



**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
January 17, 2023**

9:02 AM Meeting called to order by Chair Duggan.

Supervisors Present: Duggan, Gardner, Kreitz, Salcido, and Peters. (All Supervisors attended via zoom or in person).

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 Salcido.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No public comment.

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICER

Robert C. Lawton, CAO:

- Discussed items removed from the agenda for 1/17.
- Discussed Midyear budget.

4. DEPARTMENT/COMMISSION REPORTS

Paul Roten, Public Works Director:

- Provided update by district on weather related issues.

Jason Davenport, Facilities Superintendent:

- Provided Facilities update.

Milan Silva, Interim IT Director:

- Provided update on weather related issues with Mono County network.

Chris Morkracek, Emergency Services Director:

- Provided update on EMS Department

Sheriff Braun:

- Thanked Chris Morkracek.
- Provided an update on storm reported deaths: none.

Kathy Peterson, Social Services Director/Interim Director of Public Health:

- Provided an update on Medi-Cal.

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

Departments: Clerk of the Board

Approval of the Board Minutes from the Regular Meetings in October 2022.

Action: 1) Approved the Board Minutes from the Regular Meeting on October 4, 2022. 2) Approved the Board Minutes from the Regular Meeting on October 11, 2022, AS AMENDED. 3) Approved the Board Minutes from the Regular Meeting on October 18, 2022. 4) Approved the Board Minutes from the Special Meeting on October 21, 2022, as amended.

Kreitz moved; Gardner seconded

5 Yes, 0 No

M23-015

Stacey Simon, County Counsel:

- October 11 meeting - Amendment to item #7A. - add Domaille.
October 21 meeting – Amendment to item #2A. – correct count to 3 yes, 1, no, 1 absent.

B. Behavioral Health Advisory Board Appointment

Departments: Clerk of the Board

Mono County Behavioral Health Advisory Board Appointments. The mission of the Behavioral Health Advisory Board (BHAB) is to support individuals by promoting recovery, self-determination, and wellness in all aspects of life. The Board advises and evaluates the various functions and policies of the Behavioral Health Department that are under the direction of the Behavioral Health Director and jurisdiction of the Mono County Board of Supervisors (BOS).

Action: Appointed Stacey Powells Lyster, Stacy Corless, and Marcella Rose to the Mono County Behavioral Health Advisory Board for a three-year term. Re-appointed to the Mono County Behavioral Health Advisory Board: Dirk Addis and

Rolf Knutson. All terms expire January 31, 2026.

Kreitz moved; Gardner seconded

5 Yes, 0 No

M23-016

C. FY 2023-24 Boating Safety and Enforcement Financial Aid Program Application

Departments: Sheriff

The purpose of the Boating Safety and Enforcement Financial Aid Program is to provide State financial aid to local governmental agencies whose waterways have high usage by transient boaters and an insufficient tax base to fully support a boating safety and enforcement program. The program is intended to augment existing local resources for boating safety and enforcement activities and is not intended to fully fund Boating Safety and Enforcement programs.

Action: Approved Resolution R23-002, authorizing the County's participation in the in the FY 2023-2024 California Department of Boating and Waterways Grant Program and designation the Sheriff-Coroner as an authorized agent to sign for and administer the grant.

Kreitz moved; Gardner seconded

5 Yes, 0 No

R23-002

6. CORRESPONDENCE RECEIVED

A. Letter Regarding Dog Leash Laws in Mono City

Departments: Clerk of the Board

Letter received from Mono City resident regarding dog leash laws in Mono City, as requested to be agendize by Supervisor Kreitz at the January 3, 2023, meeting.

Supervisor Kreitz:

- Presented letter.

Supervisor Gardner:

- Will work with County Counsel to bring back to the Board.

Chair Duggan:

- Direction to staff: Agendize letter on a future meeting date.

7. REGULAR AGENDA - MORNING

A. Winter Seasonal Outlook Presentation

Departments: Clerk of the Board

(Chris Smallcomb, National Weather Service (NWS) Reno) - Presentation by Chris Smallcomb of the National Weather Service in Reno regarding the 2022/23 Winter Weather Outlook.

Chris Smallcomb, National Weather Service (NWS) Reno:

- Presented item.

B. Ratification of Emergency Proclamation

Departments: Emergency Management and County Counsel

(Chris Beck, Assistant County Counsel) - Proposed Resolution of the Mono County Board of Supervisors Ratifying Proclamation of Local Emergency and Declaring a Continued State of Local Emergency Due to Severe Winter Snowstorms Which Commenced on December 27, 2022.

Action: Adopted proposed resolution R23-003, ratifying Proclamation of Local Emergency and Declaring a Continued State of Local Emergency Due to Severe Winter Snowstorms Which Commenced on January 9, 2023.

Gardner moved; Peters seconded

5 Yes, 0 No

R23-003

Chris Beck, Assistant County Counsel:

- Presented item.

Stacey Simon, County Counsel:

- Will research if Mono County is eligible for the tax extension.

