



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

Regular Meetings: The
First, Second, And
Third Tuesday of each
month

Regular Meeting

County Courthouse,
Bridgeport, CA 93517

June 8, 2010

9:01 AM Meeting called to Order by Chairman Hunt.

Pledge of Allegiance led by Supervisor Bauer.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Daniel Brady (SCE):

- 2010 State of the Utility System (handout).
- This is for Board's review only; he provided contact information if anyone wants to have further discussion.
- There is a rate shift included in this presentation for GS-1 Customers = 17% rate increase for four months, then for remaining 8 months = rate decrease.
- Supervisors Farnetti: asked about power outages and surges in County. Why so many? Brady: gave brief explanation regarding possible causes of this.

Joe Parrino (Mammothmotocross.org):

- Came to board several months ago. He's here to give an update to the Board.
- Supervisor Hazard had asked to see what types of participation he has. He explained he has petitions going around, he said they are getting full.
- Mammoth Motocross Track and Trail – he has formed this club. They have meetings every 3rd Thursday from 5:00 – 6:30 p.m.
- Forest Service has given him a Use Permit application to complete and he is asking for assistance with this.
- Supervisor Hunt: what does Town permit consist of? Control of track for entire year or per event? What is your application? Does it put you in competition with the Town's permit? Suggested trying to start a dialogue between the Town and the County.

BOARD MEMBER REPORTS

Supervisor Bauer:

- NOT PRESENT FOR BOARD REPORTS

Supervisor Farnetti:

- Last Wednesday, Department Head meeting; decision made to have the employee picnic again – save the date of 8/21/10 at Lee Vining Park. He's on

the committee and will be collecting money from Board members again to help fund this.

- Late Wednesday, LAFCO meeting, held public hearing on budget; discussion on including larger districts but was decided against. Opening on the LAFCO commission for a public member, need to advertise. Request by the Bridgeport PUD to go over the District map to check boundaries.
- Yesterday, attended Fisheries Commission meeting with Bob Peters. Silver Lake still not stocked yet but they should get permit soon.
- There is a Bill circulating regarding eliminating the use of plastic bags in stores which is a big issue in Mammoth. Instead, re-useable shopping bags would be used and would really reduce litter in Mammoth.

Supervisor Peters:

- Fisheries Commission meeting on Monday: use of the \$2500 remaining in their budget to be spent on about 50 trophy size rainbow trout to be distributed in various lakes. Discussed tomato bins which are used to raise trout; issue from DFG requiring statistics on planting; there is an idea to have the "fish statute" rotate to various properties, have raffles and maybe raise money for various communities. He'll bring this idea to the RPACS. Fisheries Commission will meet monthly, next one is July 12th.
- Met with Sally Miller (Wilderness Society concerns) and then with Laretta Cochran (Gold Cougar mining) separately hoping to stimulate them to provide information.
- Antelope Valley RPAC was Thursday night, great presentation by Caltrans regarding High Point Curve; Caltrans is asking for public input on how this project will be handled; there was also a fire safety presentation.
- Over weekend he attended twin grandsons 5th birthday in Los Angeles.
- Early Saturday morning, he got flood warning phone call from Sheriff Scholl. Was able to talk to Antelope Valley Fire Chief and was assured everything was fine.
- June 15th – Bridgeport RPAC Social in Bridgeport Park at 4:00 p.m.
- Inyo County approved a local Contractor preference ordinance, he passed it along to Marshall who said that Inyo actually copied our ordinance but he's going to research it.
- Major snow melt in the Virginia Lakes area.

Supervisor Hazard:

- After last Board meeting, he headed to Sacramento to CSAC – the state budget was the focal point of a lot of discussion. Feels there is a huge disconnect between Sacramento and the voters. No concept of restructure. Partners of Mammoth, June and Crowley for a recreational group might help qualify for additional funding. Last day had a briefing from three state reps on budget issues.
- Yesterday attended IMAAA meeting in Bishop via videoconferencing, had sound problems between Bishop and CAO meeting room. At the meeting, they passed four year area plan. This was 11th hour approval to get back to State – approximately \$764,216.00 approval.

