



# AGENDA

## BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

Regular Meetings: First, Second, and Third Tuesday of each month. Location of meeting is specified below.  
Teleconference Only - No Physical Location

### Regular Meeting May 17, 2022

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#### TELECONFERENCE INFORMATION

This meeting will be held via teleconferencing with members of the Board attending from separate remote locations. As authorized by AB 361, dated September 16, 2021, a local agency may use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency and local officials have recommended or imposed measures to promote social distancing or the body cannot meet safely in person and the legislative body has made such findings.

Members of the public may participate via the Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below. If you are unable to join the Zoom Webinar of the Board meeting, you may still view the live stream of the meeting by visiting  
[http://monocounty.granicus.com/MediaPlayer.php?publish\\_id=fd043961-041d-4251-a6e8-803b439caa17](http://monocounty.granicus.com/MediaPlayer.php?publish_id=fd043961-041d-4251-a6e8-803b439caa17)

#### **To join the meeting by computer:**

Visit <https://monocounty.zoom.us/j/84274744004>

Or visit <https://www.zoom.us/>, click on "Join A Meeting" and enter the Zoom Webinar ID 842 7474 4004.

To provide public comment, press the "Raise Hand" button on your screen.

#### **To join the meeting by telephone:**

Dial (669) 900-6833, then enter Zoom Webinar ID 842 7474 4004.

To provide public comment, press \*9 to raise your hand and \*6 to mute/unmute.

**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) 932-5530 or [bos@mono.ca.gov](mailto:bos@mono.ca.gov). 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 online at <http://monocounty.ca.gov/bos>. 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 and online.

**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

**1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

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.) Please refer to the Teleconference Information section to determine how to make public comment for this meeting via Zoom.

**2. RECOGNITIONS**

**A. Recognition of Alicia Vennos**

Departments: CAO

10 minutes

(Robert C. Lawton, CAO) - Proposed proclamation in appreciation and recognition of Alicia Vennos, Mono County Economic Development Director/Film Commissioner.

**Recommended Action:** Approve proposed proclamation recognizing Alicia Vennos.

**Fiscal Impact:** None.

**3. COUNTY ADMINISTRATIVE OFFICER**

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

**4. DEPARTMENT/COMMISSION REPORTS**

Receive brief oral report on emerging issues and/or activities.

**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. Contract with Robert L. Marshall, Esq. for Criminal Defense Services**

Departments: CAO

Proposed contract with Robert L. Marshall, Esq. pertaining to the provision of indigent services in the case of People v. Cory Scott Spurlock.

**Recommended Action:** Approve, and authorize Chair to sign, contract with

Robert L. Marshall for indigent defense services in the case of People v. Cory Scott Spurlock for the period May 1, 2022, through case termination and a not-to-exceed amount of \$560,000 total or \$180,000 per any 12-month period.

**Fiscal Impact:** \$560,000 total, anticipated to be spread over three years at \$180,000 per any 12-month period.

**B. Resolution Making Findings under AB 361 Related to Remote Meetings**

Departments: County Counsel

Proposed resolution making the findings required by AB 361 for the purpose of making available the modified Brown Act teleconference rules set forth in AB 361 for the period of May 17, 2022 through June 16, 2022.

**Recommended Action:** Adopt proposed resolution.

**Fiscal Impact:** None.

**C. Sierra Nevada Conservancy Grant - Dispersed Camping Collaborative Action**

Departments: Public Works

The regional Dispersed Camping Collaborative seeks to build upon the initial grassroots success of the “Camp Like a Pro” program with targeted investments from the Sierra Nevada Conservancy that support the region’s tourism-based economy, protect resources, and reduce risk of human-caused wildland fire surrounding communities through managed use of front-country recreation areas. Application for funding includes a three-year budget request of \$150,000 to better delineate dispersed camping areas, install educational and regulatory signs and kiosks, pilot waste management solutions for the region, restore areas impacted by legal and illegal dispersed camping, and continue distribution of “Camp Like a Pro” educational tools and public outreach strategies. This project was identified as a priority for funding by the Eastern Sierra Sustainable Recreation Partnership (ESSRP) – Sustainable Recreation and Tourism Initiative (SRTI) and a full proposal for was submitted by Mono County to the Sierra Nevada Conservancy, January 31, 2022. This application will be considered by the Sierra Nevada Conservancy Governing Board June 1-2, at their regularly scheduled quarterly meeting, hosted in Mono County.

