



**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 10, 2018**

9:01 AM Meeting Called to Order by Chair Gardner.  
*Supervisors Present: Corless, Gardner, Halferty, Peters, and Stump.*

**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 Stump.

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

**Pam Hamic, Northern Mono County Hospice:**

- Starting to train volunteers for hospice on Thursday.
- Have approximately 35 volunteers.
- August 11, Luau Fundraiser.

**Benny Romero, Bridgeport Ranch:**

- Suggested sound system on the other side of Bridgeport during 4<sup>th</sup> of July so everyone can hear.
- Bodie Foundation in town. 1,300 people through the gate at Bodie every day.
- Eastern Sierra Photography Jamboree (passed out brochure, available in additional documents). Would like Board members to be judges.

**2. RECOGNITIONS**

**A. Jennifer Halferty Swearing In as District One Supervisor**

Departments: Clerk of the Board

Jennifer Halferty was appointed by Governor Brown as the Mono County District One Supervisor on July 2, 2018 and therefore, will be sworn into the office.

**Action:** No Board action required. Senior Deputy Clerk Scheereen Dedman will administer the oath of office.

**Supervisor Gardner:**

- Introduced Jennifer Halferty.

**Scheereen Dedman, Senior Deputy Clerk**

- Performed oath.

### 3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

**Leslie Chapman, CAO:**

- Hope everyone had a great 4<sup>th</sup> of July.
- Volunteered for hospice booth.
- Spending time catching up on administrative duties, different personnel items, trying to resolve union issues, a few customer service improvements.

### 4. DEPARTMENT/COMMISSION REPORTS

**Sheriff Braun:**

- Fourth of July, successful and quiet.
- Successful June Lake Triathlon. Competed, and completed.
- Working with Supervisor Stump on a noise complaint at the Crowley Lake Community Center.

### 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. Board Minutes

Departments: Clerk of the Board

Approval of minutes from the Regular meeting held on June 5, 2018.

**Action:** Approve the minutes from the Regular meeting held on June 5, 2018.

**Peters moved; Corless seconded**

**Vote: 4 yes; 0 no; 1 abstain**

**M18-140**

Supervisor Halferty abstained.

#### B. Board Minutes

Departments: Clerk of the Board

Approval of minutes from the Regular meeting held on June 12, 2018.

**Action:** Approve the minutes from the Regular meeting held on June 12, 2018.

**Peters moved; Corless seconded**

**Vote: 4 yes; 0 no; 1 abstain**

**M18-141**

Supervisor Halferty abstained.

### **C. Board Minutes**

Departments: Clerk of the Board

Approval of minutes from the Regular meeting held on June 19, 2018.

**Action:** Approve the minutes from the Regular meeting held on June 19, 2018.

**Peters moved; Corless seconded**

**Vote: 4 yes; 0 no; 1 abstain**

**M18-142**

Supervisor Halferty abstained.

### **D. Bilingual Pay for Deputy Probation Officers Unit**

Departments: Human Resources

Proposed resolution adopting and approving Agreement and First Amendment to the Memorandum of Understanding between the County and the International Union of Operating Engineers, Stationary Local 39, on behalf of the Mono County Deputy Probation Officers Unit.

**Action:** Adopt proposed resolution R18-40, Approving Agreement and First Amendment to the Memorandum of Understanding between the County and the International Union of Operating Engineers, Stationary Local 39, on behalf of the Mono County Deputy Probation Officers Unit.

**Stump moved; Halferty seconded**

**Vote: 5 yes; 0 no**

**R18-40**

## **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. Caltrans Speed Zone Survey of Tioga Pass Road**

Letter from Caltrans regarding a speed zone survey conducted on State Route 120 which resulted in a recommendation that the speed limit be updated to 55 mph.

### **B. Los Angeles Department of Water and Power Transition of Responsibility**

Letter from the Los Angeles Department of Water and Power advising the Board of Supervisors that Mr. Clarence Martin will be replacing Mr. James Yannotta as Aqueduct Manager in the Water Operations Division.

**Supervisor Stump:**

- Would like to note, it's a complete ignoring of all the issues of concern received on this issue [Mono County water / LADWP].

### **C. Davis Wright Tremaine LLP Letter**

Letter from Zeb Zankel of Davis Wright Tremaine LLP, attorneys for Altice USA, Inc. to Michael Pierce of the California Public Utilities Commission to advise that Altice USA completed a pro forma restructuring on June 8, 2018.

