



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 June 2, 2015

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 - NONE**

3. **RECOGNITIONS - 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. **April 2015 Treasury Transaction Summary Report**

Departments: Finance

Treasury Transaction Report for the month of April 2015.

Recommended Action: Review and Approve the Treasury Transaction Report for the month of April 2015.

Fiscal Impact: None.

B. **Bi-State Sage Grouse Hunting Regulations**

Departments: Board of Supervisors

Letter reiterating prior Board of Supervisor opposition to Sage Grouse hunting in Mono County.

Recommended Action: Authorize Chairman's signature on a letter to the California Fish and Game Commission opposing hunting of the Bi-State Distinct Population of the Greater Sage Grouse in Mono County.

Fiscal Impact: None.

C. **Hiring Freeze Variance - Solid Waste Gate Attendant**

Departments: Solid Waste Division of Public Works

Hiring freeze variance to fill Solid Waste Gate Attendant position recently vacated by in-house promotion to fill Board-approved Solid Waste Maintenance Worker position.

Recommended Action: Approve hiring freeze variance for Solid Waste Gate Attendant position.

Fiscal Impact: Total annual cost to Solid Waste Enterprise Fund is \$49,442 of which \$35,772 is salary. There is sufficient appropriation in the 2014-15 budget.

D. Waiver of Landfill Fees to Abate a Public Nuisance

Departments: Solid Waste Division of Public Works

Consider waiver of landfill tipping fees relating to a destroyed mobile home in Lee Vining, to abate a public nuisance.

Recommended Action: Waive tipping fees to abate a public nuisance. Provide any desired direction to staff.

Fiscal Impact: Unknown, estimated lost revenue to the Solid Waste Enterprise Fund of approximately \$1,000

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. LADWP Compliance with Orders

Departments: Clerk of the Board

Correspondence from Los Angeles Department of Water and Power dated May 15, 2015 regarding Compliance with State Water Resources Control Board Order Nos. 98-05 and 98-07 (Orders). A copy of the Compliance Reporting CD is on file in the clerk's office should anyone wish to view it.

9. REGULAR AGENDA - MORNING

A. Drought Aware Irrigation of County Property

Departments: Public Works

30 minutes (10 minute presentation; 20 minute discussion)

(Joe Blanchard) - Presentation by Joe Blanchard regarding reduction of irrigation times for County parks, fields, and landscaping.

Recommended Action: Consider the County's approach to irrigation in light of the Governor's Executive Order B-29-15. Provide any desired direction to staff.

Fiscal Impact: Nominal reductions in energy costs for well pumping.

B. Temporary Road Closures for, and Assistance with, the 153rd Bridgeport 4th of July Celebration

Departments: Public Works

15 minutes (5 minute presentation; 10 minute discussion)

(Jeff Walters) - The 153rd Annual 4th of July Celebration in Bridgeport takes place

this year. In past years Mono County Public Works has offered assistance, after Board authorization, to the Bridgeport Chamber of Commerce.

Recommended Action: 1. Receive staff report regarding a request for assistance with the 2015 Fourth of July celebration in Bridgeport. 2. Consider and potentially adopt Resolution No. R15- , “A Resolution of the Mono County Board of Supervisors Authorizing the Temporary Closure of County Roads in Bridgeport and the Temporary Detour of Traffic onto County Roads in Bridgeport from Highway 395 for the 153rd Annual Bridgeport Fourth of July Celebration.” 3. Consider and potentially adopt Resolution No. R15-_____, “A Resolution of the Mono County Board of Supervisors Authorizing the Department of Public Works to Assist with Setting Up and Disassembling Facilities Associated with the 153rd Annual Bridgeport Fourth of July Celebration.” 4. Provide any desired direction to staff.

Fiscal Impact: Approximately \$20,000 or less from both Road Fund and the General Fund will be necessary to cover county labor and expenses. This amount is considered and included in the budget annually.

C. Construction Board of Appeals

Departments: Community Development - Building Division
15 minutes (5 minute presentation; 10 minute discussion)

(Tom Perry) - Presentation by Tom Perry regarding the Mono County Construction Board of Appeals.

Recommended Action: Appoint Dan Hennarty, Steve Shipley, and Steve Stokes to the Mono County Construction Board of Appeals.

Fiscal Impact: None.

D. Support Letter for SB 16: (Beall) Transportation Funding

Departments: Board of Supervisors
10 minutes (5 minute presentation; 5 minute discussion)

(Larry Johnston) - Letter of support for Senate Bill 16 (Beall): Transportation Funding. This item is being sponsored by Supervisor Johnston.

Recommended Action: Approve Letter of support for Senate Bill 16 and authorize the Chairman to sign.

Fiscal Impact: This bill is projected to provide an average of \$2.3 million per year in additional road funds over the next 5 years.

E. SB 321 Motor Vehicle Fuel Taxes: Rates: Adjustments

Departments: Board of Supervisors
10 minutes (5 minute presentation; 5 minute discussion)

(Larry Johnston) - Letter of support for Senate Bill 321 (Beall): Motor Vehicle Fuel Taxes: Rates: Adjustments. This item is being sponsored by Supervisor Johnston.

Recommended Action: Approve letter of support for Senate Bill 321(Beall) and authorize the chairperson to sign.

Fiscal Impact: Highway Users Tax funding for roads is projected to decrease by \$574,853 in the 15/16 fiscal year. With this bill the decrease is projected to be \$323,620 - the difference of \$250,963 will greatly reduce the impact to the Road fund and potentially to the General fund.

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. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman, and Lynda Salcido. 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 - Exposure to Litigation

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.

C. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Mono County v. Frederickson et. al.

D. Closed Session - Conference with Legal Counsel

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: FERC proceedings re SCE license for Lundy Plant (P-1390 and subproceedings).

E. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrator.

F. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: HR Manager.

G. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Emergency Medical Services Manager.

12. REGULAR AGENDA AFTERNOON- NONE

ADJOURN



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

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

Departments: Finance

TIME REQUIRED

SUBJECT April 2015 Treasury Transaction
Summary Report

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Treasury Transaction Report for the month of April 2015.

RECOMMENDED ACTION:

Review and Approve the Treasury Transaction Report for the month of April 2015.

FISCAL IMPACT:

None.

CONTACT NAME: Joanne K. Werthwein

PHONE/EMAIL: (760) 932-5487 / jwerthwein@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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[Treasury Transaction Report for the month of April 2015](#)

History

Time	Who	Approval
5/18/2015 1:58 PM	County Administrative Office	Yes
5/26/2015 9:33 AM	County Counsel	Yes
5/18/2015 10:39 AM	Finance	Yes



Mono County Transaction Summary by Action All Portfolios

Begin Date: 3/31/2015, End Date: 4/30/2015

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Buy Transactions									
Buy	4/14/2015	46625HJR2	1,000,000.00	JPMORGAN CHASE 2.35 1/28/2019	102.15	1,021,450.00	4,961.11	1.76	1,026,411.11
Buy	4/29/2015	02587DXK9	245,000.00	AMERICAN EXPRESS CENTURION BK 1.85 4/29/2020	100.00	245,000.00	0.00	1.85	245,000.00
Subtotal			1,245,000.00			1,266,450.00	4,961.11		1,271,411.11
Deposit	4/2/2015	LAIF6000Q	1,300,000.00	Local Agency Investment Fund LGIP- Quarterly	100.00	1,300,000.00	0.00	0.00	1,300,000.00
Deposit	4/3/2015	LAIF6000Q	3,000,000.00	Local Agency Investment Fund LGIP- Quarterly	100.00	3,000,000.00	0.00	0.00	3,000,000.00
Deposit	4/7/2015	LAIF6000Q	3,000,000.00	Local Agency Investment Fund LGIP- Quarterly	100.00	3,000,000.00	0.00	0.00	3,000,000.00
Deposit	4/8/2015	LAIF6000Q	3,500,000.00	Local Agency Investment Fund LGIP- Quarterly	100.00	3,500,000.00	0.00	0.00	3,500,000.00
Deposit	4/10/2015	LAIF6000Q	1,500,000.00	Local Agency Investment Fund LGIP- Quarterly	100.00	1,500,000.00	0.00	0.00	1,500,000.00
Deposit	4/14/2015	LAIF6000Q	2,500,000.00	Local Agency Investment Fund LGIP- Quarterly	100.00	2,500,000.00	0.00	0.00	2,500,000.00
Deposit	4/15/2015	LAIF6000Q	10,734.81	Local Agency Investment Fund LGIP- Quarterly	100.00	10,734.81	0.00	0.00	10,734.81
Deposit	4/23/2015	OAKVALLEY0670	315.56	Oak Valley Bank Cash	100.00	315.56	0.00	0.00	315.56
Deposit	4/28/2015	LAIF6000Q	1,500,000.00	Local Agency Investment Fund LGIP- Quarterly	100.00	1,500,000.00	0.00	0.00	1,500,000.00
Deposit	4/30/2015	OAKVALLEY0670	1,156.12	Oak Valley Bank Cash	100.00	1,156.12	0.00	0.00	1,156.12
Deposit	4/30/2015	OAKVALLEY0670	24,312,412.42	Oak Valley Bank Cash	100.00	24,312,412.42	0.00	0.00	24,312,412.42
Subtotal			40,624,618.91			40,624,618.91	0.00		40,624,618.91
Total Buy Transactions			41,869,618.91			41,891,068.91	4,961.11		41,896,030.02
Sell Transactions									
Called	4/30/2015	3134G5XX8	2,000,000.00	FHLMC 1.55 7/30/2018-15	0.00	2,000,000.00	7,750.00	0.00	2,007,750.00
Subtotal			2,000,000.00			2,000,000.00	7,750.00		2,007,750.00
Matured	4/1/2015	376087CZ3	485,000.00	Gilroy Unified School CA 3.96 4/1/2015	0.00	485,000.00	0.00	0.00	485,000.00
Matured	4/10/2015	38143AL37	250,000.00	Goldman Sachs Bank 0.95 4/10/2015	0.00	250,000.00	0.00	0.00	250,000.00
Matured	4/13/2015	36160XW29	250,000.00	GE Capital Bank, UT 0.9 4/13/2015	0.00	250,000.00	0.00	0.00	250,000.00
Subtotal			985,000.00			985,000.00	0.00		985,000.00
Sell	4/27/2015	02587DLG1	250,000.00	American Express 1 7/13/2015	0.00	250,000.00	109.59	0.00	250,109.59
Subtotal			250,000.00			250,000.00	109.59		250,109.59



Mono County Transaction Summary by Action All Portfolios

Begin Date: 3/31/2015, End Date: 4/30/2015

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Withdraw	4/30/2015	OAKVALLEY0670	24,908,865.55	Oak Valley Bank Cash	0.00	24,908,865.55	0.00	0.00	24,908,865.55
Subtotal			24,908,865.55			24,908,865.55	0.00		24,908,865.55
Total Sell Transactions			28,143,865.55			28,143,865.55	7,859.59		28,151,725.14
Interest/Dividends									
Interest	4/1/2015	23130SCQ4	0.00	CURRIE ST BK CURRIE MN 0.6 7/29/2016		0.00	124.85	0.00	124.85
Interest	4/1/2015	376087CZ3	0.00	Gilroy Unified School CA 3.96 4/1/2015		0.00	9,603.00	0.00	9,603.00
Interest	4/1/2015	865060AB3	0.00	SUISUN CITY CA REDEV AGY 1 10/1/2016		0.00	3,131.94	0.00	3,131.94
Interest	4/2/2015	36962G6W9	0.00	General Electric Cap Corp 1.625 4/2/2018		0.00	4,062.50	0.00	4,062.50
Interest	4/5/2015	69506YBN8	0.00	PACIFIC WESTERN BANK 0.4 6/5/2015		0.00	84.93	0.00	84.93
Interest	4/10/2015	38143AL37	0.00	Goldman Sachs Bank 0.95 4/10/2015		0.00	1,184.25	0.00	1,184.25
Interest	4/11/2015	02587DLG1	0.00	American Express 1 7/13/2015		0.00	1,246.58	0.00	1,246.58
Interest	4/12/2015	36160XW29	0.00	GE Capital Bank, UT 0.9 4/13/2015		0.00	1,121.92	0.00	1,121.92
Interest	4/13/2015	36160XW29	0.00	GE Capital Bank, UT 0.9 4/13/2015		0.00	6.16	0.00	6.16
Interest	4/15/2015	34387ABA6	0.00	FLUSHING BANK N Y 1.8 12/10/2018		0.00	374.55	0.00	374.55
Interest	4/21/2015	33764JPM1	0.00	First Bank Puerto Rico 0.9 11/23/2015		0.00	191.10	0.00	191.10
Interest	4/22/2015	3133EELA6	0.00	FFCB 1.79 10/22/2019-15		0.00	4,475.00	0.00	4,475.00
Interest	4/23/2015	3133EELB4	0.00	FFCB 1.61 4/23/2019-15		0.00	4,025.00	0.00	4,025.00
Interest	4/23/2015	OAKVALLEY0670	0.00	Oak Valley Bank Cash		0.00	315.56	0.00	315.56
Interest	4/24/2015	795450QA6	0.00	Sallie Mae Bank, UT 1.05 10/26/2015		0.00	1,308.90	0.00	1,308.90
Interest	4/27/2015	35637RCQ8	0.00	FREEDOM FIN BK W DES MOINES 1.5 7/26/2019		0.00	312.12	0.00	312.12
Interest	4/27/2015	596689EC9	0.00	MIDDLETON COMMUNITY BANK 1.4 11/27/2018		0.00	291.32	0.00	291.32
Interest	4/30/2015	20786ABA2	0.00	CONNECTONE BK ENGLEWOOD 1.55 7/29/2019		0.00	312.12	0.00	312.12
Interest	4/30/2015	59013JDB2	0.00	MERRICK BK SOUTH JORDAN UTAH 0.85 1/30/2017		0.00	176.87	0.00	176.87
Interest	4/30/2015	OAKVALLEY0670	0.00	Oak Valley Bank Cash		0.00	1,156.12	0.00	1,156.12
Subtotal			0.00			0.00	33,504.79		33,504.79
Total Interest/Dividends			0.00			0.00	33,504.79		33,504.79



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

Departments: Board of Supervisors

TIME REQUIRED

SUBJECT Bi-State Sage Grouse Hunting
Regulations

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Letter reiterating prior Board of Supervisor opposition to Sage Grouse hunting in Mono County.

RECOMMENDED ACTION:

Authorize Chairman's signature on a letter to the California Fish and Game Commission opposing hunting of the Bi-State Distinct Population of the Greater Sage Grouse in Mono County.

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:

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[Oppose Hunting of Sage Grouse Ltr](#)

History

Time

Who

Approval

5/18/2015 2:00 PM	County Administrative Office	Yes
5/26/2015 5:34 PM	County Counsel	Yes
5/26/2015 9:11 AM	Finance	Yes



Larry Johnston □ District One Fred Stump □ District Two Tim Alpers □ District Three
Tim Fesko □ District Four Stacy Corless □ 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

June 2, 2015

Sonke Mastrup
Executive Director
California Fish and Wildlife Commission
1416 Ninth Street, Box 944209
Sacramento, CA 94244-2090

**RE: ADJUSTMENT OF ANNUAL NUMBER OF SAGE GROUSE HUNTING PERMITS BY
ZONE**

Dear Mr. Mastrup,

Mono County supports legal and well-regulated hunting and appreciates the opportunity to work with the Commission and the Department of Fish and Wildlife in the stewardship of California's diverse wildlife populations. The County cannot, however, support continued recreational hunting of the Bi-State Distinct Population Segment (DPS) of the Greater Sage Grouse within the North and South Mono management zones, and requests the Commission reduce the number of permits to zero for the 2015 hunting season and future years.

