



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 March 1, 2016

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

NOTE: In compliance with the Americans with Disabilities Act if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (760) 932-5534. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517), and in the County Offices located in Minaret Mall, 2nd Floor (437 Old Mammoth Road, Mammoth Lakes CA 93546). Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB:** You can view the upcoming agenda at www.monocounty.ca.gov. If you would like to receive an automatic copy of this agenda by email, please send your request to Bob Musil, Clerk of the Board: bmusil@mono.ca.gov.

UNLESS OTHERWISE SPECIFIED BY TIME, ITEMS SCHEDULED FOR EITHER THE MORNING OR AFTERNOON SESSIONS WILL BE HEARD ACCORDING TO AVAILABLE TIME AND PRESENCE OF INTERESTED PERSONS. PUBLIC MAY COMMENT ON AGENDA ITEMS AT THE TIME THE ITEM IS HEARD.

9:00 AM Call meeting to Order

Pledge of Allegiance

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board.
(Speakers may be limited in speaking time dependent upon the press of business)

and number of persons wishing to address the Board.)

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on February 2, 2016.

B. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on February 9, 2016.

C. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Special Meeting held on February 11, 2016.

D. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on February 16, 2016.

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. FY 2016-2017 Homeland Security Grant

Departments: Sheriff-Coroner

Resolution #R16- __, Authorizing participation in the Office of Homeland Security FY 2016-2017 Homeland Security Grant Program and designating the Sheriff-Coroner, Emergency Services Coordinator, and the Sheriff's Finance Officer as authorized agents to sign for and administer the Homeland Security Grant.

Recommended Action: Adopt proposed resolution. Provide any desired direction to staff.

Fiscal Impact: Grant award of up to \$150,000

B. FY 2016-2017 OHV Grant

Departments: Sheriff-Coroner

Resolution #R16-__ of the Mono County Board of Supervisors approving the application for State Off-Highway vehicle grant, FY 2016-2017.

Recommended Action: Adopt proposed resolution. Provide any desired direction to staff.

Fiscal Impact: Potential grant of up to \$120,000

C. FY 2016-2017 EMPG Grant

Departments: Sheriff-Coroner

Resolution #R16-__, Authorizing the Mono County Sheriff's Office to participate in the FY 2016-2017 Emergency Management Performance Grant (EMPG) program and the name the Sheriff-Coroner, Emergency Services Coordinator, and the Sheriff's Finance Officer as authorized agents to sign for and administer the EMPG grant.

Recommended Action: Adopt proposed resolution. Provide any desired direction to staff.

Fiscal Impact: Potential grant of up to \$150,000

D. FY 2016-2017 Boating Grant

Departments: Sheriff-Coroner

Resolution #R16-__, Authorizing participation in the FY 2016-2017 California Department of Boating and Waterways grant program and designating the Sheriff-Coroner as an authorized agent to sign for and administer the grant.

Recommended Action: Adopt proposed resolution. Provide any desired direction to staff.

Fiscal Impact: Potential grant award of \$131,065

E. Emergency Preparedness Coordinator's Attendance at the 2016 NACCHO Preparedness Summit in Dallas, Texas

Departments: Public Health Emergency Preparedness

The Preparedness Summit is the premier national conference in the field of public

health preparedness. The four-day annual event provides one of the only cross-disciplinary learning opportunities in the field and has evolved over time to meet the growing needs of the preparedness community. A diverse range of attendees includes professionals working in all levels of government (local, state, and federal), emergency management, volunteer organizations, and healthcare coalitions. The Summit delivers opportunities to connect with mid to senior level colleagues, share new research, and learn how to implement model practices that enhance capabilities to prepare for, respond to, and recover from disasters and emergencies. The goal is to take information, tools, and resources acquired at the Summit to use in our local jurisdiction and professional practice and share with colleagues and community partners.

Recommended Action: The Board of Supervisors approve the Travel Request for Debra Diaz to attend the 2016 NACCHO Preparedness Summit, to be held in Dallas, Texas, from April 19th through April 22nd.

Fiscal Impact: The cost of this trip, \$2,139.34, is funded entirely out of the 2015-16 Hospital Preparedness Program Grant. There is no impact to the General Fund.

F. Antelope Valley RPAC appointments

Departments: Community Development Department

Board consideration of two appointments to the Antelope Valley Regional Planning Advisory Committee.

Recommended Action: As recommended by Supervisor Fesko, appoint Diane Anthony and Roger Donahue to the AV RPAC for four-year terms ending in March 2020.

Fiscal Impact: No impact.

G. Letter in Support of State PILT Advocacy Efforts

Departments: CAO

Letter of support for State 2016-17 PILT and PILT in arrears advocacy effort

Recommended Action: Approve the attached letter of support for PILT advocacy efforts to support the Governor's proposed appropriation for the 2016-17 fiscal year and request an appropriation for the PILT in arrears since the 2002-03 fiscal year.

Fiscal Impact: A successful lobby effort will result in approximately \$28,000 in the 2016-17 fiscal year with \$8,400 going to the County General Fund, and over \$365,000 in arrears dating back to the fiscal year 2002-03, with over \$100,000 going to the General Fund and the balance going to Mono County schools and special districts.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. Thank You Card from Czeschin Family

Thank you card received on February 17, 2016 from the Czeschin Family.

B. Notice of Application from Federal Energy Regulatory Commission

Notice of Application accepted for filing, soliciting comments, motions to intervene, and protests with regard to a hydroelectric application that has been filed by Southern California Edison.

C. Great Basin Air Pollution Control District Correspondence

Notice of Public Hearing received from the Great Basin Unified Air Pollution Control District on February 22, 2016. The entire informational packet may be viewed in the Clerk's office.

D. Application for ABC License by Pelican Point Grill

Copy of Application for Alcoholic Beverage License dated February 12, 2016, received from the Department of Alcoholic Beverage Control on behalf of Crowley Lake Fish Camp Inc, dba Pelican Point Grill.

E. Application for ABC License by Crowley Lake Fish Camp

Copy of Application for Alcoholic Beverage License dated February 22, 2016, received from the Department of Alcoholic Beverage Control on behalf of Crowley Lake Fish Camp Inc, dba Crowley Lake Fish Camp.

9. REGULAR AGENDA - MORNING

A. Mid-Year Strategic Plan Update

Departments: CAO, Finance, IT

15 minutes (10 minute presentation; 5 minute discussion)

(Megan Mahaffey, Nate Greenberg) - Mid year strategic plan update

Recommended Action: Hear the midyear strategic plan update, including a presentation of the new tool developed to align current work efforts with the Mono County Strategic Plan and provide feedback to staff.

Fiscal Impact: None

B. Lot Line Adjustment for Stock Drive Realignment Project

Departments: Public Works

10 minutes (5 minute presentation; 5 minute discussion)

(Garrett Higerd) - The proposed Stock Drive Realignment Project will realign a portion of Stock Drive so that a 15-foot high vehicle traveling on Stock Drive will not penetrate the Part 77 approach and departure surfaces for Runway 34 and reconstruct the Court Street/State Highway 182 intersection. The project requires a lot-line-adjustment to adjust the shape of the Ventura Hotel Corporation parcel (APN 008-111-013-000) to match the proposed alignment of Stock Drive.

Recommended Action: Direct staff to prepare a Lot Line Adjustment (LLA) between APN 008-111-011-000 owned by Mono County and APN 008-111-013-000 owned by Ventura Hotel Corporation, authorize the Assistant Public Works Director to sign the required LLA application, and waive all associated fees.

Fiscal Impact: Survey work necessary to prepare the proposed LLA is expected to cost approximately \$7,000. Prior to consummation of the transaction, title reports will also be necessary that are expected to cost \$3,000. Both will be paid by the Airport Enterprise fund.

C. Traffic Control Plan Policy for Special Events

Departments: Public Works

10 minutes (5 minute presentation; 5 minute discussion)

(Garrett Higerd) - Caltrans requires Special Event permit applicants to submit engineered traffic control plans when the proposed event will impact a state highway. Engineering staff are often requested to prepare the required plans. Staff requests clarification on how to handle these requests.

Recommended Action: Receive staff report regarding the preparation of traffic control plans by Mono County engineers for special events. Provide any desired direction to staff.

Fiscal Impact: The current Fee Schedule does not include a fee for Special Events. Preparation of engineered traffic control plans by staff generally requires two to four hours of engineering plus four to eight hours of drafting. Staff time requirements are reduced when events recur and traffic control plans are re-used with minor adjustments.

D. Employment Agreement with Stephen Kerins

Departments: County Counsel

5 minutes

(Stacey Simon) - Proposed resolution approving a contract with Stephen Kerins as Deputy County Counsel II and prescribing the compensation, appointment and conditions of said employment.

Recommended Action: Approve Resolution #R16-_____, approving a contract with Stephen Kerins as Deputy County Counsel II and prescribing the

compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Fiscal Impact: The cost of this position for the remainder of FY 15/16 is approximately \$54,408.22, of which \$32,842.25 is salary; \$7,403.30 is the employer portion of PERS, and \$14,162.67 is the cost of the benefits and is included in the approved budget. Total cost for a full fiscal year (16/17) is \$171,677.71, of which \$102,900.00 is salary; \$23,195.72 is the employer portion of PERS, and \$45,581.99 is the cost of the benefits.

E. Governance Workshop

Departments: CAO, County Counsel, Clerk/Recorder
2 Hours

(Shannon Kendall, Stacey Simon, Leslie Chapman) - Board Governance Workshop

Recommended Action: Hear the following presentations on Board Governance: Preparation of the Agenda and Minutes by Shannon Kendall; Brown Act Refresher by Stacey Simon; Conflict of Interest and Ethics Refresher by Stacey Simon; Annual Board Rules of Procedure Update by Leslie Chapman. Provide feedback and direction.

Fiscal Impact: None

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

11. CLOSED SESSION

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, and Dave Butters. 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-- Public Employment

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

C. Closed Session-- Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Deputy County Counsel.

THE REGULAR SESSION WILL RECONVENE AFTER CLOSED SESSION IF NEEDED

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

on items of public interest that are within the subject matter jurisdiction of the Board.
(Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

ADJOURN



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Approve minutes of the Regular Meeting held on February 2, 2016.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Helen Nunn

PHONE/EMAIL: x5534 / hnunn@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

[Draft Minutes 2-2-16](#)

History

Time	Who	Approval
2/16/2016 4:58 AM	County Administrative Office	Yes
2/23/2016 1:58 AM	County Counsel	Yes
2/18/2016 2:01 PM	Finance	Yes



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

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.
MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

Regular Meeting
February 2, 2016

Flash Drive	#1004
Minute Orders	M16-30 to M16-38
Resolutions	R16-04 to R16-08
Ordinance	ORD16-01 NOT USED

9:00 AM Meeting Called to Order by Chairman Stump.

Supervisors present: Alpers, Corless, Fesko, Johnston and Stump.
Supervisors absent: None.

Break: 10:15 a.m.
Reconvene: 10:26 a.m.
Break: 11:14 a.m.
Reconvene: 11:22 a.m.
Closed Session: 1:00 p.m.
Reconvene: 2:30 p.m.
Adjourn: 3:02 p.m.

Pledge of Allegiance led by new HR director Dave Butters

The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link:

<http://www.monocounty.ca.gov/meetings>

1. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

No one spoke.

2. **APPROVAL OF MINUTES**

A. **Board Minutes**

Departments: Clerk of the Board

Action: Approve minutes of the Regular Meeting held on January 12, 2016, as corrected.

Corless moved; Johnston seconded

Vote: 5 yes; 0 no

M16-30

Supervisor Stump:

- On Page 8 of draft minutes, his comment regarding RPACS, should read, "Swall Meadows has a Design Review Committee and a Fire Safe Council

Note

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that fill the RPAC needs. There is no County staff support provided. Benton and Chalfant like to be called RPACs but without formal appointments. Paradise prefers Community meetings.'

Supervisor Johnston:

- On p. 10 of draft minutes, under Issue #5, where it says "BYLAWS" it should say, "Should RPACs bylaws include requirements for (such as attendance), or take a vote on, whether a prospective new RPAC member should be appointed? (Taken directly from agenda.)
- On p. 11 of draft minutes, under last paragraph under Supervisor Stump, where it's talking about the "Board Consensus" – that there be no recommendation vote from the RPAC or requirement for attendance prior to appointment".
- On p. 11, under Issue #6, Under Ratification of the Bylaws, the consensus was to "Ratify the Bylaws" and it just wasn't there.
- All bold "Board Consensus" for the RPAC item, needs to be broken out separately.

Supervisor Fesko:

- On p. 10 of draft minutes, under the "Spouses on RPACS" Issue, at the bottom of Supervisors Stump: it says there is no Board Consensus: 2 in favor or no spouses, 3 are against. So there was Board Consensus. Need to remove the word "NO".
- On p. 10 of draft minutes, under Issue #5, should state what the item was listed as the board packet for the last meeting.
- Under Supervisor Stumps comment under Issues #5 of RPAC item, Board Consensus in bold needs to be its own heading, it's not part of Supervisor Stump's comments.

Supervisor Corless:

- On p. 8 of draft minutes, under her comments, first line, looks like the end of the sentence is missing, should say, "feels all Board appointed advisory Committees *should have terms*".

Stacey Simon:

- On p. 9 of draft minutes, her comment at the very bottom, add the word "possibly" "Doctrine of Incompatible Offices".

B. Board Minutes

Departments: Clerk of the Board

Action: Approve minutes of the Regular Meeting held on January 19, 2016, as corrected.

Alpers moved; Fesko seconded

Vote: 5 yes; 0 no

M15-31

Supervisor Johnson:

- On p. 1 of draft minutes, under John Armstrong, it should say "up to 1500 riders" not 150.
- On p. 2 of draft minutes at the top, Stacey Simon's comment: add "for State Highway closures".

Supervisor Corless:

- On p. 7 of 10, two name spelling corrections. Should be "Jeph Gundzig" and "Brian Robinette".

Stacey Simon:

- On p. 6 of draft minutes, at very top, talking about consortium applications, should say, "Funds are limited to one consortium per geographic region".

Note

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3. RECOGNITIONS - NONE

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- YARTS meeting last Friday; attended with Supervisor Corless. Parks Service gave a report. Ridership is down a bit due to several factors.
- Discussion about RACE grant and Lee Vining – plotting strategy on how to get upgrade service into community.

Supervisor Corless:

- YARTS: ridership down slightly: 4.62% overall, 7.2% for Highway 120 east this summer. Yosemite National Park visitation was up. Why a decrease in ridership? Short Range Transit Plan (which is a requirement for transit agencies): revision coming up in 2016, input needed on scope, focus areas (such as fare increases, multi-modal connections, long-term funding, etc) by mid-March, board will meet with the Authority Advisory Committee to discuss the plan; approved resolution authorizing CalTrans' Intercity Bus program funding, Greyhound service agreement, and amendments to Joint Powers Agreement and By Laws (to bring into compliance with current board makeup), made appoints to the Advisory Committee for Madera and Mariposa counties.
- KMMT: thanked them for opportunity to give a county update on Wednesday during the station's "community corner" program; on behalf of KMMT, extended invitation to board members and county staff to join the discussion.
- Collab. Planning: lengthy discussion regarding Tri-Valley flooding, agency roles and responsibilities and potential funding sources—this will be something our board will need to discuss and prioritize in March; update from Inyo NF on forest plan revision process—expect draft Environmental Impact Statement around April-ish; new phase of travel management involving Over Snow Vehicles, INF is looking for general comments on snowmobiling on the forest—check the Inyo's website for ways to comment and to learn more about the process. Heard from BLM that there has been some progress in the facilitated meetings between Ormat and Mammoth Community Water District in agreeing on a monitoring plan for Casa Diablo IV. Ca Dept of Fish and Wildlife presented the Wildlife Action Plan, and Community Development Intern gave an updated and requested CPT input on the recently awarded Sustainable Agriculture grant, look forward to hearing more about this.
- "Hell on Wheels" cast, producers, writers in Mammoth, thanked Mammoth Lakes Foundation for a great event!

Supervisor Fesko:

- SRA Fee - This week a Superior Court judge ruled in favor of the Howard Jarvis Taxpayers Association's (HJTA) lawsuit claiming the \$150-a-year 'fire fee' is in fact a tax and therefore illegal. A tax requires the support of two- of the legislature – something this tax did not have when passed. This ruling means that anybody paying the fee will be included as class action defendants (there is a choice to opt out) and could be eligible for a refund if HJTA continues to prevail in court. In the meantime, property owners can still protest their bill by filing a petition for redetermination within 30 days of the billing date. Information on how to appeal can be obtained at www.calfirefee.com/appeal.
- January 19-21: Attended the RCRC Board of Directors meeting in Sacramento and the Swearing in of new Leadership.

Items of Interest:

- 1) San Luis Obispo County, represented by Lynn Compton, was

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approved for membership once again. SLO was a member from 2002-2010 and now once again will be a great asset to RCRC.

- 2) Recent population shifts in RCRC Counties. As a whole, California's population continues to grow at a moderate pace of 0.9%. This is 346,000 new residents. San Joaquin, Monterey, Santa Clara, Yolo, Alameda and Contra Costa Counties are seeing growth of more than 1.3%. Of concern for rural counties, 15 counties have lost population in the past year. Counties that have lost population are: Amador, Calaveras, Del Norte, Lassen, Mariposa, Mendocino, Modoc, Mono (-148), Nevada, Plumas, Shasta, Sierra, Siskiyou, Trinity and Tuolumne.
- 3) AB21 Medical Marijuana – Removal of "C4" March 1 2016 deadline for local cultivation. AB21 gained final passage in the State Assembly this past Thursday. The measure now goes before the Governor and he is expected to sign in shortly.

- January 22: Attended the International Sportsman Exposition (ISE), in Sacramento. The show was packed from wall to wall. He visited Mono County's booth. They had a fantastic location and the booth had exposure on two sides. Special thanks to Alicia Vennos, Gail Mueller, Pam Hamic and Chris Long for their help at the booth.
- January 26: Had a great conversation with Morro Bay Fire and Paramedics on their operation. Quite interesting to hear how they have Fire and Paramedic integrated into one.
- January 29: visited Supervisor Lynn Compton in San Luis Obispo and toured part of her district. Had great discussion on a number of topics. We're very lucky not to have to deal with things like: Homeless people and Gangs and the destruction that is left behind.
- Special Thanks - Pat Espinosa (and others) for helping a homeless Marine Veteran as he was attempting to get to the VA hospital in Las Vegas.
- Jeff Walters, Brett McCurry, and all of road crew for their prompt attention to road damage on Twin Lakes road.

Supervisor Johnston:

- CSAC reports road revenue down about 25% over the last two fiscal years; they are continuing to push for at least a \$3 billion funding package.
- The Ca Transportation Commission has since defunded the State Transportation Improvement Program by 750 million.
- Has asked for consideration of a road funding support resolution to be placed on a future Board agenda pursuant to a draft resolution prepared by CSAC.
- Attended the IMACA meeting last week. Reviewed financial reports, fiscal year budgets, home energy assistance programs, and the Head Start status (noting that the relocated Head Start facility in Mammoth Lakes is now up and running).
- Attended the Treasury Oversight Committee meeting yesterday - it was reported that our investments are doing well, approximately three times the Local Agency Investment Fund return. Also reviewed Investment Policy which had some relatively minor revisions included.
- Attended the Great Basin Unified APCD meeting yesterday in Bishop (along with Supervisor Stump). Took action to set up a trust fund to refund pension benefit expenses. Also asked Phil Kiddoo, APCD Director, to make a presentation to the Board regarding the American Bar Association national award received recently by the air district; hopefully at our 3rd meeting in February.
- Noted the work being done by the Sierra Club (also mentioned by Supervisor Corless previously) on the Blue Diamond cross-country ski

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system in and around Mammoth Lakes.

- Indicated that the Mammoth Lakes Housing meeting was postponed due to a lack of a quorum, to be re-scheduled soon.
- Was going to update the Board on the SRA Fire fee that is being contested by the Howard Jarvis group but Supervisor Fesko's report included same.
- Read a letter from Mr. Dessert who is asking to utilize the County's snow pole straightener, pursuant to a request made two years earlier. Asked staff to follow-up.

Supervisor Stump:

- Mentioned Item #9e (Backup Generator Item) has been pulled today due to unreadiness.
- 1-20: Attended the Tri Valley Water Commission, initial paperwork has been filed with the State to split the Tri Valley Water Basin from the Owens Valley. (Special meeting...ask Fred)
- 1-26: Attended the EMS committee - One more meeting requested to iron out presentation details. I suggest that the two Board members on the committee not attend that meeting so no one could be accused either of the Board members of attempting to influence the presentation.
- 1-26: Attended CSA 1 meeting. They will be coming to the Board soon to request authorization to spend funds to start the next phase of the Skate Park project.
- 1-27 : Long Valley RPAC - The RPAC is starting on a trails plan from Lower Rock Creek Road to the Business Park across from the Mammoth Airport
- 1-28: Attended Collaborative Planning Team - Hwy 6 flood issues were on the agenda. Thanks to Craig Holsti of Cal Trans for volunteering to schedule additional meetings between agencies including Mono County.
- 2-1: Attended Great Basin Unified Air Pollution Control District.
- On Thursday 1-28 the California Public Utilities Commission considered Resolution T-17477 which would fund the creation of fiber optic to homes internet capability to several communities in Mono County. There were two versions of the Resolution considered, one included the community of Lee Vining and the other excluded Lee Vining. The version that included Lee Vining was voted down 3-2. The version that excluded Lee Vining passed 5-0. The Communities that were approved were Mono City, Old Benton, Benton, White Mountain Estates, Paradise, and Swall Meadows. Lee Vining was excluded because three Commissioners considered that the availability of 4G cell/wireless service in Lee Vining met the speed criterion for service and therefore wanted to exclude Lee Vining.

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Leslie Chapman:

- 1/25/16: Facilities Project Review Committee meeting. Discussed current projects and new additions to the list. Megan and Nate offered to develop a new tool to track projects.
- 1/26/16: Met with Sheriff and jail staff to discuss a grant opportunity for jail improvements.
- 1/26/16: Met with ATV Jamboree organizers, road department, CHP, Sheriff and County Counsel regarding road closures and came up with a plan.
- 1/26/16: EMS Ad Hoc committee meeting. Committee report is done and

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presentation is underway. Will be presented March 8th.

- 1/27/16: Met with organizers of Grand Fondo Bicycle race, the road department and solid waste regarding road closures. This item is scheduled for next week's agenda.
- 1/29/16: All day training on Community Disaster preparedness. Thanks to the Sheriff and her staff for organizing this important training.
- 2/1/16: Treasury Oversight Committee meeting.

6. DEPARTMENT/COMMISSION REPORTS

Sheriff Braun:

- Thanked Leslie Chapman for attending Disaster Preparedness training last Thursday. Organized by OES Sgt. Seth Clark, great turnout. Later that night, had first Explorer Scout meeting (in conjunction with two school resource officers). There is interest.
- Meeting about grant opportunity for Jail Expansion. This one not available for 8-11 months and will only be available to counties that haven't received previous funding. Our county has not.

Jeff Walters:

- Discussion about the large rock that fell on Twin Lakes Road: This was a large boulder. Had quick response with machinery and staff necessary to fix this and open road. Will need to do more permanent repair in the future.
- Discussion about avalanche forecaster, avalanche danger is a real concern.
- Snow removal discussions. Fuel system discussion; mouse issues.
- His road crew has been placed on call every weekend for past month. Hoping for fair weather this weekend so they can have a break.

Stacey Simon:

- Spent time interviewing candidates for deputy positions in her office; a great list of experienced candidates; very productive.

Garret Higerd:

STIP funding issues: it's possible that this discussion goes beyond MOU projects and touches on local projects. At staff level, they've put together a draft priority list:

- Two TOML sidewalk projects are first and second to keep primarily because of development going on there.
- Third, Mono County Preventative.
- Fourth, Airport Road Project.
- Fifth, Town's Meridian Round-About project.
- This is a huge crisis; it makes it very difficult to function. Also getting reports of highway user issues. We need a legislative fix.
- He supports a resolution.

Gerry LeFrancois:

- 2016 STIP funding cycle is now in red; looking to make up a huge deficit. Trying to save some MOU projects.
- We're supposed to reduce funding \$4.5 million dollars. At staff level we are trying to postpone and delete projects.
- Went over projects to save/delete. Unless there are urgency items, they may not take effect for over 9 months.
- He sent three files to the Board, explained each.
- Board comments: Chair asked that on next week's consent agenda, there be a resolution or letter in regards to this issue. Consensus: cover letter and resolution. Maybe mention some MOU language on the letter.
- Supervisor Fesko: Would be concerned about losing Pavement Maintenance Program.

7. CONSENT AGENDA

Note

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A. Hiring Freeze Variance; DSS FTS III

Departments: Social Services

A Fiscal Technical Specialist (FTS) III position vacancy within the Department of Social Services was created when the incumbent promoted from a FTS III to fill a vacant FTS IV position created by a recent employee retirement. The Department wishes to backfill this vacancy. A FTS III performs the more difficult and specialized clerical accounting duties in the preparation and maintenance of financial and statistical records, and provides training and work assignments to fiscal support staff. This position is included in the current BOS-approved Allocation List.

Action: Approve hiring freeze variance and authorize the Director of Social Services to fill one Fiscal Technical Specialist III vacancy within the Department of Social Services. Should an internal candidate be chosen to fill the position, authorize the Director of Social Services to backfill the vacancy created by promoting the internal candidate.

Fesko moved; Corless seconded

Vote: 5 yes; 0 no

M16-32

B. Hiring Freeze Variance - Public Health Fiscal and Administrative Services Officer

Departments: Public Health

The current Public Health Fiscal and Administrative Services Officer has announced her retirement effective March 1, 2016. This position is vital to the operations of the department and it is important to recruit for and hire this position in time to allow for training.

Action: Approve a hiring freeze variance to fill the upcoming vacancy for a Public Health Fiscal and Administrative Services Officer.

Fesko moved; Corless seconded

Vote: 5 yes; 0 No

M16-33

C. Appointment of Bridgeport Valley Regional Planning Advisory Committee (RPAC) Members

Departments: Planning

Consideration of Supervisor Fesko's recommendation for memberships / terms for the Bridgeport Valley RPAC, filling four vacancies with reappointments and appointing one new member.

Action: Appoint Nick Way, Mike Booher, Jeff Hunewill, Bob Peters, and Erinn Wells to the Bridgeport Valley RPAC as for the terms set forth in the staff report. These are all two-year terms expiring January,

Note

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2018.

Fesko moved; Alpers seconded

Vote: 4 yes; 1 no: Johnston

M16-34

Pulled by Supervisor Johnston:

- We are appointing three county employees again; as he's expressed previously, this is a conflict.
- He can't support these appointments.
- Truly feels like it looks like the deck is stacked in favor of county employees; doesn't see how this is right.

Stacey Simon:

- Looked into concern regarding appointment of county official to an organization such as RPACs. However, her research was cut short when she researched the law and found that legally this is not a conflict.

Supervisor Stump:

- Thought this issue was on hold pending legal opinion.
- Thought these were going to be four year terms.

Supervisor Fesko:

- Discussed employees; doesn't see that there's an issue.
- He doesn't see that there would be any conflict.

Scott Burns:

- RPAC procedures will be brought back next meeting which will address the four year term.

D. Consolidation of Elections

Departments: Elections

The Mammoth Lakes Town Council has requested that the General Municipal Election be consolidated with the Statewide Direct Primary Election, and that the County Elections Division conduct the election and canvass the returns.

Action: Adopt Resolution R16-04, consolidating the General Municipal Election with the Statewide Direct Primary Election, and directing the Mono County Elections Division to conduct the election and canvass the returns.

Fesko moved; Corless seconded

Vote: 5 yes; 0 No

R16-04

E. Reimbursement of Election Z Costs

Departments: Elections

A special election was held for the Town of Mammoth Lakes on October 6, 2015. In accordance with Section 10002 of the California Elections Code, all expenses resulting from that election are reimbursable to the County from the Town.

Action: Approve invoice for the Town of Mammoth Lakes for all expenses associated with the 2015 Measure Z special election.

Fesko moved; Corless seconded

Note

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Vote: 5 yes; 0 No
M16-35

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. Governor's Election Proclamation

Correspondence dated January 11, 2016 containing the Governor's Proclamation of the Presidential Primary Election to be held on Tuesday, June 7, 2016.

The Board acknowledged receipt of the correspondence.

9. REGULAR AGENDA - MORNING

A. Investment Policy and Delegation of Investment Authority

Departments: Finance

(Leslie Chapman, Gerald Frank) - Mono County Statement of Investment Policy and proposed Ordinance to Delegate Investment Authority to the Treasurer.

Action: 1. Approve the Mono County Statement of Investment Policy as presented or amended. 2. Introduce, read title, and waive further reading of proposed ordinance delegating investment authority to the County Treasurer.

Johnston move; Alpers seconded

Vote: 5 yes; 0 no

M15-36

Gerald Frank:

- Introduced item.
- Will go over suggested changes (as outlined in staff report); mentioned there were two additional items that he'll mention when he gets to them.
- Mentioned training he'll be attending.

Supervisor Alpers:

- Asked questions about protection.
- Doesn't think we could be doing much better.

Leslie Chapman:

- Explained protection issue.
- Good practice to not make certain things permanent.
- On JP Morgan Bond: discovered if they got rid of it they'd take an \$11,000 loss.

B. Use of Contingencies

Departments: CAO

(Leslie Chapman) - Budget Amendment to use contingencies for payroll accrual payouts.

Note

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Action: Approve budget amendment to reduce contingencies by \$304,465 and increase salary expense in various budgets to pay accrued sick, vacation and comp time for 14 people leaving the County (4/5ths vote required).

Alpers moved; Corless seconded

Vote: 5 yes; 0 no

M16-37

Leslie Chapman:

- Brought to Board today to get out in front of Mid-Year budget review.
- There are 13 employees leaving the county that were unknown when original budget was prepared.
- Usually there is a head's up, not this time. This is also the reason we have minimum contingencies in place.
- Asking to push money to departmental salaries.
- Asking to bump up to \$304,465 due to one additional employee leaving.
- Balance left: \$25,535.
- We'd have to get reductions in department budgets if contingencies weren't used. Can't use reserves legally in her opinion.
- Motor Pool receives money from ALL funds, not just General Fund. These are based on mileage charges.
- We do have the accrued sick leave numbers on hand.

Supervisor Johnston:

- What would happen if we didn't have contingency monies?
- Reminded board that we bought 5 extravagant vehicles for the Sheriff's Department; we've bailed out excessive overtime costs for EMS.
- Some of this is self-inflicted.

Supervisor Fesko:

- This is a problem. The amount of sick time that people can accrue is an issue.
- Staff has done a great job to get a balanced budget.
- These are unfunded liabilities that are out there.
- If we don't want to cut budgets, then we need to look at mid-year or bump up reserve, or contingency to look at this kind of problem.
- Just because things get said, doesn't make them true (in regards to Sheriff's vehicles that were purchased); discussed the legal use of motor pool costs vs. what else we can use it for.

Supervisor Stump:

- Motor pool funds come from department budgets; once moved into this category they can't be used for anything else.
- The only way to get rid of this is to get rid of the fleet.
- In regards to sick leave issue in the future: may be that we let people use their sick time towards retirement credit instead of paying it out.

Supervisor Corless:

- For next budget cycle: can we get a sense of what the liability is of accrued sick leave is at this point?

C. Contribution to Integrated Regional Water Management

Note

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Program (IRWMP)

Departments: CAO

(Leslie Chapman/Supervisor Johnston) - Consider making a contribution to IRWMP to support programmatic activities during a \$20,000 funding gap between now and the next round of Prop 1 funding. The suggested contribution is \$250 or more.

Action: 1. Approve contribution to IRWMP in the amount of \$2,000 to support programmatic activities during a \$20,000 funding gap between now and the next round of Prop 1 funding. 2. Approve amending the 2015-16 Board-approved budget to decrease Contingencies by \$2,000 and increase Contributions to Other Agencies in the General Fund (4/5ths vote required).

Corless moved; Alpers seconded

Vote: 5 yes; 0 no

M16-38

Leslie Chapman:

- They are asking for anywhere between \$250 and \$20,000.
- If board chooses to vote positive on this item, it would have to come from contingencies.
- Reminded Board that this requires a 4/5 vote.
- Discussed conditions on appropriating money from county reserves, quoted code section.
- Salary savings would most likely get used if we had needed contingency funds last year when we took it down to \$0.

Supervisor Johnston:

- Gave some additional explanation on this item.
- Asked what Inyo County contributed initially?
- He'd be ok with \$3,000.
- Is a payout a mandatory expenditure required by law?
- Thinks the \$3000 is fine.

Dr. Mark Drew:

- Appreciates this being agendized.
- Gave some additional background information.
- With respect on how this funding has been used thus far, Mono County has received approximately \$600,000 for project support.
- Feels that this program is done well.
- Has secured \$2500 with another \$3000 on table in matches (from water district).
- None of their funds are guaranteed. Spoke about possible funding that could create some stability but right now it's not there.
- Inyo has done two contributions: \$3,000 and \$5,000.
- The \$20,000 is the bare bones that they need, more would be better.
- Asked if county would consider a contribution of \$2000 now with a revisit later?

Supervisor Alpers:

- Mentioned \$20,000 gap. What's been collected?

Note

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- He would support up to \$1000 contribution towards his efforts.
- He's willing to go up to \$3,000 to get water district match.
- Complimented volunteers on the management of this.

Supervisor Corless:

- The value of what IRWMP has brought to Mono County is clear.
- She'd like to see that we try to reach match that water district has put forward.
- Asked whether it would be beneficial to build some of these funds into our yearly budget?
- Would like to request we do set aside funds in our budget yearly.

Supervisor Fesko:

- Is the \$20,000 being requested going to realistically help fund the gap?
- \$1,000 from Mammoth Water with a \$3,000 match? And then about \$1500 other funds?
- He has an issue of allocating any sort of money out of contingency however he could see doing \$1,000 (with the \$1,000 match by water district).
- He can't support \$3,000, he's not ready to take contingencies down to \$0.
- He suggests this get readdressed after mid-year.

Supervisor Stump:

- Hears there's a consensus to help fund but not an agreed upon amount.
- He was on \$1,000 side but hears a consensus for \$3,000.
- Did Water District give a deadline on match funds?
- Asked Board members that are committing to \$3,000 how they feel what would happen?
- Asked CAO and County Counsel additional questions.

D. Intermittent Road Closures for ATV Jamboree

Departments: Road

(Jeff Walters) - Proposed resolution Authorizing the Intermittent Closure of County Roads in the Bridgeport and Antelope Valley Areas for the 2016 ATV & UTV Jamboree.

Action: Adopt Resolution No. R16-05, "A Resolution of the Mono County Board of Supervisors Authorizing Intermittent Closure of County Roads in the Bridgeport and Antelope Valley areas for the 2016 Eastern Sierra ATV & UTV Jamboree."

Alpers moved; Corless seconded

Vote: 4 yes; 1 abstain: Fesko

R16-05

Supervisor Fesko:

- Recusing himself due to potential conflict of interest.

Jeff Walters:

- Gave history/background about item.
- Went over specific road closures and times of closures.
- These are short term closures and shouldn't really affect the residents in the area.
- These costs are covered within their budget; much like the 4th of

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July.

- He knows there is a cap on the amount requiring board approval. Maybe anything over \$2,500?
- For Gran Fondo he's budgeting a similar amount.

Supervisor Stump:

- What is the provision for residents that may live on these roads?
- How is expenditure covered?
- He understands this is preplanned in the Public Works budget.

Supervisor Johnston:

- What is the amount that would need board approval?
- Asked about amount for Gran Fondo bike ride?
- If these costs are incidental to Public Works, we should be looking at these types of things in a budget setting.

Supervisor Corless:

- Thanked the Chamber/volunteers for all the work done in making this a successful event year after year.

Public Discussion –

Sue Robbins (Secretary/Treasurer for Northern Mono Chamber of Commerce):

- Asked that this request be approved; this event is very lucrative for the north part of the county.
- Funds keep the Chamber and a lot of other groups afloat.
- It helps keep fish stocked because the Chamber spends money (made from event) to do stocking.
- This is their 9th year; it's always done in the least intrusive way.

Dave Robbins:

- Even more important than the economic value is what the children get out of this event.

Mike Curti:

- He's here from a safety aspect.
- The majority of the community loves this event; allows for the purchase of needed things within the community.
- They wet the roads to keep dust down.
- Asked if Board had any questions about safety of event?

Alicia Vennos:

- This jamboree is a shining example of how local program funding has worked.
- They've started out very humbly and now it is a huge event. They no longer require board funding.
- She has participated in the event and it's fantastic to see the types of people that gain access to the back country.

E. Backup Generator

Departments: Board of Supervisors

(Leslie Chapman) - During a recent power outage in Mammoth Lakes, the issue of not being able to pump gas was brought before the Board of Supervisors as being a considerable issue. In coordination with Karl Teller of Mammoth Chevron, an idea is being brought forward for the County to purchase a backup generator that would be kept at Mammoth Chevron. This item is being sponsored by Supervisor Johnston.

Note

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Action: None.

PULLED FROM AGENDA!

F. Probation Department Re-Organization

Departments: Probation

(Karin Humiston) - 1. Hear update on status of the Inyo County Juvenile Detention Center and how Mono County will be impacted. (Information will be provided at the meeting.)

