



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 just below.

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

Regular Meeting March 10, 2020

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 Shannon Kendall, Clerk of the Board, at (760) 932-5533. 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). 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 <http://monocounty.ca.gov>. If you would like to receive an automatic copy of this agenda by email, please subscribe to the Board of Supervisors Agendas on our website at <http://monocounty.ca.gov/bos>.

UNLESS OTHERWISE SPECIFIED BY TIME, ITEMS SCHEDULED FOR EITHER THE MORNIN AFTERNOON SESSIONS WILL BE HEARD ACCORDING TO AVAILABLE TIME AND PRESENCI INTERESTED PERSONS. PUBLIC MAY COMMENT ON AGENDA ITEMS AT THE TIME THE ITE HEARD.

9:00 AM Call meeting to Order

Pledge of Allegiance

1. 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. RECOGNITIONS

A. Employee Recognition - Juvenile Dependency Program

Departments: Social Services and County Counsel

5 minutes

(Kathy Peterson and Stacey Simon) - Presentation by Social Services Director Kathy Peterson and County Counsel Stacey Simon recognizing staff for their role in obtaining feedback of "exemplary" and "virtually perfect" in the California Judicial Council's 2019 review of the County's juvenile dependency court practice and legal compliance.

Recommended Action: Recognize social workers and County Counsel staff involved in the child dependency process for their outstanding work.

Fiscal Impact: None.

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

4. DEPARTMENT/COMMISSION REPORTS

5. 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. Board Minutes

Departments: Clerk of the Board

Approval of the Board Minutes of the Board of Supervisors Regular meeting on January 14, 2020.

Recommended Action: Approve the Board Minutes of the Board of Supervisors Regular meeting on January 14, 2020.

Fiscal Impact: None.

B. Board Minutes

Departments: Clerk of the Board

Approval of the Board Minutes of the Board of Supervisors Regular meeting on January 21, 2020.

Recommended Action: Approve the Board Minutes of the Board of Supervisors

Regular meeting on January 21, 2020.

Fiscal Impact: None.

C. Resolution approving use of a five-year audit cycle for Antelope Valley Water District

Departments: Finance

Resolution approving use of a five-year audit cycle for Antelope Valley Water District in lieu of an annual audit.

Recommended Action: Approve Resolution R20-___, approving use of a five-year audit cycle for Antelope Valley Water District in lieu of an annual audit.

Fiscal Impact: Slight decrease in annual audit fees plus reduction in finance and special district personnel time devoted to the audit.

D. HOME Investment Partnerships Program - Corrected Resolution

Departments: Finance

Mono County was awarded \$500,000 in 2018 HOME funding. Recently, Finance was notified by the Department of Housing & Community Development that one correction is required to R18-41 to list applied for activities in order to finalize the County's 2018 HOME Standard Agreement.

Recommended Action: Approve Resolution R20-___, replacing prior resolution R18-41, and authorizing the submittal of an application for funding under the Home Investment Partnerships Program (HOME), execution of a Standard Agreement and amendments thereto and of any related documents necessary to participate in the HOME Investment Partnerships Program to fund the Mono County First Time Homebuyer Program.

Fiscal Impact: Finalizing the agreement is the last step for Mono County to receive \$500,000 in first time homebuyer funding.

E. SB-2 Planning Grant Resolution Revision - Corrected Resolution

Departments: Community Development

Proposed resolution superseding and replacing Resolution R19-80, which authorized staff to file an application for SB2 Planning Grant Program funding for two projects: 1) prescriptive designs for accessory dwelling units (ADUs); and 2) California Environmental Quality Act (CEQA) streamlining checklist for greenhouse gas (GHG) emissions, to change the authorized signatory from County Administrative Officer and Board Chair, to Community Development Director, without making additional changes.

Recommended Action: Adopt proposed resolution R20-___, Authorizing application for, and receipt of, SB 2 Planning Grants Program Funds and Superseding and replacing Resolution R19-80.

Fiscal Impact: Upon Board approval, staff will submit a final application for \$160,000 to the California Department of Housing and Community Development (HCD) for SB-2 funds. SB-2 funds are administered through reimbursement and require regular progress reports that show increased housing production or a reduction in staff time and resources due to the implementation of the proposed programs. Annual monitoring of deed restricted ADUs utilizing prescriptive designs are not covered by SB-2 funds and would need a separate, ongoing funding source.

6. 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. Tioga Green Letter re: Reduced Signage

A letter from Tioga Green in Lee Vining discussing "uninformed" visits to the business, where visitors are not aware that it is a cannabis store.

B. Casa Diablo IV Notice of Preparation

From the Great Basin Unified Air Pollution Control District (District), included in the agenda is the Notice of Preparation (NOP) for the Casa Diablo IV Geothermal Power Plant Project Supplemental Environmental Impact Report (SEIR). If you have any questions about the attached NOP, please contact Ann Logan, Deputy Air Pollution Control Officer at (760) 872-8211.

