



AGENDA

BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

Regular Meeting December 2, 2014

TELECONFERENCE LOCATIONS: 1) First and Second Meetings of Each Month: Mammoth Lakes CAO Conference Room, 3rd Floor Sierra Center Mall, 452 Old Mammoth Road, Mammoth Lakes, California, 93546; 2) Third Meeting of Each Month: Mono County Courthouse, 278 Main, 2nd Floor Board Chambers, Bridgeport, CA 93517. Board Members may participate from a teleconference location. Note: Members of the public may attend the open-session portion of the meeting from a teleconference location, and may address the board during any one of the opportunities provided on the agenda under Opportunity for the Public to Address the Board.

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) 932-5534. 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 in the County Offices located in Minaret Mall, 2nd Floor (437 Old Mammoth Road, Mammoth Lakes CA 93546). 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 (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB:** You can view the upcoming agenda at www.monocounty.ca.gov . If you would like to receive an automatic copy of this agenda by email, please send your request to Bob Musil, Clerk of the Board: bmusil@mono.ca.gov .

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

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.)

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on November 12, 2014.

3. PRESENTATIONS - NONE

4. BOARD MEMBER REPORTS

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

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

6. DEPARTMENT/COMMISSION REPORTS

7. 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. Resolution Authorizing Application for a Community Service Recycling Program

Departments: Public Works; Solid Waste Division

Proposed Resolution authorizing County application to create a Community Recycling Program to redeem California Redemption Value of recyclables collected through County programs.

Recommended Action: Adopt proposed resolution #R14-_____, authorizing County application to create a Community Recycling Program to redeem California Redemption Value of recyclables collected through County programs. Provide any desired direction to staff.

Fiscal Impact: Potentially \$10,000 in revenue from the redemption of California Redemption Value.

B. Appointment in Lieu of Election of Julie Weier to the Chalfant Valley Fire Department

Departments: Clerk of the Board

Appointment of Julie Weier in lieu of election to the board of commissioners of the Chalfant Valley Fire Department (A Community Service District) governed by Elections Code section 10515 and by Board Resolution R12-64 (see attached staff report for additional information). This item is being supported by Supervisor Stump.

Recommended Action: Appoint Julie Weier to the board of commissioners of the Chalfant Valley Fire Department (a Community Services District). Her term will expire on November 30, 2018.

Fiscal Impact: None.

C. Employment Agreement with Kathryn Peterson as Director of Social Services
Departments: County Administrator's Office

Proposed resolution approving an employment agreement with Kathryn Peterson as Director of Social Services, and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Approve Resolution #R14____, approving an employment agreement with Kathryn Peterson 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 cost of this position for the remainder of FY 2014-2015 (November 20, 2014 to June 30, 2015) is approximately \$107,143 of which \$67,128 is salary; \$14,404 is the employer portion of PERS, and \$25,611 is the cost of the benefits and is included in the approved FY 2014-2015 Budget. Total cost for a full fiscal year (2014-2015) would be \$175,404 of which \$109,896 is annual salary; \$23,580 is the employer portion of PERS, and \$41,928 is the cost of the benefits. The total cost of the contract over the entire three year term would be \$526,212.

D. Amendment to Contract with Inyo County for Additional Funds
Departments: Dept of Social Services

Amendment #4 to Contract with Inyo County for an increase of funds, and minor modifications to contract language, pertaining to the Senior Services Program.

Recommended Action:

Approve the County to enter into the proposed contract Amendment and authorize the County Administrative Officer for Mono County to execute such Amendment on behalf of the County. Provide any desired direction to staff.

Fiscal Impact:

The proposed contract Amendment will increase Mono County Senior Services revenue by \$2,217 for Fiscal Year 2014-15.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are located in the Office of the Clerk of the Board, and are available for review.

A. Southern California Edison

Departments: Clerk of the Board

Correspondence from Southern California Edison regarding proposed rate increase to cover costs associated with the company's Charge Ready and Market Education Program.

B. Correspondence from Fish and Game Commission

Departments: Clerk of the Board

California Fish and Game Commission notice of proposed regulatory action relating to petitions for regulatory changes.

C. Antelope Valley RPAC Correspondence

Departments: Clerk of the Board

Correspondence from the Antelope Valley Regional Planning Advisory Committee regarding Combined Use roads.

9. REGULAR AGENDA - MORNING

A. General Plan Amendment 14-002(a) Rosas Transient Rental Overlay District

Departments: Community Development Department

PUBLIC HEARING 10:00 A.M. - 20 minutes (10 minute presentation; 10 minute discussion)

(Courtney Weiche) - Public hearing regarding proposed amendment of the General Plan Designated Land Use Map to establish a Transient Rental Overlay District to allow for nightly rentals at 155 Washington Street (APN 016-102-052) in June Lake and approval of associated Addendum to General Plan EIR.

Recommended Action: Conduct public hearing. As recommended by the Planning Commission adopt resolution taking the following actions: (1) approve Addendum #14-02 to the Mono County General Plan EIR; and (2) approve a Transient Rental Overlay District for one parcel in June Lake (APN 016-102-052).

Fiscal Impact: Potentially increased revenues from transient occupancy taxes.

B. General Plan Amendment 14-002(b) Victory Lodge, LLC Transient Rental Overlay District

Departments: Community Development Department

PUBLIC HEARING 10:15 a.m. - 15 minutes

(Courtney Weiche) - Public hearing to amend the General Plan Designated Land Use Map to establish a Transient Rental Overlay District to allow for nightly rentals on two parcels on Leonard Avenue in June Lake (APNs 015-010-080 and 015-300-004) and approval of associated Addendum to General Plan EIR.

Recommended Action: Conduct public hearing. As recommended by the Planning Commission adopt resolution taking the following actions: (1) Approve Addendum #14-02 to the Mono County General Plan EIR; and (2) approve a Transient Rental Overlay District for two parcels on Leonard Avenue in June Lake (APNs 015-010-080 and 015-300-004).

Fiscal Impact: Potentially increased revenues from transient occupancy taxes.

C. Certification of General Election Held on November 4, 2014

Departments: Elections

20 minutes (10 minute presentation; 10 minute discussion)

(Bob Musil, Renn Nolan) - Certification of Results of the Canvass of the November 4, 2014 General Election.

Recommended Action: Receive and approve as correct the Statement of Votes for the November 4, 2014 General Election.

Fiscal Impact: None.

D. Employee Recognition

Departments: Board of Superivisors

10 minutes

(Board Members) - Recognition of County employee for recent outstanding service to Mono County.

Recommended Action: Adopt and present resolution of appreciation to said employee for their service.

Fiscal Impact: None.

E. California State Association of Counties End of 2013-2014 Legislative Session Report

Departments: County Administrator's Office

30 minutes (15 minute CSAC presentation; 15 minute discussion)

(Farrah McDaid Ting) - Presentation by Farrah McDaid Ting of the California State Association of Counties regarding the 2013-2014 Legislative Session.

Recommended Action: None (informational only). Provide any desired direction to staff.

Fiscal Impact: There is no Fiscal Impact from receving this report.

F. Proposed Directive for Commercial Filming in Wilderness

Departments: Economic Development

15 minutes

(Alicia Vennos) - On Wednesday, November 19, 2014, the Mono County Tourism & Film Commission approved a comment letter regarding the Forest Service's proposed directive for filming and special uses in Wilderness. Although the directive has been in place on an interim basis for four years, the Service recently announced it proposes to incorporate the directive -- (ID) 2709.11-2013.1 -- into the Forest Service Handbook -- (FSH) 2709.11, chapter 40 -- to establish permanent guidance for the evaluation of proposals for still photography and commercial filming on National Forest System Lands, including congressionally-designated Wilderness. Public comment period was extended by 30 days to December 3, 2014.

Recommended Action: Review, discuss, and approve a letter to the U.S. Forest Service requesting clarification on the proposed directive (79 FR 52626) for filming and special uses in Wilderness.

Fiscal Impact: None.

10. 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.)

11. CLOSED SESSION

A. Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: People et al. v. Los Angeles DWP et al. (Mono County Sup. Ct. Case No. 10088).

B. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, and Jim Leddy. 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), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

C. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: Claim for Damages presented by Cornell Agee.

D. Closed Session - Public Employment Performance Evaluation

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

REGULAR AFTERNOON SESSION COMMENCES AT 1:00 P.M.

12. 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.)

13. REGULAR AGENDA - AFTERNOON

A. Claim for Damages

Departments: County Counsel

5 minutes

(Marshall Rudolph) - Claim for damages presented on or about October 27, 2014, by Cornell Agee (through his legal counsel).

Recommended Action: Reject claim for damages presented on or about October 27, 2014, by Cornell Agee (through his legal counsel). Direct County Counsel to notify claimant's legal counsel of the Board's action.

Fiscal Impact: None if the claim is rejected as recommended.

B. Innoprise Software Contract Amendment

Departments: Finance

1 hour (15 minute presentation; 45 minute discussion)

(Leslie Chapman) - Presentation to the Board regarding Innoprise Software Contract Amendment for ERP software.

Recommended Action: 1. Hear Innoprise software upgrade presentation and provide feedback.

2. Approve a Treasury Loan not to exceed \$379,131 plus interest to be repaid with project savings.

3. Authorize CAO, in consultation with County Counsel, to approve and execute an amendment to the County's existing agreement with Harris Systems USA Inc. (formerly GEMS) to license and receive maintenance services for the Innoprise Finance, Payroll/Human Resources, Tax, Community Development and Work Order Applications and related hardware, if any, from Harris Systems for a cost not to exceed \$379,131 for implementation and licenses, plus annual maintenance fees of \$62,794 through fiscal year 2017-18, \$65,934 for FY 2018-19, and \$65,934 plus CPI increase for each year thereafter that the Agreement is in effect.

Fiscal Impact:

The total cost of the upgrade is expected to be \$379,131 which will be paid with a treasury loan using savings directly related to the project for loan payments. Annual savings for maintenance fees range from \$51,724 to \$66,505 as existing programs are replaced. Budget adjustments will be made at mid-year.

C. HOME Grant Award and RFP

Departments: Finance

20 minutes (5 minute presentation; 15 minute discussion)

(Leslie Chapman/Megan Mahaffey) - First Time Homebuyer Program funded by Home Investment Partnership Program (HOME)

Recommended Action:

1. Direct staff to accept the HOME grant award and administer the program.
2. Approve the Mono County Request for Proposal (RFP) for circulation and selection of a Subcontractor to operate the Mono County First Time Homebuyer Program.

Fiscal Impact: Grant funds up to \$700,000 will be used to administer this program. Budget adjustments will be made the Housing Development budget during Mid-year Budget Review. Some General Fund staff time may be required.

D. Crowley Lake Ball Park Water Agreement

Departments: Public Works/Facilities; County Counsel

20 minutes (10 minute presentation; 10 minute discussion)

(Joe Blanchard) - Proposed contract with Mountain Meadows Mutual Water Company pertaining to provision of water at the Crowley Lake Ball Field.

Recommended Action: Approve County entry into proposed contract and authorize Jim Leddy to execute said contract on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: CSA#1 Funds will be used to pay all associated costs.

E. Permit Activity and Housing Mitigation Ordinance Review

Departments: Community Development Department

30 minutes (15 presentation, 15 discussion)

(Brent Calloway, Megan Mahaffey, Scott Burns) -

Review of permit activity and Housing Mitigation Ordinance status

Recommended Action:

1. Review permit activity and status of Housing Mitigation Ordinance (Chapter 15 of Mono County Code)
2. Introduce, read title, and waive further reading of proposed ordinance amending section 15.40.170 of the Mono County Code, pertaining to a temporary suspension of all housing mitigation requirements.
3. Provide any desired direction to staff.

Fiscal Impact:

If mitigation fees continue to be waived via the ordinance suspension, an estimated \$5,000 of fees would be waived in 2015, based on previously submitted and estimated future residential construction permits. No projects met the mitigation fee threshold in 2014, and thus no fees were waived in 2014. The current balance of the housing mitigation fund is \$237,030.63. There has been no change to the fund balance in the last year.

F. Temporary Urgency Change Petition - Bridgeport Reservoir

Departments: County Consel

15 minutes (5 minute presentation; 10 minute discussion)

(Stacey Simon) - Presentation by staff regarding Temporary Urgency Change Petition filed by the Walker River Irrigation District for the Bridgeport Reservoir.

Recommended Action: Provide direction to staff regarding comments, if any, to the State Water Resources Control Board regarding the Petition. Provide any other desired direction to staff.

Fiscal Impact: None.

ADJOURN



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Approve minutes of the Regular Meeting held on November 12, 2014.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[11-12-14 Draft Mins](#)

History

Time	Who	Approval
11/19/2014 9:46 AM	County Administrative Office	Yes
11/21/2014 9:44 AM	County Counsel	Yes
11/19/2014 9:49 AM	Finance	Yes



**DRAFT MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA**

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.

MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St.,
Bridgeport, CA 93517

**Regular Meeting
November 12, 2014**

Flash Drive	#1002
Minute Orders	M14-222 to M14-230
Resolutions	R14-68 to R14-71
Ordinance	Ord14-05 NOT USED

9:02 AM Meeting Called to Order by Chairman Johnston

*Supervisors present: Alpers, Johnston and Stump.
Supervisors absent: Fesko and Hunt.*

*Break: 9:57 a.m.
Reconvene: 10:04 a.m.
Break: 10:48 a.m.
Reconvene: 10:55 a.m.
Closed Session: 11:30 a.m.
Adjourn: 11:54 a.m.*

Pledge of Allegiance led by Supervisor Stump.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Lisa Baker (Wounded Warrior Project):

- She handed out information about project she's involved in (hard copy kept on file in the clerk's office in today's meeting folder).
- Project vs. Center: not just post 9-11 or post combat related. Open to assist everyone; retooling vets to live their lives.
- They have secured land next to Cerro Coso College where they will be building a facility.
- Supervisor Alpers: received correspondence from Boating and Waterways about a non-match grant – this grant directed towards having handicapped access to lakes and streams throughout the Eastern Sierra. Would like to have a community advocate that can help carry this forward.

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Stacy Corless:

- She's looking very much forward to attending CSAC. She thanked the Board and staff for helping get her set up to go.

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Action: Approve minutes of the Regular Meeting held on November 4, 2014.

Alpers moved; Stump seconded

Vote: 3 yes; 2 no; 2 absent: Fesko and Hunt

M14-222

3. PRESENTATIONS - NONE

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- Traveled to Southern California with Alicia Vennos for EDD meeting. Wanted Alicia's efforts recognized
 - Talked about timelines and figuring out where they are in their initiation of project at Rodeo Grounds. They wanted to know what processes they will have to go through once they begin projects. They are concerned with water availability.
 - Value of trip was to maintain personal relationships and to keep communication lines open. They were interested in knowing what opportunities they can tap into as they progress forward.
 - Main concern: operation of June Mountain. Thanked Jim Leddy, Scott Burns and Alicia Vennos for prep work, for working as a team.
 - Everyone agreed on having a different name for the "rodeo grounds" property.
- Shout out to Lee Vining Road Crews: they've been working and grading roads in Cottonwood Canyon area. They are making some improvements.
- Gave some comments related to Veteran's Day.

Supervisor Fesko:

- Absent

Supervisor Hunt:

- Absent.

Supervisor Johnston:

- Thanked Elections staff, appreciates everyone's efforts.
- Attended ARC meeting.
- Acknowledged Veteran's Day and those that have served, including family members.
- Asked about sending thank you's to the election volunteers (Bob to get together with Larry).

Supervisor Stump:

- Thanked Election staff for pulling together and getting through the election. Citizens need to know how much effort went into this. Was pleased with the outcome of the Paradise Fire "Measure F" ballot issue.
- Last Tuesday, meeting with AT&T agency rep from this area about ongoing frustrations. Met with John Wentworth about Recreation Plan, thanked him for diving in and putting this group together in a hurry.
- Attended Great Basin Air Quality meeting on behalf of Supervisor Johnston – interesting meeting. Keeler Dunes Dust Control project is progressing. It was Supervisor Hunt's last meeting, he was recognized. Ted Schade – it was his last meeting and he received our resolution. Pat Hays from MCWD – asked for clarifications on recently received letter

Note

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from Ted Schade. Inyo's request for more influence (long discussion) – consensus was to try and figure out a way within existing structure to give their comments extra weight but no more voting power.

- Extra thanks to Benton Road Crew – obtained enough grindings from Chalfant paving project and put them down on Indian Creek Road.
- Veteran's Day – gave comments on history and leadership.

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Jim Leddy:

- Met with Deborah Hess, SCE (gave update that she'll also bring to Mono Basin RPAC) tonight.
- Attended Marine Ball in Reno.
- Mammoth Lakes Foundation dinner on Saturday.
- Thanked Lisa Baker for an event he attended in Mammoth.
- North County employee roundtable tomorrow at 8:00 a.m.
- Steering Committee meeting tomorrow.

6. DEPARTMENT/COMMISSION REPORTS

No one spoke.

7. 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. Reducing Racial and Ethnic Disparity Grant

Departments: Probation

Proposed resolution regarding Reducing Racial and Ethnic Disparity Grant.

Action: Adopt proposed Resolution #R14-68, a resolution of the Mono County Board of Supervisors agreeing to participate in the enhanced racial and ethnic disparity grant project.

Stump moved; Alpers seconded

Vote: 3 yes; 0 no; 2 absent: Fesko and Hunt

R14-68

B. Employment Agreement with Sarah Messerlian in Position of Risk Manager

Departments: County Administrator's Office

Proposed resolution approving an employment agreement with Sarah Messerlian as Risk Manager, and prescribing the compensation, appointment and conditions of said employment.

Action: Approve Resolution #R14-69, approving an employment agreement with Sarah Messerlian and prescribing the compensation, appointment, and conditions of said employment. Authorize the Board Chair to execute said agreement on behalf of the County.

Note

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Stump moved; Alpers seconded

Vote: 3 yes; 0 no; 2 absent: Fesko and Hunt

R14-69

C. Emergency Medical Care Committee (EMCC) Appointment and Membership
Departments: Health Department

Resolution adding EMS Manager as a membership position on the EMCC, as recommended by the EMCC. Re-appointment of the five members who are currently serving as members of the EMCC, and appointment of Rob DeForrest, EMS Manager, to serve in the newly-added membership position.

Action: 1. Re-appoint Alex Tomaier, Dr. R. Johnson, Lynda Salcido, Rosemary Sachs and Lori Baitx to the Mono County EMCC for terms of two years. 2.

Approve proposed resolution R14-70, adding the Mono County EMS Manager as a new membership position on the EMCC, as recommended and approved by the EMCC at its last meeting. 3. Appoint Rob DeForrest, the Mono County EMS Manager, to the EMCC for a term of two years.

Stump moved; Alpers seconded

Vote: 3 yes; 0 no; 2 absent: Fesko and Hunt

M14-223

R14-70

D. Hiring Freeze Variance - Vacancy in Roads Division of Public Works

Departments: Public Works - Road and Facilities

Due to a promotion of a Maintenance Worker to Maintenance Supervisor in Road Area 4/5 (Walker/Bridgeport), Public Works (PW) has followed the Mono County protocol to fill the vacancy created by the promotion. The vacancy is full-time in Walker and would require an in-county recruitment first for Public Works Maintenance Worker employees and if no requests to transfer were received then the position would be advertised out-of-county.

Action: Authorize Public Works Director, in consultation with Human Resources, to recruit in-county to fill an existing vacancy in Road Area 4/5 (Bridgeport/Walker). If no requests are received in-county then recruit out-of-county to fill same vacancy.

Stump moved; Alpers seconded

Vote: 3 yes; 0 no; 2 absent: Fesko and Hunt

M14-224

Pulled by Supervisor Stump:

- Not sure each of these particular positions need to come to the Board; he's being optimistic that we're going to need people doing snow removal.

Supervisor Johnston:

- We should have this on December agenda for discussion.

E. Potential Lease Of Communication Site

Departments: Sheriff / County Counsel

Request to sub-lease County property interest at the Sweetwater Communications Site for use as a communications site.

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Action: Authorize CAO to offer for sub-lease County property interest at the Sweetwater Communications Site for use as a communications site in compliance with County Code chapter 3.05.030. Authorize CAO to negotiate and potentially enter into lease with the party making the most beneficial offer as determined by the CAO.

Johnston moved; Stump seconded

Vote: 3 yes; 0 no; 2 absent: Fesko and Hunt

M14-225

Pulled by Supervisor Johnston:

- Mentioned this because AT&T was discussed earlier.
- Something for staff to take into consideration.

Supervisor Stump:

- Appreciates the concern.

John Vallejo:

- Agenda item does allow the CAO to negotiate the terms of the new contract. It is the same AT&T as mentioned before.
- Will continue to look at this as globally as possible.

F. Appointments in Lieu of Election

Departments: Clerk of the Board

Pursuant to Elections Cods 10515, if the number of candidates for a director of a special district does not exceed the number of vacancies of that district, the Clerk shall request the supervising authority to appoint to the offices the person or persons who have filed declarations of candidacy. These terms will expire in November 2018.

Action: Appoint the following individuals who filed a Declaration of Candidacy for Special Districts in Mono County but were not required to be on the ballot of the General Election to the following districts: Robert Dunn to Antelope Fire; Jim Jeude, Dan Love and Jason Bullington to Bridgeport Fire; Charlene L. Waldriff to Chalfant Valley Fire; Kimberly Willingham and Paul McCahon to June Lake Fire; Shanda Duro to Lee Vining Fire; John Rutkowski and Sharon Shaw to Long Valley Fire; Brent Peterson and Breton Bihler to Mammoth Lakes Fire; Mark Daniel and Judith Pena to Paradise Fire; Glenn Inouye and Brent Miller to Wheeler Crest Fire; Tom Strazdin to Lee Vining PUD; Dennis Domaille and Gordon Alpers to Mammoth Community Water District; Holly Gallagher, Patricia Corto and Joan Stern to Birchim Community Services District; Rick Phelps, Cynthia Adamson and Garrett Higerd to Hilton Creek Community Services; Patricia Socha to Mammoth Lakes Community Services; Ray Tompauskas and Glenn Inouye to Wheeler Crest Community Services; Ryan Wood and Lynda Salcido to the Southern Mono Healthcare District; Carol Ann Mitchell, Marion Dunn and Richard Moss, Directors A and B for Tri-Valley Groundwater Management.

Stump moved; Alpers seconded

Vote: 3 yes; 0 no; 2 absent: Fesko and Hunt

M14-226

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

G. Paramedic MOU Amendment

Departments: Finance/County Counsel/CAO

Proposed resolution #R_____, A Resolution of the Mono County Board of Supervisors Adopting and Approving the First Amendment to the 2014-2017 Memorandum of Understanding Between the County and the Mono County Paramedic Rescue Association.

Action: Approve Resolution #R14-71, Adopting and Approving the First Amendment to the 2014-2017 Memorandum of Understanding Between the County and the Mono County Paramedic Rescue Association.

Stump moved; Alpers seconded

Vote: 3 yes; 0 no; 2 absent: Fesko and Hunt

R14-71

H. October 2014 Treasury Transaction Report

Departments: Finance

Treasury Transactions for the month of October 2014

Action: Approve the Treasury Transaction Report for the month of October 2014.

Stump moved; Alpers seconded

Vote: 3 yes; 0 no; 2 absent: Fesko and Hunt

M14-227

Pulled by Supervisor Stump:

- Asked Leslie for brief comments.
- Asked various questions.

Leslie Chapman:

- Gave brief explanation and answered questions.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are located in the Office of the Clerk of the Board, and are available for review.

A. Yannatta Correspondence

Departments: Clerk of the Board

Letter to James Yannatta dated October 30, 2014 (copied to the Mono County Board of Supervisors) regarding Eastern Sierra Waterways Project and potential Boating and Waterways boat tax grant funding.

Supervisor Alpers:

- Asked Jim Leddy to forward to the Fisheries Commission for information.

B. Senator Hannah-Beth Jackson

Departments: Clerk of the Board

Correspondence from Senator Jackson, dated October 30, 2014 regarding legislation that creates a convenient and environmentally responsible home-generated prescription drug disposal program.

Supervisor Johnston:

Note

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- Maybe this should be referred to Social Services and Public Health (Jim Leddy to forward on).

The Board acknowledged receipt of the correspondence.

9. REGULAR AGENDA - MORNING

A. Inyo-Mono Veterans Services Annual Update

Departments: Veterans Services

(Yvette Mason) - Presentation by Yvette Mason regarding Veterans Services in Inyo and Mono Counties.

Action: None.

Yvette Mason:

POWER POINT:

- Overview of Veteran Services
- AB 101 One Time Funding
- Website (Update Design and Content)
- Signage
- Veteran Population
- Contact Information/Questions?

Additional Comments:

- She makes home visits.
- 901 Veterans for Mono and about 1600 for Inyo.

Supervisor Stump:

- Asked if she takes her "show" on the road?
- The more awareness out there about this "one stop shop" is extremely important.

Supervisor Johnston:

- Asked about total number of Veteran's in Mono County.
- Asked about the wait time for Veterans to receive services (Yvette gave additional explanation on the Choice Card).

Supervisor Alpers:

- Appreciates her coming and all the information.

Kathy Peterson:

- Will work with Yvette on additional reach out.

Leslie Chapman:

- Mono County is expected to receive \$15,000 for this program and the county is committed to expend over \$30,000 – may need to do a mid-year budget adjustment.

B. Workforce Education Services Agreement

Departments: Social Services

(Kathy Peterson) - Proposed contract with Mono County Office of Education pertaining to Workforce Education Services.

Action: Approve Agreement with Mono County Office of Education for the provision of workforce education services and authorize the Director of Social Services to execute said Agreement.

Stump moved; Alpers seconded

Vote: 3 yes; 0 no; 2 absent: Fesko and Hunt

M14-228

Kathy Peterson:

- Explained item, program and contract.

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

- There are several people in her office that helps determine eligibility. Introduced Jay Sloan who works on this.
- Explained funding – does not come out of general fund.
- We receive an allocation that we draw down from; we're not mandated to have this type of agreement.
- We have about \$200,000 allocation, annually to be drawn down with a claim.
- We have approximately 30 CalWORKS clients at this time.

Supervisor Johnston:

- How does allocation work? How much do we have?
- How many clients do we have?

Supervisor Stump:

- Asked for clarification on what this agenda item is asking for? This is not additional grant monies, just utilizing the Office of Education as needed?

C. Yosemite Sierra Visitors Bureau

Departments: Board of Supervisors

Discussion about correspondence dated October 24, 2014 from the Yosemite Sierra Visitors Bureau to Superintendent Don Neubacher, stating their opposition to the proposed Yosemite rate increase. In this letter, they ask that the Board join them in opposing this increase in this depressed economy. The deadline to submit comments is November 20, 2014. This item is being requested by Supervisor Larry Johnston.

Action: None.

Supervisor Johnston:

- Gave brief introduction to item.
- Letter received laid this out fairly well and how it affects travel, etc.
- He suggests that we write some sort of similar letter (have staff put it together).
- Rubs him the wrong way because this is a national park that appears as if it's becoming less accessible to people without a lot of money.
- If fee is going to be used in park, maybe it's acceptable.

Supervisor Stump:

- Does each park have the ability to adjust their entrance fees? Just this park?
- Referred to two fees mentioned in letter. Is 50% increase taking into account campground?

Supervisor Alpers:

- His understanding is that this increase would be right in the park.
- Feels he doesn't have enough information today to do too much.
- Being on the YARTS board, perhaps he can work with Scott Burns to explore this further.
- Asked Jim Leddy to get their questions answered.

Jim Leddy:

- There is a deadline of November 20th to make comments.
- Per Board, if questions get answered appropriately, he is to have staff send a letter in opposition to this.

D. Inyo Forest Motorized Transportation System Modification Scoping Comments

Departments: Community Development Department

Inyo Forest Motorized Transportation System Modification Scoping Comments.

Action: Authorize Chairman's signature on comment letter, as revised based on discussion.

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

Stump moved; Alpers seconded

Vote: 3 yes; 0 no; 2 absent: Fesko and Hunt

M14-229

Supervisor Johnston:

- Introduced item.
- Asked if Jim Ouimet was there. Requested a break till 11:00 to accommodate him if possible.
- Asked Mr. Ouimet to voice his specific concerns.
- What about placing temporary barriers?
- Sounds like we're on the right track.
- It's important that we recognize the dog sled business unique to the area.

Scott Burns:

- This item came up at your last meeting.
- A comment letter has been drafted.
- Gave suggestions for tweaking second paragraph.

Jim Ouimet:

- He feels that this is all headed in the right direction; he appreciates the support.
- His concern is the placement of additional barricades; it's a safety issue for him, dogs and equipment.

Supervisor Stump:

- Should we add a sentence encouraging the Forest Service to work directly with Dog Sled Company (or other interested parties)? Something specific that can be resolved with local groups.

Stacy Corless:

- Gave additional facts concerning this; she doesn't think this will be the last type of this project we'll see in the future.

E. Investment Policy and Delegation of Authority to Invest

Departments: Finance

(Leslie Chapman) - Updated Statement of Investment Policy

Action: Approve the investment policy, as amended including giving delegation authority to Leslie Chapman, Finance Director.

Alpers moved; Stump moved

Vote: 3 yes; 0 no; 2 absent: Fesko and Hunt

M14-230

Leslie Chapman:

- Introduced Gerald and Joanne of her office who both worked on this policy; Roberta will be joining us shortly.
- Introduced item; explained the purposed of such a policy.
- Since she's new to position, wanted to start from the ground up and revise this policy as necessary, explained what she has reviewed in her revision.
- Explained purpose and goals.
- This policy matches the government code, she did not write any additional constraints in. Up to the Board to decide whether they are comfortable with it or not.
- She had four people from Oversight Committee comment on this.
- Went over minor change in Section XIII.
- Discussion about WAM and need for flexibility.

Supervisor Johnston:

- He found this document readable.
- Brought up past presentation.
- Asked about Town involvement in Treasury Oversight Committee.

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors

- Commended staff for working on this. Brings our operation into the light of day.

Supervisor Alpers:

- Asked a question about a term.
- Is this on county website?

Supervisor Stump:

- Asked how much staff time went into this? How many changes from last time?
- Agrees it's much more readable than policies in the past.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

11. CLOSED SESSION

There was nothing to report out of close session.

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, and Jim Leddy. 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), and Mono County Sheriff Department's Management Association (SO Mgmt).
Unrepresented employees: All.

B. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Worker's compensation case of R. Bone. (WCAB Case No. ADJ8292904.)

C. Closed Session - Anticipated Litigation

Departments: Public Works; Solid Waste Division

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.

13. REGULAR AGENDA AFTERNOON- NONE

ADJOURN 11:54 a.m. in honor of Veteran's Day and all Veterans.

ATTEST

LARRY K. JOHNSTON
CHAIRMAN

SHANNON KENDALL
ASSISTANT CLERK OF THE BOARD

Note

These draft meeting minutes have not yet been approved by the Mono County Board of Supervisors



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Public Works; Solid Waste Division

TIME REQUIRED

SUBJECT Resolution Authorizing Application for
a Community Service Recycling
Program

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed Resolution authorizing County application to create a Community Recycling Program to redeem California Redemption Value of recyclables collected through County programs.

RECOMMENDED ACTION:

Adopt proposed resolution #R14-_____, authorizing County application to create a Community Recycling Program to redeem California Redemption Value of recyclables collected through County programs. Provide any desired direction to staff.

FISCAL IMPACT:

Potentially \$10,000 in revenue from the redemption of California Redemption Value.

CONTACT NAME: Tony Dublino

PHONE/EMAIL: 760 932 5453 / tdublino@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Staff Report](#)

[Draft Resolution](#)

History

Time	Who	Approval
11/21/2014 3:07 PM	County Administrative Office	Yes
11/25/2014 10:53 AM	County Counsel	Yes
11/24/2014 5:31 PM	Finance	Yes



**MONO COUNTY
DEPARTMENT OF PUBLIC WORKS
SOLID WASTE DIVISION**

POST OFFICE BOX 457 • 74 NORTH SCHOOL STREET • BRIDGEPORT, CALIFORNIA 93517
760.932.5440 • FAX 760.932.5441 • monopw@mono.ca.gov • www.monocounty.ca.gov

Date: December 2, 2014
To: Honorable Board of Supervisors
From: Tony Dublino, Environmental Services Manager
Subject: Application for a Community Service Program

Recommended Action:

Approve Resolution authorizing the Public Works Director to apply for a Community Service Program with CalRecycle.

Fiscal Impact: Potentially \$10,000 per year in revenue from the redemption of California Redemption Value (CRV) containers.

Discussion:

The County operates 6 Transfer Stations throughout the County, where recyclable materials are dropped off by customers. These materials possess certain CRV value, but historically that value has not been redeemed by the County, and the redemption (if any) has been left to the contractors who haul the material to recycling centers.

Staff has explored concepts for collecting and transporting CRV materials to local redemption centers with our Transfer Station operator, D&S Waste. We have identified ways this can be operationalized, but in order to receive the redemption value, the County must first obtain a certification from CalRecycle. There are a few different ways to become certified to accept these funds (when materials are collected commercially), and in our case the "Community Service Program" appears to be the best fit. Both County staff and CalRecycle staff agree this is the appropriate certification.

Once collected, these funds can be used to offset any additional costs associated with the collection and transportation of the materials, to sustain and enhance existing programs, or to expand collection programs. Having an active Community Service Program will allow all CRV materials collected through current and future programs to be redeemed in an efficient manner.

If you have any questions regarding this item, please contact me at (760) 932-5453.

Respectfully submitted,

Tony Dublino
Environmental Services Manager



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RESOLUTION NO. R14-___

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
AUTHORIZING THE PUBLIC WORKS DIRECTOR TO SUBMIT AND EXECUTE
ON BEHALF OF MONO COUNTY AN APPLICATION TO THE DEPARTMENT OF
RESOURCES RECYCLING AND RECOVERY FOR A COMMUNITY SERVICE PROGRAM**

WHEREAS, the County owns six transfer stations where recycled materials are accepted, and maintains recycling programs in all County facilities where recyclable materials are collected;

WHEREAS, many of these recyclables possess California Redemption Value that is not currently redeemed by the County;

WHEREAS, the County wishes to redeem the California Redemption Value of these materials and utilize the revenue to further expand and enhance recycling efforts throughout the County;

WHEREAS, CalRecycle provides for a Community Service Program Certification that would allow for the redemption of CRV materials collected in the manner currently implemented by the County;

WHEREAS, a Community Service Program Certification would enable the County to redeem the value of materials collected through additional recycling programs currently under consideration;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES that:

The Public Works Director (or their designee) is authorized to apply for and implement a Community Service Program certification for existing programs and applicable future programs, in accordance with CalRecycle restrictions and requirements.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2014, by the following vote, to wit:

**AYES:
NOES:
ABSENT:
ABSTAIN:**

Larry K. Johnston, Chairman
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT

Appointment in Lieu of Election of
Julie Weier to the Chalfant Valley Fire
Department

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Appointment of Julie Weier in lieu of election to the board of commissioners of the Chalfant Valley Fire Department (A Community Service District) governed by Elections Code section 10515 and by Board Resolution R12-64 (see attached staff report for additional information). This item is being supported by Supervisor Stump.

RECOMMENDED ACTION:

Appoint Julie Weier to the board of commissioners of the Chalfant Valley Fire Department (a Community Services District). Her term will expire on November 30, 2018.

FISCAL IMPACT:

None.

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[Chalfant Fire Appt Staff](#)

[R12-64](#)

History

Time	Who	Approval
11/21/2014 3:04 PM	County Administrative Office	Yes
11/21/2014 9:35 AM	County Counsel	Yes
11/20/2014 9:08 AM	Finance	Yes



Larry Johnston □ District One Fred Stump □ District Two Tim Alpers □ District Three
Tim Fesko □ District Four Byng Hunt □ District Five

BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517

(760) 932-5538 • FAX (760) 932-5531

Bob Musil, Clerk of the Board

To: Honorable Board of Supervisors

From: Shannon Kendall, Assistant Clerk of the Board

Date: December 2, 2014

Subject:

Appointment in lieu of election of Julie Weier to the board of commissioners of the Chalfant Valley Fire Department (a Community Service District). (This appointment is a four-year term expiring November 30, 2018.)

Discussion:

Peter Pumphrey, a member of the board of commissioners of the Chalfant Valley Fire Department (a Community Services District), left that board at the end of his term and no one filed a declaration of candidacy to succeed him. This situation is governed by Elections Code section 10515 and by Board Resolution R12-64, which provide for the Board of Supervisors to appoint a qualified person to the district board. Per that resolution, if the district board recommends a qualified person for such an appointment, then that recommendation is to be brought to the Board of Supervisors for consideration. In this case, the Chalfant Valley Fire Department board of commissioners is recommending that the Board of Supervisors so appoint Julie Weier. Supervisor Stump supports the Chalfant board's recommendation.

Recommendation:

Appoint Julie Weier to the board of commissioners of the Chalfant Valley Fire Department (a Community Services District). Her term will expire on November 30, 2018.

Fiscal Impact:

None.



RESOLUTION NO. R12- 64

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
ESTABLISHING A PROCESS TO SOLICIT NAMES OF QUALIFIED PERSONS
WHOM THE BOARD OF SUPERVISORS MAY CONSIDER FOR APPOINTMENT TO
A SPECIAL DISTRICT ELECTIVE OFFICE WHENEVER SUCH AN APPOINTMENT
IS REQUIRED BY CALIFORNIA ELECTIONS CODE SECTION 10515**

WHEREAS, pursuant to California Elections Code §10515(a), the supervising authority (meaning the Board of Supervisors) shall make appointments to elective offices of special districts if by 5:00 p.m. on the 83rd day prior to the general election (1) only one person has filed a declaration of candidacy for office, (2) no one has filed a declaration of candidacy for office, (3) the number of persons who have filed a declaration of candidacy for director at large does not exceed the number of offices of director at large to be filled, or (4) the number of candidates for director at large from a division does not exceed the number required to be elected director at large; and a petition signed by 10 percent of the voters or 50 voters, whichever is the smaller number, requesting that the general district election be held has not been presented to the officer conducting the election, and;

WHEREAS, pursuant to California Elections Code §10515(a), the officer conducting the election (generally, the County Elections Official) shall present these facts to the supervising authority and request that the supervising authority, at a regular or special meeting held prior to the Monday before the first Friday in December in which the election is held, appoint to the office or offices the person or persons who have filed declarations of candidacy, and;

WHEREAS, pursuant to California Elections Code §10515(b), if no person has filed a declaration of candidacy for any office, the supervising authority shall appoint any person

1 to the office who is qualified on the date when the election would have been held. The
2 person appointed shall qualify and take office and serve exactly as if elected at a general
3 district election for the office, and;

4 **WHEREAS**, state law does not set forth any particular process for the Board to utilize
5 in identifying qualified persons whom the Board may consider for such appointment; and

6 **WHEREAS**, the Board finds it would be beneficial for all interested parties to have a
7 pre-established and known process by which the Board will solicit names to consider for such
8 appointments.

9 **NOW THEREFORE BE IT RESOLVED** by the Mono County Board of Supervisors that
10 the following process shall be utilized to solicit names of qualified persons whom the Board
11 may consider for appointment to a special district elective office whenever such an
12 appointment is required by California Elections Code section 10515:

- 13 1. After the close of the filing period for candidates to be elected to special district
14 offices, if it appears to the County elections official that an appointment to such an
15 office by the Board of Supervisors will be required by California Elections Code
16 §10515 with respect to a special district, then County elections official will so notify the
17 secretary of that district. The notice shall also invite the district to provide the County
18 elections official with the name or names of any qualified persons recommended by
19 the district for such appointment by the Board of Supervisors, within 30 days from the
20 date the notice is sent.
- 21 2. If the County elections official does not timely receive any such recommendation from
22 the district, then the County elections official will place an announcement in the
23 newspaper to advertise the open seat(s) on the board of the special district and call
24 for letters of interest to be sent to the elections official by a given deadline.
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3. In addition, members of the Board of Supervisors may make recommendations of qualified persons for the entire Board to consider for such appointments.

4. The persons whose names were obtained through the above process shall then be duly considered by the Board of Supervisors for appointment pursuant to Elections Code section 10515. (NOTE: Pursuant to Elections Code §10507, the term of office for a special district office holder is four years or until his or her successor qualifies and take office. Thus, in a situation where the Board of Supervisors is required to appoint an office holder pursuant to Elections Code section 10515 but does not do so before the end of the incumbent office holder's regular four-year term, the incumbent's term may continue beyond four years, until the person appointed by the Board is qualified and takes office. The person so appointed by the Board may or may not be the incumbent office holder; in no event does an incumbent's term automatically renew for another four years.)

APPROVED AND ADOPTED this 11th day of September, 2012, by the following vote of the Board of Supervisors, County of Mono:


- AYES** : Supervisors Bauer, Hansen, Hunt and Johnston.
- NOES** : None.
- ABSENT** : Supervisor Hazard.
- ABSTAIN** : None.



VIKKI BAUER, CHAIR
BOARD OF SUPERVISORS

ATTEST:


LYNDA ROBERTS
CLERK OF THE BOARD

APPROVED AS TO FORM:


MARSHALL RUDOLPH
COUNTY COUNSEL



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: County Administrator's Office

TIME REQUIRED

SUBJECT Employment Agreement with Kathryn Peterson as Director of Social Services

PERSONS APPEARING BEFORE THE BOARD

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed resolution approving an employment agreement with Kathryn Peterson as Director of Social Services, and prescribing the compensation, appointment and conditions of said employment.

RECOMMENDED ACTION:

Approve Resolution #R14____, approving an employment agreement with Kathryn Peterson 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 cost of this position for the remainder of FY 2014-2015 (November 20, 2014 to June 30, 2015) is approximately \$107,143 of which \$67,128 is salary; \$14,404 is the employer portion of PERS, and \$25,611 is the cost of the benefits and is included in the approved FY 2014-2015 Budget. Total cost for a full fiscal year (2014-2015) would be \$175,404 of which \$109,896 is annual salary; \$23,580 is the employer portion of PERS, and \$41,928 is the cost of the benefits. The total cost of the contract over the entire three year term would be \$526,212.

CONTACT NAME: Jim Leddy

PHONE/EMAIL: (760) 932-5414 / jleddy@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Staff Report Kathryn Peterson Contract](#)
- [Employment Agreement for Kathy Peterson Resolution](#)
- [Employment Agreement for Kathryn Peterson as Social Services Director Contract](#)

History

Time	Who	Approval
11/21/2014 3:05 PM	County Administrative Office	Yes
11/14/2014 1:18 PM	County Counsel	Yes
11/19/2014 2:15 PM	Finance	Yes



COUNTY OF MONO – *County Administrative Office*
P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5412 ☐ FAX (760) 932-5411

Jim Leddy
County Administrative Officer
760.932.5414

To: Honorable Board of Supervisors
From: Jim Leddy, County Administrator
Date: November 14, 2014

Subject: Employment Agreement of Kathryn Peterson as Director of Social Services

Recommendation: Approve the Employment Agreement of Kathryn Peterson as Director of Social Services, at a salary of \$9,158.00 per month for a term of three years effective from November 20, 2014 to November 20, 2017.

Background: Kathy Peterson has served for the past two years as Director of Social Services. This agreement would extend her employment under a new contract as an At-will with the parameters for At-will employees. There is no increase to her salary proposed. Further, there is no longer a car allowance or performance pay program for At-Will employees. Ms. Peterson came into employment for Mono County after these benefits for new At-will employees had been ended.

Discussion: Ms. Peterson has served during a transition in Board, Administration as well as the implementation of the Affordable Care Act. She has effectively and professionally addressed challenges facing Mono County residents in need of services. She is a valued member of the County organization and is strengthening the department through ongoing new initiatives and accessing federal and state dollars to serve the people of Mono County in need of services.

Fiscal Impact: The cost of this position for the remainder of FY 2014-2015 (November 20, 2014 to June 30, 2015) is approximately \$107,143 of which \$67,128 is salary; \$14,404 is the employer portion of PERS, and \$25,611 is the cost of the benefits and is included in the approved FY 2014-2015 Budget.

Total cost for a full fiscal year (2014-2015) would be \$175,404 of which \$109,896 is annual salary; \$23,580 is the employer portion of PERS, and \$41,928 is the cost of the benefits. The total cost of the contract over the entire three year term would be \$526,212.

For questions, please contact me at (760) 932-5414 or jleddy@mono.ca.gov



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RESOLUTION NO. R14-

A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS APPROVING AN EMPLOYMENT AGREEMENT WITH KATHRYN PETERSON AND PRESCRIBING THE COMPENSATION, APPOINTMENT, AND CONDITIONS OF SAID EMPLOYMENT

WHEREAS, the Mono County Board of Supervisors has the authority under Section 25300 of the Government Code to prescribe the compensation, appointment, and conditions of employment of County employees;

NOW, THEREFORE, BE IT RESOLVED by the Mono County Board of Supervisors, that the Agreement re Employment of Kathryn Peterson, a copy of which is attached hereto as an exhibit and incorporated herein by this reference as though fully set forth, is hereby approved and the compensation, appointment, and other terms and conditions of employment set forth in that Agreement are hereby prescribed and shall govern the employment of Ms. Peterson. The Chairman of the Board of Supervisors shall execute said Agreement on behalf of the County.

PASSED AND ADOPTED this ____ day of _____, 2014, by the following vote:

AYES :
NOES :
ABSTAIN :
ABSENT :

ATTEST: _____
Clerk of the Board

Larry K. Johnston, Chairman
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL

AGREEMENT RE EMPLOYMENT OF KATHRYN PETERSON

This Agreement is entered into this 20th day of November, 2014, by and between Kathryn Peterson and the County of Mono.

I. RECITALS

- A. The County wishes to continue to employ Ms. Peterson Social Services Director, on the terms and conditions set forth in this Agreement. Ms. Peterson wishes to accept such employment with the County.

II. AGREEMENT

1. The term of this Agreement shall be November 20, 2014, until November 20, 2017, unless earlier terminated by either party in accordance with this Agreement. The County shall notify Ms. Peterson in writing no later than May 20, 2017, whether it intends to negotiate a renewal of this Agreement. In the event the County fails to provide such notice, Ms. Peterson shall notify the County in writing of its breach of this provision of the Agreement and County shall be allowed 30 days from the receipt of that notice to cure the breach. If County cures the breach and notifies Ms. Peterson that it does not intend to negotiate a renewal of the Agreement, then this Agreement shall terminate six months after said notification and no additional compensation or damages shall be owing to Ms. Peterson as a result of the cured breach. If County does not cure the breach, then the Agreement shall automatically renew for another three years on the same terms in effect at the time of renewal.
2. Commencing November 20, 2014, Ms. Peterson shall continue her employment by Mono County as Social Services Director, serving at the will and pleasure of the County Administrator and/or the Board of Supervisors, in accordance with the terms and conditions of this Agreement. To the fullest extent permitted by state law, the County Administrator shall be deemed the "appointing authority" with respect to Ms. Peterson's employment. Ms. Peterson accepts such employment.
3. Ms. Peterson's salary shall continue to be \$9,158 per month. Ms. Peterson understands that she is responsible for paying the employee's share of any retirement contributions owed to the Public Employees Retirement System (PERS) with respect to her employment for the County. The Board may unilaterally increase Ms. Peterson's compensation in its discretion at any time while this Agreement is in effect. Should a wage increase be granted under the MOU with Local 39, applicable to Mono County Public Employees (MCPE), it is

agreed that this Agreement will be reopened for discussion and potential re-negotiation with respect Ms. Peterson's salary. During such negotiations the County shall consider and discuss the issue of increased compensation with Ms. Peterson in good faith, but the County's decision whether or not to grant such additional compensation shall be final and non-appealable.

4. Ms. Peterson shall continue to earn and accrue vacation and sick leave in accordance with the County's Management Benefits Policy and in accordance with any applicable County Code provisions not in conflict with said Policy. Also pursuant to said Policy, in recognition of the fact that her employment will be exempt from the payment of overtime or compensatory time-off under the Fair Labor Standards Act, she shall be entitled to 80 hours of merit leave (aka administrative leave) during each year of full-time service under this Agreement. Ms. Peterson understands that said merit leave does not accrue from one calendar year to the next; rather, it must be used by December 31st of each calendar year in which it is provided or it is lost (Note: The foregoing does not add to or take away from the merit leave that Ms. Peterson was already entitled to for the 2014 calendar year under her former employment agreement).
5. To the extent deemed appropriate by the County Administrator, the County shall pay the professional dues, subscriptions, and other educational expenses necessary for Ms. Peterson's full participation in applicable professional associations, or for her continued professional growth and for the good of the County.
6. To the extent not inconsistent with the foregoing or any other provision of this Agreement, Ms. Peterson shall be entitled to the same general benefits provided by the County to other management-level employees, as described more fully in the County's Management Benefits Policy. Such benefits include but are not limited to CalPERS retirement benefits (currently 2.5% at 55), CalPERS medical insurance, County dental and vision coverage, and life insurance. Any and all references in this Agreement to the County's Management Benefits Policy shall mean the "Policy Regarding Benefits of Management-level Officers and Employees," amended most recently by Resolution R14-54 of the Mono County Board of Supervisors and as the same may be further amended from time to time and unilaterally implemented by the County.
7. Ms. Peterson understands and agrees that her receipt of compensation or benefits of any kind under this Agreement or under any applicable County Code provision or policy – including but not limited to salary, insurance coverage, and paid holidays or leaves – is expressly contingent on her actual and regular rendering of personal services to the County or, in the event of any absence, upon her proper use of any accrued leave. Should Ms. Peterson cease rendering

such services during this Agreement and be absent from work without any accrued leave to cover said absence, then she shall cease earning or receiving any additional compensation or benefits until such time as she returns to work and resumes rendering personal services; provided, however, that the County shall provide any compensation or benefits mandated by state or federal law. Furthermore, should Ms. Peterson's regular schedule ever be reduced to less than full-time employment, on a temporary or permanent basis, then all compensation and benefits provided by this Agreement or any applicable County policies shall be reduced on a pro-rata basis, except for those benefits that the County does not generally pro-rate for its other part-time employees (e.g., medical insurance).

8. Consistent with the "at will" nature of Ms. Peterson's employment, the County Administrator and/or Board of Supervisors may terminate Ms. Peterson's employment at any time during this agreement, without cause. In that event, this Agreement shall automatically terminate concurrently with the effective date of the termination. Ms. Peterson understands and acknowledges that as an "at will" employee, she will not have permanent status nor will her employment be governed by the County Personnel System (Mono County Code Chapter 2.68) except to the extent that System is ever modified to apply expressly to at-will employees. Among other things, she will have no property interest in her employment, no right to be terminated or disciplined only for just cause, and no right to appeal, challenge, or otherwise be heard regarding any such termination or other disciplinary action the County Administrator may, in his/her discretion, take during Ms. Peterson's employment.
9. In the event of such a termination without cause, Ms. Peterson shall receive as severance pay a lump sum equal to six months' salary or, to the extent that fewer than six full calendar months remain (as of that effective date) before this Agreement would have expired, Ms. Peterson shall instead receive a lesser amount equal to any remaining salary payments she would have received before expiration of the Agreement had she not been terminated. Notwithstanding the foregoing, Ms. Peterson shall receive severance pay equal to six months' salary in the event that termination occurs after the County has notified Ms. Peterson that it intends to negotiate a renewal of this Agreement but before this Agreement expires. In no event shall the parties' failure or inability to arrive at mutually acceptable terms of a renewed agreement trigger the payment of severance pay. Note: for purposes of severance pay, "salary" refers only to base compensation (i.e., it does not include any other compensation, including but not limited to any temporary performance or merit pay).
10. Notwithstanding the foregoing, Ms. Peterson shall not be entitled to any severance pay in the event that the County Administrator has grounds to

discipline her on or about the time he/she gives her notice of termination. For purposes of this provision, grounds for discipline include but are not limited to those specified in Section 2.68.230 of the County Code or any successor Code provision, as the same may be amended from time to time. Ms. Peterson shall also not be entitled to any severance pay in the event that she becomes unable to perform the essential functions of her position (with or without reasonable accommodations) and her employment is duly terminated for such non-disciplinary reasons.

11. Ms. Peterson may resign her employment with the County at any time. Her resignation shall be deemed effective when tendered, and this agreement shall automatically terminate on that same date, unless otherwise mutually agreed to in writing by the parties. Ms. Peterson shall not be entitled to any severance pay or additional compensation of any kind after the effective date of such resignation.
12. This Agreement constitutes the entire agreement of the parties with respect to the employment of Ms. Peterson. It specifically supersedes the employment agreement between the parties dated November 20, 2012. Consistent with Ms. Peterson's uninterrupted employment status, this Agreement shall have no effect on any sick leave or vacation time that Ms. Peterson may have accrued as of the effective date of this Agreement nor on her original date of hire or total years of service as a County employee, to the extent the same may be relevant in determining such accruals or Ms. Peterson's date of eligibility for or vesting of any non-salary benefits or for any other purpose.
13. The parties agree that the Board of Supervisors' approval of this Agreement on behalf of the County is a legislative act and that through this agreement, the Board of Supervisors is carrying out its responsibility and authority under Section 25300 of the Government Code to set the terms and conditions of County employment. It is not the parties' intent to alter in any way the fundamental statutory (non-contractual) nature of Ms. Peterson's employment with the County nor to give rise to any future contractual remedies for breach of this Agreement or of an implied covenant of good faith and fair dealing. Rather, the parties intend that Ms. Peterson's sole remedy in response to any failure by the County to comply with this Agreement shall be traditional mandamus.
14. Ms. Peterson acknowledges that this Agreement is executed voluntarily by her, without duress or undue influence on the part or on behalf of the County. Ms. Peterson further acknowledges that she has participated in the negotiation and preparation of this Agreement and has had the opportunity to be represented by counsel with respect to such negotiation and preparation or does hereby knowingly waive her right to do so, and that she is fully aware of the contents of

this Agreement and of its legal effect. Thus, any ambiguities in this Agreement shall not be resolved in favor of or against either party.

III. EXECUTION:

This Agreement shall be deemed executed as of November 20, 2014.

KATHRYN PETERSON

THE COUNTY OF MONO

By: Larry K. Johnston, Chairman
Board of Supervisors

APPROVED AS TO FORM:

MARSHALL RUDOLPH
County Counsel



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Dept of Social Services

TIME REQUIRED

SUBJECT Amendment to Contract with Inyo
County for Additional Funds

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Amendment #4 to Contract with Inyo County for an increase of funds, and minor modifications to contract language, pertaining to the Senior Services Program.

RECOMMENDED ACTION:

Approve the County to enter into the proposed contract Amendment and authorize the County Administrative Officer for Mono County to execute such Amendment on behalf of the County. Provide any desired direction to staff.

FISCAL IMPACT:

The proposed contract Amendment will increase Mono County Senior Services revenue by \$2,217 for Fiscal Year 2014-15.

CONTACT NAME: Kathy Peterson

PHONE/EMAIL: 760-924-1763 / kpeterson@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

Kathy Peterson

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Staff Report](#)
- [Amendment #4 Inyo County Senior Services Contract](#)

History

Time	Who	Approval
11/24/2014 3:02 PM	County Administrative Office	Yes
11/24/2014 4:03 PM	County Counsel	Yes
11/24/2014 5:25 PM	Finance	Yes



Office of the ... DEPARTMENT OF SOCIAL SERVICES

C O U N T Y O F M O N O

P. O. Box 2969 • Mammoth Lakes • California 93546

KATHRYN PETERSON, MPH
Director

BRIDGEPORT OFFICE
(760) 932-5600
FAX (760) 932-5287

MAMMOTH LAKES OFFICE
(760) 924-1770
FAX (760) 924-5431



To: Mono County Board of Supervisors

From: Kathy Peterson, Social Services Director

Date: December 2, 2014

Re: Amendment #4 to Contract with Inyo County for an increase of funds, and minor modifications to contract language, pertaining to the Senior Services Program.

Recommended Action:

Approve the County to enter into the proposed contract Amendment and authorize the County Administrative Officer for Mono County to execute such Amendment on behalf of the County. Provide any desired direction to staff.

Fiscal Impact:

The proposed contract Amendment will increase Mono County Senior Services revenue by \$2,217 for Fiscal Year 2014-15.

Discussion:

On September 18, 2012 this Board approved the execution of a three year contract between County of Inyo and County of Mono providing revenues for Mono County Senior Services for a contract period of October 1, 2012 through June 30, 2016. The total current contract amount is \$287,370.

The proposed contract Amendment allows for an increase in revenue for Mono County Senior Services in the amount of \$2,217 for fiscal year 2014-15.

The reason for the increase in revenues is two-fold: 1) the State allowed Inyo County to roll over unspent Special Nutrition Funds from the three month to the nine month budget, and 2) receipt of one-time-only State funds for this fiscal year. These events resulted in an increase of \$2,217 for Mono County.

The Amendment also serves to modify language regarding timeframes for invoicing, reporting, and payment. Mono County had been submitting invoices to Inyo County, per mutual agreement, on a quarterly basis. In 2013, The California Department of Aging clarified that Inyo County must request and receive invoices and associated reporting from its independent contractors on a monthly basis, rather than quarterly. Mono County has complied with this request since 2013. The Schedule of Fees has been modified to reflect this requirement, and is backdated to 2013.

Accordingly, the County of Inyo has forwarded to us for the Mono County Board of Supervisors' review and approval a contract Amendment that achieves the following:

1. Increases funding for the period July 1, 2014 through June 30, 2015 to \$78,988.
2. Sets the three year contract limit to \$287,370.
3. Clarifies monthly invoicing, reporting, and payment requirements.

A copy of the proposed County of Inyo Contract Amendment evidencing these changes is attached as Exhibit A to this Board Agenda Item.

I may be reached at 760/924-1763 if you have any questions. Thank you.

**AMENDMENT NUMBER 4 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
County of Mono
FOR THE PROVISION OF INDEPENDENT CONTRACTOR SERVICES**

WHEREAS, the County of Inyo (hereinafter referred to as "County") and Mono County Social Services, of County of Mono (hereinafter referred to as "Contractor"), have entered into an Agreement for the Provision of Independent Contractor Services dated September 4, 2012, on County of Inyo Standard Contract No. 116, for the term from October 1, 2012 to June 30, 2016.

WHEREAS, County and Contractor do desire and consent to amend such Agreement as set forth below;

WHEREAS, such Agreement provides that it may be modified, amended, changed, added to, or subtracted from, by the mutual consent of the parties thereto, if such amendment or change is in written form, and executed with the same formalities as such Agreement, and attached to the original Agreement to maintain continuity.

County and Contractor hereby amend such Agreement as follows:

The first sentence of Paragraph 3.D. Limit upon Amount Payable Under this Agreement, of the Agreement is amended to read as follows:

The total sum of all payments made by the County to Contractor for services and work performed under this Agreement shall not exceed \$289,587 (hereinafter referred to as "contract limit"). County expressly reserves the right to deny any payment or reimbursement requested by Contractor for services or work performed which is in excess of the contract limit.

In Attachment A, Agreement between County of Inyo and County of Mono under Scope of Work, first paragraph, the Scope of Work is amended to read as follows:

Contractor will provide the following services within Mono County according to the requirements of the Older Americans Act and applicable Federal and State regulatory standards as outlined in the attached Standard Agreements, for Contract AP-1415-16 A1 with the State of California and California Department of Aging. The contract with the State of California is attached and incorporated herein.

The Schedule of Fees, page 10 of the contract shall be modified to read:

Contractor will submit an Area Plan Budget (CDA 122) to Eastern Sierra Area Agency on Aging (ESAAA) each year by July 1, as required by the California Department of Aging (CDA). Contractor will also submit as required by the CDA, the Financial Closeout Report (CDA 180) within 45 days following the end of the fiscal year or within 30 days following termination prior to the end of the contract period, unless otherwise specified by the CDA.

Contractor will submit an invoice for the actual monthly expenditures and ESAAA will reimburse based on the actual expenditures up to the maximum monthly amount (1/12 of the total annual contract amount). If Contractor's expenses are either less than or over the monthly maximum, those differences may be reconciled with future months funds, within the same fiscal year, so long as the Contractor is continuing to provide services pursuant to this contract within those same future months. The monthly invoice shall be submitted by Contractor to ESAAA administrative services contractor (Inyo County) by the tenth (10th) of the month for services delivered in the previous month, and shall be paid by ESAAA by the end of the month after the invoice is received. Appropriate backup showing the actual expenditures must also be attached to the invoice. The total contract amount for October 1, 2012 through June 30, 2013 is \$58,388 (remaining 3 quarters of the year); for July 1, 2013 through June 30, 2014 is \$74,760; for July 1, 2014 through June 30, 2015 is \$78,988; and in future years the allocation amount to be reimbursed would be approximately \$76,711. Payment will be conditioned on monthly submission of service activity reports as specified in Attachment A. The monthly service report shall be submitted by Contractor to the ESAAA administrative services

**AMENDMENT NUMBER 4 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
County of Mono
FOR THE PROVISION OF INDEPENDENT CONTRACTOR SERVICES**

delivered in the previous month. Both invoice and service activity reports shall be submitted to Inyo County Health & Human Services, P.O. Drawer A, Independence, CA 93526 or by electronic means specified by the ESAAA administrative services contractor (Inyo County).

The contract amount noted above is based on the 12/13 allocation letter from the California Department of Aging (CDA). If future allocations to ESAAA from CDA are reduced, a revised contract amount shall be calculated based on the most recent allocation letter. Subsequently, Contractor's maximum contract amount is subject to change annually.

Notwithstanding Paragraph 14, this Agreement may be cancelled by County without cause, and at will, for any reason by giving the Contractor ninety (90) days written notice of such intent to cancel. Contractor may cancel this Agreement without cause, and at will, for any reason whatsoever by giving ninety (90) days written notice of such intent to cancel to County.

The effective date of this Amendment to the Agreement is July 1, 2013.

All the other terms and conditions of the Agreement are unchanged and remain the same.

AMENDMENT NUMBER 4 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
County of Mono
FOR THE PROVISION OF INDEPENDENT CONTRACTOR SERVICES

IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS
____ DAY OF _____, _____.

COUNTY OF INYO

By: _____

Dated: _____

CONTRACTOR

By: _____

Signature

Jim Leddy, Mono County Administrative Officer

Type or Print

Dated: _____

APPROVED AS TO FORM AND LEGALITY:

County Counsel

APPROVED AS TO ACCOUNTING FORM:

County Auditor

APPROVED AS TO PERSONNEL REQUIREMENTS:

Personnel Services

APPROVED AS TO RISK ASSESSMENT:

County Risk Manager



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Southern California Edison

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Correspondence from Southern California Edison regarding proposed rate increase to cover costs associated with the company's Charge Ready and Market Education Program.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: 760-932-5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[SCE Letter](#)

History

Time	Who	Approval
11/13/2014 1:19 PM	Clerk of the Board	Yes



November 4, 2014

Re: Southern California Edison Company's Charge Ready and
Market Education Program Application, A.14-10-014

To Whom It May Concern:

Pursuant to California Public Utilities Commission (CPUC) Rule 3.2(b), Southern California Edison Company (SCE) is providing notice that on October 30, 2014, SCE filed an application with the CPUC for approval of SCE's forecast of 2015 revenues and program costs associated with the Charge Ready and Market Education Program.

The filing is described in general terms in the enclosed notice that will also be published in a newspaper of general circulation in every county within SCE's service territory, as well as included as a bill notice provided to every SCE customer. To obtain more detailed information, you may view and/or download a copy of SCE's filing and supporting testimony on our website, <http://www.sce.com/applications> (type "A.14-10-014" into the Search box, and click "Go"). You may also request a printed copy of these documents from SCE at the address listed in the enclosed notice.

