



**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
July 1, 2014**

9:00 AM Meeting Called to Order by Chairman Johnston. Supervisors adjourned to top of courthouse for raising of the flag.

*Supervisors Present: Alpers, Fesko, Hunt, Johnston and Stump.
Supervisor Absent: None.*

Adjourn to raise flag: 9:02 a.m.

Reconvene: 9:15 a.m.

Break: 10:07 a.m.

Reconvene: 10:16 a.m.

Closed Session: 11:00 a.m.

Reconvene: 1:15 p.m.

Adjourn: 1:15 p.m.

Pledge of Allegiance led by Chairman Johnston, with spectators gathered outside in front of courthouse. Meeting reconvened inside following the flag ceremony.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Fred Fulstone:

- Gave brief statement/update about Sierra Nevada Bighorn sheep. Referenced a couple handouts (to be posted online as additional documents).

Floyd W. Rathbun (Certified Range Management Consultant):

- Here with Fred Fulstone; also works with Bighorn Sheep issues.
- Discussion about Sage-Grouse.
- Supervisor Stump: asked about AUM.

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Action: Approve Minutes of the Regular Meeting held on June 10, 2014, as corrected.

Hunt moved; Alpers seconded

Vote: 5 yes, 0 no

M14-112

Supervisor Johnston:

- P. 11 of draft minutes, top of page, third bullet point should read, "She spoke about outreach to the Hispanic community."

Supervisor Stump:

- P. 2 of draft minutes, under his board report, second bullet. Last sentence should read, "...July meeting has been cancelled. There will be one new LTC Commissioner."

B. Board Minutes

Departments: Clerk of the Board

Action: Approve Minutes of the Special Meeting held on June 16, 2014.

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

M14-113

C. Board Minutes

Departments: Clerk of the Board

Action: Approve Minutes of the Regular Meeting held on June 17, 2014.

Johnston moved; hunt seconded

Vote: 5 yes; 0 no

M14-114

D. Board Minutes

Departments: Clerk of the Board

Action: Approve Minutes of the Special Meeting held on June 19, 2014.

Fesko moved; Stump seconded

Vote: 5 yes; 0 no

M14-115

3. PRESENTATIONS - NONE

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- There are a lot of folks coming over Yosemite pass into Lee Vining.
- Last Tuesday, met with group from June Lake working on monument signage; Forest Service is on board and putting on their perimeters. Scott Burns' daughter did three renderings. Three different locations have been identified.
- In Sacramento Wednesday and Thursday at eye doctor.

- He will not be at next Tuesday's meeting; leaving Monday for Washington D.C. Will be with Rusty Gregory and Ron Cohen from MMSA; going back to move Land Trade Bill forward. He will be paying for this trip himself; county is not paying for it.

Supervisor Fesko:

- 6/21/14 – attended wedding; officiated. He has another one to officiate on July 6th.
- 6/27/14 – attended changing of command at MWTC. Then he headed to special meeting on 6/27/14 in Lee Vining.
- Attended memorial services for north county residents.
- Attended anniversary celebration for Huggans.
- 6/30/14 – met with Bridgeport District Ranger (Jeff Ulrich) – got out in the field, showed him some areas.
- Encouraged participation in Bridgeport for the 4th of July parade and festivities.

Supervisor Hunt:

- 6/20/14 – Eastern Sierra Transit Authority meeting in Bishop – they have about a \$2 million dollar reserve fund; they will try to keep as a reserve. Passed 2014/15 budget.
- 6/20/14 – ESCOG meeting in Bishop; introduced to John Wentworth, Town Council; also other new members were present bringing new energy to the group.

Supervisor Johnston:

- Attended 6/27/14 special meeting; thanked staff for setting that up.
- Attended ARC meeting.
- Attended ESCOG meeting.
- Been doing work for 4th of July parade.
- Recognized 150th anniversary of Yosemite.

