



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 August 2, 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 the minutes of the Regular Meeting held on June 21, 2016.

B. Board Minutes

Departments: Clerk of the Board

Approve the minutes of the Regular Meeting held on July 5, 2016.

C. Board Minutes

Departments: Clerk of the Board

Approve the minutes of the Regular Meeting held on July 12, 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. Medi-Cal Safety and Security Agreement

Departments: Social Services

As a condition of administering Medi-Cal benefits the California Department of Health Care Services (DHCS) requires, in accordance with Federal Law, each County Department of Social Services to execute a Medi-Cal Privacy and Security Agreement. A new agreement to ensure the continued transmission of information between Mono County and the DHCS has been prepared and is ready for Board approval.

Recommended Action: Authorize Kathy Peterson, Director of Mono County Department of Social Services, to sign the Medi-Cal Privacy and Security

Agreement required by the State of California for the administration of Medi-Cal benefits.

Fiscal Impact: There is no fiscal impact to authorizing this agreement.

B. Treasury Oversight Committee Member Confirmation

Departments: Finance

Treasury Oversight Committee Member Appointment and Confirmation.

Recommended Action: Per Government Code section 27131(a) and Mono County Resolution No. R13-114, confirm Larry Johnston, Janet Dutcher, and Gerald Frank and appoint Shields Richardson as members of the Treasury Oversight Committee.

Fiscal Impact: None

C. Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 6/30/2016.

Recommended Action: Approve the Treasury Transaction Report for the month ending 6/30/2016.

Fiscal Impact: None.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. Letter from Ilene Mandelbaum re: Bears in June Lake

Departments: Clerk of the Board

Correspondence dated July 15 from Lee Vining resident Ilene Mandelbaum regarding her letter to the Editor of the Sheet concerning the bears in June Lake.

B. Agricultural Commissioner's Monthly Update

Departments: Clerk of the Board

July, 2016 update from the Agricultural Commissioner's Office.

C. Notice of Public Information Meeting for Pumice Valley Landfill

Departments: Clerk of the Board

Notice of Public Information Meeting for the Pumice Valley Landfill Permit Revision Application

9. REGULAR AGENDA - MORNING

A. CDBG Program Income Reuse Agreement

Departments: Finance, Community Development, Public Works and Mono First 5
PUBLIC HEARING - 10:00 A.M.

(Megan Mahaffey, Joe Blanchard, and Molly DesBaillets) - Public hearing regarding proposed CDBG Program Income Reuse Plan for Program Income in the amount of \$187,000 from the payoff of a First Time Homebuyer loan for property located in Crowley Lake.

Recommended Action: 1. Adopt proposed resolution approving Community Development Block Grant Program Income Reuse Plan with Jurisdiction certifications. 2. Adopt proposed resolution authorizing Leslie Chapman to sign as the authorized representative for submittal of a Supplemental Activity request for Parks/ Facilities and Child Care for the \$187,000 in grant funds.

Fiscal Impact: Increased funding of \$187,000 from CDBG Program Income as result of First Time Homebuyer Loan payoff and utilize this additional funding to supplement current CDBG projects.

B. Revised Solid Waste Facility Permit Application for Pumice Valley Landfill

Departments: Public Works, Solid Waste Division

30 minutes (10 minute presentation; 20 minute discussion)

(Tony Dublino) - Presentation by Tony Dublino regarding application for Revised Solid Waste Facility Permit for Pumice Valley Landfill.

Recommended Action: Review and ratify/approve Addendum to the 2005 Final EIR for the Pumice Valley Sanitary Landfill prepared in conjunction with submittal of a Revised Solid Waste Facility Permit for the Pumice Valley Landfill, and review and ratify application for revised Solid Waste Facility Permit. Provide any desired direction to staff.

Fiscal Impact: None.

C. MOU with Long Valley Fire Protection District Relating to Fire Response at Benton Crossing Landfill

Departments: Public Works, Solid Waste Division

10 minutes (5 minute presentation; 5 minute discussion)

(Tony Dublino) - Proposed MOU with Long Valley Fire Protection District pertaining to fire response services at Benton Crossing Landfill.

Recommended Action: Approve County entry into proposed MOU with Long Valley Fire Protection District and authorize CAO to execute said contract on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: No General Fund impact. Impact to Solid Waste would depend upon each fire incident.

D. Travel Policy Amendment

Departments: CAO

5 minutes (2 minute presentation; 3 minute discussion)

(Leslie Chapman) - Adopt proposed resolution #R16-___, Amending Sections 630 and 640 of the Mono County Personnel Rules Related to Travel Authorizations for Out-Of-County Travel.

Recommended Action: Adopt proposed resolution #R16-___, Amending Sections 630 and 640 of the Mono County Personnel Rules Related to Travel Authorizations for Out-Of-County Travel.

Fiscal Impact: The change is procedural only with no fiscal impact.

E. Quarterly Investment Report for the Quarter ending 6/30/2016

Departments: Finance

10 minutes (5 minute presentation; 5 minute discussion)

(Gerald Frank) - Quarterly Investment Report for the Quarter ending 6/30/2016.

Recommended Action: Review report, provide feedback, and address questions.

Fiscal Impact: None.

F. Post-Election Review

Departments: Elections

30 minutes (10 minute presentation; 20 minute discussion)

(Bob Musil) - Review of issues related to the June 7 Presidential Primary Election and proposed corrective measures.

Recommended Action: Provide any desired direction to staff.

Fiscal Impact: None.

G. Potential Jail Improvement Funding Opportunities and Proposed Request for Qualifications (RFQ) for Jail Architecture Services

Departments: Sheriff, County Counsel, Public Works

20 minutes (5 minute presentation; 15 minute discussion)

(Garrett Higerd) - Update on potential jail funding opportunities and the potential need for jail architecture services.

Recommended Action: Receive staff report and potentially direct staff to issue a Request for Qualifications for jail architectural services including a Needs

Assessment Study, assistance with grant applications, and preparation of plans and specifications. Evaluate and provide staff direction regarding appropriation and expenditure of funds for all anticipated scopes of proposed project.

Fiscal Impact: No fiscal impact at this time. An updated Jail Needs Assessment is expected to cost approximately \$100,000 and staff recommends that this amount be included in the 2016-2017 Capital Improvement Plan (CIP) budget. The full scope of jail architecture services will be further developed as a project is identified and takes shape, but may be substantial.

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 - Exposure to Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: One. Facts and circumstances: Sheep grazing on Conway Ranch.

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: Unknown.

THE AFTERNOON SESSION WILL RECONVENE AFTER CLOSED SESSION IF NECESSARY.

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 August 2, 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 the minutes of the Regular Meeting held on June 21, 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 6-21-16</p>
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History

Time	Who	Approval
7/27/2016 5:04 PM	County Administrative Office	Yes
7/26/2016 5:24 PM	County Counsel	Yes
7/26/2016 8:24 AM	Finance	Yes



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

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

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

**Regular Meeting
June 21, 2016**

Flash Drive	#portable
Minute Orders	M16-127 to M16-140
Resolutions	R16-48 to R16-50
Ordinance	ORD16-04 not used

9:04 AM Meeting Called to Order by Chairman Stump.

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

*Break: 9:48 a.m.
Reconvene: 10:00 a.m.
Break: 11:15 a.m.
Reconvene: 11:28 a.m.
Closed Session: 11:55 a.m.
Reconvene: 1:00 p.m.*

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>

Pledge of Allegiance led by Lynda Salcido.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Gary Myers:

Note

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

- CAO of Southern Mono Health Care District, giving an update on challenges in future for Bridgeport Family Medicine Clinic. There is an acute shortage of primary care providers in country; they have been utilizing mid-level providers. They are losing their most recent mid-level provider this week, another lost from Mammoth; very short staffed. Two new physicians will arrive this summer; average 6 months to replace a mid-level provider, and 9-12 months for primary providers. They will be hard pressed to keep the clinic open more than 2 days a week.
- The impact of AB109 has changed the scope of medical practice for inmates of Mono Co jail. Many of the inmates face challenges, and require more care than a mid-level provider can provide. Good news is they are committed to working with county to find solutions to continue service and provide for jail inmates.

John Peters:

- After last meeting, did some research on the clinic. How we can reach out to Bridgeport and greater area, serving tourists is one function of the clinic. "Social or economic communities of interest" in additional documents.

Leigh Gaasch:

- Brought a guide dog, Filbert. Has a favor to ask, if there is any way to educate public about guide dogs and about being responsible pet owners. We are pet friendly, but have rules and responsibilities. Restaurants and businesses are having a hard time.

2. APPROVAL OF MINUTES

A. Board Minutes

Approve minutes of the Special Joint Meeting held on May 17, 2016, as corrected.

Alpers moved; Corless seconded

Vote: 5 yes; 0 no

M16-127

Supervisor Corless:

- Page 5, her comment should read "ESCOG is sending a letter...".

Supervisor Johnston:

- Page 4, under Garrett Higerd's comment, it should read "flap" funding.

Supervisor Alpers:

- Page 3 under his comment, correct the spelling of Margie "DeRose".

Supervisor Stump:

- On all pages, requested that Councilmembers are referred to in the same form as Supervisors are.

B. Board Minutes

Approve the minutes of the Special Meeting held May 17, 2016.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-128

3. RECOGNITIONS

Note

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

A. Presentation of Appreciation in Recognition of Loran Kitts Retirement

Departments: Public Works - Road

(Jeff Walters) - Proposed resolution of appreciation for Loran Kitts.

Action: Approve proposed Resolution of Appreciation for Loran Kitts. Provide any desired direction to staff.

Stump moved; Corless seconded

Vote: 5 yes; 0 no

M16-129

Supervisor Stump:

- Read the resolution into the record.

Loran Kitts:

- It has been a pleasure to work with the best quality, most talented people and it's been easy to look good with a good crew.

B. Resolution of Appreciation for Brent Calloway

Departments: Community Development

(Scott Burns) - Approve and present Resolution of Appreciation to Brent Calloway

Action: Approve and present Resolution of Appreciation to Brent Calloway for his years of service to Mono County.

Corless moved; Fesko seconded

Vote: 5 yes; 0 no

M16-130

Supervisor Corless:

- Read the resolution into the record.

Brent Calloway:

- This has been a wonderful place to work, look forward to building a relationship between planning and the AG Commission; lots of common issues.

C. Resolution of Appreciation for Courtney Weiche

Departments: Community Development Department

(Scott Burns) - Resolution of Appreciation to Courtney Weiche

Action: Approve and present Resolution of Appreciation to Courtney Weiche for her years of service to Mono County

Fesko moved; Johnston seconded

Vote: 5 yes; 0 no

M16-131

Supervisor Fesko:

- Read the resolution into the record.

Supervisor Alpers:

- Thank you to Courtney, Brent and Scott and their work with the June Lake Community Advisory Committee. Courtney always attended meetings, came prepared, engaged

Note

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constituents, and had the trust of the communities. He has received many calls, letters, and emails regarding Courtney's performance. Best of luck.

4. **BOARD MEMBER REPORTS**

Suspended in the interest of time.

5. **COUNTY ADMINISTRATIVE OFFICE**

Leslie Chapman was absent.

6. **DEPARTMENT/COMMISSION REPORTS**

Sheriff Braun:

- Had a landline/911 outage throughout Mono and Inyo on Sunday, came back online early in the morning. It was a cut line down south, and we had no 911 availability. Code red needs to be extended to cell phones. Frontier said they had no control over this.

Supervisor Corless:

- Suggested a letter to Frontier and CPUC.

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. Medi-Cal Administrative Activities (MAA) Contract

Departments: Public Health

Proposed contract, 15-92037, with California Department of Health Care Services (DHCS) pertaining to Medi-Cal Administrative Activities (MAA). Term of contract is July 1, 2015 through June 30, 2018.

Action: Approve County entry into proposed contract and authorize Kim Bunn, Public Health Fiscal & Administrative Officer, to sign said contract on behalf of the County. Provide any desired direction to staff.

Alpers moved; Fesko seconded

Vote: 5 yes; 0 no

M16-132

B. Property Tax Software Maintenance Agreement

Departments: Finance

2016-17 Proposed contract and addendum with Megabyte Systems, Inc. for software maintenance and web services.

Action: Approve proposed contract and addendum with Megabyte Systems, Inc. for software maintenance and web services pertaining to the County property tax system not to exceed \$120,000.

Alpers moved; Fesko seconded

Note

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Vote: 5 yes; 0 no
M16-133

C. Mill Canyon Road Access

Departments: Public Works - Roads

Proposed contract with Gary Ashurst pertaining to Mill Canyon Road access.

Action: Approve County entry into proposed contract and authorize Public Works Director to execute said contract on behalf of the County. Provide any desired direction to staff.

Alpers moved; Fesko seconded

Vote: 5 yes; 0 no

M16-134

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. Letter from Shaun Filson re Kathy Delhay Memorial

Departments: CAO

Correspondence dated May 31, 2016 from Shaun Filson regarding a proposed Memorial for Kathy Delhay.

Action: Accept correspondence and direct staff to submit a policy item budget request for the 2016-17 fiscal year.

Supervisor Alpers:

- He has sympathy and empathy for what happened. Request is for the County to fund a bench. Major undertaking, would like to develop a policy on situations like this where something can be done in local media or parks. Doesn't want to open floodgates for things that happened in past.
- Request is worthy of consideration or response.

Supervisor Corless:

- Would like to add that the CAO look for opportunities for benches along Mammoth trails system.
- Limiting to town or county properties is more appropriate.

Board consensus to work with CAO

B. Governor's Proclamation Calling the General Election

Departments: Clerk of the Board

Correspondence dated June 13, 2016 from the Office of the Governor of the State of California, calling the General Election on Tuesday, November 8, 2016.

C. Range of Light Group

Note

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Departments: Clerk of the Board

Correspondence from the Range of Light Group, Toiyabe Chapter, Sierra Club regarding recently released DEIS (Draft Environmental Impact Statement) and Draft Land Management Plan.

9. **REGULAR AGENDA - MORNING**

A. **Housing Mitigation Ordinance**

Departments: Community Development Department

(Scott Burns, Megan Mahaffey) - Consider extending current Housing Mitigation Ordinance suspension.

Action: 1. Introduce, read title, and waive further reading of proposed ordinance amending section 15.40.170 of the Mono County Code, extending the temporary suspension of all housing mitigation requirements, and 2. Provide any desired direction to staff.

Fesko moved; Corless seconded

Vote: 4 yes; 1 no; Johnston

M16-135

Scott Burns:

- Recapped the staff report for the Board.
- Recommend to give extension

Supervisor Johnston:

- Believes there is a critical need for affordable housing, especially in Mammoth Lakes region. The way the ordinance is structured takes that into account. Not having an implementation tool is inconsistent with the housing element, we need to get ahead of this, have this on the books, as we come out of the housing crisis. Cannot support as stated because it does not address outlying areas such as June Lake.

Supervisor Corless:

- Cannot support another extension beyond today.

B. **Inmate Medical Services**

Departments: Sheriff

(Sheriff Ingrid Braun) - Sheriff Braun will give an update on the current status of Inmate Medical Services at the Mono County Jail in light of potential changes to hours and/or staffing levels at the Bridgeport Clinic and what efforts are being made to address the situation.

Action: None.

Sheriff Braun:

- Jail holds 48 inmates, average is 30; today it's at 27. Law requires us to provide medical care to inmates. Longer term inmates require more complex care. We are contracted with Mammoth Hospital through the Bridgeport clinic, on an as needed basis at the jail. Medic 1 is used if the clinic is not staffed. Law requires they receive medical care as requested. Southern Mono Health indicated to her they were no longer interested in providing medical care. A group has been formed within the County to work together to find a solution to meet

Note

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the needs of the County. Considered the possibility of hiring in-house medical care personnel, but would need supervision. Potential to contract with PA or RN, but still working with hospital at this time. We have the ability to transport to other facilities, even over state lines. Looking at a number of providers who may be able with the problem. No idea of fiscal impact at this time.

- Once someone is in custody, they are not eligible for Affordable Care Act. If they have private medical insurance, we can bill. Generally, they do not. AB109 does assist with medical funding. We are looking into the Inyo Co model.
- We will keep the Board updated as we move along or find a provider.
- We have already done a survey of other counties. On the other side of the Sierras, there is a company that would be happy to serve, but not because of our location.

Supervisor Johnston:

- With regard to the Affordable Care Act, why can't these inmates be enrolled and not cost the county?

Lynda Salcido:

- When someone is incarcerated, they are not eligible for Medi-Cal. It is a county cost.

Supervisor Stump:

- It is important to document how aggressively staff is pursuing this, to show what we're doing if questioned by an outside source.

C. Ballot Update & Request for Contingency Funds

Departments: Elections

(Bob Musil) - Update on new ballots for Mammoth Town Council election and request for contingency funds to pay for new ballots and associated costs.

Action: Authorize use of \$10,915 in contingency funds for unanticipated elections costs. Provide any desired direction to staff. A four-fifths vote is required.

Corless moved; Johnston seconded

Vote: 5 yes; 0 no

M16-136

Bob Musil:

- There was a mistake with ballots, told people to vote for 3 Town Council candidates; should have been 2. Letter was sent out to all Town of Mammoth. Found second error in sample ballot, left off argument in favor of measure G; sent another letter. Printed new ballots for Town election, then we sent 2nd ballot and paid for return postage. Advertised to educate citizens about errors.
- The additional \$3,500 additional set up cost had to do with the 2nd set of ballots, we had to treat that race as if it was a special election. Dominion has a minimum charge of \$3,500 to set up an election. Have not asked for a discount as per our contract with them.

Supervisor Corless:

- Need to have a session with a conversation on how to make sure this doesn't happen again, make improvements, make sure our elections process is as inclusive as it can be.

Janet Dutcher:

- Contingency fund balance before today \$23,535, approved \$10,915, leaves a balance of \$12,620.

The Board went into Closed Session at 11:55 a.m., continuing with the regular agenda when they reconvened at 1:00 p.m.

D. Stock Drive Realignment Project – 0.30 Acre Right-of-Way Acquisition

Note

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

Departments: Public Works - Engineering Division

(Garrett Higerd) - Acquisition of 0.30 acres of land for road right-of-way for the Stock Drive Realignment Project.

Action: Adopt resolution R16-48, replacing and superseding R16-31 which approved and authorized the Public Works Director to execute purchase agreement and accept and consent to recordation of a record of survey and deed for the acquisition of .30 acres of land from APN 08-111-12, necessary for the realignment of Stock Drive near Bryant Field in Bridgeport. Waive all associated fees.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

R16-48

Garrett Higerd:

- Owners of property requested changes not consistent with previously approved resolution. Wanted to take out requirement for title insurance, also warranty the legal description. Also to move around some finances and use \$7,000 of purchase price as deposit. Purchase price is not changing.

E. Tract Map 37-46, White Mountain Estates Phase II Final Map

Departments: Public Works - Planning

(Garrett Higerd) - Public hearing regarding creation of Zone of Benefit "D" for the Provision of Street Maintenance within White Mountain Estates Phase II, Tract No. 37-46. Approval of Tract Map 37-46 to subdivide a total of 76.81 acres into 45 single-family residential lots, utility parcels, and a remainder lot and establishment of Zone of Benefit "D." The site is about 10 miles north of Bishop on the east side of US Highway 6, at White Mountain Estates Road, adjacent to the existing White Mountain Estates subdivision.

Action: 1. Approve and authorize the Chair's signature on Resolution No. R16-50, "A Resolution of the Mono County Board of Supervisors Establishing within the Countywide County Service Area the White Mountain Estates Phase II, Tract No. 37-46, Zone of Benefit "D" for the Provision of Street Maintenance, and Allocating Program Costs to Parcels #1-45, and the Remainder Parcel, and to Incorporate Those Lots Within Tract No. 37-46 Into Said Zone of Benefit."

2. Approve the Final Map for Tract No. 37-46, White Mountain Estates – Phases 1 & 2 of Phase II, finding that all conditions of approval have been met, and authorize the Board Clerk's signature on said map certifying approval of such. 3. Reject on behalf of the public fee title offers of dedication for streets, drainage and utility purposes as shown on said map. 4. Reject on behalf of the public easements for drainage, slope maintenance, fire suppression, water well utility lines, water storage, access for ground water monitoring, and public access as shown on said map. 5. Direct the Public Works Director to file for recordation Tract Map 37-46 and a notarized copy of the Zone of Benefit Resolution in the office of the County Recorder.

Johnston moved; Corless seconded

Note

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Vote: 5 yes; 0 no

R16-50

Johnston moved; Corless seconded

Vote: 5 yes; 0 no

M16-137

Garrett Higerd:

- Addressed questions regarding Cal Fire. They had no jurisdiction over this project at the time.

Gerry LeFrancois:

- Did meet onsite with Cal Fire in November 2007.
- He found a letter from Cal Fire from 2005; 3 main points, 1 acre and larger maintain 30 foot setback, road signs shall comply with California regulations, and Fire Dept access and water supply shall be in compliance with Cal Fire codes.

Steve Kappos, for the developer:

- His client is the property owner, the only one who needs to be here for zone of benefit. Conditions have been satisfied, he deserves to be approved so he can move forward.

Public hearing open at 1:35.

No one spoke.

Public hearing closed.

Supervisor Johnston:

- When is the vote cast for the zone?
- Perseverance by this subdivider is remarkable; hopefully the project will go forward and be successful.

Garrett Higerd:

- Robert Stark filled out the vote for all 45 lots, he owns and voted for all the lots.

Supervisor Stump:

- Inyo requested to split into Tri Valley water, separate from Owens Valley water. Could affect this phase and phase 1, beyond the number of lots to be considered single family lots. Encouraged him to contact Bob Yerington. Our Community Development Dept is aware, but it's not our responsibility to step in and manage. State of CA will become water management agency of last resort.

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

No one spoke.

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

Note

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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: Verizon California, Inc. v. State Board of Equalization, *et al.*

C. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: EMS Chief.

D. 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.

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

No one spoke.

13. **REGULAR AGENDA - AFTERNOON**

A. **Stock Drive Realignment Project Grant Agreements**

Departments: Public Works - Engineering Division

(Garrett Higerd) - Federal and state grants to realign a section of Stock Drive to be further away from the end of the runway at Bryant Field in Bridgeport.

Action: Approve and authorize the Public Works Director (in consultation with County Counsel) to execute Federal Aviation Administration (FAA) Grant Agreement AIP 3-06-0030-010-2016 for the Stock Drive Realignment Project at Bryant Field with a maximum federal obligation of \$455,985.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-138

Approve and Authorize the Chairman's signature on Resolution No. 16-49, "A Resolution of the Mono County Board of Supervisors authorizing the submittal of an application, acceptance of allocation of fund, and execution of grant agreement with the California Department of Transportation for Airport Improvement Program (AIP) matching grants."

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

R16-49

Note

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B. Inyo Forest Plan Revision Workshop

Departments: Board of Supervisors

(Forest Plan Revision Team) - Presentation by Forest Plan Revision Team regarding the draft forest plans and draft environmental impact statement for the Inyo, Sequoia and Sierra National Forests.

Action: Conduct workshop. Provide any desired direction to staff.

Deb Schweizer:

- Went through her Powerpoint.
- Answered general questions from the Board as clarification.

Jon Regelbrugge:

- Legal designation of a wilderness, nothing currently in law to designate a lesser standard.

Public Comments:

Mark Drew:

- Criticality of Sierra Nevada as a whole, driving economies, all the way to Southern California. Encourages the board to step back, remove lenses of political world, find out what do we need to do to preserve the national resources. Restore the ecological integrity of our forests. Fire is a big issue. All recreational opportunities are threatened by fire. His focus is more on water, aquatic system. One area is being bold, in terms of aspirations for restoration goals. Also encourage more explicit linkage in how the management process ties back to proposed state water action plan. Monitoring plan element is a huge challenge for the forest. Many partners out there in support of what the forest is doing. Forest is challenges, multi-use mandate. Wants to encourage the forest and County to put down barriers and fences and come together.

Jora Fogg, Friends of Inyo:

- Presented a handout, now included in Additional Documents on the County Website.
- Clarification on Glass Mountains; originally over 17,000 acres, now just over 34,000 acres.

Fran Hunt:

- In initial stages of comment period. Focus today is on 2 topics: wilderness and fire. Wilderness is part of Eastern Sierra "brand". Considering new wilderness is critical: every 2.5 minutes, we lose a football field of open space. We have the open space other areas have lost, people are going to move here for that. We welcome the visits, but worry how we manage them.

Supervisor Johnston:

- Reflecting on Mark Drew's comments, wants to leave a legacy that's celebrated in National Parks. 100 years from now, hope to say we did something right. Mono County motto is "Wild by Nature". Without wilderness designations being included in alternative, that is concerning. Has been extremely beneficial for long term preservation of planet. Hopes to move in that direction. Also hopes to include additional wilderness areas. The trend is toward motorized transportation, the goal of forest is multiple use, but suggests that motorized transportation displaces all other uses. Feels the proliferation of motorized vehicles is to the long term detriment. Political aspect; with the wilderness designation of White Mountains, the wilderness ended at county line. Encourages forest service to please ignore county lines and political inputs. Once these places are lost, they are virtually unrestorable. We have lots of property we can develop, creating wilderness areas are a long term legacy.

Supervisor Fesko:

- Thank you for coming out for this. Appreciates public comments. Wants to go through information in more detail before making a judgement on it.

Supervisor Alpers:

- Thank you to everyone. Was on Board in 1988, simpler but longer process back then. We have opportunity to protect resources, to work our economic development platform by taking care of what we are, and what we have. Yosemite is in a sustainability study, more people

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coming through each year. Likes the idea of preparing a handbook on guidelines for the public.

Supervisor Corless:

- Very impressive presentations, thank you. Would like to see active engagement from the Board, until now we've left it to our staff, would like to see holding a workshop style session to focus on preferred alternative and what modifications we'd like to see on the preferred alternatives. August 25th is the comment deadline. Should target last meeting in July or first meeting in August.
- Will be counting on all groups and partners in formulating comments. Opportunities with RPACs. Sage grouse very important; trusts the Community Development Staff. Should be active in engaging the community fire protection. We've heard great support for wilderness designation, sustainable recreation and partnerships. Would like to see working through Eastern Sierra Council of Governments to craft comments, take a regional focus around recreation.

C. Outdoor Recreation and the Economy

Departments: CAO

(John Wentworth) - Presentation by John Wentworth, Town Council Member regarding Outdoor Recreation and the economy

Action: Hear presentation and provide feedback.

John Wentworth:

- Went through his Powerpoint.
- Our voices need to be heard. He is looking forward to working with ESCOG.

Supervisor Johnston:

- The effort is appreciated. Has seen presentation before, glad information about Federal funding was added in. Moving forward, need to collaborate and push the federal government.

Supervisor Corless:

- President Obama visited Yosemite last week. Talked about the outdoor recreation economy, and the need for kids to connect to nature. As we go into budget season, how does Mono County engage? We have great trails' planning efforts, great staff, how do we make this happen? Need as a county to invest. Would like to see us work with Town of Mammoth Lakes. Need to find a revenue source for this kind of work.

Supervisor Alpers:

- It's about sustainability and the economy of the County.

Jora Fogg:

- What is the Board planning to do about the lack of planners? District 3 voters. Needs planners on the ground to carry out projects. Thinks she's seeing restructuring and not rehiring, wants the board to think about that. **Supervisor Stump:**
- Departments are invited to present ideas for restructuring their department before the Board; the Board is aware of the problem. The workshop will be July 5.

D. Motion to Reconsider RCRC Board Reassignment

Departments: Board of Supervisors

(Supervisor Corless) - Motion to Reconsider item 9.H. from May 10, 2016 Board agenda: Potential Reassignment of Board Member(s) to the Rural County Representatives of California (RCRC).

Note

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Action: Motion to reconsider item 9.H from May 10, 2016: Board decision against reassignment of County's representative to the Rural County Representatives of California (RCRC).

Corless moved; Alpers seconded

Vote: 4 yes; 1 no: Fesko

M16-139

2. If motion passes, consider and possibly take one of the following actions:
Assign other Supervisors to both primary and alternate appointments: making Supervisor Alpers the primary representative to RCRC and Supervisor Corless the alternate.

Corless moved; Alpers seconded

Vote: 4 yes; 1 no; Fesko

M16-140

For information regarding this discussion, please refer to the video available on the Board of Supervisor's website.

ADJOURN at 2:46 p.m. in memory of Herb Benham

ATTEST

FRED STUMP
CHAIRMAN

HELEN NUNN
SR. DEPUTY CLERK

Note

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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 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 the minutes of the Regular Meeting held on July 5, 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 7-5-16</p>

History

Time	Who	Approval
7/27/2016 5:03 PM	County Administrative Office	Yes
7/26/2016 5:25 PM	County Counsel	Yes
7/26/2016 8:24 AM	Finance	Yes



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

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

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

**Regular Meeting
July 5, 2016**

Flash Drive	#portable
Minute Orders	M16-141 to M16-146
Resolutions	R16-51
Ordinance	ORD16-04 & 16-05

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

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

*Break: 10:37 a.m.
Reconvene: 10:48 a.m.
Closed Session: 12:12 p.m.
Reconvene: 1:00 p.m.
Back to Closed Session: 3:32 p.m.*

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>

Pledge of Allegiance led by Kathy Peterson.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Max Symonds:

- Regarding the Conway ranch and sheep grazing, in 150 years, there has not been one documented case of disease transmission. Finds it disheartening that the County would consider listening to Fish and Wildlife. They are using words that allow them to get into private lands. Encourages the Board to not allow Fish and Wildlife to tell the Board how to

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run the county. She does not want to see the sheep or the cattle go away.

John Wentworth:

- On behalf of Eastern Sierra Recreation Collaborative. Several meetings coming up: July 11 at 6 pm at June Lake Community Center, focusing on draft alternatives on Forest Service plan. July 18 in Bishop, then July 25th in Lone Pine. Meetings will be touching on vast geography and how it relates to the Forest Service plan update.

2. APPROVAL OF MINUTES

A. Board Minutes

Approve minutes of the Regular Meeting held on June 7, 2016.

Fesko moved; Corless seconded

Vote: 5 yes; 0 no

M16-141

B. Board Minutes

Approve minutes of the Regular Meeting held on June 14, 2016, as corrected.

Corless moved; Johnston seconded

Vote: 4 yes; 0 no; 1 abstain: Fesko

M16-142

Supervisor Johnston:

- Please correct the spelling in his Board report on page 3 to "patina".

3. RECOGNITIONS

A. Resolution of Appreciation for Sandi Rustan

Departments: Clerk of the Board

Proposed Resolution of Appreciation for Sandi Rustan.

Action: Adopt proposed resolution of Appreciation for Sandi Rustan.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-143

Supervisor Fesko:

- Read the resolution in the record.

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- 6/15 - Attended the Eastern Sierra Agency on Aging as a substitute for Supervisor Fesko. It was a very short meeting with election of officers and approval of the 2016-17 budget.
- 6/17 - Led a tour of the Conway Ranch on behalf of the Mono Basin Chautauqua event. Attended the dinner that evening hosted by the Mono Lake Committee. Chautauqua event registration topped 375 participants. A big Thank You to David and Linda Dore for another fantastic dinner at the Lee Vining Community Center.
- 6/22 - Attended the RCRC Board of Directors Meeting held at RCRC Headquarters Board

Note

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Room in the Esquire Building in Sacramento. Justin Caporusso, RCRC Director of Public Affairs, has created a short and comprehensive executive summary of the Board meeting that is attached to the Board report. The summary has backup material that supports each agenda item. I will adding my comments to the agenda items as they affect Mono County.

- San Diego County Supervisor Greg Cox made a Board appearance seeking RCRC support for his candidacy for NACO Second Vice-Chair. Supervisor Cox has served 5 terms on the SD County Board and is currently in his 21st years as a Supervisor. His platform consists of:
 - Securing rural schools and making all schools a safe place
 - Veterans Affairs & Homelessness, he stated that 20% of San Diego's homeless population are veterans.
 - State PILT. He stated that SD County is a PILT County consisting of 54% government ownership.
 - Economic and Workforce Development.
 - 211 Call Center. He stressed the importance of extending 211 non-emergency call centers throughout California, especially in rural counties. He explained the importance the 211 call center played during the recent SD fires, tending to all health and human services communication and information.
- Supervisor Cox is IN competition with a County Commissioner from Cook County, Illinois, in which the city of Chicago resides. He currently has the support of the State of Texas County Commissioners Association and CSAC. The RCRC Board of Directors voted unanimously to support in general Supervisor Cox's candidacy. However, each County must vote individually to validate his candidacy. As of the date of this RCRC Board meeting, he has the individual support of 46 of California's 58 counties. As our NACO delegate, Supervisor Corless must carry the 2016 NACO Credentials Voting Form to the Conference in Long Beach, Calif., later this month to solidify Mono County's support for Supervisor Cox.
- The most important issue discussed was statewide tree mortality and fire prevention. Currently, there are 10 high-hazard counties identified. Statewide, trees are dying faster than government can react. The USFS, through satellite imagery and drone observation, submitted to RCRC that there are 55 million dead trees on the west side of the Sierra. On 6/24, I confirmed this number with Deb Schweitzer, INF Public Information Officer. She indicated to me that the count was in excess of 66 million. Funds in the State Budget for tree mortality mitigation equal \$11 million which includes \$6 million for local government and \$5 million for Cal Fire. There is no money available for private land owners.
- Other items on the Board of Directors Agenda included:
 - -The President's Report by Greg Norton.
 - -RCRC Government Affairs Report including a 2016-17 State Budget update.
 - -RCRC Regulatory Committee Report an Environmental Services Joint Powers update, Surface Mining and Reclamation Act reform, BLM Resource Management Planning Regulations, and CDFW Lake and Streambed Alteration Fee update.
 - -RCRC Water and Natural Resources Committee Report on Groundwater Sustainability Plan Emergency Regulations.
 - -RCRC Legislative Committee providing a State and Federal Legislative update.
- All of these reported agenda items can be further investigated by referring to the backup material provided in the Executive Summary.
- 6/23 - Upon arriving home from Sacramento, We were immediately evacuated from our home due to the fast-moving Marina Fire. Pam and I want to thank the first responders from the bottom of our hearts for saving our home along with the residence of Rick and Bonnie Noles and Tim Hansen's Brine Shrimp Plant. The entire IC team from top to bottom performed in magnificent fashion in overcoming the flames and minimizing damage. Our local fire Depts. performed well within the team. I especially want to thank the Mono City FD and Volunteers for the self-discipline displayed during the fire. They stayed home to protect their community when the urge to help out at the fire was almost overwhelming! Congratulations and a HUGE thank you to all involved.
- 6/27 - Met with Sheriff Braun at the JL Substation to discuss the potential partial conversion of

Note

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this building to a visitor center and home base for the JL Historical Society. Sheriff Braun and I will be meeting with the JL Historical Society Board of Directors of the summer to get a clear plan to present to the BOS. Stay tuned on this one as there are some exciting educational and interpretive ideas evolving.

- 6/29 - Attended the rescheduled ESTA Board meeting held at the Bishop City Council Chambers. The Board approved the 2016-17 Budget much to the relief of ED John Helm! A quorum attended and 2016 work was completed and timelines met.

Supervisor Corless:

- Town County Liaison 6/16: update on solid waste flow agreement, should be coming to council/board in coming weeks, planning another joint meeting for fall.
- ESCOG: 6/17: updates on recreation planning, airport—will likely be holding a special meeting later this month with FAA representatives and to approve forest plan comments from the COG
- Mammoth Half Marathon 6/19: joined 1,000 plus runners in a great event. County well represented—county counsel (x2), public health, behavioral health, among other departments.
- 6/21: Met with representatives from Berchtesgaden National Park in Germany to welcome the team to Mono County.
- 6/29: Community Corrections Partnership—budget allocation approval, have asked for reports to our board regarding a few other items.
- 6/30: R.E.D. Collaborative, continuing effort to create programs for youth who are diverted from juvenile justice system in Mono County.
- 7/2: Huge thanks to Mammoth Lakes Fire Dept. for the quick, successful response to a small brush fire in Old Mammoth—as they say, never let a good crisis go to waste, feel it would be the right time to hold a wildfire awareness/preparation meeting in my district, will be talking to MLFD further about this idea.
- Amazing holiday weekend in Mammoth—in the parade, Supervisor Johnston and family brought the millennium falcon to town from a galaxy far, far away much to the delight of the crowd.

Supervisor Fesko:

- June 13 – 18 On behalf of the Northern Mono Chamber of Commerce, they would like to thank the County for their support in the 9th Annual Eastern Sierra Jamboree. Special thanks go out to Brett McCurry for his help and all of the other Public Works staff to help make this event the best and most successful event in its history!
- July 2 Special thanks to the BP Fire Department for dealing with a burning tree due to lightning.
- July 3 I attended the Twin Lakes Property Owners Association annual meeting and discussed the County's current fiscal position, Paramedics, Bodie Road, County employees, Memorial Hall renovations and much more. There were several questions and concerns regarding the excessive speed on Upper Twin Lakes Road. The Sheriff has been made aware of these concerns.
- July 4 I, along with a group of the Eastern Sierra Ridge Riders, participated in the Bridgeport 4th of July parade. Another successful July 4th celebration in historic Bridgeport. Thanks to the County for their continued support of this historic event and the Public Works crew for their help. There were over 40 groups participating in the parade this year! The vendors reported huge crowds and strong sales.

Supervisor Johnston:

- Attended an ESCOG meeting in Bishop on June 17th. Updates on Inyo Forest update and a presentation from John Wentworth regarding recreation.
- Mammoth Lakes Housing meeting on June 22nd. Discussion and findings about the Shady Rest parcel potential of affordable housing.
- Attended the IMACA meeting on June 23rd and approved submission of grant funding for potential homeless assistance.
- Participated in the Mammoth Lakes July 4th parade.

Supervisor Stump:

- 6-15 - Attended the Eastern Sierra Area Agency on Aging meeting. Mono's allocation is up

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- about \$20,000 over last year.
- 6-16 - Attended the Town / County Liaison meeting. County and Town seem close on a Solid Waste Flow Agreement.
- 6-17 - Attended a 2014 Groundwater Law Workshop with Bob Harrington of Inyo County, Marion Dunn and Carol Ann Mitchell of the Tri Valley Water Commission, and Lisa Beutler of MWH Consulting Services. Ms. Beutler is a facilitator paid for by the Department of Water Resources and she is preparing a report of local circumstances and capabilities to comply with the 2014 Water Law mandates. Report is not out yet. DWR is going to deny the request to split the Tri Valley portion of that Water Basin off from the Owens Valley. Fish Slough will be included in the Basin. The facilitator made the point that the 2014 Water Law was not written for areas like the Tri Valley but intended to address problems on the West Side of the Sierra however it still applies. The potential for costs and fees being placed on Tri Valley farmers could significantly change the face of agriculture in the Tri Valley if not eliminate it. The consequences for the County if that happens could also be serious. Imagine if Mammoth Mountain had the water usage rules changed for snow making that escalated the cost of making snow to the point that the business had to question if it could be supported by lift ticket price increases. The farmers could face a similar reality.
- 6-23 - Attended a Health Care needs assessment at Mammoth Hospital. Mammoth Hospital is claiming the entire County as a sphere of influence for services. They have some work to do if they are going to make that a reality. Workshop generated some good ideas for the Hospital District to consider.
- 6-25 - Attended the joint fundraiser for Wheeler Crest and Paradise Fire Departments. I was asked by many if Cal Fire had released the Round Fire Investigation Report and Fire Report. I contacted Cal Fire and was told to submit a Public Records Act Request. Thank you to Christy Milovich of the County Counsel's Office who put that together last week and sent it out.
- 6-29 - Met with a representative of the Tri Valley Farmers to discuss the 2014 Water Law. He reinforced that any imposed management plan that is too onerous fiscally is beyond the capacity of the farmers there.

5. COUNTY ADMINISTRATIVE OFFICE

Leslie Chapman:

- Last few weeks she was on vacation. Rode 1,700 miles on their motorcycles.
- Lynda Salcido will give a report when she's done, she stood in as CAO while she was on vacation. Lynda took care of the county during the Marina Fire, many thanks for that.
- The Budget is nearly completed, working closely with Janet Dutcher in Finance. Tomorrow night is the first in a series of public budget workshops.
- Fiscal year end has passed, beginning to look at fund balances.
- First time attending CCP meeting, adopting their budget. Will bring that budget before the Board, and that will help further refine the county budget.
- Re: the Conway Ranch item, got information from Tony Dublino. Should be before the board on July 19 or Aug 2.
- Working with John Helm on getting an ESTA update.

Lynda Salcido:

- Was happy to step up and cover for Leslie. During this time, the Marina Fire broke out in Lee Vining. Gave a general overview of the steps she took to help manage the fire and the help the fire crews involved.

6. DEPARTMENT/COMMISSION REPORTS

Sheriff Braun:

- Gave general update on current condition of the Marina Fire. Thank you to all the people involved for a great effort.

Note

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Janet Dutcher:

- Busy in finance. Held a workshop for fiscal staff, trainings every quarter.
- Community meetings for the benefit of the public. Advertising these community meetings to get the word out. Tomorrow night is the first meetings 6-8 pm in Annex 3. Lee Vining/June Lake, then the next day, Antelope Valley, then in the Tri Valley at Benton Community Center, 3 nights in a row. Next week on the 19th held in Mammoth Lakes Board chambers. Last meeting on 21st for Crowley, Paradise, and Swall communities at Crowley lake Community Center.
- Audits every 5-7 years through the State controller's office, these audits have been delayed before, but are now in full force. Property tax audit right now, court fines and fees 2nd week in August. These audits take 4-7 weeks.
- Has received the roll from the assessor. Next step is to hand it over to the tax collector.
- CSAC flyer, governor has signed the 16-17 budget. Restrain spending, create reserves, \$270m jail construction grant, good news for Mono Co. At least \$50m to address fire safety and tree mortality. \$200m for No Place Like Home, redirecting monies to address homelessness and mental illness.

