



# 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 May 3, 2022

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#### 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. 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=e42e610c-7f06-4b97-b1d6-739b1ff28cf8](http://monocounty.granicus.com/MediaPlayer.php?publish_id=e42e610c-7f06-4b97-b1d6-739b1ff28cf8)

#### **To join the meeting by computer:**

Visit <https://monocounty.zoom.us/j/82008742649>

Or visit <https://www.zoom.us/>, click on "Join A Meeting" and enter the Zoom Webinar ID 820 0874 2649.

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 820 0874 2649.

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](mailto: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**

**A. Proclamation Designating the Month of May 2022 as Mental Health Month**

Departments: Behavioral Health

10 minutes

(Robin Roberts, Behavioral Health Director) - Each year millions of Americans face the reality of living with a mental illness. In designating May 2022 as Mental Health Month, Mono County joins the national movement to raise awareness about mental health and to provide education and reduce stigma around mental health. Mono County Behavioral Health has planned activities and events to recognize Mental Health Month.

**Recommended Action:** Approve proclamation designating May 2022 as Mental Health Month, hear report on activities planned to recognize Mental Health Month.

**Fiscal Impact:** 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. Out-of-State Travel for the 2022 Annual NACo Conference**

Departments: Clerk of the Board

Out-of-state travel for Mono County Supervisors Rhonda Duggan, Bob Gardner and John Peters to attend the National Association of County's Annual

Conference and Exposition in Adams County (Aurora), Colorado, July 21-24 with Supervisor Peters attending as the Registered Voting Delegate.

**Recommended Action:** Approve out-of-state travel for Mono County Supervisors Rhonda Duggan, Bob Gardner and John Peters to attend the National Association of County's Annual Conference and Exposition in Adams County (Aurora), Colorado, July 21-24 with Supervisor Peters attending as the Registered Voting Delegate.

**Fiscal Impact:** Up to \$3,000 per Supervisor for conference registration, hotel stay, and travel of which a total of \$3,000 is expected to be reimbursed from other external funding sources. While this event was not included in the Board of Supervisors' budget for FY 2021-22, staff have submitted a third quarter budget adjustment for the Board's consideration on May 10 to provide additional funding.

**B. Monthly Treasury Transaction Report**

Departments: Finance

Treasury Transaction Report for the month ending 3/31/2022.

**Recommended Action:** Approve the Treasury Transaction Report for the month ending 3/31/2022.

**Fiscal Impact:** None.

**C. Quarterly Investment Report**

Departments: Finance

Investment Report for the Quarter ending 3/31/2022.

**Recommended Action:** Approve the Investment Report for the Quarter ending 3/31/2022.

**Fiscal Impact:** None

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

Departments: 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 May 3, 2022 through June 2, 2022.

**Recommended Action:** Adopt proposed resolution.

**Fiscal Impact:** None.

**E. Amendment to Contract with Municipal Resources Group**

Departments: CAO

Proposed amendment to agreement with Municipal Resources Group, LLC (MRG) pertaining to the provision of human resources, strategic planning and emergency preparedness services.

**Recommended Action:** Approve, and authorize CAO to sign, contract amendment with MRG to increase the contract limit from \$102,000 to \$127,000 for the period through June 30, 2022, and to establish contract limits of \$75,000 for the periods July 1, 2022 through June 30, 2023 and July 1, 2023 through December 31, 2024.

**Fiscal Impact:** Impact for current fiscal year is an addition of \$25,000 in expenditures. This is expected to be covered by salary savings with no detrimental impact to the amended budget.

**F. Contract with Baxter's for Custodial and Campground Management Services**

Departments: Public Works

Proposed contract with Baxter's pertaining to Custodial and Campground Management Services.

**Recommended Action:** Approve, and authorize CAO to sign, contract with Baxter's for Custodial and Campground Management Services for the period May 1, 2022 through May 1, 2023 and a not-to-exceed amount of \$123,514.

**Fiscal Impact:** Cost of approximately \$123,514 to the Public Works Department, Facilities Division Budget. This represents an increase of approximately \$20,000 over amounts budgeted in FY 21/22.

**G. FY21/22 RSTP Funding Agreement**

Departments: Public Works - Roads

The annual funding through the Regional Surface Transportation Program (RSTP) apportionment is a major source of revenue for Mono County's road maintenance programs. Although the amount is based on a statewide formula that has not increased over the years, the RSTP funding and the annual gas tax apportionment continue to be one of the foundations of Public Works' Road Division. The exchange agreement allows the State to forward non-federal highway apportionments directly to the Road Fund and the County maintains total control over how those funds are expended.

**Recommended Action:** Approve and authorize Chair's signature on the FY21/22 Federal Exchange and State Match Agreement for allocation of Federal Surface Transportation Program Funds through the State's Regional Surface Transportation Program.

**Fiscal Impact:** \$329,725 revenue to Public Works' Road Fund.

**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. Inyo National Forest and BLM Seasonal Fire Outlook Briefing**

Departments: Board of Supervisors, sponsored by Supervisor Gardner  
30 minutes

(Lesley Yen, Inyo NF Supervisor; Larry Pingel, Inyo NF / Bishop BLM Interagency Fire Mgmt Officer; Lance Rosen, BLM Asst District Fire Mgmt Officer Central CA Region; Heather Stone, BLM Supervisory Natural Resource Specialist for Fuels and Vegetation Mgmt) - Inyo National Forest and Bureau of Land Management staff will provide Seasonal Fire Outlook Briefing.

