



# 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 July 18, 2023

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#### TELECONFERENCE INFORMATION

This meeting will be held in person at the location listed above. Additionally, a teleconference location will be available where the public and members of the Board may participate by electronic means.

1. Mammoth Teleconference Location – for meetings held on the first and second Tuesday of each month - Mono Lake Room of the Mono County Civic Center, First Floor, 1290 Tavern Road, Mammoth Lakes, CA. 93546;;
2. Bridgeport Teleconference Location – for meetings held on the third Tuesday of each Month - 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/87586294275> or visit <https://www.zoom.us/>, click on "Join A Meeting" and enter the Zoom Webinar ID 875 8629 4275.

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 875 8629 4275.

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: [https://monocounty.granicus.com/MediaPlayer.php?publish\\_id=c990fc2b-61b3-451f-a38e-a0074e365b18](https://monocounty.granicus.com/MediaPlayer.php?publish_id=c990fc2b-61b3-451f-a38e-a0074e365b18)

**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](mailto: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. Authorization of Public Works As-Need Services Contracts**

Departments: Public Works Engineering

The purpose of the as-need service contracts is to assist the County in completing pre-construction work on grant funded transportation projects and other capital projects identified in the 5-Year Capital Improvement Program (CIP). The as-need contracts are also utilized to provide necessary services to construct, maintain, and repair county structures, roads, and facilities. Each as-need agreement provides a three (3) year contract term with the option to renew for an additional two (2) years.

**Recommended Action:** Authorize the Public Works Director to execute the following as-needed consultant agreements, each having a term of three years:

1. Triad Holmes Associates, Inc. As-Needed Civil Engineering and Land Surveying Services contract (\$200,000 yearly contract limit) Eastern Sierra Engineering As-Needed Civil Engineering and Geotechnical Services contract

(\$200,000 yearly contract limit) Eastern Sierra Land Surveys As-Need Land Surveying Services contract (\$150,000 yearly contract limit) Resource Concepts Inc. As-Needed Civil Engineering, Land Surveying, Structural Engineering, and Environmental Services contract (\$325,000 yearly contract limit) 2. Authorize the Public Works Director, in consultation with County Counsel, to administer the contracts, including making minor amendments to said contract from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work and do not cause spending on the project to exceed the budgeted authority.

**Fiscal Impact:** The as-need contract services are funded by state funds, local transportation funding (RMRA/SB1), or other local funding. The actual yearly funds expended per contract will vary greatly based on Public Works project needs, county staff workload, and staff vacancies in the Public Works Engineering Department.

**B. Swall Meadows Emergency Access Route - Authorization to Submit United States Forest Service Standard Form 299**

Departments: Public Works Engineering

Authorize submittal of United States Forest Service (USFS) Standard Form 299 requesting USFS permission to construct the proposed Swall Meadows emergency access route on Federal land between Quail Circle and Swall Meadows Road. If permission is granted, then preliminary engineering and environmental review may commence as funding is available.

**Recommended Action:** Authorize the Public Works Director to submit Standard Form 299 to the USFS to authorize and permit construction of a permanent emergency access route across federal lands from Quail Circle to Swall Meadows Road in the community of Swall Meadows.

**Fiscal Impact:** Initial project planning and scoping is funded by the Local Transportation Commission. Additional funding and planning assistance are available from the Whitebark Institute for pre-construction work through their fire safe grant. The Whitebark Institute will provide funds for the Forest Service application fee. The future cost of construction is estimated at \$206,00. The source of funding for construction has not been determined at this time.

**C. Stipends For Special Travel by Employees during Winter Closure of Highway 395**

Departments: County Administrative Office and Human Resources

Side letters to Memorandum of Understanding between the County of Mono and the Mono County Paramedic Fire Rescue Association and the Mono County Correctional Deputy Sheriffs' Association (MOU's) authorizing special travel stipends for certain employees who experienced extended commutes during the Highway 395 closure this winter.

**Recommended Action:** Adopt proposed resolution approving side letters to the

MOUs to authorize special travel stipends for extended commutes during the Highway 395 closure this winter.

**Fiscal Impact:** Approximately \$5,200 of one-time costs: \$1,600 for paramedics and \$3,600 for correctional deputies.

