



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 6, 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/93052472341>

Or visit <https://www.zoom.us/> click on "Join A Meeting" and use the Zoom Meeting ID 930 5247 2341.

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 930 5247 2341.

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

A. Domestic Violence Awareness Month

10 minutes

(Matthew O'Connor, Wild Iris Executive Director) - Proclamation designating October 2020 as Domestic Violence Awareness Month.

Recommended Action: Approve Proclamation designating October 2020 as Domestic Violence Awareness Month.

Fiscal Impact: 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. Board Minutes - August 18, 2020

Departments: Clerk of the Board

Approval of the Board Minutes from the Regular Meeting on August 18, 2020.

Recommended Action: Approve the Board Minutes from the Regular Meeting on August 18, 2020.

Fiscal Impact: None.

B. Board Minutes - September 1, 2020

Departments: Clerk of the Board

Approval of the Board Minutes from the Regular Meeting on September 1, 2020.

Recommended Action: Approve the Board Minutes from the Regular Meeting on September 1, 2020.

Fiscal Impact: None.

C. Board Minutes - September 8, 2020

Departments: Clerk of the Board

Approval of the Board Minutes from the Regular Meeting on September 8, 2020.

Recommended Action: Approve the Board Minutes from the Regular Meeting on September 8, 2020.

Fiscal Impact: None.

D. Epidemiology and Laboratory Capacity (ELC) Coronavirus Aid, Relief, and Economic Security Act (CARES) Grant Agreement

Departments: Public Health

Proposed grant agreement with the California Department of Public Health and Heluna Health pertaining to Epidemiology and Laboratory Capacity (ELC) Coronavirus Aid, Relief, and Economic Security Act (CARES) Grant Agreement #6.NU50CK000539-01-08 DHHS-CDC, Term May 1, 2020 to March 31, 2022.

Recommended Action: Approve the Epidemiology and Laboratory Capacity (ELC) Coronavirus Aid, Relief, and Economic Security Act (CARES) Grant Agreement for fiscal years 2020-21 and 2021-22, and authorize the Chairperson to sign one (1) copy of the Work Order Agreement with Heluna Health to execute the agreement on behalf of the County as well as authorize the County Administrative Officer and Interim Public Health Director to sign one (1) copy of the agreement as required. Additionally, provide authorization for the Public Health Director to approve minor amendments and/or revisions that may occur during the contract period provided they are approved by County Counsel and do not materially affect the County's rights. Provide any desired direction to staff.

Fiscal Impact: There is no impact to the County General Fund. The ELC CARES grant is awarded through the California Department of Public Health (CDPH) and administered through Helena Health. Total amount to be paid under grant is \$155,185 for the term of May 1, 2020 to March 31, 2022.

E. Increase in Appropriations and Addition of Three Limited Term Positions in the Department of Public Health

Departments: Public Health

Requested increase in appropriations for the Enhancing Laboratory Capacity/Enhancing Detection Funding (ELC/EDF) and Proposed Resolution

amending Mono County List of Allocated Positions to add three limited-term positions within the Department of Public Health related to COVID-19.

Recommended Action:

1) Approve increasing appropriations in the amount of \$1,587,438 in new grant funding to support the public health response to COVID-19 (requires 4/5ths vote approval).

2) Adopt proposed Resolution R20-_____, Authorizing the County Administrative Officer to amend the list of allocated positions to add three (3) new limited-term positions consisting of one FTE Epidemiologist, one FTE Community Health Program Coordinator II, and one FTE Community Health Outreach Specialist in the Department of Public Health.

Fiscal Impact: There is no impact to the County General Fund. The new grant supports \$1,587,439 in expenditures over the next two and half years. Estimated remaining 2020-21 position costs are \$360,520.

F. Amendment #4 to Contract with Inyo County for Senior Services

Departments: Social Services

(Kathy Peterson) - Amendment #4 to Contract between County of Inyo and County of Mono for an increase in funds related to the Senior Services Program for FY 2019-20

Recommended Action: Approve the proposed contract Amendment #4 to the contract with Inyo County for senior services for the period July 1, 2016 through June 30, 2020 and authorize the Board Chair to execute such Amendment on behalf of the County.

Fiscal Impact: The proposed contract amendment provides an overall increase in funding for fiscal year 2019-20. The new amount for fiscal year 2019-20 is \$148,896. The total contract amount for July 1, 2016 through June 30, 2020 is approximately \$429,388.

