



AGENDA

BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

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

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

Regular Meeting December 12, 2017

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 Shannon Kendall, Clerk of the Board, at (760) 932-5533. 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). 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 <http://monocounty.ca.gov>. If you would like to receive an automatic copy of this agenda by email, please subscribe to the Board of Supervisors Agendas on our website at <http://monocounty.ca.gov/bos>.

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. **RECOGNITIONS - NONE**

3. **COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments

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

4. **DEPARTMENT/COMMISSION REPORTS**

5. **CONSENT AGENDA**

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

A. Board Minutes

Departments: Clerk of the Board

Approval of Board minutes from the regular meeting of November 14, 2017.

Recommended Action: Approve Board minutes from the regular meeting of November 14, 2017.

Fiscal Impact: None.

B. Board Minutes

Departments: Clerk of the Board

Approval of the Board minutes from the regular meeting of November 21, 2017.

Recommended Action: Approve the Board minutes of the regular meeting of November 21, 2017.

Fiscal Impact: None.

C. Change to Public Health Department Staff Allocation List

Departments: Public Health

Change to the Public Health Department Staff Allocation List.

Recommended Action: Approve the proposed resolution R17-____, Authorizing the County Administrative Officer to amend the County of Mono list of allocated positions for the Department of Public Health to add one Public Health Nursing Professional position at 0.1FTE.

Fiscal Impact: There is no fiscal impact to the County General Fund. Funding for this change comes from a variety of sources including Title V, Title XIX, and Public Health 1991 Realignment, with \$9,152 in salary and \$490 in benefits for a total

impact of \$9,642.

D. Monthly Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 10/31/2017.

Recommended Action: Approve the Treasury Transaction Report for the month ending 10/31/2017.

Fiscal Impact: None

E. Agreement with the County of Alpine for Temporary Public Health Officer Coverage

Departments: Public Health

Proposed Agreement with the County of Alpine for Temporary Public Health Officer Coverage.

Recommended Action: Approve County entry into the proposed agreement with the County of Alpine for temporary Public Health Officer coverage, and authorize the Chairperson of the Board of Supervisors to execute said agreement on behalf of the County. Provide any desired direction to staff.

Fiscal Impact: There is no fiscal impact to the County General Fund.

F. Resolution Decreasing Fees for Medical Marijuana Identification Card Program

Departments: Public Health

Proposed Resolution Decreasing Fees for the Medical Marijuana Identification Card (MMIC) per amended Health & Safety Code (HSC) section 11362.755.

Recommended Action: Approve proposed resolution number R17- ___, Decreasing the Fees to Administer the Approval, Issuance, and Annual Review of Medical Marijuana Identification Cards (MMIC) Pursuant to New Medical Cannabis Law, which Resolution Shall Supersede Resolution 09-57 in all Respects.

Fiscal Impact: This proposed decreased will have a minimal impact on the public health fund budget. There is no fiscal impact to the County General Fund.

G. Letter to Congressman Cook opposing the Tax Cuts and Jobs Act

Departments: CAO

(Leslie Chapman) - Letter to Representative Paul Cook opposing the Tax Cuts and Jobs Act that is currently in the House-Senate Conference Committee.

Recommended Action: Approve letter for Chairperson Corless' signature.

Fiscal Impact: None

6. CORRESPONDENCE RECEIVED - NONE

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

7. REGULAR AGENDA - MORNING

A. Mono County Recreation Position - Options

Departments: CAO

45 minutes (5 minute presentation; 40 minute discussion)

(Tony Dublino) - Receive update on the development of a position devoted to improving and enhancing recreation in Mono County.

Recommended Action: None. Update Only.

Fiscal Impact: None at this time.

B. Housing Mitigation Ordinance

Departments: CDD, Finance

20 minutes (10 minute presentation, 10 minute discussion)

(Megan Mahaffey) - The current Housing Mitigation Ordinance suspension expires January 15, 2018. A continued suspension of the Housing Mitigation Ordinance will allow for a community based planning effort to allow our communities to weigh in on the solution to Housing Needs in Mono County including a Housing Mitigation Ordinance.

