



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

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

Meeting Location: Mono Lake Room, 1st Fl., County Civic Center, 1290 Tavern Rd., Mammoth Lakes, CA 93546

**Regular Meeting
January 16, 2024**

9:17 AM Meeting called to order by Chair Duggan.

Supervisors Present: Duggan, Gardner, Kreitz, Salcido and Peters. (All members were present in-person or participated via teleconference in compliance with rules established by the Ralph M. Brown Act).

Supervisors Absent: None.

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

Pledge of Allegiance led by Chair Duggan.

Stacey Simon, County Counsel:

- Explanation of her absence and clarification regarding Supervisor Peters absence (will be authorized by the Just Cause exemption of the Brown Act enacted by the AB2449).

Supervisor Peters:

- Explanation for his absence, why he is participating via zoom, stated that no one over the age of 18 is present while he participates via zoom.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2. RECOGNITIONS

A. Election of New 2024 Board Chair

Departments: Board of Supervisors

(Rhonda Duggan, Outgoing Board Chair) - The outgoing Board Chair will call for nominations to elect the Chair of the Board for 2024.

Action: None, item tabled.

B. Presentation to Outgoing Board Chair Rhonda Duggan

Departments: Board of Supervisors

(Newly Elected Board Chair) - Presentation to outgoing Board Chair Rhonda Duggan by newly elected Board Chair honoring Supervisor Duggan's service to the Board in 2023.

Action: None, item tabled.

C. Election of New 2024 Vice Chair

Departments: Board of Supervisors

(Newly Elected Board Chair) - The newly elected Board Chair will call for nominations to elect the Vice Chair of the Board for 2024.

Action: None, item tabled.

D. Election of New 2024 Chair Pro-Tem

Departments: Board of Supervisors

(Newly Elected Board Chair) - The newly elected Board Chair will call for nominations to elect the Chair Pro-Tem of the Board for 2024.

Action: None, item tabled.

3. COUNTY ADMINISTRATIVE OFFICER

Sandra Moberly, County Administrative Officer:

- Announced that Item #7b. will be moved to a later date.
- Provided an update regarding the Bridgeport Post Office.

4. DEPARTMENT/COMMISSION REPORTS

None.

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

1. Approval of Board minutes from the November 2023, regular meetings.
2. Approval of Board minutes from the December 2023, regular meetings.

Action: 1. Approved the Board minutes from the November 7, 2023, regular meeting, as amended. 2. Approved the Board minutes from the November 21, 2023, regular meetings 3. Approved the Board minutes from the December 5, 2023, regular meeting, as amended. 4. Approved the Board minutes from the December 12, 2023, regular meeting.

Gardner moved; Salcido seconded

Vote: 5 Yes, 0 No

M24-020

Chair Duggan:

- Direction to correct spelling to Paul McFarland.

B. Annual Resolution Delegating Investment Authority to the County Treasurer

Departments: Finance

Resolution Delegating Investment Authority to the County Treasurer.

Action: Adopted Resolution R24-010, Delegating Investment Authority to the County Treasurer.

Gardner moved; Salcido seconded

Vote: 5 Yes, 0 No

R24-010

C. Mono County Statement of Investment Policy

Departments: Finance

Annual approval of the Mono County Statement of Investment Policy pursuant to Section 27133 of the Government Code of the State of California.

Action: Approved the Mono County Statement of Investment Policy as presented.

Gardner moved; Salcido seconded

Vote: 5 Yes, 0 No

M24-021

D. Second Reading: Proposed Ordinance Establishing Title 20, “Chapter 20.20 – Density Bonus Ordinance,” in the Mono County Code to Implement the State Density Bonus Law

Departments: Community Development

Proposed ordinance establishing Title 20, “Chapter 20.20 – Density Bonus Ordinance,” in the Mono County Code to Implement the State Density Bonus Law.

Action: Found that the ordinance is not a project under CEQA Guidelines §15378(b)(2) because it establishes general policy and procedures for

compliance with state law, and development projects utilizing the ordinance are separately subject to CEQA compliance. Directed staff to file a Notice of Exemption. Adopted Ordinance, ORD24-001, Chapter 20.20 – Density Bonus Ordinance.