As you are aware, the United States Fish and Wildlife Service proposed listing the Bi-State DPS as a threatened species under the Endangered Species Act, but issued a decision in April not to list based on conservation commitments by federal, state and local agencies, including Mono County, and participating agricultural operators. We understand that if the bird had been listed, hunting would have been prohibited as it is intentional take. In the wake of the decision not to list, proactively enacting this conservation measure would help ensure our unprecedented conservation effort is successful. Therefore, the County cannot support any intentional take, and believes that even well-regulated take may jeopardize our collaborative efforts.

Respectfully,

Timothy E. Fesko, Chairman
Mono County Board of Supervisors



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

Departments: Solid Waste Division of Public Works

TIME REQUIRED

SUBJECT Hiring Freeze Variance - Solid Waste
Gate Attendant

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Hiring freeze variance to fill Solid Waste Gate Attendant position recently vacated by in-house promotion to fill Board-approved Solid Waste Maintenance Worker position.

RECOMMENDED ACTION:

Approve hiring freeze variance for Solid Waste Gate Attendant position.

FISCAL IMPACT:

Total annual cost to Solid Waste Enterprise Fund is \$49,442 of which \$35,772 is salary. There is sufficient appropriation in the 2014-15 budget.

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:

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- [SW Gate Attendant Staff Report](#)
- [SW Gate Attendant In House Announcement](#)

History

Time	Who	Approval
5/20/2015 5:22 PM	County Administrative Office	Yes
5/26/2015 9:56 AM	County Counsel	Yes
5/26/2015 9:07 AM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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: June 2, 2015
To: Honorable Chair and Members of the Board of Supervisors
From: Tony Dublino, Solid Waste Superintendent
Subject: Hiring Freeze Variance – Solid Waste Gate Attendant

Recommended Action:

Authorize Solid Waste Superintendent, in consultation with Human Resources, to recruit in-county to fill an existing Solid Waste Gate Attendant. If no requests are received in-county then advertise out-of-county to fill same vacancy. Provide any desired direction to staff.

Fiscal Impact:

The funding source for this position is the Solid Waste Enterprise Fund. The Solid Waste budget and allocation list includes this Gate Attendant position. The SWEF is capable of funding this position without any General Fund impact.

Solid Waste Gate Attendant - The total cost for a full fiscal year is \$49,392 of which \$35,722 is salary.

Discussion:

On May 5, the Board recently approved the hiring of a Solid Waste Maintenance Worker based at the Benton Crossing Landfill. That position has been filled in-house by promoting Bill Van Kampen from his current position as Solid Waste Gate Attendant, thereby creating a vacancy. The current request is to fill the vacated position.

If you have any questions regarding this item, please contact Tony Dublino 932-5453.

Respectfully submitted,

Tony Dublino
Solid Waste Superintendent



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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

MEMORANDUM

To: Public Works Maintenance Personnel (Road, Facilities, Solid Waste, and Fleet)
From: Tony Dublino, Solid Waste Superintendent
Date: June 2, 2015
Re: Position Vacancy – Solid Waste Gate Attendant

A recent promotion has created a vacancy of a Solid Waste Gate Attendant position that is based at the Benton Crossing Landfill. Public Works has been authorized to fill this full-time position with “in-County” recruitment.

This vacancy is being advertised within the Department of Public Works as a transfer or promotional opportunity.

Human Resources will be advertising the vacancy in-County for a 10-day period starting this week. A job announcement summarizing the job duties and requirements has been prepared and a copy of the announcement and information regarding the recruitment will be available at the “employment opportunities” link on the County’s website (www.monocounty.ca.gov).

Consistent with Article 23 of the MCPE / Mono County MOU, Public Works maintenance employees may request an intra-departmental transfer when such an opening occurs. Employees who wish to transfer shall make a request within 10 working days of notification (6/2/2015 – 6/16/2015). The necessity to complete an application or have additional testing for this position will depend on the number of current employees interested in this position and will be at the discretion of Human Resources. Re-assignment to any position requires the approval of the Public Works Director and County Administrative Officer.

The permanent work station for the Solid Waste Gate Attendant is at Benton Crossing Landfill, but assignments and responsibilities extend throughout the County. The salary for the SW Gate Attendant has been established at Range 52, which is currently \$2,981 - \$3,624/month.

Should you wish a transfer/promotion from your current assignment to the Solid Waste Gate Attendant position out of Benton Crossing Landfill, please notify Tony Dublino in writing or by email no later than 5 pm, June 16th, 2015.

Contact either Tony Dublino (760.932.5453; tdublino@mono.ca.gov) or Human Resources (760.932.5412, HR@mono.ca.gov) if you would like a copy of the job description or job flyer for the position. Please additional questions about the position, contact Tony Dublino.

cc: Lynda Salcido, Interim CAO
Sarah Messerlian, CAO/Risk Manager
Jerry Frederick, Local 39 Representative



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

Departments: Solid Waste Division of Public Works

TIME REQUIRED

SUBJECT Waiver of Landfill Fees to Abate a
Public Nuisance

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Consider waiver of landfill tipping fees relating to a destroyed mobile home in Lee Vining, to abate a public nuisance.

RECOMMENDED ACTION:

Waive tipping fees to abate a public nuisance. Provide any desired direction to staff.

FISCAL IMPACT:

Unknown, estimated lost revenue to the Solid Waste Enterprise Fund of approximately \$1,000

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

[Fee Waiver Staff Report](#)

[Fee Waiver Resolution](#)

History

Time

Who

Approval

5/20/2015 5:28 PM	County Administrative Office	Yes
5/26/2015 5:31 PM	County Counsel	Yes
5/26/2015 9:08 AM	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: June 2, 2015
To: Honorable Board of Supervisors
From: Tony Dublino, Solid Waste Superintendent
Subject: Waiver of dump fees for cleanup of debris from destroyed mobile home in Lee Vining

Recommended Action:

Consider waiver of dump fees and if Board desires, approve Resolution.

Fiscal Impact:

Unknown, potentially as much as \$1,000 in lost gate fee revenue

Discussion:

On February 6, 2015 the windstorm that caused widespread damage throughout the County blew down trees that crushed a family's mobile home in the Murphy's Trailer Park in Lee Vining. The home was destroyed, and now needs to be removed from the site and disposed of. An attorney representing the family has contacted the County to find if there is any possibility for relief from tipping fees.

According to the attorney, the family did not possess insurance and the insurance company covering the property from which the trees came, is claiming it is an 'act of god' and has refused to reimburse the family for their home. The family is looking for another residence in the area, and is unable to deal with the cost of removing the home.

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

Respectfully submitted,

Tony Dublino
Solid Waste Superintendent

Attachments: Draft Resolution



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**A RESOLUTION OF THE MONO COUNTY
BOARD OF SUPERVISORS
WAIVING GATE FEES AT PUMICE VALLEY LANDFILL
FOR DEBRIS FROM A DESTROYED HOME IN LEE VINING**

WHEREAS, on February 6, 2015, a Lee Vining family’s mobile home was crushed from trees blown down during the wind event on that day and the family has since been permanently displaced; and,

WHEREAS, insurance companies have refused to reimburse the family on the grounds that the wind event was an ‘act of god,’ and the family is not able to pay to clean the property in an expedient manner; and,

WHEREAS, debris from the destroyed home is still present on the property, constituting a public nuisance for the surrounding community, which will continue if not abated; and,

WHEREAS, the Board finds and determine that such a fee waiver would promote the public purpose of promptly abating a public nuisance.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES: gate fees associated with cleanup of the destroyed mobile home at Space #14 at Murphy’s Trailer Park in Lee Vining will be waived. Efforts will be taken by Solid Waste Division staff to ensure that fees are waived only for debris from the site in question.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2015, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Timothy E. Fesko, Chair
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 June 2, 2015

Departments: Clerk of the Board

TIME REQUIRED

**PERSONS
APPEARING
BEFORE THE
BOARD**

SUBJECT LADWP Compliance with Orders

AGENDA DESCRIPTION:

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

Correspondence from Los Angeles Department of Water and Power dated May 15, 2015 regarding Compliance with State Water Resources Control Board Order Nos. 98-05 and 98-07 (Orders). A copy of the Compliance Reporting CD is on file in the clerk's office should anyone wish to view it.

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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[LADWP Letter](#)

History

Time	Who	Approval
5/18/2015 2:53 PM	Clerk of the Board	Yes

Los Angeles



Department of Water & Power

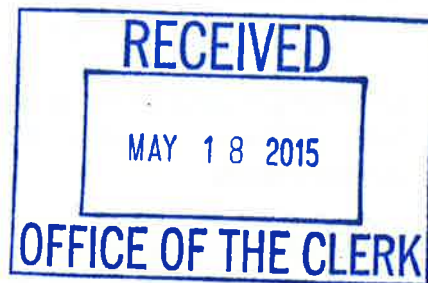
ERIC GARCETTI
Mayor

Commission
MEL LEVINE, *President*
WILLIAM W. FUNDERBURK JR., *Vice President*
JILL BANKS BARAD
MICHAEL F. FLEMING
CHRISTINA E. NOONAN
BARBARA E. MOSCHOS, *Secretary*

MARCIE L. EDWARDS
General Manager

May 15, 2015

Ms. Barbara Evoy, Deputy Director
Division of Water Rights
State Water Resources Control Board
1001 I Street, 14th Floor
Sacramento, California 95814



Dear Ms. Evoy:

Subject: Compliance with State Water Resources Control Board (SWRCB) Order
Nos. 98-05 and 98-07 (Orders)

Pursuant to SWRCB Decision 1631 and Orders, and in accordance with the terms and conditions of the Los Angeles Department of Water and Power (LADWP) Mono Basin Water Right License Nos. 10191 and 10192, enclosed is a submittal entitled "Compliance Reporting", which contains the following four reports required by Orders. Reports are as follows:

- Mono Basin Operations: Runoff Year (RY) 2014-2015 and planned operations for RY 2015-2016.
- Mono Basin Fisheries Monitoring Report: Rush, Lee Vining, Parker, and Walker Creeks for RY 2014-2015
- Investigating Methodologies for Assessing Woody Riparian Vigor for RY 2015-2016
- Mono Basin Waterfowl Habitat and Population Monitoring for RY 2014-2015

In addition to these reports, submittal also includes Section 1: Status of Restoration Compliance Report (SORC Report) for RY 2014-2015, which summarizes the status of LADWP's compliance activities in Mono Basin to date and planned activities for the upcoming runoff year.

Los Angeles Aqueduct Centennial Celebrating 100 Years of Water 1913-2013

111 N. Hope Street, Los Angeles, California 90012-2607 Mailing address: Box 51111, Los Angeles, CA 90051-5700
Telephone: (213) 367-4211 www.LADWP.com

Ms. Barbara Evoy
Page 2
May 15, 2015

Filing of these reports, along with the restoration and monitoring performed by LADWP in Mono Basin, fulfills LADWP's requirements for RY 2014-2015, as set forth in Decision 1631 and Orders.

Electronic copies of the report will be provided on compact disc to the interested parties listed on the enclosed mailing list. Hard copies of the report for you and your staff will be mailed shortly.

If you have any questions, please contact Mr. Peter N. Tonthat, Civil Engineering Associate, at (213) 367-1792.

Sincerely,



Richard F. Harasick
Director of Water Operations

PNT:jem
Enclosures
c/enc: Mr. Peter N. Tonthat

Mono Basin Distribution List
Runoff Year 2014-2015

<p>Ms. Barbara Evoy Division of Water Rights State Water Resources Control Board 1001 I Street, 14th Floor Sacramento, CA 95814</p>	<p>Ms. Lisa Cutting Mono Lake Committee P.O. Box 29 Lee Vining, California 93541</p>
<p>Ms. Katherine Mrowka Division of Water Rights State Water Resources Control Board 1001 I Street, 14th Floor Sacramento, CA 95814</p>	<p>Board of Supervisors Mono County P.O. Box 715 Bridgeport, California 93517</p>
<p>Mr. Greg Brown Division of Water Rights State Water Resources Control Board 1001 I Street, 14th Floor Sacramento, CA 95814</p>	<p>Mr. Mark Drew California Trout Inc. P.O. Box 3442 Mammoth Lakes, CA 93546</p>
<p>Dr. William Trush Humboldt State University River Institute c/o Dept of Environmental Science & Mgmt 1 Harpst Street Arcata, CA 95521-8299</p>	<p>Mr. Richard Roos-Collins Water and Power Law Group 2140 Shattuck Avenue, Suite 801 Berkeley, CA 94704-1229</p>
<p>Mr. Ross Taylor 1254 Quail Run Court McKinleyville, CA 95519</p>	<p>Mr. Marshall S. Rudolph Mono County Counsel P.O. Box 2415 Mammoth Lakes, CA 93546</p>
<p>Mr. Jon C. Regelbrugge USDA Forest Service P.O. Box 148 Mammoth Lakes, CA 93546</p>	<p>Mr. Steve Parmenter Department of Fish and Wildlife 407 West Line Street, #8 Bishop, CA 93514</p>
<p>Ms. Tamara Sasaki California Department of Parks and Recreation P.O. Box 266 Tahoma, CA 96142</p>	<p>Mr. Doug Smith Grant Lake Reservoir Marina P.O. Box 21 June Lake, CA 93529</p>
<p>Mr. Matthew Green State Parks 3415 Hot Springs Road Markleeville, CA 96120</p>	



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

Departments: Public Works

TIME REQUIRED 30 minutes (10 minute presentation;
20 minute discussion)

**PERSONS
APPEARING
BEFORE THE
BOARD**

Joe Blanchard

SUBJECT Drought Aware Irrigation of County
Property

AGENDA DESCRIPTION:

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

Presentation by Joe Blanchard regarding reduction of irrigation times for County parks, fields, and landscaping.

RECOMMENDED ACTION:

Consider the County's approach to irrigation in light of the Governor's Executive Order B-29-15. Provide any desired direction to staff.

FISCAL IMPACT:

Nominal reductions in energy costs for well pumping.

CONTACT NAME: Joe Blanchard

PHONE/EMAIL: 760-932-5443 / jblanchard@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:

Joe Blanchard

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Irrigation Policy Staff Rpt 06.02.15](#)
- [Exhibit A - Exec Order B-29-15](#)

History

Time	Who	Approval
5/18/2015 2:02 PM	County Administrative Office	Yes
5/27/2015 1:23 PM	County Counsel	Yes
5/18/2015 10:38 AM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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: June 2, 2015
To: Honorable Chair and Members of the Board of Supervisors
From: Joe Blanchard, Facilities Superintendent
Subject: Drought-Aware Irrigation of County Property

Recommended Action:

Consider the County's approach to irrigation in light of the Governor's Executive Order B-29-15; provide any desired direction to staff.

Fiscal Impact: Nominal reductions in energy costs for well pumping.

Background:

On April 1, 2015, Governor Brown issued Executive Order B-29-15 (attached as Exhibit A). Among other things, the order required a 25% reduction in water usage by January 2016. The Facilities Division of Public Works immediately began discussions about how such a reduction could be accomplished on County-owned parks, fields and landscaping.