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. Department of Fish and Wildlife - Public Review of Draft Initial Study/Negative Declaration

Draft Initial Study/Negative Declaration for the Proposed Simplification and Amendments to Statewide Inland Sport Fishing Regulations completed by the California Department of Fish and Wildlife.

B. California Department of Water Resources Letter re: Delta Water Conveyance Facilities

The California Department of Water Resources is currently undertaking environmental review and related planning and design activities regarding new Delta conveyance facilities. The facilities under review would transport water from new intake points on the Sacramento River at the northern edge of the Delta through an underground tunnel running below the natural waterways of the Delta to export facilities at the southern edge of the Delta.

C. Letter re: Bridgeport Businesses Violating Public Health Orders

Letter to the Board regarding concerns over Bridgeport businesses not following public health orders.

D. NACo Nomination Letters

Letters from National Association of Counties (NACo) to Board of Supervisors regarding nominations as members of the Public Lands Policy Steering Committee, Community, Economic and Workforce Development Policy Steering Committee, Agriculture and Rural Affairs Policy Steering Committee, and Human Services and Education Policy Steering Committee.

E. Federal Energy Regulatory Commission (FERC) Letter re: Incident Report for a Ruptured Penstock Leading to the Poole Powerhouse

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 an incident report for a ruptured penstock leading to the Poole Powerhouse, which is part of the Lee Vining Creek Project, FERC No. 1388.

F. Southern California Edison (SCE) Letter re: Lundy Hydroelectric Project Outage

A letter from Cal Rossi, SCE Government Relations Manager, to the Board regarding the Lundy Hydroelectric Project Outage scheduled to begin October 1, 2020.

7. REGULAR AGENDA - MORNING

A. Update on Wildfires and Review of Open Fire Ban; Urgency Ordinance

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: Consider and potentially adopt Urgency Ordinance

Continuing Prohibition of Open Fires within the Unincorporated Areas of Mono County; Providing Direction for the Reopening of Lundy Campground; and Superseding and Replacing Mono County Ordinance ORD20-09. Provide any desired direction to staff.

Fiscal Impact: None.

B. Election Update

Departments: Elections

10 minutes

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

Recommended Action: None, informational only.

Fiscal Impact: None.

C. 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. Specific topics include, but are not limited to: Discussion of California's Blueprint for a Safer Economy.

Recommended Action: None, informational only.

Fiscal Impact: None.

D. Employment Agreement with Bryan Wheeler as Public Health Director

Departments: Human Resources/CAO

5 minutes

(David R Butters) - Proposed resolution approving a contract with Bryan Wheeler as Director of Public Health, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution R20-____, approving a contract with Bryan Wheeler as Director of Public Health, 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 for the remainder of fiscal year (2020-2021) will be \$146,421 of which \$89,272 is annual salary, and \$57,150 is the cost of benefits. Cost for a full fiscal year is \$199,443 of which \$121,600 is the annual salary and \$77,843 is the cost of benefits and is included in the approved budget.

E. Termination of Town/County/Mammoth Lakes Recreation (MLR) Memorandum of Understanding (MOU) and Adoption of Town/County MOU relating to Joint Recreation Position

Departments: Public Works

15 minutes

(Tony Dublino, Director of Public Works) - Discussion and action regarding the termination of the Town/County/MLR Agreement that governed the work and funding of the Eastern Sierra Sustainable Recreation Coordinator, and adopting a new Town/County Agreement for the same purposes.

Recommended Action:

- 1) Approve agreement terminating existing MOU between County, Town and Mammoth Lakes Recreation Regarding the Eastern Sierra Sustainable Recreation Coordinator Position and authorize the Public Works Director to execute termination agreement.
- 2) Approve and authorize Director of Public Works to sign the agreement as presented, or with such minor changes or modifications as may be approved by County Counsel and which do not alter the substantive provisions of the agreement.
- 3) Provide any desired direction to staff.

Fiscal Impact: This agreement replaces an existing agreement and does not alter the effect of the County's current financial contribution of \$50,000 for FY 20/21. The approved budget includes the cost of the proposed position offset by contributions from the Town for a net County cost of \$50,000. The County's contribution is funded with geothermal royalties.

