



**DRAFT MEETING MINUTES
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**

Backup Recording

Minute Orders

Resolutions

Ordinance

Zoom

M23-154 – M23-164

R23-052 - R23-059

ORD23-005 Used

9:03 AM Meeting called to order by Chair Duggan.

Supervisors Present: Duggan, Gardner, Kreitz, and Peters. (All attended in person, teleconference, or via zoom).

Supervisors Absent: Supervisor Salcido arrived during item #7c.

The Mono County Board of Supervisors stream most of their meetings live on the internet and archives them afterward. To search for a meeting from June 2, 2015, forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>

Pledge of Allegiance led by Supervisor Kreitz.

- 1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**
No one spoke.
- 2. RECOGNITIONS - NONE**
- 3. COUNTY ADMINISTRATIVE OFFICER**
 - No report.
- 4. DEPARTMENT/COMMISSION REPORTS**

Note:

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Louis Molina, Environmental Health Director:

- Update on Crowley Lake, Hilton Bay, and the marina on the algae status.

Janet Dutcher, Finance Director:

- Update on the Property Tax collections.

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.

Action: Authorized 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. Authorized 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.

Kreitz moved; Peters seconded

Vote: 4 Yes, 0 No, 1 absent

M23-154

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

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Meadows Road. If permission is granted, then preliminary engineering and environmental review may commence as funding is available.

Action: Authorized 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.

Kreitz moved; Peters seconded

Vote: 4 Yes, 0 No, 1 absent

M23-155

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.

Action: Adopted revised Resolution R23-053, Adopting and approving side letters (which authorize stipends for special travel) between the County and the Correctional Deputy Sheriff's Association and the County and the Mono County Paramedic Fire Rescue Association.

Peters moved; Gardner seconded

Vote: 4 Yes, 0 No, 1 absent

R23-053

Stacey Simon, County Counsel:

- Pulled item from Consent for clarification on revised resolution.

Moved to item #7a.

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.

Action: Adopted the Resolution R23-052, Adopting and approving a side letter to the Memorandum Of Understanding Between the County of Mono and the Correctional Deputy Sheriffs' Association to implement a "C" Step Salary for two Correctional Deputies upon their promotion to Deputy II.

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Kreitz moved; Peters seconded
Vote: 4 Yes, 0 No, 1 absent
R23-052

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.

Action: Approved and authorized 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.

Kreitz moved; Peters seconded
Vote: 4 Yes, 0 No, 1 absent
M23-156

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).

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

Kreitz moved; Peters seconded
Vote: 4 Yes, 0 No, 1 absent
M23-157

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.

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

Kreitz moved; Peters seconded
Vote: 4 Yes, 0 No, 1 absent
M23-158

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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

(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).

Action: Adopted Resolution R23-054, Adopting General Plan Amendment (GPA) 23-02 – Annual Cleanup, in compliance with the California Environmental Quality Act (CEQA).

Kreitz moved; Gardner seconded

Vote: 5 Yes, 0 No, 1 absent

R23-054

Action: Adopted Ordinance ORD23-004, Adopting General Plan Amendment (GPA) 23-02 – Annual Cleanup, in compliance with the California Environmental Quality Act (CEQA).

Kreitz moved; Gardner seconded

Vote: 5 Yes, 0 No, 1 absent

ORD23-004

Public Hearing Open: 9:20 AM

Brent Calloway, Principal Planner:

- Presented item.

Public Hearing Closed: 9:33 AM

Moved to item #7c.

B. Tourism Business Improvement District in June Lake

Departments: Clerk of the Board

(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.

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Action: None.

Ralph Lockhart:

- Presented item.

Jeff Simpson, Economic Development Director:

- Provided background.

Jeremy, Ernie's Tackle and Ski Shop Owner:

- Provided background and shared past experiences.

Stacey Simon, County Counsel:

- Provided clarity on appropriate role of County and Board of Supervisors.

Julie Brown, Cintas:

- Discussed benefits of the community for the use of funds.

Moved to item #7e.

C. Law Library Annual Report and Appointments

Departments: County Counsel

(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.

Action: Re-appointed 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.

Gardner moved; Peters seconded

Vote: 4 Yes, 0 No, 1 absent

M23-159

Stacey Simon, County Counsel:

- Introduced item.

Christopher Platt, Mono County Library Director:

- Presented item.