Sincerely,

/s/ Andrea L. Tozer

Andrea L. Tozer

Enclosure

Los usuarios con acceso al Internet podrán leer y descargar esta notificación en español en el sitio Web de SCE www.sce.com/avisos o escriba a:

Southern California Edison Company
P.O. Box 800
2244 Walnut Grove Avenue Rosemead, CA 91770
Atención: Comunicaciones Corporativas

SOUTHERN CALIFORNIA EDISON COMPANY (SCE)

NOTICE OF SCE'S REQUEST TO INCREASE YOUR RATES FOR CHARGE READY AND MARKET EDUCATION PROGRAMS

APPLICATION (A.) 14-10-014

On October 30, 2014, Southern California Edison Company (SCE) submitted an application to the California Public Utilities Commission (CPUC) for approval of its proposed Charge Ready and Market Education Programs. If approved, SCE will recover the program costs through electric rates. SCE's estimate of the proposal's total cost is **\$355 million** (over a five year period from 2015 through 2019), which will result in an **0.2% system wide average rate increase relative to August 2014 rates.**

Charge Ready and Market Education Program Proposal

In this application, SCE is proposing to implement a two-phase Charge Ready program and an electric vehicle (EV) Market Education campaign. Phase 1 would cost \$22 million and would be a one-year pilot to deploy up to 1,500 charging stations. Phase 1 will also include an introductory market education program. Phase 2 would cost \$333 million and would include deployment of additional charging stations to bring the total up to 30,000 over five years. Additionally, Phase 2 will expand the market education and outreach campaign.

Through this proposed program, SCE will encourage business customers to add charging stations to their property by providing the supporting electric infrastructure needed. SCE will offer customers a rebate for purchasing the charging stations. SCE will own and maintain the supporting electrical infrastructure. Customers will choose, own, operate, and maintain the charging stations. SCE's proposed Charge Ready program aims to support the deployment of charging installations efficiently by factoring in the location, design and construction costs to maintain reasonable fees.

SCE's proposed Charge Ready program is integral to developing the charging infrastructure required to increase EV usage to help meet California's greenhouse gas (GHG), climate, air

quality and petroleum reduction goals and objectives by 2020. The Charge Ready program will expand the EV charging infrastructure, which will improve customer awareness.

To fully implement SCE’s proposed Charge Ready and Market Education programs, SCE is requesting that the CPUC authorize a \$355 million revenue increase to be collected from customers in future electric rates.

The following table compares SCE’s August 2014 average rates by customer group, to an estimate of proposed average rates if SCE’s proposal is approved by the CPUC**:

Customer Group Revenue Impact
SCE’s Charge Ready and Market Education Programs Application

Customer Group	Average Rates August 2014 ¢/kWh	Proposed Rates ¢/kWh	Proposed Change %
Residential	17.6	17.7	0.3%
Lighting - Small and Medium Power	18.3	18.4	0.2%
Large Power	13.0	13.1	0.1%
Agricultural and Pumping	14.7	14.8	0.2%
Street and Area Lighting	18.8	18.8	0.0%
Standby	11.0	11.0	0.1%
TOTAL	16.7	16.7	0.2%

** The actual changes in rates will be determined by the Commission.

For Further Information From SCE

You may review a copy of this Application and related exhibits at SCE’s corporate headquarters (2244 Walnut Grove Avenue, Rosemead, CA 91770). You may also view these materials at the following SCE business offices:

1 Pebbly Beach Rd.
Avalon, CA 90704

1820 Rimrock Rd.
Barstow, CA 92311

374 Lagoon St.
Bishop, CA 93514

505 W. 14th Ave.
Blythe, CA 92225

3001 Chateau Rd.
Mammoth Lakes, CA 93546

510 S. China Lake Blvd.
Ridgecrest, CA 93555

26364 Pine Ave.
Rimforest, CA 92378

41694 Dinkey Creek Rd.
Shaver Lake, CA 93664

421 W. J St.
Tehachapi, CA 93561

120 Woodland Dr.
Wofford Heights, CA 93285

6999 Old Woman Springs Rd.
Yucca Valley, CA 92284

Customers with Internet access may view and download SCE's application and the papers supporting it on SCE's website, www.sce.com/applications (type A.14-10-014 into the Search box and click "Go"). Anyone who would like to obtain more information about the application, please write to:

Southern California Edison Company
SCE's Charge Ready Application (A.14-10-014)
P.O. Box 800
Rosemead, CA 91770
Attention: Law Dept. – Case Admin.

CPUC PROCESS

The CPUC will evaluate and determine SCE's Charge Ready and Market Education Programs proposal through its administrative law process where the proceeding is assigned to an Administrative Law Judge (Judge) who will direct the method in which the record, upon which the Commission bases its decisions, is made. The Judge may hold evidentiary hearings where parties to the proceeding provide testimony and other parties may cross-examine them. These hearings are open to the public but only those who are parties to the proceeding may present evidence, testimony, and be subject to cross-examination. The hearings and documents submitted during the proceeding become part of the formal record that the Judge relies upon in writing a proposed decision to present to the Commissioners for their consideration.

After considering all proposals and evidence presented during the formal hearing process, the assigned Judge will issue a proposed decision which may adopt SCE's proposal, modify it or deny it. Any CPUC Commissioner may sponsor an alternate decision. The proposed decision, and any alternate decisions, will be discussed and voted upon at a scheduled CPUC Voting Meeting.

As a party of record, the Office of Ratepayer Advocates (ORA) reviewed this application. ORA is the independent consumer advocate within the CPUC with a legislative mandate to represent investor-owned utility customers to obtain the lowest possible rate for service consistent with reliable and safe service levels. ORA has a multi-disciplinary staff with expertise in economics,

finance, accounting and engineering. Other parties of record will also participate in the CPUC's proceeding to consider this application. For more information about ORA, please call (415) 703-1584, e-mail ora@cpuc.ca.gov or visit ORA's website at <http://ora.ca.gov/default.aspx>.

STAY INFORMED

If you would like to follow this proceeding, or any other issue before the CPUC, you may use the CPUC's free subscription service. Sign up at: <http://subscribecpuc.cpuc.ca.gov/>.

If you would like to learn how you can participate in the proceeding, or if you have informal comments or questions about the CPUC processes, you may access the CPUC's PAO webpage at www.cpuc.ca.gov/puc and click on "Public Advisor" from the CPUC Information Menu. You may also contact the PAO as follows:

Write: CPUC Public Advisor's Office, Room 2103
505 Van Ness Avenue
San Francisco, CA 94102

Email: public.advisor@cpuc.ca.gov

Phone: 1-866-849-8390 (toll-free) or 1-415-703-2074
TTY: 1-866-836-7825 (toll-free) or 1-415-703-5282

Please reference Charge Ready program for SCE Application No. A.14-10-XXX in any communications you have with the CPUC regarding this matter. All public comments will become part of the public correspondence file for this proceeding and made available for review by the assigned Judge, the Commissioners, and appropriate CPUC staff.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Correspondence from Fish and Game
Commission

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

California Fish and Game Commission notice of proposed regulatory action relating to petitions for regulatory changes.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: 760-932-5533 /

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
**PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Fish and Game Commission Letter](#)

History

Time	Who	Approval
11/13/2014 1:17 PM	Clerk of the Board	Yes

Commissioners
Michael Sutton, President
Monterey

Jack Baylis, Vice President
Los Angeles

Jim Kellogg, Member
Discovery Bay

Richard Rogers, Member
Santa Barbara

Jacque Hostler-Carmesin, Member
McKinleyville

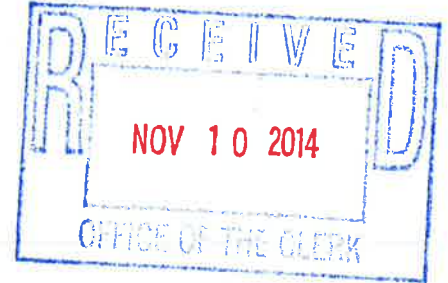
STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission



Sonke Mastrup, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
(916) 653-5040 Fax
www.fgc.ca.gov

November 5, 2014



TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to Section 662, Title 14, California Code of Regulations, relating to petitions for regulation changes, which will be published in the California Regulatory Notice Register on November 7, 2014.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

Sincerely,

A handwritten signature in cursive script that reads "Sherrie Fonbuena".

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachment

**TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations**

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Section 108 of the Fish and Game Code and to implement, interpret or make specific sections 108 and 207 of the Fish and Game Code and sections 11340.6 and 11340.7 of the Government Code, proposes to add Section 662, Title 14, California Code of Regulations, relating to petitions for regulation change.

Informative Digest/Policy Statement Overview

Under current law (Government Code Section 11340.6) any interested person may petition the Fish and Game Commission (Commission) to adopt, amend or repeal a regulation. This section also requires that any petition clearly and concisely state the substance or nature of the requested regulation change, the reason for the request, and reference to the authority of the Commission to take the requested action.

The proposed action adds new Section 662, Title 14, California Code of Regulations (CCR). The proposed regulation outlines the process under which petitions will be evaluated and scheduled for receipt and Commission action and requires the use of the form entitled "PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATORY CHANGE," FGC 1 (New 10/23/14, and being incorporated by reference), for submitting regulation change proposals.

The benefits of the proposed regulation are increased transparency and understanding of the Commission's regulatory process and consistency in the processing of public requests for regulation change.

Commission staff has searched the CCR and has found that the proposed regulation is neither inconsistent nor incompatible with existing state regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Airtel Plaza Hotel, 7277 Valjean Avenue, Van Nuys, California, on Wednesday, December 3, 2014 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building, First Floor Auditorium, 1416 Ninth Street, Sacramento, California, on Wednesday, February 11, 2015 at 8:30 a.m., or as soon thereafter as the matter may be heard. Written comments may be submitted on or before 12:00 noon on February 6, 2015 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. All comments must be received no later than February 11, 2015 at the hearing in Sacramento, California. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulation as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to

- (c) Cost Impacts on a Representative Private Person or Business:
The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of this regulation may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Dated: October 27, 2014

Sonke Mastrup
Executive Director



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Antelope Valley RPAC
Correspondence

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Correspondence from the Antelope Valley Regional Planning Advisory Committee regarding Combined Use roads.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: 760-932-5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[AVRPAC Letter November 6 2014](#)

History

Time	Who	Approval
11/13/2014 1:18 PM	Clerk of the Board	Yes

ANTELOPE VALLEY
Regional Planning Advisory Committee

PO Box 347
Mammoth Lakes, CA 93546
760-924-1800 phone, 924-1801 fax
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760-932-5420 phone, 932-5431 fax
www.monocounty.ca.gov

November 6, 2014

To the Honorable Mono County Board of Supervisors:

The Antelope Valley Regional Planning Advisory Committee (AVRPAC), at the October meeting, hereby requests that the Mono County Board of Supervisors include the Antelope Valley in any study or concept of county roads that may be designated for "Combined Use" roads, in accordance with California Vehicle Code Sections 38026 and California Highway Patrol General Order 40.5 that may allow for off-highway motor vehicle travel in the Antelope Valley area.

Sincerely,



Dan Anthony, Chair of Antelope Valley RPAC

Attachments:

1. CVC section 38026
2. CHP general order 40.5

CALIFORNIA HIGHWAY PATROL

GENERAL ORDER 40.5

REVISED FEBRUARY 2012

DESIGNATING COMBINED-USE HIGHWAYS

1. AUTHORITY.

a. California Vehicle Code (CVC) Section 38026 establishes criteria for permitting a local authority, an agency of the federal government, or the Director of the Department of Parks and Recreation (DPR) to designate a portion of a highway for combined use, subject to the California Highway Patrol's (CHP) approval. Combined use means off-highway motor vehicles may travel on the designated highway portion. The highway must meet the following criteria:

- (1) The highway must provide a connecting link between:
 - (a) Off-highway motor vehicle trail segments; or
 - (b) An off-highway motor vehicle recreational use area and necessary service facilities; or
 - (c) Lodging facilities and an off-highway motor vehicle recreational facility.
- (2) The highway must be constructed so as to safely permit the use of regular vehicular traffic as well as off-highway motor vehicles.
- (3) The proposed designated highway segment shall be no longer than three miles in length.

b. California Vehicle Code Section 38026 requires the proposing entity notify the Commissioner of the CHP prior to the designation of any highway, or portion thereof, for combined use. It further prohibits the designation of a highway or portion thereof, for combined use if in the opinion of the Commissioner such designation would create a potential traffic safety hazard.

c. On January 1, 2012, Assembly Bill 628 added CVC Section 38026.1 authorizing the County of Inyo, until January 1, 2017, to establish a pilot project allowing the county to designate combined-use roadways on unincorporated county roads for up

to ten miles in length, subject to CHP approval. The pilot project shall adhere to the following:

- (1) Erect signs, markers, and traffic control devices to control off-highway motor vehicles, including, but not limited to, the following:
 - (a) Identification of dangerous conditions, obstacles, or hazards.
 - (b) Designate right-of-way for regular vehicular traffic and off-highway vehicles.
 - (c) Describe the nature and destination of the off-highway motor vehicle trail.
 - (d) Warn pedestrians and motorists of the presence of off-highway motor vehicle traffic.
- (2) Prohibit off-highway motor vehicles from traveling faster than 35 miles per hour.

2. POLICY. The CHP will review all proposals submitted for combined use and determine whether such use would create a potential traffic hazard.

3. PROCEDURE.

a. All requests to designate a highway for combined use received by an Area or Division shall be forwarded to the Assistant Commissioner, Field through channels. The request shall be accompanied by comments and recommendations from the appropriate Area and Division concerning traffic safety hazards.

b. Requests initially communicated to CHP Headquarters will be forwarded directly to the appropriate Area for comments and recommendations described in 3.a. above.

c. The Department will prepare a letter advising the requester and the Deputy Director of DPR's Division of Off-Highway Motor Vehicle Recreation of the CHP's opinion, after having determined whether combined use would create a potential traffic safety hazard. The CHP will provide the Deputy Director with copies of any maps, diagrams, or photographs submitted by the requester.

4.

GUIDELINES.

a. In reviewing combined-use proposals, the CHP shall consider the following factors:

- (1) Motorist and public safety;
- (2) Traffic volume;
- (3) Types of vehicles using the roadway;
- (4) Property use of adjacent property owners; and
- (5) Physical characteristics of the roadway.

b. To assist the specified government entities in submitting combined use highway proposals, the CHP has developed the following guidelines. These guidelines should be used by specified government entities to notify the CHP of their desire to designate a highway or portion thereof for combined use.

(1) Purpose. The purpose of the combined-use highway. For example: to link off-highway motor vehicle trail segments.

(2) Description. A description of the highway segment, including but not limited to:

- (a) Width;
- (b) Length (cannot exceed three miles);
- (c) Location;
- (d) Type of surface;
- (e) Type of shoulder;
- (f) Number of lanes; and
- (g) Speed limit.
- (h) Diagrams and photographs would be beneficial.

(3) Highway Traffic Data. The average daily travel and collision rate (the number of collisions per million vehicle miles traveled).

- (4) Land Use. Land use within 100 yards of the proposed combined-use highway.
- (5) Rules and Regulations. A copy of the rules and regulations required to be adopted for combined use designation pursuant to CVC Section 38026(a).
- (6) Justification. The benefits of the combined use designation, such as public service(s) performed or problem(s) resolved.
- (7) Costs. An estimate of the costs associated with developing, implementing, operating, and maintaining the proposed combined-use highway.
- (8) Signing. A description of the California Department of Transportation approved signs to be posted and the location where they will be erected. Include their location on any diagrams submitted in accordance with paragraph 4.a(2) above.
- (9) Additional Information. The name of the requesting authority or agency and the name and telephone number of a contact person. Also indicate whether the request was initiated by the Off-Highway Motor Vehicle Recreation Commission, the Director of DPR, or a city or county governing agency representing the area within which the proposed combined-use highway is located. If the request was initiated by a member of the California Legislature or a member of the United States Congress, provide the name of the Legislator or member of Congress.

OFFICE OF THE COMMISSIONER

OPI: 061



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Community Development Department

TIME REQUIRED PUBLIC HEARING 10:00 A.M. - 20
minutes (10 minute presentation; 10
minute discussion)

**PERSONS
APPEARING
BEFORE THE
BOARD**

Courtney Weiche

SUBJECT General Plan Amendment 14-002(a)
Rosas Transient Rental Overlay
District

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Public hearing regarding proposed amendment of the General Plan Designated Land Use Map to establish a Transient Rental Overlay District to allow for nightly rentals at 155 Washington Street (APN 016-102-052) in June Lake and approval of associated Addendum to General Plan EIR.

RECOMMENDED ACTION:

Conduct public hearing. As recommended by the Planning Commission adopt resolution taking the following actions: (1) approve Addendum #14-02 to the Mono County General Plan EIR; and (2) approve a Transient Rental Overlay District for one parcel in June Lake (APN 016-102-052).

FISCAL IMPACT:

Potentially increased revenues from transient occupancy taxes.

CONTACT NAME: Courtney Weiche

PHONE/EMAIL: 760-924-1803 / cweiche@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

- [staff report](#)
- [Proposed Resolution](#)
- [Addendum](#)
- [Planning Commission Resolution](#)
- [Comments Recieved](#)
- [Rosas Management Plan](#)
- [Draft Minutes](#)
- [Chapter 26 Transient Rental Standards and Enforcement](#)

History

Time	Who	Approval
11/21/2014 3:06 PM	County Administrative Office	Yes
11/25/2014 10:01 AM	County Counsel	Yes
11/20/2014 9:10 AM	Finance	Yes

Mono County Community Development Department

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

December 2, 2014

To: Mono County Board of Supervisors

From: Courtney Weiche, Associate Planner

Subject: General Plan Amendment 14-002(a) / Rosas Transient Rental Overlay District at June Lake

RECOMMENDED ACTION

1. Approve Resolution R14-___, accepting the Planning Commission's recommendation and approving Addendum 14-02 to the Mono County General Plan EIR and approving General Plan Amendment 14-002(a).

FISCAL IMPACT

Potential increase in revenue from additional transient occupancy tax.

GENERAL PLAN AMENDMENT 14-002(a) ROSAS

The proposed Transient Rental Overlay District (TROD) is located at 155 Washington St. (APN 016-102-052) at June Lake. One single-family residence is located on the 6,500-sf parcel. Access is off Washington Street, which is unpaved, compacted dirt. To the east and west are existing single-family residences. Across the street are mainly vacant parcels, with the closest built home three parcels to the south.

TRANSIENT RENTAL OVERLAY DISTRICT

Chapter 25, Transient Overlay Districts, and Chapter 26, Transient Rental Standards and Enforcement, were added to the Mono County General Plan Land Use Element in December 2012 to allow transient rentals within compatible residential neighborhoods to increase tourism opportunities and provide additional economic support to homeowners. Chapters 25 & 26 provide a General Plan tool to allow transient rentals in specific neighborhoods through a General Plan Amendment application for a Transient Rental Overlay District (TROD).

A TROD application requires that the shape of any proposed district be contiguous, compact and orderly. Factors used to determine compact and orderly include street-frontage sharing, adjoining yards, and existing characteristics that define residential neighborhood boundaries such as subdivision boundaries, major roads, natural features, large undeveloped parcels and commercial or civic land uses.

Chapter 26 provides regulations that ensure transient rentals meet minimum safety requirements, provide 24-hour local property management, allow for enhanced enforcement of unpermitted transient operators, and provide means for minimizing potential neighborhood conflicts such as parking and noise. If a Transient Rental Overlay District is approved, individual homeowners in the district are required to submit a Transient Rental application in conformance with the regulations specified in Chapter 26 before commencing short-term rentals.

NOTICING AND COMMENTS

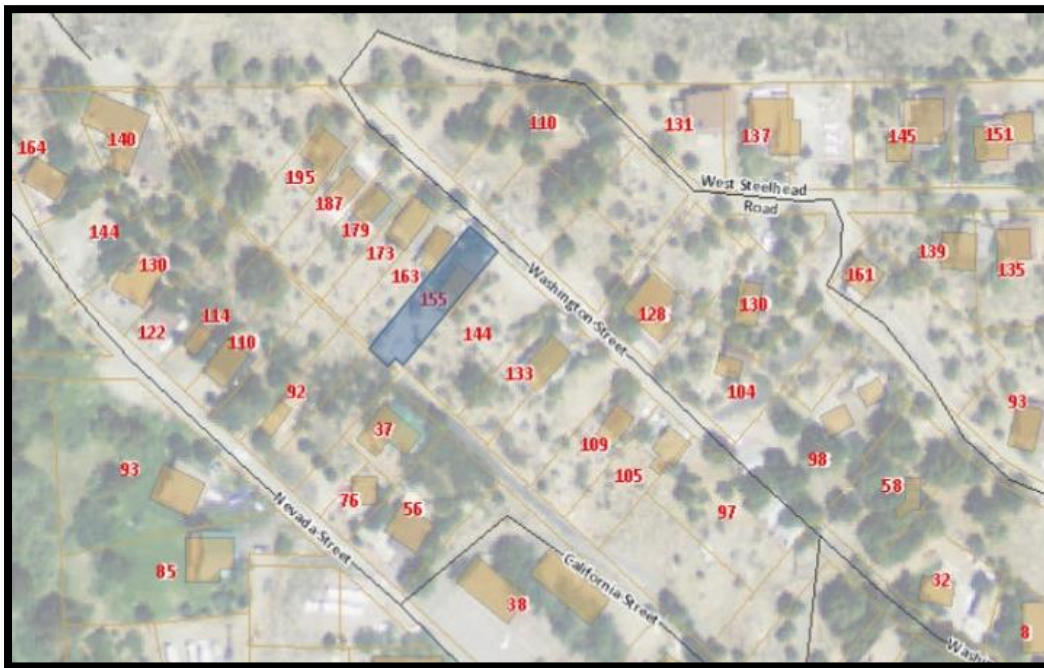
Applications for transient overlay districts consisting of one or two parcels are subject to an overlay district formation noticing process prior to public hearing. As required by Chapter 25, notice inviting property owners to request inclusion in the district was provided to all property owners adjacent to the proposed transient rental overlay district for a 20-day period. Following this notice and a subsequent Planning Commission public hearing notice, several adjoining neighbors called with concerns and questions

regarding the TROD. Most concerns were satisfied after reviewing and clarifying the TROD-related General Plan chapters with staff. One neighbor requested to join the proposed TROD, however the parcel did not directly adjoin the proposed parcel and therefore did not meet the minimum requirements to join.

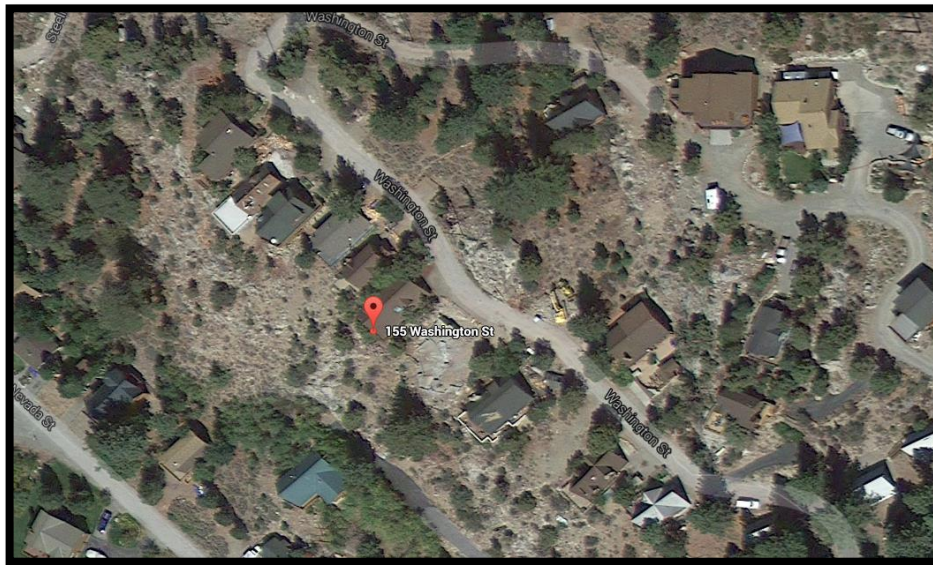
PLANNING COMMISSION

The Planning Commission considered the item at a public hearing on October 9, 2014. Four comment letters were received and included as part of the record. Three were in support of the proposal and one in opposition (see attachment). The applicant responded to each of the concerns raised in the letter of opposition at the public hearing and referenced the proposed Management Plan (see attachment). Following discussion with the applicant and staff (see attached Draft Minutes), the Planning Commission subsequently adopted R14-07 (see attachment) recommending acceptance of the EIR Addendum and that the Board of Supervisors approve GPA 14-002(a). The Board of Supervisors is required to consider the Planning Commission recommendation at the public hearing and may approve, modify or disapprove the recommendation.

Project Location



LAND



DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The LDTAC met July 14, 2014, to review and provide input on the project proposal. The LDTAC accepted the proposed Transient Rental Overlay District application and recommended moving forward with processing the permit.

GENERAL PLAN CONSISTENCY

The proposed general plan amendment complies with existing General Plan, Countywide Policies:

Objective H Maintain and enhance the local economy.

Policy 5: Promote diversification and continued growth of the county's economic base.

Action 5.1: Encourage and promote the preservation and expansion of the county's tourist and recreation based economy.

CEQA COMPLIANCE

An addendum to the county General Plan EIR has been prepared for the proposed project. The impacts of the proposed project will not result in a substantive change to the number of significant effects, severity of effects, or the feasibility and/or effectiveness of applicable mitigation measures or alternatives previously addressed in the General Plan EIR.

ATTACHMENTS

- Draft Board of Supervisors Resolution R14-__
- EIR Addendum 14-02
- Planning Commission Resolution R14-07
- Comments Received
- Management Plan
- DRAFT Planning Commission Minutes
- Chapter 26, Transient Rental Standards and Enforcement



RESOLUTION R14-__

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
APPROVING AN ADDENDUM TO THE GENERAL PLAN EIR
AND APPROVING GENERAL PLAN AMENDMENT 14-002(a),
ESTABLISHING A TRANSIENT RENTAL OVERLAY DISTRICT
ON ASSESSOR'S PARCEL NUMBER 016-102-052 IN JUNE LAKE**

WHEREAS, In accordance with General Plan Requirements, the property owners have submitted a Transient Rental Overlay District application for a transient rental, which includes a General Plan Map Amendment (GPA); and

WHEREAS, the proposed General Plan Amendment 14-002(a), in conjunction with a Vacation Home Rental Permit, will allow the owners of Assessor Parcel Number (APN) 016-102-052 to rent Single-Family Residential homes on a transient or nightly basis; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) an Addendum to the Mono County General Plan EIR pursuant to CEQA section 15164 has been prepared; and

WHEREAS, the Mono County Planning Commission did on October 9, 2014, hold a noticed and advertised public hearing to hear all testimony relevant to the General Plan Amendment, and upon conclusion of the hearing, recommended via resolution that the proposed transient rental overlay district be approved by the Mono County Board of Supervisors.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT, having considered the environmental addendum and taken into consideration all evidence and testimony before it, including the recommendation of the Planning Commission, the Mono County Board of Supervisors, in conformance with the Mono County General Plan, Chapter 48, Section 48.020, hereby: (1) finds that an Addendum to a previously certified EIR is the appropriate level of review pursuant to CEQA and approves General Plan EIR Addendum #14-02; and (2) finds that the proposed changes are consistent with the General Plan and approves General Plan Amendment 14-002(a) adding a Transient Rental Overlay District to Assessor Parcel Number 016-102-052 in June Lake.

PASSED AND ADOPTED this 2nd day of December 2014, by the following vote of the Board of Supervisors, County of Mono:

- AYES :
- NOES :
- ABSENT :
- ABSTAIN :

Larry K. Johnston
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board, Assistant

County Counsel

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Mono County General Plan Land Use Amendment 14-002(a) & (b)
GENERAL PLAN EIR ADDENDUM #14-02
State Clearinghouse #98122016
↻ October 9, 2014 ↻

INTRODUCTION AND DISCUSSION OF PROPOSED MODIFICATIONS

1. Transient Overlay Districts

Mono County has received applications to amend the General Plan Land Use Designation Maps to establish a Transient Rental Overlay District (TROD) to allow for nightly rentals. GPA 14-002 (a) would establish a TROD on one parcel (APN 016-102-052) along Washington Street at June Lake and GPA 14-002 (b) would establish a TROD on two parcels (APN 015-010-080 and 015-300-004) along Leonard Drive at June Lake.

A Vacation Home Rental Permit will be required in accordance with Chapter 26 of the Mono County General Plan before commencing rentals of any dwellings. Vacation Home Rental Permits will address and regulate traffic and parking, guide tenant occupancy, establish minimum health and safety requirements, and require 24-hour property management, among other things.

ENVIRONMENTAL REVIEW & CEQA PROVISIONS FOR PREPARATION OF AN ADDENDUM TO A FINAL EIR

In 2001, Mono County certified an Environmental Impact Report (EIR) in conjunction with the adoption/amendment of its General Plan (SCH # 98122016) (the “General Plan EIR”). The General Plan EIR analyzed the impacts of designating areas of the county as SFR, ER, RR, or RMH, and assumed full buildout and use of those properties for all allowed uses. It also addressed and analyzed the impacts associated with the development of accessory dwelling units. As discussed below, an addendum to the General Plan EIR is the appropriate level of environmental review for the proposed amendments, because none of the conditions set forth in CEQA Guidelines section 15162 exist.

The California Environmental Quality Act (CEQA §15164[a]) states:

“(a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

In turn, §15162 states that preparation of a subsequent EIR is required where one or more of the following occurs:

“(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due

to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete shows any of the following:

(A) the project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.”

DISCUSSION OF IMPACTS

Establishing Transit Rental Overlay Districts that would allow nightly rentals proposed in the aforementioned residential areas (the “Project”) does not require major revisions to the General Plan EIR because it does not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects; there are not substantial changes with respect to the circumstances under which the project is undertaken; and there is not new information of substantial importance, which was not known and could not have been known with the exercise of due diligence at the time the previous EIR was certified as complete which shows any of the following listed above under headings (3) (A) through (3) (D), for the following reasons:

1. The proposed Transient Rental Overlay Districts will not have a significant effect on the environment or increase the severity of previously identified significant effects. There are two overlay districts in June Lake; one consists of two adjoining lots and the other is a single parcel. The creation of a Transient Rental Overlay District enables short-term rentals but does not expand the types of structures allowed or the manner in which the vacant parcels can be developed in the future. Future development will be limited to the residential densities established in the underlying land use designation. Additionally, General Plan Land Use Element Chapter 26 further governs how transient rentals are to be conducted, which places much-more-stringent regulations on rentals than that of a home occupied by a full-time resident.
2. Additionally, even following designation and permitting for transient rental use, there is no change to the underlying property use. Single-family homes that are now used seasonally or periodically by the owner, or are rented on a long-term basis, will still be used as single-family homes and in a manner that is not substantially different from how they would be used if they were occupied by full-time residents or long-term renters. The General Plan EIR analyzed land use designations at buildout assuming full-time occupancy. Since there is virtually no difference in the use of a home being occupied by a full-time resident and its use by household that rents the home on a short-term basis, the environmental impacts to the neighborhood and surrounding areas are no different. Transient rentals, due to the intermittent and temporary nature of their use, will not create any additional impacts on traffic or air and water quality. Furthermore, since the occupancy and parking will be much more narrowly regulated by a required property manager,

the impacts on noise and street congestion will also be reduced. Accordingly, the impacts of the proposed project would not be increased beyond those analyzed in the General Plan EIR.

3. The establishment of Transient Rental Overlay Districts creates the possibility of a reduction in environmental impacts that exist at present, since transient uses would be subject to more-stringent restrictions than are applicable to full-time owner-occupied residences or residences subject to long-term lease. Specifically, these include restrictions on occupancy, parking and the requirement for oversight through local property management. Currently, there are no restrictions on how many occupants can use a single-family home, but the occupancy in homes used as transient rentals will be restricted by the number of bedrooms and/or any septic system limitations. Parking requirements will be site specific and not only will have to meet the General Plan residential parking standards, but will be limited to on-site parking only. These measures in conjunction with local property management being available 24 hours to regulate noncompliant activities of tenants will minimize visual and noise impacts far beyond residences having full-time occupancy.
4. The change to the regulations affecting the size and permitting requirements of accessory dwelling units will not cause an environmental impact. The change reduces the potential intensity of allowed development and environmental impacts on parcels less than one acre in size.

CONCLUSION

CEQA Sections 15164(c) through 15164(e) states, “*An Addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project. A brief explanation of the decision not to prepare a subsequent EIR pursuant to §15162 shall be included in an addendum to an EIR, the lead agency’s findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*”

The information presented above indicates that the proposed General Plan Amendment does not represent a substantive change to the number of significant effects, severity of effects, or the feasibility and/or effectiveness of applicable mitigation measures or alternatives previously addressed in the General Plan EIR. Therefore, a subsequent EIR is not required because none of the conditions set forth in CEQA Guidelines section 15162 exist for this project.



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RESOLUTION R14-07

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION
RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT 14-002(a),
PLACING A TRANSIENT RENTAL OVERLAY DISTRICT ON ONE PARCEL
AT JUNE LAKE (ASSESSOR'S PARCEL NUMBER 016-102-052)**

WHEREAS, In accordance with General Plan Requirements, the property owners have submitted a Transient Rental Overlay District application for a transient rental, which includes a General Plan Map Amendment (GPA); and

WHEREAS, the proposed General Plan Amendment 14-002(a), in conjunction with a Vacation Home Rental Permit, will allow the owners of Assessor's Parcel Number (APN) 016-102-052 to rent out Single-Family Residential (SFR) homes on a transient or nightly basis; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) an addendum to the Mono County General Plan EIR pursuant to CEQA section 15164 has been prepared; and

WHEREAS, the Planning Commission did on October 9, 2014, hold a noticed and advertised public hearing to hear all testimony relevant to the General Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED THAT, in consideration of evidence and testimony presented at the public hearing and in accordance with Chapter 48 of the Land Use Element of the General Plan, the Planning Commission finds as follows with respect to the proposed GPA:

1. *The proposed change in the land use designation is consistent with the text and maps of this General Plan.*

The project promotes the following General Plan's countywide policies: Objective D states the County should provide for commercial development to serve both visitors and residents; Policy 4 allows for the integration of small-scale commercial uses with associated residential uses; Objective H maintains and enhances the local economy; and Action 5.1 encourages and promotes the preservation and expansion of the county's tourist and recreation-based economy. The project provides for additional visitor lodging and encourages tourist-based economy and is consistent with the text and maps of the General Plan.

2. *The proposed change in land use designation is consistent with the goals and policies contained within any applicable area plan.*

The project is located within the June Lake Planning Area. The June Lake Area Plan encourages providing a wide range of commercial and residential uses. The project provides for additional visitor lodging for the tourist-based economy by providing a variety of lodging options within the June Lake Loop.

3. *The site of the proposed change in land use designation is suitable for any of the land uses permitted within that proposed land use designation.*

The project is not changing the underlying land use designation of Single-Family Residential (SFR), but is adding a Transient Rental Overlay District that will allow the addition of nightly rentals only in single-family dwellings. Chapter 25 in the Mono County General Plan allows

1 Transient Rental Overlay Districts to be applied to the SFR, RR, ER, MFR-L, and RMH land
2 use designations. Chapter 26 in the Mono County General Plan requires that any homes being
3 rented within the overlay district obtain a Vacation Home Rental Permit that will regulate
4 parking, guide tenant occupancy, establish minimum health and safety requirements, and require
5 24-hour property management, among other things.

4 *4. The proposed change in land use designation is reasonable and beneficial at this time.*

5 The proposed change to add a Transient Rental Overlay District is reasonable because the
6 economy is visitor-oriented and this proposal helps to expand the variety of lodging options
7 within June Lake.

8 *5. The proposed change in land use designation will not have a substantial adverse effect on
9 surrounding properties.*

10 The application of a Transient Rental Overlay District on Assessor's Parcel Number 016-102-
11 052 will not create undue hardship on adjacent properties. Single-family homes that are used
12 seasonally or periodically by the owner, or are rented on a long-term basis, will still be used as
13 single-family homes and in a manner that is not substantially different from how they would be
14 used if they were occupied by full-time residents or long-term renters. The General Plan EIR
15 analyzed land use designations at buildout assuming full-time occupancy. Transient rentals will
16 have similar visual characteristics as a home having seasonal or full-time occupancy.
17 Furthermore, homes used as rentals within the district are subject to more-stringent restrictions
18 than applicable to full time owner-occupied residences or residences subject to long-term lease.
19 Specifically, these include restrictions on occupancy based on the number of bedrooms, parking
20 and the requirement for oversight through local property management. These measures in
21 conjunction with local property management being available 24 hours to regulate non-compliant
22 activities of tenants will minimize visual and noise impacts far beyond residences having full-
23 time occupancy. Moreover, Chapter 26 in the General Plan provides enhanced enforcement
24 mechanisms to prevent non-permitted or unauthorized transient rentals within residential zones.

18 **NOW, THEREFORE, BE IT FURTHER RESOLVED THAT**, having considered the
19 environmental addendum and taken into consideration all evidence and testimony before it, the Mono County
20 Planning Commission, in conformance with the Mono County General Plan, Chapter 48, Section 48.020,
21 hereby finds that the proposed changes are consistent with the General Plan and recommends that the Board
22 of Supervisors approve General Plan Amendment 14-002(a) adding a Transient Rental Overlay District to
23 Assessor's Parcel Number 016-102-052.

22 **PASSED AND ADOPTED** this 9th day of October 2014, by the following vote of the Planning
23 Commission, County of Mono:

24 AYES : Chris I. Lizza, Mary Pipersky, Dan Roberts, Rodger B. Thompson

25 NOES : Scott Bush

26 ABSENT :

27 ABSTAIN :

28 
29 _____
30 Mary Pipersky, Chair
Mono County Planning Commission

1 ATTEST:

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3 C.D. Ritter, Commission Secretary

APPROVED AS TO FORM:



Stacey Simon, Assistant County Counsel

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**Comment Letters
Transient Rental Overlay District
General Plan Amendment 14-002(a)
155 Washington St., June Lake
October 9, 2014**

Steve Aldrich

Gustavo Calderon

Robert Cersosimo

Nancy & Jim Stewart

CD Ritter

To: Courtney Weiche
Subject: RE: Dear Courtney Weinche, Mono County

RECEIVED
OCT 08 2014
MONO COUNTY
Community Development

From: stvaldrich2 . [stvaldrich2@gmail.com]
Sent: Wednesday, October 8, 2014 1:59 PM
To: Courtney Weiche
Subject: Re: Dear Courtney Weinche, Mono County

I would be interested in getting my home approved for the nightly rentals in the future. The program is called (TROD) transient rental overlay district.

On Wed, Oct 8, 2014 at 1:53 PM, stvaldrich2 . <stvaldrich2@gmail.com<<mailto:stvaldrich2@gmail.com>>> wrote:
Hi this is Steve Aldrich at 173 Washington street. I support Mike Rosa for the rental approval plan. (TROD) My phone # is 760-914-2111<<tel:760-914-2111>> Please feel free to call me.

CD Ritter

Subject: FW: 155 Washington St

From: Gustavo Calderon [guscalderon760@gmail.com]
Sent: Tuesday, October 7, 2014 12:02 PM
To: Courtney Weiche
Subject: 155 Washington St

RECEIVED
OCT 07 2014
MONO COUNTY
Community Development

Attn. Courtney Weiche, Mono County

Hello,

My name is Gustavo Calderon. My wife and I have been June Lake residents for ten years. I would like to offer support for Mike Rosas home on Washington Street for nightly rentals. I think the community can use this quality home for tourists. I have been dealing with guests services in June Lake for nearly 10 years and nice homes are unavailable at this time. I live in the Clark tract with my wife and children and wish to offer my support.

Sincerely,

Gustavo Calderon
18 Nevada St
June Lake Ca.
93529

CD Ritter

Subject: FW: TROD

RECEIVED

OCT 02 2014

MONO COUNTY
Community Development

From: Robert Cersosimo [<mailto:sendingchi@aol.com>]

Sent: Thursday, October 02, 2014 11:20 AM

To: Courtney Weiche

Subject: Re: TROD

Courtney,

Hi , How are you?

My name is Robert Cersosimo , a fifteen year resident of June Lake.
I live at 35 Silver Meadow Lane, in the lower Clark Tract.

I am writing in support of the nightly rental program TROD at 155
Washington St.

The Rosas Chalet will be a great asset to the program.

Filling our luxury homes with visitors, boost all the town's economy.

Best of Luck to the program.....R.C.

October 5, 2014

RECEIVED
OCT 06 2014
MONO COUNTY
Community Development

Mono County Planning Division

Attn: Secretary to the Planning Commission
Courtney Weiche

Re: General Plan Amendment 14-002. Proposal to amend the Mono County General Plan Land Use Designation Maps to establish a Transient Rental Overlay District on APN 016102052 at 155 Washington Street in the community of June Lake.

We purchased our lot at 163 Washington Street in June Lake in 1969 and broke ground a year later. We did all the construction on our home, with the help of a few relatives along the way. It was a labor of love and it took many years to complete.

Our three daughters are now in their 50's and the grandchildren are young adults. They, along with other relatives and friends, have a great love for our home with the peaceful surroundings and gorgeous view.

Since our next-door neighbor's rental business started a couple of years ago, we have lost a good portion of the "peaceful" part of our surroundings. Our family can't help but question the wisdom of the Planning Commission recommending that the Board of Supervisors approve the proposed General Amendment.

Also, we can't help but wonder how many of the Planning Commission members or the Board of Supervisors live next door to a residence that might someday become a rent by night motel.

Our home at 163 Washington Street is 10 feet from 155 Washington Street.

If any of you do find that you are living next door to a residence that might someday turn into a rent by night motel, you might want to consider the following unpleasant experiences that we have dealt with:

1. Late night parties with wolf howls and loud foul language.
Continuous loud music accompanies the havoc.

2. We are continuously explaining that our parking area is not including in their rental agreement, even for short term.
3. Renter's young children becoming injured while climbing rocks and boulders on our property. Parents have trouble hearing their children's cries over the loud music or the blare of the TV.
4. A renter's child shot out our front window with a BB gun. We learned of this from the neighbor on the other side of us. Otherwise, we would not have found the damage until our next trip up. The parent paid for the window. What kind of child shoots a gun from the deck he is on into the house next door? Definitely one that is unsupervised!
5. Trash is also an issue. Most people are tidy. Then there are those that seem to delight in tossing cans, plastic bottles and other trash off the deck or leaving items that will blow off on their own. There is also the issue of this being Bear country and trash is being set alongside the trash receptacle in our neighbor's parking area. Great attraction for the bears and other animals.
6. The most frightening episode was being awakened at 2 a.m. to the sounds of a young women screaming and crying. We started to call the Sheriff but felt something needed to be done immediately. We turned on our deck lights and my husband yelled out. It appeared the other guests must have thought it would be fun to dangle this young woman over the railing by her heels. They agreed to make her safe and the group settled down. I still regret not having called the Sheriff.

It is hard to understand people showing total disrespect for their neighbors.

We are hoping today will be the day that county officials will ignore the pull of the almighty dollar and do what is in the best interest of our family, our neighborhood and the environment.

Nancy and Jim Stewart
6219 Loma Vista Road
Ventura, California 93003
805/642-1619

The Rosas Chalet Management Team

The Rosas Chalet has an excellent staff to manage its rentals with complete ease and professionalism. The owner, Mike Rosas would handle all reservations and bookings. The task of qualifying families for bookings is natural for Mike with a background of over 18 years in mortgage and property management. He would coordinate all the check-ins with the staff. Mike would also oversee the home monthly, in order to make sure all amenities are maintained and in excellent working order. The staff is all located in the neighborhood within walking distance. The property will have a local property manager, Gustavo Calderon. Gustavo has served as the manager of the neighborhood's Whispering Pines Motel and has an excellent background in hotel service and property management. The property manager will check-in all guests and coordinate the parking and other important considerations upon guests' arrival. The property manager would also coordinate all winter check-ins where road conditions are a major consideration. This is covered further in the winter section. The property manager will be available 24/7 as well as the owner to deal with parking, noise or any other disturbance expeditiously. The housekeeping and maintenance staff consist of a husband and wife team that live in the neighborhood. The owner has excellent contacts with the local contractors including our local plumber Richard Orloff who is on retainer for any emergency repairs. The Chalet will utilize our local concierge's for any guests that need guidance especially first time June Lake visitors and out of state guests. We have two very knowledgeable longtime locals that have been of great benefit for the guests with their knowledge of the local area. We feel our staff is of a high level of professionalism presently unavailable in most June Lake area rentals. It is our goal for the guests to have a truly memorable vacation at the Rosas Chalet.

Winter Road Condition Policies

During the winter time constant monitoring of the neighborhood road conditions will be of high priority especially during times of snow. The Chalet policy is to include free tire chain installation with all winter rentals. The maintenance staff will meet guests at the entrance of the neighborhood and install tire chains. This will be a requirement when necessary in order to assure that all guests are properly prepared to handle the neighborhood winter roads. Maintenance staff will also go up to the Chalet to install chains on site when snowfall has occurred after arrival. Having staff in the neighborhood that know the current road conditions and snow removal schedule will aid enormously in being able to facilitate safe winter rentals.

Reasons for Rosas Chalet Approval

- The Chalet is a high end vacation rental property with unequalled views. The Chalet will attract families with large disposable income. June Lake currently lacks this caliber of

rental property. The Chalet has a very flexible floor plan that can be well utilized by 1 or 2 couples as well as a large family with its (8) beds and 3 full bathrooms.

- The Chalet has a very private lot to the rear where the views and rear decking are located. It sits toward the front of the parcel on its first lot with an additional lot below buffering the distance to the closest home below. The Chalet is very well landscaped for privacy to the homeowner to its side. The street front of Washington Street has homes on one side of the street only. Leaving the Chalet with no neighbor across the street.
- Currently June Lake is in need of more beds to support June Mountain Ski Resort and any kind of reliable year round tourist economy. . This should be a huge priority for June Lake's future according to Mammoth Mountain's Rusty Gregory. The current mix of rentals is heavily geared toward the lower end with motels comprising too large of the percentage of rentals and dated 80's condos representing the current high end. It is been very apparent through our marketing and feedback from monthly guests that there are enormous missed opportunities. This is due to the lack of a nightly rental program for quality accommodations in June Lake. Affluent potential guests seek a quality vacation home to rent for a well- planned vacation but often chose destinations like Lake Tahoe that can easily facilitate their needs for a high end vacation home. The quality of the home is as important decision as the town they chose to vacation in. Guests with large amounts of disposable income do not want to spend their vacations in motels and the current limited condo options of June Lake.
- The type of guests the Rosas Chalet attracts is likely to strongly support the June Lake business community. This financial support would actually exceed the TOT receipts collected from the Chalet due to the quality and amount of the Chalets typical guests' disposable income. Businesses like The Double Eagle Resort, June Mountain Ski Area, Carson Park Inn and Tiger Bar, to name a few, would benefit from our guests.
- The Chalet has proven marketing programs via VRBO.com and Homeaway.com. The marketing has shown a huge demand for first time and out of state visitors to June Lake. This visitor is interested in renting a single family residence with views and will often go elsewhere due to a very limited inventory of single family vacation homes.
- The revenue the Chalet will receive supports its staff and maintenance work. This income would help support local families that live in the immediate Clark track neighborhood.
- The potential TOT tax collected from the Chalet would be very high. The marketing has proven the demand and the potential TOT collected would be on the higher end of all current June Lake rentals.
- Annual leases are bad options for everyone. Neighbors concerned about noise and disturbance would be far greater disturbed by the potential of an annual lease of youthful twenty-something year olds renting the Rosas Chalet. While there is a need for

local rentals on annual leases, the Chalet requires too many roommates to afford the lease. The reality in June Lake is this type of renter is young and less mature than the typical nightly family rental would be. They would be there 365 days a year and their bedtime hours and noise potential would be far worse than June Lake's family vacation guest.

- The Chalet belongs as a high-end nightly rental vacation home. There are too many overwhelming economic reasons to not allow the Rosas Chalet to help bring June Lake a taste of luxury at the right time. Thanks for your consideration.

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

DRAFT MINUTES

OCTOBER 9, 2014

COMMISSIONERS: Scott Bush, Chris Lizza (videoconference), Mary Pipersky, Dan Roberts, Rodger B. Thompson.

STAFF: Scott Burns, CDD director; Courtney Weiche, associate planner; Gerry Le Francois, principal planner (videoconference); Brent Calloway, associate analyst; C.D. Ritter, commission secretary

- 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Chair Mary Pipersky called the meeting to order at 10:11 a.m. in the board chambers at the county courthouse in Bridgeport, and attendees recited the pledge of allegiance.
- 2. PUBLIC COMMENT:** Annie Rzepiela of Mono City spoke on General Plan animal standards. Livestock is OK if > one acre regardless if conforms to the standard. Mono City lots are ¼-acre or less. One lot, by combining lots, exceeded one acre. New owners want horses. Standard doesn't address what's appropriate in SFR area. Could someone buy up lots and put cow farm in SFR area?
- 3. MEETING MINUTES:** Review and adopt minutes of September 11, 2014

MOTION: Adopt minutes of September 11, 2014, as amended: Item 4, graph 1, line 3: Meanwhile, Cal Fire changed its fire codes, so applicant revised project to meet state and local fire codes. Note: Stacey Simon indicated that because one commissioner was present at the videoconference site, each had to vote individually. (*Bush/Thompson. Ayes: Thompson, Roberts, Bush, Lizza. Abstain due to absence: Pipersky.*)

4. PUBLIC HEARING

A. GENERAL PLAN AMENDMENT 14-002 (a) to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District (TROD) at June Lake to allow for nightly rentals at 155 Washington St. (APN 016-102-052). *Staff: Courtney Weiche, associate planner*

Courtney Weiche presented a PowerPoint, and applicant Mike Rosas submitted a written management plan. Commissioner Pipersky noted that if request is approved, applicant must submit application to Mono Supervisors (BOS) and apply for vacation home rental permit to meet standards.

OPEN PUBLIC COMMENT: Mike Rosas, applicant, thanked Mono for ordinance helping non-participating homeowners to have some regulation. He refuted each "unpleasant experience" cited by the Stewarts.

Home used as rental already? *Monthly rental for about 10 years. Lived there full time six years. Stewarts up on holidays, maybe total of two months. If SFR rental is successful, property values should go up. He cited more support than shown, with no full-time locals against it.*

Nightly rentals? *No, full 30 days.*

How many bedrooms? *Three + loft + game room. More beds than parking spaces. Futons in game room would spread guests out.*

Heating? *Central heating installed, wood burning permitted.*

Parking spaces? *Two plus snow storage. Moving propane tank would add another spot.*

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Rodger B. Thompson

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris Lizza

How many nights *would* it be rented? *150-180 days/yr, as it's a desirable place.* How to know it's desirable? *Three home sales in two weeks or less when average time was a year. Lots long and narrow, attractive view. Rental activity based on inquiries well ahead of time.* **CLOSE PUBLIC COMMENT.**

DISCUSSION: Commissioner Bush thought TROD was designed for homeowners in trouble, or income for vacant vacation homes. Transition from rental home to motel with eight beds, parking for four cars, renting to bunch of people, not a family?

Commissioner Roberts recalled ski area cited inadequate bed base, so this would provide more.

Bush noted neighbors are part-time, just like owner. Stewarts are not there every day. *Rosas: One person shouldn't foil whole idea.* Bush described a motel as nightly rental to different people every night.

Scott Burns described intent as added tourism base, homeowner stability, and economic opportunities in residential neighborhoods offering support. Mono Supervisors cited community benefit from more rentals, minimizing conflicts, violation fees offset by rental income.

Commissioner Thompson viewed TROD as a tool for homeowners. House currently rents for 30 days, and this adds flexibility. Property manager is a big plus.

Roberts described others renting houses in area, skirting around legality, maybe creating more problems for neighbors. He leaned in favor.

Bush thought one lot was not a "district." Neighborhood's in agreement, but struggling with one opponent. Commissioner Pipersky thought a single lot could be a "district." Burns stated that the intent was a district, but BOS leaned toward single home.

Commissioner Lizza noted applicant has been renting and not collecting TOT; now coming into compliance. Fits character of neighborhood. Not losing home to local people, putting into rental program. Neighbor concerns? Limit occupancy to eight (Weiche stated 10 is maximum according to ordinance), manage parking, control party atmosphere.

Stacey Simon stated limit in code is 10. If more, in violation of permit with risk of fines and penalties. Need to retrofit to commercial if more, according to building official.

Would bed in living room qualify as a bedroom? *Simon: Provision for floaters, but still capped at 10.*

Burns indicated not taking looser interpretation of "bedroom." Rental permits are overseen by code compliance. Once land use is resolved by BOS, applicant must apply for rental permit and meet General Plan requirements.

MOTION: Approve Resolution R14-07 recommend that BOS adopt General Plan Amendment 14-002(a) to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District (TROD) at June Lake to allow for nightly rentals at 155 Washington St. (APN 016-102-052). (*Roberts/Thompson. Ayes: Lizza, Thompson, Roberts, Pipersky. No: Bush (protect idea of district).*)

B. GENERAL PLAN AMENDMENT 14-002 (b) to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District (TROD) at June Lake to allow for nightly rentals on two parcels (APN 015-010-080 and 015-300-004). In accordance with the California Environmental Quality Act, an addendum to the existing General Plan EIR is being utilized. *Staff: Courtney Weiche, associate planner*

Courtney Weiche distributed two comment letters that were received after the agenda packet was sent. DeLano represents a condo owner at Interlaken. George Larson, second comment letter, requested to join the proposed TROD, but request was received past the deadline to join, so the parcels are ineligible for this TROD. However, he could apply on his own. Letter arrived yesterday afternoon.

Can a subdivision/developer request an overlay district or SFR owners only? *Stacey Simon indicated a subdivider could request to have parcels within a TROD.*

Commissioner Lizza questioned Ch. 26. Can only residential structures receive a TROD? Overlay on vacant property? It was clarified a vacant parcel can have a TROD, however until Ch. 26 requirements are met (which requires a residential structure), a Vacation Home Rental Permit would not be issued. *Simon noted a vacant parcel would not meet most of Ch. 26 requirements.*

OPEN PUBLIC COMMENT: David Baumwohl, attorney representing property owners, noted comment letter from DeLano, who resides in high-density project. In his letter, DeLano questioned a potential deed

restriction on the Victory Lodge parcel to prohibit nightly rentals. Baumwohl represented the previous owner, Cino, and recalled no such deed restriction; he also confirmed with Inyo-Mono Title. Baumwohl continued: this TROD would provide more high-end beds at June Lake, spectacular property, set well off Leonard Avenue, garages for up to 10 cars, apartments above garages for full-time caretaker. Meets all criteria, with no opposition except last-minute letter.

Unconnected guests occupying different parts of building? *Leasing the whole house, so would show as booked.*

Back to 10 maximum occupancy? *Baumwohl noted stacking is illegal in county. Every unit has maximum density.* Commissioner Pipersky predicted potential less-intense use.

Baumwohl noted home designed for entertaining is now owned by Victory Lodge LLC (Cino has no interest; owner was a lender).

Could more people stay there? Scott Burns indicated Mono does not regulate size of SFRs. Two persons/bedroom + two floaters = 20. If an applicant wants more than 10 people, the building official would have to certify/approve as commercial, per building codes before a Vacation Home Rental Permit is issued.

Baumwohl commended helpful staff. **CLOSE PUBLIC COMMENT.**

DISCUSSION: Commissioner Lizza wondered whether DeLano was posturing for a lawsuit. Any merit to alleged deed restriction? Stacey Simon cited private contractual restrictions for property owner, and Baumwohl researched deed restriction.

Lizza disclosed his three-year employment by Baumwohl; Simon indicated no conflict.

MOTION: Approve Resolution R14-08 recommending that BOS adopt General Plan Amendment 14-002(b) to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District (TROD) at June Lake to allow for nightly rentals on two parcels (APN 015-010-080 and 015-300-004). *(Bush/Thompson. Ayes: Bush, Roberts, Thompson, Lizza, Pipersky.)*

5. WORKSHOP:

A. MONO COUNTY ENERGY POLICIES, INITIATIVES & PROGRAMS: Scott Burns noted an energy task force has been established. Building codes are getting more restrictive. Small solar at Benton Landfill, Lee Vining and Crowley Lake community centers. Woodstove replacement. PACE (Property Assessed Clean Energy) allows home energy improvements with property tax pay-off. Riverside County already does this. Thermal biomass boiler at Bridgeport road shop will convert biomass to energy.

B. GENERAL PLAN DEVELOPMENT STANDARDS: Brent Calloway distributed Table 04.030.

1) Animal standards: Two months ago Calloway discussed proposed changes, specifically setbacks. Since then, SFR above structures housing horses has been allowed, so eliminate 20' setback requirement.

Scott Burns cited an existing home above animals. Discrepancy: equestrian overlay vs. animal standards. Intent to simplify, no longer need 20'. Combined barn/house has been allowed. 40' (equestrian overlay) vs. 50' (animal standards): Recommended more generous standard. Smaller footprint on land if combined barn/house is allowed. Still have equestrian overlay districts in Crowley area on smaller parcels.

Annie Rzepiela recalled person can't buy vacant lot and put horses on it without primary residence.

Scott Roripaugh explained he and Liz Holt did a lot line adjustment to exceed an acre; buildable space = 6,000 sf. With setbacks, 40' would be better. Want barn/house for two horses. Makes good sense in winter, and keeps horses privatized, not in other people's space.

Chair Pipersky reminded that this is a workshop, so no decisions today – just listening to comments.

Roripaugh indicated most who approached him in private had no problem; idea was received fairly well.

Note: Stacey Simon, who lives in Mono City but not within 300' radius, was not disqualified from discussion.

Stuart Polack, Rzepiela's partner, expressed no objection to barn/house, but asked if livestock belong in residential community on cobbled-together acre. He had concern with community character. None of six immediate neighbors want it, except for one who wants pigs.

Does County Code allow horses on an acre of land? *Burns described animal standards as an old system that's a flashpoint for controversy. Commission advises BOS, which would have to change standards.*

Burns saw no easy way out, as regulations have gray areas. Actual change would require a General Plan Amendment (GPA). Animal standards apply across board to SFR. It's a policy decision, but not today. Community outreach is required. One issue was heard: clarify chart, but not add additional requirement. Environmental Health director saw no reason for 20' setback.

Commissioner Bush suggested discussing with staff to get options.

Simon reminded the topic is not on the agenda. Someone who moves ahead under current regulations would be grandfathered in.

Bush recommended getting together with neighbors and code compliance. Nothing is on the books that Commission can make judgment on.

Burns indicated that anyone can propose a GPA. Craft change to go through environmental, and then to Commission and BOS.

Roripaugh cited lots of active historic ranches in immediate area. It's not something brand new, but continuation of long-term usage in valley.

Simon noted wording change from 40' to 50' would apply prior to construction.

Bush wanted to go with more restrictive, not loosen regulation.

2) Cell tower heights: Burns noted 60' height limit has been an issue in Mono County. Already allow wind towers up to 80', so could follow that lead on a Public Facility (PF) parcel geared toward community needs. Bush reminded that people think cell towers send out waves that are going to "get them." Simon indicated could loosen by "unless outweighed by public interest or need." Bush thought maybe 80' towers in county are needed for coverage. Lots of areas have no coverage, which has a public safety aspect. Change wording: 6a: "substantial" detrimental effects.

3) Uses permitted subject to DR and to Use Permit: Updated wording has been proposed.

Lizza requested advance handouts so commissioners could evaluate prior to discussion.

6. REPORTS:

A. DIRECTOR: No items.

B. COMMISSIONERS: Commissioner Roberts announced California County Planning Commissions Association convention Nov. 7-8 at Merced.

7. INFORMATIONAL: No items.

8. ADJOURN at 1:03 p.m. to November 13, 2014

Prepared by C.D. Ritter, commission secretary

DEVELOPMENT STANDARDS

CHAPTER 26 - TRANSIENT RENTAL STANDARDS & ENFORCEMENT

Sections:

- 26.010 Purpose and Findings.
- 26.020 Vacation Home Rental Permit.
- 26.030 Application and Issuance of a Vacation Rental Permit.
- 26.040 Standards and Requirements.
- 26.050 Rental Agreement and Owner Responsibility.
- 26.060 Compliance with Transient Occupancy Tax Requirements.
- 26.070 Enforcement.
- 26.080 Existing and Otherwise Permitted Rentals.
- 26.090 Unauthorized Rentals Prohibited.

26.010 Purpose and Findings.

- A. The purpose of this chapter is to implement procedures, restrictions, and regulations, and to provide for the payment of transient occupancy tax and applicable fees for the transient rental of properties within Transient Rental Overlay Districts designated pursuant to Chapter 25 of the Mono County General Plan and to provide enhanced enforcement tools to address unauthorized transient rentals countywide.
- B. The Board of Supervisors finds that allowing transient rentals within areas of the county designated for residential use will provide a community benefit by expanding the number and types of lodging available to visitors to Mono County, increasing the use of property within the county, and providing revenue to property owners so that the units may be maintained and upgraded.
- C. The Board of Supervisors also finds that the operation of transient rentals within residential communities should be regulated in order to minimize fire hazard, noise, traffic, and parking conflicts and disturbance to the peace and quiet. The Board further finds that current enforcement tools have been ineffective to address the illegal operation of transient rentals countywide, primarily because the penalty amount is easily offset by the revenue such uses generate.

26.020 Vacation Home Rental Permit.

Any person who rents a residential structure that is not a condominium (hereinafter "rental unit" or "property") within an area of the county designated as a transient overlay district on a transient basis shall comply with the provisions of this chapter, the Mono County General Plan, and any applicable area plans or specific plans. Transient rental of a private residence within a transient overlay district without a valid vacation home rental permit is a violation of this chapter.

26.030 Application and Issuance of a Vacation Home Rental Permit.

- A. Applicant. An applicant for a vacation home rental permit shall be either the owner of title to the subject property or his or her expressly authorized representative. The authorization shall be in writing and notarized.
- B. Application. An application for a vacation home rental permit shall be on a form that may be obtained from the Department of Finance or the Community Development

Department. The following requirements and approvals must be met and substantiated before a vacation home rental permit will be issued:

1. The rental unit must be located within an area of the county designated as a transient overlay district.
2. The rental unit must comply with the standards and requirements as set forth in section 26.040, and any other requirement provided by this chapter. An inspection to verify compliance with such requirements shall be the responsibility of the owner or designated property manager. The owner or property manager shall certify in writing, under penalty of perjury, the rental unit's conformance with such standards. Such certification shall be submitted to the Mono County Community Development Department prior to permit issuance.
3. The applicant must designate the management company or property manager for the rental unit who will be available on a 24-hour basis to address any problems that may be associated with the property or the transient users of the property. The management company or property manager must be duly licensed, and shall be in good standing with the County. Alternatively, the property owner may serve as the property manager.
4. The property must be certified by the Community Development Department as complying with parking requirements and any applicable land use regulations set forth in the Mono County General Plan.
5. A Mono County business license must be obtained and must remain active during all times that the property is used as a transient rental.
6. Any required fees must be paid in full.
7. A Mono County Transient Occupancy Certificate must be obtained from the Department of Finance and will be issued at the time the vacation home rental permit is issued and all conditions of approval have been met.

26.040 Standards and Requirements.

The following standards and requirements must be met in order to obtain a vacation home rental permit and to maintain that permit in good standing:

- A. Health and Safety Standards. The purpose of these standards is to establish minimum requirements to safeguard the public safety, health, and general welfare from fire and other hazards, and to provide safety to firefighters and emergency responders during emergency operations. These standards include without limitation:
 1. The address of the rental unit must be clearly visible.
 2. Carbon monoxide and smoke detectors must be installed and maintained in good operating condition in each bedroom, sleeping area, or any room or space that could reasonably be used as a sleeping area, and at a point centrally located in the corridor or area giving access to each separate sleeping room.
 3. All stairs, decks, guards, and handrails shall be stable and structurally sound.
 4. The rental unit shall be equipped with a minimum of one (1) 2A:10B:C type fire extinguisher with no more than seventy five (75) feet of travel distance to all portions of the structure; there shall be no fewer than one such extinguisher per

floor. Fire extinguishers shall be mounted in visible locations with the tops of the fire extinguishers mounted between three (3) and five (5) feet above the floor and shall be accessible to occupants at all times. California State Fire Marshal annual certification tags must be provided and be current on all extinguishers.

