

MEETING MINUTES 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 just below.

MEETING LOCATION Suite Z, 2nd Floor Minaret Mall, 437 Old Mammoth Rd., Suite Z, Mammoth Lakes, CA 93546

Regular Meeting April 18, 2017

9:00 AM Meeting Called to Order by Chair of the Board Corless.

Supervisors Present: Corless, Gardner, Johnston, Peters, and Stump. Supervisors Absent: None.

Break: 9:40 a.m. Reconvene: 9:53 a.m. Closed Session: 11:11 a.m. Reconvene: 1:03 p.m. Break: 2:20 p.m. Reconvene: 2:26 p.m. Adjourn: 4:15 p.m.

The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link: http://www.monocounty.ca.gov/meetings

Pledge of Allegiance led by Supervisor Peters

- 1. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD** *No one spoke.*
- 2. APPROVAL OF MINUTES NONE
- 3. RECOGNITIONS NONE
- 4. BOARD MEMBER REPORTS

Reports are suspended in the interest of time. **Supervisor Stump**:

- Last week during the cemetery discussion he used the word "capricious"; it was in reference to a prior Public Works Director, not our current Director.
- 5. COUNTY ADMINISTRATIVE OFFICE Leslie Chapman:
 - Suspended her report in the interest of time.

6. DEPARTMENT/COMMISSION REPORTS None.

7. 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. Public Defenders' Office and Request for Contingency Funds

Departments: Finance, CAO, County Counsel

The Public Defender's Office continues to experience increased caseloads beyond that anticipated when the Fiscal Year 2016-2017 budget was formulated. Based on current spending levels, Finance estimates the Public Defenders' Office will exceed their budgetary cap by \$50,000 before the end of this fiscal year.

Action: Authorize \$50,000 of contingency funds for unanticipated spending requirements in the Mono County Public Defenders' Office. Provide any direction to staff. A 4/5ths vote is required. Peters moved; Gardner seconded Vote: 5 yes; 0 no <u>M17-78</u>

B. Second Amendment to Aspen Street Contract

Departments: Public Works

Second Amendment to agreement with Aspen Street Architects increasing annual contract limit from \$65,000 to \$150,000 without increasing the total contract limit.

Action: Approve County entry into proposed contract amendment and authorize CAO, Leslie Chapman to execute said contract on behalf of the County. Provide any desired direction to staff.

Peters moved; Gardner seconded

Vote: 5 yes; 0 no <u>M17-79</u>

C. Proposed Ordinance Establishing a Fee Schedule for Services at Public Cemeteries

Departments: Public Works

Proposed ordinance establishing a schedule of fees for services provided at the public cemeteries located within the unincorporated area of the county.

Action: Adopt proposed ordinance #ORD17-06, Establishing a schedule of fees for services provided at the public cemeteries located within the unincorporated area of the county.

Peters moved; Gardner seconded Vote: 5 yes; 0 no <u>ORD17-06</u>

D. Proposed Ordinance Revising Chapter 7.32 of the Mono County Code Pertaining to Public Cemeteries

Departments: Public Works

Proposed ordinance, An Ordinance of the Mono County Board of Supervisors Amending Chapter 7.32 of the Mono County Code Pertaining to Public Cemeteries.

Action: Adopt proposed ordinance # ORD17-07, Amending Chapter 7.32 of the Mono County Code Pertaining to Public Cemeteries, and lift the current hold on cemetery reservations from 2007.

Peters moved; Gardner seconded Vote: 5 yes; 0 no <u>ORD17-07</u>

E. Proposed Revisions to YARTS JPA Agreement and ByLaws

Departments: Clerk of the Board

At the February 22, 2017 meeting, the YARTS Board of Directors acted to review a proposed revision of the Yosemite Area Transportation System Joint Powers Authority Agreement and voted to approve sending same to Boards of Supervisors of each of the member-counties for review and approval.

Action: Approve the YARTS JPA Agreement and authorize Chair of the Board to

sign on behalf of Mono County Board of Supervisors. Provide direction to staff. **Peters moved; Gardner seconded Vote: 5 yes; 0 no** <u>M17-80</u>

F. Out of State Travel Request - Supervisor Gardner

Departments: Clerk of the Board

Travel approval for Supervisor Bob Gardner to attend the National Association of County's Western Interstate Region Conference in Deschutes County, Oregon, May 24-26.