Barry Beck:

- Quick update on the roll. Completed the roll on June 22nd, 8 days ahead of deadline. Complements his staff, less staffing than this time last year. Of the 1,700 parcels, 4,427 are still on Prop 8 reduced tax status. Unsecured roll is at \$4.755m, increased due to CPI. Secured roll increased to mostly due to CPI factor. \$142,389,731. Swall Meadows should increase due to construction. 3rd highest roll in Mono history.
- Had been recruiting for Asst Assessor, candidate has accepted offer, tentative August 8 start date. Candidate chosen was Aimee Brewster, former Asst Assessor. Welcoming her back in August.
- May 24th counter offer to Ormat, very close to an agreement through 2013. Their legal counsel is on vacation, may be able to meet in August.
- MMSA, still waiting on the final product.

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. 2016 Annual Law Enforcement Operating Plan between Mono County and Inyo National Forest

Pulled by Supervisor Corless

Departments: Sheriff

This annual agreement between the Mono County Sheriff's Office and the Inyo National Forest supports operations to suppress manufacturing and trafficking of controlled substances on or affecting the administration of National Forest System lands, with an emphasis on identification, apprehension and prosecution of suspects engaged in said activities. This agreement is for the 2016 period of October 1, 2015 through September 30, 2016.

Action: Approve and authorize the Chair to sign the cooperative law enforcement agreement between the Mono County Sheriff's Office and the USDA Forest Service, Inyo National Forest for the 2016 Controlled Substance Annual Operating and Financial Plan.

Corless moved; Alpers seconded

Vote: 5 yes; 0 no

Note

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M16-144

Supervisor Corless:

- Do we have an agreement for Law Enforcement activities for other things than the forest?

Sheriff Braun:

- This is so we can support them. There is a mutual aid agreement in place.

B. Department of Health Care Services (DHCS) Mental Health Services Fiscal Year (FY) 2016-17 Performance Contract between DHCS and Mono County Behavioral Health

Departments: Behavioral Health

Proposed contract with California State Department of Healthcare Services pertaining to Fiscal Year (FY) 2016-17 Performance Contract between DHCS and Mono County Behavioral Health.

Action: Approve County entry into proposed contract and authorize Behavioral Health Director to execute said contract on behalf of the County.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-145

C. Employment of Robert Rooks as Temporary EMS Chief

Pulled by Supervisor Stump.

Departments: EMS

Proposed resolution approving temporary employment contract with Robert Rooks and prescribing the compensation, appointment and conditions of said employment.

Action: Approve Resolution #R16-51, approving a contract with Robert Rooks as Temporary EMS Chief, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Alpers moved; Corless seconded

Vote: 5 yes; 0 no

R16-51

Lynda Salcido:

- We've been talking to Bob Rooks for an interim plan to get us to the next step. He is retired from Mammoth Fire, and he has agreed to work on a temporary schedule. The cost of this position is substantially less than the other position proposed several weeks ago. Rob DeForrest is staying on as well.

Bob Rooks:

- One recommendation from ad hoc committee was to stabilize management. This is a good interim step. Will take a team effort. Changes will be needed, employees will need to adapt. The committee's recommendations have not been fully vetted, but we have a good starting point between the three reports: Fitch, Abaris, and ad hoc. Need direction from board, but 3 things to do in short term, longer list for long term. Move from public health to a countywide EMS program. Give support to the 11 fire districts. Budget itself, now at a point where 90%

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is wages and benefits, can't move forward like that. Need to balance better near 80/20 or 75/25. Potential MOU changes that would result in changes. Reorganization within the management team. Thinks it's all achievable, but we have to all work together to make it happen.

Kevin Smith:

- Speaking on his own behalf, not for the Association. Gives his personal support for Bob. Has worked with him before, thinks he would be a good step for the program and would be a good link between the staff and the Board.

Supervisor Fesko:

- After being on the ad hoc EMS committee, has been a supporter of county wide EMS system. Some of the ideas that came out of the committee would be to serve areas at the cost of another area. Will not support any cuts in those two areas to further this along.

Supervisor Stump:

- Supports this going forward, aware of issues Supervisor Fesko referenced. Would be nice to accommodate his statement, will point out the two largest communities are Crowley and Chalfant, but there is no EMS presence in that district. Need to keep service where it is, but also serve these portions of the county that have been unserved.

D. Kern, Inyo, Mono Counties Workforce MOU

Departments: Social Services

Approval of Memorandum of Understanding with Kern, Inyo and Mono Counties Workforce Development Board for the WIOA Program

Action: Approve the Memorandum of Understanding (MOU) between and among Kern, Inyo and Mono Counties Workforce Development Board outlining service delivery under the federal Workforce Innovation and Opportunities Act (WIOA), for the period July 1, 2016 through June 30, 2019, and authorize Kathy Peterson, Director of Social Services, to sign the MOU on behalf of the Board of Supervisors. Provide any desired direction to staff.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-146

E. Highway 108 Truck Restriction

Departments: Community Development

Proposed ordinance recommending prohibition of large trucks on State Route 108.

Action: Finding that the action is exempt from CEQA, adopt Ordinance ORD16-04, recommending prohibition of trucks exceeding 38 feet kingpin-to-rear axle (KPRA) on State Route (SR) 108 from the Mono/Tuolumne County line, postmile (PM) 0.0, to the winter closure gate at PM 9.8.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

ORD16-04

F. Housing Mitigation Ordinance Suspension

Departments: Community Development

Note

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Ordinance extending suspension of housing mitigation requirements until January 15, 2018.

Action: Adopt Ordinance ORD 16-05, amending section 15.40.170 of the Mono County Code, to extend the temporary suspension of all housing mitigation requirements.

Fesko moved; Alpers seconded

Vote: 4 yes; 1 no: Johnston

ORD16-05

8. CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

A. **Comments on the April 2016 Draft Conway Ranch Strategic Facility Plan**

Departments: Clerk of the Board

Correspondence dated June 17, 2016 from the United States Department of the Interior, regarding Comments on the April 2016 Draft Conway Ranch Strategic Facility Plan.

9. REGULAR AGENDA - MORNING

A. **Strategic Plan Update**

Departments: CAO/Finance

(Megan Mahaffey) - Mono County Strategic Plan Update

Action: Accept an update on the Mono County Strategic Plan, including Focus Areas for the 2016-2017 budget cycle and provide direction.

Megan Mahaffey:

- Went through her power point presentation, as outlined in the staff report and attachments to the agenda item.

Leslie Chapman:

- Since March, each department has been working toward achieving the Board's focus areas and goals. Today is a good time to refine some focus areas if needed.
- As with any software implementation, there are obstacles to overcome.

Supervisor Stump:

- In focus areas, Innoprise software is negatively impacting building permit issues. Work is taking more staff time. The number 1 complaint is the staff time it's taking.
- Concerned about fees for irrigation, agrees with focus areas, but wonders if state actions are stripping us of our abilities in some of these areas, especially in areas where field crops are grown. If agriculture disappears, it will have a huge impact.

Supervisor Corless:

- It's important to keep the background (of the planning process). The team may want to make sure nothing was missed during the meetings.

Note

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

B. Presentation of Election Results

Departments: Elections

(Bob Musil) - Presentation of the results of the June 7, 2016 Presidential Primary Election and the June 7, 2016 Mammoth Lakes Town Council Election.

Action: No action necessary. Informational presentation only.

Bob Musil:

- Pursuant to elections code, we have completed our canvass and submitted those results to the state. In the Presidential race, Trump winner for Republican, and Sanders is the Democratic nominee in Mono, though Clinton won the state. For the Senate, the top two advance to November: Harris and Sanchez. Stump ran unopposed in District 2. In District 3, Bob Gardner also ran unopposed. Will be bringing back to Board for official appointments for these and judge. District 4 supervisor, 3 candidates ran. Fesko received 299 votes, Tems 109 votes, and Peters 364 votes. None of 3 received majority, so it goes to runoff between Fesko and Peters in November. Measure G passed, and Hoff and Sauser have been elected to Town Council. Results have been forwarded to Town.
- Numbers (for district areas) are based on population, not on how many registered voters there are. The next census in 2020 may change population numbers and district boundaries would need to come back to the Board at that time.

Supervisor Stump:

- Finds it interesting that district population numbers are not within 10 percent of each other. Should District 2 be changed?

C. Workshop for Departments Requesting Organizational Restructure

Departments: CAO, Finance

(Leslie Chapman) - Departmental Reorganization Workshop

Action: Conduct workshop including presentations by each department including discussion of rationale, positioning for the future and how restructuring furthers the principles of the strategic plan. Provide feedback and direction.

Leslie Chapman:

- This is exciting because everyone sees the need to upgrade their department or processes. This is the first step in modernizing and being prepared for the future. This addresses the strategic plan goal of making Mono the best place to work. It's about building the strength of the organization to meet new business needs. Some depts. have not had changes in 20 years. Other depts. have inequities between positions. There have been vacant positions, dept heads have looked at ways at shifting things around to reorganize before refilling those positions.
- Employees have had 5 years without steps or pay increases, they are amazing experts in their field, and she has learned a lot from them. Wants to bring back to Board incrementally, those departments that don't have a general fund impact for resolution. Some will require a budget change. All have been very well thought out.

Several department heads went over through their staff reports for the Board. No changes are taking place at this time, this was an introduction to the Board as to the direction that each department wishes to move in.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Note

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

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: County Counsel.

C. Closed Session - Workers Compensation Claim

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Worker's compensation claim of Barbara Fritsch.

D. 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.

THE REGULAR AGENDA WILL RECONVENE AFTER CLOSED SESSION IF NECESSARY

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

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Note

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

ADJOURN at 3:44 p.m.

ATTEST

FRED STUMP
CHAIRMAN

HELEN NUNN
SR. DEPUTY CLERK



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 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 the minutes of the Regular Meeting held on July 12, 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 7-12-16](#)

History

Time	Who	Approval
7/27/2016 5:09 PM	County Administrative Office	Yes
7/27/2016 6:20 PM	County Counsel	Yes
7/27/2016 10:28 AM	Finance	Yes



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

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

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

**Regular Meeting
July 12, 2016**

Flash Drive	#
Minute Orders	M16-147 to M16-153
Resolutions	R16-52
Ordinance	ORD16-06 NOT USED

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

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

*Break: 10:37 a.m.
Reconvene: 10:49 a.m.
Closed Session: p.m.
Reconvene: p.m.*

**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>**

Pledge of Allegiance led by Liz O'Sullivan.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

John Peters:

- There is concern about the current status of the Clinic and its hours. Most are aware of a change to a 2-day week service, but there has been no outreach to the community to let them know what to expect. Asking the Board please look into it, and see if at a minimum, the community can be notified of what's happening.

Leslie Chapman:

- Understands the hospital is going to send out a letter.

Note

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Liz O'Sullivan, Paradise Estates:

- Disturbed over the information discovered on Friday about the EPA's proposed rule change to the Clean Air act. Feels this change is a negative impact to our health and welfare. If we allow this proposed rule to go forward, they are trying to remove restrictions on wildland fires, wildland fires for management purposes, and restrictive burning. There has to be a better way. Great opportunity for Mono Co to protect our economy, tourism, and health and welfare. Asking Board to weigh in this very serious issue in a thoughtful manner.

Supervisor Stump:

- There is a Great Basin Air Pollution Control meeting tomorrow in Markleeville.

2. APPROVAL OF MINUTES - NONE

3. RECOGNITIONS

A. Resolution of Appreciation for Jerry Mosley's Retirement

Departments: Public Works - Road

Proposed resolution of appreciation for Jerry Mosley.

Action: Approve proposed resolution of appreciation for Jerry Mosley. Provide any desired direction to staff.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-147

Jerry VandeBrake:

- Read the resolution into the record.

Jerry Mosley:

- Thank you to everyone, he appreciates the recognition.

4. BOARD MEMBER REPORTS

Supervisor Alpers:

- 7/5 - Attended the JLCAC meeting held at the JLCC. There was not a quorum, so there could be no votes. USFS Deb Schweitzer updated the community on the FS Plan update. Caltrans addressed community concerns regards dead trees next to Hwy 158 around the JL Loop. Jill Stark reported on a very successful June Lake Trails work day. Community Center Improvements discussion centered around new windows on order for the upstairs kitchen/conference room.
- 7/6 - Met with Paul McCahon of the JLFD and toured a potential emergency egress road for the Peterson Tract. A suitable route was identified so the issue will be developed for the affected resident to consider.
- 6/7 - Met with the JL Historical society at the JLCC. We received a budget update from Secretary Patti Heinrich. The potential use of the JL Sheriff Substation as a visitor center and headquarters for the Historical Society was discussed. The next step is for the Society to meet with Sheriff Braun and work out details for future use.
- 6/7 - Attended the 20th Anniversary celebration for the Whoa Nellie Deli in Lee Vining. Other than crowds at Mammoth & June Ski Areas, this was the largest assemblage of people I have ever witnessed in Mono County. I gave a short speech acknowledging the Domaille Family's successful timeline and service to the recreating public. Thousands were served that day

Note

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without a glitch.

- 6/9 - Although I did not attend, the JL Triathlon was another huge success. Only 1 injury was reported as a rider fell in the Yost Creek trailhead area. He was removed to Mammoth Hospital to check for concussion. Event organizer Alana Levin will be at our BOS meeting next week in Mammoth to report during public comment.
- Last night, we had the public budget meeting in Lee Vining. There was a great Power Point presentation, even though few public members attended. Thank you to County staff for the presentation.
- CalTrans will be starting immediately on some emergency measures with regard to the Marina Fire including drainage, erosion mitigation.

Supervisor Corless:

- Hiking on JMT: spent latter part of last week in Sierra backcountry, lots of hikers; brief (impromptu) meeting with Sen. Boxer's state director Tom Bohigian.
- 7/11: Eastern Sierra Recreation Collaborative meeting at June Lake Community Center, talking about recreation issues involved in Inyo National Forest management plan revision, assembling comments focused on recreation ahead of August 25 comment deadline.

Supervisor Fesko:

- July 6, 2016 - Attended the Mono County Community Budget Meeting in Bridgeport. Staff did a great job presenting an overall view of our budget process. Great questions from those in attendance.
- July 7, 2016 - Attended the Antelope Valley RPAC. Good discussion between the RPAC members and public. Currently discussing future phases and ideas to the Mountain Gate Park.
- July 9, 2016 - Happy 65th wedding anniversary to Fred and Jean Harris.
- July 11, 2016 - Meet with the Friends of the Inyo to discuss the current Inyo Forest plan.

Supervisor Johnston:

- Noted budget meetings (previously mentioned by other board members); the one in Mammoth Lakes will be held on July 19th at 6 pm.
- There will be an IMACA meeting on July 28th.
- Also, there is a CSAC phone conference to develop CSAC's position on ballot. Propositions 64, 65 and 67 relating to marijuana and the plastic bag ban.
- Spent a lot of time in the clean up from the 4th of July parade.

Supervisor Stump:

- Between 7-6 and 7-9 I worked on Groundwater Law issues. I have requested an agenda item through Scott Burns in the near future to discuss this further.

5. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

Leslie Chapman:

- Very busy last week. Continuing with budget meetings with department heads to understand how each individual budget fits in with the big picture. The public budget meetings have not been well attended, but we're expecting a good turnout tonight in Antelope Valley.
- Had some good advertising in the paper, thank you for using your email lists to reach constituents about the events.
- Attended the first IT in-service day. Discussed county interaction, how important it is to get IT on the front end of contracts,
- Met with Kathy Peterson, Social Service is in middle of implementation plan of continuum of care reform. Trying to understand changes and offer support.

6. DEPARTMENT/COMMISSION REPORTS

Jeff Walters:

Note

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- Had a conversation with the Forest Service regarding the Marina Fire. His crew will be meeting to discuss how to help mitigate significant issues with the roads.

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. **California Department of Public Health (CDPH) Office of AIDS (OA) HIV Care Program Agreement #15-11064 for FY 2016-19**

Departments: Health Department

Proposed agreement with the California Department of Public Health (CDPH) Office of AIDS (OA) pertaining to the HIV Care Program for the 3 year contract period of April 1, 2016 to March 31, 2019.

Action: Approve County entry into proposed agreement #15-11064 for the amount of \$115,981 and authorize the Director of Public Health to execute said contract on behalf of the County. Additionally, authorize the Public Health Director to sign any contract amendments during the 3 year contract period from April 1, 2016 to March 31, 2019.

Johnston moved; Corless seconded

Vote: 5 yes; 0 no

M16-148

B. **Declaration of Election Results**

Departments: Elections

Declaration of results of June 7, 2016 Primary Election.

Action: For the June 7, 2016 Primary Election, declare elected to each office voted on under the jurisdiction of the Board of Supervisors the person having the requisite number of votes (or falling within an applicable exception) and declare the results as to each measure.

Johnston moved; Corless seconded

Vote: 5 yes; 0 no

M16-149

C. **Employment of Aimee Brewster as Assistant Assessor**

Departments: Assessor, Human Resources

Proposed resolution approving a contract with Aimee Brewster as Assistant Assessor, and prescribing the compensation, appointment and conditions of said employment.

Action: Approve Resolution #R16-52, approving a contract with Aimee Brewster as Assistant Assessor, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of

Note

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the County.

Johnston moved; Corless seconded

Vote: 5 yes; 0 no

R16-52

Supervisor Fesko:

- Very nice to see Aimee Brewster is coming back, this is great news for the office and the county.

8. CORRESPONDENCE RECEIVED (INFORMATIONAL) - NONE

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

9. REGULAR AGENDA - MORNING

A. Motor Pool Workshop

Departments: Public Works - Motor Pool

(Jeff Walters) - Each year the proposed Motor Pool vehicle replacements are presented for the Board of Supervisors to consider.

Action: Authorize Public Works Director to include a Policy Item for the purchase of six vehicles in FY 16/17 Motor Pool Budget. Provide any desired direction to staff.

Board gave direction to staff to prepare and present 5 year replacement plan including total vehicle inventory and costs, the complete Motorpool policy, and resubmit with the budget on August 11th.

Jeff Walters:

- As part of the budget process, he sends out an email to department heads, asking about replacing vehicles based on useful mileage. The vehicle's maintenance costs are also taken into account. One thing that affected mileage rates was when a vehicle was not used at least 5000 miles per year. This raised the rate charged to the department.
- Passed out a handout regarding a Motorpool Summary. Pointed out glaring issues: Roads, Sheriff, and Social Services.
- The requested vehicle replacements, all the vehicles are nearing or over their useful mileage. Estimated revenue to the fund each year is approximately \$910,000.
- The pool is a pool for all departments, regardless of how they contribute or take from the fund.

Sheriff Braun:

- Was not aware of the increased issues with the costs until now. Her department has been very happy with the new vehicles. She will be addressing the escalating costs.

Leslie Chapman:

- The way that Motorpool works is after purchase, you calculate the cost to repurchase the car at the end of its useful life. The cost per mile is recouped from the department so the vehicle can be replaced at the end of its useful life.
- Not all of the revenue to the fund is for replacements.
- This is an informational item; the decision making item will be brought back on August 11th. This will only allow us to bring this back to the Board for budget approval.

Supervisor Fesko:

- One thing to look at for the Sheriff is that in previous years we've looked at the cost of the vehicle and then the add-ons. Last time, we looked at the total cost of the vehicle with add-

Note

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ons included.

- He would like to hear from the departments as to why they are requesting the vehicles they are, as well as see a five year plan.

Supervisor Johnston:

- Feels we're still not following our policy of trying to get our Motor fleet all the same or similar vehicles.
- Feels we should be moving toward smaller vehicles for Social Services and Probation that are better on gas, such as small SUVs and Subarus.

Supervisor Corless:

- She doesn't see a policy in the packet, and while she does agree that we should be frugal and saving money, we also should trust that the recommendations for purchase are the best for those departments.

Janet Dutcher:

- This is an internal service fund. The purpose of the fund is to charge user departments the appropriate cost that includes the capital portion of the vehicle back to the departments, based on their use of the vehicle for the year. We need to look at the big picture first before we make these decisions.

Karen Humiston:

- We are expanding our youth work programs into trails, hiking, and forest work, and it's difficult to get the kids and the tools back into the areas where they will be working. This vehicle (Ford Explorer) is needed for a specific need.

B. Transient Rental Regulations Workshop

Departments: Community Development

(Nick Criss) - Workshop on the Planning Commission's recommended revisions to General Plan Chapter 25 concerning transient rental of single family homes.

Action: Conduct workshop on the Planning Commission's recommended revisions of General Plan Land Use Element Chapter 25 concerning transient rentals. Direct staff to review the proposed revisions with applicable RPACs and the June Lake CAC, including extending the noticing period to 30 days, and waiving the appeal fee for type 1 applications and initiate General Plan Amendment hearings.

Alpers moved; Corless seconded

Vote: 4 yes; 1 no: Johnston

M16-150

Nick Criss:

- Went through his presentation and proposed changes to existing plan.
- The Planning Commission went through three meetings on this; there is a demand for an allowance for this.

Supervisor Alpers;

- Understands this loosens up the plan enough to identify different types of rentals, but still gives the County enough control over it.
- Right now, we can go through a use permit process that may solve the issue of whether or not to allow transient rentals in specific areas.

Supervisor Stump:

- Do the noticing requirements apply to both type 1 and type 2? NC: yes. Public hearings would be before the planning commission with the board having the final decision.
- How would a type 1 versus type 2 residence be determined? NC: lots of interest in type 1, swall and paradise. Typically these are residents, fairly easy to determine whether someone lives her full time or not. The listing for the rental will be online, easy to check on it.

William Schreiber, property owner in June Lake:

Note

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- Main interest is the TROD process and how long the process might take. Would be type 2, under full management by Rainbow Ridge. No problems with parking, snow removal, etc.
- Appreciates the full time property owners being on the defensive, but right now, the vacation property owners are already on the defensive. It goes both ways. Feels this is fluid proposal that will be regulated by limited time permits so both sides are protected.

Scott Burns:

- Estimated 4-6 months for the full process to be completed.

Supervisor Fesko:

- Remembers the contentious issues that occurred in the Rancherias area, not all homeowners were notified due to some owners not being local.

Supervisor Johnston:

- Believes this is a de facto zone change. There is a better way to approach this. This potentially allowing transient rental in every area of the county. The buyer of a sfr in a sfr neighborhood is no longer in a sfr neighborhood. Wants to find the acceptable locations within the county where an overlay of Transient rental uses can be designated. This way, a buyer will know that they do not need to come to planning meetings to defend their right to not have transient rentals in their neighborhood. Does not agree with this approach.

Christy Milovich:

- The intent is to establish a process only, with safeguards already in there. The permits could be revoked if someone is out of compliance.

C. Mill Canyon Road - Request to Reopen to Public

Departments: Public Works - Road

(Jeff Walters) - Mill Canyon Road was closed to the public last August. In May of this year the Board authorized the Public Works Director to maintain the road closure until such time that the road has been deemed safe for public travel, monitor road conditions and slope stability; and open or close the road at his discretion, based on safety.

Action: 1. Authorize Public Works Director to the reopen Mill Canyon Road to the public until such time the conditions change necessitating road closure. 2. Direct staff to prepare and implement a Mitigation and Monitoring Plan consistent with the recommendations in the Staff Report. 3. Authorize Public Works Director to close the road as deemed necessary in his professional opinion.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-151

Jeff Walters:

- There are several factors: no movement of the road, no rain, no forecasted rain or natural phenomenon that might occur, irrigation canal used by Fish and Wildlife discontinued so no drainage ditch carrying water to the slope, repair work done on May 10th has shown no movement. Paul Roten, County Engineer, concurs the road is stable. Concerns include what if there's a storm? We will continue to monitor forecasts, may have to close road again in the future.

Supervisor Fesko:

- Knows the community is anxious to have this road reopened.

D. Mill Canyon Road MOU - MCMWTC

Departments: Public Works - Road

(Jeff Walters) - Mill Canyon Road, near the community of Walker, crosses a hillside

Note

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

where the slope is sliding downhill. This section of road has been closed due to hazardous road conditions. In the event that the road remains closed or is closed while the Marine Mountain Warfare Training Center requires access to backcountry training grounds, the Marines request access through the locked gate.

Action: Authorize Chair's signature on the proposed License, as is, and/or if the Marine Corps is willing to accept a longer period, until 2018. Provide any desired direction to staff.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-152

Stacey Simon:

- Adrienne Ratner was able to amend the language to include the road being opened as in the previous item, and still being able to close the road if needed. There is no issue with moving forward with the license agreement.

Jeff Walters:

- The Marines are eager to get back there for their trainings.

E. Revised MOUs Regarding Access to Mill Canyon Road

Departments: Public Works - Road

(Jeff Walters) - Revised MOUs with Gary Ashurst and the Antelope Valley Fire Protection District pertaining to access to Mill Canyon Road.

Action: Approve County entry into proposed revised MOUs (RMOUs) and authorize the Public Works Director to execute said RMOUs on behalf of the County, with any minor changes approved by County Counsel. Provide any desired direction to staff.

Fesko moved; Alpers seconded

Vote: 5 yes; 0 no

M16-153

Jeff Walters:

- Gary Ashurst is private land owner, and the only way to access his property is through Mill Canyon Rd.

Stacey Simon:

- We want to make sure these are accurate and consistent with the reality on the ground. Language was changed to allow for future closures.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

John Peters:

- Add to his comments earlier, to remind the Board. A sphere of influence document that Southern Mono Healthcare put out a few years back, the district agreed to provide outreach to the community to increase awareness of its services and facilities. He's been contacted by two papers that want to write an article on this issue this week.

Supervisor Stump:

- Their next board meeting is July 21, 8-12. May be an appropriate time to request a response/outreach on this issue.

11. CLOSED SESSION

Note

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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 - Initiation of Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one.

ADJOURN

ATTEST

FRED STUMP
CHAIRMAN

HELEN NUNN
SR. DEPUTY CLERK

Note

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



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: Social Services

TIME REQUIRED

SUBJECT Medi-Cal Safety and Security
Agreement

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

As a condition of administering Medi-Cal benefits the California Department of Health Care Services (DHCS) requires, in accordance with Federal Law, each County Department of Social Services to execute a Medi-Cal Privacy and Security Agreement. A new agreement to ensure the continued transmission of information between Mono County and the DHCS has been prepared and is ready for Board approval.

RECOMMENDED ACTION:

Authorize Kathy Peterson, Director of Mono County Department of Social Services, to sign the Medi-Cal Privacy and Security Agreement required by the State of California for the administration of Medi-Cal benefits.

FISCAL IMPACT:

There is no fiscal impact to authorizing this agreement.

CONTACT NAME: Kathy Peterson

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

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

SEND COPIES TO:

Kathy Peterson

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Staff Report](#)

[Contract](#)

History**Time**

7/25/2016 2:40 PM

7/27/2016 10:25 AM

7/26/2016 8:24 AM

Who

County Administrative Office

County Counsel

Finance

Approval

Yes

Yes

Yes



Office of the ... DEPARTMENT OF SOCIAL SERVICES

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

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

KATHRYN PETERSON, MPH
Director

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

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



To: Mono County Board of Supervisors

From: Kathy Peterson, Social Services Director *KSP*

Date: August 2, 2016

Re: Authorization to sign County Medi-Cal Privacy and Security Agreement

Recommended Action:

Authorize Kathy Peterson, Director of Mono County Department Social Services, to execute the Medi-Cal Privacy and Security Agreement required by the State of California for the administration of Medi-Cal benefits.

Fiscal Impact:

Mono County Department of Social Services is in compliance with the terms and conditions of the agreement and as such there is no fiscal impact anticipated with regards to the execution of the agreement.

Discussion:

As a condition of administering Medi-Cal benefits the State of California, Department of Health Care Services requires, in accordance with Federal Law, each County Department of Social Services to execute the attached Medi-Cal Privacy and Security Agreement. The Mono County Department of Social Services has worked together with various other County Departments (e.g. Public Works, IT, etc.) to ensure compliance with the terms and conditions of the required agreement. Accordingly, the Department of Social Services is in substantial compliance with the Terms and Conditions set forth in the required agreement and is requesting authorization for the Director, Kathy Peterson, to execute the agreement.

**MEDI-CAL PRIVACY AND SECURITY AGREEMENT BETWEEN the California
Department of Health Care Services and the
County of _____, Department of _____**

PREAMBLE

The Department of Health Care Services (DHCS) and the County of _____, Department of _____ (County Department) enter into this Medi-Cal Privacy and Security Agreement (Agreement) in order to ensure the privacy and security of Medi-Cal Personally Identifiable Information (PII).

DHCS receives federal funding to administer California's Medicaid Program (Medi-Cal). The County Department assists in the administration of Medi-Cal, in that DHCS and the County Department access DHCS eligibility information for the purpose of determining Medi-Cal eligibility.

This Agreement covers the County of _____, Department of _____ workers, who assist in the administration of Medi-Cal; and access, use, or disclose Medi-Cal PII.

DEFINITIONS

For the purpose of this Agreement, the following terms mean:

1. "Assist in the administration of the Medi-Cal program" means performing administrative functions on behalf of Medi-Cal, such as determining eligibility for, or enrollment in, or the amount of, public benefits, and collecting Medi-Cal PII for such purposes, to the extent such activities are authorized by law.
2. "Breach" refers to actual loss, loss of control, compromise, unauthorized disclosure, unauthorized acquisition, unauthorized access, or any similar term referring to situations where persons other than authorized users and for other than authorized purposes have access or potential access to Medi-Cal PII, whether electronic, paper, verbal, or recorded.
3. "County Worker" means those county employees, contractors, subcontractors, vendors and agents performing any functions for the County that require access to and/or use of Medi-Cal PII and that are authorized by the County to access and use Medi-Cal PII.
4. "Medi-Cal PII" is information directly obtained in the course of performing an administrative function on behalf of Medi-Cal that can be used alone, or in conjunction with any other information, to identify a specific individual. PII includes any information that can be used to search for or identify individuals, or can be

used to access their files, such as name, social security number, date of birth, driver's license number or identification number. PII may be electronic, paper, verbal, or recorded.

5. "Security Incident" means the attempted or successful unauthorized access, use, disclosure, modification, or destruction of Medi-Cal PII, or interference with system operations in an information system which processes Medi-Cal PII that is under the control of the County or County's Statewide Automated Welfare System (SAWS) Consortium, or a contractor, subcontractor or vendor of the County.
6. "Secure Areas" means any area where:
 - a. County Workers assist in the administration of Medi-Cal;
 - b. County Workers use or disclose Medi-Cal PII; or
 - c. Medi-Cal PII is stored in paper or electronic format.

AGREEMENTS

NOW THEREFORE, DHCS and County Department mutually agree as follows:

I. PRIVACY AND CONFIDENTIALITY

- A. The County Department workers covered by this Agreement (County Workers) may use or disclose Medi-Cal PII only as permitted in this Agreement and only to assist in the administration of Medi-Cal in accordance with Welfare and Institutions Code section 14100.2 and 42 Code of Federal Regulations section 431.300 et.seq., or as required by law. Disclosures, which are required by law, such as a court order, or are made with the explicit written authorization of the Medi-Cal client, are allowable. Any other use or disclosure of Medi-Cal PII requires the express approval in writing of DHCS. No County Worker shall duplicate, disseminate or disclose Medi-Cal PII except as allowed in this Agreement.
- B. Pursuant to this Agreement, County Workers may only use Medi-Cal PII to perform administrative functions related to determining eligibility for individuals applying for Medi-Cal.
- C. Access to Medi-Cal PII shall be restricted to County Workers who need to perform their official duties to assist in the administration of Medi-Cal.
- D. County Workers who access, disclose or use Medi-Cal PII in a manner or for a purpose not authorized by this Agreement may be subject to civil and criminal sanctions contained in applicable federal and state statutes.

II. PERSONNEL CONTROLS

The County Department agrees to advise County Workers who have access to Medi-Cal PII, of the confidentiality of the information, the safeguards required to protect the information, and the civil and criminal sanctions for non-compliance contained in applicable federal and state laws. For that purpose, the County Department shall implement the following personnel controls:

A. ***Employee Training.*** Train and use reasonable measures to ensure compliance with the requirements of this Agreement by County Workers, including, but not limited to:

1. Provide initial privacy and security awareness training to each new County Worker within 30 days of employment and;
2. Thereafter, provide annual refresher training or reminders of the privacy and security safeguards in this Agreement to all County Workers. Three or more security reminders per year are recommended;
3. Maintain records indicating each County Worker's name and the date on which the privacy and security awareness training was completed;
4. Retain training records for a period of three years after completion of the training.

B. ***Employee Discipline.***

1. Provide documented sanction policies and procedures for County Workers who fail to comply with privacy policies and procedures or any provisions of these requirements.
2. Sanction policies and procedures shall include termination of employment when appropriate.

C. ***Confidentiality Statement.*** Ensure that all County Workers sign a confidentiality statement. The statement shall be signed by County Workers prior to accessing Medi-Cal PII and annually thereafter. Signatures may be physical or electronic. The signed statement shall be retained for a period of three years.

The statement shall include at a minimum:

1. General Use;
2. Security and Privacy Safeguards;
3. Unacceptable Use; and

4. Enforcement Policies.

D. ***Background Screening.***

1. Conduct a background screening of a County Worker before they may access Medi-Cal PII.
2. The background screening should be commensurate with the risk and magnitude of harm the employee could cause. More thorough screening shall be done for those employees who are authorized to bypass significant technical and operational security controls.
3. The County Department shall retain each County Worker's background screening documentation for a period of three years following conclusion of employment relationship.

III. **MANAGEMENT OVERSIGHT AND MONITORING**

To ensure compliance with the privacy and security safeguards in this Agreement the county shall perform the following:

- A. Conduct periodic privacy and security review of work activity by County Workers, including random sampling of work product. Examples include, but are not limited to, access to case files or other activities related to the handling of Medi-Cal PII.
- B. The periodic privacy and security reviews must be performed or overseen by management level personnel who are knowledgeable and experienced in the areas of privacy and information security in the administration of the Medi-Cal program, and the use or disclosure of Medi-Cal PII.

IV. **INFORMATION SECURITY AND PRIVACY STAFFING**

The County agrees to:

- A. Designate information security and privacy officials who are accountable for compliance with these and all other applicable requirements stated in this Agreement.
- B. Assign county workers to be responsible for administration and monitoring of all security related controls stated in this Agreement.

V. PHYSICAL SECURITY

The County Department shall ensure Medi-Cal PII is used and stored in an area that is physically safe from access by unauthorized persons at all times. The County Department agrees to safeguard Medi-Cal PII from loss, theft, or inadvertent disclosure and, therefore, agrees to:

- A. Secure all areas of the County Department facilities where County Workers assist in the administration of Medi-Cal and use, disclose, or store Medi-Cal PII.
- B. These areas shall be restricted to only allow access to authorized individuals by using one or more of the following:
 1. Properly coded key cards
 2. Authorized door keys
 3. Official identification
- C. Issue identification badges to County Workers.
- D. Require County Workers to wear these badges where Medi-Cal PII is used, disclosed, or stored.
- E. Ensure each physical location, where Medi-Cal PII is used, disclosed, or stored, has procedures and controls that ensure an individual who is terminated from access to the facility is promptly escorted from the facility by an authorized employee and access is revoked.
- F. Ensure there are security guards or a monitored alarm system at all times at the County Department facilities and leased facilities where 500 or more individually identifiable records of Medi-Cal PII is used, disclosed, or stored. Video surveillance systems are recommended.
- G. Ensure data centers with servers, data storage devices, and/or critical network infrastructure involved in the use, storage, and/or processing of Medi-Cal PII have perimeter security and physical access controls that limit access to only authorized County Workers. Visitors to the data center area must be escorted at all times by authorized County Workers.
- H. Store paper records with Medi-Cal PII in locked spaces, such as locked file cabinets, locked file rooms, locked desks, or locked offices in facilities which are multi-use meaning that there are County Department and non-County Department functions in one building in work areas that are not securely segregated from each other. It is recommended that all Medi-Cal PII be locked up when unattended at any time, not just within multi-use facilities.
- I. The County shall have policies that include, based on applicable risk factors, a description of the circumstances under which the County Workers

can transport Medi-Cal PII, as well as the physical security requirements during transport. A County that chooses to permit its County Workers to leave records unattended in vehicles must include provisions in its policies to provide the Medi-Cal PII is stored in a non-visible area such as a trunk, that the vehicle is locked, and under no circumstances permit Medi-Cal PII be left unattended in a vehicle overnight or for other extended periods of time.

- J. The County Department shall have policies that indicate County Workers are not to leave records with Medi-Cal PII unattended at any time in airplanes, buses, trains, etc., including baggage areas. This should be included in training due to the nature of the risk.

VI. TECHNICAL SECURITY CONTROLS

- A. **Workstation/Laptop Encryption.** All workstations and laptops, which use, store and/or process Medi-Cal PII, must be encrypted using a FIPS 140-2 certified algorithm 128 bit or higher, such as Advanced Encryption Standard (AES). The encryption solution must be full disk. It is encouraged, when available and when feasible, that the encryption be 256 bit.
- B. **Server Security.** Servers containing unencrypted Medi-Cal PII must have sufficient administrative, physical, and technical controls in place to protect that data, based upon a risk assessment/system security review. It is recommended to follow the guidelines documented in the latest revision of the National Institute of Standards and Technology (NIST) Special Publication (SP) 800-53, Security and Privacy Controls for Federal Information Systems and Organizations.
- C. **Minimum Necessary.** Only the minimum necessary amount of Medi-Cal PII required to perform required business functions may be accessed, copied, downloaded, or exported.
- D. **Mobile Device and Removable Media.** All electronic files, which contain Medi-Cal PII data, must be encrypted when stored on any mobile device or removable media (i.e. USB drives, CD/DVD, smartphones, tablets, backup tapes etc.). Encryption must be a FIPS 140-2 certified algorithm 128 bit or higher, such as AES. It is encouraged, when available and when feasible, that the encryption be 256 bit.
- E. **Antivirus Software.** All workstations, laptops and other systems, which process and/or store Medi-Cal PII, must install and actively use an anti-virus software solution. Anti-virus software should have automatic updates for definitions scheduled at least daily.

F. Patch Management.

1. All workstations, laptops and other systems, which process and/or store Medi-Cal PII, must have critical security patches applied, with system reboot if necessary.
2. There must be a documented patch management process that determines installation timeframe based on risk assessment and vendor recommendations.
3. At a maximum, all applicable patches deemed as critical must be installed within 30 days of vendor release. It is recommended that critical patches which are high risk be installed within seven days.
4. Applications and systems that cannot be patched within this time frame, due to significant operational reasons, must have compensatory controls implemented to minimize risk.

G. User IDs and Password Controls.

1. All users must be issued a unique user name for accessing Medi-Cal PII.
2. Username must be promptly disabled, deleted, or the password changed upon the transfer or termination of an employee, at maximum within 24 hours.
3. Passwords are not to be shared.
4. Passwords must be at least eight characters.
5. Passwords must be a non-dictionary word.
6. Passwords must not be stored in readable format on the computer or server.
7. Passwords must be changed every 90 days or less. It is recommended that passwords be required to be changed every 60 days or less.
8. Passwords must be changed if revealed or compromised.
9. Passwords must be composed of characters from at least three of the following four groups from the standard keyboard:
 - a. Upper case letters (A-Z)
 - b. Lower case letters (a-z)
 - c. Arabic numerals (0-9)
 - d. Special characters

- H. **User Access.** In conjunction with DHCS, management should exercise control and oversight, of the function of authorizing individual user access to Social Security Administration (SSA) data, Medi-Cal Eligibility Data System (MEDS), and over the process of issuing and maintaining access control numbers, IDs, and passwords.
- I. **Data Destruction.** When no longer needed, all Medi-Cal PII must be cleared, purged, or destroyed consistent with NIST SP 800-88, Guidelines for Media Sanitization, such that the Medi-Cal PII cannot be retrieved.
- J. **System Timeout.** The systems providing access to Medi-Cal PII must provide an automatic timeout, requiring re-authentication of the user session after no more than 20 minutes of inactivity.
- K. **Warning Banners.** The systems providing access to Medi-Cal PII must display a warning banner stating, at a minimum:
 - 1. Data is confidential;
 - 2. Systems are logged;
 - 3. System use is for business purposes only, by authorized users; and
 - 4. Users shall log off the system immediately if they do not agree with these requirements.
- L. **System Logging.**
 - 1. The systems which provide access to Medi-Cal PII must maintain an automated audit trail that can identify the user or system process which initiates a request for Medi-Cal PII, or alters Medi-Cal PII.
 - 2. The audit trail shall:
 - a. Be date and time stamped;
 - b. Log both successful and failed accesses;
 - c. Be read-access only; and
 - d. Be restricted to authorized users.
 - 3. If Medi-Cal PII is stored in a database, database logging functionality shall be enabled.
 - 4. Audit trail data shall be archived for at least three years from the occurrence.

M. **Access Controls.** The system providing access to Medi-Cal PII shall use role based access controls for all user authentications, enforcing the principle of least privilege.

N. **Transmission Encryption.**

1. All data transmissions of Medi-Cal PII outside of a secure internal network must be encrypted using a FIPS 140-2 certified algorithm that is 128 bit or higher, such as AES or TLS. It is encouraged, when available and when feasible, that 256 bit encryption be used.
2. Encryption can be end to end at the network level, or the data files containing Medi-Cal PII can be encrypted.
3. This requirement pertains to any type of Medi-Cal PII in motion such as website access, file transfer, and email.