The strategy that was developed by staff for County properties with individual wells is to reduce the irrigation schedule from 6 days a week, twice a day, to 4 days a week, once a day. This approach will reduce overall usage by closer to 50% for those properties. Staff believes this approach will not have long-term detrimental effects to landscaping or fields.

Facilities staff is also following the procedures laid out by the various in-county Public Utility Districts that serve county facilities. Generally, these procedures allow for irrigation on 3 specific days per week, and cut previous use by as much as 50%. It remains to be seen how this irrigation reduction will affect our parks, fields and landscaping.

The State of California is in an unprecedented 4th consecutive year of drought and the issue of water conservation is on everyone's mind. Nonetheless, many constituents retain strong views on how the County's parks, fields and landscaping should be maintained. It is possible that reductions in irrigation may cause some citizens to feel the facilities are being poorly managed, when in fact they are simply following the Governor's Order.

Staff appreciates the opportunity to bring this to the Board's attention, and welcomes any desired direction.

If you have any questions regarding this item please contact Joe Blanchard at 760-932-5443, or jblanchard@mono.ca.gov

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Joe Blanchard", with a long, sweeping flourish extending to the right.

Joe Blanchard, Facilities Superintendent

Executive Department
State of California

EXECUTIVE ORDER B-29-15

WHEREAS on January 17, 2014, I proclaimed a State of Emergency to exist throughout the State of California due to severe drought conditions; and

WHEREAS on April 25, 2014, I proclaimed a Continued State of Emergency to exist throughout the State of California due to the ongoing drought; and

WHEREAS California's water supplies continue to be severely depleted despite a limited amount of rain and snowfall this winter, with record low snowpack in the Sierra Nevada mountains, decreased water levels in most of California's reservoirs, reduced flows in the state's rivers and shrinking supplies in underground water basins; and

WHEREAS the severe drought conditions continue to present urgent challenges including: drinking water shortages in communities across the state, diminished water for agricultural production, degraded habitat for many fish and wildlife species, increased wildfire risk, and the threat of saltwater contamination to fresh water supplies in the Sacramento-San Joaquin Bay Delta; and

WHEREAS a distinct possibility exists that the current drought will stretch into a fifth straight year in 2016 and beyond; and

WHEREAS new expedited actions are needed to reduce the harmful impacts from water shortages and other impacts of the drought; and

WHEREAS the magnitude of the severe drought conditions continues to present threats beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS under the provisions of section 8558(b) of the Government Code, I find that conditions of extreme peril to the safety of persons and property continue to exist in California due to water shortage and drought conditions with which local authority is unable to cope; and

WHEREAS under the provisions of section 8571 of the California Government Code, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay the mitigation of the effects of the drought.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, in particular Government Code sections 8567 and 8571 of the California Government Code, do hereby issue this Executive Order, effective immediately.

8. The Water Board shall direct urban water suppliers to develop rate structures and other pricing mechanisms, including but not limited to surcharges, fees, and penalties, to maximize water conservation consistent with statewide water restrictions. The Water Board is directed to adopt emergency regulations, as it deems necessary, pursuant to Water Code section 1058.5 to implement this directive. The Water Board is further directed to work with state agencies and water suppliers to identify mechanisms that would encourage and facilitate the adoption of rate structures and other pricing mechanisms that promote water conservation. The California Public Utilities Commission is requested to take similar action with respect to investor-owned utilities providing water services.

INCREASE ENFORCEMENT AGAINST WATER WASTE

9. The Water Board shall require urban water suppliers to provide monthly information on water usage, conservation, and enforcement on a permanent basis.
10. The Water Board shall require frequent reporting of water diversion and use by water right holders, conduct inspections to determine whether illegal diversions or wasteful and unreasonable use of water are occurring, and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. Pursuant to Government Code sections 8570 and 8627, the Water Board is granted authority to inspect property or diversion facilities to ascertain compliance with water rights laws and regulations where there is cause to believe such laws and regulations have been violated. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
11. The Department shall update the State Model Water Efficient Landscape Ordinance through expedited regulation. This updated Ordinance shall increase water efficiency standards for new and existing landscapes through more efficient irrigation systems, greywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf. It will also require reporting on the implementation and enforcement of local ordinances, with required reports due by December 31, 2015. The Department shall provide information on local compliance to the Water Board, which shall consider adopting regulations or taking appropriate enforcement actions to promote compliance. The Department shall provide technical assistance and give priority in grant funding to public agencies for actions necessary to comply with local ordinances.
12. Agricultural water suppliers that supply water to more than 25,000 acres shall include in their required 2015 Agricultural Water Management Plans a detailed drought management plan that describes the actions and measures the supplier will take to manage water demand during drought. The Department shall require those plans to include quantification of water supplies and demands for 2013, 2014, and 2015 to the extent data is available. The Department will provide technical assistance to water suppliers in preparing the plans.

13. Agricultural water suppliers that supply water to 10,000 to 25,000 acres of irrigated lands shall develop Agricultural Water Management Plans and submit the plans to the Department by July 1, 2016. These plans shall include a detailed drought management plan and quantification of water supplies and demands in 2013, 2014, and 2015, to the extent that data is available. The Department shall give priority in grant funding to agricultural water suppliers that supply water to 10,000 to 25,000 acres of land for development and implementation of Agricultural Water Management Plans.
14. The Department shall report to Water Board on the status of the Agricultural Water Management Plan submittals within one month of receipt of those reports.
15. Local water agencies in high and medium priority groundwater basins shall immediately implement all requirements of the California Statewide Groundwater Elevation Monitoring Program pursuant to Water Code section 10933. The Department shall refer noncompliant local water agencies within high and medium priority groundwater basins to the Water Board by December 31, 2015, which shall consider adopting regulations or taking appropriate enforcement to promote compliance.
16. The California Energy Commission shall adopt emergency regulations establishing standards that improve the efficiency of water appliances, including toilets, urinals, and faucets available for sale and installation in new and existing buildings.

INVEST IN NEW TECHNOLOGIES

17. The California Energy Commission, jointly with the Department and the Water Board, shall implement a Water Energy Technology (WET) program to deploy innovative water management technologies for businesses, residents, industries, and agriculture. This program will achieve water and energy savings and greenhouse gas reductions by accelerating use of cutting-edge technologies such as renewable energy-powered desalination, integrated on-site reuse systems, water-use monitoring software, irrigation system timing and precision technology, and on-farm precision technology.

STREAMLINE GOVERNMENT RESPONSE

18. The Office of Emergency Services and the Department of Housing and Community Development shall work jointly with counties to provide temporary assistance for persons moving from housing units due to a lack of potable water who are served by a private well or water utility with less than 15 connections, and where all reasonable attempts to find a potable water source have been exhausted.
19. State permitting agencies shall prioritize review and approval of water infrastructure projects and programs that increase local water supplies, including water recycling facilities, reservoir improvement projects, surface water treatment plants, desalination plants, stormwater capture, and greywater systems. Agencies shall report to the Governor's Office on applications that have been pending for longer than 90 days.

20. The Department shall take actions required to plan and, if necessary, implement Emergency Drought Salinity Barriers in coordination and consultation with the Water Board and the Department of Fish and Wildlife at locations within the Sacramento - San Joaquin delta estuary. These barriers will be designed to conserve water for use later in the year to meet state and federal Endangered Species Act requirements, preserve to the extent possible water quality in the Delta, and retain water supply for essential human health and safety uses in 2015 and in the future.
21. The Water Board and the Department of Fish and Wildlife shall immediately consider any necessary regulatory approvals for the purpose of installation of the Emergency Drought Salinity Barriers.
22. The Department shall immediately consider voluntary crop idling water transfer and water exchange proposals of one year or less in duration that are initiated by local public agencies and approved in 2015 by the Department subject to the criteria set forth in Water Code section 1810.
23. The Water Board will prioritize new and amended safe drinking water permits that enhance water supply and reliability for community water systems facing water shortages or that expand service connections to include existing residences facing water shortages. As the Department of Public Health's drinking water program was transferred to the Water Board, any reference to the Department of Public Health in any prior Proclamation or Executive Order listed in Paragraph 1 is deemed to refer to the Water Board.
24. The California Department of Forestry and Fire Protection shall launch a public information campaign to educate the public on actions they can take to help to prevent wildfires including the proper treatment of dead and dying trees. Pursuant to Government Code section 8645, \$1.2 million from the State Responsibility Area Fire Prevention Fund (Fund 3063) shall be allocated to the California Department of Forestry and Fire Protection to carry out this directive.
25. The Energy Commission shall expedite the processing of all applications or petitions for amendments to power plant certifications issued by the Energy Commission for the purpose of securing alternate water supply necessary for continued power plant operation. Title 20, section 1769 of the California Code of Regulations is hereby waived for any such petition, and the Energy Commission is authorized to create and implement an alternative process to consider such petitions. This process may delegate amendment approval authority, as appropriate, to the Energy Commission Executive Director. The Energy Commission shall give timely notice to all relevant local, regional, and state agencies of any petition subject to this directive, and shall post on its website any such petition.

26. For purposes of carrying out directives 2–9, 11, 16–17, 20–23, and 25, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are hereby suspended. This suspension applies to any actions taken by state agencies, and for actions taken by local agencies where the state agency with primary responsibility for implementing the directive concurs that local action is required, as well as for any necessary permits or approvals required to complete these actions. This suspension, and those specified in paragraph 9 of the January 17, 2014 Proclamation, paragraph 19 of the April 25, 2014 proclamation, and paragraph 4 of Executive Order B-26-14, shall remain in effect until May 31, 2016. Drought relief actions taken pursuant to these paragraphs that are started prior to May 31, 2016, but not completed, shall not be subject to Division 13 (commencing with section 21000) of the Public Resources Code for the time required to complete them.
27. For purposes of carrying out directives 20 and 21, section 13247 and Chapter 3 of Part 3 (commencing with section 85225) of the Water Code are suspended.
28. For actions called for in this proclamation in directive 20, the Department shall exercise any authority vested in the Central Valley Flood Protection Board, as codified in Water Code section 8521, et seq., that is necessary to enable these urgent actions to be taken more quickly than otherwise possible. The Director of the Department of Water Resources is specifically authorized, on behalf of the State of California, to request that the Secretary of the Army, on the recommendation of the Chief of Engineers of the Army Corps of Engineers, grant any permission required pursuant to section 14 of the Rivers and Harbors Act of 1899 and codified in section 48 of title 33 of the United States Code.
29. The Department is directed to enter into agreements with landowners for the purposes of planning and installation of the Emergency Drought Barriers in 2015 to the extent necessary to accommodate access to barrier locations, land-side and water-side construction, and materials staging in proximity to barrier locations. Where the Department is unable to reach an agreement with landowners, the Department may exercise the full authority of Government Code section 8572.
30. For purposes of this Executive Order, chapter 3.5 (commencing with section 11340) of part 1 of division 3 of the Government Code and chapter 5 (commencing with section 25400) of division 15 of the Public Resources Code are suspended for the development and adoption of regulations or guidelines needed to carry out the provisions in this Order. Any entity issuing regulations or guidelines pursuant to this directive shall conduct a public meeting on the regulations and guidelines prior to adopting them.

31. In order to ensure that equipment and services necessary for drought response can be procured quickly, the provisions of the Government Code and the Public Contract Code applicable to state contracts, including, but not limited to, advertising and competitive bidding requirements, are hereby suspended for directives 17, 20, and 24. Approval by the Department of Finance is required prior to the execution of any contract entered into pursuant to these directives.

This Executive Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 1st day of April 2015.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



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

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

Departments: Public Works

TIME REQUIRED 15 minutes (5 minute presentation; 10 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Jeff Walters

SUBJECT Temporary Road Closures for, and Assistance with, the 153rd Bridgeport 4th of July Celebration

AGENDA DESCRIPTION:

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

The 153rd Annual 4th of July Celebration in Bridgeport takes place this year. In past years Mono County Public Works has offered assistance, after Board authorization, to the Bridgeport Chamber of Commerce.

RECOMMENDED ACTION:

1. Receive staff report regarding a request for assistance with the 2015 Fourth of July celebration in Bridgeport. 2. Consider and potentially adopt Resolution No. R15- , "A Resolution of the Mono County Board of Supervisors Authorizing the Temporary Closure of County Roads in Bridgeport and the Temporary Detour of Traffic onto County Roads in Bridgeport from Highway 395 for the 153rd Annual Bridgeport Fourth of July Celebration." 3. Consider and potentially adopt Resolution No. R15-____, "A Resolution of the Mono County Board of Supervisors Authorizing the Department of Public Works to Assist with Setting Up and Disassembling Facilities Associated with the 153rd Annual Bridgeport Fourth of July Celebration." 4. Provide any desired direction to staff.

FISCAL IMPACT:

Approximately \$20,000 or less from both Road Fund and the General Fund will be necessary to cover county labor and expenses. This amount is considered and included in the budget annually.

CONTACT NAME: Jeff Walters

PHONE/EMAIL: 760.932.5459 / jwalters@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

- [153rd 4th of July - BOS stff rpt](#)
- [Exhibit 1 - 2015 BP July 4th - Rd Closure Resolution 04.15.14](#)
- [Exhibit 2 - 2015 BP July 4th - PW Eqpt Resolution 04.15.14](#)

History

Time	Who	Approval
5/18/2015 2:04 PM	County Administrative Office	Yes
5/26/2015 9:41 AM	County Counsel	Yes
5/26/2015 8:53 AM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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: June 2, 2015
To: Honorable Chair and Members of the Board of Supervisors
From: Jeff Walters, Public Works Director / Director of Road Operations and Fleet Services
Subject: Temporary Road Closures for, and Assistance with, the 153rd Bridgeport Fourth of July Celebration

Recommended Action:

1. Receive staff report regarding a request for assistance with the 2015 Fourth of July celebration in Bridgeport.
2. Consider and potentially adopt Resolution No. R15-__, "A Resolution of the Mono County Board of Supervisors Authorizing the Temporary Closure of County Roads in Bridgeport and the Temporary Detour of Traffic onto County Roads in Bridgeport from Highway 395 for the 153rd Annual Bridgeport Fourth of July Celebration."
3. Consider and potentially adopt Resolution No. R15-__, "A Resolution of the Mono County Board of Supervisors Authorizing the Department of Public Works to Assist with Setting Up and Disassembling Facilities Associated with the 153rd Annual Bridgeport Fourth of July Celebration."
4. Provide any desired direction to staff.

Fiscal Impact:

Assistance with this event will result in fiscal impacts to both the Road Fund and General Fund, as personnel, equipment, and supplies from both Road District 4/5 and Public Works' Facilities Division will be used to perform tasks prior to, during, and following Fourth of July activities.

This year every effort will be made by Public Works to keep costs, staffing and equipment usage to a minimum. Last year's event resulted in a total cost of \$20,652 from the Road Fund and General Fund. This year's event runs three days long (Friday through Sunday) and is expected that the costs to assist should be similar to last year. The California Highway Patrol, Mono County Sheriff's Department and Mono County Public Works Road staff will provide appropriate personnel, signage, and equipment to maintain traffic control on Highway 395.

