

TOWN COUNCIL OF MAMMOTH LAKES

MINUTES OF REGULAR MEETING

JANUARY 21, 2015

ROLL CALL

The Mayor called the meeting to order at 6:01 p.m. in the Council Chamber, 437 Old Mammoth Road, Mammoth Lakes, California. The Council was present in its entirety with Councilmembers Colin Fernie, Shields Richardson, John Wentworth, Mayor Pro Tem Michael Raimondo, and Mayor Jo Bacon in attendance.

PLEDGE OF ALLEGIANCE

Recreation Manager Stuart Brown led the flag salute.

PUBLIC COMMENTS

Joe Parrino gave an update regarding the off road and motocross industry.

Rusty Gregory, Mammoth Mountain Ski Area, gave an update on the status of visitation and the economy this winter.

Leigh Gaasch gave an update regarding her guide dog training efforts.

COUNCILMEMBER REPORTS/ADDITIONS TO THE AGENDA

Councilmember Wentworth attended the farewell/retirement parties for Peter Bernasconi and Byng Hunt, the Local Transportation Commission meeting, the Eastern Sierra Recreation Collaborative meeting, and the SHARP meeting.

Councilmember Fernie attended Chief Watson's retirement party. He reported on the busy Martin Luther King weekend.

Councilmember Richardson reported on the busy weekend. He attended the TOT Committee meeting.

Mayor Bacon attended the Mammoth Lakes Recreation meetings.

ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Mayor Bacon announced that there was no reportable action taken in closed session on January 7, 2015.

REPORTS FROM COMMISSIONS AND/OR DEPARTMENTS (as needed)

There were no reports given at this time.

WORKSHOP

1. Workshop regarding the proposed housing ordinance and fee update.

Town Manager Daniel C. Holler introduced the item.

Senior Planner Jen Daugherty outlined the information in the staff report.

CONSENSUS:

Direct staff to start on the process to update the housing ordinance and fee now.

There was discussion among members of Council and staff regarding the policy items listed in the staff report.

SPEAKING FROM THE FLOOR:

Mark Carney, representative of owners of developable property in Mammoth, outlined developer consensus. There was discussion among members of Council and Mr. Carney.

Dave Harvey said that the Town needed a master planned community to solve our problems. He said that the inclusionary clause needed to be fixed.

Leigh Gaasch said that the Town was overlooking quality of life issues in Sierra Valley Sites. She said that the Town needed more police officers for more affordable housing. She said that the Town Council needed to listen to the working people.

Mickey Brown said that the issues in the staff report were housing issues, and not affordable or work force housing issues. She said that the housing stock in Town was very old. She said that she was a proponent of in-lieu fees. She said that the Shady Rest Tract provided an opportunity for the Town and Mammoth Lakes Housing to take ownership of that property and develop it to include all income levels and rental and owner components. Ms. Brown said that she was not in favor of inclusionary housing.

Ted Carleton, The Sheet, asked Ms. Brown who she thought should acquire the Shady Rest Tract. Ms. Brown responded that the Town and Mammoth Lakes Housing should acquire the tract.

Rusty Gregory, Mammoth Mountain Ski Area, said that the Town had made progress to be capital ready, and that it still needed to get Housing, DIF, and the TOT Program finalized quickly. He said that developers were waiting for the housing ordinance update. He said that the Town should eliminate inclusionary zoning and the concept of an in-lieu fee. He said that developers would leave Town if we did not fix these problems.

Jennifer Halferty, Executive Director of Mammoth Lakes Housing, outlined the history of inclusionary housing. She said that the Housing Strategy needed to be set so that developers did not get to say where and when on housing issues. She said that the Town did not have enough housing supply for our work force.

There was discussion among members of Council.

Policy Item 1 - Application of the "Inclusionary Requirement." As noted, this is also the subject of an active legal case pending before the California Supreme Court.

Policy item 2 - Should inclusionary units be limited to only Below Market Rate units, tied to Area Median Income (AMI) (e.g. below 80% AMI) or are there other thresholds to consider (e.g. 150% AMI)? For reference, the Interim Policy requires inclusionary units to be restricted to 120% AMI or less.

CONSENSUS:

Inclusionary housing should be an option in the toolbox. The threshold should include 150% of AMI. The value of inclusionary should be determined. It should be determined how to translate the fee into housing.

Policy Item 3 - Should there be additional considerations for which projects are subject to a housing fee (e.g. higher unit count, application to only certain types of development, etc.)?

Policy Item 4 - Should there be a modification to the findings for approval of Alternate Housing Mitigation Plans (AHMPs) (i.e. should AHMPs be encouraged, allow by right as an option to meet base requirements, allow on a case by case basis, or are current findings acceptable) (17.136.090)?

Policy Item 5 - Direction of preferences, if any, related to on-site vs. offsite housing as part of AHMPs. Preferences may be based on zoning districts and/or development type.

Policy Item 6 - Direction on the continued use of the in-lieu fee program (17.136.070.C.5). An in-lieu fee would be requested as part of an AHMP; it is a different fee from that established for projects automatically subject to a housing fee (17.136.030).

CONSENSUS:

Direct staff to bring back options for Policy Item Questions 3, 4, 5, and 6. Policy Item 4 should be allowed by right as an option.