Recommended Action: 1. Introduce, read title and waive further reading of proposed ordinance extending the current suspension of the Mono County Housing Mitigation Ordinance until August 30, 2018; and 2. Direct Staff to initiate review of the housing survey/study with Planning Commission, RPAC's and JLCAC, and report back on recommendations for adjusting the HMO and county housing policy.

Fiscal Impact: Minimal impact. Funded via CDBG grant.

C. Resolution Adopting Mono County Records Retention Policy

Departments: County Counsel

20 minutes (10 minute presentation, 10 minute discussion)

(Christian Milovich) - Proposed resolution Approving a County-wide Record Retention and Destruction Policy/Schedule.

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

Fiscal Impact: None.

D. Resolution Adopting Voice and Electronic Media Policy

Departments: County Counsel; Information Technology

30 minutes (15 minute presentation; 15 minute discussion)

(Stacey Simon and Nate Greenberg) - Proposed resolution enacting the Mono County Voice and Electronic Media Policy and superseding and replacing, in its entirety, the Mono County Voice and Electronic Media Retention Policy enacted by Resolution R15-51.

Recommended Action: Adopt proposed resolution R17-____, Enacting the Mono County Voice and Electronic Media Policy and superseding and replacing, in its entirety, the Mono County Voice and Electronic Media Retention Policy enacted by Resolution R15-51. Provide any desired direction to staff.

Fiscal Impact: None.

E. Resolution Adopting Public Records Act Policy for Private Devices and Accounts

Departments: County Counsel and Information Technology

30 minutes (20 minute presentation, 10 minute discussion)

(Stacey Simon and Nate Greenberg) - Proposed resolution adopting Public Records Act Policy for Private Devices and Accounts.

Recommended Action: Adopt proposed resolution R17-____, Adopting a Public Records Act Policy for Private Devices and Accounts. Provide any desired direction to staff.

Fiscal Impact: Cost savings in reduced staff time and data storage.

F. Request for General Fund Contingency - Mammoth Lakes Mosquito Abatement District Audits for FY 2014 and FY 2015

Departments: Finance

10 minutes (5 minute presentation; 5 minute discussion)

(Janet Dutcher) - Request up to \$15,000 in General Fund contingency funds as contribution to Mammoth Lakes Mosquito Abatement District (MLMAD) to cover the costs of auditing fiscal years ended June 30, 2014 and 2015.

Recommended Action: Authorize use of contingency funds up to \$15,000 and transfer to the account of Mammoth Lakes Mosquito Abatement District for cost to engage a CPA firm for auditing the District's transactions for fiscal years ended June 30, 2014 and 2015. A four-fifths vote is required.

Fiscal Impact: Transferring General Fund contingency of \$15,000 will reduce General Fund contingency from \$329,000 to \$314,000. MLMAD has a carryover

balance of \$68,450 of which approximately \$12,000 is needed each year to cover annual spending.

8. 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.)

9. CLOSED SESSION

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. 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: 1.

THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 12:30 P.M.

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. REGULAR AGENDA - AFTERNOON

A. Bridgeport Visitor Center Grand Re-Opening

Departments: Board of Supervisors

12:30 PM - 1 Hour

In November of 2016, Ms. Brown and her class gave the Board a presentation on their service learning project – restoring the Bridgeport Visitor Center. The project is now complete and the class wishes the Board to be present for the grand re-opening. For this portion of the meeting, the Board will adjourn and reconvene at the Visitor Center at 123 Emigrant Street, Bridgeport, CA., 93517.

Recommended Action: None, informational only.

Fiscal Impact: None.

12.

BOARD MEMBER REPORTS

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

ADJOURN



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

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

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)

Approval of Board minutes from the regular meeting of November 14, 2017.

RECOMMENDED ACTION:

Approve Board minutes from the regular meeting of November 14, 2017.

FISCAL IMPACT:

None.