Discussion:

As in past years, the Department of Public Works has received a request from the Bridgeport Chamber of Commerce to close certain County roads in Bridgeport and to allow the temporary detour of traffic from Highway 395 onto other County roads in Bridgeport in conjunction with special events planned for the 153rd annual Fourth of July celebration, which is scheduled to take place from Friday, July 3rd through Sunday, July 5th.

Public Works proposes to temporarily close portions of School and Bryant streets for vendors to set up over the four-day celebration. Portions of Twin Lakes Road and South Twin Lakes Road will also be closed from 8 am to 11 am for the annual 3-mile walk and 5-mile run on July 4th. If approved, traffic

will be detoured from Highway 395 and around Bridgeport's business sector via County roads for the duration of the Fourth of July parade, which is scheduled for 10 am to 11 am.

A draft resolution, attached with this report as Exhibit 1, has been prepared should the Board choose to approve the requested road closures and detour. The resolution satisfies requirements specified in Section 982 of the Streets and Highways Code for such an action.

In addition to the above, the Chamber of Commerce has requested Public Works' assistance with setting up facilities prior to the event, equipment usage and janitorial assistance during the event, and disassembly of facilities following the event. As with prior events, tasks requiring Public Works' personnel and equipment are as follows:

- Sweep School Street, Bryant Street, and Memorial Hall parking lot;
- Set up the stage and public address system on the courthouse lawn;
- Set out 55-gallon trash cans throughout the downtown area and at the ball field;
- Set out picnic tables on the Annex I lawn and in Memorial Hall parking lot;
- Provide forklift and operator to offload and place chutes at the rodeo grounds;
- Stage water truck at the rodeo arena for dust control during the rodeo;
- Clean restrooms and remove garbage from trash cans, Friday through Sunday;
- Set up parking control on the south side of Stock Drive on July 4 to provide emergency access during the fireworks display; and,
- Disassemble, remove and/or store all of the above following the event.

Other tasks may be performed to facilitate the event as the need arises. This effort is expected to require the Road District 4/5 crew and Facilities personnel to assist for four days preceding the event and two to three days following the event. In addition to those tasks identified above, the garbage collection contract for service at County facilities includes provision of six 6-cy dumpsters for use by the public, vendors, and County personnel throughout the downtown area.

Exhibit 2 presents a draft resolution that makes the necessary findings should the Board choose to authorize the use of County resources in support of this event.

If you have any questions regarding this item, please contact me at 760.932.5459. I may also be contacted by email at jwalters@mono.ca.gov.

Respectfully submitted,



Jeff Walters
Public Works Director / Director of Road Operations and Fleet Services

Attachments: Exhibit 1 – Draft Resolution Authorizing Road Closures & Detours
Exhibit 2 – Draft Resolution Authorizing Use of Personnel & Equipment



RESOLUTION NO. R15-

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
AUTHORIZING THE TEMPORARY CLOSURE OF COUNTY ROADS IN
BRIDGEPORT AND THE TEMPORARY DETOUR OF TRAFFIC ONTO
COUNTY ROADS IN BRIDGEPORT FROM HIGHWAY 395 FOR THE
153rd ANNUAL BRIDGEPORT FOURTH OF JULY CELEBRATION**

WHEREAS, the Bridgeport Chamber of Commerce has requested the temporary closure and use of certain County roads for community expositions associated with the 153rd annual Fourth of July celebration and the temporary closure of State Highway Route 395 for a parade route; and,

WHEREAS, in conformance with Section 982 of the California Streets and Highways Code, the Board of Supervisors is authorized to temporarily close County roads and grant the use thereof to the managers of said functions and to consent to the temporary detour of traffic from Highway 395 onto County roads; and,

WHEREAS, through the years Bridgeport's annual Fourth of July celebration sponsored by the Chamber of Commerce has resulted in substantial benefits to the residents and businesses of Mono County and visitors to the County.

NOW, THEREFORE, BE IT RESOLVED by the Mono County Board of Supervisors that the following County streets in the community of Bridgeport may be closed, used for re-routing traffic and/or have restricted parking areas issued in conformance with the County's Special Events Policy and made available to the Bridgeport Chamber of Commerce consistent with the times and dates listed below:

1. School Street, from Highway 395 to Emigrant Street, and the west half of Bryant Street for that portion between School Street and Sinclair Street, from 4:00 p.m., Thursday, July 2, 2015 until 8:00 a.m., Monday, July 6, 2015 for Independence Day activities.
2. Sinclair Street, From Highway 395 to Emigrant Street, from 7:00 a.m., Saturday July 4, 2015 until 7:00 a.m., Sunday, July 5, 2015 for Independence Day activities.

3. South Twin Lakes Road and Twin Lakes Road, from South Twin Lakes Road to North Patterson Drive, from 8:00 a.m. to 11:00 a.m., Saturday, July 4, 2014, for the 35th Annual Bridgeport 5-Mile Run and 3-Mile Walk.
4. Highway 395 through the community of Bridgeport, between Hayes Street and Twin Lakes Road, with the approval of the California Department of Transportation, will be closed to vehicle parking from 10:00 pm July 3rd, 2015 through 12:00 noon July 4th, 2015.
5. Highway 395 through the community of Bridgeport, between Hayes Street and Twin Lakes Road, with the approval of the California Department of Transportation, will be closed and traffic rerouted between the hours of 10:00 a.m. and 12:00 noon on Saturday, July 4, 2015. Traffic will be re-routed as follows: Northbound US Route 395 traffic will be detoured right at onto eastbound State Route 182 at post mile 76.3, left onto Court Street at Post Mile 0.23, right on Stock Drive at the end of Court Street, left on Day Lane at the end of Stock Drive, right at first intersection on Emigrant Street, right on Northbound US 395 at Post Mile 77.1, end of Emigrant Street; southbound traffic will turn right onto Twin Lakes Road, left onto Kingsley Street, left onto Hayes Street and right onto southbound US Route 395 at Post Mile 76.42, end of Hayes Street.

BE IT FURTHER RESOLVED that the Mono County Board of Supervisors authorizes the Director of the Department of Public Works to utilize County equipment and personnel and to work with California Department of Transportation and other officials to effectuate said road closures and detours.

APPROVED AND ADOPTED this 2nd day of June, 2015, by the following vote of the Board of Supervisors, County of Mono:

AYES :
NOES :
ABSENT :
ABSTAIN :

Timothy E. Fesko, Chairman
Mono County Board of Supervisors

ATTEST:

Approved as to Form:

Bob Musil

Marshall Rudolph

1 Clerk of the Board

County Counsel

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RESOLUTION NO. R15-__

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ASSIST WITH
SETTING UP AND DISASSEMBLING FACILITIES ASSOCIATED WITH THE
153rd ANNUAL BRIDGEPORT FOURTH OF JULY CELEBRATION**

WHEREAS, as in past years, the Bridgeport Chamber of Commerce has requested assistance from the Department of Public Works in preparing for, conducting, and cleaning up after, the Chamber's annual Bridgeport Fourth of July celebration; and,

WHEREAS, this Board finds that it is not only appropriate, but an honor, for the County to assist the Chamber of Commerce in providing Mono County's residents and visitors a safe, enjoyable, and well-run celebration of the founding of the United States of America, so that they may express and reflect upon their great fortune to be Americans; and,

WHEREAS, through the years Bridgeport's annual Fourth of July celebration, now in its 153rd year, has resulted in substantial benefits to the residents and businesses of, as well as visitors to, Mono County.

NOW, THEREFORE, BE IT RESOLVED that the Mono County Board of Supervisors hereby finds that a public purpose would be served by, and authorizes, the use of Department of Public Works personnel, equipment, and supplies to assist the Bridgeport Chamber of Commerce in setting up and disassembling structures and facilities to be used in, as well as conducting, cleaning up following, and otherwise facilitating, the Chamber's 153rd Annual Fourth of July celebration.

APPROVED AND ADOPTED this 2nd day of June, 2015, by the following vote of the Board of Supervisors, County of Mono:

AYES :

NOES :

ABSENT :

ABSTAIN :

Timothy E. Fesko, Chairman
Mono County Board of Supervisors

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ATTEST:

Approved as to Form:

Bob Musil
Clerk of the Board

Marshall Rudolph
County Counsel



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

Departments: Community Development - Building Division

TIME REQUIRED 15 minutes (5 minute presentation; 10 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Tom Perry

SUBJECT Construction Board of Appeals

AGENDA DESCRIPTION:

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

Presentation by Tom Perry regarding the Mono County Construction Board of Appeals.

RECOMMENDED ACTION:

Appoint Dan Hennarty, Steve Shipley, and Steve Stokes to the Mono County Construction Board of Appeals.

FISCAL IMPACT:

None.

CONTACT NAME: Tom Perry

PHONE/EMAIL: (760) 932-5433 / tperry@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:

Community Development, County Counsel

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Staff Report](#)
- [Attachment A](#)
- [Dan Hennarty Resume](#)
- [Steve Shipley Resume](#)
- [Steve Stokes Resume](#)

History

Time	Who	Approval
5/18/2015 2:01 PM	County Administrative Office	Yes
5/26/2015 9:29 AM	County Counsel	Yes
5/18/2015 10:34 AM	Finance	Yes

**Mono County
Community Development Department**

PO Box 3569
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
inspection hotline: 760.924.1827
commdev@mono.ca.gov

Building Division

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

Date: June 2, 2015

To: The Honorable Board of Supervisors

From: Tom Perry, Building Official

Re: Construction Board of Appeals

Recommended Action:

Staff recommends appointing Dan Hennarty, Steve Shipley, and Steve Stokes to the Mono County Construction Board of Appeals.

Fiscal Impact: None.

Discussion:

On January 13, 2015, a meeting was conducted with the Board of Supervisors in which the status of the Mono County Construction Board of Appeals was discussed. At this meeting, staff proposed the re-appointing of two former members and the appointment of three new members to the Board of Appeals. The Board of Supervisors agreed to staff's proposal to re-appoint former members Ryan Boyer and Randy Gilbert, where Boyer would be appointed to a new four year term expiring on 12/31/19, and Gilbert would be appointed to fill a remaining term expiring on 12/31/17.

As per Board of Supervisor's direction to staff on 1/13/15, staff advertised to fill the three vacant seats for the Board of Appeals to the public, and four construction professionals responded (a total of 62 local construction professionals were originally contacted). Building Division staff reviewed the resumes submitted by the interested applicants, and, based on experience and training, selected three final candidates for the Board of Supervisor's approval for appointment to the Board of Appeals. The terms for the three new appointees will have one term which will expire on 12/31/17, and two that will expire on 12/31/19.

ATTACHMENT A (Mono County Code)

15.04.120 Board of Appeals.

The construction Board of Appeals shall hear and decide appeals of orders, decisions or determinations made by the Building official relative to the application and interpretation of Mono County Title 15 and provide reasonable determinations of decisions rendered by the officials charged with the responsibility of enforcing the Building Codes, as amended from time to time including, but not limited to the following:

- A. Qualifications.** The construction Board of Appeals ("Board of Appeals") shall consist of at least five voting members appointed by the Board of Supervisors, all of whom should be residents of Mono County. Any specific appeal shall be heard by at least a majority of the voting members.
 - 1. The members shall consist of persons with experience in the field of construction and deemed qualified to understand issues relating to this field.
 - 2. No county officer or employee shall serve as a voting member of the construction Board of Appeals.
 - 3. The members shall serve for four years and may be reappointed after that for successive four year terms. In order to ensure continuity on the Board, terms shall be staggered, with two members of the initial Board appointed for two year terms and three members of the initial Board appointed for four-year terms. Members of the initial Board shall determine, through the drawing of lots, which two members shall serve two-year terms and which three members shall serve four-year terms.
- B. Limitations on Authority.** An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, or the provisions of this Code do not fully apply, or an equally good or better form of construction has been proposed and denied by the Building Official.
 - 1. The Construction Board of Appeals shall have no authority relative to interpretation of the administrative provisions of these codes, nor shall the Board be empowered to waive requirements of these codes.
 - 2. Any cost for tests or research required by the Board to substantiate the claim of the appellant shall be the sole responsibility of the appellant.
- C. Building Official Ex-Officio member.** The building official for Mono County shall be an ex-officio member of the Board, and shall act as secretary of said Board, but shall have no vote.
- D. Rules, Decisions, Legislative Recommendations.** The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.
- E. Appeals to Board.** Any person aggrieved by an order, decision, or determination of the official charged with the responsibility of enforcing those respective codes may, within twenty working days of the date of the order, decision, or determination was made, appeal to the Board of Appeals for a hearing.
 - 1. The appeal must be in writing and accompanied by a filing fee which shall be established by resolution of the County Board of Supervisors.
 - 2. The appeal shall be filed with the County Building Division and with the Building Official. A form will be provided at the Community Development Department.
 - 3. All supporting documents shall be submitted with the form at the time of filing of the appeal.
- F. Hearing.** The Building Official, or his or her designee, shall schedule a hearing within twenty working days of receiving the request for hearing and shall give notice of the time, place, and subject matter of the hearing to the person filing the appeal and to each member of the Board of Appeals.
 - 1. The hearing shall be informal.
 - 2. The Board shall announce its decision within five (5) working days after the hearing has concluded.
- G. Finality of Decision.** The decision of the Board of Appeals shall be the final administrative decision, and no provision of any ordinance of the County shall be interpreted as permitting a further administrative appeal to the County Board of Supervisors or any other county board or commission.

DAN HENNARTY

111 Hobbs Cir
Bishop, Ca 93514
(760) 920-0331
Lic #881882
dan@hennartyconstruction.com
www.hennartyconstruction.com



PROFILE

I am self motivating, hard working, and I seek challenges in my work and personal life. I believe in having a positive attitude, good humor, strong listening skills, and I enjoy learning from others. With my diverse work history in construction and manufacturing, my skill set is unique and well rounded.

EXPERIENCE

Owner, Hennarty Construction, Bishop, CA 2006-Present

Over the past eight years I have been a foundation to finish General Contractor in Inyo and Mono Counties. My primary skill is providing quality construction and project management for new homes, large commercial buildings, remodels and additions. Personally framing structures, repairing failed foundations, cutting roof packages and all aspects of residential and commercial framing. Managing multiple project schedules, safety programs and coordinating work among various trades at different project locations. Utilizing Quickbooks to manage payroll, book keeping, estimates, and invoicing.

Journeyman Carpenter, KL Construction, Mammoth Lakes, CA 11/02-04/06

Building custom homes and industrial buildings, while specializing in production type framing and high detailed finish carpentry. Milling custom window casing, wrapping interior posts and beams, wood ceilings, installation of windows and doors. Applying different types of exterior siding including; Hardie plank and paneling, cedar channel rustic, shiplap, beveled shiplap, log, and masonite sidings. Reading construction plans to build according to engineered drawings. Tactfully communicating with coworkers and other sub-contractors to maintain a positive and productive work environment.

Production Supervisor, The Spice Hunter, San Luis Obispo, CA 8/99-6/02

Monitor and sustain production quotas, WIP, MSDS documentation, employee records, and compliance with OSHA regulations. Accurately schedule shifts and workload for 24-50 workers according to employee skill level. Developed programs for forklift and machine operations, hazardous material handling and safe working environment. Team member on numerous Operations projects for machine locations, value added processes, point of use consumption, developing supply chain management plans, and creating a database of all material flow and production process.

