



**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
January 11, 2022**

9:00 AM Meeting Called to Order by Chair Gardner.

Supervisors Present: Corless, Duggan, Gardner, Kreitz, and Peters (all attended via teleconference).
Supervisors Absent: None.

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

Pledge of Allegiance led by Supervisor Kreitz.

Chair Gardner:

- *"Train your mind to see the good in everything. Positivity is simply a choice. The happiness of your life depends on the quality of your thoughts." – Unknown*

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Eric Edgerton, Owner/Operator of Tilth Farms:

- Reminder about letter sent to Board of Supervisors in December regarding request for advocacy letter for cannabis cultivation tax reform

Aaron Coogan, Acting District Ranger, Bridgeport Ranger District:

- Thanked Matt Paruolo, Eastern Sierra Sustainable Recreation Coordinator, and his team for their work on the Bridgeport Valley Winter Trail Grooming Pilot Program as well as the Littles for their contribution

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICER

CAO Report regarding Board Assignments

Bob Lawton, CAO:

- Met with recruiter regarding HR Director and Housing Coordinator positions
- Budget updates – midyear and FY 2022-23
- Last Wednesday, appeared at TOML Council meeting to provide update on outcome of Redistricting
- Working on labor negotiations for upcoming collective bargaining agreements
- EOC meetings – addressing school closure
- Yesterday, attended LTC meeting as Supervisor Peters' alternate
- Attended Phase 2 of Implicit Bias Training coordinated by County's JEDI Workgroup

4. DEPARTMENT/COMMISSION REPORTS

Nate Greenberg, IT Director:

- Broadband issues – Race Communications
- Public Safety Radio System went down for 36 hours in total – cause was leak at Conway Summit radio shelter

Wendy Sugimura, Community Development Director:

- There was a review of sage grouse adaptive management plan that LADWP had implemented over the summer for sage grouse and water management in the Long Valley area – final end of year report to come
- In December, Planning Commission approved a variance to build car port in a front yard setback in June Lake – decision was appealed, but not accepted as it was untimely
- Completed five lot line adjustments and lot mergers
- Issued two Director Reviews – (1) Seasonal/Temporary RV at Virginia Lakes in an avalanche zone; (2) Extends Mammoth Pacific use permit for another 29 years
- Use permit coming before the Planning Commission next week for commercial and twelve-unit residential project in June Lake
- Will be issuing another Director Review for a cargo container installment on a property in Crowley Lake

Tony Dublino, Director of Public Works:

- Civic Center update – challenges faced during last storm cycle

Janet Dutcher, Finance Director:

- Collected first installment of property taxes through December 10
- Late last week, apportioned and distributed about \$48.5 million to County and taxing jurisdictions

Stacey Simon, County Counsel:

- Update on two significant litigation matters – in County's lawsuit against LADWP, the County has its reply brief to Los Angeles' appeal due at the end of this month. In early February, will be responding to the appeal filed in the case challenging the County's COVID restrictions on short-term lodging (Abshire)

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. Out-of-State Travel Authorization for 2022 National Association of Counties' (NACo) Legislative Conference

Departments: Board of Supervisors

Out-of-state travel request for Supervisors Duggan, Gardner, and Kreitz to attend the 2022 NACo Legislative Conference in Washington D.C.

Action: Approve out-of-state travel for Supervisors Duggan, Gardner, and Kreitz to attend the 2022 NACo Legislative Conference in Washington, D.C. from February 12-16, 2022.

Kreitz motion. Peters seconded.

Vote: 5 yes, 0 no

M22-012

B. Resolution Authorizing Virtual Meetings under AB 361

Departments: County Counsel

Proposed resolution authorizing remote teleconference meetings for the period of January 11, 2022 through February 11, 2022, pursuant to AB 361.

Action: Adopt Resolution R22-03, authorizing remote teleconference meetings for the period of January 11, 2022 through February 11, 2022, pursuant to AB 361.

Kreitz motion. Peters seconded.

Vote: 5 yes, 0 no

R22-03

C. Resolution Adopting Amended Records Retention Policy

Departments: County Counsel

(Stacey Simon) - Proposed resolution adopting amended County-Wide Records Retention & Destruction Policy to update provisions of previously-enacted policy in accordance with current law.