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

### **A. Proposed Ordinance Amending Mono County Code Chapter 7.92 Pertaining to the County's Smoking and Tobacco Policy**

Departments: County Counsel

(Christian Milovich) - Pursuant to recent Board direction, staff is presenting proposed Ordinance No. Ord18-\_\_\_, Amending Mono County Code Chapter 7.92 Pertaining to the County's Smoking and Tobacco Policy to Allow for the Sale of Certain Flavored Tobacco Products.

**Action:** Introduce, read title, and waive further reading of proposed ordinance amending Mono County Code Chapter 7.92 Pertaining to the County's Smoking and Tobacco Policy to Allow for the Sale of Certain Flavored Tobacco Products.

**Peters moved; Corless seconded**

**Vote: 4 yes; 1 no**

#### **M18-143**

**Christy Milovich, Assistant County Counsel:**

- Introduced item.
- Amended current ordinance to allow for flavored tobacco items.
- Sale and distribution by local businesses, flavored cigars, cigarillos, chewing tobacco, and snuff.
- Flavored Nicorette gum and patch are allowed.
- What is NOT allowed are flavored non-tobacco cartridges, or accessories for vape pens and smoking devices.

**Dustlyne Beavers, Tobacco Control Program Coordinator:**

- Presentation discussing youth and flavored tobacco, exhibit shown.

**Nancy Mahannah, Public Health Nurse, Health Program Coordinator:**

- Discussed results of survey performed earlier.

**Public Comment:**

Debie Bush, spoke in opposition of restriction of flavored tobacco sales.

Misti Sullivan, spoke in opposition.

Pam Hamic, spoke in opposition.

**Supervisor Peters:**

- This isn't a step back, what it is is no change in product.
- Handed out pictures of products on shelves from previous meetings (available in additional documents)

**Supervisor Corless:**

- Huge win in Mono County to finally have a ban on outdoor smoking, and a ban on vaping products and e cigs.
- Inconsistent policy with what there is in Mammoth Lakes. Would like Board to agree to advise staff to work on a plan to have consistent policy.
- Would like motion amended, agreement to work towards a goal of banning all flavored tobacco products, agree to work towards the goal in a set time frame.

**Super Halferty:**

- Would like to keep the ordinance as it is.

**Super Gardner:**

- Concerned with protecting the youth. Save taxpayers money from costs of tobacco use results, health-wise. If one life is saved, then it is worth it.

**Supervisor Stump:**

- When it comes to substance use, he falls on the Libertarian side.

Provided staff direction to develop a timeline and a plan for banning flavored tobacco products in Mono County.

*Break: 10:47 am*

*Reconvene: 10:56 AM*

**B. Birch Creek Condo - Potential Sale**

Departments: Community Development, Finance

(Wendy Sugimura, Megan Mahaffey) - The county-owned June Lake housing unit is currently vacant. This item will formally discuss the sale of the Birch Creek Condo # 5, located in June Lake.

**Action:** Direct staff to prepare a Resolution of Intention to sell Birch Creek #5 for consideration by the Board.

**Halferty moved; Stump seconded**

**Vote: 5 yes; 0 no**

**M18-144**

Direct staff to work with Mammoth Lakes Housing to deed restrict Birch Creek Condo # 5.

**Stump moved; Peters seconded**

**Vote: 4 yes; 0 no; 1 abstain**

**M18-145**

Supervisor Halferty abstained.

Direct Staff to obtain an appraisal of Birch Creek Condo #5 and bring back detail of how the funds will be used to implement specific portions of the housing toolbox.

**Halferty moved; Stump seconded**

**Vote: 5 yes; 0 no**

**M18-146**

**Wendy Sugimura, Interim Community Development Director:**

- Introduced item.

**Megan Mahaffey, Accountant II:**

- Provided update of the unit.

**C. Housing Mitigation Ordinance Suspension**

Departments: Community Development

(Megan Mahaffey) - The current Housing Mitigation Ordinance suspension expires August 30, 2018. The suspension must be extended to allow time for the community-based planning approach to proceed.

**Action:** 1. Introduce, read title and waive further reading of proposed ordinance extending the current suspension of the Mono County Housing Mitigation Ordinance until June 30, 2019; and 2. Direct Staff to integrate Housing Mitigation Ordinance potential adoption with Housing toolbox so that the entire housing program package can be evaluated and implemented as directed by the Board.

