

COUNTY COUNSEL DEPARTMENT 120

DEPARTMENT MISSION STATEMENT

The Mono County Counsel's Office provides the highest quality legal representation and advice to the County, its Board of Supervisors, the County Administrative Officer, all County Departments, boards, agencies, and certain special districts in a manner which conserves financial resources, reduces the County's exposure to liability, and supports the delivery of outstanding government services to the public.

DEPARTMENTAL OVERVIEW

The Office of the County Counsel is in-house legal counsel for the County of Mono, the Board of Supervisors, County officers, departments, commissions and other entities within County government, and also provides support to the Civil Grand Jury. Legal services are additionally provided to some special districts and other entities outside County government on a cost-recovery or courtesy basis. In addition, in 2021, Risk Management functions were moved from the County Administrative Office into the County Counsel's Office. That change has been very positive for the functioning and interaction of County Counsel and Risk Management.

CHALLENGES, ISSUES and OPPORTUNITIES

The single largest challenge the County Counsel's Office faces is a workload that exceeds staff capacity. Second to that is the increasing complexity and specialization in the law which requires more use of outside legal counsel specializing in narrow practice areas. To address these challenges, this Office requested, and received, additional funds in the 2020-21 budget for outside counsel services. The additional flexibility to utilize outside counsel services has assisted in addressing the top two challenges, and should be continued and expanded in 2021-22, if economically possible.

CORE SERVICE AND PROGRAM DESCRIPTION

The Office's core service is to ensure legal compliance by all components of Mono County. To accomplish this, we draft and review contracts, ordinances, resolutions, employee MOUs, policies, correspondence, agendas and other materials related to the conduct of County business; remain current with applicable laws and regulations, including tracking developments in caselaw and statute; attend Board and other County meetings to provide legal counsel and guidance; and represent the County in State and federal court in all civil matters and in child protection and conservatorship matters. The Risk Management component of the office is also heavily involved in contract and project review – with the goal of reducing the County's overall exposure to liability and claims. Integrating these functions has resulted in improved efficiencies and better work product.

The Risk Management Division administers the County's risk management program, including general liability, workers' compensation, property, watercraft, landfill, Bond/Crime, airport, and medical malpractice policies. The Risk Manager reviews contracts for risk identification, makes recommendations on types and limits of insurance, and ensures compliance with risk transfer techniques. The manager reviews and analyzes reports of industrial injuries, motor vehicle accidents, and reports on non-employee accidents to enhance loss control. The manager reviews the status of workers' compensation claims with third-party administrator, serves as liaison with departments, makes recommendations for settlement, and

coordinates the return to work and modified duty program. The manager develops, implements, interprets, monitors, and administers policies and procedures in accordance with state and federal regulations. The manager facilitates training of County staff to reduce County losses and to improve County leadership.

COUNTY COUNSEL ACTION PLAN FOR 2021-2022

There are many projects which the County Counsel's Office is already involved with which will continue into the 2021-22 fiscal year. These include (but are not limited to):

- COVID-19 Response – advising and representing County w/r to COVID-19 response and activities including personnel rules, business guidance, legal compliance, contracting, etc.
- Mountain View Fire Response and litigation – advising and representing County w/r to emergency response and recovery and litigation to recover damages.
- Radio System Upgrades – drafting and/or reviewing contracts, financial documents, etc.
- Bridgeport Jail Construction – drafting and/or reviewing contracts, bonds, bid packages, etc.
- Long Valley Water Issues – continuing representation of County regarding Long Valley Water issues.
- Opioid Litigation – continuing representation of County in litigation
- Conway Ranch – advising as to legal options for long and short-term uses of land and water, drafting and reviewing contracts, leases and other documents
- Solid Waste Transition – Assist with negotiation of final contract documents and/or other planning related to the 2023 closure of the Benton Crossing landfill.
- Code Enforcement Matters – prosecuting code enforcement matters requiring court action and through administrative processes
- Affordable Housing– preparing documents and providing advice related to the development of affordable and permanent supportive housing.
- Personnel Matters – providing advice and counsel to Human Resources, the CAO and Department Heads regarding various ongoing personnel matters
- Child Protective Services – representing DSS in child protection cases
- Conservatorships – representing DSS and BH in conservatorship matters
- Redistricting – advising regarding legal requirements for 2021 supervisorial redistricting
- Department and staff training – initiate more regular program for training new department heads (and staff, upon department head request) related to County legal procedures.