Action: Adopt Resolution R22-04, adopting amended County-Wide Records Retention & Destruction Policy to update provisions of previously-enacted policy in accordance with current law.

Kreitz motion. Peters seconded.

Vote: 5 yes, 0 no

R22-04

D. Budget Amendment for Community Development Block Grant (CDBG) CV 1, 2 & 3

Departments: Economic Development

Budget Amendment for Community Development Block Grant (CDBG) CV 1, 2 & 3.

Action: Approve increasing appropriations in the County's HOME/CDBG fund (#185) by \$299,138 funded with revenues of \$64,484 for CV 1 and \$234,654 for CV 2&3 (requires 4/5ths approval).

Kreitz motion. Peters seconded.

Vote: 5 yes, 0 no

M22-013

E. Resolution Declaring County's Intent to Reimburse Itself for Capital Costs Incurred on the new Jail Facility Project

Departments: Finance, County Counsel

Proposed resolution of the Board of Supervisors of Mono County declaring its official intent to reimburse itself for certain capital costs incurred on the new jail facility project from the proceeds of long-term debt

Action: Adopt Resolution R22-05, Declaring Its Official Intent to Reimburse Itself for Certain Capital Costs from the Proceeds of Long-Term Debt.

Kreitz motion. Peters seconded.

Vote: 5 yes, 0 no

R22-05

F. Mono County Statement of Investment Policy

Departments: Finance

Annual approval of the Mono County Statement of Investment Policy pursuant to Section 27133 of the Government Code of the State of California.

Action: Approve the Mono County Statement of Investment Policy as presented.

Kreitz motion. Peters seconded.

Vote: 5 yes, 0 no

M22-014

G. Annual Resolution Delegating Investment Authority to the County Treasurer

Departments: Finance

Resolution Delegating Investment Authority to the County Treasurer.

Action: Adopt Resolution R22-06, Delegating Investment Authority to the County Treasurer.

Kreitz motion. Peters seconded.

Vote: 5 yes, 0 no

R22-06

6. CORRESPONDENCE RECEIVED - NONE

7. REGULAR AGENDA – MORNING

A. Ratification of Proclamation of Local Emergency and Request to be Included in Governor's Emergency Proclamation

Departments: Sheriff, CAO

(Sheriff Braun; Robert C. Lawton, CAO) - Proposed resolution ratifying proclamation of local emergency made by the Mono County Sheriff on January 6, 2022.

Action: Determine that conditions of local emergency continue to exist and adopt Resolution R22-07 ratifying proclamation of local emergency made by the Mono County Sheriff on January 6, 2022.

Corless motion. Kreitz seconded.

Vote: 5 yes, 0 no

R22-07

Sheriff Braun:

- Presented item
- Has communicated with Amerigas regarding proclamation
- Will provide this to CalOES to get to the Governor's office to request inclusion of Mono County in the State Proclamation

B. COVID-19 (Coronavirus) Update

Departments: CAO, Public Health

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

Recommended Action: None.

Bryan Wheeler, Public Health Director:

- Presentation (can be found under Supporting Documents on meeting webpage: <https://monocounty.ca.gov/bos/page/board-supervisors-139>)
- Community Conversation scheduled for this Thursday evening

Dr. Caryn Slack, Public Health Officer:

- Addressed MUSD school closures

Supervisor Peters:

- Testing access in unincorporated County

Public Comment:

- Dawn Smith

Break: 10:10 AM

Reconvened 10:18 AM

C. 2022 Broadband Policy and Strategy Update

Departments: Information Technology

(Nate Greenberg, IT Director) - This item will provide a high-level overview of the current state of broadband throughout the County, discuss the most significant aspects of legislation impacting broadband development in the area, and begin to chart the course for some local policy decisions which will need to be made in the coming year to take advantage of emerging opportunities.

Recommended Action: Authorize Board Chair to sign letter to Louis Fox, CENIC President and CEO.

Duggan motion. Corless seconded.

Vote: 5 yes, 0 no

M22-015

Nate Greenberg, IT Director:

- Presentation

Public Comment:

- David Rosky
- Andy Puhvel

D. Status of County Membership in the Owens Valley Groundwater Authority (OVGA)

Departments: Community Development

(Wendy Sugimura, Community Development Director; Stacey Simon, County Counsel, Michael Draper, Planning Analyst) - Potential withdrawal from membership in the Owens Valley Groundwater Authority (OVGA) Joint Powers Agency which is the current groundwater sustainability agency for the Owens Valley Groundwater Basin.