2. Approval of resolutions to amend the allocation list to: Eliminate 4 DPO I/II positions and add 4 DPO I/II/III series positions. Salary ranges are as follows: DPO I, Range 51, \$3,488 - \$4,240; DPO II, Range 55, \$3,575 - \$4,680; DPO III, Range 59, \$3,664 - \$5,166, and Eliminate one DPO III position and add 1 DPO IV, salary range 63, \$4,691 - \$5,703, and Eliminate 1 Fiscal and Technical Specialist IV and add 1 Administrative Services Specialist, salary range 69, \$4,535 – 6,293.

Action: Adopt proposed resolution number R16-06, Authorizing the CAO to Amend the County of Mono List of Allocated Positions to Eliminate Four Deputy Probation Officer I/II Positions in the Probation Department and Allocate Four Deputy Probation Officer I/II/III Positions.

R16-06

Adopt proposed resolution number R16-07, Authorizing the CAO to Amend the County of Mono List of Allocated Positions to Eliminate One Deputy Probation Officer III Position and Add One Deputy Probation Officer IV Position.

R16-07

Adopt proposed resolution number R16-08, Authorizing the CAO to Amend the County of Mono List of Allocated Positions to Eliminate the Position of Fiscal and Technical Specialist (FTS) IV in the Probation Department and add the Position of Administrative Services Specialist.

R16-08

Corless moved; Alpers seconded

Vote: 4 yes; 1 no: Fesko

Supervisor Stump:

- Explained that he had asked Karin to send some additional information to the Board; not a lot of people know a lot about Probation.
- Is concerned when it is said that they are working out of class, could be a liability issue.
- Asked about Foster Care requirements.
- Asked whether Board has enough information to vote on all three resolutions at once?

Karin Humiston:

- Gave brief overview; introduced Dylan Whitmore, recently

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- promoted to DPO IV.
- Introduced Jazmin Puga-Sosa, Jon Himelhoch, Orlando Mejia, Erin Van Kampen, and Curtis Hill – also all from her office. They each explained their positions in the Probation Department, outlined their duties and gave some specific goals they've reached or are working on.
- Spoke about realignment issues.
- Discussion about Inyo's detention center; not sure of its future.
- Gave Davison House update. We've always had a need for a transition house for people coming out of jail.
- Discussion about switch from her FTS IV position to the Administrative Services Specialist.
- CCP fund discussion.

Dylan Whitmore (DPO IV):

- Gave some background information on the department and what he does.
- He's here to explain that in his opinion, the people in the DPO II positions do work out of class.
- Asked for Board support on item.

Kathy Peterson (Social Services):

- Gave information regarding the Continuum of Care Reform.
- Requirements will change for Foster Care requirements.

Leslie Chapman:

- If people are working out of class, there are specific actions that the county takes that have not been taken yet.
- This statement is not a reflection of how Probation Department is doing; they're doing a great job.
- If Board approves DPO III position, then Karin will make a request to move those employees with a justification.
- Discussion about FTS IV to Admin Services Spec job.

Supervisor Johnston:

- What's happening with the Davison house? Is there a need to this facility?
- This is a matter of pay for what you do when you come down to it, right?
- Feels this is out of context without what ten next comparable counties are doing.

Supervisor Corless:

- Thanked the Department for coming to board today and giving overview.
- Asked for clarification on recidivism.
- Asked for additional success stats.

Supervisor Fesko:

- Asked about the flow chart.
- It does disturb him to hear employees are "working out of class". Feels there is a process to go through; especially now that we have a HR director.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD
No one spoke.

11. CLOSED SESSION

For item #11c, Public Employment: Public Employee Discipline/Dismissal/Release:

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it was reported out of closed session that the Board unanimously approved a contract with the Jones/Mayer firm for defense of personnel appeal.

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon and Leslie Chapman. 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 - Performance Evaluation

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

C. Closed Session-- Public Employment

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE.
See comments above for action taken in regards to this item.

D. Closed Session-- Public Employee Performance Evaluation

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: Public Works Director.

REGULAR SESSION RECONVENES AFTER CLOSED SESSION

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

13. REGULAR AGENDA - AFTERNOON

A. Plastic Bag Ban Survey and Ordinance

Departments: Solid Waste Division of Public Works
(Tony Dublino) - Proposed ordinance adding Chapter 12.05 to the Mono County Code Pertaining to the Use of Disposable and Reusable Bags.

Action: None.

Tony Dublino:

- Introduced item; gave some background information.
- Included results of his survey which were in board packet.
- Has included responses verbatim as opposed to summarizing.
- Mentioned Domaille's letter.
- Discussion regarding enforcement – how much staff time has this effort

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taken? (Not a lot, maybe ten hours of his time.)

- This would affect more than six businesses.
- As far as reporting requirement, he doesn't have an interest in creating a challenge for people.
- Discussion regarding fines.
- He feels waiting until after November (to see what the state does) makes sense due to his workload, although he fully agrees with the ban.

Stacey Simon:

- You could spell out a lesser fine in the ordinance if the Board chose to.

Supervisor Alpers:

- To be honest, at this time, he'd like to retable it in November after we see what the state does.
- He liked Domaille's letter and agrees with a lot of it.
- Doesn't think this is necessary right now.

Supervisor Fesko:

- He can tell a lot of written responses are from people he knows.
- In looking at draft ordinance, he sees a lot of additional regulations on small businesses.
- This is coming down from the state. Why do we want to, as a board, pose this on six businesses?
- He thinks that this type of ordinance would be ridiculous.
- We don't have a huge plastic bag issue like larger areas.
- What are Tony's thoughts on waiting until November?

Supervisor Stump:

- He feels the paperwork requirement and fine schedule is too much. He also questions fine.
- The amount of bags that the county hands out is miniscule. This wouldn't eliminate the overall number of plastic bags in the county.
- He'd like to move forward but he has concerns about paperwork, fines, and he would like to see Tom's Place and Convict Lake surveyed.

Supervisor Corless:

- She appreciates the concerns about small businesses; she would agree that the language should be taken out about reporting.
- She's fine with tabling this until November, given other projects Tony has in the works. We can wait to see what happens in the state.
- She still wants to keep it on the table, especially if the State ban fails.

Supervisor Johnston:

- Most of these comments (from survey/letters) are clearly false and shown in other jurisdictions not to be true.
- There are over 100 cities in California that already do this.
- He read some stats on the ways that plastic bags are harmful.
- He'd be fine with lessening requirements on reporting.
- This has been tested repeatedly, it's been shown repeatedly that it's doable and people want to do it.

- He knows Board isn't going to do anything right now and feels it's unfortunate.

ADJOURN 3:02 p.m.

ATTEST

Note

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FRED STUMP
CHAIRMAN

SHANNON KENDALL
ASSISTANT CLERK OF THE BOARD



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Approve minutes of the Regular Meeting held on February 9, 2016.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Helen Nunn

PHONE/EMAIL: x5534 / hnunn@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:

<p>Click to download</p> <p> Draft Minutes</p>
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History

Time	Who	Approval
2/19/2016 1:46 PM	County Administrative Office	Yes
2/23/2016 2:02 AM	County Counsel	Yes
2/22/2016 3:25 PM	Finance	Yes



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

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified just below.
MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

**Regular Meeting
February 9, 2016**

Flash Drive	#1005
Minute Orders	M16-39 to M16-43
Resolutions	R16-09 to R16-10
Ordinance	ORD16-01

9:00 AM Meeting Called to Order by Chairman Stump.

*Supervisors Present: Alpers, Corless, Fesko, Johnston and Stump.
Supervisors Absent: None.*

*Break: 10:30 a.m.
Reconvene: 10:45 a.m.
Closed Session: 11:35 a.m.
Adjourn: 1:24 p.m.*

Pledge of Allegiance led by Sr. Deputy Clerk Helen Nunn.

The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>

1. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**
No one spoke.
2. **APPROVAL OF MINUTES - NONE**
3. **RECOGNITIONS**
 - A. **Resolution of Appreciation - Vianey White**
Departments: Public Works
(Jeff Walters; Board of Supervisors) - Proposed resolution of

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appreciation for Vianey White.

Action: Approve proposed resolution of appreciation for Vianey White.

Fesko moved, Corless seconded.

Vote: 5 yes, 0 no

M16-39

Jeff Walters:

- Read the resolution into record.

Supervisor Fesko:

- It seemed like many of her projects were in his district; he gives kudos to her and the rest of the staff.

Supervisor Stump:

- He especially appreciated her work on the cemeteries.

4. **BOARD MEMBER REPORTS**

Supervisor Alpers:

- 2/2 - Attended the JLCAC meeting held at the JL Community Center. New officers for 2016 are:
 - President - Jeff Ronci
 - Vice-President - Patti Heinrich
 - Secretary - Ann Tozier
- Janelle Walker and Margie DeRose of the USFS discussed policies for when burn piles in the JL Loop are torched. Snow ground cover, lack of wind and humidity levels are of highest consideration. Piles are torched with a drip system of diesel/hot fuel. No wind conditions cause smoke inversions in Down Canyon area which cause concern.
- Jeff Ronci reported via power point presentation on the potential/possibility of a small skate park in June Lake. High priority items to be considered include community "buy-in", finding a suitable location, proper planning and location, long term O&M, and funding. As of this presentation, no location or funding have been identified.
- 2/5 - Attended Senior Night for the MHS Basketball teams held at the MHS Gymnasium. Varsity Senior girls and boys were recognized prior to their games with rival Desert High School. The gym interior including the new wood floor is beautiful and functional for all activities held indoors. This facility is now, basically, complete and represents a high quality facility for the community of Mammoth Lakes and southern Mono County.

Supervisor Corless:

- Thurs. 2/4 Community Corrections Partnership:
- Statistics re: narcotics trafficking in Mammoth; Davison House project under Behavioral Health,
- CSAC Agriculture/Natural Resources Committee: discussion of potential legislation to change organic farming regulation, tree mortality task force
- Working to organize the ESCOG intergovernmental relations workshop, now set for Friday, March 4 in Bishop.
- Over the weekend, received some calls regarding an item on Inyo County's board agenda for today. (Inyo is working with Sen. Berryhill on legislation that would extend the Adventure Trails pilot program which is currently slated to sunset after 2016). The Inyo board is considering a letter of support for the legislation; the letter included in the board packet, along with the staff report, mentions Mono County's interest in being included in the pilot

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project. I was certainly surprised to hear this, as the last time our board considered combined use road designation, the general consensus was to take road designation possibilities through our planning processes—not to seek a legislative solution. I heard concern from constituents over the weekend that Mono was somehow trying to circumvent our community-based planning. We can and certainly should talk about this as part of our upcoming strategic planning and priority setting workshop in March. We should not consider supporting proposed legislation that board and staff have not had a hand in crafting. Let's do this right. Follow the processes in place—otherwise, why have RPACS, Collaborative Planning Team, building a legislative platform.

- On the subject of process—I've also heard from employees upset by last week's board decision to support the reclassification of probation. Not that the department didn't warrant attention and action—but that by authorizing one department's stand-alone reorganization, it changed the balance and there is perceived inequity. This board needs more information to make these kinds of decisions, and needs to share it with employees and with the public. Do we have current salary surveys or a classification/compensation plan? Now that our Human Resources director is here, we need to prioritize taking a bigger picture look at compensation structure.
- Would like to adjourn in memory of John Vereuck.

Supervisor Fesko:

- 2/2/16 - Had meeting with Community member to discuss the great job Facilities is doing on Memorial Hall.
- 2/4/16 - Antelope Valley RPAC. Elected new officers: Bruce Woodworth, Chair; Katy Buell, Vice Chair. They had their second reading/approval of revised Bylaws. Sadly Judy Curti resigned due to personal reasons. Roger Donahue submitted application for membership. BOS meeting on March 1st will see two applications, Diane Anthony and Roger Donahue.
- 2/7/16 - Along with 113 million other people, I watched a really good and strange Super Bowl. Congratulations to the Denver Broncos.
- 2/8/16 - Attended Local Transportation Commission. Highlights are:
 - Shields Richardson was elected as 2016 Chair and I was elected as Vice Chair.
 - Mono County was found to be in compliance with the Statutes, Rules, and Regulations of the California Transportation Development Act. Congratulations to staff for a job very well done!
 - LTC adopted a resolution urging the State of California to provide new sustainable funding for state and local transportation infrastructure.
 - Adopted a resolution allocating \$58,037 from a Low-Carbon Transit Operations Program grant. This helps with the expansion of Mammoth Express fixed route service, passenger fare reduction and expansion of Lone Pine Express fixed route service.
 - Authorized a letter supporting Greyhound "Interline" service to Mono County.
 - Also to keep the Board up on an issue that just came to my attention late last week. It appears, without my full knowledge and approval, a draft State Assembly bill regarding Inyo County and its 10 mile "Combined Highway Use" exception in Motor Vehicle 38026, that Mono and Sierra counties were also named in this draft bill. As soon as this came to my attention, I have been working with staff on the best and proper way to handle this. It was agreed upon by staff and I that the best way to open discussion on this topic would be initially through Strategic Planning workshop coming up soon. At that time, we can discuss this in further depth.

Note

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Supervisor Johnston:

- Attended the Local Transportation Commission meeting on Monday. Supervisors Stump and Fesko have also reported on this meeting. I would like to add that the Route Concept Report for State Route 203 was also considered at the meeting.
- Attended the IMACA meeting in Bishop last week; an item of property negotiations was considered.
- Noted that the Inyo Board would be considering an item that would include Mono County regarding Adventure Trails. Since our Board has previously decided to take a wait and see approach on this item, I have requested that Inyo's action not include Mono County.
- Asked what the process would be for reconsideration of an item; what motion/second would be needed, who could make the motion/second, etc. Stacey Simon provided background on the item.

Supervisor Stump:

- 2-6 Attended the one year anniversary of the Round Fire get together. People have an amazing resilient spirit.
- 2-8 Attended the LTC meeting. The Commission adopted a resolution encouraging the State Legislature to come up with a remedy for the Highway/Road Project funding shortfall. The shortfall is forcing the California Transportation Commission to cancel projects State wide.
- Was also made aware of the Inyo County agenda item; he sent a letter to the Inyo Board:
 - Jeff and Matt,
 - As Board Chair of the Mono County Board I request that the reference to Mono County in the letter the Inyo Board will be considering tomorrow be deleted. The Mono Board has not discussed as a body whether Mono County desires to be included in the proposed legislation and if so, if the entire County should be included.
Thank you,
Fred Stump

5. COUNTY ADMINISTRATIVE OFFICE

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

Leslie Chapman:

- Strategic plan report next week
- Met with agent, has several good candidates. Have brochures going out to organizations like CSAC.
- Manager's meeting, good attendance even with the snow.

6. DEPARTMENT/COMMISSION REPORTS

Marilyn McCurry (Treasurer/Tax Collector):

- So far for the 15-16 tax year, the first quarter TOT is over \$42,800 collected over previous years. 2nd quarter numbers, over \$57k this quarter. Complete presentation in another month.
- These numbers are also on website. Hoping 3rd quarter will be up also.

Undersheriff Moriarity (Sheriff):

- Sheriff Braun is currently attending a management seminar in San Luis Obispo.

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- Threat at CHS, SO responded. They determined the threat was viable, student was detained and transported to Inyo Co.
- February 7, about 9pm, someone reported a robbery in progress at Shell Station. Units were dispatched to every Shell in the county. It was determined it was an egregious breach of the public radio system.
- The current radio system has vulnerabilities the SO is addressing. It's a public system. Sheriff utilizes cell phones to get suspect description, etc, but not always viable. Would need to purchase additional software to identify what radio a broadcast came from. 5-10 year build-out for that goal.

Scott Burns (Community Development):

- He has some bad news; received a 60 day notice of intent of lawsuit against Fish and Wildlife.
- No indication that Fish and Wildlife is changing their position.

Robin Roberts (Behavioral Health):

- Update on Davison house. She has been working with Aspen Architects, about 2/3 scope of work has been planned. Garrett Higerd and she will come back first part of April with full account of where we're at and ask for direction at that time.

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. Children's Medical Services (CMS) Plan and Fiscal Guidelines 2015-16

Departments: Health Department

Proposed agreement with California Department of Public Health (CDPH) pertaining to Children's Medical Services (CMS) Plan and Fiscal Guidelines 2015-16.

Action: Approve County entry into proposed agreement and authorize the Chair of the Board of Supervisors to sign the Certification Statement of the Children's Medical Services (CMS) Plan and Fiscal Guidelines 2015-16 on behalf of the County.

Johnston moved, Fesko seconded

Vote: 5 yes, 0 no

M16-40

B. Walker Basin Restoration Program Grant Award

Departments: Community Development

Acceptance of National Fish and Wildlife Foundation (NFWF) grant agreement for a "California Environmental Quality Act (CEQA) Analysis of Water Transfers" associated with the Walker Basin Restoration Program.

Action: Approve and authorize the CAO's signature on the attached National Fish and Wildlife Foundation (NFWF) grant agreement to fund a "California Environmental Quality Act (CEQA) Analysis of Water Transfers" associated with the Walker Basin Restoration

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Program.

Johnston moved, Fesko seconded

Vote: 5 yes, 0 no

M16-41

C. Allocation Change from Lieutenant I to Lieutenant II

Departments: Sheriff-Coroner

Proposed resolution #R16-09 authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to eliminate one Lieutenant I position and allocate one Lieutenant II position in the Sheriff's office.

Action: Adopt proposed resolution #R16-09, authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to eliminate one Lieutenant I position and allocate one Lieutenant II position in the Sheriff's office. Provide any desired direction to staff.

Supervisor Fesko pulled the item.

Supervisor Fesko:

- Has concerns about this, similar to the probation item from last meeting. Could be viewed as just giving someone a raise. Concern about current salary savings; we've seen some great savings, but this uses some of those savings. What about later, when we fill empty positions, how will we pay for this increase then? Will there be money later on?
- Does not doubt Lt. West has done great work. Question is whether we can afford to sustain the salary increase down the road if we fill the empty positions.
- Need to look at getting the SO fully staffed. Would like to see more resident SO deputies through incentives and mandates.

Undersheriff Moriarity:

- We are currently down 6 positions, and we have authority to hire 3. Lt. West has had many additional tasks given to him. Brought the dept up to compliance on several issues. He has responded well to the increased work load.
- SO has already achieved savings in excess of \$6700.

Leslie Chapman:

- Last year at budget, this item came up. Inadvertently was left off the allocation list. Item was postponed. Reiterated there are tremendous salary savings in the SO budget this year.

Supervisor Stump:

- Reminded the Board the SO used to have 2 Lt positions, one has been eliminated. Appreciates we have one person doing the job of 2.
- Would like this to be continued for a week until mid-year budget hearing.

Supervisor Johnston:

- Thinks this should be postponed until mid-year budget, then reallocated within context of other employees. Understands there was a lot of shuffling of SO employees in the past.

Consensus of Board: pull this item and defer until mid-year budget.

D. Hiring Freeze Variance Request

Note

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Departments: Sheriff-Coroner

Effective March 1, 2016, the Sheriff's Office Administrative Services Specialist / Finance Officer accepted a position with the Public Health Department. This position is an essential function of the daily operations of the Sheriff's Office, and we do not have any other administrative personnel who can assume the responsibilities of this position. I am requesting that the Mono County Sheriff's Office be allowed to fill this vacant position immediately. This will minimize the impact to daily operations and to ensure that finances and budgeting continue to be managed properly.

Action: Approve a variance of the hiring freeze to allow the Mono County Sheriff's Office to recruit and hire one Administrative Services Specialist / Finance Officer.

Johnston moved, Fesko seconded

Vote: 5 yes, 0 no

M16-42

E. Ordinance Delegating Investment Authority

Departments: Treasurer-Tax Collector

Proposed ordinance delegating investment authority to the County Treasurer.

Action: Adopt proposed ordinance ORD16-01, delegating investment authority to the County Treasurer.

Johnston moved, Fesko seconded

Vote: 5 yes, 0 no

ORD16-01

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. State Water Resources Control Board Letter

Departments: Clerk of the Board

Letter from the California Water Board dated January 25, 2016. Corless; acknowledges our Environmental Health dept's good work. Louis Molina: location of water system in Coleville, north of walker.

B. Letter from American Lung Association

Departments: Clerk of the Board

Correspondence received February 2, 2016 from the American Lung Association regarding the State of Tobacco Control Report to be

Note

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released on February 3, 2016.

C. Letter from Sonoma County Juvenile Justice Commission

Departments: Clerk of the Board

Correspondence dated January 25, 2016 from the Sonoma County Juvenile Justice Commission regarding the need for Residential Treatment for Foster Youth.

The Board acknowledged receipt of the correspondence.

9. REGULAR AGENDA - MORNING

A. Resolution Regarding Road Closure for Mammoth Gran Fondo Bike Ride

Departments: Public Works; CAO

(John Armstrong, Bill Cockroft) - Resolution requesting a road closure of state route 120 and Benton Crossing Road on September 10, 2016 from 8:00 a.m. to 12:30 p.m. for the Mammoth Gran Fondo Bike Ride. This resolution is being requested by members of the organizing committee for this event.

Action: Approve Resolution #R16-09, approving a road closure of state route 120 and Benton Crossing Road on September 10, 2016 for the Mammoth Gran Fondo Bike Ride.

**Johnston moved to approve as amended, Fesko seconded
Vote: 5 yes, 0 no**

R16-09

Jeff Walters:

- This is needed to eliminate conflicts between bicycles and other vehicles. County staff would be on hand with signs and flags.
- Locals would not have access to the closed roads during the race, but would after the bikes have passed by.
- Not sure if California Code gives the county the ability to set lower speed limits on the road during that time.

Supervisor Johnston:

- Why is Yellowjacket Rd included?
- Does this still allow locals access?
- Feels the way the resolution is written, it says the roads are closed, not the highway.

Supervisor Stump:

- In 2013, Highway 120 washed out. Cattle drive to Yellowjacket Rd was the detour. Can this be addressed without rewriting the resolution?
- Concerned about closing residential road to the reservation and trapping people.

Stacey Simon:

- We could add to the resolution, maybe table the item until later to

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give time to rewrite. Verbiage can be clarified/changed.

Garrett Higerd:

- This special event goes onto the State highway system. This requires a special encroachment permit from Caltrans. Caltrans is requiring stamped, engineered traffic control plans. Public has asked for copies. Would like the Board to discuss and give direction. For example: 4th of July in Bridgeport. Would like direction from Board, whether to use County staff to create these engineered traffic control plans, or should the organizer be responsible for this?

B. Board Cover Letter and Resolution to the Legislature Urging the State to Provide Sustainable Funding for State and Local Transportation Infrastructure

Departments: Community Development, Public Works

(Gerry Le Francois, Garrett Higerd) - Proposed letter and resolution to representatives urging the state to provide sustainable funding for state and local transportation infrastructure.

Action: Approve and authorize Chair's signature on a letter to the State Legislature, and approve Resolution #R16-10, urging the State to Provide New Sustainable Funding for State and Local Transportation Infrastructure.

Alpers moved, Corless seconded.

Vote: 5 yes, 0 no

R16-10

Garrett Higerd:

- This is in response to Board update from last week regarding state crisis in funding. This is based on SCAC master resolution, but added a few things. Strongest arguments: 5th whereas, talks about how pavement deteriorates and requires more than just preventive maintenance. Easier to keep pavement at a higher quality level rather than make costly repairs. Also important is the last whereas, to highlight regional collaboration.

Supervisor Fesko:

- Wants to know how this affects the Freeman Gulch decision.

Gerry Le Francois:

- Yesterday, the LTC agreed to cut additional money from MOU projects to keep Freeman Gulch moving forward in our region. Big hit for us. Hope to get with Inyo Co LTC next week on the 14/395 corridor. Given the state of funding, we may or may not be paid back for funding the state's portion on Freeman Gulch.
- Proposing to delay the Olancha/Cartago project to a future stip cycle, maybe 2018? 2020? depends on what legislature plans on doing. Trying to get things ready to go so if funds become available we can move forward.

Supervisor Alpers:

- Olancha corridor is a major safety issue.

Supervisor Johnston:

- It bothers him that the state is unwilling to fund important

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infrastructure projects. We are stuck with a terrible situation that never should have happened. Would like to see a more aggressive letter to the state.

Supervisor Corless:

- The legislature also borrowed from the State parks OHV trust fund; was in the Governor's budget this year to pay that back.

C. Quarterly Investment Report for Quarter Ended 12/31/2015

Departments: Finance

(Joanne K. Werthwein) - Quarterly Investment Report for Quarter Ending December 31, 2015.

Action: None.

Joanne Werthwein:

- On the second page of report, she pointed out that the treasury was in compliance with Mono County statement of investment policy. Anticipated that the treasury will be able to meet its obligations for the next 6 months. She went through each page in the report, explaining what each report shows.

Supervisor Fesko:

- Great job to staff. Congratulations to Joanne on her new position.
- Concerned with how our local bank's reduced hours will affect the County.

Supervisor Stump:

- Curious how the County looks at banks and if we take into consideration if they have been troubled.

Supervisor Johnston:

- The county has eliminated banks from our investments that had fraud, etc. The Treasury Committee is aware of this.

Gerald Frank:

- We check ratings before we purchase CDs.
- There are no plans to permanently close our local bank, they are only having problems filling positions.
- Thanked Joanne for doing a great job and she will be missed on the TTC side of the Finance Department.

Leslie Chapman:

- We only buy FDIC insured banks. We only buy investments that have a presence in the United States.

D. Regional Planning Advisory Committee Procedures

Departments: Community Development

(Scott Burns) - Consider Amendment to Regional Planning Advisory Committee Purpose and Procedures.

Action: Adopt amendment to Regional Planning Advisory Committee Purpose and Procedures, and provide any desired direction to staff.

Corless moved, Alpers seconded

Vote: 4 yes; 1 no

M16-43

Scott Burns:

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- This is a follow up from workshop last month, just to clarify things. Items have been included in proposed changes.

Supervisor Johnston:

- For clarification, bottom of page 1, add “to community development department”.

Supervisor Fesko:

- This board doesn’t want to micromanage, but some of these changes do that exactly.

Supervisor Stump:

- Last week, we had a discussion on the issue regarding county employees. Is this agenda item broad enough for that now?

Stacey Simon:

- Reported back there is not a legal issue with county employees serving on RPACs. Serving is at discretion of Board.
- Two technical clarifications: on page 2, meeting ground rules, “should” leaves discretion to RPACs. Word should be “shall” if that’s not the board’s intent.
- Beginning of next sentence, “some RPACs are not subject...”, but with changes made, ALL RPACs are subject to the Brown Act.

Supervisor Alpers:

- These changes need to work within the communities.

Supervisor Corless:

- Agrees with Supervisor Alpers, it should be up to the individual supervisor to see that the RPAC reflects the community.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Benny Romero:

- Very proud of Joanne. Thanks.
- With regard to RPACs, thank you for moving on, and carrying forward. The work that you do every week needs to be realized by the public. We need to get people more involved, be proud of our county. His idea, we need Town Hall meetings and to invite people. Internet tells people to stay home and watch meetings. Thinks we need to invite the public as much as possible to see the work being done, the commitment. Mentioned the future banner across Main Street in Bridgeport as a way to get people to stop and notice the town. Offered his assistance to get a town hall meeting together.
- He and (former Supervisor) Bill Reid spoke of need to bring people. Most people come to complain. Need to turn it around to be as positive as we can to make people proud of our town.

Supervisor Alpers:

- What issues do you see as important? What subjects would bring folks in?

Supervisor Corless:

- A governance workshop is coming up. She wants to make sure we schedule evening meetings with items that are interesting to people here.

11. CLOSED SESSION

There was nothing to report out of closed session.

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code

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Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, and Dave Butters. 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 - Existing Litigation

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

C. Closed Session-- Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title:
Finance Director.

ADJOURN

ATTEST

FRED STUMP
CHAIRMAN

HELEN NUNN
SR. DEPUTY CLERK OF THE BOARD

Note

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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Approve minutes of the Special Meeting held on February 11, 2016.

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:

<p>Click to download</p> <p> 02-11-16 sp mtg draft mins</p>

History

Time	Who	Approval
2/19/2016 1:10 PM	County Administrative Office	Yes
2/23/2016 1:54 AM	County Counsel	Yes
2/18/2016 5:26 PM	Finance	Yes



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

MEETING LOCATION Mammoth Lakes BOS Meeting Room, 3rd Fl. Sierra Center Mall, Suite 307, 452 Old Mammoth Rd., Mammoth Lakes, CA 93546

**Special Meeting
February 11, 2016**

Flash Drive	On portable recorder
Minute Orders	M16-44 NOT USED
Resolutions	R16-11 NOT USED
Ordinance	ORD16-02 NOT USED

Planning Commission meeting called to order by Commissioner Scott Bush. Also present at meeting were Commissioners: Carol Ann Mitchell, Mary Pipersky, Chris Lizza, Dan Roberts. Also present: CD Ritter as clerk for Planning Commission meeting.

10:00 AM Meeting Called to Order by Chairman Stump.

*Supervisors Present: Alpers, Corless, Fesko, Johnston and Stump
Supervisors Absent: None.*

*Break: 11:40 a.m.
Reconvene: 11:51 a.m.
Adjourn: 12:51 p.m.*

**The Mono County Board of Supervisors has videotaped this meeting. To view it, please go to the following link:
<http://www.monocounty.ca.gov/meetings> and find the 2/11/16 Board of Supervisor's meeting date on the master calendar.**

Pledge of Allegiance led by Chairman Stump.

Supervisor Stump:

- There are limited microphones; will have to share.
- He will coordinate Public Comment period, time may get limited.
- CAO Leslie Chapman is in Bridgeport attending.

1 OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD
No one spoke.

Note

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2. AGENDA ITEMS

A. Transient Rental Overlay District Workshop

Departments: Community Development Department

(Courtney Weiche, Scott Burns, Nick Criss) - The Mono County Board of Supervisors will attend the regularly scheduled Planning Commission meeting. At this meeting, the Board, in conjunction with the Planning Commission, will review the status of the General Plan Land Use Element Transient Rental Overlay District (TROD) - Chapter 25, and companion requirements of Transient Rental Standards and Enforcement - Chapter 26.

Action: None.

Supervisor Stump:

- Is hoping with both the Board of Supervisors and the Planning Commission in attendance that some decent discussion can occur.

TRANSIENT RENTAL OVERLAY DISTRICT POWER POINT:

Courtney Weiche (Community Development Department):

- TROD adoption background.
 - 2009 – Proposed “Transient Occupancy Ordinance”
 - June 2012 – June Mountain Closure
 - 2012- Chap 25 and 26 get adopted
 - 2013 - First TROD Established
- Chapter 25 Intent
- Chapter 26 Purpose & Findings
- Review of Adopted TROD’s
- Summary – we have five overlay districts in Mono County with a total of 14 parcels. Only five have active vacation homeowner permits.
- Applications Denied or Withdrawn
- Concerns/Issues
- How is it working
- Code Enforcement Update

Nick Chris (Code Enforcement Officer):

Code Enforcement Update:

- Current Illegal Rental Market
- Overview of Chapter 26 Requirements – Home Vacation Permit Requirements
- Enforcement Component
- The demand for these is increasing; staffing levels are an issue from an enforcement standpoint
- His opinion: legalized rentals are easier to enforce

Additional Comments:

- Explained what is contained in the violations.

Courtney Weiche:

- Alternatives
 - Make changes to Chapters 25 and 26
 - Review other jurisdictions for possible solutions to issues
- Moving Forward

Additional Comments:

- Discussion relating to previous comments made by Jeff Ronci.

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- Brief discussion about whether there are a lack of beds in June Lake or not?
- After doing a Google search yesterday – it would be a combination of what several jurisdictions are doing. Feels there are a lot of areas in California that have same economic factors that our county does. There are a lot of creative approaches coming out.
- Right now Advisory Committees don't really bring things to the board; they are more a part of the planning process.
- TROD applicants have due diligence with their neighbors.

Planning Commission Questions:

Mary Pipersky:

- Asked various questions about Vacation Home Rental Permits.
- TROD concept got a big push when Rusty Gregory was commenting on lack of beds in June Lake.
- Supervisor Johnston: remembers seeing available rooms for rent in June Lake.

Scott Bush:

- Asked why we don't hear about motels/hotels.
- Could this be limited in certain areas only?

Dan Roberts:

- Jeff Ronci's comments were a bit non-committal.
- He's knows that June Lake does reach 100% occupancy, but only at peak times.

Carol Ann Mitchell:

- What other jurisdictions might you compare us to?

Chris Lizza:

- He thinks it was more an issue of the quality of beds, not the quantity.

MONO COUNTY BOARD OF SUPERVISOR QUESTIONS:

Supervisor Fesko:

- Land Use Designation discussion.
- Asked for clarification on TROD.

Supervisor Corless:

- Role of Advisory Committee?
- Illegal Vacation Rentals in Crowley – do those notices of violations include ways to remedy them?
- Is the Vacation Home Rental Permits only for TRODs?

Supervisor Alpers:

- Intrigued by Use Permit idea.
- For units already operating in the TROD, is there any way to go back in and initiate a conditional use permit process to go along with your TROD and Vacation Home Rental Permit?

Supervisor Johnston:

- Gave comments on Conditional Use Permits.
- Alternatives: one is use permit process without TROD process. Separate from that is a TROD with a use permit.

Stacey Simon:

- These TRODS are in the nature of Land Use Designations
- Uses being allowed previously may be eliminated.
- Would we need to phase out?
- Discussion about why Use Permits are becoming more popular. Going back would be problematic, but for new applicants the use permit process might be possible.

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Scott Burns:

- A cap would help regulate, but doing use permits without the designated land use process creates other issues.
- TROD, however is neighborhood focused.

PUBLIC COMMENTS:

Linda Beaderman (June Lake)

Don Morton (June Lake)

Ralph Lockhart (June Lake)

Ian Fettes (June Lake)

JOINT DISCUSSION BETWEEN BOTH BOARDS:

Commissioner Mary Pipersky:

- She thinks homeowner's should be able to use their properties within reason.
- She can find no one in her neighborhood and nearby that is in support of a TROD.
- We need to take another look at the intent of this chapter of the code and make sure we really want to change nature of our neighborhoods. Do we do this in order to make MMSA more soluble?
- Big picture question: if intent remains same (has to do with economic opportunities for tourism based economies) – is it the quantity or quality of beds?
- This is a big wave coming over this county; we can't be afraid of change. We just need to do it correctly.

Supervisor Larry Johnston:

- This is a big deal, agrees with Commissioner Pipersky.
- He feels there are instances where this should be allowed – some places in Mammoth for example.
- In looking at intent: homeowner stability. De Facto Zone change for entire county is what's been done.
- Right now there are 0% rentals available.
- Suggests experiment is over – he did vote for this. What's happened is that we're continually pitting neighbor against neighbor. In our communities, we can identify those areas where it's ok to have TRODs. He thinks they are important. Suggests we stop TROD process, instead have a zone change process, identifying areas in single family neighborhoods where TRODs might be acceptable.
- Commissioner Bush: arbitrary process that someone maps out? Election type process?
- There are areas that are already zoned for TRODS – shouldn't be arbitrary; it should be based on probability that it will work there. It could be defined and would take work. Should be subject to public comment.
- Finally, once it's defined then it gets done by use permit.
- Underlying issue of Measure Z – they didn't trust decision makers over time to protect neighborhoods that needed protecting. That sent a message to him. A balance is needed. We need to stay on top of it, lest we get our own Measure Z.
- Worried about the CDD staff deciding not to accept applications; do we need to do something?

Commissioner Chris Lizza:

- He thinks the system works.
- Intent – talks about economic stability. We need the regulatory regime

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that's been put into place. By providing the regime – it's easier to enforce.

- Another intent: revenue generating but he doesn't feel this is relevant. Social issues are most important.
- When originally passed, it was well vetted and addressed in Chapter 26.
- Feels it's not appropriate on a residence that is more appropriately used as affordable housing. We have a shortage of this type of housing.
- Appropriateness of the neighborhood – most of these homes are very expensive and sit empty most of the year. These homes should be allowed to rent.
- Homeowner expectations: he feels case by case basis that is being used has been very effective.
- Solutions: distinguishing between room rental and occupied home and whole house rentals.
- Use Permits are interesting to look at; doesn't understand how this would work. He feels this may be more of a violation to homeowners.
- Supervisor Johnston: Use permit: would be less costly system if it's already in an area that was in a zone change for TRODS, feels this is streamlined at that point.

Supervisor Corless:

- Thought that TROD process was a County response to community demand, need to keep this in mind.
- She hopes we're demonstrating today that everyone wants to work together.
- The TRODS in place are working; not ready to throw whole thing out. Feels more applicants are going to be coming.
- Supports positive changes to the chapter. Minimum infrastructure requirements, possible exclusions to certain zones, need cleanup process for vacation home rentals/TROD process, we have to look at what's going on in rest of world and not put our heads into the sand.
- Asked for clarification on whether or not applicants are being processed. Do we need to take board action on this?

Commissioner Scott Bush:

- Just because you can do something, doesn't mean you should.
- Use permit idea doesn't really solve issue.
- Certain amount of this is going to work – maybe we need to identify certain number of properties in county that will work. Limit the number. Might help with compliance.
- We haven't been able to identify what a neighborhood/community is. If we can't do that, we may need to limit total number of TRODS per area.
- How does moratorium affect Nick's enforcement?

Supervisor Tim Alpers:

- He's had to deal with this in his area.
- We may need to get some consulting help to determine designated areas. Feels a use permit system would streamline this.
- We're seeing what's been working.
- The sooner we get out ahead of this the better.

Commissioner Carol Ann Mitchell:

- Being from rural end of county, before repealing two chapters, she feels more work needs to be done.
- She'd like to see county look at designated areas where TRODS could occur.

Supervisor Fesko:

- It's hard for government to keep on top of all the things that are changing.