F. Employment Agreement with Matthew Paruolo as Eastern Sierra Sustainable Recreation Coordinator

Departments: Public Works

5 minutes

(Tony Dublino, Director of Public Works) - Proposed resolution approving a contract with Matthew Paruolo as Eastern Sierra Sustainable Recreation Coordinator, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Announce Fiscal Impact. Approve Resolution R20-____, approving a contract with Matthew Paruolo as Eastern Sierra Sustainable Recreation Coordinator, 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 for the position for the remainder of fiscal year (2020-2021) will be \$90,045 of which \$ 51,012 is annual salary and \$39,033 is the cost of benefits. The cost for a full fiscal year would be \$120,060 of which \$68,016 is annual salary and \$52,044 is the cost of benefits.

G. Prop 68 Per Capita Grant Opportunities and Projects

Departments: Public Works

15 minutes

(Tony Dublino, Director of Public Works) - Presentation and discussion of the Prop 68 Per Capita Grant opportunities, and how those opportunities can be applied to identified recreation enhancement projects within the County. A tentative project list, including cost estimates, is included in the staff report for consideration.

Recommended Action: Receive presentation and provide direction to staff regarding future priorities for recreation enhancement projects to be paid for with Prop 68 funds.

Fiscal Impact: There is no fiscal impact with this informational item. Board direction may create specific projects that would require future Board consideration and/or approval.

H. District Attorney Salary Survey and Compensation

Departments: District Attorney

25 minutes

(Tim Kendall, Dave Butters) - Presentation and discussion of 2020 salary survey performed by the District Attorney's office for the positions of Assistant District Attorney and District Attorney.

Recommended Action: Consider information provided by District Attorney regarding salaries. Provide any desired direction to staff.

Fiscal Impact: If the results of the salary survey were to be implemented, the fiscal impact would be as follows:

Total increase for the District Attorney position for the remainder of fiscal year (2020-2021) will be \$18,827 of which \$13,255 is annual salary and \$5,573 is the cost of benefits. The cost for a full fiscal year would be \$266,363, of which \$170,004 is annual salary and \$96,359 is the cost of benefits. The proposed increase was not included in the FY 2020-2021 adopted budget.

Total increase for the Assistant District Attorney position for the remainder of fiscal year (2020-2021) will be \$17,667 of which \$12,438 is annual salary and \$5,229 is the cost of benefits. The cost for a full fiscal year would be \$232,251 of which \$144,503 is annual salary and \$87,748 is the cost of benefits. The proposed increase was not included in the FY 2020-2021 adopted budget.

FY 2020-21 budget savings and proposed inclusion of overhead charges in the Victim/Witness grant, if approved, are available to absorb the current year's requested salary and benefit increases.

I. Proposed Ordinance Adding Chapter 5.70 to the Mono County Code

Prohibiting Industrial Hemp Cultivation within the Unincorporated Area of the County

Departments: Community Development Department

15 minutes

(April Sall) - Proposed ordinance adding Chapter 5.70 to the Mono County Code prohibiting industrial hemp cultivation within the unincorporated area of Mono County.

Recommended Action: Introduce, read title, and waive further reading of proposed ordinance No. ORD20-____, Adding Chapter 5.70 to the Mono County Code Pertaining to the Local Regulation and Permitting of Industrial Hemp Operations within the Unincorporated Area of the County. Provide any desired direction to staff.

Fiscal Impact: None.

J. 2020/2021 California State Association of Counties (CSAC) Nominations

Departments: Board of Supervisors

5 minutes

Nomination of a member and alternate to serve on the California State Association of Counties (CSAC) Board of Directors for 2020/2021. Appointment of individuals nominated by the Board is made by the CSAC Executive Committee and appointments are for one year.

Recommended Action: Nominate a member of the Board of Supervisors to serve on the CSAC Board of Directors for the 2020/2021 Association year beginning on November 12, 2020; also, nominate an alternate member.

Fiscal Impact: None.

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 - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Mineral County et al v. Lyon County et al. (NV Supreme Court Case No. 75917).

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 and Discussion of Options in Response to Water Management Decisions/Activities on Mill and Wilson Creeks

Departments: County Counsel's Office, Public Works Department

1 hour

(Jason Canger, Tony Dublino) - Staff presentation, public comment, and discussion of possible options on water management activities on Mill and Wilson Creeks.

Recommended Action:

- 1) Receive staff presentation and public comment on recent impacts to Wilson Creek due to water management decisions and activities in the North Mono Basin;
- 2) Discuss potential options to address impacts identified by staff, stakeholders, and the public; and
- 3) Provide any desired direction to staff.

Fiscal Impact: None at this time. Potential future impacts depending on Board direction.

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