



AGENDA

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 January 19, 2021

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/98650035923>

Or visit <https://www.zoom.us/> click on "Join A Meeting" and use the Zoom Meeting ID 986 5003 5923.

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 986 5003 5923.

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

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 - 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

Receive brief oral report on emerging issues and/or activities.

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 - December 15, 2020

Departments: Clerk of the Board

Approval of the Board Minutes from the Regular Meeting on December 15, 2020.

Recommended Action: Approve the Board Minutes from the Regular Meeting on December 15, 2020.

Fiscal Impact: None.

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 to Governor Newsom re: County Regional Assignments

Letter from the Town of Mammoth Lakes and Mono County to Governor Newsom requesting that Mono County be removed from the Southern California Region.

B. Letters from Mill Creek Water Right Holders in Response to Mono County Board of Supervisors Letter Sent on November 10, 2020

Letters from Los Angeles Department of Water and Power (LADWP), Bureau of Land Management, and Inyo National Forest in response to a letter from the

Mono County Board of Supervisors to Mill Creek water right holders sent on November 10, 2020.

C. Filing Notice of State Video Franchise Renewal for Suddenlink Communications d/b/a NPG Cable, LLC (Franchise #0040)

In accordance with California's Digital Infrastructure and Video Competition Act ("DIVCA"), General Order 169 and Decision 14-08-057 Amending General Order 169 to Implement the Franchise Renewal Provisions of the Digital Infrastructure and Video Competition Act of 2006, Suddenlink Communications d/b/a NPG Cable, LLC hereby notifies the Board of Supervisors of the state video franchise renewal application it has filed for the region with the State of California.

7. REGULAR AGENDA - MORNING

A. COVID-19 (Coronavirus) Update

1 hour

(Robert C. Lawton, CAO, Dr. Tom Boo, Mono County Health Officer) - 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.

B. Mountain View Fire Update

20 minutes

(Justin Nalder, EOC Director) - Update on the Mountain View Fire in Walker, California.

Recommended Action: Receive update from Incident Command for the Mountain View Fire and involved staff regarding impacts of the fire, recovery efforts, County response, debris removal and related topics. Provide any desired direction to staff.

Fiscal Impact: No impact from this update.

C. Emergency Guardrail Replacement - Justification for Continued Emergency

Departments: Public Works - Roads

10 minutes

(Kevin Julian, Road Operations Superintendent) - Update on the Emergency

Guardrail replacement project on Eastside Lane and North River Lane and finding of continued emergency.

Recommended Action:

1. Receive update on Eastside Lane and North River Lane emergency guardrail repair/replacement project.
2. As established by Public Contract Code Chapter 2.5, "Emergency Contracting Procedures," review the emergency action taken on Jan 5, 2021 and make a finding, based on substantial evidence set forth in this staff report and at the meeting, that the emergency continues to exist as to Eastside Lane and North River Lane, and that continuation of action to replace the damaged guardrail on both roads is necessary to respond to the emergency. [4/5th Vote Required.]
3. Delegate to the Mono County Road Operations Superintendent the authority to continue to procure the necessary equipment, services, and supplies for the emergency guardrail replacement on Eastside Lane and North River Lane, without giving notice for bids to let contracts, including executing any agreements or contracts for the construction or repair of the damaged/destroyed guardrails. [4/5th Vote Required.]

Fiscal Impact: Based on the initial estimates obtained by the Public Works Department – Roads Division, the total cost of the emergency repair/replacement of the Eastside Lane and North River Lane guardrails is approximately \$160,000. The emergency projects are eligible for 75% funding via the California Disaster Assistance Act (CDAA) Program administered by the Governor's Office of Emergency Services (CalOES). Staff proposes that the 25% County match for the emergency guardrail repairs/replacements be paid with available transportation funding

D. State Route 120 Freeway Rescission Recommendation

Departments: Community Development

20 minutes

(Bentley Regehr, Planning Analyst) - Proposed resolution to recommend rescission of the 1961 and 1964 State Route 120 freeway agreements between Mono County and the State of California.

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

Fiscal Impact: None.

E. Behavioral Health Update on Permanent Supportive Housing Project and Approval of Letter of Commitment for Tax Credit Application

Departments: Behavioral Health

20 minutes (10 minute presentation, 10 minute discussion)

(Amanda Greenberg, Program Manager, Robin Roberts, Behavioral Health Director) - Presentation by Amanda Greenberg regarding Mono County Behavioral Health's Permanent Supportive Housing Project, including updates on

No Place Like Home (NPLH) grant application and letter of the County's commitment of MHSAs and NPLH funding for Pacific West Communities' tax credit application.

Recommended Action:

1. Receive staff update and presentation on permanent supportive housing project;
2. Approve and authorize County Administrative Officer to sign Letter of Commitment for the California Tax Credit Allocation Committee (TCAC);
3. Provide any desired direction to staff.

Fiscal Impact: None at this time. The letter of commitment demonstrates the County's intention to commit \$1,800,000 in MHSAs funds and \$500,000 in to-be-awarded non-competitive NPLH funds to the development partnership should a tax credit be awarded and all other necessary financing is secured.

F. Mono County 2020-2021 Interactive Budget Book and Progress Toward Distinguished Budget Award from Government Finance Officers Association (GFOA)

Departments: Finance

20 minutes

(Megan Mahaffey, Accountant) - In an effort to move Mono County toward a budget presentation worthy of distinction by the Government Finance Officers Association we have selected an interactive on-line budget book format. The new interactive format improves transparency and allows for easier engagement and better governance.

Recommended Action: Receive demonstration of the interactive on-line budget book and provide any direction to staff.

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 - Public Employee Evaluation

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

B. 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: One.

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: Claim for damages filed by Arlene Wright against Mono County.

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. Status of Child Welfare and Child Protective Services (CPS)

Departments: Social Services

30 minutes

(Michelle Raust, DSS Program Manager) - Presentation by Michelle Raust regarding the status of Child Protective Services (CPS) during the COVID-19 pandemic including System Improvement Plan progress, recent outcomes, and inter-agency systems of care updates.

Recommended Action: None, informational only. Provide any desired direction to staff.

Fiscal Impact: None.

B. 2021 Supervisorial Redistricting Process Workshop

Departments: IT and County Counsel

2 hours

(Nate Greenberg, IT Director, Assistant County Counsel Milovich) - Presentation by staff on the required process and procedure for redrawing supervisorial district boundaries.

Recommended Action: Following staff presentation, determine whether to appoint a redistricting commission to aid in the redistricting process or whether the Board will perform the redistricting process independently. If the Board decides to appoint a redistricting commission, determine whether it will be an advisory, independent or hybrid commission as well as a timeline and process for appointing members or, alternatively, direct the CAO to return with recommendations. Provide any other desired direction to staff.

Fiscal Impact: None associated with this workshop.

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



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes - December 15, 2020

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Approval of the Board Minutes from the Regular Meeting on December 15, 2020.

RECOMMENDED ACTION:

Approve the Board Minutes from the Regular Meeting on December 15, 2020.

FISCAL IMPACT:

None.

CONTACT NAME: Queenie Barnard

PHONE/EMAIL: 760-932-5534 / qbarnard@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[Minutes](#)

History

Time	Who	Approval
1/11/2021 11:10 AM	County Counsel	Yes
1/7/2021 12:33 PM	Finance	Yes
1/14/2021 2:42 PM	County Administrative Office	Yes



**DRAFT 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 15, 2020**

Backup Recording	Zoom
Minute Orders	M20-242 – M20-251
Resolutions	R20-106 – R20-110
Ordinance	ORD20-13

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

Supervisors Present: Corless, Gardner, Kreitz, Peters, and Stump (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 Stump.

Supervisor Corless:

- Adjourn meeting in memory of Rodney Wiley, longtime Mammoth resident, also affectionately known as DJ Rodney O.
- “The most difficult work of leadership involves learning to experience distress without numbing yourself. The virtue of a sacred heart lies in the courage to maintain your innocence and wonder, your doubt and curiosity, and your compassion and love even through your darkest, most difficult moments. Leading with an open heart means you could be at your lowest point...and entirely powerless, yet remain receptive to the full range of human emotions without going numb, striking back, or engaging in some other defense. In one moment you may experience total despair, but in the next, compassion and forgiveness. You may even experience such vicissitudes in the same moment and hold those inconsistent feelings in tension with one another. Maybe you have. A sacred heart allows you to feel, hear, and diagnose, even in the midst of your mission, so that you can accurately gauge different situations and respond appropriately.

Note:

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Otherwise, you simply cannot accurately assess the impact of the losses you are asking people to sustain, or comprehend the reasons behind their anger. Without keeping your heart open, it becomes difficult, perhaps impossible, to fashion the right response and to succeed or come out whole." – Martin Linsky, *Leadership on the Line*

Supervisor Kreitz:

- "I think a hero is any person really intent on making this a better place for all people." – Maya Angelou

Supervisor Stump:

- "If we listen to the voices of our own emotional responses, often times which are judgmental, then we will not hear what others are really saying." – Julie, member of Fred's graduate school faculty

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None.

2. RECOGNITIONS

A. Proclamation of Appreciation for Supervisor Fred Stump

Departments: Board of Supervisors

Proclamation of the Mono County Board of Supervisors recognizing outgoing Supervisor Fred Stump.

Action: Approve proclamation recognizing outgoing Supervisor Fred Stump.

Peters motion; Kreitz seconded.

Vote: 4 yes, 0 no, 1 abstention

M20-242

Supervisor Corless:

- Read proclamation

Public Comments:

- Ron Day
- Chief Doonan
- Hank
- Wendilyn Grasseschi
- Timothy Alpers
- Rhonda Duggan
- Gary Nelson
- Carol Ann Mitchell

Staff Comments:

- Janet Dutcher
- Robin Roberts
- Alicia Vennos
- Ingrid Braun
- Wendy Sugimura
- Kathy Peterson

Note:

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- Shannon Kendall
- Stacey Simon
- Joe Blanchard
- Michelle Raust

Supervisors Peters, Gardner, Kreitz, and Corless shared stories and thanked Supervisor Stump for his service.

Supervisor Stump:

- Thanked everyone for the comments
- Thanked his wife, Patty, for support over the last 8 years
- Appreciates county, colleagues, and staff for education and growth he's had over the last 8 years

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments
None.

4. DEPARTMENT/COMMISSION REPORTS

Janet Dutcher, Finance Director:

- Recognized hard work untaken by Tax-Collectors Office related to property taxes: Janelle, Julie, James, and Gerald
- Provided Property Tax update – as of last night (12/14), processed \$42.6 million of payments, 94% of first installment

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 - October 6, 2020

Departments: Clerk of the Board

Approval of the Board Minutes from the Regular Meeting on October 6, 2020.

Action: Approve the Board Minutes from the Regular Meeting on October 6, 2020.

Kreitz motion; Gardner seconded.

Vote: 5 yes, 0 no

M20-243

B. Board Minutes - October 13, 2020

Departments: Clerk of the Board

Approval of the Board Minutes from the Regular Meeting on October 13, 2020.

Action: Approve the Board Minutes from the Regular Meeting on October 13, 2020.

Kreitz motion; Gardner seconded.

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Vote: 5 yes, 0 no
M20-244

C. Board Minutes - October 20, 2020

Departments: Clerk of the Board

Approval of the Board Minutes from the Regular Meeting on October 20, 2020.

Action: Approve the Board Minutes from the Regular Meeting on October 20, 2020.

Kreitz motion; Gardner seconded.

Vote: 5 yes, 0 no
M20-245

D. Board Minutes - November 3, 2020

Departments: Clerk of the Board

Approval of the Board Minutes from the Regular Meeting on November 3, 2020.

Action: Approve the Board Minutes from the Regular Meeting on November 3, 2020.

Kreitz motion; Gardner seconded.

Vote: 5 yes, 0 no
M20-246

E. CSA #1 Lease for Telecommunications Infrastructure

Departments: Public Works

Request for approval of County entry into 10-yr lease for the continued use of a portion of private property in Sunny Slopes for the purpose of housing power and telecommunication infrastructure (in accordance with the direction of CSA #1).

Action: Approve Resolution R20-106, A Resolution of the Mono County Board of Supervisors Approving County Entry into a Lease with Steve and Kathleen Olsen for Use of a Certain Portion of Real Property for the Installation and Maintenance of Certain Telecommunications Equipment.

Kreitz motion; Gardner seconded.

Vote: 5 yes, 0 no
R20-106

F. Addition of One (1) Limited Term Position in the Department of Public Health through November 2022

Departments: Public Health

Request approval of proposed resolution amending Mono County List of Allocated Positions to add one limited-term position within the Department of Public Health related to COVID-19. The term of the position is through November 2022.

Note:

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Action: Adopt proposed Resolution R20-107, Authorizing the County Administrative Officer to amend the list of allocated positions to add one (1) new limited-term position consisting of one FTE Community Health Outreach Specialist in the Department of Public Health.

Kreitz motion; Gardner seconded.

Vote: 5 yes, 0 no

R20-107

G. Requested Salary Range Increases for the Equipment Mechanic Series

Departments: Human Resources/CAO

Proposed resolution to reclassify the salary grades of the Equipment Mechanic series as follows: Equipment Mechanic I from level 56 to 60, Equipment Mechanic II from level 60 to 64, Equipment Mechanic III from level 64 to 68, Lead Equipment Mechanic from level 68 to 72, and the Fleet Services Superintendent from level 77 to 79.

Action: Adopt proposed resolution R20-108, Reclassifying the Salary Grades of the Equipment Mechanic Series.

Kreitz motion; Gardner seconded.

Vote: 5 yes, 0 no

R20-108

H. One Time Increase to the Amount of Poll Worker Tokens of Recognition

Departments: Elections

The Mono County Registrar requests a one-time increase to the maximum dollar amount otherwise authorized to be spent on tokens of appreciation for elections poll workers, from \$300 total, to \$60 per person (\$3,660 for 61 workers), using approved Center for Tech and Human Life (CTCL) grant funds.

Action: Approve Resolution R20-109, authorizing a one-time increase to the amount which may be spent on tokens of recognition for elections poll workers, as authorized by Resolution R11-89.

Kreitz motion; Gardner seconded.

Vote: 5 yes, 0 no

R20-109

6. CORRESPONDENCE RECEIVED - NONE

7. REGULAR AGENDA - MORNING

A. Review of Emergency Declarations - Mountain View Fire

Departments: County Counsel

(Stacey Simon, County Counsel) - Review of continuing need for Board of Supervisor's November 17, 2020, Declaration of Local Emergency of and

Note:

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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 the local health emergency declared on November 19, 2020.

Stump motion; Kreitz seconded.

Vote: 5 yes, 0 no

M20-247

Stacey Simon, County Counsel:

- Introduced item

Justin Nalder, EOC Director:

- Mountain View Fire update – environmental remediation, community services, housing taskforce, animal services, Walker landfill

Louis Molina, Environmental Health Director:

- Working with Community Development Department to work through permitting issues
- Collecting water samples from private residents' wells to determine if the water is bacteriologically sound

Wendy Sugimura, Community Development Director:

- Fielding a number of inquiries about placing RVs on site and rebuilding
- Reviewed permitting process

Tony Dublino, Director of Public Works:

- Addressed need for waivers for encroachment and/or grading permits

Supervisor Peters:

- Would like to see formal request sent to CalOES from County

Urgency Item – Sending a Letter to CalOES and Governor's Office

Action: The Board determined that there is a need to take immediate action with respect to the proposed agenda item, that the need for action came to the County's attention subsequent to the agenda being posted and therefore, that the Board add the item to the agenda.

Authority: Govt. Code §54954.2(b)(2). Note that urgency items may only be added to the agendas of regular meetings, not special meetings.

Peters motion. Gardner seconded.

Vote: 5 yes, 0 no

M20-248

Break: 10:43 AM

Reconvened: 10:54 AM

B. COVID-19 (Coronavirus) Update

Departments: CAO

(Robert C. Lawton, CAO, Dr. Tom Boo, Mono County Health Officer) - Update on Countywide response and planning related to the COVID-19

Note:

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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.

Action: None.

The following individuals gave updates:

- Bryan Wheeler, Public Health Director – PPT Presentation (can be found under Supporting Documents on meeting webpage)
- Alicia Vennos, Economic Development Director – Economic Recovery Branch, TOML Business Assistance Program update, Mono County Cure Program update
- Bob Hughes, IMACA Executive Director – Food assistance program update
- Dr. Tom Boo, Mono County Health Officer – high case rates, addressed construction industry letter
- Supervisor Peters – CSAC update
- Stacey Simon, County Counsel – Addressed enforcement efforts

Public Comment:

- No Name

C. Administrative Penalty Procedure for COVID-19-Related Violations

Departments: Public Health, Community Development and County Counsel (Dr. Tom Boo, Mono County Health Officer, County Counsel Simon, Wendy Sugimura, CDD Director) - The County's existing administrative penalty system (Mono County Code Chapter 1.12) provides for the imposition of penalties for violations of state and county law, including health orders. Chapter 1.12 is general in nature and was not specifically-tailored to address violations of public health orders related to COVID-19. This ordinance would create a more-tailored administrative penalty procedure for violations involving public health orders and establish penalty amounts for those violations.

Action: Adopt proposed ordinance establishing administrative citation procedure specific to violations of public health orders and state guidelines/orders related to preventing the spread of COVID-19. (Requires 4/5 vote)

Gardner motion with amendment; Corless seconded.

Vote: 4 yes, 1 no

Roll call:

Corless: Y

Gardner: Y

Kreitz: N

Peters: Y

Stump: Y

ORD20-13

Stacey Simon, County Counsel:

- Presented item

Note:

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Rob Patterson, Town of Mammoth Lakes Administrative Services/Finance Director:

- Shared Town of Mammoth Lakes administrative citation experience

Public Comment:

- No Name
- Anon
- Chief Doonan

D. Employment Agreement with John C. Craig as Assistant County Administrative Officer

Departments: Human Resources/CAO

(David R Butters) - Proposed resolution approving a contract with John C. Craig as Assistant County Administrative Officer, and prescribing the compensation, appointment and conditions of said employment.

Action: Announce Fiscal Impact. Approve Resolution R20-110, approving a contract with John C. Craig as Assistant County Administrative Officer, 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 \$123,468 of which \$75,000 is salary, and \$48,468 is the cost of benefits. Cost for a full fiscal year is \$246,936 of which \$150,000 is the annual salary and \$96,936 is the cost of benefits and is included in the approved budget.

Kreitz motion; Gardner seconded.

Vote: 5 yes, 0 no

R20-110

Bob Lawton, CAO:

- Introduced item

John Craig, Assistant CAO:

- Introduction and provided background

Public Comment:

- No Name
- Chief Doonan

E. California Statewide Automated Welfare System (CalSAWS) Information

Departments: Social Services

(Yvonne Freeman, Social Services) - CalSAWS will be the case management system for county eligibility staff that will provide CalWORKs, CalFresh, Medi-Cal, Foster Care, Refugee Assistance, County Medical Services Program, and General Assistance/General Relief to children, families, and individuals in all 58 California counties. Staff will provide a brief update of their work on the project.