COUNTY COUNSEL

Core Services

		Mandated?				Mandated?	
1	LEGAL DOCUMENT REVIEW	Provide thorough review of every document approved by county	y	2	LEGAL RESEARCH AND ADVICE	Conduct thorough research	Y
		Provide clear guidance, revisions or suggestions	y			Provide clear and concise advice	Y
		Provide a timely response	Y			Produce clearly written legal opinions	Y
		Provide resources and training to non-legal staff	n			Provide a timely response	Y
3	BROWN ACT COMPLIANCE	Attend meetings of Brown Act-covered bodies	y	4	PUBLIC RECORDS ACT COMPLIANCE	Provide a timely and complete response	Y
		Be prepared to answer basic questions on the spot	y			Coordinate among departments where request involves multiple	Y
		Advise if more research needed	y			Stay up-to-date on legal developments	Y
		Review all agendas and agenda materials	y			Provide accurate advice to clients re county obligations	Y
5	CHILD PROTECTIVE SERVICES	Draft petitions, warrants, court orders and misc. legal documents	Y	6	GENERAL LITIGATION AND CLAIMS	Timely file all pleadings and other materials	Y
		Respond to emergencies	Y			Supervise work of all outside counsel	Y
		Attend court hearings and related meetings	Y			Conduct thorough research & analysis to make informed decisions	Y
		Review social worker reports	Y			Keep Board apprised of status	Y
7	STAFF WELLNESS, TRAINING AND SUPPORT	Regularly meet with staff regarding projects and workload	N	8	PROPERTY TAX - IMPOSITION AND COLLECTION	Represent Assessor, Assessment Appeals Board and Treasurer/Tax C.	Y
		Conduct timely performance evaluations	N			Stay up-to-date on legal developments	Y
		Provide training and resources	N			Attend all property tax appeal hearings	Y
		Review work product and provide advice and assistance re tactics	N			Draft findings and orders (AAB)	Y
9	CODE COMPLIANCE ENFORCEMENT	Provide legal advice and document review for CC officers	N	10	LABOR NEGOTIATIONS	Attend labor negotiations	y
		Draft pleadings or other legal documents	N			Stay up-to-date on legal developments	Y
		Negotiate re resolution of violations	N			Draft MOUs, resolutions, rules and policies	Y
		Pursue collection of fines	N			Review and analyze proposals	Y

		Mandated?	
1 1	PERSONNEL	Advise HR and CAO regarding employment and labor laws	Y
		Stay up-to-date on legal developments	Y
		Draft or review disciplinary and other employment notices	Y

1 3	CONSERVATORSHIPS AND ADULT PROTECTIVE SERVICES	Draft petitions, reports and other court documents	Y
		Attend court hearings and related meetings	Y
		Stay up-to-date on legal developments	Y

1 5	LAND USE AND PLANNING	Attend all Planning Commission meetings	Y
		Ensure compliance with CEQA and other laws	Y

1 7	WORKERS' COMPENSATION	Claims Management & Oversight	N
		Accommodations/Early Return to Work	N
		Claim Closures	N
		Recommendations to Departments for Improved Outcomes	N

1 9	CONTRACT REVIEW	Insurance Procurement	N
		Appropriate Policy Types & Limits	N
		Insurance & Risk Transfer	N
		Indemnification	N

2 1	LEADERSHIP & TRAINING	Development of Next Generation	N
		Improve Current Leadership	N
		Countywide Safety	N
		Liability, Training, & Loss Prevention	N

		Mandated?	
1 2	EMERGENCY PREPAREDNESS	Draft declarations of emergency, Mutual Aid agreements and related materials	Y
		Stay up-to-date on legal developments	Y
		Advise UC and other emergency responders	

1 4	ELECTIONS	Advise Elections Official regarding election procedures/requirements	Y
		Review all elections materials	Y
		Draft impartial analyses for ballot measures	Y
		Stay up-to-date on legal developments	Y

1 6	SAFETY	Safety Program Coordination	N
		Hazard & Accident Report	N
		Corrective Action	N
		Loss Prevention	N