Note

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

- Need to find balance.
- Pitting neighbor against neighbor issue: it's about having the discussion. We're all neighbors in the county.
- Feels TROD process (not in his district much) works. Maybe we need larger timeframes with violations.
- What is a neighborhood? Need to define.
- Doesn't quite follow difference between what Supervisor Johnston is suggesting and what we're doing today.
- He feels that TRODs work.
- We want housing stability.
- In essence, he's fine with way it works with minor adjustments.
- He does not see a big issue now; we only have five. We shouldn't create a problem where there is none.
- Thanked everyone that came and put in effort to participate. Looking forward to staff working with Planning Commission and Board again to move forward.

Commissioner Dan Roberts:

- He agrees with Commissioner Lizza.
- He feels this process has been very well vetted.
- Not sure about streamlining the process/pre-determining. That is the Planning Commission's job.
- Wants to take opportunity to say that although this is working, he's not opposed to tweaking determination process slightly.
- People have gone through entire process – no problems with TRODS that are in place.

Supervisor Stump:

- Views this as countywide issue; he has concerns if we don't have a process that we're going to see more illegal activity as in Crowley. Doesn't want to do away with everything.
- Looking at granny units – making process easier.
- Interested in area opt-out being part of process.
- What he heard: Tweaking process – defining a neighborhood. Percentage of occupancies – community by community or countywide. Setting a maximum percentage of TRODS available in the entire county. Infrastructure component. Looking at identified areas where TRODS can occur?
- Looking at Ordinance – CDD has suspended process as it stands. He agrees with that.
- Limited Code Compliance capability – this is not Nick Criss' only function; he doesn't only do TRODS. He's had a lot of difficulty with illegal renting in Clark Tract.
- Lastly: Housing Stock Component.
- Staff needs to work with Planning Commission to work through some of these issues.

Scott Burns:

- Explained that right now, CDD is not processing applications and are telling applicants that they are awaiting direction from the board prior to doing so.

Stacey Simon:

- Temporary moratorium can be placed on the ordinance/processing of these TRODS.

Note

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ADJOURN: 12:51 p.m.

ATTEST

**FRED STUMP
CHAIRMAN**

**SHANNON KENDALL,
ASSISTANT CLERK OF THE BOARD**



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Approve minutes of the Regular Meeting held on February 16, 2016.

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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[02-16-16 Draft Mins](#)

History

Time	Who	Approval
2/23/2016 1:22 PM	County Administrative Office	Yes
2/23/2016 1:52 AM	County Counsel	Yes
2/22/2016 3:28 PM	Finance	Yes



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

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

MEETING LOCATION Mammoth Lakes BOS Meeting Room, 3rd Fl. Sierra Center Mall, Suite 307,
452 Old Mammoth Rd., Mammoth Lakes, CA 93546

**Regular Meeting
February 16, 2016**

Flash Drive	On portable recorder
Minute Orders	M16-44 to M16-50
Resolutions	R16-11
Ordinance	ORD16-02 NOT USED

9:00 AM Meeting Called to Order by Chairman Stump.

*Supervisors Present: Alpers, Corless, Fesko, Johnston and Stump.
Supervisors Absent: None.*

*Break: 10:00 a.m.
Reconvene: 10:14 a.m.
Closed Session: 11:45 a.m.
Reconvene: 12:40 p.m.
Break: 1:15 p.m.
Reconvene: 1:25 p.m.
Adjourn: 4:57 p.m.*

Pledge of Allegiance led by Stephanie Butters.

The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link:

<http://www.monocounty.ca.gov/meetings>

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2. APPROVAL OF MINUTES - NONE

Note

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3. RECOGNITIONS - NONE

4. BOARD MEMBER REPORTS – REPORTS DEFERRED BY CHAIRMAN DUE TO TIME CONSTRAINTS

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Leslie Chapman:

- Nothing to report.

6. DEPARTMENT/COMMISSION REPORTS

No one spoke.

7. CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

A. Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 1/31/2016.

Action: Approve the Treasury Transaction Report for the month ending 1/31/2016.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-44

B. USGS Joint Funding Agreement FY 2016

Departments: Community Development

Proposed Joint Funding agreements with USGS and companion agreements with Ormat Nevada, Inc. to fund ongoing to groundwater monitoring.

Action: Approve County entry into proposed Joint Funding Agreements and companion agreements with Ormat and authorize Scott Burns to execute said contracts on behalf of the County, making minor amendment as discussed.

Corless moved; Alpers seconded

Vote: 5 yes; 0 no

M16-45

Pulled by Supervisor Corless:

- Asked for future update to board on status of Ormat/Mammoth Water Community District negotiations. Would also like an update on monitoring wells. Mentioned correction to agreement: Economic Development was listed instead of Community Development Department. Nick Criss will correct; Scott Burns will sign.

C. Road Closures for the 2016 Mammoth Gran Fondo Bicycle Ride

Note

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Departments: Public Works - Roads

Consider and potentially adopt Resolution No. R16-11 , “Second Resolution of the Mono County Board of Supervisors Authorizing the Closure of County Roads to Thru Traffic in the Mono Lake and Long Valley Areas for the 2016 Mammoth Gran Fondo Bike Ride” which shall supersede and replace Resolution R16-09, adopted by the Board of Supervisors on February 9, 2016.

Action: Adopt proposed resolution #R16-11, authorizing the Closure of County Roads to Thru Traffic in the Mono Lake and Long Valley Areas for the 2016 Mammoth Gran Fondo Bike Ride” which shall supersede and replace Resolution R16-09, adopted by the Board of Supervisors on February 9, 2016.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

R16-11

8. **CORRESPONDENCE RECEIVED (INFORMATIONAL)**

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

A. **USDA Correspondence from White Mountain Ranger Station**

Departments: Clerk of the Board

Correspondence dated February 5, 2016, regarding fuels reduction activities around the community of Swall Meadows.

B. **USDA Correspondence from Mammoth Ranger Station**

Departments: Clerk of the Board

Correspondence dated February 5, 2016 regarding proposed timber stand improvement activities.

The Board acknowledged receipt of the correspondence.

9. **REGULAR AGENDA - MORNING**

A. **Great Basin Air Pollution Control District Presentation**

Departments: CAO

(Phillip Kiddoo, Air Pollution Control Officer) - Owens Lake: From Serious Non-Attainment PM10 Area to 48.6 mi² of Dust Control Mitigation presented by Phillip Kiddoo, Great Basin Unified Air Pollution Control District Recipient of 2015 American Bar Association Environment, Energy, and Resources Stewardship Award.

Action: None. Informational only.

Phillip Kiddoo:

- 2015 American Bar Association Environment, Energy and Resources Stewardship

Note

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Award.

- Owens Lake History.
- Discussion about today: Great Basin Unified Air Pollution Control District.
- Information about lawsuit; dust control, etc.

Additional Comments:

- Gave information about Keeler Dunes Project.
- Mono Lake discussion.
- Spoke about air quality improvements.
- There have not been a lot of public tours, but there could be more. Good reminder to public that Owens Lake is public land.

Supervisor Johnston:

- Asked him to give update on Keeler Dunes Project.

Supervisor Stump:

- Asked what they are doing at Mono Lake?
- If there is a determination by District that it needs to pursue litigation on Owens Lake – how many agencies would they need to work through?

Supervisor Alpers:

- Mitigation measures on East Side of Mono Lake?
- Climate change/theories? Didn't anybody consider droughts?
- Never thought district would get to where they are now; hopes they keep pushing forward. Every victory will continue to solve problems.

Supervisor Corless:

- One of benefits to settlement is that Mammoth's air quality has improved significantly.
- Asked if there is ever a possibility of the public doing tours?

B. Mid-year Budget Review and Strategic Plan Update

Departments: CAO/Finance

(Various Department Heads and Fiscal Staff) - Mid-year budget review and strategic plan update. To view documents related to this item which are too large to attach to the agenda, please click on the link below:

http://www.monocounty.ca.gov/sites/default/files/fileattachments/Board%20of%20Supervisors/calendar_event/4718/2015-16_midyear_budget_review_uploadable_compressed.pdf

Action: Lift the hiring freeze to allow department heads to recruit for needed positions within the constraints of the budget and allocation list with the understanding that these recruitments will be reported on as needed by Departments Heads and/or the CAO.

Johnston moved; Corless seconded

Vote: 4 yes; 1 no: Fesko

M16-46

Action: Approve the mid-year budget as presented including the adjustments shown in Section 2 and 3, and also making adjustments to Solid Waste as discussed and to the Probation budget, as also discussed (4/5ths vote required).

Johnston moved; Alpers seconded

Vote: 5 yes; 0 no

M16-47

Note

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Below is a summary only of this discussion. To view this discussion in its entirety, go to: <http://www.monocounty.ca.gov/meetings>, click on the video link and go to item #9b.

Leslie Chapman:

- Gave introduction; thanked Stephanie Butters and Christy Milovich who will be assisting with item.
- Explained that today was going to be less about numbers and more about each department's accomplishments.
- Asked that Board take the #2 Recommended Action into consideration first – lifting the hiring freeze.
- Having the hiring freeze in place requires extra steps and creates delays; it's not useful anymore. There are controls already in place; we have an allocation list and a budget.
- Explained that non-budgeted positions (on the list) can't come forward until it's budgeted for in budgeting process.

Supervisor Johnston:

- The Board has never said no to lifting hiring freeze; probably not needed anymore.
- Feels that the budget hearings held in the communities has also offered a very public platform, it's been very effective.

Supervisor Fesko:

- Why can't the Board remain involved?
- He's concerned with public's perception. Maybe we should leave it in place and readdress at full budget time.
- Asked why this is put first with this item?
- At this point he says no, thinks it should come with the new budget year.

Supervisor Stump:

- Could Leslie do brief updates on positions that get filled in public (during her board report) if this is lifted?
- He's in favor of lifting it – if there is a non-budgeted position coming forward, it would need to come to board.

Supervisor Corless:

- We should lift hiring freeze but have public informed (by Leslie, during board report).
- Will doing this now help departments in planning for next year's budget?

Supervisor Alpers:

- Agrees with what is suggested – Leslie reporting to public.
- He supports the lifting of the hiring freeze.

BUDGET PRESENTATION CONTINUED:

Leslie Chapman:

- Mentioned how well the Departments have done living within their means.
- Gave some percentages as to where we are.
- Before going into actual numbers, we need to keep our eye on: furloughs going away (approximate \$400,000 needed); PERS calculations being done differently which will affect budget too (20% of payroll plus \$700,000 lump sum payment across bargaining units); Road legislation, not sure what that's going to be (upwards of \$1 million); reserves are at \$1.6 million – still under minimum.
- Although there are a lot of changes going through budget (mostly line items being switched around), the bottom line is net zero.
- Explained the columns and how adjustments work.
- Discussion of various budgets and the adjustments being made/requested.
- Probation budget and reorganization discussion. The board only approved the reorganization. Next step is budge appropriation – without that, the reorganization doesn't happen; third step: HR function; Dept. Head comes to HR/CAO, makes request, provides justification and then employee file is gone through, etc. Mid-Year

Note

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budget is asking for second step today.

- Not being asked to contribute money to Paramedic budget this year (Rob DeForrest gave additional information).
- Answered various questions from Supervisors.

BOARD COMMENTS:

Supervisor Johnston:

- Asked about:
 - Secured Property Tax Revenues.
 - Appeal discussion.
 - Sales and Use Tax in Lieu.
 - Clerk/Recorder's budgets.
 - DA's office – asked about salary savings.
 - Sheriff's Dept – increase in overtime budget. Asked for additional presentation on why vehicle pool is budgeted so much higher.
 - Probation – salary and benefits increase?
 - Paramedic Program: Transient Occupancy Tax. Asked about TOT amount. Ambulance fees. Overtime.
 - Conway Ranch clarification on Land and Improvements. Rental Income. Operating Transfers In?
 - Geothermal.
 - Social Services.
 - Fire Storm – separate budget now?
 - IT loan discussion.
 - Volumes tonnage wise – solid waste?

Supervisor Fesko:

- Questions about:
 - Assessment Appeals.
 - Medics.

Supervisor Stump:

- Asked about car pooling?
- Medic discussion – a lot of topics came up including overtime, salary/wages.
- Overall liability went up for Conway Ranch?
- Asked about IT loan – money to finance upgrade was loan from Treasury pool, not generated by savings from employee salary surveys.
- Solid Waste Enterprise Fund – Wood Waste Voucher program, asked Tony to point where increase is?
- Motor Pool – heavy equipment now being charged a fee? Is new charge reflected in operating transfers or somewhere else?

Barry Beck:

- Gave more information about outstanding appeals/potential liabilities.

Bob Musil:

- Explained increase in publications for BOS; decreased amount in special dept expense for assessment appeals; explained clerk recorder salary/wages increase; telephone communication.

Tim Kendall:

- Explained salary savings in his budget due to grant.

Ingrid Braun:

- Explained overtime/salary savings to offset. Gave additional explanations on other budgets.

Tony Dublino:

- Rental Income should be increasing. Operating Transfer In discussion.
- He has an item in the works regarding fee waiver program; he hasn't adjusted anything on the budget for mid-year.
- Total landfill waste: 15,000 – 17,000 tons

Note

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Rob DeForrest:

- Salary/Wages/Overtime/Transient Occupancy Tax.

Kathy Peterson:

- Travel/Training increase and why.

Jeff Walters

- Answered various questions.

AFTERNOON SESSION:

Leslie Chapman:

- Motor pool, Sheriff's Department / motor pool rates were cut for one year; this year we had to move it back up.
- There were a few changes to Solid Waste budget that was skipped, needs to be included in the mid-year budget approval.

Megan Mahaffey:

- Gave introduction on what Departments will report on.

Department Heads (gave Board update on achieved goals/accomplishments, goals still being worked on, etc.):

1. Public Health – Nancy Mahannah:
 - a. EMS – Rob DeForrest
 - b. Supervisor Johnston – asked that last goal be checked under “Effectively Use Resources” (not Promote a Strong Diverse Economy).
2. District Attorney – Tim Kendall:
 - a. Supervisor Stump: what role do the Feds play in cleaning up federal lands?
 - b. Supervisor Johnston: Public Administrator cases? Asked about racial breakdown of cases prosecuted.
 - c. Supervisor Corless: feels DA's goals/accomplishments fit well into strategic plan; for strategic planning going forward, the board will craft new priorities in conjunction with DA, maybe even incorporating racial disparity.
3. County Counsel – Christy Milovich
4. CAO – Leslie Chapman
5. Community Development Building – Tom Perry / Community Development Planning – Scott Burns:
 - a. Supervisor Stump – HAC questions about being proprietary.
 - b. Supervisor Johnston – asked what main goal was for this year?
 - c. Supervisor Corless – asked about Forest planning.
6. Clerk/Recorder, Elections, Board of Supervisors – Bob Musil:
 - a. Supervisor Johnston: asked about all VBM? He'd like this listed as a priority/strategy in next budget cycle.
7. Behavioral Health – Robin Roberts:
 - a. Supervisor Stump: thanked her for work out in Benton; statewide celebrity on emotional effect of drought in California.
 - b. Supervisor Corless: really great things happening in her Department; feels her goals are really lining up with Strategic Plan.
8. Assessor – Barry Beck:
 - a. Supervisor Johnston: asked about miscellaneous assessment appeals.
9. Animal Control – Angelle Nolan:
 - a. Supervisor Corless: congratulated Angelle; she's real underdog story with a lot of dogs; need to highlight stats in next strategic plan; maybe look toward electronic record keeping in the future. She's doing a great job especially with such limited resources.
 - b. Supervisor Fesko: Echoes Supervisor Corless; dismal working conditions in Bridgeport; wants to keep improving those conditions on the table.
 - c. Supervisor Johnston: What's strategy to have town reinvest in Animal Control? What's strategy for more personnel/better working conditions? All needs to go into Strategic Plan.

Note

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10. Information Technology – Nate Greenberg:
 - a. Supervisor Fesko: asked about computer replacement.
 - b. Supervisor Johnston: security discussion.
11. Probation – Karin Humiston:
 - a. Supervisor Corless: She understands perception that “public safety” doesn’t fit into the strategic plan, however she feels that the format in the Strategic Plan helps define what both DA and Probation are doing.
12. Public Works Road – Garrett Higerd:
 - a. Supervisor Stump – asking that they adopt amendment to Airport Enterprise Fund?
 - b. Public Works Campgrounds, Capital Improvements, Facilities – Joe Blanchard
 - c. Supervisor Johnston: asked about campground fees, what are most important capital improvements to get done?
 - d. Public Works, Cemeteries, Motor Pool, Road and other – Jeff Walters
 - e. Supervisor Johnston: CARB Compliance questions, asked for an update to the board. Fuel efficiency of vehicles that are purchased.
 - f. Public Works, Conway Ranch, Solid Waste – Tony Dublino
13. Sheriff – Ingrid Braun
14. Social Services – Kathy Peterson
15. Finance – Stephanie Butters and Gerald Frank
16. Economic Development – Alicia Vennos

C. Allocation Change from Lieutenant I to Lieutenant II

Departments: Sheriff-Coroner

(Ingrid Braun) - Proposed resolution #R16-___ authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to eliminate one Lieutenant I position and allocate one Lieutenant II position in the Sheriff's office.

Action: None.

Ingrid Braun:

- Apologizes for not being here last week for this item; she didn’t know about the Probation Reorganization item that went before the board previously.
- She is trying to get this position back to where it was.
- She doesn’t want to wait until July but it’s at the board’s pleasure.

Supervisor Fesko:

- Makes more sense to do a Lt I/II.

Supervisor Stump:

- It’s important to remember that we have employees on furloughs.
- Consensus is that this will be heard again in July.

Leslie Chapman:

- This is a contracted position and would therefore be a contract amendment.
- All this does is change the allocation list.
- The Sheriff’s office has salary savings to cover this position.
- Budget not normally adopted until August but the rollover budget (temporary budget) can be used to move these forward.

D. Motion to Reconsider Probation Reorganization

Departments: CAO/Board of Supervisors

(Leslie Chapman) - Motion to reconsider and possible reconsideration of Probation reorganization.

Action: Reconsider Board action on February 2, 2016 adopting Resolutions

Note

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R16-06, R16-07 and R16-08 restructuring the Probation Department (staff report and resolutions attached) (3/5ths vote required)

Johnston moved; Alpers seconded

Vote: 5 yes; 0 no

M16-48

Action: Rescind Resolution numbers R16-06, R16-07 and R16-08 (which had amended the allocation list to: (a) Eliminate 4 DPOI/II positions and add 4 DPO I/II/III series positions. Salary ranges are as follows: DPO I, Range 51, \$3,488 - \$4,240; DPO II, Range 55, \$3,575 - \$4,680; DPO III, Range 59, \$3,664 - \$5,166, and (b) Eliminate one DPO III position and add 1 DPO IV, salary range 63, \$4,691 - \$5,703, and (c) Eliminate 1 Fiscal and Technical Specialist IV and add 1 Administrative Services Specialist, salary range 69, \$4,535 – 6,293).

Johnston moved; Alpers seconded

Vote: 4 yes; 1 no: Corless

M16-49

Supervisor Johnston:

- He reluctantly voted in favor of this when it was brought before the board.
- He's since changed his mind and appreciates the opportunity to discuss this again with the board.
- He recommends that the second part of this motion be suspended until a salary survey can be done.
- Thanked Curtis for his discussion. His concern is with the timing of this. Most departments have had to reduce staff and do more with less.
- It's important to give it time to keep in context.

Karin Humiston:

- Said that all her employees are qualified to be re-allocated.
- Said a few words about the law regarding resolutions and Boards of Supervisors.

Supervisor Stump:

- Stopped Karin due to the fact that she was referencing law; our county counsel needs to have all code section references and have a chance to reply.
- Feels it needs to be deferred. He doesn't have any interest in violating law.
- Discussion can continue but nothing legal can be talked about.
- He didn't think about the rest of the workforce when this was first brought to them. All workforce needs to be important.

Supervisor Fesko:

- He doesn't have a problem with re-allocations, he has a problem with timing. Doesn't like to hear that people are working out of class. There is a process that hasn't been gone through.
- He feels he doesn't know whether someone is overpaid or not. It has to go through the process.

Supervisor Alpers:

- Feels we are trying to stay consistent and in context here.

Supervisor Corless:

- What is our process?
- What is reasonable time wise?

Christy Milovich:

- She has not been informed or sent the code sections or legal references.
- Our board rules do say that our board can reconsider a motion.
- Wanted to make it clear that no promotion was offered in the reorganization of Probation.

Note

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Leslie Chapman:

- The board approved three resolutions that changed the allocation list; the board did not include any promotions or any authorization to move anybody into any other positions.
- Nobody was promoted. The new structure was approved.
- There then needs to be a budget appropriation (this did not happen); then an HR process where the records of those individuals are reviewed, then position offered
- We can't do an entire salary survey by July 1st. The plan is to have people within departments to help collect information.

Curtis Hill:

- He's the Union Steward for Probation.
- Here to talk about parody and fairness, not necessarily the issue of pay increases.
- Talked about keeping funding stream secure.

Adventure Trails Pilot Program – Mono County inclusion

Departments: CAO/County Counsel

- E. Action:** Approve letter directing Senator Berryhill to remove Mono County from the drafted legislation at earliest opportunity. Direct staff to prepare letter and authorize board chair to sign the letter without having to come back to the board.

Corless moved; Johnston seconded

Vote: 5 yes; 0 no

M16-50

Supervisor Stump:

- Entire board is aware of this. Deadline for Bill introduction is this coming Friday.
- This item was put on last minute.
- According to RCRC it is too late to remove Mono County from the Legislation itself; but he's received assurances that if Mono County asks to be removed, that will happen 31 days after the bill is published.
- His recommendation is that they authorize staff to draft letter and the chairman to sign without it coming back to the board.
- In checking with County Counsel, there are questions about how this happened. This topic isn't covered in this agenda item. Could be reagendaized.
- He's responsible for it being here today; he was requested by the legislation.

Supervisor Corless:

- She's upset about the breached process. Today is opportunity to let senator know our county does not want to be involved in this bill. She's ready to make a motion to approve action #2, asking that Mono be removed from Legislation.
- If this ever comes back it should go through planning processes.

Supervisor Fesko:

- Report is inaccurate. What he heard from RCRC is different than what senators are saying.
- This has nothing to do with their adventure trail; feels a public forum needs to be had.

Supervisor Alpers:

- He supports getting Mono County taken off list.

Supervisor Johnston:

- He supports getting to the bottom of how Mono County got added in the first place; it just didn't happen.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Note

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11. CLOSED SESSION

There was nothing to report out of closed session.

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, and Dave Butters. 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 - Existing Litigation

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

C. 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: 1.

D. ADDENDUM: Closed Session - Exposure to Litigation

CONFERENCE WITH COUNTY COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: 1.

REGULAR SESSION RECONVENED AFTER CLOSED SESSION

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

ADJOURN 4:57 p.m.

ATTEST

FRED STUMP
CHAIRMAN

SHANNON KENDALL
ASSISTANT CLERK OF THE BOARD

Note

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OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: Sheriff-Coroner

TIME REQUIRED

SUBJECT FY 2016-2017 Homeland Security
Grant

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Resolution #R16- __, Authorizing participation in the Office of Homeland Security FY 2016-2017 Homeland Security Grant Program and designating the Sheriff-Coroner, Emergency Services Coordinator, and the Sheriff's Finance Officer as authorized agents to sign for and administer the Homeland Security Grant.

RECOMMENDED ACTION:

Adopt proposed resolution. Provide any desired direction to staff.

FISCAL IMPACT:

Grant award of up to \$150,000

CONTACT NAME: Ingrid Braun

PHONE/EMAIL: 760-932-7549 / ibraun@monosheriff.org

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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[Staff Report](#)

[Resolution](#)

History

Time	Who	Approval
2/16/2016 4:47 AM	County Administrative Office	Yes
2/24/2016 7:05 PM	County Counsel	Yes
2/18/2016 5:18 PM	Finance	Yes



P.O. Box 616 • 49 BRYANT STREET • BRIDGEPORT, CA 93517 • (760) 932-7549 • WWW.MONOSHERIFF.ORG

DATE: March 1, 2016
TO: The Honorable Board of Supervisors
FROM: Ingrid Braun, Sheriff-Coroner
SUBJECT: Office of Homeland Security Fiscal Year 2016-2017 Homeland Security Grant Program

RECOMMENDATION:

Approve Resolution 16-xx authorizing the Mono County Sheriff-Coroner, Mono County Sheriff's Office Emergency Services Coordinator, and/or the Mono County Sheriff's Office Finance Officer to apply for and administer the Homeland Security Grant Program for Fiscal Year 2016-17. The Homeland Security Grant will not exceed \$150,000.00.

DISCUSSION:

The California Emergency Management Agency has requested a governing body resolution for participation in the Homeland Security Grant. The resolution should specifically identify the following personnel as grant administrators to administer and sign documents related to the Homeland Security Grant:

Mono County Sheriff-Coroner
Mono County Sheriff's Office Emergency Management Coordinator
Mono County Sheriff's Office Finance Officer

FINANCIAL IMPACT:

This resolution will assist with meeting the grant guidance for participation in the Homeland Security Grant Program for Fiscal Year 2016-2017. When the grant is awarded, the award will not exceed \$150,000.00.

Respectfully submitted,

Ingrid Braun
Sheriff-Coroner



RESOLUTION NO. R16-___

A RESOLUTION AUTHORIZING PARTICIPATION IN THE OFFICE OF HOMELAND SECURITY FY 2016-2017 HOMELAND SECURITY GRANT PROGRAM AND DESIGNATING THE SHERIFF-CORONER, EMERGENCY SERVICES COORDINATOR, AND THE SHERIFF'S FINANCE OFFICER AS AUTHORIZED AGENTS TO SIGN FOR AND ADMINISTER THE HOMELAND SECURITY GRANT

WHEREAS, Mono County, a political subdivision of the State of California, wishes to participate in the 2016-2017 Homeland Security Grant Program and to authorize the Mono County Sheriff-Coroner, Emergency Medical Services Coordinator, and the Sheriff's Finance Officer to act as its agents to sign for and administer grants thereunder; and

NOW, THEREFORE BE IT RESOLVED BY THE MONO COUNTY BOARD OF SUPERVISORS that:

SECTION ONE: The County of Mono's participation in the 2016-17 Homeland Security Grant Program is hereby authorized.

SECTION TWO: The Mono County Sheriff-Coroner, Emergency Services Coordinator, and the Sheriff's Finance Officer are authorized to execute for and on behalf of Mono County any documents necessary for the purpose of obtaining and administering financial assistance provided by Homeland Security Grant Program and to act as the County's agent with respect thereto.

PASSED AND ADOPTED this 1st day of March, 2016, by the following vote:

AYES :
NOES :
ABSTAIN :
ABSENT :

ATTEST:

Clerk of the Board

Fred Stump, Chair
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: Sheriff-Coroner

TIME REQUIRED

SUBJECT FY 2016-2017 OHV Grant

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Resolution #R16-__ of the Mono County Board of Supervisors approving the application for State Off-Highway vehicle grant, FY 2016-2017.

RECOMMENDED ACTION:

Adopt proposed resolution. Provide any desired direction to staff.

FISCAL IMPACT:

Potential grant of up to \$120,000

CONTACT NAME: Ingrid Braun

PHONE/EMAIL: 760-932-7549 / ibraun@monosheriff.org

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
OHV Grant Staff Report
Resolution

History

Time

Who

Approval

2/16/2016 4:56 AM	County Administrative Office	Yes
2/23/2016 2:18 AM	County Counsel	Yes
2/18/2016 5:19 PM	Finance	Yes



P.O. Box 616 • 49 BRYANT STREET • BRIDGEPORT, CA 93517 • (760) 932-7549 • WWW.MONOSHERIFF.ORG

DATE: March 1, 2016
TO: The Honorable Board of Supervisors
FROM: Ingrid Braun, Sheriff-Coroner
SUBJECT: Fiscal Year 2016-2017 California State Parks Off-Highway Vehicle Grant Program

RECOMMENDATION:

Approve Resolution 16-xx authorizing the Mono County Sheriff-Coroner, Mono County Sheriff's Office Emergency Services Coordinator, and/or the Mono County Sheriff's Office Finance Officer to apply for and administer the California State Parks Off-Highway Vehicle Grant Program for Fiscal Year 2016-17. The Off-Highway Vehicle Grant will not exceed \$120,000.00.

DISCUSSION:

The California State Parks Off-Highway Vehicle Division has requested a governing body resolution for participation in the Off-Highway Vehicle Grant. The resolution should specifically identify the following personnel as grant administrators to administer and sign documents related to the Off-Highway Vehicle Grant:

Mono County Sheriff-Coroner
Mono County Sheriff's Office Emergency Management Coordinator
Mono County Sheriff's Office Finance Officer

FINANCIAL IMPACT:

This resolution will assist with meeting the grant guidance for participation in the Off-Highway Vehicle Grant Program for Fiscal Year 2016-2017. When the grant is awarded, the award will not exceed \$120,000.00.

Respectfully submitted,

Ingrid Braun
Sheriff-Coroner



RESOLUTION NO. R16-___

A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS APPROVING THE APPLICATION FOR STATE OFF-HIGHWAY VEHICLE GRANT FY 2016-2017

WHEREAS, the people of the State of California have enacted the Off-Highway Motor Vehicle Recreation Act of 1988, which provides funds to the State of California and its political subdivisions for planning, acquiring, developing, conserving and maintaining off-highway vehicle recreation; and

WHEREAS, the Off-Highway Motor Vehicle Recreation Division within California Department of Parks and Recreation has been delegated the responsibility to administer the program; and

WHEREAS, this project appears on, or is in conformance with, this jurisdiction's adopted general or master plan and is compatible with the land use plans of those jurisdiction's immediately surrounding the project;

NOW, THEREFORE BE IT RESOLVED that the Mono County Board of Supervisors

1. Approves the filing of an application for an Off-Highway Vehicle Grant; and
2. Certifies that this agency understands its legal obligations to the State upon approval of the grant; and
3. Certifies that this agency understands the California Public Resources Code requirements and acquisition and development projects be maintained to specific conservation standards; and
4. Certifies that the project will be well maintained during its useful life; and
5. Certifies this agency will implement the project with diligence once funds are available and a Project Agreement has been consummated between the State and this agency; and
6. Certifies that this agency will provide matching the required matching funds(as applicable); and
7. Certifies that the public and adjacent property owners have been notified of this project (as applicable); and
8. Appoints Sheriff Ingrid Braun and Sergeant Jeff Beard as agents of the Mono County Sheriff's Office to conduct all negotiations and execute and submit all required documents, including but not necessarily limited to, applications, agreements, amendments, payment request, etc., which may be necessary for the completion of the project.

PASSED AND ADOPTED this 1st day of March, 2016, by the following vote:

AYES :

NOES :

ABSTAIN :

ABSENT :

ATTEST:

Clerk of the Board

Fred Stump, Chair
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: Sheriff-Coroner

TIME REQUIRED

SUBJECT FY 2016-2017 EMPG Grant

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Resolution #R16-__, Authorizing the Mono County Sheriff's Office to participate in the FY 2016-2017 Emergency Management Performance Grant (EMPG) program and the name the Sheriff-Coroner, Emergency Services Coordinator, and the Sheriff's Finance Officer as authorized agents to sign for and administer the EMPG grant.

RECOMMENDED ACTION:

Adopt proposed resolution. Provide any desired direction to staff.

FISCAL IMPACT:

Potential grant of up to \$150,000

CONTACT NAME: Ingrid Braun

PHONE/EMAIL: 760-932-7549 / ibraun@monosheriff.org

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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[Staff Report](#)

[Resolution](#)

History

Time	Who	Approval
2/11/2016 2:55 PM	County Administrative Office	Yes
2/24/2016 7:02 PM	County Counsel	Yes
2/18/2016 5:20 PM	Finance	Yes



P.O. Box 616 • 49 BRYANT STREET • BRIDGEPORT, CA 93517 • (760) 932-7549 • WWW.MONOSHERIFF.ORG

DATE: March 1, 2016
TO: The Honorable Board of Supervisors
FROM: Ingrid Braun, Sheriff-Coroner
SUBJECT: California Emergency Management Agency Fiscal Year 2016-2017 Emergency Management Performance Grant Program

RECOMMENDATION:

Approve Resolution 16-xx authorizing the Mono County Sheriff-Coroner, Mono County Sheriff's Office Emergency Services Coordinator, and/or the Mono County Sheriff's Office Finance Officer to apply for and administer the Emergency Management Performance Grant Program for Fiscal Year 2016-17. The Emergency Management Performance Grant will not exceed \$150,000.00.

DISCUSSION:

The California Emergency Management Agency has requested a governing body resolution for participation in the Emergency Management Performance Grant. The resolution should specifically identify the following personnel as grant administrators to administer and sign documents related to the Emergency Management Performance Grant:

Mono County Sheriff-Coroner
Mono County Sheriff's Office Emergency Management Coordinator
Mono County Sheriff's Office Finance Officer

FINANCIAL IMPACT:

This resolution will assist with meeting the grant guidance for participation in the Emergency Management Performance Grant Program for Fiscal Year 2016-2017. When the grant is awarded, the award will not exceed \$150,000.00.

Respectfully submitted,

Ingrid Braun
Sheriff-Coroner



RESOLUTION NO. R16-___

A RESOLUTION AUTHORIZING MONO COUNTY'S PARTICIPATION IN THE FY 2016-2017 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) PROGRAM AND DESIGNATING THE SHERIFF-CORONER, EMERGENCY SERVICES COORDINATOR, AND THE SHERIFF'S FINANCE OFFICER AS AUTHORIZED AGENTS TO SIGN FOR AND ADMINISTER THE EMPG GRANT.

WHEREAS, Mono County, a political subdivision of the State of California, wishes to participate in the 2016-2017 Emergency Management Performance Grant Program and to authorize the Mono County Sheriff-Coroner to act as its agent to sign for and administer grants thereunder; and

NOW, THEREFORE BE IT RESOLVED BY THE MONO COUNTY BOARD OF SUPERVISORS that:

SECTION ONE: The County of Mono's participation in the 2016-17 Emergency Management Performance Grant (EMPG) Program is hereby authorized; and

SECTION TWO: The Mono County Sheriff-Coroner, Emergency Services Coordinator, and the Sheriff's Finance Officer are authorized to execute for and on behalf of Mono County any documents necessary for the purpose of obtaining and administering financial assistance provided by the Department of Homeland Security and sub-granted through the State of California and to act as the County's agents with respect thereto.

PASSED AND ADOPTED this 1st day of March, 2016, by the following vote:

AYES :

NOES :

ABSTAIN :

ABSENT :

ATTEST:

Clerk of the Board

**Fred Stump, Chair
Board of Supervisors**

APPROVED AS TO FORM:

COUNTY COUNSEL



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: Sheriff-Coroner

TIME REQUIRED

SUBJECT FY 2016-2017 Boating Grant

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Resolution #R16-___, Authorizing participation in the FY 2016-2017 California Department of Boating and Waterways grant program and designating the Sheriff-Coroner as an authorized agent to sign for and administer the grant.

RECOMMENDED ACTION:

Adopt proposed resolution. Provide any desired direction to staff.

FISCAL IMPACT:

Potential grant award of \$131,065

CONTACT NAME: Ingrid Braun

PHONE/EMAIL: 760-932-7549 / ibraun@monosheriff.org

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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<input type="checkbox"/> Staff Report
<input type="checkbox"/> Resolution
<input type="checkbox"/> Contract

History

Time	Who	Approval
2/16/2016 4:48 AM	County Administrative Office	Yes
2/24/2016 7:03 PM	County Counsel	Yes
2/18/2016 5:22 PM	Finance	Yes



P.O. Box 616 • 49 BRYANT STREET • BRIDGEPORT, CA 93517 • (760) 932-7549 • WWW.MONOSHERIFF.ORG

DATE: March 1, 2016
TO: The Honorable Board of Supervisors
FROM: Ingrid Braun, Sheriff-Coroner
SUBJECT: Fiscal Year 2016-2017 California Department of Boating and Waterways Grant

RECOMMENDATION:

1. Approve Resolution 16-xx authorizing the Mono County Sheriff's Office to participate in and renew the contract with the California Department of Boating and Waterways for Fiscal Year 2016-2017.
2. Authorize the Board of Supervisors to sign the contract with the California Department of Boating and Waterways for Fiscal Year 2016-2017.
3. Authorize Sheriff Ingrid Braun to sign the contract, any grant correspondence, and all reimbursement forms for said contract.

DISCUSSION:

The California Department of Boating and Waterways has requested a governing body resolution for participation in the annual boating and waterways grant program.

The Mono County Sheriff's Office has received its annual grant contract with the California Department of Boating and Waterways in the amount of \$131,065.00 for Fiscal Year 2016-2017. This grant funds the entire boating safety program and law enforcement on the waterways of Mono County.

FINANCIAL IMPACT:

This resolution will assist with meeting the grant guidance for participation in the California Department of Boating and Waterways Grant Program for Fiscal Year 2016-2017. The grant award amount of \$131,065.00 will cover most of the cost of the Mono County Sheriff's Office boating program, including overtime costs; however, it does require a County contribution equal to property taxes derived from boats.

Respectfully submitted,

Ingrid Braun
Sheriff-Coroner



RESOLUTION NO. R16-___

A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE COUNTY'S PARTICIPATION IN THE FY 2016-2017 CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS GRANT PROGRAM AND DESIGNATING THE SHERIFF-CORONER AS AN AUTHORIZED AGENT TO SIGN FOR AND ADMINISTER THE GRANT

WHEREAS, Mono County, a political subdivision of the State of California, wishes to participate in the 2016-2017 California Department of Boating and Waterways grant program and to authorize the Mono County Sheriff-Coroner to act as its agent to sign for and administer grants thereunder; and

NOW, THEREFORE BE IT RESOLVED BY THE MONO COUNTY BOARD OF SUPERVISORS that:

SECTION ONE: The County of Mono's participation in the 2016-17 California Department of Boating and Waterways grant program is hereby authorized

SECTION TWO: The Mono County Sheriff-Coroner is authorized to execute for and on behalf of Mono County any documents necessary for the purpose of obtaining and administering financial assistance provided by the State of California Department of Boating and Waterways and to act as the County's agent with respect thereto.