Note:

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Action: None.

Kathy Peterson, Social Services Director:

- Introduced item

Yvonne Freeman, Social Services Eligibility Specialist:

- Presentation (can be found under Supporting Documents on meeting webpage)

F. Request for Proposals from Contractors for Countywide Solid Waste Services

Departments: Public Works - Solid Waste

(Justin Nalder, Solid Waste Superintendent and Tony Dublino, Director of Public Works) - Presentation and discussion of the Request for Proposals for Countywide Solid Waste Services.

Action: Authorize Public Works to distribute the Request for Proposals, in substantial conformance with the included draft, once the eight accompanying contracts and the proposal form referenced in the RFP are complete.

Kreitz motion; Peters seconded.

Vote: 5 yes, 0 no

M20-249

Justin Nalder, Solid Waste Superintendent:

- Presented item
- Reviewed process taken to get to this point

Tony Dublino, Director of Public Works:

- Explained history of the process

Break: 1:01 PM

Reconvened: 1:16 PM

G. Update on Owens Valley Groundwater Authority (OVGA) and Request from Tri-Valley Groundwater Management District for Mono County to Withdraw from the OVGA

Departments: Community Development, County Counsel's Office

(Wendy Sugimura, Michael Draper, Stacey Simon, Jason Canger) - Staff Update on Owens Valley Groundwater Authority and Tri-Valley Groundwater Management District Activities and Tri-Valley Groundwater Management District Request for the County to Withdraw from the Owens Valley Groundwater Management District.

Action: Remain an OVGA member and withdraw once the Groundwater Sustainability Plan is complete.

Stump motion; Corless seconded.

Vote: 4 yes, 1 no

Roll call:

Corless: Y

Gardner: Y

Kreitz: N

Note:

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Peters: Y

Stump: Y

M20-250

Stacey Simon, County Counsel:

- Introduced item
- Presentation (available on meeting webpage under Supporting Documents) – SGMA and OVGA history

Michael Draper, Planning Analyst:

- Presentation – recent and current OVGA activities

Jason Canger, Assistant County Counsel:

- Presentation – recent TriValley activities and request to withdraw

Wendy Sugimura, Community Development Director:

- Presentation – provided overview of options and reviewed implications

Supervisor Stump:

- Addressed correspondence received

Public Comment:

- Dave Doonan
- Rick Kattelman
- Peter Stickells
- Matt Doonan
- Carol Ann Mitchell
- Marc Jackson

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None.

URGENCY ITEM

Supervisor Peters:

- Just received joint call with CalOES and Legislative Affairs - approval of CDAA, CalOES will oversee the clean up of both Phase 1 and 2
- CalOES reminder: in order for Phase 2 to commence, a Right of Entry form needs to be signed by the property owner
- Letter requested earlier can be changed to a thank you letter

9. CLOSED SESSION

A. Closed Session - Public Employee Evaluation

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

Tabled for January 5, 2021 meeting.

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

10. REGULAR AGENDA - AFTERNOON

A. PUBLIC HEARING: Consideration of Tioga Inn Specific Plan Amendment

Departments: Community Development

PUBLIC HEARING: 12:30 PM

(Wendy Sugimura, Gerry LeFrancois) - Public hearing regarding Tioga Inn Specific Plan Amendment and Final Subsequent Environmental Impact Report (FSEIR) to amend the 1993 Tioga Inn Specific Plan (1993 Specific Plan and EIR) located at 22, 133, and 254 Vista Point Road in Lee Vining and consisting of four parcels (APN 021- 080-014, -025, -026 & -027). The Specific Plan Amendment proposes up to 150 new workforce housing bedrooms in up to 100 new units, a third gas-pump island with overhead canopy, additional parking to accommodate on-site guest vehicles as well as a general-use park-and-ride facility and bus parking for Yosemite transit vehicles, a new package wastewater treatment system tied to a new subsurface drip irrigation system, replacement of the existing water storage tank with a new tank of the same size in the same area, a new 30,000-gallon on-site propane tank (eventually replacing the existing five on-site tanks), modification to the boundaries and acreage of designated open space, and modification of parcel boundaries. The 1993 approvals, which include a still unconstructed two-story, 120-room hotel and full-service restaurant on the site, remain in effect regardless of whether the Proposed Amendment is approved.

Action: Approve postponement of item.

Peters motion; Gardner seconded.

Vote: 4 yes, 0 no, 1 abstention

Roll call:

Gardner: Y

Kreitz: Y

Peters: Y

Stump: Y

Corless: A

M20-251

Supervisor Corless:

- Recused herself because her family is an owner of the Tioga Pass Resort and some of the employees of the Resort are housed at the Tioga Inn property, thereby creating a financial conflict of interest.

Vice-Chair Kreitz:

- Resumed chairing the meeting
- Discussed request to delay item

Wendy Sugimura, Community Development Director:

- Addressed request to delay item
- Update on conversation with State Attorney General's office yesterday (12/14)

Note:

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Public Comment:

- Michael Godbe

Stacey Simon, County Counsel:

- Clarified recent submission of map showing a cultural route used by tribe was compared to development site plans and it appears that if anything were to impact that route, it would be the previously approved hotel, not the proposed housing.

Charlotte Lange, Mono Lake Kutzadika'a Tribal Council Chair:

- Addressed request to delay item

Dennis Domaille, Applicant:

- Addressed request to delay item

Stacey Simon, County Counsel:

- Offered alternative to proceed with Staff Presentation and public comment, then decide whether or not to delay any action

Wendy Sugimura, Community Development Director:

- Staff Presentation (available on meeting webpage under Supporting Documents)

Alicia Vennos, Economic Development Director:

- Presentation – 2018 Mono County Business Retention and Expansion Survey: housing is greatest barrier to workforce retention and recruitment

Public Comment:

- Michael Godbe
- Ilene Mandelbaum
- Marissa Leonard
- Katherine Bancroft
- Paul McFarland
- Bartshe Miller
- Dean Tonenna
- Nora Livingston
- Geoff McQuilkin
- Santiago
- Scott Lichtig

11. BOARD MEMBER REPORTS

Postpone Board reports to next meeting (1/5/21).

ADJOURNED AT 4:41 PM

ATTEST

**JENNIFER KREITZ
VICE CHAIR OF THE BOARD**

**QUEENIE BARNARD
SENIOR DEPUTY CLERK OF THE BOARD**



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

TIME REQUIRED

SUBJECT Letter to Governor Newsom re:
County Regional Assignments

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Letter from the Town of Mammoth Lakes and Mono County to Governor Newsom requesting that Mono County be removed from the Southern California Region.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Queenie Barnard

PHONE/EMAIL: 760-932-5534 / qbarnard@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Letter

History

Time	Who	Approval
1/11/2021 11:11 AM	County Counsel	Yes
1/14/2021 2:03 PM	Finance	Yes
1/14/2021 2:42 PM	County Administrative Office	Yes



January 7, 2021

The Honorable Gavin Newsom
Governor, State of California
1303 10th Street, Suite 1173
Sacramento, CA 95814

Dear Governor Newsom:

As Californians, the position we find ourselves in at the State and local level is beyond challenging, governing a state as large and diverse as ours, as well as working with the uniqueness of each county and city, as we collectively face an unprecedented health and economic crisis. Mono County (County), and the Town of Mammoth Lakes (Town) are at a critical crossroads for our communities to both survive the worst public health pandemic since 1919 and maintaining a viable local economy. We are losing our ability to achieve these two goals under the existing Regional Stay-at-Home Order. We are at a breaking point. The Town and County are on the precipice of not being able to engage in any meaningful local enforcement efforts relative to the Regional Stay-at-Home Order. Regulating a rural County of approximately 14,000 residents in 3,030 square miles based on the actions of counties that are home to over 10 million people is not feasible.

The County and Town are pleading for your support to shift Mono County out of the enormous Southern California Region, for which we have no alignment. Our tourism reliant economy, our geography, and our proximity to medical services in Northern Nevada creates a clear and definitive distinction. We are more aligned with other rural California counties with populations under 106,000, or the state could create a separate Eastern Sierra Region (i.e., Mono, Inyo and Alpine Counties). As you are aware, alignment with similar counties is strongly supported and championed through the work of the California State Association of Counties' Rural Caucus. At a minimum, we are more aligned with the Sacramento Region, if a rural region is not acceptable. However, alignment with similar rural communities is strongly requested. Our local and regional medical capacities are not seeing the same impacts from COVID-19 cases as Southern California, even with a comparatively high positivity rate. The potential for the Regional Stay-at-Home Order to be lifted for the Southern California Region seems to be a very distant reality, if not indefinite, by which time we will have failed our communities. An alternative would be a bifurcated system allowing counties like ours to transition back into the State tier system under the Blueprint for a Safer Economy, which provides some relief and potential to address our local failing economy in conjunction with the protection of public health.

Throughout the pandemic, Mammoth Hospital, the only hospital in Mono County, has been able to operate within capacity, and has yet to experience any surge in COVID-19 patients. The hospital has developed surge plans and is ready to support and manage any increase in patients. We have seen a very small number of people hospitalized throughout the pandemic. Mammoth Hospital continues to operate in the 'Green' status, meaning they can provide usual or conventional level of care, and our primary support diversion hospitals are in Northern Nevada (i.e., Renown Hospital in Reno and Carson Tahoe Hospital in Carson City), not Southern California. Many of our residents use these and other medical facilities in Northern Nevada for their primary care and medical services.

We have worked tirelessly to balance our public health response and to support our local economy. We are now facing the fact that our business community is suffering unparalleled economic devastation because of the Regional Stay-at-Home Order that went into effect December 6, 2020. Our residents' financial survival is dependent upon a tourism-based economy, for which the winter holiday period is critical. The financial loss over last winter and this winter holiday season has multiple businesses on the brink of permanently closing or bankruptcy. Business closures, job losses and reduced payrolls have impacted owners and thousands of employees. The status of the current Regional Stay-at-Home Order will continue to devastate local businesses, resulting in higher levels of unemployment and lost revenues to support local government.

We are experiencing the COVID-driven impacts of tourism and visitation without having the ability to manage and support our visitor's safety. Upon releasing the Regional Stay-at-Home Order, you noted that outdoor recreation would remain open to support the mental health of the state's residents. While we support this decision, the availability of outdoor recreation, and our position as a popular escape from urban areas, has put our County and Town in a difficult position. Mammoth Resorts' ski areas are permitted to continue operating under strict safety guidelines, and there are many second homes and vacation properties that draw people to our area. Enforcement of the Regional Stay-at-Home Order at the local level is quickly outstripping our finite capacity, despite efforts to discourage visitation. We work closely with public health officials at the local and state level, enjoy a productive relationship with Mammoth Resorts' leadership team, meet weekly with local businesses owners, and host regular virtual community meetings. Our community is well informed. Our businesses are committed to operate, as they have done since the start of the pandemic, with the safety of employees, residents, and our visitors as their utmost concern. However, closed businesses cannot support enforcement efforts. The State's inability to provide meaningful enforcement under the existing Regional Stay-at-Home Order to limit travel is creating growing conflict among our local businesses, local government leaders, and public health officials. We are experiencing increasing levels of illegal short-term rental activity to the detriment of establishments striving to comply with the Regional Stay-at-Home Order. This illegal activity reduces any ability to enforce safety protocols and cleaning standards.

There is no denying the seriousness and dire impacts of COVID-19 throughout California. The Coronavirus is a highly contagious and deadly disease. The most effective ways to limit transmission of the disease are to wear a face covering/mask, to maintain physical distancing, to practice good hygiene, and to limit gatherings outside of one's household. Our local business community has worked diligently to follow all health mandates in a concerted effort to keep our residents, guests, and employees as safe and healthy as possible. The Town and County have enforced, supported, and funded the means for our local businesses to operate under strict safety mitigations. These efforts have been financially and physically burdensome, yet we have strived to operate under these conditions in order to [#staysafetostayopen](#). We are now facing the untenable option of not being able to stay open, regardless of the safety protocols put in place. Our options have been exhausted, and the choices before us are dwindling.

Furthermore, the Town and County have committed staff and resources to assist with our response to the pandemic, including supporting testing, contact tracing, securing places for quarantine, and providing food and income support. Local vaccination planning and implementation efforts are off to a smooth and successful start, with not one wasted vaccine to date. In fact, due to our size and comprehensive vaccination planning, Mono County could vaccinate our entire population in record time if provided ample and timely vaccine supplies. Data shows that the impacts of COVID-19 in our area have not exceeded our public health management capacity, but it is stretched very thin.

For the past ten months, residents, businesses, Mono County, and the Town of Mammoth Lakes have diligently followed State and local health orders related to the COVID-19 pandemic response in California. Local business owners and governmental agencies have invested millions of dollars to implement safety protocols and make required modifications, in addition to limiting overall operations. In addition, the Town and County have invested well over a million dollars in local rent support and business assistance grants. These efforts and those of the State and Federal government are wholly insufficient to save many of our local businesses and residents from long-term financial ruin. These funds may provide short-term assistance but simply are not adequate to save our local economy if we are required to continue under the current Regional Stay-at- Home Order.

In summary, we recognize the broad and complex, nearly impossible, scope of the state pandemic response. To date, we have been successful in implementing and managing our local COVID-19 response. That is, until we were placed into Southern California Region of the State Stay-at-Home order. There is simply no viable path forward for the health and well-being of our County in the Southern California Region, which is why we respectfully request to be removed from it and placed into a region with other rural California Counties. Simply put, Mono County has no similarity or hospital connection to Southern California. Without such relief, we will be forced to make impossible decisions in our best effort to balance the public health threat, the collapse of our economy, and limited ability to manage visitation and local business activity for our rural county.

Sincerely,



Bill Sauser (Jan 8, 2021 11:21 PST)

Bill Sauser
Mayor, Town of Mammoth Lakes



Jennifer Kreitz (Jan 8, 2021 13:42 PST)

Jennifer Kreitz
Chair, Mono Board of Supervisors

cc: Senator Andres Borgeas
Assembly Member Frank Bigelow
Laura Morales, Inland Empire/ Desert Mountain Division Regional Public Affairs Manager
League of California Cities, cityletters@cacities.org
California State Association of Counties
Rural County Representatives of California



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

TIME REQUIRED

SUBJECT

Letters from Mill Creek Water Right Holders in Response to Mono County Board of Supervisors Letter Sent on November 10, 2020

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Letters from Los Angeles Department of Water and Power (LADWP), Bureau of Land Management, and Inyo National Forest in response to a letter from the Mono County Board of Supervisors to Mill Creek water right holders sent on November 10, 2020.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Queenie Barnard

PHONE/EMAIL: 760-932-5534 / qbarnard@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
LADWP Letter
BLM Letter
Inyo National Forest Letter
Letter to Water Right Holders

History

Time	Who	Approval
1/14/2021 2:48 PM	County Counsel	Yes
1/14/2021 2:03 PM	Finance	Yes
1/14/2021 2:52 PM	County Administrative Office	Yes

RECEIVED



JAN 12 2021

Eric Garcetti, Mayor
Board of Commissioners
Cynthia McClain-Hill, President
Susana Reyes, Vice President
Jill Banks Barad
Mia Lehrer
Nicole Neeman Brady
Susan A. Rodriguez, Secretary

CUSTOMERS FIRST

OFFICE OF THE CLERK

January 5, 2021

Martin L. Adams, General Manager and Chief Engineer

Board of Supervisors
County of Mono
P. O. Box 715
Bridgeport, CA 93517

Dear Supervisor Corless:

Subject: Ongoing Environmental Impacts to Wilson Creek in the Northern Mono Lake Basin

Thank you for your November 3, 2020 letter to a group of Mill Creek water right holders including the Los Angeles Department of Water and Power (LADWP). The letter discusses the low flows in Wilson Ditch and unavailability of water at points downstream of Conway Ranch. The letter then includes specific requests of the agencies with regards to their water managements in Mill Creek Watershed system.

While LADWP disagrees with some of the facts stated in the letter and is concerned with specific requests by the Mono County Board of supervisors, we are currently evaluating the requests and will be responding to your letter accordingly.

If you have any questions, please contact me at (760) 873-0226.

Sincerely,

A blue ink handwritten signature, appearing to be 'AP', with a long horizontal flourish extending to the right.

Adam Perez
Manager of Aqueduct
SMJ:fm

cc (email only):

Gordon P. Martin, District Ranger, United States Forest Services
Steve Nelson, United States Bureau of Land Management
Kelly Henderson, Martin Ostendorf, Cal Rossi, Matthew Woodhall, SCE
Thomas Torres, United States Forest Service
Leslie MacNair, Steve Parmenter, Nancee Murray, CDFW
Geoffrey McQuilkin, Mono Lake Committee
Julie Fair, American Rivers
Curtis Knight, Sandra Jacobson, PhD, California Trout
Richard Roos-Collins, Water and Power Law Group, P.C.

From: Nelson, Steven L <snelson@blm.gov>
Sent: Tuesday, January 12, 2021 1:13 PM
To: Jason Canger; Jennifer Kreitz; Robert Lawton
Cc: Martin, Gordon P -FS; Adam Perez (Adam.Perez@ladwp.com)
Subject: Re: [EXTERNAL] RE: Letter from the Mono County Board of Supervisors Regarding Ongoing Environmental Impacts to Wilson Creek in the Northern Mono Lake Basin

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Jennifer , Robert and Jason,

I have received the letter from the Board to water right holders. I have also received a copy of the Board letter to stakeholders.

BLM is considering a joint response to Board's letter to stakeholders. If we decide that is the approach we are going to take, you should receive joint response from the BLM, USFS and LADWP later this winter or early this spring.

I hope all is well for you and your loved ones,

Best always,

/s

Steve Nelson
Field Manager
Bureau of Land Management - Bishop Field Office
U.S. Department of the Interior, Region 10
California-Great Basin

(760) 872-5011
snelson@blm.gov

From: Jason Canger <jcanger@mono.ca.gov>
Sent: Tuesday, January 12, 2021 12:18 PM
To: Adam Perez (Adam.Perez@ladwp.com) <Adam.Perez@ladwp.com>; Martin, Gordon P -FS <gordon.martin@usda.gov>; Nelson, Steven L <snelson@blm.gov>
Cc: Martin Ostendorf <Martin.Ostendorf@sce.com>; Calvin Rossi <Calvin.Rossi@sce.com>; Kelly Henderson <Kelly.Henderson@sce.com>; Matthew Woodhall <Matthew.Woodhall@sce.com>; Geoffrey McQuilkin <geoff@monolake.org>; Torres, Thomas - FS <thomas.torres@usda.gov>; leslie.macnair@wildlife.ca.gov <leslie.macnair@wildlife.ca.gov>; Parmenter, Steve@Wildlife <Steve.Parmenter@wildlife.ca.gov>; Murray, Nancee@Wildlife <Nancee.Murray@wildlife.ca.gov>; jfair@americanrivers.org <jfair@americanrivers.org>; cknight@caltrout.org <cknight@caltrout.org>; sjacobson@caltrout.org <sjacobson@caltrout.org>; rrcollins@waterpowerlaw.com <rrcollins@waterpowerlaw.com>; Saeed Jorat (saeed.jorat@ladwp.com)

<saeed.jorat@ladwp.com>; Jennifer Kreitz <jkreitz@mono.ca.gov>; Robert Lawton <rlawton@mono.ca.gov>

Subject: [EXTERNAL] RE: Letter from the Mono County Board of Supervisors Regarding Ongoing Environmental Impacts to Wilson Creek in the Northern Mono Lake Basin

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good Afternoon,

On behalf of the chair of the Mono County Board of Supervisors, I'm writing to confirm your receipt of the attached letter from the Board of Supervisors regarding ongoing environmental impacts to Wilson Creek in the northern Mono Lake Basin and request an update on the timing of your response.

