



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 Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

June 4, 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 **CLOSED SESSION**
10:00 a.m.

BOARD OF SUPERVISORS

- 1a) **Closed Session - CAO Position** - PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer.
- 1b) **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: claim for damages presented by Joel Yanez.
- 1c) **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: claim for damages presented by Harold Mark Huddleston.
- 1d) **Closed Session - Conference with Real Property Negotiators** - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: APN: 015-010-065 ("Rodeo Grounds"). Agency negotiators: Supervisors Johnston and Alpers. Negotiating parties: Mono County and Intrawest. Under negotiation: price and terms of payment.
- 1e) **Closed Session - Conference with Real Property Negotiators** - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: Sierra Center Mall (452 Old Mammoth Rd., Mammoth Lakes). Agency negotiators: Marshall Rudolph, Byng Hunt, Larry Johnston, Roberta Reed, Leslie Chapman, and Vianey White. Negotiating parties: Mono County and 452 OM RD LLC, and Highmark Advisors. Under negotiation: price and terms.
- 1f) **Closed Session - Public Employment** - PUBLIC EMPLOYMENT. Government Code section 54957. Title: Associate Planner.
- 1g) **Closed Session--Human Resources** - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph. 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 May 14, 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. **DEPARTMENT REPORTS/EMERGING ISSUES** Approximately 15 minutes (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.)

COUNTY COUNSEL

- 5a) Amendment to Boardman Employment Agreement** - Proposed resolution approving an agreement and first amendment to the employment agreement of Nancy Boardman. The amendment will simply extend the agreement's expiration date until June 30, 2013, at which point Ms. Boardman will retire.
- Recommended Action:** Adopt proposed resolution #R13-_____, approving an agreement and first amendment to the employment agreement of Nancy Boardman.
- Fiscal Impact:** Minor extension of current contract terms, which are included in the current budget.
- 5b) Amendment to McCammond employment Agreement** - Resolution approving an agreement and first amendment to the employment agreement of Wade McCammond. The amendment will simply extend the agreement's expiration date until September 30, 2013.
- Recommended Action:** Adopt proposed resolution #R13-_____, approving an agreement and first amendment to the employment agreement of Wade McCammond.
- Fiscal Impact:** Minor extension of current contract terms, which are included in the current budget and in the forecast for 2013-14 budget.
- 5c) Amendment to Neely Employment Agreement** - Proposed resolution approving an agreement and first amendment to the employment agreement of Clay Neely. The amendment would simply extend the agreement's expiration date until June 30, 2013, at which point Mr. Neely will retire.
- Recommended Action:** Adopt proposed resolution #R13-_____, approving an agreement and first amendment to the employment agreement of Clay Neely.
- Fiscal Impact:** No impact to the budget since this is an extension of an existing contract, which is in the current budget.
- 5d) Reed Employment Agreement Amendment** - Proposed resolution approving an agreement and first amendment to the employment agreement of Roberta Reed. The amendment would simply extend the agreement's expiration date until September 30, 2013.
- Recommended Action:** Adopt proposed resolution #R13-_____, approving an agreement and first amendment to the employment agreement of Roberta Reed.
- Fiscal Impact:** Minor extension of current contract terms, which are included in the current budget and in the forecast for 2013-14 budget.
- 5e) Roberts Employment Agreement Amendment** - Proposed resolution approving an agreement and second amendment to the employment agreement of Lynda Roberts. The amendment will simply extend the agreement's expiration date until September 30, 2013.
- Recommended Action:** Adopt proposed resolution #R13-_____, approving an agreement and second amendment to the employment agreement of Lynda Roberts.
- Fiscal Impact:** Minor extension of current contract terms, which are included in the current budget and in the forecast for 2013-14 budget.
- 5f) Salcido Employment Agreement Amendment** - Proposed resolution approving an agreement and third amendment to the employment agreement of Lynda Salcido. The amendment will simply extend the agreement's expiration date until September 30, 2013.
- Recommended Action:** Adopt proposed resolution #R13-_____, approving an agreement and third amendment to the employment agreement of Lynda Salcido.
- Fiscal Impact:** Minor extension of current contract terms, which are included in the current budget and in the forecast for 2013-14 budget.

CLERK OF THE BOARD

- 6a) Appointment of Mary DeForrest to the Lee Vining Fire Protection District** - Appointment of Mary DeForrest to the Lee Vining Fire Protection District pursuant to two recent vacancies on the District. There is currently only one Commissioner on this Board and as such, they have no quorum and cannot conduct everyday business. This will fill an existing term (vacated by Nick Dondero) that will expire on

021/31/2014. Supervisor Stump asked that this item be put onto the agenda.