PASSED AND ADOPTED this 1st day of March, 2016 by the following vote:

AYES :
NOES :
ABSTAIN:
ABSENT :

ATTEST: _____
Clerk of the Board

Fred Stump, Chair
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL



Boating Safety and Enforcement Financial Aid Program Agreement

This agreement entered into this *1ST day of July, 2016*, by and between the CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS, hereinafter called "Department," and the *COUNTY OF MONO*, hereinafter called "Agency";

WITNESSETH

WHEREAS, Contingent on approval of the Fiscal Year 2016-2017 budget, the Department intends to agree with Agency for the purpose of performing boating safety and enforcement activities as described in Title 14, California Code of Regulations Section 6593.3; and

WHEREAS, Agency is equipped, staffed and prepared to provide such services on the terms and conditions set forth in this agreement and in accordance with Title 14, California Code of Regulations Section 6593 et seq.; and

WHEREAS, pursuant to Title 14, California Code of Regulations Section 6593.6, Department shall enter into an annual agreement with each participating agency;

NOW, THEREFORE, it is mutually agreed as follows:

I. Applicable Law

Agency shall observe and comply with all applicable federal, state, and county statutes, ordinances, regulations, directives, and laws, including, but not limited to, Harbors and Navigation Code Section 663.7 and Section 6593 et seq. of Title 14, California Code of Regulations. Agreement shall be deemed to be executed within the State of California and construed and governed by the laws of the State of California.

II. Description of Services

Agency shall conduct boating safety and enforcement activities in the jurisdiction of the Agency in consideration of the payments hereinafter set forth.

III. Payments

- A. Maximum Amount. The amount the Department shall be obligated to pay for services rendered under this agreement shall not exceed \$131,065.00 for the agreement term in full consideration of Agency's performance of the services described in this agreement.
- B. Rate of Payment. The Department shall reimburse Agency in accordance with the reimbursement procedures set forth in Title 14, California Code of Regulations Section 6593.9.

- C. Submission of Claims. Agency shall submit claims for reimbursement to the Department contact person identified in paragraph V of this contract on a ___ monthly **OR** ___ quarterly basis. **(Please check one)**
- D. Failure to Submit Claims. Claims for reimbursement shall be submitted within 60 days following the last day of the reporting period. Pursuant to Title 14, California Code of Regulations 6593.9 (i), the Department may reduce an Agency's allocation by five percent if the Agency exceeds the sixty-day billing period and an additional five percent for every thirty-day period thereafter that the Agency is late in filing a claim.

IV. Records

Agency shall maintain records pursuant to Section 6593.10 of Title 14, California Code of Regulations.

V. Notice

Notice shall be in writing and shall be deemed to have been served when it is deposited in the United States mail, first class postage prepaid, and addressed as follows:

TO DEPARTMENT

Ms. Corrina Dugger
Department of Parks and Recreation
Division of Boating and Waterways
One Capitol Mall, Suite 500
Sacramento, CA 95814

TO AGENCY

Mono County Sheriff
100 Bryant Street
Bridgeport, CA 93517

Either party may change the address to which subsequent notice and/or other communication can be sent by giving written notice designating a change of address to the other party.

VI. Term

This agreement shall be for the term beginning **July 1, 2016**, and ending **June 30, 2017**.

VII. Prior Agreements

All prior agreements regarding this subject matter between Department and Agency are hereby terminated effective June 30 prior to the term beginning date of this agreement.

VIII. Amendment

No amendment or variation of the terms of this agreement shall be valid unless made in writing and signed by the parties hereto.

IX. Termination

Agency may terminate this agreement without cause in writing at any time. Department may terminate this agreement without cause upon a sixty (60) days written notice served upon the Agency.

X. Special Provisions

- A. Agency hereby certifies that the obligations created by this agreement do not violate the provisions of Sections 1090 to 1096 of the Government Code.
- B. This agreement shall have no force or effect until signed by the Department, Agency, and approved by the Department of General Services Legal Department, if required.
- C. Agency shall continue with the responsibilities of this agreement during any dispute.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS

By: _____

*California Department of Parks and Recreation,
Division of Boating and Waterways*

Date: _____

“Department”

COUNTY OF MONO

By: _____

Title: _____

Date: _____

“Agency”



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: Public Health Emergency Preparedness

TIME REQUIRED

SUBJECT Emergency Preparedness
Coordinator's Attendance at the
2016 NACCHO Preparedness
Summit in Dallas, Texas

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

The Preparedness Summit is the premier national conference in the field of public health preparedness. The four-day annual event provides one of the only cross-disciplinary learning opportunities in the field and has evolved over time to meet the growing needs of the preparedness community. A diverse range of attendees includes professionals working in all levels of government (local, state, and federal), emergency management, volunteer organizations, and healthcare coalitions. The Summit delivers opportunities to connect with mid to senior level colleagues, share new research, and learn how to implement model practices that enhance capabilities to prepare for, respond to, and recover from disasters and emergencies. The goal is to take information, tools, and resources acquired at the Summit to use in our local jurisdiction and professional practice and share with colleagues and community partners.

RECOMMENDED ACTION:

The Board of Supervisors approve the Travel Request for Debra Diaz to attend the 2016 NACCHO Preparedness Summit, to be held in Dallas, Texas, from April 19th through April 22nd.

FISCAL IMPACT:

The cost of this trip, \$2,139.34, is funded entirely out of the 2015-16 Hospital Preparedness Program Grant. There is no impact to the General Fund.

CONTACT NAME: Lynda Salcido, Public Health/EMS Director

PHONE/EMAIL: 760-924-1842 / lsalcido@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:
Deb Diaz

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[Staff Report](#)

History

Time	Who	Approval
2/16/2016 5:00 AM	County Administrative Office	Yes
2/23/2016 2:03 AM	County Counsel	Yes
2/18/2016 5:23 PM	Finance	Yes

COUNTY of MONO

HEALTH DEPARTMENT
P.O. BOX 3329
MAMMOTH LAKES, CA 93546

Public Health (760) 924-1830 Fax (760) 924-1831
Environmental Health (760) 924-1800 Fax (760) 924 1801



February 3, 2016

To: Honorable Board of Supervisors

From: Lynda Salcido, Public Health Director

Subject: Emergency Preparedness Coordinator's attendance at the 2016 NACCHO Preparedness Summit in Dallas, Texas.

Recommended Action: The Board of Supervisors approve the Travel Request for Debra Diaz to attend the 2016 NACCHO Preparedness Summit, to be held in Dallas, Texas, from April 19th through April 22nd.

Discussion: The Preparedness Summit is the premier national conference in the field of public health preparedness. The four-day annual event provides one of the only cross-disciplinary learning opportunities in the field and has evolved over time to meet the growing needs of the preparedness community. A diverse range of attendees includes professionals working in all levels of government (local, state, and federal), emergency management, volunteer organizations, and healthcare coalitions. The Summit delivers opportunities to connect with mid to senior level colleagues, share new research, and learn how to implement model practices that enhance capabilities to prepare for, respond to, and recover from disasters and emergencies. The goal is to take information, tools, and resources acquired at the Summit to use in our local jurisdiction and professional practice and share with colleagues and community partners.

This trip was included in our 2015-16 Hospital Preparedness Program grant workplan and budget and has been approved by the California Department of Public Health.

Fiscal Impact/ Budget Projections: The cost of this trip, \$2,139.34, is funded entirely out of the 2015-16 Hospital Preparedness Program Grant. There is no impact to the General Fund.

For questions regarding this item, please call Lynda Salcido at (760) 924-1842.

Submitted by:

Lynda Salcido, Public Health Director

Date

Richard O. Johnson, M.D., MPH, Public Health Officer

Contact
Office: (760) 924-1828
Fax: (760) 924-1831
E-Mail: rjohnson@mono.ca.gov

24/7/365 Emergency Contact
Cell phone : 760-914-0496



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: Community Development Department

TIME REQUIRED

SUBJECT Antelope Valley RPAC appointments

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Board consideration of two appointments to the Antelope Valley Regional Planning Advisory Committee.

RECOMMENDED ACTION:

As recommended by Supervisor Fesko, appoint Diane Anthony and Roger Donahue to the AV RPAC for four-year terms ending in March 2020.

FISCAL IMPACT:

No impact.

CONTACT NAME: Gerry Le Francois

PHONE/EMAIL: 760.924.1810 / glefrancois@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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[staff report](#)

[Diane's application](#)

[Roger's application](#)

History

Time	Who	Approval
2/16/2016 4:52 AM	County Administrative Office	Yes
2/23/2016 1:45 AM	County Counsel	Yes
2/18/2016 5:26 PM	Finance	Yes

Mono County Community Development Department

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

Planning Division

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

March 1, 2016

To: Mono County Board of Supervisors

From: Gerry Le Francois, Principal Planner

Subject: Consider appointing Diane Anthony and Roger Donahue to the Antelope Valley Regional Planning Advisory Committee (AVRPAC)

Action Requested

Consider the recommendation of Supervisor Fesko to appoint Diane Anthony and Roger Donahue to the Antelope Valley Regional Planning Advisory Committee for terms ending in March 2020.

Fiscal Impact

No fiscal impacts are expected.

Discussion

Following a review of applications, Supervisor Fesko is recommending that the Board of Supervisors appoint Diane Anthony and Roger Donahue to the AVRPAC. These appointments, if approved, will constitute a 12 member RPAC. The recently updated RPAC Purpose and Procedures allow for up to 15 members.

New members recommended for appointment: Diane Anthony & Roger Donahue to 4-year terms expiring in March of 2020.

Existing members of AVRPAC:

Dan Anthony
Mike Curti
Arden Gerbig
Mark Langner
Don Morris
Orval Mosby
John Vannoy
Bruce Woodworth
Ned Welsh
Katy Buell

Term to Expire – Not addressed in By Laws

This item is sponsored by Supervisor Tim Fesko. If you have any questions regarding this item, please contact Gerry Le Francois at 924.1810 or gfrancois@mono.ca.gov

Regional Planning Advisory Committees

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

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

MEMBERSHIP APPLICATION

This application is for membership in the following RPAC (choose one):

- Antelope Valley
- Benton/Hammil
- Bridgeport Valley
- Chalfant Valley
- June Lake CAC (Citizens Advisory Committee)
- Long Valley
- Mono Basin
- Swall Meadows

Name Diane Anthony

Address 631 Camp Antelope Rd.

City/State/Zip Coleville, CA 96107

Phone (day) 530-495-2817 Phone (eve.) _____

Email dandianeanthony@msn.com

Occupation/Business Retired Probation Officer

Special interests or concerns about the community:

I have lived in Mono County since 2006, and retired from employment with Mono County in 2012. I am eager to become more involved with my community, and bring a wide variety of experience and decision-making skills in planning the future of Antelope Valley. I am especially interested in finding the balance between downtown development and preservation of the rural lifestyle.

Signature Diane Anthony Date 11/5/15

Diane Anthony
631 Camp Antelope Rd.
Coleville, CA 96107

Professional Experience:

1972-1973 – Office Assistant – Department of Avian Sciences, U.C. Davis.

1973-1980 – Worked as a Veterinary Technician, Yucaipa Valley Veterinary Hospital and Imperial Valley Veterinary Hospital.

1978 – Earned Registered Veterinary Technician License.

1981-2001 – Worked as Veterinary Technician/Animal Control Officer for San Bernardino City and San Bernardino County.

1993 – Earned B.S. Degree in Psychology, Cal State San Bernardino.

1993-1994 – Taught undergraduate Psychology at Cal State San Bernardino.

1994-1995 – Worked part-time as a Marriage-Family Counselor at Cal State San Bernardino Community Counseling Center.

1995 - Co-author of Instructor's Manual for Interpersonal Psychology with Dr. Edward Teyber.

1995 – Earned M.S. Degree in Psychology, Cal State San Bernardino.

1995-1996 – Worked part-time as a Marriage-Family Therapist, Jay Fitter & Associates, Victorville, CA.

2002-2006 – Probation Officer for San Bernardino County, retired 2006 as a Probation Officer II.

2006-2012 – Probation Officer for Mono County, retired 2012 as a Probation Officer III.

MONO COUNTY
Regional Planning Advisory Committees

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

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

RPAC MEMBERSHIP APPLICATION

This application is for membership in the following RPAC (choose one):

- | | |
|---|--|
| <input checked="" type="checkbox"/> Antelope Valley | <input type="checkbox"/> June Lake CAC (Citizens Advisory Committee) |
| <input type="checkbox"/> Benton/Hammil | <input type="checkbox"/> Long Valley |
| <input type="checkbox"/> Bridgeport Valley | <input type="checkbox"/> Mono Basin |
| <input type="checkbox"/> Chalfant Valley | <input type="checkbox"/> Paradise/Wheeler Crest |

Name: Roger Donahue

Address: 747 N River Ln

City/State/Zip: Walker, CA, 96107

Phone (day): 775-400-0212 Phone (eve.): _____

E-mail: veteranracing@yahoo.com

Occupation/Business: Engineering Technician, Department of the Navy, Marine Corps MWTC

Special interests or concerns about the community:

The community members rights to freedom and fair representation. The community members rights to privacy and the business members rights to growth while maintaining the

aforementioned. Recreational activities with my family, to include: Motorsports, ATV's,

Horseback Riding, Lake and River Activites, Fishing, Shooting, and Micro Ranching/Farming.

My greatest concern is the minority imposing their will on the majority because of political correctness, political motivation, and or federal, state, or local government executive mandates.

I chose this area because it is comprised of down to earth people that seem to enjoy the simple rural life. I am against any overwhelming presence of corporate box store businesses in our community.

Signature Roger D Donahue Date 22 Nov 2015



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: CAO

TIME REQUIRED

SUBJECT Letter in Support of State PILT
Advocacy Efforts

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Letter of support for State 2016-17 PILT and PILT in arrears advocacy effort

RECOMMENDED ACTION:

Approve the attached letter of support for PILT advocacy efforts to support the Governor's proposed appropriation for the 2016-17 fiscal year and request an appropriation for the PILT in arrears since the 2002-03 fiscal year.

FISCAL IMPACT:

A successful lobby effort will result in approximately \$28,000 in the 2016-17 fiscal year with \$8,400 going to the County General Fund, and over \$365,000 in arrears dating back to the fiscal year 2002-03, with over \$100,000 going to the General Fund and the balance going to Mono County schools and special districts.

CONTACT NAME: Leslie Chapman

PHONE/EMAIL: 760-932-5414 / 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

[State PILT Staff Report](#)

[PILT Letter](#)

[PILT Q&A Sheet](#)

History

Time	Who	Approval
2/23/2016 6:31 PM	County Administrative Office	Yes
2/24/2016 3:40 PM	County Counsel	Yes
2/24/2016 8:54 AM	Finance	Yes



COUNTY OF MONO

P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5410 • FAX (760) 932-5411

Leslie L. Chapman
County Administrative Officer

March 15, 2016

To: Honorable Board of Supervisors

From: Leslie Chapman, CAO

Subject: Letter of support for State 2016-17 PILT and PILT in arrears advocacy effort

Recommendation:

Approve the attached letter of support for PILT advocacy efforts to support the Governor's proposed appropriation for the 2016-17 fiscal year and request an appropriation for the PLT in arrears since the 2002-03 fiscal year.

Discussion:

Mono County received a request from RCRC to write a letter of support for the California PILT appropriation. Staff recommends supporting this request because with a large part of our County being owned by either State or Federal agencies, we are limited in our ability to collect property tax since government agencies are not taxed on the value of property like private citizens and businesses are.

Until 2015, Fish and Game Code specified that when income is derived from real property acquired and operated by the state as wildlife management areas, the Department **shall** pay annually to the county in which the property is located an amount equal to the county taxes levied upon the property at the time title was transferred to the State. In 2015, the **shall** was changed to **may**.

Consequently, even if the lobby is successful in getting an appropriation for the amounts in arrears and an appropriation for the 2016-17 fiscal, year, there is no guarantee that future governors and lawmakers will feel obligated to make these payments. Therefore, Mono County will need to monitor and support efforts to have the language in Fish and Game Code Section 1504 changed back to "shall".

For more information on PILT, please see the attached California PILT Questions and Answers sheet.

Fiscal Impact:

A successful lobby effort will result in approximately \$28,000 in the 2016-17 fiscal year with \$8,400 going to the County General Fund, and over \$365,000 in arrears dating back to the fiscal year 2002-03, with over \$100,000 going to the General Fund and the balance going to Mono County schools and special districts.



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

March 1, 2016

The Honorable Mark Leno
Chair, Senate Budget & Fiscal Review
Committee
State Capitol, Room 5100
Sacramento, CA 95814

The Honorable Shirley Weber
Chair, Assembly Budget Committee
State Capitol, Room 6026
Sacramento, CA 95814

RE: Department of Fish and Wildlife: Payment In Lieu of Taxes

Dear Senator Leno and Assembly Member Weber:

On behalf of the Mono County Board of Supervisors, I am writing to request that the Legislature appropriate in the 2016-17 State Budget the \$8 million in arrears owed to 36 counties by the Department of Fish and Wildlife (Department) for Payment in Lieu of Taxes (PILT). Mono County also wants to take this opportunity to express our support for the Governor's proposed appropriation of \$644,000 to fund PILT for the 2016-17 fiscal year.

Many of California's 36 counties that host wildlife management areas also have a significant amount of federal and state owned lands within their boundaries that do not generate property tax revenues, an important source of revenue to fund local programs and services for county residents. California PILT was established in 1949 to offset adverse impacts to county property tax revenues that result when the State acquires private property for wildlife management areas.

Mono County has over 3,000 square miles and over 96% is State and Federally owned. Stated another way, only 2% of the property in Mono County yields property tax revenue, so every PILT dollar is important to fund local programs and services for our residents.

In closing, Mono County Board of Supervisors appreciates your favorable consideration of our request for payment of the PILT arrears owed.

Sincerely,

Fred Stump, Chairman
Mono County Board of Supervisors

cc: Assemblyman Frank Bigelow
Senator Tom Berryhill
Members, Senate Budget and Fiscal Review Committee
Members, Assembly Budget Committee
Committee Consultants
Republican Fiscal Consultants
Mono County Board of Supervisors
Rural County Representatives of California



California Payment In Lieu of Taxes (PILT) Q&A

What is PILT?

Payment In Lieu of Taxes (PILT) was established in 1949 to offset adverse impacts to county property tax revenues that result when the State acquires private property for wildlife management areas.

How many counties currently have lands acquired by the Department of Fish and Wildlife (Department) for wildlife management areas?

Thirty-six counties: Alpine, Butte, Colusa, Del Norte, Fresno, Glenn, Humboldt, Imperial, Inyo, Lake, Lassen, Madera, Marin, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Riverside, San Bernardino, San Diego, San Luis Obispo, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Tulare, Yolo, and Yuba.

What is the status of PILT payments to counties?

The Department had not made PILT payments to counties in over a decade, citing the failure of the Legislature to appropriate funds for this purpose as the reason for nonpayment.

In the 2015-16 State Budget the Brown Administration proposed to fund PILT for the 2015-2016 fiscal year in the amount of \$644,000. This dollar amount was arrived at by backing-out from the Department's estimated \$1,551,810 annual PILT payment owed to the 36 counties the amount identified as the property tax allocation for school districts.

In 2015, both the Senate Budget and Fiscal Review Subcommittee #2 and Assembly Budget Subcommittee #3:

- Approved the Brown Administration's proposed payment of \$644,000 PILT for the 2015-2016 fiscal year;
- Approved payment of \$8 million* for the arrears owed to counties; and,
- Rejected the Brown Administration's proposal to change the language of Fish and Game Code Section 1504 to make payment of PILT permissive.

*The Department's estimate of the PILT arrears (as of May 16, 2014) was \$18,682,283. The Legislative Analyst's Office, utilizing the Administration's formula i.e. backing-out the property tax allocation for school districts, estimated the PILT arrears (as of May 16, 2014) to be \$7,784,426.

As a result of last minute negotiations between the Legislature and the Brown Administration, SB 97 (2015 Budget Bill Junior) reduced the appropriation to the

Department for “Management of Department Lands and Facilities” by \$8 million – the \$8 million appropriated by the Legislature for the arrears owed to counties.

The Governor’s 2016-17 proposed Budget includes a PILT payment of \$644,000 to counties for the 2016-2017 fiscal year. The Director of the Department of Finance has recently stated that the Administration does not view the PILT arrears as a State liability.

What does the law say?

Historically, Fish and Game Code Section 1504 specified that when income is derived from real property acquired and operated by the state as wildlife management areas the Department *shall* pay annually to the county in which the property is located an amount equal to the county taxes levied upon the property at the time title was transferred to the State.

As a result of last minute negotiations between the Legislature and the Brown Administration, language was inserted into SB 83, the 2015 Public Resources Budget Trailer Bill, changing Fish and Game Code Section 1504 language to make payment of PILT permissive (“*shall*” to “*may*”).

Why is it important to counties that “shall” be reinserted into Fish and Game Code Section 1504?

Despite the requirement in statute that the Department make PILT payments annually to the impacted counties, the Department failed to do so for over a decade citing the failure of the Legislature to appropriate funds for this purpose as the reason for nonpayment.

While the Brown Administration included funding for PILT in the 2015-16 State Budget, and has proposed to fund PILT in the 2016-2017 State Budget, future Administration’s may well choose to not make PILT payments - leaving counties without recourse due to the permissive nature of the language.

Why is it important to counties that the Legislature fund payment of the PILT arrears owed?

In recognition of the State’s unfulfilled responsibility, both the Senate and Assembly took action to fund the PILT arrears in the 2015-2016 State Budget. Payment of the arrears is particularly important to many small and rural counties as PILT payments help fund county General Fund funded programs and services that benefit county residents. Counties look to the Legislature to once again provide leadership and to fund the arrears in the 2016-17 State Budget.

Contact: Kathy Mannion, (916) 447-4806 or kmannion@rcrcnet.org or Nick Konovaloff, (916) 447-4806 or nkonovaloff@rcrcnet.org.

1/25/2016



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

TIME REQUIRED

SUBJECT Thank You Card from Czeschin
Family

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Thank you card received on February 17, 2016 from the Czeschin Family.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Helen Nunn

PHONE/EMAIL: x5534 / hnunn@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:

<p>Click to download</p> <p> Thank you card</p>

History

Time	Who	Approval
2/19/2016 1:09 PM	County Administrative Office	Yes
2/23/2016 2:10 AM	County Counsel	Yes
2/18/2016 5:27 PM	Finance	Yes



Love lives on
in little kindnesses
and gentle words...

Dear Mono County
Board of Supervisors, Thank you for
your expression
of sympathy.
Thank you for
honoring our
husband, dad, grampa,
Bill Geschin on
January 19th. We
appreciate your condolences.

The
Geschin
Family

RECEIVED
FEB 17 2016
OFFICE OF THE CLERK



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

TIME REQUIRED

SUBJECT Notice of Application from Federal
Energy Regulatory Commission

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Notice of Application accepted for filing, soliciting comments, motions to intervene, and protests with regard to a hydroelectric application that has been filed by Southern California Edison.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Helen Nunn

PHONE/EMAIL: x5534 / hnunn@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:

<p>Click to download</p> <p> Notice from FERC</p>

History

Time

Who

Approval

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Southern California Edison Company

Project No. 1388-077

NOTICE OF APPLICATION ACCEPTED FOR FILING, SOLICITING COMMENTS,
MOTIONS TO INTERVENE, AND PROTESTS

(February 8, 2016)

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. Type of Application: Application for Temporary Variance of Minimum Pool Requirement
- b. Project No.: 1388-077
- c. Date Filed: January 27, 2016
- d. Applicant: Southern California Edison Company (licensee)
- e. Name of Project: Lee Vining
- f. Location: Lee Vining Creek in Mono County, California
- g. Filed Pursuant to: Federal Power Act, 16 USC 791(a)-825(r).
- h. Applicant Contact: Mr. Matthew Woodhall, Southern California Edison Company, 1515 Walnut Grove Avenue, Rosemead, CA 91770, (626) 302-9596, matthew.woodhall@sce.com
- i. FERC Contact: Mr. John Aedo, (415) 369-3335, or john.aedo@ferc.gov
- j. Deadline for filing comments, motions to intervene, protests, and recommendations is **March 9, 2016**. The Commission strongly encourages electronic filing. Please file motions to intervene, protests, comments, or recommendations using the Commission's eFiling system at <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or

Project No. 1388-077

- 2 -

(202) 502-8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Please include the project number (**P-1388-077**) on any comments, motions to intervene, protests, or recommendations filed.

k. Description of Request: The licensee requests Commission approval for a variance of the minimum pool requirement at Tioga Lake, which requires that the licensee maintain the lake level within two feet of the spillway or, in dry years, at its peak for the year from May 1 through September 30. In order to facilitate maintenance work on the grizzly and outlet works, the licensee requests Commission approval to begin draining the lake starting August 1, 2016, instead of the October 1 commencement date. The associated maintenance work would occur from September 6 to October 31, 2016, during which, the licensee would maintain natural flow through the outlet works.

l. Locations of the Application: A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1-866-208-3676 or e-mail FERCOnlineSupport@ferc.gov, for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene: Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents: Any filing must (1) bear in all capital letters the title "COMMENTS", "PROTEST", or "MOTION TO INTERVENE" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with

FEDERAL ENERGY
REGULATORY COMMISSION
888 First Street NE
Washington, DC 20426

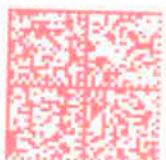
FILED

FEB 12 2016

MONROE COUNTY CLERK

MONROE COUNTY OF
BOARD OF SUPERVISORS
BRIDGEPORT, CA 93517-

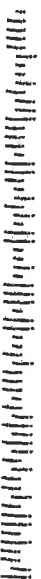
Docket No.: P-1388



U.S. POSTAGE PITNEY BOWES

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Project No. 1388-077

the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All comments, motions to intervene, or protests should relate to project works which are the subject of the license surrender. Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

Nathaniel J. Davis, Sr.,
Deputy Secretary.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

TIME REQUIRED

SUBJECT Great Basin Air Pollution Control
District Correspondence

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Notice of Public Hearing received from the Great Basin Unified Air Pollution Control District on February 22, 2016. The entire informational packet may be viewed in the Clerk's office.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Helen Nunn

PHONE/EMAIL: x5534 / hnunn@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

[Notice of Public Hearing](#)

History

Time

Who

Approval



GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

157 Short Street, Bishop, California 93514-3537
760-872-8211 Fax: 760-872-6109

NOTICE OF PUBLIC HEARING

ADOPTION AND APPROVAL OF (1) PROPOSED ORDER UNDER THE PROVISIONS OF CAL. HEALTH & SAFETY CODE SECTION 42316, (2) PROPOSED DISTRICT RULE 433 FOR THE CONTROL OF PARTICULATE EMISSIONS AT OWENS LAKE, AND (3) PROPOSED FINAL 2016 REVISION TO THE OWENS VALLEY PM₁₀ PLANNING AREA DEMONSTRATION OF ATTAINMENT STATE IMPLEMENTATION PLAN

PLEASE TAKE NOTICE that on Wednesday, April 13, 2016, the Governing Board of the Great Basin Unified Air Pollution Control District (GBUAPCD) will conduct a public hearing and consider for adoption and approval of (1) a proposed order authorized by California Health & Safety Code Section 42316 for the City of Los Angeles (City) to install, operate and maintain additional dust control measures on the Owens Lake bed, (2) a proposed District Rule 433 (Control of Particulate Emissions at Owens Lake), and (3) a proposed final 2016 revision to the previously-adopted Owens Valley PM₁₀ Planning Area Demonstration of Attainment State Implementation Plan (2016 SIP) (collectively "Board Actions"). The public hearing and the Governing Board's consideration for adoption and approval of the Board Actions will occur at the District Governing Board's regular meeting on **Wednesday, April 13, 2016 at 10:15 a.m. at the City of Los Angeles Department of Water and Power Administrative Building, Training Room 134A, 111 Sulfate Road, Keeler, California 93530**. Other actions related to the Board Actions may also be taken at the meeting. Members of the public will have an opportunity to submit written comments or make oral statements at the public hearing on each of the proposed Board Actions.

The GBUAPCD prepared the 2016 SIP for the control of fine dust emissions (PM₁₀) in response to a finding by the United States Environmental Protection Agency (USEPA) that the Owens Valley Planning Area did not attain the 24-hour National Ambient Air Quality Standard (NAAQS) for PM₁₀ as required by the federal Clean Air Act. The dried Owens Lake bed soils and crusts are a source of wind-blown dust during significant wind events and contribute to elevated concentrations of PM₁₀.

The GBUAPCD has adopted a series of SIPs to address and control PM₁₀. In 2008, the GBUAPCD approved the 2008 Revised State Implementation Plan for the Owens Valley Planning Area (2008 SIP), which was implemented through GBUAPCD Board Order #080128-01. In 2011, a dispute arose between the GBUAPCD and the City regarding these requirements. On December 30, 2014, the Sacramento Superior Court entered a Stipulated Judgment for the GBUAPCD in the case captioned *City of Los Angeles v. California Air Resources Board, et al.*, Case No. 34-2013-80001451-CU-WM-GDS to resolve this dispute. Under the major provisions of this agreement, the City agreed to implement additional dust control measures on the lake bed (for a total of 48.6 square miles) by December 31, 2017. The GBUAPCD may also order the City to implement dust control measures on up to 4.8 additional square miles of the lake bed if needed to meet the NAAQS or related state standards. The GBUAPCD agreed to revise the 2008 SIP by December 31, 2014 (later amended by agreement to April 15, 2016) to incorporate the relevant provisions of the Stipulated Judgment into a proposed 2016 SIP Order.

GBUAPCD also proposes to adopt District Rule 433 pursuant to California Health & Safety Code Section 41511. The Rule includes the control elements of the 2016 SIP Order and will comprise the attainment strategy for the 2016 SIP to be submitted to the California Air Resources Board and the U.S. Environmental Protection Agency for their approval. The 2016 SIP contains the project location, history,

air quality setting, emission inventory, control measures, air quality modeling, control strategy, and enabling legislation. The goal of the proposed Board Actions is to continue to reduce dust emissions from the dry lake bed to attain the 24-hour NAAQS for PM₁₀ in 2017. A Notice of Determination will be prepared under the California Environmental Quality Act in connection with the proposed Board Actions based upon the Environmental Impact Report for the Owens Lake Dust Mitigation Program – Phase 9/10 Project (May 2015) (EIR) prepared by the City of Los Angeles Department of Water and Power.

Copies of the proposed order, District Rule 433, the 2016 SIP and the EIR may be obtained from and will be available for public review at the GBUAPCD web-site www.gbuapcd.org, at the GBUAPCD office at 157 Short Street, Bishop, California, and at Inyo County Libraries in Independence, Big Pine, Bishop, Lone Pine, Death Valley and Tecopa, California. Written comments on these rule revisions should be sent to Phillip L Kiddoo, Air Pollution Control Officer, GBUAPCD, 157 Short Street, Bishop, CA 93514. Written comments received by 5:00 pm on March 18, 2016 will be included in the staff report sent to the Governing Board members. Oral and written comments will also be taken at the meeting. For further information, contact the District's Board Clerk, Tori DeHaven at (760) 872-8211.

GBUAPCD staff encourages those who have comments on the 2016 SIP to attend the meeting on April 13, 2016 and submit written comments or make oral statements to the Governing Board prior to the Board Actions.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

TIME REQUIRED

SUBJECT Application for ABC License by
Pelican Point Grill

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Copy of Application for Alcoholic Beverage License dated February 12, 2016, received from the Department of Alcoholic Beverage Control on behalf of Crowley Lake Fish Camp Inc, dba Pelican Point Grill.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Helen Nunn

PHONE/EMAIL: x5534 / hnunn@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

[Application for ABC License](#)

History

Time

Who

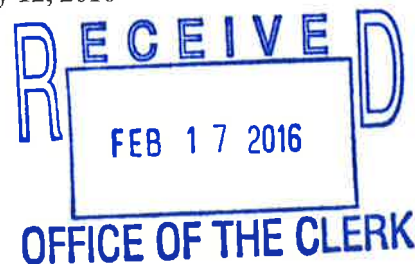
Approval

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

TO: Department of Alcoholic Beverage Control
4800 STOCKDALE HWY
STE 213
BAKERSFIELD, CA 93309
(661) 395-2731

File Number: 566686
Receipt Number: 2343453
Geographical Code: 2600
Copies Mailed Date: February 12, 2016
Issued Date:



DISTRICT SERVING LOCATION: BAKERSFIELD
First Owner: CROWLEY LAKE FISH CAMP INC
Name of Business: PELICAN POINT GRILL
Location of Business: 1149 S LANDING RD
CROWLEY LAKE, CA 93546
County: MONO
Is Premise inside city limits? No
Mailing Address: PO BOX 1268
MAMMOTH LAKES, CA 93546

Census Tract 0001.01

Type of license(s): 41

Transferor's license/name:

Dropping Partner: Yes ___ No X

Table with 7 columns: License Type, Transaction Type, Fee Type, Master, Dup, Date, Fee. Rows include '41 - On-Sale Beer And Wine ANNUAL FEE' and '41 - On-Sale Beer And Wine ORIGINAL FEES' with a total fee of \$650.00.

Have you ever been convicted of a felony? No

Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? No

Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of MONO

Date: February 12, 2016

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

See 211 Signature Page

CROWLEY LAKE FISH CAMP INC



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

TIME REQUIRED

SUBJECT Application for ABC License by
Crowley Lake Fish Camp

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Copy of Application for Alcoholic Beverage License dated February 22, 2016, received from the Department of Alcoholic Beverage Control on behalf of Crowley Lake Fish Camp Inc, dba Crowley Lake Fish Camp.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Helen Nunn

PHONE/EMAIL: x5534 / hnunn@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:

<p>Click to download</p> <p> Application for ABC License</p>
--

History

Time

Who

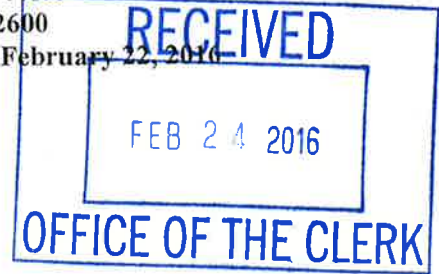
Approval

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

TO: Department of Alcoholic Beverage Control
 4800 STOCKDALE HWY
 STE 213
 BAKERSFIELD, CA 93309
 (661) 395-2731

File Number: **566902**
 Receipt Number: **2344699**
 Geographical Code: **2600**
 Copies Mailed Date: **February 22, 2016**
 Issued Date:



DISTRICT SERVING LOCATION: **BAKERSFIELD**
 First Owner: **CROWLEY LAKE FISH CAMP INC**
 Name of Business: **CROWLEY LAKE FISH CAMP**
 Location of Business: **1149 S LANDING RD BLDG1**
CROWLEY LAKE, CA 93546-9773

County: **MONO**
 Is Premise inside city limits? **No** Census Tract **0001.01**

Mailing Address: **PO BOX 1268**
 (If different from premises address) **MAMMOTH LAKES, CA 93546**

Type of license(s): **20**

Transferor's license/name: **297274 / CROWLEY LAKE FISH CAMP INC** Dropping Partner: Yes No

License Type	Transaction Type	Fee Type	Master	Dup	Date	Fee
20 - Off-Sale Beer And Win	PREMISE TO PREMISE TRANSFER	NA	Y	0	02/22/16	\$100.00
Total						\$100.00

Have you ever been convicted of a felony? **No**
 Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? **No**
 Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of **MONO** Date: **February 22, 2016**

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

CROWLEY LAKE FISH CAMP INC



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: CAO, Finance, IT

TIME REQUIRED 15 minutes (10 minute presentation; 5 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Megan Mahaffey, Nate Greenberg

SUBJECT Mid-Year Strategic Plan Update

AGENDA DESCRIPTION:

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

Mid year strategic plan update

RECOMMENDED ACTION:

Hear the midyear strategic plan update, including a presentation of the new tool developed to align current work efforts with the Mono County Strategic Plan and provide feedback to staff.

FISCAL IMPACT:

None

CONTACT NAME: Megan Mahaffey, Nate Greenberg

PHONE/EMAIL: 760-924-1836, 760-924-1819 / mmahaffey@mono.ca.gov, ngreenberg@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Strategic Plan Framework

History

Time

Who

Approval

2/24/2016 3:01 AM	County Administrative Office	Yes
2/24/2016 3:41 PM	County Counsel	Yes
2/24/2016 8:55 AM	Finance	Yes



COUNTY OF MONO

P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5410 • FAX (760) 932-5411

Leslie L. Chapman
County Administrative Officer

March 1, 2016

To: Honorable Board of Supervisors

From: Leslie Chapman, CAO
Megan Mahaffey, Finance
Nate Greenberg, Information Technology

Re: Midyear Strategic Plan Update

Subject:

Midyear Strategic Plan Update

Recommendation:

Hear Strategic Plan update and provide feedback and direction.

Background:

In consideration of time, Mid-year budget review on February 16, 2016 did not include the presentation of the new tool developed to align current work efforts with the Mono County Strategic Plan. We were asked to present the tool at the next board meeting on March 1st.