O. **Intrusion Prevention.** All systems involved in accessing, storing, transporting, and protecting Medi-Cal PII, which are accessible through the Internet, must be protected by an intrusion detection and prevention solution.

VII. AUDIT CONTROLS

A. **System Security Review.**

1. The County Department must ensure audit control mechanisms are in place.
2. All systems processing and/or storing Medi-Cal PII must have at least an annual system risk assessment/security review that ensures administrative, physical, and technical controls are functioning effectively and provide an adequate level of protection.
3. Reviews should include vulnerability scanning tools.

B. **Log Reviews.** All systems processing and/or storing Medi-Cal PII must have a process or automated procedure in place to review system logs for unauthorized access.

C. **Change Control.** All systems processing and/or storing Medi-Cal PII must have a documented change control process that ensures separation of duties and protects the confidentiality, integrity and availability of data.

D. **Anomalies.** When the county or DHCS suspects MEDS usage anomalies, the county will work with DHCS to investigate the anomalies and report conclusions of such investigations and remediation to DHCS.

VIII. BUSINESS CONTINUITY / DISASTER RECOVERY CONTROLS

- A. ***Emergency Mode Operation Plan.*** The County Department must establish a documented plan to enable continuation of critical business processes and protection of the security of Medi-Cal PII kept in an electronic format in the event of an emergency. Emergency means any circumstance or situation that causes normal computer operations to become unavailable for use in performing the work required under this Agreement for more than 24 hours. It is recommended that counties conduct periodic disaster recovery testing, including connectivity exercises conducted with DHCS, if requested.

- B. ***Data Centers.*** Data centers with servers, data storage devices, and critical network infrastructure involved in the use, storage and/or processing of Medi-Cal PII, must include environmental protection such as cooling, power, and fire prevention, detection, and suppression.

- C. ***Data Backup Plan.***
 - 1. The County Department shall have established documented procedures to backup Medi-Cal PII to maintain retrievable exact copies of Medi-Cal PII.

 - 2. The documented backup procedures shall contain a schedule which includes incremental and full backups.

 - 3. The procedures shall include storing backups offsite.

 - 4. The procedures shall ensure an inventory of backup media. It is recommended that the county periodically test the data recovery process.

IX. PAPER DOCUMENT CONTROLS

- A. ***Supervision of Data.*** Medi-Cal PII in paper form shall not be left unattended at any time, unless it is locked in a file cabinet, file room, desk or office. Unattended means that information may be observed by an individual not authorized to access the information.

- B. ***Data in Vehicles.*** The County shall have policies that include, based on applicable risk factors, a description of the circumstances under which the County Workers can transport Medi-Cal PII, as well as the physical security requirements during transport. A County that chooses to permit its County Workers to leave records unattended in vehicles must include provisions in its policies to provide the Medi-Cal PII is stored in a non-visible area such as a trunk, that the vehicle is locked, and under no circumstances permit Medi-

Cal PII be left unattended in a vehicle overnight or for other extended periods of time.

C. **Public Modes of Transportation.** Medi-Cal PII in paper form shall not be left unattended at any time in airplanes, buses, trains, etc., including baggage areas. This should be included in training due to the nature of the risk.

D. **Escorting Visitors.** Visitors to areas where Medi-Cal PII is contained shall be escorted, and Medi-Cal PII shall be kept out of sight while visitors are in the area.

E. **Confidential Destruction.** Medi-Cal PII must be disposed of through confidential means, such as cross cut shredding or pulverizing.

F. **Removal of Data.** Medi-Cal PII must not be removed from the premises of County Department except for justifiable business purposes.

G. **Faxing.**

1. Faxes containing Medi-Cal PII shall not be left unattended and fax machines shall be in secure areas.
2. Faxes shall contain a confidentiality statement notifying persons receiving faxes in error to destroy them and notify the sender.
3. Fax numbers shall be verified with the intended recipient before sending the fax.

H. **Mailing.**

1. Mailings containing Medi-Cal PII shall be sealed and secured from damage or inappropriate viewing of PII to the extent possible.
2. Mailings that include 500 or more individually identifiable records containing Medi-Cal PII in a single package shall be sent using a tracked mailing method that includes verification of delivery and receipt.

X. **NOTIFICATION AND INVESTIGATION OF BREACHES AND SECURITY INCIDENTS**

During the term of this Agreement, the County Department agrees to implement reasonable systems for the discovery and prompt reporting of any Breach or Security Incident, and to take the following steps:

A. **Initial Notice to DHCS:**

Immediately upon discovery of a suspected security incident that involves data provided to DHCS by the SSA, the county shall notify DHCS by email or telephone.

Within one working day of discovery, the county shall notify DHCS by email or telephone of unsecured PHI or PI, if that PHI or PI was, or is, reasonably believed to have been accessed or acquired by an unauthorized person, any suspected security incident, intrusion, or unauthorized access, use, or disclosure of Medi-Cal PII in violation of this Agreement, or potential loss of confidential data affecting this Agreement. Notice shall be made using the “DHCS Privacy Incident Report” (PIR) form, including all information known at the time. The County Department shall use the most current version of this form, which is posted on the DHCS Privacy Office website (www.dhcs.ca.gov, select “Privacy & HIPAA” and then “County Use”) or use this link:

<http://www.dhcs.ca.gov/formsandpubs/laws/priv/Pages/CountiesOnly.aspx>.

Initial, Investigation, and Completed PIRs are submitted to the DHCS Privacy Office and the DHCS Information Security Office.

A breach shall be treated as discovered by the County Department as of the first day on which the breach is known, or by exercising reasonable diligence would have been known, to any person (other than the person committing the breach), who is an employee, officer or other agent of the County Department. Notice shall be provided to the DHCS Privacy Office and the DHCS Information Security Office.

Upon discovery of a breach, security incident, intrusion, or unauthorized access, use, or disclosure of Medi-Cal PII, the County Department shall take:

1. Prompt corrective action to mitigate any risks or damages involved with the breach and to protect the operating environment; and
2. Any action pertaining to such unauthorized disclosure required by applicable Federal and State laws and regulations.

- B. **Investigation and Investigative Report.** The county shall immediately investigate breaches and security incidents involving Medi-Cal PII, and, if the initial PIR did not include all of the information marked with an asterisk, or if new or updated information is available, submit an updated PIR **within 72 hours of the discovery**. The updated PIR shall include all of the information marked with an asterisk, and all other applicable information listed on the form, to the extent known at that time.

- C. **Complete Report.** If all of the required information was not included in either the initial report, or the investigation report, then a separate complete report must be submitted **within ten working days of the discovery**. The Complete Report of the investigation shall include an assessment of all known factors relevant to a determination of whether a breach occurred under applicable provisions of HIPAA, the HITECH Act, the HIPAA regulations and/or state law. The report shall also include a full, detailed corrective action plan, including information on measures that were taken to halt and/or contain the improper use or disclosure. If DHCS requests information in addition to that listed on the PIR, the County Department shall make reasonable efforts to provide DHCS with such information. If necessary, a Supplemental Report may be used to submit revised or additional information after the Completed Report is submitted, by submitting the revised or additional information on an updated PIR. DHCS will review and approve or disapprove the determination of whether a breach occurred, and if individual notifications and corrective action plans are required.
- D. **Notification of Individuals.** When applicable state or federal law requires DHCS to notify individuals of a breach or unauthorized disclosure of their Medi-Cal PII, the following provisions apply: If the cause of the breach is attributable to the County Department or its subcontractors, agents or vendors, the County Department shall pay any costs of such notifications, as well as any and all costs associated with the breach. The notifications shall comply with the requirements set forth in California Civil Code Section 1798.29, and 42 U.S.C. section 17932, and its implementing regulations, including but not limited to the requirement that the notifications be made without unreasonable delay and in no event later than 60 calendar days. The DHCS Privacy Office shall approve the time, manner and content of any such notifications and their review and approval must be obtained before notifications are made. DHCS may elect to assign responsibility for such notification to the County Department. In the event DHCS assigns notification responsibility to the County Department, DHCS shall provide the County Department with the appropriate direction and procedures to ensure notice is provided pursuant to applicable law. If the cause of the breach is attributable to DHCS, DHCS shall pay any costs associated with such notifications. If there is any question as to whether DHCS or the County Department is responsible for the breach, DHCS and the County Department shall jointly determine responsibility for purposes of allocating the costs of such notices.
- E. **Responsibility for Reporting of Breaches when Required by State or Federal Law.** If the cause of a breach of Medi-Cal PII is attributable to the County Department or its agents, subcontractors or vendors, the County Department is responsible for reporting the breach and all costs associated with the breach. If the cause of the breach is attributable to DHCS, DHCS is responsible for reporting the breach and for all costs associated with the

breach. When applicable law requires the breach be reported to a federal or state agency or that notice be given to media outlets, DHCS and the County Department shall coordinate to ensure such reporting is in compliance with applicable law and to prevent duplicate reporting, and to jointly determine responsibility for purposes of allocating the costs of such reports, if any.

- F. **DHCS Contact Information.** To direct communications to the above referenced DHCS staff, the County Department shall initiate contact as indicated herein. DHCS reserves the right to make changes to the contact information below by giving written notice to the County Department. Said changes shall not require an amendment to this Agreement to which it is incorporated.

DHCS Privacy Office	DHCS Information Security Office
<p>DHCS Privacy Office c/o: Office of HIPAA Compliance MS 4722 P.O. Box 997413 Sacramento, CA 95899-7413</p> <p>Email: privacyofficer@dhcs.ca.gov v</p> <p>Telephone: (916) 445-4646 or (866) 866-0602</p>	<p>DHCS Information Security Office MS 6400 P.O. Box 997413 Sacramento, CA 95899-7413</p> <p>Email: iso@dhcs.ca.gov</p> <p>Telephone: EITS Service Desk (916) 440-7000 or (800) 579-0874</p>

XI. COMPLIANCE WITH SSA AGREEMENT

The County Department agrees to comply with substantive privacy and security requirements in the Computer Matching and Privacy Protection Act Agreement between the SSA and the California Health and Human Services Agency (CHHS) and in the Agreement between SSA and DHCS, known as the Information Exchange Agreement (IEA), which are appended and hereby incorporated in to this Agreement (Exhibit A). The specific sections of the IEA with substantive privacy and security requirements, which are to be complied with by the County Department are in the following sections: E, Security Procedures; F, Contractor/Agent Responsibilities; G, Safeguarding and Reporting Responsibilities for PII, and in Attachment 4, Electronic Information Exchange Security Requirements and Procedures for State and Local Agencies

Exchanging Electronic Information with SSA. If there is any conflict between a privacy and security standard in these sections of the IEA and a standard in this Agreement, the most stringent standard shall apply. The most stringent standard means the standard which provides the greatest protection to Medi-Cal PII.

If SSA changes the terms of its agreement(s) with DHCS, DHCS will, as soon as reasonably possible after receipt, supply copies to CWDA as well as the DHCS proposed target date for compliance. For a period of 30 days, DHCS will accept input from CWDA on the proposed target date and make adjustments, if appropriate. After the 30 day period, DHCS will submit the proposed target date to SSA, which will be subject to adjustment by SSA. Once a target date for compliance is determined by SSA, DHCS will supply copies of the changed agreement to the CWDA and the Counties, along with the compliance date expected by SSA. If a County is not able to meet the SSA compliance date, it must submit Corrective Action Plan (CAP) to DHCS for review and approval at least 30 days prior to the SSA compliance date. Any potential County resource issues may be discussed with DHCS through a collaborative process in developing their CAP.

XII. COMPLIANCE WITH DEPARTMENT OF HOMELAND SECURITY AGREEMENT

The County Department agrees to comply with substantive privacy and security requirements in the Computer Matching Agreement (CMA) Between the Department of Homeland Security, United States Citizenship and Immigration Services (DHS-USCIS) and the California Department of Health Care Services (CA-DHCS), known as the CMA, which is appended and hereby incorporated in to this Agreement (Exhibit B). If there is any conflict between a privacy and security standard in the CMA and a standard in this Agreement, the most stringent standard shall apply. The most stringent standard means the standard which provides the greatest protection to Medi-Cal PII.

If DHS-USCIS changes the terms of its agreement(s) with DHCS, DHCS will, as soon as reasonably possible after receipt, supply copies to CWDA as well as the DHCS proposed target date for compliance. For a period of 30 days, DHCS will accept input from CWDA on the proposed target date and make adjustments, if appropriate. After the 30 day period, DHCS will submit the proposed target date to DHS-USCIS, which will be subject to adjustment by DHS-USCIS. Once a target date for compliance is determined by DHS-USCIS, DHCS will supply copies of the changed agreement to the CWDA and the Counties, along with the compliance date expected by DHS-USCIS. If a County is not able to meet the DHS-USCIS compliance date, it must submit Corrective Action Plan (CAP) to DHCS for review and approval at least 30 days prior to the DHS-USCIS compliance date. Any potential County resource issues may be discussed with DHCS through a collaborative process in developing their CAP.

XIII. COUNTY DEPARTMENT'S AGENTS AND SUBCONTRACTORS

The County Department agrees to enter into written agreements with any agents, including subcontractors and vendors, to whom County Department provides Medi-Cal PII received from or created or received by County Department in performing functions or activities related to the administration of Medi-Cal that impose the same restrictions and conditions on such agents, subcontractors and vendors that apply to the County Department with respect to Medi-Cal PII, including restrictions on disclosure of Medi-Cal PII and the use of appropriate administrative, physical, and technical safeguards to protect such Medi-Cal PII. The County Department shall incorporate, when applicable, the relevant provisions of this Agreement into each subcontract or subaward to such agents, subcontractors and vendors, including the requirement that any breach, security incident, intrusion, or unauthorized access, use, or disclosure of Medi-Cal PII be reported to the County Department.

XIV. ASSESSMENTS AND REVIEWS

In order to enforce this Agreement and ensure compliance with its provisions, the County Department agrees to allow DHCS to inspect the facilities, systems, books, and records of the County Department, with reasonable notice from DHCS, in order to perform assessments and reviews. Such inspections shall be scheduled at times that take into account the operational and staffing demands. The County Department agrees to promptly remedy any violation of any provision of this Agreement and certify the same to the DHCS Privacy Office and DHCS Information Security Office in writing, or to enter into a written corrective action plan with DHCS containing deadlines for achieving compliance with specific provisions of this Agreement.

XV. ASSISTANCE IN LITIGATION OR ADMINISTRATIVE PROCEEDINGS

In the event of litigation or administrative proceedings involving DHCS based upon claimed violations by the County Department of the privacy or security of Medi-Cal PII, or federal or state laws or agreements concerning privacy or security of Medi-Cal PII, the County Department shall make all reasonable effort to make itself and County Workers assisting in the administration of Medi-Cal and using or disclosing Medi-Cal PII available to DHCS at no cost to DHCS to testify as witnesses. DHCS shall also make all reasonable efforts to make itself and any subcontractors, agents, and employees available to the County Department at no cost to the County Department to testify as witnesses, in the event of litigation or administrative proceedings involving the County Department based upon claimed violations by DHCS of the privacy or security of Medi-Cal PII, or state or federal laws or agreements concerning privacy or security of Medi-Cal PII.

XVI. AMENDMENT OF AGREEMENT

DHCS and the County Department acknowledge that federal and state laws relating to data security and privacy are rapidly evolving and that amendment of this Agreement may be required to provide for procedures to ensure compliance with such developments. Upon request by DHCS, the County Department agrees to promptly enter into negotiations concerning an amendment to this Agreement as may be needed by developments in federal and state laws and regulations. DHCS may terminate this Agreement upon thirty (30) days written notice if the County Department does not promptly enter into negotiations to amend this Agreement when requested to do so, or does not enter into an amendment that DHCS deems necessary.

XVII. TERMINATION

This Agreement shall terminate on September 1, 2019, regardless of the date the Agreement is executed by the parties. The parties can agree in writing to extend the term of the Agreement; county requests for an extension must be justified to and accepted by DHCS and limited to no more than a three-month extension. Such an extension may, upon county request and DHCS approval, be renewed for one additional three month period. Regardless of the extension status, all provisions of this Agreement that provide restrictions on disclosures of Medi-Cal PII and that provide administrative, technical, and physical safeguards for the Medi-Cal PII in the County Department's possession shall continue in effect beyond the termination of the Agreement, and shall continue until the Medi-Cal PII is destroyed or returned to DHCS.

XVIII. TERMINATION FOR CAUSE

Upon DHCS' knowledge of a material breach or violation of this Agreement by the County Department, DHCS may provide an opportunity for the County Department to cure the breach or end the violation and may terminate this Agreement if the County Department does not cure the breach or end the violation within the time specified by DHCS. This Agreement may be terminated immediately by DHCS if the County Department has breached a material term and DHCS determines, in its sole discretion, that cure is not possible or available under the circumstances. Upon termination of this Agreement, the County Department must destroy all PII in accordance with Section VII, above. The provisions of this Agreement governing the privacy and security of the PII shall remain in effect until all PII is destroyed and DHCS receives a certificate of destruction.

XIX. SIGNATORIES

The signatories below warrant and represent that they have the competent authority on behalf of their respective agencies to enter into the obligations set forth in this Agreement.

The authorized officials whose signatures appear below have committed their respective agencies to the terms of this Agreement. The contract is effective on the day the final signature is obtained.

For the County of Mono Department of Social Services,

_____	_____
(Signature)	(Date)
Kathryn Peterson	Director
_____	_____
(Name)	(Title)

For the Department of Health Care Services,

_____	_____
(Signature)	(Date)
Jennifer Kent	Director
_____	_____
(Name)	(Title)

Approved as to form:
C. Milovich 7/11/14
 Christian Milovich, Deputy County Counsel

APPROVED AS TO INSURANCE:
[Signature]
 Mono County Risk Manager
 Dated: 7-12-14

Exhibit A

Computer Matching and Privacy Protection Act Agreement between SSA and CHHS, and Information Exchange Agreement between SSA and DHCS with Attachment “Electronic Information Exchange Security Requirements for State and Local Agencies Exchanging Electronic Information with SSA.” These are sensitive documents that are provided separately to the County’s privacy and security officer.

Exhibit B

Computer Matching Agreement between the Department of Homeland Security, United States Citizenship and Immigration Services (DHS-USCIS) and The California Department of Health Care Services (CA-DHCS). This is a sensitive document that is provided separately to the County’s privacy and security officer.



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: Finance

TIME REQUIRED

SUBJECT Treasury Oversight Committee
Member Confirmation

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Treasury Oversight Committee Member Appointment and Confirmation.

RECOMMENDED ACTION:

Per Government Code section 27131(a) and Mono County Resolution No. R13-114, confirm Larry Johnston, Janet Dutcher, and Gerald Frank and appoint Shields Richardson as members of the Treasury Oversight Committee.

FISCAL IMPACT:

None

CONTACT NAME: Gerald Frank

PHONE/EMAIL: 760-932-5483 / gfrank@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report with Attachment

History

Time	Who	Approval
7/25/2016 2:16 PM	County Administrative Office	Yes

7/27/2016 2:37 PM

County Counsel

Yes

7/25/2016 11:45 AM

Finance

Yes



August 2, 2016

To: Mono County Board of Supervisors
From: Finance Department: Janet Dutcher, Gerald Frank
Re: Treasury Oversight Committee Member Appointment & Confirmation

Recommendation

Per Government Code section 27131(a) and Mono County Resolution No. R13-114, confirm Larry Johnston, Janet Dutcher, and Gerald Frank and appoint Shields Richardson as members of the Treasury Oversight Committee.

Discussion

On December 17, 2013, your Board approved Resolution R13-114 (included as Attachment 1) establishing the Treasury Oversight Committee and authorizing the Treasurer to nominate members to sit on the Committee, subject to confirmation by the Board (Gov't Code §27131(a)). At that same time, your Board appointed the members listed at numbers 5 – 7 below, each of whom remains active and in good standing. In addition, your Board re-appointed Larry Johnston as the member from the Board of Supervisors when it made its annual appointments to committees and commissions in January. Now, due to recent internal changes, we ask that the Board confirm the ex-officio members listed at numbers 2 – 3 and also appoint the member and his alternate listed at number 4. Mr. Richardson and his alternate, Dan Holler, were nominated by the Town of Mammoth Lakes in response to outreach by the Treasurer. There is one remaining vacancy, a nomination for which will be presented to your Board at a later date.

1. Larry Johnston, Mono County Board of Supervisors – **appointed 1/2016**
(alternate: Fred Stump)
2. Janet Dutcher, Mono County Finance Director – **to be confirmed; ex officio**
3. Gerald Frank, Mono County Treasurer/Tax Collector – **to be confirmed; ex officio**
4. Shields Richardson, Councilmember, Town of Mammoth Lakes – **to be appointed**
(alternate: Dan Hollar)
5. Caty Ecklund, Chief Business Officer, ESUSD – **appointed 12/17/2013**
6. Brooke Bien, Business Manager, MUSD – **appointed 12/17/2013**
7. George R. Savage, Retired CPA/Court Fiscal Officer – **appointed 12/17/2013**
8. Vacant – nominee TBD

Please call 760-932-5483 with questions.

Attachments

1. Mono County Resolution No. R13-114



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**RESOLUTION NO. R13- 114
BOARD OF SUPERVISORS, COUNTY OF MONO
RESOLUTION OF THE MONO COUNTY BOARD OF
SUPERVISORS ESTABLISHING TREASURY
OVERSIGHT COMMITTEE**

WHEREAS, the State Legislature has declared that the creation of a county treasury oversight committee will promote the public interest by involving depositors, enhancing the security and investment return on their funds by providing a more stable and predictable balance for investment by establishing criteria for the withdrawal of funds, and

WHEREAS, the Board of supervisors in each county may, if the county is investing surplus funds, establish a county treasury oversight committee. The Board of Supervisors, in consultation with the county treasurer, shall determine the exact size of the committee, which shall consist of 3 – 11 members, and the categories from which the members shall be represented, as specified in subdivision (a) to (g), inclusive, of Section 27132. Members shall be nominated by the treasurer and confirmed by the Board of Supervisors.

NOW, THEREFORE, THE BOARD OF SUPERVISORS HEREBY RESOLVES:

1. The County Treasury Oversight Committee is hereby established and shall consist of eight members representing the following categories:
 - a. One member or other representative of the Board of Supervisors
 - b. The County Finance Director
 - c. The County Assistant Finance Director, Treasurer/Tax Collector, representing the category of county treasurer
 - d. The County Superintendent of Schools or designee
 - e. Four members of the public appointed by the Board of Supervisors.
2. The Committee and its members shall conduct their affairs in accordance with all applicable statutory requirements (see Government Code §§ 27130 through 27137).

APPROVED AND ADOPTED this 17 of Dec 2013, by the following vote of the Board of Supervisors, County of Mono:

AYES : Supervisors Fesko, Hunt, Johnston and Stump.
NOES : None.



1 **ABSENT** : Supervisor Alpers.

2 **ABSTAIN** : None.

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**BYNG HUNT, CHAIRMAN
BOARD OF SUPERVISORS
COUNTY OF MONO**

ATTEST:

**LYNDA ROBERTS
CLERK OF THE BOARD**

APPROVED AS TO FORM:

**MARSHALL RUDOLPH
COUNTY COUNSEL**



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: Finance

TIME REQUIRED

SUBJECT Treasury Transaction Report

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Treasury Transaction Report for the month ending 6/30/2016.

RECOMMENDED ACTION:

Approve the Treasury Transaction Report for the month ending 6/30/2016.

FISCAL IMPACT:

None.

CONTACT NAME: Gerald Frank

PHONE/EMAIL: 760-932-5483 / gfrank@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Treasury Transaction Report for the month ending 6/30/2016](#)

History

Time

7/25/2016 1:50 PM

Who

County Administrative Office

Approval

Yes

7/25/2016 9:19 AM

County Counsel

Yes

7/22/2016 11:41 AM

Finance

Yes



Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 5/31/2016, End Date: 6/30/2016

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Sell Transactions									
Called	6/27/2016	3136G14Y2	2,000,000.00	FNMA Step 12/27/2017-13	0.00	2,000,000.00	0.00	0.00	2,000,000.00
Called	6/28/2016	3130A6UU9	1,000,000.00	FHLB 1.35 9/28/2018-16	0.00	1,000,000.00	3,375.00	0.00	1,003,375.00
Called	6/29/2016	3134G8NS4	1,000,000.00	FHLMC 1.4 3/29/2019-16	0.00	1,000,000.00	3,500.00	0.00	1,003,500.00
		Subtotal	4,000,000.00			4,000,000.00	6,875.00		4,006,875.00
Withdraw	6/1/2016	LAIF6000Q	1,000,000.00	Local Agency Investment Fund LGIP- Quarterly	0.00	1,000,000.00	0.00	0.00	1,000,000.00
Withdraw	6/30/2016	OAKVALLEY0670	9,470,428.30	Oak Valley Bank Cash	0.00	9,470,428.30	0.00	0.00	9,470,428.30
		Subtotal	10,470,428.30			10,470,428.30	0.00		10,470,428.30
Total Sell Transactions			14,470,428.30			14,470,428.30	6,875.00		14,477,303.30
Buy Transactions									
Deposit	6/16/2016	OAKVALLEY0670	619.48	Oak Valley Bank Cash	100.00	619.48	0.00	0.00	619.48
Deposit	6/29/2016	LAIF6000Q	2,000,000.00	Local Agency Investment Fund LGIP- Quarterly	100.00	2,000,000.00	0.00	0.00	2,000,000.00
Deposit	6/30/2016	OAKVALLEY0670	2,083.36	Oak Valley Bank Cash	100.00	2,083.36	0.00	0.00	2,083.36
Deposit	6/30/2016	OAKVALLEY0670	11,923,004.55	Oak Valley Bank Cash	100.00	11,923,004.55	0.00	0.00	11,923,004.55
		Subtotal	13,925,707.39			13,925,707.39	0.00		13,925,707.39
Total Buy Transactions			13,925,707.39			13,925,707.39	0.00		13,925,707.39
Interest/Dividends									
Interest	6/1/2016	23130SCQ4	0.00	CURRIE ST BK CURRIE MN 0.6 7/29/2016		0.00	124.85	0.00	124.85
Interest	6/1/2016	78658QNS8	0.00	SAFRA NATIONAL BANK OF NEW YORK 0.5 9/1/2016		0.00	614.18	0.00	614.18
Interest	6/5/2016	981571CE0	0.00	Worlds Foremost Bk Sidney NE 1.75 5/5/2021		0.00	297.26	0.00	297.26
Interest	6/10/2016	35471TBU5	0.00	FRANKLIN SYNERGY BANK FRANKLIN TN 0.5 8/10/2016		0.00	104.04	0.00	104.04
Interest	6/11/2016	20033APV2	0.00	COMENITY CAP BK SALT LAKE CITY UTAH 1.6 4/12/2021		0.00	332.93	0.00	332.93
Interest	6/12/2016	9497483M7	0.00	WELLS FARGO BK NA SIOUX FALLS 1 10/12/2017		0.00	208.08	0.00	208.08
Interest	6/15/2016	458140AL4	0.00	Intel Corp 1.35 12/15/2017-14		0.00	3,375.00	0.00	3,375.00
Interest	6/15/2016	55266CQE9	0.00	MB FINANCIAL BANK, NATIONAL ASSN 1.8 1/15/2021		0.00	374.55	0.00	374.55
Interest	6/15/2016	34387ABA6	0.00	FLUSHING BANK N Y 1.8 12/10/2018		0.00	374.55	0.00	374.55



Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 5/31/2016, End Date: 6/30/2016

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	6/16/2016	90520EAE1	0.00	Union Bank 2.125 6/16/2017		0.00	5,312.50	0.00	5,312.50
Interest	6/16/2016	OAKVALLEY0670	0.00	Oak Valley Bank Cash		0.00	619.48	0.00	619.48
Interest	6/17/2016	855736DA9	0.00	STATE BK & TR CO DEFIANCE OHIO 1.6 2/17/2021		0.00	332.93	0.00	332.93
Interest	6/17/2016	095067AD6	0.00	BLOOMSDALE BANK 0.6 12/19/2016		0.00	124.85	0.00	124.85
Interest	6/26/2016	20070PHK6	0.00	COMMERCE ST BK WEST BEND WIS 1.65 9/26/2019		0.00	343.34	0.00	343.34
Interest	6/26/2016	91330ABA4	0.00	UNITY BK CLINTON NJ 1.5 9/26/2019		0.00	312.12	0.00	312.12
Interest	6/27/2016	3136G14Y2	0.00	FNMA Step 12/27/2017-13		0.00	8,750.00	0.00	8,750.00
Interest	6/27/2016	35637RCQ8	0.00	FREEDOM FIN BK W DES MOINES 1.5 7/26/2019		0.00	312.12	0.00	312.12
Interest	6/27/2016	596689EC9	0.00	MIDDLETON COMMUNITY BANK 1.4 11/27/2018		0.00	291.32	0.00	291.32
Interest	6/28/2016	3134G8U72	0.00	FHLMC 1.25 12/28/2018-16		0.00	3,125.00	0.00	3,125.00
Interest	6/28/2016	3135G0H55	0.00	FNMA 1.875 12/28/2020		0.00	9,375.00	0.00	9,375.00
Interest	6/28/2016	20786ABA2	0.00	CONNECTONE BK ENGLEWOOD 1.55 7/29/2019		0.00	322.53	0.00	322.53
Interest	6/28/2016	59013JDB2	0.00	MERRICK BK SOUTH JORDAN UTAH 0.85 1/30/2017		0.00	176.87	0.00	176.87
Interest	6/28/2016	464209CD5	0.00	ISABELLA BANK 0.75 3/28/2017		0.00	156.06	0.00	156.06
Interest	6/29/2016	06414QVT3	0.00	BANK NORTH CAROLINA THOMASVILLE NC 1 6/30/2017		0.00	208.08	0.00	208.08
Interest	6/29/2016	139797FF6	0.00	CAPITAL BK LITTLE ROCK 0.9 2/28/2018		0.00	187.27	0.00	187.27
Interest	6/30/2016	LOAN2015	0.00	Financial System Loan-Mono County 1.25 6/30/2019		0.00	610.56	0.00	610.56
Interest	6/30/2016	33646CFD1	0.00	1st SOURCE BANK 1.15 1/30/2018		0.00	1,404.89	0.00	1,404.89
Interest	6/30/2016	OAKVALLEY0670	0.00	Oak Valley Bank Cash		0.00	2,083.36	0.00	2,083.36
Subtotal			0.00			0.00	39,853.72		39,853.72
Total Interest/Dividends			0.00			0.00	39,853.72		39,853.72



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Letter from Ilene Mandelbaum re:
Bears in June Lake

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Correspondence dated July 15 from Lee Vining resident Ilene Mandelbaum regarding her letter to the Editor of the Sheet concerning the bears in June Lake.

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:

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[Letter to the Editor](#)

History

Time	Who	Approval
7/25/2016 1:49 PM	County Administrative Office	Yes
7/21/2016 10:22 AM	County Counsel	Yes

7/22/2016 11:38 AM

Finance

Yes

Helen Nunn

From: Helen Nunn
Sent: Monday, July 18, 2016 7:17 AM
To: Helen Nunn
Subject: FW: Letter to the Board
Attachments: LTE.bears.ws..docx

From: Ilene [<mailto:monogreens@aol.com>]
Sent: Friday, July 15, 2016 12:29 PM
To: Tim Alpers <talpers@mono.ca.gov>; Larry Johnston <ljohnston@mono.ca.gov>; Stacy Corless <scorless@mono.ca.gov>; Tim Fesko <tfesko@mono.ca.gov>; Fred Stump <fstump@mono.ca.gov>; Shannon Kendall <skendall@mono.ca.gov>
Subject: Letter to the Board

Dear Members of the Mono County Board of Supervisors,

I want to share the attached letter with you that I have submitted to the Sheet regarding the recent discussion and proposal to contract with the USDA Department of Wildlife Services (WS) to eliminate "problem" bears in June Lake or elsewhere in Mono County. The letter outlines reasons why I believe it is a bad idea to contract with this secretive and destructive agency.

Although the WS contracts with counties throughout California, some, including Sonoma, Marin and Mendocino, have suspended those contracts in recent years. In 2015, Mendocino County ended its contract after several environmental groups sued under CEQA. Many counties have developed programs that use public education and non-lethal methods to respond to bear v.s. property issues. I urge you to investigate this matter thoroughly before committing resources to such a contract. I would be glad to provide you with links and more information on this topic.

Thank you very much,

Ilene Mandelbaum
PO Box 89
Lee Vining, Ca 93541
monogreens@aol.com

760-648-3126

July 11, 2016

Dear Editor,

I read with concern the Sheet article (July 2, 2016), "Bear Safe Zones" which reported the discussion at the June Lake "Bear Aware" meeting of June 22nd. It was suggested at that meeting that Mono County contract with the USDA Department of Wildlife Services (WS) to dispatch "depredation bears."

I was relieved to read that Inyo and Mono Counties do not actually have contracts with WS. While I understand that bears vs. property incidents can be frightening and frustrating, I encourage residents to learn more about the WS before embracing that option. That agency's own records show that it killed 3.2 million animals nationwide just in 2015, and over 34 million animals in the last decade alone. Its hunters and trappers conduct a war on "problem" predators, such as bears, mountain lions, wolves, bobcats, coyotes, foxes and otters and inadvertently and illegally kill thousands of non-targeted protected species, such as bald and golden eagles, owls and hawks, as well as family pets. (See predatordefense.org and projectcoyote.org)

An investigative report by Tom Knudson in the Sacramento Bee "The killing agency: Wildlife Services brutal methods leave a trail of animal death", (April 28, 2012), stated that from 2000-2012, WS killed more than 50,000 animals that were not "problems" including 1,100 dogs. Methods included wire snares, steel foothold traps and spring-loaded cyanide poison cartridges. Knudson reported that basic information from the WS is tightly guarded and media is "uninvited", especially when investigating reports of harm to unintended victims, including humans. Several conservation groups and US Congressional Representatives are calling for major reforms or elimination of this agency altogether, due to its lack of transparency, oversight or accountability.

Mono County, which proudly proclaims it is "wild by nature", should be very leery of opening the door to this secretive agency and its destructive programs. Our tax dollars would be better spent on other options, including bear-proofing community waste collection systems, "bear aware" public education campaigns and supporting our local public safety agencies.

Ilene Mandelbaum
Lee Vining, Ca



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Agricultural Commissioner's Monthly Update

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

July, 2016 update from the Agricultural Commissioner'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:

<p>Click to download</p> <p> AGUpdate</p>

History

Time	Who	Approval
7/27/2016 5:05 PM	County Administrative Office	Yes
7/27/2016 6:22 PM	County Counsel	Yes
7/27/2016 10:30 AM	Finance	Yes



Monthly Update

Counties of Inyo and Mono Agricultural Commissioner's Office

JULY 2016

Agriculture

The 2015 Crop and livestock report was presented to both Boards in June, and is now available online at:

<http://inyomonoagriculture.com>

Inspections of certified farmer's market producers are complete for 2016. California Department of Food and Agriculture (CDFA) personnel visited the Owens Valley Certified Farmer's Market in Independence during June to ensure compliance with regulations adopted last year. No major issues were identified during this inspection.

Organic compliance inspections are now ongoing at retail locations throughout Inyo and Mono Counties. Agriculture Department staff visit and inspect a specified number of organic growers and retailers each year to ensure compliance with Federal organic labeling and handling laws.

Traps have been deployed for the 2016 season targeting [Gypsy moth](#) and [Japanese beetle](#). This work is part of an agreement with CDFA to help provide pest detection for high risk insects in our area. Gypsy moths and Japanese beetles are highly destructive pests that defoliate both ornamental as well as agricultural plantings. These traps will be collected in September.

Agriculture Legislation of Interest

SB 313—Amends the Education code to require consultation with the local Agricultural Commissioner prior to approval of new school site selection.

AB 2596—This bill is now dead but would have outlawed all rodenticide use anywhere in California. This would have been extremely concerning in our region due to the high number of hantavirus cases each year. This bill may return next year.

Weights and Measures

Surveys will begin this month as a part of a statewide effort to reduce credit card skimmers. Staff will visit gas stations and physically inspect at least 20% of retail fuel meters in Inyo and Mono Counties to ensure card skimmers are not installed inside. Skimmer fraud has become a serious issue in recent years leading to unauthorized transactions and identity theft.

The CDFA Division of Measurement Standards (DMS) has staff in our area now conducting vapor meter inspection trainings for our county inspectors. These liquid propane experts assist counties throughout the state with staff development. Typically, our staff must travel outside of the county to receive this training, and we appreciate DMS offering to bring the training to us.

Weights & Measures Legislation of Interest

AB 2307—This bill would require county Sealers and registered service agents to work with local law enforcement when devices are found during inspections that could facilitate fraud. This bill was written by the California Agricultural Commissioner and Sealer's Association and is directed at reducing fraud committed via credit card skimmers.

Owens Valley Mosquito Abatement Program

Mosquito populations stayed under control in June, with the exception of a large hatch that occurred along the Lower Owens River due to increased flows. Applications were made in Lone Pine and near Shepard's Creek to control this problem.

Sample testing begins in July for the presence of West Nile Virus. A group, or "pool", of mosquitos caught in traps will be sent for disease testing. This will continue through September as West Nile Virus is most prevalent during the late summer months.

Mosquito control technicians will be working diligently during the beginning of July to ensure that Independence Day festivities are as mosquito free as possible. Many people will be out enjoying the summer evening weather, but it is important that we all remember to apply insect repellent to prevent bites.

Trapping continues for the exotic species *Aedes albopictus* and *Aedes aegypti*. These are the species that can carry Zika. The importance of exotic species detection trapping was highlighted in a recent report from the CDC that stated:

"Our findings underscore the need for systematic surveillance of Ae. aegypti and Ae. albopictus in the United States and delineate areas with risk for the transmission of these introduced arboviruses."

This new map, with colored areas indicating recent finds, illustrates just how close to Inyo and Mono Counties these invasive mosquitoes have been discovered:



Eastern Sierra Weed Management Area

ESWMA staff spent a week in the Antelope Valley conducting weed management work last month. Weeds in the area were largely disseminated during a flood in 1998. Many of these weed species produce seeds that can be viable for more than 20 years. In the last 15 years, these populations have been reduced by 70%. Despite this success, there is no further funding available to continue efforts in the area.

Keeping weeds out of the Antelope Valley is important to the agriculture industry in the area as well as the environment along the West Walker River. We will continue to work to identify future funding sources for this important project.

Staff also met with CDFA personnel last month and visited sites in Mammoth Lakes and Independence that are being managed with the help of CDFA funding. Both projects have been successful, but the saltcedar eradication project in Independence has been an overwhelming success. After the Oak Creek flood in 2008, thousands of saltcedar saplings were identified along the south fork. After five years of meticulous management, this population was eradicated. Monitoring is ongoing to ensure no viable seed remains in the area.

Important Dates:

July 4

Office closed in observance of Independence Day

July 12

OVMAP at Inyo Board of Supervisors for assessment hearing

July 14

Owens Dry Lake Groundwater Group Meeting—Keeler

California Department of Public Health Zika Conference Call

July 15

Long Valley Sage Grouse Habitat Field Trip



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Notice of Public Information Meeting
for Pumice Valley Landfill

**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 Information Meeting for the Pumice Valley Landfill Permit Revision Application

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 of Public Information Meeting</p>

History

Time	Who	Approval
7/27/2016 5:23 PM	County Administrative Office	Yes
7/26/2016 5:05 PM	County Counsel	Yes
7/27/2016 10:47 AM	Finance	Yes



MONO COUNTY HEALTH DEPARTMENT

Environmental Health

P.O. BOX 476, BRIDGEPORT, CA 93517 PHONE (760) 932-5580 • FAX (760) 932-5284
P.O. BOX 3329, MAMMOTH LAKES, CA 93546 PHONE (760) 924-1830 • FAX (760) 924-1831

July 15, 2016

Honorable Board of Supervisors of Mono County
C/O Clerk of the Board
PO Box 715
Bridgeport, CA 93517

RE: Notice of Public Information Meeting for the Pumice Valley Landfill Permit Revision Application

To the Honorable Board of Supervisors of Mono County:

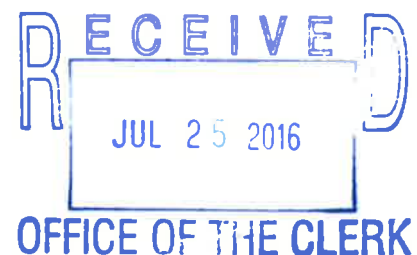
As the governing body of the jurisdiction in which the Pumice Valley Landfill is located, please be advised that the Mono County Environmental Health Department, acting as the Solid Waste Local Enforcement Agency (LEA) will be holding an informational public meeting as required by Title 27 California Code of Regulations §21660.2 regarding a proposed revision to the Solid Waste Facility Permit for the Pumice Valley Landfill. The LEA is certified by the California Department of Resources, Recycling and Recovery (CalRecycle) to enforce state laws and regulations at solid waste sites within the County of Mono, including all active and closed landfills.

Please call me at 760-924-1846 or email jkearney@mono.ca.gov with any questions or concerns.

Thank you,

A handwritten signature in cursive script that reads "jill kearney".

Jill Kearney, REHS



NOTICE OF
PUBLIC INFORMATION MEETING

This public notice was prepared pursuant to Title 27 California Code of Regulations §21660.3(b) for revised solid waste facilities permit applications.

(1) Name and location of the facility: PUMICE VALLEY LANDFILL, 200 Dross Road, Lee Vining, CA

(2) Solid waste facilities permit/facility number : 26-AA-0003

(3) Purpose: To provide interested parties the opportunity to become informed about the changes being proposed and the actions being taken by the enforcement agency in processing the permit.

(4) Date the EA accepted the solid waste facilities permit revision application: July 14, 2016.

