



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 at far right.

Regular Meeting

MEETING LOCATION
Mammoth Lakes BOS Meeting
Room, 3rd Fl. Sierra Center
Mall, Suite 307, 452 Old
Mammoth Rd., Mammoth
Lakes, CA 93546

April 16, 2013

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 the Clerk of the Board at (760) 932-5534. 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 in the County Offices located in Minaret Mall, 2nd Floor (437 Old Mammoth Road, Mammoth Lakes CA 93546). 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 www.monocounty.ca.gov. If you would like to receive an automatic copy of this agenda by email, please send your request to Lynda Roberts, Clerk of the Board : lroberts@mono.ca.gov.

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

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.)

Approximately thru
10:00 a.m. **CLOSED SESSION**

BOARD OF SUPERVISORS

- 1a) **Closed Session** - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one.
- 1b) **Closed Session - CAO Position** - PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer.
- 1c) **Closed Session - Conference With Legal Counsel** - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Luman v. Mono County.
- 1d) **Closed Session - Conference with Legal Counsel** - 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: one. Facts and circumstances: dispute regarding Conway Ranch grant compliance.
- 1e) **Closed Session--Human Resources** - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph and Lynda Salcido. 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.

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) **APPROVAL OF MINUTES**

A. Approve minutes of the Regular Meeting held on April 2, 2013.

3) **BOARD MEMBER REPORTS**

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

Approximately 10 Minutes **COUNTY ADMINISTRATIVE OFFICE**

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

10:00 a.m. Approximately 15 minutes **DEPARTMENT REPORTS/EMERGING ISSUES** (PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Approximately 5 minutes for Consent Items

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.)

CLERK OF THE BOARD

- 5a) **Proclamation Designating April, 2013 as Child Abuse Prevention Month** - April is nationally recognized as Child Abuse Prevention Month. Wild Iris is asking the Board to approve a proclamation designating April, 2013 as Child Abuse Prevention Month in Mono County. This item is being sponsored by Chairman Hunt.

Recommended Action: Approve Proclamation designating April, 2013 as Child Abuse Prevention Month in Mono County.

Fiscal Impact: None.

- 5b) **Proclamation Designating April, 2013 as Sexual Assault Awareness Month** - April is nationally recognized as Sexual Assault Awareness Month. Wild Iris is asking the Board to designate April, 2013 as Sexual Assault Awareness month in Mono County.

Recommended Action: Approve Proclamation designating April, 2013 as Sexual Assault Awareness Month in Mono County.

Fiscal Impact: None.

- 5c) **Appoint Mono County Representatives to the Trindel Insurance Fund and the CSAC-EIA Board of Directors** - Appointment of Mono County representatives to the Trindel Insurance Fund Board of Directors and the CSAC-EIA Board of Directors, effective April 16, 2013, as required by the JPA's already in place.

Recommended Action: Authorize appointment of Mono County representatives to the Trindel Insurance Fund Board of Directors and the CSAC-EIA Board of Directors, effective April 16, 2013; the County Administrative Officer as Board Member and the Director of Human Resources/Risk Management as Alternate Board Member.

Fiscal Impact: None.

- 5d) **Appointment of Deborah Preschutti to the CSA #1 Board** - At a recent CSA #1 Board meeting, a motion was made to recommend that Deborah Preschutti be appointed to fill a vacancy on this Board created by the resignation of Robert Matthiessen. This term will expire November 30, 2015.

Recommended Action: Appoint Deborah Preschutti to the CSA #1 Board, filling a vacancy created by a resignation of a member. This term will expire on November 30, 2015.

Fiscal Impact: None.

COUNTY COUNSEL

- 6a) **Approve Mammoth Community Water District's Amended Conflict of Interest Code** - The Political Reform Act, Gov. Code sections 81000, et seq. requires public agencies to conduct a biennial review and update of their conflict of interest codes. As such, the Mammoth Community Water District has amended its Conflict of Interest Code by Ordinance No. 10-18-12-12 and seeks approval of its new Conflict of Interest Code by the Mono County Board of Supervisors, its code-reviewing body.

Recommended Action: Approve the Mammoth Community Water District's Conflict of Interest Code, as amended by Mammoth Community Water District Ordinance No. 10-18-12-12.

Fiscal Impact: None.