**Recommended Action:**

- 1) Authorize the filing of an application for Sierra Nevada Conservancy (SNC) Vibrant Recreation and Tourism grant funding to implement Dispersed Camping Collaborative/ Camp Like a Pro Action Plan;
- 2) Find that the project is categorically exempt from review under the California Environmental Quality Act under 14 CCR 15301 – Minor Alterations to Land and 14 CCR 15333 – Small Habitat Restoration Projects and direct staff to file a notice of exemption; and
- 3) Delegate authority to the County Administrative Officer, in consultation with County Counsel, to conduct all negotiations, sign and submit all documents,

including but not limited to applications, agreements, amendments, and payment requests, in support of the Grant Scope, provided they are substantially consistent with the staff report and agenda attachments.

**Fiscal Impact:** No General Fund impact. Grant would provide \$150,000 in funding to support the Dispersed Camping Collaborative.

**D. Off-Highway Motor Vehicle Grant for Restoration Activities**

Departments: Public Works

Request for Authorization to apply for grant funds from the California Off-Highway Motor Vehicle Recreation Division, for off-highway vehicle restoration efforts. State Parks OHMVR Division funding is provided from fuel taxes which are attributable to the recreational use of vehicles off highway, OHV registration fees (commonly referred to as “California Green Sticker” registration), and fees collected at State Vehicular Recreation Areas. These revenues are used for acquisition of new OHV areas, development and operation of existing OHV areas, enforcement of rules and regulations, and protection of natural resources.

**Recommended Action:**

- 1) Adopt proposed Resolution authorizing the filing of an application for CA State Parks Off Highway Motor Vehicle Recreation (OHMVR) Division grant funding for Off-Highway Vehicle (OHV) “Restoration” activities in Mono County. The three-year restoration grant will not exceed \$374,275, which includes \$329,357 of grant funding and \$44,918 of local matching funds.
- 2) Find that the activity is exempt from review under the California Environmental Quality Act under 14 CCR 15301(c) (Minor Alterations to Land) and direct staff to file the prepared Notice of Exemption.

**Fiscal Impact:** No fiscal impact. The grant carries a 10% match requirement that will be met with a variety of local agency contributions - the County’s contribution will be in-kind staff.

**E. Resolution Approving Pension Rate Stabilization Trust with Public Agencies Retirement Services (PARS)**

Departments: Finance

(Janet Dutcher, Finance Director) - Pursuant to the workshop conducted on March 15, 2022 illustrating the use of the Pension Rate Stabilization Trust (PRST) as a strategy mitigating CalPERS pension contribution rate volatility and periodically reducing the County's unfunded pension liability, this item effectuates establishment of the PRST by proposing a resolution approving the adoption of the Public Agencies Post-Employment Benefits Trust administered by PARS to establish an irrevocable Section 115 PRST to pre-fund CalPERS pension obligations.

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

**Fiscal Impact:** None.

**F. Out-of-State Travel Authorization**

Departments: Clerk of the Board of Supervisors

Per Resolution 20-27, travel outside of California and Nevada by elected officials must be approved by the Board of Supervisors. This item seeks travel approval for members of the Board of Supervisors to travel to the National Association of County's Annual Conference in Adams County (Aurora), Colorado, scheduled for July 21-24, 2022.

**Recommended Action:** Approve out-of-state travel for all Supervisors to the National Association of County's Annual Conference in Adams County (Aurora), Colorado, scheduled for July 21-24, 2022.

**Fiscal Impact:** Estimated total of \$9,000 for travel costs of Supervisors, Gardner, Duggan, and Kreitz, a portion of which is included in the FY 2021-22 budget with the remainder included in the FY 2022-23 departmental budget proposal.

**6. CORRESPONDENCE RECEIVED - NONE**

Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

**7. REGULAR AGENDA - MORNING**

**A. Mammoth Hospital Cares Community Engagement Presentation**

Departments: Board of Supervisors

15 minutes

(Tom Parker, CEO Mammoth Hospital) - Mammoth Hospital Cares Community Engagement Presentation by Tom Parker, Mammoth Hospital CEO. The presentation aims to provide information about the current state of the hospital and receive feedback.

**Recommended Action:** None, informational only.

**Fiscal Impact:** None.

**B. Mono County Child Care Council - Zip Code Priority Report for 2022-2023**

Departments: Mono County Office of Education

10 minutes

(Courtney Walsh, Mono County Child Care Council Coordinator) - Presentation on 2022-2023 Zip Code Priority Report by Courtney Walsh, Mono County Child

Care Council Coordinator. Pursuant to Welfare and Institutions Code (WIC) 10486. (b)(3)(3) the Mono County Child Care Council is mandated to set zip code priorities each year. This report sets the priority in which a zip code would received funding should funding coming available for subsidized General Child Care (CCTR) for infant and toddler care or after school care and the California State Preschool Program (CSPP).

