



**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.

Meeting Location: Mono Lake Room, 1st Fl., County Civic Center, 1290 Tavern Rd., Mammoth Lakes, CA 93546

**Regular Meeting
August 16, 2022**

9:04 AM Call meeting to Order by Chair Gardner

Supervisors Present: Corless, Duggan, Gardner, and Kreitz. (All attended in person).

Supervisors Absent: Peters.

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>

"Every day is a gift" - unknown

Remembered Carmen Ramirez – Ventura County Board of Supervisors, first female Latina, she passed away over the weekend in a tragic accident

Pledge of Allegiance by Supervisor Corless

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Opportunity for the public to address the Board on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.) Please refer to the Teleconference Information section to determine how to make public comment for this meeting via Zoom.

There was no public comment.

2. RECOGNITIONS

A. Child Support Awareness Month

Departments: Board of Supervisors, sponsored by Chair Gardner

10 minutes

(Amy Weurdig, Regional Director, Eastern Sierra Child Support Services) -
Recognition of August as Child Support Awareness Month.

Action: Adopted proclamation recognizing August as Child Support
Awareness Month.

Amy Weurdig, Regional Director, Eastern Sierra Child Support Services:

- Presented Item

Supervisor Kreitz:

- Thanked Amy and Chair Gardner for their work

Kreitz motion. Corless seconded.

Vote: 4 yes, 0 no, 1 absent

M22-166

3. COUNTY ADMINISTRATIVE OFFICER

CAO Report regarding Board Assignments

Receive brief oral report by County Administrative Officer (CAO) regarding
work activities.

Robert C. Lawton, CAO:

- Thanks to the IT team – new microphones and work on the Mono Lake
Room
- Administered new employee Oaths
- Evacuation Exercise last week – Zone Haven Alert Program
- In-person Leadership meeting
- Nate Greenberg – 20 years of service – Leader for the increase of
Broadband in Mono County with Emergency Medical Services
- Acknowledged Inyo County – offered Nate Greenberg the CAO
position

4. DEPARTMENT/COMMISSION REPORTS

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

Sheriff Ingrid Braun:

- Met in-person with Behavioral Health Director Robin Roberts yesterday – training for law enforcement on the Mobile Crisis Response Unit

Paul Roten, Public Works Director:

- Provided update on elevator repairs – elevator currently not working

Nate Greenberg, IT Director:

- Thanked the staff and Board
- Proud of his team and what they have accomplished over the years

○ **Supervisor Corless:**

- Thanked Nate for his commendable impressive service to Mono County over the years

○ **Chair Gardner:**

- Agrees with Supervisor Corless

Janet Dutcher, Finance Director:

- Provided update on checking account balance

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.)

County Counsel Simon:

- Acknowledged recent receipt of suggestions from California Department of Fish and Wildlife related to Item #5F and indicated that staff would follow-up with them on their comments. Ordinance could be amended later if needed.

Kreitz motion. Duggan seconded.

Vote: 4 yes, 0 no, 1 absent

A. 2022 Slurry Seal Project

Departments: Public Works

This project will maintain the pavement on Convict Lake Road and Rock Creek Road by application of slurry seal, and re striping paint markings.

Action:

1. Approved the attached bid package and authorize the Public Works Department to advertise the project for bids.
2. Authorized the County Administrative Officer to execute the contract contained in the attached bid package with the lowest responsive and responsible bidder in an amount equal or less than the Engineer's Estimate, plus 15 percent contingency.

3. Authorized the County Administrative Officer to reject all bids if no bid is received that is less than the Engineer's Estimate, plus 15 percent contingency.

Kreitz motion. Duggan seconded.

Vote: 4 yes, 0 no, 1 absent

M22-167

B. Contract with North American Mental Health Services

Departments: Probation

Proposed contract with North American Mental Health Services pertaining to Mental Health Assessments, Psychological Evaluations and Psychiatric Evaluations.

Action: Approved County entry into proposed contract and authorize CAO Lawton to execute said contract on behalf of the County.

Kreitz motion. Duggan seconded.

Vote: 4 yes, 0 no, 1 absent

M22-168

C. Contract with CalMHSA Electronic Health Record

Departments: Behavioral Health

Proposed contract with California Mental Health Services Authority (CalMHSA) pertaining to Semi-Statewide Enterprise Health Record.

