



AGENDA

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: Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

Regular Meeting November 1, 2022

TELECONFERENCE INFORMATION

This meeting will be held both in person and via teleconferencing with some members of the Board possibly attending from separate teleconference and remote locations. As authorized by AB 361, dated September 16, 2021, a local agency may use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency and local officials have recommended or imposed measures to promote social distancing or the body cannot meet safely in person and the legislative body has made such findings.

Teleconference locations will be available to the public:

1. First and Second Meetings of Each Month in the Mono Lake Room of the Mono County Civic Center, First Floor, 1290 Tavern Road, Mammoth Lakes, CA. 93546;
2. Third Meeting of Each Month in the Mono County Courthouse, Second Floor Board Chambers, 278 Main Street, Bridgeport, CA. 93517;
3. Zoom Webinar.

Members of the public may participate via the Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below.

To join the meeting by computer:

Visit <https://monocounty.zoom.us/j/84422361795> or visit <https://www.zoom.us/>, click on "Join A Meeting" and enter the Zoom Webinar ID 844 2236 1795.

To provide public comment, press the "Raise Hand" button on your screen.

To join the meeting by telephone: Dial (669) 900-6833, then enter Zoom Webinar ID 844 2236 1795. To provide public comment, press *9 to raise your hand and *6 to mute/unmute.

If you are unable to join the Zoom Webinar of the Board meeting, you may still view the live stream of the meeting by visiting: http://monocounty.granicus.com/MediaPlayer.php?publish_id=e42e610c-7f06-4b97-b1d6-739b1ff28cf8

NOTE: 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) 932-5530 or bos@mono.ca.gov. 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) and online at <http://monocounty.ca.gov/bos>. 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 and online.

UNLESS OTHERWISE SPECIFIED BY TIME, ITEMS SCHEDULED FOR EITHER THE MORNING OR AFTERNOON SESSIONS WILL BE HEARD ACCORDING TO AVAILABLE TIME AND PRESENCE OF INTERESTED PERSONS. PUBLIC MAY COMMENT ON AGENDA ITEMS AT THE TIME THE ITEM IS HEARD.

9:00 AM Call meeting to Order

Pledge of Allegiance

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

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.) Please refer to the Teleconference Information section to determine how to make public comment for this meeting via Zoom.

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICER

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

4. DEPARTMENT/COMMISSION REPORTS

Receive brief oral report on emerging issues and/or activities.

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 from July 19, 2022, August 9, 2022, August 16, 2022, and September 6, 2022, Regular Meeting of the Board of Supervisors.

Recommended Action: Approve the Board Minutes from July 19, 2022, August 9, 2022, August 16, 2022, and September 6, 2022, Regular Meeting of the Board of Supervisors.

Fiscal Impact: None.

B. Resolution Making Findings under AB 361 - Related to Remote Meetings

Proposed resolution making the findings required by AB 361 for the purpose of making available the modified Brown Act teleconference rules set forth in AB 361 for the period of November 1, 2022 through December 1, 2022.

Recommended Action: Adopt proposed resolution.

Fiscal Impact: None.

C. Resolution Adopting Clarified Travel, Per Diem and Meal Policy

Departments: Human Resources

Proposed resolution clarifying and restating the Amended Mono County Travel, Per Diem (Meal) and Food and Beverage Policy adopted by Resolution R22-111.

Recommended Action: Adopt proposed resolution. Provide any desired direction to staff.

Fiscal Impact: None.

D. Appointment to June Lake Public Utility District

Departments: Clerk of the Board of Supervisors

Pursuant to Public Utilities Code section 16003, the June Public Utilities District (JLPUD) informed the Mono County Clerk of a vacancy on its governing board. Notice was made within 15 days of the effective date of the vacancy and was posted in three conspicuous places as required by Government Code section 1780. No applications were received by JLPUD within the 60-day time frame in which JLPUD board could have made the appointment. Subsequently, the JLPUD received one application, from Bruce Logan. The JLPUD is asking that the Board of Supervisors appoint Mr. Logan as a member of the JLPUD governing board for a term ending November 30, 2022.

Recommended Action: Appoint Bruce Logan to the June Lake Public Utility District governing board for a term ending November 30, 2022.

Fiscal Impact: None.

E. Amendment to Contracts for Indigent Defense Services

Departments: CAO

Proposed contract amendments with The Law Office of Sophie Bidet, Inc./Sophie Bidet, Esq., Brad Braaten, Esq. and Josh Hillemeier, Esq. pertaining to the provision of indigent defense services upon appointment by the Court.