C. Resolution Making Findings under AB 361 - Related to Remote Meetings

Departments: County Counsel

(Stacey Simon, County Counsel) - Proposed resolution making the findings required by AB 361 for the purpose of making available the modified Brown Act teleconference rules set forth in AB 361 for the period of January 17, 2023, through February 16, 2023.

Action: Adopted proposed resolution R23-004, making the findings required by AB 361 for the purpose of making available the modified Brown Act teleconference rules set forth in AB 361 for the period of January 17, 2023, through February 16, 2023.

Peters moved; Gardner seconded

5 Yes, 0 No

R23-004

Stacey Simon, County Counsel:

- Presented item.
- Will return to the Board on February 7.

Break 10:18 AM

Reconvened: 10:30 AM

D. PUBLIC HEARING - Appeal of a Planning Commission decision denying a General Plan Amendment to redesignate a parcel in Bridgeport

Departments: Community Development

(Michael Draper, Principal Planner) - Appeal of the Planning Commission decision to deny General Plan Amendment (GPA 22-03), a proposed change of Land Use Designation from Multi-Family Residential–Moderate (MFR-M) to Mixed Use (MU), and Use Permit 22-011, in support of a transient rental use.

Action: Continued the public hearing until March 14, 2023.

Peters moved; Gardner seconded

5 Yes, 0 No

M23-017

Wendy Sugimura, Community Development Director:

- Introduced and provided background.
- Recommends rehearing item at a later date.

Michael Draper, Principal Planner:

- Presented item.
- Discussed that the applicant requested that hearing be postponed to a later date and was notified.

Supervisor Peters:

- Discussed applicants concerns.

County Counsel Simon:

- Provided clarity on if the hearing is continued to a later date.

Public Hearing Open: 10:44 AM

E. Employment Agreement - Todd Graham

Departments: District Attorney

(David Anderson, District Attorney) - Proposed resolution approving a contract with Todd Graham as Assistant District Attorney, and prescribing the compensation, appointment and conditions of said employment.

Action: Approved Resolution R23-005, approving an employment agreement with Todd Graham for the position of Mono County Assistant District Attorney.

Fiscal Impact: The full cost of salary and benefits for an entire fiscal year is approximately \$182,087, of which \$136,074 is salary and \$46,013 is benefits. This is included in the FY 2022/23 budget.

Gardner moved; Kreitz seconded

5 Yes, 0 No

R23-005

David Anderson, District Attorney:

- Presented item.

F. Amendment to Employment Agreement - Chris Mokracek

Departments: CAO

(Robert C. Lawton, CAO) - Proposed resolution approving a contract amendment for Christopher Mokracek as Interim Director of Animal Services and Director of Emergency Management, and prescribing the compensation, appointment and conditions of said employment.

Action: Approved Resolution R23-006, approving an amendment to the employment agreement with Christopher Mokracek and prescribing the compensation, appointment, and conditions of said employment.

Fiscal Impact: The fiscal impact of this interim appointment is an increase in salary and benefits of \$28,617, of which \$25,322 is salary and \$3,295 is benefits. The 15% increase will be covered through Animal Services wage and salary savings included in the approved FY 2022/2023 budget for the Animal Services department.

Gardner moved; Peters seconded

5 Yes, 0 No

R23-006

Robert C. Lawton, CAO:

- Presented item.

G. Purchase of Motorola Radio Equipment to Establish Radio Repeater Sites

Departments: CAO, Emergency Management

(Chris Mokracek, Director of Emergency Management) - Purchase of emergency radio equipment for 4-Channel VHF High Power ASR Sites with Radio Frequency Distribution Systems to be ultimately located at sites in Mammoth Lakes (2 sites), June Lake, Antelope Valley and Benton and incorporated into the State of California's CRIS Radio System. The County's payment obligations under the agreement shall be made contingent upon actual receipt of funding through the federal 2023 Omnibus Appropriations Bill.

Action: Authorized the County Administrative Officer, in consultation with County Counsel to: (1) negotiate terms, that do not substantively change the nature of the purchase or the price; and (2) execute an agreement with Motorola Solutions, Inc., in substantially the form attached to this staff report, for the purchase of radio equipment necessary to equip five (5) 4-Channel VHF High Power ASR Sites with Radio Frequency Distribution Systems, as generally set forth in the attached proposal from Motorola Solutions, Inc., and for a not-to-exceed amount of \$1,317,280.58. The County's payment obligations under the agreement shall be made contingent upon actual receipt of funding through the federal 2023 Omnibus Appropriations Bill and entry into an agreement with the California

Office of Emergency Services to become a primary user of the CRIS radio system, unless the latter is waived by the County Administrative Officer for good cause.

Gardner moved; Kreitz seconded

5 Yes, 0 No

M23-018

Robert C. Lawton, CAO:

- Introduced and provided background of item.

Chris Mokracek, Director of Emergency Management:

- Presented item.

County Counsel Simon:

- Discussed contingencies as listed in staff report.
- Clarifies the requested warranty term.

Jeff Edelson, Outside Consultant:

- Discussed the five different sites.
- Addressed concerns with CRIS.

Public Comment:

Mike Curti, Antelope Valley Fire:

- Discussed concerns with CRIS.