Supervisor Hunt:

- Spent all day Saturday at new Crowley Lake ball field watching his granddaughter play softball; very nice facility.

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (David Wilbrecht)
Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

Dave Wilbrecht:

- Regular Management and C4 meetings at beginning of the month.
- Budget committee is meeting soon and will be bringing more information forward.
- Approved Digital 395 letter.

- 2) APPROVAL OF MINUTES
None.

Closed Session: 9:23 a.m.

Break: 10:10 a.m.

Reconvene: 10:16 a.m.

Lunch: 12:29 p.m.

Reconvene: 1:19 p.m.

Break: 2:54 p.m.

Reconvene: 3:03 p.m.

Adjourn: 4:40 p.m.

CLOSED SESSION

The Board had nothing to report out of closed session.

BOARD OF SUPERVISORS

- 3a) **Closed Session--Local 39 MCPE - CONFERENCE WITH LABOR NEGOTIATORS.** Government Code Section 54957.6. Agency designated representative(s): Dave Wilbrecht, Brian Muir, Linda Salcido, Marshall Rudolph, Mary Booher, and Jim Arkens Employee Organization(s): Local 39 (MCPE).

DEPARTMENT REPORTS/EMERGING ISSUES

(PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Rick McManis

- Since Jan 1, they have received applications for 65 permits; they've issued 51, revenues up by 10%. This year unique because we're in code adoption cycle – these go into effect by January 1, 2011.
- July 1 – certified access specialized licensing - Senate Bill 1608 – ADA, new construction: focus in Mono County is to take one inspector and devote their training to that. 6 week process to see if inspector passed, waiting to see.
- Took ICC equivalency test which he passed.
- Side benefit is that realtors reach out to these individuals.
- They will do an outreach program with the Town eventually.
- He's applied for and achieved an ICC Certified Instructor certificate; will aid in training others.
- Finished some CTE to become certified fire official.
- Supervisor Hazard: there is a huge push thru RCRC and CSAC to have residential fire sprinklers reconsidered due to accidents occurring within the house, etc.

Brian Muir (Finance):

- Actuarial value of employee benefits, retiree health care in Jan. 2008, 26.3 million; very minimal increase.
- We have \$3.5 million paid in and will contribute an additional \$1 million shortly. He has copy of report if anyone wants one.
- Investment Portfolio update: markets have been fluctuating a lot; problem is that the bond market has rallied significantly which causes rates to go down; Trindell sent \$5 million to invest in a lousy market. They made an investment of \$3 million and are sitting on the extra to see what changes in the market.

Ralph Obenberger (Undersheriff):

- OES re: flooding – only flooding issues in past several days have been ranch flooding in Walker area, a couple campground closures, road in June Lake semi-washed out; hwy 158 not affected. Run-off should slow down with cooler weather.
- 6 months ago we sent John Pelichowski to Sheriff's Academy – he will graduate #1 in his class in a couple weeks.
- Supervisor Bauer: Sheriff's Dispatch, Deputies and Public Works have been instrumental in dealing with flooding issues in June Lake.

Marshall Rudolph:

- Regarding the MOU with the Bridgeport Tribe, I've received word from the Tribe's attorney that Congressman McKeon has introduced legislation to transfer the properties to the Tribe.

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.)

MENTAL HEALTH

4a) **Bylaws Mental Health Board** - The bylaws for the combined mental health, alcohol and drug advisory board have been revised by county counsel and approved by the combined board. They now require review, approval and signature by the Board of Supervisors.