Please contact Mono County Supervisor Jennifer Krietz at (760) 924-1806 or jkrietz@mono.ca.gov; or County Administrative Officer Robert Lawton at (760) 932-5410 or rlawton@mono.ca.gov to confirm your receipt and the timing of your response(s) – as well as if you have any questions or would like to discuss these matters.

Thank you.

Jason Canger
Mono County Counsel's Office
P.O. Box 2415
Mammoth Lakes, CA 93546
(760) 924-1712

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From: Queenie Barnard <qbarnard@mono.ca.gov>

Sent: Tuesday, November 10, 2020 1:39 PM

To: Adam.Perez@ladwp.com; gordon.martin@usda.gov; snelson@blm.gov

Cc: martin.ostendorf@sce.com; Calvin.Rossi@sce.com; Kelly.Henderson@sce.com; Matthew.Woodhall@sce.com; geoff@monolake.org; thomas.torres@usda.gov; leslie.macnair@wildlife.ca.gov; Steve.Parmenter@wildlife.ca.gov; Nancee.Murray@wildlife.ca.gov; jfair@americanrivers.org; cknight@caltrout.org; sjacobson@caltrout.org; rrcollins@waterpowerlaw.com; saeed.jorat@ladwp.com

Subject: Letter from the Mono County Board of Supervisors Regarding Ongoing Environmental Impacts to Wilson Creek in the Northern Mono Lake Basin

Good afternoon,

Please see attached for a letter from the Mono County Board of Supervisors regarding ongoing environmental impacts to Wilson Creek in the Northern Mono Lake Basin. Thank you.

Queenie Barnard
Senior Deputy Clerk – Elections Assistant

P.O. Box 237
Bridgeport, CA 93517
(760) 932-5534 (office)
(760) 932-5531 (fax)
qbarnard@mono.ca.gov



MonoHealth.com/
Coronavirus

MONO COUNTY
COVID-19 Resource Portal

From: Martin, Gordon P -FS <gordon.martin@usda.gov>
Sent: Tuesday, January 12, 2021 2:03 PM
To: Jason Canger; Jennifer Kreitz; Robert Lawton
Cc: snelson@blm.gov; Perez, Adam; Yen, Lesley -FS; Leidy, Adam - FS; Torres, Thomas - FS
Subject: RE: Letter from the Mono County Board of Supervisors Regarding Ongoing Environmental Impacts to Wilson Creek in the Northern Mono Lake Basin

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Good afternoon Jennifer, Robert, and Jason,

We have received the letter from the Board to water right holders. I have also received a copy of the Board letter to stakeholders.

The Forest is working on a joint response to Board's letter to stakeholders, you should receive joint response from the BLM, USFS, and LADWP later this winter.



Gordon P. Martin
District Ranger
Forest Service
Inyo National Forest
Mammoth and Mono Lake Ranger Districts

p: 760-924-5553
c: 760-920-7399
f: 760- 924-5537
gordon.martin@usda.gov

2500 Main Street.
P.O. Box 148
Mammoth Lakes, CA 93546
www.fs.fed.us



Caring for the land and serving people

From: Jason Canger <jcanger@mono.ca.gov>
Sent: Tuesday, January 12, 2021 12:18 PM
To: Adam Perez (Adam.Perez@ladwp.com) <Adam.Perez@ladwp.com>; Martin, Gordon P -FS <gordon.martin@usda.gov>; snelson@blm.gov
Cc: Martin Ostendorf <Martin.Ostendorf@sce.com>; Calvin Rossi <Calvin.Rossi@sce.com>; Kelly Henderson <Kelly.Henderson@sce.com>; Matthew Woodhall <Matthew.Woodhall@sce.com>; Geoffrey McQuilkin <geoff@monolake.org>; Torres, Thomas - FS <thomas.torres@usda.gov>; leslie.macnair@wildlife.ca.gov; Parmenter, Steve@Wildlife <Steve.Parmenter@wildlife.ca.gov>; Murray, Nancee@Wildlife <Nancee.Murray@wildlife.ca.gov>; jfair@americanrivers.org; cknight@caltrout.org; sjacobson@caltrout.org; rrcollins@waterpowerlaw.com; Saeed Jorat (saeed.jorat@ladwp.com) <saeed.jorat@ladwp.com>; Jennifer Kreitz <jkreitz@mono.ca.gov>; Robert Lawton <rlawton@mono.ca.gov>
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Thank you.

Jason Canger
Mono County Counsel's Office
P.O. Box 2415
Mammoth Lakes, CA 93546
(760) 924-1712

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To: Adam.Perez@ladwp.com; gordon.martin@usda.gov; snelson@blm.gov

Cc: martin.ostendorf@sce.com; Calvin.Rossi@sce.com; Kelly.Henderson@sce.com; Matthew.Woodhall@sce.com; geoff@monolake.org; thomas.torres@usda.gov; leslie.macnair@wildlife.ca.gov; Steve.Parmenter@wildlife.ca.gov; Nancee.Murray@wildlife.ca.gov; jfair@americanrivers.org; cknight@caltrout.org; sjacobson@caltrout.org; rrcollins@waterpowerlaw.com; saeed.jorat@ladwp.com

Subject: Letter from the Mono County Board of Supervisors Regarding Ongoing Environmental Impacts to Wilson Creek in the Northern Mono Lake Basin

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Please see attached for a letter from the Mono County Board of Supervisors regarding ongoing environmental impacts to Wilson Creek in the Northern Mono Lake Basin. Thank you.

Queenie Barnard
Senior Deputy Clerk – Elections Assistant
P.O. Box 237
Bridgeport, CA 93517
(760) 932-5534 (office)
(760) 932-5531 (fax)
qbarnard@mono.ca.gov



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Jennifer Kreitz ~ District One Fred Stump ~ District Two Bob Gardner ~ District Three
John Peters ~ District Four Stacy Corless ~ District Five

BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5533 • FAX (760) 932-5531
Shannon Kendall, Clerk of the Board

November 3, 2020

VIA U.S. MAIL AND EMAIL

Los Angeles Department of Water and Power
Attn: Adam Perez
Bishop Administrative Office
300 Mandich Street
Bishop, CA 93514
adam.perez@ladwp.com

United States Forest Services
Attn: Gordon P. Martin, District Ranger
Inyo National Forest – Mammoth and Mono
Lake Ranger Districts
P.O. Box 148
Mammoth Lakes, CA 93546
gordon.martin@usda.gov

United States Bureau of Land Management
Attn: Steve Nelson, Bishop Field Office
Manager
351 Pacu Lane, Suite 100
Bishop, CA 93514
snelson@blm.gov

RE: Ongoing Environmental Impacts to Wilson Creek in the Northern Mono Lake Basin

Dear Messrs. Perez, Martin, and Nelson:

On behalf of the Mono County Board of Supervisors, I write to express the Board's concern with the ongoing impacts to the fisheries and habitat of Wilson Creek located in the Northern Mono Lake Basin of Mono County. This year Wilson Creek continued to experience low flows and water unavailability at points downstream of Conway Ranch due to recent water management decisions by this group of Mill Creek water right holders. In addition, this year waterfowl habitat provided at the DeChambeau Ponds, owned and operated by United States Forest Services (USFS), was adversely affected as some of the ponds dried towards the end of the summer.

Impacts to the fisheries and habitat of lower Wilson Creek were brought to the attention of the Board in 2017. Since then, these impacts have continued to occur during the summer months despite the 2018-2019 water year being one of the wetter years on record. It is the County's understanding that recent changes to exercise of your agencies' Mill Creek water rights are, at least in part, the cause of these impacts. Specifically, it is the County's understanding that for many years, if not several decades, each of your agencies exercised their Mill Creek water rights in such a way that resulted in most, if not all, of the natural flow of Mill Creek being

Messrs. Perez, Martin, and Nelson

RE: Ongoing Environmental Impacts to Wilson Creek in the Northern Mono Lake Basin

November 3, 2020

Page 2 of 4

diverted to Wilson Creek. This historic practice resulted in the creation the fisheries and riparian habitat on Wilson Creek. In 2017, however, the Mill Creek Return Ditch (Return Ditch) that allows water discharged from the Lundy Hydroelectric Project to be diverted to Mill Creek became operable. Your agencies' exercise of their Mill Creek water rights to divert all or some of your water, as the case may be, to Mill Creek reduced the historic amount of water flowing in Wilson Creek and contributed, at least in part, to the impact to lower Wilson Creek fisheries and habitat that were created by your agencies' historical practice of allowing Mill Creek water to flow in Wilson Creek.

The Board of Supervisors remains committed to addressing these impacts to lower Wilson Creek. However, given that they do not stem from any change or decision by the County to exercise differently its Mill Creek water rights, the Board feels that your agencies, as well as those signatories to that Lundy Hydroelectric Project Settlement Agreement, dated December 31, 2004, settling certain claims related to the Federal Energy Regulatory Commission's 1999 issuance of a new license for the Lundy Hydroelectric Project, FERC Project No. 1390 (collectively, the "Settlement Agreement"),¹ should assist with development of measures to address the impacts related to your Mill Creek water right changes. Accordingly, the Board respectfully requests your assistance with the following actions to address the fisheries and habitat impacts to lower Wilson Creek:

- Preparation and Funding of Studies, Analyses and Review of Mill and Wilson Creeks. Only a small amount of materials is available that examine the respective characteristics of Mill and Wilson Creeks and the values that they provide in and to the North Mono Basin. Moreover, available materials are quite dated (some approximately 20 years old), do not capture current environmental and habitat conditions, and thus are of little value for informed decision making today. The Board respectfully asks that this group prepare, or provide funding to assist with the preparation of, studies and analyses of Mill and Wilson Creeks, including the ability to share water between them (i.e., their hydrologic conditions and soil compositions), their respective environmental, wildlife, and aquatic values and habitat, and environmental review pursuant to the National Environmental Policy Act and/or the California Environmental Quality Act.
- Improvements and Protection of Water Delivery Facilities. The Return Ditch is currently an unlined, earthen ditch, and therefore presumably the delivery of water through the Return Ditch to Mill Creek results in some amount of carriage water loss. Similarly, the USFS facilities that divert and deliver water from lower Wilson Creek to the DeChambeau Ponds is quite old and generally in a state of disrepair. In both cases, it is the County's position that the improvement of these facilities could result in the more efficient delivery and use of Mill Creek water and thus the realization of additional supplies to address the fisheries and habitat impacts on lower Wilson Creek. The Board respectfully asks that this group immediately review and take steps to ensure that the

¹ In addition to this letter, the Board has also sent a letter to the signatories of the Settlement Agreement making similar requests to those included herein. Because some of your agencies are signatories to the Settlement Agreement, you may receive copies of both letters.

Messrs. Perez, Martin, and Nelson

RE: Ongoing Environmental Impacts to Wilson Creek in the Northern Mono Lake Basin

November 3, 2020

Page 3 of 4

Return Ditch that delivers water to Mill Creek, the USFS facilities that deliver water to the DeChambeau Ponds, and any of your agencies' other water diversion and delivery facilities and infrastructure are operating with as little water loss as possible. In addition, the Board also requests that each of you take meaningful steps to increasing the water efficiency of these facilities to realize new and/or additional supplies to address the impacts on lower Wilson Creek. Here, the County recognizes its responsibility to do the same for its Conway Ranch water diversion and delivery infrastructure, and thus invites this group to partner with the County to identify funding that could be used to examine the efficiency of all existing infrastructure in the North Mono Basin and to make implement improvements to realize new/additional water supplies to address impacts on lower Wilson Creek.

- Allow Some of the Water Diverted to Mill Creek to Flow in Wilson Creek. As explained above, few materials and documents exist that examine the relative characteristics and values of Mill and Wilson Creek. As such, the decision by each of your respective agencies to divert water to Mill Creek via the Return Ditch was done without a full and accurate understanding of the potential impacts to lower Wilson Creek. Until such studies, analyses, and review are prepared, the Board respectfully asks that your agencies allow all or some of the water that you are diverting to Mill Creek to flow in Wilson Creek to address the fisheries and habitat impacts to lower Wilson Creek until such studies, analyses, and review are complete and better decisions informed by current science and analyses can be made.

The Board recognizes that its requests may be at odds with your agencies' current water management activities and decisions. But both Mill and Wilson Creeks are enjoyed by County residents and visitors without knowledge of your larger plans and commitments. Also, the Board recognizes that this issue involves decisions regarding the management and allocation of a finite resource among competing demands. But it cannot help but note that your agencies' water management decisions were made with little regard for the relative value of both Mill and Wilson Creeks. Therefore, the Board respectfully asks that your agencies prepare (or provide assistance) for the preparation of such analyses such that more informed decision-making can be made about the allocation of water between Mill and Wilson Creeks, ensure the efficient operation of your water delivery infrastructure and facilities, and divert all or some of your Mill Creek water to Wilson Creek until more current, comprehensive analyses of the environmental characteristics, values, and impacts of Mill and Wilson Creeks can be prepared.

Messrs. Perez, Martin, and Nelson

RE: Ongoing Environmental Impacts to Wilson Creek in the Northern Mono Lake Basin

November 3, 2020

Page 4 of 4

If you or any member of this group has any question or would like to respond or discuss to the County's requests, please contact feel free to contact any member of the Board at your convenience. Otherwise, please feel free to contact Tony Dublino at (760) 932-5459 or tdublino@mono.ca.gov or Jason Canger at (760) 924-1712 or jcanger@mono.ca.gov to discuss.

Sincerely,



Stacy Corless, Chair
Mono County Board of Supervisors

CC (email only):

Saeed Jorat, Los Angeles Department of Water and Power

Kelly Henderson, Martin Ostendorf, Cal Rossi, Matthew Woodhall, Southern California Edison

Thomas Torres, United States Forest Service

Leslie MacNair, Steve Parmenter, Nancee Murray, California Department of Fish and Wildlife

Geoffrey McQuilkin, Mono Lake Committee

Julie Fair, American Rivers

Curtis Knight, Sandra Jacobson, PhD, California Trout

Richard Roos-Collins, Water and Power Law Group, P.C.



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

TIME REQUIRED

SUBJECT

Filing Notice of State Video Franchise Renewal for Suddenlink Communications d/b/a NPG Cable, LLC (Franchise #0040)

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

In accordance with California's Digital Infrastructure and Video Competition Act ("DIVCA"), General Order 169 and Decision 14-08-057 Amending General Order 169 to Implement the Franchise Renewal Provisions of the Digital Infrastructure and Video Competition Act of 2006, Suddenlink Communications d/b/a NPG Cable, LLC hereby notifies the Board of Supervisors of the state video franchise renewal application it has filed for the region with the State of California.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Queenie Barnard

PHONE/EMAIL: 760-932-5534 / qbarnard@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p> Notice</p>

History

Time	Who	Approval
1/14/2021 11:11 AM	County Counsel	Yes
1/14/2021 2:03 PM	Finance	Yes
1/14/2021 2:41 PM	County Administrative Office	Yes



January 12, 2021

Via Electronic Mail and Federal Express

Shannon Kendall
Clerk of the Board
County of Mono - June Lakes
PO Box 715
Bridgeport, CA 93517
BOS@mono.ca.gov

RE: State Video Franchise Renewal for NPG Cable, LLC (Franchise #0040)

Dear Ms. Kendall:

In accordance with California's Digital Infrastructure and Video Competition Act ("DIVCA"), General Order 169 and Decision 14-08-057 Amending General Order 169 to Implement the Franchise Renewal Provisions of the Digital Infrastructure and Video Competition Act of 2006, Suddenlink Communications d/b/a NPG Cable, LLC hereby notifies your office of the state video franchise renewal application it has filed for your region with the State of California. A copy of this application is enclosed for your reference.

Please feel free to contact me directly at 347-527-3424 or at Brad.Ayers@AlticeUSA.com with any questions or concerns.

Best regards,

A handwritten signature in black ink, appearing to read "Brad Ayers", written in a cursive style.

Brad Ayers
Senior Director, Government Affairs

cc: Robert Hoch, Sr. Counsel, Government Affairs



**APPLICATION FOR A NEW, AMENDED OR RENEWAL
CALIFORNIA STATE VIDEO FRANCHISE
CALIFORNIA PUBLIC UTILITIES COMMISSION**

Definitions for the purposes of this Application:

A. "Access" means that the holder is capable of providing video service at the household address using any technology, other than direct-to-home satellite service, providing two-way broadband Internet capability and video programming, content, and functionality, regardless of whether any customer has ordered service or whether the owner or landlord or other responsible person has granted access to the household. If more than one technology is utilized, the technologies shall provide similar two-way broad band Internet accessibility and similar video programming.

B. "Affiliate" means any company 5 per cent or more of whose outstanding securities are owned, controlled, or held with power to vote, directly or indirectly either by a state video franchise holder or any of its subsidiaries, or by that state video franchise holder's controlling corporation and/or any of its subsidiaries as well as any company in which the state video franchise holder, its controlling corporation, or any of the state video franchise holder's affiliates exert substantial control over the operation of the company and/or indirectly have substantial financial interests in the company exercised through means other than ownership.

C. "Applicant" means any person or entity that files an application seeking to provide Video Service in the state pursuant to a State Video Franchise.

D. "Application" means the form prescribed by the Commission through which an Applicant may apply for a State Video Franchise, ~~or~~ amend its Video Service Area, or apply for a State Video Franchise renewal.

E. "Application Fee" means any fee that the Commission imposes to recover its actual and reasonable costs of processing an Application.¹

F. "Area" means a set of contiguous (i) collections of census block groups or (ii) regions that are mapped using geographic information system technology.

G. "Broadband" or "Broadband Service" means any service defined as Broadband, or having advanced telecommunications capability, in the most recent Federal Communications Commission inquiry pursuant to Section 706 of the Telecommunications Act of 1996 (P.L. 104-104).²

H. "Census Block Group" has the same meaning as used by the U.S. Census Bureau. I. "Census Tract" has the same meaning as used by the U.S. Census Bureau.³

J. "Census Tract Basis" means pursuant to the reporting standards articulated in Appendix D and Appendix E, Section II of D.07-03-014.

K. "Commission" means the Public Utilities Commission.

L. "Company" means the Applicant and its Affiliates.

¹ CAL. PUB. UTIL. CODE § 5840(c). This fee is not levied for general revenue purposes, consistent with Public Utilities Code § 5840(c).