Action: Approve out of state travel for Mono County Supervisor Bob Gardner (the county's NACo alternate representative) to attend the NACo Western Interstate Region Conference in Deschutes County, Oregon, May 24-26. Peters moved; Gardner seconded Vote: 5 yes; 0 no M17-81

8. CORRESPONDENCE RECEIVED

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

A. USPS Letter re Topaz Post Office

Departments: Clerk of the Board

Letter dated March 13, 2017 to the Board of Supervisors from the US Postal Service regarding the Topaz Post Office.

Supervisor Peters:

• He was not expecting this; he is looking forward to their findings with regard to this. This post office served about 65 boxes, and he has not heard of any complaints from residents about having to use the Coleville Post Office. He is happy to pass along any Board comments to the USPS at their meeting in May.

9. REGULAR AGENDA - MORNING

A. Proclamations Designating the Month of April, 2017 as Sexual Assault Awareness Month and Child Abuse Prevention Month

Departments: Clerk of the Board

(Susi Bains, Wild Iris) - April is nationally recognized as Sexual Assault Awareness Month and Child Abuse Prevention Month. Wild Iris is asking for county-wide participation to prevent sexual violence and child abuse, and is asking the Board of Supervisors to approve official proclamations to recognize April as Sexual Assault Awareness Month and Child Abuse Prevention Month. This item is an annually recurring request from Wild Iris.

Action: Approve the Child Abuse Prevention Proclamation. Stump moved; Johnston seconded Vote: 5 yes; 0 no <u>M17-82</u>

Action: Approve the Sexual Assault Awareness Proclamation. Johnston moved; Gardner seconded Vote: 5 yes; 0 no <u>M17-83</u>

Susi Bains:

- •
- On 4/29, they will be screening a documentary about childhood trauma and toxic stress.
- Passed out awareness pins to the Board; blue for child abuse, teal for sexual assault. Thank you for the support.

Supervisor Corless:

• Thank you to Wild Iris for their amazing work. Read the proclamations into the record.

B. Employment Contract with Jay Sloane as Risk Manager

Departments: Human Resources

(Dave Butters) - Proposed resolution approving a contract with Jay Sloane as Risk Manager, and prescribing the compensation, appointment and conditions of said employment.

Action: 1. Announce fiscal impact. 2. Adopt Resolution #R17-33, Approving a contract with Jay Sloane as Risk Manager, 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 for this position for the remainder of FY 2016-2017 (April 4 to June 30th) is approximately \$32,549 of which \$19,992 is salary; \$4,770 is the employer portion of PERS, and \$7,787 is the cost of the benefits and is included in the approved budget. Total cost for a full fiscal year (2016-2017) would be \$136,760 of which \$84,000 is annual salary; \$20,042 is the employer portion of PERS, and \$32,718 is the cost of the benefits.

Peters moved; Stump seconded Vote: 5 yes; 0 no

<u>R17-33</u> Dave Butters: • Outlined Jay Sloane's history with the county.

Supervisor Stump:

- Would like to commend the enthusiasm Jay brings to the position. Very supportive of this. **Supervisor Peters:**
 - A general question; is it standard in contracts for the 6 month clause if someone is let go without cause?

Stacey Simon:

• That is standard, but new contracts are a 12 month period.

Supervisor Corless:

• Happy to see Jay moving into this position.

C. Employment Agreement with Brad Braaten as Deputy District Attorney III

Departments: Human Resources

(Dave Butters) - Proposed resolution approving a contract with Brad Braaten as Deputy District Attorney III, and prescribing the compensation, appointment and conditions of said employment.

Action: 1. Announce fiscal impact. 2. Approve Resolution #R17-34, Approving a contract with Brad Braaten as Deputy District Attorney III, 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 for this position for the remainder of FY 2016-2017 (April 8 to June 30th) is approximately \$42,567 of which \$26,145 is salary; \$6,238 is the employer portion of PERS, and \$10,183 is the cost of the benefits and is included in the approved budget. Total cost for a full fiscal year (2016-2017) would be \$187,518 of which \$115,176 is annual salary; \$27,481 is the employer portion of PERS, and \$44,861 is the cost of the benefits.

Peters moved; Gardner seconded

Vote: 5 yes; 0 no

<u>R17-34</u>

Dave Butters:

Outlined Brad Braaten's employment with the County.

Supervisor Stump:

• Understands the disparity between the DA office and County Counsel has been corrected.

D. Employment Contract for Environmental Health Manager

Departments: Human Resources

(Dave Butters) - Proposed resolution approving a contract with Louis Molina as Environmental Health Manager, and prescribing the compensation, appointment and conditions of said employment.

