



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.
Meeting Location: Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

Regular Meeting

July 12, 2022

TELECONFERENCE INFORMATION

This meeting will be held both in person and via teleconferencing with some members of the Board possibly attending from separate teleconference and 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.

Teleconference locations will be available to the public:

1. First and Second Meetings of Each Month in the Mono Lake Room of the Mono County Civic Center, First Floor, 1290 Tavern Road, Mammoth Lakes, CA. 93546;
2. Third Meeting of Each Month in the Mono County Courthouse, Second Floor Board Chambers, 278 Main Street, Bridgeport, CA. 93517;
3. Zoom Webinar.

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=e42e610c-7f06-4b97-b1d6-739b1ff28cf8

To join the meeting by computer:

Visit <https://monocounty.zoom.us/j/84556854252>

Or visit <https://www.zoom.us/>, click on "Join A Meeting" and enter the Zoom Webinar ID 845 5685 4252.

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 845 5685 4252. 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. Long Valley Regional Planning Advisory Committee Appointment

Departments: Community Development

Appoint one new member, John Connolly, to the Long Valley Regional Planning Advisory Committee for a four-year term as recommended by Supervisor Duggan.

Recommended Action: Appoint John Connolly to the Long Valley Regional Planning Advisory Committee, as recommended by Supervisor Duggan, for a four-year term ending May 31, 2026.

Fiscal Impact: None.

B. Resolution to Adopt an Amended SB1/RMRA Project List

Departments: Public Works Engineering

Proposed resolution adopting an amended list of projects for FY2022-2023 funded by SB 1: The Road Repair and Accountability Act of 2017. Approval of this resolution will supersede and replace, in its entirety, Resolution 22-056 adopted by the Board on June 7, 2022.

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

Fiscal Impact: Mono County's portion of SB1/Road Maintenance and Rehabilitation Account (RMRA) revenue for 2022-2023 is currently estimated at \$2,262,062. The list of projects for approval today are included in the Department's requested FY22-23 budget. Our present SB1 balance is approximately \$3,750,000.

C. Third Meeting Location Change in Mammoth Lakes

Departments: Clerk of the Board of Supervisors

Adopt resolution changing the location of the third regular Board of Supervisors meeting to the Mono Lake Room of the Mono County Civic Center in Mammoth Lakes.

Recommended Action: Adopt Resolution R22-____, changing the location of the third regular monthly Board of Supervisors meeting to the Mono Lake Room of the Mono County Civic Center, located at 1290 Tavern Road, Mammoth Lakes, CA, superseding and replacing Resolution R17-02.

Fiscal Impact: None.

D. Resolution Making Findings under AB 361 - Related to Remote Meetings

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 July 12, 2022 through August 11, 2022.

Recommended Action: Adopt proposed resolution.

Fiscal Impact: None.

E. Cannabis Delivery in Unincorporated Areas of Mono County

Departments: Community Development

Proposed ordinance continuing temporary suspension of prohibition on cannabis delivery established by Mono County Code Section 5.60.140(L) until public outreach and input occur and a long-term policy either allowing or prohibiting cannabis delivery is implemented by the County.

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

Fiscal Impact: This ordinance continues and expands opportunities for unincorporated Mono County Cannabis operators to collect revenues, which brings an incremental increase in cannabis tax revenues to the County.

F. Contract for Public Relations Services

Proposed contract with Caporusso Communications Company pertaining to Public Relations Services.

Recommended Action: Approve, and authorize CAO to sign, contract with Caporusso Communications Company for Public Relations Services for the period July 1, 2022 through June 30, 2023 and a not-to-exceed amount of \$105,000.

Fiscal Impact: The total amount of the contract is not-to-exceed \$105,000. This is included in the FY 2022-23 Recommended Budget.

G. Requested Letter of Support for MLTPA Sustainable Recreation Partnership Grant

Letter of support for Mammoth Lakes Trails and Public Access Foundation (MLTPA) "Eastern Sierra Sustainable Recreation Partnership (ESSRP) Support" proposal to the Sierra Nevada Conservancy's Vibrant Recreation and Tourism Grant Program. A successful application would allow MLTPA to continue to support the ESSRP.

Recommended Action:
Approve proposed letter.

Fiscal Impact: None.

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
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.

B. Community Economic Resilience Fund (CERF) Collective Partnership Agreement Letter

Departments: Economic Development

20 minutes

(Jeff Simpson, Economic Development, Steve Frisch, President - Sierra Business Council and Kristin York, Vice President - Sierra Business Council) - Community Economic Resilience Fund (CERF) is a \$600 Million program being developed by OPR, GO-Biz, and LWDA to support resilient, equitable, and sustainable regional economies. CERF was created to promote a sustainable and equitable recovery from the economic distress of COVID-19 by supporting new plans and strategies to diversify local economies and develop sustainable industries that create high-quality, broadly accessible jobs for all Californians.

Recommended Action: Sign the Collective Partnership Agreement Letter authorizing Mono County to participate with Sierra Business Council as the Fiscal Agent and Regional Convener for the State Community Economic Resilience Fund (CERF). Provide any additional direction to staff.

Fiscal Impact: None.

