



**DRAFT 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  
April 2, 2019**

<b>Flash Drive</b>	<b>Board Room Recorder</b>
<b>Minute Orders</b>	<b>M19-58 – M19-67</b>
<b>Resolutions</b>	<b>R19-15</b>
<b>Ordinance</b>	<b>ORD19-02 Not Used</b>

9:02 AM Meeting called to order by Chair Peters.  
*Supervisors Present: Corless, Gardner, Halferty, and Peters.*  
*Supervisors Absent: Stump.*

*Supervisor Gardner attended the meeting via teleconference.*

*All votes were performed by Roll Call.*

**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**

No one spoke.

**2. RECOGNITIONS**

**A. Sexual Assault Awareness and Child Abuse Prevention Month**

Departments: Clerk of the Board

(Matthew O'Connor, Wild Iris; Michelle Raust, Social Services) - April is nationally recognized as Sexual Assault Awareness Month and Child Abuse Prevention Month. Wild Iris is asking for county-wide participation to prevent sexual violence and child abuse and is asking the Board of Supervisors to

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approve official proclamations to recognize April as Sexual Assault Awareness Month and Child Abuse Prevention Month. This is a recurring item, requested by Wild Iris every year.

**Action:** Approve proclamation to recognize April as Sexual Assault Awareness Month.

**Corless moved; Halferty seconded**

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

**M19-58**

**Action:** Approve proclamation to recognize April as Child Abuse Prevention Month.

**Halferty moved; Corless seconded**

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

**M19-59**

**Matthew O'Conner:**

- Gave brief introduction with history on Wild Iris.
- Read proclamations into record.

**Michelle Raust:**

- Read part of proclamation into record.
- Spoke about statewide efforts to bring awareness to these issues.

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

CAO Report regarding Board Assignments

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

**Leslie Chapman:**

- Absent.

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

**Joe Blanchard:**

Discussion about power outage on March 22<sup>nd</sup>:

- Gave a brief report on what happened; there was an issue with the generator.
- Commended members of Public Works for their work and dedication during this disaster.

### **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 on March 8, 2019.

**Action:** Approve the minutes of the Regular meeting on March 8, 2019, as amended.

**Halferty moved; Corless seconded**

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

**M19-60**

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**Pulled by Supervisor Halferty:**

- On page 3 of draft minutes, under Janet Dutcher's comment, the word "Investment" is spelled incorrectly. Directed Clerk to fix this for final minutes.

**B. Board Minutes**

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on March 12, 2019.

**Action:** Approve the minutes of the Regular Meeting held on March 12, 2019.

**Halferty moved; Corless seconded**

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

**M19-61**

**C. Board Minutes**

Approve minutes of the Special Meeting held on March 18, 2019.

**Action:** Approve the minutes of the Special Meeting held on March 18, 2019.

**Halferty moved; Corless seconded**

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

**M19-62**

**D. Megabyte Online Business Property Filing (OBPF)**

Proposed amendment to contract with Megabyte Systems pertaining to Online Business Property Filing system which is an add-on to the Megabyte system that enables property owners to file their business property statements online.

**Action:** Approve County entry into proposed amendment and authorize Chair to execute said contract on behalf of the County.

**Halferty moved; Corless seconded**

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

**M19-63**

**E. Deputy Sheriffs' Association Agreement and Second Amendment to MOU**

Departments: Human Resources

Proposed resolution adopting and approving agreement and second amendment to the Mono County Deputy Sheriffs' Association Memorandum of Understanding in order to reinstate the 401(a) deferred compensation plan for classifications represented by the Association and eliminate the provision of an ICMA VantageCare plan.

**Action:** Adopt proposed resolution R19-15, Approving the agreement and second amendment to the Mono County Deputy Sheriffs' Association Memorandum of Understanding in order to reinstate the 401(a) deferred compensation plan for classifications represented by the Association and eliminate the provision of an ICMA VantageCare plan.

**Halferty moved; Corless seconded**

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

**R19-15**

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## **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. United States Fish and Wildlife (USFW) Notice of Proposed Rule to Remove the Gray Wolf from the List of Endangered and Threatened Wildlife and Comment Period**

A notice from USFW that on March 15, 2019, it published a proposed rule to remove the gray wolf from the List of Endangered and Threatened Wildlife. This opened a 60-day comment period, which will close on May 14, 2019.