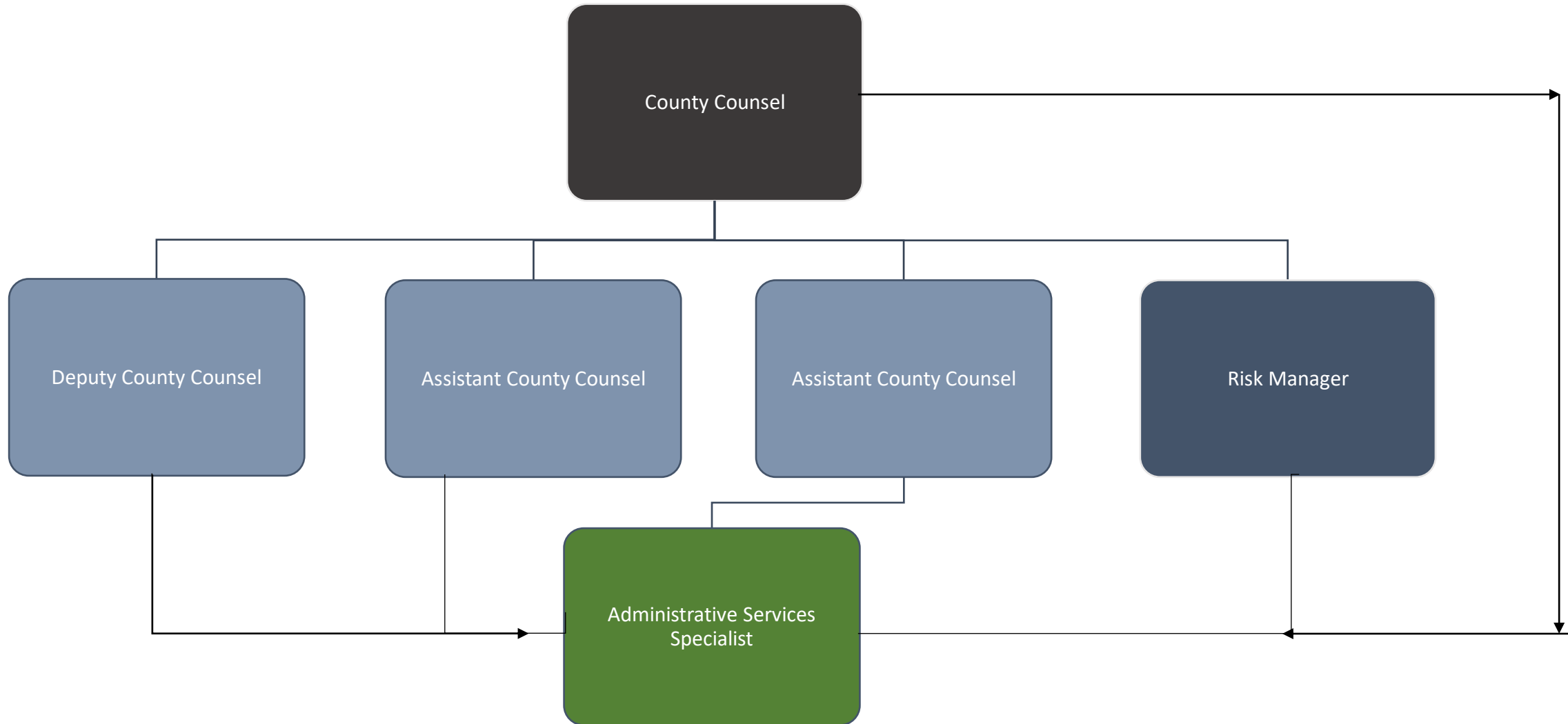
1 8	GENERAL LIABILITY	Claims Management & Oversight	
		Litigation	
		Settlement	
		Prevention/Corrective	

2 0	TRINDEL & CSAC EIA BOARD	Cost Effective Policy Structures	Y
		Uncovered Losses	Y
		Policy Improvements	Y
		Pooling and SIR	Y