(5) Description of proposed changes to the solid waste facilities permit:

- Increase maximum daily tonnage from 4 tons per day to 110 tons per day,
- Increase acreage of permitted facility from 40 acres to 48.45 acres (no change to waste disposal footprint),
- Establish items not included in previous permit: permitted disposal volume at 741,360 cubic yards, total acreage of disposal area at 23.6, vehicles per day at 30,
- Decrease days and hours of operation,
- Update permit, operating documents and lease to reflect changes in land ownership and design: grading plan, fill sequencing, location of landfill gas monitoring wells,
- Update operator contact information.

(6) EA's preliminary determination: The preliminary determination is to accept the permit revision application as complete and prepare a revised permit and issue it following concurrence by the California Department of Resources Recycling and Recovery (CalRecycle).

(7) A copy of the application can be obtained from the Mono County Environmental Health Department by contacting Jill Kearney at (760) 924-1846 or jkearney@mono.ca.gov during regular business hours.

(8) Date, time location of the public informational meeting:

DATE OF MEETING:	Wednesday, August 3, 2016
TIME OF MEETING:	3:00 p.m. - 4:00 p.m
LOCATION:	Lee Vining Community Center 296 Mattly Avenue Lee Vining, CA 93541

(9) Options for submitting comments. Written comments may be sent to Jill Kearney by fax to (760) 924-1831 or e-mail to: jkearney@mono.ca.gov or mail to: Attn: Jill Kearney, Mono County Environmental Health, PO Box 3329, Mammoth Lakes, CA 93546.

(10) Information on the availability of appeals to challenge the LEA's issuance or denial of a modified, revised, or new permit pursuant to Public Resources Code §44307. The enforcement agency shall hold a hearing upon a petition to the enforcement agency from any person requesting the enforcement agency to review an alleged failure of the agency to act as required by law or regulation.

(11) LEA and Operator contact information:

LEA – Jill Kearney; Mono County Environmental Health; 760-924-1846, jkearney@mono.ca.gov, PO Box 3329; Mammoth Lakes, CA 93546.

Operator – Mr. Tony Dublino; Mono County Public Works, (760) 932-5453, tdublino@mono.ca.gov; PO Box 457; Bridgeport, CA 93517



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: Finance, Community Development, Public Works and Mono First 5

TIME REQUIRED PUBLIC HEARING - 10:00 A.M.

**PERSONS
APPEARING
BEFORE THE
BOARD**

Megan Mahaffey, Joe Blanchard, and
Molly DesBaillets

SUBJECT CDBG Program Income Reuse
Agreement

AGENDA DESCRIPTION:

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

Public hearing regarding proposed CDBG Program Income Reuse Plan for Program Income in the amount of \$187,000 from the payoff of a First Time Homebuyer loan for property located in Crowley Lake.

RECOMMENDED ACTION:

1. Adopt proposed resolution approving Community Development Block Grant Program Income Reuse Plan with Jurisdiction certifications. 2. Adopt proposed resolution authorizing Leslie Chapman to sign as the authorized representative for submittal of a Supplemental Activity request for Parks/ Facilities and Child Care for the \$187,000 in grant funds.

FISCAL IMPACT:

Increased funding of \$187,000 from CDBG Program Income as result of First Time Homebuyer Loan payoff and utilize this additional funding to supplement current CDBG projects.

CONTACT NAME: Megan Mahaffey

PHONE/EMAIL: 760-924-1836 / mmahaffey@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](#)

[PI Reuse Agreement](#)

[Resolution - PI Agreement](#)

[Resolution - Supplemental Activity](#)

History

Time	Who	Approval
7/25/2016 2:14 PM	County Administrative Office	Yes
7/28/2016 3:28 PM	County Counsel	Yes
7/25/2016 11:09 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

August 2, 2016

To: Honorable Mono County Board of Supervisors

From: County Administrator's Office: Leslie Chapman
Community Development: Scott Burns
Finance: Megan Mahaffey
Mono First 5: Molly DesBaillets
Public Works: Joe Blanchard

Re: CDBG Program Income Reuse Agreement

Actions Requested:

1. Adopt proposed resolution approving Community Development Block Grant Program Income Reuse Agreement with Jurisdiction certifications.
2. Adopt proposed resolution authorizing Leslie Chapman to sign as the authorized representative for submittal of a CDBG Supplemental Activity request for Parks/ Facilities and Child Care for the \$187,000 in grant funds.

Fiscal Impact of Requested Actions:

Increased funding of \$187,000 from CDBG Program Income as result of First Time Homebuyer Loan payoff and utilize this additional funding to supplement current CDBG projects as follows: \$150,398 towards Mono Lake park restroom improvements and parking/ path of travel and \$36,602 towards Child Care programs operated through Mono First 5. Without this agreement, Mono County cannot spend the program income on local programs and cannot draw down funds from the CDBG grant award.

Background:

Mono County has utilized the CDBG program to fund various projects and programs including improvements to Community Centers and offering First Time Homebuyer Loans. Before Mono County can spend program income, it must have an up to date Program Income (PI) Reuse Agreement adopted by the board as required by Federal Regulation. The PI Reuse Agreement establishes policies and procedure for the administration and utilization of PI received from eligible activities funded under CDBG contracts. Mono County's existing PI Reuse Plan was adopted on May 20, 2014 and is currently out of date.

Mono County applied for and was awarded a Community Development Block Grant (CDBG) 2015 NOFA award for the following activities:

Child Care - \$500,000
Parks/Facilities - \$150,000

Planning Housing Needs Assessment - \$100,000

Mono County is currently under contract with the State Department of Housing and Community Development for the above grant funded projects. The Child Care services are scheduled to begin August 15th, the Park restrooms in Gull Lake, Benton and Crowley are scheduled to start this summer with completion anticipated next summer. The Planning Grant has gone through a competitive procurement process. A contractor was recently selected and work will be complete in 2017.

Discussion:

Mono County received \$187,000 from the payoff of a First Time Homebuyer loan for a property located in Crowley Lake. The Program Income in the amount of \$187,000 must be spent first on open grant activities prior to requesting grant funds from CDBG. All awarded projects for the CDBG 2015 NOFA are ready to start. Program Income on hand must be used to complete the active contract activities before grant funds can be drawn. The amount of grant funds equal to the PI paid funds can be rolled into funding Supplemental Activities. Due to the CDBG requirement that Program Income must be spent prior to any draw down of open grant awarded activities through the CDBG program, Mono County is limited in how the Program Income can be spent. After reviewing the current status of the active CDBG contract, Mono County staff recommends rolling the \$187,000 Program Income into the following Supplemental Activities: Child Care \$36,602 and Park/Facilities \$150,398.

Child Care need for supplemental funding:

The CDBG Child Care program is set to begin services in Bridgeport and Benton on August 15, 2016. First 5 and Eastern Sierra Unified School District held a parent information night in both locations, distributed applications, applied to the Department of Social Services for child care licenses at both sites, created the teacher and aide positions, conducted interviews for the teacher position, and continue to outreach to the communities to maximize enrollment. Additional Funding in the amount of \$36,602 from Program Income would pay for classroom supplies at both sites. The initial budgets included classroom supplies and furniture, but in the revision process supplies were taken out. Staff recognize that the classrooms will absolutely need supplies to become licensed and to operate effectively and the availability of Program Income is a good opportunity to fulfill this need.

Parks/Facilities need for supplemental funding:

The Gull Lake park restroom is set to begin this summer. The Benton park and Crowley Lake park will begin after the Gull Lake park improvements are complete. Since the CDBG 2015 application was submitted we have completed the engineering for several more Mono County park projects. The Mono Lake park preliminary engineering is complete and can be implemented as funding allows. Additional funding in the amount of \$150,398 from Program Income would pay for ADA improvements to the restrooms along with parking and path of travel.

Attachments:

Attachment A: Program Income Reuse Plan

Attachment B: Resolution – CDBG Program Income Reuse Agreement

Attachment C: Resolution – Authorized signer for CDBG Supplemental Activity submission

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
(CDBG)
PROGRAM INCOME (PI) REUSE AGREEMENT

Execution of the this Program Income (PI) Reuse Agreement by both the Jurisdiction and the California, State Department of Housing and Community Development (Department) provides official notification of the Department's approval for the Jurisdiction to expend PI funds under the State's administration of the Federal Community Development Block Grant Program (CDBG) for (1) State Non-Entitlement Jurisdictions; and (2) former State Non-Entitlement Jurisdictions that are now Entitlement Jurisdictions; pursuant to the provisions of 42 U.S. Code (U.S.C.) 5301 et seq., 24 Code of Federal Regulations (CFR) Part 570, Subpart I, and 25 California Code of Regulations (CCR), Sections 7050 et seq. CDBG funding is listed in the Catalog of Federal Domestic Assistance as 14.228 - CDBG Community Development Block Grant Program. The Agreement also includes asset repayments from activities administered under Disaster Recovery Initiative (DRI) contracts.

By completing this PI Reuse Agreement and signing the end of this document, the Authorized Representative certifies the Jurisdiction has read, understands and will adhere to the PI Reuse Overview and Process discussed in the first section of this document, the Jurisdictional Certifications in the second section of this document, and Department of Housing and Community Development (hereinafter Department) terms and conditions in the third section of this document.

SECTION ONE: OVERVIEW AND PROCESS

JURISDICTION: _____

GOVERNING BODY ADOPTED ON: _____

This PI Reuse Agreement establishes policies and procedures for the administration and utilization of PI received as a direct result of eligible activities funded under CDBG and DRI contracts with the Department. *For payments generated under DRI contracts, while the funding was loaned under DRI, when a payment is received, per DRI regulation, the payment becomes CDBG PI.*

Applicability of this Agreement:

This PI Reuse Agreement between the Jurisdiction and Department is required by CDBG Federal Regulation. This Agreement allows Jurisdictions receiving repayments from CDBG and DRI assets to spend those PI funds in the absence of an active Department CDBG grant contract. This Agreement applies to all current Department-eligible Non-Entitlement Jurisdictions and HUD Entitlement Jurisdictions that are receiving Department Non-Entitlement PI funds (CDBG and DRI).

RECEIPT OF PROGRAM INCOME

Pursuant to the definition of PI found at 24 CFR 570.489(e)(2), repayments of assets generated from use of CDBG funds received by the Jurisdiction from the Department are PI. These repayments of loans, lease payments, and proceeds of asset sales will be deposited into one of three separate local PI accounts depending on what activity generated the PI. It is possible that the Jurisdiction may have up to three separate accounts with which to manage PI.

1. If the Jurisdiction has a Department approved Revolving Loan Fund (RLF) for Housing and/or Economic Development (ED), any PI from Housing or ED activities must be deposited into the RLF associated with the activity that generated the PI.

This means:

- a. Housing PI must be deposited into the Housing RLF.
- b. ED PI must be deposited into the ED RLF.

Note: *The accounts for each RLF must be separate accounts, however, both must be interest bearing.*

2. If RLF(s) are not approved for use, the Jurisdiction must deposit all CDBG repayments into a single regular PI account which must be separate from either of the RLF accounts, but it must also be interest bearing.
3. If repayment comes from a loan or asset that was originally paid with CDBG and non-CDBG funds, the PI accounting and reporting must reflect the correct amounts and proportions of CDBG PI and non-CDBG funds invested in the asset. Only the CDBG portion of the repayment is deposited into one of the three PI accounts.

OVERVIEW OF WAYS TO USE PROGRAM INCOME

There are five (5) ways to manage PI under the Agreement. They are:

1. *Expend PI and RLF monies first on active grant contract activities;*
2. *Expend PI for General Administration (GA) Activities (up to allowable limits);*
3. *Expend through an approved PI Revolving Loan Fund (RLF);*
4. *Expend PI on an approved waiver activity when no active contract is in force; and,*
5. *Return PI annually to the Department.*

The undersigned Jurisdiction certifies that PI will be expended first when there is an active grant contract with the Department. PI being received when there is no active grant contract will be deposited into separate accounts for approved activities under this Agreement (via GA, PI Waiver or RLF) and only be distributed and expended, as follows:

1. Expend PI and RLF Monies First on Active Grant Contract Activities:

If the undersigned Jurisdiction has an active grant contract with the Department, all PI on hand must be expended on open grant activities, prior to requesting grant funds from the Department.

If the undersigned Jurisdiction has a Department approved PI Revolving Loan

Fund (RLF) per this Agreement, and has an active grant contract which includes the same eligible CDBG activity as the RLF, the RLF monies must be expended first before requesting any contract funds from the Department. PI must always be expended first on active contract activities, prior to requesting grant contract funds.

See the Chapter on Program Income and Revolving Loan Funds in the Department's CDBG Grant Management Manual (GMM) for additional information regarding use of PI to pay costs for activities under an active grant contract in the Department.

2. Expend PI General Administration (PI GA) for GA Activities (up to allowable limits)

The undersigned Jurisdiction must track a calculation of up to seventeen percent (17%) of PI received annually for eligible GA costs. However, the seventeen percent (17%) PI GA only applies to PI received that is **not** generated by a RLF activity.

PI, including PI GA, must be expended first, prior to requesting funds from the Department under an active grant contract. PI GA funds cannot be held and used only as PI GA costs are incurred. All PI must be spent prior to the next funds request submitted. The Jurisdiction can choose to keep an accounting of the total amount of PI GA available for use based on all regular PI received and report this on Department PI Reports semi-annually.

PI GA funds cannot be used for planning studies or technical assistance activities, these activities can only be funded under awarded grant contracts. See the PI Chapter for further details on eligible PI GA activities under this Agreement.

3. Expend PI through an approved PI Revolving Loan Fund (RLF):

To establish one or both of the RLFs discussed below, the undersigned Jurisdiction must submit formal written request for Department approval using the required process included with this Agreement.

The undersigned Jurisdiction agrees to all the Department's RLF requirements as stated in this Agreement and detailed in the GMM Chapter.

The two RLFs and their corresponding definitions, as permitted by this Agreement, are:

A. Housing Revolving Loan Fund (RLF)

Eligible housing activities under this RLF include:

- I. Housing Rehabilitation (HR) - Single Unit Residence program for **owner and/or tenant occupied** properties. Matrix code **14A**.
- II. Housing Rehabilitation (HR) - 2-4 Units program for **tenant occupied**

properties. Matrix code **14B**.

- III. Housing Acquisition (HA) - Single-family program for homebuyer assistance. Matrix code **13**.

B. Economic Development (ED) Revolving Loan Funds (RLF)

Eligible ED activities under this RLF include:

- I. Business Assistance (BA) program (direct financial assistance to a for-profit business). Matrix code **18A**; and,
- II. Microenterprise Financial Assistance (ME Loans) program. Matrix code **18C**.

The undersigned Jurisdiction will ensure that their programs have appropriate and up-to-date Guidelines and will administer the programs according to CDBG Regulations and policies and procedures. Per the above activities Grant Management Manual Chapters, Program Guidelines must comply with those rules. **Note:** *CDBG is now requiring that Housing Rehabilitation Guidelines (1-4 Units) be separated into two guidelines: Owner-Occupied (1-unit) and Tenant-Occupied (1-4 Units). At minimum the Housing Rehabilitation Guidelines must be separate by two sections.*

Department written approval must be received before incurring any activity or activity delivery costs associated with implementing any activities under the approved RLF. All approved RLF projects, will be required to be reported to the Department via the applicable CDBG Set-up/Completion reports.

4. Expend PI on an Approved PI Waiver Activity when no active contract is in force.

The undersigned Jurisdiction may only utilize the Department's PI Waiver process when it has no active grant contracts with the Department. Once there are no active contracts with the Department, the undersigned Jurisdiction can have up to two active eligible CDBG activities approved by the Department, for which PI may be expended. Waivers will consist of a single program, service or single project activity. If it is a single program activity, it cannot be the same program activity as funded under an approved RLF.

The undersigned Jurisdiction will follow all PI Waiver procedural requirements as stated in the PI Chapter of the GMM.

Written Department approval is required before expending any PI funds on a Waiver activity. Each Waiver activity must clear the activity General Conditions, and any Special Conditions, which include Federal overlays as posted on Department's webpage.

A PI Waiver project can only be approved if the total project / program cost for the proposed activity is on hand in the Jurisdiction's PI account. Future PI may not be committed for PI Waivers.

The undersigned Jurisdiction understands that PI Waiver activities are limited to two active projects, services and/or programs, and will remain active until close out has been completed and approved by the Department. Each approved Waiver activity will be set up with the Department using current Set-Up Report.

The undersigned Jurisdiction understands if they receive a subsequent award of CDBG funds, upon execution of the new grant contract all waiver activities are to be completed first, after which, PI must be expended first on the active grant contract activities. PI Waivers will not be included in the grant, because Supplemental activities will be included in contracts.

5. Return PI to the Department

The undersigned Jurisdiction has the option to return PI back to the Department. However, semi-annual and annual reports are still required to confirm PI being returned.

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SECTION TWO: PROCEDURES AND USE OF PROGRAM INCOME

Since CDBG is a Federal funding source, Citizen Participation is required when utilizing any of the five (5) ways to use PI listed above. Those requirements are incorporated below.

The _____ certifies that:

1. **Resolution:**

The PI Reuse Agreement was formally adopted via resolution on _____ by the Jurisdiction's Governing Body, executed by the Authorized Representative and submitted to the Department with certified copy of the approving resolution attached for full execution.

2. **Citizen Participation:**

Each of the processes discussed in this Agreement will be carried out in compliance with the CDBG Citizen Participation process, as specified in Federal Regulations at 24 CFR 570.486, and Jurisdiction's public hearing requirements.

3. **Governing Compliance:**

The undersigned Jurisdiction certifies the administration of all CDBG eligible activities conducted under the above described Ways to Spend PI, will be conducted in compliance with all current State and Federal Regulations and policies, including all applicable GMM chapters and Department Management Memorandums.

4. **Ineligible Activities and Costs:**

The undersigned Jurisdiction acknowledges that if ineligible activities or costs are paid for with CDBG PI, those funds must be returned to the Jurisdiction's PI or RLF account (whichever account expended ineligible funds) using local Jurisdiction funds.

The undersigned Jurisdiction acknowledges that ineligible activities or costs paid for with PI under an active grant contract must be repaid to the Department using local non-Federal funds.

5. **Jurisdictions Leaving the State Non-Entitlement Program and Jurisdictions Entering the State Non-Entitlement Program:**

The undersigned Jurisdiction certifies that it will follow these procedures when leaving or entering the State CDBG Program:

A. 24 CFR 570.489(e)(3)(iii) Transfer of program income to Entitlement program.

Jurisdictions that were State CDBG Program participants but become entitlement communities or part of an urban agreement, have the following options for PI and RLFs:

PI not associated with a RLF, the jurisdiction must:

- 1) Complete the process to certify they will be reporting the State PI into the Entitlement Programs process, including receipting the CDBG proceeds into IDIS; or,
- 2) Return all State CDBG PI to the Department, the amounts on hand once the HUD agreement is signed and as it is received until all PI generated by State CDBG funding has been returned.

PI in an approved RLF:

Entitlement jurisdictions and those who are part of an urban agreement may keep their RLF(s) and monies within an RLF as long as the following is met:

- 1) They have a State PI Reuse Agreement signed by the Department and the City/County Authorized Representative.
- 2) Agree to operate the RLF under the Department's RLF rules going forward.
- 3) Report all expenditures and accounting of RLF(s), as required by the Department.
- 4) The Jurisdiction shall be required to have: a) loan servicing policies and procedures; and, b) asset management policies and procedures, pursuant to the Department's Grant Management Manual Chapter on Asset and Real Property Management.

B. 24 CFR 570.489(e)(3) (iv) Transfer of program income of grantees losing Entitlement status.

Upon entry into the State CDBG Program, a unit of general local government that has lost or relinquished its Entitlement status must submit a letter to the Department, signed by the Authorized Representative stating which of the following options the jurisdiction will be implementing. Keep in mind, that retaining Entitlement PI while participating in the State CDBG Program will require PI reporting for both sets of funding. Entitlement PI and any PI generated by State CDBG fund cannot be comingled.

Within 90 days of leaving the Entitlement Program to join the State CDBG

Program, the jurisdiction must certify that it will either:

- 1) Retain PI generated under Entitlement grants and continue to comply with Entitlement Program requirements for PI, including reporting it into IDIS or the urban county; or,
- 2) Retain the PI and transfer it to the State CDBG Program, in which case the jurisdiction must comply with the State's rules for PI and RLF contained in this Agreement and current PI Chapter in the Department's CDBG Grant Management Manual.

6. Requirements of Program Income

This PI Reuse Agreement is intended to satisfy the requirements specified in Federal Statute and Regulation at Section 104(j) of the Housing and Community Development Act ("the Act"), as amended in 1992 and 24 CFR 570.489(e) and (f). These statutory and regulatory sections permit a unit of local government to retain PI for CDBG-eligible activities, with Department approval. Under Federal Guidelines adopted by the State of California's CDBG Program, local governments are permitted to retain PI as long as the local government has received advance approval from the State of a local agreement that will govern the expenditure of the PI. This Agreement has been developed to meet that requirement when an active contract between the Department and the undersigned Jurisdiction is not in force.

The undersigned Jurisdiction certifies their PI will be used to fund eligible CDBG activities that meet a National Objective and any public benefit requirements. Eligible activities, National Objective and public benefit requirements are specified in Federal Statute at Sections 104(b), 105(a) of The Housing and Community Development Act of 1974, and in Federal Regulations at 24 CFR 570.482 and 24 CFR 570.483. The Jurisdiction understands, if it is determined that an activity/project funded with PI that does not meet a National Objective and/or meet the public benefit requirement, the Jurisdiction will be required to use its own local funds to repay the PI Account.

7. Definition of Program Income

"Program Income" means gross income earned by the Jurisdiction from grant-funded activities and is subject to CDBG regulatory requirements pursuant to 24 CFR, Part 570.489(e) - Program Administrative Requirements as amended in the CDBG Final Rule, 24 CFR, Part 570.504 - Program Income, 24 CFR Part 85 – Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments, and OMB Circulars A-87 and A-122 as applicable. These regulations include the requirement that the Jurisdiction record the receipt and expenditure of PI as part of the financial transactions of the grant activity(ies).

For activities generating PI that are only partially funded with CDBG funds, such income is prorated to reflect the actual percentage of CDBG participation. Examples of PI include but are not limited to: payments of principal and interest

on housing rehabilitation or business loans made using CDBG funds; interest earned on PI pending its disposition; interest earned on funds that have been placed in a revolving loan account; net proceeds from the disposition by sale or long-term lease of real property purchased or improved with CDBG funds; and, income (net of costs that are incidental to the generation of the income) from the use or rental of real property that has been acquired, constructed or improved with CDBG funds and that is owned (in whole or in part) by the participating Jurisdiction or Subrecipient.

8. Fiscal Reporting of Program Income Receipts, Deposits and Disbursements

The undersigned Jurisdiction certifies that CDBG PI will be accounted for using the Department's fiscal year timeframe (July 1 to June 30). All receipts of PI or RLF revenue (and the depositing of those funds into separate account(s)), and expenditures of PI in accordance with this PI Reuse Agreement, will be monitored and reported per the Department's fiscal year cycle. The undersigned Jurisdiction certifies that they will report using the Department's reports/forms and will submit them in a timely manner.

9. Duration of This Program Income Reuse Agreement

The undersigned Jurisdiction certifies that it and its Governing Body understand that this document is effective for five (5) years from the execution date by the authorized CDBG Representative listed in this Agreement. At that time unless here are no further CDBG PI assets generating repayments, or the Jurisdiction has become a HUD entitlement Jurisdiction and uses these funds for entitlement activities, a new PI Reuse Agreement will be submitted to the Department. The Department has the Authority to void the Agreement with notice for cause.

10. Program Income General Administration (PI GA)

- A. After the PI Reuse Agreement is executed, the Jurisdiction reserves the right to calculate and track up to seventeen percent (17%) of PI received pursuant to Section 1, item 2 above, for payment of eligible PI GA costs. PI GA will not be calculated for any RLF deposits. As noted above, these funds cannot be set aside since all PI must be expended first on whatever CDBG cost must be paid, however tracking the amount of PI GA generated by the Jurisdiction's PI revenue permits the Jurisdiction to use that amount on eligible CDBG costs that don't have to meet a National Objective, and ensures the Department is not exceeding the administrative funding cap of twenty percent (20%), as set by Federal statute.
- B. If more funds are expended than what is available under PI GA calculation, the Jurisdiction will be required to return the over-expended PI GA amount back into their PI Account.
- C. Ineligible PI GA costs will be required to be returned to their PI Account.
- D. PI GA funds, once approved for use, may be used to pay for costs

associated with receiving Department approval of PI activities funded under this Agreement. Before submitting any proposed PI activities (Waivers or RLF) for Department approval, the Jurisdiction must hold at least one formal public hearing to discuss eligible activities and proposed PI activities. Department recommends that this public hearing be conducted to review current fiscal year PI activities and proposed and possible activities for future Department applications.

11. Revolving Loan Funds (RLFs)

- A. Pursuant to the criteria noted below, the undersigned Jurisdiction may be eligible to request Department approval of the Housing RLF and/or the ED RLF.
- B. RLFs listed under the Agreement will only be utilized after the Jurisdiction submits written certification and receives written Departmental approval certifying that the proposed RLF meets the Department's definition as follows:
 - 1) There are existing loans and assets from past RLF eligible activities that can be reasonably expected to generate repayments.
 - 2) The existing loans and assets have generated at least one loan repayment in the current fiscal year.
- C. The two RLFs and their respective CDBG eligible activities listed in this Agreement will be administered under the guidance and requirements provided in this Agreement and in the Department's current GMM Chapter on PI, and any subsequent policy, regulation, or statutory guidance from the Department.
- D. Pursuant to Management Memorandum 14-05 and/or the current PI Chapter in the GMM, the undersigned Jurisdiction certifies acknowledgement that the Department reserves the right to cancel the grantee's RLF and require the funds to be returned to the Department as a corrective action for significant, ongoing non-compliance with RLF rules.
- E. The two (2) RLFs listed below each have a multiple eligible CDBG Program activities. All CDBG rules pertaining to eligible RLF Program activities, including Department written approval for establishing, will be followed.

1) Housing Revolving Loan Fund

Eligible housing activities under this RLF include:

- i. Housing Rehabilitation (HR) - Single Unit Residence program for owner and/or tenant occupied properties. Matrix code **14A**.
- ii. Housing Rehabilitation (HR) - 2-4 Units program for owner and/or tenant occupied properties. Matrix code **14B**.
- iii. Housing Acquisition (HA) - Single-family program for homebuyer assistance. Matrix code **13**.

2) Economic Development (ED) Revolving Loan Funds (RLF)

Eligible ED activities under this RLF include:

- i. Business Assistance (BA) program (direct financial assistance to a for-profit business). Matrix code **18A**.
 - ii. Microenterprise Financial Assistance (ME Loans) program. Matrix code **18C**.
- F. Each approved RLF will offer all eligible activities under the RLF definition.
- G. Separate and formally adopted City/County Program Guidelines for each eligible activity must be completed by the Jurisdiction before requesting Department approval of a RLF. Program Guidelines and their approval date will be reviewed at monitoring.
- H. The undersigned Jurisdiction acknowledges that although all eligible activities under each approved RLF must be available, the Jurisdiction has the discretion to fund RLF loans for the activity or activities they deem to address the greatest need in their community.
- I. RLF receipts on deposit may be used for one or both single-family housing program activities. Although each Housing activity is required to be approved by the Department for use under the RLF, the Jurisdiction may choose to only operate one activity at a time or all three simultaneously.
- J. In addition, each approved RLF will meet the following criteria:
- 1) RLFs will operate on a fiscal year of July 1 to June 30 for accounting and performance reporting.
 - 2) Jurisdictions will set up RLFs as separate accounts (Housing and ED RLF accounts must be separate) with separate fund and transaction numbers. All other CDBG funds received as PI must be accounted for in a separate account.
 - 3) All accounts set up pursuant to 2.G.2 will be interest bearing.
 - 4) RLF monies will be expended first when the same RLF activity is funded under an awarded active grant contract.
 - 5) RLF projects may be funded with both RLF monies and an active grant contract.
 - 6) RLFs programs will not provide grants to eligible project activities. Thus, activities under an active contract that are funded using only grants rather than loans will use contract funds not RLF monies to pay for the activity. RLF Program activities that are also funded under an active contract, but limited to only grants to projects, will not require RLF funds to be spent first on the active grant activities.
 - 7) The RLFs will primarily provide financing instruments that will revolve, (i.e., loans), RLFs cannot fund projects primarily or solely with grants or forgivable loans.
 - 8) RLF receipts from loans or assets generated from the same program

activity (i.e., single-family housing rehabilitation loan repayments) will only be deposited into a Housing RLF. Thus, repayments from the same program activities that go into an RLF must be used for originating loans for the same program activities.

- 9) RLF PI balances will not be moved to another approved RLF account or to the Jurisdiction's regular PI account. The Department may use a State or Federal disaster declaration to formally allow for re-purposing of PI funds by the Jurisdiction. Funds approved by the Department for re-purposing to meet an urgent need are considered PI and must be expended first under active grant contracts or under approved waivers, if there is no active contract.
- 10) RLFs that become depleted of funds and do not have additional asset repayments to sustain revolving activities, such that no longer meeting the Department's RLF definition, will be canceled by the Department.
- 11) RLF PI received and deposited is not allowable for PI GA expenses thus, seventeen percent (17%) cannot be set aside as with Jurisdictions with separate PI accounts.
- 12) RLFs with no annual revolving activities (i.e., approved loans) are not able to be used by the Jurisdiction for reimbursement of non-revolving costs; therefore, activity delivery (AD) costs are not eligible. **AD costs are only eligible if one or more projects are funded and accomplishment data (i.e., beneficiaries) for those activity(ies), on an annual basis, are reported.**
- 13) RLF projects must be documented as meeting a National Objective. If a project does not meet a National Objective, then all expenses associated with the project (activity and activity delivery funds) must be repaid to the RLF with non-Federal funds.
- 14) Given that RLF revenue cannot be "banked" to remain eligible, a RLF must revolve. To meet the definition of revolving, the undersigned Jurisdiction will not have more than \$100,000 on deposit in an RLF within a fiscal year without making at least one loan. Nor will the undersigned Jurisdiction have more than \$500,000 on hand even if making loans each fiscal year.
- 15) The undersigned Jurisdiction certifies they are aware that the Department will address excess funds and revolving compliance by issuing finding letters to the grantee which could result in the Department cancelling the grantee's RLF, which immediately converts the funds to PI; and, therefore, must be used prior to drawing down grant funds.
- 16) RLF activity delivery funds (AD) may be used to pay for loan servicing costs.
- 17) Loan servicing costs under the RLFs are not eligible as PI GA costs, but are eligible AD costs. As such, loan servicing costs are only eligible if one or more loans are made in a fiscal year.
- 18) Citizens of the Jurisdiction must be the primary beneficiaries of all RLF

Program activities.

- 19) Financial and performance reporting on RLF projects will be done using current CDBG eligible activity Set Up and Completion Report forms, which will collect National Objective data and beneficiary demographics, as HUD required accomplishment information.
- 20) Additional financial reports for RLF PI deposits and expenditures will be done twice a year using the Department's current PI fiscal reporting forms.
- 21) The Jurisdiction will be required to repay the RLF account for ineligible costs or activities with local non-Federal funds.
- 22) Housing RLF Programs will meet the CDBG National Objective of benefit to Low/Moderate-income (Low/Mod) households, per 24 CFR Part 5 and in accordance with the Department's Income Manual.

K. Activity Specific Requirements:

1) Housing RLF:

- a. All Housing Rehabilitation and Homeownership Assistance Programs will only fund projects that meet a National Objective and comply with other State and Federal requirements, including Department Management Memorandums and GMM Chapters on Housing Rehabilitation, Multi-Family Rehabilitation (2-4 units) and Homeownership Assistance Activities.
- b. No more than nineteen percent (19%) of funds expended for **Housing Rehabilitation** in the RLF will be used for AD costs on an annual fiscal basis.
- c. No more than eight percent (8%) of funds expended in a fiscal year for **Homeownership Assistance** will be used to reimburse eligible AD costs.
- d. AD costs are not eligible until one loan is approved, closed and project beneficiary information is submitted.
- e. Projects cannot be provided grants.

2) ED RLF:

- a. Both ED Programs will only fund projects that meet a National Objective and comply with other State and Federal requirements, including Department Management Memorandums and GMM Chapters on **ME Loans** and **BA** Activities.
- b. For **ME Loans**, income eligibility must be met per 24 CFR Part 5 and in accordance with the Department's Income Manual. For **BA**, income eligibility is done based on meeting National Objective standard of providing jobs to Low/Mod income persons or area benefit for goods or services.
- c. No more than 15 percent (15%) of the total funds expended for **BA** or **ME Loans** activities shall be used to reimburse Jurisdiction for

eligible activity delivery (AD) costs on an annual fiscal basis.

- d. Annual AD costs are not eligible until one loan is approved, closed and project beneficiary information is submitted.
- e. For **BA**, local review and underwriting of business assistance projects requesting a CDBG loan under this RLF shall be conducted under the BA Program Guidelines that have been adopted by the Governing Body of the undersigned Jurisdiction.
- f. For ME Loans, the CDBG eligible activity of direct financial assistance to eligible microenterprise businesses will be conducted under this RLF. Local review and approval of microenterprise financial assistance projects requesting a CDBG loan under this RLF shall be conducted under the undersigned Jurisdiction's ME Loan Program Guidelines that have been adopted by the Governing Body. **Note:** *This subsection applies to Microenterprise loans only, not ME grants. Financial Assistance that is solely a grant cannot be made through an RLF.*

12. Loan Portfolio and Asset Management Policies and Costs

- A. The undersigned Jurisdiction certifies that it has asset management policies and loan portfolio servicing policies that are in compliance with HUD standards per 24 CFR Part 570, OMB Circulars A-87, A-122, A-133 and 24 CFR Part 85.
- B. The use of CDBG funds creates public financial assets. The public financial assets created can be in the form of loans or other repayment instruments which result in PI. Financial assets may also be in the form of real property or chattel (equipment and fixtures). All assets created from the use of CDBG funds must be administered in compliance with OMB Circulars A-87, A-122, A-133, 24 CFR Part 85. These policies will be used for managing all CDBG assets, including those which generate PI and RLF PI.
- C. General Administration PI funds may be used to reimburse the Jurisdiction for loan servicing and asset management costs. If the Jurisdiction has no PI GA available, GA funds from active grant contracts may be used to pay for eligible loan servicing costs.

13. Program Income Waivers

- A. The PI Waiver Submission Process will only be conducted when the undersigned Jurisdiction has no active grant contract(s) with the Department.
- B. The process below will be followed if a PI Waiver is to be requested:
 - 1) All PI Waiver requests will be submitted on approved Departmental forms for the Department's written approval.
 - 2) After the Department's review of the activity for eligibility and National

Objective compliance, the PI Waiver will be formally adopted via public hearing and resolution of the Jurisdiction's Governing Body, as part of the PI Waiver General (and Special Conditions if applicable) Clearance process.

- 3) Expenditure of PI Waiver funds will not commence until clearance of all required General and Special Conditions have been met and written Departmental approval has been issued to the Jurisdiction.
 - 4) Possible Waiver activities will be discussed at a properly noticed public hearing, held in front of the Jurisdiction's Governing Body, prior to submission of a Certified Resolution, as part of a PI Waiver Request to the Department.
 - 5) The PI Waiver request must be submitted in accordance with current Department policy, and any subsequent policy, regulation or statutory guidance.
 - 6) PI Waiver activity reporting will be submitted per current Departmental policies and includes financial accounting of all PI received and expended, including PI Waivers and PI Waiver activity performance.
 - 7) PI Waiver activities must be fully funded with PI already on hand.
 - 8) Only two (2) PI Waivers may be open and active at any one time.
 - 9) RLF funds will not be used for PI Waivers, since RLF monies must be expended on the activity that generated the payments.
 - 10) PI Waivers will not be approved for the same program activities for approved RLFs.
- C. PI GA and PI Waiver financial and performance reporting will be done using current CDBG eligible activity Set Up and Completion Reports forms, which will collect National Objective data and beneficiary demographics for HUD required accomplishment information.
- D. Additional financial reports for PI GA, PI Waivers, PI deposits and expenditures will be done semi-annually using the Department's current PI fiscal reporting forms.
- E. Ineligible costs will be required to be repaid to the PI Account. In some cases with ongoing significant compliance issues, the Department reserves the right to require the jurisdiction return all PI to the Department until it is satisfied that the jurisdiction has resolved all compliance issues.

14. Program Income Not Associated with an RLF

- A. Provided the undersigned Jurisdiction has made the Department aware at the beginning of the fiscal year they intend to exercise the \$35,000 Rule, PI which is received annually that has a cumulative amount up to \$35,000 (RLF receipts are not included in the \$35,000 Rule calculation) may be "re-categorized" as non-CDBG funds. In electing to exercise the \$35,000 Rule, the Jurisdiction agrees not to expend CDBG revenue until either the fiscal year ends or the amount received goes above \$35,000, at which point the

jurisdiction must consider the revenue as CDBG PI and must use it, first prior to drawing CDBG contract funds.

- B. The undersigned Jurisdiction certifies that it acknowledges, if it has PI on hand and has not applied for or been awarded CDBG funds within the past three NOFAs, the Jurisdiction will be required to submit a PI Expenditure Plan for its PI on hand. The plan must be submitted via the CDBG PI Waiver process. If the Jurisdiction does not initiate the request, the Department will send the Jurisdiction a letter requiring submission of the plan within a set time frame. If the Jurisdiction does not respond to the Department's letter, the Jurisdiction will be required to return all PI on hand to the Department, regardless of the amount of PI.

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SECTION THREE: DEPARTMENT TERMS, CONDITIONS AND AUTHORIZATION

TERMS AND CONDITIONS: The undersigned Jurisdiction certifies that all terms and conditions listed below have been read and understood, and will be implemented and followed:

1. Authority & Purpose

This Agreement provides official notification of the Jurisdiction's PI Reuse Agreement's approval under the State's administration of the Federal CDBG for Non-entitlement Jurisdictions pursuant to the provisions of 42 U.S. Code (U.S.C.) 5301 et seq., 24 Code of Federal Regulations (CFR) Part 570, Subpart I, and 25 California Code of Regulations (CCR), Sections 7050 et seq. The Program is listed in the Catalog of Federal Domestic Assistance as 14.228 - Community Development Block Grant Program.

In accepting the PI Reuse Agreement approval, the Jurisdiction agrees to comply with the terms and conditions of this Agreement, all exhibits hereto and the representations contained in the Jurisdiction's PI Reuse Agreement. Any changes made to the PI Reuse Agreement after this Agreement is accepted must receive prior written approval from the Department.

2. Distribution for Reuse of PI

A. The Jurisdiction shall perform PI funded activities as described in the Distribution for Reuse in the PI Reuse Agreement. All written materials or alterations submitted as addenda to the original PI Reuse Agreement and which are approved in writing by the Department are hereby incorporated as part of the PI Reuse Agreement.

The Department reserves the right to require the Jurisdiction to modify any or all parts of the PI Reuse Agreement in order to comply with CDBG requirements. The Department reserves the right to review and approve all work to be performed by the Jurisdiction in relation to this Agreement. Any proposed revision to the work must be submitted in writing for review and approval by the Department and may require an amendment to this Agreement. Approval shall not be presumed unless such approval is made in writing by the Department.

B. All PI funded activities must be approved by the Department prior to implementation or incurring activity costs (clear the activity General and any Special Conditions, which include Federal overlays, as posted on Department's webpage). All eligible activities shall principally benefit Low/Mod-income persons or households or businesses residing in the

Jurisdiction. HUD defines Low/Mod as having an annual income that is no more than 80 percent (80%) of the county median area income, adjusted for household size.

3. Sufficiency of Funds and Termination

The Department may terminate this Agreement at any time for cause. The Jurisdiction will have at least 14 days upon receipt of the Departments written notice. Termination shall consist of violations of any terms and/or conditions of this Agreement, upon the request of HUD, or withdrawal of the Department's expenditure authority.

The Department reserves the right, for any significant on-going non-compliance with RLF or PI rules, to cancel any RLF and require all RLF and PI funds to be returned to the Department.

4. Meeting National Objectives

All activities performed under this Agreement must meet one of the National Objectives determined by the HUD CDBG statutes and regulations. Use the CDBG National Objective Matrix to determine the correct standard for each activity conducted under this Agreement. National Objectives are authorized under Title I of the Housing and Community Development Act of 1974, as amended.

- A. **Benefit to HUD defined Low/Mod-income person or household (LMI).**
The term Low/Mod-income is defined under CDBG as no more than 80 percent (80%) of the median area income, as determined by HUD, per Federal Regulation 24 CFR, Part 570.483(b); and/or,
- B. **Prevention or elimination of slums or blight** when activity qualifies per Federal Regulation 24 CFR, Part 570.483(c). Jurisdictions may only use this National Objective after submitting a written request to the Department and receiving written authorization; or,
- C. Jurisdictions may use the National Objective of Urgent Need, per Federal Regulation 24 CFR, Part 570.483(d), if a formal written request is made to the Department and the request is authorized in writing.

5. Inspections of Activities

- A. The Department reserves the right to inspect any activity(ies) performed hereunder to verify that the activity(ies) is in accordance with the applicable Federal, State and/or local requirements and this Agreement.
- B. The Jurisdiction shall inspect any activity performed by contractors and subrecipients hereunder to ensure that the activity(ies) is in accordance with the applicable Federal, State and/or local requirements and this Agreement.

The Jurisdiction agrees to require that all activity(ies) found by such inspections not to conform to the applicable requirements be corrected, and to withhold payment to its contractor or subcontractor (respectively), or subrecipient, until it is so corrected.