Additional Departments: Public Works

- 6b) **Proposed SCE Easement For Digital 395** - Proposed resolution approving an agreement to convey an easement to Southern California Edison for crossing certain County-owned property.

Recommended Action: Adopt proposed resolution #R13-_____, approving an agreement to convey an easement to Southern California Edison for crossing certain County-owned property. Provide any desired direction to staff.

Fiscal Impact: None.

- 6c) **Additional Emergency Standby Officials** - Presentation of additional nominations for emergency standby officials.

Recommended Action: Appoint Phil West to the second option for acting as the Sheriff-Coroner, Jeff Beard to the third option for acting as the Sheriff-Coroner, Jeff Walters as the first option for acting as the Director of Public Works, Garrett Higerd as the second option for acting as the Director of Public Works, Lynda Salcido as the first option for acting as the CAO, and Scott Burns for the second option for acting as the CAO, (as highlighted on the Emergency Standby Official List attached to the agenda item,) in the event of an emergency requiring Emergency Standby Officials, and direct the Director of the Office of Emergency Services to aid in the investigation of the appointees, as appropriate, to ensure they are fit for said positions.

Fiscal Impact: None.

SOCIAL SERVICES

7a) Notice of Intent to Ensure Continued Use of Child Abuse Prevention Funds in Accordance with State and Federal Law (Kathy Peterson, Social Services) - The current Notice of Intent (NOI) for Mono County's 2010-2013 Child Welfare and Juvenile Probation Systems improvement Plan (SIP) expires on June 09, 2013. The next Board of Supervisors approved SIP is due on December 11, 2013. In order to continue to expend CAPIT/CBCAP/PSSF funds, Mono County must have a current NOI on file with the Office of Child Abuse Prevention. As such, Mono County needs to submit a new NOI in order to expend the CAPIT/CBCAP/PSSF funds during the lapse of time between the current SIP period plan end date (June 09, 2013) and the new 5-year SIP period plan begin date (December 11, 2013).

Recommended Action: Authorize the Chair of the Board of Supervisors to approve the Notice of Intent to ensure the Office of Child Abuse Prevention that the CAPIT/CBCAP/PSSF child abuse prevention funds will continue to be used in accordance with state and federal statute, and identify the Department of Social Services as the BOS designated public agency to continue to administer the CAPIT and CBCAP funds, for the period of June 10, 2013 through December 11, 2013.

Fiscal Impact: None. CAPIT services are funded 100% by State funds. CBCAP and PSSF services are funded 100% by Federal funds.

BOARD OF SUPERVISORS

8a) Roberts employment contract amendment - Amendment to Agreement re Employment of Lynda Roberts. The amendment would simply extend the term of the current agreement through June 30, 2013.

Recommended Action: Adopt Resolution No. R13-___, A Resolution of the Mono County Board of Supervisors Approving an Agreement and First Amendment to the Agreement re Employment of Lynda Roberts.

Fiscal Impact: None.

8b) Resolution of Appreciation - Resolution of Appreciation acknowledging recent efforts of a citizen to benefit Mono County. Supervisor Alpers agendized this item.

Recommended Action: Approve Resolution of Appreciation.

Fiscal Impact: None.

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

CLERK OF THE BOARD

9a) Ombudsman - Advocacy Services of Inyo-Mono - Letter dated March 26, 2013 regarding Ombudsman/Advocacy Services closing it's doors. This will occur due to the Inyo County Health and Human Services assuming operation of the Long-Term Care Ombudsman Program in April.

BOARD OF SUPERVISORS

10a) Letter of Support for AB 151 (Duane "Hap" Hazard) - Proposed letter of support for AB 151 (reintroduced and renumbered from last year's AB 1592), which would authorize cities and counties to waive certain building and inspection fees for ADA-type modifications to homes owned by veterans with a service-related disability. This item was requested by Chairman Hunt.

15 minutes

Recommended Action: Approve and authorize the Board Chair to sign the proposed letter of support for AB 151.

Fiscal Impact: None. AB 151 would merely authorize fee waivers; it would not require them.

PUBLIC WORKS - ENGINEERING DIVISION

11a) Bryant Field Airport – Helibase Lease Renewal (Vianey White) - The U.S. Department of Agriculture (USDA) Forest Service is seeking a 20 year lease renewal for the Bryant Field Airport Helibase facility.