Supervisor Stump:

- Last Wednesday, attended Long Valley RPAC, Economic Development came and presented their proposal.
- Following day, meeting at Office of Education with Jim Leddy and Superintendent of Schools re: CSA#1 and creation of library. More data to come.
- Attended special meeting on 6/27/14 in Lee Vining; pleased with number of people that showed up. Thanked Supervisor Johnston and Fesko for moving the special meeting along; it was run well.
- Grant for RACE communications (high speed internet) for various areas in his district was approved last week at PUC.
- Head Start – Dr. Adler indicated that Head Start has been given a year's extension on their site location.

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Jim Leddy:

- 6/20/14 – attended part of ESCOG meeting; focus was on their legislative platform. Mono County has already adopted theirs. Mentioned Sage Grouse work being done in regards to the legislative platform, preventing listing and preserving species will be desired result.
- 6/25/14 – Office of Education reorganization meeting; meeting about CSA#1 and library potential.
- Doing fiscal and space analysis.
- Board presentations: next month and every month thereafter a group of employees will be highlighted. Will happen the first meeting of every month.
- Next Strategic Planning Meeting – there is a survey being done and the next meeting is on 7/10/14 at 4:00 p.m. in Lee Vining.
- He's here with his whole family now, living in Crowley.

6. DEPARTMENT/COMMISSION REPORTS

Gerald Frank:

- Update on PACE program; talked to representative. Hearing is today, if it goes smoothly, this will be implemented on July 7, 2014.
- Working on a press release about this.
- Next steps: setting up website and establishing links. There will be a paper insert in tax bills. There will be materials sent out for Community Development to hand out.
- Supervisor Fesko: hats off to staff for getting so much done so quickly.

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. Appointment of Bridgeport Valley Regional Planning Advisory Committee (RPAC) Members

Departments: Community Development

Action: Re-appoint existing Bridgeport Valley Regional Planning Advisory Committee (RPAC) members to new two-year terms expiring in January 2016 or 2017, as recommended, and appoint Gene Kinum with a term expiring January 2017.

Hunt moved; Alpers seconded

Vote: 5 yes; 0 no

M14-116

B. Certification of the Statewide Direct Primary Election 6.3.14

Departments: Elections

Certification of Results of the Canvass of the June 3, 2014, Statewide Direct Primary Election.

Action: Receive and approve as correct the Statement of Votes for the June 3, 2014, Statewide Direct Primary Election, and declare elected to each office voted on under the jurisdiction of the Board of Supervisors, the person having the requisite number of votes.

Hunt moved; Alpers seconded

Vote: 5 yes; 0 no

M14-117

C. Contract Extension with Nielsen's Equipment Maintenance and Communications

Departments: Sheriff's Office and Information Technology

The Mono County Sheriff's Office would like to extend the County's current contract with Nielsen's Equipment Maintenance and Communications for one year, July 1, 2014 - June 30, 2015.

Action: Approve County entry into, and authorize the Board Chair to sign, proposed new agreement with Nielsen's Equipment Maintenance and Communications for the provision of communications/electronics maintenance

services for one year (July 1, 2014 to June 30, 2015), on the same terms and conditions as the current contract, with a not to exceed contract limit of \$107,100.

Hunt moved; Stump seconded

Vote: 4 yes; 1 no: Fesko

M14-118

Pulled by Supervisor Fesko:

- Has a problem because we keep extending this contract without going out and seeing what else there is.
- An open process, a Request for Proposals needs to happen.

Supervisor Stump:

- He has worked with Nielsen and seen him do work for county with no reimbursement.
- No one understands the communications system in our county the way he does.
- Happy to support this renewal; at some point he will retire. Those that complain tend to not want to be part of the solution.

Supervisor Hunt:

- This is a huge task that he does; this issue has come up repeatedly.
- We will eventually need to do something different; he will retire as some point.
- He's o.k. with the one year renewal.

Supervisor Johnston:

- He generally agrees with going out to bid; he supports renewing now and then going out to bid next time around.