M10-129 Action: Review and approve the revised bylaws for the Combined Mental Health, Alcohol and Drug Advisory Board. Authorize the Chair of the Board of Supervisors to sign the revised bylaws.
Hazard/Bauer 5-0

ECONOMIC DEVELOPMENT

5a) **Wellness Contracts** - Current wellness contracts with The Body Shop, Double Eagle Resort & Spa, and Snowcreek Athletic Club require renewal. These contracts have been reviewed and approved by the County Counsel's office and reviewed by Stacey Westerlund in Finance. Minor revisions have been made to the existing contracts to the satisfaction of all parties.

M10-130 Action: Approve the Chair's signature on three Wellness Contracts: The

Body Shop, Double Eagle Resort & Spa and Snowcreek Athletic Club.
Hazard/Bauer 5-0

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-RECORDER

6a) **No Correspondence**

BOARD OF SUPERVISORS

7a) **Yosemite Area Regional Transportation System (YARTS)** (Dick Whittington, YARTS Transit Manager) - This presentation will provide an update on YARTS; Mono County is a member of the YARTS Joint Powers Authority. Supervisor Bauer requested this item.

Action: None.

Dick Whittington (YARTS):

- Hwy 120 is open but road work is slow.
- Doesn't feel he has nearly enough contact with the County. It's important to keep the Board in the flow of what is going on.
- YARTS has no employees, they contract with busses and drivers; he works for Merced County as YARTS Transit Manager – he doesn't work full time.
- Increase in ridership each year, except 06-07. Up to 3,500 per year.
- Funding always a challenge with YARTS being a JPA. YARTS doesn't have access to certain monies that other organizations do.
- Supervisor Bauer trying to get money through the 5320 program – right now that's only for capital projects. It would help YARTS and ESTA. As rural transit systems being funded, they provide transportation to urban individuals as well. The 5311 urban transit funding is designated by state legislature.
- They want to acquire 9 new (clean diesel) busses and have one already; they are building a park and ride in Maricopa.
- Time to have YARTS really looked at by consultant to ascertain where improvements might be made.
- Is happy to provide the Board with any requested information.
- Marketing: they have initiated contact with Horizon Air to run some articles in their magazine.

Board Comments:

- Supervisor Peters – does Amtrak have an 'in-flight magazine' type thing? Idea of having short run from Hwy 395 to Tuolumne Meadows – would be interesting to see if there's a need for that with hikers, bikers, etc.
- Supervisor Hunt: He and Supervisor Bauer sit on ESTA board. Their philosophy has always been to have seamless transportation; YARTS and ESTA's connectivity isn't very good at the moment.
- Supervisor Bauer: 70% of the people going to Yosemite only stop for 3 hours; it is great to 'put a face to a name' and have Whittington visit the Board meeting;

he works very hard at his job; her vision of short range transit plan is to have ESTA be the spine transportation running along 395 with other transit systems filling in even though there isn't funding for that now.

- Supervisor Hazard: might there be an opportunity to utilize our ESTA system as in Lee Vining?

Move to 9a and 9b next per Chairman

PUBLIC WORKS

- 8a) **Temporary Road Closures for, and Assistance with, the Bridgeport Fourth of July Celebration** (Jeff Walters) - Receive staff report regarding a request for assistance with the 2010 Fourth of July celebration in Bridgeport. Provide any desired direction to staff.

R10-41
R10-42 **Action:** 1. Adopt Resolution No. R10-41, "A Resolution of the Mono County Board of Supervisors Authorizing the Temporary Closure of County Roads in Bridgeport and the Temporary Detour of Traffic onto County Roads in Bridgeport from Highway 395 for the 148th Annual Bridgeport Fourth of July Celebration." 2. Adopt Resolution No. R10-42, "A Resolution of the Mono County Board of Supervisors Authorizing the Department of Public Works to Assist with Setting Up and Disassembling Facilities Associated with the 148th Annual Bridgeport Fourth of July Celebration." Not to exceed a total cost of \$25,000.