6. Insurance

The Jurisdiction shall have and maintain in full force and effect during the term of this Agreement such forms of insurance, at such levels as may be determined by the Jurisdiction and the Department to be necessary for specific components of the activity(ies) described in this Agreement.

7. Contractors and Subrecipients

A. The Jurisdiction shall not enter into any agreement, written or oral, with any contractor or subrecipient without the prior determination that the contractor or subrecipient is eligible to receive CDBG funds and is not listed on the Federal Consolidated List of Debarred, Suspended and Ineligible Contractors.

- 1) Contractors are defined as program operators or construction contractors who are procured competitively.
- 2) Subrecipients are defined as public or private non-profit agencies or organizations and certain (limited) private for-profit entities who receive CDBG funds from an awarded Jurisdiction to undertake eligible activities.

B. An agreement between the Jurisdiction and any contractor or subrecipient shall require:

- 1) Compliance with the applicable State and Federal requirements of this Agreement, which pertain to, among other things, labor standards, non-discrimination, Americans with Disabilities Act, Equal Employment Opportunity, and Drug-Free Workplace; and, Compliance with the applicable provisions relating to Labor Standards/Prevailing Wages. In addition to these requirements, all contractors and subcontractors shall comply with the applicable provisions of the California Labor Code.
- 2) Maintenance of, at minimum, the State-required Workers' Compensation Insurance for those employees who will perform the activity(ies) or any part of it.
- 3) Maintenance of, if so required by law, unemployment insurance, disability insurance and liability insurance, which is reasonable to compensate any person, firm or corporation, who may be injured or

damaged by the contractor, or any subcontractor in performing the activity(ies) or any part of it.

- 4) Compliance with the applicable Equal Opportunity Requirements described in this Agreement.

C. Contractors shall:

- 1) Perform the activity(ies) in accordance with Federal, State and local housing and building codes, as are applicable.
- 2) Provide security to assure completion of the project by furnishing the borrower and construction lenders with Performance and Payment Bonds, or other security approved in advance in writing by the Department.

D. Subrecipients shall:

- 1) Retain all books, records, accounts, documentation, and all other materials relevant to this Agreement for a period of five (5) years from date of termination of this Agreement, or five (5) years from the conclusion or resolution of any and all audits or litigation relevant to this Agreement, and any amendments, whichever is later.
- 2) Permit the State, Federal government, the Bureau of State Audits, the Department and/or their representatives, upon reasonable notice, unrestricted access to any or all books, records, accounts, documentation and all other materials relevant to the agreement for the purpose of monitoring, auditing or otherwise examining said materials.

8. Obligations of the Jurisdiction with Respect to Certain Third Party Relationships

The Jurisdiction shall remain fully obligated under the provisions of this Agreement notwithstanding its designation of any third party or parties for the undertaking of all or any part of the Activities funded under this Agreement with respect to which assistance is being provided under this Agreement to the Jurisdiction. Jurisdiction is responsible to oversee any third party contractors or subrecipients and monitor their work for CDBG compliance.

The Jurisdiction shall comply with all lawful requirements of the Department necessary to ensure that the Program, with respect to which assistance is being provided under this Agreement to the Jurisdiction, is carried out in accordance with the Department's Assurance and Certifications, including those with respect to the assumption of environmental responsibilities of the Department under Section 104(g) of the Housing and Community Development Act of 1974.

9. Periodic Reporting Requirements

During the term of this Agreement, the Jurisdiction must submit the following reports by the dates identified, respectively, or as otherwise required at the discretion of the Department. The Jurisdiction's performance under this Agreement will be based, in part, on whether it has submitted the reports on a timely basis.

- A. Semi-Annual PI Expenditure/Performance Report: Submit by January 31 and July 31 of each year regardless of whether or not the Jurisdiction has any unexpended PI. PI Waivers or open Grants with no accomplishments are not excluded to the reporting requirement.
- B. Annual Federal Overlay Reporting: Submit by July 31 starting from the contract effective date to subsequent June 30, and for each State Fiscal Year. Annual Reporting includes but is not limited to: Section 3 and Minority Owned Business/Women Owned Business (MBE/WBE).
- C. Wage Compliance Reports: Semi-annual Wage Compliance Reports are to be submitted by October 7 and April 7 during the entire construction period. The final Wage Compliance Report is to be submitted thirty (30) days after construction is completed.
- D. Set-Up and Completion Reports for each eligible activity as posted on the Department's webpage.
- E. Any other reports that may be required as a General/Special Condition of this Agreement.

10. Monitoring Requirements

The Department shall perform a program and/or fiscal monitoring of the activity(ies). The Jurisdiction shall be required to resolve any monitoring findings to the Department's satisfaction by the deadlines set by the Department. If findings are not adequately resolved in a timely manner, the Department may deduct points from the Jurisdiction's performance score on future applications.

Additionally, the Department reserve the right to suspend a Jurisdiction's authority to expend PI (Waiver, RLF and/or PI attached to an open grant) based on significant compliance issues, reporting concerns or serious lack of cooperation in clearing PI monitoring findings.

11. Signs

If the Jurisdiction places signs stating that the Department is providing financing, it shall indicate in a typeface and size commensurate with the Department's funding portion of the project that the Department is a source of financing through the CDBG Program.

12. Audit/Retention and Inspection of Records

- A. The Jurisdiction must have intact, auditable fiscal records at all times. If the Jurisdiction is found to have missing audit reports from the Office of the State Controller (SCO) during the term of this Agreement, the Jurisdiction will be required to submit an Agreement to the State, with task deadlines, for submitting the audit to the SCO. If the deadlines are not met, the Jurisdiction will be subject to termination of this Agreement and disencumbrance of the funds awarded. The Jurisdiction's audit completion Agreement is subject to prior review and approval by the Department.
- B. The Jurisdiction agrees that the Department or its designee will have the right to review, obtain and copy all records pertaining to performance of this Agreement. The Jurisdiction agrees to provide the Department or its designee with any relevant information requested and shall permit the Department or its designee access to its premises, upon reasonable notice, during normal business hours for the purpose of interviewing employees and inspecting and copying such books, records, accounts and other material that may be relevant to a matter under investigation for the purpose of determining compliance with California Public Contract Code (PCC) Section 10115 et seq., Government Code (GC) Section 8546.7 and 2 CCR 1896.60 et seq. The Jurisdiction further agrees to maintain such records for a period of five (5) years after final payment under this Agreement. The Jurisdiction shall comply with the caveats and be aware of the penalties for violations of fraud and for obstruction of investigation as set forth in PCC 10115.10.
- C. An expenditure which is not authorized by this Agreement or which cannot be adequately documented shall be disallowed and must be reimbursed to the Department or its designee by the Jurisdiction.
- D. Absent fraud or mistake on the part of the Department, the determination by the Department of allowable expenditures shall be final.
- E. For the purposes of annual audits under OMB Circular A-133 (The United States Office of Management and Budget Circular for Audits of States and Local Governments), Jurisdiction shall use the Federal Catalog Number 14.228 for the State CDBG Program.
- F. Notwithstanding the foregoing, the Department will not reimburse the Jurisdiction for any audit cost incurred after the expenditure deadline of this Agreement.
- G. The Jurisdiction understands that the expenditure of PI is covered under the OMB A-133 Single Audit Requirements and will meet all these requirements and report said PI Expenditure along with grant funds each fiscal year.

13. Conflict of Interest of Members, Officers, or Employees of Contractors, Members of Local Governing Body, or other Public Officials

Pursuant to 24 CFR 570.611, no member, officer, or employee of the Jurisdiction, or its designees or agents, no member of the Governing Body of the locality in which the program is situated, and no other public official of such locality or localities who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract or agreement with respect to a CDBG-assisted activity or its proceeds, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one (1) year thereafter. The Jurisdiction shall incorporate, or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purposes of this Section.

14. Waivers

No waiver of any breach of this Agreement shall be held to be a waiver of any prior or subsequent breach. The failure of the Department to enforce at any time the provisions of this Agreement or to require at any time performance by the Jurisdiction of these provisions shall in no way be construed to be a waiver of such provisions nor to affect the validity of this Agreement or the right of the Department to enforce these provisions.

15. Litigation

A. If any provision of this Agreement, or an underlying obligation, is held invalid by a court of competent Jurisdiction, such invalidity, at the sole discretion of the Department, shall not affect any other provisions of this Agreement and the remainder of this Agreement shall remain in full force and effect. Therefore, the provisions of this Agreement are, and shall be, deemed severable.

B. The Jurisdiction shall notify the Department immediately of any claim or action undertaken by or against it which affects or may affect this Agreement or the Department, and shall take such action with respect to the claim or action as is consistent with the terms of this Agreement and the interests of the Department.

16. Lead-Based Paint Hazards

Activity(ies) performed with assistance provided under this Agreement are subject to lead-based paint hazard regulations contained in Title 8 (Industrial Relations) and Title 17 (Public Health) of the CCR and 24 CFR, Part 35 (Lead Disclosure). Any grants or loans made by the Jurisdiction with assistance provided under this Agreement shall be made subject to the provisions for the

elimination or mitigation of lead-based paint hazards under these Regulations. The Jurisdiction shall be responsible for the notifications, inspections and clearance certifications required under these Regulations.

17. Prevailing Wages

- A. Where funds provided through this Agreement are used for construction work, or in support of construction work, the Jurisdiction shall ensure that the requirements of California Labor Code (LC), Chapter 1, commencing with Section 1720, Part 7 (pertaining to the payment of prevailing wages and administered by the California Department of Industrial Relations) are met.
- B. For the purposes of this requirement “construction work” includes, but is not limited to rehabilitation, alteration, demolition, installation or repair done under contract and paid for, in whole or in part, through this Agreement. All construction work shall be done through the use of a written contract with a properly licensed building contractor incorporating these requirements (the “construction contract”). Where the construction contract will be between the Jurisdiction and a licensed building contractor, the Jurisdiction shall serve as the “awarding body” as that term is defined in the LC. Where the Jurisdiction will provide funds to a third party that will enter into the construction contract with a licensed building contractor, the third party shall serve as the “awarding body.” Prior to any disbursement of funds, including but not limited to release of any final retention payment, the Department may require a certification from the awarding body that prevailing wages have been or will be paid.

18. Compliance with State and Federal Laws and Regulations

- A. The Jurisdiction agrees to comply with all State laws and regulations that pertain to construction, health and safety, labor, fair employment practices, equal opportunity and all other matters applicable to the Jurisdiction, its subcontractors, contractors or subcontractors, and the Reuse activity(ies), and any other State provisions as set forth in this Agreement.
- B. The Jurisdiction agrees to comply with all Federal laws and regulations applicable to the CDBG Program and to the activity(ies), and with any other Federal provisions as set forth in this Agreement.

19. Anti-Lobbying Certification

The Jurisdiction shall require that the language of this certification be included in all contracts or subcontracts entered into in connection with this activity(ies) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this

certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and no more than \$100,000 for such failure.

"The undersigned certifies, to the best of his or her knowledge or belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement; and,
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions."

20. Bonus or Commission, Prohibition Against Payments of

The assistance provided under this Agreement shall not be used in the payment of any bonus or commission for the purpose of:

- A. Obtaining the Department's approval of the Application for such assistance; or,
- B. The Department's approval of the Applications for additional assistance; or,
- C. Any other approval or concurrence of the Department required under this Agreement, Title I of the Housing and Community Development Act of 1974, or the State regulations with respect thereto; provided, however, that reasonable fees for bona fide technical, consultant, managerial or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as program costs.

21. Citizen Participation

The Jurisdiction is subject to the requirements concerning citizen participation contained in Federal Regulations at 24 CFR, Part 570.486, Local Government Requirements, Part 91.105 and 91.115.

22. Clean Air and Water Acts

This Agreement is subject to the requirements of the Clean Air Act, as amended, 42 USC 1857 et seq., the Federal Water Pollution Control Act, as amended, 33 USC 1251 et seq., and the regulations of the Environmental Protection Agency with respect thereto, at 40 CFR, Part 15, as amended from time to time.

23. Conflict of Interest of Certain Federal Officials

No member of or delegate to the Congress of the United States, and no resident commissioner, shall be admitted to any share or part of this Agreement or to any benefit to arise from the same. The Jurisdiction shall report all perceived or actual conflicts of interest cases to the State for review before financial benefits are given.

24. Environmental Requirements

The Jurisdiction shall comply with the provisions of the National Environmental Policy Act (NEPA) by following the procedures contained in 24 CFR, Part 58. The Jurisdiction shall not undertake any activity that would have an adverse environmental impact or limit the choice of reasonable alternatives under 24 CFR, Part 58.22 until HUD or the Department has issued an environmental clearance.

25. Equal Opportunity

A. The Civil Rights, Housing and Community Development, and Age Discrimination Acts Assurances

During the performance of this Agreement, the Jurisdiction assures that no otherwise qualified person shall be excluded from participation or employment, denied program benefits, or be subjected to discrimination based on race, color, national origin, sex, age, handicap, religion, familial status or religious preference, under any activity funded by this Agreement, as required by Title VI of the Civil Rights Act of 1964, Title I of the Housing and Community Development Act of 1974, as amended, the Age Discrimination Act of 1975, the Fair Housing Amendment Act of 1988, and all implementing regulations.

B. Rehabilitation Act of 1973 and the "504 Coordinator"

The Jurisdiction further agrees to implement the Rehabilitation Act of 1973, as amended, and its regulations, 24 CFR, Part 8, including, but not limited to, for Jurisdiction's with fifteen (15) or more permanent full or part time employees, the local designation of a specific person charged with local enforcement of this Act, as the "504 Coordinator."

C. The Training, Employment, and Contracting Opportunities for Business and Lower-Income Persons Assurance of Compliance

- 1) The activity(ies) to be performed under this Agreement are subject to the requirements of Section 3 of the HUD Act of 1968, as amended, 12 U.S.C. 1701(u). Recipients, contractors and subcontractors shall direct their efforts to provide, to the greatest extent feasible, training and employment opportunities generated from the expenditure of Section 3 covered assistance to Section 3 residents in the order of priority provided in 24 CFR, Part 135.34(a)(2).
- 2) The parties to this Agreement will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of HUD set forth in 24 CFR, Part 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of this Agreement. The parties to this Agreement certify and agree that they are under no contractual or other disability which would prevent them from complying with these requirements.
- 3) The Jurisdiction will include these Section 3 clauses in every contract and subcontract for Work in connection with the activity(ies) and will, at the direction of the Department, take appropriate action pursuant to the contract or subcontract upon a finding that the Jurisdiction or any contractor or subcontractor is in violation of regulations issued by the Secretary of HUD, 24 CFR, Part 135 and will not let any contract unless the Jurisdiction or contractor or subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.
- 4) Compliance with the provisions of Section 3, the regulations set forth in 24 CFR, Part 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of this Agreement, shall be a condition of the Federal financial assistance provided to the activity(ies), binding upon the Jurisdiction, its successors and assigns. Failure to fulfill these requirements shall subject the Jurisdiction, its contractors and subcontractors and its successors to such sanctions as are specified by 24 CFR, Part 135 and those sanctions specified by this Agreement.

D. Assurance of Compliance with Requirements Placed on Construction Contracts of \$10,000 or More

The Jurisdiction hereby agrees to place in every contract and subcontract for construction exceeding \$10,000 the Notice of Requirement for Affirmative Action to ensure Equal Employment Opportunity (Executive Order 11246), the Standard Equal Employment Opportunity, and the Construction Contract Specifications. The Jurisdiction furthermore agrees to insert the appropriate Goals and Timetables issued by the U.S. Department of Labor in such contracts and subcontracts.

26. Flood Disaster Protection

- A. This Agreement is subject to the requirements of the Flood Disaster Protection Act (FDPA) of 1973 (Public Law 93-234). No portion of the assistance provided under this Agreement is approved for acquisition or construction purposes as defined under FDPA, Section 3 (a) of said Act, for use in an area identified by the Secretary of HUD as having special flood hazards which is located in a community not then in compliance with the requirements for participation in the National Flood Insurance Program pursuant to FDPA, Section 102(d) of said Act.
- B. The use of any assistance provided under this Agreement for such acquisition or construction in such identified areas in communities then participating in the national flood insurance program shall be subject to the mandatory purchase of flood insurance requirements of FDPA, Section 102(a) of said Act.
- C. Any contract or agreement for the sale, lease or other transfer of land acquired, cleared or improved with assistance provided under this Agreement shall contain certain provisions. These provisions will apply if such land is located in an area identified by the Secretary of HUD as having special flood hazards and in which the sale of flood insurance has been made available under the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4001 et seq.
- D. These provisions shall obligate the transferee and its successors or assigns to obtain and maintain, during the ownership of such land, such flood insurance as required with respect to financial assistance for acquisition or construction purposes under FDPA, Section 102(s) of the Flood Disaster Protection Act of 1973. Such provisions shall be required notwithstanding the fact that the construction on such land is not itself funded with assistance provided under this Agreement.

27. Federal Labor Standards Provisions

The Jurisdiction shall cause or require to be inserted in full, in all such contracts subject to such regulations, provisions meeting the requirements of:

- A. Davis-Bacon Act (40 U.S.C. 3141-3148) requires that workers receive no less than the prevailing wages being paid for similar work in their locality. Prevailing wages are computed by the Federal Department of Labor and are issued in the form of Federal wage decisions for each classification of work. The law applies to most construction, alteration, or repair contracts over \$2,000.
- B. "Anti-Kickback Act of 1986" (41 U.S.C. 51-58) prohibits any person from (1) providing, attempting to provide or offering to provide any kickback; (2) soliciting, accepting or attempting to accept any kickback; or, (3) including directly or indirectly, the amount of any kickback prohibited by

clause (1) or (2) in the contract price charged by a subcontractor to a prime contractor or a higher tier subcontractor or in the contract price charged by a prime contractor to the United States.

- C. Contract Work Hours and Safety Standards Act - CWHSSA (40 U.S.C. 3702) requires that workers receive "overtime" compensation at a rate of one to one-half (1-1/2) times their regular hourly wage after they have worked forty (40) hours in one week.
- D. Title 29, Code of Federal Regulations CFR, Subtitle A, Parts 1, 3 and 5) are the regulations and procedures issued by the Secretary of Labor for the administration and enforcement of the Davis-Bacon Act, as amended.

The Jurisdiction shall maintain documentation that demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to the Department for review upon request.

28. Procurement

The Jurisdiction shall comply with the procurement provisions in 24 CFR, Part 85.36: Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments.

29. Non-Performance

The Department shall review the actual National Objective and/or Public Benefit achievements of the Jurisdiction. In the event that the National Objective and/or Public Benefit requirements are not met, the Department will require the recapture of the entire PI expended on that project/activity. Additional remedies may include suspending the Jurisdiction's authority to use PI funds until the Jurisdiction has developed capacity to ensure future PI funds will be used for eligible activities that will meet a National Objective.

30. Relocation, Displacement, and Acquisition

The provisions of the Uniform Relocation Act, as amended, 49 CFR, Part 24, and Section 104(d) of the Housing and Community Development Act of 1974 shall be followed where any acquisition of real property is carried out by the Jurisdiction and assisted in whole or in part by funds allocated by CDBG.

31. Uniform Administrative Requirements

The Jurisdiction shall comply with applicable Uniform Administrative Requirements as described in 24 CFR, Section 570.502, including cited Sections of 24 CFR, Part 85.

32. Section 3

The Jurisdiction will comply with Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing Regulations at 24 CFR, Part 135.

33. Affirmatively Furthering Fair Housing

The Jurisdiction will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the Jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

34. General and Special Conditions for Activities

Each eligible activity to be administered and paid for with PI under this agreement must be approved in writing by the Department. After receiving written approval, the Jurisdiction will submit all required documents listed on the Department's General Conditions Checklist for the approved activity. Upon completion of the General Conditions Checklist, the Department will provide written authorization to proceed with implementing the approved activity.

The above is applicable to RLFs, Waivers and Supplemental Activities.

Intentionally left blank,
Please continue to the CERTIFICATION page.

SECTION TWO: CERTIFICATION FOR USE OF PROGRAM INCOME

Certified Approving Resolution Is Attached

I certify that the foregoing is true and correct, and will follow all requirements of this Agreement and all Sections above. I understand that my certification also acknowledges that serious compliance issue with the above requirements could result in the State suspending the _____ authority to expend PI; or may require the _____ to return unused PI to the State until the _____ clears the serious compliance issues.

Signature of Jurisdiction Authorized Representative

Date Signed

Name and Title of Jurisdiction Authorized Representative

Signature of CDBG Section Chief

Date Signed

Name of CDBG Section Chief



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R14-__

**A RESOLUTION OF THE MONO COUNTY
BOARD OF SUPERVISORS APPROVING
THE COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM INCOME REUSE AGREEMENT**

WHEREAS, the County of Mono wishes to continue its participation in the Community Development Block Grant (CDBG) Program; and

WHEREAS, a requirement of the Program is that Mono County approve and execute a CDBG Program Income Reuse Plan with Jurisdictional Certifications;

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

SECTION ONE: The Board of Supervisors of the County of Mono hereby approves, and authorizes the Chair of the Board to execute, the Community Development Block Grant Program Income Reuse Agreement with Jurisdictional Certifications, which is attached to this Resolution and incorporated by this reference.

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

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

Larry Johnston, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel



R16-__

**A RESOLUTION OF THE MONO COUNTY
BOARD OF SUPERVISORS APPROVING THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
SUPPLEMENTAL ACTIVITY APPLICATION FOR PROGRAM INCOME**

WHEREAS, the County of Mono has received \$187,000 of Program Income from a First Time Homebuyer loan payment; and

WHEREAS, Program Income on hand must be used to complete the active contract activities before grant funds can be drawn; and

WHEREAS, The amount of grant funds equal to the PI paid funds can be rolled into funding the Supplemental Activities; and

WHEREAS, There is a need in Mono County for additional funding for both Child Care and Parks/Facilities.

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

SECTION ONE: The Board of Supervisors of the County of Mono hereby approves, and authorizes the Mono County CAO, Leslie Chapman to sign as the authorized representative for Mono County for the submission and execution of a Supplemental Activity application to CDBG for Park/Facilities and Child Care in the amount of \$187,000.

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

AYES:
NOES:
ABSENT:
ABSTAIN:

Larry Johnston, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel

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OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: Public Works, Solid Waste Division

TIME REQUIRED 30 minutes (10 minute presentation;
20 minute discussion) **PERSONS APPEARING** Tony Dublino

SUBJECT Revised Solid Waste Facility Permit
Application for Pumice Valley Landfill **BEFORE THE BOARD**

AGENDA DESCRIPTION:

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

Presentation by Tony Dublino regarding application for Revised Solid Waste Facility Permit for Pumice Valley Landfill.

RECOMMENDED ACTION:

Review and ratify/approve Addendum to the 2005 Final EIR for the Pumice Valley Sanitary Landfill prepared in conjunction with submittal of a Revised Solid Waste Facility Permit for the Pumice Valley Landfill, and review and ratify application for revised Solid Waste Facility Permit. Provide any desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Tony Dublino

PHONE/EMAIL: 760.932.5453 / tdublin@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](#)

[Addendum](#)

[Permit Application](#)

History

Time	Who	Approval
7/25/2016 1:37 PM	County Administrative Office	Yes
7/26/2016 5:02 PM	County Counsel	Yes
7/25/2016 11:08 AM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS SOLID WASTE DIVISION

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

Date: August 2, 2016
To: Honorable Chair and Members of the Board of Supervisors
From: Tony Dublino, Solid Waste Superintendent
Subject: Revised Solid Waste Facility Permit Application for Pumice Valley Landfill and related CEQA Addendum

Recommended Action:

Review and ratify/approve Addendum to the 2005 Final EIR for the Pumice Valley Sanitary Landfill prepared in conjunction with submittal of a Revised Solid Waste Facility Permit for the Pumice Valley Landfill, and review and ratify application for revised Solid Waste Facility Permit. Provide any desired direction to staff.

Fiscal Impact:

None at this time

Background:

The Need for a Revised Permit

The Pumice Valley Landfill (PVLf) currently operates under a Solid Waste Facility Permit (SWFP) issued in 1978. There have been numerous attempts to revise the permit to reflect current operations and to address regulatory requirements, but none have been concluded and the 1978 permit has remained the governing document regulating activity at the site.

The 1978 permit allows for the disposal of 4 tons per day of municipal solid waste, with 5 operating days per week. The permitted facility size is 40 acres. CalRecycle lists the currently permitted capacity at 335,000 cubic yards (cy) of waste and cover soil. As of January 1, 2016, the PVLf was approximately 35% full, with 116,210 cy of waste and soil in place.

The County initiated efforts to update the permit in 1988 and 1995, generating slightly different plans on current operations and engineered closure plans. For reasons unknown at this time, neither of those documents resulted in the issuance of a revised permit.

The 2004 Plan, CEQA and Board Approvals

In 2004, the County developed another engineered plan for operating and closing Pumice Valley Landfill, based on the assumption that Benton Crossing Landfill (BCLF) would close in 2023 and that the County and Town would need a suitable back-up plan in place in the event that another alternative (such as long-haul) was not implemented. The plan proposed to expand the permitted capacity at PVLf to approximately 700,000 cy of waste and cover soil—which was enough capacity to accommodate the County and Town's waste stream for 5 years after the closure of BCLF. A General Plan Amendment and CEQA document

(Supplemental EIR; SCH#2004102104) were prepared, publicly reviewed, and adopted in support of this plan.

Impasse with LADWP

The final step was the application to CalRecycle for a revised SWFP, but despite the County's environmental, zoning, and use permit approvals, the County was unable to obtain the property owner's (LADWP) signature on the application at that time, or in the several years that followed.

By January of 2013, regulatory pressure to update the 1978 permit increased, and the County as well as LADWP were put on a compliance schedule that would result in the issuance of a revised permit, or the agencies would face penalties.

By 2013, waste generation in the County and Town had decreased significantly. The County again engineered a different closure plan, revising the approved 2004 plan downward to 625,050 cy of waste and cover soil. This was a 11% decrease from the approved 2004 plan, but still reflected an increase of approximately 86% over the 1978 permitted capacity. Unfortunately, the County was unable to obtain LADWP's signature on that application, either.

Because of the impasse between the County and LADWP, and the threat of impending penalties, the County and LADWP agreed to transfer ownership of the property so the County could pursue a permit without the need to obtain LADWP signature.

Through numerous public meetings (5/21/2013; 8/13/2013; 1/16/2015; 8/18/2015) the Board was informed of, and approved to this approach with two primary justifications: it would allow the County to proceed with the plans it had already paid to engineer (thereby saving significant expenses) and would eliminate the need for LADWP approval of future infrastructure needs at the site.

The Approved 2004 Plan, and the 2016 Application

Upon acquisition of the property in March 2016, the County was able to update and re-submit the application for a SWFP based on the engineered plans it had developed in accordance with the 2004 plan and Board approvals. The application was submitted on June 16, 2016 for a review of completeness by the Local Enforcement Agency. The application was accepted as complete and correct by the Local Enforcement Agency on July 14.

The submitted plan (the 2016 plan) is smaller than the plan that was reviewed and approved by the Board in 2004 in several respects, each of which are presented and discussed in greater detail in the CEQA Addendum.

Below is some additional information staff would like the Board as well as the public to understand and consider:

- 1. The 2016 permit application would not allow the County to utilize PVLFF as a replacement for current operations at BCLF.***

The 2016 application provides the necessary permitting for current operations. The 2016 application provides for a total capacity increase at the site, but does not provide for the tons per day, or vehicle traffic that would be necessary if the County intended on utilizing Pumice Valley Landfill as a replacement for Benton Crossing. In that event, the County would have to seek a revised permit which would be subject to additional public process.

Additional Facts:

- *BCLF is permitted for 500 tons per day; the PVLf 2016 permit application is for 110 tons per day.*
- *BCLF is permitted for 100 vehicles per day, PVLf 2016 permit application is for 30 vehicles per day.*
- *BCLF capacity is 2,617,900 cy, PVLf 2016 permit application is for 741,360 cy (625,050 cy waste and soil, 116,310 final cover).*

2. *The most significant increase being requested at PVLf is from 4 tons per day to 110 tons per day, which deserves additional explanation.*

*This appears as a dramatic increase, but it is based only on **current** operational needs that are directly tied to construction activity. Projects involving demolition occur regularly near PVLf, and with only one day of midweek operation, projects will often schedule the hauling of a week's demolition waste on that day. As a result, projects have delivered up to 110 tons in a single day. If the daily limit does not accommodate these occasional peaks, the site is out of compliance. The daily average (part of the operating documents, but not part of the permit) is only 11.68 tons per day.*

Additional factors impacting the requested increase are that 4 tons per day is from the 1978 permit, and 40 years of growth accounts for some of that, and days of operation have gone from 5 days per week to 2 days per week which concentrates a week's waste into 2 days.

3. *The Town of Mammoth Lakes is no longer expected to utilize PVLf which extends the potential life of the site, and provides opportunities for additional environmental mitigations.*

When the 2004 plan was drafted and approved, the thinking was that the Town of Mammoth Lakes along with the County may continue to send their waste to a local landfill following closure of BCLF. Although the County wants to maintain this option, the Town is no longer anticipated to participate. For planning purposes, the Town's waste stream has been removed from site life projections. Since the engineered closure plans and design assumed that PVLf would receive about 5 years of Town waste, without that waste there could be as many as 20 years of additional capacity for County waste, should the County need to utilize it.

In addition to this increased flexibility, the absence of the waste stream from the Town of Mammoth Lakes creates other significant opportunities relating to operations at

PVLF. Specifically, the PVLF could conduct landfilling activities on fewer days per week, thereby reducing associated environmental impacts.

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

Respectfully submitted,

A handwritten signature in blue ink that reads "Tony Dublino".

Tony Dublino
Solid Waste Superintendent

Addendum to the

Mono County
General Plan Land Use Amendments
Final Environmental Impact Report
(FEIR)

SCH #981220126 & #2004102104

Prepared in conjunction with the submittal of a
Revised Solid Waste Facility Permit
for the Pumice Valley Sanitary Landfill



July 26, 2016

Table of Contents

Executive Summary
Addendum Determination
The Approved 2005 Project with 2016 Project Comparison
Changes from 2005 Project and New Information
Environmental Analysis of Changes and New Information
Findings
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Executive Summary

Mono County is seeking to revise the Solid Waste Facility Permit (SWIS# 26-AA-0003) for the Pumice Valley Sanitary Landfill. The County has operated a landfill at the site since the 1970's. The property is located within Mono County approximately 5 miles southeast of Lee Vining in the Mono Basin.

The County contemplated and approved the revision in 2004, when a Supplement to the Mono County General Plan Land Use Amendment Final EIR (SCH# 2004102104) was prepared and certified in 2005. The Supplement performed CEQA analysis for a General Plan Amendment, Use Permit and a revision to the Solid Waste Facility Permit (SWFP) corresponding to current and planned uses at the site. Both the General Plan Amendment and Use Permit were approved in 2005 but the application for a revised SWFP was stalled due to reasons beyond the County's control, and a revised permit has not been issued.

The 2005 Supplement analyzed several activities in addition to proposed landfill operations and design, including the installation of landfill gas monitoring wells, vents, drainage facilities, and retention basins. Some of those activities have since occurred, and some have not. There have also been minor changes in the project since the 2005 Supplement. These infrastructure developments and minor changes will be identified and analyzed within this Addendum.

Addendum Determination

Mono County has determined that an Addendum to the previously certified EIR is the appropriate level of environmental review under CEQA. It should be noted that the Addendum is being proposed to the General Plan Land Use Amendment EIR, which was supplemented by a project-specific analysis of the Pumice Valley Landfill in 2005. This Addendum specifically addresses the 2005 Supplement, although it is technically an Addendum to the General Plan Land Use EIR.

An Addendum is appropriate because:

CEQA Section 15164 (a) provides that "the lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

None of the conditions described in section 15162 have occurred.

Section 15162 provides for the preparation of a subsequent EIR where:

- (1) Substantial changes are proposed in the project, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects;
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment but the project proponent declines to adopt the mitigation measure or alternative.

Since the 2005 certification of the Supplement, none of the above has occurred. There are, however, minor changes to the environmental setting. As discussed below, none of these changes constitute a “substantial” or “significant” change or “new information” as expressed in section 15162, and an Addendum is the appropriate document to fulfill lead agency requirements under CEQA.

The Approved 2005 Project with 2016 Project Comparison

Original Project Description from 2005 Supplement:

(notes in parentheses indicate 2016 Project Changes, and 2015 Project components already completed)

PROJECT DESCRIPTION

Pumice Valley Landfill currently operates on 40 acres of land leased from the Los Angeles Department of Water and Power (LADWP) *(Mono County is now owner of the property)* Mono County, the landfill operator, proposes to expand the property boundaries by approximately 10 acres located to the east of the current boundaries. The proposed expansion area is located on land owned by LADWP *(now owned by Mono County)* that is currently designated Open Space (OS). The landfill site is designated Public and Quasi-Public Facilities (PF). General Plan Amendment 04-04 would redesignate the proposed expansion

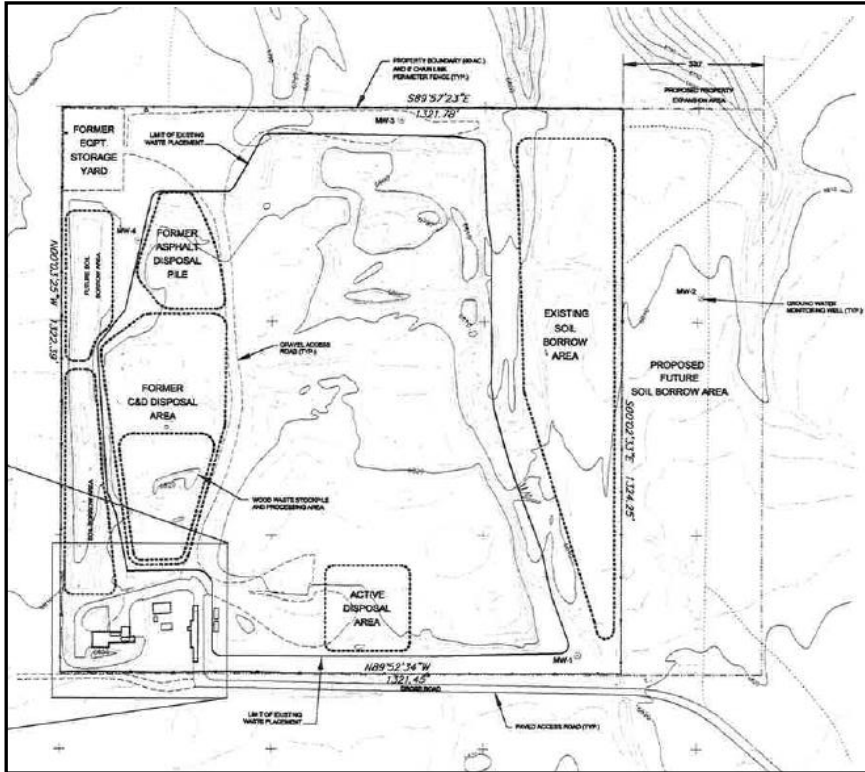
area from Open Space (OS) to Public and Quasi-Public Facilities (PF). *(The redesignation of this Parcel was completed in 2005)*

The Public and Quasi-Public Facilities (PF) land use designation permits solid waste facilities, landfills, and household hazardous waste facilities, subject to Use Permit. Use Permit Application #34-04-09 addresses the following proposed activities for the landfill: *(This Use Permit was issued in 2005)*

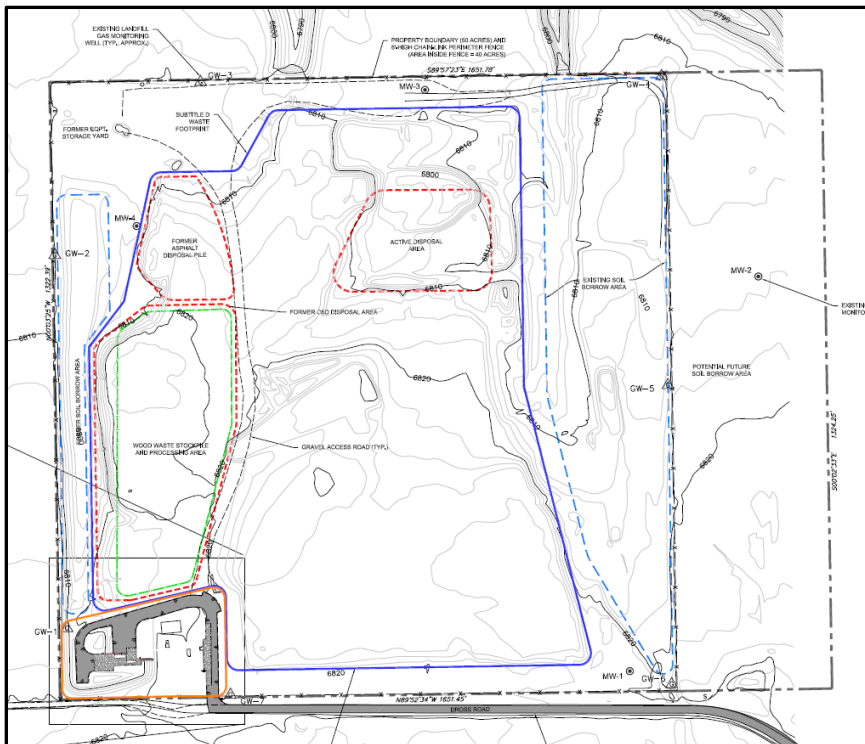
1. Property expansion to the east will provide sufficient soil borrow resources to meet daily, intermediate, and final cover soil needs for the remainder of the facility's life.
2. The proposed design for the final landfill configuration consists of vertical fill over the existing waste footprint and does not propose lateral expansion beyond the limits of the existing waste footprint. The existing waste footprint encompasses approximately 23.9 *(revised down to 23.6 acres)* acres of unlined disposal area. The approved 1995 closure plan includes perimeter slope heights ranging between 12 and 21 feet above surrounding grades; the proposed design includes perimeter slope heights ranging between 12 and 42 feet. The approved capacity for Pumice Valley Landfill is currently 347,112 *(this was a misunderstanding, actually 475,000)* cubic yards of waste and cover soil; the proposed design results in an estimated site capacity of 701,410 *(revised down to 625,050)* cubic yards for waste and cover soil. The proposed total airspace capacity, including in place waste, cover soil, and final cover, is 818,840 *(revised down to 741,360)* cubic yards.
3. Construction activities proposed include construction of drainage facilities and storm water retention basins during the operational life of the landfill and the installation of landfill gas vents and landfill gas monitoring wells upon facility closure to supplement the existing environmental monitoring network. *(the Landfill Gas Monitoring wells have been installed)*
4. Operational activities at the landfill include: 1) the use of state-approved alternative daily cover methods such as synthetic tarps, wood chips, and spray-applied cementitious products; 2) the implementation of an alternative frequency of cover placed in the construction and demolition waste management unit; and, 3) the collection and temporary storage of household hazardous wastes removed from customer loads as part of the load-checking program.
5. The parcel upon which Pumice Valley Landfill is located includes a separately-permitted transfer station owned by Mono County. Waste collected at the Pumice Valley Transfer Station is currently transferred to Benton Crossing Landfill for disposal while on-site disposal is limited to inert debris and construction and demolition waste. Benton Crossing Landfill is projected to reach its site capacity in late 2023. At that time, Pumice Valley Landfill may be utilized as Mono County's regional landfill. In that scenario, waste currently accepted at Benton Crossing Landfill would be diverted to Pumice Valley Landfill through 2028, *(now 2048 without consideration of Town of Mammoth Lakes waste)* including all hazardous waste and separated waste (tires, appliances, etc.). The planned use of Pumice Valley Landfill as a regional landfill is intended to account for unforeseen circumstances in the event an alternative for future waste disposal is not identified, permitted, and implemented in the time necessary *(it is no longer anticipated that the site will receive waste from the Town of Mammoth Lakes)*.

Pumice Valley Landfill currently operates under Solid Waste Facility Permit No. 26-AA-0003, issued in July 1978. The County has applied for a revised Solid Waste Facility Permit (SWFP) that would allow for the waste disposal rates identified in the Report of Disposal Site Information (RDSI) for Pumice Valley Landfill.