Recommended Action: Appoint Mary DeForrest to the Lee Vining Fire Protection District, filling one of two open vacancies that exist.

Fiscal Impact: None.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

7a) Resource Efficiency Plan Contract - Proposed contract with Pacific Municipal Consultants (PMC) to prepare Resource Efficiency Plan.

Recommended Action: Approve the attached contract with Pacific Municipal Consultants (PMC) for a not-to-exceed amount of \$80,915.00 for consulting services.

Fiscal Impact: No General Fund impact. The not-to-exceed contract cost of \$80,915.00 and associated staff time to manage/complete this work is entirely funded by the Sustainable Communities Planning Grant.

SOCIAL SERVICES

8a) Resolution Opposing Governor’s Proposed Redirection of County Health Realignment Funds to the State - Proposed resolution opposing the Governor’s proposed redirection of County Health Realignment funds to the State for FY 2013-14 and FY 2014-15.

Recommended Action: Adopt proposed resolution #R13-_____, opposing Governor's proposed redirection of County Health Realignment funds to the State for FY 2013-14 and FY 2014-15. Provide any desired direction to staff.

Fiscal Impact: Redirecting County Health Realignment funding may force cuts to safety net services, including essential public health programs.

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) Department of Water and Power - Letter dated May 13, 2013 from the L.A. Department of Water and Power regarding Compliance with State Water Resources Control Board Order Nos. 98-05 and 98-07. Electronic copies of all reports referred to are available for review in the Clerk’s office.

9b) Keller Letter Regarding Paramedics - Correspondence dated May 14, 2013 from Christopher M. Keller, second home owner in Virginia Lakes, who was in town for the Fishing opener and required medical attention when he became very ill on April 28, 2013. This letter is to commend and support the Mono County Paramedics who were dispatched to his home where he received excellent care prior to being transported to Mammoth Hospital.

9c) Department of Fish and Wildlife - Letter dated March 16, 2013 from Craig Stowers, Manager of the Wildlife Branch at the Department of Fish and Wildlife regarding CEQA documents in relation to a project to modify existing hunting regulations for migratory game birds. The draft of the Environmental Document is available for review in the clerk’s office. For information only.

BOARD OF SUPERVISORS

10a) Resolution recognizing Clay Neely for his years of service with Mono County (Byng Hunt, Chair)
- Resolution of Appreciation recognizing Clay Neely for his years of service with Mono County.

5 minutes

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

Fiscal Impact: None.

MENTAL HEALTH

11a) **Approve the Amendment to the Joint Exercise of Powers Agreement** (Robin Roberts) - Second amended and restated Joint Exercise of Powers Agreement that governs operations of the California Mental Health Services Authority (CalMHSA).
10 minutes

Recommended Action: Approve County entry into second amended and restated Joint Exercise of Powers Agreement that governs operations of the California Mental Health Services Authority (CalMHSA), and authorize the Behavioral Health Director to sign said amended agreement on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: None.

PUBLIC WORKS - ENGINEERING DIVISION

12a) **Contract Amendment with Sierra Geotechnical Services for Geotechnical Engineering and Quality Assurance Services** (Garrett Higerd) - Road rehabilitation projects require quality assurance testing of all asphalt and concrete materials before the work can be accepted. This contract will provide these services for street rehabilitation projects constructed over the next three years including projects in Lee Vining, Bridgeport, Chalfant, and June Lake.
5 minutes

Recommended Action: Amend "as-needed" contract with Sierra Geotechnical Services for geotechnical engineering and quality assurance testing services to increase the contract limit from \$183,000 to \$250,000 for services provided over the next three years and to eliminate the annual dollar limit. 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, provided such amendments do not cause spending on any project to exceed the budgeted authority.

Fiscal Impact: Projects requiring these services are generally road projects funded by the State Transportation Improvement Program (STIP), Proposition 1B, or a zone of benefit. Contractor payments will not impact the General Fund.

MENTAL HEALTH

13a) **Renewal of Department of Health Care Services Contract** (Robin Roberts) - Proposed multi year contract with Department of Health Care Services with Mono County Behavioral Health for terms and conditions regarding Medi-Cal Managed Care for behavioral health services.
10 minutes

Recommended Action: Approve County entry into proposed contract and authorize Robin K. Roberts, MFT to execute said contract on behalf of the County. Authorize the MCBH Director to sign any future amendments of the proposed contract to account for the infill allocation of Medi-Cal Managed Care funds available to Mono County in FY's 13-18. Provide any desired direction to staff.

