



EASTERN SIERRA COUNCIL OF GOVERNMENTS (ESCOG)

SPECIAL MEETING MINUTES

Friday, September 13, 2019

9:00 a.m.

**Mammoth Lakes Council Chamber
437 Old Mammoth Road, Suite Z
Mammoth Lakes, CA**

Board Members

Mono County Supervisor
Stacy Corless – Vice Chair

Mono County Supervisor
Bob Gardner

Town of Mammoth Lakes Councilmember
Lynda Salcido

Town of Mammoth Lakes Councilmember
John Wentworth

Inyo County Supervisor
Jeff Griffiths –Chair

Inyo County Supervisor
Dan Totheroh

City of Bishop Councilmember
Jim Ellis

City of Bishop Councilmember
Karen Schwartz

NOTICE TO THE PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at 760-965-3603. Notification 48 hours prior to the meeting will enable the City of Bishop or Town of Mammoth Lakes to make reasonable arrangements to ensure accessibility to this meeting. (See 42 USCS 12132, 28CFR 35.130)

NOTE: Comments for all agenda items are limited to a speaking time of three minutes.

1. Call to Order

Chair Griffiths called the meeting to order at 9:08 a.m.

2. Pledge of Allegiance

Councilmember Lynda Salcido led the Pledge of Allegiance

3. Roll Call

Chair Jeff Griffiths, Vice Chair Stacy Corless, and Board Members Bob Gardner, Lynda Salcido, John Wentworth, Dan Totheroh, Jim Ellis and Karen Schwartz were all present.

Town of Mammoth Lakes Town Manager Dan Holler, Inyo County Chief Administrative Officer Clint Quilter and City of Bishop Interim City Administrator Robin Picken were also present. Mammoth Lakes Attorney Andy Morris, City of Bishop Attorney Ryan Jones, Mono County Counsel Stacey Simon and Inyo County Counsel Marshall Rudolph participated via teleconference.

- 4. Public Comment** – Notice to the Public: This time is set aside to receive public comment on matters not calendared on the agenda. When recognized by the Chair, please state your name and address for the record and please limit your comments to three minutes. Under California law the Eastern Sierra Council of Governments Board is prohibited from generally discussing or taking action on items not included in the agenda; however, the Eastern Sierra Council of Governments Board may briefly respond to comments or questions from members of the public. Therefore, the Eastern Sierra Council of Governments Board will listen to all public comment but will not generally discuss the matter or take action on it.

There were no comments given at this time.

5. Status and action regarding amended Joint Powers Agreement Establishing the Eastern Sierra Council of Governments as a separate Legal Entity from its Member Agencies

Town of Mammoth Lakes Town Manager Dan Holler gave an update on the status of the JPA Agreement that had been sent out to the four member agencies for review and revisions. Mr. Holler recommended that if the ESCOG wanted to move forward with the agreement as presented, or amended at this meeting, that it then go out to each of the member agencies to vote whether to approve. Mr. Holler said the request for each agency would be funding of approximately \$12,600 in order to move the JPA forward with no staff at this time. If the ESCOG wanted to go forward with adding and funding staff, it would need to go back to the agencies for approval.

SPEAKING FROM THE FLOOR:

City of Bishop Interim City Administrator Robin Picken voiced her concern about funding and staffing resources due to recent changes in City personnel.

The attorneys spoke about modifications that they had made to the draft JPA to address agency concerns about autonomy of the role of the ESCOG.

There was a discussion amongst the Board about how to address agency concerns about the JPA. Board Member Schwartz and Chair Griffiths spoke about specific concerns that had been voiced at their respective Council and Board meetings regarding the authority of the ESCOG and how costs would be split amongst the agencies.

There was additional discussion amongst the Board regarding potential concerns and perceived benefits of the JPA.

Mono County Counsel Stacey Simon spoke about several proposed changes to the JPA that were drafted to address some of the agency concerns. The first was that the JPA may not take a position on matters of policy unless the four member agencies agree; the second was to clarify that the ESCOG was not a council of governments (COG) within the meaning of various laws that assign duties to COGs related to housing elements and planning law, etc.

SPEAKING FROM THE FLOOR:

Chief Administrative Officer Clint Quilter stated that there were three versions of the JPA agreement and described the differences between them.

The Board took a recess at 9:40 p.m.

The Board reconvened at 9:48 p.m.

There was discussion amongst the group regarding accepting gifts.

There was discussion amongst the Board regarding proposed changes to the draft JPA agreement.

CONSENSUS: the Board had consensus on the following items:

Accept the original language and deleted changes in section 3.02 and 3.03.

Accept the language in section 3.04 as amended.

Accept the original language in section 3.08 and to disregard the proposed changes.

Accept section 3.10 as amended to state that the ESCOG may have a legislative platform and that platform must be approved by the four governing bodies.

Accept the original language in section 3.11.

Accept 4.02f as amended to require that a majority Board of Directors for the purposes of a quorum shall include at least one member of each member agency and no resolution or motion shall be passed or become effective without an affirmative vote of at least a majority of the membership of the Board and an affirmative vote of at least one member of each member agency.

CONSENSUS: The Board requested that a final draft of the agreement be brought back to the next meeting on October 11 along with a common staff report that would be approved by the ESCOG and included in each agency's agenda packet when the ESCOG JPA item is considered by those agencies.

There was additional discussion between the Board, staff and the attorneys.

The Board and staff discussed the cost of staffing a 10 hour per week employee to serve as the Executive Director for the JPA, as well as the duties that person would perform and who they would report to. Mr. Holler estimated the cost of a part-time executive director to be \$50,000 per year and added that this expense would be in addition to the previously discussed operating costs and would be split equally between the four member agencies for a maximum total cost of approximately \$25,000 per agency per year

6. Board and Council Reports

There were no reports given.

7. Call for Agenda Items for Next Meeting

8. Adjournment

The meeting was adjourned at 11:05 a.m. to the next regular meeting on Friday, October 11, 2019 at 8:30 a.m. in Mammoth Lakes.