² *Id.* at § 5830(a). The Federal Communications Commission currently uses the term "broadband" and "advanced telecommunications capability" to describe services and facilities with an upstream (customer-to-provider) and downstream (provider-to-customer) transmission speed of more than 200 kilobits per second. FEDERAL COMMUNICATIONS COMMISSION, AVAILABILITY OF ADVANCED TELECOMMUNICATIONS CAPABILITY IN THE UNITED STATES, FOURTH REPORT TO CONGRESS, FCC 04-208, 10 (Sept. 9, 2004). This definition, however, is under review by the Commission, and it may evolve in response to rapid technological changes in the marketplace. *Id.*

³ CAL. PUB. UTIL. CODE at § 5960(a).

M. “Consultant” means the third party source of census household projections including low income household projections.

N. “DIVCA” means Assembly Bill 2987, the Digital Infrastructure and Video Competition Act of 2006 (Ch. 700, Stats. 2006).

O. “Household” means, consistent with the U.S. Census Bureau, a house, apartment, a mobile home, a group of rooms, or a single room that is intended for occupancy as separate living quarters.⁴ Separate living quarters are those in which the occupants live and eat separately from any other persons in building and which have direct access from the outside of the building or through a common hall.⁵

P. “Local Entity” means any city, county, city and county, or joint powers authority within the state within whose jurisdiction a State Video Franchise Holder may provide Video Service.⁶

Q. “Low-Income Household” means a residential Household where the average annual Household income is less than \$35,000, as based on U.S. Census Bureau estimates adjusted annually to reflect rates of change and distribution through January 1, 2007.⁷

R. “State Video Franchise” means a franchise issued by the Commission pursuant to DIVCA.⁸

S. “State Video Franchise Holder” means a person or group of persons that has been issued a State Video Franchise from the Commission pursuant to Division 2.5 of DIVCA.⁹

T. “Telephone Service Area” means the area where the Commission has granted an entity a Certificate of Public Convenience and Necessity to provide telephone service.

U. “Telephone Corporation” means a telephone corporation as defined in Public Utilities Code § 234.

V. “Video Service” means video programming services, cable service, or open-video system service provided through facilities located at least in part in public rights-of-way without regard to delivery technology, including Internet protocol or other technology. This definition does not include (1) any video programming provided by a commercial mobile service provider defined in Section 322(d) of Title 47 of the United States Code, or (2) video programming provided as part of, and via, a service that enables users to access content, information, electronic mail, or other services offered over the public Internet.¹⁰

W. “Video Service Area” means the area proposed to be served under a State Video Franchise. X.

“Video Service Provider” means any entity providing Video Service.¹¹

⁴ *Id.* at § 5890(j)(1).

⁵ *Id.*

⁶ *Id.* at § 5830(k).

⁷ *Id.* at § 5890(j)(2) (defining “low-income households” for the purposes of imposing build-out requirements).

⁸ *Id.* at § 5830(p).

⁹ *Id.* at § 5830(i).

¹⁰ *Id.* at § 5830(s).

¹¹ *Id.* at § 5830(t).

Build-Out Information

Answer questions 9 through 12 only if the Applicant or one of its Affiliates is a Telephone Corporation. Other Applicants should go to Question 13.

9. Does the Applicant alone or together with its Affiliates have more than 1,000,000 telephone customers in California?

Yes No

10. Does the Video Service Area include areas outside of the Telephone Service Area of the Applicant and its Affiliates?

Yes No

11. Is the Applicant primarily deploying fiber optic facilities to the customer's premise?

Yes No

12. Excluding direct-to-home satellite, is Video Service currently offered by another Video Service Provider in the Video Service Area proposed in this Application?

Yes No

Existing Local Cable or Video Franchise Holder Information

13. Does the Applicant alone or together with its Affiliates currently hold a local franchise, or has the Applicant held a local franchise in the Video Service Area in the last six months?

Yes No

If "Yes," then download and complete the electronic template available on the Communications Division's section of the CPUC's web site at www.cpuc.ca.gov.

Video Service Area Information

Renewal Applicants: If the Applicant has already reported socioeconomic data as part of the yearly DIVCA data collection, this data does not need to be submitted again.

14. a. Utilizing the template (as applicable) provided on the Communications Division's section of the CPUC's web site at www.cpuc.ca.gov provide a geographic description of the Video Service Area and input the expected date for the deployment of each Area in the Video Service Area. Please select the method by which the geographic description shall be detailed:

A collection of U.S. Census Bureau Census Block Groups, or

○ *If Applicant chooses "a," then download and complete the electronic template available on the Communications Division's section of the CPUC's web site at www.cpuc.ca.gov*

A geographic information system digital boundary meeting or exceeding national map accuracy standards.

○ *If Applicant chooses "b," then submit the geographic information system digital boundary as a polygon shapefile (.shp), in State Plane coordinate system in digital format electronically to the Commission*

b. If a consultant was used to compile the geographic description data, please provide the following:

Consultant Company's Full Legal Name: Frontier GeoTek, Inc.

Address: 6377 Revere Parkway Suite 300 Centennial, CO 80111

Phone: 303-350-4104

15. Socioeconomic status information of residents within the Video Service Area

○ *If applicable, the Applicant shall provide this information utilizing the templates available on the Communications Division's section of the CPUC's web site at www.cpuc.ca.gov*

a. Provide the following baseline description of residents in the Video Service Area:

i. *Number of Households:* The number of Households in each Census Tract included in the Video Service Area. Utilize the most recent U.S. Census projections of households available as of January 1 of the year the Application is submitted to determine the number of Households.

ii. *Number of Low-Income Households:* The number of Low-Income Households in each Census Tract included in the Video Service Area. Utilize the most recent U.S. Census projections of low-income households available as of January 1, 2007 to determine the number of Low-Income Households.

b. Provide or attest in the attached Affidavit that Applicant shall provide, no later than 90 calendar days after the date of the Commission's issuance of a State Video Franchise to the Applicant, the following description of residents in the Video Service Area on a Census Tract Basis:

i. *Wireline Broadband:*

1. The number of Households in each Census Tract to which the Company makes wireline Broadband available.
2. The number of Households in each Census Tract that subscribe to wireline Broadband that the Company makes available.

ii. *Non-Wireline Broadband:*

1. If the Company uses non-wireline technology to provide Broadband, specify the type(s) of technology used in each Census Tract.
2. The number of customers in each Census Tract that subscribe to non-wireline Broadband that the Company makes available.
3. Using geographic information system digital boundaries that meet or exceed national map accuracy standards, provide maps that delineate (i) Census Tract boundaries and (ii) where the Company typically makes non-wireline Broadband available.

iii. *Video service:* The number of Households in each Census Tract that are offered Access by the Company.

iv. *Low-Income* (Utilize the most recent U.S. Census projections of low-income households available as of January 1, 2007 to determine the number of Low-Income Households): The number of Low-Income Households that are offered Access by the Company.

16. Socioeconomic status information of residents within the Telephone Service Area

○ *If applicable, the Applicant shall provide this information utilizing the templates available on the Communications Division's section of the CPUC's web site at www.cpuc.ca.gov.*

a. If the Applicant or any of its Affiliates is a Telephone Corporation, provide the following baseline description of residents in the Telephone Service Area:

i. *Number of Households:* The number of Households in each Census Tract included in the Telephone Service Area. Utilize the most recent U.S. Census projections of households available as of January 1 of the year the Application is submitted to determine the number of Households.

ii. *Number of Low-Income Households:* The number of Low-Income Households

in each Census Tract included in the Telephone Service Area. Utilize the most recent U.S. Census projections of low-income households available as of January 1, 2007 to determine the number of Low-Income Households.

b. If the Applicant or any of its Affiliates is a Telephone Corporation, provide or attest in the attached Affidavit that Applicant shall provide, no later than 90 calendar days after the date of the Commission's issuance of a State Video Franchise to the Applicant, the following description of residents in the Telephone Service Area:

i. *Wireline Broadband:*

1. The number of Households in each Census Tract to which the Company makes wireline Broadband available.
2. The number of Households in each Census Tract that subscribe to wireline Broadband that the Company makes available.

ii. *Non-Wireline Broadband:*

1. If the Company uses non-wireline technology to provide Broadband, specify the type(s) of technology used in each Census Tract.
2. The number of customers in each Census Tract that subscribe to non-wireline Broadband that the Company makes available.
3. Using geographic information system digital boundaries that meet or exceed national map accuracy standards provide maps that delineate (i) Census Tract boundaries and (ii) where the Company typically makes non-wireline Broadband available.

iii. *Video service:* The number of Households in each Census Tract that are offered Access by the Company.

iv. *Low-Income* (Utilize the most recent U.S. Census projections of low-income households available as of January 1, 2007 to determine the number of Low-Income Households): The number of Low-Income Households that are offered Access by the Company.

17. If a consultant was used to compile the geographic description data, please provide the following:

Consultant Company's Full Legal Name: Frontier GeoTek, Inc.

Address: ~~6377 Revere Parkway Suite 300 Centennial, CO 80111~~

Phone: 303-350-4104

Financial, Legal, and Technical Qualifications

18. a. New Applicants must provide or attest in the attached Affidavit that Applicant shall provide a copy of a fully executed bond in the amount of \$100,000 per 20,000 households in the Video Service Area, with a \$100,000 minimum and a \$500,000

maximum per State Video Franchise Holder, to the Executive Director prior to initiating video service and no later than 5 business days after the date of the Commission's issuance of a State Video Franchise to the Applicant. The bond must list the Commission as obligee and be issued by a corporate surety authorized to transact a surety business in California.

b. Renewal Applicants must have already provided to the Commission a copy of a fully executed bond in the required amount or else this Application will be considered incomplete.

Local Entity Contact Information

19. Utilizing the template provided on the Video Franchise main page of the CPUC website, the Applicant shall provide the contact name and information for a representative from each Local Entity within the Video Service Area.

Application Fee

20. Attach to this Application a check in the amount of \$2,000 made payable to the "California Public Utilities Commission."

Affidavit

21. Complete and submit the affidavit attached as Appendix B to this Application.

A COMPLETE APPLICATION MUST INCLUDE:

Completed Application form CD(s) containing completed templates available on the Commission website Appendix A: Applicant's Principal Officers Appendix B: Affidavit Check in the amount of \$2,000

APPLICANT'S PRINCIPAL OFFICERS

<u>NAME</u>	<u>TITLE</u>
Dexter Goei	Chief Executive Officer
Michael Grau	Chief Financial Officer
Abdelhakim Boubazine	President and Chief Operating Officer
Michael Olsen	EVP, General Counsel and Secretary
Colleen Schmidt	EVP, Human Resources
Nick Brown	SVP and Treasurer
Layth Taki	SVP, Accounting
David Prebut	SVP, Tax
Lee Schroeder	EVP, Government and Community

APPENDIX A

List of Principal Officers of NPG, LLC

Dexter Goei Chief Executive Officer

Michael Grau Chief Financial Officer

Abdelhakim Boubazine President and Chief Operating Officer

Michael Olsen EVP, General Counsel and Secretary

Colleen Schmidt EVP, Human Resources

Nick Brown SVP and Treasurer

Layth Taki SVP, Accounting

David Prebut SVP, Tax

Lee Schroeder EVP, Government and Community

AFFIDAVIT

STATE OF NEW YORK

COUNTY OF QUEENS

Senior Vice President

My name is Patrick Hayes. I am Government Affairs (Title)
of Altice USA, Inc. (Company).

My personal knowledge of the facts stated herein has been derived from my employment with Altice USA, Inc. (Company).

I swear or affirm that I have personal knowledge of the facts stated in this Application for a California State Video Franchise to provide Video Service, I am competent to testify to them, and I have the authority to make this Application on behalf of and to bind the Company.

New, Transfer and Renewal Applicants:

I further swear or affirm that NPG, LLC [Name of Applicant] is not in violation of any final non-appealable order relating to either the Cable Television and Video Providers Customer Service and Information Act (California Public Utilities Code Article 3.5 (commencing with § 53054) of Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code) or the Video Customer Service Act (California Public Utilities Code Article 4.5 (commencing with § 53088) of Chapter 1 or Part 1 of Division 2 of Title 5 of the Government Code) or the Digital Infrastructure and Video Competition Act of 2006 (California Public Utilities Code §§ 5800 et seq.).

I further swear or affirm that a court of competent jurisdiction has / **has not** [circle one] found NPG, LLC [Name of Applicant] in violation of that order.

I further swear or affirm that a court of competent jurisdiction has / **has not** [circle one] given NPG, LLC [Name of Applicant] formal notice containing allegations that it is in violation of a final non-appealable court order.

If a court of competent jurisdiction finds that the Applicant is in violation of a non-appealable court order, it must provide, with this Application, a further court order or ruling demonstrating that the violation has been cured, if one exists. If no such order exists, the Applicant must attest to the following:

I further swear or affirm that NPG, LLC [Name of Applicant] has cured the violation of a non-appealable court order.

All Applicants:

I further swear or affirm that NPG, LLC [Name of Applicant] shall fulfill the following requirements:

1. Applicant has filed or will timely file with the Federal Communications Commission all forms required by the Federal Communications Commission before offering Video Service in this state.
2. Applicant agrees to comply with all lawful city, county, or city and county regulations regarding the time, place, and manner of using the public rights-of-way, including but not limited to, payment of applicable encroachment, permit, and inspection fees.
3. Applicant will concurrently deliver a copy of this Application to any Local Entity in the Video Service Area.
4. Applicant possesses the financial, legal, and technical qualifications necessary to construct and operate the proposed system and promptly repair any damage to the public rights-of-way caused by Applicant.
5. If it has not done so in the Application, or has not submitted socioeconomic data during this year, Applicant shall provide the Commission, no later than 90 calendar days after the date of the Commission's issuance of a State Video Franchise to the Applicant, a complete description of residents' socioeconomic status information, as required by and detailed in Questions 14 and 15 of the Application.
6. If it has not done so in the Application, Applicant shall provide a copy of a fully executed bond In the amount of \$100,000 to the Executive Director prior to initiating video service and no later than 5 business days after the date of Commission issuance of a State Video Franchise to the Applicant,. The bond shall list the Commission as obligee and be issued by a corporate surety authorized to transact a surety business in California.

I further swear or affirm that NPG, LLC

[Name of Company] agrees to comply with all federal and state statutes, rules, and regulations, including, but not limited to, the following:

1. As provided in Public Utilities Code § 5890, Applicant will not discriminate in the provision of Video Service.
2. Applicant will abide by all applicable consumer protection laws and rules as provided in Public Utilities Code § 5900.
3. Applicant will remit the fee required by California Public Utilities Code § 5860(a) to the Local Entity.
4. Applicant will provide public, educational, and governmental access channels and the required funding as required by Public Utilities Code § 5870.
5. Applicant and any and all of its Affiliates' operations in California now and in the future shall be included for the purposes of applying Public Utilities Code §§ 5840, 5890, 5960, and 5940. Applicant specifically attests to the following:
 - a. Reporting Requirements: Either (i) Applicant or (ii) the parent company of Applicant shall produce Commission-mandated reports for and on behalf of Applicant and any and all of its Affiliates that operate in California. Only one report required pursuant to Public Utilities Code §5960 shall be filed annually, such report to include all pertinent data for the Company.

b. Antidiscrimination:

i. If Applicant and its Affiliates together have more than 1,000,000 telephone customers in California, Applicant shall satisfy the build-out requirements set forth in Public Utilities Code § 5890(b) & (e).

ii. If Applicant and its Affiliates together have less than 1,000,000 telephone customers in California, Applicant shall satisfy any build-out requirements established pursuant in Public Utilities Code § 5890(c).

c. Cross-subsidization: If Applicant or its Affiliates provide stand-alone, residential, primary-line basic telephone service, Applicant shall refrain from using any increase of the rate of this service to finance the cost of deploying a network to provide video service.

d. "Affiliate," as referenced herein, means any company 5 per cent or more of whose outstanding securities are owned, controlled, or held with power to vote, directly or indirectly either by a state video franchise holder or any of its subsidiaries, or by that state video franchise holder's controlling corporation and/or any of its subsidiaries as well as any company in which the state video franchise holder, its controlling corporation, or any of the state video franchise holder's affiliates exert substantial control over the operation of the company and/or indirectly have substantial financial interests in the company exercised through means other than ownership.

6. Applicant shall fulfill all other requirements imposed by the Digital Infrastructure and Video Competition Act.

7. NPG, LLC [Name of Applicant] is a single identifiable entity that is qualified to do business in California and has verifiable assets. This entity shall accept service of process, either directly or through an agent, and submit to the jurisdiction of California courts.

I swear or affirm that all of the statements and representations made in this Application are true

Signature and title 

Typed or printed name and title Patrick Hayes, Senior Vice President, Government Affairs

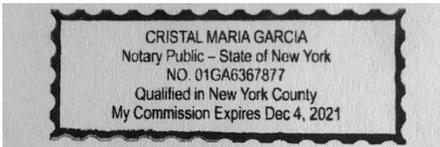
AFFIDAVIT

State of New York

County of Queens

Subscribed and sworn to (or affirmed) before me on this 5th day of
January 2021,

by, Patrick Hayes personally known to me or
proved to me on the basis of satisfactory evidence to be the person(s) who appeared
before me.



Seal _____

Signature Cristal M. Garcia

(END OF ATTACHMENT B)



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

TIME REQUIRED 1 hour

SUBJECT COVID-19 (Coronavirus) Update

**PERSONS
APPEARING
BEFORE THE
BOARD**

Robert C. Lawton, CAO, Dr. Tom Boo,
Mono County Health Officer

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

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.

CONTACT NAME: Robert C. Lawton, Dr. Tom Boo

PHONE/EMAIL: 760-932-5415 / rlawton@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Mammoth Lakes Housing and Latino Coalition Letter](#)

History

Time	Who	Approval
1/11/2021 11:15 AM	County Counsel	Yes
1/14/2021 2:00 PM	Finance	Yes
1/14/2021 2:43 PM	County Administrative Office	Yes



To: The Town Council
From Judith Jimenez

This letter is to request additional aid for the Hispanic population in our community due to the impact COVID-19 has had in this population, such as higher COVID-19 positive tests and the shutting down of their main income sources, which are in the tourism and service industry.

The fact that the undocumented Hispanic community does not have access to unemployment benefits, Federal CARES resources and aid from other resources in the community due to citizenship status puts them in an inequitable position. If undocumented immigrants do not go to work, they can't pay rent, buy food, pay bills and have no access to health insurance due to there being limited resources for them.

This is an inequity, which forces them to put meeting the basic needs of themselves and their families before staying healthy.