5. If there is a fireplace or solid-fuel barbecue, the rental unit shall be equipped with a minimum five-gallon metal container with a tight-fitting lid for ash removal. This container shall be clearly labeled and constructed to meet the purpose of containing ash. Instructions on the proper disposal of ash shall be stated in the rental agreement and clearly posted in the rental unit. The ash container shall not be placed on or near any furniture or other combustible material; ashes must be wet down thoroughly with water; the ash can must be stored outdoors with a minimum of three (3) feet clearance from building, porch, trees, and other combustible materials; the lid must remain on the ash container when in use.
6. Wall or baseboard heaters in the rental unit shall be in good working condition, and instructions on the proper use of these units shall be clearly stated in the rental agreement and posted in the rental unit.
7. Furniture and any other material that may be flammable shall be kept a minimum of 54 inches from any fireplace opening and 30 inches from any wall or floor heaters.
8. Flammable or hazardous liquid or materials, firearms, controlled substances, or any unlawful material shall not be stored in the rental unit.
9. The roof and grounds of the transient rental property shall be kept clear of accumulations of pine needles, weeds, and other combustible materials.
10. Any locking mechanism on exterior doors must be operable from inside the unit without the use of a key or any special knowledge. If the dwelling unit is greater than three thousand (3,000) square feet in area, two exit doors shall be required, each of which shall conform to this requirement.
11. All fixtures, appliances, furnaces, water heaters, space heaters, plumbing, wiring, electrical, propane or gas connections, doors, windows, lighting, and all parts of the structure and furnishings (interior and exterior) must be in operable working condition and repair.
12. If telephone service is available, there shall be a telephone connected to the local carrier and in working condition for use in the event of an emergency or to contact the owner or property manager. The phone shall be connected to the reverse 911 directory. If there is no telephone service available, then the rental agreement must so state.
13. Bedroom windows shall be operable and free of obstructions to allow for emergency escape and rescue.
14. There shall be at least one screened window per bedroom to allow for proper ventilation.
15. All utilities (electric, gas, water, sewage, etc.) shall be connected, in good operating condition, and connected to approved sources.
16. Any hot tubs, pools, and spas shall be fenced or equipped with a cover with locking mechanism, and shall be maintained in a safe and sanitary condition.

17. There shall be no evidence of pest infestations, and all firewood and other stored items shall be kept in a neat and clean condition.
18. Exits shall be kept free from storage items, debris or any impediments at all times.
19. No tree limbs are allowed within ten (10) feet of any chimney or flue openings.
20. Spark arresters of a minimum opening size of three-eighths (3/8) inch and a maximum opening size of one-half (1/2) inch shall be required on all fireplace flue openings.
21. If any applicable law, rule, or regulation enacted after the enactment of this Chapter imposes requirements more stringent than those set forth herein, such requirements shall apply.

B. Sign and Notification Requirements.

1. Exterior Sign and Notice. Each rental unit shall be equipped with one temporary exterior identification sign not to exceed 8 ½ by 11 inches in size that shall be posted as long as the unit is being rented on a transient basis. This identification sign shall be placed in a location that is clearly visible from the front entrance of the unit, and may be illuminated in a manner that does not conflict with any County exterior lighting standards or signage standards. This sign shall clearly state the following information in lettering of sufficient size to be easily read:
 - a. The name of the managing agency, agent, property manager or owner of the unit and the telephone number where said person or persons can be reached on a 24-hour basis.
 - b. The maximum number of occupants permitted to stay in the unit.
 - c. The maximum number of vehicles allowed to be parked on the property. A diagram fixing the designated parking location shall be included.
2. Interior Notice. Each rental unit shall have a clearly visible and legible notice posted within the unit adjacent to the front door that shall contain the same information set forth above, and shall additionally include the following:
 - a. Notification and instructions about the proper disposal of trash and refuse, including any bear-safe disposal requirements.
 - b. Notification and instructions concerning the proper use of any appliances, fireplaces, heaters, spas, or any other fixture or feature within the unit.
 - c. Notification that failure to conform to the parking, trash disposal and occupancy requirements for the rental unit shall be a violation of this Chapter and may result in immediate removal from the premises and administrative, civil or criminal penalty.
 - d. Notification that any violation of rules or regulations set forth in the Rental Agreement may be a violation of this Chapter and may result in immediate removal from the premises and administrative, civil or criminal penalty.

- e. Physical street address of the unit and emergency contact information consisting of 911, the property manager's phone number, and contact information of the local fire department and the Mono County Sheriff's Department.
- C. Occupancy. The maximum number of persons who may occupy the property as transient renters or their overnight guests shall be limited to two persons (2) per bedroom plus two (2) additional persons. In no event may the maximum occupancy exceed ten (10) persons in any rental unit unless the unit is certified and approved by the Mono County Building Official as meeting all applicable building standards for such occupancy. Additionally, occupancy may be further restricted by the limitation of the septic system serving the dwelling as determined by Mono County Environmental Health.
- D. Parking. Parking requirements shall be based on the parking requirements set forth in the Mono County General Plan. Parking requirements for the rental unit shall be noticed in the rental agreement and posted on and in the unit. There shall be no parking allowed off-site or on-street, and parking on property owned by other persons shall be considered a trespass. A violation of this section may subject any person to administrative, civil and criminal penalty, including fines and towing of any vehicle, as authorized by state and local law.
- E. Trash and Solid Waste Removal. A sufficient number of trash receptacles shall be available. Trash and other solid waste shall not be allowed to accumulate in or around the property and shall be removed promptly to a designated landfill, transfer station or other designated site. For purposes of this paragraph, promptly shall mean at least one time per week during any week that the unit is occupied, regardless of the number of days it is occupied. Any trash receptacles located outside a unit shall be in bear-proof containers and comply with County standards. Trash removal requirements for each rental unit shall be included in the rental agreement and posted on and in the property. Property management shall be responsible for the cleanup if the tenants do not properly dispose of trash in bear-proof containers.
- F. Snow Removal. Snow removal from driveways, walkways, stairs, decks, and all exits and entrances shall be performed prior to each occupancy period, and during any occupancy period as needed to maintain the functionality of these areas. Snow removal from driveways, pathways, exits and entrances, and removal of snow, ice, and ice dams from roofs, decks, and stairs shall be performed in a timely manner as necessary to protect any person who may be using or visiting the rental unit.

26.050 Rental Agreement and Owner Responsibility.

- A. Rental Agreement. The temporary rental or use of each rental unit shall be made pursuant to a rental agreement. The rental agreement shall include, as attachments, a copy of this Chapter and the vacation home rental permit for the unit. Each rental agreement shall contain all required notices and shall specify the number of persons who may occupy the unit, parking requirements and number of allowed vehicles, trash disposal requirements, and include the telephone number of the person or persons to be notified in the event of any problem that arises with the rental. The agreement shall include the phone number, address, and contact information for the person responsible for renting the unit, and any other information required by the county. The rental agreement shall notify the renters that they may be financially responsible and personally liable for any damage or loss that occurs as a result of their use of the unit, including the use by any guest or

invitee. The property manager or owner shall keep a list of the names and contact information of the adult guests staying in the unit.

B. Owner Responsibility.

1. The owner, managing agency, and property manager shall be responsible for compliance with all applicable codes regarding fire, building and safety, health and safety, other relevant laws, and the provisions of this chapter.
2. An owner, managing agency, and/or property manager shall be personally available by telephone on a 24-hour basis to respond to calls regarding the conditions and/or operation of the unit. Failure to timely respond in an appropriate manner may result in revocation of the vacation home rental permit and business license.
3. The owner shall require, as a term of a written agreement with a management company or agent, that said agent comply with this chapter. The owner shall identify the management company or agent, including all contact and license information in the application for a vacation home rental permit, and shall keep this information current. Such agreement shall not relieve owner of its obligation to comply with this chapter.
4. The owner shall maintain property liability and fire insurance coverage in an appropriate amount and shall provide proof of such insurance to county upon reasonable request. Additionally, the owner shall defend, indemnify, and hold the county harmless from any and all claims, judgments, liabilities, or other costs associated with the property or the rental unit, or the rental thereof.
5. The owner, managing agency, property manager and guest shall comply with all lawful direction from any law enforcement officer, fire official, building official, or code compliance officer.
6. The owner shall be responsible for assuring that the occupants and/or guests of the rental property do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any law. If an owner, property manager, or other agent of the owner is informed about any violation of this chapter, the owner, property manager, or owner's agent shall promptly take action and use best efforts to stop or prevent a recurrence of such conduct, including, when appropriate, calling law enforcement.

26.060 Compliance with Transient Occupancy Tax Requirements.

Each owner shall be responsible for obtaining a transient occupancy registration certificate and for complying with Chapter 3.28 of the Mono County Code. An owner may contract with a management company or property manager to collect, disburse, report, and maintain all records related to transient occupancy tax, but the owner remains responsible for any failure to collect, disburse, or accurately report such tax.

26.070 Enforcement.

- A. A violation of any provision of this chapter, and/or the renting of any property in a land use designation that does not allow for such transient rental, or without proper land use approvals, is subject to the General Penalty provisions and/or the Administrative Citation provisions set forth in Section 1.04.060 and Chapter 1.12 of the Mono County Code, respectively, and any other civil or administrative remedy allowed by law. Notwithstanding Section 1.12.030, the administrative fine for the

operation of any transient rental facility within a transient overlay district without a valid vacation home rental permit, or the operation of any transient rental facility in violation of applicable land use requirements in any other land use designation of the county shall be one thousand dollars (\$1,000) for the first violation and two thousand dollars (\$2,000) for a second or subsequent violation within three years. In addition to these penalty provisions, the failure to comply with any provision of this chapter may result in the suspension or revocation of the vacation home rental permit in accordance with subsection D below, or the suspension or revocation of the business license and/or transient occupancy registration certificate. The failure of a management company or property manager to comply with the provisions of this chapter may additionally result a finding that such management or company or property manager is not in good standing.

- B. An inspection and/or audit of each unit subject to this chapter, and any contract or agreement entered into in furtherance of, or to implement, this chapter, may be made at any reasonable time, and upon reasonable notice to confirm compliance with this chapter.
- C. Transient rentals may not be conducted if there are any code violations, stop-work orders, or other violation of law or regulation outstanding on the property.
- D. The following procedures shall be followed in conjunction with any proposed revocation or suspension of a vacation home rental permit.
 - 1. The County shall provide the property owner with a notice of proposed revocation or suspension stating the nature of the violation, whether revocation or suspension is proposed, and the date, time, and place of a hearing before a hearing officer, who shall be a Planning Commissioner appointed for this purpose by the County Administrative officer, will be held. The notice shall be served on the owner at least 10 business days prior to the date of the hearing by personal service or by certified mail, postage prepaid, return receipt requested to the address for such purpose provided on the vacation home rental permit application. Service by mail shall be deemed effective on the date of mailing.
 - 2. At the hearing, the hearing officer shall consider any written or oral evidence consistent with the following:
 - a. The contents of the County's file shall be accepted into evidence (except as to such portions of the file, if any, that contain confidential or privileged information); and
 - b. The notice of revocation or suspension shall be admitted as prima facie evidence of the facts stated therein.
 - 3. The hearing officer shall independently consider the facts of the case and shall draw his or her own independent conclusions.
 - 4. Upon conclusion of the hearing and receipt of information and evidence from all interested parties, the hearing officer shall render his or her decision affirming the revocation or suspension as proposed, modifying the revocation or suspension, or rejecting the revocation or suspension.
 - 5. If directed by the hearing officer, staff shall prepare a written decision reflecting the hearing officer's determination. Following approval of the written decision by the hearing officer, the clerk of the Planning Commission shall serve the written

decision on the property owner by certified mail, postage prepaid, return receipt requested.

6. The decision of the hearing officer shall be the final administrative action of the county, and the property owner shall be advised of his rights to challenge that decision in Superior Court pursuant to section 1094.5 of the Code of Civil Procedure and of the timelines in which such an action must be brought.
- E. Notwithstanding the foregoing, in the event the code compliance officer determines that suspension or suspension pending revocation of a vacation home rental permit is necessary for the immediate protection of the public health, safety, or welfare, such suspension may be made without prior hearing or determination by the hearing officer, upon the giving of such advance notice to the property owner as the code compliance officer deems reasonable given the nature of the violation and risks presented. The code compliance officer shall inform the property owner in writing of the duration of the suspension, the reasons therefor, the procedure and timelines for filing an appeal, in accordance with the following:
1. The property owner may appeal the suspension by filing an appeal with the clerk of the Planning Commission within 10 calendar days of the date the suspension or revocation takes effect. Such appeal shall also function as a hearing on revocation of the permit, if the suspension is made pending revocation. In the event the property owner does not appeal a suspension pending revocation within the time provided, then the suspension shall automatically become a revocation if notice of such was included in the notice of the suspension.
 2. The hearing shall be in accordance with the procedures set forth in section D above.
 3. The suspension shall remain in effect for the number of days provided by the code compliance officer, or until the appeal/revocation hearing is finally decided by the hearing officer, whichever occurs later, unless extended by the Board.
- F. When a vacation home rental permit is revoked pursuant to the procedures set forth in this chapter, a new vacation home rental permit may not be issued to the same property owner for a period of five years.

26.080 Existing and Otherwise Permitted Rentals.

Any lawful use of property as a transient rental occurring, or subsequently authorized, in a land use designation which permits such uses (or permits such uses subject to Use Permit or Director Review approval) without the application of a transient overlay district shall be exempt from the provisions of this chapter.

26.090 Unauthorized Rentals Prohibited.

The transient rental of any property, unit, or structure which is not within a designated transient overlay district or within a land use designation that permits such use and for which all necessary approvals have been granted, is prohibited. Any violation of this section shall be subject to the provisions of section 26.070, including the fines set forth therein.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Community Development Department

TIME REQUIRED PUBLIC HEARING 10:15 a.m. - 15
minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

Courtney Weiche

SUBJECT General Plan Amendment 14-002(b)
Victory Lodge, LLC Transient Rental
Overlay District

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Public hearing to amend the General Plan Designated Land Use Map to establish a Transient Rental Overlay District to allow for nightly rentals on two parcels on Leonard Avenue in June Lake (APNs 015-010-080 and 015-300-004) and approval of associated Addendum to General Plan EIR.

RECOMMENDED ACTION:

Conduct public hearing. As recommended by the Planning Commission adopt resolution taking the following actions: (1) Approve Addendum #14-02 to the Mono County General Plan EIR; and (2) approve a Transient Rental Overlay District for two parcels on Leonard Avenue in June Lake (APNs 015-010-080 and 015-300-004).

FISCAL IMPACT:

Potentially increased revenues from transient occupancy taxes.

CONTACT NAME: Courtney Weiche

PHONE/EMAIL: 760-924-1803 / cweiche@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
**PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[staff report](#)

- [Proposed resolution](#)
- [Addendum](#)
- [Planning Commission Resolution](#)
- [Comments Recieved](#)
- [Draft Minutes](#)

History

Time	Who	Approval
11/21/2014 3:06 PM	County Administrative Office	Yes
11/25/2014 10:40 AM	County Counsel	Yes
11/20/2014 9:09 AM	Finance	Yes

Mono County Community Development Department

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

December 2, 2014

To: Mono County Board of Supervisors

From: Courtney Weiche, Associate Planner

Subject: General Plan Amendment 14-002(b) Victory Lodge, LLC Transient Overlay District at June Lake

RECOMMENDED ACTION

1. Approve Resolution R14-___, accepting the Planning Commission's recommendation to approve Addendum 14-02 to the Mono County General Plan EIR and approve General Plan Amendment 14-002(b).

FISCAL IMPACT

Potential increase in revenue from additional transient occupancy tax.

GENERAL PLAN AMENDMENT 14-002(b) / Victory Lodge, LLC

The proposed Transient Rental Overlay District consists of two parcels abutting Leonard Drive in June Lake. The 3 acre property (APN 015-010-080) contains an existing house (Victory Lodge) at 33 Leonard Drive. The vacant adjoining parcel (APN 015-300-004) across the street encompasses 18,000+/- sq. ft. Both parcels are designated Single-Family Residential, and the vacant parcel is within the Highlands Specific Plan.

TRANSIENT RENTAL OVERLAY

Chapter 25, Transient Overlay Districts, and Chapter 26, Transient Rental Standards and Enforcement, were added to the Mono County General Plan Land Use Element in December 2012 to allow transient rentals within compatible residential neighborhoods to increase tourism opportunities and provide additional economic support to homeowners. Chapters 25 & 26 provide a General Plan tool to allow transient rentals in specific neighborhoods through a General Plan Amendment application for a Transient Rental Overlay District (TROD).

A TROD application requires that the shape of any proposed district be contiguous, compact and orderly. Factors used to determine compact and orderly include street-frontage sharing, adjoining yards, and existing characteristics that define residential neighborhood boundaries such as subdivision boundaries, major roads, natural features, large undeveloped parcels and commercial or civic land uses.

Chapter 26 provides regulations that ensure transient rentals meet minimum safety requirements, provide 24-hour local property management, allow for enhanced enforcement of unpermitted transient operators, and provide means for minimizing potential neighborhood conflicts such as parking and noise. If a Transient Rental Overlay District is approved, individual homeowners in the district are required to submit a Transient Rental application in conformance with the regulations specified in Chapter 26 before commencing short-term rentals.

NOTICING AND COMMENTS

Applications for transient rental overlay districts consisting of one or two parcels are subject to an overlay district formation noticing process prior to public hearing. As required by Chapter 25, notice inviting property owners to request inclusion in the district was provided to all property owners adjacent to the

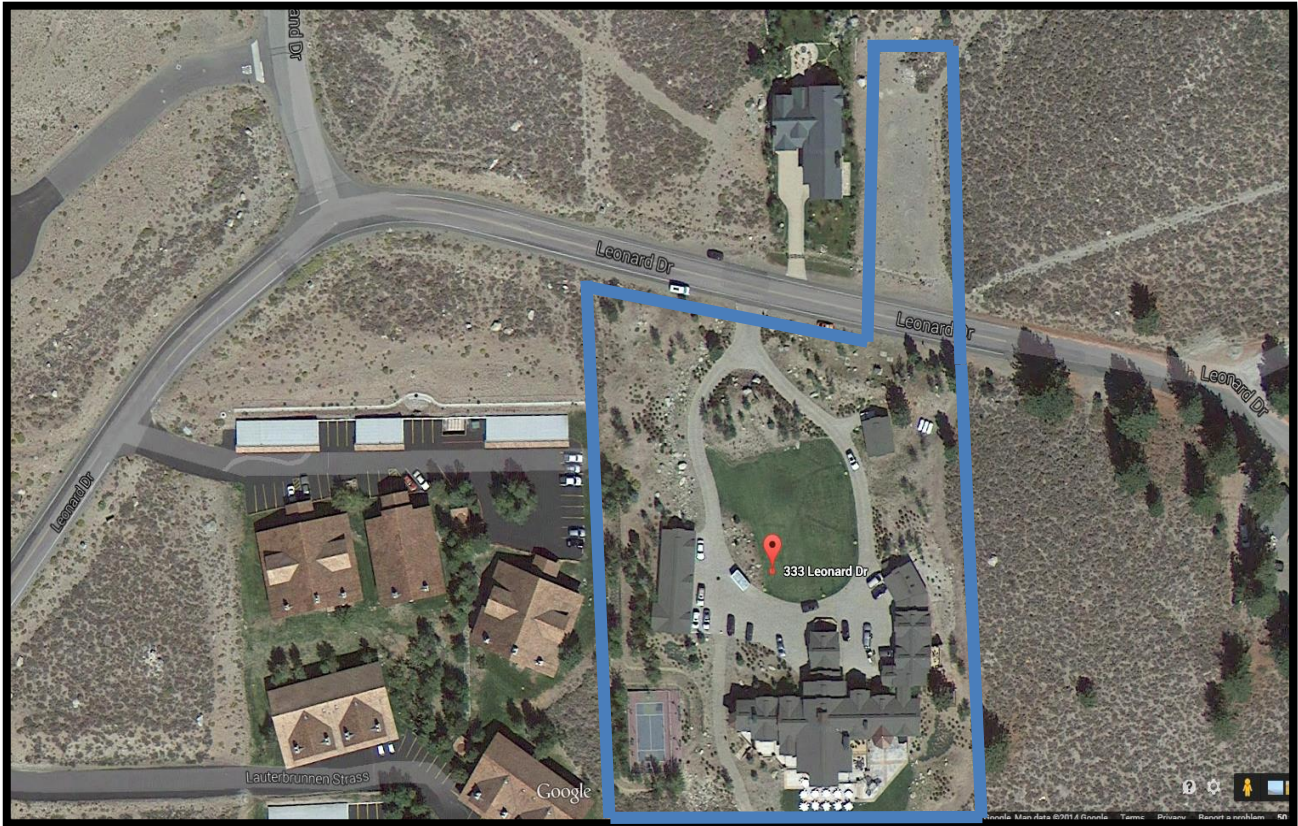
proposed transient overlay district for a 20-day period. Following this notice and a subsequent Planning Commission public hearing notice, several adjoining neighbors called with concerns and questions regarding the TROD. Most concerns were satisfied after reviewing and clarifying the TROD-related General Plan chapters with staff.

PLANNING COMMISSION

The Planning Commission considered the item at a public hearing on October 9, 2014. Two comment letters were received and included as part of the Planning Commission record. One letter was a request by an adjacent property owner to join the proposed TROD, however since the letter was received significantly after the deadline to join, the property owner was informed of the option to apply separately. The second letter expressed concerns regarding potential environmental impacts of allowing nightly rentals on the two properties. Via applicant and staff comments and Commission discussion, it was clarified that Chapter 26 requirements limit impacts allowed under transient rentals, including setting an occupancy maximum of 10 persons, unless the building is improved to comply with the California Building Code commercial requirements and approved by the Mono County Building Official. Following consideration of issues such as a possible deed restriction, maximum occupancy, and TRODs on vacant parcels, the Commission unanimously recommended project approval (see Planning Commission draft minutes).

Project Location





LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE

The LDTAC met July 14, 2014, to review and provide input on the project proposal. The LDTAC accepted the proposed Transient Rental Overlay District application and recommended moving forward with processing the permit.

GENERAL PLAN CONSISTENCY

The proposed general plan amendment complies with existing General Plan, Countywide Policies:

Objective H Maintain and enhance the local economy.

Policy 5: Promote diversification and continued growth of the county's economic base.

Action 5.1: Encourage and promote the preservation and expansion of the county's tourist and recreation based economy.

CEQA COMPLIANCE

An addendum to the county General Plan EIR has been prepared for the proposed project. The impacts of the proposed project will not result in a substantive change to the number of significant effects, severity of effects, or the feasibility and/or effectiveness of applicable mitigation measures or alternatives previously addressed in the General Plan EIR.

ATTACHMENTS

- Draft Board of Supervisors Resolution R14-__
- EIR Addendum 14-02
- Planning Commission Resolution R14-08
- Comments Received
- DRAFT Planning Commission Minutes



RESOLUTION R14-__

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
APPROVING AN ADDENDUM TO THE GENERAL PLAN EIR
AND APPROVING GENERAL PLAN AMENDMENT 14-002(b),
ESTABLISHING A TRANSIENT RENTAL OVERLAY DISTRICT ON ASSESSOR'S
PARCEL NUMBERS 015-010-080 & 015-300-004 IN JUNE LAKE**

WHEREAS, In accordance with General Plan Requirements, the property owners have submitted a Transient Rental Overlay District application for a transient rental, which includes a General Plan Map Amendment (GPA); and

WHEREAS, the proposed General Plan Amendment 14-002(b), in conjunction with a Vacation Home Rental Permit, will allow the owners of Assessor's Parcel Numbers (APN) 015-010-080 & 015-300-004 to rent Single-Family Residential homes on a transient or nightly basis; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) an Addendum to the Mono County General Plan EIR pursuant to CEQA section 15164 has been prepared; and

WHEREAS, the Mono County Planning Commission did on October 9, 2014, hold a noticed and advertised public hearing to hear all testimony relevant to the General Plan Amendment, and upon conclusion of the hearing, recommended via resolution that the proposed transient rental overlay district be approved by the Mono County Board of Supervisors.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT, having considered the environmental addendum and taken into consideration all evidence and testimony before it, including the recommendation of the Planning Commission, the Mono County Board of Supervisors, in conformance with the Mono County General Plan, Chapter 48, Section 48.020, hereby: (1) finds that an Addendum to the previously certified EIR is the appropriate level of review pursuant to CEQA and approves General Plan EIR Addendum # 14-02; and (2) finds that the proposed changes are consistent with the General Plan and approves General Plan Amendment 14-002(b) adding a Transient Rental Overlay District to Assessor's Parcel Numbers 015-010-080 & 015-300-004 in June Lake.

PASSED AND ADOPTED this 2nd day of December 2014, by the following vote of the Board of Supervisors, County of Mono:

- AYES :
- NOES :
- ABSENT :
- ABSTAIN :

Larry K. Johnston
Chairman, Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board, Assistant

County Counsel

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Mono County General Plan Land Use Amendment 14-002(a) & (b)
GENERAL PLAN EIR ADDENDUM #14-02
State Clearinghouse #98122016
↻ October 9, 2014 ↻

INTRODUCTION AND DISCUSSION OF PROPOSED MODIFICATIONS

1. Transient Overlay Districts

Mono County has received applications to amend the General Plan Land Use Designation Maps to establish a Transient Rental Overlay District (TROD) to allow for nightly rentals. GPA 14-002 (a) would establish a TROD on one parcel (APN 016-102-052) along Washington Street at June Lake and GPA 14-002 (b) would establish a TROD on two parcels (APN 015-010-080 and 015-300-004) along Leonard Drive at June Lake.

A Vacation Home Rental Permit will be required in accordance with Chapter 26 of the Mono County General Plan before commencing rentals of any dwellings. Vacation Home Rental Permits will address and regulate traffic and parking, guide tenant occupancy, establish minimum health and safety requirements, and require 24-hour property management, among other things.

ENVIRONMENTAL REVIEW & CEQA PROVISIONS FOR PREPARATION OF AN ADDENDUM TO A FINAL EIR

In 2001, Mono County certified an Environmental Impact Report (EIR) in conjunction with the adoption/amendment of its General Plan (SCH # 98122016) (the “General Plan EIR”). The General Plan EIR analyzed the impacts of designating areas of the county as SFR, ER, RR, or RMH, and assumed full buildout and use of those properties for all allowed uses. It also addressed and analyzed the impacts associated with the development of accessory dwelling units. As discussed below, an addendum to the General Plan EIR is the appropriate level of environmental review for the proposed amendments, because none of the conditions set forth in CEQA Guidelines section 15162 exist.

The California Environmental Quality Act (CEQA §15164[a]) states:

“(a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

In turn, §15162 states that preparation of a subsequent EIR is required where one or more of the following occurs:

“(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due

to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete shows any of the following:

(A) the project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.”

DISCUSSION OF IMPACTS

Establishing Transit Rental Overlay Districts that would allow nightly rentals proposed in the aforementioned residential areas (the “Project”) does not require major revisions to the General Plan EIR because it does not involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects; there are not substantial changes with respect to the circumstances under which the project is undertaken; and there is not new information of substantial importance, which was not known and could not have been known with the exercise of due diligence at the time the previous EIR was certified as complete which shows any of the following listed above under headings (3) (A) through (3) (D), for the following reasons:

1. The proposed Transient Rental Overlay Districts will not have a significant effect on the environment or increase the severity of previously identified significant effects. There are two overlay districts in June Lake; one consists of two adjoining lots and the other is a single parcel. The creation of a Transient Rental Overlay District enables short-term rentals but does not expand the types of structures allowed or the manner in which the vacant parcels can be developed in the future. Future development will be limited to the residential densities established in the underlying land use designation. Additionally, General Plan Land Use Element Chapter 26 further governs how transient rentals are to be conducted, which places much-more-stringent regulations on rentals than that of a home occupied by a full-time resident.
2. Additionally, even following designation and permitting for transient rental use, there is no change to the underlying property use. Single-family homes that are now used seasonally or periodically by the owner, or are rented on a long-term basis, will still be used as single-family homes and in a manner that is not substantially different from how they would be used if they were occupied by full-time residents or long-term renters. The General Plan EIR analyzed land use designations at buildout assuming full-time occupancy. Since there is virtually no difference in the use of a home being occupied by a full-time resident and its use by household that rents the home on a short-term basis, the environmental impacts to the neighborhood and surrounding areas are no different. Transient rentals, due to the intermittent and temporary nature of their use, will not create any additional impacts on traffic or air and water quality. Furthermore, since the occupancy and parking will be much more narrowly regulated by a required property manager,

the impacts on noise and street congestion will also be reduced. Accordingly, the impacts of the proposed project would not be increased beyond those analyzed in the General Plan EIR.

3. The establishment of Transient Rental Overlay Districts creates the possibility of a reduction in environmental impacts that exist at present, since transient uses would be subject to more-stringent restrictions than are applicable to full-time owner-occupied residences or residences subject to long-term lease. Specifically, these include restrictions on occupancy, parking and the requirement for oversight through local property management. Currently, there are no restrictions on how many occupants can use a single-family home, but the occupancy in homes used as transient rentals will be restricted by the number of bedrooms and/or any septic system limitations. Parking requirements will be site specific and not only will have to meet the General Plan residential parking standards, but will be limited to on-site parking only. These measures in conjunction with local property management being available 24 hours to regulate noncompliant activities of tenants will minimize visual and noise impacts far beyond residences having full-time occupancy.
4. The change to the regulations affecting the size and permitting requirements of accessory dwelling units will not cause an environmental impact. The change reduces the potential intensity of allowed development and environmental impacts on parcels less than one acre in size.

CONCLUSION

CEQA Sections 15164(c) through 15164(e) states, “*An Addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project. A brief explanation of the decision not to prepare a subsequent EIR pursuant to §15162 shall be included in an addendum to an EIR, the lead agency’s findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*”

The information presented above indicates that the proposed General Plan Amendment does not represent a substantive change to the number of significant effects, severity of effects, or the feasibility and/or effectiveness of applicable mitigation measures or alternatives previously addressed in the General Plan EIR. Therefore, a subsequent EIR is not required because none of the conditions set forth in CEQA Guidelines section 15162 exist for this project.



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RESOLUTION R14-08

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION
RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT 14-002(b),
PLACING A TRANSIENT RENTAL OVERLAY DISTRICT ON TWO ADJOINING PARCELS
AT JUNE LAKE (ASSESSOR'S PARCEL NUMBERS 015-010-080 & 015-300-004)**

WHEREAS, In accordance with General Plan Requirements, the property owners have submitted a Transient Rental Overlay District application for a transient rental, which includes a General Plan Map Amendment (GPA); and

WHEREAS, the proposed General Plan Amendment 14-002(b), in conjunction with a Vacation Home Rental Permit, will allow the owners of Assessor's Parcel Numbers (APN) 015-010-080 and 015-300-004 to rent out Single-Family Residential (SFR) homes on a transient or nightly basis; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) an Addendum to the Mono County General Plan EIR pursuant to CEQA section 15164 has been prepared; and

WHEREAS, the Planning Commission did on October 9, 2014, hold a noticed and advertised public hearing to hear all testimony relevant to the General Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED THAT, in consideration of evidence and testimony presented at the public hearing and in accordance with Chapter 48 of the Land Use Element of the General Plan, the Planning Commission finds as follows with respect to the proposed GPA:

1. *The proposed change in the land use designation is consistent with the text and maps of this General Plan.*

The project promotes the following General Plan's countywide policies: Objective D states the County should provide for commercial development to serve both visitors and residents; Policy 4 allows for the integration of small-scale commercial uses with associated residential uses; Objective H maintains and enhances the local economy; and Action 5.1 encourages and promotes the preservation and expansion of the county's tourist and recreation-based economy. The project provides for additional visitor lodging and encourages tourist-based economy and is consistent with the text and maps of the General Plan.

2. *The proposed change in land use designation is consistent with the goals and policies contained within any applicable area plan.*

The project is located within the June Lake Planning Area and is in close proximity to other established lodging facilities. The June Lake Area Plan encourages providing a wide range of commercial and residential uses. The project provides for additional visitor lodging for the tourist-based economy by providing a variety of lodging options within the June Lake Loop.

3. *The site of the proposed change in land use designation is suitable for any of the land uses permitted within that proposed land use designation.*

The project is not changing the underlying land use designation of Single-Family Residential (SFR), but is adding a Transient Rental Overlay District that will allow the addition of nightly rentals only in single-family dwellings. Chapter 25 in the Mono County General Plan allows

1 Transient Rental Overlay Districts to be applied to the SFR, RR, ER, MFR-L, and RMH land
2 use designations. Chapter 26 in the Mono County General Plan requires that any homes being
3 rented within the overlay district obtain a Vacation Home Rental Permit that will regulate
4 parking, guide tenant occupancy, establish minimum health and safety requirements, and require
5 24-hour property management, among other things.

- 4 *4. The proposed change in land use designation is reasonable and beneficial at this time.*
5 The proposed change to add a Transient Rental Overlay District is reasonable because of the
6 close proximity to other lodging establishments and is beneficial to the community's visitor-
7 oriented economy by expanding the variety of lodging options within June Lake.
8
9 *5. The proposed change in land use designation will not have a substantial adverse effect on*
10 *surrounding properties.*

11 The application of Transient Rental Overlay District on Assessor's Parcel Numbers 015-010-080
12 and 015-300-004 will not create undue hardship on adjacent properties. Single-family homes
13 that are used seasonally or periodically by the owner, or are rented on a long-term basis, will still
14 be used as single-family homes and in a manner that is not substantially different from how they
15 would be used if they were occupied by full-time residents or long-term renters. The General
16 Plan EIR analyzed land use designations at buildout assuming full-time occupancy. Transient
17 rentals will have similar visual characteristics as a home having seasonal or full-time occupancy.
18 Furthermore, homes used as rentals within the district are subject to more-stringent restrictions
19 than applicable to full time owner-occupied residences or residences subject to long-term lease.
20 Specifically, these include restrictions on occupancy based on the number of bedrooms, parking
21 and the requirement for oversight through local property management. These measures in
22 conjunction with local property management being available 24 hours to regulate non-compliant
23 activities of tenants will minimize visual and noise impacts far beyond residences having full-
24 time occupancy. Moreover, Chapter 26 in the General Plan provides enhanced enforcement
25 mechanisms to prevent non-permitted or unauthorized transient rentals within residential zones.

18 **NOW, THEREFORE, BE IT FURTHER RESOLVED THAT,** having considered the
19 environmental addendum and taken into consideration all evidence and testimony before it, the Mono County
20 Planning Commission, in conformance with the Mono County General Plan, Chapter 48, Section 48.020,
21 hereby finds that the proposed changes are consistent with the General Plan and recommends that the Board
22 of Supervisors approve General Plan Amendment 14-002(b) adding a Transient Rental Overlay District to
23 Assessor's Parcel Numbers 015-010-080 and 015-300-004.

22 **PASSED AND ADOPTED** this 9th day of October 2014, by the following vote of the Planning
23 Commission, County of Mono:

24 AYES : Scott Bush, Chris I. Lizza, Mary Pipersky, Dan Roberts, Rodger B. Thompson
25 NOES :
26 ABSENT :
27 ABSTAIN :

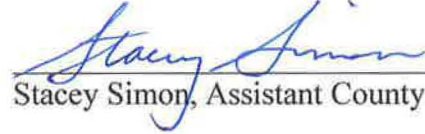
28 
29 _____
30 Mary Pipersky, Chair
Mono County Planning Commission

1 ATTEST:

2 

3 C.D. Ritter, Commission Secretary

APPROVED AS TO FORM:

4 

5 Stacey Simon, Assistant County Counsel

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**Comment Letters
October 9, 2014**

**General Plan Amendment 14-002(b)
Transient Rental Overlay District
333 Leonard Dr., June Lake**

Dare DeLano

George Larson

CD Ritter

From: Courtney Weiche
Sent: Wednesday, October 08, 2014 2:56 PM
To: CD Ritter
Subject: FW: Comment Letter Re: General Plan Amendment 14-002(b)
Attachments: image001.jpg; Comment Letter to Mono County Planning Commission.pdf

RECEIVED
OCT 08 2014
MONO COUNTY
Community Development

From: Dare DeLano [dare@delanoanddelano.com]
Sent: Wednesday, October 8, 2014 2:04 PM
To: Courtney Weiche
Cc: Everett DeLano
Subject: Comment Letter Re: General Plan Amendment 14-002(b)

Please find attached comment letter to the Mono County Planning Commission regarding *General Plan Amendment 14-002(b)* and related Addendum.

Sincerely,

Dare DeLano
DeLano & DeLano
220 W. Grand Avenue
Scondido, CA 92025
(760) 510-1562
(760) 510-1565 (fax)
[cid:0CFD49E1-7798-44AD-B490-C956ACFDAB07@sd.cox.net]
www.delanoanddelano.com<<http://www.delanoanddelano.com/>>



DELANO & DELANO

October 8, 2014

VIA E-MAIL & U.S. MAIL

Mono County Planning Commission
c/o Courtney Weiche
P.O. Box 347
Mammoth Lakes, CA 93546

Re: General Plan Amendment 14-002(b) and related Addendum

Dear Mono County Planning Commission:

These comments are submitted on behalf of Patricia and William Bleha regarding the proposed Addendum and General Plan Amendment 14-002(b) ("Project").

The California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 *et seq.*, requires additional environmental analysis when the prior analysis is insufficient to address existing and likely future impacts. A Supplemental or Subsequent EIR may be required when one or more of the following events occur: (a) substantial changes are proposed in the project which will require major revisions of the environmental impact report; (b) substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the analysis; or (c) there is new information of substantial importance. 14 C.C.R. § 15162; *Snarled Traffic Obstructs Progress v. City and County of San Francisco* (1999) 74 Cal.App.4th 793. Here, the County should require preparation of further environmental analysis.

The Addendum states that there will be little change from the use of the site as a single-family home, claiming that there "is virtually no difference in the use of a home being occupied by a full-time resident and its use by household that rents the home on a short-term basis." Addendum at 2. This statement ignores the fact that the home located at 333 Leonard Drive in June Lake contains nine bedrooms. Pursuant to Development Standard 26.040(C), this could result in at least twenty people occupying the one home at any one time. This is greater than the likely impacts of one household. In fact, this could lead to substantially greater impacts in a number of areas, including impacts to traffic, parking, aesthetics, community character, and air and water quality. Indeed, the site is a short distance from Gull Lake.

Furthermore, at least according to one resident, there may be a deed restriction on the site that prohibits its use as a rental property. "It is well settled that where a grant

EVERETT L. DELANO III
Admitted in California and Colorado

M. DARE DELANO
Admitted in California and New York

220 W. Grand Avenue
Escondido, CA 92025

(760) 510-1562 :: Office
(760) 510-1565 :: Fax

Mono County Planning Commission

October 8, 2014

Page 2 of 2

deed is for a specified, limited and definite purpose, the subject of the grant cannot be used for another and different purpose." *County of Solano v. Handlery* (2007) 155 Cal.App.4th 566, 575 (citations omitted). The County should investigate this possible restriction.

Accordingly, Patricia and William Bleha request that the Commission reject the Project. Thank you for your consideration of these concerns.

Sincerely,

A handwritten signature in cursive script that reads "Everett DeLano (for Everett DeLano)".

Everett DeLano

CD Ritter

From: susfo@aol.com
Sent: Tuesday, October 07, 2014 10:33 AM
To: CD Ritter
Subject: Fwd: Transient rental overlay, 333 Leonard Ave June Lake

RECEIVED
OCT 07 2014
MONO COUNTY
Community Development

-----Original Message-----

From: susfo <susfo@aol.com>
To: cweiche <cweiche@mono.ca.gov>; cdritters <cdritters@mono.ca.gov>
Cc: talpers <talpers@mono.ca.gov>
Sent: Tue, Oct 7, 2014 10:26 am
Subject: Transient rental overlay, 333 Leonard Ave June Lake

Dear Ms. Weiche,

My name is George Larson and I am co-manager of the June Lake Highlands development. I just returned from a month out of town and found your letter notifying nearby property owners of the proposed TROD for the property at 333 Leonard Avenue. We are fully supportive of the new TROD for 333 Leonard Avenue.

A couple of years ago I contacted Supervisor Vicki Bauer and asked if the ten duplex-zoned lots owned by the June Lakes Highlands LLC could be put into a TROD. These lots are all adjacent to or very close to Interlaken and/or 333 Leonard Avenue (lots 4, 5, 6, 7, 8, 9, 10, 14, 15 and 16, Tract 34-26). Ms. Bauer said the request was not objectionable but it was not a good time to pursue the request. I had assumed that Mono County Planning had been advised of my request.

June Lake Highlands LLC would still like to have these lots included in a TROD and inclusion in this action seems appropriate. Your letter dated August 29, 2014 gave until September 18 to join the TROD. This seems to be extraordinarily short notice. My being out of town made that time limit impossible for me to follow.

I therefore request, albeit a couple of weeks late, to have our 10 lots included in the new TROD instead of requiring separate action at a later date.

Thank you for your consideration. I can be reached at 818-216-0634 and/or geolarson@gmail.com.

George R Larson
Co-manager
June Lake Highlands LLC

cc: **Supervisor Alpers**
Mary Pipersky
Roger P Thomson
Daniel Roberts
Scott Bush
Chris Lizza

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

DRAFT MINUTES

OCTOBER 9, 2014

COMMISSIONERS: Scott Bush, Chris Lizza (videoconference), Mary Pipersky, Dan Roberts, Rodger B. Thompson.

STAFF: Scott Burns, CDD director; Courtney Weiche, associate planner; Gerry Le Francois, principal planner (videoconference); Brent Calloway, associate analyst; C.D. Ritter, commission secretary

- 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Chair Mary Pipersky called the meeting to order at 10:11 a.m. in the board chambers at the county courthouse in Bridgeport, and attendees recited the pledge of allegiance.
- 2. PUBLIC COMMENT:** Annie Rzepiela of Mono City spoke on General Plan animal standards. Livestock is OK if > one acre regardless if conforms to the standard. Mono City lots are ¼-acre or less. One lot, by combining lots, exceeded one acre. New owners want horses. Standard doesn't address what's appropriate in SFR area. Could someone buy up lots and put cow farm in SFR area?
- 3. MEETING MINUTES:** Review and adopt minutes of September 11, 2014

MOTION: Adopt minutes of September 11, 2014, as amended: Item 4, graph 1, line 3: Meanwhile, Cal Fire changed its fire codes, so applicant revised project to meet state and local fire codes. Note: Stacey Simon indicated that because one commissioner was present at the videoconference site, each had to vote individually. (*Bush/Thompson. Ayes: Thompson, Roberts, Bush, Lizza. Abstain due to absence: Pipersky.*)

4. PUBLIC HEARING

A. GENERAL PLAN AMENDMENT 14-002 (a) to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District (TROD) at June Lake to allow for nightly rentals at 155 Washington St. (APN 016-102-052). *Staff: Courtney Weiche, associate planner*

Courtney Weiche presented a PowerPoint, and applicant Mike Rosas submitted a written management plan. Commissioner Pipersky noted that if request is approved, applicant must submit application to Mono Supervisors (BOS) and apply for vacation home rental permit to meet standards.

OPEN PUBLIC COMMENT: Mike Rosas, applicant, thanked Mono for ordinance helping non-participating homeowners to have some regulation. He refuted each "unpleasant experience" cited by the Stewarts.

Home used as rental already? *Monthly rental for about 10 years. Lived there full time six years. Stewarts up on holidays, maybe total of two months. If SFR rental is successful, property values should go up. He cited more support than shown, with no full-time locals against it.*

Nightly rentals? *No, full 30 days.*

How many bedrooms? *Three + loft + game room. More beds than parking spaces. Futons in game room would spread guests out.*

Heating? *Central heating installed, wood burning permitted.*

Parking spaces? *Two plus snow storage. Moving propane tank would add another spot.*

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Rodger B. Thompson

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris Lizza

How many nights *would* it be rented? *150-180 days/yr, as it's a desirable place.* How to know it's desirable? *Three home sales in two weeks or less when average time was a year. Lots long and narrow, attractive view. Rental activity based on inquiries well ahead of time.* **CLOSE PUBLIC COMMENT.**

DISCUSSION: Commissioner Bush thought TROD was designed for homeowners in trouble, or income for vacant vacation homes. Transition from rental home to motel with eight beds, parking for four cars, renting to bunch of people, not a family?

Commissioner Roberts recalled ski area cited inadequate bed base, so this would provide more.

Bush noted neighbors are part-time, just like owner. Stewarts are not there every day. *Rosas: One person shouldn't foil whole idea.* Bush described a motel as nightly rental to different people every night.

Scott Burns described intent as added tourism base, homeowner stability, and economic opportunities in residential neighborhoods offering support. Mono Supervisors cited community benefit from more rentals, minimizing conflicts, violation fees offset by rental income.

Commissioner Thompson viewed TROD as a tool for homeowners. House currently rents for 30 days, and this adds flexibility. Property manager is a big plus.

Roberts described others renting houses in area, skirting around legality, maybe creating more problems for neighbors. He leaned in favor.

Bush thought one lot was not a "district." Neighborhood's in agreement, but struggling with one opponent. Commissioner Pipersky thought a single lot could be a "district." Burns stated that the intent was a district, but BOS leaned toward single home.

Commissioner Lizza noted applicant has been renting and not collecting TOT; now coming into compliance. Fits character of neighborhood. Not losing home to local people, putting into rental program. Neighbor concerns? Limit occupancy to eight (Weiche stated 10 is maximum according to ordinance), manage parking, control party atmosphere.

Stacey Simon stated limit in code is 10. If more, in violation of permit with risk of fines and penalties. Need to retrofit to commercial if more, according to building official.

Would bed in living room qualify as a bedroom? *Simon: Provision for floaters, but still capped at 10.*

Burns indicated not taking looser interpretation of "bedroom." Rental permits are overseen by code compliance. Once land use is resolved by BOS, applicant must apply for rental permit and meet General Plan requirements.

MOTION: Approve Resolution R14-07 recommend that BOS adopt General Plan Amendment 14-002(a) to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District (TROD) at June Lake to allow for nightly rentals at 155 Washington St. (APN 016-102-052). (*Roberts/Thompson. Ayes: Lizza, Thompson, Roberts, Pipersky. No: Bush (protect idea of district).*)

B. GENERAL PLAN AMENDMENT 14-002 (b) to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District (TROD) at June Lake to allow for nightly rentals on two parcels (APN 015-010-080 and 015-300-004). In accordance with the California Environmental Quality Act, an addendum to the existing General Plan EIR is being utilized. *Staff: Courtney Weiche, associate planner*

Courtney Weiche distributed two comment letters that were received after the agenda packet was sent. DeLano represents a condo owner at Interlaken. George Larson, second comment letter, requested to join the proposed TROD, but request was received past the deadline to join, so the parcels are ineligible for this TROD. However, he could apply on his own. Letter arrived yesterday afternoon.

Can a subdivision/developer request an overlay district or SFR owners only? *Stacey Simon indicated a subdivider could request to have parcels within a TROD.*

Commissioner Lizza questioned Ch. 26. Can only residential structures receive a TROD? Overlay on vacant property? It was clarified a vacant parcel can have a TROD, however until Ch. 26 requirements are met (which requires a residential structure), a Vacation Home Rental Permit would not be issued. *Simon noted a vacant parcel would not meet most of Ch. 26 requirements.*

OPEN PUBLIC COMMENT: David Baumwohl, attorney representing property owners, noted comment letter from DeLano, who resides in high-density project. In his letter, DeLano questioned a potential deed

restriction on the Victory Lodge parcel to prohibit nightly rentals. Baumwohl represented the previous owner, Cino, and recalled no such deed restriction; he also confirmed with Inyo-Mono Title. Baumwohl continued: this TROD would provide more high-end beds at June Lake, spectacular property, set well off Leonard Avenue, garages for up to 10 cars, apartments above garages for full-time caretaker. Meets all criteria, with no opposition except last-minute letter.

Unconnected guests occupying different parts of building? *Leasing the whole house, so would show as booked.*

Back to 10 maximum occupancy? *Baumwohl noted stacking is illegal in county. Every unit has maximum density.* Commissioner Pipersky predicted potential less-intense use.

Baumwohl noted home designed for entertaining is now owned by Victory Lodge LLC (Cino has no interest; owner was a lender).

Could more people stay there? Scott Burns indicated Mono does not regulate size of SFRs. Two persons/bedroom + two floaters = 20. If an applicant wants more than 10 people, the building official would have to certify/approve as commercial, per building codes before a Vacation Home Rental Permit is issued.

Baumwohl commended helpful staff. **CLOSE PUBLIC COMMENT.**

DISCUSSION: Commissioner Lizza wondered whether DeLano was posturing for a lawsuit. Any merit to alleged deed restriction? Stacey Simon cited private contractual restrictions for property owner, and Baumwohl researched deed restriction.

Lizza disclosed his three-year employment by Baumwohl; Simon indicated no conflict.

MOTION: Approve Resolution R14-08 recommending that BOS adopt General Plan Amendment 14-002(b) to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District (TROD) at June Lake to allow for nightly rentals on two parcels (APN 015-010-080 and 015-300-004). *(Bush/Thompson. Ayes: Bush, Roberts, Thompson, Lizza, Pipersky.)*

5. WORKSHOP:

A. MONO COUNTY ENERGY POLICIES, INITIATIVES & PROGRAMS: Scott Burns noted an energy task force has been established. Building codes are getting more restrictive. Small solar at Benton Landfill, Lee Vining and Crowley Lake community centers. Woodstove replacement. PACE (Property Assessed Clean Energy) allows home energy improvements with property tax pay-off. Riverside County already does this. Thermal biomass boiler at Bridgeport road shop will convert biomass to energy.

B. GENERAL PLAN DEVELOPMENT STANDARDS: Brent Calloway distributed Table 04.030.

1) Animal standards: Two months ago Calloway discussed proposed changes, specifically setbacks. Since then, SFR above structures housing horses has been allowed, so eliminate 20' setback requirement.

Scott Burns cited an existing home above animals. Discrepancy: equestrian overlay vs. animal standards. Intent to simplify, no longer need 20'. Combined barn/house has been allowed. 40' (equestrian overlay) vs. 50' (animal standards): Recommended more generous standard. Smaller footprint on land if combined barn/house is allowed. Still have equestrian overlay districts in Crowley area on smaller parcels.

Annie Rzepiela recalled person can't buy vacant lot and put horses on it without primary residence.

Scott Roripaugh explained he and Liz Holt did a lot line adjustment to exceed an acre; buildable space = 6,000 sf. With setbacks, 40' would be better. Want barn/house for two horses. Makes good sense in winter, and keeps horses privatized, not in other people's space.

Chair Pipersky reminded that this is a workshop, so no decisions today – just listening to comments.

Roripaugh indicated most who approached him in private had no problem; idea was received fairly well.

Note: Stacey Simon, who lives in Mono City but not within 300' radius, was not disqualified from discussion.

Stuart Polack, Rzepiela's partner, expressed no objection to barn/house, but asked if livestock belong in residential community on cobbled-together acre. He had concern with community character. None of six immediate neighbors want it, except for one who wants pigs.

Does County Code allow horses on an acre of land? *Burns described animal standards as an old system that's a flashpoint for controversy. Commission advises BOS, which would have to change standards.*

Burns saw no easy way out, as regulations have gray areas. Actual change would require a General Plan Amendment (GPA). Animal standards apply across board to SFR. It's a policy decision, but not today. Community outreach is required. One issue was heard: clarify chart, but not add additional requirement. Environmental Health director saw no reason for 20' setback.

Commissioner Bush suggested discussing with staff to get options.

Simon reminded the topic is not on the agenda. Someone who moves ahead under current regulations would be grandfathered in.

Bush recommended getting together with neighbors and code compliance. Nothing is on the books that Commission can make judgment on.

Burns indicated that anyone can propose a GPA. Craft change to go through environmental, and then to Commission and BOS.

Roripaugh cited lots of active historic ranches in immediate area. It's not something brand new, but continuation of long-term usage in valley.

Simon noted wording change from 40' to 50' would apply prior to construction.

Bush wanted to go with more restrictive, not loosen regulation.

2) Cell tower heights: Burns noted 60' height limit has been an issue in Mono County. Already allow wind towers up to 80', so could follow that lead on a Public Facility (PF) parcel geared toward community needs. Bush reminded that people think cell towers send out waves that are going to "get them." Simon indicated could loosen by "unless outweighed by public interest or need." Bush thought maybe 80' towers in county are needed for coverage. Lots of areas have no coverage, which has a public safety aspect. Change wording: 6a: "substantial" detrimental effects.

3) Uses permitted subject to DR and to Use Permit: Updated wording has been proposed.

Lizza requested advance handouts so commissioners could evaluate prior to discussion.

6. REPORTS:

A. DIRECTOR: No items.

B. COMMISSIONERS: Commissioner Roberts announced California County Planning Commissions Association convention Nov. 7-8 at Merced.

7. INFORMATIONAL: No items.

8. ADJOURN at 1:03 p.m. to November 13, 2014

Prepared by C.D. Ritter, commission secretary



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Elections

TIME REQUIRED 20 minutes (10 minute presentation; 10
minute discussion)

**PERSONS
APPEARING
BEFORE THE
BOARD**

Bob Musil, Renn Nolan

SUBJECT Certification of General Election Held on
November 4, 2014

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Certification of Results of the Canvass of the November 4, 2014 General Election.

RECOMMENDED ACTION:

Receive and approve as correct the Statement of Votes for the November 4, 2014 General Election.

FISCAL IMPACT:

None.

CONTACT NAME: Bob Musil

PHONE/EMAIL: 760-932-5538 / bmusil@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Certification of November 2 2014 Election](#)

History

Time	Who	Approval
11/19/2014 9:54 AM	County Administrative Office	Yes
11/21/2014 9:33 AM	County Counsel	Yes
11/19/2014 9:45 AM	Finance	Yes



Bob Musil
Clerk-Recorder-Registrar
760-932-5538
bmusil@mono.ca.gov

CLERK-RECORDER-REGISTRAR COUNTY OF MONO

P.O. BOX 237, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5534 • FAX (760) 932-5531

Shannon Kendall
Assistant Clerk-Recorder-Registrar
760-932-5534
skendall@mono.ca.gov

To: Honorable Board of Supervisors

From: Renn Nolan, Acting Registrar of Voters

Date: December 2, 2014

Subject:

Certification of Results of the Canvass of the November 4, 2014 General Election.

Recommendation:

Receive and approve as correct the Statement of Votes for the November 4, 2014 General Election and declare elected to each office voted on under the jurisdiction of the Board of Supervisors, the person having the requisite number of votes.

Discussion:

Pursuant to California Elections Code §15372, "the elections official shall prepare a certified statement of the results of the election and submit it to the governing body within 28 days of the election..." the governing body shall then declare elected to each office voted on under its jurisdiction the person having the requisite number of votes (California Elections Code §15400). The Statement of Votes shows the results of the November 4, 2014 General Election, and specified the number of votes cast by precinct in each contest.

Pursuant to Election Code §15360, the canvassing board conducted a manual count of ballots cast in Precinct 10 (Mammoth Pinecrest), the precinct selected by a random draw.

The manual count validates the results shown on the Statement of Votes report.

Fiscal Impact:

None

**CERTIFICATION OF
COUNTY CLERK/REGISTRAR OF VOTERS
OF THE RESULTS OF THE CANVASS
OF VOTES OF THE GENERAL ELECTION HELD ON
NOVEMBER 4, 2014**

STATE OF CALIFORNIA

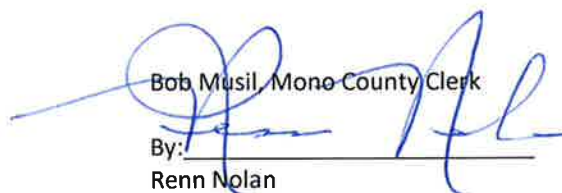
ss.

COUNTY OF MONO

I, Renn Nolan, Acting Registrar of Voters of Mono County, do hereby certify that, in pursuance to the provisions of Elections Code Section 15300, et seq., I did canvass the results of the votes cast in the General Election held on November 4, 2014, for measures and contests that were submitted to the vote of the voters, and that the Statement of Votes Cast to which this certificate is attached, is complete, true and correct.

I hereby set my hand and official seal this 18th day of November, 2014
in the County of Mono.