Gardner moved; Salcido seconded

Vote: 5 Yes, 0 No

ORD24-001

6. CORRESPONDENCE RECEIVED - NONE

Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

7. REGULAR AGENDA - MORNING

A. PUBLIC HEARING: Apogee Farms Cannabis Cultivation: General Plan Amendment and Specific Plan

Departments: Community Development

PUBLIC HEARING: 9:00 AM (20 minutes)

(Aaron M. Washco, Planning Analyst) - Consider a proposed cannabis cultivation project near Benton, which requires a General Plan Amendment to change the Land Use Designation of two parcels (APNs 025-020-013 and 025-040-002) from Rural Residential-40 to Specific Plan, and adoption of the Apogee Farm Specific Plan which sets develop standards and policies and makes use permit findings for commercial cannabis activities and overhead utility lines. A mitigated negative declaration and mitigation, monitoring and reporting program are proposed in compliance with the California Environmental Quality Act.

Action:

1. Conducted a public hearing on the General Plan Amendment, the Apogee Farm Specific Plan, and the associated Mitigated Negative Declaration environmental report, received any additional public comments, deliberated the project, and made any desired modifications.
2. Following the public hearing and project deliberations, certify the Mitigated Negative Declaration (MND); adopted the Mitigation Monitoring and Reporting Program; and adopted the Resolution R42-011, and adopted Ordinance ORD24-002, Adopting GPA 24-01 and the Apogee Farm Specific Plan, which also includes a Use Permit for commercial cannabis and overhead power.
3. Adopted the three recommendations from Community Development Director:
 1. Modify the following implementation measure: Implementation measure 1.f. The project will use an efficient watering system, such as drip irrigation, to

minimize the use of water. Daily water usage is estimated to be 600 gallons per day during full operation and daily water use records will be kept for ~~five years~~ the life of the project”

2. Modify the “Uses permitted subject to a SP Amendment and Use Permit Equivalent” section to the following (modifications underlined):
 - a. Any uses other than a permitted use or use subject to a Director Review Permit require an amendment to this SP.
 - b. Commercial cannabis activities substantially compliant with the project description and site plan.
 - c. Overhead utility line substantially compliant with the project description.
3. Add a condition to the cannabis use permit and appropriately modify references to the standard five-year record keeping timeframe: Maintain water records for the life of the project.

Gardner moved; Kreitz seconded

Vote: 5 Yes, 0 No

R24-011, ORD24-002

Wendy Sugimura, Community Development Director:

- Provided background.
- Discussed that the applicant is willing to bring property up to code.

Aaron M. Washco, Planning Analyst:

- Presented item.
- Responded to public comment, clarifying that the applicant does not own the scrap yard.
- Discussed that the applicant is willing to bring property up to code.

Open Public Hearing: 10:29 AM

Public Comment:

Person #1:

- Requested that the applicant could address the current state of the property.

Applicant:

- Discussed his environmental intentions with concerns to products of use.
- Discussed the old scrap yard.
- Discussed his willingness to bring property up to code.

Person #2:

- Discussion on the community, impact, and effects.
- Discussed concerns with security.

Duane Hazard:

- Discussion on the junk trailers and the scrap yard (not on applicants’ property).

Board Deliberation:

Duggan: In support of and would like some data.

Gardner: In support of and supports the recommendations from Community Development Department

Kreitz: In support of, would not like to include recommendations from Community Development Department

Peters: No comment.

Salcido: In support.

Stacey Simon, County Counsel:

- Provided clarity on applicant's ability to speak prior to closing the Public Hearing.

Closed Public Hearing: 10:53 AM

Break: 10:55

Reconvened: 11:10 AM

Moved to item #7d.

B. Mammoth Hospital Expansion - Update

Departments: County Administrative Office

(Tom Parker, Chief Executive Officer) - Presentation on the update of the Mammoth Hospital expansion.

Action: None, item tabled.

C. Inyo-Mono Broadband Consortium Update

Departments: Board of Supervisors, Sponsored by Supervisor Gardner

(Scott Armstrong, Regional Broadband Coordinator) - Presentation from Scott Armstrong, Regional Broadband Coordinator, on broadband-related activities.

Action: None.

Scott Armstrong, Regional Broadband Coordinator:

- Presented item.

Moved to Item #7e.