Strategic Plan Update:

Mid-year included department progress on the 2015-2016 budget narrative goals as well as alignment of the progress made on each goal with the eight strategic directions from the Mono County Strategic Planning Framework. Nate Greenberg will present a new tool that he and Megan Mahaffey developed and refined. The tool was developed to help demonstrate where we are going with the Mono County Strategic Plan and provide a platform so see tangible progress towards our Vision, Mission and eight strategic directions. This dashboard not only helps us track progress towards our goals in a way that is easy to evaluate, but it shows how our budgeted projects and programs line up with the strategic directions and focus areas (or not). Today we would like to turn our thoughts towards the next phase of Strategic planning as we prepare for the 2016-17 Strategic Planning workshop on March 14th. This year the Strategic Planning workshop will take place in advance of the budget process so that outcomes from March 14th can be used during the 2016-17 budget cycle.

Attachment:

Mono County Strategic Planning Framework

Vision

Mono County
Outstanding Community Services, Quality of Life Beyond Compare

Mission

Mono County's Mission:
To support all our communities by providing superior services while protecting our unique rural environment.

Values

- Customer Service**
We commit to exceptional service by managing the resources entrusted to us with integrity, trust, respect, and accountability.
- Integrity**
We demonstrate our integrity by ensuring our work is performed with consistency, credibility, and confidentiality.
- Excellence**
We strive to achieve the highest standards of excellence; continuously learn, develop, and improve; and take pride in our work.
- Collaboration**
We commit to responsible communication and respectful partnerships to achieve common goals.
- Innovation**
We strive to foster innovation and creative thinking, embrace change and challenge the status quo, listen to all ideas and viewpoints, learn from our successes and mistakes.
- Results Orientation**
We strive to set challenging goals, focus on output, assume responsibility, and constructively solve problems.



Strategic Directions

- Promote a Strong Diverse Economy
- Protect Natural Resources & Enhance Public Access
- Understand & Address Community Needs
- Support Healthy People in Healthy Communities
- Embrace and Reward Innovation
- Effectively Use Resources
- Workforce Workplace Wellness
- Strengthen County Culture

Best Mono Imaginable



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: Public Works

TIME REQUIRED 10 minutes (5 minute presentation; 5 minute discussion) **PERSONS APPEARING** Garrett Higerd

SUBJECT Lot Line Adjustment for Stock Drive Realignment Project **BEFORE THE BOARD**

AGENDA DESCRIPTION:

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

The proposed Stock Drive Realignment Project will realign a portion of Stock Drive so that a 15-foot high vehicle traveling on Stock Drive will not penetrate the Part 77 approach and departure surfaces for Runway 34 and reconstruct the Court Street/State Highway 182 intersection. The project requires a lot-line-adjustment to adjust the shape of the Ventura Hotel Corporation parcel (APN 008-111-013-000) to match the proposed alignment of Stock Drive.

RECOMMENDED ACTION:

Direct staff to prepare a Lot Line Adjustment (LLA) between APN 008-111-011-000 owned by Mono County and APN 008-111-013-000 owned by Ventura Hotel Corporation, authorize the Assistant Public Works Director to sign the required LLA application, and waive all associated fees.

FISCAL IMPACT:

Survey work necessary to prepare the proposed LLA is expected to cost approximately \$7,000. Prior to consummation of the transaction, title reports will also be necessary that are expected to cost \$3,000. Both will be paid by the Airport Enterprise fund.

CONTACT NAME: Garrett Higerd

PHONE/EMAIL: 760-924-1802 / ghigerd@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

[staff report](#)

[Exhibit A](#)

History

Time	Who	Approval
2/23/2016 1:18 PM	County Administrative Office	Yes
2/23/2016 12:08 PM	County Counsel	Yes
2/23/2016 12:09 PM	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: March 1, 2016
To: Honorable Chair and Members of the Board of Supervisors
From: Garrett Higerd, Assistant Public Works Director
Re: Lot Line Adjustment for the Stock Drive Realignment Project

Recommended Action:

Approve processing of a Lot Line Adjustment (LLA) between APN 008-111-011-000 owned by Mono County and APN 008-111-013-000 owned by Ventura Hotel Corporation, authorize the Assistant Public Works Director to sign the required LLA application, and waive all associated fees.

Fiscal Impact:

Survey work necessary to prepare the proposed LLA is expected to cost approximately \$7,000. Prior to consummation of the transaction, title reports will also be necessary that are expected to cost \$3,000. Both will be paid by the Airport Enterprise fund.

Background:

The Stock Drive Realignment Project will realign a portion of Stock Drive so that a 15-foot high vehicle traveling on Stock Drive will not penetrate the Part 77 approach and departure surfaces for Runway 34 and reconstruct the Court Street/State Highway 182 intersection. Further information about this project including a CEQA document, FAA grant offer, and construction plans and specifications will be presented at a future meeting.

The project requires a Lot Line Adjustment (LLA) to adjust the shape of the Ventura Hotel Corporation parcel (APN 008-111-013-000) to match the proposed alignment of Stock Drive. Please see proposed LLA Exhibit A attached. The property owners are willing to agree to the adjustment, which may involve the addition of 2,192 square feet of surplus county-owned property to another portion of their property. Approval of the recommended action will allow the LLA to be processed. Approval of the final lot configurations, land transaction, and related matters will occur at a future meeting.

Please contact me at 760.924.1802 or by email at ghigerd@mono.ca.gov if you have any questions regarding this matter.

Respectfully submitted,

Garrett Higerd, PE
Assistant Public Works Director

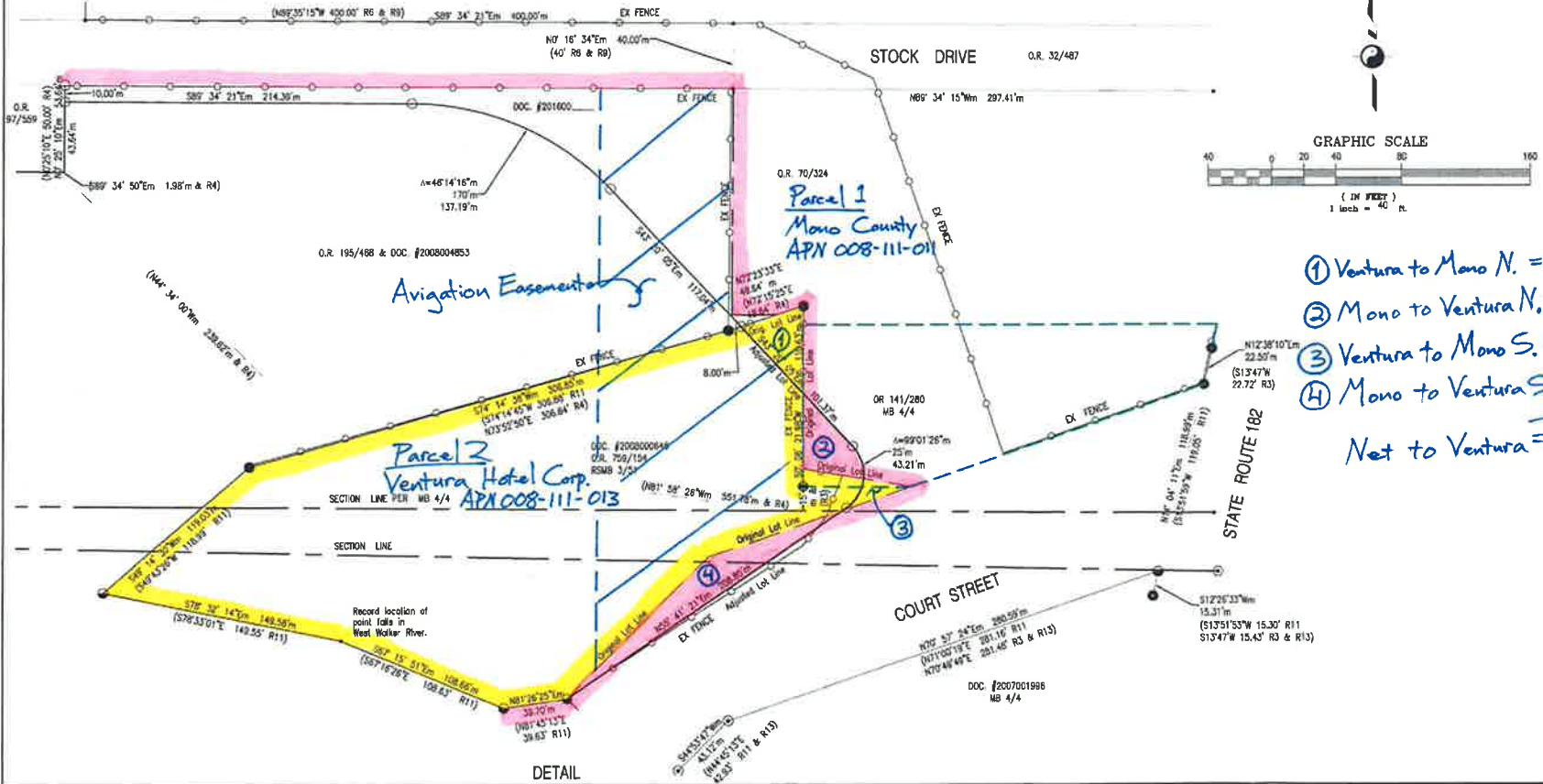
Attachment: Exhibit A – Draft LLA Exhibit

RECORD OF SURVEY NO. 32-

BEING A SURVEY A OF PORTION OF SECTION 28,
TOWNSHIP 5 NORTH, RANGE 25 EAST, MOUNT DIABLO MERIDIAN,
COUNTY OF MONO, STATE OF CALIFORNIA

See Sheet 3 of 3 for LEGEND, CORNER
DESCRIPTIONS & HISTORY OF SURVEYS.

See Sheet 1 of 3 for BASIS OF BEARINGS.



- ① Ventura to Mono N. = 1,033 ft²
 - ② Mono to Ventura N. = 1,104 ft²
 - ③ Ventura to Mono S. = -267 ft²
 - ④ Mono to Ventura S. = 2,388 ft²
- Net to Ventura = 2,192 ft²



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: Public Works

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

SUBJECT Traffic Control Plan Policy for Special Events

AGENDA DESCRIPTION:

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

Caltrans requires Special Event permit applicants to submit engineered traffic control plans when the proposed event will impact a state highway. Engineering staff are often requested to prepare the required plans. Staff requests clarification on how to handle these requests.

RECOMMENDED ACTION:

Receive staff report regarding the preparation of traffic control plans by Mono County engineers for special events. Provide any desired direction to staff.

FISCAL IMPACT:

The current Fee Schedule does not include a fee for Special Events. Preparation of engineered traffic control plans by staff generally requires two to four hours of engineering plus four to eight hours of drafting. Staff time requirements are reduced when events recur and traffic control plans are re-used with minor adjustments.

CONTACT NAME: Garrett Higerd

PHONE/EMAIL: 760.924.1802 / ghigerd@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Staff Report](#)

History**Time**

2/17/2016 4:21 PM

2/23/2016 1:08 PM

2/18/2016 5:30 PM

Who

County Administrative Office

County Counsel

Finance

Approval

Yes

Yes

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: March 1, 2016
To: Honorable Chair and Members of the Board of Supervisors
From: Garrett Higerd, Assistant Public Works Director
Re: Traffic Control Plan Policy for Special Events

Recommended Action:

1. Receive staff report regarding the preparation of traffic control plans by Mono County engineers for special events.
2. Provide any desired direction to staff.

Fiscal Impact:

The current Fee Schedule does not include a fee for Special Events. Preparation of engineered traffic control plans by staff generally requires two to four hours of engineering plus four to eight hours of drafting. Staff time requirements are reduced when events recur and traffic control plans are re-used with minor adjustments.

Background:

Caltrans requires special events held on state highways to obtain an Encroachment Permit from Caltrans. Caltrans requires engineered, signed, and stamped traffic control plans for each event. Mono County Road Department staff does not require engineered traffic control plans for events taking place on county roads. Traffic control plans for Special Event permits on county roads are generally based on "standard plans" that are not prepared by an engineer for each specific event.

When Special Event applicants become aware of the Caltrans' requirement, they often request that County engineering staff prepare the required plans. County engineering staff has assisted Special Event applicants in preparing these plans in the past. For example, we have prepared and updated plans for the Bridgeport 4th of July Celebration for the last two years. Also, last year we reviewed and stamped traffic control plans for the June Lake Triathlon that were drafted by Town of Mammoth Lakes staff. The following special events are anticipated in 2016 that will likely request this service:

- Bridgeport 4th of July Celebration
- June Lake Triathlon
- Gran Fondo Cycling Race
- Others?

These events are organized by local chambers (non-profits) and do generate significant overnight visitation which supports TOT and local small business.

Special Events Ordinance Section 5.50.050 Paragraph R states that, "Cost of special events shall be the responsibility of the applicant/permit holder, and **may include costs associated with county services related to the special event.**" However, the current County Fee Schedule does not include a fee for these services. Section 5.50.050 Paragraph R also states that, "An applicant for an event conducted by a non-profit entity may apply to the director for a fee and/or cost waiver if the special event is to be conducted by the non-profit entity, concerns a matter of community interest, or is of substantial public interest and benefit, which request may be granted or denied by the director or referred to the board of supervisors for consideration."

The staff time to develop engineered traffic control plans varies, but the average is two to four hours of engineering time plus four to eight hours of drafting time. Staff time requirements are reduced when events recur and traffic control plans are re-used with minor adjustments.

Staff requests clarification on how to consistently address requests for engineered traffic control plans for all special event applicants.

Please contact me at 760.924.1802 or by email at ghigerd@mono.ca.gov if you have any questions regarding this matter.

Respectfully submitted,



Garrett Higerd, PE
Assistant Public Works Director



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: County Counsel

TIME REQUIRED 5 minutes

PERSONS APPEARING BEFORE THE BOARD Stacey Simon

SUBJECT Employment Agreement with Stephen Kerins

AGENDA DESCRIPTION:

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

Proposed resolution approving a contract with Stephen Kerins as Deputy County Counsel II and prescribing the compensation, appointment and conditions of said employment.

RECOMMENDED ACTION:

Approve Resolution #R16-_____, approving a contract with Stephen Kerins as Deputy County Counsel II and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

FISCAL IMPACT:

The cost of this position for the remainder of FY 15/16 is approximately \$54,408.22, of which \$32,842.25 is salary; \$7,403.30 is the employer portion of PERS, and \$14,162.67 is the cost of the benefits and is included in the approved budget. Total cost for a full fiscal year (16/17) is \$171,677.71, of which \$102,900.00 is salary; \$23,195.72 is the employer portion of PERS, and \$45,581.99 is the cost of the benefits.

CONTACT NAME: Stacey Simon

PHONE/EMAIL: 760-924-1704 / ssimon@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report

[Resolution](#)

[Contract](#)

History

Time	Who	Approval
2/23/2016 1:22 PM	County Administrative Office	Yes
2/22/2016 9:49 AM	County Counsel	Yes
2/22/2016 3:33 PM	Finance	Yes

Acting County Counsel
Stacey Simon

**OFFICE OF THE
COUNTY COUNSEL**

Telephone
760-924-1700

Deputies
Christian Milovich

Mono County
South County Offices
P.O. BOX 2415
MAMMOTH LAKES, CALIFORNIA 93546

Facsimile
760-924-1701

Paralegal
Jenny Senior

To: Board of Supervisors

From: Stacey Simon

Date: March 1, 2016

Re: Employment Agreement with Stephen Kerins

Recommended Action

Adopt Resolution #R16-_____, approving a contract with Stephen Kerins as Deputy County Counsel II and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Fiscal Impact

The cost of this position for the remainder of FY 15/16 is approximately \$54,408.22, of which \$32,842.25 is salary; \$7,403.30 is the employer portion of PERS, and \$14,162.67 is the cost of the benefits and is included in the approved budget.

Total cost for a full fiscal year (16/17) is \$171,677.71, of which \$102,900.00 is salary; \$23,195.72 is the employer portion of PERS, and \$45,581.99 is the cost of the benefits.

Discussion

In December of 2015 the Board authorized a recruitment to fill a vacant position within the County Counsel's Office at the Deputy I, Deputy II, Deputy III or Assistant County Counsel level (depending on experience and qualifications). The position was advertised both locally and statewide for a period of approximately four weeks and numerous applications were received.

Following extensive review and multiple interrogations, Mr. Stephen Kerins was selected as the successful candidate. Based on his experience and qualifications, Mr. Kerins is qualified to be hired at the level of Deputy County Counsel II. Mr. Kerins has worked for the past six years as an associate with the San Diego firm of Walsh McKean Furcolo, primarily in the areas of civil litigation and insurance defense. Prior to joining Walsh McKean, Mr. Kerins worked in the Oceanside

City Attorney's Office and in the City of San Diego Development Services department.

We are very eager and excited to have Mr. Kerins on board, and believe that he will be an outstanding addition to the office of the Mono County Counsel. If you have any questions on this matter prior to your meeting, please call me at 924-1704 or 932-5418.



RESOLUTION NO. R16-

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

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

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

PASSED AND ADOPTED this ____ day of _____, 2016, by the following vote:

AYES :
NOES :
ABSTAIN :
ABSENT :

ATTEST: Clerk of the Board

Fred Stump, Chair
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL

AGREEMENT RE EMPLOYMENT OF STEPHEN KERINS

This Agreement is entered into this ____ day of March, 2016, by Stephen Kerins and the County of Mono.

I. RECITALS

The County wishes to employ Stephen Kerins as a Deputy County Counsel II on a full-time basis on the terms and conditions set forth in this Agreement. Stephen Kerins wishes to accept such employment with the County on said terms and conditions.

II. AGREEMENT

1. The term of this Agreement shall be March 1, 2016 until February 29, 2019, unless earlier terminated by either party in accordance with this Agreement. The County shall notify Mr. Kerins in writing no later than August 29, 2018 whether it intends to negotiate a renewal of this Agreement. In the event the County fails to provide such notice, Mr. Kerins shall notify the County in writing of its breach of this provision of the Agreement and County shall be allowed 30 days from the receipt of that notice to cure the breach. If the County cures the breach and notifies Mr. Kerins that it does not intend to negotiate a renewal of the Agreement, then this Agreement shall terminate six months after said notification and no additional compensation or damages shall be owing to Mr. Kerins as a result of the cured breach. If the County does not cure the breach, then the Agreement shall automatically renew for another three years on the same terms in effect at the time of renewal.
2. Commencing March 7, 2016 Mr. Kerins shall be employed by Mono County as a Deputy County Counsel, serving at the will and pleasure of the County Counsel in accordance with the terms and conditions of this Agreement. Mr. Kerins accepts such employment. The County Counsel shall be deemed the "appointing authority" for all purposes with respect to Mr. Kerins' employment.
3. Mr. Kerins' initial salary shall be \$8575.00 per month, prorated for the month of March 2016 to reflect his March 7 start date. Mr. Kerins understands that he is responsible for paying the employee's share of any retirement contributions owed to the Public Employees Retirement System (PERS) with respect to his employment for the County, and also any employee share of the "normal cost" of Mr. Kerins' retirement benefits that may be mandated by the Public Employees Pension Reform Act of 2013 (PEPRA).

Should a wage increase be granted under the MOU with Local 39, applicable to

Mono County Public Employees (MCPE), it is agreed that this contract will be reopened for discussion and potential re-negotiation with respect to Mr. Kerins' salary. During such negotiations the County shall consider and discuss the issue of increased compensation with Mr. Kerins in good faith, but the County's decision whether or not to grant such additional compensation shall be final and non-appealable.

4. Mr. Kerins shall earn and accrue vacation and sick leave in accordance with the County's Management Benefits Policy and in accordance with any applicable County Code provisions not in conflict with said Policy. Also pursuant to said Policy, in recognition of the fact that his employment will be exempt from the payment of overtime or compensatory time-off under the Fair Labor Standards Act, he shall be entitled to 80 hours of merit leave (aka administrative leave) during each year of service under this Agreement. Mr. Kerins understands that said merit leave does not accrue from one calendar year to the next; rather, it must be used by December 31st of each calendar year in which it is provided or it is lost. (Due to Mr. Kerins' start date of March 7, 2016 his merit leave shall be pro-rated to 66 hours for 2016.
5. To the extent deemed appropriate by the County Counsel, the County shall pay the professional dues, subscriptions, and other educational expenses necessary for Mr. Kerins' full participation in applicable professional associations, for his continued professional growth and for the good of the County.
6. To the extent not inconsistent with the foregoing or any other provision of this Agreement, Mr. Kerins shall be entitled to the same general benefits provided by the County to other management-level employees, as described more fully in the County's Management Benefits Policy. Such benefits include but are not limited to CalPERS retirement benefits, CalPERS medical insurance, County dental and vision coverage, and life insurance. Pursuant to the California Public Employees' Pension Reform Act of 2013, the CalPERS retirement formula applicable to Mr. Kerins' County employment will be "2% at 62." Any and all references in this Agreement to the County's Management Benefits Policy shall mean the "Policy Regarding Benefits of Management-level Officers and Employees," amended most recently by Resolution R14-54 of the Mono County Board of Supervisors and as the same may be further amended from time to time and unilaterally implemented by the County.
7. Mr. Kerins understands and agrees that his receipt of compensation or benefits of any kind under this Agreement or under any applicable County Code provision or policy – including but not limited to salary, insurance coverage, and paid holidays or leaves – is expressly contingent on his actual and regular rendering of personal services to the County or, in the event of any absence, upon his

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

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

provision, grounds for discipline include but are not limited to those specified in Section 2.68.230 of the County Code or any successor Code provision, as the same may be amended from time to time. Mr. Kerins shall also not be entitled to any severance pay in the event that he becomes unable to perform the essential functions of his position (with or without reasonable accommodations) and his employment is duly terminated for such non-disciplinary reasons.

11. Mr. Kerins may resign his employment with the County at any time. His resignation shall be deemed effective when tendered, and this agreement shall automatically terminate on that same date, unless otherwise mutually agreed to in writing by the parties. Mr. Kerins shall not be entitled to any severance pay or additional compensation of any kind after the effective date of such resignation.
12. This Agreement constitutes the entire agreement of the parties with respect to the employment of Mr. Kerins.
13. The parties agree that the Board of Supervisors' approval of this Agreement on behalf of the County is a legislative act and that through this agreement, the Board of Supervisors is carrying out its responsibility and authority under Section 25300 of the Government Code to set the terms and conditions of County employment. It is not the parties' intent to alter in any way the fundamental statutory (non-contractual) nature of Mr. Kerins' employment with the County nor to give rise to any future contractual remedies for breach of this Agreement or of an implied covenant of good faith and fair dealing. Rather, the parties intend that Mr. Kerins' sole remedy in response to any failure by the County to comply with this Agreement shall be traditional mandamus.
14. Mr. Kerins acknowledges that this Agreement is executed voluntarily by him, without duress or undue influence on the part or on behalf of the County. Mr. Kerins further acknowledges that he has participated in the negotiation and preparation of this Agreement and has had the opportunity to be represented by counsel with respect to such negotiation and preparation or does hereby knowingly waive his right to do so, and that he is fully aware of the contents of this Agreement and of its legal effect. Thus, any ambiguities in this Agreement shall not be resolved in favor of or against either party.

III. EXECUTION:

This Agreement shall be deemed executed as of _____.

STEPHEN KERINS

THE COUNTY OF MONO

APPROVED AS TO FORM:

By: Fred Stump , Chair
Board of Supervisors

COUNTY COUNSEL



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

Departments: CAO, County Counsel, Clerk/Recorder

TIME REQUIRED 2 Hours

**PERSONS
APPEARING
BEFORE THE
BOARD**

Shannon Kendall, Stacey Simon,
Leslie Chapman

SUBJECT Governance Workshop

AGENDA DESCRIPTION:

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

Board Governance Workshop

RECOMMENDED ACTION:

Hear the following presentations on Board Governance: Preparation of the Agenda and Minutes by Shannon Kendall; Brown Act Refresher by Stacey Simon; Conflict of Interest and Ethics Refresher by Stacey Simon; Annual Board Rules of Procedure Update by Leslie Chapman. Provide feedback and direction.

FISCAL IMPACT:

None

CONTACT NAME: Leslie Chapman

PHONE/EMAIL: 760-932-5414 / 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
<input type="checkbox"/> Workshop Staff Report
<input type="checkbox"/> Clerk Staff Report
<input type="checkbox"/> Clerk Powerpoint
<input type="checkbox"/> Brown Act Powerpoint

[Ethics Training Powerpoint](#)

[Board Rules](#)

[Board Rules Showing Edits](#)

History

Time	Who	Approval
2/26/2016 6:19 AM	County Administrative Office	Yes
2/25/2016 12:11 PM	County Counsel	Yes
2/24/2016 8:47 AM	Finance	Yes



COUNTY OF MONO

P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5410 • FAX (760) 932-5411

Leslie L. Chapman
County Administrative Officer

March 1, 2016

To: Honorable Board of Supervisors

From: Shannon Kendal, Assistant Clerk of the Board
Stacey Simon, Acting County Counsel
Leslie Chapman, CAO

Subject:

Governance Workshop

Recommendation:

Hear Board governance workshop presentations and provide feedback and Board direction.

Discussion:

Early in the calendar year is a good time to refocus on good governance. Therefore, staff will be presenting this refresher workshop starting with agenda and meeting procedures presented by Shannon Kendal. Then Stacey Simon will go over the Brown Act requirements and ethics, including conflicts of interest. We will end the workshop with Leslie Chapman facilitating a review of the Board Rules of Procedure manual including proposed updates and other edits. Comments and guidance from your Board will be solicited and appreciated.

Fiscal Impact:

None



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

To: Honorable Board of Supervisors

From: Shannon Kendall, Assistant Clerk of the Board of Supervisors

Date: February 9, 2016

Subject

Preparation of the Agenda and Minutes of the Board of Supervisors Meetings

Recommended Action

Provide any desired direction to staff regarding the preparation of agendas and the minutes of the meetings.

Discussion

Preparation of the Agenda

Following is the timeline followed by the Clerk of the Board of Supervisors in preparing each meeting's agenda:

- Departments can create items at any time prior to the agenda closing. Once they have their staff report and all backup material prepared, they submit the item for review and approval by Finance, County Counsel, and the CAO.
- Two weeks prior to the meeting the agenda is closed to everyone except the Board and the approval committee. This gives time for departments to make sure that all material is ready, and allows the Clerk to do a time study on the meeting and arrange the schedule of items on the agenda as efficiently as possible.
- First agenda review is the Wednesday after the agenda closes. This is where the CAO and the Board Chair first see the draft agenda, and can make suggestions, add or remove items, etc.
- One week before the meeting, any item which has not been fully prepared and submitted to the approval committee is removed from the agenda. This is so the

approval committee has time to review the item and attachments, communicate any financial, legal or policy concerns to the submitting department, and have those concerns resolved.

- The final agenda review is on the Wednesday before the meeting. This is where the final time estimates are made, the schedule of the items is set, and any last minute changes, such as moving items from one agenda to another, are made.
- The agenda is finished and published usually on the Thursday before the meeting. This helps with the workflow in the Clerk's Office, and also gives the Board and the public time to review the agenda and supplemental material. The agenda cannot be put together until each member of the approval committee has signed off on each item. This is why it is important that the approval committee receive the final agenda items and documentation as early in the process as possible.

We do understand that there will always be last minute items that need to be added as result of decisions made at Board meetings, late communication from outside agencies, or plenty of other reasons. The important thing is to make sure that all of the known items are added as early in the process as possible, and only make changes for items that truly were unforeseeable. This allows everyone in the agenda process to do their jobs as efficiently as possible, and provide the best possible service to the Board and the public.

Preparation of the Minutes

Rule 37 of the Board Rules of Procedure specifies that:

The Clerk or Deputy Clerk shall be present during all meetings for the purpose of taking and maintaining the minutes of the meeting; presenting and receiving correspondence, records, documents, claims, reports, or petitions; preserving all records; marking or attesting all resolutions and ordinances; imparting information on Board documents of public record; and otherwise fulfilling all duties imposed by law or required by the Board. The Clerk shall record all regular meetings of the Board by audio or visual means or both. Regular meetings may also be broadcast or webcast.

There are two main types of minutes – detailed and action based. The method being used at present is a detailed set of minutes, where the Clerk is attempting to capture as much as possible the spirit of the comments made by the Board, staff, and the public. With the Clerk now maintaining both an audio and audio/video recording of each meeting, this level of detail is wasting time on duplicated efforts.

The second type of minutes (referred to under Rule 44 of the current Rules of Procedures) is the action minutes. These minutes record the item being discussed, any motions made on the item (including the motion maker and second), and the result of the vote. They do not record the comments made during the discussion. The Clerk of the Board is recommending a shift to using true action minutes, as already outlined in the Rules of Procedure.

There are many benefits to the action based minutes.

- They reduce the time needed for preparation of the minutes. The Clerk does not need to go back and listen to the tapes or watch the video to determine who said what.
- Approval of the minutes will also go faster. There is no need for correcting or modifying the Clerk's record of the spirit of the comments. All that the Board needs to verify is that the strict facts of the agenda item have been correctly recorded.
- A more accurate and complete record of the discussion is still being preserved, and is available online. Often, the Clerk cannot capture the verbatim statements being made, and must attempt to summarize the discussion. This is what frequently leads to the minutes having to be amended. However, the entire discussion is already available, exactly as spoken, and time-stamped so someone can go straight to the item of their interest and view just that segment of the meeting.

Switching to true action based minutes will eliminate duplicative efforts, free up valuable staff time, and still provide an accurate record of the proceedings. When people view the actual discussion of an item (through the archived videos) instead of reading a summary, they will also get a much more detailed and accurate sense of not only the discussion and actions related to an item, but the context in which the discussion took place.

Fiscal Impact

No direct fiscal impact. Possible reduction in staff time required for the preparation of the minutes of meetings.

GOVERNANCE WORKSHOP

Clerk of the Board

March 1, 2016

OVERVIEW

- ◎ Preparation of the Agenda

- ◎ Preparation of the Minutes

AGENDA PREPARATION

- ◉ The Clerk's Office prepares an Agenda Deadline Schedule for each calendar year.
- ◉ Departments can create items at any time prior to the agenda closing.
- ◉ Once item is submitted, access is limited to Clerk, CAO, County Counsel and Finance.
- ◉ 1st agenda review is the Wednesday after the agenda closes.

AGENDA PREPARATION CONTINUED....

- ◉ One week prior to the board meeting, incomplete items may be removed.
- ◉ Final agenda review is the Wednesday before the board meeting.
- ◉ Ideally, the agenda is finished and published the Thursday before the board meeting.
- ◉ The agenda cannot be completed until the approval committee has signed off on each item.

AGENDA PREPARATION CONTINUED....

- ⦿ Last minute items.
- ⦿ Importance of planning ahead.

BOARD MINUTES PREPARATION

- Rule 37 of the Board Rules of Procedure specifies that:
 - *The Clerk or Deputy Clerk shall be present during all meetings for the purpose of taking and maintaining the minutes of the meeting; presenting and receiving correspondence, records, documents, claims, reports, or petitions; preserving all records; marking or attesting all resolutions and ordinances; imparting information on Board documents of public record; and otherwise fulfilling all duties imposed by law or required by the Board.*
 - *The Clerk shall record all regular meetings of the Board by audio or visual means or both. Regular meetings may also be broadcast or webcast.*

BOARD MINUTES PREPARATION CONTINUED.....

- Two main types of minutes:
 - Detailed Minutes
 - Action Minutes
- Under “Rule 44” of the current Rules of Procedures it states, “The clerk shall prepare and distribute Action Summaries (“minutes”) of Board meetings.

BOARD MINUTES PREPARATION CONTINUED.....

- Rule 44 goes on to say:

- *The minutes shall consist of the brief statement of each item posted on the agenda and supplemental agenda plus all motions, resolutions and ordinance numbers related thereto, all votes recorded thereon, and the final action taken by the Board. The minutes shall be made available internally and to the public and shall be placed on the Internet.*

BOARD MINUTES PREPARATION CONTINUED.....

- ◉ Our Board is currently using a detailed method of minutes.
- ◉ The Clerk of the Board recommends moving to a true “Action” based method as already defined in Rule 44 of current rules of procedure.

BOARD MINUTES PREPARATION CONTINUED.....

- **Benefits to using Action Based Minutes:**
 - Reduces time needed for preparation and as a result, the approval of minutes.
 - Accurate and complete record of discussion *is* currently being preserved via audio and video.
 - Switching from detailed to action based minutes will eliminate duplicative efforts and free up valuable staff time.

QUESTIONS?

1

**THE RALPH M.
BROWN ACT**
GOVERNMENT CODE § 54950 *ET*
SEQ.

Mono County Counsel's Office

2016

2 DECLARATION OF PUBLIC POLICY

- Government Code § 54950
 - In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

3 DECLARATION OF PUBLIC POLICY

- Government Code § 54950 (cont.)
 - The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

4 PURPOSE



- To facilitate public participation in local government decisions
- To curb misuse of the democratic process by public bodies through secret legislation

5 SCOPE



Governs meetings conducted by local legislative bodies

6 OPEN MEETINGS

- All of the deliberative processes by legislative bodies, including discussion, debate and the acquisition of information, must be open and available for public scrutiny (limited exceptions are discussed below).



7 PUBLIC PARTICIPATION

- Members of the public can attend, and testify, without giving their names.
- Information given to the legislative body in connection with an open meeting must be equally available to members of the public.
- Unless it's disruptive, any person may record (video or audio) or broadcast an open meeting.

8 VOTING



- No secret ballots
- The legislative body must publicly report any action taken and the vote or abstention on that action of each member present for the action
 - **New requirement as of Jan. 1, 2014**

9 OPPORTUNITY TO SPEAK

- Every regular meeting agenda must provide opportunity for the public to speak:
 - On items of interest to the public
 - Before/during consideration of each item
 - On items not on the agenda (but within the jurisdiction of the legislative body)

10 REASONABLE REGULATIONS

- The legislative body may:
 - Adopt regulations limiting the total amount of time for public testimony for certain issues & for each speaker
 - May order the room to be cleared of persons interrupting orderly conduct of the meeting (except nonparticipating media personnel)



11 REASONABLE REGULATIONS



- The legislative body may not:
 - Prohibit a speaker from criticizing the policies, procedures, programs or services of the agency or the acts or omissions of the legislative body.

12 PUBLIC ACCESS

- Agendas or any other writings, unless exempt from disclosure by the Public Records Act, distributed to all or a majority of the members of a legislative body for discussion or consideration at a public meeting are disclosable to the public upon request

13 APPLICATION

The Brown Act applies to:

- Local agencies
- Legislative bodies
- Persons elected to legislative bodies, even prior to assuming office
- Boards and commissions created by statute or ordinance

14 APPLICATION

- The Brown Act does not apply to:
 - Individual decision makers who are not elected or appointed members of legislative bodies such as agency or department heads when they meet with advisors, staff, colleagues or anyone else.
 - Multi-member bodies which are created by an individual decision maker
 - A single individual acting on behalf of an agency

15 LEGISLATIVE BODIES

- Includes:
 - Governing bodies
 - Board of Supervisors
 - City Council
 - District Board
 - Subsidiary bodies
 - Private or nonprofit corporations and other entities

16 SUBSIDIARY BODIES

- Any board, commission, committee or other body created by formal action of the legislative body
 - Doesn't matter if body is permanent, temporary, advisory or decision making
- Standing committee
 - A committee which has continuing jurisdiction over a particular subject matter (budget, finance, etc.); or
 - The committee's meeting schedule is fixed by formal action of the legislative body that created it.
- Exception: An advisory committee of less than a quorum of the governing body
 - Without continuing subject matter jurisdiction (i.e., ad hoc)

17 SUBSIDIARY BODIES – EXAMPLES

- Commission comprised of Board members, executive officers and interested citizens
 - **Subject to Brown Act (no exemption)**
- Advisory committee comprised of two Board members for the purpose of reviewing all issues related to parks and recreation on an ongoing basis
 - **Subject to Brown Act (standing committee)**
- Advisory committee comprised of two Board members for the purpose of producing a report in six months on use of volunteer forces
 - **Exempt from Brown Act as limited term ad hoc advisory committee**
- Advisory committee comprised of two Board members to meet on the second Monday of each month pursuant to Board resolution
 - **Subject to Brown Act (standing committee)**

18 MEETING

- Gathering of a majority of the body
 - The body need not take any action in order for the gathering to be defined as a meeting.



19 SERIAL MEETINGS PROHIBITED

- Serial meetings – a series of communications, each of which involves less than a quorum of the legislative body, but when taken as a whole, involves a majority of the body's members
 - Conducted through direct communications, personal intermediaries or technological devices to discuss, deliberate or take action on any item of business that is within the SMJ of the legislative body

20 EXAMPLES OF SERIAL MEETINGS

- Chain (A-B-C)



- Hub (A-B, A-C)

21 E-MAIL DELIBERATIONS PROHIBITED

Board members may not e-mail each other to develop a collective concurrence as to action to be taken by the Board without violating the Brown Act



22 “MEETING” DOES NOT INCLUDE:

- Contacts with the public
- Attendance at a standing committee meeting (observation only)
- Purely social or ceremonial occasions

23 “MEETING” DOES NOT INCLUDE:

- Attendance at open & noticed meetings of other local agencies
- Attendance at conferences open to the public on issues of general interest to the public or public agencies
- Town meetings or similar gatherings which are open, noticed and organized by a person or organization other than the local agency

Don't talk shop outside of the program!

