



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 December 14, 2021

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

To join the meeting by computer:

Visit <https://monocounty.zoom.us/j/95885606112>

Or visit <https://www.zoom.us/>, click on "Join A Meeting" and enter the Zoom Webinar ID 958 8560 6112.

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 958 8560 6112.

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. 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 - 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. Resolution Authorizing Virtual Meetings under AB 361

Departments: County Counsel

Proposed resolution authorizing remote teleconference meetings for the period of December 14, 2021 through January 13, 2022, pursuant to AB 361.

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

Fiscal Impact: None.

B. Claim for Damages - Jenna Lavender

Departments: Risk Management

Claim for damages filed by Jenna Lavender, a misdirected claim related to a death at a hospital unaffiliated with the County of Mono.

Recommended Action: Deny the claim submitted by Jenna Lavender, and direct the Risk Manager, in consultation with County Counsel, to send notice to the claimant of the denial.

Fiscal Impact: None.

C. Claim for Damages - Craig Balogh

Departments: Risk Management

Claim for damages filed by Craig Balogh, a misdirected claim related to a death at a hospital unaffiliated with the County of Mono.

Recommended Action: Deny the claim submitted by Craig Balogh, and direct the Risk Manager, in consultation with County Counsel, to send notice to the claimant of the denial.

Fiscal Impact: None.

D. Contracts for Legal Services - Indigent Defense

Departments: CAO

Proposed contracts with Brad Braaten, Esq. and the Law Office of Sophie C. Bidet, Inc. pertaining to the provision of indigent defense services for Mono County.

Recommended Action: Approve contracts with the Law Office of Sophie C. Bidet and with attorney Brad Braaten to provide public defender services in Mono County for a period of five years commencing January 1, 2022, and ending December 31, 2026, and authorize Chair to execute said contracts on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: Not-to-exceed amount of \$180,000 annually for each contract, commencing in 2022, with 2% automatic annual increases and the option of an additional payment of up to \$6,000 per month until such time as a third public defender begins providing services under contract with the County.

E. Contract for Investigator Services - Indigent Defense

Departments: CAO

Proposed contract with Brian H. Grice, dba Coast Criminal & Civil pertaining to the provision of investigator services.

Recommended Action: Approve, and authorize CAO to sign, contract with Brian H. Grice, dba Coast Criminal & Civil, for the provision of investigative services related to indigent defense and related matters for the period January 1, 2022, through December 31, 2026. Provide any desired direction to staff.

Fiscal Impact: Annual cost of \$95,520 from January 1 to December 31, 2022, with automatic annual 2% increases. The amount accruing from January 1 to June 30, 2022 is included in the County's approved budget for FY 2021-2022.

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. COVID-19 (Coronavirus) Update

Departments: CAO, Public Health

10 minutes

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

Recommended Action: None, informational only.

Fiscal Impact: None.

B. California Immunization Local Assistance Grant Amendment

Departments: Public Health

10 minutes

(Bryan Wheeler, Public Health Director) - Proposed Amendment to Grant Agreement Number 17-10332, A03 with the California Department of Public Health, Immunization Branch.

Recommended Action: Approve Amended Grant Agreement Number 17-10332, A03 and authorize the Chair of the Board of Supervisors to sign the amended contract on behalf of the County. Additionally, provide authorization for the Public Health Director to sign future amendments to the grant that shift funds between budget categories without changes to the grant allocation.

Fiscal Impact: There is no impact to the General Fund. The amendment increases funding in the amount of \$1,109,290 for fiscal year 2021-22 for an amended total of \$1,323,711 for the 5-year contract period. The budget appropriation increase to spend these grant proceeds has previously been approved by the Board.

C. Proposed Ordinance Adding Chapter 20.10 to the Mono County Code, Open Range, and Excluding Additional Portions of the County from Territory Devoted Chiefly to Grazing

Departments: Agricultural Commissioner

30 minutes

(Nathan D. Reade, Agricultural Commissioner) - Proposed ordinance adding Chapter 20.10, Open Range, to the Mono County Code consolidating the provisions of, and thereby replacing Ordinance Nos. 79-480, 79-480A and 87-480B and excluding additional areas of the County from territory devoted chiefly to grazing.

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

Fiscal Impact: None.

D. Community Corrections Partnership (CCP) Realignment Implementation Plan

Departments: Probation

20 minutes

(Karin Humiston, Chief Probation Officer) - A resolution of the Mono County Board of Supervisors authorizing the Mono County Community Corrections Partnership Executive Committee to submit the Realignment Implementation Plan Annual Report for 2021 to the Board of State and Community Corrections.

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

Fiscal Impact: Eligibility for the CCP Implementation Grant funding, which is anticipated to be \$100,000 to be received by the end of January 2022.

E. Cal Recycle 1383 Model Ordinance

Departments: Solid Waste

30 minutes

(Justin Nalder, Solid Waste Superintendent) - Proposed ordinance implementing mandatory organic waste disposal reduction pursuant to Senate Bill 1383.

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

Fiscal Impact: SB1383 compliance places unfunded mandates on jurisdictions. The extent of those impacts are not yet known, as several program specifics are still forthcoming. It is anticipated that the majority of the impacts will be borne by the Solid Waste Enterprise Fund.

F. Budget Assumptions and Approach

Departments: CAO

15 minutes

(Robert C. Lawton, CAO) - This item is to review the transition of the Budget from a Finance function to a CAO function and any changes that will be made to the budget in the coming year.

Recommended Action: None, informational only.

Fiscal Impact: None.

8. 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.

9. 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, Anne Frievalt, Ryan Roe, 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 Public Safety Officers Association (PSO). Unrepresented employees: All.

B. 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.

C. Closed Session - Public Employee Evaluation

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

THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 12:30 P.M.

10. 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.

11. REGULAR AGENDA - AFTERNOON

A. Sale of Residential Housing Units in Benton to Utu Utu Gwaitu Tribe

Departments: CAO
20 minutes

(Stacey Simon, County Counsel; Erik Ramakrishnan, Attorney) - Proposed contract with Utu Utu Gwaitu Tribe pertaining to sale of two residential housing

units located in Benton for continued use as affordable/tribal housing by the Tribe; related resolutions and findings.

Recommended Action:

- 1) Adopt proposed resolution declaring the County-owned real property located at 36 to 40 Christie Lane in Benton is exempt surplus land for purposes of the Surplus Land Act; and
- 2) Adopt proposed resolution approving a Purchase and Sale Agreement to sell the property to the Utu Utu Gwaitu Paiute Tribe of Benton; and
- 3) Find that the Board's actions with respect to the foregoing approvals are exempt from review under CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15301.

Fiscal Impact: The Tribe will pay the County \$137,000 for the property, which is its appraised value of \$140,000 minus \$3,000 spent by the Tribe on repairs and maintenance, as current lessee of the property.

B. Redistricting - Resolution Adopting Final Map Depicting New Supervisorial District Boundaries

Departments: CAO

2 hours

(Robert C. Lawton, CAO) - Proposed resolution adopting new supervisorial district boundaries following and based upon the 2020 federal decennial census.

Recommended Action: Consider all remaining draft maps and adopt resolution implementing the final, selected map depicting new supervisorial districts. Provide any desired direction to staff.

Fiscal Impact: There is no direct fiscal impact associated with adopting maps establishing the new supervisorial districts.

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.

ADJOURN