5 minutes

Recommended Action: Approve the U.S. Department of Agriculture (USDA) Forest Service 20 year lease renewal for the Bryant Field Airport Helibase facility. Approval must be by 4/5 vote. Provide any desired direction to staff.

Fiscal Impact: \$100 monthly lease rate will be paid by the USDA. Facilities Staff time to clean the restrooms, on an as needed basis. Staff time will be charged to the Airport Fund.

11b)

5 minutes

Contract Award for the Bridgeport Streets Rehabilitation Project (Garrett Higerd) - Rehabilitation of approximately 3 miles of local streets in Bridgeport.

Recommended Action: Based on this staff report concerning bids received in response to a solicitation for bids and responsibility of the apparent lowest responsive bidder: 1) identify Qualcon Contractors, Inc. as responsible bidder submitting the lowest responsive bid; 2) award contract to Qualcon Contractors, Inc. for the Bridgeport Streets Rehabilitation Project in an amount not to exceed \$1,821,836.20; 3) authorize the Public Works Director, in consultation with County Counsel, to administer that contract, including making minor amendments to said contract from time to time as the Public Works Director may deem necessary, and authority to approve and issue change orders to the contract in accordance with Public Contract Code §20142, in an amount not to exceed \$103,591.81 per change order, provided such amendments do not substantially alter the scope of work, do not cause spending on the project to exceed the budgeted authority of \$2,119,000, and are approved as to form and legality by County Counsel.

Fiscal Impact: This project is funded by the State Transportation Improvement Program (STIP). The California Transportation Commission (CTC) approved \$2,119,000 for the construction phase of this project on June 28, 2012. Contractor payments will not impact the General Fund.

11c)

5 minutes

Contract Award for the Lee Vining Streets Rehabilitation Project (Garrett Higerd) - Rehabilitation of approximately 1.7 miles of local streets in Lee Vining.

Recommended Action: Based on this staff report concerning bids received in response to a solicitation for bids and responsibility of the apparent lowest responsive bidder: 1) identify Herback General Engineering as responsible bidder submitting the lowest responsive bid; 2) award contract to Herback General Engineering for the Lee Vining Streets Rehabilitation Project in an amount not to exceed \$1,327,452.80; 3) authorize the Public Works Director, in consultation with County Counsel, to administer that contract, including making minor amendments to said contract from time to time as the Public Works Director may deem necessary, and authority to approve and issue change orders to the contract in accordance with Public Contract Code §20142, in an amount not to exceed \$78,872.64 per change order, provided such amendments do not substantially alter the scope of work, do not cause spending on the project to exceed the budgeted authority of \$2,047,000, and are approved as to form and legality by County Counsel.

Fiscal Impact: This project is funded by the State Transportation Improvement Program (STIP). The California Transportation Commission (CTC) approved \$2,047,000 for the construction phase of this project on June 28, 2012. Contractor payments will not impact the General Fund.

11d)

10 minutes

Application for Federal Lands Access Program (FLAP) Grant Funding to Rehabilitate Convict Lake Road (Garrett Higerd) - If selected this project would rehabilitate approximately 2.3 to 2.7 miles of Convict Lake Road and add an up-hill bicycle climbing lane.

Recommended Action: Approve submittal of a Federal Lands Access Program (FLAP) grant application to the Federal Highway Administration for a potential road rehabilitation project on Convict Lake Road.

Fiscal Impact: None at this time. If selected by California's Programming Decisions Committee, the total project cost is expected to be approximately \$2,500,000 and would be paid for with Federal Lands Access Program (FLAP) funds, with an 11.47% match. In order to be considered, County must be prepared to address the match requirement (approximately \$300,000 over five years). In addition, County would provide in-kind staff time and other necessary resources for CEQA compliance (which could include hiring outside consultants), project coordination and engineering review, partially chargeable to LTC funds.

LUNCH

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.)

HUMAN RESOURCES

- 12a)** **Employment Contract for Leslie Chapman** (Marshall Rudolph) - Proposed resolution approving a two-year contract with Leslie Chapman as the Director of Finance and prescribing the compensation, appointment and conditions of said employment.
10 minutes
- Recommended Action:** Approve Resolution #R13-____, approving a contract with Leslie Chapman as Director of Finance 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 cost of this position for the remainder of FY 12-13 is approximately \$35,636.68, of which \$23,228.00 is salary; \$4,528.30 is the employer portion of PERS, and \$7,880.39 is the cost of the benefits and is included in the approved budget. Cost for a full year is \$214,237.27, of which \$139,368.00 is salary; \$26,573.30 is the employer portion of PERS, and \$48,295.97 is the cost of the benefits.