Peters/Hazard 5-0

Jeff Walters:

- Discussed the needs regarding road closures and setting up and taking down the 4th of July festivities. This is the same as has been done in the past, however fiscal amount changes.
- He does see some areas we can streamline in the future and will hopefully incorporate those changes next year.

Supervisor Peters:

- There is also a lot of money raised by the Chamber groups that assist with other events/activities so it's not all county money.

Supervisor Bauer:

- Times are lean; in the future we need to not see increases in money spent every year on the 4th of July.
- It would be good if community could recognize our financial burdens at the time.
- Put on mid-year budget review process so that it doesn't get forgotten.
- She'd like the Chamber to coordinate with Public Works in the future budgeting of the 4th of July in Bridgeport.

Supervisor Hazard:

- We can do it this year, we should.
- Vendors might need to be paying the county some more fees.
- He supports it, just wants the information to make better future decisions.

Supervisor Farnetti:

- He'd like to keep this at a budget level in the future that makes sense.

Community members might have to step up in the future.

Brian Muir:

- We probably contribute more money in T.O.T. tax than the county contributes to the 4th festivities in Bridgeport.

8b) **Authorization to Conduct a Public Auction of Surplus Equipment** (Evan Nikirk) - Receive staff report regarding County vehicles, equipment, and other property that has been found to be obsolete or no longer serviceable. Consider and potentially authorize Public Works to conduct a public auction to dispose of excess property. Provide any desired direction to staff.

R10-43 Action: Consider and potentially authorize the Chair's signature on Resolution No. R10-43, "A Resolution of the Mono County Board of Supervisors Authorizing a Public Auction to Dispose of Excess and/or Unneeded County Property."
Bauer/Farnetti 5-0

Jeff Walters:

- Briefly discussed list of surplus items to be sold.
- Turn out last year was great, expects the same for this year (July 10th).

COMMUNITY DEVELOPMENT - PLANNING DIVISION

9a) **Formal Visioning Process for the community of Lee Vining** (Heather deBethizy) - Presentation by Heather deBethizy, County Staff, and Ilene Mendulbaum, Mono Basin RPAC member, regarding a formal visioning process to assist local citizens to engage in a planning effort that is broad based and comprehensive in order to produce a community plan for Lee Vining.

M10-132 Action: Move that the Board endorse and approve the Mono Basin Regional Planning Advisory Committee's official resolution dated April 21, 2010 and offer the assistance of the Mono County Community Development Department in the RPAC's visionary process.
Peters/Farnetti 5-0

Heather deBethizy:

- Introduced item and turned it over to Ilene Mandelbaum for explanation.

Ilene Mandelbaum:

- Resolution demonstrates the resolve of the RPAC to move forward. Hopefully this will be a catalyst for action; it will build on work already done, but also recognizes the role that the Mono County Planning staff has played and will continue to plan.
- Why now? There are opportunities to unlock the vitality of our town while protecting the resources.
- She feels like having a consultant come in regarding the affordable housing will be important. Also other communities that have done this might offer

information.

Board Comments

Supervisor Hunt:

- How is affordable housing issue going to be discussed?
- Supervisor Hazard just went through this process.
- Helping to expand the visionary process is extremely important.

Supervisor Farnetti:

- What is Planning's role?
- Thinks it is a great step and is generally supportive.

Supervisor Peters:

- Mono Basin RPAC is a very elite group, he is continually impressed with this group and he thinks that this visioning project will result in fulfilling the needs of all aspects of the community due to who makes up the RPAC.
- Feels that this group is not coming to the Board for a handout, he feels they are on same track as Supervisor Hazard.
- There have been pieces of visionary planning over the years; it's time to pull it together.

Supervisor Bauer:

- Thinks it's a great step forward.
- This will unlock the key to moving forward.