County Counsel

Departmental Organizational Chart

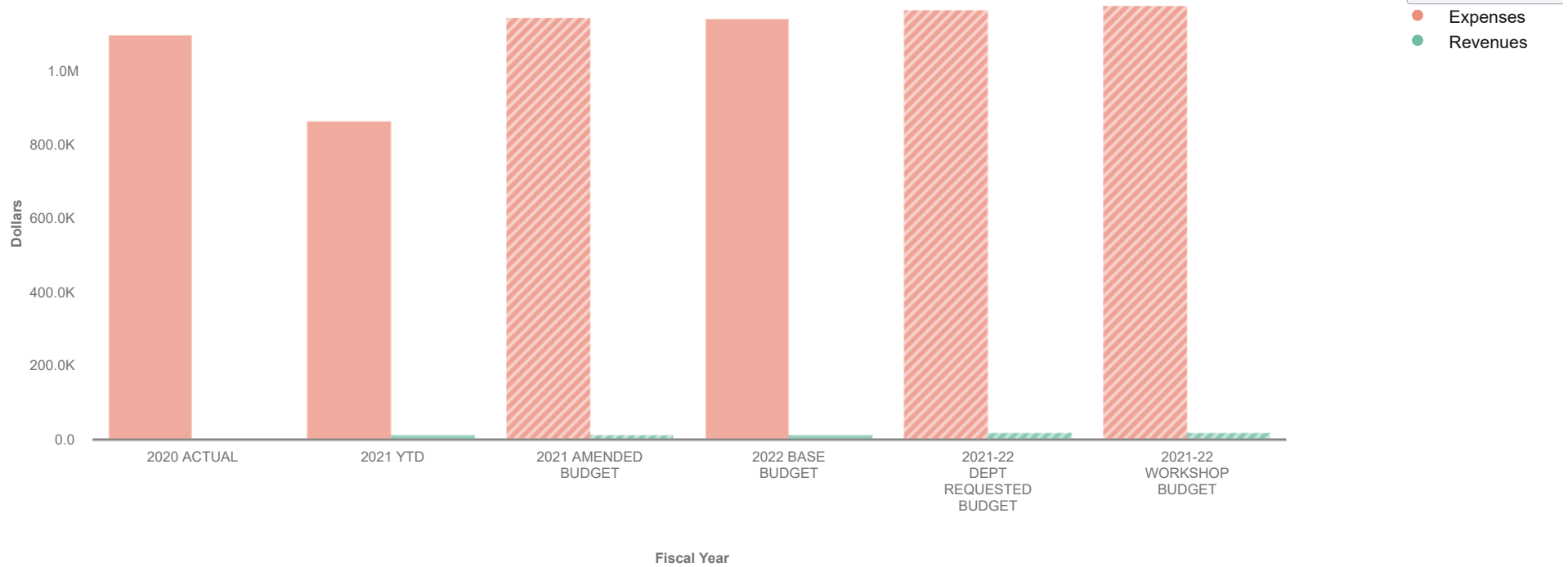


0. 2021-22 Recommended Budget

COUNTY COUNSEL 100-13-120



Visualization



Expand All	2020 ACTUAL	2021 YTD	2021 AMENDED BUDGET	2022 BASE BUDGET	2021-22 DEPT REQUESTED BUDGET	2021-22 WORKSHOP BUDGET
▼ Revenues	\$ 6,922	\$ 16,092	\$ 15,922	\$ 15,922	\$ 20,922	\$ 20,922
▶ Charges for Services	5,922	15,792	15,922	15,922	20,922	20,922
▶ Intergovernmental	1,000	300	0	0	0	0
▼ Expenses	1,098,367	866,440	1,147,822	1,144,938	1,168,487	1,176,099
▶ Salaries & Benefits	939,440	738,162	954,059	961,436	966,301	973,913
▶ Services and Supplies	158,927	128,278	193,763	183,502	202,186	202,186
Revenues Less Expenses	\$ -1,091,445	\$ -850,348	\$ -1,131,900	\$ -1,129,016	\$ -1,147,565	\$ -1,155,177