Machine Operator, The Spice Hunter, San Luis Obispo, CA 10/98-8/99

Effectively operated a box cartoner with 24 scales, a six-station spice jar line, a single and double fill soup cup line. Motivated and guided crews up to ten workers with several record breaking shifts. Troubleshoot faulty equipment, cleaned, performed preventative maintenance on machinery along with documenting inventory consumption. Assisted in relocating production equipment to a larger facility.

EDUCATION

Cuesta College, San Luis Obispo, CA
Degree: Associates of Science, General Education 2002
California Real Estate Sales Person License #01522189
California Licensed Building Contractor Class B #881882

Steve Shipley
397 Juniper Dr.
Crowley Lake, California 93546
760-937-1374
License #B502133

1988 – Present Mono County Resident

Education

1986 - Contractors B License, in good standing with no grievances

1977 – 1979 Fullerton Junior College
General Education – Accounting, Commercial Law, Real Estate, Construction
Management, and Cabinet Building

1977 - Valencia High School graduate

Work Experience

2001–Present S.H. Shipley Construction (self-employed). General Contractor.
New custom home construction, remodels, additions, custom cabinetry,
and repair work. Have journeyman level experience in concrete work,
framing, finish work, plumbing, electrical, HVAC, tile work, painting,
flooring, roofing and drywall.

1989 – 2001 Superintendent for Tom Long Construction. Responsible for the building
of custom homes from start to finish.

1988 – 1989 Built my parents home in Mammoth.

1986 – 1988 General Contractor in Southern California, Residential remodels,
commercial custom cabinetry, patios and concrete work.

1984 – 1986 Self-employed. Commercial solar project service work.

1980 – 1984 Sub-contractor for a Solar Heating Company.
1980-1982 Responsible for solar heating installations
1982-1984 Supervisor responsible for 5 crews. Ran large
commercial projects.

Government Related Experience

1997- Present Hilton Creek Community Services District Board Member and president
for the past 10 years.

1999 – 2013 Mono County Planning Commissioner

Resume
Steven R. Stokes
PO Box 8958
Mammoth Lakes, CA 93546
Cell: (303) 902-4808

Work Experience:

Town of Mammoth Lakes
PO Box 1609
Mammoth Lakes, CA 93546
01/2014 – Present
Title: Building Official

Colorado Department of Public Safety
690 Kipling Street
Denver, CO 80215
01/2008 – 12/2013
Title: Chief Building Official

CDF Inc. Architecture
3322 Palmtree Drive
Lake Havasu City, AZ 86404
07/2003 - 01/2008
Title: Project Architect

Baranski Humbert Associates Architects
1845 McCulloch Blvd.
Lake Havasu City, AZ 86403
12/1999 - 07/2003
Title: Project Architect

Gaz and Company Architecture
7475 E. Kemper Road
Cincinnati, OH 45249
05/1987 - 12/1999
Title: Project Architect

Resume
Steven R. Stokes
PO Box 8958
Mammoth Lakes, CA 93546
Cell: (303) 902-4808

Education: Miami University Oxford, OH
Bachelor's Degree
Major: Architecture/Environmental Design

Recent Job Related Training:

- CALBO Educational Conference (California Association of Building Officials) March 2015, Monterey, California
- CALBO Educational Conference (California Association of Building Officials) two days only, March 2014, Anaheim, California
- Colorado State Office of Risk Management - Emergency Preparedness/Fire Emergency Preparedness (Colorado Springs, CO)
- Colorado State Office of Risk Management - Corrective Actions Training (Colorado Springs, CO)
- International Energy Conservation Code, ASHRAE 90.1 (American Society of Heating Refrigerating and Air conditioning Engineers) Commercial Code Part I chapters 6-12 (Westminster, CO)
- International Energy Conservation Code, Commercial Code Part I-A mechanical provisions of chapter 5 (Westminster, CO)
- International Energy Conservation Code, Commercial Code Part II-A mandatory requirements for the building envelope (Westminster, CO)
- Sharepoint, Sharepoint Designer, and Infoshare Computer Training (Greenwood Village, CO)
- US Department of Homeland Security, FEMA, USFA (United States Fire Administration), PARADE Training - Prevention, Advocacy, Resources and Data Exchange (National Emergency Training Center, NETC in Emmetsburg, Maryland, May 2011)
- International Code Council Continuing Education Seminar - 2009 IBC Overview (Denver Tech. Center)
- International Code Council Continuing Education Seminar - Commercial Energy Code Plan Review and Inspection (Denver Tech. Center)
- International Code Council Continuing Education Seminar - International Existing Building Code (Denver Tech. Center)
- International Code Council Continuing Education Seminar - Enforcing the Codes with Life Safety Education (Denver Tech. Center)

Resume
Steven R. Stokes
PO Box 8958
Mammoth Lakes, CA 93546
Cell: (303) 902-4808

**Professional
Affiliations:**

- CALBO (California Association of Building Officials)
- CASBO (Colorado Association of Business Officials)
- NFPA (National Fire Protection Association) BCDC (Building Code Development Committee)
- Building Safety and Security Committee (for the Colorado Department of Public Safety)
- CSPMA (Colorado School Plant Manager's Association)
- CCAB (Colorado Capital Construction Assistance Board)
- DRCOG (Denver Regional Council of Governments)
- FMAC (Fire Marshal's Association of Colorado)
- PARADE (fire Prevention, Advocacy, Resources and Data Exchange) - State Co-Chair
- ICC (International Code Council, National) - Member
- CSFCA (Colorado State Fire Chief's Association)
- CCICC (Colorado Chapter of the International Code Council)
- Emergency Planning Work Group (for the Colorado Department of Public Safety)

**Current International
Code Council (ICC)
Certifications:**

- ICC Certified Building Official (CBO)
- ICC Certified Building Code Official (CBCO)
- ICC Certified Fire Marshal (CFM)
- ICC Certified Fire Code Official (CFCO)
- ICC Residential Building Inspector Certification
- ICC Commercial Building Inspector Certification
- ICC Certified Building Inspector
- ICC Certified Mechanical Inspector
- ICC Certified Plumbing Inspector
- ICC Building Plans Examiner Certification
- ICC Mechanical Plans Examiner Certification
- ICC Plumbing Plans Examiner Certification
- ICC Fire Inspector I Certification
- ICC Fire Inspector II Certification
- ICC Fire Plans Examiner Certification
- ICC Accessibility Plans Examiner and Inspector Certification



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

Departments: Board of Supervisors

TIME REQUIRED 10 minutes (5 minute presentation; 5 minute discussion)

PERSONS APPEARING BEFORE THE BOARD

Larry Johnston

SUBJECT Support Letter for SB 16: (Beall) Transportation Funding

AGENDA DESCRIPTION:

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

Letter of support for Senate Bill 16 (Beall): Transportation Funding. This item is being sponsored by Supervisor Johnston.

RECOMMENDED ACTION:

Approve Letter of support for Senate Bill 16 and authorize the Chairman to sign.

FISCAL IMPACT:

This bill is projected to provide an average of \$2.3 million per year in additional road funds over the next 5 years.

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

- [SB 16 Staff Report](#)
- [Letter of Support for SB 16](#)
- [Text of Senate Bill 16 \(Beall\) Transportation Funding](#)

History

Time	Who	Approval
5/26/2015 4:13 PM	County Administrative Office	Yes
5/27/2015 12:26 PM	County Counsel	Yes
5/27/2015 9:41 AM	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: Leslie Chapman on behalf of Supervisor Larry Johnston
Date: 6/2/15

Subject:

Letter of support for Senate Bill 16

Background:

Supervisor Larry Johnston requested that your board send the attached letter of support for SB 16; Beall

The CSAC Bulletin had an excellent summary of this bill that is reproduced below:

Senate Bill 16, by Senator Jim Beall, would raise between \$2.8 and \$3.6 billion per year over a five-year period with the vast majority of the funding dedicated for maintenance and rehabilitation of state highways and local streets and roads.

Specifically, SB 16 would:

- Repay existing transportation loans in equal installments over three fiscal years beginning in 2016;
- Return truck weight fees back to transportation in increasing amounts over five years, i.e. first year 20-percent returned, second year 40 percent returned, etc. (approximately \$1 billion is currently funding transportation related bond debt service);
- Increase the vehicle license fee by 0.07 percent each year for five years to backfill the general fund for transportation related bond debt service;
- Increase the gasoline excise tax by 10 cents
- Increase the diesel excise tax by 12 cents (2 cents of which is dedicated to Trade Corridors Improvement Fund)
- Levy an additional \$35 fee on annual vehicle registrations; and
- Levy an additional \$100 fee on annual vehicle registrations for zero-emission vehicles

The revenues from the gas tax increase, 10 cents of the diesel tax increase, and both registration fees would be deposited into a new maintenance and rehabilitation fund. From this account, Senator Beall's plan would dedicate 5 percent of total revenues generated to a State-Local Partnership Program to incentivize additional local sales tax measures passed after July 1, 2015. The remaining 95 percent of revenues would be shared equally between the state and local governments, with a fifty-fifty split between cities and counties. CSAC estimates that counties would receive approximately \$3.5 billion in additional

revenue over the five year program. The bill has a phased-in approach that is expected to raise \$665 million for counties in the first year and \$855 million in the fifth year of the program

Pursuant to longstanding CSAC policy and reaffirmation by the CSAC Executive Committee and Board of Directors, CSAC has offered our strong support to Senator Beall's proposal. CSAC appreciates his comprehensive efforts to address short-term transportation funding needs. SB 16 meets all of CSAC's criteria for new sources of transportation revenue: it is a statewide approach; funding would be distributed equitably between the state and locals and amongst counties; funds would be for maintenance and preservation of the existing roadway system; and all users of the system, including zero emissions vehicles that do not currently pay gas taxes at the pump, would contribute.

We urge counties to reach out to their legislative delegation and express support for this important proposal. SB 16 will be heard in Senate Transportation and Housing Committee on April 28.

Recommendation:

Approve and authorize the chairman to sign the attached letter of support for SB 16: Beall

Fiscal Impact:

This bill is projected to provide an average of \$2.3 million per year in additional road funds over the next 5 years.



Larry Johnston ~ District One Fred Stump ~ District Two Tim Alpers ~ District Three
Tim Fesko ~ District Four Stacy Corless ~ 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

The Honorable Tom Berryhill
California State Senate
State Capitol, Room 3076
Sacramento, CA 95814

Re: SB 16 (Beall): Transportation Funding – SUPPORT

Dear Senator Berryhill,

The County of Mono supports Senate Bill 16 by Senator Jim Beall, which would inject much-needed new revenues into the statewide transportation network to address maintenance backlogs on local streets and roads and state highways. The bill strikes a good balance by ensuring that existing transportation revenues fund transportation projects and imposing targeted tax and fee increases needed to address the significant funding shortfalls. Research by counties, cities and regional transportation agencies has identified unmet needs of \$79 billion on the local streets and roads system, and the state reports \$59 billion in deferred maintenance on the state highways. While there is no single solution to this problem, it is clear that now is the time to act on these pressing needs.

The County of Mono believes that before the state can increase taxes or fees for transportation, all existing transportation fund loans should be repaid and diversions of transportation funds should be eliminated. SB 16 requires transportation loan repayment within three fiscal years, with the first repayment due on or before June 30, 2016. The measure would also return truck weight fees back to transportation projects and provide a backfill for transportation related bond debt service.

Statewide, local streets and roads receive about \$3 billion per year from all funding sources, whereas \$10.8 billion per year would be needed over the next decade to bring the local system into a good state of repair, at which point maintenance costs would be significantly lower. SB 16's five-year funding program would raise approximately \$2.3 million per year for the County of Mono to supplement existing funds. Locally, these funds would be used to maintain over 684 miles of roads in the eastern Sierra of California. These roads provide vital transportation links for residents, tourists, recreationalists, travelers, businesses, and even the military (the Marine Corps Mountain Warfare Training Center is located within Mono County).

The County of Mono Board of Supervisors recognizes that increasing taxes is a difficult decision, but SB 16 will save taxpayers money in the long run. As roads deteriorate, they become increasingly expensive to repair. In fact, rebuilding a road from scratch can cost as much as twenty times more than routine maintenance to extend the service life of our roadway infrastructure. Investing in our roads and highway through targeted and balanced increases in revenue as proposed by SB 16 will improve California's roadways today while saving taxpayers money tomorrow.

For all of these reasons, the County of Mono supports SB 16 and respectfully requests your “AYE” vote.

Sincerely,

Timothy E. Fesko, Chairman
Mono County Board of Supervisors

cc: The Honorable Jim Beall, California State Senate



California
LEGISLATIVE INFORMATION

SB-16 Transportation funding. (2015-2016)

AMENDED IN SENATE MAY 13, 2015
AMENDED IN SENATE APRIL 15, 2015
AMENDED IN SENATE MARCH 26, 2015
AMENDED IN SENATE MARCH 02, 2015

CALIFORNIA LEGISLATURE— 2015–2016 REGULAR SESSION

SENATE BILL

No. 16

Introduced by Senator Beall

December 01, 2014

An act to add Sections 14526.7, 14526.8, and 16321 to the Government Code, to amend Sections 7360, 10752, and 60050 ~~of~~ *of, and to add Sections 7361.2, 7653.2, 60050.2, and 60201.4 to*, the Revenue and Taxation Code, to add Section 2103.1 to, and to add Chapter 2 (commencing with Section 2030) to Division 3 of, the Streets and Highways Code, and to add Sections 9250.3, 9250.6, and 9400.5 to the Vehicle Code, relating to transportation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 16, as amended, Beall. Transportation funding.

(1) Existing law provides various ~~of~~ sources of funding for transportation purposes, including funding for the state highway system and the local street and road system. These funding sources include, among others, fuel excise taxes, commercial vehicle weight fees, local transactions and use taxes, and federal funds. Existing law imposes certain registration fees on vehicles, with revenues from these fees deposited in the Motor Vehicle Account and used to fund the Department of Motor Vehicles and the Department of the California Highway Patrol. Existing law provides for the monthly transfer of excess balances in the Motor Vehicle Account to the State Highway Account.

This bill would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would provide for the program to be authorized every 5 years by the Legislature, and would provide that authorization for the 2015–16 through 2019–20 fiscal years. The bill would require the California Transportation Commission to identify the estimated funds to be available for the program and adopt performance criteria to ensure efficient use of the funds. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund, including revenues from a \$0.10 per gallon increase in the motor vehicle fuel (gasoline) tax imposed by the bill and \$0.10 of the \$0.12 per gallon increase in the diesel fuel excise tax imposed by the bill, *a \$0.10 per gallon storage tax on motor vehicle fuel*

and \$0.10 of a \$0.12 per gallon storage tax on diesel fuel imposed by the bill, an increase of \$35 in the annual vehicle registration fee, a new \$100 annual vehicle registration fee applicable to zero-emission motor vehicles, as defined, commercial vehicle weight fees redirected over a 5-year period from debt service on general obligation transportation bonds, and repayment, over a 3-year period, of outstanding loans made in previous years from certain transportation funds to the General Fund.

The bill would continuously appropriate the funds in the account for road maintenance and rehabilitation purposes for each 5-year period in which the Legislature has authorized the program, and would, for those fiscal years, allocate 5% of available funds to counties that approve a transactions and use tax on or after July 1, 2015, with the remaining funds to be allocated 50% for maintenance of the state highway system or to the state highway operation and protection program, and 50% to cities and counties pursuant to a specified formula. The bill would impose various requirements on agencies receiving these funds.