Action: 1. Announce Fiscal Impact. 2. Approve Resolution #R17-35, Approving a contract with Louis Molina as Environmental Health Manager, 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 for this position for the remainder of FY 2016-2017 (April 8 to June 30th) is approximately \$37,112 of which \$22,794 is salary; \$5,439 is the employer portion of PERS, and \$8,878 is the cost of the benefits and is included in the approved budget. Total cost for a full fiscal year (2016-2017) would be \$163,487 of which \$100,416 is annual salary; \$23,959 is the employer portion of PERS, and \$39,112 is the cost of the benefits. **Johnston moved; Gardner seconded**

Vote: 5 yes; 0 no <u>R17-35</u>

E. Employment Agreement for Director of Behavioral Health

Departments: Human Resources

(Dave Butters) - Proposed resolution approving a contract with Robin Roberts as Director of Behavioral Health, and prescribing the compensation, appointment and conditions of said employment.

Action: 1. Announce fiscal impact. 2. Adopt Resolution #R17-36, Approving a contract with Robin Roberts as Director of Behavioral Health, 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 for this position for the remainder of FY 2016-2017 (April 18 to June 30th) is approximately \$37,047 of which \$22,755 is salary; \$5,429 is the employer portion of PERS, and \$8,863 is the cost of the benefits and is included in the approved budget. Total cost for a full fiscal year (2016-2017) would be \$182,497 of which \$112,092 is annual salary; \$26,745 is the employer portion of PERS, and \$43,660 is the cost of the benefits.

Peters moved; Stump seconded

Vote: 5 yes; 0 no

<u>R17-36</u>

Leslie Chapman:

- Wanted to point out the slight difference in this agreement, this is tied to the potential salary survey; this salary would be adjusted within 3 months.
- Supervisor Peters:
 - Has interacted with Robin Roberts and her department, he appreciates all she's done to help him in his job as Supervisor.

Supervisor Stump:

- Requested that the source of the funding be stated in the future in the interest of transparency.
- F. Authorization to Bid for the 2017 Pavement Preservation Project North Shore Drive, Zones of Benefit (ZOBs), and Airport Aprons.

Departments: Public Works - Engineering Division

(Paul Roten) - This project will provide pavement preservation to North Shore Drive, the June Lake Highlands, and the airport aprons at Bryant Field and Lee Vining Airport.

Action: Approve bid package, including the project manual and project plans, for the 2017 Pavement Preservation Project. Authorize the Public Works Department to advertise an Invitation for Bids and to issue the project for bid. Provide any desired direction to staff.

Johnston moved; Peters seconded Vote: 5 yes; 0 no M17-84

Paul Roten:

- Outlined his staff report.
- Zone of benefits are where people in subdivisions sometimes have roads that are not included in the County's maintained roads. The County has a responsibility to keep up those roads. The County is acting as manager, engineer, and contractor for the board of homeowners.

Supervisor Johnston:

• This is innovative, proud of this project.

G. Sheriff Vehicle Comparison and 5-Year Fiscal Gap Analysis

Departments: Public Works - Motor Pool, Finance

(Jeff Walters, Janet Dutcher, Sheriff Braun) - Presentation by Jeff Walters, Director of Fleet Services regarding the purchase of Sheriff's vehicles including a comparative analysis of the Chevy Tahoe, Ford Expedition and Ford Interceptor, and Presentation by Janet Dutcher, Finance Director quantifying the gap between vehicle needs and available financing associated with replacement of the Sheriff vehicle fleet.

Action: Hear a presentation regarding comparison of potential Sheriff replacement vehicles. Also hear separate presentation about Motor Pool accounting practices and Finance recommendations concerning Sheriff Motor Pool replacement reserve. Provide any desired direction to staff.

Jeff Walters:

- Handed out pictures of the three vehicles considered for the Sheriff's department. There were several requests for vehicles; a jail transport unit and patrol vehicles. Went through his staff report, outlined the differences in vehicles.
- Potential to replace 7 vehicles this year, 8 next year, 5 the following, and on.

Supervisor Stump:

- Is radar a new feature in our vehicles? He gets "speed requests" often, and feels speed surveys should be done.
- Appreciates the financial suggestions; concerned on how to bridge the gap in funding.
- Has experienced the long term financial impact of trying to financially support vehicles that were not intended for the uses they were needed for.

Sheriff Braun:

- Have not had radar in the vehicles before. Would primarily use radar in the areas of Highway 395 where the speed limit is reduced, such as Bridgeport and Lee Vining.
- Explained the Interceptor does not handle the terrain as well as other vehicles, believes the Tahoe is the best choice for what her department's various needs are. The Ford Interceptor or the Expedition must be upfitted much more than the Tahoe; they require more money invested in them to make them comparable to the Tahoe.

