



AGENDA

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 February 4, 2020

TELECONFERENCE LOCATIONS:

1) First and Second Meetings of Each Month: Mammoth Lakes CAO Conference Room, 3rd Floor Sierra Center Mall, 452 Old Mammoth Road, Mammoth Lakes, California, 93546; 2) Third Meeting of Each Month: Mono County Courthouse, 278 Main, 2nd Floor Board Chambers, Bridgeport, CA 93517.

Board Members may participate from a teleconference location. Note: Members of the public may attend the open-session portion of the meeting from a teleconference location, and may address the board during any one of the opportunities provided on the agenda under Opportunity for the Public to Address the Board.

NOTE: In compliance with the Americans with Disabilities Act if you need special assistance to participate in this meeting, please contact Shannon Kendall, Clerk of the Board, at (760) 932-5533. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB** You can view the upcoming agenda at <http://monocounty.ca.gov>. If you would like to receive an automatic copy of this agenda by email, please subscribe to the Board of Supervisors Agendas on our website at <http://monocounty.ca.gov/bos>.

UNLESS OTHERWISE SPECIFIED BY TIME, ITEMS SCHEDULED FOR EITHER THE MORNIN AFTERNOON SESSIONS WILL BE HEARD ACCORDING TO AVAILABLE TIME AND PRESENCI INTERESTED PERSONS. PUBLIC MAY COMMENT ON AGENDA ITEMS AT THE TIME THE ITE HEARD.

9:00 AM Call meeting to Order

Pledge of Allegiance

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board.
(Speakers may be limited in speaking time dependent upon the press of business)

and number of persons wishing to address the Board.)

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

4. DEPARTMENT/COMMISSION REPORTS

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 the Board Minutes of the Board of Supervisors Regular meeting on December 17, 2019.

Recommended Action: Approve the Board Minutes of the Board of Supervisors Regular meeting on December 17, 2019.

Fiscal Impact: None.

B. 2020-21 California State Parks Off-Highway Vehicle Grant Program

Departments: Sheriff

2020-2021 California State Parks Off-Highway Vehicle Grant Program

Recommended Action: Approve Resolution 20-___, Authorizing the Mono County Sheriff-Coroner, Mono County Sheriff's Off-Highway Vehicle Coordinator, and/or the Mono County Sheriff's Office Finance Officer to apply for and administer the California State Parks Off-Highway Vehicle Grant Program for Fiscal Year 2020-21.

Fiscal Impact: This resolution will assist with meeting the grant guidance for participation in the Off-Highway Vehicle Grant Program for Fiscal Year 2020-2021. When the grant is awarded, the award will not exceed \$125,000.00.

C. Claim for Damages - Arturo Vela

Departments: Risk Management

Claim for damages filed by Arturo Vela against the County of Mono for an alleged injury on Hwy 395, which is not a County owned or maintained road.

Recommended Action: Deny the claim submitted by Arturo Vela on December

27, 2019, and authorize the Risk Manager, in consultation with County Counsel, to send notice of denial to Mr. Vela.

Fiscal Impact: None

D. Resolution Approving Use of a 3-Year Audit Cycle for Lee Vining Fire Protection District

Departments: Finance

(Janet Dutcher) - Proposed resolution approving the use of a three-year audit cycle for the Lee Vining Fire Protection District.

Recommended Action: Approve Resolution R20-____, approval of a change to a three-year audit cycle for the Lee Vining Fire Protection District. Requires unanimous approval of the Board of Supervisors (5/5 vote).

Fiscal Impact: Slight decrease in annual audit fees plus reduction in finance and special district personnel time and resources devoted to the audit process.

E. Resolution Approving Use of a 5-year Audit Cycle for Mono County Resource Conservation District

Departments: Finance

(Janet Dutcher) - Proposed resolution approving the use of a five-year audit cycle for Mono County Resource Conservation District in lieu of an annual audit.

Recommended Action: Approve Resolution R20-, approval of a change to a five-year audit cycle for Mono County RCD in lieu of an annual audit. Requires unanimous Board approval (5/5 vote).

Fiscal Impact: Slight decrease in annual audit fees plus reduction in finance and special district personnel time and resources devoted to the audit process.

F. June Lake Citizens Advisory Committee Appointment

Departments: Community Development - Planning

Appoint Bob Marks to a four-year term on the June Lake Citizens Advisory Committee, expiring Dec. 31, 2024, as recommended by Supervisor Gardner.

Recommended Action: Appoint Bob Marks to the June Lake Citizens Advisory Committee for a four-year term expiring Dec. 31, 2024.

Fiscal Impact: None.

G. Monthly Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 12/31/2019.

Recommended Action: Approve the Treasury Transaction Report for the month ending 12/31/2019.

Fiscal Impact: None.

H. Quarterly Investment Report

Departments: Finance

Investment Report for the Quarter ending 12/31/2019.

Recommended Action: Approve the Investment Report for the Quarter ending 12/31/2019.