Supervisor Hazard:

- Having gone through this two times, these planning documents/visionary process should be a 15-20 year process, this one just needs an update process.
- In Chalfant, out of the vision process they decided they liked what they looked like. When they went to Benton they got the opposite reaction.
- It looks like it hasn't had its life cycle in the visioning process.
- Feels there have been a lot of county resources put into Lee Vining – he feels that it's time for Lee Vining to grow into its facilities.
- Suggests that Scott Burns look for funding source directed specifically to Lee Vining.
- He doesn't think Community Block Grant money should be spent on Lee Vining at this time.

Scott Burns:

- They've done the visioning in Supervisor Hazard's district and are now extracting the principles to fold into the area plan – same thing that Lee Vining is looking to do.

9b)

Public Hearing, General Plan Amendment 10-001 Down

Canyon (Heather deBethizy) Hearing on proposed General Plan amendment. Proposed resolution R10-40, a resolution of the Mono County Board of Supervisors to Adopt General Plan Amendment 10-001, amending the 2003 June Lake Loop Trail Plan to establish a more-precise trail alignment for the Down Canyon section of the June Lake Trail System and also amend relevant sections of the 2010 June Lake Area Plan.

M10-131

Action: A. Adopt the General Plan EIR Addendum regarding

R10-40 modification of the June Lake Trails System Plan B. Adopt Resolution #R10-40 and approve General Plan Amendment 10-001/Down Canyon Trail as presented.

Bauer/Hazard 5-0

Heather deBethizy, CDD (gave powerpoint presentation):

- Copy of powerpoint information kept in agenda folder for 6/8/10.
- Proposing an adopted trail plan; a walking trail. There was work done on June 5, 2010 – National Trails Day.
- They have future proposals that will go beyond walking but for this one, they wanted to start simple.
- These are all Forest Service regulations; they are just assisting in the process.
- Supervisor Bauer: showed some slides of the project. It was a very successful day.

Board Comments:

Supervisor Hazard

- Need to be careful that not only “particular” groups have access to these trails; trails need to be generally accessible by everyone.

Public hearing opened at: 11:38

Drew Foster (Friends of the Inyo)

- Came on project last fall and has been working toward getting it completed.
- Last Saturday was a record turnout.
- Whole trail system not only important to locals, but tourists as well. It’s family friendly.
- Trails were well constructed initially so only general maintenance should be required.

Public hearing closed at: 11:41 a.m.

Board Discussion

Supervisor Hazard: done very well.

Supervisor Peters: very pleased with the way it was accomplished.

Supervisor Farnetti: thanked everyone, especially Supervisor Bauer for getting it going.

Supervisor Bauer: without Friends of the Inyo, probably would have been delayed.

LUNCH

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

BOARD OF SUPERVISORS

10a)

Presentation Honoring Colonel Norman L. Cooling (Supervisor Peters) - Resolution in honor of Colonel Norman L. Cooling's service to the Nation and our Mono County communities during his two years as Commanding Officer of the Mountain Warfare Training Center, Bridgeport,

California.

Action: None.

Supervisor Peters:

- Resolution read to Colonel Cooling. After accepting resolution, he said a few words. Introduced incoming Colonel Phil Chandler.
- Photos were taken.

10b)

Northern Mono Chamber of Commerce Eastern Sierra ATV

Jamboree (Rita Sherman, CAO's Office; Pam Hamic, Northern Mono Chamber of Commerce) Consider authorizing additional assistance in obtaining liability insurance for the Eastern Sierra ATV Jamboree event scheduled for June 16-19, 2010, in Walker, California, sponsored by the Northern Mono County Chamber of Commerce.

M10-133

Action: Move that the Chamber provide the County with proof of liability insurance naming Caltrans and the County as additional insured; provide primary and noncontributory wording making the County's insurance excess of the Chamber's primary general liability's insurance. In recognition of the benefit the Northern Mono Chamber of Commerce will receive for its ATV event, there shall be no cost to the county for this coverage unless a claim arises out of the event.