Bob Musil, Mono County Clerk
By: 

Renn Nolan
Acting Registrar of Voters

County of Mono
State of California

Canvass of Votes
November 4, 2014 Election

**County Vote Reporting Form
Office of the Secretary of State
November 4, 2014, General Election
Official Canvass**

Mono County

Voting System used by Precinct Voters: DominionInsight
 Voting System used by Absentee Voters: DominionInsight
 Date: 11 / 17 / 14

Total Precincts: 13
 Precinct Ballots: 1107
 Absentee Ballots: 2048
 Total Ballots Cast: 3155

ID	Party	Candidate/Prop	Votes
Governor			
389	DEM	*Edmund G. "Jerry" Brown	<u>1632</u>
428	REP	Neel Kashkari	<u>1442</u>
Lieutenant Governor			
452	REP	Ron Nehring	<u>1515</u>
378	DEM	*Gavin Newsom	<u>1526</u>
Secretary of State			
484	DEM	Alex Padilla	<u>1394</u>
145	REP	Pete Peterson	<u>1627</u>
Controller			
454	REP	Ashley Swearengin	<u>1580</u>
278	DEM	Betty T. Yee	<u>1430</u>
Treasurer			
468	DEM	John Chiang	<u>1535</u>
618	REP	Greg Conlon	<u>1474</u>
Attorney General			
550	REP	Ronald Gold	<u>1516</u>
121	DEM	*Kamala D. Harris	<u>1494</u>
Insurance Commissioner			
252	REP	Ted Gaines	<u>1530</u>
91	DEM	*Dave Jones	<u>1487</u>

*-Incumbent

County Vote Reporting Form
Office of the Secretary of State
November 4, 2014, General Election
Official Canvass

Mono County

Total Precincts: 13

ID	Party	Candidate/Prop	Votes
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Superintendent of Public Instruction

488	NP	*Tom Torlakson	1409
			1409
485	NP	Marshall Tuck	1069
			1069

Board of Equalization Member District 1

13 Precincts with ballots cast: 3155

451	DEM	Chris Parker	1351
			1351
349	REP	*George Runner	1604
			1604

United States Representative District 8

13 Precincts with ballots cast: 3155

143	DEM	Bob Conaway	1387
			1387
438	REP	*Paul Cook	1630
			1630

State Senate District 8

13 Precincts with ballots cast: 3155

116	REP	*Tom Berryhill	1619
			1619
357	DEM	Paulina Miranda	1375
			1375

State Assembly Member District 5

13 Precincts with ballots cast: 3155

386	REP	*Frank Bigelow	1736
			1736
731	LIB	Patrick D. Hogan	968
			968

Supreme Court Associate Justice Seat 1

			Yes		No
746		Kathryn Mickle Werdegar	1322		740
			1322		740

Supreme Court Associate Justice Seat 2

			Yes		No
761		Goodwin Liu	1188		882
			1188		882

*-Incumbent

County Vote Reporting Form
Office of the Secretary of State
November 4, 2014, General Election
Official Canvass

Mono County

Total Precincts: 13

ID	Party	Candidate/Prop	Votes	
Supreme Court Associate Justice Seat 3			Yes	No
792		Mariano-Florentino Cuéllar	<u>1173</u>	<u>902</u>
COA - PJ - District 3			Yes	No
775		Vance W. Raye	<u>1272</u>	<u>694</u>
COA - AJ - District 3 Seat 1			Yes	No
724		Elena J. Duarte	<u>1193</u>	<u>781</u>
COA - AJ - District 3 Seat 2			Yes	No
745		Ronald B. Robie	<u>1250</u>	<u>701</u>
COA - AJ - District 3 Seat 3			Yes	No
747		William J. Murray, Jr.	<u>1262</u>	<u>681</u>
COA - AJ - District 3 Seat 4			Yes	No
748		Andrea Lynn Hoch	<u>1302</u>	<u>662</u>
COA - AJ - District 3 Seat 5			Yes	No
763		Louis Mauro	<u>1176</u>	<u>773</u>
COA - AJ - District 3 Seat 6			Yes	No
795		Jonathan K. Renner	<u>1124</u>	<u>817</u>
Ballot Measures			Yes	No
1		Funding Water Quality, Supply, Treatment, Storage	<u>1580</u>	<u>1404</u>
2		State Budget Stabilization Account	<u>1837</u>	<u>1100</u>
45		Healthcare Insurance Rate Changes	<u>1377</u>	<u>1635</u>
46		Doctor Drug Testing, Medical Negligence	<u>831</u>	<u>2196</u>
47		Criminal Sentences, Misdemeanor Penalties	<u>1952</u>	<u>1079</u>
48		Indian Gaming Compacts Referendum	<u>1218</u>	<u>1740</u>

*-Incumbent

**California Secretary of State
Supplement to the Statement of Vote for the November 4, 2014, General Election
County Input Document**

Mono County

Governor	Votes
Edmund G. "Jerry" Brown	
<hr/> Supervisorial Districts <hr/>	
Mono County Supervisorial District 1 (2010)	163
Mono County Supervisorial District 2 (2010)	446
Mono County Supervisorial District 3 (2010)	401
Mono County Supervisorial District 4 (2010)	330
Mono County Supervisorial District 5 (2010)	292
Mono County Supervisorial Districts Multiple (2010)	0
<hr/> Congressional Districts <hr/>	
Congressional District 8 (2010)	1632
<hr/> State Senate Districts <hr/>	
Senate District 8 (2010)	1632
<hr/> State Assembly Districts <hr/>	
State Assembly District 5 (2010)	1632
<hr/> BOE Districts <hr/>	
Board of Equalization District 1 (2010)	1632
<hr/> Municipal Districts <hr/>	
Mammoth Lakes	792
Multiple districts of Mono County (2010)	0
<hr/> Miscellaneous <hr/>	
Unincorporated area of Mono County	840

**California Secretary of State
 Supplement to the Statement of Vote for the November 4, 2014, General Election
 County Input Document**

Mono County

Governor	Votes
Neel Kashkari	
Supervisorial Districts	
Mono County Supervisorial District 1 (2010)	104
Mono County Supervisorial District 2 (2010)	424
Mono County Supervisorial District 3 (2010)	301
Mono County Supervisorial District 4 (2010)	429
Mono County Supervisorial District 5 (2010)	184
Mono County Supervisorial Districts Multiple (2010)	0
Congressional Districts	
Congressional District 8 (2010)	1442
State Senate Districts	
Senate District 8 (2010)	1442
State Assembly Districts	
State Assembly District 5 (2010)	1442
BOE Districts	
Board of Equalization District 1 (2010)	1442
Municipal Districts	
Mammoth Lakes	524
Multiple districts of Mono County (2010)	0
Miscellaneous	
Unincorporated area of Mono County	918

**California Secretary of State
 Supplement to the Statement of Vote for the November 4, 2014, General Election
 County Input Document**

Mono County

Ballot Measures	Yes	No
Funding Water Quality, Supply, Treatment, Storage Supervisory Districts		
Mono County Supervisory District 1 (2010)	162	89
Mono County Supervisory District 2 (2010)	436	403
Mono County Supervisory District 3 (2010)	377	306
Mono County Supervisory District 4 (2010)	332	416
Mono County Supervisory District 5 (2010)	273	190
Mono County Supervisory Districts Multiple (2010)	0	0
Congressional Districts		
Mono County part of Congress District 08 (2010)	1580	1404
State Senate Districts		
Mono County part of Senate District 08 (2010)	1580	1404
State Assembly Districts		
Mono County part of Assembly District 05 (2010)	1580	1404
BOE Districts		
Mono County part of BOE District 1 (2010)	1580	1404
Municipal Districts		
Mammoth Lakes	753	517
Multiple districts of Mono County (2010)	0	0
Miscellaneous		
Unincorporated area of Mono County	827	887

**California Secretary of State
Supplement to the Statement of Vote for the November 4, 2014, General Election
County Input Document**

Mono County

Ballot Measures	Yes	No
State Budget Stabilization Account		
Supervisorial Districts		
Mono County Supervisorial District 1 (2010)	155	90
Mono County Supervisorial District 2 (2010)	530	303
Mono County Supervisorial District 3 (2010)	417	250
Mono County Supervisorial District 4 (2010)	428	312
Mono County Supervisorial District 5 (2010)	307	145
Mono County Supervisorial Districts Multiple (2010)	0	0
Congressional Districts		
Mono County part of Congress District 08 (2010)	1837	1100
State Senate Districts		
Mono County part of Senate District 08 (2010)	1837	1100
State Assembly Districts		
Mono County part of Assembly District 05 (2010)	1837	1100
BOE Districts		
Mono County part of BOE District 1 (2010)	1837	1100
Municipal Districts		
Mammoth Lakes	814	426
Multiple districts of Mono County (2010)	0	0
Miscellaneous		
Unincorporated area of Mono County	1023	674

**California Secretary of State
Supplement to the Statement of Vote for the November 4, 2014, General Election
County Input Document**

Mono County

Ballot Measures	Yes	No
Healthcare Insurance Rate Changes		
Supervisorial Districts		
Mono County Supervisorial District 1 (2010)	123	135
Mono County Supervisorial District 2 (2010)	378	473
Mono County Supervisorial District 3 (2010)	326	369
Mono County Supervisorial District 4 (2010)	318	427
Mono County Supervisorial District 5 (2010)	232	231
Mono County Supervisorial Districts Multiple (2010)	0	0
Congressional Districts		
Mono County part of Congress District 08 (2010)	1377	1635
State Senate Districts		
Mono County part of Senate District 08 (2010)	1377	1635
State Assembly Districts		
Mono County part of Assembly District 05 (2010)	1377	1635
BOE Districts		
Mono County part of BOE District 1 (2010)	1377	1635
Municipal Districts		
Mammoth Lakes	618	665
Multiple districts of Mono County (2010)	0	0
Miscellaneous		
Unincorporated area of Mono County	759	970

**California Secretary of State
Supplement to the Statement of Vote for the November 4, 2014, General Election
County Input Document**

Mono County

Ballot Measures	Yes	No
Doctor Drug Testing, Medical Negligence Supervisorial Districts		
Mono County Supervisorial District 1 (2010)	64	192
Mono County Supervisorial District 2 (2010)	217	632
Mono County Supervisorial District 3 (2010)	214	496
Mono County Supervisorial District 4 (2010)	231	524
Mono County Supervisorial District 5 (2010)	115	352
Mono County Supervisorial Districts Multiple (2010)	0	0
Congressional Districts		
Mono County part of Congress District 08 (2010)	831	2196
State Senate Districts		
Mono County part of Senate District 08 (2010)	831	2196
State Assembly Districts		
Mono County part of Assembly District 05 (2010)	831	2196
BOE Districts		
Mono County part of BOE District 1 (2010)	831	2196
Municipal Districts		
Mammoth Lakes	337	952
Multiple districts of Mono County (2010)	0	0
Miscellaneous		
Unincorporated area of Mono County	494	1244

**California Secretary of State
 Supplement to the Statement of Vote for the November 4, 2014, General Election
 County Input Document**

Mono County

Ballot Measures	Yes	No
Criminal Sentences, Misdemeanor Penalties		
Supervisorial Districts		
Mono County Supervisorial District 1 (2010)	174	84
Mono County Supervisorial District 2 (2010)	515	332
Mono County Supervisorial District 3 (2010)	468	228
Mono County Supervisorial District 4 (2010)	463	291
Mono County Supervisorial District 5 (2010)	332	138
Mono County Supervisorial Districts Multiple (2010)	0	0
Congressional Districts		
Mono County part of Congress District 08 (2010)	1952	1079
State Senate Districts		
Mono County part of Senate District 08 (2010)	1952	1079
State Assembly Districts		
Mono County part of Assembly District 05 (2010)	1952	1079
BOE Districts		
Mono County part of BOE District 1 (2010)	1952	1079
Municipal Districts		
Mammoth Lakes	895	399
Multiple districts of Mono County (2010)	0	0
Miscellaneous		
Unincorporated area of Mono County	1057	680

**California Secretary of State
 Supplement to the Statement of Vote for the November 4, 2014, General Election
 County Input Document**

Mono County

Ballot Measures	Yes	No
Indian Gaming Compacts Referendum		
Supervisorial Districts		
Mono County Supervisorial District 1 (2010)	105	145
Mono County Supervisorial District 2 (2010)	326	502
Mono County Supervisorial District 3 (2010)	283	402
Mono County Supervisorial District 4 (2010)	323	419
Mono County Supervisorial District 5 (2010)	181	272
Mono County Supervisorial Districts Multiple (2010)	0	0
Congressional Districts		
Mono County part of Congress District 08 (2010)	1218	1740
State Senate Districts		
Mono County part of Senate District 08 (2010)	1218	1740
State Assembly Districts		
Mono County part of Assembly District 05 (2010)	1218	1740
BOE Districts		
Mono County part of BOE District 1 (2010)	1218	1740
Municipal Districts		
Mammoth Lakes	527	724
Multiple districts of Mono County (2010)	0	0
Miscellaneous		
Unincorporated area of Mono County	691	1016

MONO COUNTY Statement of Vote
MONO_20141104_E

CALIFORNIA												
100003	Registration	Ballots Cast	Turnout (%)	GOVERNOR EDMUND G. "JERRY" BROWN	NEEL KASHKARI	LIEUTENANT GOVERNOR RON NEHRING	GAVIN NEWSOM	SECRETARY OF STATE ALEX PADILLA	PETE PETERSON	STATE CONTROLLER ASHLEY SWEARENGIN	BETTY T. YEE	
01 ANTELOPE 0001	476	156	32.77	57	99	101	49	41	109	101	49	
01 ANTELOPE - Vote By Mail	476	145	30.46	67	70	79	63	61	81	76	64	
02 BENTON - MB 0002	191	0	0.00	0	0	0	0	0	0	0	0	
02 BENTON - MB - Vote By Mail	191	92	48.17	27	65	64	27	24	66	60	31	
03 BRIDGEPORT 0003	382	126	32.98	31	89	89	33	31	93	95	29	
03 BRIDGEPORT - Vote By Mail	382	136	35.60	42	88	90	40	32	99	97	34	
04 CHALFANT - MB 0004	340	0	0.00	0	0	0	0	0	0	0	0	
04 CHALFANT - MB - Vote By Mail	340	190	55.88	51	137	138	49	49	137	137	49	
05 JUNE LAKE 0005	343	79	23.03	27	43	49	28	23	48	55	23	
05 JUNE LAKE - Vote By Mail	343	139	40.52	87	49	55	79	71	59	52	79	
06 LEE VINING - MB 0006	226	0	0.00	0	0	0	0	0	0	0	0	
06 LEE VINING - MB - Vote By Mail	226	143	63.27	83	56	60	75	68	68	64	70	
07 LONG VALLEY 0007	690	186	26.96	98	84	90	89	78	104	98	80	
07 LONG VALLEY - Vote By Mail	690	187	27.10	110	75	84	98	95	86	83	99	
08 MAMMOTH MEADOW 0008	408	101	24.75	66	34	29	68	61	38	35	58	
08 MAMMOTH MEADOW - Vote By Mail	408	121	29.66	67	49	53	60	54	58	56	58	
09 MAMMOTH MINARET 0009	757	145	19.15	86	57	56	82	75	61	63	69	
09 MAMMOTH MINARET - Vote By Mail	757	219	28.93	118	96	100	110	98	110	118	88	
10 MAMMOTH PINECREST 0010	517	105	20.31	67	39	38	65	57	44	45	54	
10 MAMMOTH PINECREST - Vote By Mail	517	166	32.11	91	68	71	89	85	74	73	86	
11 SWALL MEADOWS - MB 0011	267	0	0.00	0	0	0	0	0	0	0	0	
11 SWALL MEADOWS - MB - Vote By Mail	267	228	85.39	160	63	69	151	142	76	65	152	
12 MAMMOTH VIEW 0012	724	126	17.40	79	45	49	70	68	52	52	65	
12 MAMMOTH VIEW - Vote By Mail	724	147	20.30	84	59	67	76	68	68	67	72	
13 OLD MAMMOTH 0013	491	83	16.90	53	25	30	47	46	30	33	44	
13 OLD MAMMOTH - Vote By Mail	491	135	27.49	81	53	54	78	67	66	55	77	
Precinct Totals	5812	1107	19.05	564	514	531	531	480	579	577	471	
Vote By Mail Totals	5812	2048	35.24	1068	928	984	995	914	1048	1003	959	
Grand Totals	5812	3155	54.28	1632	1442	1515	1526	1394	1627	1580	1430	
CALIFORNIA	5812	3155	54.28	1632	1442	1515	1526	1394	1627	1580	1430	
8TH CONGRESSIONAL DISTRICT	5812	3155	54.28	1632	1442	1515	1526	1394	1627	1580	1430	
8th STATE SENATE DISTRICT	5812	3155	54.28	1632	1442	1515	1526	1394	1627	1580	1430	
5TH ASSEMBLY DISTRICT	5812	3155	54.28	1632	1442	1515	1526	1394	1627	1580	1430	
1st EQUALIZATION DISTRICT	5812	3155	54.28	1632	1442	1515	1526	1394	1627	1580	1430	
1st SUPERVISOR DISTRICT	724	273	37.71	163	104	116	146	136	120	119	137	
2nd SUPERVISOR DISTRICT	1488	883	59.34	446	424	445	414	388	469	443	411	
3rd SUPERVISOR DISTRICT	1326	725	54.68	401	301	320	374	335	346	352	329	
4th SUPERVISOR DISTRICT	1266	785	62.01	330	429	441	313	280	478	460	292	
5th SUPERVISOR DISTRICT	1008	489	48.51	292	184	193	279	255	214	206	261	
MONO COUNTY	5812	3155	54.28	1632	1442	1515	1526	1394	1627	1580	1430	
TOWN OF MAMMOTH LAKES	2897	1348	46.53	792	524	547	745	679	601	597	671	

MONO COUNTY Statement of Vote
MONO_20141104_E

100007	CALIFORNIA													
	Registration	Ballots Cast	Turnout (%)	STATE TREASURER JOHN CHIANG	GREG CONLON		ATTORNEY GENERAL KAMALA D. HARRIS	RONALD GOLD		INSURANCE COMMISSIONER DAVE JONES	TED GAINES			
01 ANTELOPE 0001	476	156	32.77	54	97		44	106		47	104			
01 ANTELOPE - Vote By Mail	476	145	30.46	63	76		60	81		60	82			
02 BENTON - MB 0002	191	0	0.00	0	0		0	0		0	0			
02 BENTON - MB - Vote By Mail	191	92	48.17	31	60		24	64		27	63			
03 BRIDGEPORT 0003	382	126	32.98	43	82		30	93		34	89			
03 BRIDGEPORT - Vote By Mail	382	136	35.60	39	93		36	94		41	90			
04 CHALFANT - MB 0004	340	0	0.00	0	0		0	0		0	0			
04 CHALFANT - MB - Vote By Mail	340	190	55.88	62	126		50	137		49	138			
05 JUNE LAKE 0005	343	79	23.03	25	45		25	46		23	55			
05 JUNE LAKE - Vote By Mail	343	139	40.52	77	53		79	52		76	57			
06 LEE VINING - MB 0006	226	0	0.00	0	0		0	0		0	0			
06 LEE VINING - MB - Vote By Mail	226	143	63.27	80	55		76	59		73	62			
07 LONG VALLEY 0007	690	186	26.96	97	83		95	85		88	90			
07 LONG VALLEY - Vote By Mail	690	187	27.10	98	83		98	82		98	82			
08 MAMMOTH MEADOW 0008	408	101	24.75	61	32		67	29		58	35			
08 MAMMOTH MEADOW - Vote By Mail	408	121	29.66	58	55		57	56		57	56			
09 MAMMOTH MINARET 0009	757	145	19.15	73	61		83	52		77	58			
09 MAMMOTH MINARET - Vote By Mail	757	219	28.93	105	105		102	108		106	103			
10 MAMMOTH PINECREST 0010	517	105	20.31	58	39		62	36		57	39			
10 MAMMOTH PINECREST - Vote By Mail	517	166	32.11	91	69		91	66		88	73			
11 SWALL MEADOWS - MB 0011	267	0	0.00	0	0		0	0		0	0			
11 SWALL MEADOWS - MB - Vote By Mail	267	228	85.39	154	62		153	64		157	61			
12 MAMMOTH VIEW 0012	724	126	17.40	72	46		67	51		72	47			
12 MAMMOTH VIEW - Vote By Mail	724	147	20.30	74	65		77	64		74	64			
13 OLD MAMMOTH 0013	491	83	16.90	43	33		46	33		46	29			
13 OLD MAMMOTH - Vote By Mail	491	135	27.49	77	54		72	58		79	53			
Precinct Totals	5812	1107	19.05	526	518		519	531		502	546			
Vote By Mail Totals	5812	2048	35.24	1009	956		975	965		985	984			
Grand Totals	5812	3155	54.28	1535	1474		1494	1516		1487	1530			
CALIFORNIA	5812	3155	54.28	1535	1474		1494	1516		1487	1530			
8TH CONGRESSIONAL DISTRICT	5812	3155	54.28	1535	1474		1494	1516		1487	1530			
8th STATE SENATE DISTRICT	5812	3155	54.28	1535	1474		1494	1516		1487	1530			
5TH ASSEMBLY DISTRICT	5812	3155	54.28	1535	1474		1494	1516		1487	1530			
1st EQUALIZATION DISTRICT	5812	3155	54.28	1535	1474		1494	1516		1487	1530			
1st SUPERVISOR DISTRICT	724	273	37.71	146	111		144	115		146	111			
2nd SUPERVISOR DISTRICT	1488	883	59.34	442	414		420	432		419	434			
3rd SUPERVISOR DISTRICT	1326	725	54.68	360	319		365	317		355	335			
4th SUPERVISOR DISTRICT	1266	785	62.01	318	435		294	459		297	456			
5th SUPERVISOR DISTRICT	1008	489	48.51	269	195		271	193		270	194			
MONO COUNTY	5812	3155	54.28	1535	1474		1494	1516		1487	1530			
TOWN OF MAMMOTH LAKES	2897	1348	46.53	712	559		724	553		714	557			

MONO COUNTY Statement of Vote
MONO_20141104_E

CALIFORNIA															
140014	Registration	Ballots Cast	Turnout (%)	SUPREME COURT - LIU YES	NO	SUPREME COURT - CUELLAR YES	NO	SUPREME COURT - WERDEGAR YES	NO						
01 ANTELOPE 0001	476	156	32.77	52	69	51	70	70	50						
01 ANTELOPE - Vote By Mail	476	145	30.46	65	49	71	43	86	28						
02 BENTON - MB 0002	191	0	0.00	0	0	0	0	0	0						
02 BENTON - MB - Vote By Mail	191	92	48.17	27	41	26	43	37	30						
03 BRIDGEPORT 0003	382	126	32.98	43	49	35	57	42	47						
03 BRIDGEPORT - Vote By Mail	382	136	35.60	38	53	41	51	34	58						
04 CHALFANT - MB 0004	340	0	0.00	0	0	0	0	0	0						
04 CHALFANT - MB - Vote By Mail	340	190	55.88	56	75	48	83	65	65						
05 JUNE LAKE 0005	343	79	23.03	22	40	21	40	20	41						
05 JUNE LAKE - Vote By Mail	343	139	40.52	54	26	52	28	61	21						
06 LEE VINING - MB 0006	226	0	0.00	0	0	0	0	0	0						
06 LEE VINING - MB - Vote By Mail	226	143	63.27	63	40	58	44	66	35						
07 LONG VALLEY 0007	690	186	26.96	68	62	66	64	88	44						
07 LONG VALLEY - Vote By Mail	690	187	27.10	77	40	75	39	89	30						
08 MAMMOTH MEADOW 0008	408	101	24.75	47	18	46	20	49	17						
08 MAMMOTH MEADOW - Vote By Mail	408	121	29.66	48	23	45	25	54	17						
09 MAMMOTH MINARET 0009	757	145	19.15	56	37	53	39	59	32						
09 MAMMOTH MINARET - Vote By Mail	757	219	28.93	83	53	91	45	92	45						
10 MAMMOTH PINECREST 0010	517	105	20.31	44	19	43	22	38	25						
10 MAMMOTH PINECREST - Vote By Mail	517	166	32.11	65	43	62	47	73	33						
11 SWALL MEADOWS - MB 0011	267	0	0.00	0	0	0	0	0	0						
11 SWALL MEADOWS - MB - Vote By Mail	267	228	85.39	102	36	97	37	101	33						
12 MAMMOTH VIEW 0012	724	126	17.40	46	35	54	30	51	30						
12 MAMMOTH VIEW - Vote By Mail	724	147	20.30	47	35	49	34	56	26						
13 OLD MAMMOTH 0013	491	83	16.90	30	14	31	15	33	12						
13 OLD MAMMOTH - Vote By Mail	491	135	27.49	55	25	58	26	58	23						
Precinct Totals	5812	1107	19.05	408	343	400	357	450	298						
Vote By Mail Totals	5812	2048	35.24	780	539	773	545	872	442						
Grand Totals	5812	3155	54.28	1188	882	1173	902	1322	740						
CALIFORNIA	5812	3155	54.28	1188	882	1173	902	1322	740						
8TH CONGRESSIONAL DISTRICT	5812	3155	54.28	1188	882	1173	902	1322	740						
8th STATE SENATE DISTRICT	5812	3155	54.28	1188	882	1173	902	1322	740						
5TH ASSEMBLY DISTRICT	5812	3155	54.28	1188	882	1173	902	1322	740						
1st EQUALIZATION DISTRICT	5812	3155	54.28	1188	882	1173	902	1322	740						
1st SUPERVISOR DISTRICT	724	273	37.71	93	70	103	64	107	56						
2nd SUPERVISOR DISTRICT	1488	883	59.34	330	254	312	266	380	202						
3rd SUPERVISOR DISTRICT	1326	725	54.68	278	196	275	196	298	174						
4th SUPERVISOR DISTRICT	1266	785	62.01	293	261	289	266	335	215						
5th SUPERVISOR DISTRICT	1008	489	48.51	194	101	194	110	202	93						
MONO COUNTY	5812	3155	54.28	1188	882	1173	902	1322	740						
TOWN OF MAMMOTH LAKES	2897	1348	46.53	521	302	532	303	563	260						

MONO COUNTY Statement of Vote
MONO_20141104_E

3RD APPELLATE DISTRICT													
140017	Registration	Ballots Cast	Turnout (%)	COA JUSTICE - RAYE		COA JUSTICE - HOCH		COA JUSTICE - ROBIE		COA JUSTICE - RENNER			
				YES	NO	YES	NO	YES	NO	YES	NO	YES	NO
01 ANTELOPE 0001	476	156	32.77	73	49	71	49	72	49	58	63		
01 ANTELOPE - Vote By Mail	476	145	30.46	76	31	81	24	72	34	65	41		
02 BENTON - MB 0002	191	0	0.00	0	0	0	0	0	0	0	0		
02 BENTON - MB - Vote By Mail	191	92	48.17	39	29	40	27	36	32	28	39		
03 BRIDGEPORT 0003	382	126	32.98	45	39	37	46	44	39	40	43		
03 BRIDGEPORT - Vote By Mail	382	136	35.60	39	50	40	49	44	46	38	51		
04 CHALFANT - MB 0004	340	0	0.00	0	0	0	0	0	0	0	0		
04 CHALFANT - MB - Vote By Mail	340	190	55.88	66	63	67	62	67	63	58	71		
05 JUNE LAKE 0005	343	79	23.03	22	30	18	34	21	31	24	28		
05 JUNE LAKE - Vote By Mail	343	139	40.52	53	22	58	21	49	26	43	32		
06 LEE VINING - MB 0006	226	0	0.00	0	0	0	0	0	0	0	0		
06 LEE VINING - MB - Vote By Mail	226	143	63.27	66	29	63	30	63	31	49	42		
07 LONG VALLEY 0007	690	186	26.96	80	44	86	38	73	50	67	56		
07 LONG VALLEY - Vote By Mail	690	187	27.10	81	27	85	26	83	24	72	35		
08 MAMMOTH MEADOW 0008	408	101	24.75	45	14	46	13	46	13	40	16		
08 MAMMOTH MEADOW - Vote By Mail	408	121	29.66	48	19	53	15	47	17	45	18		
09 MAMMOTH MINARET 0009	757	145	19.15	61	29	59	29	55	33	53	36		
09 MAMMOTH MINARET - Vote By Mail	757	219	28.93	80	49	86	44	84	42	83	45		
10 MAMMOTH PINECREST 0010	517	105	20.31	45	18	42	20	46	18	39	23		
10 MAMMOTH PINECREST - Vote By Mail	517	166	32.11	65	36	66	35	64	37	52	49		
11 SWALL MEADOWS - MB 0011	267	0	0.00	0	0	0	0	0	0	0	0		
11 SWALL MEADOWS - MB - Vote By Mail	267	228	85.39	104	28	109	20	99	29	95	34		
12 MAMMOTH VIEW 0012	724	126	17.40	49	29	51	27	50	27	48	29		
12 MAMMOTH VIEW - Vote By Mail	724	147	20.30	54	25	57	21	51	26	50	28		
13 OLD MAMMOTH 0013	491	83	16.90	32	9	33	9	34	10	30	11		
13 OLD MAMMOTH - Vote By Mail	491	135	27.49	49	25	54	23	50	24	47	27		
Precinct Totals	5812	1107	19.05	452	261	443	265	441	270	399	305		
Vote By Mail Totals	5812	2048	35.24	820	433	859	397	809	431	725	512		
Grand Totals	5812	3155	54.28	1272	694	1302	662	1250	701	1124	817		
CALIFORNIA	5812	3155	54.28	1272	694	1302	662	1250	701	1124	817		
8TH CONGRESSIONAL DISTRICT	5812	3155	54.28	1272	694	1302	662	1250	701	1124	817		
8th STATE SENATE DISTRICT	5812	3155	54.28	1272	694	1302	662	1250	701	1124	817		
5TH ASSEMBLY DISTRICT	5812	3155	54.28	1272	694	1302	662	1250	701	1124	817		
1st EQUALIZATION DISTRICT	5812	3155	54.28	1272	694	1302	662	1250	701	1124	817		
1st SUPERVISOR DISTRICT	724	273	37.71	103	54	108	48	101	53	98	57		
2nd SUPERVISOR DISTRICT	1488	883	59.34	370	191	387	173	358	198	320	235		
3rd SUPERVISOR DISTRICT	1326	725	54.68	282	159	284	158	272	163	252	183		
4th SUPERVISOR DISTRICT	1266	785	62.01	326	202	328	196	325	198	286	232		
5th SUPERVISOR DISTRICT	1008	489	48.51	191	88	195	87	194	89	168	110		
MONO COUNTY	5812	3155	54.28	1272	694	1302	662	1250	701	1124	817		
TOWN OF MAMMOTH LAKES	2897	1348	46.53	528	253	547	236	527	247	487	282		

140021		3RD APPELLATE DISTRICT													
	Registration	Ballots Cast	Turnout (%)	COA JUSTICE - MURRAY			COA JUSTICE - MAURO			COA JUSTICE - DUARTE					
				YES	NO		YES	NO		YES	NO				
01 ANTELOPE 0001	476	156	32.77	68	53		60	61		65	57				
01 ANTELOPE - Vote By Mail	476	145	30.46	78	28		75	32		70	37				
02 BENTON - MB 0002	191	0	0.00	0	0		0	0		0	0				
02 BENTON - MB - Vote By Mail	191	92	48.17	38	29		35	31		34	32				
03 BRIDGEPORT 0003	382	126	32.98	49	34		38	46		36	48				
03 BRIDGEPORT - Vote By Mail	382	136	35.60	45	44		41	49		39	50				
04 CHALFANT - MB 0004	340	0	0.00	0	0		0	0		0	0				
04 CHALFANT - MB - Vote By Mail	340	190	55.88	64	64		60	70		60	69				
05 JUNE LAKE 0005	343	79	23.03	25	27		15	35		17	35				
05 JUNE LAKE - Vote By Mail	343	139	40.52	51	23		48	28		51	27				
06 LEE VINING - MB 0006	226	0	0.00	0	0		0	0		0	0				
06 LEE VINING - MB - Vote By Mail	226	143	63.27	60	34		57	37		56	40				
07 LONG VALLEY 0007	690	186	26.96	78	45		80	43		75	50				
07 LONG VALLEY - Vote By Mail	690	187	27.10	78	29		79	28		78	31				
08 MAMMOTH MEADOW 0008	408	101	24.75	45	14		45	14		40	19				
08 MAMMOTH MEADOW - Vote By Mail	408	121	29.66	49	15		45	20		51	17				
09 MAMMOTH MINARET 0009	757	145	19.15	56	32		49	40		56	34				
09 MAMMOTH MINARET - Vote By Mail	757	219	28.93	82	44		78	49		85	44				
10 MAMMOTH PINECREST 0010	517	105	20.31	44	19		40	23		41	22				
10 MAMMOTH PINECREST - Vote By Mail	517	166	32.11	65	37		58	42		51	49				
11 SWALL MEADOWS - MB 0011	267	0	0.00	0	0		0	0		0	0				
11 SWALL MEADOWS - MB - Vote By Mail	267	228	85.39	104	24		102	26		101	28				
12 MAMMOTH VIEW 0012	724	126	17.40	46	31		44	34		49	31				
12 MAMMOTH VIEW - Vote By Mail	724	147	20.30	55	21		50	26		53	24				
13 OLD MAMMOTH 0013	491	83	16.90	33	9		29	12		30	12				
13 OLD MAMMOTH - Vote By Mail	491	135	27.49	49	25		48	27		55	25				
Precinct Totals	5812	1107	19.05	444	264		400	308		409	308				
Vote By Mail Totals	5812	2048	35.24	818	417		776	465		784	473				
Grand Totals	5812	3155	54.28	1262	681		1176	773		1193	781				
CALIFORNIA	5812	3155	54.28	1262	681		1176	773		1193	781				
8TH CONGRESSIONAL DISTRICT	5812	3155	54.28	1262	681		1176	773		1193	781				
8th STATE SENATE DISTRICT	5812	3155	54.28	1262	681		1176	773		1193	781				
5TH ASSEMBLY DISTRICT	5812	3155	54.28	1262	681		1176	773		1193	781				
1st EQUALIZATION DISTRICT	5812	3155	54.28	1262	681		1176	773		1193	781				
1st SUPERVISOR DISTRICT	724	273	37.71	101	52		94	60		102	55				
2nd SUPERVISOR DISTRICT	1488	883	59.34	362	191		356	196		348	210				
3rd SUPERVISOR DISTRICT	1326	725	54.68	274	160		247	189		265	180				
4th SUPERVISOR DISTRICT	1266	785	62.01	334	188		304	222		301	228				
5th SUPERVISOR DISTRICT	1008	489	48.51	191	90		175	104		177	108				
MONO COUNTY	5812	3155	54.28	1262	681		1176	773		1193	781				
TOWN OF MAMMOTH LAKES	2897	1346	46.53	524	247		486	287		511	277				

MONO COUNTY Statement of Vote
MONO_20141104_E

		NON-PARTISAN SUP OF PUBLIC INSTRUCTION												
100024														
		Registration	Ballots Cast	Turnout (%)		TOM TORLAKSON	MARSHALL TUCK							
01 ANTELOPE 0001		476	156	32.77		60	76							
01 ANTELOPE - Vote By Mail		476	145	30.46		72	41							
02 BENTON - MB 0002		191	0	0.00		0	0							
02 BENTON - MB - Vote By Mail		191	92	48.17		39	43							
03 BRIDGEPORT 0003		382	126	32.98		53	57							
03 BRIDGEPORT - Vote By Mail		382	136	35.60		57	55							
04 CHALFANT - MB 0004		340	0	0.00		0	0							
04 CHALFANT - MB - Vote By Mail		340	190	55.88		75	80							
05 JUNE LAKE 0005		343	79	23.03		26	33							
05 JUNE LAKE - Vote By Mail		343	139	40.52		62	46							
06 LEE VINING - MB 0006		226	0	0.00		0	0							
06 LEE VINING - MB - Vote By Mail		226	143	63.27		61	47							
07 LONG VALLEY 0007		690	186	26.96		73	79							
07 LONG VALLEY - Vote By Mail		690	187	27.10		97	57							
08 MAMMOTH MEADOW 0008		408	101	24.75		41	34							
08 MAMMOTH MEADOW - Vote By Mail		408	121	29.66		55	32							
09 MAMMOTH MINARET 0009		757	145	19.15		67	41							
09 MAMMOTH MINARET - Vote By Mail		757	219	28.93		104	61							
10 MAMMOTH PINECREST 0010		517	105	20.31		43	31							
10 MAMMOTH PINECREST - Vote By Mail		517	166	32.11		85	47							
11 SWALL MEADOWS - MB 0011		267	0	0.00		0	0							
11 SWALL MEADOWS - MB - Vote By Mail		267	228	85.39		132	48							
12 MAMMOTH VIEW 0012		724	126	17.40		56	44							
12 MAMMOTH VIEW - Vote By Mail		724	147	20.30		61	41							
13 OLD MAMMOTH 0013		491	83	16.90		34	22							
13 OLD MAMMOTH - Vote By Mail		491	135	27.49		56	54							
Precinct Totals		5812	1107	19.05		453	417							
Vote By Mail Totals		5812	2048	35.24		956	652							
Grand Totals		5812	3155	54.28		1409	1069							
CALIFORNIA		5812	3155	54.28		1409	1069							
8TH CONGRESSIONAL DISTRICT		5812	3155	54.28		1409	1069							
8th STATE SENATE DISTRICT		5812	3155	54.28		1409	1069							
5TH ASSEMBLY DISTRICT		5812	3155	54.28		1409	1069							
1st EQUALIZATION DISTRICT		5812	3155	54.28		1409	1069							
1st SUPERVISOR DISTRICT		724	273	37.71		117	85							
2nd SUPERVISOR DISTRICT		1488	883	59.34		416	307							
3rd SUPERVISOR DISTRICT		1326	725	54.68		320	228							
4th SUPERVISOR DISTRICT		1266	785	62.01		338	295							
5th SUPERVISOR DISTRICT		1008	489	48.51		218	154							
MONO COUNTY		5812	3155	54.28		1409	1069							
TOWN OF MAMMOTH LAKES		2897	1348	46.53		602	407							

100025	NON-PARTISAN BISHOP UNIFIED - GBM														
	Registration	Ballots Cast	Turnout (%)		TOM STEPHENSON	SUSANNE M. RIZO	TAYLOR P. LUDWICK	JOSHUA R. NICHOLSON	KATHY ZACK						
11 SWALL MEADOWS - MB 001	267	0	0.00		0	0	0	0	0						
11 SWALL MEADOWS - MB - Vote	267	228	85.39		92	82	103	43	92						
Precinct Totals	267	0	0.00		0	0	0	0	0						
Vote By Mail Totals	267	228	85.39		92	82	103	43	92						
Grand Totals	267	228	85.39		92	82	103	43	92						
CALIFORNIA	267	228	85.39		92	82	103	43	92						
8TH CONGRESSIONAL DISTRICT	267	228	85.39		92	82	103	43	92						
8th STATE SENATE DISTRICT	267	228	85.39		92	82	103	43	92						
5TH ASSEMBLY DISTRICT	267	228	85.39		92	82	103	43	92						
1st EQUALIZATION DISTRICT	267	228	85.39		92	82	103	43	92						
2nd SUPERVISOR DISTRICT	267	228	85.39		92	82	103	43	92						
MONO COUNTY	267	228	85.39		92	82	103	43	92						

100026	NON-PARTISAN ROUND VALLEY JOINT ELEMENTARY - GBM													
	Registration	Ballots Cast	Turnout (%)		EDUARDO SANDOVAL	SHAWN K. RAY	JEFF PERRY							
11 SWALL MEADOWS - MB 001	267	0	0.00		0	0	0							
11 SWALL MEADOWS - MB - Vo	267	228	85.39		69	50	152							
Precinct Totals	267	0	0.00		0	0	0							
Vote By Mail Totals	267	228	85.39		69	50	152							
Grand Totals	267	228	85.39		69	50	152							
CALIFORNIA	267	228	85.39		69	50	152							
8TH CONGRESSIONAL DISTRICT	267	228	85.39		69	50	152							
8th STATE SENATE DISTRICT	267	228	85.39		69	50	152							
5TH ASSEMBLY DISTRICT	267	228	85.39		69	50	152							
1st EQUALIZATION DISTRICT	267	228	85.39		69	50	152							
2nd SUPERVISOR DISTRICT	267	228	85.39		69	50	152							
MONO COUNTY	267	228	85.39		69	50	152							

CALIFORNIA													
140028	Registration	Ballots Cast	Turnout (%)	PROP 1 YES	NO	PROP 2 YES	NO	PROP 45 YES	NO	PROP 46 YES	NO		
01 ANTELOPE 0001	476	156	32.77	43	108	82	68	62	89	46	104		
01 ANTELOPE - Vote By Mail	476	145	30.46	66	73	90	46	74	64	51	88		
02 BENTON - MB 0002	191	0	0.00	0	0	0	0	0	0	0	0		
02 BENTON - MB - Vote By Mail	191	92	48.17	33	55	54	36	26	62	20	69		
03 BRIDGEPORT 0003	382	126	32.98	45	74	50	69	35	81	30	91		
03 BRIDGEPORT - Vote By Mail	382	136	35.60	61	69	75	56	49	82	41	92		
04 CHALFANT - MB 0004	340	0	0.00	0	0	0	0	0	0	0	0		
04 CHALFANT - MB - Vote By Mail	340	190	55.88	77	102	93	81	62	114	56	124		
05 JUNE LAKE 0005	343	79	23.03	25	51	38	36	15	59	15	61		
05 JUNE LAKE - Vote By Mail	343	139	40.52	83	41	84	41	73	60	54	78		
06 LEE VINING - MB 0006	226	0	0.00	0	0	0	0	0	0	0	0		
06 LEE VINING - MB - Vote By Mail	226	143	63.27	68	68	74	55	73	62	40	98		
07 LONG VALLEY 0007	690	186	26.96	83	97	102	74	65	119	34	150		
07 LONG VALLEY - Vote By Mail	690	187	27.10	103	73	120	54	92	88	46	131		
08 MAMMOTH MEADOW 0008	408	101	24.75	52	43	52	39	45	50	30	68		
08 MAMMOTH MEADOW - Vote By Mail	408	121	29.66	65	49	79	34	53	61	33	81		
09 MAMMOTH MINARET 0009	757	145	19.15	73	66	78	59	58	84	39	102		
09 MAMMOTH MINARET - Vote By Mail	757	219	28.93	128	80	143	59	107	104	56	157		
10 MAMMOTH PINECREST 0010	517	105	20.31	51	43	62	29	44	48	23	72		
10 MAMMOTH PINECREST - Vote By Mail	517	166	32.11	97	65	106	53	84	77	38	124		
11 SWALL MEADOWS - MB 0011	267	0	0.00	0	0	0	0	0	0	0	0		
11 SWALL MEADOWS - MB - Vote By Mail	267	228	85.39	140	76	161	58	133	90	61	158		
12 MAMMOTH VIEW 0012	724	126	17.40	78	44	67	48	55	64	38	83		
12 MAMMOTH VIEW - Vote By Mail	724	147	20.30	84	45	88	42	68	71	26	109		
13 OLD MAMMOTH 0013	491	83	16.90	46	33	46	30	36	44	23	57		
13 OLD MAMMOTH - Vote By Mail	491	135	27.49	79	49	93	33	68	62	31	99		
Precinct Totals	5812	1107	19.05	496	559	577	452	415	638	278	788		
Vote By Mail Totals	5812	2048	35.24	1084	845	1260	648	962	997	553	1408		
Grand Totals	5812	3155	54.28	1580	1404	1837	1100	1377	1635	831	2196		
CALIFORNIA	5812	3155	54.28	1580	1404	1837	1100	1377	1635	831	2196		
8TH CONGRESSIONAL DISTRICT	5812	3155	54.28	1580	1404	1837	1100	1377	1635	831	2196		
8th STATE SENATE DISTRICT	5812	3155	54.28	1580	1404	1837	1100	1377	1635	831	2196		
5TH ASSEMBLY DISTRICT	5812	3155	54.28	1580	1404	1837	1100	1377	1635	831	2196		
1st EQUALIZATION DISTRICT	5812	3155	54.28	1580	1404	1837	1100	1377	1635	831	2196		
1st SUPERVISOR DISTRICT	724	273	37.71	162	89	155	90	123	135	64	192		
2nd SUPERVISOR DISTRICT	1488	883	59.34	436	403	530	303	378	473	217	632		
3rd SUPERVISOR DISTRICT	1326	725	54.68	377	306	417	250	326	369	204	496		
4th SUPERVISOR DISTRICT	1266	785	62.01	332	416	428	312	318	427	231	524		
5th SUPERVISOR DISTRICT	1008	489	48.51	273	190	307	145	232	231	115	352		
MONO COUNTY	5812	3155	54.28	1580	1404	1837	1100	1377	1635	831	2196		
TOWN OF MAMMOTH LAKES	2897	1348	46.53	753	517	814	426	618	665	337	952		

November 4, 2014

MONO_20141104_E

CALIFORNIA														
140032														
	Registration	Ballots Cast	Turnout (%)		PROP 47 YES	NO		PROP 48 YES	NO					
01 ANTELOPE 0001	476	156	32.77		93	58		65	85					
01 ANTELOPE - Vote By Mail	476	145	30.46		96	44		70	71					
02 BENTON - MB 0002	191	0	0.00		0	0		0	0					
02 BENTON - MB - Vote By Mail	191	92	48.17		43	48		27	62					
03 BRIDGEPORT 0003	382	126	32.98		59	61		40	77					
03 BRIDGEPORT - Vote By Mail	382	136	35.60		69	61		62	68					
04 CHALFANT - MB 0004	340	0	0.00		0	0		0	0					
04 CHALFANT - MB - Vote By Mail	340	190	55.88		86	95		51	126					
05 JUNE LAKE 0005	343	79	23.03		42	35		23	52					
05 JUNE LAKE - Vote By Mail	343	139	40.52		82	45		52	77					
06 LEE VINING - MB 0006	226	0	0.00		0	0		0	0					
06 LEE VINING - MB - Vote By Mail	226	143	63.27		101	38		53	84					
07 LONG VALLEY 0007	690	186	26.96		108	74		64	110					
07 LONG VALLEY - Vote By Mail	690	187	27.10		111	68		76	96					
08 MAMMOTH MEADOW 0008	408	101	24.75		70	27		37	57					
08 MAMMOTH MEADOW - Vote By Mail	408	121	29.66		76	40		49	61					
09 MAMMOTH MINARET 0009	757	145	19.15		98	45		58	79					
09 MAMMOTH MINARET - Vote By Mail	757	219	28.93		145	65		97	110					
10 MAMMOTH PINECREST 0010	517	105	20.31		65	32		35	54					
10 MAMMOTH PINECREST - Vote By Mail	517	166	32.11		117	45		58	103					
11 SWALL MEADOWS - MB 0011	267	0	0.00		0	0		0	0					
11 SWALL MEADOWS - MB - Vote By Mail	267	228	85.39		167	53		108	108					
12 MAMMOTH VIEW 0012	724	126	17.40		74	47		53	63					
12 MAMMOTH VIEW - Vote By Mail	724	147	20.30		100	37		52	82					
13 OLD MAMMOTH 0013	491	83	16.90		57	24		27	48					
13 OLD MAMMOTH - Vote By Mail	491	135	27.49		93	37		61	67					
Precinct Totals	5812	1107	19.05		666	403		402	625					
Vote By Mail Totals	5812	2048	35.24		1286	676		816	1115					
Grand Totals	5812	3155	54.28		1952	1079		1218	1740					
CALIFORNIA	5812	3155	54.28		1952	1079		1218	1740					
8TH CONGRESSIONAL DISTRICT	5812	3155	54.28		1952	1079		1218	1740					
8th STATE SENATE DISTRICT	5812	3155	54.28		1952	1079		1218	1740					
5TH ASSEMBLY DISTRICT	5812	3155	54.28		1952	1079		1218	1740					
1st EQUALIZATION DISTRICT	5812	3155	54.28		1952	1079		1218	1740					
1st SUPERVISOR DISTRICT	724	273	37.71		174	84		105	145					
2nd SUPERVISOR DISTRICT	1488	883	59.34		515	338		326	502					
3rd SUPERVISOR DISTRICT	1326	725	54.68		468	228		283	402					
4th SUPERVISOR DISTRICT	1266	785	62.01		463	291		323	419					
5th SUPERVISOR DISTRICT	1008	489	48.51		332	138		181	272					
MONO COUNTY	5812	3155	54.28		1952	1079		1218	1740					
TOWN OF MAMMOTH LAKES	2897	1348	46.53		895	399		527	724					

Summary Report 3 Col W/OU Final

MONO_20141104_E
November 4, 2014

Mono County

Cumulative Totals

REGISTRATION & TURNOUT Mono County Total Registration Election Day Ballots Cast Vote By Mail Ballots Cast Total Ballots Cast	Completed Precincts: 13 of 13 5,812 1,107 19.05% 2,048 35.24% 3,155 54.28%	State Treasurer Completed Precincts: 13 of 13 DEM - JOHN CHIANG 1,535 51.01% REP - GREG CONLON 1,474 48.99%	State Senator District 8 Completed Precincts: 13 of 13 REP - TOM BERRYHILL 1,619 54.07% DEM - PAULINA MIRANDA 1,375 45.93%
GOVERNOR Completed Precincts: 13 of 13 DEM - EDMUND G. "JERRY" BROWN 1,632 53.09% REP - NEEL KASHKARI 1,442 46.91%	Attorney General Completed Precincts: 13 of 13 REP - RONALD GOLD 1,516 50.37% DEM - KAMALA D. HARRIS 1,494 49.63%	State Assembly District 5 Completed Precincts: 13 of 13 REP - FRANK BIGELOW 1,736 64.20% LIB - PATRICK D. HOGAN 968 35.80%	
Lieutenant Governor Completed Precincts: 13 of 13 DEM - GAVIN NEWSOM 1,526 50.18% REP - RON NEHRING 1,515 49.82%	Insurance Commissioner Completed Precincts: 13 of 13 REP - TED GAINES 1,530 50.71% DEM - DAVE JONES 1,487 49.29%	Supreme Court - Liu Completed Precincts: 13 of 13 YES 1,188 57.39% NO 882 42.61%	
Secretary of State Completed Precincts: 13 of 13 REP - PETE PETERSON 1,627 53.86% DEM - ALEX PADILLA 1,394 46.14%	Board of Equalization District 1 Completed Precincts: 13 of 13 REP - GEORGE RUNNER 1,604 54.28% DEM - CHRIS PARKER 1,351 45.72%	Supreme Court - Cuellar Completed Precincts: 13 of 13 YES 1,173 56.53% NO 902 43.47%	
State Controller Completed Precincts: 13 of 13 REP - ASHLEY SWEARENGIN 1,580 52.49% DEM - BETTY T. YEE 1,430 47.51%	US Representative 8th Completed Precincts: 13 of 13 REP - PAUL COOK 1,630 54.03% DEM - BOB CONAWAY 1,387 45.97%	Supreme Court - Werdegar Completed Precincts: 13 of 13 YES 1,322 64.11% NO 740 35.89%	

Summary Report 3 Col W/OU Final
Cumulative Totals

MONO_20141104_E
November 4, 2014

Mono County

COA Justice - Raye	Completed Precincts: 13 of 13	COA Justice - Mauro	Completed Precincts: 13 of 13	Round Valley Joint Elementary - GBM	Number to Vote For: 2 Completed Precincts: 1 of 1
YES NO	1,272 64.70% 694 35.30%	YES NO	1,176 60.34% 773 39.66%	NON - EDUARDO SANDOVAL NON - SHAWN K. RAY	69 25.46% 50 18.45%
COA Justice - Hoch	Completed Precincts: 13 of 13	COA Justice - Duarte	Completed Precincts: 13 of 13	Board Member June Lake	Number to Vote For: 2 Completed Precincts: 1 of 1
YES NO	1,302 66.29% 662 33.71%	YES NO	1,193 60.44% 781 39.56%	NON - LARRY R. HUGHES NON - JERRY T. ALLENDORF NON - IAN FETTES	130 39.88% 127 38.96% 69 21.17%
COA Justice - Robie	Completed Precincts: 13 of 13	Sup of Public Instruction	Completed Precincts: 13 of 13	Prop 1	Completed Precincts: 13 of 13
YES NO	1,250 64.07% 701 35.93%	NON - TOM TORLAKSON NON - MARSHALL TUCK	1,409 56.86% 1,069 43.14%	YES NO	1,580 52.95% 1,404 47.05%
COA Justice - Renner	Completed Precincts: 13 of 13	Bishop Unified - GBM	Number to Vote For: 3 Completed Precincts: 1 of 1	Prop 2	Completed Precincts: 13 of 13
YES NO	1,124 57.91% 817 42.09%	NON - TAYLOR P. LUDWICK NON - TOM STEPHENSON NON - KATHY ZACK NON - SUSANNE M. RIZO NON - JOSHUA R. NICHOLSON	103 25.00% 92 22.33% 92 22.33% 82 19.90% 43 10.44%	YES NO	1,837 62.55% 1,100 37.45%
COA Justice - Murray	Completed Precincts: 13 of 13	Round Valley Joint Elementary - GBM	Number to Vote For: 2 Completed Precincts: 1 of 1	Prop 45	Completed Precincts: 13 of 13
YES NO	1,262 64.95% 681 35.05%	NON - JEFF PERRY	152 56.09%	NO YES	1,635 54.28% 1,377 45.72%

Summary Report 3 Col W/OU Final
Cumulative Totals

Mono County

Prop 46	Completed Precincts:	13 of 13		
			2,196	72.55%
NO			831	27.45%
YES				

Prop 47	Completed Precincts:	13 of 13		
			1,952	64.40%
YES			1,079	35.60%
NO				

Prop 48	Completed Precincts:	13 of 13		
			1,740	58.82%
NO			1,218	41.18%
YES				

Summary Report 3 Col W/OU Final

Cumulative Totals

Mono County

REGISTRATION & TURNOUT Mono County Completed Precincts: 13 of 13 Total Registration 5,812 Election Day Ballots Cast 1,107 19.05% Vote By Mail Ballots Cast 2,048 35.24% Total Ballots Cast 3,155 54.28%	State Treasurer Completed Precincts: 13 of 13 DEM - JOHN CHIANG 1,535 51.01% REP - GREG CONLON 1,474 48.99%	State Senator District 8 Completed Precincts: 13 of 13 REP - TOM BERRYHILL 1,619 54.07% DEM - PAULINA MIRANDA 1,375 45.93%
GOVERNOR Completed Precincts: 13 of 13 DEM - EDMUND G. "JERRY" BROWN 1,632 53.09% REP - NEEL KASHKARI 1,442 46.91%	Attorney General Completed Precincts: 13 of 13 REP - RONALD GOLD 1,516 50.37% DEM - KAMALA D. HARRIS 1,494 49.63%	State Assembly District 5 Completed Precincts: 13 of 13 REP - FRANK BIGELOW 1,736 64.20% LIB - PATRICK D. HOGAN 968 35.80%
Lieutenant Governor Completed Precincts: 13 of 13 DEM - GAVIN NEWSOM 1,526 50.18% REP - RON NEHRING 1,515 49.82%	Insurance Commissioner Completed Precincts: 13 of 13 REP - TED GAINES 1,530 50.71% DEM - DAVE JONES 1,487 49.29%	Supreme Court - Liu Completed Precincts: 13 of 13 YES 1,188 57.39% NO 882 42.61%
Secretary of State Completed Precincts: 13 of 13 REP - PETE PETERSON 1,627 53.86% DEM - ALEX PADILLA 1,394 46.14%	Board of Equalization District 1 Completed Precincts: 13 of 13 REP - GEORGE RUNNER 1,604 54.28% DEM - CHRIS PARKER 1,351 45.72%	Supreme Court - Cuellar Completed Precincts: 13 of 13 YES 1,173 56.53% NO 902 43.47%
State Controller Completed Precincts: 13 of 13 REP - ASHLEY SWEARENGIN 1,580 52.49% DEM - BETTY T. YEE 1,430 47.51%	US Representative 8th Completed Precincts: 13 of 13 REP - PAUL COOK 1,630 54.03% DEM - BOB CONAWAY 1,387 45.97%	Supreme Court - Werdegar Completed Precincts: 13 of 13 YES 1,322 64.11% NO 740 35.89%

Summary Report 3 Col W/OU Final
Cumulative Totals

Mono County

COA Justice - Raye	Completed Precincts: 13 of 13	COA Justice - Mauro	Completed Precincts: 13 of 13	Round Valley Joint Elementary - GBM	Number to Vote For: 2 Completed Precincts: 1 of 1
YES NO	1,272 64.70% 694 35.30%	YES NO	1,176 60.34% 773 39.66%	NON - EDUARDO SANDOVAL NON - SHAWN K. RAY	69 25.46% 50 18.45%
COA Justice - Hoch	Completed Precincts: 13 of 13	COA Justice - Duarte	Completed Precincts: 13 of 13	Board Member June Lake	Number to Vote For: 2 Completed Precincts: 1 of 1
YES NO	1,302 66.29% 662 33.71%	YES NO	1,193 60.44% 781 39.56%	NON - LARRY R. HUGHES NON - JERRY T. ALLENDORF NON - IAN FETTES	130 39.88% 127 38.96% 69 21.17%
COA Justice - Robie	Completed Precincts: 13 of 13	Sup of Public Instruction	Completed Precincts: 13 of 13	Prop 1	Completed Precincts: 13 of 13
YES NO	1,250 64.07% 701 35.93%	NON - TOM TORLAKSON NON - MARSHALL TUCK	1,409 56.86% 1,069 43.14%	YES NO	1,580 52.95% 1,404 47.05%
COA Justice - Renner	Completed Precincts: 13 of 13	Bishop Unified - GBM	Completed Precincts: 1 of 1	Prop 2	Completed Precincts: 13 of 13
YES NO	1,124 57.91% 817 42.09%	NON - TAYLOR P. LUDWICK NON - TOM STEPHENSON NON - KATHY ZACK NON - SUSANNE M. RIZO NON - JOSHUA R. NICHOLSON	103 25.00% 92 22.33% 92 22.33% 82 19.90% 43 10.44%	YES NO	1,837 62.55% 1,100 37.45%
COA Justice - Murray	Completed Precincts: 13 of 13	Round Valley Joint Elementary - GBM	Completed Precincts: 1 of 1	Prop 45	Completed Precincts: 13 of 13
YES NO	1,262 64.95% 681 35.05%	NON - JEFF PERRY	152 56.09%	NO YES	1,635 54.28% 1,377 45.72%

Summary Report 3 Col W/OU Final
Cumulative Totals

Mono County

Prop 46	Completed Precincts:	13 of 13		
			2,196	72.55%
NO			831	27.45%
YES				

Prop 47	Completed Precincts:	13 of 13		
			1,952	64.40%
YES			1,079	35.60%
NO				

Prop 48	Completed Precincts:	13 of 13		
			1,740	58.82%
NO			1,218	41.18%
YES				

November 4, 2014

Summary Report

Mono County

Summary Report W/OU Final

Registration & Turnout	5,812	Voters	US Representative 8th (cont'd...)	13/13	100.00%
Election Day Turnout	1,107	19.05%	DEM - BOB CONAWAY	1,387	45.97%
Vote By Mail Turnout	2,048	35.24%		Total ...	3,017 100.00%
Total ...	3,155	54.28%			
GOVERNOR	13/13	100.00%	State Senator District 8	13/13	100.00%
DEM - EDMUND G. "JERRY" BROWN	1,632	53.09%	DEM - PAULINA MIRANDA	1,375	45.93%
REP - NEEL KASHKARI	1,442	46.91%	REP - TOM BERRYHILL	1,619	54.07%
Total ...	3,074	100.00%	Total ...	2,994	100.00%
Lieutenant Governor	13/13	100.00%	State Assembly District 5	13/13	100.00%
REP - RON NEHRING	1,515	49.82%	LIB - PATRICK D. HOGAN	968	35.80%
DEM - GAVIN NEWSOM	1,526	50.18%	REP - FRANK BIGELOW	1,736	64.20%
Total ...	3,041	100.00%	Total ...	2,704	100.00%
Secretary of State	13/13	100.00%	Supreme Court - Liu	13/13	100.00%
DEM - ALEX PADILLA	1,394	46.14%	YES	1,188	57.39%
REP - PETE PETERSON	1,627	53.86%	NO	882	42.61%
Total ...	3,021	100.00%	Total ...	2,070	100.00%
State Controller	13/13	100.00%	Supreme Court - Cuellar	13/13	100.00%
REP - ASHLEY SWEARENGIN	1,580	52.49%	YES	1,173	56.53%
DEM - BETTY T. YEE	1,430	47.51%	NO	902	43.47%
Total ...	3,010	100.00%	Total ...	2,075	100.00%
State Treasurer	13/13	100.00%	Supreme Court - Werdegar	13/13	100.00%
DEM - JOHN CHIANG	1,535	51.01%	YES	1,322	64.11%
REP - GREG CONLON	1,474	48.99%	NO	740	35.89%
Total ...	3,009	100.00%	Total ...	2,062	100.00%
Attorney General	13/13	100.00%	COA Justice - Raye	13/13	100.00%
DEM - KAMALA D. HARRIS	1,494	49.63%	YES	1,272	64.70%
REP - RONALD GOLD	1,516	50.37%	NO	694	35.30%
Total ...	3,010	100.00%	Total ...	1,966	100.00%
Insurance Commissioner	13/13	100.00%	COA Justice - Hoch	13/13	100.00%
DEM - DAVE JONES	1,487	49.29%	YES	1,302	66.29%
REP - TED GAINES	1,530	50.71%	NO	662	33.71%
Total ...	3,017	100.00%	Total ...	1,964	100.00%
Board of Equalization District 1	13/13	100.00%	COA Justice - Robie	13/13	100.00%
REP - GEORGE RUNNER	1,604	54.28%	YES	1,250	64.07%
DEM - CHRIS PARKER	1,351	45.72%	NO	701	35.93%
Total ...	2,955	100.00%	Total ...	1,951	100.00%
US Representative 8th	13/13	100.00%	COA Justice - Renner	13/13	100.00%
REP - PAUL COOK	1,630	54.03%	YES	1,124	57.91%
			NO	817	42.09%
			Total ...	1,941	100.00%

November 4, 2014

Summary Report

Mono County

Summary Report W/OU Final

COA Justice - Murray		13/13 100.00%	Prop 45		13/13 100.00%
YES	1,262	64.95%	YES	1,377	45.72%
NO	681	35.05%	NO	1,635	54.28%
	Total ...	1,943 100.00%		Total ...	3,012 100.00%
COA Justice - Mauro		13/13 100.00%	Prop 46		13/13 100.00%
YES	1,176	60.34%	YES	831	27.45%
NO	773	39.66%	NO	2,196	72.55%
	Total ...	1,949 100.00%		Total ...	3,027 100.00%
COA Justice - Duarte		13/13 100.00%	Prop 47		13/13 100.00%
YES	1,193	60.44%	YES	1,952	64.40%
NO	781	39.56%	NO	1,079	35.60%
	Total ...	1,974 100.00%		Total ...	3,031 100.00%
Sup of Public Instruction		13/13 100.00%	Prop 48		13/13 100.00%
NON - TOM TORLAKSON	1,409	56.86%	YES	1,218	41.18%
NON - MARSHALL TUCK	1,069	43.14%	NO	1,740	58.82%
	Total ...	2,478 100.00%		Total ...	2,958 100.00%
Bishop Unified - GBM		1/1 100.00%			
NON - TOM STEPHENSON	92	22.33%			
NON - SUSANNE M. RIZO	82	19.90%			
NON - TAYLOR P. LUDWICK	103	25.00%			
NON - JOSHUA R. NICHOLSON	43	10.44%			
NON - KATHY ZACK	92	22.33%			
	Total ...	412 100.00%			
Round Valley Joint Elementary - GBM		1/1 100.00%			
NON - EDUARDO SANDOVAL	69	25.46%			
NON - SHAWN K. RAY	50	18.45%			
NON - JEFF PERRY	152	56.09%			
	Total ...	271 100.00%			
Board Member June Lake		1/1 100.00%			
NON - LARRY R. HUGHES	130	39.88%			
NON - JERRY T. ALLENDORF	127	38.96%			
NON - IAN FETTES	69	21.17%			
	Total ...	326 100.00%			
Prop 1		13/13 100.00%			
YES	1,580	52.95%			
NO	1,404	47.05%			
	Total ...	2,984 100.00%			
Prop 2		13/13 100.00%			
YES	1,837	62.55%			
NO	1,100	37.45%			
	Total ...	2,937 100.00%			

November 4, 2014

Precinct Report

Mono County

Precinct Report 2 Col W/OU Final

01 ANTELOPE

Registration & Turnout		476	
Election Day Turnout	156	32.77%	
Vote By Mail Turnout	145	30.46%	
Total...	301	63.24%	

GOVERNOR

		(Final)	
DEM - EDMUND G. "JERRY" BROWN	124	42.32%	
REP - NEEL KASHKARI	169	57.68%	
Total...	293	100.00%	

Lieutenant Governor

		(Final)	
REP - RON NEHRING	180	61.64%	
DEM - GAVIN NEWSOM	112	38.36%	
Total...	292	100.00%	

Secretary of State

		(Final)	
DEM - ALEX PADILLA	102	34.93%	
REP - PETE PETERSON	190	65.07%	
Total...	292	100.00%	

State Controller

		(Final)	
REP - ASHLEY SWEARENGIN	177	61.03%	
DEM - BETTY T. YEE	113	38.97%	
Total...	290	100.00%	

State Treasurer

		(Final)	
DEM - JOHN CHIANG	117	40.34%	
REP - GREG CONLON	173	59.66%	
Total...	290	100.00%	

Attorney General

		(Final)	
DEM - KAMALA D. HARRIS	104	35.74%	
REP - RONALD GOLD	187	64.26%	
Total...	291	100.00%	

Insurance Commissioner

		(Final)	
DEM - DAVE JONES	107	36.52%	
REP - TED GAINES	186	63.48%	
Total...	293	100.00%	

Board of Equalization District 1

		(Final)	
REP - GEORGE RUNNER	183	63.10%	
DEM - CHRIS PARKER	107	36.90%	
Total...	290	100.00%	

US Representative 8th

		(Final)	
REP - PAUL COOK	186	63.48%	
DEM - BOB CONAWAY	107	36.52%	
Total...	293	100.00%	

State Senator District 8

		(Final)	
DEM - PAULINA MIRANDA	94	32.08%	
REP - TOM BERRYHILL	199	67.92%	
Total...	293	100.00%	

State Assembly District 5

		(Final)	
LIB - PATRICK D. HOGAN	78	27.86%	

01 ANTELOPE

State Assembly District 5 (Final)

REP - FRANK BIGELOW	202	72.14%
Total...	280	100.00%

Supreme Court - Liu (Final)

YES	117	49.79%
NO	118	50.21%
Total...	235	100.00%

Supreme Court - Cuellar (Final)

YES	122	51.91%
NO	113	48.09%
Total...	235	100.00%

Supreme Court - Werdegar (Final)

YES	156	66.67%
NO	78	33.33%
Total...	234	100.00%

COA Justice - Raye (Final)

YES	149	65.07%
NO	80	34.93%
Total...	229	100.00%

COA Justice - Hoch (Final)

YES	152	67.56%
NO	73	32.44%
Total...	225	100.00%

COA Justice - Robie (Final)

YES	144	63.44%
NO	83	36.56%
Total...	227	100.00%

COA Justice - Renner (Final)

YES	123	54.19%
NO	104	45.81%
Total...	227	100.00%

COA Justice - Murray (Final)

YES	146	64.32%
NO	81	35.68%
Total...	227	100.00%

COA Justice - Mauro (Final)

YES	135	59.21%
NO	93	40.79%
Total...	228	100.00%

COA Justice - Duarte (Final)

YES	135	58.95%
NO	94	41.05%
Total...	229	100.00%

Sup of Public Instruction (Final)

NON - TOM TORLAKSON	132	53.01%
NON - MARSHALL TUCK	117	46.99%
Total...	249	100.00%

November 4, 2014

Precinct Report

Mono County

Precinct Report 2 Col W/OU Final

01 ANTELOPE

Prop 1	(Final)		
YES	109	37.59%	
NO	181	62.41%	
Total...	290	100.00%	

02 BENTON - MB

Registration & Turnout	(Final)	191	
Election Day Turnout	0	0.00%	
Vote By Mail Turnout	92	48.17%	
Total...	92	48.17%	

Prop 2

Prop 2	(Final)		
YES	172	60.14%	
NO	114	39.86%	
Total...	286	100.00%	

GOVERNOR

DEM - EDMUND G. "JERRY" BROWN	27	29.35%	
REP - NEEL KASHKARI	65	70.65%	
Total...	92	100.00%	

Prop 45

Prop 45	(Final)		
YES	136	47.06%	
NO	153	52.94%	
Total...	289	100.00%	

Lieutenant Governor

REP - RON NEHRING	64	70.33%	
DEM - GAVIN NEWSOM	27	29.67%	
Total...	91	100.00%	

Prop 46

Prop 46	(Final)		
YES	97	33.56%	
NO	192	66.44%	
Total...	289	100.00%	

Secretary of State

DEM - ALEX PADILLA	24	26.67%	
REP - PETE PETERSON	66	73.33%	
Total...	90	100.00%	

Prop 47

Prop 47	(Final)		
YES	189	64.95%	
NO	102	35.05%	
Total...	291	100.00%	

State Controller

REP - ASHLEY SWEARENGIN	60	65.93%	
DEM - BETTY T. YEE	31	34.07%	
Total...	91	100.00%	

Prop 48

Prop 48	(Final)		
YES	135	46.39%	
NO	156	53.61%	
Total...	291	100.00%	

State Treasurer

DEM - JOHN CHIANG	31	34.07%	
REP - GREG CONLON	60	65.93%	
Total...	91	100.00%	

Attorney General

DEM - KAMALA D. HARRIS	24	27.27%	
REP - RONALD GOLD	64	72.73%	
Total...	88	100.00%	

Insurance Commissioner

DEM - DAVE JONES	27	30.00%	
REP - TED GAINES	63	70.00%	
Total...	90	100.00%	

Board of Equalization District 1

REP - GEORGE RUNNER	64	71.91%	
DEM - CHRIS PARKER	25	28.09%	
Total...	89	100.00%	

US Representative 8th

REP - PAUL COOK	68	74.73%	
DEM - BOB CONAWAY	23	25.27%	
Total...	91	100.00%	

State Senator District 8

DEM - PAULINA MIRANDA	23	25.56%	
REP - TOM BERRYHILL	67	74.44%	
Total...	90	100.00%	

State Assembly District 5

LIB - PATRICK D. HOGAN	18	20.69%	
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November 4, 2014

