



**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
December 14, 2021**

9:02 AM Meeting Called to Order by Chair Kreitz.

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

Supervisors Absent: None.

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 Duggan.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Eric Edgerton, Owner/Operator of Tilth Farms:

- Cannabis cultivation tax reform

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICER

CAO Report regarding Board Assignments

Bob Lawton, CAO:

- Due to inclement weather and uncertain state of road closures, advised department heads that they are authorized to provide services remotely today
- Meeting with Mammoth Lakes Town Manager Holler – discussed upcoming joint Town Council / County meeting in January
- Mono County Workforce Wellbeing – restarting employee recognition system
- Collective bargaining negotiations are underway
- ESCOG
- Community Development Department changes
- Administered Oath of Office to two new employees – Stephanie Frank, LaVaree

Chavez

- Working with County Counsel and Social Services on developing structure for Public Conservator, Public Authority and Public Guardian Services in county

4. DEPARTMENT/COMMISSION REPORTS

Justin Nalder, Solid Waste Superintendent:

- Mammoth Lakes Police Department and Mono County Sheriff's Department working on Christmas tree pick up program – Solid Waste Division has partnered with them to help accommodate
- Raising funds for their Explorer Program

Sheriff Braun:

- Explorer Program – opportunity for kids aged 14-18 to get involved and learn more about law enforcement
- Request for everyone to stay home, if possible, due to the snow

Nathan Reade, Agricultural Commissioner:

- Project that helps first responders when responding to an emergency that may involve pesticide use

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. Resolution Authorizing Virtual Meetings under AB 361

Departments: County Counsel

Proposed resolution authorizing remote teleconference meetings for the period of December 14, 2021 through January 13, 2022, pursuant to AB 361.

Action: Adopt resolution R21-82, authorizing remote teleconference meetings for the period of December 14, 2021 through January 13, 2022, pursuant to AB 361.

Gardner motion. Peters seconded.

Vote: 5 yes, 0 no

R21-82

B. Claim for Damages - Jenna Lavender

Departments: Risk Management

Claim for damages filed by Jenna Lavender, a misdirected claim related to a death at a hospital unaffiliated with the County of Mono.

Action: Deny the claim submitted by Jenna Lavender, and direct the Risk Manager, in consultation with County Counsel, to send notice to the claimant of the denial.

Gardner motion. Peters seconded.
Vote: 5 yes, 0 no
M21-261

C. Claim for Damages - Craig Balogh

Departments: Risk Management

Claim for damages filed by Craig Balogh, a misdirected claim related to a death at a hospital unaffiliated with the County of Mono.

Action: Deny the claim submitted by Craig Balogh, and direct the Risk Manager, in consultation with County Counsel, to send notice to the claimant of the denial.

Gardner motion. Peters seconded.
Vote: 5 yes, 0 no
M21-262

D. Contracts for Legal Services - Indigent Defense

Departments: CAO

Proposed contracts with Brad Braaten, Esq. and the Law Office of Sophie C. Bidet, Inc. pertaining to the provision of indigent defense services for Mono County.

Action: Approve contracts with the Law Office of Sophie C. Bidet and with attorney Brad Braaten to provide public defender services in Mono County for a period of five years commencing January 1, 2022, and ending December 31, 2026, and authorize Chair to execute said contracts on behalf of the County.

Gardner motion. Peters seconded.
Vote: 5 yes, 0 no
M21-263

E. Contract for Investigator Services - Indigent Defense

Departments: CAO

Proposed contract with Brian H. Grice, dba Coast Criminal & Civil pertaining to the provision of investigator services.

Action: Approve, and authorize CAO to sign, contract with Brian H. Grice, dba Coast Criminal & Civil, for the provision of investigative services related to indigent defense and related matters for the period January 1, 2022, through December 31, 2026.

Gardner motion. Peters seconded.
Vote: 5 yes, 0 no

M21-264

6. CORRESPONDENCE RECEIVED - NONE

7. REGULAR AGENDA - MORNING

A. 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:

- Presentation (can be found under Supporting Documents on meeting webpage: <https://monocounty.ca.gov/bos/page/board-supervisors-136>)

B. California Immunization Local Assistance Grant Amendment

Departments: Public Health

(Bryan Wheeler, Public Health Director) - Proposed Amendment to Grant Agreement Number 17-10332, A03 with the California Department of Public Health, Immunization Branch.