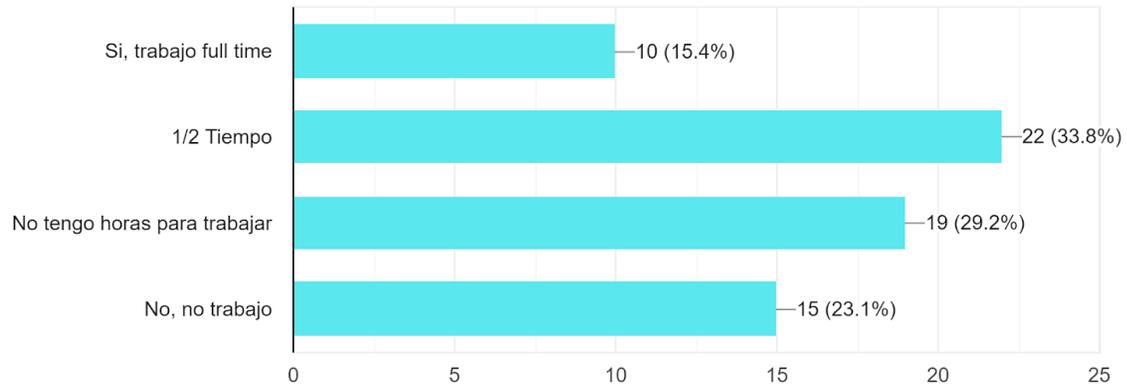
Is this the reason why statistics indicate that COVID-19 is disproportionately affecting the Hispanic population and they are contracting COVID-19 at higher rates?

I have included statistical data from a survey among the Hispanic population in Mammoth collected from Dec-13 to Dec-15

Are you currently working?

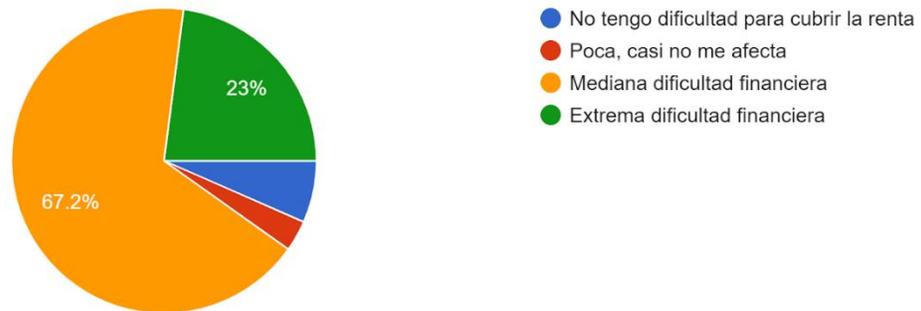
Actualmente ¿Trabajas ?

65 responses



¿Cómo es tu dificultad para pagar tu vivienda?

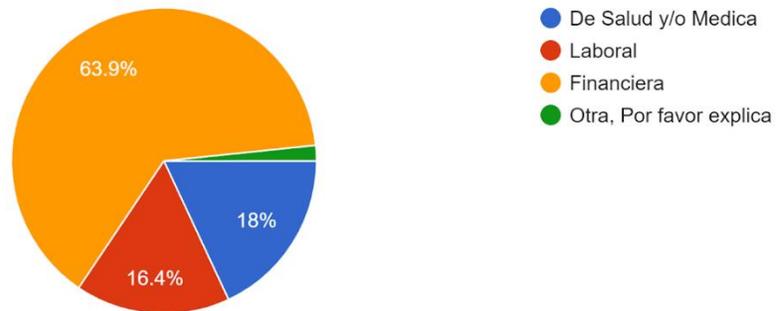
61 responses



How difficult is it to pay for rent?

Durante la pandemia COVID-19 ¿Cuál es tu preocupación más grande o importante?

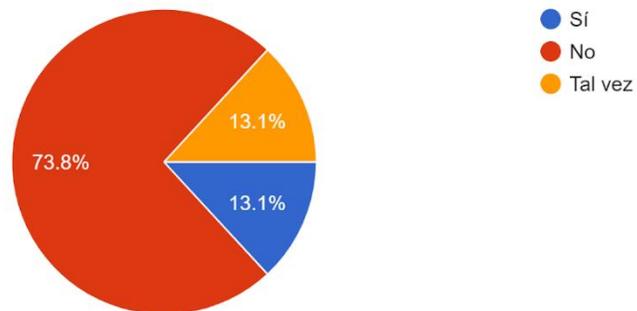
61 responses



During the COVID-19 pandemic, what is your biggest or most important concern?

¿Eres elegible a recibir desempleo ?

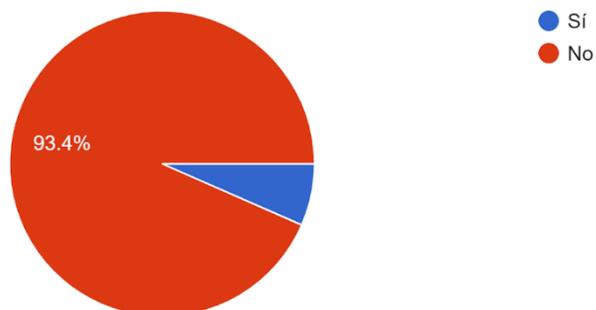
61 responses



Are you eligible for unemployment?

¿Conoces a alguien que no tiene donde vivir o que se ve forzada a vivir en su coche durante el invierno?

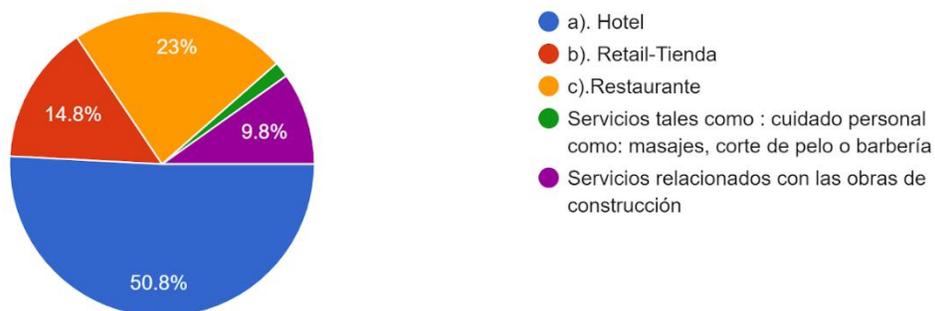
61 responses



Do you know someone who has no place to live or who is forced to live in their car during the winter?

- Yo trabajo proveyendo servicios en:

61 responses



I work providing services in:



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

TIME REQUIRED 20 minutes

SUBJECT Mountain View Fire Update

PERSONS APPEARING BEFORE THE BOARD Justin Nalder, EOC Director

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Update on the Mountain View Fire in Walker, California.

RECOMMENDED ACTION:

Receive update from Incident Command for the Mountain View Fire and involved staff regarding impacts of the fire, recovery efforts, County response, debris removal and related topics. Provide any desired direction to staff.

FISCAL IMPACT:

No impact from this update.

CONTACT NAME: Justin Nalder

PHONE/EMAIL: 760-932-5453 / jnalder@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)
No Attachments Available

History

Time	Who	Approval
1/11/2021 11:19 AM	County Counsel	Yes
1/14/2021 2:00 PM	Finance	Yes
1/14/2021 2:41 PM	County Administrative Office	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

Departments: Public Works - Roads

TIME REQUIRED 10 minutes

SUBJECT Emergency Guardrail Replacement -
Justification for Continued
Emergency

**PERSONS
APPEARING
BEFORE THE
BOARD**

Kevin Julian, Road Operations
Superintendent

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Update on the Emergency Guardrail replacement project on Eastside Lane and North River Lane and finding of continued emergency.

RECOMMENDED ACTION:

1. Receive update on Eastside Lane and North River Lane emergency guardrail repair/replacement project.
2. As established by Public Contract Code Chapter 2.5, "Emergency Contracting Procedures," review the emergency action taken on Jan 5, 2021 and make a finding, based on substantial evidence set forth in this staff report and at the meeting, that the emergency continues to exist as to Eastside Lane and North River Lane, and that continuation of action to replace the damaged guardrail on both roads is necessary to respond to the emergency. [4/5th Vote Required.]
3. Delegate to the Mono County Road Operations Superintendent the authority to continue to procure the necessary equipment, services, and supplies for the emergency guardrail replacement on Eastside Lane and North River Lane, without giving notice for bids to let contracts, including executing any agreements or contracts for the construction or repair of the damaged/destroyed guardrails. [4/5th Vote Required.]

FISCAL IMPACT:

Based on the initial estimates obtained by the Public Works Department – Roads Division, the total cost of the emergency repair/replacement of the Eastside Lane and North River Lane guardrails is approximately \$160,000. The emergency projects are eligible for 75% funding via the California Disaster Assistance Act (CDAA) Program administered by the Governor's Office of Emergency Services (CalOES). Staff proposes that the 25% County match for the emergency guardrail repairs/replacements be paid with available transportation funding

CONTACT NAME: Kevin Julian

PHONE/EMAIL: 760-932-5449 / kjulian@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

 [Staff Report](#)

History

Time	Who	Approval
1/11/2021 11:18 AM	County Counsel	Yes
1/14/2021 2:01 PM	Finance	Yes
1/14/2021 2:42 PM	County Administrative Office	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

POST OFFICE BOX 457 • 74 NORTH SCHOOL STREET • BRIDGEPORT, CALIFORNIA 93517
760.932.5440 • Fax 760.932.5441 • monopw@mono.ca.gov • www.monocounty.ca.gov

Date: January 19, 2021

To: Honorable Chair and Members of the Board of Supervisors

From: Kevin Julian, Road Operations Superintendent

Re: Emergency Guardrail Replacement – Justification for Continued Emergency

Recommended Action:

1. Receive update on Eastside Lane and North River Lane emergency guardrail repair/replacement project.
2. As established by Public Contract Code Chapter 2.5, “Emergency Contracting Procedures,” review the emergency action taken on Jan 5, 2021 and make a finding, based on substantial evidence set forth in this staff report and at the meeting, that the emergency continues to exist as to Eastside Lane and North River Lane, and that continuation of action to replace the damaged guardrail on both roads is necessary to respond to the emergency. [4/5th Vote Required.]
3. Delegate to the Mono County Road Operations Superintendent the authority to continue to procure the necessary equipment, services, and supplies for the emergency guardrail replacement on Eastside Lane and North River Lane, without giving notice for bids to let contracts, including executing any agreements or contracts for the construction or repair of the damaged/destroyed guardrails. [4/5th Vote Required.]

Fiscal Impact:

Based on the initial estimates obtained by the Public Works Department – Roads Division, the total cost of the emergency repair/replacement of the Eastside Lane and North River Lane guardrails is approximately \$160,000.00. The emergency projects are eligible for 75% funding via the California Disaster Assistance Act (CDAA) Program administered by the Governor’s Office of Emergency Services (CalOES). Staff proposes that the 25% County match for the emergency guardrail repairs/replacements be paid with available transportation funding.

Strategic Plan Alignment: *Infrastructure, Public Safety*

Background:

Since the initial report was provided on January 5, 2021, the following action has been taken:

- Posted advanced notification per contract requirements
- Preconstruction meeting held 1.18.21

- Mobilization to site week of 1.18.21

Justification for Continued Emergency – Eastside Lane and North River Lane:

Eastside Lane and North River Lane remain protected with temporary protective measures (concrete K-Rails) in lieu of guardrail built to standard. Replacement of the guardrail is required to ensure traffic safety along Eastside Lane and North River Lane.

If you have any questions regarding this item, please contact me at 760.932.5449. I may also be contacted by email at kjulian@mono.ca.gov.

Respectfully submitted,



Kevin Julian
Road Operations Superintendent



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

Departments: Community Development

TIME REQUIRED 20 minutes

PERSONS APPEARING BEFORE THE BOARD Bentley Regehr, Planning Analyst

SUBJECT State Route 120 Freeway Rescission Recommendation

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution to recommend rescission of the 1961 and 1964 State Route 120 freeway agreements between Mono County and the State of California.

RECOMMENDED ACTION:

Adopt proposed resolution. Provide any desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Bentley Regehr

PHONE/EMAIL: 760-924-4602 / bregehr@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
staff report
Resolution

History

Time	Who	Approval
1/11/2021 11:14 AM	County Counsel	Yes
1/14/2021 2:03 PM	Finance	Yes
1/14/2021 2:43 PM	County Administrative Office	Yes

Mono County Community Development Department

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

January 19, 2021

To: Board of Supervisors
From: Bentley Regehr, Planning Analyst
Subject: SR 120 Freeway Rescission

RECOMMENDED ACTION

Approve proposed resolution R 21-xx. Provide any desired direction to staff.

BACKGROUND

Adoption of the proposed resolution would recommend the California Transportation Commission (CTC) rescind the 1961 and 1964 State Route (SR) 120 freeway agreements between Mono County and the State of California. SR 120 is currently a two-lane road that has a freeway designation through the aforementioned agreements, which potentially allow for conversion to a four-lane expressway. A rescission is recommended by Caltrans District 9 and County staff due to the determination that SR 120 is unlikely to ever require conversion to a four-lane expressway due to seasonal closures and low projected traffic volumes based on growth rates.

The existing agreements could allow for expansion of State Route 120, but this would conflict with policies in the Mono County Conservation/Open Space Element, the Mono Basin Community Plan, and the Mono County Regional Transportation Plan, including potential impacts to visual resources and air quality. However, the rescission of the freeway agreements will provide greater design flexibility in regard to complete streets (e.g., multi-modal pedestrian and bicycle facilities) and may provide increased Caltrans encroachment permit flexibility. Rescinding the freeway agreements will not have impact on Caltrans' access control for the road.

The recommendation to rescind these freeway agreements is supported by the following Mono County General Plan policies:

Mono County Conservation/Open Space Element

Objective 20.A. Maintain and enhance visual resources in the county.

Objective 20.C. Ensure that development is visually compatible with the surrounding community, adjacent cultural resources, and/or natural environment.

Policy 23.A.3. Future development projects shall avoid impacts to air quality or mitigate impacts to a level of non-significance, unless a statement of overriding considerations is made through the EIR process.

Mono County Regional Transportation Plan, Lee Vining Community Policies

Policy 22.A.2. Fully consider the safety needs of cyclists and pedestrians, as well as motorists, in the design and maintenance of highway improvements.

Action 22.A.2.a. Work with Caltrans, the Mono County LTC, and other applicable agencies to ensure that pedestrian needs and opportunities are addressed in the design and environmental assessment phases of road projects.

Mono County Regional Transportation Plan, Yosemite Community Policies.

Objective 23.B. Improve opportunities for access by alternative modes (transit, bicycles, pedestrians, air, other non-auto modes).

Policy 23.B.1 In support of YARTS regional transit and other alternative modes for access to Yosemite, encourage multi-modal infrastructure projects that complement the gateway communities, emphasize alternatives to the auto, and integrate joint use of facilities.

Policy 23.B.4. Maintenance and improvement projects on SR 120 should focus on accommodating alternative transportation modes, particularly cycling. Provide connections to trails, appropriate signage, and staging areas for cyclists.

Policy 23.B.5. Encourage Yosemite National Park, Caltrans, and Mono County to work cooperatively to develop bicycle facilities on SR/Highway 120 both within and outside the Park.

Policy 24.D.5. Maintenance and improvement projects on SR/Highway 120 should focus on improving safety, including providing turnouts to allow for safe stops and passing areas, and/or a fast lane/express lane for buses and pass holders (e.g., Wawona Road). Facilities for cyclists and pedestrians should include trailhead parking retention, signage, safe road crossings, etc.

Mono Basin Community Plan

Objective C, Policy 1. Maintain a clear edge between developed areas and open space by ensuring future development outside existing communities is compatible with the scenic and natural attributes of the area.

Objective C, Policy 2. Support design practices that protect scenic vistas.

This staff report has been reviewed by the Executive Director of the Mono County Local Transportation Commission and the Community Development Director.

For questions, please contact Bentley Regehr at 760.924.4602 or bregehr@mono.ca.gov.



DRAFT RESOLUTION R21-___

**RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
RECOMMENDING RESCISSION OF THE STATE ROUTE 120
FREEWAY AGREEMENTS**

WHEREAS, the State of California designated State Route (SR) 120 from US 395 west to Yosemite National Park under a freeway agreement with Mono County in the 1960's; and

WHEREAS, this section of SR 120 is currently a two-lane road that has a freeway designation through the aforementioned freeway agreements, a rescission is recommended by Caltrans District 9 and County Staff due to the determination that State Route 120 is unlikely to ever require conversion to a four-lane expressway due to seasonal winter closures and low projected growth rates.

WHEREAS, a freeway designation is no longer supported by various policies in the Mono County General Plan and Regional Transportation Plan; and

WHEREAS, the California Transportation Commission (CTC) has the final decision on the rescission of the State Route 120 freeway agreements;

NOW, THEREFORE, THE MONO COUNTY BOARD OF SUPERVISORS DOES HEREBY FIND AND RESOLVE to recommend that the California Transportation Commission rescind the 1961 and 1964 freeway agreements between the State of California and Mono County.

PASSED AND ADOPTED this 19th day of January 2021, by the following vote of the Board:

AYES :

NOES :

ABSENT :

ABSTAIN :

Jennifer Kreitz, Chair

ATTEST:

APPROVED AS TO FORM:

Queenie Barnard
Clerk of the Board

Stacey Simon
County Counsel



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

Departments: Behavioral Health

TIME REQUIRED 20 minutes (10 minute presentation,
10 minute discussion)

**PERSONS
APPEARING
BEFORE THE
BOARD**

Amanda Greenberg, Program
Manager, Robin Roberts, Behavioral
Health Director

SUBJECT Behavioral Health Update on
Permanent Supportive Housing
Project and Approval of Letter of
Commitment for Tax Credit
Application

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation by Amanda Greenberg regarding Mono County Behavioral Health's Permanent Supportive Housing Project, including updates on No Place Like Home (NPLH) grant application and letter of the County's commitment of MHSA and NPLH funding for Pacific West Communities' tax credit application.

RECOMMENDED ACTION:

1. Receive staff update and presentation on permanent supportive housing project;
2. Approve and authorize County Administrative Officer to sign Letter of Commitment for the California Tax Credit Allocation Committee (TCAC);
3. Provide any desired direction to staff.

FISCAL IMPACT:

None at this time. The letter of commitment demonstrates the County's intention to commit \$1,800,000 in MHSA funds and \$500,000 in to-be-awarded non-competitive NPLH funds to the development partnership should a tax credit be awarded and all other necessary financing is secured.

CONTACT NAME: Amanda Greenberg

PHONE/EMAIL: 760-924-1754 / agreenberg@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

[Staff Report](#)

[Letter of Commitment](#)

[Presentation](#)

History

Time	Who	Approval
1/13/2021 1:05 PM	County Counsel	Yes
1/14/2021 2:10 PM	Finance	Yes
1/14/2021 2:42 PM	County Administrative Office	Yes



MONO COUNTY BEHAVIORAL HEALTH DEPARTMENT

COUNTY OF MONO

P. O. BOX 2619 MAMMOTH LAKES, CA 93546 (760) 924-1740 FAX: (760) 924-1741

TO: Mono County Board of Supervisors

FROM: Amanda Greenberg, Program Manager, Mono County Behavioral Health

DATE: December 23, 2020

SUBJECT:

Behavioral Health Update on Permanent Supportive Housing Project and Approval of Letter of Commitment for Tax Credit Application

RECOMMENDED ACTION:

(1) Receive staff update and presentation on permanent supportive housing project; (2) Approve and authorize County Administrative Officer to sign Letter of Commitment for the California Tax Credit Allocation Committee (TCAC); (3) Provide any desired direction to staff.

