



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.

Teleconference Only - No Physical Location

Regular Meeting October 13, 2020

TELECONFERENCE INFORMATION

As authorized by Governor Newsom's Executive Order, N-29-20, dated March 17, 2020, the meeting will be held via teleconferencing with members of the Board attending from separate remote locations. This altered format is in observance of recommendations by local officials that precautions be taken, including social distancing, to address the threat of COVID-19.

Important Notice to the Public Regarding COVID-19

Based on guidance from the California Department of Public Health and the California Governor's Officer, in order to minimize the spread of the COVID-19 virus, please note the following:

1. Joining via Zoom

There is no physical location of the meeting open to the public. You may participate in the Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below.

To join the meeting by computer:

Visit <https://monocounty.zoom.us/j/93521910938>

Or visit <https://www.zoom.us/> click on "Join A Meeting" and use the Zoom Meeting ID 935 2191 0938.

To provide public comment (at appropriate times) during the meeting, press the "**Raise Hand**" button on your screen.

To join the meeting by telephone:

Dial (669) 900-6833, then enter Webinar ID 935 2191 0938.

To provide public comment (at appropriate times) during the meeting, press ***9** to raise your hand.

2. Viewing the Live Stream

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=8c4d8d56-9aa6-4b8a-ace3-1fbaaecbf14a

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).

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 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

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

2. RECOGNITIONS - 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. Monthly Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 8/31/2020.

Recommended Action: Approve the Treasury Transaction Report for the month ending 8/31/2020.

Fiscal Impact: None.

B. Terra Firma Contract Amendment

Departments: Public Works - Solid Waste

(Justin Nalder) - Proposed contract amendment with Terra Firma Organics, Inc. pertaining to wood and green waste chipping services.

Recommended Action: Approve amendment to Agreement with Terra Firma Organics and authorize Public Works Director to execute said contract on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: This amendment increases the contract limit by \$40,000, for a maximum of \$220,000, payable from the Solid Waste Enterprise Fund. There is sufficient budget to cover the proposed increase.

C. Appointment of Malinda Huggans, Sean Robison and Jessica Workman to

Mono County Public Safety Officers' Personnel Appeals Board

Departments: Human Resources

Mono County Public Safety Officers Association (PSOA) Personnel Rule 540 requires formation of a Personnel Appeals Board pool of 6 members to be available to hear disciplinary appeals by PSOA employees. Three members of the Personnel Appeals Board pool shall be appointed by the Board of Supervisors and three members shall be appointed by the PSOA. At this time, there are no appointed board members. This item will appoint three county employees to the Personnel Appeals Board who are not members of the PSOA.

Recommended Action: Appoint Malinda Huggans, Sean Robison and Jessica Workman to four-year terms on the Mono County Public Safety Officers' Personnel Appeals Board

Fiscal Impact: None.

D. Proposed Ordinance Adding Chapter 5.70 to the Mono County Code Prohibiting Industrial Hemp

Departments: Community Development Department

(April Sall) - Proposed Ordinance adding Chapter 5.70 to the Mono County Code Prohibiting Industrial Hemp.

Recommended Action: Adopt proposed ordinance, adding Chapter 5.70 to the Mono County Code Prohibiting Industrial Hemp.

Fiscal Impact: None.

6. CORRESPONDENCE RECEIVED

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

A. Federal Energy Regulatory Commission (FERC) Letter re: 2018 3rd Independent Consultant's Safety Inspection Report for Rhinedollar Dam

A letter from Frank L. Blackett, P.E., Federal Energy Regulatory Commission Regional Engineer, to James A. Buerkle, Southern California Edison Company Director of Generation, in response to a letter from Wayne Allen who submitted the 3rd Independent Consultant's Safety Inspection Report for Rhinedollar Dam, which is part of the Lee Vining Creek Project, FERC Project No. 1388-CA.

B. Federal Energy Regulatory Commission (FERC) Letter re: 2018 11th Independent Consultant's Safety Inspection Report for Saddlebag Dam

A letter from Frank L. Blackett, P.E., Federal Energy Regulatory Commission Regional Engineer, to James A. Buerkle, Southern California Edison Company

Director of Generation, in response to a letter from Wayne Allen who submitted the 11th Independent Consultant's Safety Inspection Report for Saddlebag Dam, which is part of the Lee Vining Creek Project, FERC Project No. 1388-CA.

C. October 2020 Agricultural Commissioner's Office Report

October 2020 department report from Nate Reade, Inyo/Mono Agricultural Commissioner / Director of Weights and Measures.

D. Notice of Extension of Time for Public Comment on the Draft Supplemental Environmental Impact Report for the Casa Diablo IV Project

The Great Basin Unified Air Pollution Control District (District) is the Lead Agency pursuant to the California Environmental Quality Act (CEQA) and is seeking public and agency comments on a 2020 Draft Supplemental Environmental Impact Report (SEIR) for the Casa Diablo IV Geothermal Power Plant Project (Project). The time for public review and comment has been extended from October 12, 2020 to October 13, 2020 at 5:00 p.m.

7. REGULAR AGENDA - MORNING

A. Resolution Recognizing Racism as a Public Health Crisis

Departments: Board of Superivisors, CAO

Item scheduled to start at approximately 9:30 AM (30 minutes)

Continued discussion of tools and actions to address racial disparity in our communities. Follow-up from presentation by Dr. Jei Africa on September 15, 2020: "Moving Towards Equity: Understanding the Impact of Racism in Communities". Consideration of Resolution Recognizing Racism as a Public Health Crisis and Affirming Mono County's Commitment to Building Racial Equity and Reducing Disparity.