Recommended Action: Approve, and authorize the County Administrative Officer to sign, contract amendments with The Law Office of Sophie Bidet, Inc./Sophie Bidet, Esq., Brad Braaten, Esq. and Josh Hillemeier, Esq. for indigent defense services to modify provisions related to reimbursement for transcription services and increase monthly rate by \$750, commencing November 1, 2022.

Fiscal Impact: The fiscal impact for the remainder of FY22/23 is \$18,270. This amount is available within the Indigent Defense budget. Additionally, the contracts include an annual 2% escalator, effective January 1 of each year. Accordingly, the annual adjustment will be calculated using the new rate in future years, resulting in slightly higher annual increases. Two of the contracts expire December 31, 2026 and the third expires March 20, 2024.

F. Staff Request for Administrative Leave Without Pay

Departments: Social Services

Request for the Board of Supervisors to approve Administrative Leave Without Pay for Social Services Integrated Caseworker Yvon Guzman-Rangel.

Recommended Action: Approve request by Yvon Guzman-Rangel, Integrated Caseworker in the Social Services Department, for Administrative Leave Without Pay in accordance with MCPE Personnel Rules Section 370, for the period October 28, 2022 through December 4, 2022.

Fiscal Impact: None.

G. Revised Antelope Valley Regional Planning Advisory Committee (RPAC) Bylaws

Departments: CDD

The Antelope Valley Regional Planning Advisory Committee (RPAC) revised its operating Bylaws and is recommending approval to the Board of Supervisors.

Recommended Action: Approve the revised Antelope Valley RPAC Bylaws as recommended. Provide any direction to staff.

Fiscal Impact: None.

H. Bridgeport Jail Project - HazMat Abatement

Departments: Public Works

Invitation for Bids and Request for Proposals to remove and monitor potentially hazardous materials from Bridgeport old hospital site, to allow demolition of hospital in preparation for upcoming construction of the Mono County Jail.

Recommended Action: (1) Approve entry into the attached agreements; (2) Authorize the Public Works Director to advertise the attached Invitation for Bids

for hazardous materials abatement and award the contract to the lowest responsive bidder, (3) Authorize the Public Works Director to advertise the attached request for proposals for hazardous materials abatement monitoring and award the contract to the most qualified responsive consultant; and (4) Authorize the Public Works Director to make minor amendments to said agreements from time to time as approved by County Counsel.

Fiscal Impact: The estimated cost of hazardous materials abatement is \$600,000. The estimated cost of the monitoring services is \$40,000. These costs will be paid from the County's local matching funds in the Criminal Justice Facility capital project fund and were included in the adopted budget.

I. Contract for the Provision of Custodial and Campground Management Services

Departments: Public Works

Agreement Between County of Mono and Jessica Coronado for the Provision of Custodial and Campground Management Services.

Recommended Action: Approve and authorize Public Works Director to sign the Agreement Between County of Mono and Jessica Coronado for the Provision of Custodial and Campground Management Services for the period November 1, 2022 through June 30, 2025 and a not-to-exceed amount of \$131,720 per fiscal year.

Fiscal Impact: This contract is for an annual amount of \$131,720. This amount is an increase of \$8,206 (6.3%) over the previous contract annual amount of \$123,514. This increase affects the General Fund facility budget, a portion of which is reimbursed by the County's cost plan, and the Campground Enterprise fund which receives fees for campsite rentals.

J. Proposed Amendment to Mammoth Community Water District's Conflict of Interest Code

Departments: Clerk of the Board

All local government agencies, including special districts, are required by state law to adopt their own conflict-of-interest codes and to review such codes once every two years. The last conflict-of-interest code for the Mammoth Community Water District was adopted by their Board of Directors on July 19, 2018 and was due for an update to account for recent changes in some staff job duties and practices. The Board of Supervisors is the code-reviewing body for the conflict-of-interest codes for the County and all agencies in the county, including the Mammoth Community Water District, and must approve their code for it to take effect.

Recommended Action: Approve the new Conflict of Interest Code adopted by the Mammoth Community Water District.

Fiscal Impact: None.

K. FY2021-22 Budget Close Out

Departments: CAO, Finance

During the year-end process of closing the accounting records, approval from the Board of Supervisors is required when budgeted appropriations are estimated insufficient to cover actual spending incurred by County Departments and where other administrative remedies to reallocate budgeted amounts within budget units are not available or inefficient to do so.

