



# 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 September 15, 2020

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#### 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/91821240408>

Or visit <https://www.zoom.us/> click on "Join A Meeting" and use the Zoom Meeting ID 918 2124 0408.

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 918 2124 0408.

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=759e238f-a489-40a3-ac0e-a4e4ae90735d](http://monocounty.granicus.com/MediaPlayer.php?publish_id=759e238f-a489-40a3-ac0e-a4e4ae90735d)

**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. Presentation of Digital Counties Survey Award to Mono County Information Technology**

Departments: Information Technology

10 minutes

(Nate Greenberg) - Each year the Center for Digital Government (CDG) and National Association of Counties (NACo) conduct the Digital Counties Survey. The survey identifies the best technology practices among U.S. counties including initiatives that streamline the delivery of government service, encourage collaboration and shared service, enhance cyber-security, and contribute to disaster response efforts. Participants in the survey are evaluated among their cohort in five separate population categories based on the size of the county.

This year, Mono County is being recognized as the first-place winner in the up to 150,000 population category.

This item will allow the Board of Supervisors to present the award to the IT Department.

**Recommended Action:** Present the 2020 Digital Counties Survey award to the IT Department.

**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. Memorandum of Understanding with the Mono Basin Historical Society**

Departments: Public Works

(Joe Blanchard, Pam Smitheman) - Proposed memorandum of understanding with the Mono Basin Historical Society related to its placement and maintenance of structures and personal property, including a new storage shed, at Gus Hess Park in Lee Vining, California.

**Recommended Action:**

- (1) Approve County entry into proposed memorandum of understanding and authorize the County Administrative Office to execute a memorandum of understanding (MOU) on behalf of the County with the Mono Basin Historical Society (Historical Society) for placement and maintenance of structures and personal property at Gus Hess Park in Lee Vining, California (Park);
- (2) Find that the County's entry into the MOU and the placement and maintenance of a storage shed at the Park is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15303 (Class 3: New Construction or Conversion of Small Structures) and direct staff to file a Notice of Exemption with the County Clerk's Office; and
- (3) Provide any desired direction to staff.

**Fiscal Impact:** None at this time. Nominal future costs and charges for providing electricity and other utilities to the Historical Society structures located at the Park.

**B. Authorization to Bid - Airport Road Rehabilitation Project**

Departments: Public Works

(Chad Senior) - This project will rehabilitate failing asphalt pavement on Airport Road and a portion of Hot Creek Hatchery Road, between Highway 395 and the Airport Road intersection. These roadways provide direct access to the Mammoth-Yosemite Airport. The existing asphalt concrete will be recycled in-place for reuse on this project by implementing full-depth reclamation (FDR). This road rehabilitation treatment provides environmental sustainability by reducing the use of natural resources and minimizing fuel consumption, greenhouse gas emissions, and waste disposal. Existing roadways will be widened to provide paved bike lanes. Additionally, roadway drainage, signs, and traffic paint striping will be rehabilitated as part of this project.

**Recommended Action:** Approve bid package, including the project manual and project plans, for the Airport Road Rehabilitation Project. Authorize the Public Works Department to advertise an Invitation for Bids upon receiving authorization to proceed (E-76) from the federal government. Provide any desired direction to staff.

**Fiscal Impact:** Total programmed federal funding is \$1,503,817. \$1,400,000 is programmed for this project in the State Transportation Improvement Program (STIP), and \$103,817 in Highway Improvement Program (HIP) funds. Federal

reimbursement of 88.53 percent is funded with STIP / HIP federal funds and 11.47 percent is a local match funded with Caltrans Toll Credits. SB1-RMRA funds in the amount of \$181,954 have been allotted to provide 10 percent contingency and a portion of construction engineering costs for this project, if needed. Total available project funds are \$1,685,771. Exact costs will be based on actual bids received. This project is included in the FY 2020-21 adopted budget.

**C. Contract Award - Twin Lakes Road Maintenance Project**

Departments: Public Works Engineering

(Kalen Dodd) - Agreement with Sierra Nevada Construction, Inc. for the construction of the Twin Lakes Road Maintenance Project (Project No. 9309).