Fiscal Impact: Contract is with DHCS to assure payments from the MediCal Managed Care System to MCBH. There will be a potential increase in revenue for MCBH due to the changes we will see from the Affordable Care Act given the State projections of our increase in Medi-Cal eligible residents. All of this will be covered by the maximum amount allotted in the contract. There is no impact to the General Fund.

COUNTY ADMINISTRATIVE OFFICE

Additional Departments: County Counsel

14a) **Special Event Ordinance - First Reading** (Sarah Messerlian) - First Reading of the proposed Ordinance of the Mono County Board of Supervisors Creating Chapter 5.50 of the Mono County Code Pertaining to Special Events.
20 minutes

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

Fiscal Impact: None at this time.

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

Additional Departments: CAO, County Counsel

- 15a)** **Jim Leddy Employment Contract** (Marshall Rudolph) - Proposed Resolution approving an employment agreement with James Leddy and prescribing the compensation, appointment, and conditions of said employment. The Resolution provides for Mr. Leddy's appointment as County Administrator under a two-year, at-will employment contract. His first date of employment will be June 10, 2013.

10 minutes

Recommended Action: Adopt proposed resolution #R13-_____, approving an employment agreement with James Leddy and prescribing the compensation, appointment, and conditions of said employment. Provide any desired direction to staff.

Fiscal Impact:

\$15,591.91 for Fiscal Year 2012-13 (one month); \$244,127.70 for Fiscal Year 2013-14, consisting of \$160,000 in salary, \$32,012 in PERS contributions, and \$52,115.70 in other benefits and employment-related costs to the County.

COUNTY COUNSEL

- 16a)** **Housing Mitigation Ordinance Suspension** (Marshall Rudolph) - Proposed ordinance amending section ____ of the Mono County Code in order to extend an existing suspension of chapter ____ of the County Code pertaining to housing mitigation.

5 minutes

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

Fiscal Impact: None, other than foregone mitigation fee revenue in an unknown amount during the suspension.

- 16b)** **Aquaculture Plan Consulting Contract** (Marshall Rudolph) - Consulting Contract with Professional Aquaculture Services (Tony Vaught) for Conway Ranch Aquaculture and Interpretive Site Evaluation and Planning Services.

5 minutes

Recommended Action: Authorize County Administrator to negotiate and enter into a consulting contract with Professional Aquaculture Services (Tony Vaught) for Conway Ranch Aquaculture and Interpretive Site Evaluation and Planning Services, in an amount of \$15,000 plus travel and lodging expenses (not to exceed a combined total of \$20,000). Authorize payment for said contract from the Fish Enhancement Fund increase the fish-enhancement line item within the Economic Development budget by said amount.

Fiscal Impact: \$15,000 plus travel and lodging expenses (not to exceed a combined total of \$20,000) in available fish enhancement funds. This will require a budget amendment (4/5ths vote required)

- 16c)** **Claim for Damages Presented by Harold Mark Huddleston** (Marshall Rudolph) - Claim for damages presented by Harold Mark Huddleston.

5 minutes

Recommended Action: Reject claim in its entirety and direct county counsel to notify claimant of the Board's action.

Fiscal Impact: None if the claim is rejected as recommended.

- 16d)** **Claim for Damages Presented by Joel Yanez** (Marshall Rudolph) - Claim For Damages presented by Joel Yanez.

5 minutes

Recommended Action: Reject said claim in its entirety and direct County Counsel to notify the claimant of the Board's action.

Fiscal Impact: None if the claim is rejected as recommended.

COMMUNITY DEVELOPMENT - PLANNING DIVISION

- 17a)** **Mono County Community Trails Workshop** (Heather deBethizy) - Presentation by Heather deBethizy regarding existing community trails planning efforts and discussion on construction and long-term maintenance of trail projects.

20 minutes

Recommended Action: Conduct workshop and provide any desired direction to staff.

Fiscal Impact: None at this time. Trails planning efforts are supported through a variety of grants, including Local Transportation Commission and National Scenic Byway grants, and staffing contributions provided by the National Park Service Rivers, Trails, Conservation Program grant, and Sierra Nevada Conservancy AmeriCorps staff. Mono County's current budget includes \$5,000 for related Friends of the Inyo land stewardship services.

ELECTIONS

18a)

30 minutes

Election Planning Workshop (Lynda Roberts) - Discussion with the Board of Supervisors about planning for the purchase of a new voting system, possibly within the next two years.

Recommended Action: Review the future of election logistics and discuss various options. Provide direction to staff.

Fiscal Impact: None.

ADJOURNMENT

§§§§§