Sheriff Obenberger:

- His office is working on an RFP; couldn't get it done before Nielsen's contract expired.
- It will be happening this year.

D. Appointment to the CSA #5 Board

Departments: Clerk of the Board

Benny Romero was recently nominated by the CSA #5 Board to fill the fifth and final spot on the Board. He has agreed and is interested in doing so. This item is to get Board approval for Mr. Romero's appointment. This item is being sponsored by Supervisor Fesko.

Action: Appoint Benny Romero to the CSA #5 Board, filling the last open vacancy on this Board.

Hunt moved; Alpers seconded

Vote: 5 yes; 0 no

M14-119

E. May 2014 Transaction Report

Departments: Finance

Treasury Transactions for the month of May 2014.

Action: Approve the Treasury Transaction Report for the month of May 2014.

Hunt moved; Alpers seconded

Vote: 5 yes; 0 no

M14-120

F. Public Defender Investigator Contract

Departments: Finance

Proposed contract with Tyrone Atwater dba Atwater Investigations pertaining to the provisions of private investigation services for the Mono County Public Defenders.

Action: Approve the contract for the provision of private investigative services for fiscal year 14/15 in an amount not to exceed \$70,000 contingent on adoption of the the 2014/15 County budget.

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

M14-121

Pulled by Supervisor Fesko:

- General question about the “contingency” of budget being adopted.
- How will he get paid if he starts contract and budget doesn’t get adopted?
- Doesn’t think it should be “contingent”.

Leslie Chapman:

- Today we have a budget in place; a roll over budget. The wording “contingent” was placed there because of the budget not being approved.
- When you cross fiscal years with no budget you have to have a contingency.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. Fish and Game Regarding Pacific Halibut Sport Fishing Season

Letter from the Fish and Game Commission, dated June 6, 2014 regarding notice of proposed emergency regulatory action relating to Pacific halibut sport fishing.

B. Federal Energy Regulatory Commission

Information received from the Federal Energy Regulatory Commission regarding Application for Temporary Variance of Minimum Pool Elevation Requirement for the Lee Vining Project.

Supervisor Stump:

- Asked about the wording “Variance of Minimum Pool”.
- Supervisor Hunt: explained they are talking about Tioga Lake which is fluctuating in levels.

C. Southern California Edison

Information from SCE dated June 19, 2015 regarding the 2015 Energy Resource Recovery Account (ERRA) Forecast Application, A.14-06-011.

D. Moss Letter Regarding Mono County Chamber of Commerce

Letter dated June 5, 2014 from David Moss enclosing a California Franchise Tax Board Letter addressed to the Mono County Chamber of Commerce in care of Mr. Moss. Mr. Moss served as Treasurer on the Mono County Chamber in the

late 1990's and this information has to do with Tax-Exempt Status Revocation and who currently carries the financial burden of the Chamber. When Mr. Moss resigned in 2000, he saw to it that the financial burden of the Chamber was assumed by the County's Accounting office.

Supervisor Stump:

- Asked if there has been a resolution?
- No longer a need for this type of corporation?

Leslie Chapman:

- Had wanted to address this.
- She's been in contact with Mr. Moss and Sandra Forstenzer who was active in Tourism Commission.
- This has been inactive since 1990.
- These letters are being sent out to try to collect.
- She's has been working to update, reinstate corporation. At end result, would like to dissolve it, assuming that meets with Board's approval.

The Board acknowledged receipt of the correspondence.

9. REGULAR AGENDA - MORNING

A. Authorization to Recruit and Refill GIS Specialist Position

Departments: Information Technology

(Nate Greenberg) - As of June 25, 2014, the GIS Specialist position within the Information Technology department will be vacated by the incumbent, Peter Kobylarz. This item requests authorization to recruit for and re-fill this critical position.

Action: Authorize the Director of Information Technology to begin the recruitment effort for a GIS Specialist I/II position to replace Peter Kobylarz. This is filling a critical need for the county, the hard hiring freeze is being lifted as justification has been made for this recruitment.

