



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

Regular Meeting

December 20, 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 at the following locations:

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/86197807469> or visit <https://www.zoom.us/>, click on "Join A Meeting" and enter the Zoom Webinar ID 861 9780 7469.

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 861 9780 7469. 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=fd043961-041d-4251-a6e8-803b439caa17

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

A. Proclamation of Appreciation for Supervisor Stacy Corless

Departments: Board of Supervisors

30 minutes

Proclamation of the Mono County Board of Supervisors recognizing outgoing Supervisor Stacy Corless.

Recommended Action: Approve proclamation recognizing outgoing Supervisor Stacy Corless.

Fiscal Impact: 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. Resolution Making Findings under AB 361 - Related to Remote Meetings

Departments: County Counsel

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 December 20, 2022 through January 19, 2023.

Recommended Action: Adopt proposed resolution R22-___, 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 December 20, 2022 through January 19, 2023.

Fiscal Impact: None.

B. Amendment to Contract with Fechter & Company for Special District Audit Services

Departments: Finance

Proposed contract amendment with Fechter & Company pertaining to Special District Audit Services.

Recommended Action: Approve and authorize County Administrator to sign contract amendment with Fechter & Company for Special District audit services for the period April 1, 2020 through December 31, 2023 and a not-to-exceed amount of \$145,000.

Fiscal Impact: FY2022/23 audit costs are estimated at \$50,250. The Finance Department 2023 approved budget includes \$36,100 to cover special district audit costs. Finance does not anticipate needing additional appropriations and will reevaluate budget needs at Mid-Year. Please see the attachment titled "Mono County special districts FY22 Agreement-FINAL signed" which outlines the cost per special district scheduled for each FY2021/22 audit.

C. Proposed Amendment to Southern Mono Healthcare 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 Southern Mono Healthcare District was approved by the Board of Supervisors on October 20, 2020. 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 Southern Mono Healthcare District, and must approve their code for it to take effect.

Recommended Action: Approve the new Conflict of Interest Code adopted by the Southern Mono Healthcare District.

Fiscal Impact: None.

D. Appropriation Transfer Request for Temporary Clerk-Recorder Position

Departments: Clerk-Recorder

Appropriation Transfer Request (ATR) to increase the Modernization and the Micrographics budgets each by \$15,200 for the funding of a temporary Fiscal and Technical Specialist II position in the Clerk-Recorder's office. Funding is already available, but the appropriation must be increased.

Recommended Action: Approve Appropriation Transfer request to the Modernization and the Micrographics budgets (requires 4/5ths vote).

Fiscal Impact: Will increase the Modernization budget by \$15,200, and the Micrographics budget by \$15,200, for a total of \$30,400 from Funds 174 and 175, leaving a remaining Fund balance of over \$150,000 in Fund 174 and 175.

E. Antelope Valley Regional Planning Advisory Committee (RPAC) Term Reappointments

Departments: Community Development

Reappointment of members to the Antelope Valley Regional Planning Advisory Committee.

Recommended Action: Reappoint Eric Edgerton, Arden Gerbig, Patti Hamic-Christensen, Mark Langner, Don Morris, and Bruce Woodworth, to four-year terms on the Antelope Valley Regional Planning Advisory Committee, expiring Dec. 31, 2026, as recommended by Supervisor Peters.

Fiscal Impact: None.

F. Bridgeport Valley Regional Planning Advisory Committee (RPAC) Term Reappointments

Departments: Community Development

Reappointment of members to the Bridgeport Valley Regional Planning Advisory Committee.

Recommended Action: Reappoint Jeff Hunewill, Justin Nalder and Steve Noble to three-year terms on the Bridgeport Valley Regional Planning Advisory Committee, expiring Dec. 31, 2025, as recommended by Supervisor Peters.

Fiscal Impact: None.

G. D & S Waste Contract Limit Second Amendment

Departments: Public Works

Proposed contract second amendment with D&S Waste Removal pertaining to

contract limit adjustment.

Recommended Action: Approve second amendment to adjust contract limit and authorize the County Administrative Officer to execute said contract amendment on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: This Contract Amendment is to increase the annual limit of \$52,000 by \$43,000 for a new annual limit of \$95,000; and to increase the contract limit of \$260,000 by \$25,000 for a new contract limit of \$285,000. The increase is to account for Consumer Price Index (CPI) adjustments, increased gate fees and reimbursable charges from special projects. The County's FY22/23 adopted budget has sufficient budget savings to cover this cost increase.

H. D & S Waste Contract Renewal 2023

Departments: Public Works

Proposed contract with D&S Waste Removal, Inc. pertaining to trash and recycling collection services at facilities owned and/or operated by the County.

Recommended Action: Approve a new three-year contract for D&S Waste Removal, Inc. and authorize the County Administrative Officer to execute said contract on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: This proposed Contract is adjusted for an annual limit of \$100,000 and a total contract limit of \$300,000, to account for Consumer Price Index (CPI) adjustments, increased gate fees and reimbursable charges from special projects. The new contract base service fee for trash collection and disposal services at county-owned and operated facilities is proposed at \$26,671 annually, to be funded by the Facilities budget in the General Fund. The remaining limit balance of \$73,329 is available to support special projects, events, and future CPI / gate fee adjustments.

I. Adoption of the 2022 California Building Code

Departments: Community Development

Proposed ordinance on the 2022 California Building Code, modified as directed during the public hearing by the Board of Supervisors on December 13, 2022.

