



**MEETING MINUTES
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.

Teleconference Only - No Physical Location

**Regular Meeting
October 19, 2021**

9:03 AM Meeting Called to Order by Chair Kreitz.

Supervisors Present: Duggan, Gardner, Kreitz, and Peters (all attended via teleconference).

Supervisors Absent: Corless.

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 CAO Lawton.

Chair Kreitz:

- Adjourn in memory of Supervisor Corless' father, Bob Corless.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None.

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

Bob Lawton, CAO:

- Held several meetings on recruitment for HR Director position
- Participated in interviews for Public Health Officer position
- Placed advertisements for Assistant to the County Administrator position with NACo, ICMA, CSAC, Western Cities, National Forum for Black Public Administrators, Asian American Public Administrators Association, Local Government Hispanic Network

- NACo Finance, Pensions and Intergovernmental Affairs Committee monthly conference call
- CalPERS Asset Liability management webinar
- RCRC Middle Mile Broadband Project webinar
- Demo for Zone Haven – would be part of Emergency Response to facilitate evacuations
- Meeting with Dan Holler
- Mountain View Fire trailers

4. DEPARTMENT/COMMISSION REPORTS

None.

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 - September 7, 2021

Departments: Clerk of the Board

Approval of the Board Minutes from the Regular Meeting on September 7, 2021.

Action: Approve the Board Minutes from the Regular Meeting on September 7, 2021.

Gardner motion. Peters seconded.

Vote: 4 yes, 0 no, 1 absent

M21-224

B. Urgency Ordinance Rescinding Ordinance ORD21-08

Departments: CAO

On August 17, 2021, the Board adopted an urgency ordinance (ORD21-08) prohibiting open fires on private property within the unincorporated areas of the County and in County-operated campgrounds, in order to minimize conditions that could contribute to an increase in wildfire activity during a period of extreme heat and drought.

On October 12, 2021, the Board reviewed the prohibition, including hearing from the Mono County Sheriff/Emergency Operations Manager and Public Works Director that weather conditions had shifted, therefore making the prohibition unnecessary. On October 9, 2021, the Inyo National Forest announced its rescission of Stage II fire restrictions based on the same information. The Board directed staff to return with an ordinance to rescind ORD21-08. The proposed ordinance would rescind ORD21-08, thereby repealing the prohibition on open fires on private property and in County-operated campgrounds.

Action: Adopt proposed urgency ordinance rescinding Ordinance ORD21-08.

Gardner motion. Peters seconded.

Vote: 4 yes, 0 no, 1 absent

ORD21-11

Supervisor Peters:

- Supports Ordinance today, but reminder that the Mountain View Fire occurred on November 17, 2020. Continue to watch this and be prepared to revisit should weather conditions change.

6. CORRESPONDENCE RECEIVED - NONE

7. REGULAR AGENDA - MORNING

A. Revenue Workshop

Departments: Finance

(Russ Branson, Consultant; Janet Dutcher, Finance Director; Megan Mahaffey, Accountant III) - Revenue workshop exploring opportunities for expanding existing revenues or generating new revenues, and factors for the Board to consider in formulating a revenue enhancing strategy.

Action: None.

Janet Dutcher, Finance Director:

- Introduced item

Russ Branson, Consultant:

- General Fund Revenues & Opportunities
- New Revenue Opportunities
- A Look at Expenses

Break: 11:02 AM

Reconvened: 11:07 AM

B. COVID-19 (Coronavirus) Update

Departments: CAO, Public Health

(Robert C. Lawton, CAO, Bryan Wheeler, Public Health Director) - Update on Countywide response and planning related to the COVID-19 pandemic.

Action: None.

Bryan Wheeler, Public Health Director

- PPT presentation (can be found under Supporting Documents on the meeting webpage: <https://monocounty.ca.gov/bos/page/board-supervisors-131> – recent metrics, post vaccination infections, Mammoth Hospital status, Mono County vaccination rate, data, and zip code, booster shots for those with compromised immune systems, boosters for general population, vaccine and testing schedule

- Cases in schools

Supervisor Duggan:

- Accuracy of data Mono vs State

Supervisor Gardner:

- Reason for number of cases

Chair Kreitz:

- Vaccination rate target

C. Mountain View Fire Update and Review of Emergency Declarations

Departments: Mountain View Fire Emergency Operations Center

(Justin Nalder, EOC Director) - (Continued from October 12) 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.

Action: Determine there is 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).

Peters motion. Duggan seconded.

