



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 County Courthouse, Bridgeport, CA 93517

November 13, 2012

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

BOARD OF SUPERVISORS

- 1a) **Closed Session - Conference with Legal Counsel** - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one.
- 1b) **Closed Session - Conference with Legal Counsel** - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: Claim for Damages by Inland Aquaculture Group.
- 1c) **Closed Session - Conference with Legal Counsel** - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: dispute regarding Conway Ranch grant compliance.
- 1d) **Closed Session--Human Resources** - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, Brian Muir, and Jim Arkens. 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**

None

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 **COUNTY ADMINISTRATIVE OFFICE**
Minutes

- 4) CAO Report regarding Board Assignments (Jim Arkens)
RECOMMENDED ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

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

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) **No Consent Items -**

REGULAR AGENDA

**CORRESPONDENCE RECEIVED
(INFORMATIONAL)**

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

- 5b) **Suddenlink Letter with Rate Changes** - Letter from Suddenlink dated October 19, 2012 informing the

Board about rate adjustments, effective December 2012.

BOARD OF SUPERVISORS

6a)
45 minutes

Report on Bighorn Sheep Recovery Program (Dr. Thomas R. Stephenson) - Review of the Sierra Nevada Bighorn Sheep Recovery Program from 1999 to June 30, 2011. Dr. Stephenson will present strategies to increase population and identify program deficiencies. Supervisor Hansen is sponsoring this item.

Recommended Action: None. Informational only.

Fiscal Impact: None.

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.)

DISTRICT ATTORNEY

7a)
10 minutes

Approval to Advertise for a Deputy District Attorney I/II Position. (Tim Kendall/DA) - Jeremy Ibrahim has submitted a letter to terminate his contract as Deputy District Attorney I with Mono County effective December 1st 2012. We are seeking approval from the Board to advertise and filling of a Deputy District Attorney I/II.

Recommended Action: Approval to advertise to fill the position for a Deputy District Attorney I/II.

Fiscal Impact: Cost for FY 12/13 for a Deputy District Attorney I is \$87,687 of which \$54,915 is salary, \$10,331 is the County PERS contribution and \$22,442 is the cost of benefits. The cost is included in the approved budget. Full year cost is \$150,321 of which \$94,140 is salary, \$17,709 is the County PERS contribution and \$38,472 is the cost of benefits.

Cost for FY 12/13 for a Deputy District Attorney II is \$93,391 of which \$59,087 is salary, \$11,126 is the County PERS contribution and \$23,178 is the cost of benefits. The cost is included in the approved budget. Full year cost is \$160,099 of which \$101,292 is salary, \$19,073 is the County PERS contribution and \$39,734 is the cost of benefits.

FINANCE

Additional Departments: Public Works, Community Development

8a)
15 minutes

Clean Air Project Program Block Grant Funds (Mary Booher) - Presentation by Mary Booher regarding Clean Air Project Program Block Grant Funds.

Recommended Action: Consider potential projects and select desired project for implementation with Great Basin Unified Air Pollution Control District (GBUAPCD) Clean Air Project Program (CAPP) Block Grant Funds. Provide any desired direction to staff.

Fiscal Impact: \$59,680 of funds for a project in the County that meets the criteria established by the CAPP grant program.

PUBLIC WORKS - ROAD DIVISION

9a)
15 minutes

Review of Snow Removal Priorities (Jeff Walters) - Each year the Roads Division of Public Works provides the Board of Supervisors with a list of the snow removal policies, procedures and priorities for county-maintained roads.

Recommended Action: 1. Receive staff report regarding current snow removal priorities and recommended changes to those priorities. 2. Provide direction to staff regarding modifications to current snow removal priorities. 3. Consider and potentially adopt Resolution No. R12-____, "A Resolution of the Mono County Board of Supervisors Re-Establishing Snow Removal Policies,

Procedures, and Priorities for County-Maintained Roads.” 4. Provide any desired direction to staff.

Fiscal Impact: None.

9b)
20 minutes

Proposed Fuel Reduction Initiatives (Jeff Walters) - Mono County's vehicles, machinery and equipment use over 200,000 gallons of fuel on average each year. Mono County has many fuel reduction initiatives already in place and continues to develop and implement others in an effort to reduce county fuel use.

Recommended Action: Receive staff report regarding current and proposed fuel reduction initiatives. Provide any desired direction to staff.