**Recommended Action:** None, informational only.

**Fiscal Impact:** None.

**B. PUBLIC HEARING: Moratorium on New Short-Term and Transient Rentals**

Departments: Community Development Department  
Public Hearing: 9:30 AM (45 minutes)

(Bentley Regehr, Planning Analyst) - Proposed ordinance temporarily suspending County permitting of new short-term or transient rental operations of residential units. Options are provided which include applying the temporary suspension to single-family and/or multi-family units, as well as applying the temporary suspension within residential and/or non-residential land use designations.

**Recommended Action:** Adopt proposed urgency ordinance ORD22-\_\_\_, an interim ordinance of the Mono County Board of Supervisors Temporarily Suspending the Permitting of New Short-Term and Transient Rentals of Residential Units in Specified Land Use Designations. The ordinance may be modified per the options described in the staff report, or in some other fashion as the Board may direct. If a moratorium is adopted, provide direction on processing transient rental applications already accepted by the County as of the ordinance's effective date. [4/5 vote required.]

**Fiscal Impact:** No fiscal impact with current revenues. Fiscal impact unknown concerning any future revenues.

**C. Funding Proposal for Hydrologic Groundwater Model of the Tri-Valley**

Departments: County Counsel, Community Development  
10 minutes

(Stacey Simon, County Counsel; Wendy Sugimura, Community Development Director) - Request to Inyo-Mono Integrated Regional Water Management

(IRWM) Group for funding to develop a hydrologic groundwater model of the Tri-Valley area (Chalfant, Benton and Hammil Valleys) on behalf of the Tri-Valley Groundwater Management District.

**Recommended Action:**

(1) Consider input provided by the Tri-Valley Groundwater Management District and approve and authorize staff to submit project description/funding request to the Inyo-Mono Integrated Regional Water Management (IRWM) Group for \$199,000 to develop a hydrologic groundwater model of the Tri-Valley/Fish Slough area.

(2) Direct staff to include up to \$22,000 for project management and grant administration in the 2022-23 annual budget, using funds previously allocated for the County's participation in the Owens Valley Groundwater Authority.

**Fiscal Impact:** Up to \$22,000, which would cover the 1% mandatory administrative fee imposed by the IRWM as well as grant management and administrative costs incurred by the 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.

**Recommended Action:** None, informational only.

**Fiscal Impact:** None.

**E. Mountain View Fire Update and Review of Emergency Declarations**

Departments: Mountain View Fire Emergency Operations Center

10 minutes

(Justin Nalder, MVF EOC Director) - Review of continuing need for Board of Supervisor's November 17, 2020, Declaration of Local Emergency of and Mono County Health Officer's November 19, 2020, Declaration of Local Health Emergency for the Mountain View Fire.

**Recommended Action:** Hear report from Incident Command and involved staff regarding status of Mountain View Fire response and recovery efforts. Find that there is a need to continue the local state of emergency declared on November 17, 2020 and/or the local health emergency declared on November 19, 2020 (ratified by the Board on November 24, 2020).

**Fiscal Impact:** Continuation of the declared emergencies supports the County's eligibility for state disaster assistance while debris efforts are still underway. Debris removal costs are eligible for reimbursement only when there is an

immediate threat to public health and safety.

**F. Fiscal Loss of Revenue Report for Fees Eliminated by Assembly Bill 1869**

Departments: Finance

10 minutes

(Janet Dutcher, Finance Director) - On December 21, 2021, the County received \$39,797 to backfill penalty revenue lost from the repeal of various criminal administrative fees. Pursuant to Government Code Section 29553(e) and added by Assembly Bill 143, the County is required to send a Fiscal Loss of Revenue Report to the State for fees eliminated by Assembly Bills 1869 and 177 in the last three most recent years of collection. Finance has compiled a schedule of lost revenue and prepared the required reports for Board approval. The reports are required to be distributed to: the Joint Legislative Budget Committee, The Department of Finance, and the Legislative Analyst's Office.

**Recommended Action:** Consider approving the County's Fiscal Loss of Revenue Report to the State's three offices from Fiscal Years Ended June 30, 2019, 2020, and 2021, and authorize the Chair of the Board's signature prior to distribution to the California State Legislature, the Legislative Analyst's Office, and the California Department of Finance.

**Fiscal Impact:** The County anticipates a loss of cash basis penalty and fee revenue averaging approximately \$18,730 per year over the past three years, not including uncollected amounts which are now been abated. The County received \$39,797 as annual backfill revenue from the State for each of the next five years, which is tentatively allocated based on lost revenue percentages, 25% to the General Fund General Revenues and \$75% to Probation.

**8. CLOSED SESSION**

**A. Closed Session - Labor Negotiations**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): 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 - 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 cases: (1) *County of Mono v. K.R. Property Development and Real Estate, LLC, et al.* (Mono County Superior Court Case # CV200081); (2) *County of Mono v. Silver State Investors, LLC* (Mono County Superior Court Case # CV22UCM41); (3) *County of Mono v. City of Los Angeles, et al.* (California Court of Appeal, 1st District, Case # A162590).

**9. 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**