**Recommended Action:**

- (1) Identify Sierra Nevada Construction, Inc. of Sparks, NV (Sierra Nevada Construction) to be the lowest responsive bidder for the Twin Lakes Road Maintenance Project (Project).
- (2) Approve agreement with Sierra Nevada Construction for the construction of the Project in an amount not to exceed \$467,007.00 and authorize the Public Works Director to execute that agreement on behalf of the County.
- (3) Authorize the Public Works Director, in consultation with County Counsel, to administer the agreement with Sierra Nevada Construction, including making minor amendments to the agreement from time to time as the Public Works Director may deem necessary, and issue change orders to the agreement in accordance with Public Contract Code §20142, 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.

**Fiscal Impact:** The agreement includes a "not to exceed" limit of \$469,007.00, not including change orders. The Project has been identified in the 5-year Road Capital Improvement Plan (CIP), will be funded with Senate Bill 1 (SB1) revenues, and was included in the FY 2020-21 adopted budget.

**D. FY 2019-20 Year-End Clean Up Budget Adjustment**

Departments: Finance

During the year-end process of closing the accounting records, approval from the Board of Supervisors is required when budgeted appropriations are not sufficient to cover actual spending incurred by County Departments and where other administrative remedies to reallocate budgeted amounts within budget units is not available. (Requires 4/5ths approval)

**Recommended Action:** Approve and direct the Finance Director to make the FY 2019-20 year-end cleanup budget adjustments as recommended in Attachment A, or as amended (requires 4/5ths approval).

**Fiscal Impact:** If approved as recommended, General Fund expenditure contingencies is reduced by \$100,000 and additional spending is offset by an increase in unanticipated revenues of \$60,000. In non-General Fund accounts, additional spending is offset by an increase in unanticipated revenues of \$335,000 and use of fund balance of \$120,000.

**E. Resolution to Approve Adjustment to Spa Permit Fees**

Departments: Public Health

(Louis Molina) - Proposed resolution to provide a prorated fee reduction for Spa Pool Permits for the period of time in which they have been ordered to be closed due to COVID-19 and no inspection or monitoring has been performed.

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

**Fiscal Impact:** No General Fund impact. Potential loss of permit fee revenue to the Health Department up to \$33,591, dependent on the amount of time that spas are required to remain closed in the current FY.

**F. Vista Pacifica Enterprises Contract for Services**

Departments: Behavioral Health

Proposed contract with Vista Pacifica Enterprises, Inc. pertaining to the provision of residential behavioral health treatment services.

**Recommended Action:** Approve County entry into proposed contract and authorize CAO to execute said contract on behalf of the County. Provide any desired direction to staff.

**Fiscal Impact:** The total amount of this contract is \$262,800, and is not to exceed \$131,400.00 per 12 month period. This contract will be paid with 1991 Mental Health Realignment funding.

**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. Letter from Madeleine "Mickey" Brown re: Assessment Appeals Board Resignation**

Letter from Madeleine "Mickey" Brown resigning from appointment on the Assessment Appeals Board.

**B. Letter from Abbie Bridges re: Bridgeport Jail**

Letter from Abbie Bridges regarding the proposed new jail construction within the town of Bridgeport.

**C. Federal Energy Regulatory Commission (FERC) Letter re: Southern California Edison Company's Plan and Schedule to Address FERC Comments**

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 Mr Wayne Allen that submitted a plan and schedule to address FERC comments regarding the Fourth Independent Consultant's Safety Inspection Report for Tioga Main and Auxiliary Dams, which are parts of the Lee Vining Creek Project, FERC No. 1388.

**D. 2019-20 Grand Jury Report and Response**

The 2019-20 Mono County Grand Jury Final Report is the product of concentrated group effort and contains recommendations for improving various aspects of governmental operations. When it is completed, the Final Report is submitted to the presiding judge of the Superior Court. After release by the court, it is directed to agency representatives for review and response and to the communications media.

**Recommended Action:** All findings and recommendations in the 2019-20 Report were related to emergency response/radio communications. The Sheriff has provided the required response on behalf of Mono County. No further action is required of the Board.