**D. Salary Adjustment for Two Deputy Correctional Officers**

Departments: Human Resources and Sheriff

Proposed resolution adopting and approving side letter to the Memorandum of Understanding (MOU) between the County of Mono and the Correctional Deputy Sheriff's Association to implement a "C" Step salary for two Correctional Deputies upon their promotion to Deputy II.

**Recommended Action:** Adopt the proposed resolution adopting and approving side letter to the MOU between the County of Mono and the Correctional Deputy Sheriffs' Association.

**Fiscal Impact:** Approximately \$6,500.

**E. The Ferguson Group Contract**

Departments: County Administrative Office

Proposed contract with The Ferguson Group, LLC. pertaining to the provision of federal advocacy, consulting, and grant services.

**Recommended Action:** Approve, and authorize Mary Booher, Interim County Administrator to sign, contract with The Ferguson Group, LLC. for the provision of federal advocacy, consulting, and grant services for the period July 1, 2023, through June 30, 2024, and a not-to-exceed amount of \$101,000.

**Fiscal Impact:** Fiscal Impact for the FY23-24 will be \$101,000, included in the County Administration preliminary budget for this fiscal year.

**F. FY 2022-23 Budget Adjustments**

Departments: County Administrative Office

Two budget adjustments have come forward since June 6, 2023, requiring Board action for services provided in FY 2022-23: One adjustment for Veteran Services (using budget savings from the Agricultural Commissioner) and one for Technology Internal Service Fund (to move cash to execute implementation of Johnson Controls Systems).

**Recommended Action:** Approve budget adjustments for FY 2022-23 as requested (4/5 vote required).

**Fiscal Impact:** None.

**G. FY 2023-24 Budget Adjustments**

Departments: County Administrative Office

Four budget adjustments are needed to execute Board approved services that fall in the 2023-24 Fiscal Year.

**Recommended Action:** Approve budget adjustments for FY 2023-24 as requested or amended, (4/5 vote required).

**Fiscal Impact:** Appropriates carryover balance in Local Assistance Fund 194 in the amount of \$175,000 for the purchase of heart rate monitors approved by the Board on July 11, 2023. Moves appropriations of \$250,000 for storm repairs from the Road Fund to Disaster Assistance Fund with funding from FEMA and CalOES. Increases approved appropriations in the Technology Internal Service Fund by \$152,715 for implementation of security measures using carryover balance. Increases approved appropriations in Local Assistance Fund 194 for the loan to the Bridgeport Public Utility District. The preliminary budget remains legally balanced.

**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. PUBLIC HEARING: General Plan Amendment 23-002**

Departments: Community Development

PUBLIC HEARING: 30 minutes

(Brent Calloway, Principal Planner) - Public hearing regarding General Plan Amendment 23-002 which includes technical changes to define "single room occupancy," explain dual land use designations, and minor modifications to building height, setbacks, animal standards, development credits, short-term rentals, and development standards for manufactured homes. An Addendum to the 2015 General Plan Environmental Impact Report is proposed under the California Environmental Quality Act (CEQA).

**Recommended Action:** Adopt proposed resolution, certifying the CEQA Addendum and approving the General Plan Amendment with any desired modifications. Provide any desired direction to staff.

**Fiscal Impact:** None.

**B. Tourism Business Improvement District in June Lake**

Departments: Clerk of the Board

20 minutes

(Ralph Lockhart and John Lambeth, Civitas Founder and CEO) - June Lake Chamber of Commerce request that the County fund the consultation fee with

Civitas Partners (approximately \$47,000) for the development and implementation of a Tourism Business Improvement District (TBID) in June Lake. This is the consultation fee for development of a TBID plan and format that would allow for an assessment to be charged on certain sectors.

**Recommended Action:** None. Provide any desired direction to staff.

**Fiscal Impact:** Approximately \$47,000 depending on Board direction.

**C. Law Library Annual Report and Appointments**

Departments: County Counsel

10 minutes

(Christopher Platt, Mono County Library Director) - Presentation by County Counsel Stacey Simon as the current president of the Mono County Law Library Board of Trustees and Christopher Platt, Law Library Director, providing an update on the Mono County Law Library and request for reappointment of the County Counsel, District Attorney, and attorney Sophie Bidet as Trustees of the Law Library.

**Recommended Action:** Hear update and re-appoint the District Attorney and County Counsel to serve as ex officio Trustees and attorney Sophie Bidet to serve as Trustee on the Board of Trustees of the Mono County Law Library, for a term of one year.

