



**MEETING MINUTES
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
April 21, 2020**

9:05 AM Meeting Called to Order by Chair Corless.

*Supervisors Present: Corless, Gardner (teleconference), Kreitz, Peters (teleconference), and Stump (teleconference).
Supervisors Absent: None.*

All votes were conducted by roll call.

The Mono County Board of Supervisors stream most of their meetings live on the internet and archives them afterward. To search for a meeting from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>.

Pledge of Allegiance led by Supervisor Gardner.

Supervisor Corless:

- Asked to close meeting in honor of Michael O'Kelly.
- No Covid-19 (Coronavirus) Update on today's agenda – that item will be on tomorrow's agenda when the Mono County Board of Supervisors meets with the Town of Mammoth Lakes Town Council.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None.

Supervisor Corless:

- Yogi Berra, "If you don't know where you are going, you might wind up someplace else."

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

Bob Lawton, Acting CAO:

- Most of his time is taken up by Covid-19 related things.
- Supported the community meetings on the 14th and 15th.

4. DEPARTMENT/COMMISSION REPORTS

Janet Dutcher, Finance Director:

- Her department has collected 95.85 percent of the assessed value for property taxes.

Sheriff Braun:

- Swearing in two new employees this morning – Alex Flores and Jose Salazar.

Bryan Wheeler, Public Health:

- Department is preparing for move to new building.
- Thinking about how Covid is going to change how the department operates.

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. Authorization to Apply for Grant Funds in Support of Household Hazardous Waste Programs

Departments: Public Works - Solid Waste

(Justin Nalder) - Proposed Resolution authorizing the application for Household Hazardous Waste Grant funds through CalRecycle for a period of five years.

Action: Adopt proposed Resolution R20-37, Authorizing the application for Household Hazardous Waste Grant funds through CalRecycle for a period of five years.

Peters moved; Gardner seconded

Vote: 5 yes; 0 no

R20-37

B. Behavioral Health Advisory Board Appointments

Departments: Board of Supervisors

Mono County Behavioral Health Advisory Board Appointments. The mission of the Behavioral Health Advisory Board (BHAB) is to support individuals by promoting recovery, self-determination, and wellness in all aspects of life. The Board advises and evaluates the various functions and policies of the Behavioral Health Department that are under the direction of the Behavioral Health Director and jurisdiction of the Mono County Board of Supervisors (BOS).

Action: Make the following re-appointments to the Mono County Behavioral Health Advisory Committee: Carolyn Balliet and Ingrid Braun to three-year terms. Each term expires January 31, 2022. Make the following appointments

to the Mono County Behavioral Health Advisory Board: Dirk Addis, Rolf Knutson, and Matthew O'Connor to three-year terms; each term expires January 31, 2023. Antonio Caligiuri to fill a vacancy that expires January 31, 2022.

Peters moved; Gardner seconded

Vote: 5 yes; 0 no

M20-73

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. Application for Alcoholic Beverage License - Mono Market

An application to the State of California Department of Alcoholic Beverage Control for Alcoholic Beverage License by Monomarket, Inc. doing business as Mono Market located on Main Street, Lee Vining, CA., 93541.

B. Hunewill Ranch Conservation Easement

The State of California Wildlife Conservation Board will consider an allocation of a grant to the Eastern Sierra Land Trust to assist in its acquisition of a conservation easement over 4,100 acres of land for preservation and enhancement of wildlife habitat located in the Bridgeport area of Mono County. See the attached letter for the Assessor's Parcel Numbers and additional details.

Supervisor Peters

- Spoke about Hunewill Ranch.
- Thanked everyone for their work.

Kay Ogden:

- Thanked the Board, and the Hunewill family.

C. Inyo - Mono 4-H Road Runner Newsletter Spring 2020

The Inyo-Mono 4-H Road Runner Newsletter for Spring 2020.

7. REGULAR AGENDA - MORNING

A. Reimbursement of Election Costs

Departments: Elections

(Shannon Kendall) - Invoice for the Mammoth Lakes Fire Protection District for partial reimbursement of measure on the March 3, 2020 ballot.

Action: Approve invoice to the Mammoth Lakes Fire Protection District as prepared by the Elections Official.

Kreitz moved; Gardner seconded

Vote: 5 yes; 0 no

M20-74

Shannon Kendall, Registrar

- Introduced item.

B. Approval of Letter to Governor Newsom in Support for All-Mail November Election

Departments: Elections

(Shannon Kendall, Registrar of Voters) - Approval of letter to Governor Newsom, advocating for an All-Mail Ballot November Election and asking that Elections Officials have flexibility on the provision of "in-person" services on election day.