24 LOCATION OF MEETINGS

- Regular meetings
 - Time and place specified by ordinance, resolution or bylaws
- Special meetings
 - A meeting at a time or place other than the time or place specified from regular meetings

25 LOCATION OF MEETINGS

GOVERNMENT CODE § 54954

- Must be located within local agency's jurisdiction
- Exceptions include:
 - Inspecting real property located outside the jurisdiction or personal property which would be inconvenient to bring inside the jurisdiction
 - Meeting with state or federal officials on a legislative or regulatory issue over which such officials have jurisdiction
 - Visit office of legal counsel for closed session (pending litigation) to reduce legal fees or costs

26 TELECONFERENCING

GOVERNMENT CODE § 54953(B)

- At least a quorum must participate from locations that are within the local agency's jurisdiction
- All votes taken during a teleconference meeting must be conducted by roll call
- Each teleconference location must be fully accessible to members of the public
- Agendas must be posted at (and list) each teleconference location



27 AGENDAS – POSTING & NOTICE REQUIREMENTS

- Agendas must be posted in a location freely accessible to the public 24 hours a day and on the Agency's website
- Regular meeting - 72 hours prior
- Special meeting - 24 hours prior
 - Called by presiding officer or a majority of the body

28 EMERGENCY MEETING



- Defined: crippling activity, work stoppage or other activity which severely impairs public health, safety or both
- “Normal” emergency – 1 hour notice to media, etc.
- “Dire” emergency – notice to media when meeting is called
- Special closed session opportunity (2/3rds vote)

29 EXCEPTIONS

- Adjourned meetings
 - If a meeting is adjourned for less than 5 calendar days, a new agenda is not required to be posted
 - Can't add new items of business
 - Post the order of adjournment at or near the door of the meeting place within 24 hours
- Continued hearings – 24 Hour Rule
 - If a hearing is continued to a time less than 24 hours away, a copy of the order or notice of continuance must be posted immediately following the meeting.

30 AGENDA CONTENTS

- Time and place of meeting
- Public comment period
- Brief general description (20 words or less) of every item of business to be discussed or transacted, including closed session items

31 AGENDA LANGUAGE EXAMPLES

- Budget
- Budget modifications
- Consideration of increasing budget line item 0001-13943 by \$3,112,671.32
- Consideration of establishing a separate cost center related to the State-County Assessor's Partnership Agreement Program with a Fiscal Year 2014-15 budget of \$123,800 and two new Grant Funded Appraiser II positions

32 AGENDA CONTENTS (CONT.)

- Address of office or location where agenda packet materials are available for public inspection
- Instructions on how to get ADA assistance
- Agenda must be available in alternative ADA formats

33 AGENDA PACKETS

- Agenda packets should be made available to the public at the time the agenda is posted or when the materials are distributed to all or a majority of the legislative body, whichever is first
- May post on the Agency's website
- Materials distributed during a meeting:
 - If prepared by the local agency, must be made available for public inspection at the meeting
 - If prepared by some other person, must be made available for public inspection after the meeting

34 AGENDAS – MAILING REQUESTS

- Any person may request that a copy of the agenda and/or agenda packet be mailed to them.
 - Any request is valid for one calendar year and must be renewed following January 1st of each year.
- Mailing should occur at the same time as the agenda is posted or the packets are distributed to members of the legislative body, whichever is first.
- The legislative body may establish a fee, which cannot exceed the cost of providing the service.

35 AGENDAS

No action or discussion is allowed for any item not listed on an agenda.



36 AGENDA EXCEPTIONS

- Urgency items
 - Requires 2/3 vote (or unanimous if less than 2/3 is present)
 - Finding: Need for immediate action that came to the attention of the agency after the agenda is posted
- Adding items by majority vote for emergency situations

37 AGENDA EXCEPTIONS

- Questions to staff for clarification of a matter based on public comment
- Brief response to statement or question from the public
- Ask staff to report back at a future meeting on any matter

38 AGENDA EXCEPTIONS

- Brief announcement or report on member's or staff's own activities
- Provide reference or information to staff
- Item continued to another meeting within 5 calendar days

39 CLOSED SESSIONS

- The Act contains specific exceptions to the open meeting requirement where the local government has a demonstrated need for confidentiality.
- If a specific statutory exception authorizing a closed session cannot be found, the matter must be conducted in public regardless of its sensitivity.

40 CLOSED SESSION PROCEDURES

- Each item to be transacted or discussed in a closed session must be briefly described on the agenda for the meeting.
- Once the closed session is complete, the body must reconvene in open session, where it may be required to report votes and actions taken in closed session.

41 SEMI-CLOSED MEETINGS

- Meetings cannot be semi-closed.
 - Certain interested members of the public may not be admitted to a closed session while the remainder of the public is excluded
- As a general rule, closed sessions may involve only the membership of the body plus any additional support staff which may be required.
- Persons without an official role in the meeting should not be present.



42 CLOSED SESSION CONFIDENTIALITY



- No person may disclose confidential information that has been acquired by attending a proper closed session to a person not entitled to receive it, unless the disclosure is authorized by the legislative body.
- “Confidential information” – a communication made in a closed session that is specifically related to the basis for the legislative body to meet lawfully in closed session

43 CLOSED SESSION CONFIDENTIALITY

- Enforcement
 - Injunctive relief
 - Disciplinary action
 - Referral to grand jury
- Exceptions
 - Confidential inquiry or complaint to DA or grand jury concerning a perceived violation of law
 - Expressing an opinion concerning the propriety or legality of actions taken by a legislative body in closed session
 - Disclosing information acquired by being present in a closed session that is not confidential information
 - Disclosing information under the whistle blower statutes

44 CLOSED SESSIONS – REAL PROPERTY TRANSACTIONS

- To give instructions regarding price and terms of payment to the Agency's negotiator for the purchase, sale, exchange or lease of real property
- Report out if legislative body's approval rendered agreement final



45 CLOSED SESSIONS - LITIGATION

- Legal counsel must participate to use the litigation closed session.

- Three types

- Initiation of litigation
- Anticipated litigation
- Existing litigation



- Report out approval given to legal counsel to defend, seek or refrain from appellate review or relief, or to enter as an amicus curiae; final settlement agreement

46 CLOSED SESSIONS – PERSONNEL ISSUES

- 24-hours advanced written notice to employee if:
 - Specific charges or complaints against the employee brought by a third person or other employee will be heard
 - Employee may request a public hearing
- Salary determinations and other terms of compensation must occur in open session
- Report out action taken to appoint, employ, dismiss, accept resignation of or otherwise affect the employment status of a public employee

47 CLOSED SESSIONS – LABOR NEGOTIATIONS



- To give direction on bargaining issues to the Agency's negotiator(s)
- Report out final agreement concluding labor negotiations

48 OTHER CLOSED SESSIONS

- Threat To Public Services Or Facilities
- License/Permit Determination
 - Applicant with criminal background
- Liability Claims
 - Claim for the payment of tort liability losses, public liability losses or workers' compensation liability incurred by a JPA or a local agency member
- Case Review/Planning
 - Multijurisdictional law enforcement agency

49 OTHER CLOSED SESSIONS

- Report Involving Trade Secret
 - Hospital trade secrets
- Hearings
 - Hospital medical audit or quality assurance committee reports; Staff privileges
- Charge or Complaint Involving Information Protected by Federal Law
 - Medi-Cal beneficiaries
- Conference Involving a JPA
- Audit by California State Auditor's Office
 - Review and respond to a confidential final draft audit report

50 PENALTIES & REMEDIES

- A member who violates the Brown Act is guilty of a misdemeanor if action is taken and the member intended to deprive the public of information to which the member knows of or has reason to know the public is entitled.



51 PENALTIES & REMEDIES

- Opportunity to Cure
- Cease and Desist/Unconditional Commitment
- Injunction
- Court Costs & Attorneys' Fees
- Misdemeanor

52 OPPORTUNITY TO CORRECT GOVERNMENT CODE §

54060.1



This time we will get it right.

- Written demand to cure or correct the alleged violation
 - 90 days from the date action was taken
 - 30 days if action was taken in open session
- Failure to correct may lead to judicial determination that action taken is null and void.

53 UNCONDITIONAL COMMITMENT GOVERNMENT CODE §

54960.2

- Submittal of a cease and desist letter
 - Clearly describing the past action of the legislative body and nature of the alleged violation
 - Submitted within 9 months of the alleged violation
- Agency has 30 days to respond
 - Denial
 - Submitter may file a legal action
 - Unconditional commitment

54 UNCONDITIONAL COMMITMENT

To :The [name of legislative body] has received your cease and desist letter dated [date] alleging that the following described past action of the legislative body violates the Ralph M. Brown Act:

[Describe alleged past action, as set forth in the cease and desist letter submitted pursuant to subdivision (a)]

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, [the name of legislative body] hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above.

The [name of legislative body] may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as “Rescission of Brown Act Commitment.” You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address or addresses you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this commitment, or may be mailed to an address that you have designated in writing.

Very truly yours,

55 IMPLICATIONS OF AN UNCONDITIONAL COMMITMENT

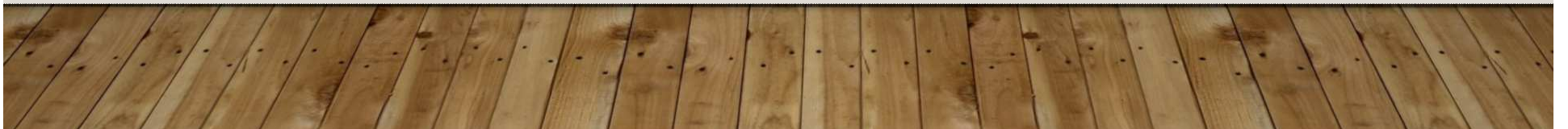
- Any judicial action filed will be dismissed with prejudice
 - May be liable for court costs and reasonable attorney's fees if done after the 30-day response window
- The provision of an unconditional commitment cannot be construed as evidence of a Brown Act violation
- If the legislative body engages in the challenged action again, legal action can be brought to enforce the unconditional commitment
 - Even if the challenged action is later determined to not violate the Brown Act!!!

56 RESCISSION OF AN UNCONDITIONAL COMMITMENT

- Must be listed on a regular agenda as “Rescission of Brown Act Commitment”
 - Can’t be on consent
- 30 days’ advance written notice of intent to original submitter and the DA
- Upon rescission, DA or any interested party may commence legal action

57 THE END

Thank you for participating. Your public service and interest is greatly appreciated.



Public Officials Ethics Training

Mono County Counsel
March 1, 2016

Overview

2

Ethics versus “Legal Ethics”

Conflicts & Incompatibilities

Perks & Benefits

Open Government

Fair Procedures

Ethics versus “Legal Ethics”

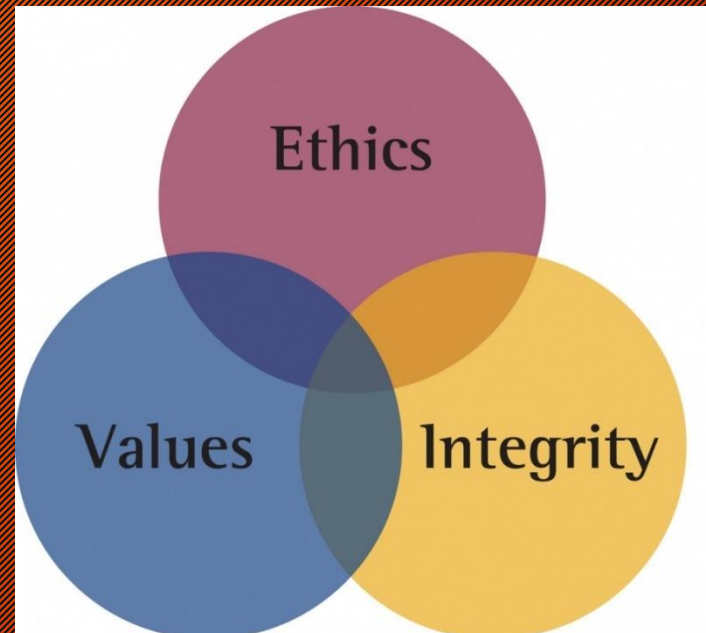
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- Ethics

- Morality: good and evil, right and wrong, virtue and vice

- Legal Ethics

- The Legislature’s attempt to assure the public that the public’s business is being conducted in an ethical manner.



Guiding Principles

- Conflict of interest laws attempt “to prevent honest government agents from succumbing to temptation by making it illegal for them to enter into relationships which are fraught with temptation.” *U.S. vs. Mississippi Valley Generating Company* (1961) 364 U.S. 520, 550.
- “It is not just actual improprieties which the law seeks to forestall but also the appearance of possible improprieties.” *Witt v. Morrow* (1977) 70 Cal.App.3d 820, 823.

CONFLICTS & INCOMPATIBILITIES

Preventing Economic Conflicts

Political Reform Act
Government Code § 81000 et seq.

Political Reform Act: Basic Requirements

7

- Disclosure (Form 700)
- Disqualification

Fair Political Practices Commission (FPPC)

8

- The FPPC investigates alleged violations of the Political Reform Act and imposes penalties when appropriate.
 - Provides written and oral advice to public agencies and officials
- Only good faith reliance on written advice from the FPPC on the particular situation at hand provides immunity from criminal or civil prosecutions.

Disclosure of Economic Interests

Statement of Economic Interests Form 700

Who Must Disclose?

10

- 87200 Filers
 - Members of Committees, Boards, etc.
 - Certain Consultants
 - Certain Employees
- Designated Employees
 - Per Local Code
- Candidates

What to Disclose?

11

- By type:
 - Investments
 - Interests in real property, except personal residence
 - Sources of income, including gifts, loans and travel payments
 - Business interests & positions

Note: Some types include spouses, domestic partners & dependents

What to Disclose?

12

- Reportability depends on Type of Filer
 - 87200 Filers
 - Limited by Jurisdiction (except gifts)
 - Designated Employees
 - Limited by Jurisdiction & Category

How & When to Disclose?

13

- How:
 - Form 700 - Statement of Economic Interests
 - Used by 87200 Filers and Code Filers
- When:
 - Assuming office - within 30 days
 - Annually - by April 1st
 - Leaving office - within 30 days

Penalties - Failure to File

14

- The filing officer can impose fines of \$10 per day to a maximum of \$100 for late filing of a Statement of Economic Interests
- The FPPC can impose fines up to \$5,000 per violation

Disqualification

15

A public official shall not make, participate in making, or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a disqualifying financial interest.

Disqualification

16

- A public official has a disqualifying financial interest if:
 - the governmental decision will have a reasonably foreseeable material financial effect,
 - distinguishable from the effect on the public generally,
 - directly on the official, or his or her immediate family, or on any of the official's "financial interests"

Financial Interests

17

- Business entities
 - Direct or indirect investment worth at least \$2,000
 - Management position
- Real property
 - Direct or indirect interest worth at least \$2,000
- Sources of Income
 - Over \$500 within 12 months
- Sources of Gifts
 - Over \$460 within 12 months
- Personal finances of official and his/her immediate family

4- Step Test

18

- **Step 1:** Is the financial effect reasonably foreseeable?
- **Step 2:** Is it material?
- **Step 3:** Is the effect on the official different from its effect on the “public generally”?
- **Step 4:** If the answers to the above are “yes” and no exception applies, then the official may not make, participate in making, or in any way attempt to use his or her official position to influence the decision.

Step 1: Reasonably Foreseeable?

19

- Subject of a governmental decision?
 - Presumed reasonably foreseeable
- If the financial effect can be recognized as a realistic possibility - reasonably foreseeable
- Not reasonably foreseeable:
 - Hypothetical or theoretical
 - Cannot be expected absent extraordinary circumstances not subject to the public official's control

Step 2: Material?

20

- Material - Having real importance or consequences
- NOT material if effect is nominal, inconsequential or insignificant

The Prudent Person

21



Step 3: Public Generally?

22

- A governmental decision's financial effect on a public official's financial interest is indistinguishable from its effect on the public generally if the official establishes that:
 - a significant segment of the public is affected and
 - the effect on his or her financial interest is not unique compared to the effect on the significant segment.

Step 4: Making, Participating in Making, Influencing

23

- Making
 - Voting
 - Appointing
 - Obligating or committing agency to any course of action
 - Entering into contract
- Participating in Making
 - Providing information, opinion, recommendation without significant intervening substantive review
 - Negotiating or advising
- Influencing (for the purpose of affecting a decision)
 - Appearances on behalf of agency
 - Contacts with staff

Legally Required Participation

24

- Applies only when “no reasonable alternative is available”
 - Not for convenience
 - Not for a tie

Segmentation

25

- If the decision creating the conflict of interest can be segmented from other decisions, the public official can participate in the other decisions
 - The decisions cannot be inextricably interrelated
- Examples: General Plan or Budget decisions

Recusal

26

- Publicly identify each type of financial interest that is involved in the decision that gives rise to the disqualifying conflict of interest
- Recuse and **LEAVE THE ROOM!**

Penalties

27

- Violation of any provision of the Political Reform Act
 - Administrative fine
 - Civil penalty
 - Criminal penalty
 - Inability to run for public office

Contractual Conflicts

Government Code § 1090

Government Code section 1090

Basic Prohibitions

29

- Officer or employee may not make or participate in making a contract in official capacity if financially interested
- Board cannot make a contract in which one of its members is financially interested (recusal doesn't cure!)

Elements

30

- Public Official
- Financial Interest
- Participation
- Contract
 - Includes purchases

Exceptions

31

- “Remote Interest” Exceptions (Sec. 1091)
 - Special statutory definitions
 - Disqualification required
- “Non-Interest” Exceptions (Sec. 1091.5)
 - Special statutory definitions

Penalties

32

- Contract is void
- Disgorgement of all monies received by the official
- Permanent bar from holding office
- Misdemeanor
- Civil or administrative penalties

- The FPPC now provides advice regarding, and enforcement of, Government Code section 1090.
 - Request for advice is forwarded to the Attorney General and local District Attorney

Common Law Doctrine

34

- “A public officer is impliedly bound to exercise the powers conferred on him with disinterested skill, zeal and diligence and primarily for the benefit of the public.”

Noble v. City of Palo Alto

- Note: Includes non-financial interests

Incompatibilities

35

Incompatible Offices

Government Code § 1099

36

- Three Required Elements
 - Public Official
 - Holding 2 public offices simultaneously
 - Conflicting or overlapping functions

Incompatible Offices

37

- Public Office is:
 - Created or authorized by law;
 - Continuing and permanent; and
 - Exercises sovereign powers.

Incompatibility

38

- Clash of duties, responsibilities or loyalties
- Overlapping functions or responsibilities
- Subordinate office
- Against public policy

Consequences of Incompatible Offices

39

Automatic vacation of the first office upon acceptance of the second office

Incompatible Activities

Government Code § 1126

40

- Applies to Officers and Employees
- Types of Activities Defined
- Agency to Adopt Incompatible Activities Statements

Bribery

Penal Code § 68

41

- Elements:
 - Council members or Board members
 - Who ask, receive or agree to receive a bribe
 - Upon an agreement or understanding
 - For his or her vote, opinion or action

Penalties

42

- Restitution
- Forfeiture of office
- Permanent ban from holding office
- Imprisonment

PERKS & BENEFITS

Campaign Contributions

44

- Applies to proceedings for certain licenses, permits and entitlements
- Prohibition
 - Contribution of more than \$250
 - During pendency and 3 months after
- Disqualification
 - If received more than \$250
 - During prior 12 months

Personal Loans

45

- Applies to elected officials and other 87200 filers
- Prohibits personal loans of \$250 or more from certain persons
- Requires written contract and other specified requirements

Gifts - What? When? And How?

46

- Anything of value exceeding consideration to giftor
 - Based on fair market value
- Actual possession

Note: Gifts of travel have special rules

3 Rules for Gifts

47

- **Disclose:**
 - Gifts totaling \$50 or more from a single source
- **The Gift Limit**
 - \$460 or more from a single source during the calendar year
- **Disqualification**
 - \$460 or more during the previous 12 months

Who is Subject to Gift Limit?

48

- Officials listed in Government Code § 87200
- Designated employees

Some Exceptions to Gift Limit

49

- Gifts from family members
- Reciprocated gifts
- Declined gifts

Penalties

50

- Treble Damages
- Fine
- Inability to Run for Public Office

Honoraria Ban

51

- Elements:
 - Public Officials
 - Cash or in-kind
 - For giving a speech or attending a meeting

Exceptions to Honoraria Ban

52

- Travel costs
- Private employment income
- Under certain circumstances, an honorarium may be returned, donated or the source reimbursed

Penalties

53

- Treble Damages
- Fines up to \$5,000 per violation

Free Transportation Ban

54

- Elements:
 - Gifts or Discount
 - Transportation Company
 - Public Officer
 - Someone who sets or makes policy
- Covers Travel for Personal or Public Business

Exceptions

55

- Gift or discount made without regard to official status, e.g.
 - Part of a larger group
 - Spouse's employment benefit
 - Prize

Forfeiture of Office

Misuse of Public Funds

57

- No Public Purpose, or
- Lacks Authorization

Examples of Misuse of Public Funds

58

- Using Agency car to take a pleasure trip
- Using government discounts to purchase personal items
- Using Agency staff to work on a political campaign
- Using Agency staff and car to transport political candidate, staff and family

Penalties

59

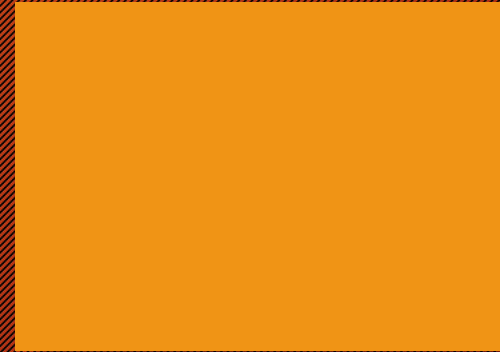
- Civil
- Criminal
- Bar from holding public office

Mass Mailing

60

- No mass mailing at public expense
- Mass Mailing defined:
 - Delivery of a tangible item
 - Features an elected official
 - Costs exceed \$50
 - More than 200 copies are sent

OPEN GOVERNMENT



The Public Records Act

Government Code § 6250 et seq.

What is a Public Record?

63

- Public record
 - Any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by the Agency regardless of physical form or characteristics
- Writing
 - Any method of recording, including paper, tapes and computer files

Some Exemptions

64

- Preliminary drafts, notes or memoranda not retained in ordinary course of business
- Pending litigation
- Personnel, medical or similar files
- Taxpayer information
- Exemptions under federal or state law; e.g., privileged documents, copyrighted materials

Response

65

- Public records are open to inspection during office hours
- On request for reasonably identifiable records and duplication fee, make copy available
- 10 days for determination on the request
- 14-day time extension for “unusual circumstances”

Consequences

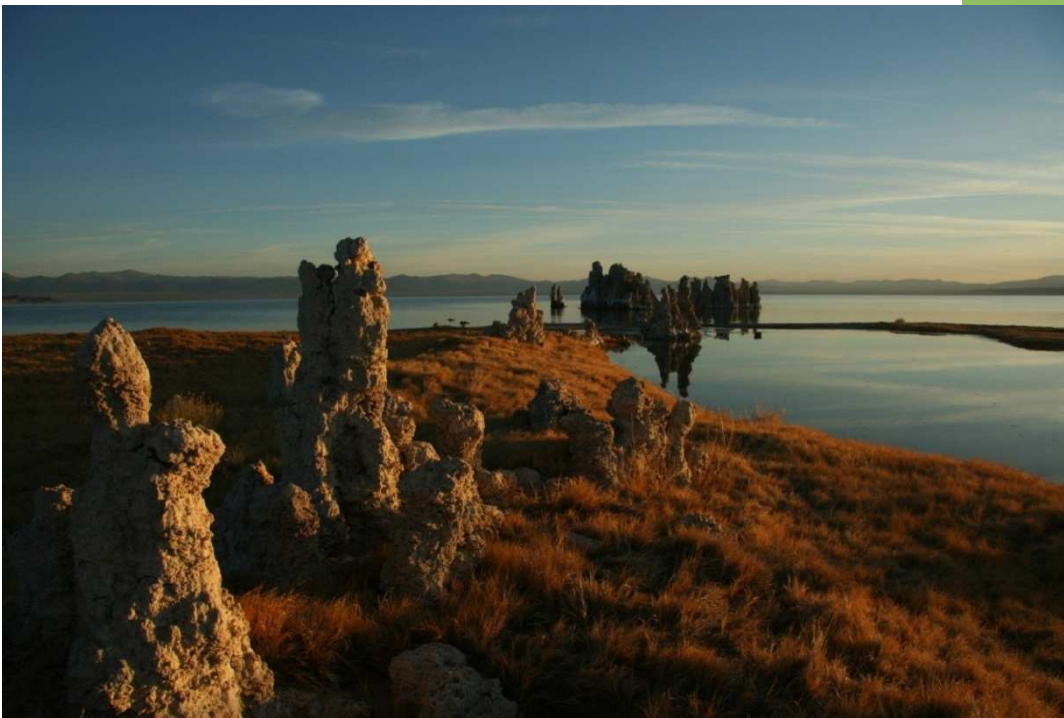
66

- Injunction
- Court costs and attorneys' fees

Thank you for your
attention and public
service!

Mono County Board of Supervisors

Board Rules of Procedure



Adopted Date: March 1, 2016

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INTRODUCTION
BOARD GOVERNANCE

Governance is the act of transforming the needs and desires of the community into policies that direct the organization. As the governance team fulfills the responsibility of setting direction, the way in which the governance team members perform their role is critical. Whether in Board Chambers, out in the community or at home, Board members are always stewards of the County.

The integrity of the County is dependent upon the responsible and professional manner in which each Board member and the Board collectively, fulfills governance roles and responsibilities. The demeanor of governance team members sends an important message to employees and the public. In all relationships, dealings and transactions, Board members act with integrity, openness, respect and honesty. Through these values, the governance team strives to earn and convey trust. The team retains public trust through efficient and cost-effective stewardship of resources

Utilizing effective governance practices, private citizens, once elected to the Board of Supervisors, work with the County Administrator to keep the organization's efforts focused on its mission, values and strategic goals. The community elects Board members to set and monitor the direction of the County with the County Administrator, who translates this direction into action. It is therefore vital that the Board and County Administrator have a respectful and productive working relationship based on trust and open communication.

When done effectively, the opportunity to create a climate for excellence increases dramatically.

GOVERNANCE CULTURE

An excellent governance culture is characterized by a Board that operates in an environment of trust, respect and professional demeanor at all times. The Board sets the tone for the entire County in how it carries out its governance responsibilities.

The Mono County Board of Supervisors will strive to:

- Govern as a team that is strategically focused and mission driven
- Align goals and resources
- Establish and govern within a culture of inquiry
- Govern in an accessible manner, committed to openness and transparency
- Govern in a collaborative manner with the community, staff and within the Board
- Commit to learning and improvement
- Be accountable to each other for the highest standards of Board performance and effectiveness

BOARD GUIDELINES

In addition to abiding by the rules of procedure outlined in this document, members of the Mono County Board of Supervisors agree to the following guidelines for working with each other, staff members and the community.

Mission, Vision and Values

- Meet Mono County's mission to support all our communities by providing superior services while protecting our unique rural environment.
- Realize the county vision of outstanding community services and quality of life beyond compare.
- Be guided by county values of customer service, integrity, excellence, collaboration, innovation, and results orientation.

Roles and Responsibilities

- As elected representatives of the people of Mono County, set the direction and policy of the organization.
- Ensure fiscal responsibility.
- Use the strategic planning process as the means to implement direction and policy, and to align goals and resources.

Governance Principles

- Prepared, Informed: Read and research meeting materials; engage with colleagues, staff and public with respect and dignity; make decisions based on data and evidence; continually learn about county issues, services and programs.
- Transparency and Accessibility: Use board report section of regular meetings to inform colleagues, staff and public on activities relating to board assignments, and constituent issues; use role as elected representative to communicate board actions and policies and be willing to hear concerns and answer questions in a variety of media (phone calls, emails, etc.);
- High Ethical Standards: Meet and exceed requirements of the Fair Political Practices Commission; demonstrate a commitment to training and compliance with laws governing personal financial gain, special privileges and perks, fairness, open government, whistle-blowing protections, and staff relations issues.
- Partnership with CAO and Staff: Support the CAO in managing the county; agree to established rules in interacting with staff (bringing any staff requests that require significant resources back to the full board for consideration).
- Accountability: Measure effectiveness according to goals set in the strategic plan; hold annual board governance sessions to discuss and evaluate board performance and adherence to rules and guidelines.

RULES OF PROCEDURE

OF THE BOARD OF SUPERVISORS

MONO COUNTY, CALIFORNIA

I. PURPOSE

The purpose of these Rules of Procedure (“Rules”) is to foster understanding and respect for the democratic process, facilitate compliance with applicable laws, encourage public participation, provide guidance on decorum, and enhance effective and efficient management of Board meetings.

II. GENERAL

Rule 1. Applicability of Rules

These Rules are adopted pursuant to Government Code §25003. The Rules shall apply to the Board of Supervisors of the County of Mono whether sitting as the Board of Supervisors of the County or as the governing board of any other district, commission, authority or board.

These Rules are intended to expedite the transaction of business of the Board in an orderly fashion, and are deemed to be procedural only. The failure to strictly observe application of the Rules shall not affect the jurisdiction of the Board or invalidate any action taken at a meeting that is otherwise held in conformity with the law. Except as otherwise provided by law, these Rules, or any one of them, may be suspended by a majority of the Board.

These Rules supersede and replace all rules of procedure previously adopted by the Board.

Rule 2. Definitions

In interpreting these Rules:

- a) “Board” refers to the Board of Supervisors of Mono County, whether sitting as the Board of Supervisors of the County or as the governing body of any other district, authority or board
- b) “Board member” or “member” refers to a member of the Board
- c) “Chair”, “Vice Chair” and “Chair Pro-Tempore” refers to the Board members elected to those respective offices
- d) “Clerk” refers to the Clerk of the Board of Mono County
- e) “County Administrator” refers to the County Administrative Officer of Mono County

III. MEETINGS

Rule 3. Regular Meetings and Annual Calendar

Regular meetings generally shall be held on the first three Tuesdays of every month. Any meeting may be cancelled upon the order of the Chair, or by a majority of the members of the Board.

Regular meetings shall commence at 9:00 a.m. The first two regular meetings of the month shall be held at the Board of Supervisors Chambers, 2nd Floor, County Courthouse, 278 Main Street, Bridgeport, California; the third regular meeting of the month shall be held in the Board of Supervisors Meeting Room, 3rd Floor, Sierra

Mono County Board Rules of Procedure

Center Mall, Suite 307, 452 Old Mammoth Road, Mammoth Lakes, California. Videoconferencing will be available each week between Bridgeport and Mammoth Lakes, unless technically infeasible. Business shall normally be conducted between 9:00 a.m. and 5:00 p.m., but may continue past 5:00 p.m., provided no board members present object.

An annual calendar of meetings shall be adopted by the Board at their first meeting in January. The calendar will include all known regular meetings. All regularly scheduled meetings shall also be streamed live over the internet, and shall be archived and available for later online viewing. Videos shall be available on the county website at <http://monocounty.ca.gov/meetings>.

Rule 4. Special Meetings, Budget Hearings, Workshops and Planning Meetings

Special meetings may be called at any time by the Chair, or by a majority of the members. Upon the call of a special meeting, the Clerk will prepare and distribute, at least 24 hours before the time of the special meeting, written notice to each member and to any local newspaper of general circulation that has requested such notices. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings (Government Code §54956).

Budget Hearings, Workshops, Study Sessions and Planning Meetings may be called by the Chair or by a majority of the Board at times and locations in accordance with the law and specified notice provisions.

Rule 5. Emergency Meetings

Emergency meetings may be called by the Chair or by a majority of the Board, in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities. Upon the call of an emergency meeting, the Clerk shall give notice of the meeting, and comply with posting requirements (Government Code §54956.5).

Rule 6. Closed Sessions

Prior to holding any closed session, the Chair shall announce the session in an open meeting, and shall provide an opportunity for public comment on items on the closed session agenda. The listing of such items on the agenda shall constitute such announcement, at the discretion of the Chair. During the closed session the Board may discuss or consider only those items on the agenda. At the conclusion of the closed session the Board shall orally report action taken, in an open meeting, where required by law (Government Code §54957.1).

IV. ELECTIONS, POWERS, AND DUTIES OF THE CHAIR, VICE-CHAIR, AND CHAIR PRO-TEMPORE

Rule 7. Annual Selection of Chair, Vice Chair and Chair Pro-Tempore

At its first regular meeting, after January 1ST of each year, the Board shall nominate and elect from its membership a Chair, Vice Chair, and a Chair Pro-Tempore. The Chair shall call the meeting to order and the first order of business shall be the election of officers for the ensuing calendar year. The Chair, Vice Chair, and Chair Pro-Tempore shall serve until the election of their successors. It is intended (but not mandated) that the

Supervisor elected as Vice Chair will succeed the Chair in the following year and that the Chair Pro-Tempore shall similarly succeed the Vice Chair.

Rule 8. Powers of Chair, Vice-Chair, and Chair Pro-Tempore

The Chair shall serve as presiding officer of the Board, rule on questions of procedure and execute official Board records and documents presented by the County Administrator/Clerk. In the absence or unavailability of the Chair, the Vice-Chair shall call the meeting to order and serve as presiding officer. The Vice-Chair shall have and exercise all powers and duties of the Chair for meetings over which he or she is called to preside and at ceremonial and official functions which the Chair cannot attend.

If both the Chair and the Vice-Chair are absent or unable to participate, the Chair Pro-Tempore shall call the meeting to order, serve as the presiding officer, and shall have and exercise all power and duties of the Chair for the meeting over which he or she is called to preside and at ceremonial and official functions which neither the Chair nor Vice Chair can attend.

V. AGENDAS AND AGENDA MATERIALS

Rule 9. Meeting Agenda

At least 72 hours before a regular meeting, the Clerk shall post an agenda. The agenda shall consist of a brief statement of each item to be considered by the Board (Government Code §54950). The agenda shall indicate the time and location of the meeting and shall be posted as required by law.

Rule 10. Addendums/Supplemental Agenda Items

At least 72 hours before a regular meeting, the Clerk shall prepare, post, and distribute all addendums/supplemental agendas when there has been an item added, continued, deleted, and/or modified since the distribution of the initial meeting agenda.

Rule 11. Use of Novus Agenda Software

All Departments/Agencies shall use Novus Agenda Software to prepare agenda items and submit supporting documents. Departments will work directly with the Clerk of the Board if they require assistance in creating an agenda item.

Rule 12. Department/Agency Agenda Responsibilities

When submitting an item for consideration by the Board, it is the responsibility of the originating Department /Agency to provide all required information, and to meet all established deadlines. Exceptions to deadlines will be considered if items are deemed to be time sensitive or of special importance to a Board member. The Clerk of the Board will work directly with departments to add agenda items after the deadline, or may require departments to obtain approval of the CAO prior to adding late items. Board members may work with the CAO, Clerk of the Board, or pertinent department head when needing to add items to an agenda.

Outside agencies and citizens will work with the Clerk of the Board when requesting an agenda item for Board consideration, and will follow established guidelines found in Appendix C (Request to place an Item on the Board's Agenda).

Mono County Board Rules of Procedure

Rule 13. Review and Filing of Agenda Items

After preparing agenda items in Novus Agenda, all items shall be reviewed by the County Administrator, County Counsel, and Finance Director. Any one of these three reviewers may ask for additional information, clarification, and may determine not to place any item on the agenda that is not complete or is not submitted in accordance with instructions. Without amendment to these Rules, agenda submittal instructions may be amended or additional requirements imposed to ensure appropriate review and Brown Act compliance.

Rule 14. Board Correspondence

Correspondence addressed to the Board of Supervisors will be placed on the agenda by the Clerk of the Board. If the Clerk determines that correspondence is legally questionable, objectionable, or of no interest to the public, she/he will receive direction from the CAO, County Counsel, and/or Board members prior to including the correspondence on the agenda. If the Clerk receives correspondence from County departments addressed to the Board, such correspondence will be forwarded to the Board members and CAO and not added to the agenda.

Rule 15. Supplemental Correspondence and Information Prior to Board Meeting and During the Board Meeting

- a) After Initial Agenda Distribution and Prior to the Meeting Rule - Agenda materials distributed, via mail, email, or hand delivered by the public to a majority of the Board or their staff, that is distributed or redistributed to another County employee, must be forwarded to the Clerk for public review.
- b) At the Meeting Rule - Documents, including PowerPoint handouts, distributed to Board members by County employees or Board members themselves at the meeting, shall be kept to a minimum. When necessary to distribute materials at the meeting, 20 copies shall be provided to the Clerk for distribution to: Board members, County Administrator, County Counsel, and the Clerk, with remaining copies available for distribution to the general public. If large numbers of the public are anticipated to attend the Board Meeting on a matter and new information will be distributed to the Board members, then the number of copies should be increased to anticipate the number needed for the public.

Any supplemental correspondence or written information related to an agenda item which is provided to three or more Board members shall be concurrently filed with the Clerk and made a part of the official record. This Rule shall not apply to attorney-client privileged communications.

Sufficient copies of supplemental correspondence and information should be delivered to the Clerk and the Clerk shall make the appropriate distribution to the Board, CAO and County Counsel.

VI. CONDUCT OF BUSINESS

Rule 16. Order of Business

The Board shall conduct business in the order specified in the posted agenda or as modified at the discretion of the Chair with the concurrence of the Board. Without amending these Rules, the Board may modify or amend the Order of Business for Regular meetings, which shall be attached to these Rules as Appendix A.

Rule 17. Board Member; Notification of Absence

If any Board member is unable to attend a meeting of the Board, all reasonable efforts shall be made to notify the Chair, County Administrator, and the Clerk, in writing (electronic mail or regular mail) and as soon as possible to ensure there are sufficient members present to consider all agenda items.