**Fiscal Impact:** None.

**D. Moratorium on Granting New Approvals for Employees to Work Outside of California**

Departments: County Administrative Office

10 minutes

(Mary Booher, Interim County Administrative Officer) - Proposed resolution imposing a moratorium on the hiring of new employees who would work outside of the state of California and on the granting of approval for current employees now working within the State of California to commence performing their job duties from outside the state.

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

**Fiscal Impact:** Avoids incurring further costs to implement multi-state payroll and HR systems and processes until a policy is developed by staff and approved by the Board.

**E. Health and Human Services Department**

Departments: County Administrative Office

15 minutes

(Mary Booher, Interim County Administrative Officer) - Administrative steps to implement consolidation of the Public Health department and Social Services department (which Public Guardian, Public Administrator, and Public Guardian) into a newly created department of Health and Human Services; establish the position of Health and Human Services Director; and appoint the current Social Services Director/Interim Public Health Director as the Health and Human Services Director.

**Recommended Action:** 1. Approve job description for Health and Human Services Director; 2. Approve an amendment to the allocation list, deleting the Public Health Director position and the Social Services Director position and adding the position of Health and Human Services Director; 3. Adopt proposed ordinance setting forth County Departmental Structure, including the Department of Health and Human Services; 4. Announce fiscal impact and adopt proposed resolution approving an employment contract with Kathryn Peterson as Health and Human Services Director, and prescribing the compensation, appointment, and conditions of said employment.

**Fiscal Impact:** This item does not increase costs from the compensation previously approved with the February 7, 2023, contract amendment. The cost of this position for the remainder of the fiscal year is \$203,417, of which \$167,536 is salary and \$35,881 is benefits. The total cost of salary and benefits for an entire fiscal year is \$232,477, of which \$191,470 is salary and \$41,007 is benefits. This is included in the preliminary FY 2023/24 budget.

**F. Employment Agreement for Thomas Boo, MD as Acting Public Health Officer**

Departments: Public Health

5 minutes

(Kathy Peterson, Interim Public Health Director) - Employment Agreement with Dr. Thomas Boo, MD to serve as Acting Public Health Officer while Mono County conducts a full recruitment for a Public Health Officer.

**Recommended Action:** Announce fiscal impact, approve Employment Agreement with Dr. Thomas Boo, MD, to serve as Acting Public Health Officer.

**Fiscal Impact:** The full fiscal year impact estimate assuming maximum of 20 hours per week is \$135,842 comprised of \$119,600 in Salary, \$13,072 in Public Employees Retirement System (PERS), and \$3,170 in required benefits. The Public Health Officer is an allocated, budgeted position.

**G. Amendment to Mammoth Lakes Trails and Public Access Foundation Contract**

Departments: Public Works - Recreation

10 minutes

(Marcella Rose, Sustainable Recreation Coordinator) - Proposed contract

amendment with Mammoth Lakes Trails and Public Access Foundation (MLTPA) pertaining to expansion of contract services to include work on various Recreation division grants.

**Recommended Action:** Approve, and authorize CAO to sign, contract amendment with Mammoth Lakes Trails and Public Access Foundation (MLTPA) for recreation management related services for the period January 17, 2022, through January 16, 2025, and a not-to-exceed (NTE) amount of \$120,000.

**Fiscal Impact:** The amendment increases the contractual amount encumbered in the recreation budget. Original contract was not to exceed \$75,000 (NTE \$25,000 in any 12- month period); this amendment increases it to NTE \$120,000 over contract period (NTE \$40,000 in any 12 month period). Funding source is geothermal royalties and grant awards.

**H. Draft 2023-2028 Eastern Sierra Region Comprehensive Economic Development Strategy (CEDS)**

Departments: Economic Development

20 minutes

(Jeff Simpson, Economic Development Director) - Presentation by Jeff Simpson regarding the draft 2023-2028 Eastern Sierra Region Comprehensive Economic Development Strategy (CEDS).

**Recommended Action:** None, informational only. Provide any desired direction to staff on edits or additions before the document enters the public comment period from July 31 - August 30, 2023.

**Fiscal Impact:** None.

**I. Housing Update**

Departments: County Administrative Office

30 minutes

(Mary Booher, Interim County Administrative Officer) - Presentation by Interim County Administrative Officer providing an update on the work of the Housing Ad Hoc committee.