CONTACT NAME: Scheereen Dedman

PHONE/EMAIL: x5538 / sdedman@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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11/14/17 Draft Board Minutes

History

Time	Who	Approval
12/5/2017 10:24 AM	County Administrative Office	Yes
12/6/2017 12:44 PM	County Counsel	Yes
11/27/2017 9:18 AM	Finance	Yes



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

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

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

**Regular Meeting
November 14, 2017**

Flash Drive	Board Room Recorder
Minute Orders	M17-223 - M17-224
Resolutions	R17-81 – R17-84
Ordinance	ORD17-14

9:02 AM Meeting called to order by Chair Corless.

*Supervisors Present: Corless, Gardner, Peters, and Stump.
Supervisors Absent: Johnston.*

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 Supervisor Stump

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Eric Edgerton, Till Farms:

- Discussed the impending expiration of the cannabis moratorium, and how he believes the County should proceed.

Mayor Wentworth, Town of Mammoth Lakes:

- Mammoth Lakes Community Housing Action Plan.
- Thanked Supervisor Corless for attending groups.
- Thanked Megan Mahaffey, Amanda Greenberg.
- Town Council holding workshop tomorrow afternoon at 4:00 PM.
- Council will be taking formal action on the report December 6.

2. RECOGNITIONS - NONE

Note:

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

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Leslie Chapman, CAO:

- Last week, kicked off the week meeting with Public Health Director Sandra Pearce and HR Director Dave Butters about upcoming the retirement of Dr. Johnson and discussed recruitment. Already have interest from some local doctors. Confident will be able to fill the position.
- Thursdays, organizing monthly check-ins with department heads. Moving into a leadership information gathering situation.
- Thursday 9th completed executive leadership credential with CSAC.
- CSUN partnership with CSAC, MPA, online.
- Recreation position – Tony will discuss further.

4. DEPARTMENT/COMMISSION REPORTS

Kathy Peterson, Director of Social Services:

- Moises Cornejo, long time cook driver with Antelope Valley Senior Center, has taken a position with the Public Works department, wish him well, sad that he is leaving, having a get together to celebrate his service.
- North County, acknowledged the Social Services emergency shelter staff, Megan Foster, Pat Espinoza, and Kathy Young.
- Child Welfare Department, system improvement process. Done every 5 years.
- Resource family foster family outreach event November 18.
- December 5, Jessica and Larry Anderson, first resource family under the new foster family system.
- Open enrollment for insurance on health benefits exchange occurring now. Deadline January 31.
- Salvation Army have limited hours; they have holiday baskets. IMACA does a Christmas basket.
- Year round food assistance – Social Services has an emergency food pantry.
- Supervisor Stump: Social Services staff member recently lost a father - expressed condolences.

Nate Greenberg, Director of IT:

- Re-engineering of Conway Summit: tuning; replacing radios; replacing antennas. Replaced all batteries at mountain top sites. Began to gradually improve the technology that is there.

Tony Dublino, Assistant CAO:

- South facility RFQ closed, 4 respondents, organizing to conduct interviews.
- 3 respondents to grazing RFQ that went out Friday of last week. Will be engaging with wildlife agencies to determine impacts.
- Mono recreation position – internal meeting to discuss. Trying to fulfill the recommendation that came out of the task force. Goal is to have position by Spring 2018.
- Dec. 19 potential joint Town / County meeting. Can discuss south facility.

Supervisor Peters:

- Fire update - Stable throughout the night. Being mapped this morning.

Note:

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Appropriate air resources available are being deployed this morning. Winds are predicted to be coming later today and tomorrow. No structures were involved or threatened at this point. Was moving towards Walker. Bridgeport RD is lead agency. Five special district fire depart from Mono County responded. NWTC was on location as well. Updates will follow this morning's mapping.

- Leslie Chapman: As of 8 am they were trying to secure air resources. 3 as of yesterday. They were optimistic about being able to secure more resources.
- Closure of 395. Coordinating opening on a limited basis later today. The detour is 182, Bircham Flat Road.

Alicia Vennos, Economic Development Director:

- TOT revnues were tabulated. 6% higher than Q1 of last year.

5. CONSENT AGENDA

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

A. Termination of Local Emergency declared on January 31, 2017

Departments: Sheriff

(Leslie Chapman) - Proposed resolution Proclaiming the Termination of Local Emergency declared on January 31, 2017.