Action: Approve and authorize Chair Corless to sign a letter to Governor Newsom in support of conducting the November Presidential Election as an "all-mail" ballot election and in support of allowing the Registrar of Voters to have flexibility in determining how best to offer any required "in person" voting services.

Kreitz moved; Peters seconded

Vote: 5 yes; 0 no

M20-75

Shannon Kendall, Registrar

- Introduced item.

C. Proposed Resolution Temporarily Allowing Cannabis Delivery within the Unincorporated Area of Mono County

Departments: Community Development

(Wendy Sugimura) - Proposed resolution temporarily allowing cannabis delivery within the unincorporated area of Mono County.

Action: Adopt proposed resolution R20-38, Temporarily allowing cannabis delivery by licensed operators within the unincorporated area of Mono County, in addition that they will complete paperwork with the Mono County Community Development Department that includes a requirement that they follow personal protective equipment guidelines from our local and state health officers.

Kreitz moved; Gardner seconded

Vote: 4 yes; 1 no

R20-38

Christy Milovich, Assistant County Counsel:

- Wendy Sugimura, Community Development Director
- Public Comment from John DeCoster was summarized by Wendy Sugimura, will be available as additional document.

Supervisor Peters voted no.

D. Civic Center Update

Departments: Public Works

(Tony Dublino, Director of Public Works; Nate Greenberg, IT Director) - Weekly update on the County's Civic Center project at 1290 Tavern Road, and efforts to transition from other Mammoth locations into the Civic Center as of June 1, 2020.

Action: None.

Tony Dublino

Nate Greenberg

- Introduced item.

Break: 10:19 AM

Reconvene: 10:26 AM

E. Conway Ranch Annual Operations Plan

Departments: Public Works - Solid Waste

(Justin Nalder) - Presentation by Justin Nalder, Solid Waste Superintendent / Environmental Manager regarding the 2019 Annual Report and 2020 Annual Operations Plan for Conway Ranch, as required by the Conservation Easement with Eastern Sierra Land Trust for Conway Ranch.

Action: None.

Justin Nalder, Solid Waste Supervisor:

- Introduced item.

Kay Ogden

Moved to item 7g

F. Mono County Bridge Capital Improvement Program

Departments: Public Works

(Kalen Dodd) - Presentation by Kalen Dodd regarding 5-year bridges capital improvement program for the 44 bridges and large culvert crossings which the County is responsible for maintaining.

Action: None.

Kalen Dodds, Associate Engineer:

- Introduced item.

Moved to item 7j.

G. Mono County Civic Center Top Lift Asphalt Paving – Contract Award

Departments: Public Works

(Garrett Higerd) - Contract award for the Mono County Civic Center Top Lift Paving Project.

Action: Identify Spiess Construction Co., Inc. as the responsible bidder submitting the lowest responsive bid in response to the Invitation for Bids for the Mono County Civic Center Top Lift Asphalt Paving Project (“Project”); 2) approve and authorize Public Works Director to execute a contract with Spiess Construction Co., Inc. for the Project in an amount not to exceed \$172,580.00

(Base Bid and Bid Alternate A); 3) authorize the Public Works Director, in consultation with County Counsel, to administer that contract, including making minor amendments to said contract from time to time as the Public Works Director may deem necessary, and issue change orders to the contract in accordance with Public Contract Code §20142, in an amount not to exceed \$17,258.00 per change order, provided such amendments and change orders do not substantially alter the scope of work, do not cause spending on the project to exceed the budgeted authority, and are approved as to form and legality by County Counsel.

Gardner moved; Stump seconded

Vote: 5 yes; 0 no

M20-76

Garrett Higerd, Engineer:

- Introduced item.

Moved to item 7f.

H. Community Development Block Grant 2020 Application

Departments: Finance

(Megan Mahaffey) - Consider approval of a grant application for the Community Development Block Grant (CDBG) competitive program in response to the 2020 Notice of Funding Availability (NOFA) for the following activities: Homeownership Assistance, Tenant Based Rental Assistance, Public Service and Planning Technical Assistance. The Housing and Community Development Competitive Program portion of the CDBG 2020 NOFA has a deadline of June 1, 2020.

Action: Approve resolution R20-40, For submittal of a grant application to the Housing and Community Development Competitive Program of the CDBG 2020 NOFA.

Kreitz moved; Gardner seconded

Vote: 5 yes; 0 no

R20-40

Megan Mahaffey, Accountant:

- Introduced item.