**Recommended Action:** Approve, and authorize Chair to sign, Local Planning Council (LPC) County Priorities Report Form.

**Fiscal Impact:** None.

**C. COVID-19 (Coronavirus) Update**

Departments: CAO, Public Health

15 minutes

(Robert C. Lawton, CAO, Bryan Wheeler, Public Health Director, Dr. Caryn Slack, Public Health Officer) - Update on Countywide response and planning related to the COVID-19 pandemic.

**Recommended Action:** None, informational only.

**Fiscal Impact:** None.

**D. Employment Agreement with Christopher L. Beck**

Departments: County Counsel

5 minutes

(Stacey Simon, County Counsel) - Proposed resolution approving a contract with Christopher L. Beck as Assistant County Counsel, and prescribing the compensation, appointment and conditions of said employment.

**Recommended Action:** Announce Fiscal Impact. Approve Resolution #R\_\_\_\_\_, approving a contract with Christopher L. Beck as Assistant County Counsel, 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:** Total cost of salary and benefits for FY 2021-22 is \$14,292, of which \$11,673 is salary, and \$3,256 is benefits. This is included in the FY 2021-22 budget. The cost for an entire fiscal year would be approximately \$179,143 of which \$140,077 is salary and \$39,066 is the cost of benefits, and is included in the Department's proposed budget for FY 2022-23.

**E. Employment Agreement with Valentine Vega**

Departments: Public Works

5 minutes

(Tony Dublino, Director of Public Works) - Proposed resolution approving a

contract with Valentine Vega as Project Manager for the Public Works Department, and prescribing the compensation, appointment and conditions of said employment.

**Recommended Action:** Announce Fiscal Impact. Approve Resolution #R22-\_\_\_\_, approving a contract with Valentine Vega as Project 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:** Total cost of salary and benefits for FY 2021-22 is \$18,519, of which \$13,000 is salary, and \$5,519 is benefits. This is included in the FY 2021-22 budget. The cost for an entire fiscal year would be approximately \$111,113 of which \$78,000 is salary and \$33,113 is the cost of benefits, and is included in the Department's proposed budget for FY 2022-23.

**F. Employment Agreement with Jason Davenport**

Departments: Public Works

5 minutes

(Tony Dublino, Director of Public Works) - Proposed resolution approving a contract with Jason Davenport as Parks and Facilities Superintendent , and prescribing the compensation, appointment and conditions of said employment.

**Recommended Action:** Announce Fiscal Impact. Approve Resolution #R\_\_\_\_\_, approving a contract with Jason Davenport as Parks and Facilities Superintendent, 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:** Total cost of salary and benefits for FY 2021-22 is \$10,652, of which \$7,901 is salary, and \$2,752 is benefits. This is included in the FY 2021-22 budget. The cost for an entire fiscal year would be approximately \$127,827 of which \$94,809 is salary and \$33,018 is the cost of benefits, and is included in the Department's proposed budget for FY 2022-23.

**G. Solid Waste Tipping Fee Adjustment Proposal - Workshop and Board Direction**

Departments: Public Works - Solid Waste

30 minutes

(Justin Nalder, Solid Waste Superintendent and Tony Dublino, Director of Public Works) - Presentation of a proposal to adjust Solid Waste Tipping Fees charged at County Transfer Stations and Landfills. The proposed adjustment is intended to balance the Solid Waste Enterprise Fund which has operated at a deficit for the last 3 years. There have been no increases to the tipping fees on major waste streams since 2012. If tipping fees are not increased, future General Fund subsidies to the Solid Waste program are expected.

**Recommended Action:** Direct Staff to prepare public noticing and adopting resolution in support of Alternative A. Provide any further direction to staff.

**Fiscal Impact:** The recommended Solid Waste Tipping Fee increases are intended to balance the Solid Waste Enterprise Fund and avoid future General Fund subsidies. Projections indicate the proposal, if adopted, would increase revenue into the Solid Waste Enterprise Fund by \$373,500 annually. Recommended fee increases range from \$2 to \$35 per ton depending on type of waste and represents an individual fee increase ranging from 2.8% to 700%.

**H. Mountain View Fire Update and Review of Emergency Declarations**

Departments: Mountain View Fire Emergency Operations Center

10 minutes

(Justin Nalder, MVF EOC Director) - Review of continuing need for Board of Supervisor's November 17, 2020, Declaration of Local Emergency of and Mono County Health Officer's November 19, 2020, Declaration of Local Health Emergency for the Mountain View Fire.

**Recommended Action:** Hear report from Incident Command and involved staff regarding status of Mountain View Fire response and recovery efforts. Find that there is a need to continue the local state of emergency declared on November 17, 2020 and/or the local health emergency declared on November 19, 2020 (ratified by the Board on November 24, 2020).

