018, as Freedom From Workplace Bullies Week.

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-216**

### **D. Reclassification and Addition of Positions within Senior Services Program**

Departments: Social Services

Proposed resolution authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to add one Senior Services Manager and delete one Senior Services Site Coordinator, and add one part-time, non-benefitted Cook/Driver in the Senior Services Program within the Social Services Department.

**Action:** Adopt Resolution R18-60, Authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to add one (1) Senior Services Manager and delete one (1) Senior Center Site Coordinator; and, increase the allocation of one (1) part-time, non-benefitted Senior Services Cook/Driver.

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**R18-60**

## **E. Resolution in Support of Proposition 2 - No Place Like Home**

Departments: Board of Supervisors

A resolution of the Board of Supervisors, supporting Proposition 2, (No Place Like Home Act of 2018), which will provide permanent supportive housing linked to treatment and services to help people with serious mental illness who are experiencing homelessness or are at risk of becoming homeless.

**Action:** Approve the Mono County Board of Supervisors Resolution R18-63, A Resolution of the Mono County Board of Supervisors in Support of Proposition 2.

**Corless moved; Halferty seconded**

**Vote: 5 yes; 0 no**

**R18-63**

**Supervisor Corless:**

- Would like to move this item to later in the agenda, to be discussed with item 7c.

**Amanda Greenberg, Behavioral Health:**

- Explained the Proposition.
- Mono County is eligible for a grant of \$500,000
- Legislation was held up in court since it was signed into law.

**Supervisor Corless:**

- CSAC supports, RCRC took no position.
- Strengthens partnerships to provide for the County's homeless population.

## **6. CORRESPONDENCE RECEIVED**

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

### **A. Agricultural Commissioner's Office Department Update October 2018**

October 2018 department update from the Counties of Inyo and Mono Agricultural Commissioner's Office.

## **B. Sierra Nevada Alliance Letter Expressing Concern Over Geothermal Contamination in Local Water Supply**

A letter from the Sierra Nevada Alliance to Lahontan Regional Water Quality Control Board, Mammoth Town Council, and the Mono County Board of Supervisors urging them to take action to protect Mammoth Lakes' water supply.

## **7. REGULAR AGENDA - MORNING**

### **A. Sale of County-Owned Real Property (APN 031-070-011)**

Departments: Behavioral Health; County Counsel

(Amanda Greenberg and Stacey Simon) - Amendment of process for sale of County-owned property located at 71 Davison Road in Mammoth Lakes to provide for a bid deadline of no sooner than November 6, 2018, (rather than by October 9, 2018) and to include a provision authorizing broker's commission.

**Action:** 1. Reject all proposals to purchase County-owned property located at 71 Davison Road in Mammoth Lakes received in response to Board Resolution R18-47, "Resolution of the Mono County Board of Supervisors Declaring its Intention to Sell Certain County-Owned Surplus Real Property (APN 031-070-011) and Specifying the Terms and Conditions of the Sale".

2. Adopt proposed revised resolution R18-61, Declaring the County's intention to sell certain County-owned surplus real property located at 71 Davison Road in Mammoth Lakes (APN 031-010-011) and direct staff to post and publish the resolution as required by law.

**Halferty moved; Stump seconded**

**Vote: 5 yes; 0 no**

#### **R18-61**

**Stacey Simon:**

- The agenda item has changed from what one might have anticipated. Recommending Board reject bids received and introduce a new resolution.
- Amanda Greenberg started receiving calls about asbestos and other things that she was not qualified to answer, so thought it was best to seek assistance from a professional. Retained services of licensed real estate broker on behalf of the county, which requires an amendment to the resolution. Second change is that a lot of calls were being received that people were not qualified to develop the property as low-income, so wanted to add detail to the requirements.

### **B. Industrial Hemp Cultivation**

Departments: Agricultural Commissioner

(Nate Reed) - Presentation by Nate Reed regarding industrial hemp cultivation.

**Action:** Staff requests board provide direction on this topic including a range of possible policy options including a potential urgency ordinance that would prohibit the cultivation of industrial hemp until staff can conduct a study of

impacts resulting from such activity that may occur outside of the authority of the commercial cannabis permitting process.

**Nate Reade, Agricultural Commissioner:**

- Went through presentation.
- In January the State will have clear guidelines.
- It never hurts to be as safe as possible on this.

**Wendy Sugimura, Community Development Director:**

- Easier on staff workflow if it was not allowed until clear parameters are established.

**Eric Edgerton, Tilth Farms:**

- Support the emergency ordinance.

**John Wharton, Walker River Farms:**

- Strong market for this product.
- SB 1409 clarifies and makes it an agricultural product.