Action: Approve the draft letter notifying the Owens Valley Groundwater Agency (OVGA) of the County's intention to withdraw from the OVGA Joint Powers Agency pursuant to Article VI, Section 1.1 of the joint powers

agreement and authorize the Board Chair to sign.

Duggan motion. Kreitz seconded.

Vote: 4 yes, 1 no

M22-016

Roll Call:

Corless – N

Duggan – Y

Gardner – Y

Kreitz – Y

Peters – Y

Wendy Sugimura, Community Development Director:

- Presented item

Supervisor Duggan:

- Reviewed benefits of staying and withdrawing

Stacey Simon, County Counsel:

- It is at the Board's discretion to determine how much staff time to allocate to Tri-Valley, with the exception of the work of County Counsel's office. There is a statutory provision that requires County Counsel, if requested by the District, to represent the District provided that there is a Board Supervisor on the District's Board.
- The Board may wish to direct staff to come back to discuss options related to asserting Ground Water Sustainability Agency status for other regions within Mono County

Public Comment:

- Betsy McDonald
- Andy Puhvel
- Jora Fogg
- Lynn Boulton
- Brian Adkins
- Chris Bubser
- Peter Stickells
- Ceal Klinger
- Carol Ann Mitchell

Supervisor Corless:

- Not opposed to eventual withdrawal, but not comfortable making decision to withdraw today without more information about what happens after the withdrawal

Emily Fox, Deputy County Counsel:

- Noted that in terms of jurisdiction and the creation of a GSA specific to the Tri-Valley, according to current legal opinion from the Department of Water Resources, Tri Valley cannot pursue a GSA or GSP pursuant to that GSA status, so long as Mono County remains part of the OVGA

Break: 12:55 PM

Reconvened 1:12 PM

E. Road Closure, Bridgeport Valley Winter Trail Grooming Pilot Program

Departments: Public Works - Roads

(Kevin Julian, Road Operations Superintendent) - Proposed Resolution authorizing seasonal closure of Buckeye Road and Buckeye Creek Road in support of the Bridgeport Valley Winter Trail Grooming Pilot Program

Action:

- 1) Adopt Resolution R22-08 "A resolution of the Mono County Board of Supervisors authorizing the seasonal closure of Buckeye Road and Buckeye Creek Road for the Bridgeport Valley Winter Trail Grooming Pilot Program."
- 2) Approve hold harmless agreement between Jimmy and Brinn Little and the County and authorize Chair to sign
- 3) Find the activity is Categoricaly Exempt from review under the California Environmental Quality Act and direct staff to file a Categorical Exemption (section 15301 – existing facilities) for the project

Peters motion. Duggan seconded.

Vote: 5 yes, 0 no

R22-08, M22-017

Kevin Julian, Road Operations Superintendent:

- Presented item

Stacey Simon, County Counsel:

- Reviewed updated resolution – close roads and turn them over to management and control of the Forest Service, prior draft indicated closure of roads and turning over to the operator

Public Comment:

- Jimmy Little

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

None.

Moved to Item 10.

9. CLOSED SESSION

Closed Session: 1:37 PM

Reconvened: 1:52 PM

No action to report out of Closed Session.

A. Closed Session - Labor Negotiations

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Janet Dutcher, Anne Frievalt, Ryan Roe, and Oliver Yee. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO). Unrepresented employees: All.

B. Closed Session - Public Employee Evaluation

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

10. BOARD MEMBER REPORTS

Supervisor Corless:

- 1/6 Great Basin Unified Air Pollution Control District: approved a number of administrative items; appointed Bishop resident Fran Hunt to hearing board; reviewed 2020 Town of Mammoth Lakes air quality management plan
- 1/10: YARTS JPA board meeting - preview of board consideration of fare increase decision that will be on February agenda
- Implicit Bias training/JEDI group meeting--many thanks to Clerk Scheereen Dedman for organizing and for all county staff members who are attending, participating.
- Thanks to Road Superintendent Kevin Julian for assisting with a constituent issue involving plowing at the parking lot north of the 395/203 intersection.