Action: Adopt proposed resolution #R17-81, Proclaiming the Termination of Local Emergency Declared on January 31, 2017, Due to Severe Winter Storms.

Gardner moved; Stump seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

R17-81

B. Termination of Local Emergency declared on March 20, 2017

Departments: Sheriff

Proposed resolution Proclaiming the Termination of Local Emergency declared on March 20, 2017.

Action: Adopt proposed resolution #R17-82, Proclaiming the Termination of Local emergency Declared on March 20, 2017 Due to Extreme Snowmelt Runoff.

Gardner moved; Stump seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

R17-82

C. Ordinance Authorizing CAO to Purchase Real Property Deemed Appropriate for Use as a Site for Supportive Residential Housing

Departments: Behavioral Health; County Counsel; CAO

(Robin Roberts) - Proposed ordinance ORD17-14, An Ordinance of the

Note:

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Mono County Board of Supervisors Authorizing the County Administrator Officer to Perform Any and All Acts Necessary to Approve and Accept for the County the Acquisition of Any Interest in Real Property Deemed Appropriate for Use as a Site for Supportive Residential Housing and Ratifying the County Administrator's Signature on an Agreement and Any Such Other Documents as May be Necessary to Consummate the Purchase and Close of Escrow of Any Such Acquisition.

Action: Adopt proposed ordinance, An Ordinance of the Mono County Board of Supervisors Authorizing the County Administrator Officer to Perform Any and All Acts Necessary to Approve and Accept for the County the Acquisition of Any Interest in Real Property Deemed Appropriate for Use as a Site for Supportive Residential Housing and Ratifying the County Administrator's Signature on an Agreement and Any Such Other Documents as May be Necessary to Consummate the Purchase and Close of Escrow of Any Such Acquisition.

Gardner moved; Stump seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

ORD17-14

6. CORRESPONDENCE RECEIVED

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

A. Application for Alcoholic Beverage License

Departments: Clerk of the Board

Application for alcoholic beverage license for Devil's Creek Enterprises, LLC.

B. Letter from Dennis Carruth

Departments: Clerk of the Board

Letter from Dennis Carruth regarding the discussion of snow removal on Virginia Lakes Road from the November 7, 2017 Board meeting.

C. Letter from Pam Hamic

Departments: Clerk of the Board

A letter from Pam Hamic of the Northern Mono Chamber of Commerce requesting the Board's support for Cannabis cultivation in Mono County.

Supervisor Peters:

- Pam intended to be here. There is overwhelming support from North Mono County Chamber of Commerce. I attended a function this weekend in Walker where further discussion of the cannabis issue on both sides were presented.

Note:

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Important to know the economic impact.

7. **REGULAR AGENDA - MORNING**

A. **17/18 Avalanche Forecasting and Education Services**

Departments: Public Works

(Tony Dublino) - Presentation and discussion of Avalanche Forecasting and Education Services Request for Proposals.

Action: Consider Request for Proposals and provide any desired direction to staff.

Tony Dublino, Assistant CAO:

- Want direction on whether to issue an RFP.
- Provides outreach and education, as well as forecasts. Assists Sheriff's department in issuing warnings.

Board consensus to move ahead.

B. **Crowley Lake Skatepark Budget Amendment**

Departments: Public Works

(Peter Chapman) - CSA1 Budget Increase Request for the Crowley Lake Skatepark Project.

Action: Amend the Crowley Lake Skatepark Budget, FY 2017-2018 Capital Improvement Projects Budget 195-CAPIMPROV-5201-5216, from \$650,000 to \$690,000 for construction expenses and reimbursement from County Service Area #1 (CSA1). Approve transfer of \$40,000 from Contingency in the CSA #1 budget to cover this increase (both actions require 4/5ths vote).

Stump moved; Peters seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

M17-223

Peter Chapman, Project Manager:

- Presented item.
- Project will complete in Spring.
- During the winter, will finalize what can be done with the money / project.

Janet Dutcher, Finance Director:

- Clarified the budget action. Two funds affected.