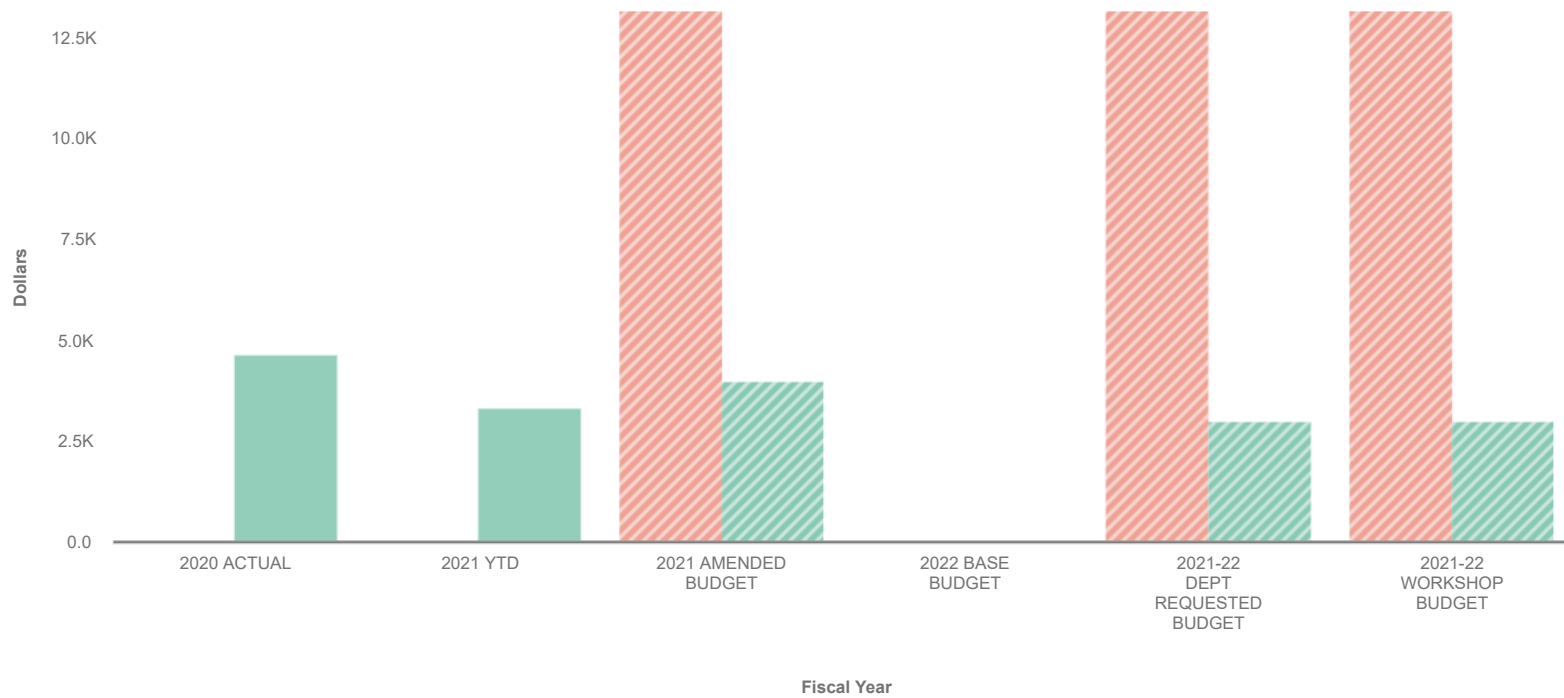
Data filtered by Types, GENERAL FUND, GENERAL-COUNSEL, COUNTY COUNSEL, No Project and exported on May 10, 2021. Created with OpenGov

0. 2021-22 Recommended Budget

2. Law Library 156-21-078



Visualization



Sort Large to Small

- Expenses
- Revenues

Expand All	2020 ACTUAL	2021 YTD	2021 AMENDED BUDGET	2022 BASE BUDGET	2021-22 DEPT REQUESTED BUDGET	2021-22 WORKSHOP BUDGET
▼ Revenues	\$ 4,653	\$ 3,333	\$ 4,000	\$ 0	\$ 3,000	\$ 3,000
▶ Miscellaneous Revenues	3,934	2,972	4,000	0	3,000	3,000
▶ Interest & Rents	718	361	0	0	0	0
▶ Expenses	0	0	13,150	0	13,150	13,150
Revenues Less Expenses	\$ 4,653	\$ 3,333	\$ -9,150	\$ 0	\$ -10,150	\$ -10,150