Recommended Action: Adopt proposed ordinance ORD 22-____, Amending Title 15 of the Mono County Code Pertaining to Building Regulations and Uniform Codes.

Fiscal Impact: None.

J. Small Residential Rooftop Solar Energy Permit Expediting Ordinance

Departments: Community Development (Building)

Proposed ordinance for Small Residential Rooftop Solar Energy Permit Expediting, as presented at the public hearing before the Board on December 13, 2022.

Recommended Action: Adopt proposed ordinance R22-____, Setting Forth Procedures for Expediting Permitting Processing for Small Residential Rooftop Solar Energy Systems.

Fiscal Impact: None.

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. Resolution Implementing Cost of Living Adjustment for Unrepresented Employees

Departments: CAO

10 minutes

(Robert C. Lawton, CAO) - Proposed resolution establishing and adjusting the base compensation for unrepresented at-will employees to implement a 2% cost of living adjustment (COLA) for calendar year 2023.

Recommended Action: Adopt proposed resolution R22-___, Establishing and adjusting the base compensation for unrepresented at-will employees to implement a 2% cost of living adjustment for calendar year 2023. Provide any desired direction to staff.

Fiscal Impact: The estimated incremental increase in salaries and benefits is approximately \$145,000 of which \$111,000 is the share for the County's General Fund (GF) and \$34,000 is the share for funds outside of the GF. This estimate includes the costs for salary, pension, Medicare taxes, and state disability contributions. These costs were not included in the FY22/23 adopted budget. If necessary, budget adjustments will be included during the mid-year review.

B. Resolution Approving Essential Worker Pay

Departments: CAO

10 minutes

(Robert C. Lawton) - Proposed resolution approving essential worker pay for specified employees as described in the American Rescue Plan Act of 2021.

Recommended Action: Adopt proposed resolution R22-___. Provide any desired direction to staff.

Fiscal Impact: The fiscal impact of the propose essential worker payments is approximately \$502,000 to be funded with the County's non-recurring resources

(ARPA and LATCF). These amounts were not included in the Fiscal Year 2022-23 adopted budget. Budget adjustments will be proposed during the mid-year review.

C. Employment Agreement - Seth Clark

Departments: Human Resources and Sheriff

5 minutes

(Sheriff Braun) - 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 R22-___, 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: The full cost of salary and benefits for an entire fiscal year is approximately \$271,435, of which \$157,042 is salary, \$11,778 is education incentive pay, \$22,735 is one time retention pay, and \$79,880 is benefits. Of this amount, approximately \$207,000 is included in the FY22/23 adopted budget.

D. Employment Agreement - Mark Hanson

Departments: Human Resources and Sheriff

5 minutes

(Sheriff Braun) - Proposed resolution approving a contract with Mark Hanson as Sheriff's Lieutenant, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution R22-___, approving a contract with Mark Hanson 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: The full cost of salary and benefits for an entire fiscal year is approximately \$271,435, of which \$157,042 is salary, \$11,778 is education incentive pay, \$22,735 is one time retention pay, and \$79,880 is benefits. Of this amount, approximately \$207,000 is included in the FY22/23 adopted budget.

E. Amendments to Franchise Solid Waste Agreements with D&S Waste Removal and Mammoth Disposal

Departments: Solid Waste

15 minutes

(Justin Nalder, Solid Waste Superintendent) - Amendments extending the terms of the current solid waste franchise agreements with D&S Waste Removal, Inc. and Mammoth Disposal, Co. for an additional 6 months to allow for the negotiation of longer-term franchise agreements.

Recommended Action: (1) Approve and authorize entry into Amendment to Primary Franchise Agreement Between the County of Mono and D&S Waste Removal, Inc. in substantially similar form to that attached, with minor adjustments as reviewed and approved by County Counsel, and at a price term that is calculated to reflect actual costs; and (2) Approve and authorize entry into Amendment to Primary Franchise Agreement Between the County of Mono and Mammoth Disposal in substantially similar form to that attached, with minor adjustments as reviewed and approved by County Counsel, and at a price term that is calculated to reflect actual costs.

Fiscal Impact: Revenue from tonnage Surcharges collected are estimated at around \$120,000 annually.

F. Agreements for the Provision of Solid Waste Transfer, Transport and Disposal Services

Departments: Solid Waste

20 minutes

(Justin Nalder, Solid Waste Superintendent) - Proposed contracts with D&S Waste Removal, Inc. pertaining to integrated solid waste management within unincorporated Mono County, including (1) Master Contract for Integrated Solid Waste Management; (2) Transfer Services Contract; (3) Satellite Transfer Station Operations Contract; (4) Transport Services Contract; and (5) Disposal Services Contract (the "Contracts").

Recommended Action: Approve and authorize the Board Chair to sign Contracts with D&S Waste Removal, Inc. for the transfer, transport and disposal of solid waste generated within unincorporated Mono County for the period January 1, 2023, through December 31, 2033, with a County option to extend for up to ten additional years and a not-to-exceed amount of \$425,000 for the first year, adjusted annually based on a formula set forth in the contracts.

Fiscal Impact: \$425,000 from January 1, 2023 through December 31, 2023, annual adjustments thereafter based on CPI and fuel costs, paid out of the Solid Waste Enterprise Fund.

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 - 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.

C. 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.

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