C. Fish and Game Fine Fund Expenditure

Departments: Economic Development

25 minutes

(Jeff Simpson, Economic Development, Colin West, Founder and Executive Director - Clean Up the Lake and Andrew Jones, Owner - Silver Lake Resort) - Staff received two applications for the Mono County Fish and Game Fine Fund Local Program Funding. \$10,314 is being requested from Clean Up The Lake for an underwater cleanup project in June Lake in September. \$28,600 is being requested to supplement additional fish stocking as a result of the California Department of Fish and Wildlife Lactococcus Hatchery Outbreak.

Recommended Action: The Board consider and approve the two applications for funding in the amount of \$10,314 for Clean Up The Lake and \$28,600 for additional fish stocking.

Fiscal Impact: Mono County receives roughly \$7,500 on an annual basis from the Department of Fish and Wildlife. Currently \$56,600 is available for the 22-23 fiscal year. If approved, the \$38,914 expenditure would bring the remaining available budgeted balance in this account to \$17,686. These amounts were included in the Department's budget request for FY 22-23.

D. Mountain View Fire Update and Review of Emergency Declarations

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 update regarding status of Mountain View Fire response and recovery. Find that there is no longer 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) and **terminate such declarations**.

Fiscal Impact: None. There is no longer an opportunity for reimbursement for emergency response/remediation by CalOES and termination of the declarations does not affect state oversize load transportation fees, which are tied to the State's declaration for this incident.

E. Review and Declaration of June 7, 2022 Statewide Direct Primary Election Results

Departments: Elections

10 minutes

(Scheereen Dedman, Registrar of Voters) - Presentation of certified election results. Request for declaration of results.

Recommended Action: Approve as correct the Statement of Votes for the June 7, 2022, Statewide Direct Primary Election and declare elected or nominated to each office voted on at each election under the jurisdiction of the Mono County Board of Supervisors the person having the highest number of votes for that office, or who was elected or nominated under the exceptions noted in Elections Code Section 15452.

Fiscal Impact: None.

F. Mono County Employee Assistance Programs

Departments: Risk Management

20 minutes

(Jay Sloane, Risk Manager) - Mono County has two Employee Assistance Programs, both of which provide a limited number of confidential professional counseling sessions at no cost to the employee. This presentation will inform the Board of Supervisors on the Employee Assistance Plan benefits, with a focus on counseling services.

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

Fiscal Impact: None.

G. Employment Agreement - Director of Information Technology

Departments: CAO

5 minutes

(Robert C. Lawton, CAO) - Proposed resolution approving a contract with Nate

Greenberg as Information Technology Director, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution #R_____, approving a contract with Nate Greenberg as Information Technology Director, 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 2022-23 is approximately \$216,954, of which \$170,264 is salary, and \$46,690 is benefits. This is included in the County Administrator's Recommended budget.

H. Employment Agreement - Public Works Director

Departments: CAO

5 minutes

(Robert C. Lawton, CAO) - Proposed resolution approving a contract with Paul Roten as Public Works Director, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution #R_____, approving a contract with Paul Roten as Public Works Director, 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 2022-23 is approximately \$176,990, of which \$140,077 is salary, and \$36,913 is benefits. This is included in the County Administrator's Recommended budget.

I. Employment Agreement - Economic Development Director

Departments: CAO

5 minutes

(Robert C. Lawton, CAO) - Proposed resolution approving a contract with Jeff Simpson as Economic Development Director, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution #R_____, approving a contract with Jeff Simpson as Economic Development Director, 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 2022-23 is approximately \$154,774, of which \$115,242 is salary, and \$39,532 is benefits. This is included in the County Administrator's Recommended budget.

J. Employment Agreement - Public Health Equity Officer

Departments: CAO and Public Health

5 minutes

(Robert C. Lawton, CAO and Bryan Wheeler, Public Health Director) - Proposed resolution approving a limited term contract with Rachel Barnett as Public Health Equity Officer, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution #R_____, approving a limited term contract with Rachel Barnett as Public Health Equity Officer, 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 2022-23 is approximately \$125,833, of which \$94,809 is salary, and \$31,024 is benefits. This is included in the County Administrator's Recommended budget.

8. CLOSED SESSION

A. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: United States v. Walker River Irrigation District, et al, U.S. District Court for the District of Nevada, Case No.: 3:73-cv-00127-MMD-CSD.

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 - 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.

D. Closed Session - Public Employee Evaluation

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

9. REGULAR AGENDA - AFTERNOON

A. Amendment of Mono County Code Section 5.65.160 - Revised fines for Short-term Rental Violations

Departments: Code Compliance and County Counsel

15 minutes

(Nick Criss, Code Enforcement Officer and Stacey Simon, County Counsel) - Proposed ordinance amending Chapter 5, Section 5.65.160 of the Mono County Code pertaining to fines for violation of Mono County Short Term Rental Ordinances.

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

Fiscal Impact: The proposed ordinance would increase the amount of fines for short-term rental violations from \$1,000 to \$1,500 for a first violation; and from \$2,000 for a second or subsequent violation within three years to \$3,000 for a second violation within one year and \$5,000 for each additional violation within one year. Additionally, the proposed ordinance would establish procedures for a person cited to claim a hardship waiver/reduction based on ability to pay and would exempt from fines a first violation based on failure to register or pay a business license fee, which would remain subject to the fines set forth in section 1.12.030.

10. 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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