Supervisor Duggan:

- 01/05/22 – I listened in on the TOML Town Council Meeting recording. I was impressed with their operation recap of the recent holiday season. I found the format informative, thorough, and accountable as staff determined steps to improve responses for the next time.
- 01/06/22 –
 - I participated in the GBUAPCD meeting along with Supervisor Corless. Actions included approval of the proposed Administrative Code, the appointment of Frances Hunt to the GBUAPD Hearing Board, and an update on CAPP II Clean Air projects.
 - I participated in the OVGA Special Meeting. Executive Director Aaron Steinwand reported the approved GSP was being uploaded to the DWR website and should be completed by 1/20. Funding will be exhausted in February 2022 and the upcoming agenda will be preliminary budget suggestions to find ways to fund OVGA projects.
- 01/10/22 –
 - I participated in the LTC meeting along with Commissioner Kreitz. Commissioner Burrows announced her resignation due to prior commitments and a replacement will need to come from TOML. ESTA received additional funds due to revenue fund overage that will be applied to raises and operations along recreational routes in Mammoth Lakes.

- I met with CAO Lawton and A CAO Craig regarding ongoing service issues with Race Communications in Crowley Lake.
- I participated in the first in-person (via zoom) meeting of the Winter Cohort for the NACo Professional Leadership Academy. This 12-week course emphasizes positive leadership techniques and constructive interactions with peers and staff.
- I want to thank the staff, administrative and departmental, with whom I worked directly over the holiday season to address the many ongoing service issues throughout the district. Thanks again for your responsiveness. Things are getting done and the people of District 2 and I appreciate your efforts.

Chair Gardner

- On Wednesday Jan. 5 I participated in the monthly meeting of the June Lake Citizens Advisory Committee. Topics discussed included the County's Strategic Plan, and a COVID update.
- On Friday Jan. 7 I participated in the monthly meeting of the Kutzadika Tribal Council. Topics discussed included the status of Federal recognition of the Tribe, the process for tribal consultation for County projects and other matters, and updates on several ongoing tribal projects.
- Yesterday I participated in the second phase of the Implicit Bias training as part of our Justice, Equity, Diversity, and Inclusion Working Group. The discussion was very interesting and identified for me some important challenges for us as we move ahead with this work.
- Yesterday I also chaired a special meeting of the Yosemite Area Regional Transportation Authority Board. We supported moving ahead with a fare increase later this year.
- Also, yesterday I participated on the monthly meeting of the Eastern Sierra Sustainable Recreation Partnership. Topics discussed included descriptions of several recreation-related initiatives and updates from the various partner agencies. One of the items noted were two recent articles both written by Elizabeth Weil, including a ProPublica article entitled, "California's Forever Fire" and a New York Times article entitled, "This Isn't the California I Married". I would encourage my Board colleagues and staff to read these pieces.

Supervisor Kreitz:

- January 6th, I participated in a small group discussion amongst the CCRH Board on our REDI Work. Mutuality
- Later that day I attended the Mammoth Lakes Housing Board meeting. The Board approved and adopted a resolution to authorize a Joint Project Homekey grant application with the Town of Mammoth Lakes.
 - Request to bring forward a resolution of the Mono County Board of Supervisors at next week's meeting authorizing a match of up to \$400,000
- Yesterday, Monday January 10th at attended the regular meeting of the Mono County LTC. The Commission elected a new 2022 chair and vice chair - Commissioner Wentworth and Commissioner Peters. Some of the highlights from yesterday include an increase of over \$200,000 in funding for ESTA, and the Town and Caltrans discussing putting Main Street/HWY 203 on a "road diet."
- Later Monday, I attended the monthly CCRH Legislative Committee meeting. We discussed the Governor's January budget release. In the realm of new development of affordable housing - his proposal is underwhelming. It also repurposes federal funds and most of his affordable housing proposals are spread out over two years with smaller amounts being rolled out this fiscal year. We shall see how and where we end up in the May revise budget.

Supervisor Peters:

- Have reached out to CSAC regarding the cannabis tax reform resolution request that came before the Board in December

Moved to Item 9.

ADJOURNED AT 1:52 PM.

ATTEST

BOB GARDNER
CHAIR OF THE BOARD

QUEENIE BARNARD
ASSISTANT CLERK OF THE BOARD