**Fiscal Impact:** Continuation of the declared emergencies supports the County's eligibility for state disaster assistance while debris efforts are still underway. Debris removal costs are eligible for reimbursement only when there is an immediate threat to public health and safety.

**I. Proposed Waiver of County Fees for an Approved Residential and Commercial Project in June Lake**

Departments: Community Development

20 minutes (15 minute presentation; 5 minute discussion)

(Bentley Regehr, Planning Analyst) - Discussion of potential fee waiver for fees associated with Use Permit 20-003 - which approved the development of twelve residential units and associated commercial space on Cherokee Lake off Highway 158 in June Lake.

**Recommended Action:** 1) Adopt proposed resolution waiving staff time costs/permit fee for Use Permit 20-003, in the amount of \$3,910.50, consistent with Housing Element Program 2.10; 2) Discuss potential options for fee waivers for other projects in the future; and 3) Provide any desired direction to staff.

**Fiscal Impact:** Fee waiver for staff time on the project is \$3,910.50. Additional fee waivers would be presented at a future Board meeting.

**J. FY2021-22 Budget Third Quarter Adjustments**

Departments: CAO  
15 minutes

(John Craig , Assistant CAO; Megan Mahaffey, Accountant III) - This item is to approve Third Quarter budget adjustments requested by departments and project year end Fund Balance that can be used to balance the FY2022-23 budget.

**Recommended Action:** Receive report and approve recommended budget adjustments. (4/5ths vote required).

**Fiscal Impact:** The requested adjustments increase expenditure line items that need additional allocations and reduce expenditure line items that need less allocations. Adjustments to revenue line items that received additional revenue over budget are also included in these budget requests. The impact of these requests is a reduction of \$1,619 in the General Fund revised budget deficit from -\$1,011,324 to -\$1,009,705 (excluding transfers to reserve accounts). Adjustments requested for non-General Fund budgets in total represent an net increase in resources of \$1,498,063.

**K. Adopting a Revised Salary Matrix Applicable to At-Will Employees and Elected Department Heads to add Three Positions within Human Resources and Superseding and Replacing R21-45**

Departments: CAO  
5 minutes

(John Craig, Assistant CAO) - A Resolution of the Mono County Board of Supervisors Adopting a Revised Salary Matrix Applicable to At-Will Employee and Elected Department Heads to add Three Positions Within Human Resources, Reclassify One Position, and Superseding and Replacing R21-45

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

**Fiscal Impact:** None.

**8. CLOSED SESSION**

**A. Closed Session - Labor Negotiations**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Janet Dutcher, John Craig, Patty Francisco, and Oliver Yee. 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 Correctional Deputy Sheriffs' Association. Unrepresented employees: All.

**B. Closed Session - Initiation of Litigation**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one.

**C. Closed Session - Public Employee Evaluation**

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

**THE AFTERNOON SESSION WILL RECONVENE FOLLOWING CLOSED SESSION OR, IF TIME ALLOWS, ITEMS MAY BE TAKEN UP DURING THE MORNING SESSION PRIOR TO CLOSED SESSION.**

**9. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

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.) Please refer to the Teleconference Information section to determine how to make public comment for this meeting via Zoom.

**10. REGULAR AGENDA - AFTERNOON**

**A. Public Hearing - Resolutions Declaring Intention to Become Groundwater Sustainability Agency**

Departments: County Counsel, Community Development

PUBLIC HEARING: 1:30P.M. (20 minutes)

(Stacey Simon, County Counsel; Wendy Sugimura, Community Development Director) - Declaration of intent to serve as groundwater sustainability agency (GSA) for portions of the Owens Valley groundwater basin and for the Long Valley groundwater basin.

**Recommended Action:** Conduct public hearing and adopt proposed resolutions (1) declaring the County's intention to become the groundwater sustainability agency for all portions of the Owens Valley groundwater basin within Mono County but outside the boundaries of the Tri-Valley Groundwater Management District; and (2) declaring the County's intention to become the groundwater sustainability agency for the Long Valley groundwater basin of Mono County. Find that adoption of the resolutions is not a project under the California Environmental Quality Act (CEQA) because it would not result in any physical change to the environment; and alternatively, that it qualifies for an exemption from CEQA under 14 CCR 15307; 15308 (actions to protect the environment and natural resources); and 15320 (changes in organization of local agencies).

**Fiscal Impact:** Cost of staff time to process necessary paperwork and submit

notification to DWR.

**11. BOARD MEMBER REPORTS**

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

**ADJOURN**