2005 Site Plan



2016 Site Plan



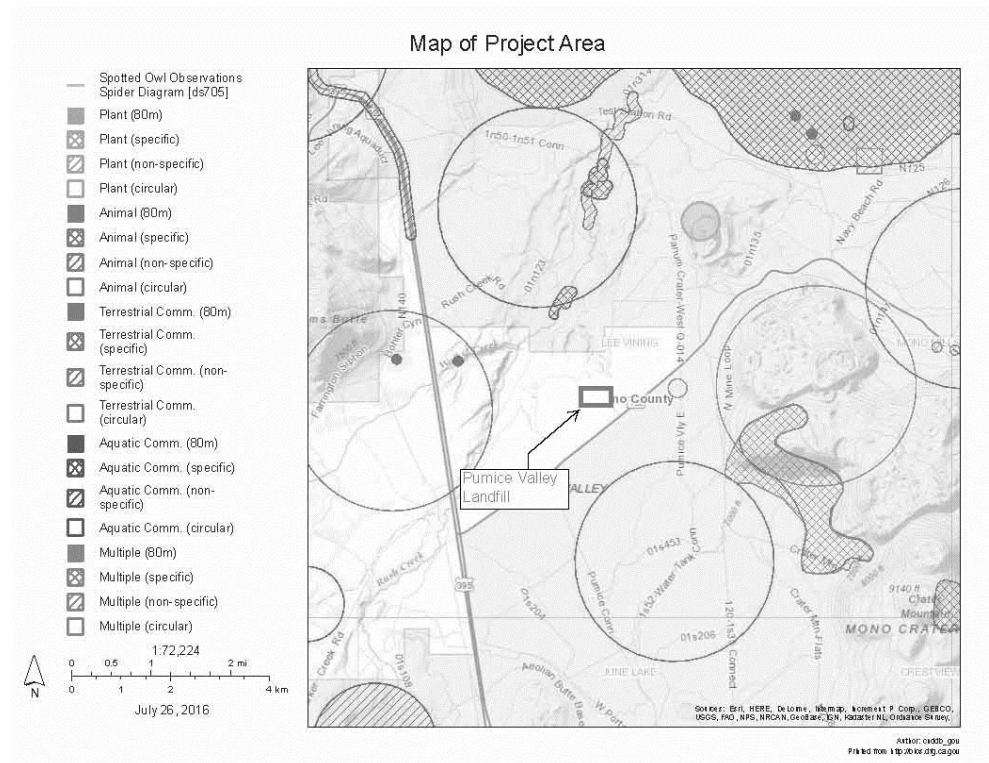
Changes from 2005 Project, and New Information

The 2005 Project and the 2016 Project were compared to identify any changes that may cause additional environmental impacts. A review of the California Natural Diversity Database was performed to determine if there was any new information relating to rare or endangered species in the vicinity that may require additional ground surveys beyond the work completed in support of the 2005 Project.

Review of the California Natural Diversity Database (CNDDDB)

A review of the CNDDDB was conducted to find whether any new occurrences of rare species had been submitted in the vicinity of the project. There were no reports that covered the site itself.

CNDDDB Site-Specific Map:



Within the vicinity of the project, the following occurrence reports were identified:

2009--Common Name: Sierra Nevada yellow-legged frog

Habitat: ALWAYS ENCOUNTERED WITHIN A FEW FEET OF WATER. TADPOLES MAY REQUIRE 2 - 4 YRS TO COMPLETE THEIR AQUATIC DEVELOPMENT.

2005--Common Name: Mount Lyell shrew

General Habitat: HIGH ELEVATION RIPARIAN AREAS IN THE SOUTHERN SIERRA NEVADA.

Micro Habitat: REQUIRES MOIST SOIL, LIVES IN GRASS OR UNDER WILLOWS. USES LOGS, STUMPS, ETC. FOR COVER.

2007-- **Common Name:** Mono Lake lupine

General Habitat: GREAT BASIN SCRUB, SUBALPINE CONIFEROUS FOREST, UPPER

Micro Habitat: MONTANE CONIFEROUS FOREST. PUMICE SAND FLATS, COARSE BARREN SOILS OF VOLCANIC ORIGIN. 2000-3000M.

Environmental Analysis of Changes and New Information

Based on the above changes to the 2005 Project, as well as New Information, the following review and analysis is provided:

- 1. Capacity and Site Life**
- 2. Traffic Volume and Waste Volume**
- 3. Changes in Operating Hours**
- 4. Greenhouse Gas Emissions**
- 5. Sage Grouse**
- 6. Change of Ownership**
- 7. New Species Occurrences from CNDDDB**

1. Capacity and Site Life

Following development of the 2004 plan, waste generation in Mono County diminished significantly. This was due to the 2008 economic recession and related construction slowdown. Since that time, waste generation has rebounded somewhat, but has not returned to the levels seen in the early 2000's.

As a result, the total capacity requested in the SWFP was revised down by approximately 11%, from 701,000 cubic yards (cy) of waste and cover soil to 625,050 cy of waste and cover soil.

Subsequent to that downward revision, the Town of Mammoth Lakes engaged in planning for the handling of its own waste stream following the closure of Benton Crossing Landfill, and is not anticipated to utilize Pumice Valley Landfill in the future. The removal of this waste stream from the projected future operations at PVLV has two primary effects:

First, it extends the site life, as the site will not fill up as fast (an estimated closure date of 2029 becomes an estimated closure date of 2048).

Secondly, it creates opportunities to reduce impacts relating to actual landfilling activities, such as reduced operating days, and limiting landfilling activity on those days to specific times. Both of these approaches would reduce impacts associated with the actual landfilling process.

A decrease in total capacity does not warrant additional analysis; the decrease lessens overall impact. The changes in projections relating to the loss of participation by the Town of Mammoth Lakes creates opportunities to reduce impacts in future operations but would not generate additional significant impacts.

2. Traffic Volume and Waste Volume

The 2005 Supplement traffic and volume figures were based on information from 2001-2005, and listed annual average daily traffic at 15.7 vehicles per day and annual tonnage at 1,465 tons per year between both the landfill and the transfer station.

In 2016, analysis of traffic and tonnage were based on the period between 2011-2015 and showed decreases in annual and daily activity, but the comparisons were not exact due to the reduction in days of operation (causing increased daily traffic and tonnage on the open days), and the separation of the Transfer Station numbers from the Landfill permit (causing a decrease in the daily traffic and tonnage). The 2016 traffic analysis showed an average of 7.4 loads per day with a peak of 18.8 loads per day and the 2016 tonnage analysis shows an average daily tonnage of 11.68 tons per day, with an annual average of 1,214 tons.

In light of the reduction in operating days, and separation of Transfer Station activity from the totals, the changes are considered non-significant and do not require changes to the requested traffic and tonnage requested in the 2005 Permit revision.

Decreases in waste volume and associated traffic volume do not warrant additional analysis; the decreases lessen overall impact.

3. Operating hours and days have been reduced

The operating hours during 2005 that were analyzed in the Supplement were 7:00 am to 6:00 pm, Monday, Wednesday, Friday, and Saturday, or approximately 208 days a year.

In 2011, PVL hours were reduced in an effort to control overhead costs and are now 7:30 am to 3:30 pm Wednesday and Saturday, or approximately 104 days per year.

The reduction of operating hours is believed to represent an overall reduction of impacts, and does not warrant additional analysis.

4. Greenhouse Gas Emissions

Citizens for Responsible Equitable Environmental Development v. City of San Diego (2011) 196 Cal.App.4th 515, (*CREED*) holds that where an EIR was certified prior to the passage of AB32 and SB97 in 2005 (which established that the emissions and effects of GHG are appropriate topics for analysis under CEQA), for a project carried out after 2005, additional environmental analysis regarding the project's effect on GHG emissions is not required unless any of the factors in Guidelines section 15162 are present.

Here, none of the factors in section 15162 are present, and no additional analysis is required because:

1. No changes have been proposed in the project since the Supplemental EIR was certified in 2005 which involve new significant effects from GHG emissions or a substantial increase in the severity of previously identified significant effects from GHG emissions.

*Project changes since the SEIR was certified in 2005 include a **reduction** in the permitted capacity of waste to be buried at the site. Thus, there is no new significant impact from GHG emissions nor a substantial increase in the severity of previously identified significant impacts from GHG emissions.*

2. There are not substantial changes with respect to the circumstances under which the project will be undertaken due to the involvement of new significant effects of GHG emissions or a substantial increase in previously-identified GHG emission effects.

Changed circumstances include a decrease in traffic and waste volume at the landfill and some species identification at locations outside of the proposed project area. None of these changed circumstances involve new significant effects of GHG emissions from the project, or a substantial increase in previously-identified GHG emissions associated with the project. To the contrary, the former indicates an overall reduction in GHG emissions at the site.

3. There is no new information of substantial importance regarding GHG emissions which was not known and could not have been known at the time the previous EIR was certified.

As the Court noted in CREED, information regarding the effect of GHG on climate has been well known since long before 1994 (when the City of San Diego certified the FEIR at issue in the case), and thus does not constitute “new information” requiring the preparation of a supplemental EIR. Similarly, such information was known when Mono County certified the Supplemental EIR for Pumice Valley in 2005 and does not constitute new information regarding the effects of GHG emissions.

And, regardless of the Court’s holding in CREED, the project would not contribute significantly to GHG emissions, as discussed below.

Would the Project: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The project represents an increase in waste/soil capacity over an existing waste footprint. The increase in landfilled waste is anticipated to generate additional methane gas, but that increase is not expected to be significant as the site at total buildout will remain under the threshold (450,000 tons) for landfill methane regulation by the California Air Resources Board. Other aspects of the project such as the installation of monitoring wells, construction of a storm water retention basin, and the relocation of a soil borrow pit are not expected to generate significant greenhouse gas emissions.

As a result of the reduction in capacity, traffic and waste volumes mentioned above, and the associated reductions in methane generation, vehicular emissions and heavy equipment operation, the approved 2005 project involved a larger projected GHG contribution than has actually occurred since. Any short term GHG emissions associated with construction activities would be further offset by the lowered emissions associated with reduced traffic to the site.

The project also includes the expansion of the permitted boundary for additional borrow resources. This expansion does not increase or affect the emission of GHG, as there is no increase in the amount of heavy equipment use or operation, merely a change in the location where borrow resources are to be excavated.

Because GHG emissions associated with the landfill at buildout are considered insignificant, and because other GHG emissions associated with the project are minimal, temporary, and offset by changes in existing circumstances (i.e., the reduction in traffic to and from the landfill and the reduction in waste landfilled using heavy equipment), no significant impact will occur.

Would the Project: Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

There are no such plans in place, and therefore no impacts.

5. Sage Grouse

Potential impacts to sage grouse were addressed at length in the 2005 Supplement. There is no known reason to believe that the above changes in the project, or in the environmental circumstances surrounding the project, will cause more severe impacts than previously thought.

Landfills and their impacts to sage grouse have been a subject of regular consideration in the area since 2005. The Bi-State Working Group has sought ways to control landfill impacts to sage grouse in our region, and one of the actions from the Bi-State Action Plan reflects this effort:

- *Action MER3-2: Identify and provide an alternate location for the Mono County landfill and work towards removing the existing landfill out of the Long Valley portion of the South Mono PMU.*

The Pumice Valley Landfill will not physically remove the Benton Crossing Landfill, but it will provide an alternate location to Benton Crossing that is outside of the Long Valley portion of the South Mono PMU. Changes to the project since the 2005 analysis, specifically the loss of the waste stream from the Town of Mammoth Lakes, create an opportunity to address issues with anthropogenic subsidies that are known to attract ravens and gulls and present threats to sage grouse. Because the County's waste stream is so limited when compared to the Town's, the days of operation and the landfilling operation itself could be structured in such a way to eliminate anthropogenic subsidy to ravens and gulls, thereby offering a meaningful and effective mitigation to potential sage grouse impacts.

There is no known reason to believe that the above changes in the project, or in the environmental circumstances surrounding the project, will cause more severe impacts than previously thought.

6. Change of Ownership

The change of ownership from LADWP to Mono County did not cause a change in the physical environment. In fact, daily tonnage, operating hours, capacity, vehicle trips and other impacts have all been reduced since the 2005 Supplement was approved. The only change is that the Pumice Valley Landfill site is now owned by Mono County, instead of being operated under a lease with LADWP.

There are no known environmental impacts relating to this change in ownership, and no further analysis is required.

7. New Species Occurrences from CNDDDB

The CNDDDB indicated the occurrence (see above occurrence report data) of Sierra Nevada yellow-legged frog, Mount Lyell shrew and Mono Lake lupine.

The habitat in the vicinity of the landfill does not match that of the Sierra Nevada yellow-legged frog or the Mount Lyell shrew, so although the occurrences of these species were within reasonable proximity to the landfill, they were not on the landfill itself nor would the landfill property support those species or the proposed project affect them.

The Mono Lake Lupine was noted approximately 1 mile from the landfill on land of similar vegetation and habitat characteristics, but the botanical survey conducted for the 2005 project looked specifically for Mono Lake Lupine, and did not find suitable habitat within the proposed expansion area—“these (lupine) should have been observable during the survey period and it appears that habitats that could support these species do not occur in the Pumice Valley Landfill expansion survey area.” (Mono County 2004)

The lands proposed for expansion do not contain suitable habitat for special status species recently documented in the vicinity, and therefore it is believed the project will have no impact on these species.

Addendum Findings

Since the 2005 certification of the Supplemental EIR, minor changes have been made to the Project. A review of available new information revealed limited information within the Project vicinity. None of the changes constitute a “substantial” or “significant” change to the Project that would require additional environmental analysis, and no known “new information” as expressed in section 15162 is present that warrants additional environmental analysis of the Project. Therefore, an Addendum is the appropriate document to fulfill lead agency requirements under CEQA.

References

Department of Fish and Game. California Natural Diversity Database Spotted Owl Viewer, accessed 7/26/2016.

Mono County. Supplement to the Mono County General Plan Land Use Amendments Final Environmental Impact Report, December 2004

APPLICATION FOR SOLID WASTE FACILITY PERMIT AND WASTE DISCHARGE REQUIREMENTS

CALRECYCLE E-1-77 (Rev. 11-15)

NOTE: This form has been developed for multiple uses. It is the transmittal sheet for documents required to be submitted to the appropriate agency. Please refer to the attached instructions for definitions of terms and for completing this application form in a complete and correct manner.

FOR OFFICIAL USE ONLY

SWIS/WDID/Global ID NUMBER: 26-AA-0003	FILING FEE:	RECEIPT NUMBER:	DATE RECEIVED:
DATE ACCEPTED:	DATE REJECTED:	ACCEPTANCE DATE OF INCOMPLETE APPLICATION:	DATE DUE:

Part 1. GENERAL INFORMATION

A. ENFORCEMENT AGENCY: Mono County Environmental Health	B. COUNTY: Mono
--	------------------------

C. TYPE OF APPLICATION (Check one box only):

- | | |
|--|--|
| <input type="checkbox"/> 1. NEW SWFP and/or WDRS | <input type="checkbox"/> 4. PERMIT REVIEW |
| <input type="checkbox"/> 2. CHANGE TO SWFP and/or WDRS
X REVISION <input type="checkbox"/> MODIFICATION <input type="checkbox"/> OTHER (As authorized by law) | <input type="checkbox"/> 5. AMENDMENT OF APPLICATION |
| <input type="checkbox"/> 3. WAIVER | <input type="checkbox"/> 6. RFI/ROWD/JTD AMENDMENTS |

Part 2. FACILITY DESCRIPTION

A. NAME OF FACILITY:

Pumice Valley Sanitary Landfill

B. LOCATION OF FACILITY:

1. PHYSICAL ADDRESS OR LOCATION AND ZIP CODE:
200 Dross Road, Lee Vining, CA 93541

2. LATITUDE AND LONGITUDE:
Latitude 37.5428 North, Longitude 119.1411 West

3. LEGAL DESCRIPTION OF PERMITTED BOUNDARY BY SECTION, TOWNSHIP, RANGE, BASE, AND MERIDIAN, IF SURVEYED:
NW1/4, NW1/4 and the W1/2, W1/2, NE1/4, NW1/4 of Section 36, Township 1 North, Range 26 East, MDB&M

C. TYPE OF ACTIVITY: (Check applicable boxes):

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> 1. DISPOSAL
a. TYPE: <u>Class III MSW</u> | <input type="checkbox"/> 3. TRANSFORMATION | <input type="checkbox"/> 5. C&D/INERT DEBRIS PROCESSING |
| <input type="checkbox"/> 2. COMPOSTABLE MATERIALS HANDLING
a. TYPE: _____ | <input type="checkbox"/> 4. TRANSFER/PROCESSING | <input type="checkbox"/> 6. IN-VESSEL DIGESTION |
| | | <input checked="" type="checkbox"/> 7. OTHER (describe): <u>Post-Closure</u> |

D. IDENTIFICATION OF FACILITY IN CIWMP [CONFORMANCE FINDING]:

1. FACILITY IS IDENTIFIED IN (Check one):
- | | | | |
|---|------------------|---------------------------------|-------------------------|
| <input checked="" type="checkbox"/> SITING ELEMENT | DATE OF DOCUMENT | <u>Adopted December 8, 2015</u> | PAGE # <u>11-15, 1'</u> |
| <input type="checkbox"/> NONDISPOSAL FACILITY ELEMENT | DATE OF DOCUMENT | _____ | PAGE # _____ |

E. TYPE OF PERMITTED WASTES TO BE RECEIVED: (Check applicable boxes):

- | | | |
|--|--|---|
| <input type="checkbox"/> 1. AGRICULTURAL | <input checked="" type="checkbox"/> 6. CONSTRUCTION/DEMOLITION | <input type="checkbox"/> 11. LIQUIDS |
| <input checked="" type="checkbox"/> 2. ASBESTOS <input type="checkbox"/> Friable <input checked="" type="checkbox"/> Non-friable | <input type="checkbox"/> 7. CONTAMINATED SOILS | <input checked="" type="checkbox"/> 12. MUNICIPAL SOLID WASTE (MSW) |
| <input checked="" type="checkbox"/> 3. ASH | <input checked="" type="checkbox"/> 8. DEAD ANIMALS | <input checked="" type="checkbox"/> 13. SEWAGE SLUDGE |
| <input type="checkbox"/> 4. AUTO SHREDDER | <input type="checkbox"/> 9. INDUSTRIAL | <input type="checkbox"/> 14. WASTE TIRES |
| <input type="checkbox"/> 5. COMPOSTABLE MATERIAL (describe): _____ | <input checked="" type="checkbox"/> 10. INERT | <input type="checkbox"/> 15. OTHER (describe): _____ |

Part 3. FACILITY INFORMATION

A. FACILITY INFORMATION:

1. INFORMATION APPLICABLE TO ALL EXISTING FACILITIES:

a. MAXIMUM DAILY TONNAGE OR CUBIC YARDS 4 tons per day

b. AS-DESIGNED DAILY TONNAGE or CUBIC YARDS n/a

c. FACILITY SIZE (acres) 40 acres

d. MAXIMUM TRAFFIC VOLUME PER DAY (vpd) n/a

e. DAYS AND HOURS OF OPERATION Sun, Mon, Thurs, Fri, Sat, 8-5

2. PROPOSED CHANGE(S) OR INFORMATION APPLICABLE TO NEW SWFP AND/OR WDRs

a. MAXIMUM DAILY TONNAGE OR CUBIC YARDS 110 tons per day (TPD)

b. AS-DESIGNED DAILY TONNAGE or CUBIC YARDS 110 TPD

c. FACILITY SIZE (acres) 48.4 acres

d. MAXIMUM TRAFFIC VOLUME PER DAY (vpd) 30

e. DAYS AND HOURS OF OPERATION Weds and Sat; 7:30-3:30

f. OTHER _____

3. ADDITIONAL INFO. REQUIRED FOR COMPOSTABLE MATERIALS HANDLING FACILITIES ONLY:

a. TOTAL SITE CAPACITY (cu yds) n/a

4. ADDITIONAL INFORMATION REQUIRED FOR LANDFILLS ONLY:

a. AVERAGE DAILY TONNAGE (TPD) 11.68

b. SITE CAPACITY CURRENTLY PERMITTED (Airspace) (cu yds) 335,000 cy of waste only (figure from submitted 1988 RFI that showed 475,000 cy total capacity)

c. SITE CAPACITY PROPOSED (Airspace) (cu yds) 741,360 total site capacity

d. SITE CAPACITY USED TO DATE (Airspace) (cu yds) 116,210 cy waste and soil

e. SITE CAPACITY REMAINING (Airspace) (cu yds) 358,790 cy (1988 RFI total capacity 475,000 cy minus 116,210 cy waste and soil in place)

f. DATE OF CAPACITY INFORMATION (Date) (See instructions): 1.1.2016

g. LAST PHYSICAL SITE SURVEY (Date) 6/3/2011

h. ESTIMATED CLOSURE DATE (month and year) 7/1/2048

i. DISPOSAL FOOTPRINT (acres) 23.6

j. SITE CAPACITY PLANNED (cu yds) 451,490 (waste only); 173,560 (daily and interim cover soil); 116,310 (final cover) = total design capacity 741,360 cubic yards

k. 1. (i) IN-PLACE WASTE DENSITY (lbs of waste per cu yd of waste) 1,200 lbs/cy
AND
(ii) WASTE-TO-COVER RATIO (Estimated) (v:v) 3:01
OR
2. AIRSPACE UTILIZATION FACTOR (tons of waste per cu yd of landfill airspace) n/a

Part 4. SOURCE OF WATER SUPPLY (Check applicable boxes)

A. MUNICIPAL OR UTILITY SERVICE: _____

B. INDIVIDUAL (wells): _____

C. SURFACE SUPPLY:

1. NAME OF STREAM, LAKE, ETC.: _____

2. TYPE OF WATER RIGHTS:

RIPARIAN APPROPRIATION

3. STATE PERMIT OR LICENSE NUMBER, IF APPLICABLE: _____

D. OTHER: Water Truck

Part 5. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (Check applicable boxes)

A. CHECK BOX(ES) IF ENVIRONMENTAL DOCUMENT WAS OR WILL BE PREPARED FOR THIS PROJECT:

1. ENVIRONMENTAL DOCUMENT WAS PREPARED:

ENVIRONMENTAL IMPACT REPORT (EIR) SCH# SCH# 981220126 and 2004082091

NEGATIVE DECLARATION (ND)/MITIGATED NEGATIVE DECLARATION (MND) SCH# _____

ADDENDUM TO (Identify environmental document) Above EIR; prepared for transfer of ownersh SCH# n/a

2. ENVIRONMENTAL DOCUMENT WILL BE PREPARED (Enter lead agency if known): Mono County lead agency; Addendum to reflect changes since EIR

B. IF ENVIRONMENTAL DOCUMENT(S) WAS NOT PREPARED, PLEASE PROVIDE THE FOLLOWING INFORMATION:

CATEGORICAL/STATUTORY EXEMPTION (CE/SE)
EXEMPTION TYPE _____ GUIDELINE # _____

Part 6. LIST OF ATTACHMENTS (Fill in the date for each document checked)

A. REQUIRED WITH ALL APPLICATION SUBMITTALS:

RFI/JTD 6.1.16 ENVIRONMENTAL DOCUMENT(S):

LOCATION MAP 6.1.16 EIR _____

MITIGATION MONITORING & REPORTING PROGRAM _____ MND/ND _____

LIST OF PUBLIC HEARINGS AND OTHER MEETINGS OPEN TO THE PUBLIC _____ EXEMPTION _____

ADDENDUM 6.1.16

B. ADDITIONAL REQUIRED DOCUMENTS FOR DISPOSAL FACILITIES ONLY:

OPERATING LIABILITY FINANCIAL MECHANISM _____ FINANCIAL RESPONSIBILITY DOCUMENTATION Pledge of Revenue

CLOSURE/POST CLOSURE MAINTENANCE PLAN _____ KNOWN OR REASONABLY FORSEEABLE CORRECTIVE ACTION COST ESTIMATES
PRELIMINARY 6.1.16 On File _____
FINAL _____

LANDFILL CAPACITY SURVEY RESULTS (see instruction) _____

C. IF APPLICABLE:

REPORT OF WASTE DISCHARGE WDID #6B260300011 DEPT. OF TOXIC SUBSTANCES CONTROL OR CERTIFIED UNIFIED PROGRAM AGENCY PERMIT _____

STORMWATER PERMIT APPLICATION _____ SWAT (Air and water) _____

NPDES PERMIT APPLICATION _____ WETLANDS PERMITS _____

OTHER _____ VERIFICATION OF FIRE DISTRICT COMPLIANCE _____

Part 7. OWNER INFORMATION (For disposal site, if operator is different from land owner, attach lease or other agreement)

TYPE OF BUSINESS: SOLE PROPRIETORSHIP PARTNERSHIP CORPORATION GOVERNMENT AGENCY

OWNER(S) OF LAND (Name): County of Mono, Department of Public Works SSN OR TAX ID # 95-6005661

ADDRESS, CITY, STATE, ZIP: Mono County Department of Public Works TELEPHONE #: (760) 932-5440
PO Box 457
74 North School Street FAX #: (760) 932-5441
Bridgeport, CA 93517 E-MAIL ADDRESS: tdubliano@mono.ca.gov

CONTACT PERSON (Print Name): Tony Dublino

Part 8. OPERATOR INFORMATION (For disposal site, if operator is different from land owner, attach lease or other agreement)

TYPE OF BUSINESS:

SOLE PROPRIETORSHIP PARTNERSHIP CORPORATION GOVERNMENT AGENCY

FACILITY OPERATOR(S)

(Name):

County of Mono, Department of Public Works

ADDRESS, CITY, STATE, ZIP

Mono County Department of Public Works
Post Office Box 457
74 North School Street
Bridgeport, California 93517

SSN OR TAX ID #:

95-6005661

TELEPHONE #:

(760) 932-5440

FAX #:

(760) 932-5441

E-MAIL ADDRESS:

tdublino@mono.ca.gov

CONTACT PERSON (Print Name):

Tony Dublino

ADDRESS WHERE LEGAL NOTICE MAY BE SERVED:

Part 9. SIGNATURE BLOCK

Owner:

I certify under penalty of perjury that the information I provided for this application and for any attachments is true and accurate to the best of my knowledge and belief. I am aware that the operator intends to operate a solid waste facility at the site specified above pursuant to this application and understand that I may be responsible for the site should the operator fail to meet applicable requirements.

SIGNATURE (LAND OWNER OR AGENT):

Jeff Walters

PRINTED NAME:

Director of Public Works

TITLE:

DATE:

Lessee:

I certify under penalty of perjury that the information I provided for this application and for any attachments is true and accurate to the best of my knowledge and belief. I am aware that the operator intends to operate a solid waste facility at the site specified above pursuant to this application.

SIGNATURE (LESSEE):

PRINTED NAME:

TITLE:

DATE:

Operator:

I certify under penalty of perjury that the information contained in this application and all attachments are true and accurate to the best of my knowledge and belief.

SIGNATURE (FACILITY OPERATOR OR AGENT):

Jeff Walters

PRINTED NAME:

Director of Public Works

TITLE:

DATE:

6-15-16

Part 10. OTHER (Attach additional sheets to explain any responses that need clarification).



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: Public Works, Solid Waste Division

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

SUBJECT MOU with Long Valley Fire Protection District Relating to Fire Response at Benton Crossing Landfill

AGENDA DESCRIPTION:

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

Proposed MOU with Long Valley Fire Protection District pertaining to fire response services at Benton Crossing Landfill.

RECOMMENDED ACTION:

Approve County entry into proposed MOU with Long Valley Fire Protection District and authorize CAO to execute said contract on behalf of the County. Provide any desired direction to staff.

FISCAL IMPACT:

No General Fund impact. Impact to Solid Waste would depend upon each fire incident.

CONTACT NAME: Tony Dublino

PHONE/EMAIL: 760.932.5453 / tdublino@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Staff Report
<input type="checkbox"/> MOU

History

Time	Who	Approval
7/12/2016 12:00 PM	County Administrative Office	Yes
7/21/2016 10:25 AM	County Counsel	Yes
7/25/2016 2:05 PM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS SOLID WASTE DIVISION

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

Date: August 2, 2016
To: Honorable Chair and Members of the Board of Supervisors
From: Tony Dublino, Solid Waste Superintendent
Subject: Long Valley Fire Protection District Reimbursement MOU

Recommended Action:

1. Approve and authorize the CAO's signature on the attached Memorandum of Understanding, establishing for the Long Valley Fire Protection District to be reimbursed for fire response costs at Benton Crossing Landfill through the Solid Waste Enterprise Fund.

Fiscal Impact:

General Fund impact: None. Impact to the Solid Waste Enterprise Fund is unknown, entirely dependent on the number and severity of incidents. The fiscal impact of the August 29, 2014 incident was \$6,224.

Discussion:

The Benton Crossing Landfill is located on State Responsibility Area lands, and is subject to a Balance of Acres agreement between CalFire, the Bureau of Land Management and the United States Forest Service. Unfortunately, this agreement does not include structures, or fires within waste. It covers vegetation fires only.

On August 29, 2014, a fire broke out within the Construction and Demolition waste pile at Benton Crossing. The LVFPD provided the primary response, assumed the role of incident command, and remained at the site until the fire was under control.

Since the Benton Crossing Landfill is not within the LVFPD, the Long Valley Fire Protection District is under no legal obligation to respond to incidents at the site, but nonetheless, they have responded to numerous incidents over the years.

In the case of the August 29 incident, the County requested an invoice from the LVFPD for the response, and reimbursed the agency in the amount of \$6,224. It is staff's belief that future incidents should be reimbursed in a similar fashion, and believes an MOU establishing a reimbursement process would provide LVFPD the assurance necessary to respond to such out-of-District incidents, whenever resources are available.

Early drafts of the proposed MOU were distributed to relevant CalFire, USFS and BLM Fire agencies. None of those agencies objected to the drafts. Mono County and LVFPD proceeded to revise and

negotiate draft language until agreement was reached in late 2015. LVFPD has since executed the attached MOU, and it is being brought before the Board for consideration and approval.

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

Respectfully submitted,

A handwritten signature in blue ink that reads "Tony Dublino".

Tony Dublino
Solid Waste Superintendent

Attachments: Long Valley Fire Protection District Reimbursement MOU

**AGREEMENT BETWEEN THE COUNTY OF MONO
AND THE LONG VALLEY FIRE PROTECTION DISTRICT
REGARDING INCIDENT RESPONSE AT
THE BENTON CROSSING LANDFILL**

This Agreement is entered into by and between the County of Mono, a political subdivision of the State of California (hereinafter "County") and the Long Valley Fire Protection District, a special district of the State of California, organized under the Fire Protection District Law of 1987 (hereinafter LVFPD). The County and LVFPD are sometimes referred to individually herein as "Party," or collectively as the "Parties."

Whereas, the County operates the Benton Crossing Landfill (hereinafter "Landfill"), which is located on State Responsibility Area lands and is subject to a Balance of Acres agreement between CalFire, the Bureau of Land Management and the United States Forest Service, which agreement covers vegetation fires only; and

Whereas, the Benton Crossing Landfill is not within the boundaries of the LVFPD and LVFPD is under no legal obligation to respond to incidents at the Landfill; and

Whereas, LVFPD maintains the closest fire station to the Landfill, and thus offers the shortest response time available for incidents of fire, explosion, or other emergencies dispatched through the County's 911 system (hereinafter "Incidents") at the Landfill; and

Whereas, LVFPD has in the past, when personnel and resources are available, responded to Incidents at the Landfill, thereby aiding in the preservation of life and property; and

Whereas, the County would like LVFPD to continue to respond to Incidents at the Landfill; and

Whereas, LVFPD would like assurances from the County that its costs for responding to Incidents at the Landfill will be reimbursed; and

Whereas, accordingly, the County wishes to provide LVFPD with assurance, through this agreement, that it will pay LVFPD for its services and reimburse its response costs through the County's Solid Waste Enterprise Fund; and

Therefore, it is mutually agreed by and between the Parties as follows:

1. Payment and Reimbursement

- a. The County, through its Solid Waste Enterprise Fund, will pay LVFPD \$1.00 per year, due and payable by January 15 of each year, to provide the services set forth in this agreement.
- b. In addition to the annual payment set forth above, the County, through its Solid Waste Enterprise Fund, will reimburse LVFPD for its actual costs incurred in responding to Incidents (excluding Incidents of a solely medical nature to which the Mono County Paramedics respond), as follows:
 - i. LVFPD's actual costs shall be based on current Cal EMA rates. Such rates as of October 1, 2015 are included as *Attachment A* to this MOU. Upon any change to Cal EMA rates, LVFPD shall provide the Solid Waste Superintendent with a written copy of the revised rates, which shall automatically supersede and replace those rates set forth in *Attachment A* and shall be applied to any Incident response following the change.

- ii. Within 60 days of response to an Incident, LVFPD shall submit an invoice detailing its actual costs determined based on current Cal EMA rates, along with supporting documentation, to the Mono County Finance Department. Upon receipt of such invoice and documentation in a form acceptable to the Finance Department, the County shall make payment to LVFPD within 30 days. The parties agree that **Attachment B** to this MOU represents an acceptable form for the invoice.

Invoices may be personally delivered, or sent by prepaid first-class mail, facsimile, or email to Finance Department as follows:

Mono County Department of Finance
Attn: Accounts Payable
P.O. Box 556
Bridgeport, CA 93517
760-932-5490

2. Incident Response by LVFPD

- a. All calls for assistance or response at the Landfill by LVFPD will be made to (and dispatched from) the County's 911 system. The County understands that LVFPD serves a large area, and that, in the case of simultaneous incidents, LVFPD may not be able to respond or to devote any resources to an Incident at the Landfill, nor can it guarantee any particular outcome when it does respond. By virtue of this agreement, LVFPD simply agrees that it will respond to Incidents at the Landfill to the same degree and extent as it would if the Landfill were within its district boundaries, provided that resources are available.
- b. LVFPD agrees that it will accept the role of incident command, when not otherwise assumed by CalFire, BLM or USFS, and will pursue additional resources as necessary to effectively respond to Incidents at the Landfill. The actual cost to LVFPD of such additional resources will be reimbursed as provided in this agreement.

3. Standard Terms and Conditions

- a. Each Party to this agreement shall defend, indemnify, and hold harmless the other Party, its agents, officers, volunteers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from or in connection with, the acts or omissions of that Party pursuant to this agreement.
- b. Each Party's obligation to defend, indemnify, and hold the other, its agents, officers, volunteers, and employees harmless applies to any actual or alleged personal injury, death, damage or destruction to tangible or intangible property, including the loss of use. This obligation extends to any claim, damage, loss, liability, expense, or other costs that are caused in whole or in part by any act or omission of the indemnifying Party, its agents, employees, volunteers, suppliers, or anyone directly or indirectly employed by any of them, or anyone for whose acts or omissions any of them may be liable.
- c. LVFPD is aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code, and will comply with such provisions throughout the term of this MOU. LVFPD shall additionally maintain insurance in commercially reasonable amounts to cover activities pursuant to this MOU.

- d. All acts of LVFPD, its agents, officers, volunteers and employees, relating to the performance of this agreement, shall be performed as an independent contractor/separate legal entity, and not as an agent, officer, or employee of the County. LVFPD, by virtue of this agreement, has no authority to bind or incur any obligation on behalf of, or exercise any right or power vested in the County, except as expressly provided by law. No agent, officer, or employee of the County is to be considered an employee of LVFPD. It is understood by both LVFPD and County that this agreement shall not, under any circumstances, be construed to create an employer-employee relationship or a joint venture. As a separate legal entity:
 - i. LVFPD shall determine the method, details, and means of performing the work described in this agreement.
 - ii. LVFPD shall not be subjected to County's control with respect to the physical action or activities of LVFPD in fulfillment of this agreement.
 - iii. LVFPD, its agents, officers, volunteers, and employees are, and at all times during the term of this agreement shall represent and conduct themselves as, independent contractors/separate legal entity, and not employees of County.
- e. The term of this agreement shall commence upon its execution and shall end upon termination as set forth in this paragraph. Either Party may terminate this agreement without cause, and at will, for any reason by giving to the other Party thirty (30) days written notice of such intent to terminate. Upon any such termination, County shall nevertheless be obligated to reimburse LVFPD for actual costs incurred by it in responding to an Incident at the Landfill prior to the date of termination.
- f. This agreement may be modified, amended, changed, added to, or subtracted from, by the mutual consent of the Parties, if such amendment or change is in written form, and executed with the same formalities as this agreement, and attached to the original agreement to maintain continuity.
- g. Any notice, communication, amendments, additions or deletions to this agreement, including change of address of any party during the term of this agreement, which LVFPD or County shall be required, or may desire to make, shall be in writing and may be personally served, or sent by prepaid first-class mail to the respective parties as follows:

County of Mono:

County of Mono
Public Works Department / Solid Waste Division
PO 457
Bridgeport, CA 93517

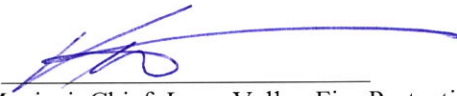
Long Valley Fire Protection District:

Long Valley Fire Protection District
c/o Chief
3604 Crowley Lake Drive
Crowley Lake, CA 93546

- h. This agreement contains the entire agreement of the Parties, and no representations, inducements, promises, or agreements otherwise between the parties not embodied herein or incorporated herein

by reference, shall be of any force or effect. Further, no term or provision hereof may be changed, waived, discharged, or terminated, unless executed in writing by the Parties hereto.

Signed: _____
CAO, County of Mono

Signed: 
Vince Maniaci, Chief, Long Valley Fire Protection District

Date: _____

Date: 04/27/2016

APPROVED AS TO FORM:

County Counsel

APPROVED BY RISK MANAGEMENT:

Risk Manager



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: CAO

TIME REQUIRED 5 minutes (2 minute presentation; 3 minute discussion)

PERSONS APPEARING BEFORE THE BOARD Leslie Chapman

SUBJECT Travel Policy Amendment

AGENDA DESCRIPTION:

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

Adopt proposed resolution #R16-___, Amending Sections 630 and 640 of the Mono County Personnel Rules Related to Travel Authorizations for Out-Of-County Travel.

RECOMMENDED ACTION:

Adopt proposed resolution #R16-___, Amending Sections 630 and 640 of the Mono County Personnel Rules Related to Travel Authorizations for Out-Of-County Travel.

FISCAL IMPACT:

The change is procedural only with no fiscal impact.

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

[Staff Report](#)

[Travel Policy Resolution](#)

[Revised Travel Policy](#)

History

Time	Who	Approval
7/25/2016 5:51 PM	County Administrative Office	Yes
7/27/2016 6:21 PM	County Counsel	Yes
7/26/2016 8:38 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

August 2, 2016

To: Honorable Board of Supervisors

From: Leslie Chapman, CAO

Subject: Travel Policy Amendment

Recommended Action: Adopt proposed resolution #R16-__, Amending Sections 630 and 640 of the Mono County Personnel Rules Related to Travel Authorizations for Out-Of-County Travel.

Discussion: The attached resolution and revised Personnel Rules Sections 630 and 640 is the result of both the CAO's and Department Heads' desire to streamline the travel authorization processes. The existing policy requires Department Head approval and CAO approval and then a review of backup documentation before the Finance Department pays the travel expenses. This process is cumbersome and not deemed necessary by current staff. Under the new policy, Department Heads will pre-approve travel for their department and ensure that current requests are within the approved budget constraints. Then Finance will review documentation to make sure it is a valid expense of the County, that there is sufficient audit trail and verify that it is within the constraints of the current budget. Accordingly, CAO approval is not deemed necessary.

Fiscal Impact: This change is procedural only with no fiscal impact.



R16-__

**A RESOLUTION OF THE MONO COUNTY
BOARD OF SUPERVISORS AMENDING
SECTIONS 630 AND 640 OF THE MONO COUNTY
PERSONNEL RULES RELATED TO
TRAVEL AUTHORIZATIONS FOR
OUT-OF-COUNTY TRAVEL**

WHEREAS, the County recently adopted revised Personnel Rules which include a provision for the authorization of travel outside of the County that involves overnight accommodations (Sections 620 et seq.); and

WHEREAS, Section 630 requires that both the Department Head and the County Administrative Officer (CAO) pre-approve travel requests that involve an overnight stay, using a written travel request form; and

WHEREAS, approval by both the Department Head and the CAO has proven to be unwieldy and unnecessary, since the Department Head is responsible for and capable of ensuring that all expenditures for travel, and the use of staff time, are consistent with budgeted amounts and the needs of the department; and

WHEREAS, Section 640 requires that both the Department Head and the County Finance Director approve lodging requests, a requirement which has also proved unnecessary; and

WHEREAS, the Board of Supervisors wishes to amend sections 630 and 640 of the Personnel Rules to eliminate the requirement that travel request forms be additionally approved by the CAO and/or the Finance Director, as applicable, thereby authorizing such requests to be approved solely by the employee's respective Department Head;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES that Section 630 of the Mono County Personnel Rules is hereby amended to read as shown in Exhibit "A", attached hereto and incorporated by this reference.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2016, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Fred Stump, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel

Exhibit "A"

620 Travel

The County shall establish and maintain a consistent travel policy for out-of-County travel applicable to all employees, management, and elected officials. The Director of Finance shall be responsible for timely travel reimbursement in accordance with the established policy. It is the responsibility of the Human Resources Department to maintain current documents regarding the travel policy.

630 Travel Authorization

A. A completed travel request form shall be submitted to the applicable Department Head for all out-of-County travel requiring overnight accommodations. Department Heads may authorize travel for their respective employees in cases involving in-County and out-of-County travel not requiring overnight accommodations without a travel request form. Out-of-County travel is defined as travel outside of the geographic borders of Mono County and the contiguous northern territory of Inyo County bounded to the south by, and encompassing, the Bishop region.

B. A completed travel request form shall be submitted to the Department Head as far in advance as possible of the anticipated date of the travel. All out-of-County travel requests shall be approved by the Department Head or designee, who may approve, deny or modify all proposed travel requests. Travel outside the states of California and Nevada must also be approved by the Board of Supervisors.

C. If an emergency condition exists requiring the authorization of travel, the Department Head shall be immediately notified and may approve the travel orally or by email.

D. Travel in County vehicles by persons other than County employees, clients, and contractors is not permitted unless specifically approved by the County Administrative Officer and Risk Manager in advance in writing.

640 Travel Reimbursement

A. Unless otherwise specifically stated or provided by law, mileage reimbursement for authorized in-County and out-of-County travel where an employee uses his or her personal vehicle shall be at the current IRS rate. However, an employee who receives an automobile allowance shall not be reimbursed for any in-County mileage.

B. Each County department is responsible for keeping travel and lodging costs within their individual travel budgets. Out-of-County travel involving overnight lodging shall be reimbursed for actual, reasonable and necessary lodging costs, in accordance with standard costs generally charged in the city or county visited. The lodging reimbursement is subject to approval by the Department Head

Detailed justification must be provided when lodging reimbursement exceeding \$200 per night is being requested.