D. Funding Opportunities for Affordable Housing and Other Projects

Departments: County Counsel

(Christopher Beck, Assistant County Counsel) - Provide the Board with an update regarding funding opportunities, including Enhanced Infrastructure Financing Districts (EIFDs), increase in Transient Occupancy Tax (TOT), or other options, for affordable housing and other projects.

Action: Provided direction to staff regarding options which should be investigated further and brought back to the Board for future action.

Christopher Beck, Assistant County Counsel:

- Presented item.
- Discussion on what the next step of the EIFD would be.

Sandra Moberly:

- Provided information on the Enhanced Infrastructure Financing Districts (EIFD).

- Discussion on the Special Districts.
- Clarified the voting process.

Stacey Simon, County Counsel:

- Discussed the increase of the Transient Occupancy Tax (TOT).
- Clarifies the difference between the General Tax and Special Tax.

Dr. Janet Dutcher:

- Clarified the Transient Occupancy Tax (TOT) and the allocation of the monies.
- Discussion on the different degrees of commitment that the Board can pursue in regard to finance.

Public Comment:

Paul McFarland:

- Discussion on Special Districts and budgets.
- Discussion on the Transient Occupancy Tax (TOT) percentages.

Person #1:

- Discussion on the Enhanced Infrastructure Financing Districts (EIFD) and the “opt out option”.

Lorinda Beatty:

- Discussion on the Special Districts options and the long-term effects.
- Expressed the concerns of the Special Districts that she is involved with.
- Discussion on the allocation of the Transient Occupancy Tax (TOT) options considerations.

Fred Stump:

- Thanked CAO Moberly for responding to his email (email is posted to County meeting website).
- Spoke on behalf of the Long Valley Fire District Chief: Expressed the concerns they have regarding volunteering, and infrastructural deficits.

Chair Duggan:

- Thanked the Board, staff, and public input.
- Consensus for direction is to pause the EIFD for now.

Deliberations:

Kreitz:

- Supports the County going to 14 percent, skipping the TBID and dedicating 2 percent to housing.
- Prefers to put County monies aside verses appointing a committee.
- Supports going to the taxpayers asking for 2 percent of TOT dedicated to Affordable Housing.
- Discussion on Mammoth mountain not being the cornerstone of her discussion making and the mitigation challenges.
- Recommends that the Mono County have authority over the portion that the County collects.

Gardner:

- Agrees with Supervisor Kreitz's suggestion of the 2 percent of TOT dedicated to Affordable Housing.
- Discussion on the long-term effects of the EIFD and does not want to take the EIFD off the table.
- Clarification on TOT and the existing earmarks approved by the Board.
- Does not support spending money now on the outreach for EIFD.

Salcido:

- Supports the raising of the TOT, expressed concern with providing outreach to local business owners to address any concerns/questions.
- Discussion on the long-term effects of the EIFD and the Special Districts.
- Supports performing outreach and leg work now verses later for the EIFD.

Peters:

- Agrees with Supervisor Kreitz and Gardner's comments.
- Supports the 14 percent TOT raising and to reaffirm our commitment to the prior TOT increase.
- Discussion on checking in regularly with the Assessor's Office to assure that they have the resources that are required for efficiency.

Duggan:

- Supports the TOT increase.
- Discussion on the cost of potential outreach.
- Supports spend time and money on TOT and table the EIFD (not indefinitely).

Moved to Item #7c.

Break: 12:41 PM

Reconvened: 12:48 PM

E. Updated Diversity Equity and Inclusion Resolution

Departments: County Administrative Office

(Christine Bouchard, Assistant County Administrative Officer) - Proposed resolution Affirming Mono County's Commitment to Diversity, Equity, and Inclusion (DEI).

Action: Adopted Resolution R24-012, Affirming Mono County's Commitment to Diversity, Equity, and Inclusion (DEI).

Gardner moved; Salcido seconded

Vote: 5 Yes, 0 No

R24-012

Christine Bouchard, Assistant County Administrative Officer:

- Presented item.

F. Appointments of Supervisors to Boards, Commissions, and Committees for 2024

Departments: Clerk of the Board

(Queenie Barnard, Clerk-Recorder-Registrar) - Mono County Supervisors serve on various boards, commissions, and committees for one-year terms that

expired on December 31, 2023. Each January, the Board of Supervisors makes appointments for the upcoming year. The Board of Supervisors made appointments for 2024 at the January 9, 2024, meeting. However, due to Supervisor Peters' absence, this item is being brought forward again to make any additional changes.