Fiscal Impact: None.

I. MCCCC Certification Statement Board Signature Authorization

Departments: Mono County Child Care Council

On January 14, 2020, the Mono County Child Care Council (MCCCC) sought authorization for the Board Chair to sign the Certification Statement Regarding Composition of LPC Membership after the approval of (re)appointments to the MCCCC. At that time, the incorrect Certification Statement had been attached to the agenda (the 2017-2018 Certification Statement). MCCCC is seeking approval of the 2019-2020 Certification Statement at this time.

Recommended Action: Authorize the Board Chair to sign the Certification Statement Regarding Composition of LPC Membership.

Fiscal Impact: None.

J. Allocation List Amendment - Economic Development

Departments: Economic Development

Due to increased scope of work and job responsibilities of the Economic Development Assistant, the Economic Development department respectfully requests that the Allocated List of Positions be amended to eliminate one Fiscal Technical Specialist IV (Economic Development Assistant) position and add one Administrative Services Specialist (Economic Development Coordinator) position to the Economic Development department.

Recommended Action: Adopt proposed resolution R20-___, Authorizing the County Administrative Officer to amend the County of Mono List of Allocated Positions to add one full-time Administrative Services Specialist (Economic Development Coordinator) position, and eliminate one full-time Fiscal Technical Specialist IV (Economic Development Assistant) position within the Economic Development department.

Fiscal Impact: The annual increase in salary and benefits for the Administrative

Services Specialist (Economic Development Coordinator) position is \$3,763 (salary: \$2,992 / benefits: \$771). For the remainder of FY 2019-20, the increase is \$1,254 for salary/benefits. This increase will be funded on an annual basis through savings in Professional & Specialized Services as a result of a reduced expenditure with the site selection vendor contract. There is no impact to the General Fund.

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. MBK Engineers Letter to California DWR re: Walker River Irrigation Districts Petitions for Change

A letter from MBK Engineers to the California State Water Resources Control Board Division of Water Rights regarding Walker River Irrigation District petitions for changing involving water transfers and instream flow dedication.

B. FERC Letter to SCE re: 2019 Dam Safety Inspection Follow-up for SCE Eastern Operations Dams

Federal Energy Regulatory Commission (FERC) letter to Southern California Edison (SCE) regarding 2019 Dam Safety Inspection Follow-up for SCE eastern operations dams.

C. FERC Order Incorporating Revised Forest Service Conditions

On October 17, 2019, Southern California Edison (SCE) filed a request with the Federal Energy Regulatory Commission (FERC) to incorporate the revised United States Forest Service (USFS) 4(e) conditions no. 4 and no. 5 into the project license for the Lee Vining Project No. 1388, located on Lee Vining Creek.

7. REGULAR AGENDA - MORNING

A. Mid-Year Budget

Departments: Finance

2 hours

(Janet Dutcher, Megan Mahaffey) - Present mid-year budget review and discuss budget updates

Recommended Action: Hear budget updates and approve mid-year budget adjustments, as presented or amended (4/5ths vote required).

Fiscal Impact: Increase in General Fund appropriations of \$639,186, after reducing contingencies by \$115,029 to a balance of \$229,095. Increased

spending is funded with additional revenues of \$345,431 and the use of carryover balance of \$293,755. Increase in Non-General Fund appropriations of \$3,128,980 funded with additional revenues of \$2,457,679 and the use of carryover balances of \$671,301.

B. FY 2020-2021 Budget Calendar

Departments: Finance

15 minutes (5 minutes presentation; 10 minutes discussion)

(Janet Dutcher) - Report and discussion regarding the budget calendar for adoption of the County's FY 2020-2021 final budget

Recommended Action: Receive budget calendar outlining sequence of events culminating in the adoption of the County's FY 2020-2021 final budget; discuss and reach consensus about critical dates.

Fiscal Impact: None.

C. Letter of Support for Eastern Sierra Climate and Communities Resilience Project

Departments: Board of Supervisors

5 minutes

The Plumas Corporation's Eastern Sierra Climate and Communities Resilience Project (ESCCRP) encompasses an approximately 55,000-acre planning area of Inyo National Forest lands surrounding the Town of Mammoth Lakes in Mono County. The project is design to return Inyo National Forest lands to fire-adapted, climate-resilient forests.

Recommended Action: Approve letter of support for Plumas Corporation's application to the Sierra Nevada Conservancy (SNC) for the Eastern Sierra Climate and Communities Resilience Project.

Fiscal Impact: None.

D. Contract for Public Defender Services - Brad Braaten

Departments: Human Resources

5 minutes

(Dave Butters) - Proposed contract with Brad Braaten pertaining to the provision of Public Defender services in Mono County commencing March 16, 2020.