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

Fiscal Impact: None associated with adoption of proposed resolution, however, the resolution includes direction to take action that could result in future unknown fiscal impacts, as described in the staff report.

B. Update on Wildfires and Review of Open Fire Ban

Departments: Sheriff, Public Works

20 minutes

(Sheriff Braun, County Counsel Simon) - Update and discussion regarding status of wildfires across the State and in Mono County. Weekly review of need for Urgency Ordinance Prohibiting Open Fires on Private Property Within the Unincorporated Area of Mono County Due to Extreme Fire Danger.

Recommended Action: Hear update and provide any desired direction to staff including, but not limited to, whether to continue the prohibition in whole or in part.

Fiscal Impact: None.

C. Election Update

Departments: Elections

10 minutes

(Shannon Kendall) - Update on November 3, 2020 General Election.

Recommended Action: None, informational only.

Fiscal Impact: None.

D. COVID-19 (Coronavirus) Update

Departments: CAO

30 minutes

(Dave Wilbrecht, Dr. Tom Boo) - Update on Countywide response and planning related to the COVID-19 pandemic, including reports from the Emergency Operations Center (EOC), Unified Command (UC), and the various branches of the EOC, including Community Support and Economic Recovery, Joint Information Center (JIC), and Public Health.

Recommended Action: None, informational only.

Fiscal Impact: None.

E. Bridgeport Jail - Project Update

Departments: Sheriff, Public Works

30 minutes

(Ingrid Braun, Sheriff; Tony Dublino, Director of Public Works) - Presentation by Sheriff Braun and Director of Public Works Tony Dublino regarding the Bridgeport Jail project, including past outreach, the County's SB844 grant of \$25,000,000, current status and schedule.

Recommended Action: None, informational only.

Fiscal Impact: None with this agenda item. The SB844 grant application in 2017 estimated the total cost of the project at \$27,053,000, of which \$25 million is funded by the State, \$440,000 is in-kind staff hours, \$119,000 has been spent, and \$1,494,000 is the County's remaining local match requirement. This remaining amount is 100% funded in the FY 2020-21 budget and includes a \$707,137 contribution from the General Fund, \$127,000 from the criminal justice facilities construction trust account, and \$659,863 in carryover funding primarily accumulated from Community Corrections Partnership prior year contributions.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

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

9. CLOSED SESSION

A. 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.

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

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

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

11. REGULAR AGENDA - AFTERNOON

A. Presentation on Microgrids, Advantages, and Possible Financing Options for the County

Departments: Board of Supervisors
20 minutes

(Don Condon, Lynn Boulton, Leslie Wielenga, Jeff Harding, Dr. David Bliss) - Presentation on microgrids, advantages, and possible financing options for the County to consider by Don Condon / Lynn Boulton and a presentation on FEMA Building Resilient Infrastructure and Communities (BRIC) grant by ChargeBliss.

Recommended Action: Staff recommends that the Board determine whether to submit the project into the County's Project Review system for staff analysis and recommendation. Provide any other desired direction to staff.

Fiscal Impact: Staff time to work on the grant and consultant costs at some point in the future.

B. PUBLIC HEARING: Consideration of Tioga Inn Specific Plan Amendment

Departments: Community Development
PUBLIC HEARING: 2:00 PM (3 hours)

(Wendy Sugimura, Gerry LeFrancois, Sandra Bauer) - Tioga Inn Specific Plan Amendment and Final Subsequent Environmental Impact Report (FSEIR) to amend the 1993 Tioga Inn Specific Plan (1993 Specific Plan and EIR) located at 22, 133, and 254 Vista Point Road in Lee Vining and consisting of four parcels

(APN 021- 080-014, -025, -026 & -027). The Specific Plan Amendment proposes up to 150 new workforce housing bedrooms in up to 100 new units, a third gas-pump island with overhead canopy, additional parking to accommodate on-site guest vehicles as well as a general-use park-and-ride facility and bus parking for Yosemite transit vehicles, a new package wastewater treatment system tied to a new subsurface drip irrigation system, replacement of the existing water storage tank with a new tank of the same size in the same area, a new 30,000-gallon on-site propane tank (eventually replacing the existing five on-site tanks), modification to the boundaries and acreage of designated open space, and modification of parcel boundaries. The 1993 approvals, which include a still unconstructed two-story, 120-room hotel and full-service restaurant on the site, remain in effect regardless of whether the Proposed Amendment is approved.

Recommended Action:

1) Receive staff presentation, hold public hearing and receive public testimony on the Tioga Inn Specific Plan Amendment #3 (“Project”), refined Alternative 7-Hybrid Plan (“Preferred Alternative”), and FSEIR (Attachment 1); and

2) Find that the Project/Preferred Alternative is not subject to the Housing Accountability Act; and

3) Take one of the following actions:

a. (Approval) - Adopt proposed Resolution: (1) certifying the FSEIR, making all required findings, and adopting the Statement of Overriding Considerations; (2) adopting the Mitigation Monitoring and Reporting Program (MMRP) as recommended by the Planning Commission or with modifications reflecting prior Board direction (outlined in Section One of the proposed Resolution); and (3) approving Preferred Alternative 7, as presented (which reflects prior Board direction), or with further modifications; or

b. (Denial) - Determine that one or more of the unavoidable adverse environmental effects identified in the FSEIR are not outweighed by specific economic, legal, social, technological, or other benefits of the Project and deny the Project and do not certify the FSEIR. Additionally, specify which Specific Plan findings, if any, cannot be made.

Fiscal Impact: Property tax, sales tax, and gas tax revenue will increase if the project is approved and constructed.

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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