Janet Dutcher:

- Presented a power point of the information contained in her staff report.
- She and Jeff Walters have put together a plan to look at all the vehicles in the pool and evaluate each.
- There is a cash flow issue and it will need to be bridged internally.
- This plan has taken 4 months to put together, but this will go more smoothly in the future. The full cost, including replacement cost, needs to be charged to the user. When we don't have enough money to replace a vehicle, this plan will rectify that.

Supervisor Johnston:

- Questioned why other Highway Patrols use the Interceptor but we don't want to use them.
- Objects to spending this kind of money on vehicles, then spending money to upfit them, when there are less expensive options.

Leslie Chapman:

- Does not support using salary savings to support other expenditures, as they are usually temporary.
- Believes Janet's plan to bridge the financial gap will work.

Supervisor Gardner:

- Has been the micromanager, and has made decisions to buy cheaper vehicles and has seen the effects of such. Believes this is a good plan to choose vehicles.
- Understands we've had a motor pool but we haven't' been managing it properly, going forward we will be managing this more efficiently.

Supervisor Peters:

- Would support a delineation between Sheriff vehicles and other motor pool cars. Has been made aware of deficiencies in current vehicles.
- Would like the management and the ongoing maintenance of the fleet to come back to the Board at some point.

Supervisor Corless:

• Supportive of purchasing the Tahoes, appreciates the context in this discussion. Feels using a professional upfitter for our safety vehicles is essential.

Direction for finance model

Board consensus to support Janet's finance plan

Supervisors Peters, Stump, Gardner, and Corless:

• All supportive of going with the Tahoe, as recommended by the Sheriff

Supervisor Johnston:

• We don't need luxury vehicles in the fleet, feels the Tahoe is inconsistent with what has been done in the past.

Member of the Public, Bridgeport:

• It's not about luxury cars, it's about having the right tool for the job.

H. Review of Need for Continuation of Local Emergency - Severe Winter Storms

Departments: CAO, Sheriff

(Leslie Chapman, Ingrid Braun) - On January 31, 2017 the Mono County Sheriff declared a state of local emergency as a result of extreme winter weather. The Board of Supervisors ratified this declaration on February 7, 2017, and

further declared a continuing state of emergency. Mono County Code Section 2.60.080 requires that the Board of Supervisors review the need for continuing the local emergency every 14 days, and Government Code section 8630 requires that the Board review the need at least every 30 days until it is terminated. This item is provided for that purpose.

Action: Review need for continuing the local emergency. If Board determines that need no longer exists, direct staff to prepare a declaration terminating local emergency.

Sheriff Braun:

- We are still under a state of local emergency for both this item and the next. We are expecting more snowmelt and runoff, a long way to go before we see the end.
- The Walker Rivers are of great concern and need to be monitored closely.

Supervisor Peters:

• The Record Courier had an article about riverbank stabilization methods in the Carson area in anticipation of more runoff and flooding.

Supervisor Stump:

• CA Fish and Wildlife has restrictions on what can be done next to streams and rivers. Does the overall state of emergency allow for inmate crews to work on flood mitigation efforts?

Jeff Walters:

• He can look into the possibility.

I. Review of Need for Continuation of Local Emergency - Snowmelt and Runoff

Departments: CAO, Sheriff

(Leslie Chapman, Ingrid Braun) - On March 20, 2017 the Mono County Sheriff declared a state of local emergency as a result of continuing snowmelt and runoff from severe winter storms beginning in January 2017. The Board of Supervisors ratified this declaration on March 21, 2017, and further declared a continuing state of emergency. Mono County Code Section 2.60.080 requires that the Board of Supervisors review the need for continuing the local emergency every 14 days, and Government Code section 8630 requires that the Board review the need at least every 30 days until it is terminated. This item is provided for that purpose.

Action: Review need for continuing the local emergency. If Board determines that need no longer exists, direct staff to prepare a declaration terminating local emergency.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

11. CLOSED SESSION

There was nothing to report out of closed session.

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A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. 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.

B. Closed Session - Real Property Negotiations

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: Sierra Center Mall, Mammoth Lakes. Agency negotiators: Leslie Chapman, Janet Dutcher, Tony Dublino, Stacey Simon. Negotiating parties: Mono County and Highmark Mammoth Investments, LLC. Under negotiation: Price and terms of payment.

C. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Crist v. Mono County.

12. REGULAR AGENDA - AFTERNOON

A. South County Facility Workshop

Departments: CAO, Public Works

THIS ITEM WILL BEGIN AT 1:00 P.M. 1 hour (15 minute presentation, 45 minute discussion)

(Tony Dublino) - Presentation by Tony Dublino, providing updated analysis on South County Facility options.