SOCIAL SERVICES

- 13a)** **Children's Trust Fund Request** (Kathy Peterson) - Request of the Mono County Child and Family Advisory Board to spend funds held in the County's Children's Trust Fund.
10 minutes
- Recommended Action:** Approve request to use Children's Trust Fund monies in an amount not to exceed \$800.00 to fund the purchase of child passenger car seats for distribution to Mono County families, as recommended by the Child and Family Advisory Board.
- Fiscal Impact:** The total request for funding is an amount not to exceed eight hundred dollars (\$800.00). The Mono County Children's Trust Fund currently has available funding to meet the cost of this request. Accordingly, all requested funds shall come from the Mono County Children's Trust Fund and there is no cost to the Mono County General Fund.

COUNTY COUNSEL

Additional Departments: Clerk / Recorder

- 14a)** **Update to MCC Chapter 3.24** (John-Carl Vallejo) - Proposed ordinance of the Mono County Board of Supervisors Amending sections 3.24.020, 3.24.060, 3.24.080, 3.24.100, 3.24.110, 3.24.120, 3.24.140, 3.24.150, 3.24.160 and 3.24.170, repealing section 3.24.130, and adding sections 3.24.180, 3.24.190, 3.24.200 and 3.24.210 to the Mono County Code pertaining to real property transfer tax.
20 minutes
- Recommended Action:** Introduce, read title, and waive further reading of proposed ordinance. Provide any desired direction to staff.
- Fiscal Impact:** None.

- 14b)** **Walker River Irrigation District Storage Water Leasing Program - Change Petition** (Stacey Simon)
20 minutes
- Presentation regarding the Walker River Irrigation District storage water leasing program and related change petition filed with the California State Water Resources Control Board. Provide direction to staff regarding County comments on petition.
- Recommended Action:** Approve and authorize Chair to sign letter of the California State Water Resources Control Board providing comments on water rights change petitions filed by the Walker River Irrigation District for its storage water leasing program. Provide any desired direction to staff.
- Fiscal Impact:** None.

Additional Departments: Economic Development

- 14c)** **Amendment to Conway Ranch Foundation Permission Agreement** (Marshall Rudolph, Dan Lyster)
5 minutes
- Proposed amendment to Conway Ranch Permission Agreement. The amendment would extend the term of the Agreement for one year.
- Recommended Action:** Approve County entry into proposed Agreement and First Amendment to Conway Ranch Foundation Permission Agreement and authorize the Board Chair to sign said Agreement and First Amendment on behalf of the County.

Fiscal Impact: None.

14d)

15 minutes

Gateway Sign Landscaping (Marshall Rudolph, Jessica Morriss) - Proposed extension of landscaping associated with the Gateway monument sign onto adjacent County property. The extension could be permitted through a license from the County to the Town under which the Town would assume all costs and liability risks associated with the landscaping. The County could terminate the license if and when it needs to use the affected land for another purpose. Town staff will present information regarding this proposal.

Recommended Action: Discuss the proposal. Potentially consider and approve County entry into a license agreement with the Town for said proposal. Provide any desired direction to staff.

Fiscal Impact: None.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Additional Departments: Economic Development

15a)

15 minutes

Merced River Plan Comments (Heather deBethizy, Alicia Vennos) - Merced Wild and Scenic River Draft Comprehensive Management Plan and Environmental Impact Statement Comments.

Recommended Action: Authorize the Chair's signature on comment letter and provide any desired direction to staff.

Fiscal Impact: No fiscal impact.

PUBLIC WORKS - SOLID WASTE DIVISION

16a)

10 minutes

Change in Hours of Operation at County Transfer Stations (Tony Dublino) - Presentation by Tony Dublino regarding proposed change to Transfer Station hours of operation.

Recommended Action: None (informational only). Provide any desired direction to staff.

Fiscal Impact: None.

BOARD OF SUPERVISORS

17a)

30 minutes

June Mountain Ski Area (Supervisor Alpers) - Opportunity for the public to provide new information about the re-opening of June Mountain. Supervisor Tim Alpers sponsored this agenda item.

Recommended Action: Provide direction to staff.

Fiscal Impact: None.

ADJOURNMENT

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