Rule 18. Quorum and Action

Three members of the Board shall constitute a quorum sufficient to transact business. In the absence of a quorum, the remaining members or the Clerk may adjourn the meeting to another date and time in accordance with Government Code §54944 and shall post a Notice of Adjournment.

Rule 19. Matters Not on the Agenda/Emergency Items

No action shall be taken on any item not appearing on the posted agenda except:

- a) Upon a majority vote of the Board that an emergency situation exists as defined in Government Code §54956.5;
- b) Upon a determination by a four-fifths (4/5) vote of the Board, or if less than four-fifths (4/5) of the members are present, a unanimous vote of those members present, that 1) there is a need to take immediate action, and 2) the issue arose subsequent to the agenda being posted.

Any requests to hear a matter not on the agenda or emergency item shall be communicated to the Chair, County Administrator, County Counsel and Clerk as soon as the need becomes known.

Rule 20. Consent/Regular Calendar Items

Agenda items on the Consent Calendar are routine in nature, consistent with adopted Board policy, and do not require individual consideration. The Consent Calendar will be enacted by one motion for approval of the recommended actions. There will be no separate discussion of these items prior to the time the Board votes on the motion unless any member of the Board requests removal of a specific item from the Consent Calendar for separate discussion and action. Any Board member may ask the Clerk to record a “no” or “abstention” vote on any Consent Calendar item.

Agenda items on the Regular Calendar require separate discussion and/or action and may include, but are not limited to changes in policy, items that require the Board to consider options and provide direction, requests for new or unbudgeted positions, introductions or adoption of a proposed Ordinance, Public Hearings, and other matters as required by law.

Rule 21. Public Hearings

Upon receipt of a request by a Department/Agency or Board member for a public hearing, the County Administrator or Clerk may set the hearing without action of the Board unless the Board is required by law to schedule the hearing. In that event, the matter shall be placed on the Consent Calendar to set the hearing.

Subject to the Chair’s right to maintain order, any person wishing to speak at a public hearing shall be heard. Except for rebuttal allowed an applicant, or the appellant in the case of an appeal, each speaker shall speak only once unless otherwise authorized by the Chair.

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Each speaker's presentation at a public hearing shall be as brief as possible; visual and other materials may be used as appropriate. The Chair may establish a time limit for presentations. When speakers use or submit to the Board visual or other materials, such materials shall become part of the file and identified and maintained as such. When CDs, DVDs, thumb drives, USB memory sticks, or other portable electronic media (e-media) are submitted to the Board, at least one hard-copy of the information stored on the e-media must be provided to the Clerk. Speakers with lengthy presentations are encouraged to submit them in writing.

The closing of a public hearing signifies the point after which the Board will no longer accept or consider any additional communication on the matter that was the subject of the hearing. As used in this Rule, "communication" includes oral communication; written communication such as documents, letters, and photographs; and any type of electronic communication, including e-mails, e-mail attachments, graphic images, spread sheets, text messages, and social media messages.

Should the Board close a public hearing and continue its deliberations to a subsequent meeting, or announce a tentative decision, by motion or other proceedings, and defer its action on a final decision to a subsequent meeting to allow preparation of appropriate findings and/or conditions of approval, any written or electronic communication received by a Board member or the Clerk after the close of the hearing on the matter that was the subject of the hearing shall be placed in a separate file kept by the Clerk and labeled to indicate it was received after the close of the hearing. Late written and electronic communication shall not be given to Board members, nor should Board members retain copies.

Should County staff determine that communication received after the close of a public hearing should be considered by the Board prior to its rendering a final decision on the matter that was the subject of the hearing, County staff shall recommend to the Board that the hearing be reopened. If the Board concurs, the Board shall reopen the hearing, following appropriate notice, for the limited purpose of receiving testimony and evidence on the new information.

VII. PROCEDURE AND VOTING

Rule 22. Order and Decorum

The Chair shall preserve order and decorum and shall decide all questions of order and procedure subject to an appeal to the Board. The nature of any appeal shall be briefly stated and the Chair shall have the right to state the reason for his or her decision.

A Board member wishing to speak shall refrain until he or she has been recognized by the Chair. While a Board member is speaking, other Board members shall be respectful and shall not engage in or entertain private discussions.

Consistent with the purpose of the Rules, members are encouraged to use a formal style, including appropriate titles, in addressing the public, staff and each other. All members shall refrain from the use of profanity, emotional outbursts, personal attacks or any speech or conduct which tends to bring the organization into disrepute.

Rule 23. Commitment to Civility

To assure civility in its public meetings, staff and the public are also encouraged to engage in respectful dialog that supports freedom of speech and values diversity of opinion. To achieve compliance with these Rules, Board members, staff, and the public are encouraged to:

- Create an atmosphere of respect and civility where elected officials, County staff, and the public are free to express their ideas;
- Establish and maintain a cordial and respectful atmosphere during discussions;
- Foster meaningful dialogue free of personal attacks;
- Listen with an open mind to all information, including dissenting points of view, regarding issues presented to the Board;
- Recognize it is sometimes difficult to speak at Board meetings, and out of respect for each person's feelings, allow them to have their say without comment, including booing, whistling or clapping;
- Adhere to speaking time limit.

Rule 24. Use of Electronic devices and documents

The use of electronic documents, via iPads or other electronic means, is encouraged as a means of reducing the production and distribution of paper documents, and thereby decreasing costs.

Any member of the public may view the same electronic documents on line at:

http://monocounty.ca.gov/meetings_sub/bos, or may view the documents in paper form in the Clerk of the Board's Office.

The Board shall refrain from emailing, texting, using social media, or otherwise engaging in electronic communications in the Board Chambers on matters that are listed on the Board agenda.

Rule 25. Motions – General

Any motion for action shall require a second before being acknowledged by the Chair. The Clerk shall enter into the minutes the motion and the names of the moving and seconding members. After a motion is stated by the Chair, it shall be open for debate but may be withdrawn by the maker at any time before a decision is made or an amendment adopted. A motion may be amended with the consent of the moving and seconding members at any time before a decision is made or an amendment adopted unless another motion is pending. The Clerk shall enter into the minutes the vote of each member on each motion.

Rule 26. Voting

It shall take at least three affirmative votes of the Board to pass any motion (Govt. Code §25005), except where supermajority four-fifths (4/5) votes or unanimous votes are required by law. Appendix B contains a list of common items that require a four-fifths (4/5) vote. Appendix B may be up-dated without amending these Rules. An abstention shall count as neither an "aye" nor a "no" vote.

A supervisor who is absent from all or a part of: (1) a public hearing, (2) an item that requires findings, or (3) an item that is quasi-judicial in nature, may subsequently vote on the matter if the supervisor has reviewed all

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evidence received during his/her absence, listened to the Clerk's recording or read a true and complete transcript of the proceedings, and so states on the record.

Rule 27. Roll Call Votes

The roll need not be called in voting upon a motion except where specifically required by law or requested by a Board member or the Chair. Each roll call vote shall be made in an order determined by the Clerk or directed by the Chair but generally shall first include: the maker of the motion; the member who seconded the motion; the balance of the members present, with the Chair called last, unless the Chair made, or seconded, the motion.

Rule 28. Conflicts of Interest

Any Board member with a disqualifying conflict of interest must, in compliance with the Political Reform Act:

- a) Publically state the nature of the conflict in sufficient detail to be understood by the public;
- b) Recuse himself/herself from discussing and voting on item; and
- c) Leave the room until after the discussion, vote, and other disposition of the matter is concluded, unless the matter has been placed on the Consent Calendar.

The member may be allowed to address the Board as a member of the public. Disclosure of a conflict shall be noted in the official Board minutes. The member must also comply with all other applicable conflict of interest laws.

Members may not have a financial interest in a contract approved or considered by the Board. In these cases, disclosure and recusal does not remove the conflict and such a contract is considered void (Government Code §1090). The Board member is encouraged to discuss possible conflicts with County Counsel prior to the meeting.

Rule 29. Motion to Rescind

A motion to rescind any action or motion shall require four-fifths (4/5) vote unless notice has been given at the previous meeting, either verbally or in writing, that such rescission is proposed. If notice has been given, the motion requires only a majority vote of all the members of the Board. A motion to rescind is not in order if action has been taken which cannot be changed.

Rule 30. Motion to Reconsider

Any Board member who votes in the majority on a question, as well as any Board member who was absent, is eligible to make a motion to reconsider. A motion to reconsider shall be in order during the meeting at which the action to be reconsidered took place provided members of the public in attendance during the original action are still present in the Board chamber. In all other cases, motions for reconsideration must be placed on a future agenda for action.

A motion to reconsider shall require a majority vote. A motion to reconsider, if lost, shall not be renewed nor shall any subject be reconsidered a second time within twelve (12) months except by a four-fifths (4/5) vote of the Board. A motion to reconsider is not in order if action has been taken which cannot be changed.

Rule 31. Substitute Motion

A substitute motion is an amendment where an entire resolution or section, or one or more paragraphs is struck out and another is inserted in its place. The motion to substitute, if adopted by majority vote, does away entirely with the original motion. The vote shall then be taken on the motion that was substituted. A substitute motion is appropriate if amendments become involved or a paragraph requires considerable changes. A substitute motion may not be made when an amendment is pending.

Rule 32. Ordinances

Ordinances are introduced at one meeting (first reading), then generally placed on the agenda for adoption at a subsequent meeting.

- The first reading will become the primary meeting at which: (1) the title of the ordinance will be read; (2) the Board will typically consider a motion to waive the reading of the text of the ordinance and to introduce the ordinance by title only; (3) members of the public shall have an opportunity to address the ordinance; (4) the ordinance shall be introduced by a motion and majority vote of the Board.
- At the second reading: (1) the ordinance may be placed on the Consent Calendar for adoption; (2) if pulled from the Consent Calendar for separate action, the title of the ordinance may be read; (3) a motion to adopt the ordinance may be made; (4) a majority vote will adopt the ordinance.
- Pursuant to Government Code §25123, ordinances shall generally become effective 30 days from the date of final passage.

Other ordinance hearing procedures may be used as required by law.

Rule 33. Planning Matters – Request for Continuance

Any Board member may, at his or her sole discretion, continue a planning matter within his/her District from one agenda to the next available regular meeting of the Board that will allow for any applicable legal noticing requirements.

Rule 34. Planning Matters – Original Jurisdiction

Any member may request the Board to exercise original jurisdiction over a use permit or other planning application, as authorized under the County Code, except in cases where state law requires a recommendation of the Planning Commission prior to action by the Board on the matter. A request to exercise original jurisdiction shall be filed in writing with the Clerk, or made orally at a Board meeting, prior to any decision by a lower level decision maker approving or denying the subject application. A request to exercise original jurisdiction need not state the reasons for the request but shall be brought as a noticed agenda item to the full Board for majority approval.

VIII. DUTIES OF COUNTY STAFF DURING BOARD MEETINGS

Rule 35. County Administrator

The County Administrator shall be present during Board meetings and shall provide such information as necessary to assist the Board members in their deliberation and decision making. The County Administrator may delegate this responsibility to the County Finance Manager or County Counsel should extraordinary circumstances prevent the discharge of this responsibility.

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Rule 36. County Counsel

County Counsel shall be present during Board meetings, and shall serve as advisor to the Board on appropriate rules to comply with legal requirements. All questions of law shall be referred to County Counsel for his or her opinion. County Counsel may delegate this responsibility to the Assistant County Counsel or a Deputy County Counsel.

Rule 37. Clerk of the Board

The Clerk or Deputy Clerk shall be present during all meetings for the purpose of taking and maintaining the minutes of the meeting; presenting and receiving correspondence, records, documents, claims, reports, or petitions; preserving all records; marking or attesting all resolutions and ordinances; imparting information on Board documents of public record; and otherwise fulfilling all duties imposed by law or required by the Board.

The Clerk shall record all regular meetings of the Board. All meetings shall be recorded by audio means. All regularly scheduled meetings, and whenever else possible, meetings shall also be recorded by video means. Video recordings shall be available online for later review as soon as practical on the county website at <http://monocounty.ca.gov/meetings>.

Rule 38. Sheriff

The Sheriff, or a representative of the Sheriff's Office, shall at the discretion of the Chair or a majority of Board members, be in attendance at the meeting of the Board, for the purpose of maintaining order and upholding the law.

Rule 39. Department and Agency Directors

Department and Agency Directors, or a designee, having any matter on the agenda for consideration by the Board, whether consent or regular, shall be available for the purpose of providing information to the Board and shall also attend any Board meeting when requested to do so by a board member or the County Administrator. Department and Agency Directors may be present in person or by telecommunication as the item warrants. Given Mono County's seasons and efforts to contain costs, Department and Agency Heads are asked to keep these factors in mind when scheduling meeting attendance.

IX. COMMITTEES

Rule 40. Board Committees/Assignments and Reporting Requirements

The Clerk shall maintain a list of Board Committees and Assignments. Annually, the incoming Chair shall review the list of Committees and Assignments. The list of appointments shall be adopted by the Board at its first meeting in January.

All members who are assigned to special projects, committees, and separate boards or commissions shall provide regular reports to the full Board regarding their activity in connection with the special projects, committees, and separate boards or commissions. (Government Code §53234, et. seq.)

Committee members shall call board committee meetings as needed provided they are held in conformance with the law. The County Administrator's Office and County Counsel may serve as support staff to all Board created committees. Other department heads and/or staff may also support as requested by the committee.

Rule 41. Board of Supervisors Standing Subcommittees

Standing subcommittees are those subcommittees of the Board of Supervisors which have continuing jurisdiction over a particular subject matter or whose meeting schedule is fixed by resolution or action of the Board. Even if comprised of less than a quorum of the Board, a standing subcommittee is subject to the Brown Act.

The Chair shall recommend, with Board concurrence, members to each standing subcommittee. Generally, appointments shall occur at the Board's first regular meeting in January. All standing subcommittees shall be appointed for the calendar year, and the members shall continue as committee members until their successors have been appointed.

Rule 42. Board of Supervisors' Ad-Hoc Subcommittees

Ad-Hoc subcommittees of the Board of Supervisors are not subject to the Brown Act. They may be formed by the Chair or Board action, shall be solely composed of members of the Board, less than a quorum of the Board, shall serve a limited or single purpose, for a limited time, and shall be dissolved once the specific task assigned is completed.

Ad-Hoc Subcommittees are encouraged to conclude their business at the end of each calendar year. The Clerk will maintain a current index of Ad-Hoc Subcommittees and their purpose.

X. OTHER

Rule 43. Board Member Referrals to Staff

Board member referrals that are anticipated to involve significant staff time or other resource commitment and/or are a departure from established county or departmental policy require Board approval prior to staff starting work. Board members are encouraged to discuss referrals which may require significant resources with the Chair and CAO.

Board approval shall be obtained through majority action of the Board, on an agenda item in which the scope and resource needs of the referral are identified.

Rule 44. Action Summaries and Recordings of Meetings

The Clerk shall prepare and distribute Action Summaries ("minutes") of Board meetings. The minutes shall consist of the brief statement of each item posted on the agenda and supplemental agenda plus all motions, resolutions and ordinance numbers related thereto, all votes recorded thereon, and the final action taken by the Board. The minutes shall be made available internally and to the public and shall be placed on the Internet.

The Clerk shall maintain the official audio record of each Board meeting for a period of at least 2 years and will make these tapes available for listening by the public at no charge. Video recordings of meetings shall be archived and available on the internet for a period of at least 2 years, and shall be available for viewing at no charge on the county website at <http://monocounty.ca.gov/meetings>.

XI. PARTICIPATION OF THE PUBLIC

Rule 45. Public Comment / Time Limits

Members of the public have the right to address the Board on any item within the subject matter jurisdiction of the Board (Government Code §54954.3). Members of the public shall direct their comments to the Chair who may, at his or her discretion, request a response from staff. Time limitations are at the discretion of the Chair, and may be reduced or extended.

Public comments on items on the agenda will be called prior to the Board taking action on the item.

Under the Public Comment portion of the meeting, members of the public will be allowed to address the Board regarding any item **not on the agenda**. No action may be taken on items not on the agenda unless authorized by law.

Rule 46. Orderly Conduct

The Chair may determine when orderly conduct of a meeting is not feasible owing to disruptive behavior by persons in attendance. The Chair may request that person(s) disrupting the meeting leave the chambers/meeting room. If order cannot be restored, the Chair may order the chambers/meeting room cleared and continue in session. Members of the news media, except those participating in the disturbance, shall be allowed to remain. The Chair may re-admit any person(s) provided their re-admission will not disrupt the continued orderly conduct of business. The Chair may also call a recess and reconvene when order has been restored.

Rule 47. Security and Prohibition of Banners/Signs or other Hazardous Objects

The Board has the power to implement security measures in the chambers/meeting room. Signs, posters, banners or other hazardous objects which could impair the safety of individuals in the event of an emergency are prohibited in the chambers/meeting room. Any large object/container that may be deemed a hazardous object which could impair the safety of individuals in the event of an emergency may be prohibited in the chambers/meeting room.

XII. Appendix A. Order of Agenda

Generally, business at Regular meetings shall be transacted in the following order. Business may be reordered by the Chair or by a majority of members. The Chair may modify the Agenda Order for the board's or public's convenience at a particular meeting, provided that no matter noticed for public hearing may be heard prior to the published time. The Board may modify or amend the Agenda Order without amending these Rules.

- I. Call to Order (9:00 a.m.)
- II. Pledge of Allegiance
- III. Public Comment on matters not on the agenda, but within the subject matter jurisdiction of the Board
- IV. Approval of Minutes
- V. Presentations
- VI. Board Member Reports on assigned Boards, Councils, Commissions or other meetings attended
- VII. County Administrative Officer Report
- VIII. Department/Commission Reports
- IX. Consent Calendar
- X. Correspondence Received
- XI. Regular Morning Calendar
- XII. Public Comment on matters not on the agenda, but within the subject matter jurisdiction of the Board
- XIII. Closed Session
- XIV. Reconvene and Report from Closed Session (2:00 p.m. unless adjusted by the Chair as needed)
- XV. Public Comment on matters not on the agenda, but within the subject matter jurisdiction of the Board
- XVI. Regular Afternoon Calendar

Adjournment – Meeting may be Adjourned in the Memory of/Moment of Silence/Reading of Names

XIII. APPENDIX B. 4/5ths and Unanimous Vote Requirements

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Subject	Vote	Code	Description
Off Agenda Action	Unanimous	Gov Code §54954.2(b)(2)	To consider an item not on the Agenda, the Board must make findings that the need to take action arose after the Agenda was posted. The vote requires at least four votes of the Board if two-thirds of the members are present. If less than two-thirds are present, it requires a unanimous vote.
Airport	4/5	Gov Code §26021	Property acquisition for airport purchases by purchase, condemnation or lease; resolution for County aid.
Airport	4/5	Gov Code §26026	Contribute money to the United States for the acquisition or improvement by the United States or any of its authorized agencies of airports in the county.
Bonds		Gov. Code §§26880, 26885, 26946, 29917, 53595.20, 53345.8; Sts. & Hwys Code §§9132, 5227, 10355, 9534.5; Ed. Code §15145; Pub. Util. Code §§99100, 99102, 99118, 99119	There are many special voting requirements and other processes required for bonds. Please check with counsel.
Bridges	4/5	Pub. Contract §20405(c)	Modify the plans, specifications and working details of bridge construction contracts.
Budget	4/5	Gov Code §29088	Changes to proposed budget after budget hearing but prior to final budget
Budget	4/5	Gov Code §29125	The following transfers and revisions to the adopted appropriations require a 4/5 vote: (1) between funds; or (2) transfers from appropriation for contingencies.
Budget	4/5	Gov Code §29127	Adopt resolution necessary to appropriate and expend funds necessary to meet specific emergencies.

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Budget	4/5	Gov Code §29130	Make available for appropriation any of the following fund balances: a) Restricted, committed, assigned, and unassigned fund balances, excluding the general reserves and nonspendable fund balance; b) Amounts that are either in excess of anticipated amounts or not specifically set forth in the budget derived from any actual or anticipated increases in financing sources.
Collections	4/5	Gov Code §26220(a) and (b)	a) Assign for the purpose of collection any or all delinquent bills, claims and accounts, and any or all money judgments taken in the name of the County. b) Assign for the purpose of collection any or all delinquent or unsecured taxes.
Condemnation/Eminent Domain	4/5	Code of Civ. Pro §1245.240	Adopt a resolution of necessity prior to commencing an eminent domain proceeding.
Contracts	4/5	Pub. Contract Code §20128	Modify terms of a construction contract.
Contracts	4/5	Pub. Contract Code § 20135	Alter or change in any manner the plans and specifications previously adopted by the Board for the erection, alteration, construction, or repair of any public building or structure, where such alteration or change increases cost.
Contracts	4/5	Pub. Contract Code §20136	Adopt an order to alter or change a contract that is for the erection, construction, alteration or repair of any public building or other structure.
Contracts	4/5	Pub. Contract Code § 20137	Contracts for the erection, construction, alteration, or repair of any public building or other structure: the Board may authorize a change if it does not exceed 10% of the original contract price
Contracts	4/5	Pub. Contract Code § 20150.10	Adopt a resolution declaring that a project can be performed more economically by county personnel, or that in the Board's opinion a contract to perform the project can be negotiated with the original bidders at a lower price than that in any of the bids, or the materials or supplies furnished at a lower price in the open market.
Contracts	4/5	Pub. Contract Code § 22038(a)(2)	After rejection of bids, adopt a resolution that declares that a project can be performed more economically by the employees of the agency.
Contracts	4/5	Pub. Contract Code §22050(a)(1)	In the case of an emergency, repair or replace a public facility, take any directly related and immediate action

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			required by that emergency, and procure the necessary equipment, services and supplies for those purposes, without giving notice for bids to let contracts. (See also Pub. Contract Code §22035.)
Contracts	4/5	Pub. Contract Code §22050(b)(1)	Adopt a resolution or ordinance that delegates to the appropriate county administrative officer, chief engineer or other nonelected agency officer, the authority to order any action pursuant to the emergency powers described in (a)(1) above.
Contracts	4/5	Pub. Contract Code §3400(c)(4)	Use of specific brand/trade name (without "or equal") in the invitation of bids or requests for proposals in order to respond to an emergency declared by a local agency by a four-fifths vote.
Counsel	4/5	Gov. Code § 25203	Employ counsel to assist the district attorney, county counsel or other counsel for the county or public entity for which the Board is the governing body.
Flood Control, Maintenance and Sanitation District	4/5	Gov. Code § 23014	Adopt a resolution appropriating any of its available moneys to a revolving fund (not to exceed \$500,000) to be used by any county sanitation district, county flood control district, or county district maintenance district located wholly within the county for certain purposes.
Legislation	4/5	Gov. Code §25123(d); Elec. Code §9141(a)(4)	Adopt ordinances that are for the immediate preservation of the public peace, health or safety, which contain a declaration of the facts constituting the urgency, in which case the ordinance shall take effect immediately.
Parks	Unanimous	Gov. Code §25583	Adopt a resolution of intention to abandon a park or a portion of a park and fix a time when it will meet to take final action.
Parks	4/5	Gov. Code §25553	Find that the enlargement or improvement of the public park, beach, golf course or recreation ground is of general county interest or that the cost of maintenance is increased by reason of use by residents of the county outside of the city, such that the Board may determine to extend aid to city parks.
Planning	4/5	Gov. Code §65858	Adopt as an urgency measure, an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal. Any extension of time on the interim ordinance also requires a 4/5 vote.

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Planning	4/5	Pub. Util. Code §§ 21676, 21676.5	Overrule an airport land use commission's determination.
Property	Unanimous	Gov. Code §25363	Cash sale or lease of any property not required for public use at a noticed public auction (4/5ths vote); sale or lease at an unadvertised, private sale can be authorized by simple majority, but only after the Board unanimously finds that the value of the property does not exceed \$500, monthly rental value is less than \$75 or it is a product of a County farm.
Property	Unanimous	Gov. Code §25550 & §25550.5	Conveyance of county property to city for public park purposes
Property	4/5	Gov. Code §25365(a)	Convey to another governmental agency within the county any real or personal property
Property	4/5	Gov. Code §25365(b)	Exchange real property with any person, firm or corporation for the purpose of removing defects in the title or where the real property is not required for county use and the county to be acquired is required for county use.
Property	4/5	Gov. Code §25515.2(c)	Action to approve any sale, lease, lease with option to purchase, development or contract agreement for public property after a request for proposals.
Property	4/5	Gov. Code §25536(a)	Enter leases, concession or managerial contracts involving leasing or subleasing county-owned, leased or managed property devoted to or held for certain purposes
Property	4/5	Gov. Code §25536(c)	Sell or lease county-owned property without complying with Article 8 "Sale or Lease of Real Property" if the county repurchase or leases back the property as part of the same transaction. Pledge specific revenues as security for the payment of obligations incurred in the repurchase or leaseback of the property.
Property	4/5	Gov. Code §25536.5	Approve an agreement to amend a lease, sublease, concession or managerial contract entered to permit a permanent improvement or alteration of property at the expense of the lessee or concessionaire and to permit a credit on rentals or other reimbursement.
Property	4/5	Gov. Code §25526	Adopt a resolution declaring intent to sell or lease property.
Property	4/5	Gov. Code §53867	Determines that property cannot be sold for a sum at

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			least equal to the total of the amount paid, all accrued penalties and delinquencies, and necessary expenses incurred, the local agency may sell the property or lien for less than such total but not less than the fair market value of the property or lien.
Roads	Unanimous	Sts. & Hwy Code §1026(c)	County aid to road districts: order the expense of material for highway construction to be paid out of the county general fund.
Special Assessment Districts	4/5	Sts. & Hy. Code §§ 2808.5, 2808.6, 2808.7	There are several statutory special vote requirements related to special assessment districts. Please consult with County Counsel.
Special Purpose District	Unanimous	Gov. Code § 26909, subd. (b)	Approve a unanimous request made by the governing board of a special district to replace an annual audit with another specified audit.
Streets and Highway	4/5	Sts. & Hwy. Code §942	Let county equipment used in the maintenance and construction of county roads, when such equipment is not in use upon the roads under the jurisdiction of the board, and may charge for the use thereof a rental, and arrange the basis of compensation, in keeping with the general conditions prevailing in the county in which the transaction is made.
Streets and Highway	4/5	Sts. & Hwy. Code § 969.5	Adopt a resolution that determines that the general county interest demands the improvement or repair of a privately owned road.
Streets and Highway	4/5	Sts. & Hwy. Code § 1070	Determine that the public convenience and necessity demand the acquisition or construction of a new county highway or improvement, repair or maintenance of any existing county highway, and the expense of such new highway or the expense of improving, repairing, or maintaining such existing highway is too great to pay out of the road fund of the district (such that the Board may adopt a resolution to make such acquisition or do such work and charge the expense to the county general fund, the road fund of the county, or the district fund of any district benefited).
Streets and Highway	4/5	Sts. & Hwy. Code § 1627	Adopt a resolution that establishes a “county highway right of way acquisition revolving fund” for acquiring rights of way for county highway purposes through purchase or condemnation.

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Streets and Highway	4/5	Sts. & Hwy. Code §§ 1680, 1686	Adopt a resolution that determines that certain activities are of general county interest and that county aid may be extended to cities for city streets.
Streets and Highway	4/5	Sts. & Hwy. Code § 1700	Adopt a resolution that declares any highway lying in whole or in part within a city to be a county highway for one or more of the following purposes: acquisition of rights-of-way, construction, maintenance, improvement, or repair.
Tax	4/5	Gov. Code § 53724	Approve an ordinance or resolution that proposes a tax that is subject to approval by the voters pursuant to Government Code section 53722
Tax	4/5	Rev. & Tax. Code § 7285	Approve ordinance proposing a transactions and use tax for general purposes.
Tax	4/5	Rev. & Tax. Code § 7285.5	Adopt ordinance regarding a transactions and use tax for specific purposes.

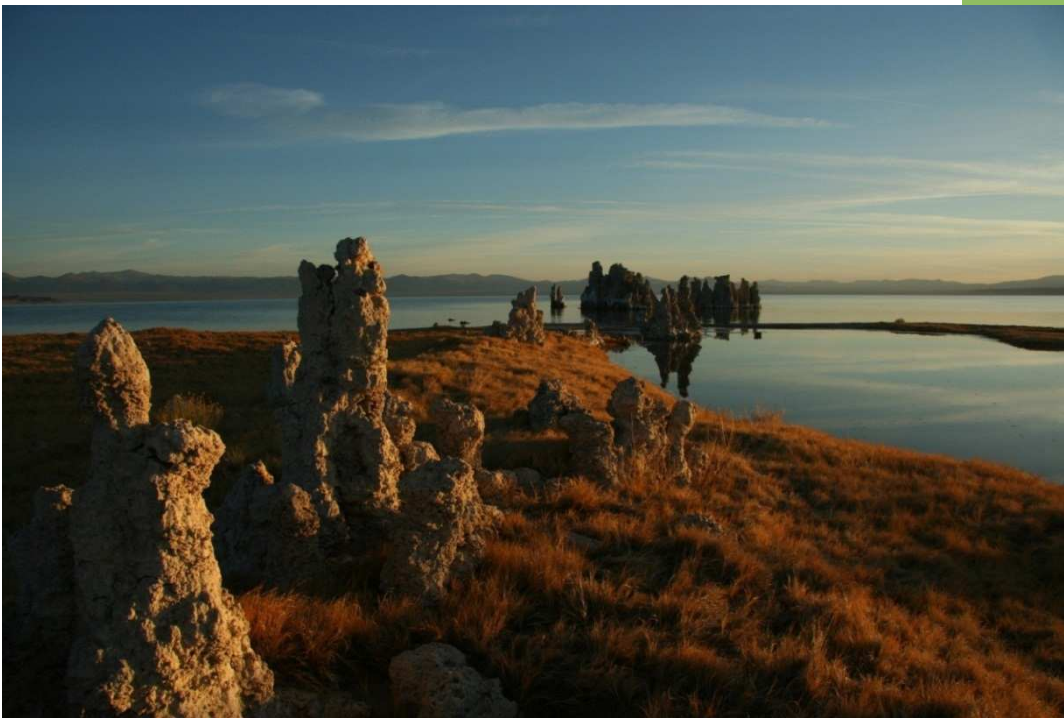
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XIV. APPENDIX C. Request to place an Item on the Board's Agenda by the public or non-County entities

- a) The public or any non-county entity (i.e. other governments, businesses, non-profits groups or other interest groups) are requested to contact the Clerk of the Board of Supervisors (760-932-5533 or 760-932-5538) for the date of the next available agenda. This information online at: <http://monocounty.ca.gov/bos>; click on **Meetings** link.
- b) A non-county individual or group seeking placement of an item on the Board of Supervisor's Agenda must have one of the Supervisors sponsor the item, and notify the Clerk of the Board with the name of Board Member sponsor.
- c) The following information is required via email to the Clerk of the Board of Supervisors before the item will be added to the agenda:
- *A brief description of the item to be discussed.*
 - *Is there a requested Board action, or is this item informational?*
 - *Is there a fiscal impact to the County?*
 - *Name of the person(s) who will be appearing before the Board to make the presentation.*
 - *The amount of time requested, including discussion and questions from the Board.*
 - *Preferred time of presentation, morning or afternoon.*
Morning is between 9:30-12:00 p.m.; afternoon is after 2:00 p.m.
- NOTE:** *An afternoon time may not be possible if the meeting will be finished before Noon.*
- *If the request is coming from an organization, please provide via email a cover memo on the organization's letterhead addressed to the Mono County Board of Supervisors describing in detail the request, expected Board action, and fiscal impact.*
 - *If handouts are to be provided or additional information at the Board meeting, you must provide this information via email to the Clerk of the Board of Supervisors. At least 20 copies for public distribution*
 - *If a PowerPoint presentation will be presented, please email it prior to the agenda deadline so it can be included in the Board's packet.*
- d) Upon request, the Clerk of the Board will provide a copy of a sample cover memo.

Mono County Board of Supervisors

Board Rules of Procedure



Adopted Date: March 1, 2016

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INTRODUCTION BOARD GOVERNANCE

Governance is the act of transforming the needs and desires of the community into policies that direct the organization. As the governance team fulfills the responsibility of setting direction, the way in which the governance team members perform their role is critical. Whether in Board Chambers, out in the community or at home, Board members are always stewards of the County.

The integrity of the County is dependent upon the responsible and professional manner in which each Board member and the Board collectively, fulfills governance roles and responsibilities. The demeanor of governance team members sends an important message to employees and the public. In all relationships, dealings and transactions, Board members act with integrity, openness, respect and honesty. Through these values, the governance team strives to earn and convey trust. The team retains public trust through efficient and cost-effective stewardship of resources

Utilizing effective governance practices, private citizens, once elected to the Board of Supervisors, work with the County Administrator to keep the organization's efforts focused on its mission, values and strategic goals. The community elects Board members to set and monitor the direction of the County with the County Administrator, who translates this direction into action. It is therefore vital that the Board and County Administrator have a respectful and productive working relationship based on trust and open communication.

When done effectively, the opportunity to create a climate for excellence increases dramatically.

GOVERNANCE CULTURE

An excellent governance culture is characterized by a Board that operates in an environment of trust, respect and professional demeanor at all times. The Board sets the tone for the entire County in how it carries out its governance responsibilities.

The Mono County Board of Supervisors will strive to:

- Govern as a team that is strategically focused and mission driven
- Align goals and resources
- Establish and govern within a culture of inquiry
- Govern in an accessible manner, committed to openness and transparency
- Govern in a collaborative manner with the community, staff and within the Board
- Commit to learning and improvement
- Be accountable to each other for the highest standards of Board performance and effectiveness

BOARD GUIDELINES

In addition to abiding by the rules of procedure outlined in this document, members of the Mono County Board of Supervisors agree to the following guidelines for working with each other, staff members and the community.

Mission, Vision and Values

- Meet Mono County's mission to support all our communities by providing superior services while protecting our unique rural environment.
- Realize the county vision of outstanding community services and quality of life beyond compare.
- Be guided by county values of customer service, integrity, excellence, collaboration, innovation, and results orientation.

Roles and Responsibilities

- As elected representatives of the people of Mono County, set the direction and policy of the organization.
- Ensure fiscal responsibility.
- Use the strategic planning process as the means to implement direction and policy, and to align goals and resources.

Governance Principles

- Prepared, Informed: Read and research meeting materials; engage with colleagues, staff and public with respect and dignity; make decisions based on data and evidence; continually learn about county issues, services and programs.
- Transparency and Accessibility: Use board report section of regular meetings to inform colleagues, staff and public on activities relating to board assignments, and constituent issues; use role as elected representative to communicate board actions and policies and be willing to hear concerns and answer questions in a variety of media (phone calls, emails, etc.);
- High Ethical Standards: Meet and exceed requirements of the Fair Political Practices Commission; demonstrate a commitment to training and compliance with laws governing personal financial gain, special privileges and perks, fairness, open government, whistle-blowing protections, and staff relations issues.
- Partnership with CAO and Staff: Support the CAO in managing the county; agree to established rules in interacting with staff (bringing any staff requests that require significant resources back to the full board for consideration).
- Accountability: Measure effectiveness according to goals set in the strategic plan; hold annual board governance sessions to discuss and evaluate board performance and adherence to rules and guidelines.

RULES OF PROCEDURE

OF THE BOARD OF SUPERVISORS

MONO COUNTY, CALIFORNIA

I. PURPOSE

The purpose of these Rules of Procedure (“Rules”) is to foster understanding and respect for the democratic process, facilitate compliance with applicable laws, encourage public participation, provide guidance on decorum, and enhance effective and efficient management of Board meetings.

II. GENERAL

Rule 1. Applicability of Rules

These Rules are adopted pursuant to Government Code §25003. The Rules shall apply to the Board of Supervisors of the County of Mono whether sitting as the Board of Supervisors of the County or as the governing board of any other district, commission, authority or board.

These Rules are intended to expedite the transaction of business of the Board in an orderly fashion, and are deemed to be procedural only. The failure to strictly observe application of the Rules shall not affect the jurisdiction of the Board or invalidate any action taken at a meeting that is otherwise held in conformity with the law. Except as otherwise provided by law, these Rules, or any one of them, may be suspended by a majority of the Board.

These Rules supersede and replace all rules of procedure previously adopted by the Board.

Rule 2. Definitions

In interpreting these Rules:

- a) “Board” refers to the Board of Supervisors of Mono County, whether sitting as the Board of Supervisors of the County or as the governing body of any other district, authority or board
- b) “Board member” or “member” refers to a member of the Board
- c) “Chair”, “Vice Chair” and “Chair Pro-Tempore” refers to the Board members elected to those respective offices
- d) “Clerk” refers to the Clerk of the Board of Mono County
- e) “County Administrator” refers to the County Administrative Officer of Mono County

III. MEETINGS

Rule 3. Regular Meetings and Annual Calendar

Regular meetings generally shall be held on the first three Tuesdays of every month. Any meeting may be cancelled upon the order of the Chair, or by a majority of the members of the Board.

Regular meetings shall commence at 9:00 a.m. The first two regular meetings of the month shall be held at the Board of Supervisors Chambers, 2nd Floor, County Courthouse, 278 Main Street, Bridgeport, California; the third regular meeting of the month shall be held in the Board of Supervisors Meeting Room, 3rd Floor, Sierra

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Center Mall, Suite 307, 452 Old Mammoth Road, Mammoth Lakes, California. Videoconferencing will be available each week between Bridgeport and Mammoth Lakes, unless technically infeasible. Business shall normally be conducted between 9:00 a.m. and 5:00 p.m., but may continue past 5:00 p.m., provided no board members present object.