Alpers moved; Hunt seconded

Vote: 5 yes; 0 no

M14-122

Nate Greenberg:

- Introduced item; explained what he's seeking today.
- Not aware of anyone locally; will be recruiting widely.
- Feels his staff report states the reasons why there is such a critical need to fill this position.

Supervisor Johnston:

- We have a hard freeze.

Supervisor Fesko:

- Has Nate justified need for this?

B. Expansion of California Tax Credit for Film and Television Production (AB 1839)

Departments: Economic Development

(Alicia Vennos) - The Mono County Tourism & Film Commission encourages

the Board of Supervisors to support Assembly Bill 1839 which will enhance California's existing film and television production tax credit program. The goal is to attract an increased number of productions in California which will thereby create additional potential for Mono County to secure incremental filming opportunities.

Action: NONE

PULLED FROM AGENDA; WILL BE BROUGHT BACK ON JULY 15TH FOR CONSIDERATION

C. Mono County Comments on the Draft Economic Analysis of Critical Habitat Designation for the Bi-State Distinct Population Segment of Greater Sage-Grouse

Departments: Community Development, Economic Development, Inyo-Mono Agricultural Commissioner, County Counsel

(Wendy Sugimura) - Presentation on the Draft Economic Analysis of Critical Habitat Designation for the Bi-State Distinct Population Segment of Greater Sage-Grouse.

To view the Economic Analysis associated with this item, which is too large to attach to this packet, please click on the following link:

[http://www.monocounty.ca.gov/sites/default/files/fileattachments/Board%20of%20Supervisors/calendar event/2306/sage grouse large attachment.pdf](http://www.monocounty.ca.gov/sites/default/files/fileattachments/Board%20of%20Supervisors/calendar%20event/2306/sage_grouse_large_attachment.pdf)

Action: Approve and authorize chairman to sign comment letter regarding the Draft Economic Analysis, with any desired changes.

Hunt moved; Fesko seconded

Vote: 5 yes; 0 no

M14-123

Wendy Sugimura:

- Introduced item.
- Discussion about Economic Analysis.
- What's suitable vs. unsuitable habitat?
- Basis of letter today is that suitable vs. unsuitable habitat was not properly defined in the Analysis.
- This error in the Analysis fundamentally changes the Analysis itself.
- In letter, relevant data that has been omitted and points out data inaccuracies which should be corrected: grazing, tourism and recreation, and residential development.
- Discussion about exclusions that should be granted on the basis of economic impacts and lack of primary constituent elements (PCE's).
- Went over proposed changes that need to be made.
- Private and public lands examined; they recognized that private lands are not stand alone.
- Residential development discussion.

Floyd W. Rathbun (Certified Range Management Consultant):

- Mentioned a few additional items that could be added to letter, mostly concerning grazing.

Supervisor Johnston:

- Thanked all staff.

Supervisor Fesko:

- As our county sends out information, we're not necessarily getting replies.
- Residential enclave discussion. Need to get all the private property removed.

Supervisor Hunt:

- Commended staff, especially Wendy. Thinks it's a great letter; he supports anything we can do to push this forward.

Supervisor Stump:

- Discussion about fees, appraisals, allotments. No value placed on those?
- Last December, one of their desires was to have development in county in clustered areas which county promotes. They're still seeking to extend designation?
- Residential development.
- Unsuitable habitat discussion.

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, Bill Van Lente 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.

B. Closed Session - CAO Performance Evaluation

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

C. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Clerk-Recorder.

D. 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. Standard Industrial Minerals.

E. 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.

F. 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: Luman v. Mono County Personnel Appeals Board.

G. 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: Inland Aquaculture Group, LLC v. Mono County et al.

REGULAR AFTERNOON SESSION COMMENCES - NONE

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

13. REGULAR AGENDA AFTERNOON- NONE

ADJOURN 1:15 p.m.

ATTEST

LARRY K. JOHNSTON
CHAIRMAN

SHANNON KENDALL
SR. DEPUTY CLERK