Action: Approved, and authorized Chair Gardner to sign, contract with CalMHSA for Semi-Statewide Enterprise Health Record for the period July 1, 2022, through March 18, 2029, and a not-to-exceed amount of \$740,328.

Kreitz motion. Duggan seconded.

Vote: 4 yes, 0 no, 1 absent

M22-169

D. Behavioral Health Department Crisis Care Mobile Units (CCMU) Grant Contract Modification

Departments: Behavioral Health

Modification to grant agreement with Advocates for Human Potential, Inc. (AHP) for grant funds awarded to Mono County for the provision of Crisis Care Mobile Units.

Action: Approved and authorized County Administrative Officer (CAO) to sign contract modification of grant agreement with Advocates for Human Potential, Inc. (AHP) for grant funds awarded to Mono County for the provision of Crisis Care Mobile Units. The contract modifications include the addition of a business associate's agreement and the removal of certain technical provisions in Attachment B, Special Subcontract Terms and

Condition.

Kreitz motion. Duggan seconded.

Vote: 4 yes, 0 no, 1 absent

M22-170

E. Ordinance Repealing Chapter 3.32 of the Mono County Code - Television Translator Service Charge

Departments: County Counsel

Proposed ordinance repealing Chapter 3.32 of the Mono County Code to remove the Television Translator Service Charge for County Service Areas No. 2 and No. 5 in alignment with current County practices.

Action: Adopted proposed ordinance.

Kreitz motion. Duggan seconded.

Vote: 4 yes, 0 no, 1 absent

ORD22-009

F. Ordinance Amending Chapter 7.36 of the Mono County Code - Wells

Departments: County Counsel

Proposed ordinance to amend Mono County Code Chapter 7.36 to revise and clarify procedures related to the processing of applications for groundwater wells and conducting associated environmental review.

Action: Adopted proposed ordinance.

Kreitz motion. Duggan seconded.

Vote: 4 yes, 0 no, 1 absent

ORD22-010

6. CORRESPONDENCE RECEIVED - NONE

Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

7. REGULAR AGENDA - MORNING

A. PUBLIC HEARING: Appeal of the Planning Commission's Denial of Conditional Use Permit 22-004/Valletta

Public Hearing: 10:01 AM (Appellant is not available)

Ended: 10:03 AM

Opened Public Hearing for the second time, after item #7C.

Public Hearing: 11:00 AM

Ended: 11:24 AM

(Appellant is available at 11:00 AM)

Departments: Community Development

PUBLIC HEARING: 9:00 AM (20 minutes)

(Michael Draper, Planning Analyst) - Appeal of a Planning Commission decision to deny a use permit for transient rental (overnight rental fewer than 30 consecutive days) of two, two-bedroom units within a four-unit residential complex in June Lake.

Action: Affirmed previous determination of the Planning Commission regarding Conditional Use Permit 22-004/Valletta, thereby denying the appeal.

Michael Draper, Planning Analyst:

- Presented item

Supervisor Duggan:

- Is there a time frame for compliance of removing the shed?
- Is this the best thing for the community? And the right thing to do? Why was this not rented right now?
- Discussed short-term rental

County Counsel Simon:

- Suggests coming back to this item to allow appellant time to join via zoom
- Mr. Valletta is proposing to change some of the facts on the ground related to his proposal, it might be appropriate to send back to the Planning Commission, sounds like a new project
- Clarifies for the appellant that once the hearing is closed, there is no more public comment and the right to respond - same issue with the Planning Commission
-

Appellant Call in – Devin Valletta:

- Called in to request an extension to the hearing
- Discussed issues and what he is willing to correct
- Asking for a 30 – 45-day extension
- Thanked the Board
- Agreed with Wendy Sugimura about the concerns
- Discussed housing concerns
- Explains his situation with his current tenants

Chair Gardner:

- How much additional time are you requesting?
- This is in my District
- Discussed lack of housing in June Lake

Supervisor Kreitz:

- Discussed conditions vs project approval
- Don't want to waste staff time and efforts
- Agrees with Chair Gardner
- Still don't support waving or changing the direction of the Planning Commission
- Would like to bring back a moratorium on all housing types

Wendy Sugimura, Community Development Director:

- Discussed concerns of the Planning Commission
- Discussed options of upholding the appeal vs denying the appeal

Kreitz motion. Corless seconded.