Action: Conclude negotiations with Sierra Center Mall (SCM) owners, recognize the latest proposal as the final proposal, and direct staff to prepare final cost comparisons based on this proposal.

Gardner moved; Peters seconded Vote: 5 yes; 0 no

<u>M17-85</u>

Action: Direct staff to draft preliminary agreement with Town of Mammoth Lakes relating to the Development of a Civic Center on the McFlex property. Draft preliminary procurement documents for planning, environmental analysis and engineering of a Civic Center on the McFlex property. Prepare an analysis of County-owned space availability and potential strategies for utilizing available space, in an effort to further reduce the space needs and associated cost of a South County Facility. Prepare final cost and financing comparisons and staff recommendations for Board consideration at the May 16th Board meeting.

Gardner moved; Peters seconded Vote: 4 yes; 1 no: Johnston M17-86

Tony Dublino:

• Explained each recommended action, went through his staff report.

General Board Questions for Tony

Historical cost of leasing county office space

Cost per employee, square feet per employee

Cost inclusions

Available / other vacant space in Mammoth

County has occupied space in Mammoth since the 1990's; Behavioral Health since the 80's.

PUBLIC COMMENTS:

Drew Hild, co-partner of Sierra Center Mall:

• Made an offer of additional space at a reduced lease rate if the Board will commit to moving forward with a long term lease at the mall. Gave handout of his cost analysis.

Tom Cage:

• Would like to see the County and Town own their own property.

Jay Bretton:

• Believes the \$600/sf estimates to build new are very understated. Gave the Supervisors a handout with his estimates. Does not believe the County can afford or should spend that kind of money.

Greg Eckert:

 Bothers him that there are 10,000s of square feet of commercial space that are potentially going to be vacated. There are not enough businesses to refill that space. The economic development arm of the county is going to cause a huge economic problem for the rest of the county. Suggests buying the SCM.

Matthew Lehman:

• Not advocating one leased space over another, but agrees that vacating the county's existing spaces will leave those spaces empty and negatively impact the Town.

Christopher Wiles:

• Feels the County should not be spending tax money on this. We need safety and fiscal responsibility.

Tony Dublino:

- We cannot talk about shrinking existing space (SCM) without redesigning it.
- We did propose purchasing the SCM and the idea was rejected by the owners.
- Fiscal responsibility is the question before us.

Leslie Chapman:

• To clarify, we are not going to finance a new building on top of our current financial responsibilities. The financing for the new building would be instead of, not in addition to.

B. Bi-Annual Projects Workshop

Departments: Public Works

(Joe Blanchard) - Workshop on the Project Approval Process and the County Comprehensive Projects Plan List.

Action: Review staff recommendations and accept prioritization of projects for the 2016/2017 budgeted work plans or reprioritize and accept changes. Provide any desired direction to staff.

Joe Blanchard:

- Went through his staff report, outlined each completed, in progress, and future projects.
- Project requests go through an approval process.

Supervisor Stump:

 Does not see anything for Benton on the list, asked where the money is that has been set aside for this area. Disturbed that end of the County seems to be ignored. Would like to see acknowledgement of the Benton Ballfield project.

Supervisor Gardner:

- He does not have a list of pet projects. Wants to know what the criteria is for a project?
- A safety item should be done sooner than a non-safety project.

Supervisor Peters:

• We need to maintain what we already have; the age of our recreational facilities mandates their regular maintenance. He doesn't see any "ferris wheels" on the list.

Garrett Higerd:

- Safety projects are prioritized higher, such as roads; some are subject to grant funding that may or may not be available at all times, or from the general fund, and all have limited staff resources.
- Envisions through the next budget cycle, he would like to better clarify the years the projects will be delivered in. Aims to bring this back in more of a five year layout to better explain when a project may be completed. "On time" is a factor in project delivery.

PUBLIC COMMENT:

Steve Noble:

• CSA#5 has been active in improving things in Bridgeport. Many of their projects don't need a lot of Public Works involvement, but they do need county input to move along. Very proud of what's been accomplished.

Supervisor Johnston:

• Sees solar projects in other areas, why can't we do that too? It's on the list but would like it to be a higher priority.

Joe Blanchard:

• Solar has been looked into, particularly on Memorial Hall roof. The roof was replaced with solar in mind. Right now, there isn't funding for it.

Garrett Higerd:

• Currently at capacity for projects through this fiscal year. They need to know what prioritization to give future projects for next year.

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ADJOURN at 4:15 p.m.

ATTEST

STACY CORLESS CHAIR OF THE BOARD

HELEN NUNN ASSISTANT CLERK OF THE BOARD