Action: Approve Amended Grant Agreement Number 17-10332, A03 and authorize the Chair of the Board of Supervisors to sign the amended contract on behalf of the County. Additionally, provide authorization for the Public Health Director to sign future amendments to the grant that shift funds between budget categories without changes to the grant allocation.

Gardner motion. Duggan seconded.

Vote: 5 yes, 0 no

M21-265

Bryan Wheeler, Public Health Director:

- Presented item

C. Proposed Ordinance Adding Chapter 20.10 to the Mono County Code, Open Range, and Excluding Additional Portions of the County from Territory Devoted Chiefly to Grazing

Departments: Agricultural Commissioner

(Nathan D. Reade, Agricultural Commissioner) - Proposed ordinance adding Chapter 20.10, Open Range, to the Mono County Code consolidating the provisions of, and thereby replacing Ordinance Nos. 79-480, 79-480A and 87-480B and excluding additional areas of the County from territory devoted chiefly to grazing.

Action: Introduce, read title, and waive further reading of proposed ordinance.

Peters motion. Corless seconded.

Vote: 4 yes, 1 no

M21-266

Roll Call:

Corless - Y

Duggan - Y

Gardner - N

Kreitz - Y

Peters - Y

Nathan D. Reade, Agricultural Commissioner:

- Presented item

Public Comment:

- William Osborn
- Kris Leinassar, FIM
- Robert McMahon
- Grant Kowalchick
- George Mead

Christian Milovich, Assistant County Counsel:

- Addressed enforcement

Stacey Simon, County Counsel:

- Mono County is not involved in enforcement of these ordinances – this would be between the property owners and grazers

Nathan D. Reade, Agricultural Commissioner:

- Addressed William Osborn's comment regarding stray animals

Break: 10:10 AM

Reconvened: 10:20 AM

D. Community Corrections Partnership (CCP) Realignment Implementation Plan

Departments: Probation

(Karin Humiston, Chief Probation Officer) - A resolution of the Mono County Board of Supervisors authorizing the Mono County Community Corrections Partnership Executive Committee to submit the Realignment Implementation Plan Annual Report for 2021 to the Board of State and Community Corrections.

Action: Adopt Resolution R21-83, authorizing the Mono County Community Corrections Partnership Executive Committee to submit the Realignment Implementation Plan Annual Report for 2021 (with the correction to the Table of Contents pagination) to the Board of State and

Community Corrections.

Gardner motion. Duggan seconded.

Vote: 5 yes, 0 no

R21-83

Karin Humiston, Chief Probation Officer:

- Presented Realignment Implementation Plan Annual Report for 2021

Jeff Mills, Fiscal & Admin Services Officer:

- Reviewed Budget

Chair Kreitz

- Inmate Welfare Fund that came before the Board several months ago – encourage everyone to collaborate with funding and resources

E. Cal Recycle 1383 Model Ordinance

Departments: Solid Waste

(Justin Nalder, Solid Waste Superintendent) - Proposed ordinance implementing mandatory organic waste disposal reduction pursuant to Senate Bill 1383.

Action: Introduce, read title, and waive further reading of proposed ordinance.

Peters motion. Gardner seconded.

Vote: 5 yes, 0 no

M21-267

Justin Nalder, Solid Waste Superintendent:

- Presented item

F. Budget Assumptions and Approach

Departments: CAO

(Robert C. Lawton, CAO) - This item is to review the transition of the Budget from a Finance function to a CAO function and any changes that will be made to the budget in the coming year.

Action: None.

Bob Lawton, CAO:

- Presented item

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None.

Moved to Item 12.

9. CLOSED SESSION

Closed Session: 11:58 AM

Reconvened: 1:00 PM

Reentered Closed Session: 1:39 PM

Reconvened: 2:31 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 Frievault, Ryan Roe, and Oliver Yee. 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 - Public Employee Evaluation

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

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None.