Vote: 4 yes, 1 no, 1 absent

M22-171

B. Wildfire Smoke Monitoring Presentation

Departments: Board of Supervisors, sponsored by Supervisor Corless

20 minutes

(Phill Kiddoo, Great Basin Unified Air Pollution Control District) -
Presentation by Phill Kiddoo, Great Basin Unified Air Pollution Control
District, regarding Wildfire Fire Smoke Monitoring.

Action: None, informational.

Phill Kiddoo, Great Basin Unified Air Pollution Control District:

- Introduced item

Kim Mitchell, Research and Systems Analyst:

- Presented item

Supervisor Corless:

- Thanked to Phil and Kim
- Important that we provide resources to our residents and visitors

Supervisor Duggan:

- Thanked Phil and Kim
- Discussed Crowley Lake and Tri-Valley effects

Chair Gardner:

- This would be great for our Citizens Wildfire Academy meeting – 9/19

Break Started: 10:29 AM

Reconvened: 10:40 PM

C. 2021 Inyo and Mono Counties Crop and Livestock Report

Departments: Agricultural Commissioner

15 minutes

(Nathan D. Reade, Agricultural Commissioner) - Presentation of the 2021 Inyo and Mono Counties Crop and Livestock Report by Agricultural Commissioner Nathan D. Reade.

Action: None, informational only.

Nathan D. Reade, Agricultural Commissioner:

- Presented Item

Call-in: Jake Suppa:

- Would like input on USDA proving California has had cultivation breeding programs and not being adopted as law and how that would influence tourism in Mono County?

D. COVID-19 (Coronavirus) Update

Departments: Public Health

15 minutes

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

Action: None, informational only.

Bryan Wheeler, Public Health Director:

- Presented Item

Supervisor Kreitz:

- Surprised to see there was no refencing the CDC update guidance, but now I see you are waiting for CDPH

E. Sale of Benton Homes to Utu Utu Gwaitu Tribe

Departments: CAO

15 minutes

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

Action: Adopted proposed resolution.

Stacey Simon, County Counsel:

- Introduced Item
- Clarifies – Sale Agreement
- Provided background on initial negotiations

Erik Ramakrishnan, Outside Counsel:

- Presented Item

Supervisor Kreitz:

- Concerned about waiving the fees

Duggan motion. Corless seconded.

Vote: 3 yes, 1 no, 1 absent

R22-88

Moved to item #9 – Board Reports

8. CLOSED SESSION

Closed Session: 11:58 AM

Reconvened: 1:03 PM

- There was nothing 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, John Craig, Patty Francisco, 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 Correctional Deputy Sheriffs' Association. Unrepresented employees: All.

B. Closed Session - Public Employee Evaluation

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

9. REGULAR AGENDA - AFTERNOON

A. Long Valley and Little Round Valley - Litigation and Bi-State Sage Grouse

Departments: County Counsel

1.5 hours (1pm)

(Stacey Simon, County Counsel; Wendy Sugimura, Community Development Director) - Workshop updating the Board and the public regarding litigation affecting Long Valley and Little Round Valley and providing the status of Bi-State Sage Grouse in the region. Opportunity for the public to provide input to the Board.

Action: Provided desired direction to staff, which may include: to return to the Board with a draft letter to the Los Angeles Department of Water and Power regarding the California Court of Appeal's decision; the scheduling of regular Board updates on irrigation and habitat in Long and Little Round Valleys, or such other direction as determined by the Board.

Stacey Simon, County Counsel:

- Introduced and Presented item
- Provided background and overview
- Counties and the Sierra Club's litigation pursuant to the California Environment Quality Act against the City of Los Angeles and Los Angeles Department of water and Power related to the proposal 2018
- Status update on Sage Grouse Population

Public Comment:

1. **Matt Kemp, Wendy Schneider, Matt McClain, Allison Weber.**

10. BOARD MEMBER REPORTS

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

Supervisor Corless:

- Eastern Sierra Council of Governments meeting:
- Adopted resolution to create a new program of work called the "Eastern Sierra Economic Resiliency Pilot Program" -- this authorizes ESCOG participation in the upcoming Community Economic Resilience Fund planning process. Consideration of approval of this program will now go back to the four member entities before implementation
- Discussed staff capacity and funding
- Approved request for proposals for Towns to Trails program (grant from SNC)
- RCRC Cannabis Policy Ad Hoc Committee: discussed policy platform changes, received legislative update, presentation from CA Dept of Fish and Wildlife. Platform changes will be available for county staff review this fall.
- Attended retirement party for Mammoth Lakes Fire Protection District Chief Frank Frievalt, wish Frank all the best and congratulations to Mammoth's new Fire Chief, Ales Tomaier
- RCRC Annual Meeting basket auction fundraiser--seeking donations/contributions for Mono County's auction item

Supervisor Kreitz:

- On August 11th, I participated in a meeting with Housing and Community Development (HCD) staff and Anna Scott of Inyo County to discuss the Eastern Sierra Continuum of Care and the Emergency Solutions Grant (ESG) program. At this time the Collaborative Applicant - Inyo County - does not

have the capacity to apply for the 2022 ESG funds. HCD and HUD are working on new guidelines to make the use of the ESG funds more accessible to small rural communities. The CoC is meeting soon and will discuss the ESG program.

- “Mammoth Lakes Housing, Inc. (MLH) closed escrow on the Innsbruck Lodge with the intent to convert the boutique hotel into 16 apartments. Tenant occupancy will occur before May 2023
- This acquisition is the result of a joint grant awarded to the Town of Mammoth Lakes and MLH for \$4.56 million through the Project Homekey Program. The Mono County Board of Supervisors also made a financial commitment, which bolstered the grant application.
- This project “...showcase[s] the spirit of what Homekey is all about – state and local partners working together to do more for those who need it,” said Department of Housing and Community Development Director Gustavo Velasquez.
- This multi-million-dollar award is only one of four made to the rural Balance of the State counties and the only award made to date in MLH’s tri-county service area of Inyo, Mono, and Alpine. Unlike other Homekey projects that are restricted to very-low income, the Innsbruck Lodge will serve households earning up to 80% of the Area Median Income (AMI) who are struggling to find safe, affordable housing in our community. For a single-person household that is a maximum of \$45,300.” [MLH Press Release](#).
- The California Tax Credit Allocation Committee’s (CTCAC) made recent change to the regulations that could benefit low-income housing development in Mono County. On July 20, 2022, CTCAC’s committee members approved the addition of subsection (D) to Section 10325(c)(9) of CTCAC Regulations:
- **(D) For Rural set aside projects applying in counties where no tax credit applications have been received within 5 years of the application filing date, the tiebreaker shall increase by 5 percentage points.**
- By adding subsection (D), CTCAC is allowing a boost to the final tie breaker score by 5 percentage points, thereby increasing their competitiveness within the Rural set aside. In most instances, the final tiebreaker score ends up being the deciding factor between which project is funded and which one does not.

Chair Gardner:

- On Wednesday Aug. 10 I met with several Mono Basin partner representatives to talk about various projects and hear updates on each agency’s activities. One important item noted was Public Lands Day on Sept. 24.
- On Friday Aug. 12 I participated on the meeting of the Eastern Sierra Council of Governments. We discussed future capacity for ESCOG, approved a bid for implementation of the Buttermilk Infrastructure and Recreation Initiative, approved a request for Proposals for Towns to Trails Plan, and adopted a resolution to establish a program of work known as the Economic Resiliency Pilot Program.

- Also, on Friday Aug. 12 I joined the Eastern Sierra Transit Authority Board for its monthly meeting. We approved the Short-Range Transit and Coordinated Human Services Plans and reviewed the regular operations and financial reports. Ridership is increasing on some of ESTA's routes.
- Finally, last night I hosted the fifth session of the Citizens Wildfire Academy. Our topic was Home Hardening and Defensible Space. Yana Valachovic from US Extension and Crystal Medhurst from Whitebark Institute made excellent presentations. The recording of the session will be available at the Eastern Sierra Wildfire Alliance Website.

ADJOURNED in memory of Carmen Ramirez at 2:43 PM

ATTEST

BOB GARDNER
CHAIR OF THE BOARD

DANIELLE PATRICK
SENIOR DEPUTY CLERK/ ELECTIONS ASSISTANT