DISCUSSION:

For the last three years, Mono County Behavioral Health (MCBH) has worked steadily toward the development of an integrated affordable housing and permanent supportive housing project in the Town of Mammoth Lakes. In November 2020, the Mono County Board of Supervisors approved MCBH to terminate its pre-development loan agreement with Affordable Housing Alliance II, Inc., dba Integrity Housing and to move forward with a partnership with Pacific West Communities (Pacific) in an effort to integrate MCBH's planned permanent supportive housing project into the first units to be developed on The Parcel.

Since November, MCBH staff, County Counsel, outside counsel, and Pacific have been working diligently on all requirements related to project funding and relevant project details. After completing a thorough needs and fiscal analysis, MCBH has requested eight (8) units to be included within the 81-unit Phase I proposed development. Additionally, the department has negotiated a first priority right to lease an additional five (5) units to referred MHSA-eligible households. The County will have access to Mental Health Services Act (MHSA) funding to assist tenants residing in any NPLH or MHSA units who do not have sufficient income to pay the applicable rent.

In terms of funding, the County and Pacific has determined that the project has a low probability of being awarded a competitive NPLH grant and have therefore recommended only applying for the noncompetitive NPLH grant, which totals \$500,000 and is due on February 15, 2021. These funds will be used for capital. Additionally, the development partnership, which includes Pacific, intends apply in early

February for 4% low-income tax credits from the California Tax Credit Allocation Committee and bonds, which will provide primary funding for the project. The development partnership has requested the County prepare a letter of commitment, to be included in its tax credit application, which demonstrates

the County's intention to contribute \$1,800,000 in MHSA funds and \$500,000 in to-be-awarded noncompetitive NPLH funds. This loan commitment is expressly conditioned upon the development partnership's execution of a disposition and development agreement with the Town of Mammoth Lakes for the project and also its successful application for low-income housing tax credits and all other necessary financing to make the Project feasible. If these conditions are satisfied, County Counsel will draft a formal loan agreement with the development partnership for the Mono County Board of Supervisors to review and approve. Finally, MCBH is working with counsel to prepare a memorandum of understanding for submission with our NPLH application, which we intend to bring to your Board for review and approval on February 2, 2021.

FISCAL IMPACT:

None at this time. The letter of commitment demonstrates the County's intention to commit \$1,800,000 in MHSA funds and \$500,000 in to-be-awarded non-competitive NPLH funds to the development partnership should a tax credit be awarded and all other necessary financing is secured.

SUBMITTED BY:

Amanda Greenberg, Mono County Behavioral Health Program Manager, Contact: 760.924.1754



COUNTY OF MONO

P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5410 • FAX (760) 932-5411

Robert C. Lawton
County Administrative Officer

January 19, 2021

Caleb Roope
Mammoth Lakes Pacific Associates, L.P.
430 East State Street, Suite 100
Eagle, ID 83616

RE: Financial Assistance (No Place Like Home Loan/Mental Health Services Act Funds) for the "Parcel Project - Phase I" to be located on a 2.5 acre +/- portion of APN 035-010-020, commonly referred to as The Parcel and near the terminus of Center Street, Mammoth Lakes, Mono County, California

Dear Mr. Roope:

The County of Mono ("County") has approved a request from your firm, Mammoth Lakes Pacific Associates, a California limited partnership, to provide a loan in the amount of \$500,000.00, the proceeds of which are from the No Place Like Home ("NPLH") non-competitive allocation for the County, and a loan of \$1,800,000.00, the proceeds of which are from Mental Health Services Act ("MHSA") allocations, for the development of the above described project (the "Project"). Loan terms will include a simple interest rate not to exceed three percent (3%) with a 55-year term and payments will be based on residual receipts.

Please be advised that this loan commitment is expressly conditioned upon your execution of a disposition and development agreement with the Town of Mammoth Lakes for the Project and also your successful application for low-income housing tax credits and all other necessary financing to make the Project feasible. In connection with this commitment, and as a condition to the loan, Mammoth Lakes Pacific Associates must also execute loan documents in a form provided by the County, that will govern the use and disbursement of loan funds and the Project. Among other matters, the loan documents will require eight (8) NPLH units affordable for extremely low-income households, in various bedroom sizes approved by the County. They will also require Mammoth Lakes Pacific Associates to provide County-referred tenants, who are eligible for MHSA assistance, with a first priority right to lease an additional four to seven (4-7) units.

Mr. Roope, Mammoth Lakes Pacific Associates, L.P.

RE: Financial Assistance (No Place Like Home Loan/Mental Health Services Act Funds) for the "Parcel Project - Phase I" to be located on a 2.5 acre +/- portion of APN 035-010-020, commonly referred to as The Parcel and near the terminus of Center Street, Mammoth Lakes, Mono County, California

January 19, 2021

Page 2 of 2

As we have discussed, the County anticipates utilizing MHSA funding to further assist tenants residing in any NPLH or MHSA units, who do not have sufficient income to pay the applicable affordable rent.

We wish you the best as you attempt to obtain the balance of your required financing. If you have any questions concerning this commitment of funds, please do not hesitate to contact me at 760-932-5415 or rlawton@mono.ca.gov.

Sincerely,

Robert C. Lawton
County Administrative Officer

Accepted By:

MAMMOTH LAKES PACIFIC ASSOCIATES, L.P., a California limited partnership

By: TPC Holdings IX, LLC,
a California limited liability company,
its General Partner

By: Pacific West Communities, Inc.,
an Idaho corporation,
its Manager

By: _____
Caleb Roope, President & CEO

**MONO COUNTY
BEHAVIORAL
HEALTH
PERMANENT
SUPPORTIVE
HOUSING
PROJECT
1/19/21**

AMANDA GREENBERG

ROBIN ROBERTS



INTRODUCTION

 Permanent Supportive Housing Project Overview & Progress Report

 Re-Cap of No Place Like Home

 Number of Units

 Letter of Commitment

 What's next

PROJECT OVERVIEW & PROGRESS REPORT

- Permanent Supportive Housing
 - Goal: 10-15 units
- Stable, long-term housing for community members
- Funding: Mental Health Services Act & No Place Like Home
- Located on The Parcel
- Work since 11/17 BOS Meeting



RE-CAP OF NO PLACE LIKE HOME (NPLH)

- Overview of NPLH
- Competitive vs. Non-competitive
 - Deadline for Non-competitive: 2/15/21
- Decision on competitive funding



NUMBER OF UNITS

- 13 total units in the first phase
 - 8 NPLH/MHSA units
 - 5 “Preference” units
- Meet current need
- Ensure fiscal sustainability
- Flexibility to meet potential future need



LETTER OF COMMITMENT

- Pacific will be applying for tax credits
- Contents of the letter
 - Financial commitment of Mono County
 - Number of units
 - MCBH will assist residents in paying rent as needed
- If tax credits are awarded, a formal agreement between Mono County and Pacific will follow



WHAT'S NEXT



Return on 2/2/21 with MOU for supportive services



Continue working with Pacific on tax credit application



Finalize supportive services plan & related MOU



Finalize all other materials needed for NPLH



Receive additional direction





**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

Departments: Finance

TIME REQUIRED 20 minutes

PERSONS APPEARING BEFORE THE BOARD Megan Mahaffey, Accountant

SUBJECT Mono County 2020-2021 Interactive Budget Book and Progress Toward Distinguished Budget Award from Government Finance Officers Association (GFOA)

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

In an effort to move Mono County toward a budget presentation worthy of distinction by the Government Finance Officers Association we have selected an interactive on-line budget book format. The new interactive format improves transparency and allows for easier engagement and better governance.

RECOMMENDED ACTION:

Receive demonstration of the interactive on-line budget book and provide any direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Megan Mahaffey

PHONE/EMAIL: 760-924-1836 / mmahaffey@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff report
Budget Process Illustration

History

Time	Who	Approval
1/11/2021 11:16 AM	County Counsel	Yes
1/14/2021 2:00 PM	Finance	Yes
1/14/2021 2:42 PM	County Administrative Office	Yes



DEPARTMENT OF FINANCE

AUDITOR-CONTROLLER

COUNTY OF MONO

Kim Bunn
Assistant Finance Director
Auditor-Controller

Janet Dutcher, CPA, CGFM, MPA
Director of Finance

Gerald Frank
Assistant Finance Director
Treasurer - Tax Collector

TO: Mono County Board of Supervisors

FROM: Megan Mahaffey – Mono County, Accountant II
Janet Dutcher – Mono County, Director of Finance
Bob Lawton – Mono County, CAO

DATE: January 19, 2020

RE: Mono County 2020-2021 Interactive On-Line Budget Book

Recommended Action:

1. Receive update on the Mono County 2020-2021 interactive on-line budget book project and progress towards receiving the Distinguished Budget award from the Government Finance Officers Association.
2. Provide direction to staff.

Fiscal Impact: None.

Strategic Plan: The Mono County interactive on-line budget is in line with the Mono County Strategic Plan by moving Mono County toward fiscal resiliency.

Background: Mono County started the 2020-2021 budget process in February of 2020 and adopted the Recommended Budget on September 8th, 2020. The change of leadership at Mono County in 2020 started a journey toward presenting the annual budget with criteria that would allow staff to apply for the Distinguished Budget award from Government Finance Officers Association.

Discussion: Annually Mono County adopts a balanced budget as required by law. The Budget is a collaborative work effort between all seventeen county departments who use their allocated funds “to support our communities by delivering superior services while protecting our unique rural environment.” This year has been an unusual year due to the COVID pandemic and continued threat and destruction of fires. Despite the last year of crisis and continued modification of day-to-day life, the journey to produce a budget worthy of the GFOA budget presentation award continues. The budget represents the essential and needed services of our local communities and allows for better management and governance.

The Government Finance Officers Association began offering the Distinguished Budget Presentation Awards program to state and local governments beginning in 1984. To date, 1,600 governments have successfully met the criteria to receive the award. The mission of the award program is to encourage and assist state and local governments to prepare a budget document of the very highest quality that reflects best practices for budgeting guidelines. A key goal of the

award program is achieving transparency, which is also a strategic characteristic of achieving fiscal resilience.

To receive the award, the budget document must meet a list of criteria, of which some are presented below:

- Organization-wide strategic goals and strategies that address long-term concerns and issues
- Overview of significant budgetary items and trends, including a budget-in-brief section
- Describe all funds subject to appropriation
- Include all long-term financial policies
- Describe or illustrate the budget process
- Summarize and describe major revenues and expenditures, including the methodology employed to project and forecast budgetary amounts
- Include a schedule of projected changes in fund balance
- Explain and present long-range operating financial plans and its effect upon the budget and budget process
- Include separate sections each for capital expenditures and debt obligations
- A separate section for each department that includes goals, objectives, performance measurements, and individual budget and position schedules
- Statistical and supplemental data that describes the community and its population

To move Mono County toward a budget presentation worthy of distinction by the Government Finance Officers Association we selected an interactive budget format. This is a budget publication, available on the internet, containing interactive links that jump to various locations in the publication, and allow users to drill into varying levels of details for revenues and expenditures. The new interactive format improves transparency and allows for easier engagement compared to the daunting 300-page printed budget book. The budget book has a simple and clean look which allows you to click through and engage in areas of interest. One aspect of the interactive budget platform is it allows each user to have a unique experience with the Mono County Recommended book compared to the traditional approach of printed or all-in-one pdf publishing of past books. The interactive presentation is dynamic in that users can expand or condense any of the budget schedules, including the ability to view past transactions.

This agenda item will present the graphic illustrating our budget process to be included in the interactive budget book, and staff will provide a demonstration of the planned budget book for the Board and public.

To view the interactive budget go to the 2020-2021 Budget portal:

<https://monocounty.ca.gov/auditor/page/2020-2021-budget-portal>



Mono County Budget Book

Fiscal Year
2020-2021

Table of Contents

The Table of Contents allows you to click to view all elements of the budget that you are accustomed to see as well as additional information relating to the strategic plan. The *Introduction* section contains the Budget Transmittal, Countywide Organizational chart, Directory of Public Officials, Strategic Framework, 2019-2024 Strategic Plan and County Profile. The *Budget Summary, Charts and Analysis* section contains Budget overviews and trends, Fund overview, Budget and financial policies, Budget process, Financial summaries and analysis, Capital expenditures, Debt expenditures and balances, Transfers between funds and Financial forecasts. The *Recommended Budget by Department* section allows you to click through to any of the seventeen departments. Each department can display the services they provide our communities in addition to a “Budget Bar” that jumps through to detail of revenues and expenditures associated with corresponding services provided by each department.



ADMINISTRATION

MISSION STATEMENT

Planning and directing the day-to-day operation of County government, while ensuring that federal, state and local laws and directives Board policies and directives are executed in an effective, efficient, and accountable manner.

Each department page has the following information with corresponding information on the following:

1. Mission Statement
2. Departmental Overview, Issues and Challenges
3. Department Organizational Chart
4. Core Services and Program Description
5. Departmental Action plan
6. Adopted Budget Bar – clicks through to all budgets managed
7. Position Summary
8. Measurements, Results & Accomplishments

Mandatory criteria for the Government Officer Finance Association Distinguished budget presentation award include the following:

- | | | |
|----------------------------------|-------------------------------------|-----------------------------------|
| • Table of Contents | • Financial Policies | • Debt |
| • Strategic Goals and Strategies | • Budget Process | • Position Summary schedule |
| • Priorities and Issues | • Consolidated financial statements | • Department Program Descriptions |
| • Budget Overview | • Fund Balance | • Performance measures |
| • Organizational Chart | • Revenues | |
| | • Capital Program | |

The journey to meet the criteria for the GFOA Budget award is underway! It is not about the speed with which we get there, but that we get there. This budget effort will normalize the budget process, improve transparency, and set up measurements so we can communicate performance to constituents. Of the mandatory criteria for the GFOA budget award, we are narrowing the gap for completing the missing pieces. Mono County is in great position to take this next step. The addition of the Assistance County Administrative Officer will allow greater capacity for the creation of performance measurements that can be shared with our communities and used to guide future budget decisions on an annual basis. We hope that you find this work effort useful and that the interactive budget book format will provide greater transparency and allow for better engagement with the County's budget and funding of public services.

If you have any questions regarding this agenda item or staff report, please contact Megan Mahaffey at (760) 924-1836 or mmahaffey@mono.ca.gov.

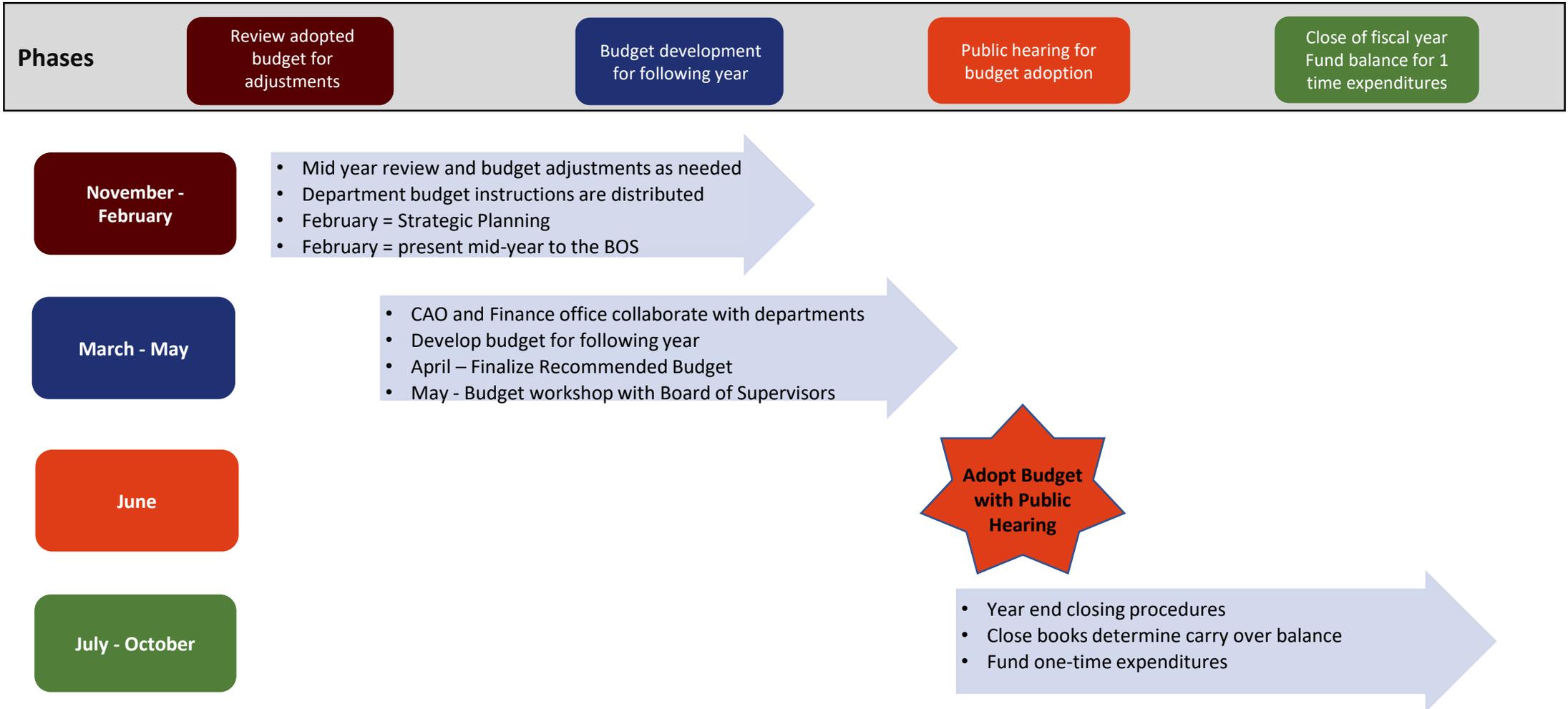
Sincerely,

Megan Mahaffey
Mono County Finance



Annual Budget

Budget Planning Cycle Timeline





OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

TIME REQUIRED

SUBJECT Closed Session - Initiation of
Litigation

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

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: One.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time

Who

Approval



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

TIME REQUIRED

SUBJECT Closed Session - Existing Litigation

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Claim for damages filed by Arlene Wright against Mono County.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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No Attachments Available

History

Time

Who

Approval



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

Departments: Social Services

TIME REQUIRED 30 minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

Michelle Raust, DSS Program
Manager

SUBJECT Status of Child Welfare and Child
Protective Services (CPS)

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation by Michelle Raust regarding the status of Child Protective Services (CPS) during the COVID-19 pandemic including System Improvement Plan progress, recent outcomes, and inter-agency systems of care updates.