Precinct Report

Mono County

Precinct Report 2 Col W/OU Final

02 BENTON - MB

02 BENTON - MB

State Assembly District 5				(Final)	Prop 1	(Final)	
REP - FRANK BIGELOW		69	79.31%	YES	33	37.50%	
	Total...	87	100.00%	NO	55	62.50%	
Supreme Court - Liu				(Final)		Total...	88 100.00%
YES		27	39.71%	Prop 2	(Final)		
NO		41	60.29%	YES	54	60.00%	
	Total...	68	100.00%	NO	36	40.00%	
Supreme Court - Cuellar				(Final)		Total...	90 100.00%
YES		26	37.68%	Prop 45	(Final)		
NO		43	62.32%	YES	26	29.55%	
	Total...	69	100.00%	NO	62	70.45%	
Supreme Court - Werdegar				(Final)		Total...	88 100.00%
YES		37	55.22%	Prop 46	(Final)		
NO		30	44.78%	YES	20	22.47%	
	Total...	67	100.00%	NO	69	77.53%	
COA Justice - Raye				(Final)		Total...	89 100.00%
YES		39	57.35%	Prop 47	(Final)		
NO		29	42.65%	YES	43	47.25%	
	Total...	68	100.00%	NO	48	52.75%	
COA Justice - Hoch				(Final)		Total...	91 100.00%
YES		40	59.70%	Prop 48	(Final)		
NO		27	40.30%	YES	27	30.34%	
	Total...	67	100.00%	NO	62	69.66%	
COA Justice - Robie				(Final)		Total...	89 100.00%
YES		36	52.94%				
NO		32	47.06%				
	Total...	68	100.00%				
COA Justice - Renner				(Final)			
YES		28	41.79%				
NO		39	58.21%				
	Total...	67	100.00%				
COA Justice - Murray				(Final)			
YES		38	56.72%				
NO		29	43.28%				
	Total...	67	100.00%				
COA Justice - Mauro				(Final)			
YES		35	53.03%				
NO		31	46.97%				
	Total...	66	100.00%				
COA Justice - Duarte				(Final)			
YES		34	51.52%				
NO		32	48.48%				
	Total...	66	100.00%				
Sup of Public Instruction				(Final)			
NON - TOM TORLAKSON		39	47.56%				
NON - MARSHALL TUCK		43	52.44%				
	Total...	82	100.00%				

November 4, 2014

Precinct Report

Mono County

Precinct Report 2 Col W/OU Final

03 BRIDGEPORT

Registration & Turnout		382	
Election Day Turnout	126	32.98%	
Vote By Mail Turnout	136	35.60%	
Total...	262	68.59%	

GOVERNOR

DEM - EDMUND G. "JERRY" BROWN	73	29.20%	(Final)
REP - NEEL KASHKARI	177	70.80%	
Total...	250	100.00%	

Lieutenant Governor

REP - RON NEHRING	179	71.03%	(Final)
DEM - GAVIN NEWSOM	73	28.97%	
Total...	252	100.00%	

Secretary of State

DEM - ALEX PADILLA	63	24.71%	(Final)
REP - PETE PETERSON	192	75.29%	
Total...	255	100.00%	

State Controller

REP - ASHLEY SWEARENGIN	192	75.29%	(Final)
DEM - BETTY T. YEE	63	24.71%	
Total...	255	100.00%	

State Treasurer

DEM - JOHN CHIANG	82	31.91%	(Final)
REP - GREG CONLON	175	68.09%	
Total...	257	100.00%	

Attorney General

DEM - KAMALA D. HARRIS	66	26.09%	(Final)
REP - RONALD GOLD	187	73.91%	
Total...	253	100.00%	

Insurance Commissioner

DEM - DAVE JONES	75	29.53%	(Final)
REP - TED GAINES	179	70.47%	
Total...	254	100.00%	

Board of Equalization District 1

REP - GEORGE RUNNER	197	78.80%	(Final)
DEM - CHRIS PARKER	53	21.20%	
Total...	250	100.00%	

US Representative 8th

REP - PAUL COOK	191	75.49%	(Final)
DEM - BOB CONAWAY	62	24.51%	
Total...	253	100.00%	

State Senator District 8

DEM - PAULINA MIRANDA	53	21.20%	(Final)
REP - TOM BERRYHILL	197	78.80%	
Total...	250	100.00%	

State Assembly District 5

LIB - PATRICK D. HOGAN	47	19.50%	(Final)
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03 BRIDGEPORT

State Assembly District 5			(Final)
REP - FRANK BIGELOW	194	80.50%	
Total...	241	100.00%	
Supreme Court - Liu			(Final)
YES	81	44.26%	
NO	102	55.74%	
Total...	183	100.00%	
Supreme Court - Cuellar			(Final)
YES	76	41.30%	
NO	108	58.70%	
Total...	184	100.00%	
Supreme Court - Werdegar			(Final)
YES	76	42.46%	
NO	103	57.54%	
Total...	179	100.00%	
COA Justice - Raye			(Final)
YES	84	48.55%	
NO	89	51.45%	
Total...	173	100.00%	
COA Justice - Hoch			(Final)
YES	77	44.77%	
NO	95	55.23%	
Total...	172	100.00%	
COA Justice - Robie			(Final)
YES	88	50.87%	
NO	85	49.13%	
Total...	173	100.00%	
COA Justice - Renner			(Final)
YES	78	45.35%	
NO	94	54.65%	
Total...	172	100.00%	
COA Justice - Murray			(Final)
YES	94	54.65%	
NO	78	45.35%	
Total...	172	100.00%	
COA Justice - Mauro			(Final)
YES	79	45.40%	
NO	95	54.60%	
Total...	174	100.00%	
COA Justice - Duarte			(Final)
YES	75	43.35%	
NO	98	56.65%	
Total...	173	100.00%	
Sup of Public Instruction			(Final)
NON - TOM TORLAKSON	110	49.55%	
NON - MARSHALL TUCK	112	50.45%	
Total...	222	100.00%	

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Precinct Report

Mono County

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03 BRIDGEPORT

04 CHALFANT - MB

Prop 1		(Final)		Registration & Turnout		340	
YES	106	42.57%	Election Day Turnout	0	0.00%		
NO	143	57.43%	Vote By Mail Turnout	190	55.88%		
Total...		249	100.00%	Total...		190	55.88%
Prop 2		(Final)		GOVERNOR		(Final)	
YES	125	50.00%	DEM - EDMUND G. "JERRY" BROWN	51	27.13%		
NO	125	50.00%	REP - NEEL KASHKARI	137	72.87%		
Total...		250	100.00%	Total...		188	100.00%
Prop 45		(Final)		Lieutenant Governor		(Final)	
YES	84	34.01%	REP - RON NEHRING	138	73.80%		
NO	163	65.99%	DEM - GAVIN NEWSOM	49	26.20%		
Total...		247	100.00%	Total...		187	100.00%
Prop 46		(Final)		Secretary of State		(Final)	
YES	71	27.95%	DEM - ALEX PADILLA	49	26.34%		
NO	183	72.05%	REP - PETE PETERSON	137	73.66%		
Total...		254	100.00%	Total...		186	100.00%
Prop 47		(Final)		State Controller		(Final)	
YES	128	51.20%	REP - ASHLEY SWEARENGIN	137	73.66%		
NO	122	48.80%	DEM - BETTY T. YEE	49	26.34%		
Total...		250	100.00%	Total...		186	100.00%
Prop 48		(Final)		State Treasurer		(Final)	
YES	102	41.30%	DEM - JOHN CHIANG	62	32.98%		
NO	145	58.70%	REP - GREG CONLON	126	67.02%		
Total...		247	100.00%	Total...		188	100.00%
				Attorney General		(Final)	
				DEM - KAMALA D. HARRIS	50	26.74%	
				REP - RONALD GOLD	137	73.26%	
				Total...		187	100.00%
				Insurance Commissioner		(Final)	
				DEM - DAVE JONES	49	26.20%	
				REP - TED GAINES	138	73.80%	
				Total...		187	100.00%
				Board of Equalization District 1		(Final)	
				REP - GEORGE RUNNER	141	76.63%	
				DEM - CHRIS PARKER	43	23.37%	
				Total...		184	100.00%
				US Representative 8th		(Final)	
				REP - PAUL COOK	144	77.01%	
				DEM - BOB CONAWAY	43	22.99%	
				Total...		187	100.00%
				State Senator District 8		(Final)	
				DEM - PAULINA MIRANDA	42	22.46%	
				REP - TOM BERRYHILL	145	77.54%	
				Total...		187	100.00%
				State Assembly District 5		(Final)	
				LIB - PATRICK D. HOGAN	34	19.43%	

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04 CHALFANT - MB

04 CHALFANT - MB

State Assembly District 5 (Final)				Prop 1 (Final)			
REP - FRANK BIGELOW	141	80.57%	YES	77	43.02%		
Total...	175	100.00%	NO	102	56.98%		
Supreme Court - Liu (Final)				Total... 179 100.00%			
YES	56	42.75%	Prop 2 (Final)				
NO	75	57.25%	YES	93	53.45%		
Total...	131	100.00%	NO	81	46.55%		
Supreme Court - Cuellar (Final)				Total... 174 100.00%			
YES	48	36.64%	Prop 45 (Final)				
NO	83	63.36%	YES	62	35.23%		
Total...	131	100.00%	NO	114	64.77%		
Supreme Court - Werdegar (Final)				Total... 176 100.00%			
YES	65	50.00%	Prop 46 (Final)				
NO	65	50.00%	YES	56	31.11%		
Total...	130	100.00%	NO	124	68.89%		
COA Justice - Raye (Final)				Total... 180 100.00%			
YES	66	51.16%	Prop 47 (Final)				
NO	63	48.84%	YES	86	47.51%		
Total...	129	100.00%	NO	95	52.49%		
COA Justice - Hoch (Final)				Total... 181 100.00%			
YES	67	51.94%	Prop 48 (Final)				
NO	62	48.06%	YES	51	28.81%		
Total...	129	100.00%	NO	126	71.19%		
COA Justice - Robie (Final)				Total... 177 100.00%			
YES	67	51.54%					
NO	63	48.46%					
Total...	130	100.00%					
COA Justice - Renner (Final)							
YES	58	44.96%					
NO	71	55.04%					
Total...	129	100.00%					
COA Justice - Murray (Final)							
YES	64	50.00%					
NO	64	50.00%					
Total...	128	100.00%					
COA Justice - Mauro (Final)							
YES	60	46.15%					
NO	70	53.85%					
Total...	130	100.00%					
COA Justice - Duarte (Final)							
YES	60	46.51%					
NO	69	53.49%					
Total...	129	100.00%					
Sup of Public Instruction (Final)							
NON - TOM TORLAKSON	75	48.39%					
NON - MARSHALL TUCK	80	51.61%					
Total...	155	100.00%					

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Mono County

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05 JUNE LAKE

05 JUNE LAKE

Registration & Turnout			343	State Assembly District 5		(Final)	
Election Day Turnout	79	23.03%		REP - FRANK BIGELOW	118	60.82%	
Vote By Mail Turnout	139	40.52%			Total...	194	100.00%
Total...	218	63.56%		Supreme Court - Liu			(Final)
GOVERNOR			(Final)	YES	76	53.52%	
DEM - EDMUND G. "JERRY" BROWN	114	55.34%		NO	66	46.48%	
REP - NEEL KASHKARI	92	44.66%			Total...	142	100.00%
Total...	206	100.00%		Supreme Court - Cuellar			(Final)
Lieutenant Governor			(Final)	YES	73	51.77%	
REP - RON NEHRING	104	49.29%		NO	68	48.23%	
DEM - GAVIN NEWSOM	107	50.71%			Total...	141	100.00%
Total...	211	100.00%		Supreme Court - Werdegarr			(Final)
Secretary of State			(Final)	YES	81	56.64%	
DEM - ALEX PADILLA	94	46.77%		NO	62	43.36%	
REP - PETE PETERSON	107	53.23%			Total...	143	100.00%
Total...	201	100.00%		COA Justice - Raye			(Final)
State Controller			(Final)	YES	75	59.06%	
REP - ASHLEY SWEARENGIN	107	51.20%		NO	52	40.94%	
DEM - BETTY T. YEE	102	48.80%			Total...	127	100.00%
Total...	209	100.00%		COA Justice - Hoch			(Final)
State Treasurer			(Final)	YES	76	58.02%	
DEM - JOHN CHIANG	102	51.00%		NO	55	41.98%	
REP - GREG CONLON	98	49.00%			Total...	131	100.00%
Total...	200	100.00%		COA Justice - Robie			(Final)
Attorney General			(Final)	YES	70	55.12%	
DEM - KAMALA D. HARRIS	104	51.49%		NO	57	44.88%	
REP - RONALD GOLD	98	48.51%			Total...	127	100.00%
Total...	202	100.00%		COA Justice - Renner			(Final)
Insurance Commissioner			(Final)	YES	67	52.76%	
DEM - DAVE JONES	99	46.92%		NO	60	47.24%	
REP - TED GAINES	112	53.08%			Total...	127	100.00%
Total...	211	100.00%		COA Justice - Murray			(Final)
Board of Equalization District 1			(Final)	YES	76	60.32%	
REP - GEORGE RUNNER	119	59.20%		NO	50	39.68%	
DEM - CHRIS PARKER	82	40.80%			Total...	126	100.00%
Total...	201	100.00%		COA Justice - Mauro			(Final)
US Representative 8th			(Final)	YES	63	50.00%	
REP - PAUL COOK	118	56.19%		NO	63	50.00%	
DEM - BOB CONAWAY	92	43.81%			Total...	126	100.00%
Total...	210	100.00%		COA Justice - Duarte			(Final)
State Senator District 8			(Final)	YES	68	52.31%	
DEM - PAULINA MIRANDA	94	44.98%		NO	62	47.69%	
REP - TOM BERRYHILL	115	55.02%			Total...	130	100.00%
Total...	209	100.00%		Sup of Public Instruction			(Final)
State Assembly District 5			(Final)	NON - TOM TORLAKSON	88	52.69%	
LIB - PATRICK D. HOGAN	76	39.18%		NON - MARSHALL TUCK	79	47.31%	
					Total...	167	100.00%

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05 JUNE LAKE

Board Member June Lake

NON - LARRY R. HUGHES	130	39.88%
NON - JERRY T. ALLENDORF	127	38.96%
NON - IAN FETTES	69	21.17%
Total...	326	100.00%

Prop 1

YES	108	54.00%
NO	92	46.00%
Total...	200	100.00%

Prop 2

YES	122	61.31%
NO	77	38.69%
Total...	199	100.00%

Prop 45

YES	88	42.51%
NO	119	57.49%
Total...	207	100.00%

Prop 46

YES	69	33.17%
NO	139	66.83%
Total...	208	100.00%

Prop 47

YES	124	60.78%
NO	80	39.22%
Total...	204	100.00%

Prop 48

YES	75	36.76%
NO	129	63.24%
Total...	204	100.00%

06 LEE VINING - MB

Registration & Turnout		226	
Election Day Turnout	0	0.00%	
Vote By Mail Turnout	143	63.27%	
Total...	143	63.27%	
GOVERNOR		(Final)	
DEM - EDMUND G. "JERRY" BROWN	83	59.71%	
REP - NEEL KASHKARI	56	40.29%	
Total...	139	100.00%	
Lieutenant Governor		(Final)	
REP - RON NEHRING	60	44.44%	
DEM - GAVIN NEWSOM	75	55.56%	
Total...	135	100.00%	
Secretary of State		(Final)	
DEM - ALEX PADILLA	68	50.00%	
REP - PETE PETERSON	68	50.00%	
Total...	136	100.00%	
State Controller		(Final)	
REP - ASHLEY SWEARENGIN	64	47.76%	
DEM - BETTY T. YEE	70	52.24%	
Total...	134	100.00%	
State Treasurer		(Final)	
DEM - JOHN CHIANG	80	59.26%	
REP - GREG CONLON	55	40.74%	
Total...	135	100.00%	
Attorney General		(Final)	
DEM - KAMALA D. HARRIS	76	56.30%	
REP - RONALD GOLD	59	43.70%	
Total...	135	100.00%	
Insurance Commissioner		(Final)	
DEM - DAVE JONES	73	54.07%	
REP - TED GAINES	62	45.93%	
Total...	135	100.00%	
Board of Equalization District 1		(Final)	
REP - GEORGE RUNNER	59	44.36%	
DEM - CHRIS PARKER	74	55.64%	
Total...	133	100.00%	
US Representative 8th		(Final)	
REP - PAUL COOK	59	42.75%	
DEM - BOB CONAWAY	79	57.25%	
Total...	138	100.00%	
State Senator District 8		(Final)	
DEM - PAULINA MIRANDA	82	59.85%	
REP - TOM BERRYHILL	55	40.15%	
Total...	137	100.00%	
State Assembly District 5		(Final)	
LIB - PATRICK D. HOGAN	47	42.73%	

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06 LEE VINING - MB

06 LEE VINING - MB

State Assembly District 5				Prop 1			
(Final)				(Final)			
REP - FRANK BIGELOW	63	57.27%	YES	68	50.00%		
			NO	68	50.00%		
Total...	110	100.00%		136	100.00%		
Supreme Court - Liu				Prop 2			
(Final)				(Final)			
YES	63	61.17%	YES	74	57.36%		
NO	40	38.83%	NO	55	42.64%		
Total...	103	100.00%		129	100.00%		
Supreme Court - Cuellar				Prop 45			
(Final)				(Final)			
YES	58	56.86%	YES	73	54.07%		
NO	44	43.14%	NO	62	45.93%		
Total...	102	100.00%		135	100.00%		
Supreme Court - Werdegar				Prop 46			
(Final)				(Final)			
YES	66	65.35%	YES	40	28.99%		
NO	35	34.65%	NO	98	71.01%		
Total...	101	100.00%		138	100.00%		
COA Justice - Raye				Prop 47			
(Final)				(Final)			
YES	66	69.47%	YES	101	72.66%		
NO	29	30.53%	NO	38	27.34%		
Total...	95	100.00%		139	100.00%		
COA Justice - Hoch				Prop 48			
(Final)				(Final)			
YES	63	67.74%	YES	53	38.69%		
NO	30	32.26%	NO	84	61.31%		
Total...	93	100.00%		137	100.00%		
COA Justice - Robie							
(Final)							
YES	63	67.02%					
NO	31	32.98%					
Total...	94	100.00%					
COA Justice - Renner							
(Final)							
YES	49	53.85%					
NO	42	46.15%					
Total...	91	100.00%					
COA Justice - Murray							
(Final)							
YES	60	63.83%					
NO	34	36.17%					
Total...	94	100.00%					
COA Justice - Mauro							
(Final)							
YES	57	60.64%					
NO	37	39.36%					
Total...	94	100.00%					
COA Justice - Duarte							
(Final)							
YES	56	58.33%					
NO	40	41.67%					
Total...	96	100.00%					
Sup of Public Instruction							
(Final)							
NON - TOM TORLAKSON	61	56.48%					
NON - MARSHALL TUCK	47	43.52%					
Total...	108	100.00%					

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Mono County

Precinct Report 2 Col W/OU Final

07 LONG VALLEY

07 LONG VALLEY

				690			(Final)	
Registration & Turnout					State Assembly District 5			
Election Day Turnout	186	26.96%			REP - FRANK BIGELOW		218	66.26%
Vote By Mail Turnout	187	27.10%			Total...		329	100.00%
Total...	373	54.06%			Supreme Court - Liu			(Final)
GOVERNOR				(Final)	YES		145	58.70%
DEM - EDMUND G. "JERRY" BROWN	208	56.68%			NO		102	41.30%
REP - NEEL KASHKARI	159	43.32%			Total...		247	100.00%
Total...	367	100.00%			Supreme Court - Cuellar			(Final)
Lieutenant Governor				(Final)	YES		141	57.79%
REP - RON NEHRING	174	48.20%			NO		103	42.21%
DEM - GAVIN NEWSOM	187	51.80%			Total...		244	100.00%
Total...	361	100.00%			Supreme Court - Werdegar			(Final)
Secretary of State				(Final)	YES		177	70.52%
DEM - ALEX PADILLA	173	47.66%			NO		74	29.48%
REP - PETE PETERSON	190	52.34%			Total...		251	100.00%
Total...	363	100.00%			COA Justice - Raye			(Final)
State Controller				(Final)	YES		161	69.40%
REP - ASHLEY SWEARENGIN	181	50.28%			NO		71	30.60%
DEM - BETTY T. YEE	179	49.72%			Total...		232	100.00%
Total...	360	100.00%			COA Justice - Hoch			(Final)
State Treasurer				(Final)	YES		171	72.77%
DEM - JOHN CHIANG	195	54.02%			NO		64	27.23%
REP - GREG CONLON	166	45.98%			Total...		235	100.00%
Total...	361	100.00%			COA Justice - Robie			(Final)
Attorney General				(Final)	YES		156	67.83%
DEM - KAMALA D. HARRIS	193	53.61%			NO		74	32.17%
REP - RONALD GOLD	167	46.39%			Total...		230	100.00%
Total...	360	100.00%			COA Justice - Renner			(Final)
Insurance Commissioner				(Final)	YES		139	60.43%
DEM - DAVE JONES	186	51.96%			NO		91	39.57%
REP - TED GAINES	172	48.04%			Total...		230	100.00%
Total...	358	100.00%			COA Justice - Murray			(Final)
Board of Equalization District 1				(Final)	YES		156	67.83%
REP - GEORGE RUNNER	175	49.58%			NO		74	32.17%
DEM - CHRIS PARKER	178	50.42%			Total...		230	100.00%
Total...	353	100.00%			COA Justice - Mauro			(Final)
US Representative 8th				(Final)	YES		159	69.13%
REP - PAUL COOK	190	53.37%			NO		71	30.87%
DEM - BOB CONAWAY	166	46.63%			Total...		230	100.00%
Total...	356	100.00%			COA Justice - Duarte			(Final)
State Senator District 8				(Final)	YES		153	65.38%
DEM - PAULINA MIRANDA	168	47.19%			NO		81	34.62%
REP - TOM BERRYHILL	188	52.81%			Total...		234	100.00%
Total...	356	100.00%			Sup of Public Instruction			(Final)
State Assembly District 5				(Final)	NON - TOM TORLAKSON		170	55.56%
LIB - PATRICK D. HOGAN	111	33.74%			NON - MARSHALL TUCK		136	44.44%
Total...					Total...		306	100.00%

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Mono County

Precinct Report 2 Col W/OU Final

07 LONG VALLEY

Prop 1	(Final)		
YES	186	52.25%	
NO	170	47.75%	
Total...	356	100.00%	

08 MAMMOTH MEADOW

Registration & Turnout		408	
Election Day Turnout	101	24.75%	
Vote By Mail Turnout	121	29.66%	
Total...	222	54.41%	

Prop 2

YES	222	63.43%	
NO	128	36.57%	
Total...	350	100.00%	

GOVERNOR		(Final)	
DEM - EDMUND G. "JERRY" BROWN	133	61.57%	
REP - NEEL KASHKARI	83	38.43%	
Total...	216	100.00%	

Prop 45

YES	157	43.13%	
NO	207	56.87%	
Total...	364	100.00%	

Lieutenant Governor		(Final)	
REP - RON NEHRING	82	39.05%	
DEM - GAVIN NEWSOM	128	60.95%	
Total...	210	100.00%	

Prop 46

YES	80	22.16%	
NO	281	77.84%	
Total...	361	100.00%	

Secretary of State		(Final)	
DEM - ALEX PADILLA	115	54.50%	
REP - PETE PETERSON	96	45.50%	
Total...	211	100.00%	

Prop 47

YES	219	60.66%	
NO	142	39.34%	
Total...	361	100.00%	

State Controller		(Final)	
REP - ASHLEY SWEARENGIN	91	43.96%	
DEM - BETTY T. YEE	116	56.04%	
Total...	207	100.00%	

Prop 48

YES	140	40.46%	
NO	206	59.54%	
Total...	346	100.00%	

State Treasurer		(Final)	
DEM - JOHN CHIANG	119	57.77%	
REP - GREG CONLON	87	42.23%	
Total...	206	100.00%	

Attorney General		(Final)	
DEM - KAMALA D. HARRIS	124	59.33%	
REP - RONALD GOLD	85	40.67%	
Total...	209	100.00%	

Insurance Commissioner		(Final)	
DEM - DAVE JONES	115	55.83%	
REP - TED GAINES	91	44.17%	
Total...	206	100.00%	

Board of Equalization District 1		(Final)	
REP - GEORGE RUNNER	91	45.27%	
DEM - CHRIS PARKER	110	54.73%	
Total...	201	100.00%	

US Representative 8th		(Final)	
REP - PAUL COOK	96	46.83%	
DEM - BOB CONAWAY	109	53.17%	
Total...	205	100.00%	

State Senator District 8		(Final)	
DEM - PAULINA MIRANDA	111	54.41%	
REP - TOM BERRYHILL	93	45.59%	
Total...	204	100.00%	

State Assembly District 5		(Final)	
LIB - PATRICK D. HOGAN	75	42.61%	

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08 MAMMOTH MEADOW

08 MAMMOTH MEADOW

		(Final)		(Final)	
State Assembly District 5				Prop 1	
REP - FRANK BIGELOW	101	57.39%	YES	117	55.98%
			NO	92	44.02%
Total...	176	100.00%		Total...	209 100.00%
Supreme Court - Liu		(Final)		(Final)	
YES	95	69.85%	Prop 2		
NO	41	30.15%	YES	131	64.22%
			NO	73	35.78%
Total...	136	100.00%		Total...	204 100.00%
Supreme Court - Cuellar		(Final)		(Final)	
YES	91	66.91%	Prop 45		
NO	45	33.09%	YES	98	46.89%
			NO	111	53.11%
Total...	136	100.00%		Total...	209 100.00%
Supreme Court - Werdegarr		(Final)		(Final)	
YES	103	75.18%	Prop 46		
NO	34	24.82%	YES	63	29.72%
			NO	149	70.28%
Total...	137	100.00%		Total...	212 100.00%
COA Justice - Raye		(Final)		(Final)	
YES	93	73.81%	Prop 47		
NO	33	26.19%	YES	146	68.54%
			NO	67	31.46%
Total...	126	100.00%		Total...	213 100.00%
COA Justice - Hoch		(Final)		(Final)	
YES	99	77.95%	Prop 48		
NO	28	22.05%	YES	86	42.16%
			NO	118	57.84%
Total...	127	100.00%		Total...	204 100.00%
COA Justice - Robie		(Final)			
YES	93	75.61%			
NO	30	24.39%			
Total...	123	100.00%			
COA Justice - Renner		(Final)			
YES	85	71.43%			
NO	34	28.57%			
Total...	119	100.00%			
COA Justice - Murray		(Final)			
YES	94	76.42%			
NO	29	23.58%			
Total...	123	100.00%			
COA Justice - Mauro		(Final)			
YES	90	72.58%			
NO	34	27.42%			
Total...	124	100.00%			
COA Justice - Duarte		(Final)			
YES	91	71.65%			
NO	36	28.35%			
Total...	127	100.00%			
Sup of Public Instruction		(Final)			
NON - TOM TORLAKSON	96	59.26%			
NON - MARSHALL TUCK	66	40.74%			
Total...	162	100.00%			

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09 MAMMOTH MINARET

09 MAMMOTH MINARET

09 MAMMOTH MINARET				09 MAMMOTH MINARET			
				757	State Assembly District 5		(Final)
Registration & Turnout					REP - FRANK BIGELOW		
Election Day Turnout	145	19.15%			189	61.36%	
Vote By Mail Turnout	219	28.93%					
Total...	364	48.08%			Total...	308	100.00%
GOVERNOR				(Final)	Supreme Court - Liu		(Final)
				YES	139	60.70%	
DEM - EDMUND G. "JERRY" BROWN	204	57.14%		NO	90	39.30%	
REP - NEEL KASHKARI	153	42.86%					
Total...	357	100.00%			Total...	229	100.00%
Lieutenant Governor				(Final)	Supreme Court - Cuellar		(Final)
				YES	144	63.16%	
REP - RON NEHRING	156	44.83%		NO	84	36.84%	
DEM - GAVIN NEWSOM	192	55.17%					
Total...	348	100.00%			Total...	228	100.00%
Secretary of State				(Final)	Supreme Court - Werdegarr		(Final)
				YES	151	66.23%	
DEM - ALEX PADILLA	173	50.29%		NO	77	33.77%	
REP - PETE PETERSON	171	49.71%					
Total...	344	100.00%			Total...	228	100.00%
State Controller				(Final)	COA Justice - Raye		(Final)
				YES	141	64.38%	
REP - ASHLEY SWEARENGIN	181	53.55%		NO	78	35.62%	
DEM - BETTY T. YEE	157	46.45%					
Total...	338	100.00%			Total...	219	100.00%
State Treasurer				(Final)	COA Justice - Hoch		(Final)
				YES	145	66.51%	
DEM - JOHN CHIANG	178	51.74%		NO	73	33.49%	
REP - GREG CONLON	166	48.26%					
Total...	344	100.00%			Total...	218	100.00%
Attorney General				(Final)	COA Justice - Robie		(Final)
				YES	139	64.95%	
DEM - KAMALA D. HARRIS	185	53.62%		NO	75	35.05%	
REP - RONALD GOLD	160	46.38%					
Total...	345	100.00%			Total...	214	100.00%
Insurance Commissioner				(Final)	COA Justice - Renner		(Final)
				YES	136	62.67%	
DEM - DAVE JONES	183	53.20%		NO	81	37.33%	
REP - TED GAINES	161	46.80%					
Total...	344	100.00%			Total...	217	100.00%
Board of Equalization District 1				(Final)	COA Justice - Murray		(Final)
				YES	138	64.49%	
REP - GEORGE RUNNER	175	52.55%		NO	76	35.51%	
DEM - CHRIS PARKER	158	47.45%					
Total...	333	100.00%			Total...	214	100.00%
US Representative 8th				(Final)	COA Justice - Mauro		(Final)
				YES	127	58.80%	
REP - PAUL COOK	182	52.30%		NO	89	41.20%	
DEM - BOB CONAWAY	166	47.70%					
Total...	348	100.00%			Total...	216	100.00%
State Senator District 8				(Final)	COA Justice - Duarte		(Final)
				YES	141	64.38%	
DEM - PAULINA MIRANDA	173	50.73%		NO	78	35.62%	
REP - TOM BERRYHILL	168	49.27%					
Total...	341	100.00%			Total...	219	100.00%
State Assembly District 5				(Final)	Sup of Public Instruction		(Final)
				NON - TOM TORLAKSON	171	62.64%	
LIB - PATRICK D. HOGAN	119	38.64%		NON - MARSHALL TUCK	102	37.36%	
					Total...	273	100.00%

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09 MAMMOTH MINARET

Prop 1		(Final)	
YES	201	57.93%	
NO	146	42.07%	
Total...	347	100.00%	

10 MAMMOTH PINECREST

Registration & Turnout		517
Election Day Turnout	105	20.31%
Vote By Mail Turnout	166	32.11%
Total...	271	52.42%

Prop 2		(Final)	
YES	221	65.19%	
NO	118	34.81%	
Total...	339	100.00%	

GOVERNOR		(Final)
DEM - EDMUND G. "JERRY" BROWN	158	59.85%
REP - NEEL KASHKARI	106	40.15%
Total...	264	100.00%

Prop 45		(Final)	
YES	165	46.74%	
NO	188	53.26%	
Total...	353	100.00%	

Lieutenant Governor		(Final)
REP - RON NEHRING	109	41.44%
DEM - GAVIN NEWSOM	154	58.56%
Total...	263	100.00%

Prop 46		(Final)	
YES	95	26.84%	
NO	259	73.16%	
Total...	354	100.00%	

Secretary of State		(Final)
DEM - ALEX PADILLA	142	54.62%
REP - PETE PETERSON	118	45.38%
Total...	260	100.00%

Prop 47		(Final)	
YES	243	68.84%	
NO	110	31.16%	
Total...	353	100.00%	

State Controller		(Final)
REP - ASHLEY SWEARENGIN	118	45.74%
DEM - BETTY T. YEE	140	54.26%
Total...	258	100.00%

Prop 48		(Final)	
YES	155	45.06%	
NO	189	54.94%	
Total...	344	100.00%	

State Treasurer		(Final)
DEM - JOHN CHIANG	149	57.98%
REP - GREG CONLON	108	42.02%
Total...	257	100.00%

Attorney General		(Final)
DEM - KAMALA D. HARRIS	153	60.00%
REP - RONALD GOLD	102	40.00%
Total...	255	100.00%

Insurance Commissioner		(Final)
DEM - DAVE JONES	145	56.42%
REP - TED GAINES	112	43.58%
Total...	257	100.00%

Board of Equalization District 1		(Final)
REP - GEORGE RUNNER	115	45.45%
DEM - CHRIS PARKER	138	54.55%
Total...	253	100.00%

US Representative 8th		(Final)
REP - PAUL COOK	112	43.41%
DEM - BOB CONAWAY	146	56.59%
Total...	258	100.00%

State Senator District 8		(Final)
DEM - PAULINA MIRANDA	140	55.12%
REP - TOM BERRYHILL	114	44.88%
Total...	254	100.00%

State Assembly District 5		(Final)
LIB - PATRICK D. HOGAN	98	44.34%

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10 MAMMOTH PINECREST

10 MAMMOTH PINECREST

10 MAMMOTH PINECREST			10 MAMMOTH PINECREST		
			(Final)	Prop 1	(Final)
State Assembly District 5					
REP - FRANK BIGELOW	123	55.66%	YES	148	57.81%
			NO	108	42.19%
Total...	221	100.00%		256	100.00%
Supreme Court - Liu			(Final)		(Final)
YES	109	63.74%	Prop 2		(Final)
NO	62	36.26%	YES	168	67.20%
			NO	82	32.80%
Total...	171	100.00%		250	100.00%
Supreme Court - Cuellar			(Final)		(Final)
YES	105	60.34%	Prop 45		(Final)
NO	69	39.66%	YES	128	50.59%
			NO	125	49.41%
Total...	174	100.00%		253	100.00%
Supreme Court - Werdegar			(Final)		(Final)
YES	111	65.68%	Prop 46		(Final)
NO	58	34.32%	YES	61	23.74%
			NO	196	76.26%
Total...	169	100.00%		257	100.00%
COA Justice - Raye			(Final)		(Final)
YES	110	67.07%	Prop 47		(Final)
NO	54	32.93%	YES	182	70.27%
			NO	77	29.73%
Total...	164	100.00%		259	100.00%
COA Justice - Hoch			(Final)		(Final)
YES	108	66.26%	Prop 48		(Final)
NO	55	33.74%	YES	93	37.20%
			NO	157	62.80%
Total...	163	100.00%		250	100.00%
COA Justice - Robie			(Final)		
YES	110	66.67%			
NO	55	33.33%			
Total...	165	100.00%			
COA Justice - Renner			(Final)		
YES	91	55.83%			
NO	72	44.17%			
Total...	163	100.00%			
COA Justice - Murray			(Final)		
YES	109	66.06%			
NO	56	33.94%			
Total...	165	100.00%			
COA Justice - Mauro			(Final)		
YES	98	60.12%			
NO	65	39.88%			
Total...	163	100.00%			
COA Justice - Duarte			(Final)		
YES	92	56.44%			
NO	71	43.56%			
Total...	163	100.00%			
Sup of Public Instruction			(Final)		
NON - TOM TORLAKSON	128	62.14%			
NON - MARSHALL TUCK	78	37.86%			
Total...	206	100.00%			

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11 SWALL MEADOWS - MB

11 SWALL MEADOWS - MB

Registration & Turnout

Election Day Turnout	0	0.00%
Vote By Mail Turnout	228	85.39%
Total...	228	85.39%

State Assembly District 5		(Final)
REP - FRANK BIGELOW	77	43.02%
Total...	179	100.00%

GOVERNOR

DEM - EDMUND G. "JERRY" BROWN	160	71.75%
REP - NEEL KASHKARI	63	28.25%
Total...	223	100.00%

Supreme Court - Liu		(Final)
YES	102	73.91%
NO	36	26.09%
Total...	138	100.00%

Lieutenant Governor

REP - RON NEHRING	69	31.36%
DEM - GAVIN NEWSOM	151	68.64%
Total...	220	100.00%

Supreme Court - Cuellar		(Final)
YES	97	72.39%
NO	37	27.61%
Total...	134	100.00%

Secretary of State

DEM - ALEX PADILLA	142	65.14%
REP - PETE PETERSON	76	34.86%
Total...	218	100.00%

Supreme Court - Werdegard		(Final)
YES	101	75.37%
NO	33	24.63%
Total...	134	100.00%

State Controller

REP - ASHLEY SWEARENGIN	65	29.95%
DEM - BETTY T. YEE	152	70.05%
Total...	217	100.00%

COA Justice - Raye		(Final)
YES	104	78.79%
NO	28	21.21%
Total...	132	100.00%

State Treasurer

DEM - JOHN CHIANG	154	71.30%
REP - GREG CONLON	62	28.70%
Total...	216	100.00%

COA Justice - Hoch		(Final)
YES	109	84.50%
NO	20	15.50%
Total...	129	100.00%

Attorney General

DEM - KAMALA D. HARRIS	153	70.51%
REP - RONALD GOLD	64	29.49%
Total...	217	100.00%

COA Justice - Robie		(Final)
YES	99	77.34%
NO	29	22.66%
Total...	128	100.00%

Insurance Commissioner

DEM - DAVE JONES	157	72.02%
REP - TED GAINES	61	27.98%
Total...	218	100.00%

COA Justice - Renner		(Final)
YES	95	73.64%
NO	34	26.36%
Total...	129	100.00%

Board of Equalization District 1

REP - GEORGE RUNNER	72	33.03%
DEM - CHRIS PARKER	146	66.97%
Total...	218	100.00%

COA Justice - Murray		(Final)
YES	104	81.25%
NO	24	18.75%
Total...	128	100.00%

US Representative 8th

REP - PAUL COOK	66	30.56%
DEM - BOB CONAWAY	150	69.44%
Total...	216	100.00%

COA Justice - Mauro		(Final)
YES	102	79.69%
NO	26	20.31%
Total...	128	100.00%

State Senator District 8

DEM - PAULINA MIRANDA	147	68.06%
REP - TOM BERRYHILL	69	31.94%
Total...	216	100.00%

COA Justice - Duarte		(Final)
YES	101	78.29%
NO	28	21.71%
Total...	129	100.00%

State Assembly District 5

LIB - PATRICK D. HOGAN	102	56.98%
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Sup of Public Instruction		(Final)
NON - TOM TORLAKSON	132	73.33%
NON - MARSHALL TUCK	48	26.67%
Total...	180	100.00%

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11 SWALL MEADOWS - MB

Bishop Unified - GBM		(Final)	
NON - TOM STEPHENSON	92	22.33%	
NON - SUSANNE M. RIZO	82	19.90%	
NON - TAYLOR P. LUDWICK	103	25.00%	
NON - JOSHUA R. NICHOLSON	43	10.44%	
NON - KATHY ZACK	92	22.33%	
Total...	412	100.00%	

Round Valley Joint Elementary - GBM		(Final)	
NON - EDUARDO SANDOVAL	69	25.46%	
NON - SHAWN K. RAY	50	18.45%	
NON - JEFF PERRY	152	56.09%	
Total...	271	100.00%	

Prop 1		(Final)	
YES	140	64.81%	
NO	76	35.19%	
Total...	216	100.00%	

Prop 2		(Final)	
YES	161	73.52%	
NO	58	26.48%	
Total...	219	100.00%	

Prop 45		(Final)	
YES	133	59.64%	
NO	90	40.36%	
Total...	223	100.00%	

Prop 46		(Final)	
YES	61	27.85%	
NO	158	72.15%	
Total...	219	100.00%	

Prop 47		(Final)	
YES	167	75.91%	
NO	53	24.09%	
Total...	220	100.00%	

Prop 48		(Final)	
YES	108	50.00%	
NO	108	50.00%	
Total...	216	100.00%	

12 MAMMOTH VIEW

Registration & Turnout		724	
Election Day Turnout	126	17.40%	
Vote By Mail Turnout	147	20.30%	
Total...	273	37.71%	

GOVERNOR		(Final)	
DEM - EDMUND G. "JERRY" BROWN	163	61.05%	
REP - NEEL KASHKARI	104	38.95%	
Total...	267	100.00%	

Lieutenant Governor		(Final)	
REP - RON NEHRING	116	44.27%	
DEM - GAVIN NEWSOM	146	55.73%	
Total...	262	100.00%	

Secretary of State		(Final)	
DEM - ALEX PADILLA	136	53.13%	
REP - PETE PETERSON	120	46.88%	
Total...	256	100.00%	

State Controller		(Final)	
REP - ASHLEY SWEARENGIN	119	46.48%	
DEM - BETTY T. YEE	137	53.52%	
Total...	256	100.00%	

State Treasurer		(Final)	
DEM - JOHN CHIANG	146	56.81%	
REP - GREG CONLON	111	43.19%	
Total...	257	100.00%	

Attorney General		(Final)	
DEM - KAMALA D. HARRIS	144	55.60%	
REP - RONALD GOLD	115	44.40%	
Total...	259	100.00%	

Insurance Commissioner		(Final)	
DEM - DAVE JONES	146	56.81%	
REP - TED GAINES	111	43.19%	
Total...	257	100.00%	

Board of Equalization District 1		(Final)	
REP - GEORGE RUNNER	124	50.20%	
DEM - CHRIS PARKER	123	49.80%	
Total...	247	100.00%	

US Representative 8th		(Final)	
REP - PAUL COOK	125	48.64%	
DEM - BOB CONAWAY	132	51.36%	
Total...	257	100.00%	

State Senator District 8		(Final)	
DEM - PAULINA MIRANDA	133	52.36%	
REP - TOM BERRYHILL	121	47.64%	
Total...	254	100.00%	

State Assembly District 5		(Final)	
LIB - PATRICK D. HOGAN	90	40.00%	

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12 MAMMOTH VIEW

12 MAMMOTH VIEW

State Assembly District 5				Prop 1			
(Final)				(Final)			
REP - FRANK BIGELOW	135	60.00%	YES	162	64.54%		
			NO	89	35.46%		
Total...	225	100.00%		251	100.00%		
Supreme Court - Liu				Prop 2			
(Final)				(Final)			
YES	93	57.06%	YES	155	63.27%		
NO	70	42.94%	NO	90	36.73%		
Total...	163	100.00%		245	100.00%		
Supreme Court - Cuellar				Prop 45			
(Final)				(Final)			
YES	103	61.68%	YES	123	47.67%		
NO	64	38.32%	NO	135	52.33%		
Total...	167	100.00%		258	100.00%		
Supreme Court - Werdegarr				Prop 46			
(Final)				(Final)			
YES	107	65.64%	YES	64	25.00%		
NO	56	34.36%	NO	192	75.00%		
Total...	163	100.00%		256	100.00%		
COA Justice - Raye				Prop 47			
(Final)				(Final)			
YES	103	65.61%	YES	174	67.44%		
NO	54	34.39%	NO	84	32.56%		
Total...	157	100.00%		258	100.00%		
COA Justice - Hoch				Prop 48			
(Final)				(Final)			
YES	108	69.23%	YES	105	42.00%		
NO	48	30.77%	NO	145	58.00%		
Total...	156	100.00%		250	100.00%		
COA Justice - Robie							
(Final)							
YES	101	65.58%					
NO	53	34.42%					
Total...	154	100.00%					
COA Justice - Renner							
(Final)							
YES	98	63.23%					
NO	57	36.77%					
Total...	155	100.00%					
COA Justice - Murray							
(Final)							
YES	101	66.01%					
NO	52	33.99%					
Total...	153	100.00%					
COA Justice - Mauro							
(Final)							
YES	94	61.04%					
NO	60	38.96%					
Total...	154	100.00%					
COA Justice - Duarte							
(Final)							
YES	102	64.97%					
NO	55	35.03%					
Total...	157	100.00%					
Sup of Public Instruction							
(Final)							
NON - TOM TORLAKSON	117	57.92%					
NON - MARSHALL TUCK	85	42.08%					
Total...	202	100.00%					

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13 OLD MAMMOTH

13 OLD MAMMOTH

13 OLD MAMMOTH		491		State Assembly District 5		(Final)	
Registration & Turnout							
Election Day Turnout	83	16.90%	REP - FRANK BIGELOW		106	59.22%	
Vote By Mail Turnout	135	27.49%	Total...		179	100.00%	
Total...	218	44.40%	Supreme Court - Liu				(Final)
GOVERNOR				(Final)			
				YES		85	68.55%
DEM - EDMUND G. "JERRY" BROWN	134	63.21%	NO		39	31.45%	
REP - NEEL KASHKARI	78	36.79%	Total...		124	100.00%	
Total...	212	100.00%	Supreme Court - Cuellar				(Final)
Lieutenant Governor				(Final)			
				YES		89	68.46%
REP - RON NEHRING	84	40.19%	NO		41	31.54%	
DEM - GAVIN NEWSOM	125	59.81%	Total...		130	100.00%	
Total...	209	100.00%	Supreme Court - Werdegarr				(Final)
Secretary of State				(Final)			
				YES		91	72.22%
DEM - ALEX PADILLA	113	54.07%	NO		35	27.78%	
REP - PETE PETERSON	96	45.93%	Total...		126	100.00%	
Total...	209	100.00%	COA Justice - Raye				(Final)
State Controller				(Final)			
				YES		81	70.43%
REP - ASHLEY SWEARENGIN	88	42.11%	NO		34	29.57%	
DEM - BETTY T. YEE	121	57.89%	Total...		115	100.00%	
Total...	209	100.00%	COA Justice - Hoch				(Final)
State Treasurer				(Final)			
				YES		87	73.11%
DEM - JOHN CHIANG	120	57.97%	NO		32	26.89%	
REP - GREG CONLON	87	42.03%	Total...		119	100.00%	
Total...	207	100.00%	COA Justice - Robie				(Final)
Attorney General				(Final)			
				YES		84	71.19%
DEM - KAMALA D. HARRIS	118	56.46%	NO		34	28.81%	
REP - RONALD GOLD	91	43.54%	Total...		118	100.00%	
Total...	209	100.00%	COA Justice - Renner				(Final)
Insurance Commissioner				(Final)			
				YES		77	66.96%
DEM - DAVE JONES	125	60.39%	NO		38	33.04%	
REP - TED GAINES	82	39.61%	Total...		115	100.00%	
Total...	207	100.00%	COA Justice - Murray				(Final)
Board of Equalization District 1				(Final)			
				YES		82	70.69%
REP - GEORGE RUNNER	89	43.84%	NO		34	29.31%	
DEM - CHRIS PARKER	114	56.16%	Total...		116	100.00%	
Total...	203	100.00%	COA Justice - Mauro				(Final)
US Representative 8th				(Final)			
				YES		77	66.38%
REP - PAUL COOK	93	45.37%	NO		39	33.62%	
DEM - BOB CONAWAY	112	54.63%	Total...		116	100.00%	
Total...	205	100.00%	COA Justice - Duarte				(Final)
State Senator District 8				(Final)			
				YES		85	69.67%
DEM - PAULINA MIRANDA	115	56.65%	NO		37	30.33%	
REP - TOM BERRYHILL	88	43.35%	Total...		122	100.00%	
Total...	203	100.00%	Sup of Public Instruction				(Final)
State Assembly District 5				(Final)			
				NON - TOM TORLAKSON		90	54.22%
LIB - PATRICK D. HOGAN	73	40.78%	NON - MARSHALL TUCK		76	45.78%	
Total...					166	100.00%	

November 4, 2014

Precinct Report

Mono County

Precinct Report 2 Col W/OU Final

13 OLD MAMMOTH

Prop 1		(Final)	
YES		125	60.39%
NO		82	39.61%
	Total...	207	100.00%
Prop 2		(Final)	
YES		139	68.81%
NO		63	31.19%
	Total...	202	100.00%
Prop 45		(Final)	
YES		104	49.52%
NO		106	50.48%
	Total...	210	100.00%
Prop 46		(Final)	
YES		54	25.71%
NO		156	74.29%
	Total...	210	100.00%
Prop 47		(Final)	
YES		150	71.09%
NO		61	28.91%
	Total...	211	100.00%
Prop 48		(Final)	
YES		88	43.35%
NO		115	56.65%
	Total...	203	100.00%



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Board of Supervisors

TIME REQUIRED 10 minutes

**PERSONS
APPEARING
BEFORE THE
BOARD** Board Members

SUBJECT Employee Recognition

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Recognition of County employee for recent outstanding service to Mono County.

RECOMMENDED ACTION:

Adopt and present resolution of appreciation to said employee for their service.

FISCAL IMPACT:

None.

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Resolution](#)

History

Time	Who	Approval
11/19/2014 9:52 AM	County Administrative Office	Yes
11/21/2014 9:34 AM	County Counsel	Yes
11/19/2014 9:49 AM	Finance	Yes

**RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF MONO
IN APPRECIATION OF RENN NOLAN**

WHEREAS, on Wednesday, September 17, 2014, due to circumstances beyond our control, Renn Nolan was asked (begged) to become the Mono County Acting Registrar of Voters for the November 4, 2014 General Election; and

WHEREAS, she thankfully met with CAO Jim Leddy, accepted said position and signed a contract; and

WHEREAS, every weekday from September 17th forward, up to and including today (aside from one special birthday weekend where she went to see her beloved Luke Bryan in concert), she worked morning hours at her “real” job at the PUD and *then* worked an average of five hours plus at the Elections Office; and

WHEREAS, Renn found herself in an unsettled situation in the Clerk’s office, where change, chaos and craziness proved to be the norm; and

WHEREAS, with her many years of Election experience, she proved immediately to be the correct person for the job; and

WHEREAS, while each day was challenging and many days seemed overwhelming, the Elections Team that came together, supervised and directed by Renn, proved to be quite efficient, capable and professional; and

WHEREAS, said Team worked tirelessly each day to assure deadlines to the Secretary of State were met and that all aspects of the Election were being addressed; and

WHEREAS, Renn single-handedly organized and dealt with all the logistics of the Election, including Poll Worker organization, equipment deliveries and more; and

WHEREAS, Renn, always having had the utmost respect from Mono County citizens in the past continued on with her no-nonsense, get it done attitude; and

WHEREAS, her dedication, energy and relationships with people proved to be a huge asset to the Election Team; and

WHEREAS, aside from a certain “Paradise Fire” glitch on the ballot in addition to a few technical hiccups on Election Day, the Election went off flawlessly and Mono County voters were satisfied; and

WHEREAS, the team would have been “up a creek without a paddle” without her and can in no way thank her enough for boldly taking control of the Election and seeing it through.

NOW, THEREFORE BE IT RESOLVED, the Mono County Board of Supervisors hereby extend a most sincere “THANK YOU” in appreciation for Renn Nolan; and

BE IT FURTHER RESOLVED, Renn Nolan is hereby extended our sincerest gratitude for stepping up and handling the November 4th General Election energetically, effortlessly and professionally. APPROVED AND ADOPTED this 2nd day of December, 2014, by the Mono County Board of Supervisors.

Larry Johnston, Supervisor District #1

Fred Stump, Supervisor District #2

Tim Alpers, Supervisor District #3

Timothy Fesko, Supervisor District #4

Byng Hunt, Supervisor District #5



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: County Administrator's Office

TIME REQUIRED 30 minutes (15 minute CSAC presentation; 15 minute discussion)

PERSONS APPEARING BEFORE THE BOARD

Farrah McDaid Ting

SUBJECT California State Association of Counties End of 2013-2014 Legislative Session Report

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation by Farrah McDaid Ting of the California State Association of Counties regarding the 2013-2014 Legislative Session.

RECOMMENDED ACTION:

None (informational only). Provide any desired direction to staff.

FISCAL IMPACT:

There is no Fiscal Impact from receiving this report.

CONTACT NAME: Jim Leddy

PHONE/EMAIL: (760) 932-5414 / jleddy@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR
**PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[CSAC End of Session Report Cover Memo](#)

[CSAC End of Session Advocacy Update Doc](#)

History

Time	Who	Approval
11/5/2014 1:18 PM	County Administrative Office	Yes
11/14/2014 12:52 PM	County Counsel	Yes
11/19/2014 11:22 AM	Finance	Yes



BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5530 • FAX (760) 932-5531

Bob Musil
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Shannon Kenndall
Assistant Clerk of the Board
760-932-5534
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To: Honorable Board of Supervisors
From: Jim Leddy, County Administrative Officer
Date: November 5, 2014

Subject:
California State Association of Counties (CSAC) End of Legislative Session report.

Recommendation

Accept presentation from Farrah McDaid Ting on behalf of the California State Association of Counties on the end of the 2013-2014 state legislative session, the recent state budget as well as other issues of import to Mono County.

Background

The California State Association of Counties is the statewide association which represents all 58 California counties in state legislative matters. Each county appoints a Supervisor to the CSAC Board of Directors and Chairman Larry K. Johnston is currently Mono County's representative and Vice Chair Tim Fesko is Mono County's alternate.

Discussion

The Board has expressed a strong interest in strengthening County efforts to impact any state policy decisions which might impact Mono County services. Mono County strives to provide superior public services efficiently and effectively and state funding and policy decisions greatly impact the County's ability to provide these services.

Fiscal Impact

There is no direct fiscal impact from this item.



October 31, 2014

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327-7500

Facsimile
916.441.5507

To: CSAC Board of Directors
CSAC Executive Committee
County Administrative Officers
Legislative Coordinators

From: DeAnn Baker, Director of Legislative Affairs

Re: **CSAC Advocacy Team Achievements Report—2014**

On behalf of California’s 58 counties, the CSAC advocacy team reviewed thousands of bills introduced in 2014. We engaged in various levels of advocacy on hundreds of bills that subsequently were determined to directly impact counties. Further, with the comprehensive nature of recent legislation (e.g., health care reform, AB 32 cap and trade auction proceeds legislation and guidelines, and 2011 Realignment), we find that a significant amount of staff time is expended on successful implementation of far-reaching and complex reforms. Finally, we also responded to numerous proposed regulatory actions at both the state and federal levels.

The following achievements report illustrates the steps CSAC took in 2014 to protect vital county resources amounting to over \$9 billion, to promote investments in smart intervention and prevention policies, to advocate for county priorities in the state budget, and to ensure that revenues dedicated to counties were distributed appropriately and in accordance with the law. Finally, the report includes a summary from each policy area of key efforts and outcomes related to the 2014 state and federal advocacy priorities adopted by the CSAC Board of Directors.

Protecting Vital County Resources

CSAC’s 2014 State Advocacy Priorities described our advocacy efforts to protect billions of dollars in financial resources that support locally-delivered services. We identified priority funding areas that served as the focus of our advocacy efforts, and CSAC’s 2014 successes are outlined below.

2011 Realignment (proper distribution of funds) <i>Secured proper distribution of 2011 realignment, including \$1B in AB 109 allocation and allocation of mental health funds</i>	\$6B
AB 85/Affordable Care Act Implementation <i>Secured proper distribution of 1991 realignment funds, including retaining funds for public health and returning savings associated with indigent health</i>	\$1.3B
BOE Sales Tax Allocation Error <i>Resolved an 11-quarter misallocation of state sales tax revenues to various local funds, including 1991 and 2011 realignment, Proposition 172</i>	\$343M
Water Bond <i>Advocated for inclusion of funding for statewide flood management and stormwater in the \$7.5B water bond, Proposition 1</i>	\$100M (flood) \$200M (stormwater)

<p>Transportation Initiative <i>Secured a larger share of transportation revenues in the 2014-15 state budget than originally proposed by the Governor in his January Budget. The state repaid \$328M in outstanding Highway User Tax Account loans to the state, cities, and counties. A direct result of CSAC efforts, counties already received 22% of the repayment repaid loans, or \$74M, rather than 15% or \$50M.</i></p>	\$74M
<p>Cap and Trade Funds <i>Secured portion of funding for local government and transportation GHG reduction projects</i></p>	\$130M
<p>Medi-Cal Administration <i>Ensured adequate funding for county outreach, eligibility and enrollment functions</i></p>	\$350M
<p>In-home Supportive Services (IHSS) Maintenance of Effort (MOE) <i>Monitored the mechanics of the 2012 IHSS MOE agreement</i></p>	\$1B
<p>Property Tax Allocation Issues <i>Secured state funding for counties with insufficient ERAF and resolved “stranded” supplemental property tax revenue issue</i></p>	\$15M
<p>Outstanding Mandate Reimbursements <i>Secured \$100M repayment for local agencies’ pre-2004 mandate debt with the potential to receive additional payments dependent upon the extent to which state revenues meet or exceed projections. In addition, the pre-2004 mandate debt is identified as an eligible expenditure for purposes of the Rainy Day Fund proposal contained in Proposition 2.</i></p>	\$73M
TOTAL	\$9.6B

Promoting Smart Prevention and Intervention Investments

Given counties’ role in delivering vital services across a vast array of policy areas, CSAC advocated in 2014 for necessary and valuable investments in prevention and intervention programs to avoid more expensive criminal justice, health, and social services system interactions downstream. Accomplishments include:

- Significant and ongoing training investments to assist counties in understanding and benefitting from opportunities under the Affordable Care Act, particularly in the context of the criminal justice-involved population. CSAC partnered with the Californians for Safety and Justice on a statewide survey on county practices; sponsored numerous day-long training courses and a webinar to more thoroughly explore specific practices; and continued advocacy efforts to streamline and simplify state Medi-Cal claiming requirements for jail inmates who leave the grounds of a jail for an inpatient hospital stay.
- \$5 million in 2014-15, growing to \$14 million in 2015-16, for prevention and intervention activities and services to children who are victims, or at risk of becoming victims, of commercial sexual exploitation.
- \$20 million in housing and homeless support for CalWORKs families.
- \$3 million in additional funding for County Veteran Service Offices.
- AB 1733, a measure to assist chronically homeless individuals get identification and access to services, which is on the Governor’s desk.

- Worked with state departments in providing guidance to counties on enrolling individuals in the criminal justice system into Medi-Cal. At least 44 counties – covering 96% - of the population are enrolling individuals in jails and/or on probation.
- \$10.6 million to allow drug felons limited access to CalWORKs and CalFresh benefits.
- A continued healthy commitment of resources (\$125 million) to SB 678, a program that incentivizes probation intervention and prevention efforts by rewarding county successes with reducing new prison admissions;
- A renewed one-time investment in Community Corrections Partnership planning grants – fixed awards to counties based on population – to support AB 109 planning and implementation efforts;
- More than \$90 million invested in various recidivism reduction programs including,
 - Mentally Ill Offenders Crime Reduction Grants-\$18 million in competitive grants for investment in juvenile and adult populations;
 - Community Recidivism Reduction Grants-\$8 million in one-time funding for each county to provide small grants to nongovernmental entities engaged in a broad-scope of recidivism reduction efforts in the community.
 - Community Reentry Facilities-\$20 million to house inmates prior to release in community facilities, which could also serve as transitional housing and intermediate sanctions for probationers. Additional details on the structure of these programs will follow in the coming weeks.
 - Collaborative Court Programs Programs-\$15 million in one-time competitive grants for operation of programs known to reduce recidivism and enhance public safety, such as collaborative courts, and pretrial and risk assessment programs.
 - Social Innovation Bonds-As specified in AB 1837 (Atkins), \$5 million dedicated to facilitate the use of social innovation financing for recidivism reduction programs, such as housing for former felons.
 - Workforce Investment Boards-\$1 million in one-time competitive grant program for workforce training and job development to serve the reentry population.
- A measure to improve counties' tools to address the problem of human trafficking, SB 473 (Block), was signed into law.
- A workshop on gang prevention and intervention efforts will be offered during the CSAC Annual Meeting, and Father Greg Boyle – founder of Homeboy Industries, a renowned youth program targeting at-risk and gang-involved youth – is a featured plenary session speaker.

State Budget Advocacy

In addition to the Association's efforts on the specific initiatives outlined above, CSAC staff carefully monitored and lobbied a number of budget matters of critical importance to California counties, some of which are described in further detail in the following policy area reports. The final 2014-15 budget includes grant funding for a pilot program to enhance property tax collection activities in six counties, \$500 million in lease revenue bonds for additional local jail construction focused on expanded programming and treatment space, \$1 million and a mechanism for counties to seek funding for expanded trial court security following activation of a new court facility, and additional

state funding to participating counties for prevention and intervention activities and services to children who are victims of commercial sexual exploitation, among others.

Realignment Implementation Issues

CSAC was a key player in resolving allocation issues associated with 1991 Health Realignment and the AB 85 redirection. Over the course of the year, CSAC staff worked closely with the staff at the Department of Finance and the State Controller's Office to effectuate an accurate allocation schedule and to develop a mechanism for the 2014-15 redirected amounts. Staff spent countless hours of reviewing spreadsheets to ensure that the process resulted in accurate allocations to the Health and Social Services realignment accounts, as well as communicating with county officials to facilitate a consistent understanding of the processes, errors, subsequent corrections, and mechanisms for future allocations. Additionally, CSAC staff worked closely with the Department of Health Care Services to resolve issues associated with the initial data submission under AB 85, including resolving historic realignment percentages, serving on the Health Care Funding Resolution Committee, and assisting with development of templates for redirecting Article 12 and Article 13 funds.

CSAC staff also worked closely with the Department of Finance and Department of Health Care Services in developing an allocation of the growth funds for the Behavioral Health Subaccount of 2011 Realignment. Staff discussed claims data for multiple programs and looked at options for ensuring stability and addressing caseload growth.

Staff continued this type of work when we learned that the State Board of Equalization had erroneously allocated state sales tax revenues for eleven quarters over three fiscal years. This error, originally associated with the gas tax swap, resulted in misallocations of funds to Proposition 172, 1991 realignment, and 2011 realignment and accounting errors to all state sales tax accounts. While the error was identified by a private consultant, CSAC staff worked in earnest with staff from the Department of Finance, State Controller's Office, and Board of Equalization to assess the scope of the problem and develop proper remedies, resulting in a significant investment of time and effort to achieve resolution on allocation of revenues owed and reaching a correct accounting for 2014-15 and the years that follow. CSAC will continue to monitor and engage with the Board of Equalization, Department of Finance, and the State Controller's Office to ensure that new procedures that increase transparency and accuracy are put into place to avoid this type of allocation error.

Administration of Justice

CSAC – in collaboration with our public safety partners – took an active leadership role in advocating on issues of significance to counties relative to counties' ongoing AB 109 implementation efforts. With one exception related to giving counties additional options for managing long-term jail sentences, the 2014-15 budget enacted CSAC's identified public safety priorities, which includes a comprehensive package of investments and expanded authority that will strengthen counties' ability to carry out new public safety responsibilities transferred in 2011, among other local priorities. Specifically, public safety budget wins include:

Additional jail construction investment – An additional \$500 million in state lease revenue bond capacity has been dedicated to local jail construction, with an emphasis on expanded programming and treatment space. Plans are underway now to organize the steering committee that will be charged with developing the Request for Proposals and making funding recommendations.

Additional court security funding for new courthouses – As a direct result of successful advocacy efforts on the part of CSAC and the state sheriffs’ association, counties will see fulfilled a key 2014 legislative priority. The 2014-15 budget includes a \$1 million appropriation and a mechanism by which counties may seek funding to address increased levels of service following activation of a new court facility. Proposition 30 requires the state to provide annual funding for newly required activities (after October 9, 2011) that have the overall effect of increasing county costs in a realigned program. Recognizing that new court facilities built by the state and occupied on or after October 9, 2011 may impose additional court security responsibilities, the main budget bill (SB 852) appropriates \$1 million and establishes a process (contained in the public safety trailer bill (AB 1468)) for evaluating changed service requirements in new facilities.

Split Sentence Presumption – The budget contained language that establishes the presumption of a split sentence for those offenders sentenced to felony jail term unless the court finds in a particular instance that, in the interests of justice, such sentence is not appropriate. The split sentence – whereby a person’s felony sentence is divided between a specified period of time in county jail followed by a period of mandatory supervision in the community – is viewed as a best practice in helping counties best manage new criminal justice system responsibilities. This change is effective beginning January 1, 2015.

Continued SB 678 Funding – The budget provides for \$125 million in SB 678 funding in 2014-15, using the new distribution methodology as revised in SB 105 of 2013. CSAC continues to believe a strong probation intervention and front-end prevention system can help reduce recidivism, improve outcomes, and reduce downstream system pressures.