Policy Item 7 - Direction on Livability Standards, which are outlined in Section 17.136.090. These are almost identical to the Interim Policy Livability Standards.

Policy Item 8 - Direction on preference of the program's focus for owner occupied vs. rental properties.

CONSENSUS:

The Council does not have a preference and wants to allow flexibility.

Policy Item 9 - Staff anticipates that the housing ordinance and fee update will be of interest to a broad spectrum of our community. A discussion of the Council's expectation on the scope of public outreach is also requested.

CONSENSUS:

Direct staff to schedule a joint meeting with the Mammoth Lakes Housing Board.

CONSENT AGENDA

ACTION:

It was moved by Mayor Pro Tem Michael Raimondo, seconded by Councilmember Colin Fernie, and carried by a 5 - 0 roll call vote to approve the consent agenda.

2. Approve the minutes of the regular meeting of January 7, 2015.
3. Waive the reading and adopt by title only an ordinance approving Zoning Code Amendment 14-001 (Zoning Code Clean-Up), amending Municipal Code Title 17 (Zoning).

POLICY MATTERS

4. Adopt a resolution adopting the Airport Capital Improvement Plan (ACIP) for Mammoth Yosemite Airport.

Public Works Director Grady Dutton outlined the information in the staff report.

SPEAKING FROM THE FLOOR:

John Urdi, Executive Director of Mammoth Lakes Tourism, gave an update regarding air service. There was discussion among members of Council and Mr. Urdi.

Mr. Dutton outlined the list of projects in the draft ACIP. There was discussion among members of Council and staff.

ACTION:

It was moved by Mayor Pro Tem Michael Raimondo, seconded by Councilmember Colin Fernie, and carried by a 5 - 0 roll call vote to approve a resolution adopting the Airport Capital Improvement Plan (ACIP) for Mammoth Yosemite Airport.

5. Authorize the Town Manager to negotiate and execute an agreement with TischlerBise to complete the Development Impact Fee Justification Study update and fee recommendations.

Town Manager Daniel C. Holler outlined the information in the staff report. There was discussion among members of Council and staff.

ACTION:

It was moved by Councilmember Shields Richardson, seconded by Mayor Pro Tem Michael Raimondo, and carried by a 5 - 0 roll call vote to authorize the Town Manager to negotiate and execute an agreement with one of three listed companies to complete the Development Impact Fee Justification Study update and fee recommendations.

6. Approve the fundraising program for the Mammoth Ice Rink.

Recreation Manager Stuart Brown outlined the information in the staff report. There was discussion among members of Council and staff.

SPEAKING FROM THE FLOOR:

Ted Carleton, The Sheet, said that he would support the program if the Town and Measure R supported getting the roof built. He said that Measure R and the TBID should match the donations.

Betsy Truax, Recreation Commission, said that the Commission unanimously approved the fundraising efforts. She commended the advocacy group, and said that this program had the potential to expand. She said that the Commission directed staff to apply to MLR for Measure R funds for the roof.

Jesse Baldwin, President of the Mammoth Lakes Contractors Association, said that they made a donation and asked if the new fee program changed previous commitments. Recreation Manager Stuart Brown responded.

Mr. Carleton said that Measure R came from tax money so he already made his donation by paying his taxes.

ACTION:

It was moved by Councilmember John Wentworth, seconded by Councilmember Colin Fernie, and carried by a 5 - 0 roll call vote to approve the fundraising program for the Mammoth Ice Rink as presented in Exhibit A.

7. Authorize the Town Manager to execute a Special Use Permit with the US Forest Service for the maintenance of specific Lakes Basin Roads and adopt a resolution approving the application for grant funds from the California Federal Lands Access Program.

Public Works Director Grady Dutton outlined the information in the staff report. There was discussion among members of Council and staff.

SPEAKING FROM THE FLOOR:

David Page, Mammoth Lakes Recreation, asked if there was a danger to committing to one piece of a larger area. He asked if there was time to make sure the proposed project aligned with their plans before moving forward. Mr. Dutton responded.

Betsy Truax asked about the implications for the Town to have control of the gate into the Lakes Basin. Mr. Dutton responded.

Danna Stroud, Mammoth Lakes Recreation, said that they were not aware of the project application in time to discuss it as a committee. She outlined her concerns with the proposed project and permit with the Forest Service. Mr. Dutton responded. There was discussion between staff and Ms. Stroud.

Sandy Hogan said that she applauded the flexibility of the Town and Forest Service for working together on this project. She said that it was a great project and that the grant was worth a try.

There was discussion among members of Council and staff.

ACTION:

It was moved by Mayor Jo Bacon, seconded by Mayor Pro Tem Michael Raimondo, and carried by a 4 - 1 roll call vote to with Councilmember John Wentworth voting no, authorize the Town Manager to execute a Special Use Permit with appropriate protection for the Town with the US Forest Service for the maintenance of specific Lakes Basin Roads and adopt a resolution approving the application for grant funds from the California Federal Lands Access Program, as amended to include appropriate vetting.

ADJOURNMENT

The Council adjourned the meeting at 9:56 p.m.

Respectfully submitted,

Jamie Gray
Town Clerk