This bill, in fiscal years in which the Road Maintenance and Rehabilitation Program is not reauthorized by the Legislature, would make inoperative the increases in the gasoline and diesel excise tax rates and the \$35 increase in the vehicle registration fee imposed by the bill. The bill, in those fiscal years, would also provide for the deposit of revenues from the \$100 vehicle registration fee applicable to zero-emission vehicles, and weight fee revenues, in the State Highway Account, to be used for purposes of maintaining the state highway system or the state highway operation and protection program.

(2) The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B) created the Trade Corridors Improvement Fund and provided for allocation by the California Transportation Commission of \$2 billion in bond funds for infrastructure improvements on highway and rail corridors that have a high volume of freight movement, and specified categories of projects eligible to receive these funds. Existing law continues the Trade Corridors Improvement Fund in existence in order to receive revenues from sources other than the bond act for these purposes.

The bill would transfer revenues from \$0.02 of the \$0.12 increase in the diesel fuel excise tax *and revenues attributable to \$0.02 of the \$0.12 per gallon storage tax on diesel fuel* to the Trade Corridors ~~Investment Improvement~~ Fund for expenditure on eligible projects. As with the remainder of the gasoline and diesel fuel tax increases imposed by this bill, ~~this the \$0.02~~ portion of the diesel fuel excise tax increase would be inoperative in fiscal years in which the Road Maintenance and Rehabilitation Program in (1) is not reauthorized.

(3) Existing law imposes a vehicle license fee, in lieu of property tax, on motor vehicles based on market value, at a rate of 0.65%. Pursuant to Article XI of the California Constitution, vehicle license fee revenues at the 0.65% rate are required to be allocated to cities and counties.

This bill would incrementally increase the vehicle license fee to a rate of 1%, over a 5-year period beginning July 1, 2015, with the revenues above the 0.65% rate to be deposited in the General Fund and used for transportation general obligation bond debt service.

(4) Existing law requires the Department of Transportation to prepare a state highway operation and protection program every other year for the expenditure of transportation capital improvement funds for projects that are necessary to preserve and protect the state highway system, excluding projects that add new traffic lanes. The program is required to be based on an asset management plan, as specified. Existing law requires the department to specify, for each project in the program, the capital and support budget and projected delivery date for various components of the project. Existing law provides for the California Transportation ~~commission~~ *Commission* to review and adopt the program, and authorizes the commission to decline and adopt the program if it determines that the program is not sufficiently consistent with the asset management plan.

This bill, on and after February 1, 2017, would require the commission to make an allocation of all capital and support costs for each project in the program, and would require the department to submit a supplemental project allocation request to the commission for each project that experiences cost increases above the amounts in its allocation. ~~the~~ *The* bill would require the commission to establish guidelines to provide exceptions to the requirement for a supplemental project allocation requirement that the commission determines are necessary to ensure that projects are not unnecessarily delayed.

(5) Existing law requires the Department of Transportation to prepare and submit to the Governor a proposed budget and to develop budgeting, accounting, fiscal control, and management information systems to provide budget oversight.

This bill, by April 1, 2016, would require the department to present to the California Transportation ~~commission~~ *Commission* a plan to increase department efficiency by up to 30% over the subsequent 3 years, with the

ongoing savings to result in increased capital expenditures in the state highway operation and protection program or an increase in the state highway maintenance program.

(6) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Over the next 10 years, the state faces a \$59 billion shortfall to adequately maintain the existing state highway system, in order to keep it in a basic state of good repair.

(b) Similarly, cities and counties face a \$78 billion shortfall over the next decade to adequately maintain the existing network of local streets and roads.

(c) Statewide taxes and fees dedicated to the maintenance of the system have not been increased in more than 20 years, with those revenues losing more than 55 percent of their purchasing power, while costs to maintain the system have steadily increased and much of the underlying infrastructure has aged past its expected useful life.

(d) California motorists are spending \$17 billion annually in extra maintenance and car repair bills, which is more than \$700 per driver, due to the state's poorly maintained roads.

(e) Failing to act now to address this growing problem means that more drastic measures will be required to maintain our system in the future, essentially passing the burden on to future generations instead of doing our job today.

(f) A five-year funding program will help address a portion of the maintenance backlog on the state's road system and will stop the growth of the problem until a longer term solution can be created.

(g) Modestly increasing various fees can spread the cost of road repairs broadly to all users and beneficiaries of the road network without overburdening any one group.

(h) Improving the condition of the state's road system will have a positive impact on the economy as it lowers the transportation costs of doing business, reduces congestion impacts for employees, and protects property values in the state.

(i) The federal government estimates that increased spending on infrastructure creates more than 13,000 jobs per \$1 billion spent.

(j) Well-maintained roads benefit all users, not just drivers, as roads are used for all modes of transport, whether motor vehicles, transit, bicycles, or pedestrians.

(k) Well-maintained roads additionally provide significant health benefits and prevent injuries and death due to crashes caused by poorly maintained infrastructure.

SEC. 2. Section 14526.7 is added to the Government Code, to read:

14526.7. (a) On and after February 1, 2017, an allocation by the commission of all capital and support costs for each project in the state highway operation and protection program shall be required.

(b) For a project that experiences increases in capital or support costs above the amounts in the commission's allocation pursuant to subdivision (a), a supplemental project allocation request shall be submitted by the department to the commission for approval.

(c) The commission shall establish guidelines to provide exceptions to the requirement of subdivision (b) that the commission determines are necessary to ensure that projects are not unnecessarily delayed.

SEC. 3. Section 14526.8 is added to the Government Code, to read:

14526.8. (a) On or before April 1, 2016, the department shall present to the commission a plan to increase department efficiency by up to 30 percent over the subsequent three years. The ongoing savings experienced

through this increased efficiency shall result in increased capital expenditures in the department's state highway operation and protection program or an increase in the department's state highway maintenance program.

(b) The commission shall consider the reasonableness of the proposal, and may approve the entire plan or reject all or portions of the plan. The commission's feedback is intended to ensure that the department is achieving the savings in the most responsible way possible.

(c) All future state highway operation and protection program documents shall identify the increased funding available to the program as a result of the efficiencies realized due to the implementation of the plan.

SEC. 4. Section 16321 is added to the Government Code, to read:

16321. (a) Notwithstanding any other law, on or before March 1, 2016, the Department of Finance shall compute the amount of outstanding loans made from the State Highway Account, the Motor Vehicle Fuel Account, the Highway Users Tax Account, and the Motor Vehicle Account to the General Fund. The department shall prepare a loan repayment schedule, pursuant to which the outstanding loans shall be repaid to the accounts from which the loans were made, as follows:

(1) On or before June 30, 2016, 33 percent of the outstanding loan amounts.

(2) On or before June 30, 2017, 33 percent of the outstanding loan amounts.

(3) On or before June 30, 2018, 34 percent of the outstanding loan amounts.

(b) Notwithstanding any other provision of law, as the loans are repaid pursuant to this section, the repaid funds shall be transferred to the Road Maintenance and Rehabilitation Account created pursuant to Section 2031 of the Streets and Highways Code.

(c) Funds for loan repayments pursuant to this section shall be appropriated from the Budget Stabilization Account pursuant to subclause (II) of clause (ii) of subparagraph (B) of paragraph (1) of subdivision (c) of Section 20 of Article XVI of the California Constitution.

SEC. 5. Section 7360 of the Revenue and Taxation Code is amended to read:

7360. (a) (1) (A) A tax of eighteen cents (\$0.18) is hereby imposed upon each gallon of fuel subject to the tax in Sections 7362, 7363, and 7364.

(B) In addition to the tax imposed pursuant to subparagraph (A), *on and after the 61st date after the effective date of the act amending this section*, a tax of ten cents (\$0.10) is hereby imposed upon each gallon of fuel subject to the tax in Sections 7362, 7363, and 7364. This subparagraph shall be inoperative in any fiscal year in which the Road Maintenance and Rehabilitation Program has not been authorized, pursuant to subdivision (b) of Section 2030 of the Streets and Highways Code.

(2) If the federal fuel tax is reduced below the rate of nine cents (\$0.09) per gallon and federal financial allocations to this state for highway and exclusive public mass transit guideway purposes are reduced or eliminated correspondingly, the tax rate imposed by subparagraph (A) of paragraph (1), on and after the date of the reduction, shall be recalculated by an amount so that the combined state rate under subparagraph (A) of paragraph (1) and the federal tax rate per gallon equal twenty-seven cents (\$0.27).

(3) If any person or entity is exempt or partially exempt from the federal fuel tax at the time of a reduction, the person or entity shall continue to be so exempt under this section.

(b) (1) On and after July 1, 2010, in addition to the tax imposed by subdivision (a), a tax is hereby imposed upon each gallon of motor vehicle fuel, other than aviation gasoline, subject to the tax in Sections 7362, 7363, and 7364 in an amount equal to seventeen and three-tenths cents (\$0.173) per gallon.

(2) For the 2011-12 fiscal year and each fiscal year thereafter, the board shall, on or before March 1 of the fiscal year immediately preceding the applicable fiscal year, adjust the rate in paragraph (1) in that manner as to generate an amount of revenue that will equal the amount of revenue loss attributable to the exemption provided by Section 6357.7, based on estimates made by the board, and that rate shall be effective during the state's next fiscal year.

(3) In order to maintain revenue neutrality for each year, beginning with the rate adjustment on or before March 1, 2012, the adjustment under paragraph (2) shall also take into account the extent to which the actual amount of revenues derived pursuant to this subdivision and, as applicable, Section 7361.1, the revenue loss

attributable to the exemption provided by Section 6357.7 resulted in a net revenue gain or loss for the fiscal year ending prior to the rate adjustment date on or before March 1.

(4) The intent of paragraphs (2) and (3) is to ensure that the act adding this subdivision and Section 6357.7 does not produce a net revenue gain in state taxes.

SEC. 6. *Section 7361.2 is added to the Revenue and Taxation Code, to read:*

7361.2. (a) For the privilege of storing, for the purpose of sale, each supplier, wholesaler, and retailer owning 1,000 or more gallons of tax-paid motor vehicle fuel on the 61st date after the effective date of the act adding this section shall pay a storage tax of ten cents (\$0.10) per gallon of tax-paid motor vehicle fuel in storage according to the volumetric measure thereof.

(b) For purposes of this section:

(1) "Owning" means having title to the motor vehicle fuel.

(2) "Retailer" means any person who sells motor vehicle fuel in this state to a person who subsequently uses the motor vehicle fuel.

(3) "Storing" includes the ownership or possession of tax-paid motor vehicle fuel outside of the bulk transfer/terminal system, including the holding of tax-paid motor vehicle fuel for sale at wholesale or retail locations stored in a container of any kind, including railroad tank cars and trucks or trailer cargo tanks. "Storing" also includes tax-paid motor vehicle fuel purchased from and invoiced by the seller, and tax-paid motor vehicle fuel removed from a terminal or entered into by a supplier, prior to the date specified in subdivision (a) and in transit on that date.

(4) "Wholesaler" means any person who sells motor vehicle fuel in this state for resale to a retailer or to a person who is not a retailer and subsequently uses the motor vehicle fuel.

SEC. 7. *Section 7653.2 is added to the Revenue and Taxation Code, to read:*

7653.2. On or before the 121st date after the effective date of the act adding this section, each person subject to the storage tax imposed under Section 7361.2 shall prepare and file with the board, in a form prescribed by the board, a return showing the total number of gallons of tax-paid motor vehicle fuel owned by the person on the 61st date after the effective date of the act adding this section, the amount of the storage tax, and any other information that the board deems necessary for the proper administration of this part. The return shall be accompanied by a remittance payable to the Controller in the amount of tax due.

~~SEC. 6.~~ **SEC. 8.** *Section 10752 of the Revenue and Taxation Code is amended to read:*

10752. (a) The annual amount of the license fee for any vehicle, other than a trailer or semitrailer, as described in subdivision (a) of Section 5014.1 of the Vehicle Code or a commercial motor vehicle described in Section 9400.1 of the Vehicle Code, or a trailer coach that is required to be moved under permit as authorized in Section 35790 of the Vehicle Code, shall be a sum equal to the following percentage of the market value of the vehicle as determined by the department:

(1) Sixty-five hundredths of 1 percent on and after January 1, 2005, and before May 19, 2009.

(2) One percent for initial and renewal registrations due on and after May 19, 2009, but before July 1, 2011.

(3) Sixty-five hundredths of 1 percent for initial and renewal registrations due on and after July 1, 2011, but before July 1, 2015.

(4) Seventy-two hundredths of 1 percent for initial and renewal registrations due on and after July 1, 2015, but before July 1, 2016.

(5) Seventy-nine hundredths of 1 percent for initial and renewal registrations due on and after July 1, 2016, but before July 1, 2017.

(6) Eighty-six hundredths of 1 percent for initial and renewal registrations due on and after July 1, 2017, but before July 1, 2018.

(7) Ninety-three hundredths of 1 percent for initial and renewal registrations due on and after July 1, 2018, but before July 1, 2019.

(8) One percent for initial and renewal registrations due on and after July 1, 2019.

(b) The annual amount of the license fee for any commercial vehicle as described in Section 9400.1 of the Vehicle Code, shall be a sum equal to 0.65 percent of the market value of the vehicle as determined by the department.

(c) Notwithstanding Chapter 5 (commencing with Section 11001) or any other law to the contrary, all revenues (including penalties), less refunds, attributable to that portion of the rate imposed pursuant to this section in excess of 0.65 percent shall be deposited into the General Fund and shall be used for debt service on transportation general obligation bonds.

~~SEC. 7.~~ **SEC. 9.** Section 60050 of the Revenue and Taxation Code is amended to read:

60050. (a) (1) A tax of eighteen cents (\$0.18) is hereby imposed upon each gallon of diesel fuel subject to the tax in Sections 60051, 60052, and 60058.

(2) If the federal fuel tax is reduced below the rate of fifteen cents (\$0.15) per gallon and federal financial allocations to this state for highway and exclusive public mass transit guideway purposes are reduced or eliminated correspondingly, the tax rate imposed by paragraph (1), including any reduction or adjustment pursuant to subdivision (b), on and after the date of the reduction, shall be increased by an amount so that the combined state rate under paragraph (1) and the federal tax rate per gallon equal what it would have been in the absence of the federal reduction.

(3) If any person or entity is exempt or partially exempt from the federal fuel tax at the time of a reduction, the person or entity shall continue to be exempt under this section.

(b) (1) On July 1, 2011, the tax rate specified in paragraph (1) of subdivision (a) shall be reduced to thirteen cents (\$0.13) and every July 1 thereafter shall be adjusted pursuant to paragraphs (2) and (3).

(2) For the 2012–13 fiscal year and each fiscal year thereafter, the board shall, on or before March 1 of the fiscal year immediately preceding the applicable fiscal year, adjust the rate reduction in paragraph (1) in that manner as to result in a revenue loss attributable to paragraph (1) that will equal the amount of revenue gain attributable to Sections 6051.8 and 6201.8, based on estimates made by the board, and that rate shall be effective during the state's next fiscal year.

(3) In order to maintain revenue neutrality for each year, beginning with the rate adjustment on or before March 1, 2013, the adjustment under paragraph (2) shall take into account the extent to which the actual amount of revenues derived pursuant to Sections 6051.8 and 6201.8 and the revenue loss attributable to this subdivision resulted in a net revenue gain or loss for the fiscal year ending prior to the rate adjustment date on or before March 1.