Fred Stump:

- Discussed concerns with CRIS.

Scott McGuire, Chief Long Valley Fire:

- Discussed concerns with CRIS.

Chair Duggan:

- Provided a summary of item.

H. Ordinance Temporarily Waiving Cannabis Cultivation Tax

Departments: Finance, County Counsel

(Janet Dutcher, Director of Finance) - Proposed ordinance temporarily suspending and waiving the cannabis cultivation tax imposed by subsection (B)(1) of Mono County Code section 3.30.050, for the period of July 1, 2022, through June 30, 2025.

Action: Adopted proposed ordinance ORD23-001, temporarily suspending and waiving the cannabis cultivation tax imposed by subsection (B)(1) of Mono County Code section 3.30.050, for the period of July 1, 2022, through June 30, 2025.

Peters moved; Kreitz seconded

5 Yes, 0 No

ORD23-001

Janet Dutcher, Director of Finance:

- Presented item.

County Counsel Simon:

- Clarifies the emergency ordinance specifications and exemptions.

I. Budget Update - January

Departments: CAO

(Megan Chapman, Budget Officer) - This is a regular re-occurring item to provide an update to the Board on Budget that will occur the third Tuesday of every month.

Action: None.

Megan Chapman, Budget Officer:

- Presented item.

J. Strategic Plan Update

Departments: CAO

(Robert C. Lawton, CAO) - Presentation by Robert C. Lawton regarding Mono County Strategic Plan Update 2023-01-17.

Action: None.

Item pulled from meeting.

K. Receive Draft 2023-24 Federal Legislative Platform

Departments: County Administrative Officer

(Robert C. Lawton, County Administrative Officer) - In 2022, Mono County engaged the services of TFG, formerly known as The Ferguson Group, to support County efforts with respect to Federal funding and policy. With TFG's assistance, Mono County was allocated \$3,000,000 for radio system improvements in the FY2023 Omnibus Appropriations Bill. The 118th Congress convened on January 3, 2023, following a change in party control. Members of the Board of Supervisors will attend the National Association of Counties' Legislative Conference taking place in Washington from February 11 through 14. Working with County Supervisors and Department Heads, TFG has prepared a draft Legislative Platform for discussion today and Board action on February 7. The Platform will guide Federal legislative and agency advocacy efforts throughout the 118th Congress.

Action: None.

Robert C. Lawton, CAO:

- Introduced item.

Kristi More, TFG:

- Presented item.

Supervisor Salcido:

- Discussion on WIC, as it relates to this item.

Chair Duggan:

- Direction: Add a sixth category (Wildfire).

Moved to Board Reports.

8. CLOSED SESSION

Closed Session: 12:26 PM

Reconvened: 1:33 PM

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, 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 - 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.
County Counsel Simon:

- Item pulled – no need for this item.

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: Administrative Enforcement Action - Mono County v. Yzaguirre.

D. Closed Session- Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Administrative Enforcement Action – Mono County v. Olson.

E. Closed Session - Public Employee Evaluation

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

Moved to Adjournment.

9. REGULAR AGENDA - AFTERNOON

A. Community Corrections Partnership (CCP) Realignment Implementation Plan

Departments: Probation

(Karin Humiston, Chief of Probation) - A resolution of the Mono County Board of Supervisors authorizing the Mono County Community Corrections Partnership (CCP) Executive Committee to submit the Realignment Implementation Plan Annual Report for 2022 to the Board of State and Community Corrections.

Action: None.

Item pulled from agenda.

B. Pre- Housing Workshop Discussion

Departments: CAO

(Robert C. Lawton, County Administrative Officer) - Presentation by Robert C. Lawton and Stan Keasling regarding Pre-Housing Workshop.

Action: None.

Item pulled from agenda.

10. BOARD MEMBER REPORTS

Chair Duggan:

- Participated in the monthly NACo meeting for energy, environment, and land use.

Supervisor Gardner:

- Last Wednesday Jan. 11 I participated in a training session about LGBTQ+ language. The session was quite interesting and useful in helping us to be more sensitive to how we communicate to our LGBTQ+ population. Thanks to Rachel Barnett in our Public Health Dept. for sponsoring this training.
- On Thursday Jan. 12 I participated in the quarterly meeting of the Yosemite Gateway Partnership. The meeting was devoted to Yosemite Park staff presentations and participant discussion about the future of any reservation system in the Park. There will be additional opportunities for public comment as the Park staff considers how to move forward on this issue.

- On Friday I participated in the monthly meeting of the Eastern Sierra Transit Authority Board. We reviewed regular operating and financial reports and approved an increase in the Dial-A Ride service in Bishop.

Supervisor Kreitz:

- No report.

Supervisor Peters:

- Monthly meeting with the Bridgeport Indian Colony.

Supervisor Salcido:

- No report.

Moved to Item #8 - Closed Session.

ADJOURNED at 1:34 PM

ATTEST

**RHONDA DUGGAN
CHAIR OF THE BOARD**

**DANIELLE PATRICK
SENIOR DEPUTY CLERK OF THE BOARD**