### **B. California Department of Fish and Wildlife Draft Environmental Document Bighorn Sheep Hunting**

The California Department of Fish and Wildlife has prepared a draft environmental document pursuant to the California Environmental Quality Act regarding Nelson Bighorn Sheep Hunting in California.

### **C. California Department of Fish and Wildlife Draft Environmental Supplemental Document Regarding Elk Hunting**

The California Department of Fish and Wildlife has prepared a draft environmental supplemental document pursuant to the California Environmental Quality Act regarding Elk Hunting in California.

### **D. Proposed Decision Authorizing Liberty Utilities to Recover Costs Recorded in the Catastrophic Event Memorandum Account Related to 2017 Winter Storms**

An alert from Charles Mason of the California Public Utilities Commission to affected communities, including Coleville, Walker, and Topaz Lake, of a proposed decision authorizing Liberty Utilities to recover costs related to 2017 winter storms. Opening comments are due no later than March 28, 2019 and reply comments are due 5 days after the last day for filing opening comments (April 2, 2019).

*The Board acknowledged receipt of the correspondence.*

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

### **A. Discussion of Phone, Internet, and Power Outage (March 22-24)**

Departments: Board of Supervisors

(Sheriff Braun, Nate Greenberg) - A discussion of the phone, Internet, and power outage (including 911 service) that occurred from 3/22 - 3/24/2019 throughout Mono and Inyo Counties, as far south as Ridgecrest. Discussion to

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include cause(s), response and any follow-up actions the County could take or support others in taking to prevent such outages in the future.

**Action:** None.

**Nate Greenberg, Director of IT:**

- Gave introduction and some technical background on what happened.
- Explained his discussions with Frontier.
- Attributed to some burnt fibers; took a while to find exact location of outage.
- Slightly different than outages in the past: regional router, affected SS7.
- Digital 395 redundancy should help with this type of thing in the future.
- Brief discussion about 911. Hopefully solved by recognizing additional route redundancy.
- Nate will work on correspondence for Board approval.
- Worth celebrating as an organization, including Town, that we remained “up”. Due to a lot of work that Kirk has done with phone replacement. We need to continue to focus on internal solutions regardless of outside agencies that we have no control over.
- On Radio side, he’s due to give an update. Also, on 4/16, he will be before the board to discuss Joint Powers Authority (with Fire Dept and MLPD) for radio system overhaul.
- Public facing end of this: relates to broadband and need to get information out.

**Sheriff Braun:**

- Gave information from a dispatch perspective. Explained that business line was available and tried to inform as many as they could.
- 911 down in both Mono and Inyo for about 15,000 square miles.
- In a larger area, you’d hear about it. Here, we don’t.
- This was a horrifying situation; while we were lucky nothing horrible happened, very concerning that 911 was out.
- Text to 911 could potentially work and be a gamechanger to getting resources out.
- Formalizing all conversations with letters informing that this happened.
- Will try to get number of calls handled through business lines.
- We absolutely need to have protocols in place.

**Supervisor’s Comments:**

**Supervisor Halferty:**

- Asked for clarification on Ethernet project. Still concerned about landline issue with 911.

**Supervisor Gardner:**

- Appreciates detail and looks forward to less outages in the future.

**Supervisor Peters:**

- While in Walker with power out, Deputy Custer (knowing 911 was out), used cell phone to reach Sheriff’s Department.
- Redundancy – could this 911 service be some type of out-of-the-region service?

**Supervisor Corless:**

- Should we have county follow up? Raise awareness?
- In addition to letter, and counsel, we should have a presentation to outline protocol to address Chief Davis’ concerns, etc. (not just town/county department heads but public, outward facing).
- It would be good to do a board item to refresh on protocols and processes.
- What about use of Code Red?

**Supervisor Peters:**

- Asked Nate to work on some correspondence/communication with pertinent entities.

**Supervisor Gardner:**

- Agreed we need to contact State Legislators. We need to make clear that additional revenues would have helped this and request support in the future.
- Asked about number of calls that were handled through business lines?

