



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, 452 Old Mammoth Rd., Mammoth Lakes, CA 93546

November 20, 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
10:00 a.m. **CLOSED SESSION**

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. Facts and circumstances: dispute regarding Conway Ranch grant compliance.
- 1b) **Closed Session - Conference with Legal Counsel** - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9. Number of potential cases: one.
- 1c) **Closed Session - Potential Litigation** - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9. Number of potential cases: one.
- 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 Minutes **COUNTY ADMINISTRATIVE OFFICE**

- 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. 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.)

FINANCE

Additional Departments: County Counsel

- 5a) **Memorandum of Understanding among the Inland Counties Emergency Medical Agency and County of Mono and the Chalfant Fire Protection District for Emergency Medical Transport Services** - Proposed memorandum of understanding with Chalfant Fire Protection District and Inland Counties Emergency Medical Agency pertaining to Emergency Medical Transport Services.

Recommended Action: Approve County entry into proposed memorandum of understanding and authorize Chair to execute said memorandum on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: Estimated \$4,000/year.

Additional Departments: County Counsel

- 5b) **Memorandum of Understanding among the Inland Counties Emergency Medical Agency and County of Mono and the White Mountain Fire Protection District for Emergency Medical Transport Services** - Proposed memorandum of understanding with White Mountain Fire Protection District and Inland Counties Emergency Medical Agency pertaining to Emergency Medical Transport Services.

Recommended Action: Approve County entry into proposed memorandum of understanding and authorize Chair to execute said memorandum on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: Estimated \$4,000/year.

- 5c) **Treasury Pool Transactions** - Report of transactions in the Treasury Pool for the month of October 2012.

Recommended Action: None (informational only).

Fiscal Impact: None.

PUBLIC WORKS - SOLID WASTE DIVISION

- 6a) **Amendment to MCPE MOU relating to holiday pay for landfill employees** - Proposed amendment to MCPE MOU relating to holiday pay for landfill employees.

Recommended Action: Approve amendment as presented and authorize Chair to execute said contract on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: Savings of approximately \$5,000 per year.

CLERK OF THE BOARD

- 7a) **Appointment to First 5 Children and Families Commission** - Appointment of Barbara Miller to Mono County First 5 Children and Families Commission for a term of three years. This appointment is being requested by the Commission. If appointed, Ms. Miller would serve the remainder of a three year term vacated by Commissioner Anne Winston which expires March 9, 2015.

Recommended Action: Appoint Barbara Miller to Mono County First 5 Children and Families Commission to an unexpired three year term which will expire on March 9, 2015.

Fiscal Impact: None.

ELECTIONS

- 8a) **Special Districts, Appointments in Lieu of Election** - Resolution making appointments to boards of special districts pursuant to California Elections Code section 10515(a) and (b).

Recommended Action: Adopt Resolution R12-___, a resolution of the Mono County Board of Supervisors making appointments to boards of special districts pursuant to California Elections Code section 10515(a) and (b).

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) **Sheriff Scholl Retirement Press Release** - Copy of Sheriff Scholl's press release announcing his upcoming retirement. Informational only.

FINANCE

Additional Departments: Administration, County Counsel

10a)
5 minutes

New Level of Retirement Benefits – 3.0% @ 55 Full Formula Second Tier for Sheriff Safety Members (Brian Muir) - Consider report on the fiscal impact of the change in retirement benefits in accordance with Government Code Section 7507. Consider resolution of intention to approve an amendment to contract between the Board of Administration California Public Employees Retirement System and Board of Supervisors Mono County.

Recommended Action: 1. Receive report on the fiscal impact of the change in retirement benefits in accordance with Government Code Section 7507. 2. Adopt resolution of intention to approve an amendment to contract between the Board of Administration California Public Employees Retirement System and Board of Supervisors Mono County. 3. Authorize Chair to sign certification of compliance with Government Code Section 20475. 4. Introduce, read title, and waive further reading of proposed ordinance authorizing an amendment to contract between the Board of Supervisors Mono County and Board of Administration California Public Employees Retirement System. Provide any desired direction to staff.

Fiscal Impact: No immediate employer rate contribution rate impact. Ultimately, employer normal cost will decrease in the ratio of the second tier annual payroll to the total annual plan payroll up to a maximum decrease of approximately 2.7%. Due to the PERS actuarial schedule, changes to the employer normal cost will lag payroll changes by two and a half years.