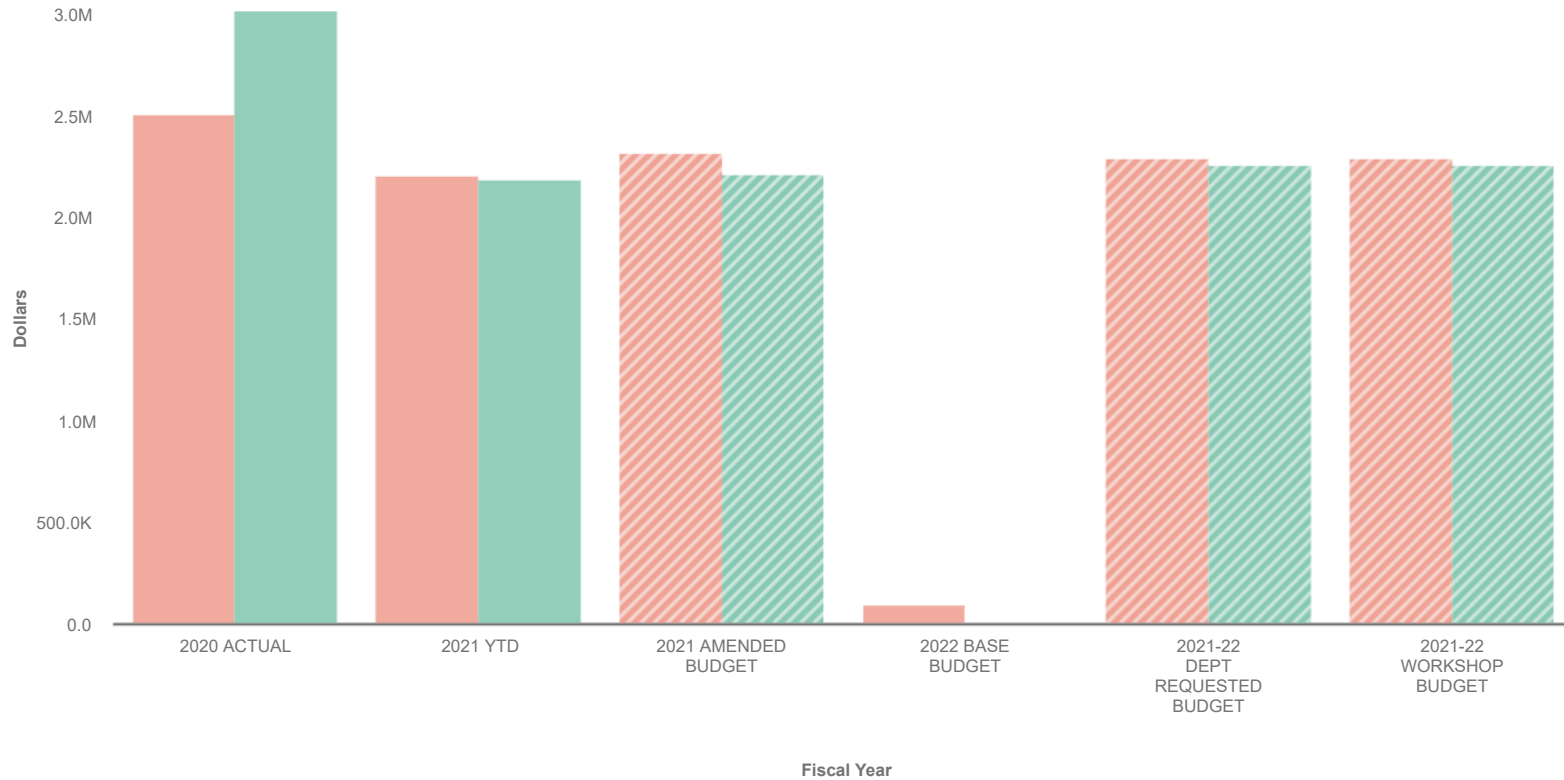
Data filtered by Types, LAW LIBRARY, PUBLIC PROTECTION-JUDICIAL, LAW LIBRARY, No Project and exported on May 10, 2021. Created with OpenGov

0. 2021-22 Recommended Budget

3. Insurance ISF 652-10-300



Visualization



Sort Large to Small

- Revenues
- Expenses

Expand All	2020 ACTUAL	2021 YTD	2021 AMENDED BUDGET	2022 BASE BUDGET	2021-22 DEPT REQUESTED BUDGET	2021-22 WORKSHOP BUDGET
▼ Revenues	\$ 3,016,685	\$ 2,193,547	\$ 2,219,293	\$ 0	\$ 2,264,628	\$ 2,264,628
▶ Miscellaneous Revenues	2,225,143	2,186,171	2,200,293	0	2,254,628	2,254,628
▶ Interest & Rents	781,542	7,377	9,000	0	0	0
▶ Charges for Services	10,000	0	10,000	0	10,000	10,000
▼ Expenses	2,509,147	2,212,026	2,322,463	96,306	2,296,376	2,296,376
▶ Services and Supplies	2,367,562	2,089,254	2,181,834	-47,153	2,145,884	2,145,884
▶ Salaries & Benefits	141,585	122,772	140,629	143,459	150,492	150,492
Revenues Less Expenses	\$ 507,539	\$ -18,479	\$ -103,170	\$ -96,306	\$ -31,748	\$ -31,748