Recommended Action: Approve and direct the Mono County Budget Officer to make the FY 2021-2022 year-end budget clean-up adjustments as recommended in Attachment A, or as amended (requires 4/5ths approval).

Fiscal Impact: The requested increases to appropriations are covered by surplus revenues, budget savings offered by other budget units, or carryover balance.

6. CORRESPONDENCE RECEIVED

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

A. State of California Wildlife Conservation Board Agenda Item: Project for consideration in Mono County

Departments: Clerk of the Board, Sponsored by Supervisor Corless

10 minutes

Read and discuss letter regarding an agenda item for State of California Wildlife Conservation Board on November 15, 2022, for a Project Consideration in Mono County, Mammoth 395 Wildlife Crossing Plan (Project ID: 2021183).

Fiscal Impact: None.

7. REGULAR AGENDA - MORNING

A. PUBLIC HEARING: Electric Vehicle Charging Station Permit Expediting Ordinance

Departments: Community Development Department

PUBLIC HEARING: 9:00 AM (15 minutes)

(Tom Perry, Community Development) - Proposed ordinance for an expedited, streamlined permit process for electric vehicle charging stations.

Recommended Action: 1) Conduct the public hearing; 2) Introduce, read title, and waive further reading of the proposed ordinance to adopt an expedited, streamlined permitting process for electric vehicle charging stations; 3) Find that the project qualifies as a Categorical Exemption under CEQA Sections 15303(d) and (e); 4) Direct staff to bring back the ordinance, with any modifications, at the next meeting for a second reading and adoption.

Fiscal Impact: None.

B. Consider Waiver of Voter-Approved Mono County Cannabis Cultivators Tax

Departments: Finance, CAO

20 minutes

(Janet Dutcher, Finance Director) - Cannabis taxation was premised on keeping the tax burden for operators at or below 30%. At the time Mono County adopted its taxing ordinance the produce price was \$800 per pound. Now it has fallen to \$300 or less per pound, increasing the tax burden above the 30% threshold. In response, the state has waived its cultivation tax for a period of three fiscal years. This item is a consideration whether Mono County should likewise waive its cultivation tax or consider other alternatives.

Recommended Action: Direct staff to return to the Board with an item to temporarily waive the cultivation tax for a period of three fiscal years ending June 30, 2025.

Fiscal Impact: None.

C. Establishment of Office of Public Administrator - Public Guardian; Repeal of Existing Code Sections

Departments: CAO

20 minutes

(Robert C. Lawton, CAO) - Proposed ordinance amending the Mono County Code to establish the Office of the Public Administrator - Public Guardian for Mono County; to repeal Chapter 7.91 related to Conservatorships; and unconsolidated the Office of the Public Administrator from the Office of the District of Attorney.

Recommended Action: Introduce, read title, and waive further reading of proposed ordinance. Provide any desired direction to staff.

Fiscal Impact: A ten percent (10%) increase over current salary is proposed for the Department Head (Social Services Director) who assumes Public Administrator/Public Guardian/Public Conservator functions, effective February 15, 2023. Details regarding that cost will accompany a future agenda item to amend the Social Services Director job description, the current Social Services Director's employment agreement and the County's salary matrix.

D. Designate the County Administrative Officer as the County's Representative to the California Broadband Cooperative

Departments: CAO

15 Minutes

(Robert C. Lawton) - Designation of County representative to serve on the Board

of Directors of the California Broadband Cooperative (CBC).

Recommended Action: Designate the County Administrative Officer, or his or her designee, to represent the County as a Class A member of the CBC Board of Directors pursuant to Section 4.05(a)(i) of the Bylaws of California Broadband Cooperative, Inc. (Amended and Restated October 4, 2018).

Fiscal Impact: Under the CBC bylaws, the County is to receive a yearly stipend of \$2000, plus \$1000 for each meeting attended by its Director. These amounts are deposited to the County's General Fund.

E. Resolution Amending the At-Will Employee Salary Matrix

Departments: CAO

5 minutes

(Robert C. Lawton, CAO) - A Resolution of the Mono County Board of Supervisors Adopting a Revised Salary Matrix Applicable to At-Will Employee and Elected Department Heads to Reclassify the District Attorney Operations and Program Supervisor Position, and Superseding and Replacing R22-98.

Recommended Action: Adopt proposed resolution. Provide any desired direction to staff.

Fiscal Impact: The proposed change has no current fiscal impact as the incumbent is currently making a salary in the revised Range.