CCP Planning Grants and Training Funding Extension. CSAC led the charge – in cooperation with our partners, the state sheriffs and probation chiefs – in securing an additional one-year appropriation to fund grants that support the work of local Community Corrections Partnerships (CCPs) in their AB 109 implementation efforts. As in previous years, counties receive a fixed amount depending on county size, for a statewide amount of \$7.9 million. Additionally, CSAC’s advocacy efforts resulted in budget language allowing for an additional three years to expend realignment-related training funding awarded to the foundations of CSAC, CSSA, and CPOC.

Recidivism Reduction Initiatives – As detailed in the prevention and intervention discussion in this document, CSAC helped shape the negotiated agreement between the Governor and Legislature regarding the expenditure of over \$90 million in one-time investments from the state’s newly established Recidivism Reduction Fund. By way of background, the Governor and the Legislature codified in September 2013, pursuant to SB 105, an agreement as to how to manage the state’s compliance with the federal court order regarding prison overcrowding. The elements of that agreement included a specification that any unexpended portion of the \$315 million authorized for in- and out-of-state beds would be dedicated to a Recidivism Reduction Fund, if certain conditions were met. The 2014-15 budget compromise dedicates those resources to a wide array of priorities, reflecting a blend of Administration, Senate and Assembly ideas, as detailed in the prevention/intervention section above. Many initiatives are of direct benefit to counties, including a renewed investment in the Mentally Ill Offender Crime Reduction (MIOCR) Grant, a CSAC 2014 funding priority.

AB 109 Allocation. Another area of significant progress was the consensus recommendation of the Realignment Allocation Committee (RAC) that determines how AB 109 funds will be allocated into the future. After nearly 10 months of study and deliberation, the RAC recommended – and state Department of Finance officials endorsed – a two-step approach. First, to accommodate a drop in overall AB 109 funding in 2014-15, the RAC is implementing a one-time allocation methodology that seeks to equitably spread the funding reduction across 58 counties to minimize immediate service disruptions in the current year. Secondly, the RAC devised a new allocation methodology that attempts to more accurately capture county workload associated with AB 109 implementation over the long term; the permanent formula will go into place in 2015-16. Finally, the RAC proposed the use of growth funds over the next several years to help ease counties' transition to the new formula, while recognizing the need to incentivize high performance and positive outcomes. A final growth formula – when statewide data definitions and performance metrics are determined – will be addressed within the next three to five years. The successful conclusion of the work of the RAC is a testament to the dedication and determination of the 9-member CAO committee and to CSAC staff's technical support and liaison work with the Legislature and Administration.

Agriculture, Environment and Natural Resources

Water – Drought & Groundwater. CSAC's role in water policy development was clearly recognized this year as evidenced by our participation in educational forums and briefings related to the drought, and high-level negotiations over the landmark groundwater legislation.

Following the Governor's declaration of a drought emergency in early January, CSAC initiated a dialogue with the Association of California Water Agencies (ACWA) and the Department of Water Resources regarding a drought briefing for county, city and water district officials. The briefing, which was held in February, was webcasted statewide from the Crest Theatre in Sacramento. A more targeted drought briefing for county officials was provided during the CSAC Legislative Conference.

CSAC also co-hosted conference calls between county officials and the State Water Resources Control Board (Water Board) staff regarding the drought emergency rulemaking that was adopted in July of this year. This is the rulemaking that mandates minimum actions to conserve water supplies both for this year and into 2015.

With the drought straining water supplies and setting off an increase in well drilling, the Administration and members of the Legislature early in the year brought various stakeholders together, including CSAC, to discuss ideas for creating a statewide sustainable groundwater management strategy. The Administration in particular was interested in hearing from counties regarding their insights and advice on approaches and solutions to improving groundwater management, which occurred via a series of webinars facilitated by the California Water Foundation and jointly sponsored by CSAC, the Rural County Representatives of California (RCRC) and the Urban County Caucus (UCC).

After additional meetings and workshops, two bills were introduced, SB 1168 by Senator Fran Pavley and AB 1739 by Assembly Roger Dickinson. Both bills and an additional clean-up measure, SB 1319 (also by Senator Pavley) were ultimately passed by the Legislature, and signed by the Governor on September 16. These measures would require water-basin managers in certain areas to develop

groundwater plans guarding against overdrafts. The state would review the plans and reserve the power to step in if they are not prepared or enforced.

CSAC and RCRC were successful in negotiating several amendments to the bills that addressed a majority of our concerns. Included among the changes we succeeded in obtaining are provisions that would:

- State the Legislature's intent to recognize and preserve the authority of cities and counties to manage groundwater pursuant to their police powers;
- Allow a county to be a groundwater sustainability agency;
- Require groundwater sustainability plans to consider applicable general plans;
- Require groundwater sustainability agencies to review and consider comments from cities and counties regarding a groundwater sustainability plan;
- Prohibit groundwater sustainability agencies from issuing permits for the construction, modification, or abandonment of groundwater wells, except as authorized by a county with authority to issue those permits; and
- Provide assurances that groundwater transfers are subject to applicable city and county ordinances.

As a result of these amendments CSAC was able to take a position of neutral on all three measures. The Administration and authors have committed to involve CSAC in discussions next year regarding any potential clean-up legislation.

Cap and Trade. The Legislature approved and the Governor signed California's first Cap and Trade Expenditure plan this year, totaling \$872 million in investments to reduce Greenhouse Gas (GHG) emissions in California. CSAC began the year with two active proposals for the investment of Cap and Trade dollars at the local level. These proposals would have dedicated a portion of revenues to two local competitive grant programs geared at GHG reducing investments in the transportation and natural resources sectors. CSAC was successful in securing \$130 million from the 2014-15 allocation for one of these proposals related to transportation investments through the Affordable Housing and Sustainable Communities Program (see Housing, Land Use and Transportation section for more details). In addition, we were able to secure funding for Waste Diversion Programs and Open Space and Farmland Preservation. While the 2014-15 allocation does not include a specific local government program for non-transportation projects that CSAC has been advocating for, local governments are eligible for funding from several categories and CSAC is working with the Administration to ensure that local governments are eligible for additional revenues in the 2015-16 budget and beyond as 40% of Cap and Trade funds have been secured for natural resource investments in future budget years.

Agriculture and Farmland Protection. As anticipated, legislation was introduced this year that intended to conserve and protect farmland. That measure, AB 1961, by Assembly Member Susan Eggman, would have required each county with significant agricultural land resources to develop a sustainable farmland strategy. While laudable, the bill's requirements would have imposed significant cost pressures on counties to adopt a strategy that included among other things, a map and inventory of all agriculturally zoned land within the county, a description of the goals, strategies, and related policies and ordinances to retain agriculturally zoned land, where practical, and mitigate

the loss of agriculturally zoned lands. Given the costs associated with its implementation, CSAC opposed AB 1961. The bill died on the Assembly Appropriation Committee's Suspense File.

CSAC was able to advance other efforts to protect agriculture and farmland through the state's Cap and Trade Expenditure Plan passed through the budget this year. As mentioned above, a portion of the funds that are dedicated to the Sustainable Communities and Affordable Housing Program include funding for open space and agricultural lands that are under the threat of development. While a small step in the larger effort to protect all of California's valuable agricultural lands, this program represents a positive move forward as we continue to highlight the need for protection against permanent conversion of our agricultural lands.

Solid Waste – Advancing Waste to Energy Policies and Alternatives to Landfills. Building off momentum achieved through SB 804 (Lara), CSAC and Los Angeles County co-sponsored a follow-up measure on biomass and conversion technology, SB 498 (Lara) that is the product of consensus among stakeholders and the Administration. The bill, which is currently awaiting action by the Governor, will provide incentives and a permitting path for solid waste conversion technologies, providing local governments with additional tools when managing their waste stream and seeking alternatives to landfills. In addition to conversion technology, CSAC was successful in negotiating amendments to several solid waste bills, AB 1826 by Assembly Member Chesbro and AB 1594 by Assembly Member Williams. Both bills seek, in various ways, to divert organic materials from our landfills. While supportive of this goal, CSAC was able to negotiate amendments that allow for workable times frames and approaches to ease the regulatory burden on local governments.

Regulatory Issues. CSAC continued to engage in the regulatory process on a number of different fronts with particular focus on rulemakings before the State Water Resources Control Board (Water Board), the Department of Fish and Wildlife and the U.S. EPA. Early in the year, CSAC joined with other private and public stakeholders in expressing concern with the Water Board's Revised Preliminary Draft Wetland Area Protection Policy. Of particular concern to counties are the proposed requirements that would cause more delays in the permitting and maintenance of public projects, and potentially conflict with local land use decisions. Whether the Water Board is responding to the concerns raised is unknown at this time as they have yet to release a public draft. Regarding state storm water requirements, CSAC was invited to become a member of the Water Quality Task Force (task force) of the California Council for Environmental and Economic Balance. The task force, which is comprised of private sector entities and individual cities and counties, is providing direct feedback to Water Board members and staff regarding the State's Storm Water Strategy Initiative.

CSAC is also working closely with the County Engineers Association of California (CEAC) in drafting comments on DFW's draft Bird Nesting regulations and the U.S. EPA and Army Corp. of Engineers' Waters of the U.S. Rulemaking. In both instances, the proposed regulations would result in delayed maintenance of public works facilities, such as flood control channels and debris basins. All of the regulatory measures described above are on-going and may not be resolved until next year.

Employee Relations

Retirement. Following the first year of implementation for the Public Employees' Pension Reform Act (PEPRA), CSAC staff in 2014 has worked to ensure its original intent is maintained by advocating for or against efforts to roll back reforms CSAC supported in PEPRA. The issue of retirement policy

this session has been largely dominated by actions by the California Public Employees' Retirement System (CalPERS), specifically:

- **CalPERS' Actuarial Changes.** The CalPERS' Board of Administration earlier this year approved new actuarial demographic assumptions used to determine contribution rates for public employee retirement benefits, effectively raising those rates for local agency employers. The contribution rate impacts of the newly adopted assumptions will be phased in over five years with a 20-year amortization of the increase; for contracting public agencies, the increase will not be implemented until 2016. CSAC worked closely with CalPERS and testified in Board hearings, conveying that while counties understand the necessity of the change in actuarial assumptions to better predict long-term future experience and bring the fund to solvency, subsequent rate increases come at a time when counties are struggling to provide even basic services to their residents.
- **Health Plan Regions.** CSAC staff has been active in discussions with CalPERS staff regarding the Fund's March proposal to realign county health plan region assignments for 2015 to better reflect variation in healthcare costs for contracting agencies. CSAC efforts to ensure that any realignment of these regions best reflect the economic and demographic needs of each county with regard to regional pricing premiums succeeded in CalPERS' staff being directed to table the discussion until further stakeholder engagement and studies were conducted.

Workers' Compensation. CSAC has maintained active participation in implementing the reforms included in Senate Bill 863 (Chapter 363, Statutes of 2012), via commenting with a coalition on various implementation regulations proposed by the Department of Industrial Relations. Additionally, CSAC actively opposed several bills that would roll back savings achieved by the 2012 reforms. CSAC became the leading voice of local government in opposing the following bills, which await action by Governor Brown:

- **AB 2052 (Gonzalez)** would expand certain workers' compensation presumptions (cancer, bio-chemical exposure, tuberculosis and meningitis) to several categories of peace officers. AB 2052 was originally far more expansive; CSAC efforts aided in the narrowing of the measure.
- **AB 2378 (Perea)** would remove Labor Code Section 4850 benefits from the 104-week limit on aggregate disability payments for work-related injuries that cause temporary disability, thereby permitting peace officers to receive one year of full salary replacement benefits and two years of temporary disability benefits.
- **SB 1234 (Block)** would have extended Labor Code 4850 disability benefits (benefits paid to an eligible public safety officer who becomes disabled while performing his or her duties, equal to a one-year leave of absence without loss of salary in lieu of temporary disability payments) to certain peace officers including certain park rangers, airport law enforcement, welfare fraud investigators and members of a California Community College police force. CSAC strongly advocated against SB 1234, and the bill was killed in the Legislature.

Contracting Out. CSAC was successful in removing local agencies from AB 1897 (Hernandez) that would require an employer to share with a labor contractor all civil legal responsibility and civil liability for the payment of wages to workers provided by a labor contractor, the failure to report and pay all required employer contributions, worker contributions, and personal income tax withholdings and failure to secure valid workers' compensation coverage. CSAC additionally advocated strongly against SB 556, which would make it unlawful for a public health and safety labor

or services contractor to display on a vehicle a logo of the contracting public agency or wear a uniform bearing a logo of the public agency, unless additional disclosures are also displayed and makes it unlawful to require a person or employee of a nongovernmental agency contracted to provide public health and safety labor or services to wear a badge containing the logo of the public agency. CSAC, in partnership with other local government stakeholders, was successful in narrowing the reach of SB 556 before it went to the Governor for action.

Collective Bargaining. CSAC staff prioritized an opposition effort to AB 2126 (Bonta), which would make mediation mandatory in collective bargaining negotiations once impasse has been reached, and would expand the scope of factfinding. While the Governor has not yet acted on the bill, CSAC was successful in working with the Department of Finance to place a \$9 million cost estimation in its analysis of the bill, thus resulting in their opposition to the bill. A bill that would allow the Public Employment Relations Board (PERB) to determine when impasse has been reached in negotiations (AB 778 by Assembly Member Raul Bocanegra) was opposed by CSAC and died in committee.

Public Records. CSAC was opposed to AB 194 (Campos), which in its original version would essentially negate any action taken by a local legislative body if that action was taken in accordance of curtailing public comment/public criticism associated with California's open meeting laws governed by the Ralph M. Brown Act and would have allowed a district attorney or interested party to seek "null and void" judicial determinations for violations of Brown Act provisions that require local legislative bodies to allow public comment and public criticism at regular and special meetings. CSAC staff worked closely with the author, proponents and the Legislature over the course of two months to narrow AB 194, which now, among clarifying language, specifies that every agenda for regular meetings must provide an opportunity for the public to directly address the legislative body on any item of interest to the public, before and during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body.

Health and Human Services

CSAC successfully advocated for several budget-related initiatives to improve services to vulnerable children and adults, including:

- **Housing and Homeless Support.** The 2014-15 Budget Act provides \$20 million in specified housing supports for families receiving CalWORKs benefits when homelessness or housing instability is a barrier to self-sufficiency or child well-being.
- **Commercially Sexually Exploited Children.** Budget trailer bill language establishes the Commercially Sexually Exploited Children Program to adequately serve children who have been sexually exploited. The budget provides \$5 million in 2014-15, growing to \$14 million in 2015-16. These funds are for prevention and intervention activities and services to children who are victims, or at risk of becoming victims, of commercial sexual exploitation, and training.
- **Adult Protective Services (APS).** CSAC supported a provision in the 2014-15 Budget Act for \$150,000 GF for 1 position at DSS to provide leadership on statewide APS policy, support county APS programs and serve as a liaison with the federal government.
- **Katie A. Settlement Administrative Funding.** The budget includes \$2 million (\$1 million General Fund) for county administrative costs associated with semi-annual progress reports

that are new requirements under the Katie A. v. Bontá settlement agreement. The settlement agreement was entered into by the state in 2012 to improve mental health and supportive services for children and youth in, or at imminent risk of placement in, foster care in California. Proposition 30 of 2012 requires the state to fund administrative costs resulting for court settlements related to programs realigned in 2011. CSAC views the budget item as the Administration upholding their partnership under Proposition 30.

- **County Administration Match Waiver.** CSAC supported a plan to extend counties' eligibility to receive the full allocation for CalFresh administration without paying the county's share of the nonfederal costs above the 1996-1997 expenditure requirement to the budget year, and then begin a step-down of the waiver by 20 percent each year until the 2018-19 fiscal year.
- **CalWORKs and CalFresh Benefits for Former Drug Felons.** Counties supported policy included in the 2014-15 Budget Act to allow a small population who has been convicted of a drug-related felony after 1997 and who meet all current eligibility requirements – including compliance with local probation or state parole requirements – to be eligible for CalWORKs and CalFresh nutrition assistance services. The budget provides \$10.6 million GF for this policy change. CSAC strongly supported Senator Loni Hancock's SB 1029, which would have enacted this change through the legislative process.
- **Veterans.** CSAC staff advocated in support of including \$3 million in additional funding for County Veteran Service Offices in the state budget. These additional funds, paired with existing budget allocations, would total nearly \$5.6 million for veteran's services statewide. The budget augmentation was included in the final state budget.
- **AB 85 (Chapter 24, Statutes of 2013).** CSAC staff worked closely with DOF and DHCS over many months on implementation of AB 85. The budget includes the diversion \$724.9 million from county health realignment funds for CalWORKs costs, per AB 85 – down from the January estimate of \$900 million.
- **County Administration of Medi-Cal.** The Administration proposed to permanently eliminate any Cost of Living Adjustment for county administration of Medi-Cal eligibility. CSAC opposed the proposal and the Legislature rejected it.

CSAC was involved in several high-profile bills in 2014, supporting several proposals improve efficiency and access to health and human services program, and stopping a number of bills that would have resulted in increased cost or workload to counties or created policy problems. Bills of interest to counties include:

SB 1341 (Mitchell) Medi-Cal: Statewide Automated Welfare System. CSAC strongly supported SB 1341, by Senator Holly Mitchell, to codify the existing agreement between the Administration, Covered California, and the counties regarding the respective roles of the State Automated Welfare System (SAWS) and the California Health Eligibility Enrollment and Retention System (CalHEERS).

Specifically, SB 1341:

- Specifies SAWS as the system of record for Medi-Cal and that SAWS shall contain all Medi-Cal eligibility rules and case management functionality. The bill permits the MAGI rules for Medi-Cal to continue to be housed in CalHEERS as they currently are; and,

- Requires that Notices of Action (NOAs) for Medi-Cal be programmed into the Medi-Cal system of record: the SAWS systems.

This bill has been very important in the ongoing discussions with the Administration about the rollout of CalHEERs and its interface with Medi-Cal eligibility done through SAWS. SB 1341 is enrolled and awaits the Governor's action.

AB 1733 (Quirk Silva) Public records: fee waiver. CSAC supported AB 1733, by Assembly Members Sharon Quirk-Silva, Brian Maienschein and Assembly Speaker Toni Atkins, to allow a fee waiver for a homeless person to obtain a certified certificate of live birth from the county registrar or recorder or an identification card from the Department of Motor Vehicles (DMV).

AB 1733 facilitates access for homeless people to services that are critical to helping them move towards self-sufficiency. In order to access these services, eligibility must be established, which often requires proof of identity with a birth record or valid identification card. Providing these services to homeless persons significantly reduce costs to counties. AB 1733 is enrolled and awaits the Governor's signature.

AB 1725, (Maienschein) Conservatorship hearings. CSAC opposed AB 1725, which would have increased costs and workload levels and hasten the erosion of a county authority in conservatorship investigations. AB 1725 would have allowed a Probate Court to make a recommendation of conservatorship to the county Conservatorship officer and require the officer to conduct the investigation and file a report within 30 days of the probate court recommendation.

CSAC also continued to work within the organization and the Administration on several policy issues important to counties.

Homelessness. CSAC has begun efforts in establishing policy within the Association's platform that will enable staff to advocate for counties on the issue of homelessness. The evolving policy development follows a stronger focus by the Legislature on the issue, including a commitment by Assembly Speaker Toni Atkins to work toward a statewide solution. CSAC staff recognized a dearth of guiding policy on the issue of homelessness, particularly since the effects of the problem touch on several CSAC policy areas, specifically Health and Human Services, Administration of Justice, Housing, Land Use and Transportation, and Agriculture, Environment and Natural Resources. Accordingly, CSAC is in the process of convening the CSAC Homelessness Policy Task Force, comprised of county supervisors, county staff and pertinent stakeholders in an effort to ensure CSAC advocacy staff will be able to develop positions and work effectively with the Legislature and Administration on future efforts by the state to address the issue of homelessness.

Veterans. CSAC participated in a coalition advocacy effort to support then-Assembly Speaker John A. Pérez's Assembly Bill 639 (Statutes of 2013). That legislation, which when signed by Governor Brown became Proposition 41 on the June 2014 ballot and was supported by the CSAC Board of Directors, enacted the Veterans Housing and Homeless Prevention Bond Act of 2014 to authorize \$600 million in bonds to provide multifamily housing, such as apartment complexes, to low-income veterans and supportive housing for homeless veterans. Proposition 41 authorized the state to provide local governments, nonprofit organizations and private developers with financial assistance, such as low-

interest loans, to construct, renovate and acquire affordable multifamily housing for low-income veterans and their families.

Drug Medi-Cal and Medicaid Waiver. CSAC has been heavily involved in discussions with the Brown Administration about how to improve the delivery of substance use disorder treatment services for Medi-Cal beneficiaries. As part of the Medi-Cal expansion approved in 2013, the types of substance use disorder treatment services available to Medi-Cal beneficiaries were also expanded.

DHCS is pursuing a federal Medicaid waiver to change the Drug Medi-Cal program. Many policy and fiscal questions remain about their Drug Medi-Cal waiver proposal. Staff will continue working closely with the Administration to ensure that the waiver proposal provides adequate fiscal safeguards and policy objectives for counties. The waiver will likely not be submitted to the federal government until later this fall or winter.

Funding for Small Counties. CSAC secured a minimum base allocation of \$100,000 for small counties in the Drug Medi-Cal funding formula. Previously, small counties were not guaranteed a base amount and some small counties received very little funding – and in some cases no funding. The \$100,000 minimum base is effective for the 2014-15 allocations to the Behavioral Health Subaccount of 2011 Realignment. The payments will begin in September 2014.

“Bridge to Reform” Medicaid Section 1115 Waiver Renewal. CSAC staff has begun the initial work associated with developing proposals for inclusion in California’s pursuit of a succession waiver to the Bridge to Reform Medicaid Section 1115 waiver of 2010. The current waiver expires in October 2015. DHCS is outlining its process for submitting the next waiver, including extensive workgroups over the fall of 2014. CSAC has taken a leadership role in convening county health, hospitals, behavioral health and social services to craft a proposal for whole person care to be included the waiver. The waiver will be submitted to the federal government in early 2015.

Affordable Care Act (ACA) and Criminally Involved Populations. CSAC staff worked very closely DHCS on a number of implementation activities related to the jail and probation populations and enrollment in Medi-Cal. The Medi-Cal expansion under the ACA allows childless adults previously ineligible to enroll in Medi-Cal. This means that many adults in county jails and on probation can now enroll and access health care coverage. CSAC staff worked with DHCS on implementation of AB 720 (Statutes of 2013), including draft county letters, materials, and conferences. CSAC has assisted with surveying counties on implementation and found 44 counties covering 96 percent of the population are enrolling individuals in county jail and under probation supervision.

CSAC staff continues to work closely with DHCS on county guidance regarding Medi-Cal claiming when a jail inmate leaves the grounds of the jail for a 24-hour or longer inpatient stay in a community hospital. Staff anticipates details to be released later this fall. The Medi-Cal claiming should provide access to new federal funds for previous county-only inpatient costs.

Housing, Land Use and Transportation

SB 375 Implementation. Implementation of the first round of Sustainable Communities Strategies - regional planning documents that integrate transportation, housing and land use for the reduction of greenhouse gas emissions pursuant to SB 375 (Chapter No. 728, Statutes of 2008) – is near completion. In order to see the GHG emission reductions come to fruition, additional funding for

infrastructure and housing is critical. CSAC staff dedicated significant time and resources to ensuring that the cap and trade auction revenue proceeds from the cap on fuels was invested in these SB 375 plans and other GHG reducing regional transportation plans. All 58 counties will be eligible to compete for \$130 million in grant funds in 2014-15 for a variety of transportation and housing activities. While CSAC is still working the Strategic Growth Council to develop the guidance for the grant program, we anticipate project eligibility to include active transportation and complete street infrastructure, transit infrastructure, and ideally infrastructure to support affordable infill housing development. The success of this year's efforts will continue into future years as the cap and trade auction revenues increase and more funding is available for important local GHG reducing transportation and housing projects.

Housing Element Reform. While broader housing element reform evaded the Legislature and Administration in 2014, CSAC supported legislative efforts to provide relief to counties making great strides to plan for affordable housing in their communities.

State and Federal Indian Gaming Issues. CSAC was very active on tribal gaming and intergovernmental affairs issues in 2014. CSAC conveyed two day-long meetings of the CSAC Tribal Gaming Working Group to review, revise, and update CSAC's decade old policy on state gaming compacts, the federal fee-to-trust process, etc. Staff anticipates taking the revised policy to the CSAC Housing, Land Use, and Transportation Policy Committee and the CSAC Board of Directors for action at the Annual Meeting in November. This effort is critical to California's counties as forty nine 1999 Tribal-State Gaming Compacts are set to expire and the Governor is starting conversations to renegotiate the terms for continued authorization to operate gaming facilities. The 1999 compacts do not include a requirement to enter into a judicially enforceable local mitigation agreement and relies on the Special Distribution Fund to mitigate off-reservation impacts which is now insolvent. The ability for counties to mitigate for gaming impacts rests on counties' ability to renegotiate the 1999 compacts successfully. At the federal level, CSAC has continued to push for fee-to-trust reform and the ensure changes to the federal tribal acknowledgment process continue to give counties a meaningful voice and ability to participate in the decision making process (explained in greater detail in the federal section below).

AB 52 (Gatto) California Environmental Quality Act: Tribal Cultural Resources. As introduced in January 2013, AB 52, by Assembly Member Mike Gatto, would have expanded the California Environmental Quality Act (CEQA) to create a new class of protected resources – "tribal cultural resources", require multiple consultations between lead agencies and California's Native American Tribes, and provide Tribes the authority to determine what a tribal cultural resource is and therefore entitle those resources to certain CEQA protections. CSAC raised a number of concerns with the measure, not the least of which is a fundamental disagreement over adding a new class of environmental resources to the environmental review process when CSAC supports CEQA streamlining. At the same time, CSAC supports cooperation, collaboration, and early consultation between lead agencies and Tribes on projects that may impact tribal cultural resources. While our primary request of the author – to require project-by-project consultation outside of CEQA in the Government Code – was not adopted, we were successful in negotiating a number of amendments to the measure that ultimately allowed us to remove our opposition to the bill. The amendments include a definition of tribal cultural resource that does not put a lead agency in the place of disputing what is culturally significant to a Tribe, one consultation process that has a clear beginning and end, what consultation can include, a requirement for tribes to dictate a single point

of contact, and allows for the confidential exchange of information between a tribe, project proponent, and local government.

AB 2741 (Frazier): Public Contracts: Change Orders. AB 2471, by Assembly Member Jim Frazier, would have imposed arbitrary and burdensome timelines on the negotiation of a change order for a public works project. CSAC opposed this bill because it would expose counties to liability and prejudgment interest if its timeframe for negotiating a change order and making payments due pursuant the bill's provisions are not met. The author was unable to resolve conflicts between the intent of the bill and concerns raised by CSAC and others. Accordingly, the bill did not gain successful passage in the 2014 legislative session.

Revenue and Taxation

Mandates. CSAC worked closely with the Administration to achieve a top priority for counties in the 2014-15 state budget – a \$100 million down payment on the estimated \$900 million owed to counties, cities, and special districts from previously suspended mandates dating from 2004 and earlier. Not only will counties realize about \$73 million in 2014-15, but the 2014-15 state budget includes a trigger that authorizes additional payments should state revenues exceed projections. These “Wall of Debt” mandates are also authorized to be paid with reserve funds should Proposition 2, the Rainy Day Fund pass.

Additionally, CSAC worked with county elections officials to raise awareness and concerns regarding the suspension of elections mandates. This work led to language in the Budget Act that requires that the Department of Finance study and report to the Legislature on the efficacy of these mandates.

Redevelopment Dissolution/Resurrection. CSAC monitored a variety of activities associated with redevelopment dissolution, including a variety of legislative vehicles to address dissolution issues. CSAC opposed SB 1129 (Steinberg) and AB 2493 (Bloom), both of which would change the mechanisms by which dissolution is implemented, specifically, by allowing certain bonds to be used for redevelopment projects and allow successor agencies to enter into new enforceable obligations. Because counties have a significant fiscal stake in the dissolution process and these changes directly affect the allocation of property tax revenue from former redevelopment agencies, CSAC communicated to the legislature and Administration our concerns about the fiscal impacts to counties associated with these measures.

Additionally, CSAC supported the Administration's efforts to provide for a new economic development tool for local agencies – Enhanced Infrastructure Financing Districts (EIFDs). CSAC joined with other local agency associations and interested stakeholders in ensuring the passage of SB 628 (Beall), a measure that provides for collaboration at the local level when determining economic development projects and their financing. SB 628 awaits the Governor's action.

Property Tax Allocation. Once again, CSAC led efforts to secure nearly \$13 million in state funds to reimburse three counties (Alpine, Amador, and San Mateo) that experienced insufficient ERAF to fully offset their Triple Flip and VLF Swap amounts in 2012-13. This funding was successfully included in the final 2014-15 state budget; additionally, the 2014-15 state budget includes an additional \$1.3 billion to fully pay off the Economic Recovery Bonds, signaling an end to the Triple Flip in 2015-16.

CSAC was also able to secure budget trailer bill language to authorize county auditors to distribute supplemental property tax revenues when all of the county's K-12 schools are basic aid. This change results in the distribution of about \$2 million in Plumas County, which has held funds in trust for many years without authority to distribute.

SB 69 (Roth) Local government finance: property tax revenue allocation: vehicle license fee adjustments. CSAC strongly supported SB 69 by Senator Richard Roth, which would provide financial assistance to the four newly incorporated cities in Riverside County that were affected by SB 89 (2011). Working closely with Senator Roth's office and stakeholders, we provided both technical and advocacy assistance to help the bill move through the legislative process. By establishing a "Vehicle License Fee Adjustment Amount" and replacing lost VLF revenues with property taxes from the schools' share (as currently exists for all other cities and counties in the state), SB 69 restores funds to those impacted by SB 89 and ensures their continued viability. SB 69 currently awaits the Governor's action.

Federal Advocacy

Despite the partisanship and policy gridlock that typically accompanies a midterm election year, the 2014 legislative session yielded a number of major successes for CSAC. Working with members of the state's congressional delegation, CSAC was able to register impressive victories in the federal legislative and regulatory arenas. To follow are some of this year's most notable achievements.

In a huge win for CSAC, the U.S. Army Corps of Engineers (Corps) announced earlier this year that local flood control agencies will no longer be required to remove trees and other vegetation from levees in order to qualify for federal disaster assistance. Given the enormous cost and implementation challenges associated with the policy, reversing the Agency's one-size-fits-all directive was a key administrative objective for CSAC at the federal level.

While the Corps ultimately agreed to shelve its policy following intense pressure from CSAC and key members of Congress, lawmakers approved and President Obama signed into law subsequent legislation (HR 3080; PL 113-121) that *requires* the Corps to undertake a comprehensive reexamination of its levee vegetation guidelines. The requirement, enacted as part of the *Water Resources Reform and Development Act*, ensures that the Corps not only suspends its policy but takes into account key cost and compliance issues as part of any future policy development process.

On the public lands front, Congress in early 2014 approved a one-year extension of the Payments-in-lieu-of-Taxes (PILT) program. The critically needed funding extension was included as part of the Farm Bill after Congress failed to fund PILT in the fiscal year 2014 omnibus spending package. CSAC, along with other key stakeholders, was instrumental in the fight to restore the program, which provided over 45 million to California's counties this year.

In other developments, Congress cleared a long-awaited child protection bill (HR 4980) that provides for a series of key federal policy changes. Among other things, the law amends the adoption assistance program to include, for the first time, incentive awards of \$4,000 for subsidized guardianship placements. The new law also ensures that a child placed with a guardian can continue to be cared for by a successor guardian if a relative guardian dies or is incapacitated. Additionally, the Act requires State plans for foster care and adoption assistance to include policies

and procedures for identifying, screening, and determining appropriate services for children who are believed to be victims of sex trafficking.

Finally, CSAC continued to successfully oppose congressional efforts to overturn the Supreme Court's *Carcieri v. Salazar* decision, which limits the secretary of Interior's trust land acquisition authority to those tribes that were under federal jurisdiction at the time of the passage of the Indian Reorganization Act of 1934. CSAC opposes reversing the Supreme Court's decision absent concomitant reforms in the land-into-trust process and has been advocating for a set of standards that Indian tribes would need to meet as a condition of receiving Department of Interior approval for trust land acquisitions.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Economic Development

TIME REQUIRED 15 minutes

**PERSONS
APPEARING
BEFORE THE
BOARD** Alicia Vennos

SUBJECT Proposed Directive for Commercial
Filming in Wilderness

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

On Wednesday, November 19, 2014, the Mono County Tourism & Film Commission approved a comment letter regarding the Forest Service's proposed directive for filming and special uses in Wilderness. Although the directive has been in place on an interim basis for four years, the Service recently announced it proposes to incorporate the directive -- (ID) 2709.11-2013.1 -- into the Forest Service Handbook -- (FSH) 2709.11, chapter 40 -- to establish permanent guidance for the evaluation of proposals for still photography and commercial filming on National Forest System Lands, including congressionally-designated Wilderness. Public comment period was extended by 30 days to December 3, 2014.

RECOMMENDED ACTION:

Review, discuss, and approve a letter to the U.S. Forest Service requesting clarification on the proposed directive (79 FR 52626) for filming and special uses in Wilderness.

FISCAL IMPACT:

None.

CONTACT NAME: Alicia Vennos

PHONE/EMAIL: 760-924-1743 / avennos@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

- [Wilderness Filming Staff Report](#)
- [Letter from Tourism Commission, 11.19.14](#)
- [BOS Letter of Comment - Draft](#)

History

Time	Who	Approval
11/25/2014 12:38 PM	County Administrative Office	Yes
11/25/2014 11:45 AM	County Counsel	Yes
11/25/2014 1:23 PM	Finance	Yes



MONO COUNTY

ECONOMIC DEVELOPMENT and SPECIAL PROJECTS

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STAFF REPORT

SUBJECT: Proposed Directive for Commercial Filming in Wilderness

RECOMMENDATION: Discuss and approve letter of comment, due December 3, 2014.

BACKGROUND: The Mono County Tourism & Film Commission approved a comment letter at their special meeting of Nov. 19, 2014, regarding the Forest Service's proposed directive for filming and special uses in Wilderness. Although this directive has been in place on an interim basis for four years, the Service recently announced it proposes to incorporate the directive -- (ID) 2709.11-2013.1 -- into the Forest Service Handbook -- (FSH) 2709.11, chapter 40 -- to establish permanent guidance for the evaluation of proposals for still photography and commercial filming on National Forest System Lands, including congressionally-designated Wilderness.

The draft letter from the Board expresses concern regarding ambiguities in both the directive and the Forest Service Handbook which create potential confusion as to the meaning, applicability and scope of the directive. Concern is also expressed regarding the district offices' strained capacity for processing an increased demand for special use permits and how that will impact the public and bonafide commercial filming.

Public comment period was extended by 30 days to December 3, 2014.

USFS Proposed Directive: <https://www.federalregister.gov/articles/2014/09/04/2014-21093/proposed-directive-for-commercial-filming-in-wilderness-special-uses-administration>

USFS Handbook, Chapter 40:
http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5109390.pdf

DISCUSSION: In my absence, Scott Burns and/or Jeff Simpson will be on hand to answer questions. Stacey Simon was also instrumental in researching the directive and crafting the letter.

FISCAL IMPACT: None.



The Honorable Tom Tidwell
Chief, US Forest Service
1400 Independence Avenue, S.W.
Washington, D.C. 20250

Dear Chief Tidwell,

On behalf of the Mono County Tourism & Film Commission, Mammoth Lakes, California, thank you for the opportunity to comment on the Forest Service's proposed directive for filming and special uses in Wilderness (79 FR 52626).

Mono County is located in California's Eastern Sierra and encompasses approximately 3,100 square miles. As you know, about 94% of the land in our county is publicly owned, the majority of which is managed by the Inyo and Humboldt Toiyabe National Forests. A significant portion on the two national forests is congressionally-designated wilderness – the Ansel Adams, John Muir and Hoover wilderness areas and the Mono Basin National Forest Scenic Area. These lands draw visitors from all over the world and contribute roughly 6 million recreation visitor days of use annually within the county -- one of the highest use levels in the nation. Tourism is Mono County's primary economic driver and our communities and small business depend on access to the recreational opportunities afforded by the National Forests and Wilderness.

We have concerns regarding the proposed directive, and respectfully request clarification on the following issues:

- Many of our visitors and local residents share their outdoor adventures, photos, videos, and memorable experiences through email, blogs and social media channels. The publishing and sharing of photos, travel diaries, videos, recommendations, reviews, and testimonials have become an increasingly important part of the universal vacation experience, and have also created a tremendously accessible and valuable resource for travel planning. Shared experiences and travel advice from trusted sources – influencers like friends and family -- also help to educate and raise awareness of our public lands, and foster an appreciation for the preservation of Wilderness areas. We respectfully request that Service take into account the extensive value and reach of social media and ensure that local Californians and the visiting public understand that they may continue to share the beauty of the wilderness through photography and blogs without fear of fines or the need to secure a commercial permit, even if subsequent and unforeseen publishing occurs at a future date. The original intent of the person taking photographs or video must be considered and clearly defined. We are concerned that the directive, if ambiguous, could discourage visits to wilderness, thereby reducing an appreciation of our public lands through media shared by visitors.

- Kindly provide clarification regarding tourism-focused organizations, agencies, and non-profits (e.g. government tourism departments, Convention & Visitor Bureaus, Chambers of Commerce and stewardship entities) which are responsible for promoting the region’s scenic beauty, natural wonders, and outdoor recreation opportunities. In particular, please clarify the definition of “models” and “props” when the primary purpose of images published by the aforementioned entities is solely to inform the public about the use and enjoyment of wilderness. For example, if a photo taken by the Mono County Tourism & Film Commission to promote tourism includes a person hiking or shows a generic backpack in the foreground, are these considered “models” or “props” thereby requiring the Commission to secure a permit?
- We respectfully recommend and request that outfitter and guide permits include an authorization for photography and filming where the goal is to provide the public with information about the use and enjoyment of wilderness. The permit holder should be able to use the photos to advertise their services in the wilderness area represented by the images and this should be clearly included in the proposed directive.
- Finally, the resources of our local Forest Service District offices are stretched beyond capacity, and while the special use permit coordinators in our region are dedicated, professional, and very helpful, they have challenges managing the current volume of bonafide commercial filming permit applications. The proposed directive places substantially more administrative responsibility on the shoulders of our district offices and we respectfully request that the appropriate resources be provided to handle the additional demand that the proposed directive will create. A suggested solution is to develop an online permit application program that would allow an individual or small commercial production company the ability to apply for a simple permit online, agree to all conditions, acknowledge restrictions, pay the fee, and print out the permit. Utilizing the tools of technology will allow the district offices to manage the incremental volume of permit applications and create a positive customer service experience for those who wish to comply with the proposed directive but simply do not have weeks to wait for a permit.

Thank you again for the opportunity to comment and for consideration of our concerns. We strongly encourage a 90-day public review period once the language in the proposed directive is in its final draft.

Sincerely,

Jimmy Little
Chair, Mono County Tourism & Film Commission
PO Box 603
Mammoth Lakes, CA 93546

cc. Alicia Vennos, Mono County Film Commissioner
cc. Larry Johnston, Chair, Mono County Board of Supervisors

The Honorable Tom Tidwell
Chief, US Forest Service
1400 Independence Avenue, S.W.
Washington, D.C. 20250

RE: COMMENTS OF MONO COUNTY, CALIFORNIA REGARDING PROPOSED DIRECTIVE FOR STILL PHOTOGRAPHY AND COMMERCIAL FILMING IN WILDERNESS

Dear Chief Tidwell,

On behalf of the Mono County Board of Supervisors, thank you for the opportunity to comment on the proposed directive related to still photography and commercial filming on National Forest System wilderness lands (79 FR 52626). Mono County has a significant amount of Congressionally-designated wilderness that is enjoyed every year by millions of Californians and visitors from around the world, and is concerned that ambiguity in the proposed directive (and existing Forest Service Handbook (FSH) 2709.11, chapter 40, sections 45.51a and 45.52a) will impede public access to and enjoyment of these areas in both the Inyo and Humboldt Toiyabe National Forests. The County's specific concerns are as follows:

1. The existing and proposed language does not take into account or address the widespread use of social media. An increasingly important part of the recreational experience within National Forest and Wilderness areas is the freedom of visitors to share photos, video clips, and travelogues through email, blogs and social media platforms. This sharing helps to promote awareness of public lands and to foster appreciation for preservation and stewardship. The FSH should include language to assure visitors that they may continue to share the beauty of public lands through photographs and on social media, and that those photos may include people and or things (e.g., a friend or family member, or the visitor's tent or backpack). As currently worded, it is possible to interpret the FSH as requiring a permit for photos of family and friends (or equipment) on the basis that they involve "models" and "props" under section 45.5.
2. These same issues are present with respect to the activities of government agencies and non-governmental organizations that promote recreational visitation to public lands (e.g., visitors' bureaus, tourism agencies, chambers of commerce, land stewardship organizations, etc.). For example, if a local Chamber of Commerce takes and posts a video on its website to promote hiking trails in the wilderness, and a person or thing appears in the video, is that person considered a "model" thereby requiring the Chamber to secure a permit? Is the thing considered a "prop"? Was the video "created for the purpose of generating income" because it was taken by a Chamber of Commerce and could have the effect of generating income to some third party (i.e., a local business)? What if it was created by a land stewardship organization or other conservation organization? A failure to clarify the terms "models" and "props" and to specify when an activity is "created for the purpose of generating income" in the existing section 45.5c will adversely affect the functionality of these local entities and their efforts to raise awareness about and promote public lands. (See FSH, 2709.22, chapt. 40, section 45.5c.)
3. Additionally, outfitter and guide permits should include an authorization for photography and filming, when requested by the permittee to enable the permittee to use photos or videos to advertise its services in the wilderness area represented by the images. A procedure authorizing same should be included in the FSH.

4. The County has serious concerns about the resources of our local Forest Service District offices which are stretched beyond capacity. The special use permit coordinators in this region are dedicated, professional, and do their very best to provide excellent service; however, they are overwhelmed with the current volume of bonafide commercial filming permit and other special use applications. The proposed directive places substantially more administrative responsibility on the shoulders of our local district offices and Mono County respectfully requests that the appropriate resources be allocated to handle the additional demand that the proposed directive will create. A critical solution is for the Forest Service to develop an online permit application program that would allow an individual or small commercial production company the ability to apply for a simple permit online, agree to all conditions, acknowledge restrictions, pay the fee, and print out the permit. Optimizing technology is just one way that the Service will create the capacity to manage the incremental volume of permit applications and deliver a positive customer service experience for those who need to comply with the proposed directive but who simply do not have weeks to wait for a permit.

5. Finally, it appears that the proposed directive mis-cites relevant existing FSH sections (specifically, it refers to existing section 45.51a as section 45.1a and refers to existing section 45.52a as section 45.2a). Moreover, although the background information, FAQs and other materials about the proposed directive state that it applies within wilderness areas only (i.e., not within non-wilderness National Forest System lands), the language of the proposed 45.1c (which should, in fact, be section 45.51c) is not entirely clear. It initially references National Forest System lands, but then (in subsection 5) mentions designated wilderness for the first time. And the proposed section 45.51c would be placed within a section of the existing FSH that applies to all Forest System lands (i.e., section 45). These errors create potential confusion as to the meaning, applicability and scope of the directive and should be corrected.

Thank you for the opportunity to comment and for consideration of Mono County's concerns. Since the proposed directive was announced on Sept. 4, 2014, there has been very little time for public input. The Board of Supervisors strongly encourages the Forest Service to provide a 90-day public review period once the language in the proposed directive is in its final draft form and the errors described in paragraph 5 of this letter are corrected.

Sincerely,

Larry K. Johnston
Chairman, Mono County Board of Supervisors



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

TIME REQUIRED

SUBJECT

Conference with Legal Counsel

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: People et al. v. Los Angeles DWP et al. (Mono County Sup. Ct. Case No. 10088).

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time	Who	Approval
11/21/2014 3:04 PM	County Administrative Office	Yes
11/24/2014 4:01 PM	County Counsel	Yes
11/24/2014 12:09 PM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

TIME REQUIRED

SUBJECT Closed Session--Human Resources

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, and Jim Leddy. 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), and Mono County Sheriff Department's Management Association (SO Mgmt).
Unrepresented employees: All.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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No Attachments Available

History

Time

Who

Approval

11/5/2014 1:18 PM	County Administrative Office	Yes
11/14/2014 12:44 PM	County Counsel	Yes
11/4/2014 4:43 PM	Finance	Yes



**OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS**

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

TIME REQUIRED

SUBJECT Closed Session - Conference with Legal
Counsel

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one. Facts and circumstances: Claim for Damages presented by Cornell Agee.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
***PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING***

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time	Who	Approval
11/19/2014 9:46 AM	County Administrative Office	Yes
11/14/2014 12:45 PM	County Counsel	Yes
11/19/2014 9:28 AM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

TIME REQUIRED

SUBJECT

Closed Session - Public Employment
Performance Evaluation

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

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

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time	Who	Approval
11/14/2014 6:56 AM	County Administrative Office	Yes
11/14/2014 1:18 PM	County Counsel	Yes
11/12/2014 6:30 PM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: County Counsel

TIME REQUIRED 5 minutes

**PERSONS
APPEARING
BEFORE THE
BOARD** Marshall Rudolph

SUBJECT Claim for Damages

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Claim for damages presented on or about October 27, 2014, by Cornell Agee (through his legal counsel).

RECOMMENDED ACTION:

Reject claim for damages presented on or about October 27, 2014, by Cornell Agee (through his legal counsel). Direct County Counsel to notify claimant's legal counsel of the Board's action.

FISCAL IMPACT:

None if the claim is rejected as recommended.

CONTACT NAME: Marshall Rudolph

PHONE/EMAIL: (760) 924-1707 / mrudolph@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[staff report re Agee claim](#)

History

Time

Who

Approval

11/21/2014 3:05 PM	County Administrative Office	Yes
11/14/2014 1:36 PM	County Counsel	Yes
11/19/2014 9:29 AM	Finance	Yes

County Counsel
Marshall Rudolph

Assistant County Counsel
Stacey Simon

Deputy County Counsels
John-Carl Vallejo
Christian Milovich

**OFFICE OF THE
COUNTY COUNSEL**

Mono County
South County Offices
P.O. BOX 2415

MAMMOTH LAKES, CALIFORNIA 93546

Telephone
760-924-1700
Facsimile
760-924-1701

Legal Assistant
Jennifer Senior

TO: Board of Supervisors

FROM: Marshall Rudolph

DATE: December 2, 2014

RE: Agee claim for damages presented on or about October 27, 2014

Recommendation:

Reject claim for damages presented by Cornell Agee (through his legal counsel) on or about October 27, 2014, in its entirety and direct County Counsel to notify Claimant's legal counsel of said rejection.

Fiscal/Mandates Impact:

None if the claim is rejected as recommended.

Discussion:

In accordance with the Board's practice, a copy of the subject claim is not enclosed in the Board packet. But it will be available and discussed at the meeting, including at a closed session that day.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Finance

TIME REQUIRED 1 hour (15 minute presentation; 45
minute discussion)

**PERSONS
APPEARING
BEFORE THE
BOARD**

Leslie Chapman

SUBJECT Innoprise Software Contract
Amendment

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation to the Board regarding Innoprise Software Contract Amendment for ERP software.

RECOMMENDED ACTION:

1. Hear Innoprise software upgrade presentation and provide feedback.
2. Approve a Treasury Loan not to exceed \$379,131 plus interest to be repaid with project savings.
3. Authorize CAO, in consultation with County Counsel, to approve and execute an amendment to the County's existing agreement with Harris Systems USA Inc. (formerly GEMS) to license and receive maintenance services for the Innoprise Finance, Payroll/Human Resources, Tax, Community Development and Work Order Applications and related hardware, if any, from Harris Systems for a cost not to exceed \$379,131 for implementation and licenses, plus annual maintenance fees of \$62,794 through fiscal year 2017-18, \$65,934 for FY 2018-19, and \$65,934 plus CPI increase for each year thereafter that the Agreement is in effect.

FISCAL IMPACT:

The total cost of the upgrade is expected to be \$379,131 which will be paid with a treasury loan using savings directly related to the project for loan payments. Annual savings for maintenance fees range from \$51,724 to \$66,505 as existing programs are replaced. Budget adjustments will be made at mid-year.

CONTACT NAME: Gerald Frank

PHONE/EMAIL: (760) 932-5494 / gfrank@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Staff Report](#)
 - [Innoprise Presentation](#)
-

History

Time	Who	Approval
11/24/2014 3:55 PM	County Administrative Office	Yes
11/25/2014 2:21 PM	County Counsel	Yes
11/24/2014 5:20 PM	Finance	Yes



DEPARTMENT OF FINANCE

COUNTY OF MONO

*Assistant Finance Director
Treasurer-Tax Collector*

*Leslie L. Chapman, CPA
Finance Director*

*Roberta Reed
Assistant Finance Director
Auditor-Controller*

*P.O. Box 495
Bridgeport, California 93517
(760) 932-5480
Fax (760) 932-5481*

*P.O. Box 556
Bridgeport, California 93517
(760) 932-5490
Fax (760) 932-5491*

To: Honorable Board of Supervisors
From: Gerald Frank, Nate Greenberg, Leslie Chapman
Date: December 2, 2014

Subject:

Innoprise Finance, Payroll/Human Resources, Tax, Community Development and Work Order Software

Recommendation:

1. Hear Innoprise software upgrade presentation and provide feedback.
2. Approve a Treasury Loan not to exceed \$379,131 plus interest to be repaid with project savings.
3. Authorize CAO, in consultation with County Counsel, to approve and execute an amendment to the County's existing agreement with Harris Systems USA, Inc. (formerly Government eManagement Solutions, Inc. (GEMS)) to license and receive maintenance services for the Innoprise Finance, Payroll/Human Resources, Transient Occupancy Tax, Community Development and Work Order Applications and related hardware, if any, from Harris Systems, at a cost not to exceed \$379,131 for implementation and licenses, plus annual maintenance fees of \$62,794 through fiscal year 2017-18 (first three years), \$65,934 for fiscal year 2018-19 (fourth year), and \$65,934 plus CPI increases for each year thereafter that the Agreement remains in effect.

Background:

Mono County is in serious need of a financial system upgrade and consolidation of multiple software programs is essential in these times of shrinking resources. This investment will streamline processes, save staff time, provide additional transparency for our citizens and pay for itself immediately.

Innoprise is a business management software package that includes many enhancements to Mono County's current software and adds six new modules to integrate processes, eliminate duplication of data entry, improve transparency through better citizen access and allow employees to access to their payroll records and update personal information.

Staff in each department had the opportunity to review the software and attend demonstrations: the feedback was very positive. There are some who are not looking forward to the transition and feel that the existing software serves their purpose, but they are willing to migrate knowing that an integrated system will eliminate duplicate data entry. As of today, we are not sure that the work order module will meet the State's requirements for cost accounting for Road funds, but we are working with the State Controller's Office and are optimistic.

We are asking your Board to approve a loan from the Treasury. This will be a good pilot program for “Fannie Mono” because payments will be made from project savings. Additionally, there are enough County funds in the Treasury pool to guarantee that the loan doesn’t put other Treasury participants at risk. Our calculations show that the time savings from implementing the payroll module will eliminate the need for half of a staff position in the payroll department. This along with supplies, postage and savings from software licensing will be enough to make the loan payment. After the loan is paid back, the savings will be available for other County budget needs.

Fiscal Impact:

The total cost of the upgrade is expected to be \$379,131 which will be paid with a treasury loan using savings directly related to the project for loan payments. Annual savings for maintenance fees range from \$51,724 to \$66,505 as existing programs are replaced. Budget adjustments will be made at mid-year.

HARRIS

Enterprise Resource Planning



Innoprise Suite



Innoprise ERP

- What is Innoprise?
- What will it Replace?
- How will Employees Benefit?
- How will the Public Benefit?
- How Long will it Take?
- What will it Cost?
- How are we Paying for it?
- How Much will we Save?

What is Innoprise?

- It is a business management software with integrated application allowing local governments to store and manage data from every stage of business.
- Provides increased productivity - by using workflow integration.
- Provides a Citizen self-service portal – Allowing public access to Online Job Applications, Building Permit Applications, Tax Return Filing and Payments, Business License Applications, and much more.
- Provides an Employee self-service portal – Allowing employees to enter Timekeeping Information, change their personal information and payroll tax exemptions, view paycheck information, and much more.

Software - Current

MsGovern-FMS (General Ledger / Accounts Payable / Accounts Receivable / Budgeting)

MsGovern-HRMS (Payroll / Human Resources)

Enterprise Output Manager (Reporting)

Skyview (Reporting)

ApCheck (Check Writing)

SecurePay (Check Security)

QuickBooks (Revenue Services)

BasicGov (Building Permits / Business Licenses / Land Mgmt)

CAMS (Project Mgmt / Road Mgmt / Work Orders)

Maxime (Expenditure Mgmt / Salary Mgmt / Revenue Mgmt)

Each Database software is a stand alone program and does not communicate with the others, leading to DOUBLE ENTRY

Software – Proposed

Innoprise Suite

Modules Available

Financials

Community Development

Work Management

Citizen Access

Payroll & HR

Tax

Centralized Receipting

Utility Billing

The Innoprise suite is one software package designed to handle almost all of the County's electronic processes

Employee Portal - Timekeeping

The screenshot displays the Innoprise software interface for the Employee Portal - Timekeeping. The interface includes a navigation menu on the left with options like Profile, Submit Time Entries, Activity Log, Leave Requests, and Time Sheets. The main content area shows the 'Time Sheet Input' screen for the week of 07/07/2013. It features a table for 'Time Entries' with columns for Task, dates from Sun 07/07 to Sat 07/13, Total, and Status. The tasks listed are Snow Removal, Holiday, and Travel Time. Below this is a summary table for 'My Available View' showing Balance, Pending Requests, and Available amounts for Jury Duty, Vacation, and Sick leave.

Task	Sun 07/07	Mon 07/08	Tue 07/09	Wed 07/10	Thu 07/11	Fri 07/12	Sat 07/13	Total	Status
Snow Removal	7							15	New
Holiday		8						8	New
Travel Time	1							1	New
Total (This assignment)	0	8	8	8	0	0	0	24	
Total (Other assignments)	0	8.00	0.17	10.00	8.00	0	0	26.17	

	Balance	Pending Requests	Available
Jury Duty	0	1	0
Vacation	161.616	3	161.616
Sick	70.000	4	70.000

Employee Portal - Profile

Innoprise software

Employee HR Payroll Tasks Configuration Work Management

File Human Resources Window Help

Time Sheets 07/07/2013:QAUser Profile

BOBBY-C T DOLE

General Information Payroll Checks Direct Deposit Payroll Items

Email Addresses

Personal Details

SSN: ###-##-8848
 Maiden
 Birth Date: 05/25/1952
 Marital Status: S
 Gender: Male

Phone Numbers

At least one preferred phone number is required. Phone numbers must have 10 digits.

Preferred?
 Cell: 333-333-3333
 Home

My Accruals View

	Balance	Pending Requests	Available
Jury Duty	0	1	0
Vacation	161.616	3	161.616
Sick	70.000	4	70.000

Logged in as QAUser

Employee Portal - Pay Checks

Innoprise software

Employee HR Payroll Tasks Configuration Work Management

File Human Resources Window Help

Time Sheets 07/07/2013:QAUser Profile

BOBBY-C T DOLE

General Information Payroll Checks Direct Deposit Payroll Items

Payroll Checks

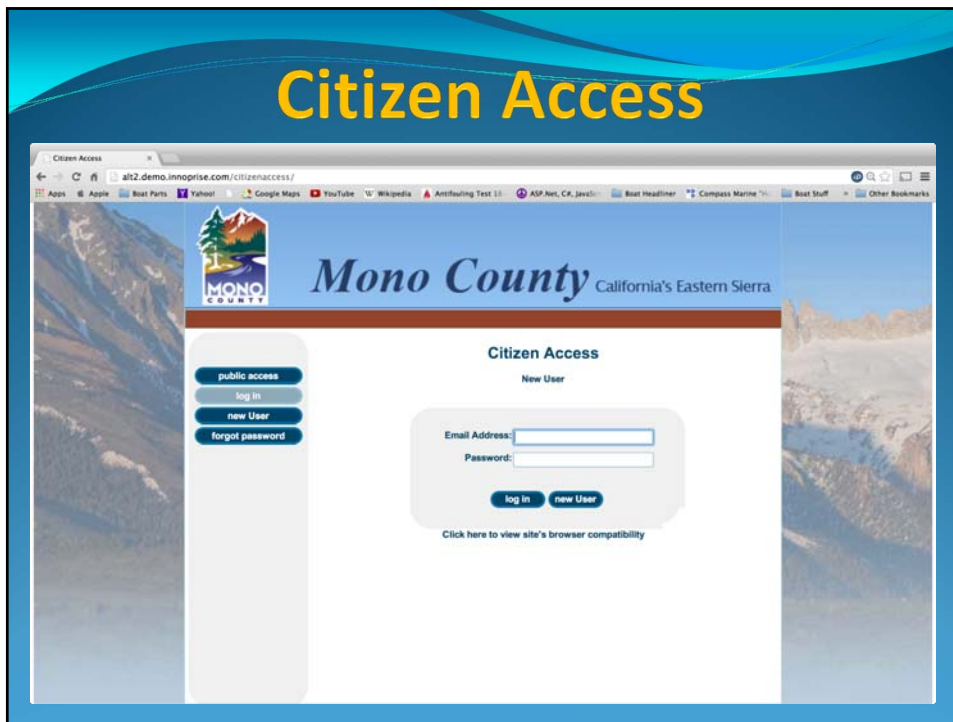
Pay Date	Type	View Details
05/11/2012	Regular	View PDF
04/27/2012	Regular	
04/13/2012	Regular	
03/30/2012	Regular	

My Accruals View

	Balance	Pending Requests	Available
Jury Duty	0	1	0
Vacation	161.616	3	161.616
Sick	70.000	4	70.000

Logged in as QAUser

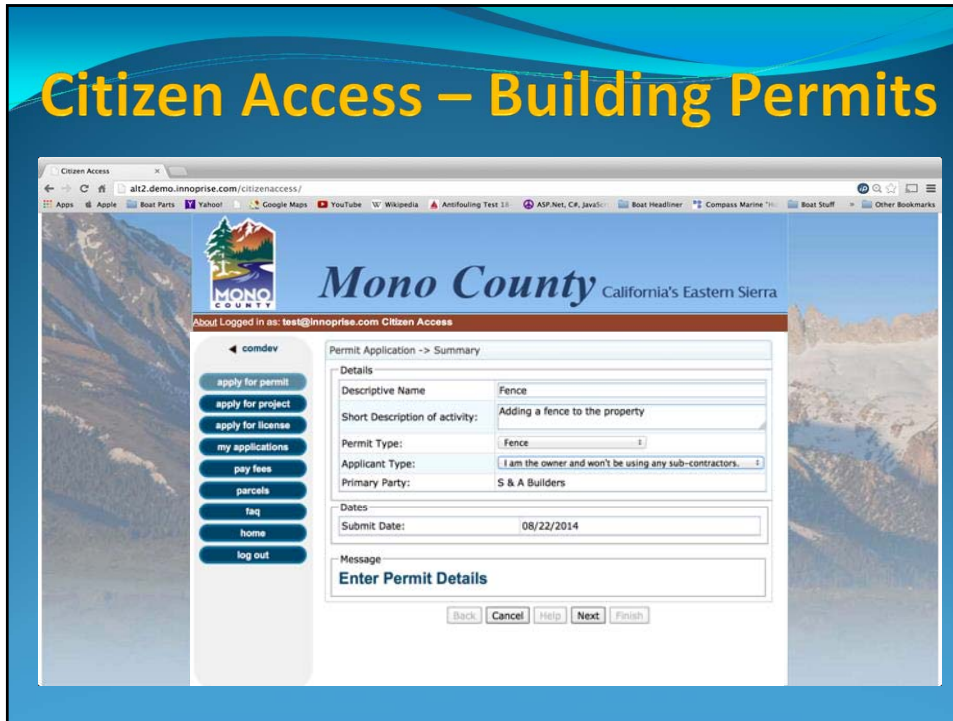
Citizen Access



Citizen Access - License



Citizen Access – Building Permits



Citizen Access - Applicants



Citizen Access - Applicants



Citizen Access - Applicants



Citizen Access - TOT Return

The screenshot shows the Mono County Citizen Access portal. The user is logged in as 'test@innoprise.com'. The main navigation menu on the left includes options like 'file returns', 'return history', 'license information', 'apply for license', 'renew license', 'account information', 'manage accounts', 'outstanding balances', 'saved payment info', 'home', and 'log out'. The current page is 'Returns Step 17: General Information', which is marked as required. The form contains the following fields:

- * Select the account you would like to enter a return for: 0334 - Andrusa Motel
- * Select which type of tax return you are filing: Transient Occupancy
- Filing Frequency: TOT Quarterly
- * Enter the year you would like to file for: 2014
- * Enter the filing period you would like to file for: Q2 2014
- Start Date: 04/01/2014
- End Date: 06/30/2014
- Due Date: 07/31/2014

Buttons for 'cancel' and 'next' are visible at the top and bottom of the form.

Citizen Access Bill Pay

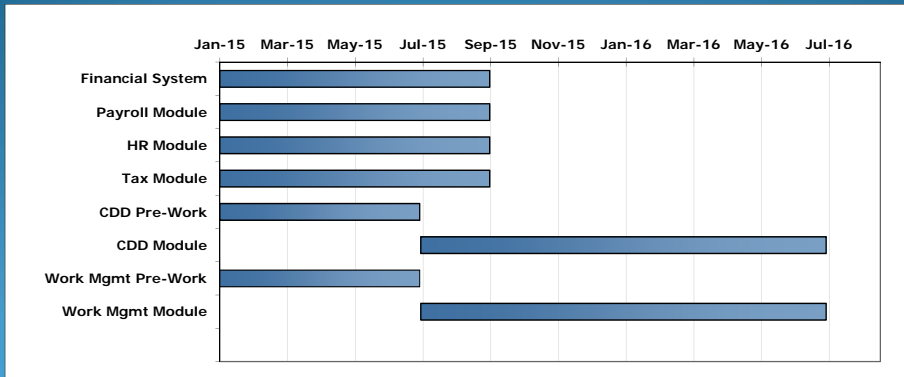
The screenshot shows the Mono County Citizen Access portal. The user is logged in as 'test@innoprise.com'. The main navigation menu on the left includes options like 'pay bills', 'account information', 'statements', 'payment history', 'services', 'manage accounts', 'FAQ', 'request service', 'home', and 'log out'. The current page is 'bill pay', which is marked as required. The page displays 'Step 1: Select Accounts' with the instruction 'Select at least one account and click next.' Below this is a table of accounts:

<input type="checkbox"/>	Account Number	Amt. Due	Bill Date	Due Date	Status	
<input type="checkbox"/>	10119060	\$705.30	10/08/2013	10/27/2013	ACTIV	
Total:		\$705.30				

Buttons for 'cancel' and 'next' are visible at the top and bottom of the form.