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**Public Comment:**

**Chief Al Davis (Mammoth Police Dept):**

- Concerned that it took a long time for Department heads to receive information; not the patrol guys' responsibility to figure out what to do.
- Need to work on better future communication at the top of the organizations.

**Alex (MLFPD):**

- Made it through this incident relatively unscathed, we were lucky.
- There is going to have to be a commitment of resources throughout the county to improve communications. Thinks letter is a great idea.

**Briefing on Power Outage in Walker on Friday 3/21**

**Supervisor Peters:**

- Gave overview/information about power outage that occurred in Walker which was very damaging.
- Planned power outage in Walker went wrong; redundancy didn't work
- Regular update calls were being done; CAO was at community center working with CERT team (prior to leaving for vacation).
- Liberty, local CERT team, Social Services and Public Works were among the agencies that helped make a seamless emergency center. It was critical for the people to get power. This was a great community effort.
- This was a success from a standpoint of how far we've come.
- Town Hall meeting at AVFD at 6:00 p.m.

**BREAK: 10:17 A.M.**

**RECONVENE: 10:29 A.M.**

**B. Appointment of New Member to Tri-Valley Groundwater Management District**

Departments: County Counsel

(Jason Canger) - Appoint Ms. Geri Bassett of Bishop, California to fill the current vacancy on the Board of Directors of the Mono County Tri-Valley Groundwater Management District created by the enactment of SB 1084 (Berryhill) pursuant to the recommendation made by the Board of Directors at its March 27, 2019 meeting.

**Action:** Appoint Ms. Geri Bassett to the Board of Directors of the Mono County Tri-Valley Groundwater Management District.

**Halferty moved; Corless seconded**

**Vote: 4 yes. 0 no; 1 absent**

**M19-64**

**Jason Canger, Deputy County Counsel:**

- Introduced and gave history about district and item.
- Explained the make-up of board. Last year, the district (in conjunction with county counsel) addressed changes necessary for this board.
- Wanted to removed Supervisor Stump's voting authority and replace it with new member that lives in district. Supervisor Stump is now ex-officio member.
- Now there is a seventh seat with voting authority to be elected in November 2020, but the board can temporarily fill this vacancy now.
- At last Tri-Valley meeting considered two interested parties and have recommended one of them to be appointed by our board.
- That is what this item is for today.

**Supervisor Halferty:**

- If she's appointed now, will she run in 2020?

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### **C. FY 18-19 Community Development Department Budget Adjustment**

Departments: Community Development

(Wendy Sugimura) - Amendments to Contract Services in the Building and Planning & Transportation budgets to provide for the Mono County Civic Center project and the unanticipated volume of development applications.

**Action:** 1. Approve a Building Division budget amendment adding \$50,000 of revenue, which will be a transfer in from the Civic Center budget, and \$50,000 in expenditures to Contract Services for the Mono County Civic Center project.

**Corless moved; Halferty seconded**

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

**M19-65**

2. Approve a Planning & Transportation budget amendment adding \$230,280 of Planning Permit revenue and \$230,280 in expenditures to Contract Services to provide for consultant costs on development applications. (4/5 vote required).

**Corless moved; Halferty seconded**

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

**M19-66**

**Wendy Sugimura:**

- Introduced and gave overview.
- Explained that there is no impact to the general fund; it's money in and money out.
- Asking for this now because these expenses came in after budget adjustments had been made.

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

No one spoke.

### **9. CLOSED SESSION at 10:55 a.m.**

**RECONVENE: 1:07 p.m.**

*The Board gave direction on Closed Session item 9d below.*

#### **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 - Initiation of Litigation**

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**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.

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

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: 1.

**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: County of Mono v. Amerisourcebergen Drug Corp. Cardinal Health, McKesson Corporation, Purdue Pharma L.P., Purdue Pharma, Inc, The Purdue Frederick Co., Inc. et al., U.S. Dist. Court for Eastern California, Case No. 2:18-cv-00149-MCE-KJN.