F. Employment Agreement - District Attorney Chief Investigator

Departments: District Attorney

5 minutes

(Tim Kendall, District Attorney) - Proposed resolution approving a contract with Chris Callinan as District Attorney Chief Investigator, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution R22-___, approving a contract with Chris Callinan as District Attorney Chief Investigator, 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: The full cost of salary and benefits for an entire fiscal year is approximately \$172,709, of which \$131,112 is salary and \$41,597 is benefits. This is included in the adopted budget. Additionally, this item includes ARPA spending of \$5,132 as the cost of essential worker pay, which was not included in the adopted budget.

G. Employment Agreement - District Attorney Investigator II

Departments: District Attorney

5 minutes

(Tim Kendall, District Attorney) - Proposed resolution approving a contract with John Estridge as District Attorney Investigator II, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution R22- ____, approving a contract with John Estridge as District Attorney Investigator II, 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: The full cost of salary and benefits for an entire fiscal year is approximately \$154,511, of which \$120,186 is salary and \$34,325 is benefits. This is included in the adopted budget. Additionally, this item includes ARPA spending of \$5,132 as the cost of the onetime essential worker pay, which item was not included in the adopted budget.

H. Employment Agreement - District Attorney Operations and Programming Supervisor

Departments: District Attorney

5 minutes

(Tim Kendall, District Attorney) - Proposed resolution approving a contract with Sarah Gillespie as District Attorney Operations and Programming Supervisor, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution R22- ____, approving a contract with Sarah Gillespie as District Attorney Operations and Programming Supervisor, 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: The full cost of salary and benefits for an entire fiscal year is approximately \$121,189 of which \$85,995 is salary and \$35,194 is benefits. This is included in the adopted budget.

I. Employment Agreement - Deputy District Attorney III

Departments: District Attorney

5 minutes

(Tim Kendall, District Attorney) - Proposed resolution approving a contract with Todd Graham as Deputy District Attorney III, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution R22- ____, approving a contract with Todd Graham as Deputy District Attorney III, 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: The full cost of salary and benefits for an entire fiscal year is approximately \$162,273, of which \$127,054 is salary and \$35,219 is benefits. This is included in the adopted budget.

J. Communications Site License Agreement with New Cingular Wireless

Departments: Various

15 minutes

(Milan Salva, Interim IT Director and Stacey Simon, County Counsel) - Proposed communications site license Agreement between the County of Mono and New Cingular Wireless PCS, LLC for the development of a cellular tower on property owned by the County at the Chalfant Transfer Station.

Recommended Action: Approve, and authorize Chair to sign, communications site license agreement with New Cingular Wireless PCS, LLC to develop a telecommunications site at the Chalfant Transfer Station for an initial license term of 10 years, with four automatic 10-year renewals, for a total of up to 50 years, and payment of an annual license fee starting at \$1,500 for the first year and ending at \$6,198 for the final year, if specified conditions are satisfied. Find that the project is exempt from review under the California Environmental Quality Act (CEQA) because it qualifies for a Class 3 exemption (14 CCR 15303) and no exceptions to the exemption apply. Authorize staff to file a notice of exemption.

Fiscal Impact: The proposed development requires a conditional use permit (CUP) from the County and an amendment to the Joint Technical Documents (JTD) for the Chalfant site. New Cingular Wireless will pay application and processing costs for the CUP and reimburse hard costs up to \$15,000 for the JTD amendment. License fees for the first year (conditioned upon project approval) would be \$1,500.

K. Hydrologic Monitoring at Casa Diablo

Departments: Community Development - LVHAC

20 minutes

(Nick Criss, Code Enforcement) - Groundwater monitoring in the Casa Diablo Basalt Canyon area on behalf of Ormat Technologies, Inc. pursuant to requirements applicable to the permits for Ormat's geothermal operations.

Recommended Action: As recommended to County staff by the Long Valley Hydrologic Committee (LVHAC): (1) approve the use of a new groundwater monitoring entity to replace the US Geological Survey (USGS) in conducting groundwater monitoring; (2) authorize the CAO to enter into an interim agreement between the County and McGinley & Associates to conduct groundwater monitoring from November 1, 2022, through January 31, 2022, together with a companion agreement requiring Ormat Technologies, Inc. (Ormat) to reimburse the County's costs; and (3) authorize staff to issue a request for proposals (RFP) to identify a long term monitoring entity to perform the work.

Fiscal Impact: The costs of staff time to administer the contracts and request for proposals, which is reimbursed by Ormat.

8. CLOSED SESSION

A. Closed Session - Labor Negotiations

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Janet Dutcher, Patty Francisco, 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.

ADJOURN