7. REGULAR AGENDA - MORNING

A. Walker Military Operations Area Airspace Update

Departments: Board of Supervisors
15 minutes

(Major Chad Nedeau, Douglas E. Power) - A presentation from Major Chad Nedeau from the United States Marine Corps Mountain Warfare Training Center (MWTC) in Bridgeport, California on the Walker Military Operations Area designated airspace.

Recommended Action: None, informational only.

Fiscal Impact: None.

B. Joint Representation Agreement - Goldfarb & Lipman LLC

Departments: County Counsel
5 minutes

(Anne Frievalt) - Proposed agreement with the law firm of Goldfarb &

Lipman consenting to its joint representation of both Mono County and Mammoth Lakes Housing in the negotiation and drafting of an affordable housing monitoring agreement and waiving potential conflicts of interest pertaining thereto.

Recommended Action: Approve entry into proposed joint representation agreement and authorize County Counsel to execute said agreement on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: Cost to Mono County for legal services to be provided by Goldfarb & Lipman in negotiating and drafting a monitoring agreement with Mammoth Lakes Housing is not expected to exceed \$1,800. (Total estimate for legal services is \$3,600, to be split evenly with Mammoth Lakes Housing).

C. Travel, Per Diem, and Food and Beverage Policy

Departments: Finance, County Counsel

15 minutes (10 minute presentation; 5 minute discussion)

(Janet Dutcher and Stacey Simon) - County per diem rates have not been increased since 2006 and, accordingly, have not kept pace with current costs and circumstances. In addition, County policies regarding travel, per diem and food and beverage reimbursement have historically been located in four different locations: (1) Rules 620-660 of the Mono County Personnel Rules; (2) Resolutions 95-02, as amended by R06-63; (3) Resolution 08-55; and (4) individual bargaining unit MOUs. During the last round of negotiations, references to travel and per diem rates were removed from all employee MOUs, with the understanding that a single, comprehensive policy would be enacted. The proposed policy fulfills that understanding.

Recommended Action: Adopt proposed resolution R20-___, Adopting a comprehensive policy for travel, per diem (meal) and food and beverage reimbursement and superseding and replacing Resolutions R95-02, R06-63 and R08-55.

Fiscal Impact: Per diem meal rates would increase from the flat amounts of \$12.00 (breakfast), \$12.00 (lunch) and \$25.00 (dinner) to a fluctuating rate based on the United States General Services Administration (GSA) rate for Sacramento. Currently the GSA rates for Sacramento are \$16.00 (breakfast), \$17.00 (lunch) and \$28.00 (dinner). In addition, the reimbursement for food and beverage provided at specified county-sponsored meetings and events would increase from \$2.00 to a fluctuating amount that is 60% of the U.S. GSA rate for incidental expenses (currently \$3.00).

D. Use of Funds for Owens Valley Groundwater Authority Membership and Vote Share

Departments: County Counsel

15 minutes

(Jason Canger, Deputy County Counsel) - Use of Previously Budgeted Funds to Maintain or Increase the County's Vote Share on the Owens Valley Groundwater

Authority Board of Directors.

Recommended Action: (1) Receive presentation and update on current membership of the Owens Valley Groundwater Authority (OVGA) Board of Directors; (2) Discuss the County's use and budgetary impact of funds previously committed on behalf of other members to maintain or increase the County's vote share on the OVGA Board of Directors; and (3) Provide any desired direction to the County's OVGA representative and staff.

Fiscal Impact: None if the Board authorizes the County's OVGA representative to use funds to maintain or increase its vote share on the OVGA Board of Directors; OR up to \$64,186.32 in potential savings if the Board does not authorize the County's OVGA representative to use funds to maintain or increase its vote share on the OVGA Board of Directors.

E. Coronavirus Update

Departments: Public Health
30 minutes

(Sandra Pearce) - Presentation by Sandra Pearce, Public Health Director, regarding Coronavirus (COVID-19) in the United States and public outreach/educational meetings planned in coming weeks within Mono County.

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

Fiscal Impact: None.

F. Employment Agreement with Kim Bunn as Assistant Finance Director - Auditor / Controller

Departments: Finance
5 minutes

(Janet Dutcher) - Proposed resolution approving a contract with Kimberly Bunn as Assistant Finance Director - Auditor / Controller, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution #R20-____, Approving a contract with Kimberly Bunn as Assistant Finance Director - Auditor / Controller, 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 2019-2020 is approximately \$51,520 of which \$36,000 is salary and \$15,520 is benefits, and enough budget is available for FY 2019-20. The cost for an entire fiscal year is approximately \$154,562, of which \$108,000 is salary and \$46,562 is benefits.

G. Amendment to Employment Agreement with Gerald Frank as Assistant Finance Director - Treasurer / Tax Collector

Departments: Finance

5 minutes

(Janet Dutcher) - Proposed resolution approving an amendment to the employment agreement with Gerald Frank as Assistant Finance Director - Treasurer / Tax Collector to increase base pay from \$8,333 per month to \$9,000 per month.