**Action:** Direct staff to ratify the filing of United States District Court, Southern District of New York, Case No. 19-cv-2421, against defendants Rhodes Pharmaceuticals, Richard Sackler, Jonathan Sackler, Kathe Sackler, Mortimer Sacker, Ilene Sackler Lefcourt, Beverly Sackler, Theresa Sackler, David Sackler, and Trust for the Benefit of Members of the Raymond Sacker Family and authorize service of the complaint on behalf of Mono County.

Vote or abstention of each member:

Ayes: Supervisors Corless, Gardner, Halferty, and Peters.

Nos: None.

Abstain: None.

Absent: Stump.

**Vote: 4 yes; 0 no; 1 absent.**

**M19-67**

**E. Closed Session - Public Employment**

**PUBLIC EMPLOYMENT.** Government Code section 54957. Title: County Administrative Officer (CAO).

**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.

*Given BEFORE Closed session at approximately 10:40 a.m.*

**Supervisor Corless:**

- 3/21: Town County Liaison: No one showed up for this scheduled meeting. Need to rethink how we communicate with town, and possibly come up with a different committee format that works better. Schedule full board-council with just 1-2 liaison meetings in between or dismantle this committee and provide regular updates to each

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body at their regular meetings. Request discussion and solution, as our constituents want to see local government agencies working together, communicating well.

- 3/26: Met with Inyo NF Mammoth District Ranger Gordon Martin and discussed a number of issues—wildfire communication/meeting, Mill City, recreation.
- 3/27: Eastern Sierra Sustainable Recreation Partnership meeting.
- 4/1: Mammoth Lakes Housing:
  - Strategic plan will be approved in May.
  - Committees: discussed formation of three board standing committees, will finalize in May.
  - Mono County HOME funds awarded (1<sup>st</sup> time homebuyer)
  - 238 Sierra Manor not awarded, need to work on project readiness/missing criteria (need 50 percent complete plans, lead/asbestos report, market study).
  - Annual Report: <https://mammothlakeshousing.org/2018-annual-report/>
  - Latino Housing Coalition w/Mono County Behavioral Health: continue to develop possible shared position and create the Latino Housing Coalition
  - Down payment assistance program—work with TOML staff to adjust budget, funding amounts per town council's direction.
- Westwide Energy Corridors need to engage again on proposed long-distance power line over Montgomery Pass through Mono County.

**Supervisor Gardner:**

- On Wednesday March 20 I attended a meeting in Bishop sponsored by the California Department of Fish and Wildlife to hear about their proposed new revised inland fishing regulations. There were about 150 people in attendance, many of whom were very concerned about the impact of the proposed new regulations. There will be more opportunities for Mono County and its residents and businesses to comment on these changes. Nothing will be implemented until late in 2020 at the earliest. Those interested are encouraged to go to the CA DFW website and comment on the regulations as soon as possible. The website can be accessed at:  
<https://www.wildlife.ca.gov/Fishing/Inland/Trout-Plan/Regulation-Simplification/comments>.

**Supervisor Halferty:**

- On March 20th I attended the Mammoth Lakes Town Council meeting where the Council proposed increasing their Housing Mitigation Fees.
- On Monday, April 1, I participated in the CCRH Legislative Committee meeting and later in the evening I attended the Mammoth Lakes Housing Board meeting.

**Supervisor Peters:**

- 20-21<sup>st</sup> CSAC Regional Meeting on Homelessness & Housing
- Future Agenda Item to discuss resources available from the State and Legislation
- 22<sup>nd</sup>-25<sup>th</sup> Power Outage 911 Request for BOS to hold a meeting in Antelope Valley
- 25<sup>th</sup> Tribe Interview Panel
- 25<sup>th</sup> Jim Erdman CDFW – Biologist
- 25<sup>th</sup> BCOC – NMCC
- 26<sup>th</sup> Wendy and Hailey
- 28<sup>th</sup> IMACA
- 30<sup>th</sup> Mono Village Norm Annett – Land Development Project and CDFW Reg Changes
- 1<sup>st</sup> Met with Supervisor Halferty

**Upcoming:**

- Fisheries
- Town Hall

**Supervisor Stump:**

- Absent.

**ADJOURN 1:09 p.m.**

**ATTEST**

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**JOHN PETERS**  
**CHAIR OF THE BOARD**

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**SHANNON KENDALL**  
**CLERK OF THE BOARD**