Action: None, tabled item to 2/6.

G. Election Education Series Part 2: Election Technology, Security, and Observers

Departments: Elections

(Queenie Barnard, Registrar of Voters) - In anticipation of the upcoming March 5, 2024, Presidential Primary Election, the Mono County Registrar will be presenting a four-part Election Education Series to the Board of Supervisors and public. Part 2 of the series will review Election Technology, Security, and Observers.

Action: None.

Queenie Barnard, Registrar of Voters:

- Presented item.

Moved to Closed Session.

8. CLOSED SESSION

Closed Session: 12: 35 PM

Reconvened: 2:10 PM

No action to report out of Closed Session.

Moved to Adjournment.

A. Closed Session - Labor Negotiations

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Sandra Moberly, Mary Booher, Stacey Simon, Janet Dutcher, Jay Sloane, Christine Bouchard, and Oliver Yee. 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 Correctional Deputy Sheriffs' Association. Unrepresented employees: All.

B. Closed Session - Public Employee Evaluation

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

9. BOARD MEMBER REPORTS

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

Chair Duggan:

- Attended the ESTA meeting on the 11th.

Supervisor Gardner:

- On Wednesday, Jan. 10, I listened to a presentation from the Brookings Institution about the current US economic conditions and why consumers are not more positive. The overall conclusion was that although the current economy is improving, there are still some sectors struggling and other non-economic factors are having a negative effect on consumer feelings.
- On Thursday, Jan. 11 I participated with Supervisor Duggan in a meeting of the Eastern Sierra Transit Board of Directors. Topics at that meeting included review of various operations and financial reports and approval of selected grant applications. ESTA ridership has improved back to pre-COVID levels on many routes and their driver recruitment has been excellent.
- On Friday Jan. 12 I listened in on a meeting of the Recreate Responsibly organization. We heard updates from several Federal recreation-related public agencies and other organizations.

Supervisor Kreitz:

- January 9, 2024 – CCRH Finance Committee Meeting – We discussed Prop 1 -- see factsheets attached and updates on ACA 1.
- January 10th, 2024 – NACo Community Economic and Workforce Development committee Meeting - Richard Cho, the Senior Advisor to the Secretary for Housing and Services at the U.S. Department of Housing and Urban Development (HUD) joined the CEWD committee meeting to provide an overview of HUD's resources, reports, and recent actions to combat and prevent homelessness. Richard talked about HUD's recently released 2023 Annual Homeless Assessment Report: Part 1: Point-in-Time Estimates, an annual snapshot of the number of individuals in shelters, temporary housing, and in unsheltered settings. The report found more than 650,000 people were experiencing homelessness on a single night in January 2023, a 12% increase from 2022. The largest growth year over year in the history of the PIT Count. Homelessness increased in all categories with veterans' homelessness increasing the least, new homelessness increased by 25% driven largely by rent increase – rents creased 9% nationwide. The report also includes the Housing Inventory Count of shelter and housing resources to serve people experiencing homelessness.
- January 11, 2024 – I attended the Town of Mammoth Lakes Short Term Rental moratorium committee meeting. The Town reviewed some proposed policy changes, carrots for creating more affordable housing and are planning to address proposed zoning changes.
- January 12, 2024 – I participated in the California Coalition for Rural Housing board meeting. The Board adopted the 2024 organizational budget and received an update and overview of the Governor's proposed budget as it relates to housing. I will share with Danniele a copy of the letter titled "Affordable Housing and Homeless Solutions Leaders: Budget proposal impacts "deeply troubling" A broad multi-sector coalition of affordable housing, homelessness, and housing justice advocates release united statement in response to the Governor's proposed budget.
- Reminder that the tri-county annual Point in Time Count will be held on January 24th. I will share with Danielle a copy of the flyer to share with the Board.

Supervisor Peters:


- No report.

Supervisor Salcido:

- No report.

ADJOURNED at 2:11 PM.

ATTEST


Rhonda Duggan (Feb 15, 2024 19:31 PST)

**RHONDA DUGGAN
CHAIR OF THE BOARD**



**DANIELLE PATRICK
SENIOR DEPUTY CLERK OF THE BOARD**