**E. Letter re: US Forest Service Illegal Activity Report**

A letter from Hillary Hansen Jones to the Board regarding the USFS Illegal Activity Report on the September 8, 2020 Board of Supervisors meeting agenda.

**7. REGULAR AGENDA - MORNING**

**A. Update on Wildfires and Review of Open Fire Ban and Campground Closure**

Departments: Board of Superivisors  
20 minutes

(Various) - 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 and Closing County Campgrounds Due to Extreme Fire Danger.

**Recommended Action:** Hear update and determine whether to terminate open fire prohibition and Lundy Campground closure. If Board takes no action, then prohibition and closure remain in effect. 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

1 hour

(Robert C. Lawton) - 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.

**Recommended Action:** None, informational only.

**Fiscal Impact:** None.

**D. CARES Act Spending Plan - Community Support Programs**

Departments: Finance, CAO

30 minutes

(Janet Dutcher, Kathy Peterson, Alicia Vennos) - The Board received a presentation about the proposed CARES Act spending plan on September 1, 2020. Since then, spending projections have been updated resulting in \$250,000 available for community support programs. Staff recommend using these funds for a Right to Recover program, Latinx outreach, and a Small Business Grant program. Recommended program statements are included and County staff will make a presentation about each and answer questions.

**Recommended Action:**

- (1) Approve the proposed CARES Act spending plan, the Right to Recover program, the Latinx outreach proposal, and the Small Business Grant Program, as presented or revised.
- (2) Authorize the County Administrative Officer to shift funds between spending categories if one area has unspent funds.
- (3) Provide any direction to staff, if desired.

**Fiscal Impact:** Allows distribution of \$250,000 of federal funding of which \$232,000 will disburse directly to citizens and businesses of Mono County to offset financial hardships resulting from the COVID-19 public health emergency.

**E. Funding Mammoth Lakes Recreation Clean-Up Events**

Departments: Economic Development

15 minutes

(Jeff Simpson) - Presentation by Jeff Simpson regarding a \$5,000 expenditure from the Fish and Game Fine Fund to Mammoth Lakes Recreation for organized clean-up events of fish and wildlife habitat locations.

**Recommended Action:** Approve the recommendation by the Mono County Fish and Wildlife Commission for a \$5,000 expenditure from the Fish and Game Fine Fund to Mammoth Lakes Recreation for clean-up events.

**Fiscal Impact:** Mono County receives roughly \$7,500 on an annual basis from the California Department of Fish and Wildlife and the fund has a carryover balance of \$59,349. Currently \$59,000.00 is the remaining budgeted appropriations for the 20-21 fiscal year. If approved, the \$5,000.00 expenditure would bring the remaining available budgeted balance in this account to \$54,000.

**F. Eastern Sierra Council of Governments (ESCOG) Fiscal Services Agreement**

Departments: Finance

10 minutes

(Janet Dutcher) - Proposed contract with the Eastern Sierra Council of Governments (ESCOG) pertaining to the provision of fiscal services to the ESCOG by Mono County.

**Recommended Action:** Approve County entry into proposed contract and authorize Chair to execute said contract on behalf of the County. Provide any desired direction to staff.

**Fiscal Impact:** Provides annual revenue to the Mono County Department of Finance of \$4,992 to cover the actual cost of providing fiscal services.

**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 - Public Employee Evaluation**

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

**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: 2.

**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. Census 2020 Update**

Departments: CAO

30 minutes

(Emilio Vaca, Deputy Director of Outreach - Census 2020) - Census 2020 update for Mono County by Emilio Vaca, Deputy Director of Outreach.

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

**Fiscal Impact:** None.

**B. Presentation - Moving Towards Equity: Understanding the Impact of Racism in Communities**

Departments: Board of Supervisors

Item will start at 2:00 PM (2 hours)

(Dr. Jei Africa (Marin County), Robin Roberts (Behavioral Health), Kasandra Montes (Behavioral Health), Sheriff Ingrid Braun, Jazmin Barkley (Probation)) - Presentation by Dr. Jei Africa on the impacts of racism on communities, and a discussion of how Mono County can address these impacts.

**Recommended Action:** Presentation, discussion, and further direction to staff on training and implementation of programs and policies to increase equity in county government.

**Fiscal Impact:** None.

**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**