Peters/Farnetti 5-0

Rita Sherman (CAO):

- The Chamber has come up against another hurdle in having their ATV event. She introduced the president of the Northern Mono Chamber of Commerce, Pam Hamic.
- Because we already have liability in place, unless something happens, there shouldn't be any cost. She recommends option #3 on Staff Report.

Pam Hamic:

- Has run up against a financial issue through Caltrans; they are requesting \$5 million insurance coverage (which would cost the Chamber over \$3,000 making it cost prohibitive to even have the event). The coverage they currently have is not enough.
- They are requesting help with this.
- They didn't need this last year, they didn't know. Through the website it was brought to their attention that they need additional coverage.
- She feels they can budget for this in the future. They have future event plans, etc.

Supervisor Farnetti:

- Did they need it last year?
- Can they budget this for next year's event?

Supervisor Hunt:

- Asked for Rita Sherman's recommendation.

Supervisor Peters:

- He is extremely supportive of this event and of supporting the Chamber's

request.

Supervisor Hazard:

- Had talk with Senator Cox; if we move forward with this, we frame the motion in context that we will back this up.

Supervisor Bauer:

- Event is so close, we need to support it.
- She supports option #3.
- In future, the Chamber needs to support its own event.

Mark Reistetter of Caltrans:

- He's in charge with writing this requirement; he has spoken with Senator Cox's office and bottom line is it's still a liability issue.
- ATV events are considered dangerous, a higher liability type event. It will always be considered such.
- Right now, he's getting the permit written and hopefully executed.

Marshall Rudolph:

- Anytime you have some public assistance – financial or otherwise – to a private entity, it's always good to make findings or statements in the record to reflect the public purposes of the County being served by the assistance. That avoids any question or issue regarding a gift of public funds or property. Here, the event that the County would assist will serve the public purpose of promoting the economy of the North end of the County.

COUNTY ADMINISTRATIVE OFFICE

11a) **CDBG Public Hearing-General Allocation** (Mary Booher) - The Board will hold a Public Hearing to discuss and receive public input regarding potential activities to be funded with CDBG money.

R10-44 Action: Approve Resolution R10-44 approving an application for funding and the execution of a grant agreement and any amendments thereto from the Community Development Block Grant (CDBG) program, fiscal year 2010-11 General/Colonia Allocation.

Bauer/Hazard 5-0

Mary Booher:

- Passed around sign-up sheet for support.
- These funds have to be for a fundable activity.
- She went over possible areas to apply the funding.
- Receive input and submit comments for grant application which is due 6/25/10.
- Resolution fairly open.

Supervisor Bauer:

- Clarification on what can be funded. ADA restrooms in June Lake?

Kelly Garcia:

- Went over various improvement locations, etc.

Public Hearing Open at: 2:03 p.m.

Public Hearing Closed at: 2:03 p.m.

Marshall Rudolph:

- Minor suggested revisions to resolution: second whereas – may want to change to 'certain county facilities' instead of just Bridgeport Memorial Hall. Also, instead of using the term "handicapped access", which is now politically incorrect, you might want to say "improved access for people with disabilities" or "ADA upgrades."

11b)

Digital 395/Praxis (Mary Booher, Dave Wilbrecht, Allen Berrey) - Presentation by staff regarding Digital 395 Project; approval of Resolution and Letter of Intent memorializing Board's support for and commitment to the Project for the next level of federal review of application for funding.

R10-45

Action: 1) Adopt Resolution R10-45 that: a) shows Board support for the Digital 395 Project and commits County resources to the Project; and b) approves, and authorizes the County Administrator to sign, a Letter of Intent from/to the California Broadband Cooperative Inc., making similar commitments, as requested by Praxis.

Hazard/Bauer 5-0

Mary Booher:

- Conference call into Mike Ort and Robert Volker of Praxis/CBC
- Application has passed first review.
- **POWERPOINT (kept in agenda folder for 6/8/10):**
- Information Requested
- Other discussion
- Where does the application go from here?
- Map of Digital 395 Proposed Cable Route
- Questions?
- Future direction for this item?