**C. Resolution Opposing Proposition 5, the "Property Tax Transfer Initiative"**

Departments: Assessor

(Barry Beck) - Proposed resolution opposing Proposition 5, the "Property Tax Transfer Initiative", which would amend Proposition 13 to allow home buyers who are age 55 or older or severely disabled to transfer their tax assessments, with a possible adjustment, from their prior home to their new home, no matter the new home's market value, location in the state, or the buyer's number of moves.

**Action:** Adopt proposed resolution R18-62, Opposing Proposition 5, the "Property Tax Transfer Initiative" to Appear on the November 6, 2018, Statewide Ballot. Provide any desired direction to staff.

**Halferty moved; Corless seconded**

**Vote: 1 yes; 1 no**

**R18-62**

**Barry Beck, Assessor:**

- Introduced item.

**Supervisor Stump:**

- Voted no.

Moved to item 5e.

**D. 2018/2019 California State Association of Counties (CSAC) Appointments**

Departments: Board of Supervisors

Nomination of a member and alternate to serve on the California State Association of Counties (CSAC) Board of Directors for 2018/19.

**Action:** Nominate Supervisor John Peters to serve on the CSAC Board of Directors for the 2018/19 Association year beginning on November 27, 2018; also, nominate Supervisor Jennifer Halferty to serve as the alternate member.

**Corless moved; Stump seconded**

**Vote: 5 yes; 0 no**  
**M18-217**

**Supervisor Peters:**

- CSAC annual conference occurs in November, which is when the members need to be nominated by.

**8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

No one spoke.

**9. CLOSED SESSION at 11:56 AM**

**A. Closed Session - Human Resources**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

**B. Closed Session - Exposure to Litigation**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: One.

**C. Closed Session - Existing Litigation**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: *U.S.A. et al. v. Walker River Irrigation District et al.*, U.S. Ninth Circuit Court of Appeals, Case No. 15-16478 (and related cases).

**D. Closed Session - Existing Litigation**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: *Mono County v. Los Angeles Department of Water and Power, et al.* (Mono County Case No. CV180078)

**E. Closed Session - Exposure to Litigation**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of



Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: County implementation of new recording fees imposed by SB 2, the Building Homes and Jobs Act.

**THE MEETING WILL RESUME NO EARLIER THAN 1 P.M.**

*Reconvene: 1:24 PM*

Nothing to report out of Closed Session.

**10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

No one spoke.

**11. REGULAR AGENDA - AFTERNOON**

**A. Preliminary Comment Letter in Response to LADWP's Notice of Preparation of a Draft Environmental Impact Report**

Departments: CDD, County Counsel

(Wendy Sugimura, Sandra Bauer) - Presentation of a preliminary draft of the County's comment letter in response to the Los Angeles Department of Water and Power's Notice of Preparation of a draft Environmental Impact Report on their Ranch Lease Renewal Project.

**Action:** None (informational only). Discuss the content of the preliminary draft, receive public input, and provide any desired direction and input to staff to finalize the letter.

**Sandra Bauer, Consultant:**

- Coordinated the work on the comment letter.
- Provided a brief summary and key points of the letter.

**B. Eastern Sierra Council of Governments (ESCOG) Governance Opportunities**

Departments: CAO

(Bob Gardner, Stacey Corless, John Wentworth) - Eastern Sierra Council of Governments (ESCOG), which consists of two members each from Mono County, the Town of Mammoth Lakes, Inyo County and the City of Bishop, is asking each member agency to consider changing the structure from a Joint Powers Association to a Joint Powers Agency/Authority.

**Action:** To support for an effort to draft an agreement establishing a Joint Powers Agency/Authority for the ESCOG at no cost to ESCOG members for review by the ESCOG Board of Directors.

**Peters moved; Corless seconded**

**Vote: 3 yes; 2 no**

**M18-218**

**Supervisor Gardner:**

- Introduced item, provided explanation of ESCOG.

**Supervisor Corless:**

- Historical perspective. Recognized need to build regional capacity to address important issues. June 2015 possibility of strengthening the organization itself. Reformed local broadband consortium to be governed by ESCOG. That was first step. That has been successful.

**Supervisor Halferty:**

- Grant application to PUC in 2015? Does it come with administrative funding?
- Read from Purpose of statement from current JPA, Section 2.03 #3.
- Believe that the current structure allows ESCOG to take action as is currently being sought.
- Authority versus agreement.
- Completely understands the value of regional collaboration.
- Voted no.

**Stacey Simon, County Counsel:**

- The JPA when formed was intended to be a separate entity (see additional documents).

**Supervisor Stump:**

- Has observed that most topics are from Conway Summit to the South along the 395 corridor. There has not been a thorough county-wide conversation.
- Does't see a sufficient mission statement. Not completely comfortable moving forward forming a JPA without additional clarity.
- Strong personalities on JPA Boards can direct the Board. Needs to be a revision to the document Sup Halferty circulated to counteract that.
- Voted no.