PUBLIC WORKS - ENGINEERING DIVISION

11a)
5 minutes

Contract Award for the School Street Plaza Project (Vianey White) - Contract Award for the School Street Plaza Project which consists of constructing a pedestrian plaza with landscaping and benches along the east side of School Street from US 395 to Bryant Street adjacent to the historic county courthouse in the community of 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) deem V & C Construction's bid to be non-responsive based on its material deviation of a solicitation requirement; 2) identify WWW Construction, Inc. as responsible bidder submitting the lowest responsive bid; 3) award contract to WWW Construction, Inc. for the School Street Plaza Project in an amount not to exceed \$218,048; 4) 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 \$2,180.48 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 \$225,000, and are approved as to form and legality by County Counsel.

Fiscal Impact: \$225,000 of Transportation Enhancement Activities (TEA) funds for the construction phase.

COUNTY ADMINISTRATIVE OFFICE

12a)
5 minutes

Appointment of a New Transitional Director (and future Director) in Social Services (Jim Arkens) - Proposed resolution approving a contract with Kathryn Peterson and prescribing the compensation, appointment and conditions of said employment. Under said Agreement, Ms. Peterson will serve as Transitional Social Services Director until the current Social Services Director leaves County employment, on or before April 13, 2013, at which point Ms. Peterson will become the Social Services Director.

Recommended Action: Approve Resolution #R_____, approving a contract with Kathy Peterson 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: Estimated cost for the remainder of FY 12-13 is \$5,254 of which \$4,238 is salary; \$788 is the employer portion of PERS, and \$228 is the cost of the benefits and is included in the approved budget. Cost for a full year is \$163,743, of which \$104,280 is salary; \$19,789 is the employer portion of PERS, and \$39,674 is the cost of the benefits.

SHERIFF CORONER

13a)

Hiring and/or Backfilling of a Patrol Deputy Position (Sheriff Richard C. Scholl) - To maintain and

15 minutes

deliver quality patrol services to the residents and visitors of Mono County, it is imperative that our patrol staff remain at our current level of 13 patrol deputies. The department currently has several deputies not patrolling the streets for various reasons including one on medical leave, one on administrative leave pending a termination appeal, and on attending the Sheriff's academy in Riverside. The department has also received a resignation letter from one deputy that has accepted a position with the Bishop Police Department. This places the department 4 positions below what current staffing levels should be and places the community and deputies at risk by not being able to provide adequate levels of service.

Recommended Action: Approve allocating an additional deputy sheriff position (to augment current patrol force), and authorize hiring to fill that new position.

Fiscal Impact: For Brady Peek, current Deputy II at Range 54E, his base annual salary is \$73,752; holiday pay is \$7,375; uniform allowance is \$1,000. All of this equates to a total gross salary of \$82,127.

For a new hire, Deputy II at Range 54A, the base annual salary will be \$60,672; holiday pay will be \$6,067; uniform allowance will be \$1,000. For a new hire at this range, the cost equates to a total gross salary of \$67,739.

For a new hire, Deputy II at Range 54C, the estimated cost is \$64,827 of which \$37,288 is salary, \$11,378 is the County PERS contribution and \$16,160 is the cost of benefits. The cost is included in the approved budget. Full year cost is \$136,011 of which \$74,577 is salary, \$25,306 is the County PERS contribution and \$36,129 is the cost of benefits.

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.)

BOARD OF SUPERVISORS

14a)

20 minutes

Placing of County Notices in Local Papers (The Sheet Newspaper) - The Sheet newspaper has requested this item to update the Board on delivery of newspapers countywide, as requested by the Board of Supervisors. This item is being sponsored by Chairwoman Bauer.

Recommended Action: Direct staff regarding the placing of county notices in the local papers.

Fiscal Impact: None at this time.

14b)

15 minutes

AB 1616 Class A Permit Exemption (Tim Alpers, Louis Molina, Janadale Sylve) - AB 1616 was signed into law in September 2012. It was designed to help Californians with economic recovery by allowing certain classes of food to be prepared and sold directly from domestic kitchens. This bill doesn't go into effect until January 2013 but it is being requested that the Board of Supervisors make exemptions to accommodate early business activity, if possible (and specifically, for Mono County resident Janadale Sylve). This item is being sponsored by the Mono County Board of Supervisors at the request of supervisor-elect Tim Alpers. (Note: This request was added shortly before the agenda was finalized. County Counsel and other staff have not yet had an opportunity to analyze the request or applicable law, but will be prepared to address such issues at the Board meeting.)

Recommended Action: Direct the Mono County Health Department to work applicant Janadale Sylve' to issue a Class A Cottage Foods Operation Permit.

Fiscal Impact: None.

PUBLIC WORKS - ROAD DIVISION

15a)

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 - BUILDING DIVISION

16a)

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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