Supervisor Farnetti:

- Realizes that this had to be put together quickly.
- Has concern about using the courthouse property as a staging area for construction.

Supervisor Hazard:

- We're trying to respond to a list of questions from the FEDS over a relatively short time period.
- Feels we can support and commit to making this project move forward.
- These are all new items to our county to address. It's a unique opportunity for us but doing it in such a pressed time frame is challenging.
- During first round, there was not a lot of communications. This time around, we have a lot of communications.
- We heard same type of questions throughout the entire region; seem to be consistent with other projects out there throughout the state.
- This is a middle mile project with a fairly fixed route. We will have a last mile provider come in to fill in the gaps.
- We have 10-12 last mile providers waiting to hear what happens with this project.

Supervisor Peters:

- Question on map: is this definitive route? It misses a part of businesses located north of Bodie Road.
- Why would we not get route as close to 395 as possible when we have the chance/money?

Supervisor Bauer:

- It looks like there is no cash up front right now to the county.

Kelly Garcia:

- In looking at alignment where route is not on state right of way, there are portions on federal land that might need Forest Service approval.

Scott Burns:

- Hoping for regional approach to update things regarding CEQA and NEQA, etc.

Mike Ort (on conference call):

- Recommendations will be made to the secretary, a presentation.
- Explained due to cost of construction because of the area of solid rock, the route sidesteps 395 a bit.
- Will be hard pressed to make changes to the map.
- Once network gets in and the organization is set up, there will be revenues coming in to pay for expansion. There are possibilities of extending it beyond the original route later.
- Project needs to be submitted as whole, not in segments.
- Spoke of potential monies that might come into the county.

Robert Volker (on conference call):

- Second round really shifted focus to public/private model.

Allen Berrey:

- We provided the Board with a lot of information.
- Today before the Board is a resolution where they acknowledge the importance of the Digital 395 project.
- We are still in the application stages; the county cannot make financial/other commitments yet.
- We included some qualifying language in the resolution; third to last "be it resolved", the resolution acknowledges the commitment and letter of intent between the County of Mono and CBC, etc.
- If this is funded, the Board will appoint a member to sit on their board.

COUNTY COUNSEL

Additional Departments: Public Works

12a)

Lease of Sheriff's Substation property (Kelly Garcia) - Future lease of a portion of the property located at 1311 Substation Road, commonly referred to as "the old substation property."

M10-134

Action: Direct staff to provide notice of the proposed lease for a portion of the Old Sheriff's Substation property located at 1311 Substation Road near Mammoth Lakes as set forth in Government Code section 25537(b)

and Mono County Code section 3.05.030.

Farnetti/Hazard 5-0

Kelly Garcia:

- Looking for further direction on lease options for old Sheriff's substation.
- Went over map showing property location.
- Proposed lease would be maximum of 10 years.

Supervisor Hazard:

- Is concerned that the larger space for lease might attract additional people that might be interested.
- He'd like to see this leaser prevail in a competitive market.
- Would this include fencing?
- Contacted by staff at Tom Berryhill's office – they came to same conclusion as Stacey as to tethering discretion.

Supervisor Farnetti:

- It has to be offered out as competitive bid.

Supervisor Bauer:

- Staff report is very detailed, why is lease so short?
- Thinks fence should go up first prior to lease negotiations.

Stacey Simon:

- Clarified that the document in the packet is not the lease, it is merely the notice for the paper seeking lease proposals. A full lease would be drafted at a later time.
- There are a lot of constraints on this property.
- It may be self-limiting, not everyone will be able to use it.
- Tethering issue: two-fold issue – Animal Control has met with current lessee on the tethering issue. Animal Control has discretion with respect to the enforcement of the tethering statute. Because these dogs are highly specialized working dogs, the approach that might work for another dog (like a back yard pet) might not be appropriate. Options being discussed sound like they will be good for the dogs = win/win. (Current lessee will have to address these issues regardless of whether he continues to be located on the property.)
- It's not technically a competitive bid process for the lease, its RFP so other factors can be considered by the Board, such as public benefit.
- She'll be back soon to extend the termination date of the current lease; it won't be done by July 15th.
- Only asking for approval of the notice for the paper, the lease will be negotiated later.