**Recommended Action:** None, informational only. Provide any desired direction to staff.

**Fiscal Impact:** None.

**J. Request from National Park Service**

Departments: County Administrative Office

10 minutes

(Mary Booher, Interim County Administrative Officer) - Presentation by Interim County Administrative Officer regarding request for assistance from the National



Park Service, in support of opening Tioga Pass.

**Recommended Action:** Direct staff to provide requested assistance to the National Park Service by either 1) entering into a contract or amending an existing contract for septic pumping services, or 2) enter into an agreement to provide financial support to the National Park Service for the expansion of septic pumping services, for an amount not to exceed \$50,000. Provide any desired direction to staff.

**Fiscal Impact:** If approved by the Board, staff will include funding from the Local Assistance Fund in the recommended budget.

**8. CLOSED SESSION**

**A. Closed Session - Labor Negotiations**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Mary Booher, Stacey Simon, Janet Dutcher, Jack Conry, 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 – Real Property Negotiation**

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property Address: 34 Kirkwood Street, Bridgeport, CA. County Negotiator: Mary Booher. Negotiating Parties: Brianna Brown and Mono County. Under Negotiation: Price, terms, and conditions.

**Recommended Action:**

**C. Closed Session – Real Property Negotiation**

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property Address: 264 Highway 182, Bridgeport, CA. County Negotiator: Mary Booher. Negotiating Parties: Garth Moore and County of Mono. Under Negotiation: Price, terms, and conditions.

**Recommended Action:**

**D. Closed Session - Existing Litigation**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: *Mono v. KR Property et al.* Mono County Superior Court case number: CV200081.

**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: *County of Mono, et al v. Liberty Utilities, LLC, et al., Case No: 2:21-cv-00834-DAD-KJN, U.S. District Court for the Eastern District of California.*

**F. Closed Session - Public Employee Evaluation**

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

**9. REGULAR AGENDA - AFTERNOON**

**A. Request to Hold Special Election November 7, 2023**

Departments: Elections

10 minutes

(Mary Booher, Interim County Administrative Officer; Queenie Barnard, Interim Clerk-Recorder-Registrar) - The Tri-Valley Groundwater Management District (TVGMD) has called for a Special Election to fill a vacant seat on the Board of Directors and requests Mono County hold the election at the next scheduled election (November 7, 2023) and waive any fees to conduct said election. This item is being brought forward pursuant to Elections Code section 10002 to provide authorization from the Mono County Board of Supervisors allowing the Mono County Registrar of Voters to conduct said election.

**Recommended Action:** 1) Authorize the Mono County Registrar of Voters to conduct a Special Election on November 7, 2023, for the Tri-Valley Groundwater Management District to fill a vacant seat on the Board of Directors; and 2) Waive the fees for conducting the Special Election as an "all-mail" ballot election and bill Tri-Valley Groundwater Management District for any additional services not required for an "all-mail" ballot election.

**Fiscal Impact:** Approximately \$36,000, of which 80% is Personnel Expenses and included in the Elections budget for FY 2023-24.

**B. Resolution Authorizing Certain Expenditures Relating to Election Day Workers and Designating the Amount of Compensation to be Paid**

Departments: Elections

10 minutes

(Queenie Barnard, Interim Clerk-Recorder-Registrar) - Proposed resolution

authorizing certain expenditures relating to election day workers (i.e., poll workers, inspectors, and coordinators) and designating the amount of compensation to be paid to election day workers.

**Recommended Action:** Adopt proposed resolution authorizing certain expenditures relating to election day workers and designating the amount of compensation to be paid to election day workers.

**Fiscal Impact:** Approximately \$4,000 per county-wide election, which is included in the Elections budget for FY 2023-24.

**C. Request for Waiver of Costs of Appeal - Adriani**

Departments: County Administrative Office

15 minutes

(Mary Booher, Interim County Administrative Officer) - Request of Alisa Adriani for Board waiver of costs associated with her appeal of the Planning Commission's approval of Use Permit # 23-001, approving an accessory structure in excess of 20 feet in height pursuant to Mono County General Plan section 04.110B.

**Recommended Action:** Consider request for waiver of costs and either grant or deny the request. Note that to grant the request the Board must state the public benefit resulting from the waiver.

**Fiscal Impact:** Approval of this item will reduce General Fund revenue by \$1,169.75.

**10. 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**