Recommended Action: Approve County entry into proposed contract and authorize Chair to execute said contract on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: This cost from March 16, 2020 through October of 2020 is \$118,180. From November 2020 through October 2021, the cost is \$174,780, and from October 2021 through December 2021, the cost is \$29,712.60. The full

year cost is approximately \$17,000 less per year than the existing contract.

E. Employment Agreement - Phillip West / Undersheriff

Departments: Human Resources

5 Minutes

(Dave Butters) - Proposed resolution approving a contract with Phillip West as Undersheriff, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution #R20-____, approving a contract with Phillip West as Undersheriff, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Fiscal Impact: Total cost of the Undersheriff position for remainder of Fiscal Year 19/20 is \$119,589, of which \$74,461 is salary and \$45,128 is benefits. Total cost for a full year is \$239,178 of which \$148,922 is salary and \$90,256 is benefits. This position was fully funded in the Fiscal Year 19/20 Budget.

F. Employment Agreement - Seth Clark / Sheriff's Lieutenant

Departments: Human Resources

5 Minutes

(Dave Butters) - Proposed resolution approving a contract with Seth Clark as Sheriff's Lieutenant, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution #R20-____, approving a contract with Seth Clark as Sheriff's Lieutenant, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Fiscal Impact: Total cost of the Lieutenant position for remainder of Fiscal Year 19/20 is \$110,921, of which \$68,500 is salary and \$42,421 is benefits. Total cost for a full year is \$221,842, of which \$137,000 is salary and \$84,842 is benefits. This position was fully funded in the Fiscal Year 19/20 Budget.

G. Memorandum of Understanding for Mono County Public Employees Bargaining Unit (MCPE)

Departments: CAO, HR, Finance and County Counsel

15 Minutes

(Dave Butters) - Resolution approving Proposed Memorandum of Understanding (MOU) with the International Union of Operating Engineers, Stationary Local 39, AFL-CIO, the Exclusively Recognized Employee Organization Representing the Mono County Public Employees (January 1, 2019 - December 31, 2023) and associated Side Letter.

Recommended Action: Adopt proposed resolution R20-___, approving MOU and Side Letter. Provide any desired direction to staff.

Fiscal Impact: The fiscal impact is \$245,000 for 2019, \$1,219,000 for 2020, \$579,000 for 2021, \$927,000 for 2022, and \$1,187,000 for 2023, for a total of \$4,157,000 during the 5-year term. The average compensation cost increase is 5.85% per year.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

9. CLOSED SESSION

A. Closed Session - Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Steve Barwick, Stacey Simon, 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 - Public Employment

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

C. Closed Session: Workers' Compensation

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Worker's compensation claim of Colin Tams.

D. 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.

E. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Michael Hallum v. County of Mono (Mono County Superior Court Case No. CV170086).

THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 3:00 P.M. The meeting will adjourn to Closed Session and reconvene at the Walker Community Center located at 442 Mule Deer Rd., Coleville, CA, 96107. This portion of the meeting will not be available on Granicus. An audio recording will be posted to the Mono County website after the meeting.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

11. REGULAR AGENDA - AFTERNOON

A. Application for Alcoholic License - Andruss Motel (Walker, CA)

Departments: Board of Supervisors

(Steve Wright, Owner Andruss Motel) - Steven Patrick Wright is applying for a license to sell alcoholic beverages at a premises where undue concentration exists. Sections 23958 and 23958.4 of the Business Code requires the California Department of Beverage Control to deny the application unless the local governing body of the area in which the application premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance.

Recommended Action: Determine that issuance of the applied for license by the Andruss Motel in Walker, California, would service as a public convenience or necessity. Authorize Board Chair to sign application.

Fiscal Impact: None.

B. Operation Permit 19-005/Colitas Farms Manufacturing

Departments: Community Development

15 minutes

(Bentley Regehr) - Review and potential approval of Operation Permit 19-006 for cannabis manufacturing at 324 N River Lane (APN 002-460-015) in Walker.

Recommended Action: 1. Find that the project qualifies as an exemption under CEQA guideline 15183 and file a Notice of Exemption. 2. Make the required findings pursuant to Mono County Code Chapter 5.60 and approve Cannabis Operation Permit 19-006 subject to the findings and conditions as recommended

or with desired modifications.

Fiscal Impact: The proposed project will generate an incremental increase in cannabis taxes.

C. Operation Permit 19-005/Colitas Farms Cultivation

Departments: Community Development

45 minutes

(Bentley Regehr) - Review and potential approval of Operation Permit 19-005 for cannabis cultivation at 324 N River Lane (APN 002-460-015) in Walker.

Recommended Action: 1. Find that the project qualifies as an exemption under CEQA guideline 15183 and file a Notice of Exemption. 2. Make the required findings pursuant to Mono County Code Chapter 5.60 and approve Cannabis Operation Permit 19-005 subject to the findings and conditions as recommended or with desired modifications.

Fiscal Impact: The proposed project will generate an incremental increase in cannabis taxes.

12. BOARD MEMBER REPORTS

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

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