11. REGULAR AGENDA - AFTERNOON

A. Sale of Residential Housing Units in Benton to Utu Utu Gwaitu Tribe

Departments: CAO

(Stacey Simon, County Counsel; Erik Ramakrishnan, Attorney) - Proposed contract with Utu Utu Gwaitu Tribe pertaining to sale of two residential housing units located in Benton for continued use as affordable/tribal housing by the Tribe; related resolutions and findings.

Action:

1) Adopt Resolution R21-84, declaring the County-owned real property located at 36 to 40 Christie Lane in Benton is exempt surplus land for

- purposes of the Surplus Land Act; and
2) Adopt Resolution R21-85, approving a Purchase and Sale Agreement to sell the property to the Utu Utu Gwaitu Paiute Tribe of Benton; and
3) Find that the Board's actions with respect to the foregoing approvals are exempt from review under CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15301.
4) Direction to Finance Director to receive funds in Affordable Housing fund

Duggan motion. Corless seconded.

Vote: 5 yes, 0 no

R21-84, R21-85, M21-268

Stacey Simon, County Counsel:

- Introduced item

Erik Ramakrishnan:

- Presented item

Janet Dutcher, Finance Director:

- Asked Board to direct proceeds into Affordable Housing Fund

B. Redistricting - Resolution Adopting Final Map Depicting New Supervisorial District Boundaries

Departments: CAO

(Robert C. Lawton, CAO) - Proposed resolution adopting new supervisorial district boundaries following and based upon the 2020 federal decennial census.

Action: Adopt Resolution R21-86, adopting new supervisorial district boundaries (Alternative Map 3) following and based upon the 2020 federal decennial census.

Kreitz motion. Corless seconded.

Vote: 4 yes, 1 no

R21-86

Roll Call:

Corless - Y

Duggan - Y

Gardner - N

Kreitz - Y

Peters - Y

Bob Lawton, CAO:

- Introduced item

Nate Greenberg, IT Director:

- Reviewed final six alternative maps
- Reviewed public input submissions

Chair Kreitz:

- Preference is Map 3

Supervisor Corless:

- Suggest eliminating maps 1B and 4B as they exceed the 10% population variance
- Community preference for Map 3 or 4A

Supervisor Duggan:

- Agree eliminating two maps that exceed 10% population variance
- Prefer Map 1A, second choice is Map 3

Supervisor Gardner:

- Expressed concern about increasing the percentage for the Latinx community
- Preference is Map 4A, second choice is Map 2, third choice is Map 1A

Supervisor Peters:

- Preference is Map 3

12. BOARD MEMBER REPORTS

Supervisor Corless:

- 12/8 - Sustainable Recreation and Tourism Initiative Wrap-up Meeting: Detailed the final list of projects that emerged from this two-year process, more information at essrp.org
- 12/9 - RCRC/Golden State Finance and Golden State Connect Authority meetings: Chaired final day of meetings for RCRC and affiliate organizations, appreciate support and understand of colleagues in Mono County and hope that benefits of this extra effort are clear; meeting highlights include election of new 2nd Vice Chair, Chris Lopez/Monterey County; adding Santa Barbara County to RCRC's membership; approval of strategic plan (CEO Pat Blacklock can make a presentation to our board about the final plan in early 2022); approval of higher line of credit for revolving loan fund program that will soon be utilized by the Eastern Sierra Council of Governments; first meeting of the broadband-focused Golden State Connect Authority. Read more here: https://www.rcrcnet.org/sites/default/files/useruploads/Meetings/Board_of_Directors/2021/December_9_2021/BoardMeeting_Highlights_December_9_2021_FINAL.pdf
- 12/10: Eastern Sierra Council of Governments: approved MOU with Golden State Finance Authority for "revolving load fund" line of credit for the Eastern Sierra Pace and Scale Accelerator Project reimbursement grant from CA Dept of Fish and Wildlife; approved collection agreement with US Forest Service for the same project; approved acceptance of a proposal for project management for the same project with Whitebark Institute/Janet Hatfield
- 12/13: Behavioral Health Advisory Board Meeting

Supervisor Duggan:

- 12/09/21 – I participated in the OVGA meeting where we approved the final draft of the Groundwater Sustainability plan. I would like to thank the public for their commitment to providing expertise and context to the public comment process. I also want to thank Mono County Staff that acted as OVGA staff to the JPA

overseeing the process and always keeping Mono County's interests in mind. The document represents many options, conclusions, and points of view on ways to manage our precious environment and economic resources throughout the region should the Basin ever be rerated to medium or above status. In January we will discuss next steps for staff and the board.