(4) The intent of paragraphs (2) and (3) is to ensure that the act adding this subdivision and Sections 6051.8 and 6201.8 does not produce a net revenue gain in state taxes.

(c) In addition to the tax imposed pursuant to subdivisions (a) and (b), *on and after the 61st date after the effective date of the act amending this section*, an additional tax of twelve cents (\$0.12) is hereby imposed upon each gallon of diesel fuel subject to the tax in Sections 60051, 60052, and 60058. This subdivision shall be inoperative in any fiscal year in which the Road Maintenance and Rehabilitation Program has not been authorized, pursuant to subdivision (b) of Section 2030 of the Streets and Highways Code.

SEC. 10. *Section 60050.2 is added to the Revenue and Taxation Code, to read:*

60050.2. (a) For the privilege of storing, for the purpose of sale, each supplier, wholesaler, and retailer owning 1,000 or more gallons of tax-paid diesel fuel on the 61st date after the effective date of the act adding this section shall pay a storage tax of twelve cents (\$0.12) per gallon of tax-paid diesel fuel in storage according to the volumetric measure thereof.

(b) For purposes of this section:

(1) "Owning" means having title to the diesel fuel.

(2) "Retailer" means any person who sells diesel fuel in this state to a person who subsequently uses the diesel fuel.

(3) "Storing" includes the ownership or possession of tax-paid diesel fuel outside of the bulk transfer/terminal system, including the holding of tax-paid diesel fuel for sale at wholesale or retail locations stored in a container of any kind, including railroad tank cars and trucks or trailer cargo tanks. "Storing" also includes tax-paid diesel fuel purchased from and invoiced by the seller, and tax-paid diesel fuel removed from a terminal or entered into by a supplier, prior to the date specified in subdivision (a) and in transit on that date.

(4) "Wholesaler" means any person who sells diesel fuel in this state for resale to a retailer or to a person who is not a retailer and subsequently uses the diesel fuel.

SEC. 11. *Section 60201.4 is added to the Revenue and Taxation Code, to read:*

60201.4. On or before the 121st date after the effective date of the act adding this section, each person subject to the storage tax imposed under Section 60050.2 shall prepare and file with the board, in a form prescribed by the board, a return showing the total number of gallons of tax-paid diesel fuel owned by the person on the 61st date after the effective date of the act adding this section, the amount of the storage tax, and any other information that the board deems necessary for the proper administration of this part. The return shall be accompanied by a remittance payable to the Controller in the amount of tax due.

~~SEC. 8.~~ **SEC. 12.** Chapter 2 (commencing with Section 2030) is added to Division 3 of the Streets and Highways Code, to read:

CHAPTER 2. Road Maintenance and Rehabilitation Program

2030. (a) The Road Maintenance and Rehabilitation Program is hereby created to address deferred maintenance on the state highway system and the local street and road system. Funds made available by the program shall be prioritized for expenditure on basic road maintenance and road rehabilitation projects, and on critical safety projects. The program shall be subject to reauthorization every five years by the Legislature. The California Transportation Commission shall identify the estimated funds to be available pursuant to this chapter for the program during any authorized five-year period, and shall adopt performance criteria to ensure efficient use of the funds.

(b) The Legislature hereby authorizes the program for the 2015–16 to 2019–20 fiscal years, inclusive.

(c) If the Legislature does not reauthorize the program beyond the 2019–20 fiscal year, the increases in excise tax rates for motor vehicle fuel and diesel fuel associated with the revenues referenced in subdivision (a) of Section 2031, and the increase in the vehicle registration fee referenced in Section 9250.3 of the Vehicle Code, shall terminate at the end of the 2019–20 fiscal year.

2031. The following revenues shall be deposited in the Road Maintenance and Rehabilitation Account, which is hereby created in the State Transportation Fund:

(a) **(1)** The revenues from the increase in the motor vehicle fuel excise tax by ten cents (\$0.10) per gallon and the revenues from ten cents (\$0.10) per gallon of the increase in the diesel fuel excise tax by twelve cents (\$0.12) per gallon, as provided in Section 2103.1.

(2) *The revenues attributable to the storage tax imposed pursuant to Section 7361.2 of the Revenue and Taxation Code and the revenues attributable to ten cents (\$0.10) of the storage tax per gallon of tax-paid diesel fuel imposed by Section 60050.2 of the Revenue and Taxation Code, as provided in Section 2103.1.*

(b) The revenues from the increase in the vehicle registration fee pursuant to Section 9250.3 of the Vehicle Code.

(c) The revenues from the increase in the vehicle registration fee pursuant to Section 9250.6 of the Vehicle Code, except as provided in paragraph (2) of subdivision (b) of that section.

(d) The revenues from vehicle weight fees redirected from transportation bond debt service to the State Highway Account, pursuant to the schedule set forth in subdivision (a) of Section 9400.5 of the Vehicle Code.

(e) The revenues from repayment of loans made from the State Highway Account, the Motor Vehicle Fuel Account, the Highway Users Tax Account, and the Motor Vehicle Account to the General Fund, pursuant to the schedule set forth in Section 16321 of the Government Code.

(f) Any other revenues designated for the program.

2032. (a) Five percent of the revenues deposited in the Road Maintenance and Rehabilitation Account for the period of fiscal years specified in subdivision (b) of Section 2030 shall be set aside for counties in which voters approve, on or after July 1, 2015, a transactions and use tax for transportation purposes, and which counties did not, prior to that approval, impose a transactions and use tax for those purposes. The funds available under this subdivision in each fiscal year are hereby continuously appropriated for allocation to each eligible county and each city in the county for road maintenance and rehabilitation purposes pursuant to Section 2035. However, funds remaining unallocated under this subdivision in any fiscal year shall be reallocated on the last day of the fiscal year pursuant to subdivision (b).

(b) The remaining revenues deposited in the Road Maintenance and Rehabilitation Account for the period of fiscal years specified in subdivision (b) of Section 2030, including the revenues reallocated for the purposes of this subdivision pursuant to subdivision (a), are hereby continuously appropriated for road maintenance and rehabilitation purposes under the program, as follows:

(1) Fifty percent for allocation to the department for maintenance of the state highway system or for purposes of the state highway operation and protection program.

(2) Fifty percent for apportionment to cities and counties by the Controller pursuant to the formula in subparagraph (C) of paragraph (3) of subdivision (a) of Section 2103 for the purposes authorized by this chapter, subject to subdivision (d) of Section 2033 and paragraph (2) of subdivision (a) of Section 2034.

2033. (a) The commission shall annually evaluate each agency receiving funds pursuant to this chapter.

(b) For each fiscal year in which the department receives an allocation of funds pursuant to Section 2032, the department shall submit documentation to the commission that includes a description and the location of each completed project, the amount of funds expended on the project, the completion date, and the project's estimated useful life. The commission shall evaluate the documentation to determine the effectiveness of the department in reducing deferred maintenance and improving road conditions on the state highway system, and may withhold future funding from the department if it determines that program funds have not been appropriately spent.

(c) For each fiscal year in which an agency receives an apportionment of funds pursuant to subdivision (a) or paragraph (2) of subdivision (b) of Section 2032, the commission shall evaluate the documentation submitted pursuant to subdivision (b) of Section 2034 to determine the effectiveness of the agency in reducing deferred maintenance and improving road conditions within its jurisdiction.

(d) If the commission determines, with respect to any given fiscal year, that a local agency has not appropriately spent its apportionment of funds, the commission shall direct the Controller to make that agency ineligible to receive an apportionment during the next fiscal year. The Controller shall reapportion that agency's share of funds to all other eligible local agencies pursuant to paragraph (2) of subdivision (b) of Section 2032.

(e) The commission shall include a discussion of its evaluations pursuant to this section in its annual report to the Legislature pursuant to Section 14535 of the Government Code.

2034. (a) (1) Prior to receiving an apportionment of funds under the program pursuant to paragraph (2) of subdivision (b) of Section 2032 from the Controller in a fiscal year, an eligible local agency shall submit to the commission a list of projects proposed to be funded with these funds pursuant to an adopted city, county, or city and county budget. All projects proposed to receive funding shall be included in a city, county, or city and county budget that is adopted by the applicable city council or board of supervisors at a regular public meeting. The list of projects proposed to be funded with these funds shall include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement. The project list shall not limit the flexibility of an eligible local agency to fund projects in accordance with local needs and priorities so long as the projects are consistent with subdivision (d).

(2) The commission shall report to the Controller the local agencies that have submitted a list of projects as described in this subdivision and that are therefore eligible to receive an apportionment of funds under the program for the applicable fiscal year. The Controller, upon receipt of the report, shall apportion funds to eligible local agencies.

(b) For each fiscal year, each local agency receiving an apportionment of funds shall, upon expending program funds, submit documentation to the commission that includes a description and location of each completed project, the amount of funds expended on the project, the completion date, and the project's estimated useful

life. The documentation shall also include a comparison of the projects the local agency would have completed without receiving funds under the program compared with the projects completed with these funds.

(c) The documentation provided pursuant to subdivision (b) shall be forwarded by the commission to the department, in a manner and form approved by the department, at the end of each fiscal year as long as program funds remain available for expenditure. The department may post the information contained in the documentation on its Internet Web site.

(d) Funds made available to a local agency under the program shall be used for improvements to transportation facilities that will assist in reducing further deterioration of the existing road system. These improvements may include, but need not be limited to, pavement maintenance, rehabilitation, installation, construction, and reconstruction of necessary associated facilities such as drainage and traffic control devices, or safety projects to reduce fatalities. Funds made available under the program may also be used to satisfy the local match requirement in order to obtain state or federal transportation funds for similar purposes.

2035. (a) On or before July 1, 2016, the commission, in cooperation with the department, transportation planning agencies, county transportation commissions, and other local agencies, shall develop guidelines for the allocation of funds pursuant to subdivision (a) of Section 2032.

(b) The guidelines shall be the complete and full statement of the policy, standards, and criteria that the commission intends to use to determine how these funds will be allocated.

(c) The commission may amend the adopted guidelines after conducting at least one public hearing.

2036. (a) Cities and counties shall maintain their existing commitment of local funds for street, road, and highway purposes in order to remain eligible for an allocation or apportionment of funds pursuant to Section 2032.

(b) In order to receive an allocation or apportionment pursuant to Section 2032, the city or county shall annually expend from its general fund for street, road, and highway purposes an amount not less than the annual average of its expenditures from its general fund during the 2009–10, 2010–11, and 2011–12 fiscal years, as reported to the Controller pursuant to Section 2151. For purposes of this subdivision, in calculating a city's or county's annual general fund expenditures and its average general fund expenditures for the 2009–10, 2010–11, and 2011–12 fiscal years, any unrestricted funds that the city or county may expend at its discretion, including vehicle in-lieu tax revenues and revenues from fines and forfeitures, expended for street, road, and highway purposes shall be considered expenditures from the general fund. One-time allocations that have been expended for street and highway purposes, but which may not be available on an ongoing basis, including revenue provided under the Teeter Plan Bond Law of 1994 (Chapter 6.6 (commencing with Section 54773) of Part 1 of Division 2 of Title 5 of the Government Code), may not be considered when calculating a city's or county's annual general fund expenditures.

(c) For any city incorporated after July 1, 2009, the Controller shall calculate an annual average of expenditure for the period between July 1, 2009, and December 31, 2015, inclusive, that the city was incorporated.

(d) For purposes of subdivision (b), the Controller may request fiscal data from cities and counties in addition to data provided pursuant to Section 2151, for the 2009–10, 2010–11, and 2011–12 fiscal years. Each city and county shall furnish the data to the Controller not later than 120 days after receiving the request. The Controller may withhold payment to cities and counties that do not comply with the request for information or that provide incomplete data.

(e) The Controller may perform audits to ensure compliance with subdivision (b) when deemed necessary. Any city or county that has not complied with subdivision (b) shall reimburse the state for the funds it received during that fiscal year. Any funds withheld or returned as a result of a failure to comply with subdivision (b) shall be reapportioned to the other counties and cities whose expenditures are in compliance.

(f) If a city or county fails to comply with the requirements of subdivision (b) in a particular fiscal year, the city or county may expend during that fiscal year and the following fiscal year a total amount that is not less than the total amount required to be expended for those fiscal years for purposes of complying with subdivision (b).

~~SEC. 9.~~ **SEC. 13.** Section 2103.1 is added to the Streets and Highways Code, to read:

2103.1. (a) Notwithstanding subdivision (b) of Section 2103, the portion of the revenues in the Highway Users Tax Account attributable to the increase in the tax rate on motor vehicle fuel by ten cents (\$0.10) per gallon

pursuant to subdivision (a) of Section 7360 of the Revenue and Taxation Code and the increase in the tax rate by twelve cents (\$0.12) per gallon on diesel fuel pursuant to subdivision (c) of Section 60050 of the Revenue and Taxation Code, as amended by the act adding this section, shall be deposited in the Road Maintenance and Rehabilitation Account created pursuant to Section 2031, except that the portion of the revenues attributable to two cents (\$0.02) of the increase in the tax rate on diesel fuel shall be deposited in the Trade Corridors Improvement Fund for expenditure pursuant to Section 2192.

(b) The portion of the revenues in the Highway Users Tax Account attributable to the storage tax imposed pursuant to Section 7361.2 of the Revenue and Taxation Code and the storage tax imposed pursuant to Section 60050.2 of the Revenue and Taxation Code shall be deposited in the Road Maintenance and Rehabilitation Account created pursuant to Section 2031, except that the portion of the revenues attributable to two cents (\$0.02) of the storage tax per gallon of tax-paid diesel fuel imposed by Section 60050.2 of the Revenue and Taxation Code shall be deposited in the Trade Corridors Improvement Fund for expenditure pursuant to Section 2192.

~~SEC. 10.~~**SEC. 14.** Section 9250.3 is added to the Vehicle Code, to read:

9250.3. (a) In addition to any other fees specified in this code or the Revenue and Taxation Code, a registration fee of thirty-five dollars (\$35) shall be paid to the department for registration or renewal of registration of every vehicle subject to registration under this code, except those vehicles that are expressly exempted under this code from payment of registration fees.

(b) (1) For any year in which the Road Maintenance and Rehabilitation Program is authorized pursuant to subdivision (b) of Section 2030 of the Streets and Highways Code, revenues from the fee shall be deposited in the Road Maintenance and Rehabilitation Account created pursuant to Section 2031 of the Streets and Highways Code.

(2) For any year in which the Legislature does not reauthorize the Road Maintenance and Rehabilitation Program, this section shall be inoperative.

~~SEC. 11.~~**SEC. 15.** Section 9250.6 is added to the Vehicle Code, to read:

9250.6. (a) In addition to any other fees specified in this code or in the Revenue and Taxation Code, a registration fee of one hundred dollars (\$100) shall be paid to the department for registration or renewal of registration of every zero-emission motor vehicle subject to registration under this code, except those motor vehicles that are expressly exempted under this code from payment of registration fees.

(b) (1) For any year in which the Road Maintenance and Rehabilitation Program is authorized pursuant to subdivision (b) of Section 2030 of the Streets and Highways Code, revenues from the fee shall be deposited in the Road Maintenance and Rehabilitation Account created pursuant to Section 2031 of the Streets and Highways Code.