RECOMMENDED ACTION:

None, informational only. Provide any desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Michelle Raust

PHONE/EMAIL: 760-924-1758 / mraust@mono.ca.gov

SEND COPIES TO:

N/A

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Presentation

History

Time	Who	Approval
12/3/2020 7:54 AM	County Administrative Office	Yes
1/11/2021 11:15 AM	County Counsel	Yes
12/28/2020 8:41 AM	Finance	Yes



KATHRYN PETERSON, MPH
Director

BRIDGEPORT OFFICE
(760) 932-5600
FAX (760) 932-5287

MAMMOTH LAKES OFFICE
(760) 924-1770
FAX (760) 924-5431



To: Mono County Board of Supervisors

From: Michelle Raust, Program Manager, Department of Social Services (DSS)

Date: November 23, 2020

Re: Update on the status of Child Protective Services (CPS) interventions during the Covid 19 pandemic, progress on the 2018-2023 System Improvement Plan, recent outcomes for CPS-involved children and families, and introduction of the AB 2083 mandate to develop a children's interagency system of care (CSOC).

Recommended Action

No Action; information only.

Fiscal Impact

None

Discussion

The Department of Social Services routinely brings updates to the Board about the status of child maltreatment in the community in order to create awareness and ongoing dialogue about the most vulnerable youth in our communities; those at risk of, or victims, of abuse and neglect.

Today's presentation will cover the following areas:

- Update on the status of Child Protective Services (CPS) interventions during the Covid 19 pandemic,
- Progress on the 2018-2023 System Improvement Plan,
- Recent outcomes for CPS-involved children and families, and
- Introduction of the AB 2083 mandate to develop a children's interagency system of care (CSOC).

During the Covid-19 pandemic, Child Protective Services (CPS) have been impacted in several ways. Shortly following the March 19, 2020 stay-at-home order issued by the Governor of California, there was a significant decrease in reports of suspected child abuse (SCAR's) to 24-hour reporting hotlines statewide. In some areas the drop in reporting was as high as 50%; in Mono County we saw a dip of about 40% of normal rates of reporting. The concern, of course, was that incidents of child maltreatment were inevitably still taking place, but not being reported because community members such as teachers, child care providers, and medical providers were not seeing children as often, or at all.

By August, 2020, rates of reporting suspected child abuse had risen back to normal levels in Mono County and remain at normal levels to date. This is likely the result of community outreach and messaging by the Department, schools, and the Child Abuse Prevention Council (CAPC) combined with the fact that children and families began to venture out of their homes and engage in more activities in the community.

This presentation will provide a basic overview of the types of child abuse that are being reported during the pandemic, a comparison to statewide outcomes, and a regional comparison within Mono County.

Throughout the Covid-19 pandemic, other CPS interventions have gone largely uninterrupted. CPS Social Workers continue to investigate all reports of abuse in-person and make regular contact with youth who are in foster care. Staff screen for Covid 19 symptoms before responding in the field and use safety measures such as face coverings, PPE and social distancing. Some interventions have shifted to virtual platforms to reduce in-person contact where it is deemed non-essential.

Children and parents involved with CPS were given tools, as needed, early on in order to engage in Court hearings, services such as drug and alcohol counseling, and child and family teaming from virtual platforms. We have seen many successes with virtual platforms, and some challenges, especially for youth whose attention spans are limited or whose home environments are filled with distractions.

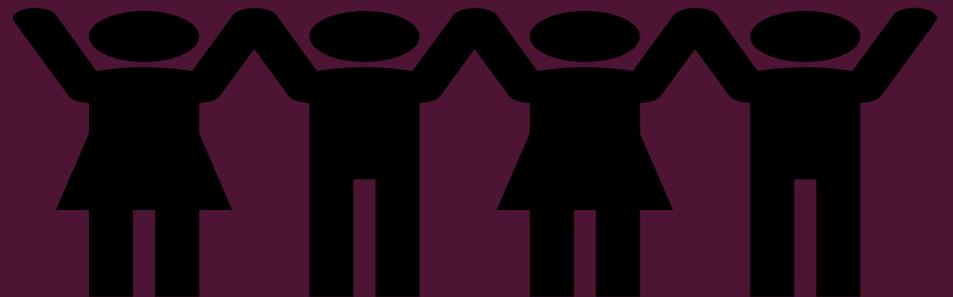
Throughout the pandemic, progress continues to be made on Mono County's 2018-2023 System Improvement Plan (SIP), which was approved and signed by the Board in May, 2020. The Department will provide a brief overview on the status of SIP goals and highlight key federal outcome measures. Additionally, the Department will provide some qualitative outcomes, as reported directly by families who have recently completed or who are actively participating in child welfare services. Finally, the Department will introduce AB 2083 (2018) which mandates all counties in California to develop an interagency Children's System of Care (CSOC) in order to ensure that all youth who come into the care of child welfare and probation systems receive integrated and trauma-informed interventions by all service-providing agencies. The key CSOC agencies are: DSS, Probation, Behavioral Health, Regional Center, and Office of Education. In Mono County, we have added Public Health to our CSOC. The Department will present the core components of the CSOC and status of developing an interagency memorandum of understanding.

CHILD WELFARE SERVICES- UPDATE

DEPARTMENT OF SOCIAL SERVICES,
MONO COUNTY

Michelle Raust, Program Manager

January 19, 2021



TOPICS:

- Covid-19: Impact on Child Protective Services (CPS) in Mono County
- Recent outcomes for CPS-involved children and families
- Progress on the 2018-2023 System Improvement Plan (SIP)
- Introduce AB 2083 mandate to develop a Children's System of Care (CSOC) and memorandum of understanding between child-serving systems



CONTINUITY OF SERVICES DURING PANDEMIC

Adaptability + Highly Committed CPS Team = Continuous Coverage of Services:

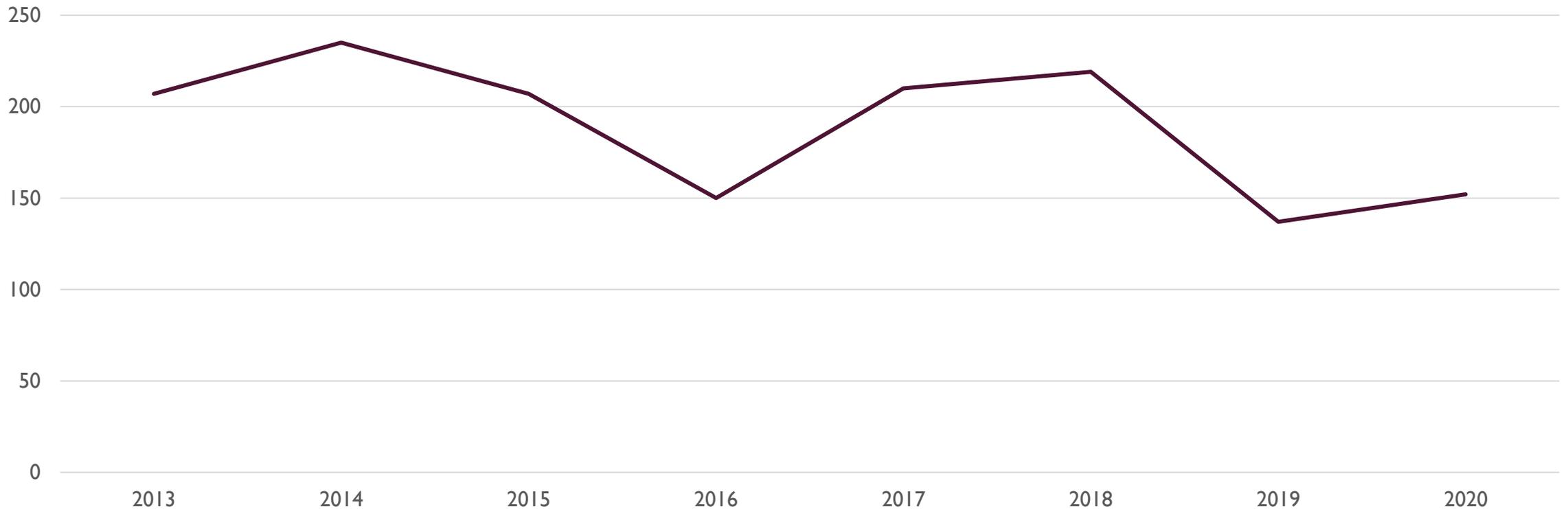
- Mandated investigations of child abuse
- In-person contact with foster youth
- Court-ordered drug-testing
- Court-ordered child-parent visitation
- Court hearings

Staff exposures to Covid-19



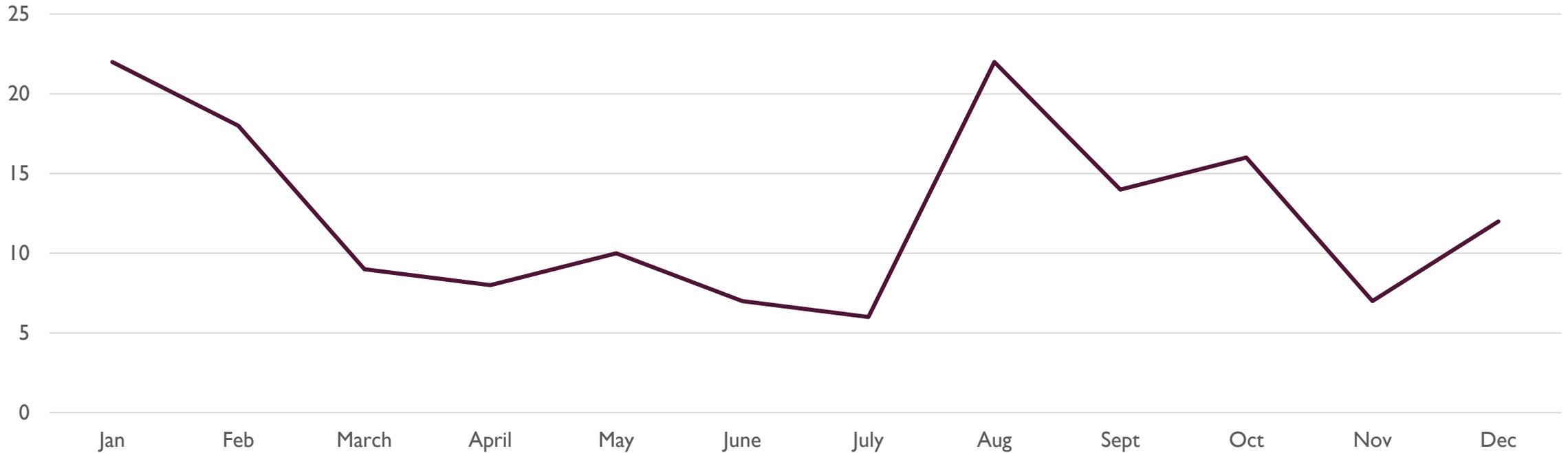
COVID-19 IMPACT ON CHILD PROTECTIVE SERVICES (CPS) IN MONO COUNTY

Suspected Child Abuse Reports (SCAR's)

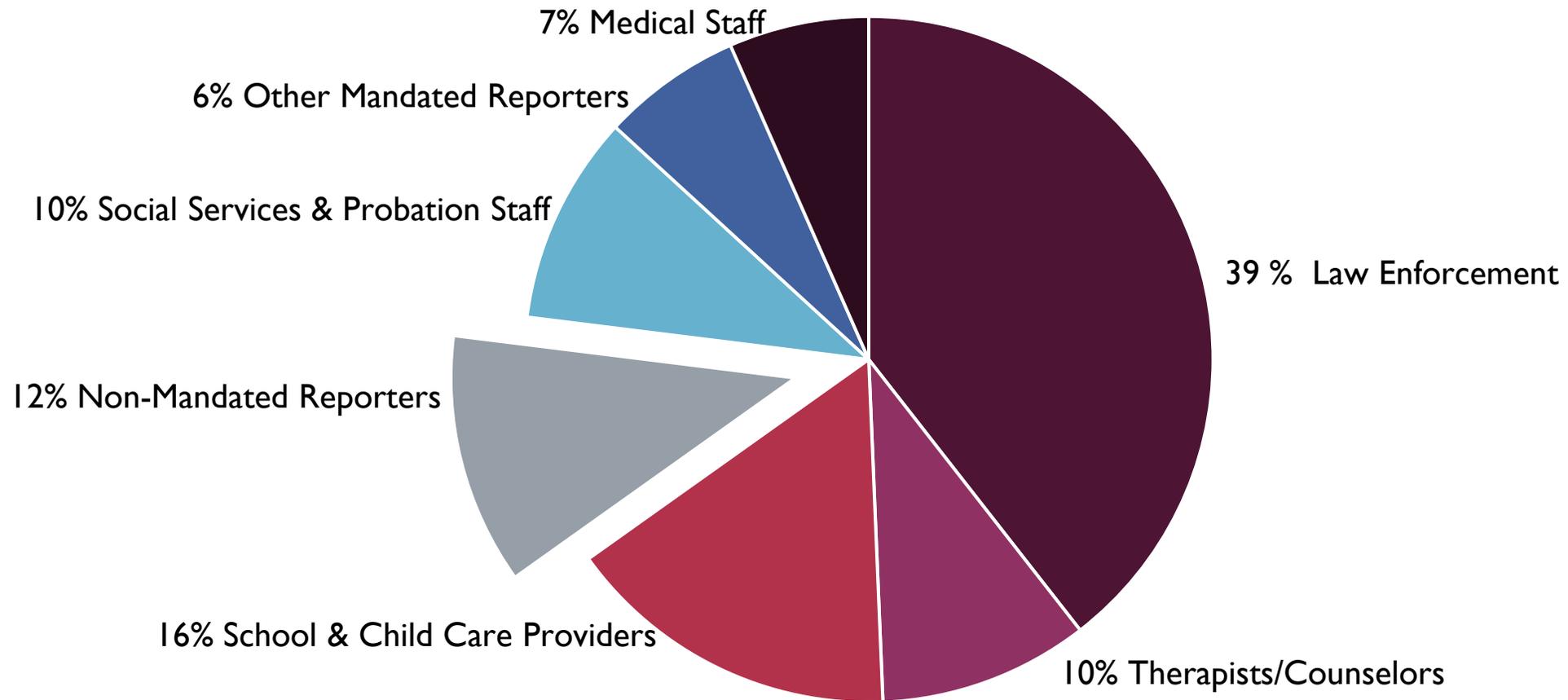


2020 MONTH-BY MONTH BREAKDOWN OF SUSPECTED CHILD ABUSE REPORTS

(March 19: Governor's stay-at-home order was issued)

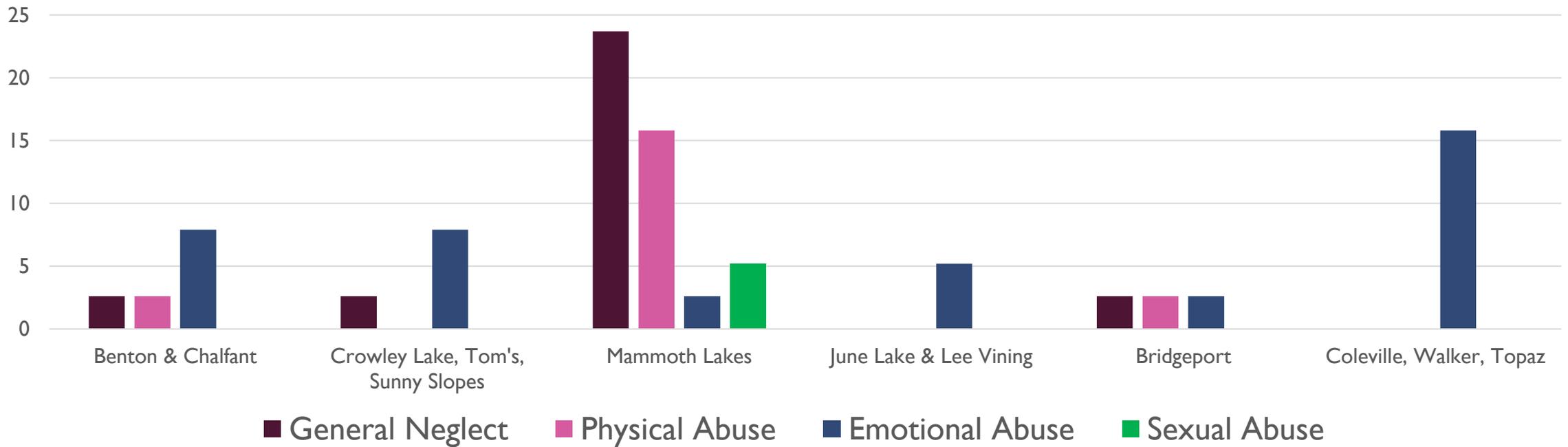


WHO MADE REPORTS THIS YEAR?

