



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

Regular Meeting January 17, 2023

TELECONFERENCE INFORMATION

This meeting will be held via teleconferencing with members of the Board attending from separate remote locations. As authorized by AB 361, dated September 16, 2021, a local agency may use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency and local officials have recommended or imposed measures to promote social distancing or the body cannot meet safely in person and the legislative body has made such findings.

Members of the public may participate via 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/87641972868> or visit <https://www.zoom.us/>, click on "Join A Meeting" and enter the Zoom Webinar ID 876 4197 2868.

To provide public comment, press the "Raise Hand" button on your screen.

To join the meeting by telephone: Dial (669) 900-6833, then enter Zoom Webinar ID 876 4197 2868. To provide public comment, press *9 to raise your hand and *6 to mute/unmute.

NOTE: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (760) 932-5530 or bos@mono.ca.gov. 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).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517) and online at <http://monocounty.ca.gov/bos>. Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board and online.

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

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.

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICER

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

Departments: Clerk of the Board

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

Recommended Action: 1) Approve the Board Minutes from the Regular Meeting on October 4, 2022. 2) Approve the Board Minutes from the Regular Meeting on October 11, 2022. 3) Approve the Board Minutes from the Regular Meeting on October 18, 2022. 4) Approve the Board Minutes from the Special Meeting on October 21, 2022.

Fiscal Impact: None noted.

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).

Recommended Action: Make the following appointments to the Mono County Behavioral Health Advisory Board: Stacey Powells Lyster, Stacy Corless, and Marcella Rose to a three-year term. Make the following re-appointments to the Mono County Behavioral Health Advisory Board: Dirk Addis and Rolf Knutson. All terms expire January 31, 2026.

Fiscal Impact: None noted.

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.

Recommended Action: Approve Resolution R23-____, Authorizing the Mono County Sheriff-Coroner, Mono County Sheriff's Office Emergency Services Coordinator, and/or the Mono County Sheriff's Office Finance Officer to apply for and administer the Boating Safety and Enforcement Financial Aid Program Agreement for FY 2023/24.

Fiscal Impact: The award will not exceed \$136,017. There is no match requirement for this grant. In previous years, this grant was used to pay on-going costs associated with regular boating patrol on 23 lakes and to enforce California boating laws applicable to our area. Past grant expenditures include salaries, overtime, benefits, maintenance, supplies, training, vehicle expenses, utilities, and occasionally replacement of equipment. Costs incurred and not covered by the grant are transferred to the Sheriff's budget.

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 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 agendized by Supervisor Kreitz at the January 3, 2023 meeting.

7. REGULAR AGENDA - MORNING

A. Winter Seasonal Outlook Presentation

Departments: Clerk of the Board

30 minutes

(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.

Recommended Action: None, informational only.

Fiscal Impact: None noted.

B. Ratification of Emergency Proclamation

Departments: Emergency Management and County Counsel

5 minutes

(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.

Recommended Action: Adopt proposed resolution R23-___, Ratifying Proclamation of Local Emergency and Declaring a Continued State of Local Emergency Due to Severe Winter Snowstorms Which Commenced on December 27, 2022.

Fiscal Impact: None noted.

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

Departments: County Counsel

5 minutes

(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.

Recommended Action: Adopt proposed resolution R23-___, 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.

Fiscal Impact: None noted.

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

Departments: Community Development

PUBLIC HEARING: 20 minutes

(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.

Recommended Action: Conduct public hearing. Consider and either affirm, affirm in part, or reverse the Planning Commission’s decision denying GPA 22-03/Nichols, making appropriate findings and providing any other desired direction to staff.

Fiscal Impact: If the appeal is upheld and the Planning Commission’s denial is overturned, the proposed project will generate an incremental increase in transient occupancy taxes.

E. Employment Agreement - Todd Graham

Departments: District Attorney

10 minutes

(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.

Recommended Action: Announce Fiscal Impact. Approve Resolution R23-___, approving a contract with Todd Graham as Assistant District Attorney, 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: 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.

F. Amendment to Employment Agreement - Chris Mokracek

Departments: CAO

5 minutes

(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.

Recommended Action: Announce Fiscal Impact. Approve Resolution R23-___, approving a contract amendment with Christopher Mokracek as Interim Director of Animal Services in addition to his role as Director of Emergency Management 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: 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.

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

Departments: CAO, Emergency Management

20 minutes

(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.

Recommended Action: Authorize 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.

Fiscal Impact: \$1,317, 280 in equipment costs. Funding will come from appropriations made through the 2023 Omnibus Appropriations Bill. The purchase is contingent upon receipt of funding. This was not included in the FY 2022/23 adopted budget.

H. Ordinance Temporarily Waiving Cannabis Cultivation Tax

Departments: Finance, County Counsel

10 minutes

(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.

Recommended Action: Consider and potentially adopt proposed ordinance.

Fiscal Impact: No impact on the immediate FY 2022/23 Cannabis Tax budget. If approved, the County expects a reduction in cannabis tax of between 14% to 20%.

I. Budget Update - January

Departments: CAO

10 minutes

(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.

Recommended Action: Receive budget update and provide direction to staff.

Fiscal Impact: None noted.

J. Strategic Plan Update

Departments: CAO

30 minutes

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

Recommended Action: 1. Receive update. 2. Discuss progress and possible amendment. 3. Provide direction to staff.

Fiscal Impact: None noted.

K. Receive Draft 2023-24 Federal Legislative Platform

Departments: County Administrative Officer

20 minutes

(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.

Recommended Action: Provide any desired direction to staff.

Fiscal Impact: None noted.

8. 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.

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.

9. REGULAR AGENDA - AFTERNOON

A. Community Corrections Partnership (CCP) Realignment Implementation Plan

Departments: Probation

20 minutes

(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.

Recommended Action: Staff recommends that the Board; 1) Adopt proposed Resolution R23-___, 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; and 2) Provide any desired direction to staff.

Fiscal Impact: Eligibility for the Community Corrections Partnership (CCP) Implementation Grant Funding, which is anticipated to be \$100,000 to be

received by the end of January 2023.

B. Pre- Housing Workshop Discussion

Departments: CAO

1 hour

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

Recommended Action:

1. Receive the attached Mono County Policy Options document.
2. Discuss possible options for the housing policy workshop tentatively scheduled for March 14.
3. Provide direction to staff for workshop format and expectations.

Fiscal Impact: None noted.

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.

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