Recommended Action: Announce fiscal impact. Adopt Resolution #R20-____, Amending the employment contract with Gerald Frank as Assistant Finance Director - Treasurer / Tax Collector.

Fiscal Impact: Increases cost of this position for the remainder of FY 2019-2020 by \$2,869, of which \$2,668 is salary and \$201 is benefits. The Department has enough budget savings to cover the increase. The annual increased cost of this position is \$8,607, of which \$8,004 is salary and \$603 is benefits.

H. FY 2020-21 Budget Update

Departments: CAO and Finance

30 minutes

(Janet Dutcher) - CAO and Finance will update the Board about the FY 2020-21 budget development process.

Recommended Action: Receive information and provide direction to staff, if desired.

Fiscal Impact: None

8. 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.)

9. CLOSED SESSION

A. Closed Session - Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Steve Barwick, Stacey Simon, 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). Unrepresented employees: All.

B. Closed Session - Public Employment

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

C. Closed Session - Exposure to Litigation

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: 1. Facts and circumstances: Request by ATT for Refund of a portion of unitary taxes paid in 2014-2015 Tax Year.

D. Closed Session - Exposure to Litigation

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: two.

E. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Claim for damages filed by Cory Zila against Mono County.

F. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: County of Mono et al. v. City of Los Angeles et al. (Alameda Superior Court Case No. RG18923377).

THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 1:00 PM.

10. 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.)

11. REGULAR AGENDA - AFTERNOON

A. Presentation on Solid Waste Fee Waiver Programs

Departments: Public Works - Solid Waste

20 minutes

(Tony Dublino / Justin Nalder) - Presentation by Director of Public Works Tony Dublino and Justin Nalder, Solid Waste Superintendent / Environmental

Manager regarding Solid Waste Fee Waiver Programs - wood waste voucher program, and the manure waiver program.

Recommended Action: Review status of the Solid Waste Fee Waiver Programs and provide direction to staff regarding future implementation.

Fiscal Impact: If the programs continue as is, the Solid Waste Enterprise Fund will see continued lost revenue of approximately \$18,500 and increased net cost of handling of \$32,000, each year. If the recommended action is adopted, lost revenue is reduced or eliminated and the cost of handling is decreased.

B. Review of Tipping Fees for Special Handling Waste Streams

Departments: Public Works - Solid Waste

30 minutes

(Justin Nalder) - Presentation by Solid Waste Superintendent on the Fees and Costs of Special Handling Solid Waste Services: wood waste, treated wood, manure, and propane tanks.

Recommended Action: Receive staff presentation on the current costs associated with providing "special handling" solid waste services and the current fees that the County charges for those services; consider whether current fees for "special handling" waste stream services should be updated; provide any desired direction to staff.

Fiscal Impact: None at this time. If the Board directs staff to update the current fee schedule for "special handling" waste stream services, then staff will prepare materials related to and schedule a public hearing to consider and adopt a revised fee schedule that would likely be designed and result in fees being increased to rates to recoup annually approximately \$40,000 in lost costs.

C. Civic Center Update

Departments: Public Works

20 minutes

(Tony Dublino, Director of Public Works; Nate Greenberg, IT Director) - Weekly update on the County's Civic Center project at 1290 Tavern Road, and efforts to transition from other Mammoth locations into the Civic Center as of June 1, 2020.

Recommended Action: None; Informational only.

Fiscal Impact: None.

D. Agreements/Purchase Orders for Furniture and Related Services for the Mono County Civic Center

Departments: CAO, County Counsel

30 minutes

(Nate Greenberg) - Proposed contracts/purchase orders with Hon Co., Haworth,

Inc., and Reno Business Interiors for the purchase of furniture and related delivery and assembly services for the Mono County Civic Center and consider requested budget appropriation increases. 4/5 vote required.

Recommended Action: 1. Authorize the County Administrative Office to approve purchase orders with Reno Business Interiors in an amount up to \$900,000 for the purchase of furniture and furnishings in the South County Civic Center (Civic Center). 2. Authorize and approve an increase in budget appropriations in the total amount of \$150,000, specifically (i) \$75,000 from 1991 Realignment Funds and 2011 Realignment Funds, shared equally, for the Social Services Department; (ii) \$25,000 from 2011 Realignment Funds for the Behavioral Health Department; and (iii) \$75,000 from Asset Forfeiture Funds for the District Attorney's Office. 4/5 Vote Required.

Fiscal Impact: At its mid-year budget meeting on February 4, 2020, the Board of Supervisors approved \$500,000 from the General Fund for the purchase of furniture and furnishings for general fund and public health departments. Additionally, \$100,000 was allocated to the Social Services Department and \$150,000 was allocated to the Behavioral Health Department budgets for a total of \$750,000. This item anticipates furniture and moving cost could be as much as \$925,000, thus supporting the request at this time to increase appropriations by another \$150,000. However, staff is reviewing the needs of common area furnishings, which may result in the allocation of additional funds from the Social Services and Behavioral Health Departments, because the majority of public visitors to the Civic Center will be driven by services provided by these departments.

12. **BOARD MEMBER REPORTS**

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

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