Project Timeline

Event / Name	Start	End	Length
Financial System	1-Jan-15	1-Sep-15	243
Payroll Module	1-Jan-15	1-Sep-15	243
HR Module	1-Jan-15	1-Sep-15	243
Tax Module	1-Jan-15	1-Sep-15	243
CDD Pre-Work	1-Jan-15	30-Jun-15	180
CDD Module	1-Jul-15	30-Jun-16	365
Work Mgmt Pre-Work	1-Jan-15	30-Jun-15	180
Work Mgmt Module	1-Jul-15	30-Jun-16	365



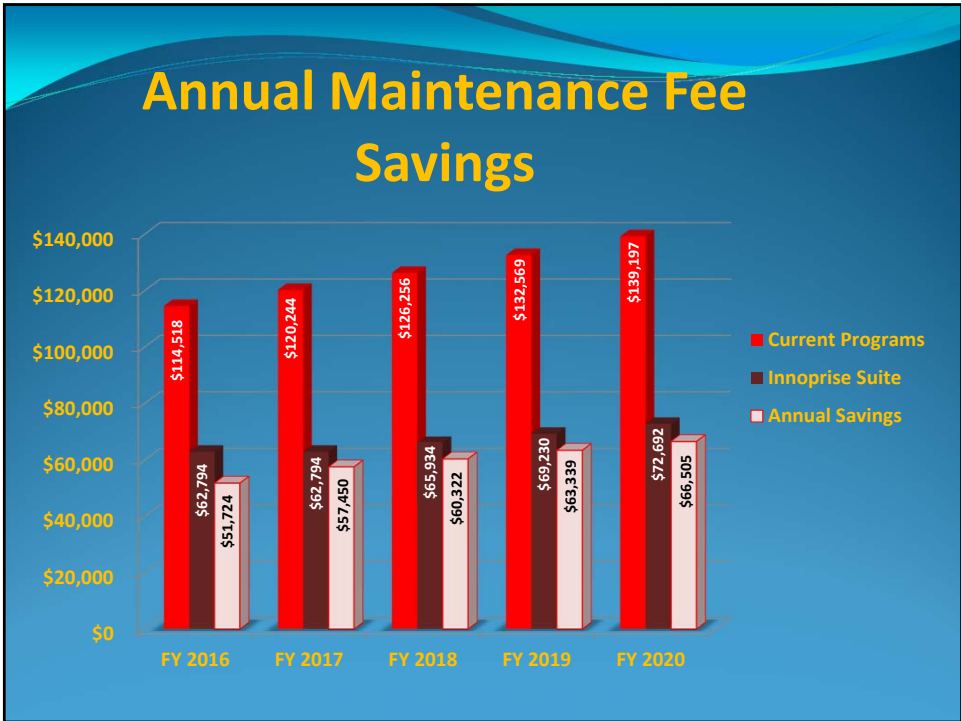
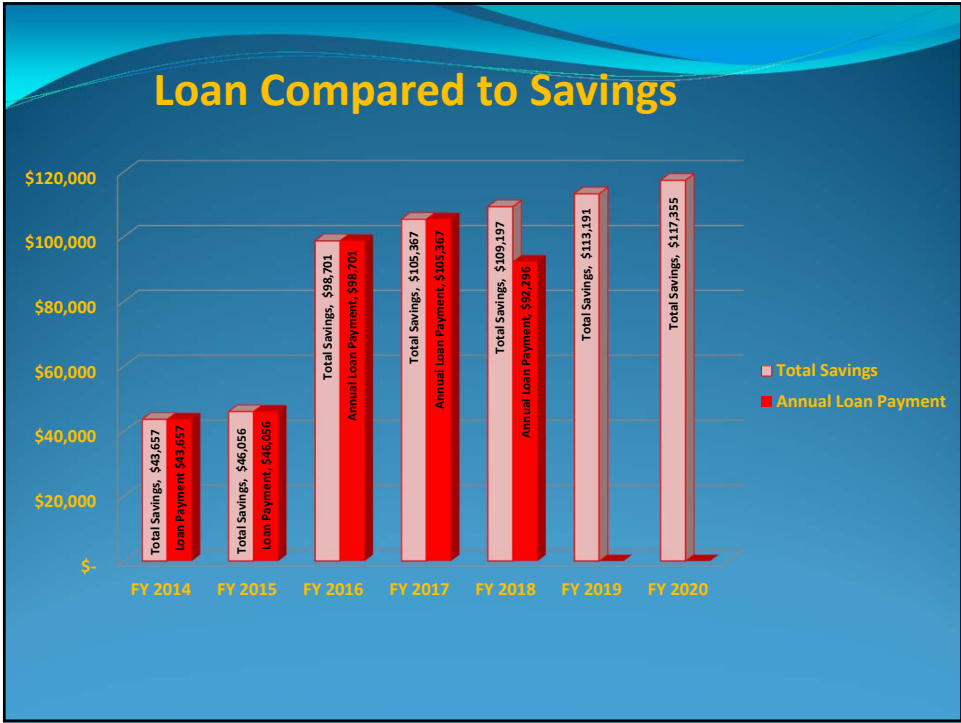
Project Costs

Software Upgrade	\$ 379,131.00
Treasury Loan Interest @ 1%	\$ 6,946.04
Total Project Cost	\$ 386,077.04

Fiscal Year	Annual Loan Draw	Annual Interest	Annual Payments*	Loan Balance
2014	\$ 121,800.00	\$ 280.08	\$ 43,657.00	\$ 78,423.08
2015	\$ 184,080.00	\$ 1,550.00	\$ 46,056.00	\$ 217,997.08
2016	\$ 73,251.00	\$ 2,485.82	\$ 98,701.00	\$ 195,032.90
2017		\$ 1,820.92	\$ 105,367.00	\$ 91,486.82
2018		\$ 809.22	\$ 92,296.04	\$ 0.00
Totals	\$ 379,131.00	\$ 6,946.04	\$ 386,077.04	

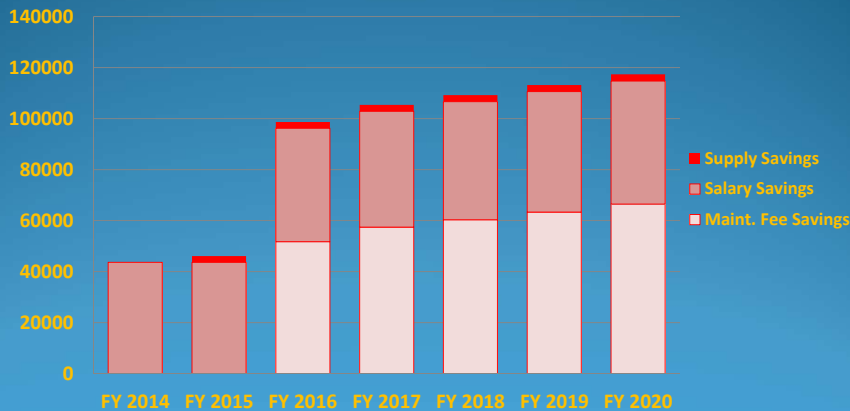
*Payments Equal to County Savings





Total Annual Savings

Cumulative Savings Through FY 2020 - \$ 633,524.00



Innoprise Suite

Increased Efficiency
Increased Productivity
Increased Citizen Access
Saves Money



HARRIS

Enterprise Resource Planning

Innoprise Suite





OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Finance

TIME REQUIRED 20 minutes (5 minute presentation; 15 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Leslie Chapman/Megan Mahaffey

SUBJECT HOME Grant Award and RFP

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

First Time Homebuyer Program funded by Home Investment Partnership Program (HOME)

RECOMMENDED ACTION:

1. Direct staff to accept the HOME grant award and administer the program.
2. Approve the Mono County Request for Proposal (RFP) for circulation and selection of a Subcontractor to operate the Mono County First Time Homebuyer Program.

FISCAL IMPACT:

Grant funds up to \$700,000 will be used to administer this program. Budget adjustments will be made the Housing Development budget during Mid-year Budget Review. Some General Fund staff time may be required.

CONTACT NAME: Leslie Chapman

PHONE/EMAIL: 760-932-5494 / lchapman@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Staff Report](#)
- [RFP](#)
- [Exhibit to RFP](#)

[Exhibit to RFP](#)

History

Time	Who	Approval
11/24/2014 3:03 PM	County Administrative Office	Yes
11/25/2014 11:53 AM	County Counsel	Yes
11/21/2014 4:48 PM	Finance	Yes



**DEPARTMENT OF FINANCE
COUNTY OF MONO**

*Assistant Finance Director
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To: Honorable Board of Supervisors
From: Megan Mahaffey, Accountant
Leslie Chapman, Finance Director
Date: 12/02/14

Subject:

First Time Homebuyer Program funded by Home Investment Partnership Program (HOME)

Recommendation:

1. Direct staff to accept the HOME grant award and administer the program.
2. Approve the Mono County Request for Proposal (RFP) for circulation and selection of a Subcontractor to operate the Mono County First Time Homebuyer Program.

Background:

The Home Investment Partnership Program is a federally funded program that provides financial assistance through the California Department of Housing and Community Development (HCD). HOME funds may be used for a number of programs including the First Time Home Buyer (FTHB) Program.

Mono County currently has three active loans from grants funded by the HOME program that were awarded to First Time Homebuyers for homeownership assistance starting in 2009. There were two previous grants for \$800,000 each. The County made three loans for a total of \$335,952 (\$165,352, \$77,700 and \$92,900), \$40,000 was claimed in administrative costs and \$44,363 was used for program delivery costs leaving a balance of \$1,179,685 unspent.

Discussion:

Mono County has received its third HOME award for the First Time Homebuyer Program and for Homebuyer Acquisition for \$700,000 of which \$17,500 is to be expended on State Recipient Administration and \$682,500 for the First Time Homebuyer Program. Up to 6.5% can be spent on Activity Delivery Costs. State Recipient Administration costs include marketing, filling out and submitting: draw down requests, monthly status reports, quarterly Program Income reports, and annual performance reports.

State Recipients using Administrative Subcontractors paid with HOME Funds must follow a competitive Request for Qualifications (RFQ) or Request for Proposals (RFP) procurement process to select the Subcontractor. In order to ensure that all interested parties have the opportunity to submit a proposal and provide the highest quality program, the attached request for proposal was drafted.

Historically, Mammoth Lakes Housing has administered the whole program and they were compensated with all the administrative and program delivery funds. For this grant, staff is proposing that Mono County retain some of the administrative funds and provide a higher level of oversight. Additionally, staff recommends establishing a loan committee to review applicants' eligibility and ensure that all files are complete.

Fiscal Impact:

Grant funds up to \$700,000 will be used to administer this program and provide five loans to first time homebuyers in Mono County.. Budget adjustments will be made the Housing Development budget during Mid-year Budget Review. Some General Fund staff time may be required.

REQUEST FOR PROPOSALS (RFP)
First-Time Homebuyer Program Operator
Grant No. 13-HOME-8996



Date of distribution: 12/3/14

Submittal Deadline: 1/2/15

MAIL OR DELIVER RESPONSES TO:

ATTN: Leslie Chapman, Finance Director
Mono County Finance Department
Courthouse Annex II
PO Box 556, Bridgeport, CA 93517

Contact: Megan Mahaffey at 760-924-1836 or via email at mmahaffey@mono.ca.gov

INTRODUCTION

Mono County received a HOME grant for \$682,500 to fund a First-Time Homebuyer Program in Mono County. This Request for Proposals (RFP) is soliciting proposals from qualified entities or individuals to operate the Mono County First-Time Homebuyer Program for Homebuyer Acquisition and First-Time Homebuyer Acquisition with Rehabilitation in Mono County. Any firm or person submitting a proposal in response to this RFP should be knowledgeable about the HOME Investment Partnership Program and all current California Department of Housing and Community Development (HCD) requirements. Delivery costs for the work solicited through this RFP will be for up to 6.5% of the awarded amount for First Time Homebuyer activities.

The program deliverable is the presentation and delivery of all documentation for qualified First-Time Homebuyer applicants to the Mono County Loan Committee for selection of loan award, including income calculation. The program deliverable will also include execution of the loan to the awarded applicant and delivery of all loan documentation to Mono County. The program will use the Mono County First Time Homebuyer Guidelines and operate in accordance to the HOME Final Rule. Homebuyer guidelines are available from Mono County upon request.

MONO COUNTY DESCRIPTION

Mono County is located in the east central portion of the State of California, to the east of the Sierra Nevada Mountain Range between Yosemite National Park and the state of Nevada. As of the 2010 census, the population of Mono County was 14,202 up from 12,853 at the 2000 Census.

The county seat is the town of Bridgeport, where most of the county offices are located. The county land area is 3,030 square miles, 94% of which is publicly owned. The only incorporated town in Mono County is Mammoth Lakes, which is located at the base of Mammoth Mountain.

The major access to Mono County is via US 395. In addition, there is year-round commercial air service to Mammoth Yosemite Airport from Los Angeles International Airport (LAX). Seasonally, winter flights are available from other California locations.

The median family household income in Mono County is \$60,569. Approximately 30% of Mono County household incomes are concentrated under \$35,000. Overall Mono County, like many regions throughout the state and country, has felt the impact of the economic downturn during the recession. Unemployment increased from 4.4% in 2006 to 10.3% in 2010, and since then the unemployment rate has decreased to 8.4% in 2012.

SCOPE OF WORK

- A. Purpose:** Execute First-Time Homebuyer program for Mono County including Homebuyer Acquisition and Homebuyer Acquisition with Rehabilitation.
- B. Background:** HOME program funds will be used in Mono County to provide deferred, second-mortgage loans for acquisition and rehabilitation, and grants for rehabilitation with acquisition (when applicable) to low-income, first-time homebuyers (the "Program"). Each individual household will obtain a first mortgage and the home will be their primary residence. The program will utilize, in addition to HOME funds, local banks and mortgage brokers.
- C. Scope of Work (or the "Project"):** The Program shall be marketed county-wide to the targeted groups. This part of the program will be paid for with Administrative Grant funds. The remainder of the Scope of work will be part of the program delivery. Five (5) first-time

homebuyers should be assisted utilizing \$638,138 in grant funding. Loans must be issued in compliance with Mono County First Time Home Buyer Program Guidelines and HOME Investment Partnership Program rules and regulations. All loans must be issued by January 2017. The Income Calculation and Determination will be the basis for determining eligible awards and this information will be presented to the Mono County Loan Committee for approval of disbursement of funds. Income Calculation and Determination should follow 24 CFR 92.203 and use the Income Calculation and Determination Guide for Federal Programs available on the HCD website.

Task 1: Marketing & 504 Outreach

- Marketing of the Program through an assortment of media outlets will be executed and proof of publication submitted to Mono County.
- Document and submit networking and marketing as needed to identify, contact and attract prospective eligible First Time Homebuyer loan applicants.
- Contractor will work with Mono County, local banks and other local partners as appropriate.

Task 2: Application Collection & Income Qualification

- Provide and collect loan application to/from interested parties and assist as needed.
- Execute Step by Step Income qualification will be executed to determine eligibility in accordance to 24 CFR 92.203 and the HCD Calculation and Determination Guide.
- Present Income Qualification of qualified applicants will be presented to the Mono County Loan Committee for approval/selection of award.

Task 3: Underwriting

- Provide, assist, execute and collect all required loan documents for selected loan recipients including but not limited to; Loan Agreement, Promissory Note, Deed of Trust, and Amortization Schedule.

Task 4: Loan Documentation Delivery

- Documentation of complete loan files will be delivered to Mono County upon execution.
- Loan Files will include; Amortization Schedule, Annual Income Calculation, Application, Appraisal, Escrow Settlement, Copies of Bank Statements, Credit Report, Deed of Trust, Loan Disclosure to Seller with Voluntary Arm's length purchase offer, Employer Verification, Home Set-up & Draw Down with HCD, Homebuyer Disclosures Statements, Income Verification-Pay Stubs, W2's, Tax Returns, IRS Transcripts, Initial Home Visit and Field check, Insurance (General Liability & Escrow), Lead Based Paint Disclosure Lender Application, Loan Agreement and Processing fees, Loan Committee recommendation, Loan Servicing Policies and Procedures, Promissory Note, Purchase Agreement and Restrictions (Resale, Refinance & Purchase), Title Report, Truth in Lending Disclosure Statement & Underwriting Determination.

D. Funding and Project Budget: This program is state funded by the California Department of Housing and Community Development. Total amount available for delivery of the Project is up to \$44,362. With full amount available for the Project delivery expended, the amount available for five (5) loans is \$638,138. If additional services are approved by Mono County beyond Delivery of the Project, they will be billed on a time and material basis.

PROPOSAL REQUIREMENTS

If you or your organization is interested in performing this Project, please provide a proposal with a description of how you would perform the Project. A qualifying proposal should address and include the items below:

- A. Letter of Introduction and Availability.** Brief description of individual or firm, contact person, address and telephone number. If sub Contractors will be used in the project, include a description of those persons or firms, including contact information.
- B. Outline of Qualifications and Experience.** Provide Information on past performance, capabilities, resources, and experience in implementing and administering a local government grant program. Demonstrate understanding of applicable HOME requirements including HOME Final Rule, familiarity with the State Department of Housing and Community Development Grant Management Manual as well as HOME program Management Memos. Document experience marketing grant or loan programs, ability to request, prepare and/or file all documents necessary, Ability to spend awarded funds on qualified activities. Provide information on experience with loan processing and lender contacts. Demonstrate availability and capacity to deliver.
- C. Schedule.** The project is expected to be complete within two.
- D. Project Budget/Fee Schedule/Compensation.** Include detailed fee schedule of project costs by task and estimated hours.
- E. Professional References.** Provide 1-3 letters of reference for the most recent and most relevant professional references.
- F. Conflict of Interest.** The person or firm shall disclose any financial, business or other relationship with the County, or with any employee or officer of the County, that may have an impact upon the outcome of the contract procurement process. The person or firm shall also list current clients who may have a financial interest in the outcome of the contract.
- G. Non- Debarment Certification or Explanation.** An executed copy of the Certification Regarding Debarment or Suspension, attached to this RFP as Exhibit 1.

SUBMISSION REQUIREMENTS

- A. Multiple Proposal Copies.** To be considered, submissions in response to this RFP must include three copies of the proposal.
- B. Signature:** The proposal shall provide the following: name, title, address and telephone number of individuals with the authority to negotiate and contractually bind the company.
- C. Small and Minority Firms:** Consistent with 49 CFR parts 18 and 26, the County seeks to include small and minority firms whenever possible. Respondents are encouraged to use any and all UDBEs/DBEs that they may find available. Furthermore, all RFP respondents must comply with the requirements in the Notice to Bidders/Proposers Disadvantaged Business Enterprise Information and shall submit a completed Local Agency Proposer UDBE Commitment form with their proposals. Only the selected Contractor is required to complete the Local Agency Proposer DBE Information.
- D. Time and Place of Submission:** To be considered, three copies of the Contractor's proposal must be submitted to Mono County, Finance Department by 5:00 pm on Friday January 02, 2014. Digital proposals may be emailed to mmahaffey@mono.ca.gov provided the required

three hard-copies are received by 5:00 pm on Friday, January 02, 2014, but the County assumes no responsibility for formatting or transmission errors. Due to its remote location, overnight delivery to Mammoth Lakes by USPS, UPS, FedEx, and other carriers is actually scheduled as a two-day delivery.

E. Submittals shall be addressed as follows:

ATTN: Leslie Chapman, Finance Director
Mono County Finance Department
Courthouse Annex II
PO Box 556, Bridgeport, CA 93517

- F. **Late Submittals:** Submittals received after the specified time shall not be considered.
- G. **Modification or Withdrawal of Submittals:** Any proposal received prior to the date and time specified above for receipt may be withdrawn or modified by written request of the Contractor prior to the submittal deadline.
- H. **Property Rights:** Proposals received become the property of the County and all rights to the contents therein become those of the County.
- I. **Confidentiality:** Before award of the contract, all submittals will be designated confidential to the extent permitted by the California Public Records Act and other applicable laws. After award of the contract (or if not awarded, after rejection of all submittals), all responses will be regarded as public records and will be subject to review by the public. Any language purporting to render all or portions of the submittals confidential will be regarded as non-effective and will be disregarded.
- J. **Amendments to Request for Proposals:** The County reserves the right to amend this RFP by addendum before the final submittal date.
- K. **Inquires:** Inquiries concerning this RFP should be directed to:
Megan Mahaffey
760-924-1836
mmahaffey@mono.ca.gov

AWARD CRITERIA AND SELECTION PROCESS

Proposals will be reviewed for responsiveness to the proposal requirements described in above. If any information is missing, the proposal may be deemed to be non-responsive. Further review of non-responsive proposals is subject to the County’s discretion. State approval must be obtained prior to awarding the contract for services.

Proposals that have been received by the stipulated date and time and which are responsive will be assessed and points assigned based on the following evaluation criteria. In addition, the evaluation of a proposal will be based on a “best value” method that includes cost as a factor. The County is not constrained to accept the lowest offer; however, will compare all offers to determine the best value.

EVALUATION CRITERIA

Criteria	Rating Points
1. Past performance, Capabilities, resources, and experience in implementing and administering a local government grant program.	30
2. Understanding of applicable HOME requirements, including familiarity with the State Department of Housing and Community Development Grant Management Manual and HOME program Management Memos.	20
3. Demonstrated experience and understanding with the following issues: a) Marketing grant or loan programs b) Ability to request, prepare and/or file all documents necessary c) Ability to spend awarded funds on qualified activities	20
4. Experience with loan processing and Lender contacts	10
5. Availability and capacity to deliver	10
6. Price	10
TOTAL POINTS	100

The County reserves the right to request clarification of the services submitted, to request additional information, and to waive minor irregularities in the proposal and review process, as long as the County procedures remain consistent with HOME procurement requirements.

CONTRACT AWARD(S)

A. Non-Commitment: This RFP does not commit the County to award a contract, to pay any costs incurred in preparation of a Proposal in response to this RFP, or to procure or contract for services. The County reserves the right to accept or reject any or all submittals received as a result of this request or to modify or cancel in part or in its entirety the RFP if it is in the best interests of the County to do so.

B. Recommendation, Approval and Execution: Contract award(s) with the Contractor(s) selected will be recommended for award by the Mono County Board of Supervisors. The prospective Contractor is advised that the award of any contract is subject to the approval of the California Department of Housing and Community Development. Should this RFP result in the award of any contract, the contract will not be in force until it is fully-executed by the County and approved by HCD.

C. Non-Discrimination: Any contract awarded as a result of this RFP will be awarded without discrimination based on race, color, religion, sex, sexual orientation, or national origin, except as provided by law.

D. Proof of Insurance: The County requires a minimum of General Liability Insurance, but may also require other forms of insurance as yet to be determined. Be advised that if a Contractor is selected, the Contractor shall be required to demonstrate proof of insurance prior to performance of the contract. See sample contract

E. Payment: Payment under any contract resulting from this RFP will be consistent with the contract agreement.

F. Performance of Work: It is the intent of Mono County to have the selected consulting firm begin work on the Project on or about February 15, 2015.

G. Applicability of Standard Contract Provisions: All contracts awarded to a Contractor as a result of this Request for Proposal shall include those Standard Provisions set forth in the Sample Agreement attached as Exhibit A and also set forth in sample contract attached.

CONFLICT OF INTEREST

By submitting a proposal in response to this RFP, Contractor warrants and covenants that no official or employee of the County, nor any business entity in which an official of the County has an interest, has been employed or retained to solicit or assist in the procuring of the resulting contract, nor that any such person will be employed in the performance of such contract without immediate divulgence of such fact to the County.

REQUIRED CONTRACT PROVISIONS

Any contract entered to perform the work described in this RFP will contain the following provisions, which will be binding on the Contractor to the extent applicable under governing law and regulation.

EQUAL OPPORTUNITY

A. The Civil Rights, Housing and Community Development, and Age Discrimination Acts Assurances

During the performance of this Agreement, the Contractor assures that no otherwise qualified person shall be excluded from the participation of employment, denied program benefits, or be subjected to discrimination based on race, color, national origin, sex, age, or handicap, under any program or activity funded by this contract, as required by Title VI of the Civil Rights Act of 1964,

Title I of the Housing and Community Development Act of 1974, as amended, and the Age Discrimination Act of 1975, the Fair Housing Act of 1988, and all implementing regulations.

B. Rehabilitation Act of 1973 and the “504 Coordinator”

The Contractor agrees to implement the Rehabilitation Act of 1973, as amended, and its regulations, 24 CFR Part 8, including, but not limited to, for Contractors with 15 or more permanent full or part time employees, the local designation of a special person charged with local enforcement of this Act, as the “504 Coordinator.”

C. The Training, Employment, and Contracting Opportunities Assurance of Compliance

Recipients, contractors, and subcontractors shall direct their efforts to provide, to the greatest extent feasible, training and employment opportunities generated from the expenditure of Section 3 covered assistance to Section 3 residents in the order of priority provided in 24 CFR, Part 135.34(a)(2).

Contractor will comply with the provisions of said Section 3 and the regulations issued pursuant there to by the Secretary of Housing and Urban Development set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued there under prior to the execution of this Agreement. The parties to this Agreement certify and agree that they are under no contractual or other disability, which would prevent them from complying with these requirements.

The Contractor will include these Section 3 clauses in every contract and subcontract for Work in connection with the Project and will, at the direction of the Department, take appropriate action pursuant to the contract upon a finding that any contractor or subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR part 135 and, will not let any contract unless the contractor or subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of the Agreement shall be a condition of the federal financial assistance provided to the Project, binding upon the Grantee, the Contractor and their successors and assigns. Failure to fulfill these requirements shall subject the Grantee, its Contractors, and their successors, and assigns to those sanctions specified by this Agreement to such sanctions as are specified by 24 CFR Part 135.

D. State Nondiscrimination Clause

During the performance of this contract Consultant shall not unlawfully discriminate, harass, or allow harassment, against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, medical condition (cancer), physical disability (including HIV and AIDS), marital status, age (over 40), sex, denial of family and medical leave, and denial or pregnancy leave. Contractor shall insure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination and harassment. Contractor shall comply with provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7258.0 et seq.) The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990(a-f), set forth in Chapter 5, of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this agreement by reference and made a part hereof as if set forth in full. Grantee, Contractor shall give written notice of their obligations under this clause to labor organizations with which they have a collective

bargaining or other agreement. Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the contract.

E. Americans with Disabilities Act (ADA) of 1990

By signing this agreement, the parties to this agreement assure the State that they will comply with the Americans with Disabilities Act (ADA) of 1990, (42 USC 12101 et seq.), which prohibits discrimination on the basis of disability as well as all applicable regulations and guidelines issued pursuant to the ADA.

ANTI-LOBBYING, AND KICK-BACK, AND CONFLICT OF INTEREST

Anti Lobbying Certification

The language of this certification be included in all contracts or subcontracts entered into in connection with The Project and that Contractor and an subcontractors shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352. Title 31, US Code, Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and no more than \$100,000 for such failure.

“The undersigned certifies to the best of his or her knowledge or belief that:

1. No Federal appropriated funds have been paid, or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the awarding of any Federal Contract, the making of any Federal Grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension of continuation, renewal, amendment or modification of any Federal contract, grant loan or cooperative agreement.
2. If any funds other the Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form –LLL, “Disclosure Form to Report Lobbying” in accordance with its instructions.”

Bonus or Commission, Prohibition against Payments of

The assistance provided under this Agreement shall not be used in the payment of any bonus or commission for the purpose of:

1. Obtaining the State’s approval of the application for such assistance or
2. The State’s approval of the application for additional assistance, or
3. Any other approval or concurrence of the State required under this agreement, Title I of the Housing and Community Development Act of 1974, or the state regulation with respect thereto; provided however, that reasonable fees for bona fide technical, consultant, managerial, or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as program costs.

Conflict of Interest

No member of, or delegate to, the Congress of the United States and no resident, commissioner, shall be admitted to any share or part of this agreement or to any benefit to arise from the same. No local public official with duties involving the grant activities may have any interest in any contracts or proceeds for the work done in conjunction with this contract.

Pursuant to 24 CFR 570.611, no member, officer, or employee of the County, or its designees or agents, no member of the governing body of the locality in which the program is situated, and no other public official of such locality or localities who exercise or have exercised any functions or responsibilities with respect to HCD activities assisted through this Agreement, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a HCD-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a HCD-assisted activity or its proceeds, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one (1) year thereafter.

RECORDS AND AUDIT**A. Records**

Notwithstanding anything to the contrary stated in the Agreement, Contractor will keep all program records for at least five years after your contract and any and all amendments expire or three years after the completion and resolution of any audits or lawsuits, whichever is later.

B. Monitoring

Contractor agrees to allow the Housing and Community Development Department, Bureau of State Audits, HUD, or other State or federal agencies or their representatives, upon reasonable notice, unrestricted access to all relevant records, documents, books, accounts, and all other materials for grant monitoring or auditing purposes, including the monitoring for conformity with any Grant Agreement. Grantee will monitor for conformity with its State contract.

LABOR STANDARDS**A. Labor Standards – Federal Labor Standards Provisions**

The Contractor shall cause or require to be inserted in full, in any contract subject to such regulations, provisions meeting the requirements of:

1. Davis-Bacon Act (40 USC 276a – 276a-5). Requires that workers receive no less than the prevailing wages being paid for similar work in their locality. Prevailing wages are computed by the Department of Labor and are issued in the form of federal wage decisions for each classification of work. The law applies to most construction, alteration, or repair contracts over \$2,000.
2. Copeland “Anti Kickback” Act (47 USC 276c). Requires that workers be paid at least once a week without any deductions or rebates except permissible deductions.
3. Contract Work Hours and Safety Standards Act – CWHSSA (40 USC 327-333). Requires that workers receive “overtime” compensation at a rate of 1.5 times their regular hourly wage after they have worked 40 hours in one week.
4. Title 29, Code of Federal Regulations, Subtitle A, Parts 1, 3 and 5. Regulations and procedures issued by the Secretary of Labor for the administration and enforcement of the Davis-Bacon Act, as amended.

B. NLRB Certification / Procurement / Program Income / Uniform Admin Requirements

Contractor will abide by applicable State rules and regulations regarding such matters as NLRB, procurement, program income and uniform administrative requirements.

MISCELLANEOUS PROVISIONS

A. Compliance with Applicable Rules and Regulations

Contractor agrees to abide by any applicable State rules and regulations regarding such matters as citizen participation, clean air and water, and environmental regulations.

B. Drug Free Workplace Certification

Contractor agrees to abide by the State Drug Free Workplace rules and regulations as defined in the County's grant agreement with the Department of Housing and Community Development.

C. Data Universal Numbering System (DUNS) & Federal Debarred List.

Contractor must obtain a DUNS number. Acquiring a DUNS number may be obtained at no cost via the internet. In addition, prior to funding, the County will confirm that Contractor and all owners are not on the federal debarred list. Applicants will be required to obtain all proper licenses and insurance to operate legally in the county. In addition, HUD also requires that HCD and the County collect certain income and demographic data from Contractor and any new hires resulting from the investment of HCD funds.

Attachments:

Exhibit 1: Certification Regarding Debarment or Suspension

Exhibit 2: Sample Agreement

Exhibit 1

NON-DEBARMENT OR SUSPENSION CERTIFICATION

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29

The proposer, under penalty of perjury, certifies and declares that, except as noted below, she/he or any other person associated therewith in the capacity of owner, partner, director, officer, or manager:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

Signature

Date

If there are any exceptions to this certification, insert the exception in the following space:

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of actions.

AGREEMENT BETWEEN COUNTY OF MONO
AND _____
FOR FIRST TIME HOMEBUYER ACTIVITY DELIVERY
WITH RESPECT TO A HOME GRANT (13-HOME-8996)

INTRODUCTION

WHEREAS, the County of Mono (hereinafter referred to as "County") has received a HOME grant from the state of California, the details of which are set forth in the HOME standard agreement between the state and the County (Agreement No. 13-HOME-8996), which is incorporated herein by this reference; and

WHEREAS, the County desires for _____ of _____, _____ (hereinafter referred to as "Contractor") to perform certain administrative services with respect to said HOME grant, and in consideration of the mutual promises, covenants, terms and conditions hereinafter contained, the parties hereby agree as follows:

TERMS AND CONDITIONS

1. SCOPE OF WORK.

The Contractor shall furnish to the County the services and work set forth in Attachment A, attached hereto and by reference incorporated herein.

Services and work provided by the Contractor under this Agreement will be performed in a manner consistent with the requirements and standards established by applicable federal, state, and county laws, ordinance, and resolutions. Such laws, ordinances, regulations, and resolutions include, but are not limited to, those that are referred to in the Agreement and those referenced in the Request for Proposal. Additionally, Contractor shall comply with the requirements set forth in Attachment B, attached hereto and by reference incorporated herein.

2. TERM.

The term of the Agreement shall be from 1st, 2014 to January 31, 2017, corresponding with the HOME standard agreement between the state and the County (Agreement No. 13-HOME-8996) unless sooner terminated as provided below.

3. CONSIDERATION.

A. Compensation. County shall pay Contractor in accordance with Attachment C, which is incorporated herein by reference, for all services and work under this Agreement during the life of the aforementioned HOME grant.

B. Travel and Per Diem. Contractor will not be paid or reimbursed for travel, meals, and other expenses which Contractor incurs in providing services and work requested by the County under this Agreement except as set forth in Attachment C.

C. No Additional Consideration. Except as expressly provided in this Agreement, Contractor shall not be entitled to, nor receive, from County, any additional consideration, compensation, salary, wages, or other type of remuneration for services rendered under this Agreement. Specifically, Contractor shall not be entitled, by virtue of this Agreement, to consideration in the form of overtime, health insurance benefits, retirement benefits, disability retirement benefits, sick leave, vacation time, paid holidays, or other paid leaves of absence of any type or kind whatsoever.

D. Limit upon amount payable under Agreement. The total sum of all payments made by the County to Contractor shall not exceed forty four thousand three hundred and sixty two dollars (\$44,362), hereinafter referred to as "contract limit"; and of that contract limit, the amount paid for program delivery. County expressly reserves the right to deny any payment or reimbursement requested by Contractor for services or work performed that is in excess of the contract limit. In the event the parties agree that Contractor will provide additional services beyond those provided for herein, for compensation in excess of the contract limit, such agreement shall not be effective unless and until it is memorialized by written Amendment to this Agreement or by separate written agreement between the parties.

E. Billing and Payment. Activity Delivery Services shall be billed at the time funds for loans are invoiced. With respect to other services, Contractor shall submit to the County, once a month, an itemized statement of all services and work described in Attachment A, which were performed. This statement will be submitted to the County not later than the fifth (5th) day of the month. The statement to be submitted will cover the period from the first (1st) day of the month through and including the last day of the preceding month. This statement will identify the date on which the services and work were performed and describe the nature of the services and work that were performed on each day. Upon timely receipt of the statement by the fifth (5th) day of the month, the County shall make payment to Contractor on the last day of the month.

F. Federal and state Taxes.

(1) Except as provided in subparagraph (2) below, County will not withhold any federal or state income taxes or social security from any payments made by County to Contractor under the terms and conditions of this Agreement.

(2) County shall withhold California state income taxes from payments made under this Agreement to non-California resident independent contractors when it is anticipated that the total annual payments to Contractor under this Agreement will exceed one thousand four hundred ninety-nine dollars (\$1,499.00).

(3) Except as set forth above, County has no obligation to withhold any taxes or payments from sums paid by County to Contractor under this Agreement. Payment of all taxes and other assessments on such sums is the

sole responsibility of Contactor. County has no responsibility or liability for payment of Contractor's taxes or assessments.

(4) The total amounts paid by County to Contractor, and taxes withheld from payments to non-California residents, if any, will be reported annually to the Internal Revenue Service and the California State Franchise Tax Board.

4. WORK SCHEDULE.

Contractor's obligation is to perform, in a timely manner, those services and work identified in Attachment A. It is understood by Contractor that the performance of these services and work will require a varied schedule. Contractor, in arranging his/her schedule, will coordinate with County to ensure that all services and work under this Agreement will be performed within the time frame set forth by County.

5. REQUIRED LICENSES, CERTIFICATES, AND PERMITS.

Any licenses, certificates, or permits required by the federal, state, county, or municipal governments, for Contractor to provide the services and work described in Attachment A must be procured by Contractor and be valid at the time Contractor enters into this Agreement. Further, during the term of this Agreement, Contractor must maintain such licenses, certificates, and permits in full force and effect. Licenses, certificates, and permits may include, but are not limited to, driver's license, professional licenses or certificates, and business licenses. Such licenses, certificates, and permits will be procured and maintained in force by Contractor at no expense to the County. Contractor will provide County, upon execution of this Agreement, with evidence of current and valid licenses, certificates and permits that are required to perform services identified in Attachment A. Where there is a dispute between Contractor and County as to what license, certificates, and permits are required to perform the services identified in Attachment A, County reserves the right to make such determinations for purposes of this Agreement.

6. OFFICE SPACE, SUPPLIES, EQUIPMENT, ETC.

The Contractor shall provide such office space, supplies, equipment, vehicles, reference materials, support services and telephone service as is necessary for Contractor to provide the services identified in Attachment A to this Agreement. County is not obligated to reimburse or pay Contractor for any expense or cost incurred by Contractor in procuring or maintaining such items. Responsibility for the costs and expenses incurred by Contractor in providing and maintaining such items is the sole responsibility and obligation of Contractor.

7. COUNTY PROPERTY.

A. Personal Property of County. Any personal property such as, but not limited to, protective or safety devices, badges, identification cards, keys, uniforms, vehicles, reference materials, furniture, appliances, etc. provided to Contractor by County pursuant to this Agreement is, and at the termination of this Agreement

remains, the sole and exclusive property of the County. Contractor will use reasonable care to protect, safeguard and maintain such items while they are in Contractor's possession. Contractor will be financially responsible for any loss or damage to such items, partial or total, that is the result of Contractor's negligence.

B. Products of Contractor's Work and Services. Any and all compositions, publications, plans, designs, specifications, blueprints, maps, formulas, processes, photographs, slides, videotapes, computer programs, computer disks, computer tapes, memory chips, soundtracks, audio recordings, films, audio-visual presentations, exhibits, reports, studies, works of art, inventions, patents, trademarks, copyrights, or intellectual properties of any kind that are created, produced, assembled, compiled by, or are the result, product, or manifestation of, Contractor's services or work under this Agreement are, and at the termination of this Agreement remain, the sole and exclusive property of the County. At the termination of the Agreement, Contractor will convey possession and title to all such properties to County.

8. **INSURANCE.**

A certificate of insurance, for all state insurances, shall be provided to Mono County Risk Management at least ten (10) days prior to the start of services to be performed by the Contractor.

A. General Liability. Contractor shall procure, and maintain during the entire term of this Agreement, a policy of general liability insurance which covers all the work and services to be performed by Contractor under this Agreement. Such insurance policy will have a per occurrence combined single limit coverage of not less than \$1,000,000.00. Such policy will not exclude or except from coverage any of the services and work required to be performed by Contractor under this Agreement. The required policy of insurance will be issued by an insurer authorized to sell such insurance by the State of California, and having at least a "Best's" policyholder rating of "A" or "A+". Prior to commencing any work under this agreement, Contractor shall provide County: 1) a certificate of insurance evidencing the coverage required; (2) an additional insured endorsement applying to the County of Mono, its agents, officers and employees; and 3) a notice of cancellation or change of coverage endorsement indicating that the policy will not be modified, terminated, or canceled without thirty (30) days written notice to the County.

B. Business Vehicle. If Contractor utilizes a motor vehicle in performing any of the work or services identified in Attachment A (Scope of Work), Contractor shall procure and maintain in force throughout the duration of this Agreement, a business auto liability insurance policy with minimum coverage levels of \$300,000.00 per occurrence, combined single limit for bodily injury liability and property damage liability. The coverage shall include all Contractor owned vehicles and all hired and non-owned vehicles used in performing under this Agreement.

C. Worker's Compensation. Contractor shall provide worker's compensation insurance coverage, in the legally required amount, for all Contractors' employees

utilized in providing work and services pursuant to this Agreement. By executing a copy of this Agreement, Contractor acknowledges its obligations and responsibilities to its employees under the California Labor Code, and warrants that Contractor has complied with and will comply during the term of this Agreement with all provisions of the California Labor Code with regard to its employees. Any insurance policy limits in excess of the specified minimum limits and coverage shall be made available to County as an additional insured.

D. Professional Liability Insurance. Contractor shall provide professional errors and omission liability insurance in the amount of not less than one million dollars (\$1,000,000.00) each occurrence/one million (\$1,000,000.00) policy aggregate. Proof of such insurance shall be provided to County at least ten (10) days prior to the start of any work by Contractor.

If professional liability is written on claims-made form:

1. The "retro date" must be shown, and must be before the date of the contract at the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of contract work.
3. If coverage is cancelled or non-renewed, and not replaced with another claims-made policy form with a "retro date" prior to the contract effective date, the Contractor must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.

E. Deductible, Self-Insured Retentions, and Excess Coverage. Any deductibles or self insured retentions must be declared and approved by Mono County Risk Manager. If possible the Insurer shall reduce or eliminate such deductibles or self insured retentions as respects to Mono County, its officials, officers, employees, and volunteers; or the Contractor shall provide evidence satisfactory to Mono County Risk Manager guaranteeing payment of losses and related investigations, claims administration, and defense experts. Any insurance policy limits in excess of the specified minimum limits and coverage shall be made available to County as an additional insured.

9. STATUS OF CONTRACTOR.

All acts of Contractor, his/her agents, officers, and employees, relating to the performance of this Agreement, shall be performed by independent contractors, and not as agents, officers, or employees of the County. Contractor, by virtue of this Agreement, has no authority to bind or incur any obligation on behalf of, or exercise any right or power vested in, the County, except as expressly provide by law or as set forth in Attachment A. No agent, officer, or employee of the County is to be considered an employee of Contractor. It is understood by both Contractor and County that this agreement shall not, under any circumstances, be construed to create an employer-employee relationship or a joint venture. As an independent contractor:

A. Contractor shall determine the method, details, and means of performing the work and services to be provided by Contractor under this Agreement.

B. Contractor shall be responsible to County only for the requirements and results specified in this Agreement, and except as expressly provided in this Agreement, shall not be subjected to County's control with respect to the physical action or activities of Contractor in fulfillment of this Agreement.

C. Contractor, its agents, officers, and employees are, and at all times during the term of this Agreement shall represent and conduct themselves as, independent contractors, and not employees of County.

10. DEFENSE AND INDEMNIFICATION.

Contractor shall defend indemnify, and hold harmless County, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from or in connection with, the performance of this Agreement by Contractor, or Contractor's agents, officers, or employees. Contractor's obligation to defend, indemnify, and hold the County, its agents, officers, and employees harmless applies to any actual or alleged personal injury, death, damage, or destruction to tangible or intangible property, including the loss of use. Contractor's obligation under this paragraph extends to any claim, damage, loss, liability, expense, or other costs that are caused in whole or in part by any act or omission of the Contractor, its agents, employees, supplier, or anyone directly or indirectly employed by any of them, or anyone for whose acts or omissions any of them may be liable.

Similarly, County shall defend indemnify, and hold harmless Contractor, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from or in connection with, the performance of this Agreement by County, or County's agents, officers, or employees. County's obligation to defend, indemnify, and hold the Contractor, its agents, officers, and employees harmless applies to any actual or alleged personal injury, death, damage, or destruction to tangible or intangible property, including the loss of use. County's obligation under this paragraph extends to any claim, damage, loss, liability, expense, or other costs that are caused in whole or in part by any act or omission of the County, its agents, employees, supplier, or anyone directly or indirectly employed by any of them, or anyone for whose acts or omissions any of them may be liable.

Obligations of either party to defend, indemnify, and hold the other party, its agents, officers, and employees harmless under the provisions of this paragraph is not limited to, or restricted by, any requirement in this Agreement for a party to procure and maintain a policy of insurance.

11. RECORDS AND AUDIT.

A. Records. Contractor shall prepare and maintain all records required by the various provisions of this Agreement, federal, state, county, municipal, ordinances, regulations, and directions. Contractor shall maintain these records for a minimum of five (5) years from the termination or completion of this Agreement. Contractor may fulfill its obligation to maintain records as required by this paragraph by substitute photographs, micrographs, or other authentic reproduction of such records.

B. Inspections and Audits. Any authorized representative of County shall have access to any books, documents, papers, records, including, but not limited to, financial records of Contractor, that County determines to be pertinent to this Agreement, for the purposes of making audit, evaluation, examination, excerpts, and transcripts during the period such records are to be maintained by Contractor. Further, County has the right, at all reasonable times, to audit, inspect, or otherwise evaluate the work performed or being performed under this Agreement.

12. NONDISCRIMINATION.

During the performance of this Agreement, Contractor, its agents, officers, and employees shall not unlawfully discriminate in violation of any federal, state, or local law, against any employee, or applicant for employment, or person receiving services under this Agreement, because of race, religion, color, ancestry, national origin, physical handicap, medical condition, marital status, age, or sex. Contractor and its agents, officers, and employees shall comply with the provision of Fair Employment and Housing Act (Government Code section 12900, et seq.), and the applicable regulations promulgated thereunder in the California Code of Regulations. Contractor shall also abide by the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, and all administrative rules and regulations issued pursuant to said Act.

13. ASSIGNMENT.

This is an agreement for the personal services of Contractor. County has relied upon the skills, knowledge, experience, and training of Contractor as an inducement to enter into this Agreement. Contractor shall not assign or subcontract this Agreement, or any part of it, without the express written consent of the County. Further, Contractor shall not assign any moneys due or to become due under this Agreement without the prior written consent of the County.

14. DEFAULT

If the Contractor abandons the work, or fails to proceed with the work and services requested by the County in a timely manner, or fails in any way as required by the County, the County may declare the Contractor in default and terminate this Agreement upon five (5) days written notice to Contractor. Upon such termination by default, County will pay to Contractor all amounts owing to Contractor for services and work satisfactorily performed to the date of termination.

15. WAIVER OF DEFAULT.

Waiver of any default by either party to this Agreement shall not be deemed to be a waiver of any subsequent default. Waiver or breach of any provisions of this Agreement shall not be deemed to be a waiver of any other subsequent breach, and shall not be construed to be a modification of the terms of this Agreement unless this Agreement is modified as provided in paragraph 21 below.

16. CONFIDENTIALITY.

Contractor agrees to comply with various provisions of the federal, state, and county laws, regulations, and ordinances providing that information and records kept, maintained, or accessible by Contractor in the course of providing services and work under this Agreement, shall be privileged, restricted, or confidential. Contractor agrees to keep confidential, all such privileged, restricted, or confidential information and records obtained in the course of providing the work and services under this Agreement. Contractor agrees to complete and file a conflict-of-interest statement.

17. CONFLICTS.

Contractor agrees that he/she has no interest, and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of the work and services under this Agreement. Contractor agrees to complete and file a conflict-of-interest statement.

18. POST-AGREEMENT COVENANT.

Contractor agrees not to use any confidential, protected, or privileged information that is gained from the County in the course of providing services and work under this Agreement, for any personal benefit, gain or enhancement. Further, Contractor agrees for a period of two (2) years after the termination of this Agreement, not to seek or accept any employment with any entity, association, corporation, or person who, during the terms of this Agreement, has had an adverse or conflicting interest with the County, or who as been an adverse party in litigation with the County, and concerning such, Contractor by virtue of this Agreement has gained access to the County's confidential, privileged, protected, or proprietary information.

29. SEVERABILITY.

If any portion of this Agreement or application thereof to any person or circumstance shall be declared invalid by a court of competent jurisdiction, or if it is found in contravention of any federal, state, or county statute, ordinance, or regulation, the remaining provisions of this Agreement, or the application thereof, shall not be invalidated thereby, and shall remain in full force and effect to the extent that the provisions of this Agreement are severable.

20. FUNDING LIMITATION.

The ability of the County to enter into this Agreement is based upon available funding from various sources. In the event that such funding fails, is reduced, or is modified, from one or more sources, County has the option to terminate, reduce, or

modify this Agreement, or any of its terms within ten (10) days of notifying Contractor of the termination, reduction, or modification of available funding. Any reduction or modification of this Agreement effective pursuant to this provision must comply with the requirements of paragraph 21.

21. AMENDMENT.

This Agreement may be modified, amended, changed, added to, or subtracted from, by the mutual consent of the parties hereto, if such amendment or change is in written form, and executed with the same formalities as this Agreement, and attached to the original Agreement, and attached to the original Agreement to maintain continuity.

22. NOTICE.

Any notice, communications, amendments, additions, or deletions to this Agreement, including change of address of any party during the term of this Agreement, which Contractor or County shall be required, or may desire to make, shall be in writing and may be personally served, or sent by prepaid first-class mail to the respective parties as follows:

County of Mono:
Megan Mahaffey or Leslie Chapman
P.O. Box 347
Mammoth Lakes, CA 93546

Contractor:

23. ENTIRE AGREEMENT.

This Agreement contains the entire agreement of the parties, and no representations, inducement, promises, or agreements otherwise between the parties not embodied herein or incorporated herein by reference, shall be of any force or effect. The parties contemplate, however, entry into a separate agreement related to Contractor’s provision of services related to the County’s HOME and CDBG grants. Further, no term or provision hereof may be changed, waived, discharged, or terminated, unless executed in writing by the parties hereto.

IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS _____ Day of _____, 2014.

COUNTY OF MONO

CONTRACTOR

By: _____

By: _____

Dated: _____

Dated: _____

Taxpayer's Identification or Social Security Number: _____

APPROVED AS TO FORM:

County Counsel

APPROVED AS TO INSURANCE/RISK MGMT:

Risk Manager

SAMPLE

ATTACHMENT A

AGREEMENT BETWEEN COUNTY OF MONO
AND _____
FOR ADMINISTRATIVE SERVICES
WITH RESPECT TO A HOME GRANT (13-HOME-8996)

TERM:

FROM: _____ TO: January 31, 2017

SCOPE OF WORK:

Task 1: Marketing and 504 Outreach

- Marketing of the Program through an assortment of media outlets will be executed and proof of publication submitted to Mono County.
- Document and submit networking and marketing as needed to identify, contact and attract prospective eligible First Time Homebuyer loan applicants.
- Contractor will work with Mono County, local banks and other local partners as appropriate.

Task 2: Application Collection and Income Qualification

- Provide and collect loan application to/from interested parties and assist as needed.
- Execute Step by Step Income qualification will be executed to determine eligibility in accordance to 24 CFR 92.203 and the HCD Calculation and Determination Guide.
- Present Income Qualification of qualified applicants will be presented to the Mono County Loan Committee for approval/selection of award.

Task 3: Underwriting

- Provide, assist, execute and collect all required loan documents for selected loan recipients including but not limited to; Loan Agreement, Promissory Note, Deed of Trust, and Amortization Schedule.

Task 4: Loan Documentation Delivery

- Documentation of complete loan files will be delivered to Mono County upon execution.
- Loan Files will include; Amortization Schedule, Annual Income Calculation, Application, Appraisal, Escrow Settlement, Copies of Bank Statements, Credit Report, Deed of Trust, Loan Disclosure to Seller with Voluntary Arm's length purchase offer, Employer Verification, Home Set-up & Draw Down with HCD, Homebuyer Disclosures Statements, Income Verification-Pay Stubs, W2's, Tax Returns, IRS Transcripts, Initial Home Visit and Field check, Insurance (General Liability & Escrow), Lead Based Paint Disclosure Lender Application, Loan Agreement and Processing fees, Loan Committee recommendation, Loan Servicing Policies and Procedures, Promissory Note, Purchase Agreement and Restrictions (Resale, Refinance & Purchase), Title Report, Truth in Lending Disclosure Statement & Underwriting Determination.

ATTACHMENT B

AGREEMENT BETWEEN COUNTY OF MONO
AND _____
FOR SUBRECIPIENT/ADMINISTRATIVE SERVICES
WITH RESPECT TO A HOME GRANT (13-HOME-8996)

TERM:

FROM: _____ TO: January 31, 2017

ADDITIONAL CONTRACT REQUIREMENTS

Contractor shall comply with the following federal aid contracting requirements, as applicable.

EQUAL OPPORTUNITY**A. The Civil Rights, Housing and Community Development, and Age Discrimination Acts Assurances**

During the performance of this Agreement, the Grantee and the Contractor both assure that no otherwise qualified person shall be excluded from the participation of employment, denied program benefits, or be subjected to discrimination based on race, color, national origin, sex, age, or handicap, under any program or activity funded by this contract, as required by Title VI of the Civil Rights Act of 1964, Title I of the Housing and Community Development Act of 1974, as amended, and the Age Discrimination Act of 1975, the Fair Housing Act of 1988, and all implementing regulations.

B. Rehabilitation Act of 1973 and the "504 Coordinator"

The Contractor agrees to implement the Rehabilitation Act of 1973, as amended, and its regulations, 24 CFR Part 8, including, but not limited to, for Contractors with 15 or more permanent full or part time employees, the local designation of a special person charged with local enforcement of this Act, as the "504 Coordinator."

C. The Training, Employment, and Contracting Opportunities Assurance of Compliance

Recipients, contractors, and subcontractors shall direct their efforts to provide, to the greatest extent feasible, training and employment opportunities generated from the expenditure of Section 3 covered assistance to Section 3 residents in the order of priority provided in 24 CFR, Part 135.34(a)(2).

The Contractor will comply with the provisions of said Section 3 and the regulations issued pursuant there to by the Secretary of Housing and Urban Development set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued there under prior to the execution of this Agreement. The parties to this Agreement certify and agree that they are under no contractual or other disability, which would prevent them from complying with these requirements.

The Contractor will include these Section 3 clauses in every contract and subcontract for Work in connection with the Project and will, at the direction of the Department, take appropriate action pursuant to the contract upon a finding that any contractor or subcontractor is in violation of regulations issued by the Secretary of Housing and Urban Development, 24 CFR part 135 and, will not let any contract unless the contractor or subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of the Agreement shall be a condition of the federal financial assistance provided to the Project, binding upon the Contractor and its successors and assigns. Failure to fulfill these requirements shall subject the Contractor and their successors, and assigns to those sanctions specified by this Agreement to such sanctions as are specified by 24 CFR Part 135.

D. State Nondiscrimination Clause

During the performance of this contract Contractor shall not unlawfully discriminate, harass, or allow harassment, against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, medical condition (cancer), physical disability (including HIV and AIDS), marital status, age (over 40), sex, denial of family and medical leave, and denial or pregnancy leave. Contractor shall insure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination and harassment. Contractor shall comply with provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7258.0 et seq.) The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990(a-f), set forth in Chapter 5, of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this agreement by reference and made a part hereof as if set forth in full. Grantee, Contractor shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. Contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the contract.

E. Americans with Disabilities Act (ADA) of 1990

By signing this agreement, Contractor warrants that it will comply with the Americans with Disabilities Act (ADA) of 1990, (42 USC 12101 et seq.), which prohibits discrimination on the basis of disability as well as all applicable regulations and guidelines issued pursuant to the ADA.

ANTI-LOBBYING, AND KICK-BACK, AND CONFLICT OF INTEREST**A. Anti Lobbying Certification**

The language of this certification be included in all contracts or subcontracts entered into in connection with The Project and Contractor and any subcontractors shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, US Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and no more than \$100,000 for such failure.

"The undersigned certifies to the best of his or her knowledge or belief that:

1. No Federal appropriated funds have been paid, or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with the awarding of any Federal Contract, the making of any Federal Grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension of continuation, renewal, amendment or modification of any Federal contract, grant loan or cooperative agreement.
2. If any funds other the Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress, in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form -LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions."

B. Bonus or Commission, Prohibition against Payments of

The assistance provided under this Agreement shall not be used in the payment of any bonus or commission for the purpose of:

1. Obtaining the State's approval of the application for such assistance or
2. The State's approval of the application for additional assistance, or
3. Any other approval or concurrence of the State required under this agreement, Title I of the Housing and Community Development Act of 1974, or the state regulation with respect thereto; provided however, that reasonable fees for bona fide technical, Contractor, managerial, or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as program costs.

C. Conflict of Interest

No member of, or delegate to, the Congress of the United States and no resident, commissioner, shall be admitted to any share or part of this agreement or to any benefit to arise from the same. No local public official with duties involving the grant activities may have any interest in any contracts or proceeds for the work done in conjunction with this contract.

Pursuant to 24 CFR 570.611, no member, officer, or employee of the County, or its designees or agents, no member of the governing body of the locality in which the program is situated, and no other public official of such locality or localities who exercise or have exercised any functions or responsibilities with respect to HOME activities assisted through this Agreement, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a HOME-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a HOME-assisted activity or its proceeds, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one (1) year thereafter.

RECORDS AND AUDIT

A. Records

Notwithstanding anything to the contrary stated in the Agreement, Contractor will keep all program records for at least five years after your contract and any and all amendments expire or three years after the completion and resolution of any audits or lawsuits, whichever is later.

B. Monitoring

Contractor agrees to allow the Housing and Community Development Department, Bureau of State Audits, HUD, or other State or federal agencies or their representatives, upon reasonable notice, unrestricted access to all relevant records, documents, books, accounts, and all other materials for grant monitoring or auditing purposes, including the monitoring for conformity with any Grant Agreement. Grantee will monitor for conformity with its State contract.

LABOR STANDARDS

A. Labor Standards – Federal Labor Standards Provisions

The Contractor shall cause or require to be inserted in full, in any contract subject to such regulations, provisions meeting the requirements of:

1. Davis-Bacon Act (40 USC 276a – 276a-5). Requires that workers receive no less than the prevailing wages being paid for similar work in their locality. Prevailing wages are computed by the Department of Labor and are issued in the form of federal wage decisions for each classification of work. The law applies to most construction, alteration, or repair contracts over \$2,000.
2. Copeland “Anti Kickback” Act (47 USC 276c). Requires that workers be paid at least once a week without any deductions or rebates except permissible deductions.
3. Contract Work Hours and Safety Standards Act – CWHSSA (40 USC 327-333). Requires that workers receive “overtime” compensation at a rate of 1.5 times their regular hourly wage after they have worked 40 hours in one week.
4. Title 29, Code of Federal Regulations, Subtitle A, Parts 1, 3 and 5. Regulations and procedures issued by the Secretary of Labor for the administration and enforcement of the Davis-Bacon Act, as amended.

B. NLRB Certification / Procurement / Program Income / Uniform Admin Requirements

Contractor will abide by applicable State rules and regulations regarding such matters as NLRB, procurement, program income and uniform administrative requirements.

MISCELLANEOUS PROVISIONS**A. Compliance with Applicable Rules and Regulations**

Contractor agrees to abide by any applicable State rules and regulations regarding such matters as citizen participation, clean air and water, and environmental regulations.

B. Drug Free Workplace Certification

Contractor agrees to abide by the State Drug Free Workplace rules and regulations as defined in the County's grant agreement with the Department of Housing and Community Development.

C. Data Universal Numbering System (DUNS) & Federal Debarred List.

Contractor must obtain a DUNS number. Acquiring a DUNS number may be obtained at no cost via the internet. In addition, prior to funding, the County will confirm that Contractor and all owners are not on the federal debarred list. Applicants will be required to obtain all proper licenses and insurance to operate legally in the county. In addition, HUD also requires that HCD and the County collect certain income and demographic data from Contractor and any new hires resulting from the investment of CDBG funds.

ATTACHMENT C

AGREEMENT BETWEEN COUNTY OF MONO
AND _____
FOR SUBRECIPIENT/ADMINISTRATIVE SERVICES
WITH RESPECT TO A HOME GRANT (13-HOME-8996)

TERM:

FROM: _____ TO: January 31, 2017

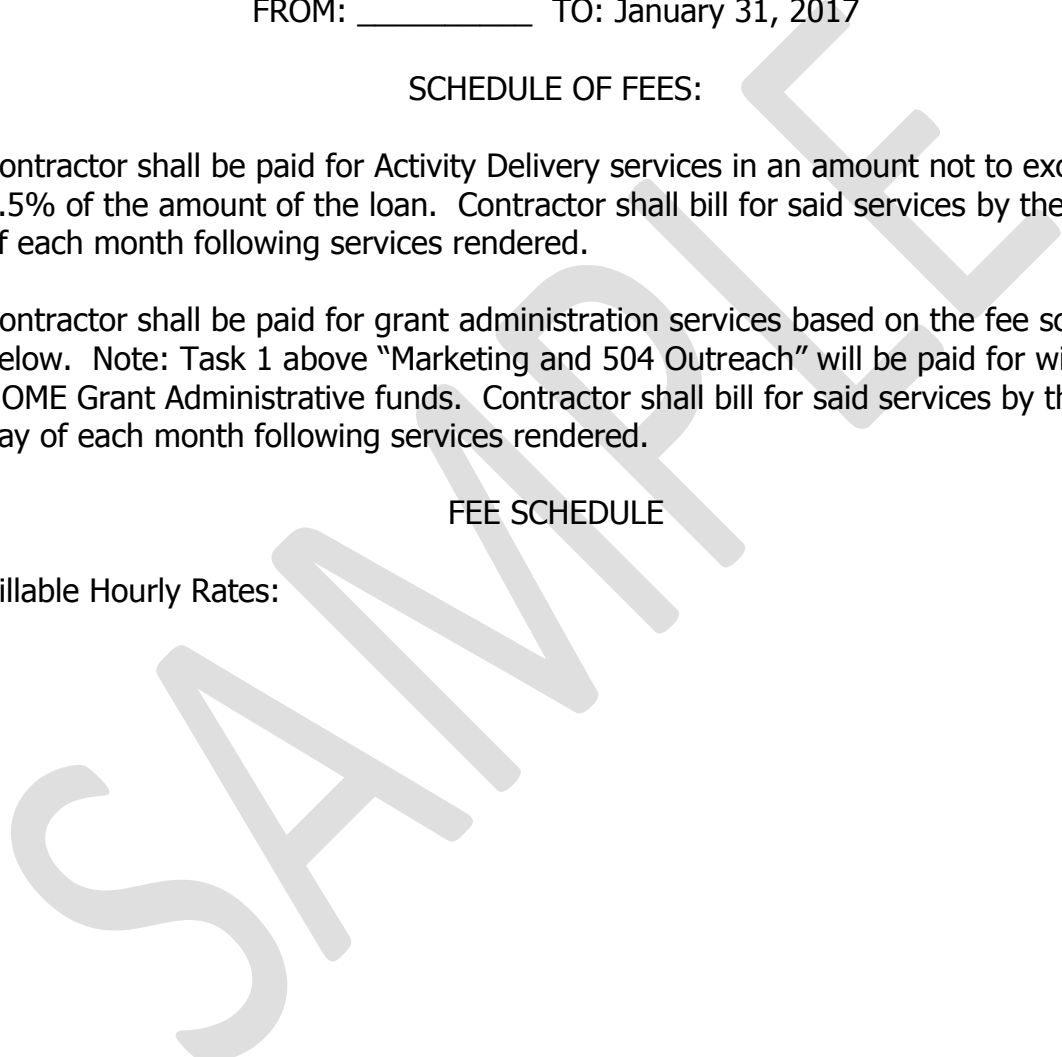
SCHEDULE OF FEES:

Contractor shall be paid for Activity Delivery services in an amount not to exceed 6.5% of the amount of the loan. Contractor shall bill for said services by the 5th day of each month following services rendered.

Contractor shall be paid for grant administration services based on the fee schedule below. Note: Task 1 above "Marketing and 504 Outreach" will be paid for with HOME Grant Administrative funds. Contractor shall bill for said services by the 5th day of each month following services rendered.

FEE SCHEDULE

Billable Hourly Rates:



SAMPLE



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Public Works/Facilities; County Counsel

TIME REQUIRED 20 minutes (10 minute presentation;
10 minute discussion)

**PERSONS
APPEARING
BEFORE THE
BOARD**

Joe Blanchard

SUBJECT Crowley Lake Ball Park Water
Agreement

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Proposed contract with Mountain Meadows Mutual Water Company pertaining to provision of water at the Crowley Lake Ball Field.

RECOMMENDED ACTION:

Approve County entry into proposed contract and authorize Jim Leddy to execute said contract on behalf of the County. Provide any desired direction to staff.

FISCAL IMPACT:

CSA#1 Funds will be used to pay all associated costs.