- 12/10/21 – ESTA Board meeting– I participated in the regular Board meeting for ESTA along with Supervisor Gardner. We elected officers for 2022, Commissioners Bill Sauser for Mono and Dan Totheroth for Inyo, as Chair and Vice Chair, respectively. Ridership is up; we received excess Inyo local transportation funds, and the Board approved hero pay and vaccine incentives. Driver recruitment is still critical issue and threatens service levels for next spring in many incorporated and unincorporated areas.
- 12/13/21 – I participated in the Local Transportation Commission along with Commission Chair Kreitz and Commissioner Peters. We received a variety of reports, with special attention to an update on the MOU in SR 14/US395 projects. Focus at the State level is shifting away from increasing capacity on state highways (our projects), so we will be closely monitoring completion of these cooperative projects which also address safety for travelers along the 395 and 14 corridors in the southern region. I look forward to working on the Clean California grant opportunity. This can be great for Mono County to address clean-up and property protection ahead of the upcoming Benton Crossing Landfill Closure. \$5 million in funding is available; counties and non-profits can apply.

Supervisor Gardner:

- On Dec. 7 I participated in a meeting of the Mono Basin Housing Committee. This group is looking at opportunities to increase housing, starting with a review of all property ownership in the Mono Basin.
- On Dec. 8 I participated in a special meeting of the ESSRP to hear a presentation of the final Sustainable Recreation and Tourism Initiative grant. There is good potential for creating Mono County projects from much of this work.
- Also, on Dec. 8 I attended the monthly meeting of the Mono Basin RPAC. Topics discussed included the proposed D&S Transfer Station on Rt. 167 and an update on Conway Ranch grazing.
- On Dec. 9 I participated in a Mammoth Voices event with our Clerk Recorder Scheereen Dedman regarding the elections next year.
- Also, on Dec. 9 I observed the monthly meeting of the County justice, Equity, Diversity, and Inclusion Working Group. The Group reviewed the first Implicit Bias Training session and discussed plans for other activities.
- On Dec. 10 I participated in the regular ESCOG meeting. We approved several contracts and grant proposals and discussed future opportunities for ESCOG.
- Also, on Dec. 10 I attended the monthly meeting of the ESTA Board of Directors. We reviewed operations and financial reports and discussed future service options.

Chair Kreitz

- December 8th I attended the NACo Community Economic Workforce and Development Committee meeting. Later I met with the MLH Development Committee to discuss a new possible HomeKey project in Mammoth Lakes.
- December 9th I attended the MLT Community Coffee, and then two more HomeKey application meetings with MLH staff and HCD staff and TA representative. Also on the 9th, I presented to the Mammoth Lakes Rotary on the Mono County redistricting process and reviewed the six maps.
- December 10, I participated in the regular meeting of the CCRH Board. There is a possible ballot measure being proposed and may qualify that would strip the state legislature from implementing and overriding local control on land-use matters.

- Yesterday, December 13th, I chaired my last meeting of the Mono County Transportation Commission.

Supervisor Peters:

- 12/8: attended the Northern Mono Chamber of Commerce – housekeeping items
- 12/9: conversation with Nevada County Supervisor Heidi Hall about Broadband and other CSAC related items
- Last week, participated in interview process for Bridgeport District Ranger
- Thanked Director of Public Works Dublino and Roads Department for continuing to work on parking solution at Virginia Lakes Road
- Thanked snow plow crews
- 12/10: toured Civic Center, met with CAO Lawton
- 12/13: attended LTC

Moved to Item 9.

ADJOURNED AT 2:32 PM.

ATTEST

**JENNIFER KREITZ
CHAIR OF THE BOARD**

**QUEENIE BARNARD
ASSISTANT CLERK OF THE BOARD**