Vote: 4 yes, 0 no, 1 absent

M21-225

Justin Nalder, EOC Director:

- Recapped accomplishments to date
 - Immediate fire response
 - Evaluations and assessments
 - Emergency and temporary housing
 - Remediation

Supervisor Peters:

- Concerns regarding un-remediated properties
- How do we determine that ending an emergency would be appropriate and what does that mean for our ability to collect the County's share of the cleanup costs

Stacey Simon, County Counsel:

- The declaration of emergency is, more than anything else, a funding tool – do we continue to require financial resources that are beyond our capability to fund?
- Staff should be tracking hours spent – litigation

Janet Dutcher, Finance Director:

- Two funding mechanisms that may be problematic if the declaration of emergency is terminated today

D. Comments on Groundwater Sustainability Plan (GSP) for the Owens Valley Groundwater Basin

Departments: Board of Supervisors

(Supervisor Duggan; Stacey Simon, County Counsel) - The Owens Valley Groundwater Management Agency (OVGA) has released a draft groundwater sustainability plan (GSP) for the Owens Valley Groundwater Basin - which includes the Tri-Valley, Fish Slough, and the Wheeler Crest portions of Mono County. A special meeting will be held on December 9, 2021 and written comments will be accepted through November 8, 2021. Additionally, cities and counties may request consultation with OVGA regarding the draft plan in their discretion.

Action: Approve draft Mono County comments on the Groundwater Sustainability Plan (GSP).

Duggan motion. Peters seconded.

Vote: 4 yes, 0 no, 1 absent

M21-226

Wendy Sugimura, Community Development Director:

- Walked through proposed letter

E. Request for Proposals for Public Defender Services

Departments: CAO

(Robert C. Lawton, CAO) - One of the County's three contracts for Public Defender (indigent defense) services expires at the end of this month. While current caseload does not require the immediate execution of a new contract, it is recommended that the County commence the process toward entry into a new contract by issuing the attached request for proposals (RFP).

Action: Direct the County Administrative Officer to finalize response dates and other details in the attached Request for Proposals (RFP) for indigent defense counsel services and to advertise and issue the RFP.

Peters motion. Gardner seconded.

Vote: 4 yes, 0 no, 1 absent

M21-227

Bob Lawton, CAO:

- Presented item

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None.

9. CLOSED SESSION

Closed Session: 12:18 AM

Reconvened: 1:08 PM

Re-entered Closed Session: 3:57 PM

Reconvened: 4:23 PM

No action to report out of Closed Session.

A. Closed Session - Labor Negotiations

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Janet Dutcher, Anne Frievalt, and Ryan Roe. 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 - 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 - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: *County of Mono v. Rock 'N Dirt*. (Mono County Superior Court Case No. CV 200073).

D. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: *County of Mono v. K.R. Property Management, et al.* (Mono County Superior Court Case No.: CV200081).

E. 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 of America v. Walker River Irrigation District, et al.* (3:73-cv-00128-MMD-WGC).

F. Closed Session - Public Employee Evaluation

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

**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. PUBLIC HEARING: Redistricting First Review of Alternative Maps

(Robert C. Lawton, CAO) - The primary goal of this Public Hearing will be to review proposals submitted to date and look for 'themes' which logically group proposals into categories making it easier to interpret alternatives for the new districts.

Action: None.

Public Hearing Opened: 1:10 PM

Bob Lawton, CAO:

- Introduced item

Eric Miller, GIS Specialist:

- Overview of website

Sarah Moore, GIS Analyst:

- Reviewed alternate maps

Supervisor Peters:

- Names of communities / geographical areas

Supervisor Gardner:

- Demographics

Chair Kreitz:

- Cutoff for map submission

Nate Greenberg, IT Director:

- Realtime map submissions / availability
- Thanks to Joel Hickock
- Two conversations to be had – (1) full review of all submitted maps and “winnowing” of maps, (2) winnowing down to a more digestible number of maps

Christy Milovich, Assistant County Counsel:

- Provided overview of five ranked criteria listed in Elections Code that the Board must apply to the maps that are being considered

Public Comment:

- Jo Bacon
- Paul McFarland

Public Hearing Closed: 2:36 PM

B. Bridgeport Jail Project - Project Update

Departments: Sheriff, Public Works

(Ingrid Braun, Sheriff; Tony Dublino, Director of Public Works; Janet Dutcher, Finance Director) - Update on the Bridgeport Jail project.

Action: None.

Sheriff Braun:

- Provided update

Janet Dutcher, Finance Director:

- Reviewed financing
- Will bring a Financial Resolution to the Board at a later meeting committing County sourced funds as local match to complete the financing on this project

C. Prop 68 Grant - Countywide Recreation Improvements

Departments: Public Works

(Tony Dublino, Director of Public Works) - Request for Board support to apply for Prop 68 - Per Capita Grants for recreation projects at Walker Community Center/Park, Bridgeport Park, Mono Lake Park and Lee Vining Community Center.

Action:

- 1) Authorize submission of applications to the Proposition 68 – Per Capita Program for the following projects: Bridgeport Tennis Court Repurposing and Accessibility Improvements; Walker Tennis Court Repurposing; Mono Lake Park Accessibility Enhancements; Lee Vining Community Center Pump Track
- 2) Find that the projects are exempt, individually and collectively, from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15301 – Existing Facilities and direct staff to file a Notice of Exemption.

Gardner motion. Peters seconded.

Vote: 4 yes, 0 no, 1 absent

M21-228

Tony Dublino, Director of Public Works:

- Presented item

D. Employment Agreement - Deputy Director of Public Health (Limited Term)

Departments: HR and Public Health

(Bryan Wheeler, Public Health Director) - Proposed resolution approving a contract with Jennifer Burrows as Limited Term Deputy Director of Public Health (through July 31, 2023), and prescribing the compensation, appointment and conditions of said employment.