An annual calendar of meetings shall be adopted by the Board at their first meeting in January. The calendar will include all known regular meetings. All regularly scheduled meetings shall also be streamed live over the internet, and shall be archived and available for later online viewing. Videos shall be available on the county website at <http://monocounty.ca.gov/meetings>.

Rule 4. Special Meetings, Budget Hearings, Workshops and Planning Meetings

Special meetings may be called at any time by the Chair, or by a majority of the members. Upon the call of a special meeting, the Clerk will prepare and distribute, at least 24 hours before the time of the special meeting, written notice to each member and to any local newspaper of general circulation that has requested such notices. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings (Government Code §54956).

Budget Hearings, Workshops, Study Sessions and Planning Meetings may be called by the Chair or by a majority of the Board at times and locations in accordance with the law and specified notice provisions.

Rule 5. Emergency Meetings

Emergency meetings may be called by the Chair or by a majority of the Board, in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities. Upon the call of an emergency meeting, the Clerk shall give notice of the meeting, and comply with posting requirements (Government Code §54956.5).

Rule 6. Closed Sessions

Prior to holding any closed session, the Chair shall announce the session in an open meeting, and shall provide an opportunity for public comment on items on the closed session agenda. The listing of such items on the agenda shall constitute such announcement, at the discretion of the Chair. During the closed session the Board may discuss or consider only those items on the agenda. At the conclusion of the closed session the Board shall orally report action taken, in an open meeting, where required by law (Government Code §54957.1).

IV. ELECTIONS, POWERS, AND DUTIES OF THE CHAIR, VICE-CHAIR, AND CHAIR PRO-TEMPORE

Rule 7. Annual Selection of Chair, Vice Chair and Chair Pro-Tempore

At its first regular meeting, after January 1ST of each year, the Board shall nominate and elect from its membership a Chair, Vice Chair, and a Chair Pro-Tempore. The Chair shall call the meeting to order and the first order of business shall be the election of officers for the ensuing calendar year. The Chair, Vice Chair, and Chair Pro-Tempore shall serve until the election of their successors. It is intended (but not mandated) that the

Supervisor elected as Vice Chair will succeed the Chair in the following year and that the Chair Pro-Tempore shall similarly succeed the Vice Chair.

Rule 8. Powers of Chair, Vice-Chair, and Chair Pro-Tempore

The Chair shall serve as presiding officer of the Board, rule on questions of procedure and execute official Board records and documents presented by the County Administrator/Clerk. In the absence or unavailability of the Chair, the Vice-Chair shall call the meeting to order and serve as presiding officer. The Vice-Chair shall have and exercise all powers and duties of the Chair for meetings over which he or she is called to preside and at ceremonial and official functions which the Chair cannot attend.

If both the Chair and the Vice-Chair are absent or unable to participate, the Chair Pro-Tempore shall call the meeting to order, serve as the presiding officer, and shall have and exercise all power and duties of the Chair for the meeting over which he or she is called to preside and at ceremonial and official functions which neither the Chair nor Vice Chair can attend.

V. AGENDAS AND AGENDA MATERIALS

Rule 9. Meeting Agenda

At least 72 hours before a regular meeting, the Clerk shall post an agenda. The agenda shall consist of a brief statement of each item to be considered by the Board (Government Code §54950). The agenda shall indicate the time and location of the meeting and shall be posted as required by law.

Rule 10. Addendums/Supplemental Agenda Items

At least 72 hours before a regular meeting, the Clerk shall prepare, post, and distribute all addendums/supplemental agendas when there has been an item added, continued, deleted, and/or modified since the distribution of the initial meeting agenda.

Rule 11. Use of Novus Agenda Software

All Departments/Agencies shall use Novus Agenda Software to prepare agenda items and submit supporting documents. Departments will work directly with the Clerk of the Board if they require assistance in creating an agenda item.

Rule 12. Department/Agency Agenda Responsibilities

When submitting an item for consideration by the Board, it is the responsibility of the originating Department /Agency to provide all required information, and to meet all established deadlines. Exceptions to deadlines will be considered if items are deemed to be time sensitive or of special importance to a Board member. The Clerk of the Board will work directly with departments to add agenda items after the deadline, or may require departments to obtain approval of the CAO prior to adding late items. Board members may work with the CAO, Clerk of the Board, or pertinent department head when needing to add items to an agenda.

Outside agencies and citizens will work with the Clerk of the Board when requesting an agenda item for Board consideration, and will follow established guidelines found in Appendix C (Request to place an Item on the Board's Agenda).

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Rule 13. Review and Filing of Agenda Items

After preparing agenda items in Novus Agenda, all items shall be reviewed by the County Administrator, County Counsel, and Finance Director. Any one of these three reviewers may ask for additional information, clarification, and may determine not to place any item on the agenda that is not complete or is not submitted in accordance with instructions. Without amendment to these Rules, agenda submittal instructions may be amended or additional requirements imposed to ensure appropriate review and Brown Act compliance.

Rule 14. Board Correspondence

Correspondence addressed to the Board of Supervisors will be placed on the agenda by the Clerk of the Board. If the Clerk determines that correspondence is legally questionable, objectionable, or of no interest to the public, she/he will receive direction from the CAO, County Counsel, and/or Board members prior to including the correspondence on the agenda. If the Clerk receives correspondence from County departments addressed to the Board, such correspondence will be forwarded to the Board members and CAO and not added to the agenda.

Rule 15. Supplemental Correspondence and Information Prior to Board Meeting and During the Board Meeting

- a) After Initial Agenda Distribution and Prior to the Meeting Rule - Agenda materials distributed, via mail, email, or hand delivered by the public to a majority of the Board or their staff, that is distributed or redistributed to another County employee, must be forwarded to the Clerk for public review.
- b) At the Meeting Rule - Documents, including PowerPoint handouts, distributed to Board members by County employees or Board members themselves at the meeting, shall be kept to a minimum. When necessary to distribute materials at the meeting, 20 copies shall be provided to the Clerk for distribution to: Board members, County Administrator, County Counsel, and the Clerk, with remaining copies available for distribution to the general public. If large numbers of the public are anticipated to attend the Board Meeting on a matter and new information will be distributed to the Board members, then the number of copies should be increased to anticipate the number needed for the public.

Any supplemental correspondence or written information related to an agenda item which is provided to three or more Board members shall be concurrently filed with the Clerk and made a part of the official record. This Rule shall not apply to attorney-client privileged communications.

Sufficient copies of supplemental correspondence and information should be delivered to the Clerk and the Clerk shall make the appropriate distribution to the Board, CAO and County Counsel.

VI. CONDUCT OF BUSINESS

Rule 16. Order of Business

The Board shall conduct business in the order specified in the posted agenda or as modified at the discretion of the Chair with the concurrence of the Board. Without amending these Rules, the Board may modify or amend the Order of Business for Regular meetings, which shall be attached to these Rules as Appendix A.

Rule 17. Board Member; Notification of Absence

If any Board member is unable to attend a meeting of the Board, all reasonable efforts shall be made to notify the Chair, County Administrator, and the Clerk, in writing (electronic mail or regular mail) and as soon as possible to ensure there are sufficient members present to consider all agenda items.

Rule 18. Quorum and Action

Three members of the Board shall constitute a quorum sufficient to transact business. In the absence of a quorum, the remaining members or the Clerk may adjourn the meeting to another date and time in accordance with Government Code §54944 and shall post a Notice of Adjournment.

Rule 19. Matters Not on the Agenda/Emergency Items

No action shall be taken on any item not appearing on the posted agenda except:

- a) Upon a majority vote of the Board that an emergency situation exists as defined in Government Code §54956.5;
- b) Upon a determination by a four-fifths (4/5) vote of the Board, or if less than four-fifths (4/5) of the members are present, a unanimous vote of those members present, that 1) there is a need to take immediate action, and 2) the issue arose subsequent to the agenda being posted.

Any requests to hear a matter not on the agenda or emergency item shall be communicated to the Chair, County Administrator, County Counsel and Clerk as soon as the need becomes known.

Rule 20. Consent/Regular Calendar Items

Agenda items on the Consent Calendar are routine in nature, consistent with adopted Board policy, and do not require individual consideration. The Consent Calendar will be enacted by one motion for approval of the recommended actions. There will be no separate discussion of these items prior to the time the Board votes on the motion unless any member of the Board requests removal of a specific item from the Consent Calendar for separate discussion and action. Any Board member may ask the Clerk to record a “no” or “abstention” vote on any Consent Calendar item.

Agenda items on the Regular Calendar require separate discussion and/or action and may include, but are not limited to changes in policy, items that require the Board to consider options and provide direction, requests for new or unbudgeted positions, introductions or adoption of a proposed Ordinance, Public Hearings, and other matters as required by law.

Rule 21. Public Hearings

Upon receipt of a request by a Department/Agency or Board member for a public hearing, the County Administrator or Clerk may set the hearing without action of the Board unless the Board is required by law to schedule the hearing. In that event, the matter shall be placed on the Consent Calendar to set the hearing.

Subject to the Chair’s right to maintain order, any person wishing to speak at a public hearing shall be heard. Except for rebuttal allowed an applicant, or the appellant in the case of an appeal, each speaker shall speak only once unless otherwise authorized by the Chair.

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Each speaker's presentation at a public hearing shall be as brief as possible; visual and other materials may be used as appropriate. The Chair may establish a time limit for presentations. When speakers use or submit to the Board visual or other materials, such materials shall become part of the file and identified and maintained as such. When CDs, DVDs, thumb drives, USB memory sticks, or other portable electronic media (e-media) are submitted to the Board, at least one hard-copy of the information stored on the e-media must be provided to the Clerk. Speakers with lengthy presentations are encouraged to submit them in writing.

The closing of a public hearing signifies the point after which the Board will no longer accept or consider any additional communication on the matter that was the subject of the hearing. As used in this Rule, "communication" includes oral communication; written communication such as documents, letters, and photographs; and any type of electronic communication, including e-mails, e-mail attachments, graphic images, spread sheets, text messages, and social media messages.

Should the Board close a public hearing and continue its deliberations to a subsequent meeting, or announce a tentative decision, by motion or other proceedings, and defer its action on a final decision to a subsequent meeting to allow preparation of appropriate findings and/or conditions of approval, any written or electronic communication received by a Board member or the Clerk after the close of the hearing on the matter that was the subject of the hearing shall be placed in a separate file kept by the Clerk and labeled to indicate it was received after the close of the hearing. Late written and electronic communication shall not be given to Board members, nor should Board members retain copies.

Should County staff determine that communication received after the close of a public hearing should be considered by the Board prior to its rendering a final decision on the matter that was the subject of the hearing, County staff shall recommend to the Board that the hearing be reopened. If the Board concurs, the Board shall reopen the hearing, following appropriate notice, for the limited purpose of receiving testimony and evidence on the new information.

VII. PROCEDURE AND VOTING

Rule 22. Order and Decorum

The Chair shall preserve order and decorum and shall decide all questions of order and procedure subject to an appeal to the Board. The nature of any appeal shall be briefly stated and the Chair shall have the right to state the reason for his or her decision.

A Board member wishing to speak shall refrain until he or she has been recognized by the Chair. While a Board member is speaking, other Board members shall be respectful and shall not engage in or entertain private discussions.

Consistent with the purpose of the Rules, members are encouraged to use a formal style, including appropriate titles, in addressing the public, staff and each other. All members shall refrain from the use of profanity, emotional outbursts, personal attacks or any speech or conduct which tends to bring the organization into disrepute.

Rule 23. Commitment to Civility

To assure civility in its public meetings, staff and the public are also encouraged to engage in respectful dialog that supports freedom of speech and values diversity of opinion. To achieve compliance with these Rules, Board members, staff, and the public are encouraged to:

- Create an atmosphere of respect and civility where elected officials, County staff, and the public are free to express their ideas;
- Establish and maintain a cordial and respectful atmosphere during discussions;
- Foster meaningful dialogue free of personal attacks;
- Listen with an open mind to all information, including dissenting points of view, regarding issues presented to the Board;
- Recognize it is sometimes difficult to speak at Board meetings, and out of respect for each person's feelings, allow them to have their say without comment, including booing, whistling or clapping;
- Adhere to speaking time limit.

Rule 24. Use of Electronic devices and documents

The use of electronic documents, via iPads or other electronic means, is encouraged as a means of reducing the production and distribution of paper documents, and thereby decreasing costs.

Any member of the public may view the same electronic documents on line at:

http://monocounty.ca.gov/meetings_sub/bos, or may view the documents in paper form in the Clerk of the Board's Office.

The Board shall refrain from emailing, texting, using social media, or otherwise engaging in electronic communications in the Board Chambers on matters that are listed on the Board agenda.

Rule 25. Motions – General

Any motion for action shall require a second before being acknowledged by the Chair. The Clerk shall enter into the minutes the motion and the names of the moving and seconding members. After a motion is stated by the Chair, it shall be open for debate but may be withdrawn by the maker at any time before a decision is made or an amendment adopted. A motion may be amended with the consent of the moving and seconding members at any time before a decision is made or an amendment adopted unless another motion is pending. The Clerk shall enter into the minutes the vote of each member on each motion.

Rule 26. Voting

It shall take at least three affirmative votes of the Board to pass any motion (Govt. Code §25005), except where supermajority four-fifths (4/5) votes or unanimous votes are required by law. Appendix B contains a list of common items that require a four-fifths (4/5) vote. Appendix B may be up-dated without amending these Rules. An abstention shall count as neither an "aye" nor a "no" vote.

A supervisor who is absent from all or a part of: (1) a public hearing, (2) an item that requires findings, or (3) an item that is quasi-judicial in nature, may subsequently vote on the matter if the supervisor has reviewed all

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evidence received during his/her absence, listened to the Clerk's recording or read a true and complete transcript of the proceedings, and so states on the record.

Rule 27. Roll Call Votes

The roll need not be called in voting upon a motion except where specifically required by law or requested by a Board member or the Chair. Each roll call vote shall be made in an order determined by the Clerk or directed by the Chair but generally shall first include: the maker of the motion; the member who seconded the motion; the balance of the members present, with the Chair called last, unless the Chair made, or seconded, the motion.

Rule 28. Conflicts of Interest

Any Board member with a disqualifying conflict of interest must, in compliance with the Political Reform Act:

- a) Publically state the nature of the conflict in sufficient detail to be understood by the public;
- b) Recuse himself/herself from discussing and voting on item; and
- c) Leave the room until after the discussion, vote, and other disposition of the matter is concluded, unless the matter has been placed on the Consent Calendar.

The member may be allowed to address the Board as a member of the public. Disclosure of a conflict shall be noted in the official Board minutes. The member must also comply with all other applicable conflict of interest laws.

Members may not have a financial interest in a contract approved or considered by the Board. In these cases disclosure and recusal does not remove the conflict and such a contract is considered void (Government Code §1090). The Board member is encouraged to discuss possible conflicts with County Counsel prior to the meeting.

Rule 29. Motion to Rescind

A motion to rescind any action or motion shall require four-fifths (4/5) vote unless notice has been given at the previous meeting, either verbally or in writing, that such rescission is proposed. If notice has been given, the motion requires only a majority vote of all the members of the Board. A motion to rescind is not in order if action has been taken which cannot be changed.

Rule 30. Motion to Reconsider

Any Board member who votes in the majority on a question, as well as any Board member who was absent, is eligible to make a motion to reconsider. A motion to reconsider shall be in order during the meeting at which the action to be reconsidered took place provided members of the public in attendance during the original action are still present in the Board chamber. In all other cases, motions for reconsideration must be placed on a future agenda for action.

A motion to reconsider shall require a majority vote. A motion to reconsider, if lost, shall not be renewed nor shall any subject be reconsidered a second time within twelve (12) months except by a four-fifths (4/5) vote of the Board. A motion to reconsider is not in order if action has been taken which cannot be changed.

Rule 31. Substitute Motion

A substitute motion is an amendment where an entire resolution or section, or one or more paragraphs is struck out and another is inserted in its place. The motion to substitute, if adopted by majority vote, does away entirely with the original motion. The vote shall then be taken on the motion that was substituted. A substitute motion is appropriate if amendments become involved or a paragraph requires considerable changes. A substitute motion may not be made when an amendment is pending.

Rule 32. Ordinances

Ordinances are introduced at one meeting (first reading), then generally placed on the agenda for adoption at a subsequent meeting.

- The first reading will become the primary meeting at which: (1) the title of the ordinance will be read; (2) the Board will typically consider a motion to waive the reading of the text of the ordinance and to introduce the ordinance by title only; (3) members of the public shall have an opportunity to address the ordinance; (4) the ordinance shall be introduced by a motion and majority vote of the Board.
- At the second reading: (1) the ordinance may be placed on the Consent Calendar for adoption; (2) if pulled from the Consent Calendar for separate action, the title of the ordinance may be read; (3) a motion to adopt the ordinance may be made; (4) a majority vote will adopt the ordinance.
- Pursuant to Government Code §25123, ordinances shall generally become effective 30 days from the date of final passage.

Other ordinance hearing procedures may be used as required by law.

Rule 33. Planning Matters – Request for Continuance

Any Board member may, at his or her sole discretion, continue a planning matter within his/her District from one agenda to the next available regular meeting of the Board that will allow for any applicable legal noticing requirements.

Rule 34. Planning Matters – Original Jurisdiction

Any member may request the Board to exercise original jurisdiction over a use permit or other planning application, as authorized under the County Code, except in cases where state law requires a recommendation of the Planning Commission prior to action by the Board on the matter. A request to exercise original jurisdiction shall be filed in writing with the Clerk, or made orally at a Board meeting, prior to any decision by a lower level decision maker approving or denying the subject application. A request to exercise original jurisdiction need not state the reasons for the request but shall be brought as a noticed agenda item to the full Board for majority approval.

VIII. DUTIES OF COUNTY STAFF DURING BOARD MEETINGS

Rule 35. County Administrator

The County Administrator shall be present during Board meetings and shall provide such information as necessary to assist the Board members in their deliberation and decision making. The County Administrator may delegate this responsibility to the County Finance Manager or County Counsel should extraordinary circumstances prevent the discharge of this responsibility.

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Rule 36. County Counsel

County Counsel shall be present during Board meetings, and shall serve as advisor to the Board on appropriate rules to comply with legal requirements. All questions of law shall be referred to County Counsel for his or her opinion. County Counsel may delegate this responsibility to the Assistant County Counsel or a Deputy County Counsel.

Rule 37. Clerk of the Board

The Clerk or Deputy Clerk shall be present during all meetings for the purpose of taking and maintaining the minutes of the meeting; presenting and receiving correspondence, records, documents, claims, reports, or petitions; preserving all records; marking or attesting all resolutions and ordinances; imparting information on Board documents of public record; and otherwise fulfilling all duties imposed by law or required by the Board.

The Clerk shall record all regular meetings of the Board. All meetings shall be recorded by audio means. All regularly scheduled meetings, and whenever else possible, meetings shall also be recorded by video means. Video recordings shall be available online for later review as soon as practical on the county website at <http://monocounty.ca.gov/meetings>.

Rule 38. Sheriff

The Sheriff, or a representative of the Sheriff's Office, shall at the discretion of the Chair or a majority of Board members, be in attendance at the meeting of the Board, for the purpose of maintaining order and upholding the law.

Rule 39. Department and Agency Directors

Department and Agency Directors, or a designee, having any matter on the agenda for consideration by the Board, whether consent or regular, shall be available for the purpose of providing information to the Board and shall also attend any Board meeting when requested to do so by a board member or the County Administrator. Department and Agency Directors may be present in person or by telecommunication as the item warrants. Given Mono County's seasons and efforts to contain costs, Department and Agency Heads are asked to keep these factors in mind when scheduling meeting attendance.

IX. COMMITTEES

Rule 40. Board Committees/Assignments and Reporting Requirements

The Clerk shall maintain a list of Board Committees and Assignments. Annually, the incoming Chair shall review the list of Committees and Assignments. The list of appointments shall be adopted by the Board at its first meeting in January.

All members who are assigned to special projects, committees, and separate boards or commissions shall provide regular reports to the full Board regarding their activity in connection with the special projects, committees, and separate boards or commissions. (Government Code §53234, et. seq.)

Committee members shall call board committee meetings as needed provided they are held in conformance with the law. The County Administrator's Office and County Counsel may serve as support staff to all Board created committees. Other department heads and/or staff may also support as requested by the committee.

Rule 41. Board of Supervisors Standing Subcommittees

Standing subcommittees are those subcommittees of the Board of Supervisors which have continuing jurisdiction over a particular subject matter or whose meeting schedule is fixed by resolution or action of the Board. Even if comprised of less than a quorum of the Board, a standing subcommittee is subject to the Brown Act.

The Chair shall recommend, with Board concurrence, members to each standing subcommittee. Generally, appointments shall occur at the Board's first regular meeting in January. All standing subcommittees shall be appointed for the calendar year, and the members shall continue as committee members until their successors have been appointed.

Rule 42. Board of Supervisors' Ad-Hoc Subcommittees

Ad-Hoc subcommittees of the Board of Supervisors are not subject to the Brown Act. They may be formed by the Chair or Board action, shall be solely composed of members of the Board, less than a quorum of the Board, shall serve a limited or single purpose, for a limited time, and shall be dissolved once the specific task assigned is completed.

Ad-Hoc Subcommittees are encouraged to conclude their business at the end of each calendar year. The Clerk will maintain a current index of Ad-Hoc Subcommittees and their purpose.

X. OTHER

Rule 43. Board Member Referrals to Staff

Board member referrals that are anticipated to involve significant staff time or other resource commitment and/or are a departure from established county or departmental policy require Board approval prior to staff starting work. Board members are encouraged to discuss referrals which may require significant resources with the Chair and CAO.

Board approval shall be obtained through majority action of the Board, on an agenda item in which the scope and resource needs of the referral are identified.

Rule 44. Action Summaries and Recordings of Meetings

The Clerk shall prepare and distribute Action Summaries ("minutes") of Board meetings. The minutes shall consist of the brief statement of each item posted on the agenda and supplemental agenda plus all motions, resolutions and ordinance numbers related thereto, all votes recorded thereon, and the final action taken by the Board. The minutes shall be made available internally and to the public and shall be placed on the Internet.

The Clerk shall maintain the official audio record of each Board meeting for a period of at least 2 years and will make these tapes available for listening by the public at no charge. Video recordings of meetings shall be archived and available on the internet for a period of at least 2 years, and shall be available for viewing at no charge on the county website at <http://monocounty.ca.gov/meetings>.

XI. PARTICIPATION OF THE PUBLIC

Rule 45. Public Comment / Time Limits

Members of the public have the right to address the Board on any item within the subject matter jurisdiction of the Board (Government Code §54954.3). Members of the public shall direct their comments to the Chair who may, at his or her discretion, request a response from staff. Time limitations are at the discretion of the Chair, and may be reduced or extended.

Public comments on items on the agenda will be called prior to the Board taking action on the item.

Under the Public Comment portion of the meeting, members of the public will be allowed to address the Board regarding any item **not on the agenda**. No action may be taken on items not on the agenda unless authorized by law.

Rule 46. Orderly Conduct

The Chair may determine when orderly conduct of a meeting is not feasible owing to disruptive behavior by persons in attendance. The Chair may request that person(s) disrupting the meeting leave the chambers/meeting room. If order cannot be restored, the Chair may order the chambers/meeting room cleared and continue in session. Members of the news media, except those participating in the disturbance, shall be allowed to remain. The Chair may re-admit any person(s) provided their re-admission will not disrupt the continued orderly conduct of business. The Chair may also call a recess and reconvene when order has been restored.

Rule 47. Security and Prohibition of Banners/Signs or other Hazardous Objects

The Board has the power to implement security measures in the chambers/meeting room. Signs, posters, banners or other hazardous objects which could impair the safety of individuals in the event of an emergency are prohibited in the chambers/meeting room. Any large object/container that may be deemed a hazardous object which could impair the safety of individuals in the event of an emergency may be prohibited in the chambers/meeting room.

XII. Appendix A. Order of Agenda

Generally, business at Regular meetings shall be transacted in the following order. Business may be reordered by the Chair or by a majority of members. The Chair may modify the Agenda Order for the board's or public's convenience at a particular meeting, provided that no matter noticed for public hearing may be heard prior to the published time. The Board may modify or amend the Agenda Order without amending these Rules.

- I. Call to Order (9:00 a.m.)
- II. Pledge of Allegiance
- III. Public Comment on matters not on the agenda, but within the subject matter jurisdiction of the Board
- IV. Approval of Minutes
- V. Presentations
- VI. Board Member Reports on assigned Boards, Councils, Commissions or other meetings attended
- VII. County Administrative Officer Report
- VIII. Department/Commission Reports
- IX. Consent Calendar
- X. Correspondence Received
- XI. Regular Morning Calendar
- XII. Public Comment on matters not on the agenda, but within the subject matter jurisdiction of the Board
- XIII. Closed Session
- XIV. Reconvene and Report from Closed Session (2:00 p.m. unless adjusted by the Chair as needed)
- XV. Public Comment on matters not on the agenda, but within the subject matter jurisdiction of the Board
- XVI. Regular Afternoon Calendar

Adjournment – Meeting may be Adjourned in the Memory of/Moment of Silence/Reading of Names

XIII. APPENDIX B. 4/5ths and Unanimous Vote Requirements

Mono County Board Rules of Procedure

Subject	Vote	Code	Description
Off Agenda Action	Unanimous	Gov Code §54954.2(b)(2)	To consider an item not on the Agenda, the Board must make findings that the need to take action arose after the Agenda was posted. The vote requires at least four votes of the Board if two-thirds of the members are present. If less than two-thirds are present, it requires a unanimous vote.
Airport	4/5	Gov Code §26021	Property acquisition for airport purchases by purchase, condemnation or lease; resolution for County aid.
Airport	4/5	Gov Code §26026	Contribute money to the United States for the acquisition or improvement by the United States or any of its authorized agencies of airports in the county.
Bonds		Gov. Code §§26880, 26885, 26946, 29917, 53595.20, 53345.8; Sts. & Hwys Code §§9132, 5227, 10355, 9534.5; Ed. Code §15145; Pub. Util. Code §§99100, 99102, 99118, 99119	There are many special voting requirements and other processes required for bonds. Please check with counsel.
Bridges	4/5	Pub. Contract §20405(c)	Modify the plans, specifications and working details of bridge construction contracts.
Budget	4/5	Gov Code §29088	Changes to proposed budget after budget hearing but prior to final budget
Budget	4/5	Gov Code §29125	The following transfers and revisions to the adopted appropriations require a 4/5 vote: (1) between funds; or (2) transfers from appropriation for contingencies.
Budget	4/5	Gov Code §29127	Adopt resolution necessary to appropriate and expend funds necessary to meet specific emergencies.

Mono County Board Rules of Procedure

Budget	4/5	Gov Code §29130	Make available for appropriation any of the following fund balances: a) Restricted, committed, assigned, and unassigned fund balances, excluding the general reserves and nonspendable fund balance; b) Amounts that are either in excess of anticipated amounts or not specifically set forth in the budget derived from any actual or anticipated increases in financing sources.
Collections	4/5	Gov Code §26220(a) and (b)	a) Assign for the purpose of collection any or all delinquent bills, claims and accounts, and any or all money judgments taken in the name of the County. b) Assign for the purpose of collection any or all delinquent or unsecured taxes.
Condemnation/Eminent Domain	4/5	Code of Civ. Pro §1245.240	Adopt a resolution of necessity prior to commencing an eminent domain proceeding.
Contracts	4/5	Pub. Contract Code §20128	Modify terms of a construction contract.
Contracts	4/5	Pub. Contract Code § 20135	Alter or change in any manner the plans and specifications previously adopted by the Board for the erection, alteration, construction, or repair of any public building or structure, where such alteration or change increases cost.
Contracts	4/5	Pub. Contract Code §20136	Adopt an order to alter or change a contract that is for the erection, construction, alteration or repair of any public building or other structure.
Contracts	4/5	Pub. Contract Code § 20137	Contracts for the erection, construction, alteration, or repair of any public building or other structure: the Board may authorize a change if it does not exceed 10% of the original contract price
Contracts	4/5	Pub. Contract Code § 20150.10	Adopt a resolution declaring that a project can be performed more economically by county personnel, or that in the Board's opinion a contract to perform the project can be negotiated with the original bidders at a lower price than that in any of the bids, or the materials or supplies furnished at a lower price in the open market.
Contracts	4/5	Pub. Contract Code § 22038(a)(2)	After rejection of bids, adopt a resolution that declares that a project can be performed more economically by the employees of the agency.
Contracts	4/5	Pub. Contract Code §22050(a)(1)	In the case of an emergency, repair or replace a public facility, take any directly related and immediate action

Mono County Board Rules of Procedure

			required by that emergency, and procure the necessary equipment, services and supplies for those purposes, without giving notice for bids to let contracts. (See also Pub. Contract Code §22035.)
Contracts	4/5	Pub. Contract Code §22050(b)(1)	Adopt a resolution or ordinance that delegates to the appropriate county administrative officer, chief engineer or other nonelected agency officer, the authority to order any action pursuant to the emergency powers described in (a)(1) above.
Contracts	4/5	Pub. Contract Code §3400(c)(4)	Use of specific brand/trade name (without "or equal") in the invitation of bids or requests for proposals in order to respond to an emergency declared by a local agency by a four-fifths vote.
Counsel	4/5	Gov. Code § 25203	Employ counsel to assist the district attorney, county counsel or other counsel for the county or public entity for which the Board is the governing body.
Flood Control, Maintenance and Sanitation District	4/5	Gov. Code § 23014	Adopt a resolution appropriating any of its available moneys to a revolving fund (not to exceed \$500,000) to be used by any county sanitation district, county flood control district, or county district maintenance district located wholly within the county for certain purposes.
Legislation	4/5	Gov. Code §25123(d); Elec. Code §9141(a)(4)	Adopt ordinances that are for the immediate preservation of the public peace, health or safety, which contain a declaration of the facts constituting the urgency, in which case the ordinance shall take effect immediately.
Parks	Unanimous	Gov. Code §25583	Adopt a resolution of intention to abandon a park or a portion of a park and fix a time when it will meet to take final action.
Parks	4/5	Gov. Code §25553	Find that the enlargement or improvement of the public park, beach, golf course or recreation ground is of general county interest or that the cost of maintenance is increased by reason of use by residents of the county outside of the city, such that the Board may determine to extend aid to city parks.
Planning	4/5	Gov. Code §65858	Adopt as an urgency measure, an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal. Any extension of time on the interim ordinance also requires a 4/5 vote.

Mono County Board Rules of Procedure

Planning	4/5	Pub. Util. Code §§ 21676, 21676.5	Overrule an airport land use commission's determination.
Property	Unanimous	Gov. Code §25363	Cash sale or lease of any property not required for public use at a noticed public auction (4/5ths vote); sale or lease at an unadvertised, private sale can be authorized by simple majority, but only after the Board unanimously finds that the value of the property does not exceed \$500, monthly rental value is less than \$75 or it is a product of a County farm.
Property	Unanimous	Gov. Code §25550 & §25550.5	Conveyance of county property to city for public park purposes
Property	4/5	Gov. Code §25365(a)	Convey to another governmental agency within the county any real or personal property
Property	4/5	Gov. Code §25365(b)	Exchange real property with any person, firm or corporation for the purpose of removing defects in the title or where the real property is not required for county use and the county to be acquired is required for county use.
Property	4/5	Gov. Code §25515.2(c)	Action to approve any sale, lease, lease with option to purchase, development or contract agreement for public property after a request for proposals.
Property	4/5	Gov. Code §25536(a)	Enter leases, concession or managerial contracts involving leasing or subleasing county-owned, leased or managed property devoted to or held for certain purposes
Property	4/5	Gov. Code §25536(c)	Sell or lease county-owned property without complying with Article 8 "Sale or Lease of Real Property" if the county repurchase or leases back the property as part of the same transaction. Pledge specific revenues as security for the payment of obligations incurred in the repurchase or leaseback of the property.
Property	4/5	Gov. Code §25536.5	Approve an agreement to amend a lease, sublease, concession or managerial contract entered to permit a permanent improvement or alteration of property at the expense of the lessee or concessionaire and to permit a credit on rentals or other reimbursement.
Property	4/5	Gov. Code §25526	Adopt a resolution declaring intent to sell or lease property.
Property	4/5	Gov. Code §53867	Determines that property cannot be sold for a sum at

Mono County Board Rules of Procedure

			least equal to the total of the amount paid, all accrued penalties and delinquencies, and necessary expenses incurred, the local agency may sell the property or lien for less than such total but not less than the fair market value of the property or lien.
Roads	Unanimous	Sts. & Hwy Code §1026(c)	County aid to road districts: order the expense of material for highway construction to be paid out of the county general fund.
Special Assessment Districts	4/5	Sts. & Hy. Code §§ 2808.5, 2808.6, 2808.7	There are several statutory special vote requirements related to special assessment districts. Please consult with County Counsel.
Special Purpose District	Unanimous	Gov. Code § 26909, subd. (b)	Approve a unanimous request made by the governing board of a special district to replace an annual audit with another specified audit.
Streets and Highway	4/5	Sts. & Hwy. Code §942	Let county equipment used in the maintenance and construction of county roads, when such equipment is not in use upon the roads under the jurisdiction of the board, and may charge for the use thereof a rental, and arrange the basis of compensation, in keeping with the general conditions prevailing in the county in which the transaction is made.
Streets and Highway	4/5	Sts. & Hwy. Code § 969.5	Adopt a resolution that determines that the general county interest demands the improvement or repair of a privately owned road.
Streets and Highway	4/5	Sts. & Hwy. Code § 1070	Determine that the public convenience and necessity demand the acquisition or construction of a new county highway or improvement, repair or maintenance of any existing county highway, and the expense of such new highway or the expense of improving, repairing, or maintaining such existing highway is too great to pay out of the road fund of the district (such that the Board may adopt a resolution to make such acquisition or do such work and charge the expense to the county general fund, the road fund of the county, or the district fund of any district benefited).
Streets and Highway	4/5	Sts. & Hwy. Code § 1627	Adopt a resolution that establishes a “county highway right of way acquisition revolving fund” for acquiring rights of way for county highway purposes through purchase or condemnation.

Mono County Board Rules of Procedure

Streets and Highway	4/5	Sts. & Hwy. Code §§ 1680, 1686	Adopt a resolution that determines that certain activities are of general county interest and that county aid may be extended to cities for city streets.
Streets and Highway	4/5	Sts. & Hwy. Code § 1700	Adopt a resolution that declares any highway lying in whole or in part within a city to be a county highway for one or more of the following purposes: acquisition of rights-of-way, construction, maintenance, improvement, or repair.
Tax	4/5	Gov. Code § 53724	Approve an ordinance or resolution that proposes a tax that is subject to approval by the voters pursuant to Government Code section 53722
Tax	4/5	Rev. & Tax. Code § 7285	Approve ordinance proposing a transactions and use tax for general purposes.
Tax	4/5	Rev. & Tax. Code § 7285.5	Adopt ordinance regarding a transactions and use tax for specific purposes.

Mono County Board Rules of Procedure

XIV. APPENDIX C. Request to place an Item on the Board's Agenda by the public or non-County entities

- a) The public or any non county entity (i.e. other governments, businesses, non-profits groups or other interest groups) are requested to contact the Clerk of the Board of Supervisors (760-932-5533 or 760-932-5538) for the date of the next available agenda. This information online at: <http://monocounty.ca.gov/bos>; click on **Meetings** link.
- b) A non-county individual or group seeking placement of an item on the Board of Supervisor's Agenda must have one of the Supervisors sponsor the item, and notify the Clerk of the Board with the name of Board Member sponsor.
- c) The following information is required via email to the Clerk of the Board of Supervisors before the item will be added to the agenda:
- *A brief description of the item to be discussed.*
 - *Is there a requested Board action, or is this item informational?*
 - *Is there a fiscal impact to the County?*
 - *Name of the person(s) who will be appearing before the Board to make the presentation.*
 - *The amount of time requested, including discussion and questions from the Board.*
 - *Preferred time of presentation, morning or afternoon.*
Morning is between 9:30-12:00 p.m.; afternoon is after 2:00 p.m.
- NOTE:** *An afternoon time may not be possible if the meeting will be finished before Noon.*
- *If the request is coming from an organization, please provide via email a cover memo on the organization's letterhead addressed to the Mono County Board of Supervisors describing in detail the request, expected Board action, and fiscal impact.*
 - *If handouts are to be provided or additional information at the Board meeting, you must provide this information via email to the Clerk of the Board of Supervisors. At least 20 copies for public distribution*
 - *If a PowerPoint presentation will be presented, please email it prior to the agenda deadline so it can be included in the Board's packet.*
- d) Upon request, the Clerk of the Board will provide a copy of a sample cover memo.



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

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): Stacey Simon, Leslie Chapman, and Dave Butters. 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:

<p>Click to download</p> <p>No Attachments Available</p>
--

History

Time

Who

Approval



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

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: Risk Manager.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
No Attachments Available

History

Time	Who	Approval
2/23/2016 1:05 PM	County Administrative Office	Yes
2/24/2016 3:38 PM	County Counsel	Yes
2/23/2016 12:09 PM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

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: Deputy County Counsel.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
No Attachments Available

History

Time	Who	Approval
2/23/2016 1:05 PM	County Administrative Office	Yes
2/24/2016 3:37 PM	County Counsel	Yes
2/23/2016 12:10 PM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE March 1, 2016

TIME REQUIRED

SUBJECT Afternoon Session

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

THE REGULAR SESSION WILL RECONVENE AFTER CLOSED SESSION IF NEEDED

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
No Attachments Available

History

Time

Who

Approval