Fiscal Impact: Proposed initiatives may result in a reduction in county fuel consumption.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

Additional Departments: Economic Development Department

10a)
PUBLIC HEARING 2:30 p.m.
60 minutes

California Unions for Responsible Energy appeal of the Planning Commission approval of the Mammoth Pacific I Replacement Project (Courtney Weiche) - Public hearing regarding appeal of Planning Commission approval of Conditional Use Permit No. 12-004 and Final Environmental Impact Report for the Mammoth Pacific I Replacement Project filed by California Unions for Reliable Energy (CURE).

Recommended Action: Conduct a public hearing to receive all relevant information in considering the appeal filed by CURE and either affirm, affirm in part (i.e., modify), or reverse the Planning Commission's actions.

[[If the Board affirms, or affirms in part, the Planning Commission's actions, then it should: Adopt "Resolution Denying Appeal of CUP 12-004 and FEIR Adoption for the Mammoth Pacific Replacement Project Filed by California Unions for Reliable Energy (CURE); Certifying and Adopting the FEIR for the Project; and Affirming the Planning Commission's Approval of CUP 12-004.]]

Fiscal Impact: The cost of the appeal is being borne by the applicant.

Additional Departments: Economic Development

10b)
PUBLIC HEARING
60 minutes

Laborers Int'l Union of North America appeal of Planning Commission's approval of Mammoth Pacific I Replacement Project (Courtney Weiche) - Public hearing regarding appeal of the Planning Commission approval of the Final Environmental Impact Report, Clarifying General Plan Amendment 12-003(b) [sic], Conditional Use Permit 12-004, Variance 12-002, Reclamation Plan 12-001, and Notice of Decision for the Mammoth Pacific Replacement Project filed by Laborers International Union of North America, Local 783 (LIUNA).

The LIUNA appeal, too large to attach with the packet can be viewed by going to <http://www.monocounty.ca.gov/bos/event/board-supervisors-5>. Once there, click on the link for the appeal which is listed with the agenda for 11/13/12.

Recommended Action: Conduct a public hearing to receive all relevant information in considering the appeal filed by LIUNA and either affirm, affirm in part (i.e., modify), or reverse the Planning Commission's actions.

[[If the Board affirms, or affirms in part, the Planning Commission's actions, then it should: Adopt the "Resolution Denying Appeal of Planning Commission Approval of CUP 12-004, Variance 12-002, Reclamation Plan 12-001, FEIR Findings and Adoption, Notice of Determination and General Plan Amendment [sic] for the Mammoth Pacific Replacement Project Filed by Laborers International Union of North America, Local 783 (LIUNA); Certifying and Adopting the FEIR for the Project; and Affirming the Planning Commission's Project Approvals."]]

Fiscal Impact: All costs associated with appeal are borne by the applicant.

10c)
PUBLIC HEARING
30 minutes

Geothermal Setback - General Plan Clarifying Amendment 12-003(b) (Courtney Weiche) - Proposed Resolution adopting General Plan Amendment 12-003 (b) to clarify the County's intent and interpretation of General Plan Chapter 15, section 15.070(B)(1)(d) and a provision within the Conservation and Open Space Element pertaining to setbacks from a mapped blue line or dotted blue line water course within the Hot Creek Buffer Zone for geothermal development.

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

Fiscal Impact: None are anticipated.

COUNTY COUNSEL

Additional Departments: Community Development Department

11a)
5 minutes

Foster - Deed Restriction and Agreement (Stacey Simon) - Proposed Deed Restriction and Agreement with Robert Foster, pertaining to owner-initiated deed restriction on Parcel Number 016-176-007 in June Lake. This is a related item to the proposed General Plan Amendment which would change the land use designation for this parcel to Commercial Lodging-High.

Recommended Action: Approve County entry into proposed Deed Restriction and Agreement and authorize Chair to execute, and the Clerk to record, said Agreement on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: None.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

12a)
PUBLIC HEARING
30 minutes

Foster - General Plan Amendment 12-003 (a) (Courtney Weiche) - Public hearing regarding General Plan Amendment 12-003 (a) to change land use designation of APN 015-060-047 from Single Family Residential to Commercial Lodging- High, subject to restrictions contained in Conditional Use Permit 12-003.

Recommended Action: Adopt proposed resolution #R12-_____, approving GPA 12-003(a). Provide any desired direction to staff.

Fiscal Impact: None.

COMMUNITY DEVELOPMENT - BUILDING DIVISION

13a)
20 Minutes

Limited Density Owner Built Rural Dwellings (Tom Perry, Brent Calloway) - Proposed ordinance adopting chapter 15.50 of the Mono County Code pertaining to Limited Density Owner-Built Rural Dwellings.

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

Fiscal Impact: None.

ADJOURNMENT

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