To be eligible for the lodging allowance, the employee must be authorized to travel to the designated area and must furnish a commercial lodging receipt for the day(s) of travel which indicates the location and cost of the lodging.

C. Meal reimbursement rates and a meal reimbursement policy will be established by the Board of Supervisors and may be periodically adjusted, up or down, by the Board of Supervisors and/or pursuant to a specific Memorandum of Understanding.

D. There shall be no reimbursement for in-County meals except under the following conditions and circumstances:

1. Whenever an employee is temporarily assigned to an in-County job site and that assignment would require the employee to remain at the job site overnight.

2. When a Department Head or designated representative is required to attend a County-related function which includes a meal as part of the function.

E. The following expenses may be claimed for reimbursement if incurred in the performance of county business:

1. Registration fees;

2. Parking fees;

3. Ferry or bridge tolls;

4. Bus or taxi fares.

F. The following expenses will not be reimbursed:

1. Gratuities, with the exception of customary and usual gratuities associated with restaurant meals in an amount not to exceed 15% of the total meal cost prior to adding the gratuity, excluding any alcohol, provided that the gratuity is documented in a manner acceptable to the Finance Director;

2. Personal services such as dry cleaning or laundry;

3. Valet parking unless no self-parking is available;

4. Room service charges;

5. Alcoholic beverages.

650 Travel Advance

A. Department Heads are expected to provide employees with County credit cards in lieu of travel advances, and travel advances should be granted only when there is insufficient time to obtain a credit card.

B. Employees requesting a travel advance must submit the travel request form at least ten days prior to the anticipated travel.

C. Travel advance requests may include advance payment for registration, lodging, meals and/or transportation and shall not be granted in an amount less than fifty dollars.

D. Employees receiving a travel advance must file a reconciliation claim with the Director of Finance for their travel within thirty (30) days of their return from the trip.

660 Travel Claim Procedure

- A. Claims for expenses while traveling on official business must be submitted to the Director of Finance within thirty (30) days of the completion of the travel.
- B. Claims must include the following:
 - 1. A statement of the purpose for the trip and a copy of the agenda for conferences;
 - 2. The date and time the employee departed and the date and time the employee returned;
 - 3. An itemized list of expenditures with corresponding receipts with the exception of meals in cases where the meal allowance is claimed as the reimbursement;
 - 4. When a personal vehicle is used, a Map Quest statement of the round trip mileage.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: Finance

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

SUBJECT Quarterly Investment Report for the Quarter ending 6/30/2016

AGENDA DESCRIPTION:

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

Quarterly Investment Report for the Quarter ending 6/30/2016.

RECOMMENDED ACTION:

Review report, provide feedback, and address questions.

FISCAL IMPACT:

None.

CONTACT NAME: Gerald Frank

PHONE/EMAIL: 760-932-5483 / gfrank@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Quarterly Investment Report for the Quarter Ending June 30, 2016](#)

History

Time	Who	Approval
7/25/2016 2:54 PM	County Administrative Office	Yes

7/25/2016 12:22 PM

County Counsel

Yes

7/25/2016 12:21 PM

Finance

Yes



DEPARTMENT OF FINANCE

COUNTY OF MONO

Gerald A. Frank
Assistant Finance Director
Treasurer-Tax Collector

Janet Dutcher, CPA, CGFM
Finance Director

Stephanie Butters
Assistant Finance Director
Auditor-Controller

P.O. Box 495
Bridgeport, California 93517
(760) 932-5480
Fax (760) 932-5481

P.O. Box 556
Bridgeport, California 93517
(760) 932-5490
Fax (760) 932-5491

Date: August 2, 2016

To: Honorable Board of Supervisors
Treasury Oversight Committee
Treasury Pool Participants

From: Gerald Frank

Subject: Quarterly Investment Report

The Treasury Pool investment report for the quarter ended June 30, 2016 is attached pursuant to Government Code §53646(b) and includes the following reports:

- **Portfolio Holdings by Security Sector** - includes, among other information, the type of investment, issuer, date of maturity, par value, dollar amount invested in all securities and market value as calculated by Union Bank, in accordance with Government Code §53646(b)(1).
- **Distribution by Asset Category – Market Value** – Provides a graphic to make it easy to see the asset allocation by type of security.
- **Distribution by Maturity Range – Face Value** – Provides a bar graph to see the maturities of the various investments and gives the reader a sense of the liquidity of the portfolio.
- **Treasury Cash Balances as of the Last Day of the Most Recent 14 Months** – Shows that the current mix of cash and investments is stable and consistent when compared to prior months and particularly the same time last year. Additionally, the maturities section at the bottom shows that there is work to be done in structuring future investments to smooth out cash flows and ensure liquidity.
- **Mono County Treasury Pool Quarterly Yield Comparison** – Shows, at a glance, the county pool performance in comparison to two year US Treasuries and the California Local Agency Investment Fund (LAIF).

The County also has monetary assets held outside the County Treasury including:

- The Sheriff’s Department has two accounts: the Civil Trust Account and the Sheriff’s Revolving Fund. The balances in these accounts as of June 30, 2016 were \$28,357.32 and \$4,146.96 respectively.
- Solid Waste has an account that is required by California Integrated Waste as security for a zero interest loan. The County is required to maintain a balance equal to two months’ payments. The balance in this account as of June 30, 2016 was \$74,429.16.
- Mono County’s OPEB (Other Post Employment Benefit) trust fund with PARS had a balance of \$14,612,869.98 as of May 31, 2016. This is an irrevocable trust to mitigate the liability for the County’s obligation to pay for retiree health benefits.

The Treasury was in compliance with the Mono County Investment Policy on June 30, 2016.

Weighted Average Maturity (WAM) as of June 30, 2016 was 542 days.

It is anticipated that the County Treasury will be able to meet the liquidity requirements of its pooled participants for the next six months.

The investments are presented at fair market value in accordance with Government Accounting Standards Board (GASB) Statement No. 31, Accounting and Financial Reporting for Certain Investments and for External Pools. On the last day of the quarter, on a cost basis, the portfolio totaled \$79,452,329.35, and the market value was \$79,767,680.05 (calculated by Union Bank) or 100.397% of cost. Market value does not include accrued interest which was \$182,320.16 on the last day of the quarter.

Investment Pool earnings are as shown below:

Quarter Ending	9/30/2015*	12/31/2015	3/31/2016	6/30/2016
Average Daily Balance	\$61,049,800	\$68,955,816	\$74,447,680	\$83,247,611
Earned Interest (including accruals)	\$101,104	\$194,524	\$187,121	\$212,315
Earned Interest Rate	.6570%	1.1192%	1.0109%	1.0258%
Number of Days in Quarter	92	92	91	91
Interest Received	\$86,418	\$190,366	\$163,149	\$202,778
Administration Costs	\$12,792	\$13,107	\$13,468	\$4,285
Net Interest for Apportionment	\$73,626	\$177,259	\$149,681	\$198,493

* It was discovered that Premiums and Discounts amortized in the Quarter Ending 9/30/2015 should have been amortized in the Quarter Ending 6/30/2015. The following data reflects the true Earned Interest and Earned Interest Rate for these quarters.
 Quarter Ending 6/30/2015 – Earned Interest \$170,831.83 – Earned Interest Rate 0.9159%
 Quarter Ending 9/30/2015 – Earned Interest \$132,254.98 – Earned Interest Rate 0.8595%



Mono County Portfolio Holdings by Security Sector As of June 30, 2016

Description	Settlement Date	Cost Value	Face Amount/Shares	Market Value	Coupon Rate	YTM @ Cost	Maturity Date	Days To Maturity	Credit Rating	Accrued Interest	% of Portfolio
Cash											
Oak Valley Bank Cash	2/28/2009	7,500,796.74	7,500,796.74	7,500,796.74	0.676	0.676	N/A	1	None		9.45
Sub Total / Average		7,500,796.74	7,500,796.74	7,500,796.74	0.676	0.676		1		0	9.45
LAIF											
Local Agency Investment Fund LGIP-Quarterly	7/1/2014	28,262,603.51	28,262,603.51	28,262,603.51	0.576	0.576	N/A	1	NR	46,603.23	35.59
Sub Total / Average		28,262,603.51	28,262,603.51	28,262,603.51	0.576	0.576		1		46,603.23	35.59
Financial System Loan-Mono County											
Financial System Loan-Mono County 1.25 6/30/2019	2/24/2015	198,013.70	198,013.70	198,013.70	1.25	1.25	6/30/2019	1095	None	0	0.25
Sub Total / Average		198,013.70	198,013.70	198,013.70	1.25	1.25		1095		0	0.25
CD Negotiable											
1st SOURCE BANK 1.15 1/30/2018	6/30/2015	245,000.00	245,000.00	245,886.90	1.15	1.15	1/30/2018	579	None	0	0.31
ALLY BK MIDVALE UTAH 1.45 2/11/2019	2/11/2016	245,000.00	245,000.00	248,251.15	1.45	1.45	2/11/2019	956	None	1,362.60	0.31
AMERICAN EXPRESS CENTURION BK 1.85 4/29/2020	4/29/2015	245,000.00	245,000.00	251,232.80	1.85	1.85	4/29/2020	1399	None	769.9	0.31
BANK NORTH CAROLINA THOMASVILLE NC 1 6/30/2017	6/30/2015	245,000.00	245,000.00	245,600.25	1	1	6/30/2017	365	None	6.71	0.31
BERKSHIRE BK PITTSFIELD MA 0.65 9/30/2016	3/31/2015	245,000.00	245,000.00	245,137.20	0.65	0.65	9/30/2016	92	None	397.03	0.31
BLOOMSDALE BANK 0.6 12/19/2016	2/17/2016	245,000.00	245,000.00	245,284.20	0.6	0.6	12/19/2016	172	None	52.36	0.31
BMO HARRIS BANK NA 1.05 3/2/2018	3/3/2016	245,000.00	245,000.00	245,987.35	1.05	1.05	3/2/2018	610	None	838.71	0.31
BMW Bank of North America 1.35 1/23/2018	1/23/2015	245,000.00	245,000.00	246,639.05	1.35	1.35	1/23/2018	572	None	1,440.80	0.31
CAPITAL BK LITTLE ROCK 0.9 2/28/2018	5/29/2015	245,000.00	245,000.00	245,992.25	0.9	0.9	2/28/2018	608	None	6.04	0.31
CAPITAL ONE BANK USA NATL ASSN 1.8 1/22/2020	1/26/2015	245,000.00	245,000.00	252,913.50	1.8	1.8	1/22/2020	1301	None	1,933.15	0.31
CIT BK SALT LAKE CITY 2.25 11/26/2019	11/26/2014	245,000.00	245,000.00	253,266.30	2.25	2.25	11/26/2019	1244	None	528.6	0.31
COMENITY CAP BK SALT LAKE CITY UTAH 1.6 4/12/2021	4/11/2016	245,000.00	245,000.00	249,461.45	1.6	1.6	4/12/2021	1747	None	204.05	0.31
COMMERCE ST BK WEST BEND WIS 1.65 9/26/2019	6/26/2015	245,000.00	245,000.00	249,436.95	1.65	1.65	9/26/2019	1183	None	44.3	0.31
COMPASS BK BIRMINGHAM ALA 0.55 8/29/2016	5/29/2015	245,000.00	245,000.00	245,044.10	0.55	0.55	8/29/2016	60	None	118.14	0.31
CONNECTONE BK ENGLEWOOD 1.55 7/29/2019	1/28/2015	245,000.00	245,000.00	251,798.75	1.55	1.55	7/29/2019	1124	None	20.81	0.31
CURRIE ST BK CURRIE MN 0.6 7/29/2016	1/29/2015	245,000.00	245,000.00	245,022.05	0.6	0.6	7/29/2016	29	None	116.79	0.31
DISCOVER BK GREENWOOD DEL 1.9 5/6/2020	5/6/2015	245,000.00	245,000.00	251,225.45	1.9	1.9	5/6/2020	1406	None	701.44	0.31
FIRST BUSINESS BK MADISON WIS 1.9 1/13/2021	1/13/2016	245,000.00	245,000.00	254,633.40	1.9	1.9	1/13/2021	1658	None	2,155.33	0.31
FIRST NIAGARA BK NATL ASSN 1.35 1/8/2018	1/8/2016	245,000.00	245,000.00	246,112.30	1.35	1.35	1/8/2018	557	None	1,576.73	0.31
FLUSHING BANK N Y 1.8 12/10/2018	12/10/2014	245,000.00	245,000.00	248,403.05	1.8	1.8	12/10/2018	893	None	181.23	0.31
FRANKLIN SYNERGY BANK FRANKLIN TN 0.5 8/10/2016	6/10/2015	245,000.00	245,000.00	245,009.80	0.5	0.5	8/10/2016	41	None	67.12	0.31
FREEDOM FIN BK W DES MOINES 1.5 7/26/2019	1/27/2015	245,000.00	245,000.00	251,791.40	1.5	1.5	7/26/2019	1121	None	30.21	0.31
GOLDMAN SACHS BK USA NEW YORK 1.9 4/22/2020	5/5/2015	244,387.50	245,000.00	251,230.35	1.9	1.953	4/22/2020	1392	None	879.99	0.31
ISABELLA BANK 0.75 3/28/2017	5/28/2015	245,000.00	245,000.00	245,357.70	0.75	0.75	3/28/2017	271	None	10.07	0.31
MAHOPAC NATL BK N Y 1.45 7/30/2019	1/30/2015	245,000.00	245,000.00	251,725.25	1.45	1.45	7/30/2019	1125	None	1,479.40	0.31
MB FINANCIAL BANK, NATIONAL ASSN 1.8 1/15/2021	1/15/2016	245,000.00	245,000.00	254,672.60	1.8	1.8	1/15/2021	1660	None	181.23	0.31
MERCANTIL COMMERCEBANK 0.65 9/27/2016	3/27/2015	245,000.00	245,000.00	245,122.50	0.65	0.65	9/27/2016	89	None	414.49	0.31
MERRICK BK SOUTH JORDAN UTAH 0.85 1/30/2017	1/30/2015	245,000.00	245,000.00	245,583.10	0.85	0.85	1/30/2017	214	None	11.41	0.31
MIDDLETON COMMUNITY BANK 1.4 11/27/2018	1/27/2015	245,000.00	245,000.00	249,757.90	1.4	1.4	11/27/2018	880	None	28.19	0.31
MUFG Union Bank NA 0.95 4/6/2017	4/6/2016	245,000.00	245,000.00	245,019.60	0.95	0.95	4/6/2017	280	None	542.02	0.31
SAFRA NATIONAL BANK OF NEW YORK 0.5 9/1/2016	6/1/2015	245,000.00	245,000.00	245,044.10	0.5	0.5	9/1/2016	63	None	97.33	0.31
SALLIE MAE BK SALT LAKE CITY UT 1.8 2/18/2021	2/18/2016	245,000.00	245,000.00	250,720.75	1.8	1.8	2/18/2021	1694	None	1,606.93	0.31
SANTANDER BK NA WILMINGTON DE 0.75 3/2/2017	3/2/2016	245,000.00	245,000.00	245,333.20	0.75	0.75	3/2/2017	245	None	604.11	0.31
STATE BK & TR CO DEFIANCE OHIO 1.6 2/17/2021	2/17/2016	245,000.00	245,000.00	251,882.05	1.6	1.6	2/17/2021	1693	None	139.62	0.31
SYNCHRONY BANK 2 3/20/2020	3/20/2015	245,000.00	245,000.00	251,419.00	2	2	3/20/2020	1359	None	1,369.32	0.31
SYNOVUS BANK 0.85 2/6/2017	2/5/2015	245,000.00	245,000.00	245,637.00	0.85	0.85	2/6/2017	221	None	833	0.31
Third Federal Savings and Loan Assn. of Cleveland	3/26/2015	245,000.00	245,000.00	251,715.45	1.8	1.8	3/26/2020	1365	None	1,159.89	0.31
UNITED BK VERNON ROCKVILLE CT 0.6 8/2/2016	2/2/2015	245,000.00	245,000.00	245,046.55	0.6	0.6	8/2/2016	33	None	600.08	0.31
UNITY BK CLINTON NJ 1.5 9/26/2019	5/26/2015	245,000.00	245,000.00	249,368.35	1.5	1.5	9/26/2019	1183	None	40.27	0.31
WELLS FARGO BK NA SIOUX FALLS 1 10/12/2017	2/26/2016	244,938.75	245,000.00	246,033.90	1	1.016	10/12/2017	469	None	120.82	0.31
Worlds Foremost Bk Sidney NE 1.75 5/5/2021	5/5/2016	200,000.00	200,000.00	201,682.00	1.75	1.75	5/5/2021	1770	None	239.73	0.25
Sub Total / Average		9,999,326.25	10,000,000.00	10,136,481.00	1.287	1.289		818		22,909.95	12.59



Mono County Portfolio Holdings by Security Sector As of June 30, 2016

Description	Settlement Date	Cost Value	Face Amount/Shares	Market Value	Coupon Rate	YTM @ Cost	Maturity Date	Days To Maturity	Credit Rating	Accrued Interest	% of Portfolio
Corporate Bonds											
Apple Inc 1 5/3/2018	5/15/2013	497,300.00	500,000.00	501,230.00	1	1.112	5/3/2018	672	Moody's-Aa1	791.67	0.63
General Electric Cap Corp 1.625 4/2/2018	5/14/2013	506,735.00	500,000.00	507,095.00	1.625	1.339	4/2/2018	641	Moody's-A1	1,986.11	0.63
Intel Corp 1.35 12/15/2017-14	5/27/2014	502,250.00	500,000.00	502,965.00	1.35	1.22	12/15/2017	533	Moody's-A1	281.25	0.63
JPMORGAN CHASE 2.35 1/28/2019	4/14/2015	1,021,450.00	1,000,000.00	1,024,660.00	2.35	1.762	1/28/2019	942	Moody's-A3	9,922.22	1.26
MICROSOFT CORP 2 11/3/2020-20	12/28/2015	501,580.00	500,000.00	512,760.00	2	1.931	11/3/2020	1587	Moody's-Aaa	1,583.33	0.63
Pfizer Inc 0.9 1/15/2017-14	1/15/2014	498,085.00	500,000.00	500,320.00	0.9	1.03	1/15/2017	199	Moody's-A1	2,062.50	0.63
Toyota Motor Credit Corp 1.2 4/6/2018	4/15/2016	501,005.00	500,000.00	501,960.00	1.2	1.097	4/6/2018	645	Moody's-Aa3	1,366.67	0.63
Union Bank 2.125 6/16/2017	1/9/2013	517,250.00	500,000.00	504,610.00	2.125	1.322	6/16/2017	351	Moody's-A2	413.19	0.63
US Bancorp 1.65 5/15/2017	5/11/2012	502,365.00	500,000.00	502,395.00	1.65	1.551	5/15/2017	319	Moody's-A1	1,031.25	0.63
Wells Fargo 1.5 1/16/2018	5/14/2013	502,950.00	500,000.00	502,800.00	1.5	1.369	1/16/2018	565	Moody's-A2	3,416.67	0.63
Sub Total / Average		5,550,970.00	5,500,000.00	5,560,795.00	1.641	1.409		672		22,854.86	6.93
Municipal Bonds											
El Monte CA School District GO 1.698 5/1/2018	6/12/2014	503,340.00	500,000.00	509,460.00	1.698	1.521	5/1/2018	670	Moody's-Aa3	1,391.42	0.63
HAWTHORNE CA CTF5 1.846 8/1/2018	5/17/2016	251,867.50	250,000.00	251,347.50	1.846	1.501	8/1/2018	762	S&P-AA	551.24	0.31
HAWTHORNE CA CTF5 2.096 8/1/2019	5/17/2016	252,680.00	250,000.00	252,497.50	2.096	1.751	8/1/2019	1127	S&P-AA-	625.89	0.31
La Mesa Spring Valley SD 1.886 8/1/2017	5/1/2014	502,920.00	500,000.00	505,280.00	1.886	1.7	8/1/2017	397	Moody's-A1	3,902.97	0.63
Lake Tahoe Unified School District 0 8/1/2017	11/19/2013	619,567.00	650,000.00	643,513.00	0	1.3	8/1/2017	397	Moody's-A1	0	0.82
N ORANGE CNTY CA CMNTY CLG DIST 1.54 8/1/2018	10/15/2015	604,764.00	600,000.00	609,630.00	1.54	1.25	8/1/2018	762	Moody's-Aa1	3,824.33	0.76
Riverside Unified School District-Ref 1.94 8/1/202	5/25/2016	387,156.00	385,000.00	391,968.50	1.94	1.801	8/1/2020	1493	Moody's-Aa2	726.15	0.48
Solano Co Community College 1.384 8/1/2017	5/27/2014	252,210.00	250,000.00	252,027.50	1.384	1.1	8/1/2017	397	Moody's-Aa3	1,432.06	0.31
SUISUN CITY CA REDEV AGY 1 10/1/2016	1/14/2015	1,030,217.25	1,025,000.00	1,025,215.25	1	0.701	10/1/2016	93	S&P-A+	2,534.03	1.29
Union School District CA 1.573 9/1/2017	11/29/2012	506,270.00	500,000.00	505,405.00	1.573	1.3	9/1/2017	428	Moody's-Aa1	2,599.82	0.63
Victor Valley CA Cmnty Clg Dist 1.324 8/1/2019	5/5/2016	276,078.00	275,000.00	277,021.25	1.324	1.2	8/1/2019	1127	Moody's-Aa2	556.26	0.35
Victor Valley CA Cmnty Clg Dist 1.676 8/1/2020	5/5/2016	261,869.40	260,000.00	262,004.60	1.676	1.5	8/1/2020	1493	Moody's-Aa2	665.74	0.33
WALNUT VALLEY CA USD 2 8/1/2018	6/26/2015	507,500.00	500,000.00	511,530.00	2	1.502	8/1/2018	762	Moody's-Aa2	4,138.89	0.63
Sub Total / Average		5,956,439.15	5,945,000.00	5,996,900.10	1.414	1.316		636		22,948.80	7.49
US Agency											
FAMC 1.32 8/26/2019-16	2/26/2016	1,000,000.00	1,000,000.00	1,000,510.00	1.32	1.32	8/26/2019	1152	Moody's-Aaa	4,546.67	1.26
FFCB 1.06 11/19/2018-16	5/19/2016	1,000,000.00	1,000,000.00	1,000,170.00	1.06	1.06	11/19/2018	872	Moody's-Aaa	1,207.22	1.26
FFCB 1.62 4/23/2020-14	4/4/2016	999,990.00	1,000,000.00	1,000,020.00	1.62	1.62	4/23/2020	1393	Moody's-Aaa	3,015.00	1.26
FFCB 1.86 9/22/2020-16	12/23/2015	1,000,000.00	1,000,000.00	1,002,000.00	1.86	1.86	9/22/2020	1545	Moody's-Aaa	5,063.33	1.26
FFCB 1.86 9/22/2020-16	12/31/2015	999,690.00	1,000,000.00	1,002,000.00	1.86	1.867	9/22/2020	1545	Moody's-Aaa	5,063.33	1.26
FHLB 1.4 10/8/2019-16	10/8/2015	999,000.00	1,000,000.00	999,700.00	1.4	1.426	10/8/2019	1195	Moody's-Aaa	3,188.89	1.26
FHLB 1.53 2/19/2020-16	2/19/2016	1,000,000.00	1,000,000.00	1,000,030.00	1.53	1.53	2/19/2020	1329	Moody's-Aaa	5,567.50	1.26
FHLB 2.1 1/22/2021-16	1/22/2016	1,000,000.00	1,000,000.00	1,000,570.00	2.1	2.1	1/22/2021	1667	Moody's-Aaa	9,216.67	1.26
FHLMC 0.625 11/1/2016	10/19/2012	1,997,580.00	2,000,000.00	2,001,200.00	0.625	0.655	11/1/2016	124	Moody's-Aaa	2,048.61	2.52
FHLMC 1.05 4/26/2018-16	4/26/2016	999,750.00	1,000,000.00	1,000,450.00	1.05	1.063	4/26/2018	665	Moody's-Aaa	1,866.67	1.26
FHLMC 1.25 12/28/2018-16	3/28/2016	1,000,000.00	1,000,000.00	1,000,430.00	1.25	1.25	12/28/2018	911	Moody's-Aaa	69.44	1.26
FHLMC 1.375 5/17/2019-16	5/17/2016	1,000,000.00	1,000,000.00	1,000,500.00	1.375	1.375	5/17/2019	1051	Moody's-Aaa	1,642.36	1.26
FHLMC 1.5 11/18/2019-16	5/18/2016	1,000,000.00	1,000,000.00	1,000,630.00	1.5	1.5	11/18/2019	1236	Moody's-Aaa	1,750.00	1.26
FHLMC 1.7 4/28/2021-16	4/28/2016	1,000,000.00	1,000,000.00	1,000,780.00	1.7	1.7	4/28/2021	1763	Moody's-Aaa	2,927.78	1.26
FHLMC 1.75 5/30/2019	12/31/2015	1,007,770.00	1,000,000.00	1,027,500.00	1.75	1.516	5/30/2019	1064	Moody's-Aaa	1,458.33	1.26
FHLMC 1.875 5/24/2021-16	5/24/2016	1,000,000.00	1,000,000.00	1,000,520.00	1.875	1.875	5/24/2021	1789	Moody's-Aaa	1,875.00	1.26
FNMA 1.5 11/30/2020	12/31/2015	983,000.00	1,000,000.00	1,016,960.00	1.5	1.863	11/30/2020	1614	Fitch-Aaa	1,250.00	1.26
FNMA 1.55 6/15/2020-16	3/15/2016	1,000,000.00	1,000,000.00	1,001,140.00	1.55	1.55	6/15/2020	1446	Moody's-Aaa	4,520.83	1.26
FNMA 1.625 1/21/2020	6/24/2015	997,400.00	1,000,000.00	1,023,620.00	1.625	1.684	1/21/2020	1300	Moody's-Aaa	7,177.08	1.26
FNMA 1.875 12/28/2020	12/31/2015	1,000,000.00	1,000,000.00	1,033,260.00	1.875	1.875	12/28/2020	1642	Moody's-Aaa	104.17	1.26
FNMA Step 2/26/2021-16	2/26/2016	1,000,000.00	1,000,000.00	1,000,100.00	1	1.896	2/26/2021	1702	Moody's-Aaa	3,444.44	1.26
Sub Total / Average		21,984,180.00	22,000,000.00	22,112,090.00	1.457	1.511		1233		67,003.32	27.71
Total / Average		79,452,329.35	79,406,413.95	79,767,680.05	1.057	1.049		542		182,320.16	100



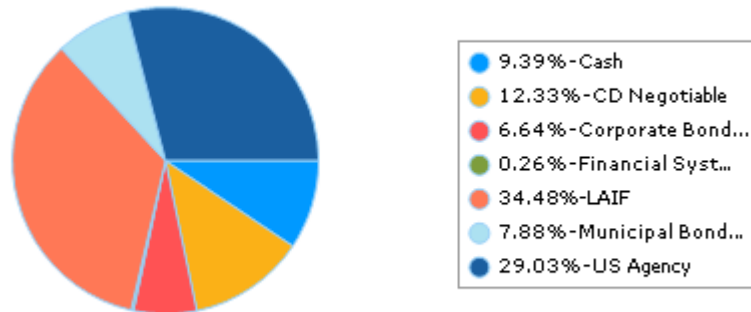
Mono County Distribution by Asset Category - Market Value Investment Portfolio

Begin Date: 3/31/2016, End Date: 6/30/2016

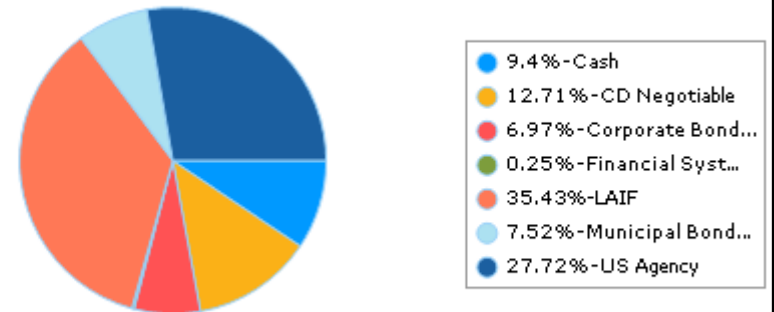
Asset Category Allocation

Asset Category	Market Value 3/31/2016	% of Portfolio 3/31/2016	Market Value 6/30/2016	% of Portfolio 6/30/2016
Cash	7,145,997.63	9.39	7,500,796.74	9.40
CD Negotiable	9,381,677.20	12.33	10,136,481.00	12.71
Corporate Bonds	5,050,580.00	6.64	5,560,795.00	6.97
Financial System Loan-Mono County	195,915.45	0.26	198,013.70	0.25
LAIF	26,232,824.55	34.48	28,262,603.51	35.43
Municipal Bonds	5,995,227.35	7.88	5,996,900.10	7.52
US Agency	22,088,530.00	29.03	22,112,090.00	27.72
Total / Average	76,090,752.18	100.00	79,767,680.05	100.00

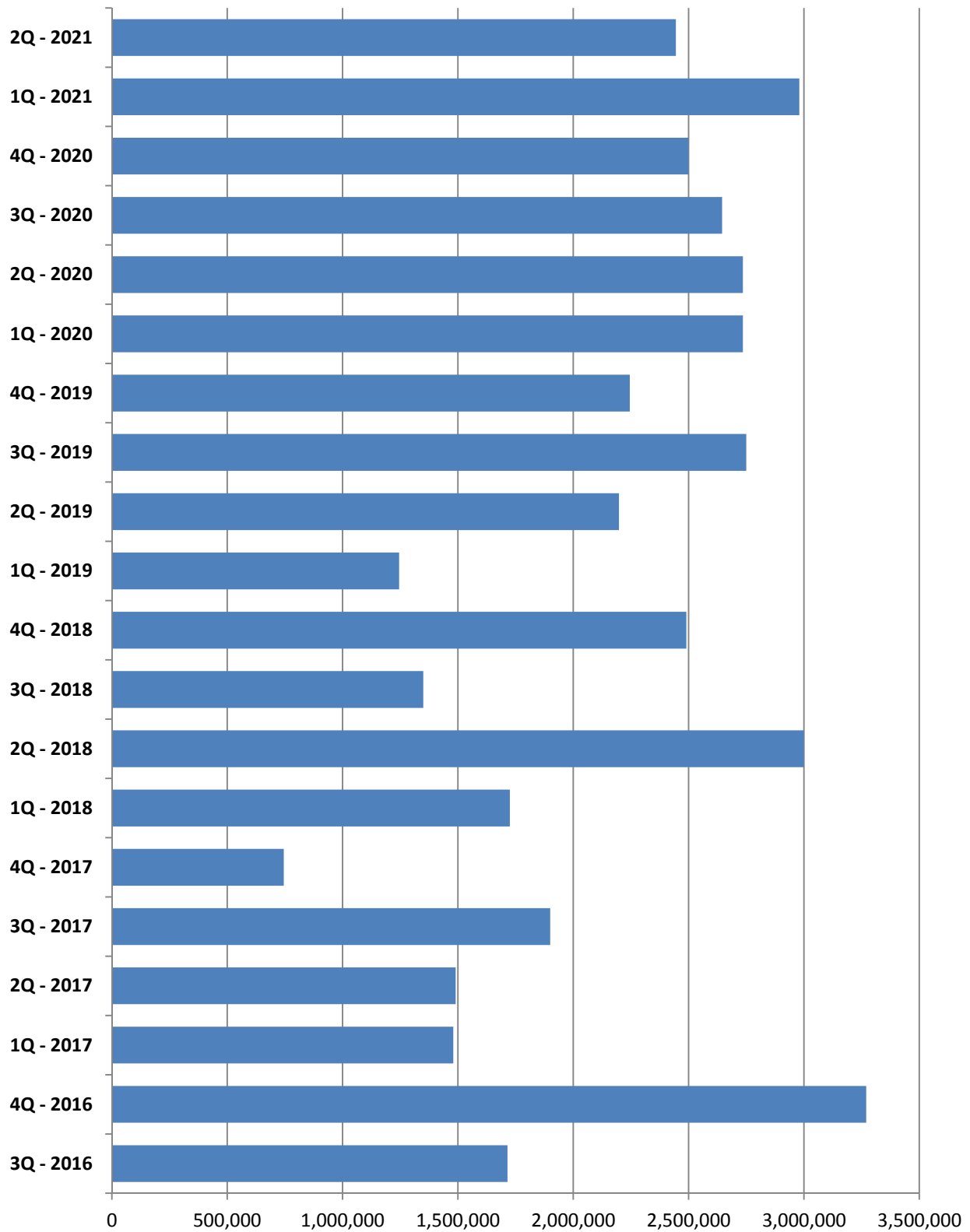
Portfolio Holdings as of 3/31/2016



Portfolio Holdings as of 6/30/2016

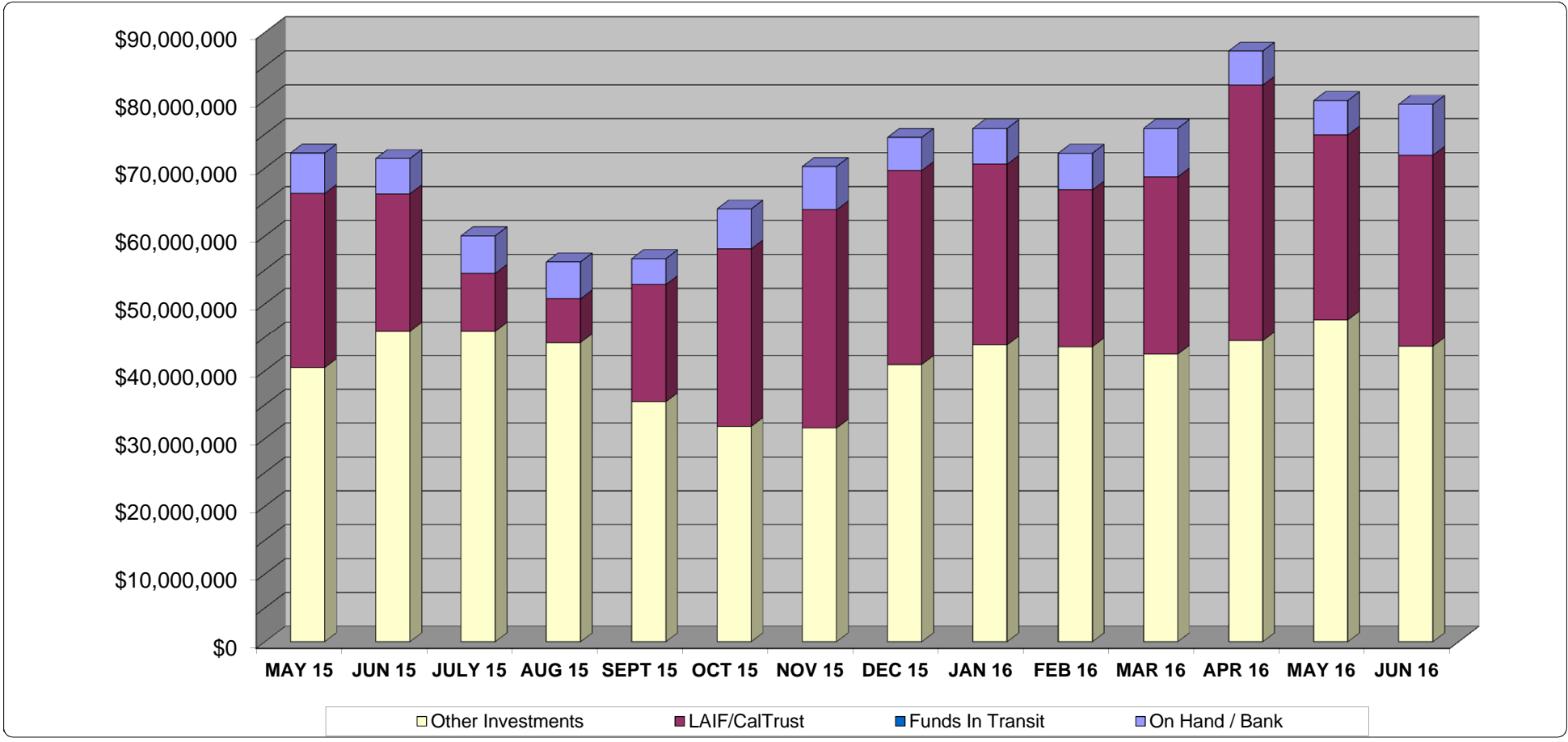


Maturity Distribution As of 6/30/2016



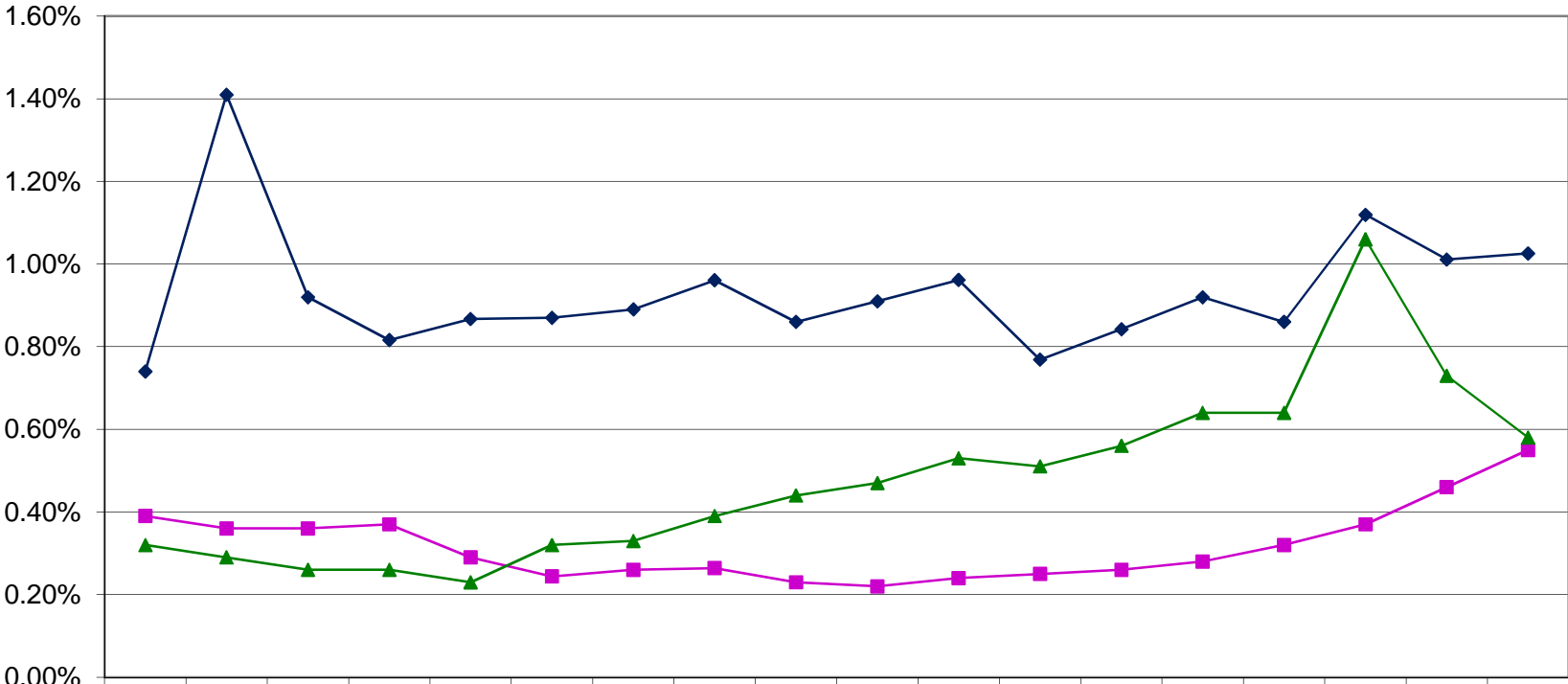
TREASURY CASH BALANCES AS OF THE LAST DAY OF THE MOST RECENT 14 MONTHS

	MAY 15	JUN 15	JULY 15	AUG 15	SEPT 15	OCT 15	NOV 15	DEC 15	JAN 16	FEB 16	MAR 16	APR 16	MAY 16	JUN 16
On Hand / Bank	\$5,966,169	\$5,182,607	\$5,527,852	\$5,438,684	\$3,806,378	\$5,871,008	\$6,384,643	\$4,880,835	\$5,266,681	\$5,380,023	\$7,145,998	\$5,026,692	\$5,045,518	\$7,500,797
Funds In Transit														
LAIF/CalTrust	\$25,777,104	\$20,277,104	\$8,544,423	\$6,544,423	\$17,394,423	\$26,303,579	\$32,303,579	\$28,703,579	\$26,732,825	\$23,232,825	\$26,232,825	\$37,762,604	\$27,262,604	\$28,262,604
Other Investments	\$40,480,000	\$45,950,000	\$45,950,000	\$44,200,000	\$35,450,000	\$31,800,000	\$31,550,000	\$40,950,000	\$43,837,987	\$43,572,987	\$42,470,915	\$44,460,915	\$47,640,915	\$43,643,014
TOTAL	\$72,223,273	\$71,409,711	\$60,022,275	\$56,183,107	\$56,650,801	\$63,974,587	\$70,238,222	\$74,534,414	\$75,837,493	\$72,185,835	\$75,849,738	\$87,250,211	\$79,949,037	\$79,406,414



MATURITIES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS
Calendar Year 2016							\$245,000.00	\$735,000.00	\$735,000.00	\$1,025,000.00	\$2,000,000.00	\$245,000.00	\$4,985,000.00
Calendar Year 2017	\$745,000.00	\$245,000.00	\$490,000.00	\$245,000.00	\$500,000.00	\$745,000.00		\$1,400,000.00	\$500,000.00	\$245,000.00		\$500,000.00	\$5,615,000.00
Calendar Year 2018	\$1,235,000.00	\$245,000.00	\$245,000.00	\$2,000,000.00	\$1,000,000.00			\$1,350,000.00			\$1,245,000.00	\$1,245,000.00	\$8,565,000.00
Calendar Year 2019	\$1,000,000.00	\$245,000.00			\$2,000,000.00	\$198,013.70	\$735,000.00	\$1,525,000.00	\$490,000.00	\$1,000,000.00	\$1,245,000.00		\$8,438,013.70
Calendar Year 2020	\$1,245,000.00	\$1,000,000.00	\$490,000.00	\$1,490,000.00	\$245,000.00	\$1,000,000.00		\$645,000.00	\$2,000,000.00		\$1,500,000.00	\$1,000,000.00	\$10,615,000.00
Calendar Year 2021	\$1,490,000.00	\$1,490,000.00		\$1,245,000.00	\$1,200,000.00								\$5,425,000.00
TOTAL													\$43,643,013.70

MONO COUNTY TREASURY POOL QUARTERLY YIELD COMPARISON



	3/31 2012	6/30 2012	9/30 2012	12/31 2012	3/31 2013	6/30 2013	9/30 2013	12/31 2013	3/31 2014	6/30 2014	9/30 2014	12/31 2014	3/31 2015	6/30 2015	9/30 2015	12/31 2015	3/31 2016	6/30 2016
—◆— COUNTY	0.74%	1.41%	0.92%	0.82%	0.87%	0.87%	0.89%	0.96%	0.86%	0.91%	0.96%	0.77%	0.84%	0.92%	0.86%	1.12%	1.01%	1.03%
—■— LAIF	0.39%	0.36%	0.36%	0.37%	0.29%	0.24%	0.26%	0.26%	0.23%	0.22%	0.24%	0.25%	0.26%	0.28%	0.32%	0.37%	0.46%	0.55%
—▲— 2YR TREAS	0.32%	0.29%	0.26%	0.26%	0.23%	0.32%	0.33%	0.39%	0.44%	0.47%	0.53%	0.51%	0.56%	0.64%	0.64%	1.06%	0.73%	0.58%



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: Elections

TIME REQUIRED 30 minutes (10 minute presentation;
20 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Bob Musil

SUBJECT Post-Election Review

AGENDA DESCRIPTION:

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

Review of issues related to the June 7 Presidential Primary Election and proposed corrective measures.