## 12. BOARD MEMBER REPORTS

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

**Supervisor Corless:**

- Support Supervisor Halferty's request to observe Indigenous Peoples Day
- Oct 3: Town Council
- Oct 4: YARTS short-range transit planning discussion—meeting of full YARTS board and advisory committee to discuss planning on the 17th
- Oct 4: Town County Liaison Discussion Items:
- Upcoming Events: Oct 20 Walk the Parcel event; Housing Summit Nov 2-3, Friday night; Saturday daytime,
- ES Rec Position: narrowed down to top 4. Discussion of coordination of projects and funding.
- McFlex: update on ownership/fee title needs for bond issuance, getting documents processed. Great example of intergovernmental collaboration.
- Solid Waste: TOML working on franchise agreement renewal; still looking at larger transfer site, looking at possible biomass plant there; discussion of long term solution needs.
- Smoke Impacts/Policy, Advocacy:
- Push for accountability—who made the decision; where does local govt fit into decision making? How can we understand decision making? Public health considerations?

General communication needs to improve. ole of Great Basin Unified Air Pollution Control District

- TOML—exploring stewardship contract w INF to do mechanical removal; ICS—how to get into unified command on local level, earlier; FEMA/paper trail—include economics and health.
- Nov 7, 4-6pm Inyo NF presentation at Town Council on Lions Fire.
- Planning for upcoming Board-Council meeting, date tbd, agenda items include smoke impacts, housing.

**Supervisor Gardner:**

- Last Wednesday Oct. 3 I attended the monthly meeting of the June Lake Citizen Advisory Committee. We discussed several items, including the status of short-term rentals in the community, the activities of the June Lake Trails Committee, revised County noise regulations, and concerns regarding recent mountain lion sightings.
- Last night I attended the meeting of the Mono Basin Fire Safe Council in Lee Vining. This group is more organized now and is engaged in planning several fire prevention and other programs for the community.

**Supervisor Halferty:**

- I attended the Town Council meeting on October 3 where the Council allocated their 2017-18 Fiscal Year surplus funds of almost \$5.5 million. There was also an update on their transient rental enforcement program. The Town of Mammoth Lakes is #5 in the State for number of short-term rental listings according to the report.
- In light of yesterday's holiday, I would like to request that the staff prepare a resolution for this Boards consideration changing our observation of Columbus Day to Indigenous Peoples Day. I think this is especially fitting for Mono County given our multiple Tribes, tribal lands, and rich history of Native Americans throughout our County for tens of thousands of years.

**Supervisor Peters:**

- 3rd Jan Cutts
- 4<sup>th</sup> AV RPAC Discussion on Community Trash Dumpsters, Commercial Cannabis in Residential Areas and public process. Creating a Fire Safe Council. Thank Nick Criss for filling in.
- 6<sup>th</sup> AVLK DH BBQ
- **Upcoming:**
- BP RPAC Tonight
- ESAAA Meeting tomorrow 10th
- Town Hall October 10<sup>th</sup>
- CERT Chris Smallcomb NOAA 11<sup>th</sup>
- Ducks Unlimited 13<sup>th</sup>
- Town Hall in Bridgeport December 5th

**Supervisor Stump:**

- 10-4: Attended the Town/County Liaison Committee meeting with Supervisor Corless. Council members Stapp and Salcido are now the Towns representative. Covered Solid Waste, South County Civic Center, smoke and other issues.
- 10-7: Attended, did not run in, the Crowley Fun Run Fundraiser for the Crowley Skatepark. Cool morning but everyone appeared to have a good time.
- Last week I was advised that DWP had hired a trapper to trap beavers near the intersection of Mammoth Creek and Hot Creek. I was notified by our tenant that runs the Dog Sled Adventures who told me the trapper was crossing County Property to set his traps. Jim was told by the DWP trapper that live traps were being used to relocate

the beavers. If a beaver is trapped under water, even if it is a live trap, the beaver will drown. I want to thank Wendy Sugimura who traced the truth which is that Calif. Fish and Wildlife has issued a depredation permit to DWP to trap one or more beavers that are ostensibly harming their infrastructure. Looking at where the creek flows through the County Property I could not find any DWP infrastructure in that area so I do not understand the need to trap. In any case, I find it regrettable that Ca. Fish and Wildlife did not inform the County

- given the Long Valley / DWP issue.

**ADJOURNED at 3:05 PM**

**ATTEST**

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**BOB GARDNER**  
**CHAIR OF THE BOARD**

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**SCHEEREN DEDMAN**  
**SR. DEPUTY CLERK**