**Stump moved; Halferty seconded**

**Vote: 5 yes; 0 no**

**M18-147**

**Megan Mahaffey, Accountant II:**

- Introduced item.

**Supervisor Halferty:**

- Square footage fee instead?
- Dynamic policy - different for different communities throughout the County.

**D. Request for Proposals for Indigent Defense Services**

Departments: CAO

(Leslie Chapman) - Request for Proposals (RFP) for Indigent Defense (Public Defender) Services for Mono County.

**Action:** Authorize County Administrative Officer to finalize and release RFP.

**Corless moved; Stump seconded**

**Vote: 5 yes; 0 no**

**M18-148**

**Leslie Chapman, CAO:**

- Gerry Mohun wants to leave office in October.

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

No one spoke.

**9. CLOSED SESSION at 11:26 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 - Initiation of Litigation**

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.

*Reconvene: 12:39 PM*

Nothing to report out of closed session.

## **10. 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:**

- Welcome, Supervisor Halferty!
- Fourth of July – great tribute to Larry in Mammoth parade. Celebration of his life on July 21.
- Behavioral Health Advisory Board—updates on senior focus group (great turnout, another meeting scheduled for August 1), Mammoth and Walker housing projects, successful department audits.
- Continued meetings, focus on DWP de-watering issue.
- Prep for NACo conference, public lands steering committee.
- Sad news on the passing of Bill Taylor, ask to adjourn in his memory.

### **Supervisor Gardner:**

- Last Saturday June 7 I worked as a volunteer at the June Lake Triathlon with my son. We were quite busy providing water and other support to the hundreds of participants on the course. Kudos to our own Wendy Sugimura who was one those out there Saturday. I still owe her a popsicle!
- Yesterday I participated in a June Lake SCE town hall meeting to provide information about their work this summer on the Rush Creek Dam System. They will begin work next Monday building a notch in the Rush Meadows Dam at Waugh Lake, and expect to be completed by the end of October. There will be regular helicopter flights during the week, but these are planned to be fewer than last year and should be less noticeable and quieter.

### **Supervisor Halferty:**

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- The Town of Mammoth Lakes have been given authority to use their HOME down payment assistant award. Funds are for homes within the Town of Mammoth Lakes.
- The Town Council will be discussing next steps to the Parcel – formerly known as the Shady Rest Parcel, at their August 15<sup>th</sup> meeting. The Parcel is in District one surrounding streets include Center, Manzanita, and Shady Rest.
- Bill Taylor passed away a couple of days ago from complications from chemo and leukemia. Bill served on many boards and committees, and I got to know him most directly through his service on the Mammoth Lakes Housing Board. He was a calm and intelligent voice on the Board. And a mentor to me. I will miss him greatly. I'd like to dedicate my first meeting as District One Supervisor in his honor.

**Supervisor Peters:**

- Flyer to North Mono County Hospice Luau (available in additional docs).
- 7<sup>th</sup> Virginia Lakes Water District/Homeowners
- 9<sup>th</sup> Hospice meeting
- Ongoing Discussions Regarding DWP Rancher Leases
- Thanks To PW's staff for all of the time and effort put into a very successful 156<sup>th</sup> July 4<sup>th</sup> Celebration
- CHP concerns of speeding on Highway 182
- **Upcoming:**
- Fisheries and Wildlife Commission
- Great Basin Air Quality Control Board
- Hospice Training Thursday 12<sup>th</sup> – 14<sup>th</sup>.

**Supervisor Stump:**

- 7-4: Assisted with Community Events
- 7-6: Met with the owner of Wave Rave at the Crowley Skate Park - He appreciates the park and is willing to do everything he can to keep it nice. We need to use him because he has connections in the Skate Board community
- 7-9: Helped a potential affordable housing proponent (1 unit) with Land Use Designation and other planning concerns. Also helped facilitate communication involving noise complaints arising from a party held at the Crowley Community Center on Saturday night between one of the residents that complained and both Risk Management and the Sheriff. The Crowley Center is often used by Mammoth Residents because the Town does not make it's center available. Thanks to Gerry LeFrancois, Sheriff Braun, and Jay Sloan.

**ADJOURNED in memory of Bill Taylor at 12:54 PM**

**ATTEST**

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**BOB GARDNER  
CHAIR OF THE BOARD**

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**SCHEEREN DEDMAN  
SR. DEPUTY CLERK**