RECOMMENDED ACTION:

Provide any desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Bob Musil

PHONE/EMAIL: X5538 / bmusil@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Staff Report
<input type="checkbox"/> Candidate's Checklist
<input type="checkbox"/> Measure Checklist
<input type="checkbox"/> Notice of Election
<input type="checkbox"/> Election To Do List

History**Time**

7/27/2016 5:06 PM

7/28/2016 3:28 PM

7/27/2016 10:42 AM

Who

County Administrative Office

County Counsel

Finance

Approval

Yes

Yes

Yes



CLERK-RECORDER-REGISTRAR OF VOTERS COUNTY OF MONO

P.O. BOX 237, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5530 • FAX (760) 932-5531

Bob Musil
Clerk/Recorder/Registrar
bmusil@mono.ca.gov

Shannon Kendall
Assistant Clerk/Recorder/Registrar
skendall@mono.ca.gov

To: Honorable Board of Supervisors

From: Bob Musil, Registrar of Voters

Date: August 2, 2016

Subject

Corrective Measures Associated with the Presidential Primary Election

Recommended Action

Receive staff report on corrective actions related to the conduct of the June 7, 2016 Presidential Primary Election; provide any desired direction to staff.

Discussion

On June 7, 2016 the Presidential Primary Election was held. There were three major issues which directly affected the election process.

The first issue was the certifying of candidates for the Mammoth Lakes Town Council. The Town Clerk is the elections official for the Town, and all candidates for Town Council file their candidacy papers with that office. The long-standing practice (which predates both the current Town Clerk and County Registrar of Voters) has been that the Town Clerk collects all of the candidate filings, and forwards them to the Registrar following the close of the filing period. The Registrar then verifies that the paperwork is in order, and that the candidate has submitted the required number of signatures from registered voters.

Unfortunately, two candidates did not submit enough valid signatures to qualify as candidates. Elections Code §10221 allows candidates to file a supplemental nomination petition with additional signatures, but specifies that "The supplemental petition shall be filed not later than the last day for filing for that office". One candidate submitted their papers on the last day for filing, and could not have submitted a supplemental petition, but another candidate filed their paperwork a week ahead of the deadline and would have been able to file a supplemental petition to provide the required number of valid signatures. Because of the provision in §10221 this was not possible, and the only option for this candidate was to run a write-in campaign.

While neither official did anything outside of normal practice, the result of this situation is unacceptable. Before the next scheduled Town Council election, I will be working with the Town Clerk, and most likely with our attorneys as well, to revise the way we transmit the candidate filings back and forth. This revision will most likely involve having the Town Clerk transmit electronic copies of the filings to the Registrar immediately upon receipt, and the Registrar immediately verifying the signatures and other paperwork back to the Town Clerk. In this way, candidates who file ahead of the deadline will have an opportunity to correct any deficiencies in their paperwork.

The second major issue also involved the Mammoth Lakes Town Council election. There were three official candidates and one write-in candidate running for two available seats on the Town Council. Due to a proof-reading mistake both the sample ballot and the actual ballot said to vote for no more than three candidates.

When the election was set up in the county's election management system, this contest was correctly flagged as having two available seats. However, when the first set of proofs came back from the ballot designer they incorrectly listed three seats as being available. I did not catch this mistake on the original proof-reading, and it carried on throughout the proofing process. This resulted in all sample and actual ballots for the entire Town of Mammoth Lakes providing incorrect instructions to the voters. Additionally, all voting machines for the Town were programmed based on the incorrect instructions.

This mistake was not discovered until the sample ballots and vote by mail ballots had already gone in the mail, and it was too late to reprogram and test all of the voting machines. The solution to this was to create a "special election" for just the Town Council contest, create a new ballot for just this item, and program a spare machine to count just these ballots. While ultimately successful, this did create a lot of confusion for voters.

The solution to preventing this problem from reoccurring is twofold. First, even though we had the correct number of candidates on the information that went out to the ballot designer and printer, we need better coordination between this office, the Town, and the special districts to make sure that we have the correct information for every contest. Beginning with the November 8 General Election we have contacted every school and special district to verify the number of positions they have available, and have created a list of those districts and the number of positions. This list has been verified by two members of the Registrar's Office.

The second part of the solution is an improved process for proof-reading. Any proof that passes through this office will be proofed by at least two people, and everything will be checked each time a new proof is generated. We will be checking the number of positions available for each contest, the title of the contest, the spelling of the candidate's name, the candidate's party if applicable, and every single item that will be

on the ballot or sample ballot. If we find a mistake, the revised proof will be checked in depth as well.

The final issue involved a ballot measure for the Mammoth Unified School District. Due to an oversight on my part, the argument in favor of the measure was left off of the sample ballot/voter information guide. Because the arguments do not appear on the ballot itself, we did not need to reprint anything. We mailed an errata notice to every registered voter in the school district along with the text of the argument that should have been in the sample ballot. Fortunately this measure passed by an overwhelming margin, so this mistake did not have a material effect on the outcome of the contest.

Going forward, the remedy to this is an improved process for tracking local measures. We have a checklist for candidates that lists each document a candidate is required to complete and submit, along with the date that document was submitted. I have created a similar checklist for measures, listing all of the documents applicable to a local measure. The checklist includes the document name, filing deadline and date submitted, and space for double verification. By using this form we can ensure that all of the necessary paperwork has been filed, and that every properly filed document is included on the sample ballot.

Each of these issues can easily be traced back to their origin, and we are putting measure in place to prevent them from re-occurring. Ultimately however, the cause of two of the three problems was a lack of planning on my part, and my attempting to take on too much responsibility myself. To correct this, we have documented all of the major steps in the election process, and the either statutory or anticipated deadline for each. We have looked at each step and assigned completion to the appropriate person(s). I will be meeting much more frequently with my team to make sure that we are on track with whatever deadlines are coming up, and to deal with any unanticipated issues as they come up. In order to make sure that everyone has time to complete their assigned tasks we have made, and will continue to make, adjustments to the office workload for each person.

Following this election we are going to take additional steps to make sure that future elections run as smoothly as possible. Right now we have a roadmap of tasks that must be completed to effectively administer an election. As we go through this election we will be fine-tuning that roadmap. Between the end of this election and the start of the 2018 election cycle, we will be documenting the steps necessary to complete each of these tasks, so that any member of the elections team can step in and handle any task if necessary.

Fiscal Impact

None



CANDIDATE'S CHECKLIST Governing Board Member

LIST OF ELECTION FORMS	Date Issued	Date Filed
*Declaration of Candidacy		
*Candidate Statement of Qualifications		
*Ballot Designation Worksheet <i>(estimate of cost: English \$250, Spanish \$250)</i>		
*FPPC Information Acknowledgement		
*FPPC Form 700 – Statement of Economic Interests		
*FPPC Form 460 – Campaign Statement <i>(spending/receiving MORE than \$2,000)</i>		
*FPPC Form 470 – Campaign Statement <i>(spending/receiving LESS than \$2,000)</i>		
*FPPC Form 501 – Candidate Intention Statement		
*FPPC Form 410 – Statement of Organization		
*FPPC Form 497 – Contribution Report for Local Filers		

*The items marked with an asterisk:

Filing period begins July 18, 2016; filing deadline is no later than 5:00 p.m. on August 12, 2016.

If for some reason an incumbent for the office fails to file by 5:00 p.m. on August 12, 2016, the filing deadline will extend to 5:00 p.m. on August 17, 2016, for all non-incumbents.

LIST OF INFORMATIONAL DOCUMENTS	Date Issued
Candidate's Guide	
FPPC: Campaign Manual 2, Basic Information, Filing Schedule, Code of Fair Campaign Practices: http://www.fppc.ca.gov/content/dam/fppc/NS-Documents/TAD/Campaign%20Manuals/Manual_2/Final_Manual_2_Entire_Manual.pdf	

Signature of Candidate: _____ Date: _____

Signature of Election Official: _____ Date: _____



LOCAL MEASURE CHECKLIST

Measure Name _____

Measure Sponsor _____

LIST OF DOCUMENTS/ACTIONS	Deadline	Date Filed	Verified	Verified
Measure Text				
Petition Form				
Signature Collection				
Fiscal Impact Statement				
County Counsel Impartial Analysis				
Argument in Favor of Measure				
Argument in Opposition to Measure				
Rebuttal to Argument in Favor of Measure				
Rebuttal to Argument in Opposition to Measure				

Measure Designation: _____

Signature of Election Official: _____ Date: _____

**NOTICE BY MONO COUNTY CLERK
OFFICES FOR WHICH CANDIDATES ARE TO BE ELECTED
AT THE GENERAL ELECTION NOVEMBER 8, 2016**

NOTICE IS HEREBY GIVEN that offices for which candidates are to be elected at the General Election to be held on the 8th day of November 2016 are as follows:

SCHOOL DISTRICTS

BISHOP UNIFIED SCHOOL DISTRICT

2 Members - 4 year term

EASTERN SIERRA UNIFIED SCHOOL DISTRICT

1 Member - Area #2 – Northeast Bridgeport – 4 year term

1 Member - Area #3 – Southwest Bridgeport, Mono City, Benton – 4 year term

MAMMOTH UNIFIED SCHOOL DISTRICT

3 Members – 4 year term

MONO COUNTY BOARD OF EDUCATION

1 Member – Area #1 Bridgeport/Walker/Coleville – 4 year term

1 Member – Area #3 Mammoth Lakes/Crowley Lake/Sunny Slopes/Tom’s Place – 4 year term

ROUND VALLEY JOINT ELEMENTARY SCHOOL DISTRICT

1 Members – 4 year term

The qualifications required to be a candidate for the above offices are: Must be a registered voter residing in the district or trustee area as applicable.

HOSPITAL DISTRICT

SOUTHERN MONO HEALTHCARE DISTRICT

3 Members – 4 year term

The qualifications required to be a candidate for the above office are: Must be a registered voter residing in the district.

SOIL CONSERVATION DISTRICT

INYO-MONO RESOURCE CONSERVATION BOARD

2 Members – 4 year term

The qualifications required to be a candidate for the above office are: Resident landowner of the district, or a designated agent, who resides within the district, of a landowner.

MONO COUNTY SPECIAL DISTRICTS – ALL FOUR YEAR TERMS EXCEPT WHERE INDICATED

Antelope Valley Fire Protection District	3 Members
Antelope Valley Water District	3 Members
Birchim Community Services District	2 Members
Bridgeport Fire Protection District	2 Members
Bridgeport Public Utility District	2 Members
Chalfant Valley Fire Department	3 Members
Hilton Creek Community Services District	2 Members
June Lake Fire Protection District	3 Members
June Lake Public Utilities District	3 Members
Lee Vining Fire Protection District	2 Members
Lee Vining Public Utilities District	3 Members
Long Valley Fire Protection District	3 Members

Mammoth Community Water District	4 Members (one seat will fill a two year term only)
Mammoth Lakes Community Services District	2 Members
Mammoth Lakes Fire Protection District	3 Members
Mammoth Lakes Mosquito Abatement District	5 Members
Mono City Fire Protection District	4 Members
Paradise Fire Protection District	2 Members
Tri-Valley Groundwater Management District	3 Members
Wheeler Crest Fire Protection District	3 Members
Wheeler Crest Community Services District	3 Members
White Mountain Fire Protection District	2 Members

The qualifications required to be a candidate for the above offices are: Must be a registered voter residing in the district.

Declaration of Candidacy forms are now available until August 12, 2016, and may be obtained from the Mono County Clerk’s Office at 74 N. School Street in Bridgeport or at the Special District Offices. Forms can also be reviewed and printed by visiting our web page at www.monocounty.ca.gov/elections.

If an incumbent has not filed by August 12, 2016, any qualified person, other than the incumbent, may file by no later than 5:00 p.m. on August 17, 2016.

If by 5:00 p.m. on August 17, 2016, an insufficient number of persons have filed for the Hospital District, Special Districts or Soil Conservation District offices, and a petition for an election has not been filed, appointments will be made pursuant to Elections Code §10515.

If by 5:00 p.m. August 17, 2016, an insufficient number or no nominees have filed for the School District Offices and a petition for an election has not been filed, appointment to each elective office will be made as prescribed by Education Code §5326, §5328, §5328.5.

Dated: July 25, 2016

BOB MUSIL
MONO COUNTY CLERK/REGISTRAR OF VOTERS

PRE-ELECTION TO DO LIST

TASK TO BE COMPLETED	ASSIGNED TO:	TO BE COMPLETED BY:	DONE
Governor's Proclamation	State	6/13/2016	Yes
Courtesy notices to Special Districts, Schools, etc.	Shannon/Helen	7/5/2016	Yes
Deadline for School Districts/Special Districts to Declare Seats Available	Districts	7/6/2016	Yes
Prepare Candidate's Packets	Bob	7/18/2016	Yes
Prepare folders for paperwork	Shannon	7/20/2016	Yes
Set up Election in DFM	Bob	7/22/2016	Yes
Prepare Candidate's Guide	Bob	7/22/2016	
Misc. Election Info. Ads	Shannon	7/27/2016	
Publish Notice of Election (not required, just courtesy)	Bob/Shannon	7/27/2016	
Poll Worker and Inspector "head's up" notice	Shannon	7/28/2016	
Contact Temporary Election People (Renn/Haley)	Shannon	7/28/2016	
Reserve Polling Places (Monday-Wednesday at noon)	Helen	8/5/2016	
Public Notice of Election Special Districts (required)	Bob/Shannon	8/10/2016	
Order Supplies (Misc.)	Helen/Shannon	8/12/2016	
Candidate Filing Deadline	Candidates	8/12/2016	
Measure Filing Deadline	Districts	8/12/2016	
Ballot layout/prep; Ballot book prep/Test deck/Duplicate ballots	Bob/Shannon	8/13/2016	
Extended Deadline for Candidates to File	Candidates	8/17/2016	
Random Alpha Drawing	State	8/18/2016	
Poll Worker Training/Inspector Meetings	Shannon/Helen	8/19/2016	
Deadline for Arguments in Support of or in Opposition to a Measure	Advocates	8/19/2016	
Prepare agenda item requesting Consolidation (if Needed)	Bob	8/19/2016	
Deadline for Impartial Analysis of Measures	County Counsel	8/22/2016	
Confirm Poll Workers, Inspectors, Coordinators	Shannon	8/22/2016	

Pre-Election Meeting with IT and Public Works	Bob	8/25/2016	
Election Plan Document for Election Team	Bob	8/26/2016	
Certified List of Candidates and Rotation List	State	9/1/2016	
IT Plan (Dominion)	Bob/Shannon	9/2/2016	
Deadline for Rebuttal Arguments to Measures	Avocates	9/6/2016	
First Day to Mail UOCAVA Ballots	Bob/Shannon	9/9/2016	
Final Ballot Proof Ballot/Precinct Order to ProVote	Bob/Shannon	9/12/2016	
Create Ballot Type Report	Bob/Shannon	9/12/2016	
State release number for ballots (work with Dominion)	Bob	9/15/2016	
Sample Ballot Mail File to ProVote	Bob/Shannon	9/19/2016	
60 Day Report of Registration to State	Helen	9/19/2016	
Last Day to Mail UOCAVA Ballots	Bob/Shannon	9/24/2016	
First Day to Mail Sample Ballots	ProVote	9/29/2016	
State Begins Pamphlet Mailing	State	9/29/2016	
Election Observer Plan for SOS and Invitations to Groups	Bob	9/30/2016	
Consult Election Preparation Workbook (Precinct: Signs, Labels, Supply Boxes, Bags, Binder Contents, Set up of Polling Places)	Shannon, Helen, Haley	10/3/16	
Ballots: Inventory and organize; print VBM envelopes	Bob/Haley	10/5/2016	
VBM, postage on return envelopes for all mail precincts	Bob/Haley	10/5/2016	
Conduct Pre-LAT	All	10/10/2016	
Send VBM Ballots (by deadline, include I voted sticker)	Bob/Haley	10/11/2016	
Satellite ballot box in Mammoth office (CD's office)	PW (coordinate)	10/11/2016	
Publish location of central place where ballots are to be tallied	Shannon	10/17/2016	
Post list of Poll Workers and Party in Clerk's Office/Web (EC 12105.5, 12108)	Shannon	10/24/2016	
Publish time/place of 1% manual tally (EC 15360(d))	Shannon	10/24/2016	
Deadline to Register to Vote in November 8 Election	Voters	10/24/2016	
Publish time and place of selection of precinct to be tallied (12109)	Shannon	10/24/2016	
15 Day Report of Registration to State	Helen	10/24/2016	
Registration Count to Jami, close of registration	Bob	10/25/2016	



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

Departments: Sheriff, County Counsel, Public Works

TIME REQUIRED 20 minutes (5 minute presentation;
15 minute discussion) **PERSONS APPEARING** Garrett Higerd

SUBJECT Potential Jail Improvement Funding Opportunities and Proposed Request for Qualifications (RFQ) for Jail Architecture Services **BEFORE THE BOARD**

AGENDA DESCRIPTION:

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

Update on potential jail funding opportunities and the potential need for jail architecture services.

RECOMMENDED ACTION:

Receive staff report and potentially direct staff to issue a Request for Qualifications for jail architectural services including a Needs Assessment Study, assistance with grant applications, and preparation of plans and specifications. Evaluate and provide staff direction regarding appropriation and expenditure of funds for all anticipated scopes of proposed project.

FISCAL IMPACT:

No fiscal impact at this time. An updated Jail Needs Assessment is expected to cost approximately \$100,000 and staff recommends that this amount be included in the 2016-2017 Capital Improvement Plan (CIP) budget. The full scope of jail architecture services will be further developed as a project is identified and takes shape, but may be substantial.

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	Who	Approval
7/28/2016 5:13 AM	County Administrative Office	Yes
7/28/2016 9:29 AM	County Counsel	Yes
7/28/2016 2:13 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: August 2, 2016
To: Honorable Chair and Members of the Board of Supervisors
From: Garrett Higerd, Assistant Public Works Director
Re: Potential Jail Improvement Funding Opportunities and Proposed Request for Qualifications (RFQ) for Jail Architecture Services

Recommended Action:

Receive staff report and potentially direct staff to issue a Request for Qualifications for jail architectural services including a Needs Assessment Study, assistance with grant applications, and preparation of plans and specifications. Evaluate and provide staff direction regarding appropriation and expenditure of funds for all anticipated scopes of proposed project.

Fiscal Impact:

No fiscal impact at this time. An updated Jail Needs Assessment is expected to cost approximately \$100,000 and staff recommends that this amount be included in the 2016-2017 Capital Improvement Plan (CIP) budget. The full scope of jail architecture services will be further developed as a project is identified and takes shape, but may be substantial.

Background:

Staff from the Sheriff's Department, County Counsel's office, and Public Works have been following funding opportunities for jail improvement projects from the Board of State and Community Corrections (BSCC). This funding opportunity has been issued in several cycles over the last few years. The last cycle was created by Senate Bill 863 and a Request for Proposals (RFP) was issued in June of 2015. It is uncertain when the RFP for the next cycle will be issued, or if the requirements will change significantly from the last RFP.

Mono County has not applied for funding in any of the previous cycles, although the Sheriff's Department has identified various improvements at the jail that could potentially be addressed in an eligible project. The RFP from last year required applicants to provide a very comprehensive application including a clear statement of need, scope of work, description of programming and services, and administrative work plan. The application required a current Needs Assessment Study (or equal for renovations) and a Board resolution with required components including a set aside for matching funds. Last year a 10% local match was required unless a "match reduction petition" was granted, in which case the match could be reduced to 5%. The BSCC requirements from last year indicate that they expect projects to be at a high level of planning, architecture, engineering, and budgeting to be competitive.

Mono County last hired a consultant to prepare a Jail Needs Assessment in approximately 2009-2010. The resulting report made predictions of how bed capacity requirements would increase based on inmate profiles and trends and the primary long-term deficiency identified was overcrowding. The needs assessment evaluated the following jail facility options to address overcrowding:

1. Do Nothing
2. Construct a New Facility
3. Expand Existing Jail
4. Operate the Existing Jail at 48 beds and Construct a New Satellite Jail
5. Operate the Existing Jail at 24 beds and Construct a New Satellite Jail
6. Operate the Existing Jail at 24 beds and Construct a New Satellite Justice complex with a 48-bed jail

The 2010 Needs Assessment recommended Option 5 but it was never initiated as a project. The Sheriff's Department has indicated that inmate profiles and long term jail facility needs have changed significantly since 2010 due to AB 109, drug sentencing, and other factors. Now jail programming that provides a variety of re-entry services when Assembly Bill 109 (AB 109) and other local inmates transition back into the community has been identified as the most significant long-term need. A renovation option that would address these needs has been discussed conceptually by staff. However, BSCC funding requirements and architectural and engineering codes and requirements will impact the feasibility and cost of options.

For example, the use of state jail grant funds on a remodel project may require the entire facility to be brought up to current codes. This would mean that the entire facility must meet current ADA and seismic structural codes. I have not been able to locate structural calculations for the jail construction that was done in 1963 and 1988; however, my professional opinion is that expensive retrofits could be required that could make a renovation cost prohibitive.

In order to prepare for a potential jail improvement project, staff recommends that the attached Request for Qualifications (RFQ) be issued to retain a jail architect team to assist with documenting our current needs, evaluating options, and potentially assisting with grant applications and plans and specifications to construct jail improvements.

Staff recommends budgeting \$100,000 in FY 2016-2017 to initiate jail architecture work on this proposed project. There is currently \$203,000 in the Criminal Justice Facilities Fund. For reference, the 2010 Jail Needs Assessment cost \$82,000. Other counties have asked for and received match reductions to 5% and have put together a mix of Rural Law Enforcement funds, soft match (employee labor, etc.), and general fund dollars to meet the match requirement.

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

Attachments: Proposed Jail Architect RFQ

REQUEST FOR QUALIFICATIONS

To Provide

ARCHITECTURAL AND ENGINEERING SERVICES

For The

**MONO COUNTY JAIL IMPROVEMENT PROJECT:
JAIL NEEDS ASSESSMENT AND ANTICIPATED RENOVATION OF
SHERIFF'S DETENTION FACILITY TO PROVIDE SPACE FOR
RE-ENTRY PROGRAMS AND SERVICES**



Mono County Department of Public Works

On Behalf of the

Mono County Sheriff's Department

Release Date: August 2016

Submission Deadline: 5:00 pm PDT on Friday, September 9, 2016

I. Project Intent

The intention of the Mono County Jail Improvement Project (Project) – defined here as the planning, design, funding, and anticipated construction of certain improvements to jail facilities owned and operated by the County of Mono, California (County) – is to allow the Sheriff’s Department to better provide a variety of re-entry services when Assembly Bill 109 (AB 109) and other local inmates transition back into the community. The intended construction will give the Sheriff’s Department additional and appropriate space for counseling, education, therapy, life-skills and other re-entry programs. The new program areas will need to have extreme flexibility for addressing the service needs of inmates. The services will target factors that are linked to recidivism. The Project must align with the Legislature’s approach in the applicable grant-authorizing legislation and with State expectations for how counties handle and process AB 109 Realignment offender populations. The Project design will incorporate any elements needed to meet applicable requirements for protection against sexual abuse in the jail facility, and will also address needs, if any, for pre-trial services and in-person visiting.

With the above intent in mind, the County is first seeking Architecture and Engineering (A/E) services to prepare a current Jail Needs Assessment (or similar evaluation of any needed and recommended modifications and improvements at the existing jail, if authorized by applicable grant terms) (JNA) that evaluates options to meet current and future needs, work with the County to select a preferred option, and potentially develop a preliminary design to be used in the preparation of an application for grant funding from the Board of State and Community Corrections (BSCC). If funding is approved by the BSCC, the A/E consultant would then potentially prepare plans and specifications for construction of the Project. It is crucial to the Project that the consultant selected through this Request for Qualifications (RFQ) be familiar with the BSCC application process and be able to assist the County in the preparation of the proposal and subsequent application.

II. Description of Work

The County is seeking the professional services of an A/E design firm (Firm) with substantial corrections and detention-related design experience in California. The County desires to prepare a current Jail Needs Assessment that evaluates options to meet current and future needs. Options should include a renovation of the existing jail to provide additional space for inmate re-entry programs. It is anticipated that detailed design and construction of a selected jail improvement option will be funded by a BSCC jail construction grant (Grant). The Mono County Jail is located at 25 Bryant Street in Bridgeport, California.

The intent of this RFQ is to select a Firm for the duration of the project, from preparation of the JNA through final Project close-out. The development of a preliminary design and Grant application relies on the selection of a preferred option that is both technically and financially feasible and politically supported. The preparation of final plans and specifications for construction of the Project relies on the success of a Grant award. Therefore, the Project is divided into three scopes of work: Scope A, Scope B, and Scope C. For all responses to this RFQ the qualifications of the Firm to complete Scopes B and C provide necessary selection criteria, however,

implementation of the work in Scope B is contingent upon successful completion of Scope A and the County's satisfaction with the services rendered, as well as the County's selection of an option compatible with proceeding to Scope B. Implementation of the work in Scope C is contingent upon successful completion of Scopes A and B and the County's satisfaction with the services rendered.

Scope A – Jail Needs Assessment

This portion of the Work addresses all work from contract execution through the selection of a preferred option. The updated JNA will include an analysis of the County's jail facility options. The JNA will address jail needs looking out a minimum of five years, and will address the following considerations identified by the Sheriff's Department:

1. Space for inmate re-entry programs and services with audio-visual and connectivity equipment to support counseling, education, therapy and life skills programs which prepare inmates for release back into the community.
2. Ingress and egress for program administrators and specialists, visiting family members and inmates.
3. Inmate receiving and processing, including potential modifications to the sally port.
4. Other space needs, including the existing Emergency Operations Center and Property and Evidence room.
5. Potential upgrades to existing facilities required to meet Grant and architectural and engineering code requirements, including any seismic/structural and Americans with Disabilities Act (ADA)-related modifications.

Scope B – Preliminary Design & Grant Application

If the preferred option is both technically and financially feasible and politically supported, and the County is satisfied with the services rendered in Scope A, the Firm will have the opportunity to contract for and complete a new scope of work for preliminary design and the grant application. This portion of the Work addresses all work from selection of the preferred option through the submittal and completion of a BSCC grant application. Scope B will include preliminary design of the preferred option with cost estimates and all documentation needed for preparation of, or substantial assistance in the preparation of, a BSCC grant funding application on the County's behalf. To the extent applicable, the project is expected to comply with the California Environmental Quality Act during this phase, and related environmental services may be requested from the Firm.

Scope C – Construction Plans, Specifications, and Services

If the Grant proposal and application is accepted; the County is awarded an adequate Grant; and the County is satisfied with the services rendered in Scopes A and B, the Firm will have the opportunity to contract for and complete a new scope of work for implementing the final design and construction phase of the Project. This portion of the work will include professional architectural and engineering services, ultimately through construction and final Project and Grant Close-out.

The requested A/E services may include some or all of the following work phases:

- Jail Needs Assessment
- Preliminary Design & Cost Estimates
- Grant Application

- Programming Management
- Environmental
- Design
- Construction Documents
- Bidding and Procurement
- Construction Management
- Project and Grant Close-out

Any contract resulting from this solicitation will be administered by the Mono County Department of Public Works in conjunction with the Sheriff's Department.

III. Scope of Professional Services

The County anticipates that the retained Firm will provide A/E services based on its experience in county corrections and detention facility design, and will be capable of program verification; continuous cost analysis; design and documentation in compliance with Titles 15, 19 and 24 of the California Code of Regulations (CCR); special consultation; and construction administration.

The Firm shall begin work on the Project by presenting a management work plan to the County, describing key activities and tasks it will undertake to provide an effective, professional, and open relationship with the County. Basic criteria for selection of the Firm will be its proven experience in managing design within the constraint of public works-type processes as well as experience in designing this type of facility and familiarity and experience with the BSCC Grant program.

If awarded, a State grant will require review submittals at specific stages. The State agencies likely to be involved include, but are not limited to, BSCC, the State Public Works Board (SPWB), the State Department of Finance (DOF), the State Department of General Services, and the State Fire Marshal (SFM). At each submittal stage, plans will need to be submitted for review and approval by BSCC and SPWB. In-person meetings may also be required. At each submittal stage, written responses are sent to the County, usually within 30 days. The Firm will have primary responsibility for providing the appropriate plans and specifications at each submittal stage required in the Grant and will participate in reviews.

It is intended that the selected Firm will be the single point of contact for the design of the Project. The Firm will hold any and all other contracts necessary to meet the needs of the Project and be responsible for the performance of all its contracted consultants.

The scope of services is expected to include (but may not be limited to):

1. A Jail Needs Assessment including an analysis of facility options, of which one of the options is the renovation of the existing jail to provide re-entry programming space.
2. Standard architectural services, performance and coordination of structural, mechanical, electrical, plumbing, physical and electronic security system design, civil engineering services, geotechnical services, landscape architectural services and construction management.

3. Background research: Review existing data, reports, plans and other information regarding the site and perform field investigations as necessary to become familiar with the site and identify any further design or other services necessary to the Project.
4. Space analyses and code requirements for the intended use.
5. Site development planning including accurately assessing the existing conditions of the site, conceptual site plans and site circulation analysis for security and safety, code requirements, fire and life safety standards.
6. Preparation of architectural and engineering plans, specifications, and estimates including all major elements of the buildings, systems, machinery, equipment, structures, instrumentation systems, and security systems for a substantial remodel of and potential new construction at the Mono County Jail.
7. Cost analyses starting at the conceptual level of the project through design and contract documents, including life cycle cost analyses throughout the project.
8. Preparation of, or substantial assistance in the preparation of, a grant application on the County's behalf to secure BSCC funding for the Project.
9. Coordination with the County throughout the Project.
10. Establishing, with the County's input and approval, a project budget, and provision of value engineering at all phases.
11. Assisting the County in its advertisement and receipt of public construction bids.
12. Advising the County regarding the compliance of the bids with the County's budget, and assisting County personnel in selecting a qualified contractor, or re-bidding as may be required, if costs exceed budget.
13. Assisting the County through construction and final Project and Grant Close-out.

Responding firms are informed that at least portions of the Project contemplated in this RFQ will constitute a "public work" as defined in California *Labor Code* section 1720 *et seq.* To that extent, California's prevailing wage laws and related labor standards will apply. The general prevailing rate of per diem wages applicable to each class of worker employed in the execution of such services and work has been determined by the Director of the California Department of Industrial Relations (Director). Copies of the Director's determinations are on file at the Mono County Department of Public Works office at 74 North School Street, Bridgeport, California, and shall be made available to any interested party upon request.

Under *Labor Code* section 1725.5, no contractor or subcontractor may be awarded a contract for a public works project unless registered with the Department of Industrial Relations. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

IV. Response Requirements

Qualified Architectural and Engineering firms are invited to submit Statements of Qualifications (SOQ) relevant to the work. Thorough and concise submittals are encouraged. Each SOQ should address the elements specified in the RFQ, and be presented in the following format:

1. Cover Letter

Introduce your Firm and include a statement of your interest in and understanding of the work. Clearly indicate a commitment to promptly start the work when requested when and if a contract is awarded. Provide the Firm's mailing address, telephone number, and the name and contact information of an individual to whom all further correspondence and questions may be addressed. The letter shall be signed by an individual with the authority to bind the Firm to provide the proposed services.

2. Background Information

Provide a brief history of the Firm, its legal organization (corporation, partnership, etc.), years in business, number of staff, organizational chart, and the number of years of service for executive management.

3. Project Team

The qualifications of the Firm and of each of the key individuals who will be working on the project (Project Team). Include an organizational chart of the project team. Provide a resume of each member of the Project Team with the following information:

- Name
- Office location
- Years of service with the Firm
- Education
- Professional experience
- Pertinent experience
- Availability

Also include a list of similar projects completed by all members of the Project Team. Particular emphasis should be placed on projects relevant to new construction of and/or substantial internal remodeling or improvements to corrections and detention facilities in California.

4. County Detention Facility Experience

Clearly indicate the Firm's and Project Team's overall experience in county detention and social service facilities. List relevant projects completed by the Firm including the three most recent detention facilities designed, completed or under construction which best represent a similar scope as the Mono County Jail Improvement Project. Highlight any additional experience with BSCC grant or California State funded projects. Detail involvement with the grant application process if relevant. For each project include:

- Name and location
- Scope
- Total square footage
- Completion date

- Completed construction cost
- Construction budget
- Change order contingency budgeted and percentage used
- Sustainability and environmental criteria
- Client contact information
- Construction contractor contact information
- Construction delivery method
- Funding source
- Special features and challenges of the project

5. Sub-consultants

Identify any and all consultants proposed for this Project. Include the type of service and role the consultant is anticipated having in this Project. The County reserves the right to qualify, accept or reject any proposed sub-consultants.

6. Project Management Plan

Describe your Firm's approach to Scope A. Specifically identify in the work plan:

- The technical approach and methodology to be used to prepare a JNA or similar qualifying document in compliance with any applicable regulations and grant requirements.

Describe your Firm's approach to Scope B. Specifically identify in the work plan:

- The technical approach and methodology to be used to provide a preliminary design and cost estimate for the jail improvements.
- Identify how the preliminary design will be done to ensure compliance with AB 109 and related legislation and regulation, and to strengthen the County's BSCC grant proposal application.

Describe your Firm's approach to Scope C. Specifically identify in the work plan:

- How your Firm's approach to staffing and design maximize cost efficiency during the design process and the life of the Project.
- The Firm's current and projected workload and the availability of the Project Team.
- A comparative analysis of the Pros and Cons of a Design-and-Build versus a Design-Bid-Build project delivery method for this type of project in Bridgeport, California.
- Any other pertinent information including any creative or unique aspects that may be employed in the design of this Project, including, but not limited to, any suggested additions or modifications to the proposed scope of design and construction that would, in your firm's opinion, best assist in meeting the County's intent in connection with this Project.

7. Fee Schedule

Responding Firms should transmit a proposed fee schedule. The County reserves the right to negotiate fees before awarding a contract.

8. References

A minimum of three references for whom your firm has previously performed similar work, including company name, reference name, title, address, phone number, email address, and a short description of the associated work performed, including, with respect to each reference, a description of cost escalations or overruns (if any) and a description of your firm's compliance with all project schedules and deadlines.

9. Conflict of Interest Disclosures

Disclose any financial, business or other relationship with the County or any of its agents or employees that may have an impact on the outcome of the selection process.

V. General Information

1. Submittal

Submit five (5) hard copies and one (1) electronic (CD or flash drive) copy of the SOQ. Each hard copy shall be bound in an 8 ½ x 11 format and addressed to:

Peter Chapman, Project Manager
Mono County Department of Public Works
PO Box 457
74 North School Street
Bridgeport, CA 93517
pchapman@mono.ca.gov

To be considered, the Firm's SOQ must be submitted to Mono County Department of Public Works by

5:00 pm on Friday, September 9, 2016.

Submittals received after the specified time will not be considered. Responding firms should be aware that, due to its remote location, overnight delivery to Bridgeport by USPS, UPS, FedEx, and other carriers is actually scheduled as a two-day delivery.

2. Modification or Withdrawal of Submittals

Any SOQ received prior to the date and time specified above for receipt may be withdrawn or modified by written request of the consultant prior to the submittal deadline.

3. Small Firms

Consistent with *Government Code* section 4526, the County seeks to include small business firms whenever possible. Small business firms are encouraged to submit an SOQ directly or as a subconsultant.

4. Property Rights

SOQs received become the property of the County and all rights to the contents therein become those of the County.

5. Confidentiality

Before award of the contract, if any, all submittals will be designated confidential to the extent permitted by the California Public Records Act. After award of the contract (or, if not awarded, after rejection of all submittals), all responses will be regarded as public records and will be subject to review by the public. Any language purporting to render all or portions of the submittals confidential will be regarded as ineffective and will be disregarded.

6. Amendments to Request for Qualifications

The County reserves the right to amend this RFQ by addendum before the final submittal date.

7. Prohibited Practices and Conflicts of Interest

Practices that might result in unlawful activity including, but not limited to, rebates, kickbacks, or other unlawful consideration are specifically prohibited in this RFQ process. County employees must avoid conflicts of interest in the selection process and in connection with this RFQ to the extent required by law.

8. Non-Commitment

This RFQ does not commit the County to award a contract, to pay any costs incurred in preparation of a response to this RFQ, or to procure or contract for services. The County reserves the right to accept or reject any or all submittals received as a result of this RFQ, to negotiate with any qualified firm, or to modify or cancel in part or in its entirety the RFQ if it is in the best interests of the County to do so.

VI. Selection Process

A selection panel (Panel) will be formed by representatives from the Sheriff's Department and the Department of Public Works. The Panel will review the SOQs. All submitted SOQs will be evaluated and ranked according to the criteria outlined below. The top two firms will constitute the short list and all firms will be notified of the short list. If a selection between the top two firms cannot be made by evaluation of the submitted SOQs then the County will conduct interviews of the short listed firms.

Evaluation Criteria:

- A. The Project Team's overall experience with State-funded county correctional facility projects (25%).
- B. The Project Team's familiarity with the BSCC's process for RFP proposals and applications, including reference to prior similar RFP responses (25%).
- C. Qualifications of Personnel including their overall and recent experience on projects similar to the Mono County jail improvement project (25%).
- D. The Project Management Plan (25%).

The County reserves the right to reject any or all submittals or to waive any informality or irregularity in any submittal.

If an agreement is reached following negotiation of the contract terms, a contract with the successful consultant will be recommended for award by the Mono County Chief Administrative Officer or the Mono County Board of Supervisors (depending on contract value). The prospective consultant(s) is/are notified that, should this RFQ result in a recommendation for an award of contract, no contract will be in force until it is approved and fully executed by the County and the consultant.

The awarded contract, if any, will contain the consultant's schedule of fees, as well as a basis for reimbursement of costs (if applicable). The County reserves all rights in connection with the negotiation and approval of contract provisions.

If a contract is authorized and executed by the County, it is the County's intent to have the selected consultant begin work as soon as possible thereafter. Payment under any contract resulting from this RFQ will be consistent with that contract. Any contract awarded as a result of this RFQ will be awarded without discrimination based on race, color, religion, sex, sexual orientation, national origin, or membership in any other protected class as defined by state or federal law.

VII. Contact:

All inquiries on this RFQ are to be directed to:

Peter Chapman, Project Manager
Mono County Department of Public Works
PO Box 457
74 North School Street
Bridgeport, CA 93517
pchapman@mono.ca.gov



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 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 August 2, 2016

TIME REQUIRED

SUBJECT Closed Session - Exposure to
Litigation

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: One. Facts and circumstances: Sheep grazing on Conway Ranch.

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
7/25/2016 2:55 PM	County Administrative Office	Yes
7/21/2016 10:22 AM	County Counsel	Yes

7/22/2016 11:38 AM

Finance

Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 2016

TIME REQUIRED

SUBJECT Closed Session - Exposure to
Litigation

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

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

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Steve Kerins

PHONE/EMAIL: (760) 924-1712 / skerins@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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No Attachments Available

History

Time	Who	Approval
7/27/2016 5:03 PM	County Administrative Office	Yes
7/27/2016 3:57 PM	County Counsel	Yes
7/28/2016 11:59 AM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 2, 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 AFTERNOON SESSION WILL RECONVENE AFTER CLOSED SESSION IF NECESSARY.

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