(2) For any year in which the Legislature does not reauthorize the Road Maintenance and Rehabilitation Program, revenues from the fee shall be deposited in the State Highway Account to be used for purposes of maintaining the state highway system or the state highway operation and protection program.

(c) This section does not apply to a commercial motor vehicle subject to Section 9400.1.

(d) For purposes of this section, "zero-emission motor vehicle" means a motor vehicle as described in subdivisions (c) and (d) of Section 44258 of the Health and Safety Code, or any other motor vehicle that is able to operate on any fuel other than gasoline or diesel fuel.

~~SEC. 12.~~**SEC. 16.** Section 9400.5 is added to the Vehicle Code, to read:

9400.5. (a) Notwithstanding Sections 9400.1, 9400.4, and 42205 of this code, Sections 16773 and 16965 of the Government Code, Section 2103 of the Streets and Highways Code, or any other law, the amount of weight fee revenues otherwise to be transferred from the State Highway Account to the Transportation Debt Service Fund, the Transportation Bond Direct Payment Account, or any other fund or account for the purpose of payment of the debt service on transportation general obligation bonds, or for the purpose of being loaned to the General Fund, shall be reduced pursuant to the following schedule, with the applicable revenues thereby retained in the State Highway Account to be transferred to the Road Maintenance and Rehabilitation Account created pursuant to Section 2031 of the Streets and Highways Code:

- (1) For the 2015–16 fiscal year, by 20 percent.
 - (2) For the 2016–17 fiscal year, by 40 percent.
 - (3) For the 2017–18 fiscal year, by 60 percent.
 - (4) For the 2018–19 fiscal year, by 80 percent.
 - (5) For the 2019–20 fiscal year and in each subsequent fiscal year thereafter, by 100 percent.
- (b) For any year in which the Legislature does not reauthorize the Road Maintenance and Rehabilitation Program, pursuant to subdivision (b) of Section 2030 of the Streets and Highways Code, the revenues described in subdivision (a) shall be retained in the State Highway Account to be used for purposes of maintaining the state highway system or the state highway operation and protection program.

~~SEC. 13.~~**SEC. 17.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide additional funding for road maintenance and rehabilitation purposes as quickly as possible, it is necessary for this act to take effect immediately.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

Departments: Board of Supervisors

TIME REQUIRED 10 minutes (5 minute presentation; 5 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Larry Johnston

SUBJECT SB 321 Motor Vehicle Fuel Taxes:
Rates: Adjustments

AGENDA DESCRIPTION:

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

Letter of support for Senate Bill 321 (Beall): Motor Vehicle Fuel Taxes: Rates: Adjustments. This item is being sponsored by Supervisor Johnston.

RECOMMENDED ACTION:

Approve letter of support for Senate Bill 321(Beall) and authorize the chairperson to sign.

FISCAL IMPACT:

Highway Users Tax funding for roads is projected to decrease by \$574,853 in the 15/16 fiscal year. With this bill the decrease is projected to be \$323,620 - the difference of \$250,963 will greatly reduce the impact to the Road fund and potentially to the General fund.

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:

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[SB 321 Staff Report](#)

[SB 321 Letter of Support - HUTA](#)

[SB 321 Text](#)

History

Time	Who	Approval
5/27/2015 1:43 PM	County Administrative Office	Yes
5/27/2015 12:26 PM	County Counsel	Yes
5/27/2015 9:52 AM	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: Leslie Chapman on behalf of Supervisor Larry Johnston
Date: 6/2/15

Subject:

Letter of support for Senate Bill 321 (Beall) - Motor vehicle fuel taxes: rate adjustments - SUPPORT

Background:

Supervisor Larry Johnston requested that your board send the attached letter of support for SB 321.

The CSAC Bulletin had an excellent summary of this bill that is reproduced below:

Senate Bill 321, by Senator Jim Beall, would make a technical adjustment to the gas tax swap to reduce revenue volatility. The Board of Equalization is charged with setting the rate of the gasoline excise tax to ensure that it generates the same amount of revenue of the former sales tax. The current process for setting the rate is susceptible to rapid changes due to fluctuations in the price of gasoline. CSAC supports SB 321 because it will incorporate historical prices during the rate-setting process, which will smooth out revenues while maintaining revenue neutrality with the former sales tax. The bill would also allow a mid-year adjustment if prices differ drastically from prior estimates. Finally, SB 321 would reduce the anticipated \$885 million cut to transportation funding in 2015-16 by \$270 million dollars.

This bill is supported by both CSAC and RCRC

Recommendation:

Approve and authorize the chairman to sign the attached letter of support for SB 321: Beall

Fiscal Impact:

If this urgency bill passes, Mono County will lose \$323,620 rather than \$574,583 of HUTA funds for the 15-16 fiscal. This is a difference of \$250,963.



Larry Johnston □ District One Fred Stump □ District Two Tim Alpers □ District Three
Tim Fesko □ District Four Stacy Corless □ 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

June 2, 2015

The Honorable Tom Berryhill
California State Senate
State Capitol, Room 3076
Sacramento, CA 95814

Re: Senate Bill 321 (Beall) - Motor vehicle fuel taxes: rate adjustments - SUPPORT

Dear Senator Berryhill,

The County of Mono supports Senate Bill 321 by Senator Jim Beall. This important measure will make a much-needed technical fix to the complex process for setting the gasoline excise tax rate under the gas tax swap, while maintaining revenue neutrality with the former sales tax on gasoline. SB 321 will be helpful in maintaining staffing levels to lessen the degradation of our roads, but it is simply a revenue-neutral, technical fix to the gas tax swap.

The County of Mono supports Senate Bill 321 by Senator Jim Beall. This important measure will make a much-needed technical fix to the complex process for setting the gasoline excise tax rate under the gas tax swap, while maintaining revenue neutrality with the former sales tax on gasoline. SB 321 will be helpful for planning and budgeting for transportation projects such as road maintenance and striping, but it is simply a revenue-neutral, technical fix to the gas tax swap.

Due to the existing procedures used to set the excise tax rate, the County of Mono anticipates losing \$574,583 between 2014-15 and 2015-16. With a total annual budget of only \$4 million, this 15% loss will result in loss of staff and inability to provide even minimal road maintenance. While the gas tax will still decrease next year under SB 321, the reduction will be \$323,620 dollars less in Mono County. Gas prices have already increased significantly since the 2015-16 rate was set in February, so the smaller excise tax decrease if SB 321 is passed as an urgency measure would mean a smaller upward adjustment in the future. The increased stability of the SB 321 framework is therefore beneficial to both consumers paying the tax and governments agencies that rely on the revenues to build and maintain California's transportation infrastructure.

For these reasons, the County of Mono supports SB 321 and respectfully requests your "AYE" vote.

Sincerely,

Timothy E. Fesko, Chairman
Mono County Board of Supervisors

cc: The Honorable Jim Beall, California State Senate
Ted Morley, Consultant, Senate Republican Caucus



California
LEGISLATIVE INFORMATION

SB-321 Motor vehicle fuel taxes: rates: adjustments. (2015-2016)

AMENDED IN SENATE APRIL 23, 2015

AMENDED IN SENATE MARCH 26, 2015

CALIFORNIA LEGISLATURE— 2015–2016 REGULAR SESSION

SENATE BILL

No. 321

Introduced by Senator Beall

February 23, 2015

An act to amend Section 7360 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 321, as amended, Beall. Motor vehicle fuel taxes: rates: adjustments.

Existing law, as of July 1, 2010, exempts the sale of, and the storage, use, or other consumption of, motor vehicle fuel from specified sales and use taxes and increases the excise tax on motor vehicle fuel, as provided.

Existing law requires the State Board of Equalization, for the 2011–12 fiscal year and each fiscal year thereafter, on or before March 1 of the fiscal year immediately preceding the applicable fiscal year, to adjust the motor vehicle fuel tax rate in a manner as to generate an amount of revenue equal to the amount of revenue loss attributable to the sales and use tax exemption on motor vehicle fuel, based on estimates made by the board. Existing law also requires, in order to maintain revenue *neutrality for each year*, the board to take into account actual net revenue gain or loss for the fiscal year ending prior to the rate adjustment date. Existing law requires this ~~determined~~ *adjusted* rate to be effective during the state's next fiscal year.

This bill ~~would~~, for the 2015–16 fiscal year and each fiscal year thereafter *would*, instead require the board, on or before July 1, 2015, or March 1 of the fiscal year immediately preceding the applicable fiscal year, as specified, to adjust the rate in a manner as to generate an amount of revenue equal to the amount of revenue loss attributable to the exemption, based on estimates made by the board that reflect the combined average of the actual fuel price over the previous 4 fiscal years and the estimated fuel price for the current fiscal year, and continuing to take into account adjustments required by existing law to maintain revenue neutrality. ~~This bill would authorize, for rate adjustments made after January 1, 2015, in order to reduce the potential volatility of the revenues generated by the motor vehicle fuel tax, the board to make partial adjustments over up to 3 consecutive years to take into account the net revenue gain or loss of any fiscal year.~~

This bill would also authorize, if, due to clear changes in either fuel prices or consumption in the state, the board makes a determination that the amount of revenue being generated by the motor vehicle fuel tax will be significantly different than the estimates made by the board, the board to adjust the rate more frequently than

annually, but no more frequently than every 6 months in order to reduce the potential volatility of the revenues.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 7360 of the Revenue and Taxation Code is amended to read:

7360. (a) (1) A tax of eighteen cents (\$0.18) is hereby imposed upon each gallon of fuel subject to the tax in Sections 7362, 7363, and 7364.

(2) If the federal fuel tax is reduced below the rate of nine cents (\$0.09) per gallon and federal financial allocations to this state for highway and exclusive public mass transit guideway purposes are reduced or eliminated correspondingly, the tax rate imposed by paragraph (1), on and after the date of the reduction, shall be recalculated by an amount so that the combined state rate under paragraph (1) and the federal tax rate per gallon equal twenty-seven cents (\$0.27).

(3) If any person or entity is exempt or partially exempt from the federal fuel tax at the time of a reduction, the person or entity shall continue to be so exempt under this section.

(b) (1) On and after July 1, 2010, in addition to the tax imposed by subdivision (a), a tax is hereby imposed upon each gallon of motor vehicle fuel, other than aviation gasoline, subject to the tax in Sections 7362, 7363, and 7364 in an amount equal to seventeen and three-tenths cents (\$0.173) per gallon.

(2) (A) For the 2011–12 fiscal year to the 2014–15 fiscal year, inclusive, the board shall, on or before March 1 of the fiscal year immediately preceding the applicable fiscal year, adjust the rate in paragraph (1) in that manner as to generate an amount of revenue that will equal the amount of revenue loss attributable to the exemption provided by Section 6357.7, based on estimates made by the board, and that rate shall be effective during the state's next fiscal year.

(B) For the 2015–16 fiscal year, the board shall, on or before July 1, 2015, adjust the rate in paragraph (1) in that manner as to generate an amount of revenue that will equal the amount of revenue loss attributable to the exemption provided by Section 6357.7, based on estimates made by the board that reflect the combined average of the actual fuel price over the previous four fiscal years and the estimated fuel price for the current fiscal year, and that rate shall be effective during the 2015–16 fiscal year.

(C) For the 2016–17 fiscal year and each fiscal year thereafter, the board shall, on or before March 1 of the fiscal year immediately preceding the applicable fiscal year, adjust the rate in paragraph (1) in that manner as to generate an amount of revenue that will equal the amount of revenue loss attributable to the exemption provided by Section 6357.7, based on estimates made by the board that reflect the combined average of the actual fuel price over the previous four fiscal years and the estimated fuel price for the current fiscal year, and that rate shall be effective during the state's next fiscal year.

(3) In order to maintain revenue neutrality, beginning with the rate adjustment on or before March 1, 2012, the adjustment under paragraph (2) shall also take into account the extent to which the actual amount of revenues derived pursuant to this subdivision and, as applicable, Section 7361.1, the revenue loss attributable to the exemption provided by Section 6357.7 resulted in a net revenue gain or loss for the fiscal year ending prior to the rate adjustment date on or before March 1. ~~For rate adjustments made after January 1, 2015, in order to reduce the potential volatility of the revenues generated by the tax imposed under this subdivision, the board may make partial adjustments over up to three consecutive years to take into account the net revenue gain or loss of any fiscal year.~~

(4) If, due to clear changes in either fuel prices or consumption in the state, the board makes a determination that the amount of revenue being generated by the tax imposed by this section will be significantly different than the estimates made by the board, the board may adjust the rate in paragraph (1) more frequently than annually, but no more frequently than every six months in order to reduce the potential volatility of the revenues.

(5) The intent of paragraphs (2) and (3) is to ensure that Chapter 6 of the Statutes of 2011, which added this subdivision and Section 6357.7, does not produce a net revenue gain in state taxes.

(6) It is the intent of the Legislature that the amendments made by the act adding this paragraph does not produce a net revenue gain in state taxes. Revenue neutrality, as used in this section, does not refer to revenues generated in any particular fiscal year, but instead means that, over a reasonable period of fiscal years, the actual amount of revenues derived pursuant to this subdivision is equal to the estimated amount of revenue loss attributable to the exemption provided by Section 6357.7.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to avoid a significant and devastating decrease in the amount of funding available for the maintenance of California's local streets and roads, it is necessary that this act take effect immediately.



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

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

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 Lynda Salcido. 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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History

Time

Who

Approval

5/18/2015 2:01 PM	County Administrative Office	Yes
5/26/2015 9:27 AM	County Counsel	Yes
5/13/2015 4:47 AM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

TIME REQUIRED

SUBJECT Closed Session - Exposure to
Litigation

**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.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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Time	Who	Approval
5/26/2015 12:54 PM	County Administrative Office	Yes
5/26/2015 9:32 AM	County Counsel	Yes
5/26/2015 9:46 AM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

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 – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: FERC proceedings re SCE license for Lundy Plant (P-1390 and subproceedings).

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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History

Time	Who	Approval
5/28/2015 8:25 AM	County Administrative Office	Yes
5/28/2015 8:24 AM	County Counsel	Yes
5/28/2015 8:25 AM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

TIME REQUIRED

**PERSONS
APPEARING
BEFORE THE
BOARD**

SUBJECT Closed Session - Public Employment

AGENDA DESCRIPTION:

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

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrator.

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

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MINUTE ORDER REQUESTED:

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History

Time	Who	Approval
5/26/2015 4:12 PM	County Administrative Office	Yes
5/27/2015 12:25 PM	County Counsel	Yes
5/26/2015 3:37 PM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

TIME REQUIRED

SUBJECT

Closed Session - Public Employment

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

PUBLIC EMPLOYMENT. Government Code section 54957. Title: HR Manager.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SUBMIT THE ORIGINAL DOCUMENT WITH
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THE COUNTY ADMINISTRATOR
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32 DAYS PRECEDING THE BOARD MEETING

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History

Time	Who	Approval
5/26/2015 4:12 PM	County Administrative Office	Yes
5/27/2015 12:26 PM	County Counsel	Yes
5/26/2015 3:37 PM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE June 2, 2015

TIME REQUIRED

SUBJECT

Closed Session - Public Employment

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Emergency Medical Services Manager.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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History

Time	Who	Approval
5/26/2015 4:12 PM	County Administrative Office	Yes
5/27/2015 12:26 PM	County Counsel	Yes
5/26/2015 3:37 PM	Finance	Yes