CONTACT NAME: Joe Blanchard; Christy Milovich

PHONE/EMAIL: 760-932-5443 / jblanchard@mono.ca.gov; cmilovich@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH
ATTACHMENTS TO THE OFFICE OF
THE COUNTY ADMINISTRATOR
PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Staff Report](#)

[Contract for provision of water services](#)

History

Time	Who	Approval
11/25/2014 8:29 AM	County Administrative Office	Yes
11/25/2014 11:39 AM	County Counsel	Yes
11/25/2014 1:22 PM	Finance	Yes

**AGREEMENT BETWEEN THE COUNTY OF MONO
AND MOUNTAIN MEADOWS MUTUAL WATER COMPANY
FOR THE PROVISION OF POTABLE WATER
TO THE CROWLEY LAKE BALL FIELD**

THIS AGREEMENT is made and entered into between the County of Mono, a political subdivision of the State of California (“County”) and Mountain Meadows Mutual Water Company, a nonprofit water system located in Crowley Lake, California (“MMMWC”). The County and MMMWC are collectively referred to as “the parties.” This Agreement shall be deemed entered into as of January 1, 2015 (“the Effective Date”).

I. RECITALS

- A. **Whereas**, the County currently holds a leasehold interest in the ball-field portion of a parcel of property located in Crowley Lake described as Assessor’s Parcel Number 60-110-14 and graphically depicted in an excerpt from the Mono County General Plan dated November 2000 (designated “PF: Future School Site”) and in a Conceptual Master Site Plan dated May 2001, copies of which are attached hereto collectively as Exhibit “A” and incorporated herein by this reference (“the Property”); and
- B. **Whereas**, the County is authorized to use the Property for the purpose of constructing, maintaining and operating recreational sports fields and appurtenant structures for use by the general public, including but not limited to a ball field/soccer field with fencing and sprinkler system, restrooms, electrical plumbing, water well and tank and appurtenances for the recreational area; and
- C. **Whereas**, the Property is currently without potable water to support its concession facility, drinking fountains, restrooms and appurtenant structures; and
- D. **Whereas**, MMMWC is willing and able to supply potable water to the Property, subject to MMMWC’s standard hookup and operating fees, as well as an annual surcharge of \$400; and
- E. **Whereas**, the County agrees to these fees for the provision of potable water services at the Property by MMMWC as set forth herein.

NOW, THEREFORE, the parties agree as follows:

II. TERMS AND CONDITIONS

1. This Agreement shall be effective from January 1, 2015 through December 1, 2020, unless sooner terminated as provided below. It shall automatically be renewed from year to year thereafter, pursuant to the same terms and conditions set forth herein, unless either party shall have notified the other in writing, at least sixty (60) days prior to the anniversary date that it desires to modify the Agreement.

2. MMMWC agrees to supply the Property with up to 160,000 gallons of potable water per year, without additional charge, as well as to maintain all systems and equipment owned and operated by MMMWC and utilized in the provision of water to the Property. This excludes the lateral connection to the concession stand and meter.

3. Payment of the standard operating fees and hook-up costs will be made by the County to MMMWC in accordance with the following:

A. The County will pay a water fee of \$65.00 per month, for a total annual amount of \$780.00 (to be billed quarterly as per subsection E. below). In the event MMMWC increases its monthly water fees for all customers during the term of this Agreement, County shall be subject to the increased fee, as applicable, along with any usage charges above the 160,000 annual allotment.

B. The County will pay an annual surcharge of \$400.00 (to be billed quarterly as per subsection E. below).

C. The County will pay a one-time hook-up fee of \$5000.00.

D. Payment to MMMWC for water services provided in accordance with this Agreement will be conditioned upon the satisfactory provision of potable water to the Property by MMMWC, as determined by the County's Public Works Director.

E. MMMWC shall submit quarterly invoices to the County for the annual water service fee as well as the annual surcharge.

4. No alteration or variation in the terms of this Agreement shall be valid or binding unless made in writing and signed by the parties hereto. There are no oral understandings or agreements not incorporated herein.

5. This Agreement may be terminated by County without cause, and at

will, for any reason by giving to MMMWC thirty (30) days written notice of such intent to terminate. MMMWC may terminate this Agreement for cause by giving to County thirty (30) days written notice of such intent to terminate.

6. During the performance of this Agreement, MMMWC, its agents, officers, and employees shall not unlawfully discriminate in violation of any federal, state, or local law, against any employee, individual or person receiving services under this Agreement, because of race, religion, color, ancestry, national origin, physical handicap, medical condition, marital status, sexual orientation, age, or sex. MMMWC shall not exclude any person from participation in programs or services provided by MMMWC or deny benefits to any person in violation of state or federal law.

7. MMMWC shall defend, indemnify, and hold harmless County, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from or in connection with, the performance of this Agreement by the MMMWC, or the MMMWC's agents, officers, or employees. This obligation applies to any actual or alleged personal injury, death, damage or destruction to tangible or intangible property, including the loss of use, caused or alleged to be caused in whole or in part by any act or omission of the MMMWC, its agents, employees, suppliers, or anyone directly or indirectly employed by any of them, or anyone for whose acts or omissions any of them may be liable.

The County shall defend, indemnify, and hold harmless MMMWC, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from or in connection with, the performance of this Agreement by the County, or the County's agents, officers, or employees. This obligation applies to any actual or alleged personal injury, death, damage or destruction to tangible or intangible property, including the loss of use, caused or alleged to be caused in whole or in part by any act or omission of the County, its agents, employees, suppliers, or anyone directly or indirectly employed by any of them, or anyone for whose acts or omissions any of them may be liable.

8. MMMWC shall provide general liability insurance in an amount of not less than one million dollars (\$1,000,000.00) each occurrence/one million dollars (\$1,000,000.00) policy aggregate.

9. MMMWC shall provide water service under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by other water purveyors in the State of California. MMMWC represents that it has all licenses, permits, qualifications,

and approvals of whatever nature that are legally required to provide the services, and that such licenses and approvals shall be maintained throughout the term of this Agreement.

10. All acts of MMMWC, its agents, officers, and employees, relating to the performance of this Agreement, shall be performed as independent contractors, and not as agents, officers, or employees of County. MMMWC, by virtue of this Agreement, has no authority to bind or incur any obligation on behalf of County. MMMWC has no authority or responsibility to exercise any rights or power vested in the County. No agent, officer, or employee of the County is to be considered an employee of MMMWC. It is understood by both the parties that this Agreement shall not under any circumstances be construed or considered to create an employer-employee relationship or a joint venture. As an independent contractor, the following applies:

- A. MMMWC shall determine the method, details, and means of performing the work and services to be provided by MMMWC under this Agreement.
- B. MMMWC shall be responsible to County only for the requirements and results specified in this Agreement, and except as expressly provided in this Agreement, shall not be subjected to County's control with respect to the physical action or activities of MMMWC in fulfillment of this Agreement.
- C. MMMWC, its agents, officers, and employees are, and at all times during the term of this Agreement shall, represent and conduct themselves as independent contractors, and not as employees of County.

11. Except as otherwise provided in this Agreement any notice, communication, or change of address required or desired to be provided pursuant to this Agreement, shall be in writing and sent by prepaid first-class mail, as follows:

To Mono County:
Department of Public Works
P.O. Box 457
Bridgeport, CA 93517
Attn: Jeff Walters

To MMMCW:
Mountain Meadows Mutual Water Company
P.O. Box 5038
Mammoth Lakes, CA 93546

Any document required by this Agreement to be provided to the Mono County Risk Manager shall be sent by prepaid first-class mail as follows:

Mono County Risk Management
PO Box 696
Bridgeport, CA 93517

12. MMMWC shall not assign or subcontract this Agreement, or any part of it, without the express written consent of the County. Further, MMMWC shall not assign any moneys due or to become due under this Agreement without the prior written consent of the County.

13. This Agreement is executed voluntarily by all parties, without duress or undue influence on the part of or on behalf of any of them. The parties acknowledge that each has been represented by counsel with respect to the negotiation and preparation of this Agreement, or has had the opportunity to be so represented but has declined to do so. The parties further acknowledge that they are fully aware of the contents of this Agreement and of its legal effect.

14. This Agreement contains the entire agreement of the parties, and no representations, inducements, promises, or agreements otherwise between the parties not embodied herein or incorporated herein by reference, shall be of any force or effect. Further, no term or provision hereof may be changed, waived, discharged, or terminated, unless executed in writing by the parties hereto.

III. EXECUTION

IN WITNESS THEREOF, ON THE DATE FIRST MENTIONED ABOVE, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS AS SET FORTH BELOW.

COUNTY OF MONO:

**Mountain Meadows Mutual
Water Company:**

By: _____

By: _____

Name: Jim Leddy

Name: David Richman

Title: County Administrative Officer

Title:

Date: _____

Date: _____

Tax ID: _____

Approved as to Form:

Christian Milovich
Deputy County Counsel

Risk Management



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: Community Development Department

TIME REQUIRED 30 minutes (15 presentation, 15 discussion)

PERSONS APPEARING BEFORE THE BOARD

Brent Calloway, Megan Mahaffey, Scott Burns

SUBJECT Permit Activity and Housing Mitigation Ordinance Review

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Review of permit activity and Housing Mitigation Ordinance status

RECOMMENDED ACTION:

1. Review permit activity and status of Housing Mitigation Ordinance (Chapter 15 of Mono County Code)
2. Introduce, read title, and waive further reading of proposed ordinance amending section 15.40.170 of the Mono County Code, pertaining to a temporary suspension of all housing mitigation requirements.
3. Provide any desired direction to staff.

FISCAL IMPACT:

If mitigation fees continue to be waived via the ordinance suspension, an estimated \$5,000 of fees would be waived in 2015, based on previously submitted and estimated future residential construction permits. No projects met the mitigation fee threshold in 2014, and thus no fees were waived in 2014. The current balance of the housing mitigation fund is \$237,030.63. There has been no change to the fund balance in the last year.

CONTACT NAME: Brent Calloway

PHONE/EMAIL: 924.1809 / bcalloway@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR
**PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [staff report](#)
- [ordinance](#)
- [ord 11.07](#)
- [ord 13.03](#)

History

Time	Who	Approval
11/25/2014 1:32 PM	County Administrative Office	Yes
11/25/2014 1:49 PM	County Counsel	Yes
11/25/2014 1:39 PM	Finance	Yes

Mono County Community Development Department

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

December 2, 2014

To: Honorable Chair and Members of the Board of Supervisors

From: Brent Calloway, Community Development Analyst
Megan Mahaffey, Accountant
Scott Burns, Director

Subject: Review of Permit Activity and Housing Mitigation Ordinance

Recommended Action:

1. Review permit activity and status of Housing Mitigation Ordinance (Chapter 15 of Mono County Code)
2. Introduce, read title, and waive further reading of proposed ordinance amending section 15.40.170 of the Mono County Code, pertaining to a temporary suspension of all housing mitigation requirements.

FISCAL IMPACT:

If mitigation fees continue to be waived via the ordinance suspension, an estimated \$5,000 of fees would be waived in 2015, based on previously submitted and estimated future residential construction permits. No projects met the mitigation fee threshold in 2014, and thus no fees were waived in 2014. The current balance of the housing mitigation fund is \$237,030.63. There has been no change to the fund balance in the last year.

DISCUSSION:

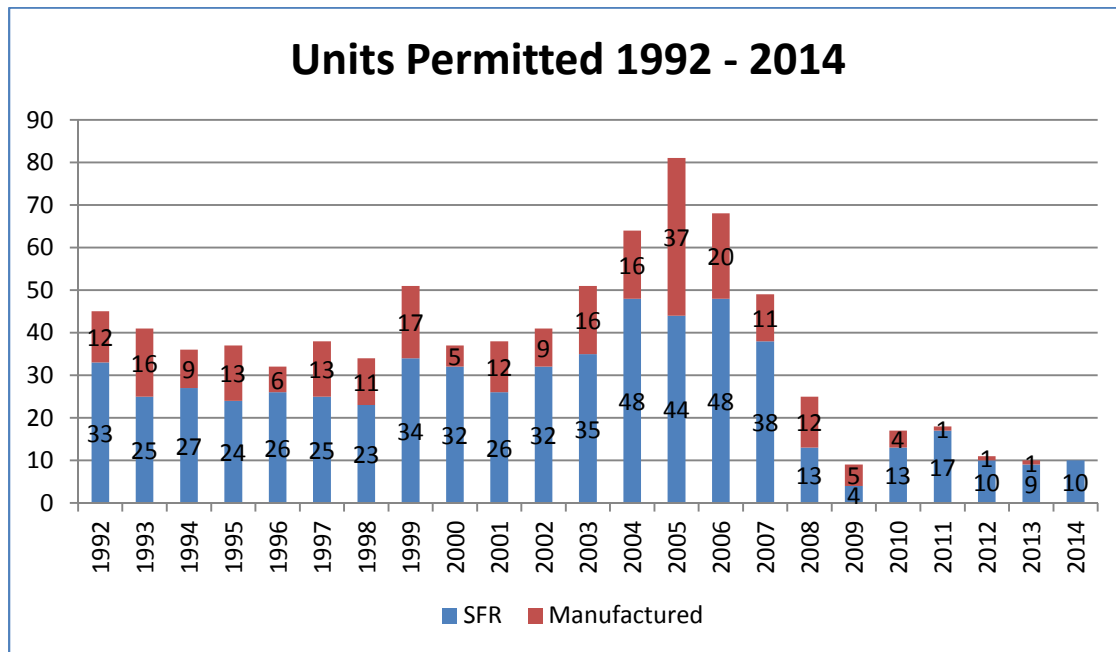
In June 2011, due to a slowdown in development activity, a significant decline in the cost of housing, and other relevant factors, the Board of Supervisors adopted an ordinance suspending MCC Chapter 15, the Housing Mitigation Ordinance (HMO), through July 15, 2013. Similarly, in June 2013 the Board of Supervisors adopted an ordinance continuing the HMO suspension to January 15, 2015.

The HMO required payment of fees or the construction of affordable units for land divisions and building permits that exceeded intensity thresholds. The following reviews building permit and land development activity during recent years, including the HMO suspension period, and a summary of the amount of HMO fees collected and waived. Based on the following review, it appears that local economic conditions have not changed significantly and that an additional HMO suspension period is warranted.

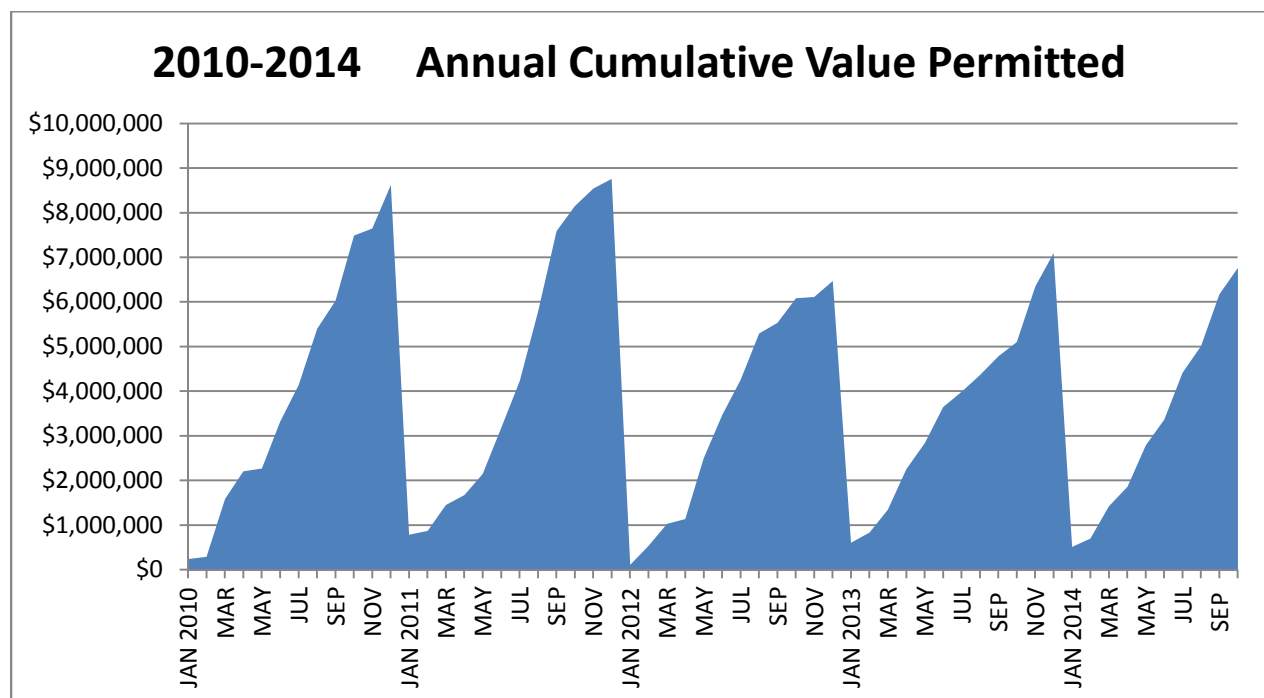
2014 Building Permit Statistics:

As of November 17, 10 new single family homes have been permitted in 2014, and four homes are in the plan check process. All 10 units permitted in 2014 were site-built (including several kit

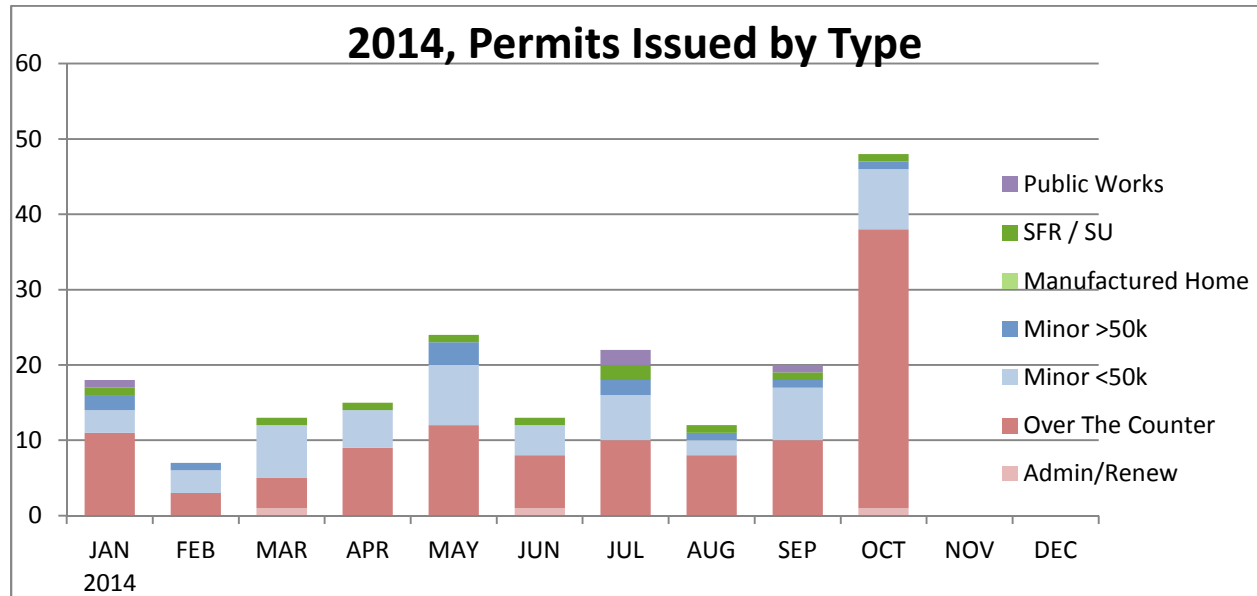
homes) and no manufactured homes were permitted. The units were located in June Lake (4) Long Valley (3) Swall Meadows (1) and Paradise (2). The average number of units permitted per year since 2009 is 12.5. With one month remaining, in terms of units permitted this year is looking very similar to the past few years.



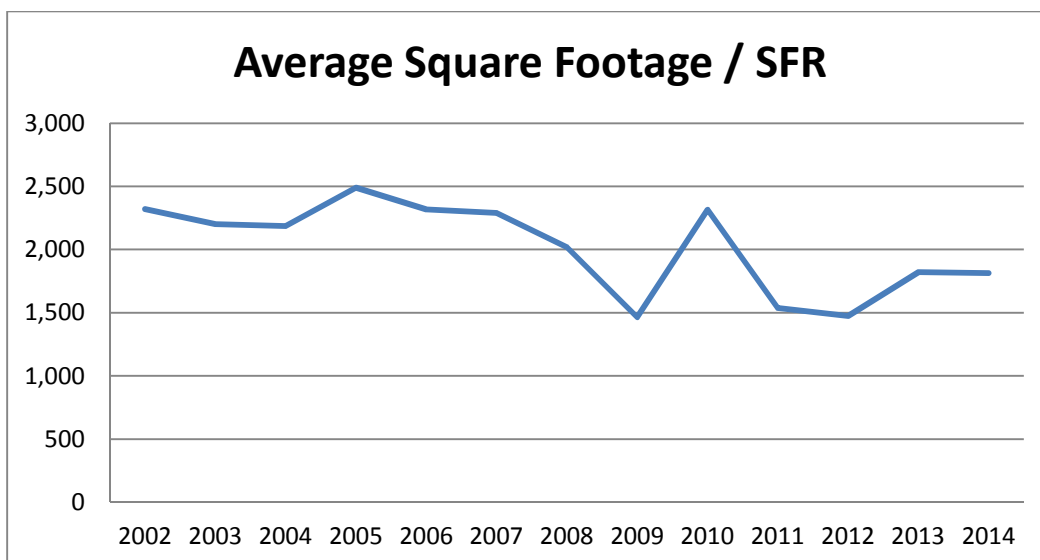
Since 2010 we have been tracking the value of all building permits. This value is based upon set values per square footage for new construction, and estimated actual costs for remodels and alterations. By the end of the year, the total value permitted is expected to be above 7 million, near or slightly increased from 2013 total permitted value of 7.1 million. In addition to 10 new homes, 24 permits valued over \$50,000 have been permitted in 2014.



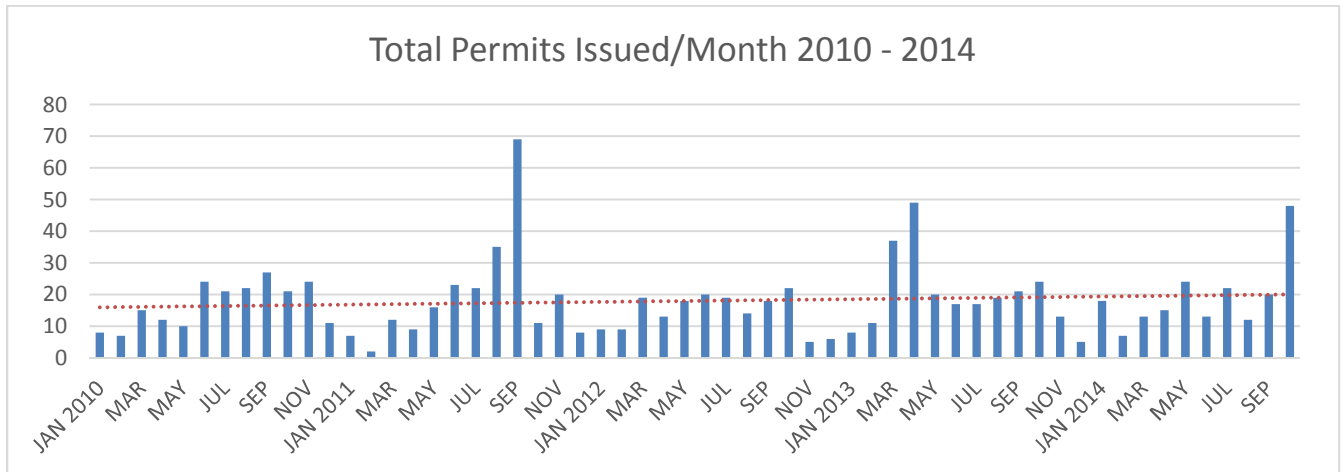
Permit activity was steady throughout 2014 with only a slight decline in activity during the winter months, and only one month without a new SFR permitted (February). The increase in over-the-counter permits observed in October was due to the CAPP woodstove replacement program.



The average size of a new home permitted in 2014 was nearly identical to 2013, technically dropping 8 square feet to 1,814.



Total permit activity remains steady with a slightly increasing trend over the past five years. The three anomalies are a peak in September 2011 due to the code adoption cycle, and two peaks in spring 2013 and October 2014 due to the CAPP woodstove replacement program.

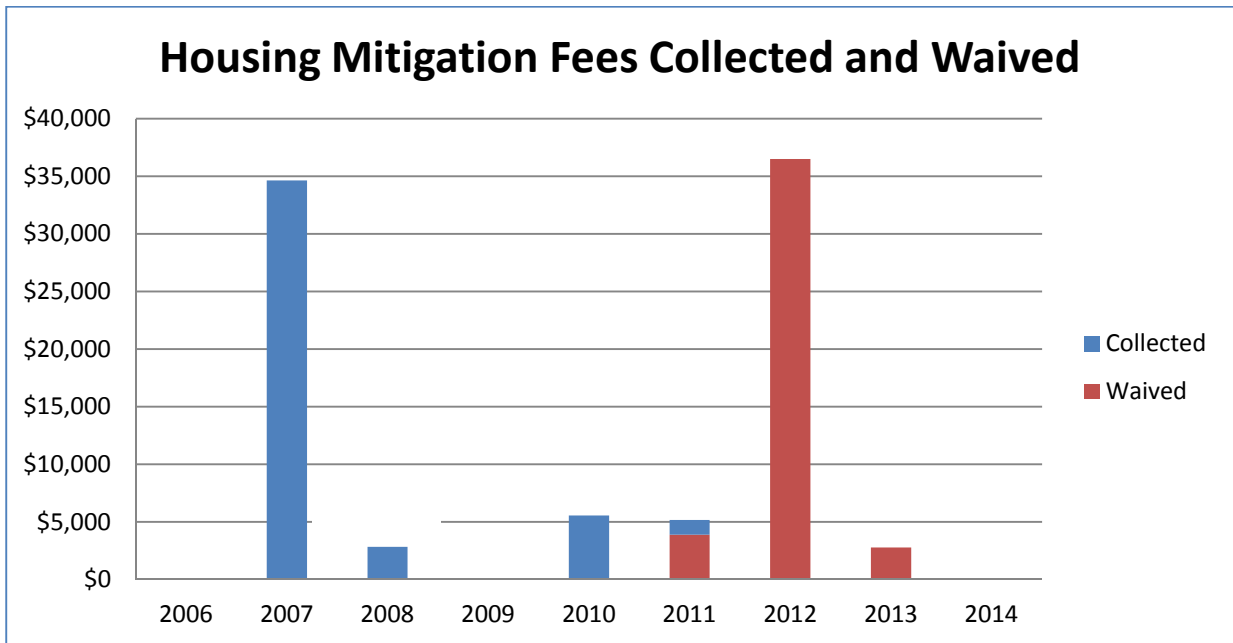


Land Divisions:

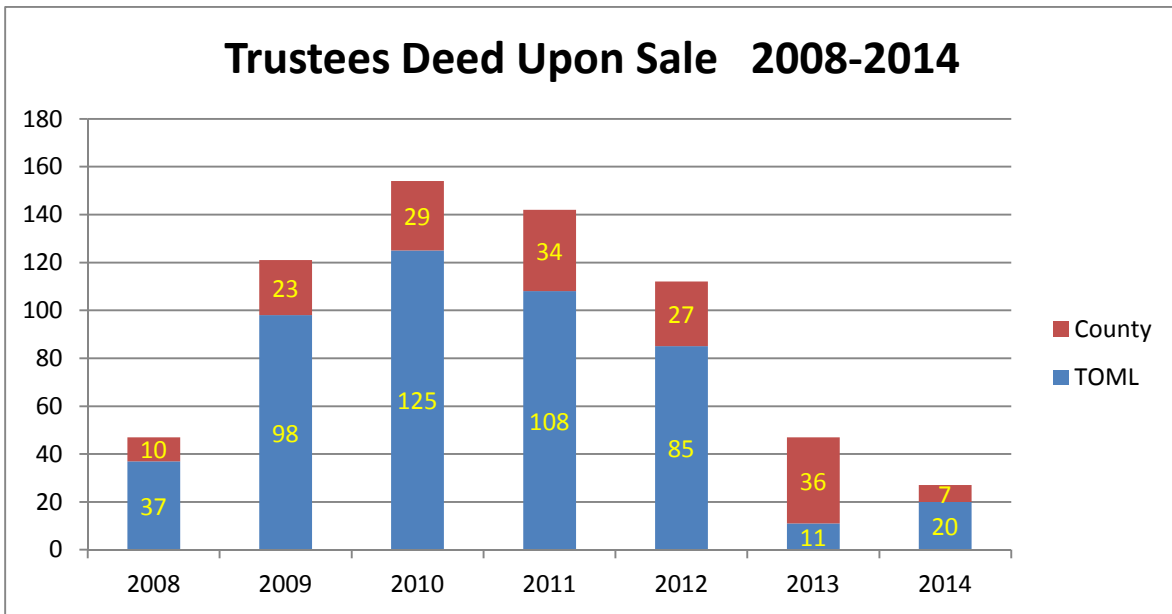
No applications for land divisions exceeding the mitigation thresholds have been submitted since the suspension of the ordinance. During the suspension period, three previously approved tentative maps with housing mitigation provisions have been amended and the housing mitigation provisions were removed. One of these projects has since secured final map approval.

Building Permits:

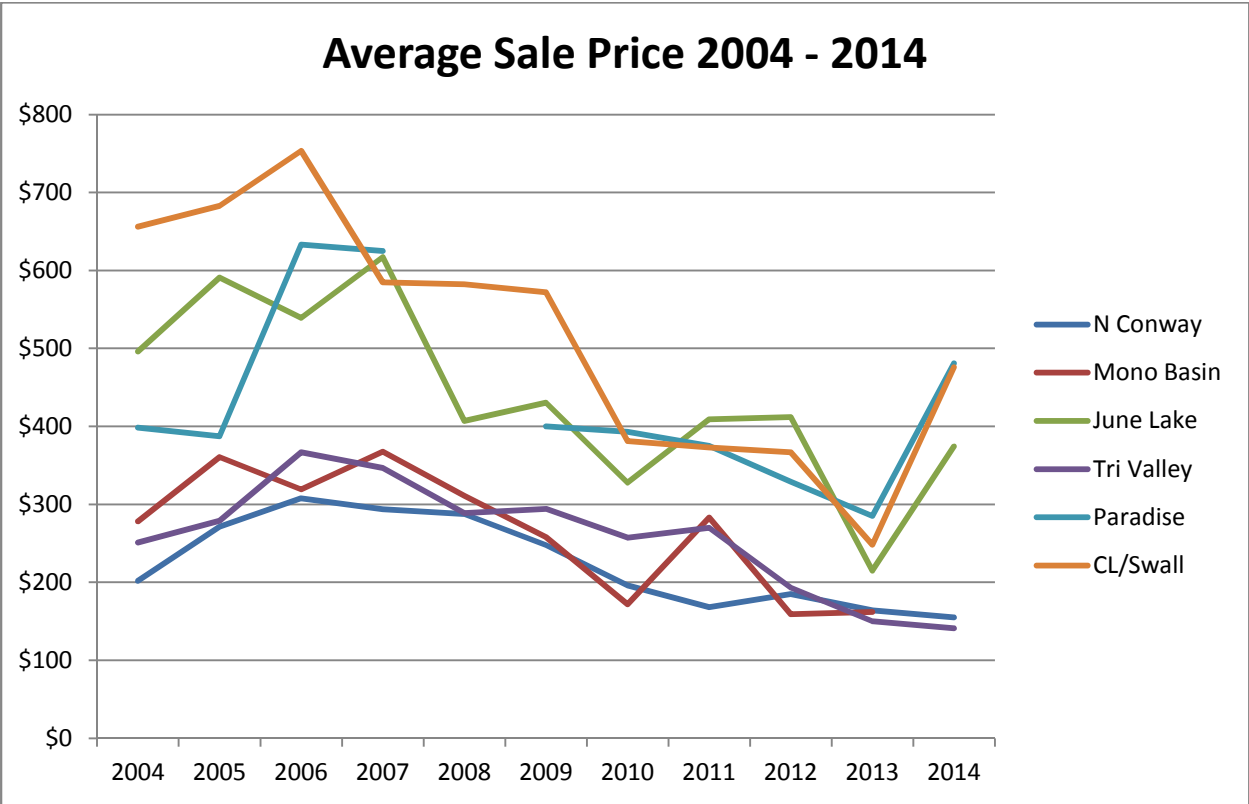
Since 2011, mitigation fees totaling \$43,173 have been waived for four homes and two commercial projects. Thus far in 2014, no homes larger than the 2,400 square foot threshold, where mitigation fees are applicable, have been permitted, and no commercial projects exceeding the mitigation thresholds have been permitted. Three of the homes currently in the plan check process do exceed the square footage requirement and would require mitigation fees if the ordinance were in effect at the time of application submittal.



Data obtained from the Clerk/Recorder’s office show an encouraging decline in the number of foreclosures throughout the county. The foreclosure process is complex and can take a long time, thus we have only been tracking one parameter, the final stage in a foreclosure process, the “trustees deed upon sale” The 2014 data are through the month of October.



Average Sale Price has been tracked for six county regions and is a major component of the housing mitigation model that determines the required mitigation measures. Using data available on online real estate websites, sales data through October show a price increase in Paradise, Crowley/Swall, and June Lake, a slight decrease in Tri-Valley and North of Conway, and no sales data for the Mono Basin.



Attachments

- Proposed Ordinance (Ord14-__)
- Ordinance (Ord11-07)
- Ordinance (Ord13-03)



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ORDINANCE NO. ORD14-__

AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS AMENDING SECTION 15.40.170 OF THE MONO COUNTY CODE, PERTAINING TO A TEMPORARY SUSPENSION OF ALL HOUSING MITIGATION REQUIREMENTS

WHEREAS, the County previously enacted a temporary suspension of certain housing mitigation requirements on development projects, as codified in Chapter 15.40 of the Mono County Code, which will expire on January 15, 2015, if not extended; and

WHEREAS, the Board wishes to continue that suspension for an additional eighteen (18) months;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO ORDAINS as follows:

SECTION ONE: Section 15.40.170 of the Mono County Code is hereby amended to read as follows:

"15.40.170 Temporary suspension of requirements.

All housing mitigation requirements set forth in Chapter 15.40 shall be suspended in their entirety, and be of no force or effect, during the period from July 15, 2011, through July 15, 2016."

SECTION TWO: This ordinance shall become effective 30 days from the date of its adoption and final passage, which appears immediately below. The Clerk of the Board of Supervisors shall post this ordinance and also publish the ordinance or a summary thereof in the manner prescribed by Government Code section 25124 no later than 15 days after the date of this ordinance's adoption and final passage. If the Clerk fails to so publish this ordinance or a summary thereof within said 15 day-period, then the ordinance shall not take effect until 30 days after the date of publication.

PASSED, APPROVED and ADOPTED this__day of_____, 2014, by the following vote, to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

LARRY K. JOHNSTON, Chairman
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

COUNTY COUNSEL



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ORDINANCE NO. ORD11-07

AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS ADDING SECTION 15.40.170 TO THE MONO COUNTY CODE, TEMPORARILY SUSPENDING ALL HOUSING MITIGATION REQUIREMENTS

WHEREAS, the County currently imposes certain housing mitigation requirements on development projects, as codified in Chapter 15.40 of the Mono County Code; and

WHEREAS, due to a slowdown in development activity, a significant decline in the cost of housing, and other relevant factors, the Board has determined that it is in the best interests of the County to temporarily suspend all housing mitigation requirements for a period of twenty-four months;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO ORDAINS as follows:

SECTION ONE: Section 15.40.170 is hereby added to the Mono County Code and shall read as follows:

"15.40.170 Temporary suspension of requirements.

All housing mitigation requirements set forth in Chapter 15.40 shall be suspended in their entirety, and be of no force or effect, during the period from July 15, 2011, through July 15, 2013."

SECTION TWO: This ordinance shall become effective 30 days from the date of its adoption and final passage, which appears immediately below. The Clerk of the Board of Supervisors shall post this ordinance and also publish the ordinance or a summary thereof in the manner prescribed by Government Code section 25124 no later than 15 days after the date of this ordinance's adoption and final passage. If the Clerk fails to so publish this ordinance or a summary thereof within said 15 day-period, then the ordinance shall not take effect until 30 days after the date of publication.

PASSED, APPROVED and ADOPTED this 14th day of June, 2011, by the following vote, to wit:

AYES: Supervisors Hansen, Hazard, Hunt.
NOES: Supervisor Johnston.
ABSENT: Supervisor Bauer.
ABSTAIN: None.


DUANE "HAP" HAZARD, Chair
Mono County Board of Supervisors

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ATTEST:

Shannon D Kendall
Clerk of the Board, Sr. Deputy

APPROVED AS TO FORM:

[Signature]
COUNTY COUNSEL



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ORDINANCE NO. ORD13- 03

AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS AMENDING SECTION 15.40.170 OF THE MONO COUNTY CODE, PERTAINING TO A TEMPORARY SUSPENSION OF ALL HOUSING MITIGATION REQUIREMENTS

WHEREAS, the County previously enacted a temporary suspension of certain housing mitigation requirements on development projects, as codified in Chapter 15.40 of the Mono County Code, which will expire on July 15, 2013, if not extended; and

WHEREAS, the Board wishes to continue that suspension for an additional eighteen (18) months;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO ORDAINS as follows:

SECTION ONE: Section 15.40.170 of the Mono County Code is hereby amended to read as follows:

"15.40.170 Temporary suspension of requirements.

All housing mitigation requirements set forth in Chapter 15.40 shall be suspended in their entirety, and be of no force or effect, during the period from July 15, 2011, through January 15, 2015."

SECTION TWO: This ordinance shall become effective 30 days from the date of its adoption and final passage, which appears immediately below. The Clerk of the Board of Supervisors shall post this ordinance and also publish the ordinance or a summary thereof in the manner prescribed by Government Code section 25124 no later than 15 days after the date of this ordinance's adoption and final passage. If the Clerk fails to so publish this ordinance or a summary thereof within said 15 day-period, then the ordinance shall not take effect until 30 days after the date of publication.


PASSED, APPROVED and ADOPTED this 11th day of June, 2013, by the following vote, to wit:

- AYES: Supervisors Alpers, Hunt, Stump**
- NOES: Supervisor Johnston**
- ABSENT: Supervisor Fesko**
- ABSTAIN: NONE**


BYNG HUNT, Chair
 Mono County Board of Supervisors

ATTEST:

 Clerk of the Board

APPROVED AS TO FORM:

 COUNTY COUNSEL



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 2, 2014

Departments: County Counsel

TIME REQUIRED 15 minutes (5 minute presentation; 10 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Stacey Simon

SUBJECT Temporary Urgency Change Petition
- Bridgeport Reservoir

AGENDA DESCRIPTION:

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation by staff regarding Temporary Urgency Change Petition filed by the Walker River Irrigation District for the Bridgeport Reservoir.

RECOMMENDED ACTION:

Provide direction to staff regarding comments, if any, to the State Water Resources Control Board regarding the Petition. Provide any other desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Stacey Simon

PHONE/EMAIL: 760-924-1704 or 760-932-5418 / ssimon@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR
**PRIOR TO 5:00 P.M. ON THE FRIDAY
32 DAYS PRECEDING THE BOARD MEETING**

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[Backup](#)

History

Time	Who	Approval
11/25/2014 8:29 AM	County Administrative Office	Yes
11/24/2014 4:00 PM	County Counsel	Yes
11/24/2014 5:28 PM	Finance	Yes

County Counsel
Marshall Rudolph

Assistant County Counsel
Stacey Simon

Deputies
Christian Milovich
John-Carl Vallejo

**OFFICE OF THE
COUNTY COUNSEL**

Mono County
South County Offices
P.O. BOX 2415
MAMMOTH LAKES, CALIFORNIA 93546

Telephone
760-924-1700

Facsimile
760-924-1701

Legal Assistant
Jenny Senior

To: Board of Supervisors

From: Stacey Simon

Date: December 2, 1014

Re: Walker River Irrigation District Petition for Temporary Urgency
Change to License 9407 for Bridgeport Reservoir

Recommendation

Receive report from staff and provide any desired direction.

Fiscal Impact

None.

Discussion

On November 18, 2014, the Walker River Irrigation District filed a Petition with the California State Water Resources Control Board for a Temporary Urgency Change to its License number 9407 for the Bridgeport Reservoir. A copy of the Petition is included in your packet.

License 9407 currently requires the District to maintain a minimum pool in Bridgeport Reservoir of 2000 acre feet (AF) and to maintain minimum releases below the dam of 20 cubic feet per second (cfs) (30 cfs in certain freezing conditions). These requirements are also contained in a binding settlement agreement that the District entered into with the Department of Fish and Game in 1993.

Due to the drought conditions this year, the reservoir has dropped below 2000 AF (it is currently at 1960) and the District must weigh the importance and need to maintain the pool versus the importance and need to maintain minimum releases below the dam (i.e., if inflow is less than 20 cfs – which it has been – then an outflow of 20 cfs results in a continually lowering pool).

As a result of recent precipitation, inflow began to exceed releases in early November, causing a slight increase in the size of the pool. It is unknown whether this upward trend will continue or whether a drier period will return and the inflow will again drop below 20 cfs.

The District's Petition asks for the 20 cfs release requirement to be reduced to 10 cfs through February 28, 2015, in order to maintain, and potentially increase, the reservoir pool. According to the District, the California Department of Fish and Wildlife was consulted in developing this proposal.

Further, it has been this office's understanding from Fish and Wildlife that a continuous flow of 20 cfs is not necessary to maintain the fishery below the dam in good condition and a call to confirm has been made but not yet returned. In any event, California law prohibits any change to releases below a dam that would result in the fishery not being maintained in good condition, and the State Water Resources Control Board may not grant a Petition that would result in such harm.

This item is on your agenda today for information, but also for staff direction. Your Board may wish to direct staff to provide input to the State Water Resources Control Board on the Petition. Specifically, the Board may wish to ask that reservoir volume and fisheries be monitored and the period of the reduction adjusted accordingly if warranted.

If you have any questions regarding this item prior to your meeting, please call me at 924-1704 or 932-5418.



Walker River Irrigation District

Established in 1919

November 18, 2014

Ms. Barbara Evoy, Deputy Director
Division of Water Rights
State Water Resources Control Board
P.O. Box 2000
Sacramento, CA 95812-2000

**Subject: Walker River Irrigation District Petition for Temporary Urgency
Change License 9407 (Application 1389)**

Dear Ms. Evoy:

Enclosed are the following documents relative to a Petition for Temporary Urgency Change (Petition) under Walker River Irrigation District's (WRID) License 9407 (Application 1389):

1. Petition for Temporary Urgency Change with Attachment (one original and one copy).
2. Environmental Information Form with Attachment (one original and one copy).
3. Check in the amount of \$6,062.00 to cover the Petition fees for the State Water Resources Control Board.
4. Check in the amount of \$850 to cover the fee for the Department of Fish and Wildlife.

WRID is filing this Petition with the Division of Water Rights to request a temporary relaxation of the minimum release requirement downstream of Bridgeport Reservoir under License 9407. As you are aware, time is of the essence to process this Petition; and we appreciate your attention to this matter in order to address and help mitigate the unprecedented drought conditions and impacts to the East Walker River.

Please call if you have any questions or require additional information.

Sincerely,



Robert C. Bryan

RB/jp
5280/BARBARA EVOY WRID TUCP 2014-11-18

Enclosures

cc: Gordon DePaoli, Woodburn and Wedge
Dale Ferguson, Woodburn and Wedge
Darren Cordova, MBK Engineers
Kathryn Gaffney, Division of Water Rights
Steve Parmenter, Department of Fish and Wildlife
Scott Ferguson, LRWQCB (via certified mail)

Please indicate County where your project is located here:

Mono

MAIL FORM AND ATTACHMENTS TO:
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Tel: (916) 341-5300 Fax: (916) 341-5400
http://www.waterboards.ca.gov/waterrights

PETITION FOR CHANGE

Separate petitions are required for each water right. Mark all areas that apply to your proposed change(s). Incomplete forms may not be accepted. Location and area information must be provided on maps in accordance with established requirements. (Cal. Code Regs., tit. 23, § 715 et seq.) Provide attachments if necessary.

- Point of Diversion, Point of Rediversion, Place of Use, Purpose of Use, Distribution of Storage, Temporary Urgency, Instream Flow Dedication, Waste Water, Split, Terms or Conditions, Other, Application, Permit, License, Statement

I (we) hereby petition for change(s) noted above and described as follows:

Point of Diversion or Rediversion - Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Present: Bridgeport Reservoir: South 27° 09' West 2,503 feet from NE Corner of Section 34, T6N, R25E, MDB&M, being within SE 1/4 of NE 1/4 of said Section 34.
Proposed: No Change Requested.

Place of Use - Identify area using Public Land Survey System descriptions to 1/4-1/4 level; for irrigation, list number of acres irrigated.

Present: 52,062 acres net within the gross area of the District, as shown on a map filed with the State Water Board for License 9407.
Proposed: No Change Requested.

Purpose of Use

Present: Irrigation and Recreation
Proposed: No Change Requested.

Split

Provide the names, addresses, and phone numbers for all proposed water right holders.

Not Applicable.

In addition, provide a separate sheet with a table describing how the water right will be split between the water right holders: for each party list amount by direct diversion and/or storage, season of diversion, maximum annual amount, maximum diversion to offstream storage, point(s) of diversion, place(s) of use, and purpose(s) of use. Maps showing the point(s) of diversion and place of use for each party should be provided.

Distribution of Storage

Present: Not Applicable.
Proposed:

Temporary Urgency

This temporary urgency change will be effective from to

Include an attachment that describes the urgent need that is the basis of the temporary urgency change and whether the change will result in injury to any lawful user of water or have unreasonable effects on fish, wildlife or instream uses.

Instream Flow Dedication – Provide source name and identify points using both Public Land Survey System descriptions to 1/4-1/4 level and California Coordinate System (NAD 83).

Upstream Location:
Downstream Location:

List the quantities dedicated to instream flow in either: cubic feet per second or gallons per day:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

Will the dedicated flow be diverted for consumptive use at a downstream location? Yes No
If yes, provide the source name, location coordinates, and the quantities of flow that will be diverted from the stream.

Waste Water

If applicable, provide the reduction in amount of treated waste water discharged in cubic feet per second.

Will this change involve water provided by a water service contract which prohibits your exclusive right to this treated waste water? Yes No

Will any legal user of the treated waste water discharged be affected? Yes No

General Information – For all Petitions, provide the following information, if applicable to your proposed change(s).

Will any current Point of Diversion, Point of Storage, or Place of Use be abandoned? Yes No

I (we) have access to the proposed point of diversion or control the proposed place of use by virtue of:
 ownership lease verbal agreement written agreement

If by lease or agreement, state name and address of person(s) from whom access has been obtained.

Give name and address of any person(s) taking water from the stream between the present point of diversion or redirection and the proposed point of diversion or redirection, as well as any other person(s) known to you who may be affected by the proposed change.

All Right Holders Must Sign This Form: I (we) declare under penalty of perjury that this change does not involve an increase in the amount of the appropriation or the season of diversion, and that the above is true and correct to the best of my (our) knowledge and belief. Dated at


Right Holder or Authorized Agent Signature

Right Holder or Authorized Agent Signature

NOTE: All petitions must be accompanied by:
(1) the form Environmental Information for Petitions, including required attachments, available at: http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf
(2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/
(3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

Attachment No. 1
to Petition for Temporary Urgency Change
License 9407 (Application 1389)
held by Walker River Irrigation District

Description of Proposed Temporary Urgency Change

Walker River Irrigation District (WRID) files this Petition for Temporary Urgency Change (Petition) with the Division of Water Rights (Division) to request a temporary change to terms and conditions of License 9407 (Application 1389) for the purpose of relaxing the minimum release requirement from 20 cfs (or 30 cfs, depending upon temperature) to a consistent 10 cfs downstream of Bridgeport Reservoir. As explained in greater detail below, the purpose of the proposed temporary change is to address and help mitigate the unprecedented drought conditions and impacts. WRID has been consulting with California Department of Fish and Wildlife (CDFW) in arriving at the appropriate changes proposed in this Petition. The request is intended to provide for optimal management of the remaining storage in Bridgeport Reservoir for the benefit of the fishery in Bridgeport Reservoir, and in the East Walker River downstream of Bridgeport Reservoir, in an effort to avoid potential water quality issues associated with reducing storage, as experienced in the drought period of the late 1980's.

Currently, releases from Bridgeport Reservoir provide minimum releases of at least 20 cfs downstream, and the U.S. Geologic Survey (USGS) gages on Green, Buckeye, and Robinson Creeks upstream suggest an inflow into the Reservoir of approximately 17 cfs. Thus, the difference is depleting the remaining minimal storage in Bridgeport Reservoir. However, recent USGS reservoir storage data suggests that the Reservoir has been gaining storage of about 10 to 20 acre-feet per day since November 4, 2014. At present, the USGS reservoir storage data shows the Reservoir storage at 1,960 acre-feet. The proposed relaxation of the minimum release requirement from 20 cfs (or 30 cfs, depending on temperature) to 10 cfs, will assist WRID's efforts to maintain water quality in and downstream of Bridgeport Reservoir, particularly if drier conditions persist. WRID proposes these changes be effective upon approval of the Petition until February 28, 2015, or if extended as discussed below, for a period of up to 180 days. During the period from the date of an order to February 28, 2015, inflow over 10 cfs would be collected to storage in Bridgeport Reservoir to preserve and increase storage, and assist in later meeting minimum downstream releases. WRID proposes these changes be effective upon approval of this Petition through February 28, 2015. In February 2015, WRID will re-evaluate the hydrologic conditions and may request an extension past February 28, 2015, but not longer than a total of 180 days from approval. Any such request will be made in consultation with CDFW.

As background, WRID's existing facilities are located within the East Walker River watershed of the Walker River Basin. Bridgeport Reservoir is located entirely within Mono County. The place of use under License 9407 includes lands within WRID, and these lands are located in the State of Nevada. The California State Water Resources Control Board Order WR 90-18 added the following terms to License 9407:

Minimum Reservoir Pool. Licensee shall maintain Bridgeport Reservoir at not less than the following storage levels:

<u>Classification</u>	<u>Storage Level</u>
Wet Years	2,000 acre-feet
Normal Years	2,000 acre-feet
Dry and Recovery Years	600 acre-feet ¹

Minimum Release. Licensee shall at all times maintain a continuous minimum release from Bridgeport Reservoir of not less than 20 cfs.

Minimum Flow to Prevent Icing. To prevent formation of frazil/anchor ice in the East Walker River downstream of Bridgeport Reservoir to Murphy's Pond, during November 1 through March 1 of each year, and based on the forecasted minimum 24-hour air temperature as provided by the National Weather Service, Licensee shall make the following continuous releases until forecasted minimum air temperatures again exceed the identified temperature levels:

<u>Forecasted Temperature (°F)</u>	<u>Required Release Flow (cfs)</u>
0° and Greater	20
Less than 0°	30

These terms were added as a result of the consequences of the dewatering of Bridgeport Reservoir in 1988. The terms identified above are included in the Bridgeport Reservoir Operations Manual, dated December 4, 1991. This Petition seeks to temporarily change the terms above to a continuous minimum release of 10 cfs below Bridgeport Reservoir. Absent meaningful precipitation events, or relief from the minimum release requirements, Bridgeport Reservoir could approach its minimum pool of 600 acre-feet by February 2015.

Hydrologic Conditions

On January 17, 2014, Governor Brown released a Proclamation of State of Emergency due to severe drought conditions for the State of California. According to the Natural Resources Conservation Service (NRCS), the median April 1 snow water content for the Virginia Lakes Ridge Snowcourse content is 16.2 inches. As of March 31, 2014, NRCS reported the snow water content was 8.0 inches, or 52% of the April 1 median. Therefore, 2014 is classified as a Dry Year (defined as snowpack water content is at or less than 75% of average per Order WR 90-18).

¹ Pursuant to settlement of litigation with the State of California resulting from the 1988 dewatering of Bridgeport Reservoir and subject to certain exceptions, WRID agreed to maintain storage levels in Bridgeport Reservoir at 2,000 acre-feet even in Dry and Recovery Years.

The USGS maintains a gage at Bridgeport Reservoir in coordination with WRID. The period of record for this gage is October 1, 1971 through present. The average inflow to Bridgeport Reservoir within the period-of-record is estimated to be approximately 108,000 acre-feet per water year. Inflow during Water Year 2014 is the lowest in this period of record at approximately 26,110 acre-feet, or 24% of average. During November 2013 through February 2014, inflow to Bridgeport Reservoir was approximately 11,224 acre-feet, which is the third lowest inflow for that period during this period-of-record. In addition, inflow during the month of October 2014 is the lowest inflow for that month during this period-of-record. Based on these recent conditions, WRID is filing this Petition to address and help mitigate the drought conditions and impacts, particularly if unprecedented conditions persist through February 2015.

WRID allocates water stored in Bridgeport Reservoir to landowners within WRID based on the volume in the Reservoir on March 1. During 2014, when allocating that water to landowners, WRID attempted to account for estimated evaporation losses in Bridgeport Reservoir, and for evaporation and transportation losses in the East Walker River and Walker River, from April 1, 2014 to October 31, 2014, in order to maintain a minimum pool of 2,000 acre-feet in Bridgeport Reservoir at the end of the irrigation season, October 31, 2014. However, due to the unprecedented conditions described above during 2014, losses in the system were much greater than anticipated and storage in Bridgeport Reservoir reached 2,000 acre-feet on September 20, 2014. Until about November 4, 2014, the storage has continued to decline because of evaporation and because minimum releases have exceeded inflow to Bridgeport Reservoir.

Criteria for Approving Temporary Urgency Change Requests

Water Code §1435(b) requires that the Division make the following findings before approving WRID's temporary urgency change request:

1. The permittee or licensee has an urgent need to make the proposed change.
2. The proposed change may be made without injury to any other lawful user of water.
3. The proposed change may be made without unreasonable effect upon fish, wildlife, or other in-stream beneficial uses.
4. The proposed change is in the public interest.

WRID's proposed temporary urgency change addresses each of these required findings as identified below:

1. The permittee or licensee has an urgent need to make the proposed change.

Water Code §1435(c) provides that an "urgent need" exists when the Division may, in its judgment, conclude that the proposed temporary change is necessary to further the constitutional policy that the water resources of the state be put to beneficial use to the

fullest extent of which they are capable and that waste of water be prevented. Under this Petition, an urgent need for the requested temporary changes exists in order to preserve water held in Bridgeport Reservoir during the current drought conditions that are facing the State of California in 2014, and in particular the Walker River Basin.

Although at the present time, data concerning inflow to the Reservoir and storage in the Reservoir are conflicting, data concerning inflow and releases suggest that storage within the reservoir should be decreasing by approximately 10 acre-feet per day. Assuming this continued rate of decline, WRID projects Bridgeport Reservoir would reach the minimum pool of 600 acre-feet by February 2015. This projection does not account for any releases of 30 cfs to prevent icing pursuant to Order WR 90-18. Such releases could cause storage in Bridgeport Reservoir to decline at a faster rate, and potentially the reservoir could reach 600 acre-feet prior to February 2015. Given these possibilities, it is prudent to relax the minimum release requirements, at least until it is clear that the Reservoir minimum pool will not approach 600 acre-feet or lower.

2. The proposed change may be made without injury to any other lawful user of water.

The proposed temporary relaxation of the minimum release requirement under License 9407 will not result in injury to any other lawful user of water. The Walker River Decree adjudicates the diversion of the Walker River and its tributaries for direct land application and diversion to storage facilities for subsequent use. This includes diversion to storage at Bridgeport Reservoir. The Walker River Decree defines storage quantities and priorities. Per the Walker River Decree, WRID may store water from November 1 to March 1, without regard to priority. Diversions to storage can be made during this time without regard to priority because no natural flow rights are in priority during this time. In addition, only landowners within WRID have a right to call on water stored in Bridgeport Reservoir, but may not do so prior to April 1. Water that is being released from storage in Bridgeport Reservoir above the natural inflow for the minimum release requirement would not be available for diversion under water rights downstream.

3. The proposed change may be made without unreasonable effect upon fish, wildlife, or other in-stream beneficial uses.

As stated above, WRID contacted CDFW to discuss potential options regarding the current condition of Bridgeport Reservoir and the East Walker River and the present conflict between the minimum release and minimum pool requirements of License 9407. CDFW expressed that maintaining, and if possible, increasing, storage in Bridgeport Reservoir and reducing the minimum release is the preferred alternative. It is assumed that any effect of the proposed flow reduction would be offset by benefits both in Bridgeport Reservoir, and by maintaining water quality in the East Walker River downstream of Bridgeport Reservoir. Absent the proposed changes, storage levels in Bridgeport Reservoir may continue to decrease. The 1988 dewatering of Bridgeport Reservoir shows that the water quality in the East Walker River becomes increasingly poor as storage levels

in Bridgeport Reservoir approach 600 acre-feet, and particularly, as storage declines below that volume. Increased storage in Bridgeport Reservoir may also result in greater retention of fish species in Bridgeport Reservoir, and potentially provide additional habitat to benefit migrating waterfowl. For these reasons, WRID believes based on its consultation with CDFW, that the proposed continuous release of 10 cfs will not unreasonably affect the fishery, considering the persistent drought conditions.

In accordance with the Bridgeport Reservoir Operations Manual, WRID is performing visual inspections and obtaining samples at specified locations to monitor water quality in the East Walker River. WRID will continue to perform the visual inspections and sampling on at least a weekly basis during the time the proposed changes are in place, and will continue to provide these reports to the Lahontan Regional Water Quality Control Board. WRID and CDFW are developing a plan for additional fish monitoring actions.

WRID plans to operate such that 2,000 acre-feet would remain in storage on October 31, 2015, when it allocates water from Bridgeport Reservoir to its landowners during the 2015 irrigation season. If the drier hydrologic conditions persist into 2015, WRID will take account of the unprecedented losses within the system experienced during 2014 when making allocations for the 2015 irrigation season.

4. The change is in the public interest.

The proposed temporary change is intended to benefit the Reservoir fishery and to preserve water quality in the East Walker River downstream of Bridgeport Reservoir. Relaxing the minimum release to 10 cfs is intended to maintain or increase storage within Bridgeport Reservoir, while maintaining flow in the East Walker River for the benefit of the fishery. As a result, the potential water quality benefits may assist in maintaining the habitat in the East Walker River. The proposed temporary changes will optimize the minimal water available; and therefore, the proposed changes are in the public interest to preserve water under the present drought conditions.

Conclusion

Based on the above, we believe the proposed temporary changes meet the criteria for approving temporary urgency change requests.

AB/pa
5280/ATTACHMENT TO WRID TUCP 2014-11-17

ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

See Attachment No. 1

Insert the attachment number here, if applicable:

1

Coordination with Regional Water Quality Control Board

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: http://www.waterboards.ca.gov/waterboards_map.shtml. Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

November 17, 2014

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

Yes No

Will a waste discharge permit be required for the project?

Yes No

If necessary, provide additional information below:

Not Applicable.

Insert the attachment number here, if applicable:

Local Permits

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

Not Applicable.

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted: Date of Contact:

Department: Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below. Yes No

- Grading Permit Use Permit Watercourse Obstruction Permit
- Change of Zoning General Plan Change Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies. Yes No

If necessary, provide additional information below:

Not Applicable.

Insert the attachment number here, if applicable:

Federal and State Permits Not Applicable.

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams California Coastal Commission
- State Reclamation Board U.S. Army Corps of Engineers U.S. Forest Service
- Bureau of Land Management Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies. Yes No

For each agency from which a permit is required, provide the following information:

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number
Not Applicable.				

If necessary, provide additional information below:

Not Applicable.

Insert the attachment number here, if applicable:

Construction or Grading Activity

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake? Yes No

If necessary, provide additional information below:

Not Applicable.

Insert the attachment number here, if applicable:

Archeology

Has an archeological report been prepared for this project? If yes, provide a copy. Yes No

Will another public agency be preparing an archeological report? Yes No

Do you know of any archeological or historic sites in the area? If yes, explain below. Yes No

If necessary, provide additional information below:

Not Applicable.

Insert the attachment number here, if applicable:

Photographs See Attachment No. 1

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

Maps See Attachment No. 1

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including but not limited to: point of diversion, point of rediversion, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

All Water Right Holders Must Sign This Form:

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated 11-18-2014 at Yerington, NV.

Robert C. Bryan
Water Right Holder or Authorized Agent Signature

Water Right Holder or Authorized Agent Signature

NOTE:

- **Petitions for Change** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- **Petitions for Temporary Transfer** may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)

Attachment No. 1
to Environmental Information for
Petition for Temporary Urgency Change to
License 9407 (Application 1389)
held by Walker River Irrigation District

Description of Proposed Temporary Urgency Changes

Walker River Irrigation District (WRID) is filing a Petition for Temporary Urgency Change (Petition) with the Division of Water Rights (Division) to request a temporary change to Term and Conditions of its License 9407 (Application 1389) for the purpose of relaxing the minimum release requirement from 20 cfs (or 30 cfs depending upon temperature) to a consistent 10 cfs downstream of Bridgeport Reservoir. As is explained in greater detail in the Petition, the purpose of the proposed temporary change is to address and help mitigate the unprecedented drought conditions and impacts. The request is intended to provide for optimal management of the remaining storage in Bridgeport Reservoir for the benefit of the fishery in Bridgeport Reservoir and in the East Walker River downstream of the Reservoir in an effort to avoid potential water quality issues associated with reducing storage, as experienced in the drought period of the late 1980's. Withdrawals from storage held in Bridgeport Reservoir to provide minimum releases for fish species are depleting the minimum remaining storage.

WRID proposes these changes be effective upon approval of the Petition until February 28, 2015, or if extended as discussed below, for a period of up to 180 days. During the period from the date of an order to February 28, 2015, inflow over 10 cfs would be collected to storage in Bridgeport Reservoir to preserve and increase storage, and assist in later meeting minimum downstream releases. WRID proposes these changes be effective upon approval of this Petition through February 28, 2015. In February 2015, WRID will re-evaluate the hydrologic conditions and may request an extension past February 28, 2015, but not longer than a total of 180 days from approval. Any such request will be made in consultation with CDFW. There is no change to the existing point of diversion, place of use, or purpose of use. In addition, the proposed temporary changes do not involve any construction or other physical changes to WRID's facilities. Absent approval of this Petition, releases of 20 cfs, and up to 30 cfs given temperature conditions, will continue to decrease the quantity held in storage at Bridgeport Reservoir.

Lahontan Regional Water Quality Control Board (LRWQCB) staff were contacted in order to discuss the proposed temporary urgency changes; however, a consultation has not occurred at this time. Copies of this petition have been provided to Scott Ferguson (530/542-5432) of the LRWQCB.

This Petition is exempt from the California Environmental Quality Act (CEQA) pursuant to paragraph 19 of Governor Brown's Proclamation of a Continued State of Emergency dated April 25, 2014, and pursuant to California Public Resources Code § 21080(b)(4) as a specific action necessary to prevent or mitigate an emergency. WRID anticipates the Division will issue a Notice of Exemption following approval of the proposed changes requested by the Petition.

Photographs

Attached are photographs of the current conditions at Bridgeport Reservoir, and photographs upstream and downstream of Bridgeport Reservoir along the East Walker River.

Maps

The present point of diversion and place of use are shown on maps filed with the Division for License 9407, which are incorporated herein by reference.

AB/pa
5280/ATTACHMENT TO ENV INFO 2014-11-17



Bridgeport Reservoir on October 27, 2014.

Walker River Irrigation District

November 2014

Photographer - Walker River Irrigation District





Bridgeport Reservoir dam and outlet control structure.



Looking from Bridgeport Reservoir towards dam.

Walker River Irrigation District

November 2014

Photographer - Walker River Irrigation District

MBK 
ENGINEERS



Inflow to Bridgeport Reservoir looking downstream towards the current reservoir pool, which is not visible. This location is approximately one-half mile in from Bridgeport Reservoirs shoreline at capacity.



East Walker River looking upstream to Bridgeport Reservoir outlet.

Walker River Irrigation District

November 2014

Photographer - Walker River Irrigation District