Action: Announce Fiscal Impact. Approve Resolution R21-72, approving a contract with Jennifer Burrows as Deputy 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: The cost for an entire fiscal year is \$110,572 of which \$94,809 is salary and \$15,763 is the cost of benefits, and was included in the approved budget.

Peters motion. Gardner seconded.

Vote: 4 yes, 0 no, 1 absent

R21-72

Bryan Wheeler, Public Health Director:

- Presented item

12. BOARD MEMBER REPORTS

Supervisor Duggan:

- Attended WIR Conference last week –
 - Attended Rural Action Caucus Business meeting, National Rural Health Day on November 18 – focus on reaching out to communities and making sure healthcare is consistent and available not only in major areas, but in our rural communities as well. USDA Rural Utilities Services Broadband Expansion in rural communities and tribal lands
 - Keynote Speaker Randy Moore – focus on wildfire effects on communities, develop a strategic plan for more effective fuel reductions, fire prevention, and post-fire restoration
- Kerchief distributed at Visitor Center – will share with our tourism department
- Attended LTC Meeting yesterday – planning phases for continuing new projects along the Benton Crossing construction project

Supervisor Gardner:

- On Wednesday Oct. 13 I participated with Supervisor Corless in the monthly meeting of the Eastern Sierra Sustainable Partnership. Topics at that meeting included the status of various grant applications for ESSRP projects and updates from each of the partner agencies.
- Also, on Wednesday the 13th I participated in the monthly meeting of the Mono Basin RPAC. Topics discussed included concerns about bear activity in Mono City and continued focus on the Mono Basin Community Plan.
- On Thursday Oct. 14 I participated with Supervisor Corless in the quarterly meeting of the Yosemite Gateway Partnership. We heard marketing updates from each of the gateway counties and comments from Yosemite Superintendent Cicely Muldoon. There will be much construction happening next summer along

the Tioga Road, as well as closure of the Tuolumne Campground for two years while it undergoes a major improvement.

- On Thursday the 14th I also participated with Supervisor Corless in a meeting of the Eastern Sierra Climate and Communities Resilience Project. This is the major initiative that is working on fuels reduction and wildfire prevention in the Mammoth Lakes and surrounding areas. We discussed planning for the upcoming work and the possibility for future work.
- On Saturday Oct. 16 I joined Chair Kreitz and others at the celebration kickoff for the Mammoth Lakes Housing 11 unit project on Sierra Manor Street in Mammoth. This an exciting project that will create additional housing for residents in a perfect location close to all services. I look forward to a discussion with our Board about how we might support this project.
- Finally, yesterday I travelled to Mariposa to chair the quarterly meeting of the Yosemite Area Transit Authority Board. We approved the admission of Madera County to the YARTS Board (Tuolumne County joined earlier this year), approved the purchase of six new buses, and discussed the possibility of a fare increase for next year. We also had a great discussion with Yosemite Superintendent Cicely Muldoon, who joined us at the meeting.

Chair Kreitz:

- After our regular Board meeting on October 12th, I participated in a Eastern Sierra CoC Budget Subcommittee meeting to discuss round three HAAP funding and the Emergency Solutions Grant application process. The Committee agreed to apply for HAAP funding for a variety of activities including funding for Inyo County to hire a HMIS coordinator, \$200,000 for MLH's Access Apartments. The Committee also directed staff to do a call to all the CoC stakeholders for applications for the ESG program.
- Wednesday, October 13th I attended the NACo Community Economic Workforce Development Committee meeting. The meeting included a briefing from the Employment and Training Administration, overview of Counties for Kids, legislative update, new NACo resources and funding opportunities.
- October 14th I participated in a CCP report writing team meeting to discuss the upcoming progress report on the 2020-2025 Realignment Strategic Report.
- MLH held their Access Apartment kickoff event on Saturday, October 16th. There was a nice turnout. I've invited MLH Executive Director, Patricia Robertson to make a presentation to the Board at our November 9th meeting on the project.
- Yesterday, Monday, October 18th I attended the Mono County LTC special meeting. We reviewed the allocation of the 2022 RTIP funding. Funds are largely proposed to be spent on rehabilitation of seven miles of the Benton Crossing road starting at highway 120. Caltrans is applying for funds to perform the environmental assessment for the Conway Summit truck climbing lane.
- After LTC, I attended a special Eastern Sierra CoC meeting to discuss the ESG grant applications. The Board recommend one non-competitive application and two competitive applications for the ESG program. Applications were due today, October 19th.

Supervisor Peters:

- WIR Conference last week – presentations about 30/30 (30% of lands be put into conservation by 2030), BLM, broadband
- Bridgeport Ranger District is having a lot of challenges lately – previous District Ranger Jan Cutts left, plans to recruit have been pushed back, Rec Coordinator has left.

Moved back to Item 9.

ADJOURNED AT 4:24 PM in memory of Bob Corless.

ATTEST

**JENNIFER KREITZ
CHAIR OF THE BOARD**

**QUEENIE BARNARD
ASSISTANT CLERK OF THE BOARD**