Patricia Robertston, Mammoth Lakes Housing
Molly DesBaillet, First 5
Bentley Regehr, Planning Analyst
Wendy Sugimura, Community Development Director
Janet Dutcher, Finance Director

I. HOME 2018 Award Revised Resolution Allowing for Tenant Based Rental Assistance

Departments: Finance

(Janet Dutcher) - Because of the COVID -19 Public Health Emergency, the State Department of Housing and Community Development is allowing all 2018 HOME awardee's to add tenant based rental assistance to their current

contracts as an allowed use. The approval of the revised resolution allows for the addition of Tenant Based Rental Assistance to the current HOME Standard Agreement and will allow for use of \$500,000 grant award on either First Time Homebuyer Assistance or Tenant Based Rental Assistance.

Action: Approve Resolution R20-41, Authorizing the re-submittal of the 2018 HOME Investment Partnerships Program resolution to include the addition of a tenant based rental assistance program for awarded funding and execution of a Standard Agreement and amendments thereto and of any related documents necessary to participate in the HOME Investment Partnerships Program to fund the Mono County Tenant Based Rental Assistance and First Time Homebuyer Program.

Kreitz moved; Gardner seconded

Vote: 5 yes; 0 no

R20-41

Janet Dutcher

Patricia Robertson

- Introduced item.

J. Amendment to Employment Agreement with Robert C. Lawton

Departments: County Counsel

(Stacey Simon, County Counsel) - Amendment to employment agreement with Robert C. Lawton to reflect appointment as Acting County Administrative Officer.

Action: Announce Fiscal Impact. Adopt Resolution #R20-39, Approving an amendment to the employment agreement of Robert C. Lawton. Authorize the Board Chair to execute said contract amendment on behalf of the County.

Fiscal Impact: The contract amendment increases annual compensation by \$34,827 (\$30,900 is salary, \$3,927 is benefits). The cost associated with the remainder of FY 2019-20 is \$7,256 (\$6,438 is salary, \$818 is benefits). There is sufficient remaining budget at this time to cover the increased costs.

Peters moved; Gardner seconded

Vote: 5 yes; 0 no

R20-39

Stacey Simon

- Introduced item.

Moved to item 7h.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None.

Break: 12:38 PM

Reconvene: 1:01 PM

Moved to item 10.

9. CLOSED SESSION

A. Closed Session - Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Dave Butters, Janet Dutcher, and Anne Frievalt. 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 - Public Employment

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

C. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of cases: (1) *People of the State of California et al. v. Los Angeles Department of Water and Power et al.*, (Mono County Superior Court No. 10088); and (2) *County of Mono et al. v. Los Angeles Department of Water and Power et al.*, (Alameda Superior Court Case No. RG18923377).

D. Closed Session - Initiation of Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: Five.

E. Closed Session - Real Property Negotiations

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: 452 Old Mammoth Road, Mammoth Lakes. Agency negotiators: Dave Wilbrecht and Shields Richardson. Negotiating parties: Mono County and 452 OM RD., Investors, LLC. Under negotiation: Price and terms of lease.

F. 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: one.

*Closed Session: 1:53 PM
Reconvene: 4:23 PM*

Report out of Closed Session:

The Board directed staff to initiate litigation as follows:

1. Against property owner at 364 industrial Circle in Sierra Business Park (Rock n' Dirt, Inc., et al.) to enforce compliance with the Sierra Park Specific Plan and the payment of accrued fines.
2. Against property owner at 210 Industrial Circle in Sierra Business Park (Ernesto Bravo, et al.) to enforce compliance with the Sierra Park Specific Plan and the payment of accrued fines.
3. Against property owner at 76 Alderman St. in June Lake (Patricia Kennedy, et al.) for enforcement of accrued fines.

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

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None.

11. REGULAR AGENDA - AFTERNOON

A. Scheduling and Processing of Planning Applications

Departments: Community Development

(Wendy Sugimura) - As requested at the April 14 meeting, review planning projects expected to come before the Board in the near future. A description of upcoming projects is contained in the staff report.

Action: None.

Wendy Sugimura

Chair Corless recused herself for the Tioga Inn discussion; Meeting was led by Vice Chair Kreitz until Chair Corless returned.

12. BOARD MEMBER REPORTS

Supervisor Corless:

- No report.

Supervisor Gardner:

- Last week I participated in a Zoom meeting with the June Lake Chamber of Commerce, listened to the Planning Commission Zoom meeting on the Tioga Inn project, and participated in the Eastern Sierra Sustainable Recreation Partnership Zoom meeting yesterday. Where possible I have continued to try to listen in on NACO, CSAC, and other conference calls. Finally, I continue to speak with residents in response to their questions and concerns about the COVID-19 crisis and the County response.

Supervisor Kreitz:

- No report.

Supervisor Peters:

- No report.

Supervisor Stump:

- No report.

Moved to Closed Session.

ADJOURNED in memory of Michael O'Kelly at 4:24 PM

ATTEST

**STACY CORLESS
CHAIR OF THE BOARD**

**SCHEEREN DEDMAN
SR. DEPUTY CLERK**