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

Departments: County Administrative Office

(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

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now working within the State of California to commence performing their job duties from outside the state.

Action: Adopted Resolution R23-054, 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 California to commence performing their job duties from outside the state.

Kreitz moved; Gardner seconded

Vote: 5 Yes, 0 No

R23-055

Mary Booher, Interim County Administrative Officer:

- Presented item.

Supervisor Salcido:

- Joined meeting.

Break: 10:08 AM

Reconvened: 10:22 AM

Moved to item #7b.

E. Health and Human Services Department

Departments: County Administrative Office

(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.

Action: 1. Approved job description for Health and Human Services Director.

Peters moved; Salcido seconded

Vote: 5 Yes, 0 No

M23-160

Action: 2. Adopted Resolution R23-056, Authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to eliminate 868-DSS-030-01 Director Of Social Services And 860-Phd-9 027-01 And To Add 860-PHD-017-01 Director of Health and Human Services in the department of Health and Human Services.

Peters moved; Salcido seconded

Vote: 5 Yes, 0 No

R23-056

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Action: 3. Adopted Ordinance ORD23-005, Adding Chapter 2.05 to the Mono County Code “County Departmental Structure”.

Peters moved; Salcido seconded

Vote: 5 Yes, 0 No

ORD23-005

Action: 4. Adopted Resolution R23-057, 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.

Peters moved; Salcido seconded

Vote: 5 Yes, 0 No

R23-057

Mary Booher, Interim County Administrative Officer:

- Provided background and presented item.

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

Departments: Public Health

(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.

Action: Adopted Resolution R23-058, Approving an employment agreement with Dr. Thomas Boo, M.D., as Acting Public Health Officer and prescribing the compensation, appointment, and conditions of said employment.

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.

Salcido moved; Gardner seconded

Vote: 5 Yes, 0 No

R23-058

Kathy Peterson, Health, and Human Services Director:

- Presented item.

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

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Departments: Public Works - Recreation

(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.

Action: Approved, and authorized 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.

Salcido moved; Peters seconded

Vote: 5 Yes, 0 No

M23-161

Marcella Rose, Sustainable Recreation Coordinator:

- Presented item.

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

Departments: Economic Development

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

Action: None.

Jeff Simpson, Economic Development Director:

- Presented item.

I. Housing Update

Departments: County Administrative Office

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

Action: None.

Mary Booher, Interim County Administrative Officer:

- Presented item.

J. Request from National Park Service

Departments: County Administrative Office

(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.

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Action: Directed staff to provide requested assistance to the National Park Service by either option: 1) entering into a contract or amending an existing contract for septic pumping services. 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.

Gardner moved; Kreitz seconded

Vote: 5 Yes, 0 No

M23-162

Mary Booher, Interim County Administrative Officer:

- Presented item.

8. CLOSED SESSION

Closed Session: 12: 14 PM

Reconvened: 1:50 PM

Nothing to report out of 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.

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.

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.

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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

(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.

Action: 1) Authorized 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) Waived 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.

Gardner moved; Peters seconded

Vote: 5 Yes, 0 No

M23-163

Mary Booher, Interim County Administrative Officer:

- Introduced item.

Queenie Barnard, Interim Clerk-Recorder-Registrar:

- Presented item.

Edie Trimmer:

- In support of item.

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

Departments: Elections

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(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.

Action: Adopted Resolution R23-059, Authorizing certain expenditures relating to election day workers and designating the amount of compensation to be paid to election day workers.

Salcido moved; Peters seconded

Vote: 5 Yes, 0 No

R23-059

Queenie Barnard, Interim Clerk-Recorder-Registrar:

- Presented item.

C. Request for Waiver of Costs of Appeal - Adriani

Departments: County Administrative Office

(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.

Action: Denied the waiver request (which will require Ms. Adriani to pay the balance in full) for the Cost of Appeal for Adriani.

Salcido moved; Gardner seconded

Vote: 5 Yes, 0 No

M23-164

Mary Booher, Interim County Administrative Officer:

- Presented item.

10. BOARD MEMBER REPORTS

- No Board reports.

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ADJOURNED in memory of Dr. Steve Swisher at 3:17 PM.

ATTEST

**RHONDA DUGGAN
CHAIR OF THE BOARD**

**DANIELLE PATRICK
SENIOR DEPUTY CLERK OF THE BOARD**