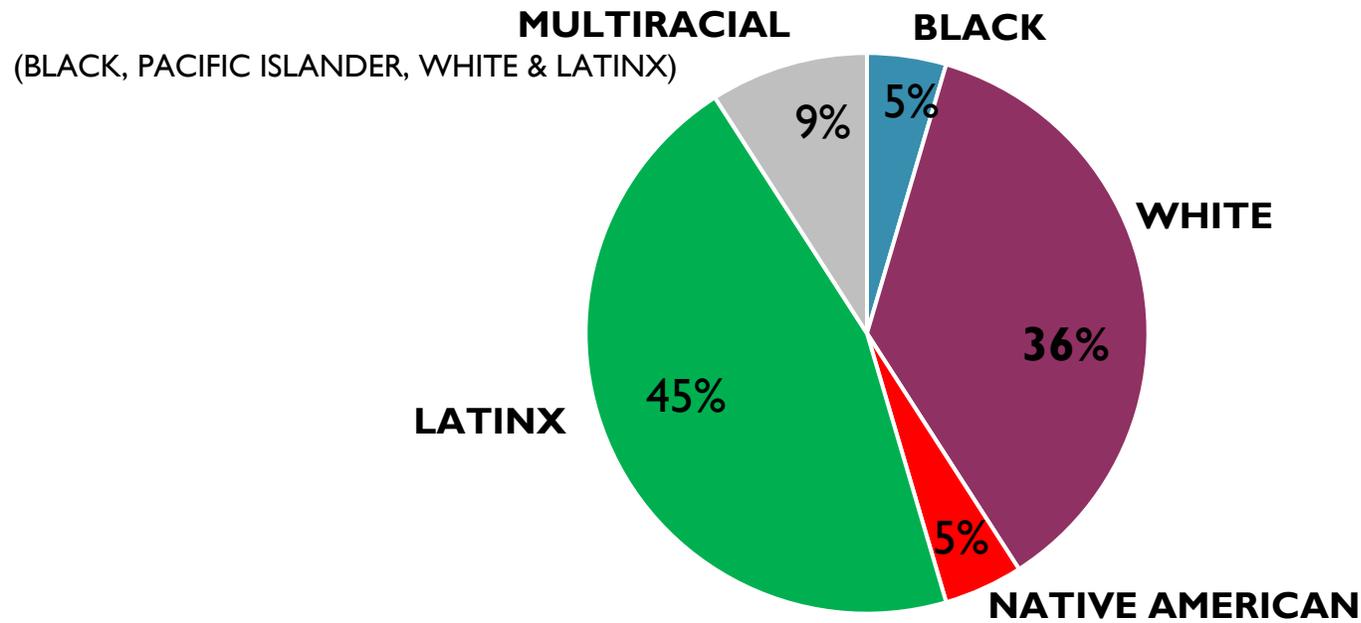


2020 CHILD ABUSE OUTCOMES, PER COMMUNITY

Substantiated + Inconclusive Outcomes, Combined



2020 SUBSTANTIATED + INCONCLUSIVE INVESTIGATION OUTCOMES, BY ETHNICITY



Total = 38 Families

RECENT OUTCOMES FOR CPS-INVOLVED CHILDREN AND FAMILIES

- Feedback from CPS-involved families about services during the pandemic
 - Virtual services – Successes & Challenges
 - Nov 16, 2020, CA Senate hearing: Emphasized the need to link CPS-involved youth & families to in-person services where possible
- Family Reunification success stories during pandemic
- Foster Youth success stories during pandemic



PROGRESS ON 2018-2023 SYSTEM IMPROVEMENT PLAN (SIP)

- Family/Parent Partner: Implementation stage and initial successes
- Improved Child and Family Teaming capacity
- Caseworker tools / internal policies
- Child and Adolescent Needs and Strengths (CANS) Assessment Tool & ACES
- Structured Decision-Making tool (CPS Response, Risk & Safety Assessment, Reunification)
- Resource Family Approval:
 - Increase from 5 to 8 homes since 2018 & Improved Geographical & Cultural representation
 - Virtual, quarterly gatherings

PROGRESS ON 2018-2023 SYSTEM IMPROVEMENT PLAN (SIP): DATA

Placement Stability = 1.7 % (National standard = 4.12%)

Recurrence of Maltreatment = 4.2 - 4.5% (National standard = 9.1%)

Permanency in 12 months (from date of entry to foster care, Probation youth) = 100% compliance

AB 2083 MANDATE TO DEVELOP A CHILDREN'S SYSTEM OF CARE (CSOC) AND MEMORANDUM OF UNDERSTANDING BETWEEN CHILD-SERVING SYSTEMS

1. Interagency Leadership Team (ILT)
2. Integrated Core Practice Model
3. Information & Data Sharing
4. Screening, Assessment & Entry to Foster Care
5. Child & Family Teaming (CFT, including Wraparound)
6. Interagency Placement Committee (IPC)
7. Alignment & Coordination of Services
8. Staff Recruitment, Training, and Coaching
9. Financial Resource Management
10. Dispute Resolution Process



CURRENT STATUS: MONO COUNTY'S CHILDREN'S SYSTEM OF CARE (CSOC)

- ILT meeting monthly: Probation, DSS, Behavioral Health, Public Health, Office of Education, Regional Center
- Consultation with CSOC expert, Richard Knecht
- Advisory membership: Tribal Members, Youth/Parents/Families, In-the-Field Staff, Juvenile Court Judges
- ICPM Training January 28, 2021
- FURS (Family Urgent Response System)- planning underway

QUESTIONS ? FUTURE TOPICS?





**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE January 19, 2021

Departments: IT and County Counsel

TIME REQUIRED 2 hours

**PERSONS
APPEARING
BEFORE THE
BOARD**

Nate Greenberg, IT Director, Assistant
County Counsel Milovich

SUBJECT 2021 Supervisorial Redistricting
Process Workshop

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation by staff on the required process and procedure for redrawing supervisorial district boundaries.

RECOMMENDED ACTION:

Following staff presentation, determine whether to appoint a redistricting commission to aid in the redistricting process or whether the Board will perform the redistricting process independently. If the Board decides to appoint a redistricting commission, determine whether it will be an advisory, independent or hybrid commission as well as a timeline and process for appointing members or, alternatively, direct the CAO to return with recommendations. Provide any other desired direction to staff.

FISCAL IMPACT:

None associated with this workshop.

CONTACT NAME: Nate Greenberg

PHONE/EMAIL: 760-924-1819 / ngreenberg@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Power Point Presentation

History

Time	Who	Approval
1/14/2021 11:11 AM	County Counsel	Yes
1/14/2021 2:13 PM	Finance	Yes
1/14/2021 2:42 PM	County Administrative Office	Yes



**INFORMATION TECHNOLOGY
COUNTY OF MONO**

PO Box 7657 | 437 OLD MAMMOTH ROAD, STE. 228 MAMMOTH LAKES, CA 93546
(760) 924-1819 · FAX (760) 924-1697 · ngreenberg@mono.ca.gov

Nate Greenberg
Information Technology Director
January 19, 2021

To: Honorable Board of Supervisors
From: Nate Greenberg, Information Technology Director; Christian Milovich, Assistant County Counsel
Subject: 2021 Mono County Redistricting Effort

Recommendation

1. Determine whether to appoint a redistricting commission to aid in the redistricting process or whether the Board will perform the redistricting process independently.
2. If the Board decides to appoint a redistricting commission, determine whether it will be:
 - a. Advisory
 - b. Hybrid
 - c. Independent
3. If a redistricting commission is appointed, determine the timing and process for appointing members to the commission, or alternatively direct the CAO to return with recommendations.

Discussion

Procedural Requirements:

The U.S. Census Bureau (Bureau) is required by Article I, Section 2 of the U.S. Constitution to conduct an accurate count of the population every ten years. Census data is used to determine how many seats each state will have in the U.S. House of Representatives and in redistricting of state legislatures, county boards of supervisors and city councils. In 2020, the Bureau conducted the decennial census, extending the deadline for responses through October 15, 2020 in response to the COVID-19 pandemic. The Bureau missed the December 31, 2020 deadline to submit its final data to the U.S. President and while the deadline for the data to be distributed to states is March 2021, it is unclear whether that deadline will be met.; regardless, the County expects to receive the data sometime in the Spring.

Pursuant to Elections Code § 21500 et seq., the Board of Supervisors must adjust the boundaries of any or all of the supervisorial districts following each decennial federal census such that the districts are substantially equal in population. In adopting updated supervisorial districts, the Board must comply with the requirements of the U.S. and California Constitutions, the Federal Voting Rights Act and California State Elections Code Section 21500 et seq. Collectively, these authorities require that districts be based on total population¹ and have substantially equal population per district. Additionally, these authorities generally prohibit using race as a predominate criteria for redrawing districts or diluting the voting rights of racial or language minority communities to elect representatives of their choice. State law also delineates required processes for community outreach and public participation in the redistricting process. These procedural requirements as well as the applicable law will be described in greater detail during the workshop.

¹ This is based on total population, less any incarcerated residents who would not otherwise be residents of the County, per Elections Code section 21500(a)(2).

Timing:

Pursuant to Elections Code section 21501, the Board must adopt a final redistricting map no later than December 15, 2021.² Staff recommends that the Board adopt the ordinance no later than November 15, 2021 so that it will be effective by the December 15, 2021 deadline (i.e., ordinances become effective 30 days after final adoption).

Methodologies for Redistricting:

The development of new district boundaries may be accomplished either by the Board independently or the Board may establish (by ordinance or resolution) an **advisory redistricting commission**, an **independent redistricting commission**, or a **hybrid redistricting commission**. In 2011, the County appointed an advisory redistricting commission.

1. Advisory Commission.

An advisory redistricting commission recommends proposed district boundaries to the Board. (Elec. Code, § 23000(a).) The Board decides who is appointed to the advisory commission and establishes the process for appointment. The only statutory restriction is that “[a] person who is an elected official of the [County], or a family member, staff member, or paid campaign staff of an elected official of the [County], shall not be appointed to serve on the commission.” (Elec. Code, § 23002(b).) Thus, members of the Board may not serve on an advisory commission.

2. Independent or Hybrid Commission.

An independent redistricting commission is empowered to adopt the district boundaries, meaning the Board has no authority over the final map. (Elec. Code, § 23000(d).) A hybrid redistricting commission recommends two or more maps and the Board *must* then adopt one of those maps without modification (except as may be required to comply with state or federal law). (Elec. Code, § 23000(c).)

The restrictions surrounding an independent or hybrid commission are more robust than those that apply to an advisory commission. The Board may still determine the manner in which members are appointed, but must use “an application process open to all eligible residents . . . “. In addition, the commissioners cannot be directly appointed by the Board or an elected official of the County. (Elec. Code, § 23003(b).)

As to who can serve on an independent or hybrid commission, “[a] person shall not be appointed to serve on the commission if the person or any family member of the person has been elected or appointed to, or been a candidate for, an elective office of the [County] in the eight years preceding the person’s application.” (Elec. Code, § 23003(c).)

Moreover, a person cannot be appointed to serve on either an independent or hybrid commission if:

- The person or his/her spouse has, within eight (8) years of applying, worked for an elected officer, or candidate for elective office, of the County, been a registered lobbyist for the County, or contributed at least \$500 to any candidate for elective office of the County; or
- The person’s family member (other than spouse), has, within four (4) years of applying, worked for an elected officer, or candidate for elective office, of the County, been a registered lobbyist for the County, or contributed at least \$500 to any candidate for elective office of the County.

(Elec. Code, § 23003(d).)

² County boards must adopt new boundaries for supervisorial districts no later than 174 days prior to the County’s next regular election after January 1, 2022, per Elections Code section 21501. The County’s next regular election after January 1, 2022 is the Primary election, which the State has set for June 7, 2022. See Elections Code section 316, as amended by SB 970. December 15, 2021 is 174 days prior to the June 7, 2022 Primary election.

Finally, neither commission shall “be comprised entirely of members who are registered to vote with the same political party preference.” (Elec. Code, § 23003(f).)

Once appointed, a member of an independent or hybrid commission cannot:

- While serving on the commission, endorse, work for, volunteer for, or make a campaign contribution to, a candidate for any elective office of the County;
- Run for elective office of the County if (a) less than five (5) years has passed since the member’s appointment to the commission or (b) the election will be conducted using the boundaries adopted or recommended by the commission;
- Within four (4) years of being appointed, (a) work for an elected official or candidate for any elective office of the County, (b) receive a noncompetitively bid contract with the County, (c) register as a lobbyist for the County; and
- Within two (2) years of being appointed, accept an appointment to a County office.

(Elec. Code, § 23003(e).)

Once an advisory, independent or hybrid commission is formed, its members are subject to both the Conflict of Interest Code and the Brown Act. (Elec. Code, §§ 23003(g), (h).)

Today’s Purpose:

The purpose of today’s workshop is for the Board to discuss and decide on the method it would like to employ to complete the redistricting process. Staff will facilitate discussion based on the above information while providing additional detail and recommendation as necessary.

Fiscal Impact

None at this time.

Strategic Plan Alignment

Mono County Strategic Priorities

- 1. Improve Public Safety & Health
- 2. Enhance Quality of Life for County Residents
- 3. Fiscally Health County & Regional Economy
- 4. Improve County Operations
- 5. Support the County Workforce
- 6. Data Quality & Availability

IT Strategic Initiatives

- 1. Customer Success
- 2. Infrastructure & Security
- 3. Communications
- 4. Engaged & Empowered Users
- 5. Usability & Access

MONO COUNTY REDISTRICTING 2021

ROADMAP | LEGAL REQUIREMENTS

Mono County Board of Supervisors
January 2021



- **Guiding Legislation**

- Federal / State
- Process
- Map / Districts

- **Redistricting Process Direction**

- **Next Steps**

- In adopting updated supervisorial districts, the Board must comply with the requirements of the following (*EC § 21500(b)*):

Federal Law

- U.S. Constitution
- Federal Statutes and Regulations (i.e., The Voting Rights Act (*42 USC § 1973*))

State Law

- The California Constitution
- Elections Code §§ 21500 *et seq.* (also known as the Fair Maps Act; recently amended by Assembly Bills 849 and 1276)

Population Equality

- Districts shall be substantially equal in population.
- Population equality shall be based on the total population of residents of the county as determined by the most recent federal decennial census (inmates only count in certain, specified circumstances).
- Local electoral districts do not require perfect equality—some deviation acceptable to serve valid governmental interests (total deviation of less than 10% is presumptively constitutional).

Voting Rights Act

- Section 2 of the Voting Rights Act prohibits electoral systems (including district plans), which dilute racial and language minority voting rights by denying them an equal opportunity to nominate and elect candidates of their choice.

Equal Protection / Restrictions on Racial Gerrymandering

- The 14th Amendment prohibits using race as the “predominant” criterion in drawing districts to the subordination of traditional race-neutral districting principles.
- It does not, however, prohibit all consideration of race in redistricting, but use of race as a criterion must be justified as narrowly tailored to fulfill a compelling state interest –i.e., strict scrutiny.
- Appearances do matter – bizarrely shaped electoral districts can be evidence that racial considerations predominate.

STATE REDISTRICTING LAW



- **Elections Code §§ 21500 et seq. (recently amended by Assembly Bills 849 and 1276)**
 - Revises and Standardizes Redistricting for Cities and Counties
 - Establishes requirements for public outreach
 - Targeting minority communities
 - Dedicated website for 10 years
 - Requires the Board of Supervisors to hold at least four public hearings
 - Establishes specific timelines for the adoption of a plan following each census
 - Eliminates discretionary criteria and rules
 - Establishes Mandatory requirements with “priorities”

REDISTRICTING PROCESS



- **Public Hearings (*EC § 21507.1(a)-(e)*)**
 - At least four (4) public hearings or workshops to solicit public input on boundaries
 - At least one before draft maps are drawn; at least two after maps are drawn; and at least one on a Saturday, Sunday or after 6:00 pm Monday through Friday
 - One may be in the form of a public workshop conducted by County staff or a consultant
- **Encourage public participation (*EC § 21508*)**
 - Online publication of draft map at least seven days before adoption
 - Outreach to media organizations, including those that serve minority communities
 - Outreach to community, good government, civil rights, and other civic engagement groups
 - Live translation of a public hearing (if requested 72 hours in advance of meeting)
 - Online publication of all public hearings notices at least five days in advance
 - Online publication of relevant demographic data for each draft map
 - Receipt of maps or testimony from the public in writing or electronically

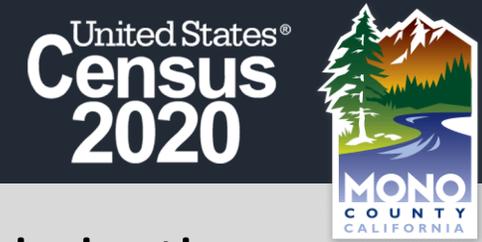
REDISTRICTING PROCESS (CONTINUED...)



- **Recordkeeping (*EC § 21508*)**

- A record or a written summary of each public comment and Board deliberation made at every public hearing or workshop shall be prepared and made available to the public within two weeks.
- A webpage dedicated to redistricting shall be established and maintained for at least 10 years after of the final map is adopting and must contain the following:
 - Explanation of the redistricting process
 - Procedures for testifying or submitting written testimony
 - Calendar of all hearings and workshops
 - Notice and agenda for each hearing and workshop
 - Recording or written summary of each hearing and workshop
 - All draft maps and adopted map

DRAWING DISTRICTS



- District boundaries cannot be adopted for the purpose of favoring or discriminating against a political party, and the Board *must* utilize the following *ranked* criteria. (EC § 21500(c)-(d).):
 1. To the extent practicable, districts must be geographically contiguous.
 2. To the extent practicable, districts must maintain the geographic integrity of neighborhoods and communities of interest (i.e., minimize division).
 3. To the extent practicable, districts must minimize division of cities or census designated places.
 4. Boundaries must be easily identifiable and understandable by residents. If possible, districts should be bound by natural/artificial barriers.
 5. Districts must be drawn to encourage geographical compactness in a manner that nearby areas of population are not bypassed in favor of more distant populations (*where it does not conflict with the above criteria*).

DEADLINE TO ADOPT



- **The Board Should Adopt a Final Map No Later than November 15, 2021.**
- The final map must be adopted 174 days before the June 7, 2022 Statewide Direct Primary Election (December 15, 2021). *(EC § 21501(a)(2))*
- Deadline is November 15, 2021 as Board adopts final map by ordinance *which takes effect 30 days after approval.*
- If the Board fails to adopt a final map by the statutory deadline, the Mono County Superior Court establishes the district boundaries at County cost. *(EC § 21509)*

TIMELINE

PHASE	EVENT / ACTIVITY	DATE
1	Initial Governing Board discussion	December 2020
2	<ul style="list-style-type: none"> • Process determination (Commission creation, recruiting, onboarding) • Create public Redistricting website • Build online mapping tools 	January – February 2021
3	Census Bureau data released	March <i>could be delayed a bit?</i>
4	<ul style="list-style-type: none"> • Conduct public engagement / outreach • Develop draft maps / district boundary alternatives • Publish draft maps / alternatives on website 	March – July? At least 60 - 90 days recommended for four hearings plus mapping time
5	Bring alternatives to Board for consideration and feedback	August - September
6	Final hearing and adoption of districts <ul style="list-style-type: none"> • Must be done by ordinance, which requires 30 days (Nov. 15) >> Nov. 9 BOS meeting 	September – November
7	County deadline to adopt and submit final map to Registrar	12/15/2021
8	Election (Statewide Direct Primary)	June 7, 2022

WHO DRAWS THE LINES...

BOARD DRIVEN PROCESS

- Board takes lead on soliciting public on district boundaries
- Coordinates with Staff on drawing and analyzing District alternatives
- Deliberates alternatives and adopts final Districts

COMMISSION SUPPORTED PROCESS

- Commission takes lead on soliciting public on district boundaries
- Coordinates with Staff on drawing and analyzing District alternatives
- Commission brings back alternatives to Board
- Board reviews alternatives, provides feedback, adopts final Districts

Advisory Redistricting Commission

(EC § 23000(a)-(b))

- Gathers information from public and develops alternatives.
- Brings alternatives / recommendation back to Board.
- Board decides who is appointed to the commission and establishes the process for appointment.
- Elected officials of the County, or a family member, staff member, or paid campaign staff of an elected official of the County may not be appointed to serve on the commission.

Independent or Hybrid Redistricting Commission

(EC § 23000(c)-(d))

- **Independent** redistricting commission is empowered to adopt the district boundaries (the Board has no authority over the final map).
- **Hybrid** redistricting commission recommends two or more maps and the Board must then adopt one of those maps without modification (except as may be required to comply with state or federal law).
- The restrictions surrounding an independent or hybrid commission are more robust than those that apply to an **Advisory Commission**. The Board may still determine the manner in which members are appointed, but must use “an application process open to all eligible residents and provided that the commissioners are not directly appointed by the [Board] or an elected official of the [County].” *(EC § 23003(b).)*
- For the complete list of restrictions on who can serve on an independent or hybrid commission see the corresponding staff report and Elections Code § 23003.

- **Structure & Process**

- Board driven or Commission supported

- If Commission

- What type?
- Process of appointing commissioners
- Establish via ordinance or resolution (staff recommends resolution)

- **Map adoption via ordinance only**

- Final map must be adopted via ordinance in order to amend Chapter 2.08 of the Mono County Code

NEXT STEPS



- **Board agenda submittal to approve resolution of advisory commission**
- **Appoint commissioners**
- **Plan public hearing dates**
- **Discuss outreach and advertising plan**
- **Public Engagement Questions**
 - Quantity
 - Frequency
 - Manner & Place

THANK YOU!



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