INFORMATION TECHNOLOGY

Additional Departments: County Counsel

13a)

Wellness User Agreement (Clay Neely) - After much effort to get an agreement with the Forest Service to assume liability (and other responsibilities) for their staff to use the Memorial Hall Exercise Facility, the Forest Service has opted out of using the facility. Separately, to help

address issues which have arisen related to County employee and retiree use of the facility, the Wellness Committee, with the help of County Counsel, has created a revised Memorial Hall User Agreement for which it now seeks the Board's approval.

- M10-135** **Action:** Recommend that the Board approve the new Memorial Hall Exercise Facility User Agreement; authorize the CAO to execute the new agreement with qualified users.
Bauer/Peters 5-0

Clay Neely:

- A use agreement has been redrafted to include employees and their spouses.

Stacey Simon:

- Also encompasses retirees and their spouses. There are a couple changes of policy in this agreement: specifically there was misuse of facility so the Wellness Committee had been revoking agreements. Wanted to create a process whereby the individual whose agreement had been revoked, could at some point be reinstated if appropriate.
- Also, if spouse misuses facility, not only spouse but the employee's use would be revoked. The Committee thought this created an extra incentive for compliance.

Additional Departments: Sheriff's Department

- 13b) **Radio System Maintenance Contract** (Clay Neely and Dave O'hara) - Proposed contract with Nielsen's Equipment Maintenance & Communications for the provision of communications/electronics maintenance services (e.g., maintenance of the County radio systems).

- M10-136** **Action:** Approve County entry into proposed contract with Nielsen's Equipment Maintenance & Communications for the provision of communications/electronics maintenance services and authorize Board Chair to execute said contract on behalf of the County.
Hazard/Farnetti 4-0; 1 Absent: Bauer

Supervisor Bauer excused herself from this item.

Clay Neely (powerpoint presentation, copy to be kept in 6/8/10 folder):

- Contract Changes (agreed to 3 year term and 2% increase, required documentation included in the base price, labor for repair will be included in base price with exception of having to travel.)
- Went over proposed contract key points.

Supervisor Comments

- Overall, they were all pleased that the contract was reviewed again and that the Board was able to come to an agreement with Mr. Nielsen.

BOARD OF SUPERVISORS

14a) **State Budget** (Board Members) - The Board of Supervisors may discuss issues pertaining to the California State budget.

Action: None.

Supervisor Bauer not present for this item.

Supervisor Hazard:

- Two items came up at CSAC – Legislation/Fuentes AB 2529: specific State Regulatory agencies would be required to do a cost benefit analysis for any regulation that affects business or individual in an amount of \$10,000,000 or more. Next week at RCRC this will be on agenda to go out to fellow counties. He is asking for direction from fellow Board members to know if he should support or oppose this bill.
- Next one – ballot initiative that will be on November ballot sponsored by the League of Calif. Cities – the Local Taxpayer, Public Safety and Transportation Protection Act. No support for this at CSAC. No position from CSAC on this issue. What are Board members' thoughts? Counties will be affected more so than cities. Not sure which way RCRC will go. Hazard asking for Board direction at RCRC. The Board NT supportive of this. Brian Muir's recommendation: we should oppose this, no doubt.

Brian Muir:

- There are a lot of goofy solutions out there. We may go to our budget not knowing what the state is going to do.

ADJOURNMENT: 4:40 P.M.

BYNG HUNT

Chairman

ATTEST:

SHANNON KENDALL

Sr. Deputy Clerk of the Board

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