Public Comment:

Kim McCarthy, CSA #1 President:

- Supports the project.

C. **PUBLIC HEARING Community Development Block Grant 2017 Notice of Funding Availability - 10:00 AM**

Note:

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

Departments: CDD/Finance

(Megan Mahaffey) - Public hearing regarding Community Development Block Grant 2017 Notice of Funding Availability.

Action: Conduct public hearing. Consider and possibly adopt the proposed Resolution R17-83, Authorizing the County Administrative Officer or her designee to apply on behalf of the County for grant funds through the Community Development Block Grant Program and take related actions.

Corless moved; Gardner seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

R17-83

Public Hearing Opened: 10:01 AM

Megan Muhaffey, Community Development:

- Introduced item.
- Review of CDBG Program.

Jennifer Halferty , Mammoth Lakes Housing

- Mammoth Lakes Housing is coordinating with the County right now looking at an application for homebuyer assistance and rehabilitation.

Molly DesBaillets, First Five:

- Thanked Board for considering applying for CDBG funds

Closed hearing: 10:10 AM / Board discussion

Break: 10:19 AM

Reconvene: 10:33 AM

D. Housing Needs Assessment

Departments: Community Development

(Jen Garner (BBC Research and Consulting)) - BBC Research and Consulting will present the Mono County Needs assessment. This data will serve as the basis for updating the Housing Mitigation Ordinance and Mono County Housing Element. The discussion today will provide direction and shape the approach for how we will alleviate the housing shortage in Mono County.

Action: Receive presentation on Mono County Housing Needs Assessment; provide any desired direction to staff on approach to alleviate the housing shortage in Mono County.

Megan Mahaffey, Community Development:

- Introduced item.
- Allows Mono County to work with TOML and Mammoth Lakes Housing on regional shortage of work-force housing.
- CDBG funded project.
- Heidi Aggeler and Jen Garner from BBC Consulting went through presentation.

Break: 10:37 AM

Note:

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

Reconvene: 10:42 AM

Supervisor Gardner:

- Need is 120-170 units to address future needs.
- Short term rentals, seems as though the need is not as significant.
- Need to focus on affordability issue.

Supervisor Peters:

- Concerns: How data applies in each community specifically; where is the incentive to new construction versus conversion in this part of the county?
- Looking forward to more information in the break out of the data.

Supervisor Stump:

- Looking at protecting what the County has.
- Likes the concept of providing incentives.
- Availability of land is an issue.
- Should focus more on employer contributions.
- Other issues to keep mind of: mass transit, weather, current state law, and capable infrastructure.
- Supports cooperation with the Town as long as it doesn't turn into finger-pointing.
- The last housing mitigation fee ordinance, that has since been suspended, was discriminatory.

Supervisor Corless:

- Would like to get an update, if we decide to develop programs to address the housing issue, how do we take that through Mono County community-based planning process?
- Working with the Town – believes the way to go is partnering on programs.

E. Employment Agreement for Director of Social Services

Departments: Human Resources

(Dave Butters) - Proposed resolution approving a contract with Kathy Peterson as Director of Social Services, and prescribing the compensation, appointment and conditions of said employment.

Action: Announce Fiscal Impact. Approve Resolution #R17-84, Approving a contract with Kathryn Peterson as Director of Social Services, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

Fiscal Impact was announced into record by Chair Corless: The cost for this position for the remainder of FY 2017-2018 (November 14, 2017 through June 30, 2018) is approximately \$109,303 of which \$77,388 is salary, and \$31,915 is the cost of the benefits and was included in the approved budget. Total cost for a full fiscal year (2017-2018) will be \$158,319 of which \$112,092 is annual salary and \$46,227 is the cost of the benefits.

Gardner moved; Stump seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

R17-84

Note:

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Dave Butters, Human Resources Director:

- Request approval of resolution to renew contract for Kathryn Peterson for another 3 years.

Leslie Chapman:

- Publicly thanked Kathy.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Closed session at 11:41 AM

9. CLOSED SESSION

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. 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 - Employee Evaluation, County Counsel

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957(b)(1). Title: County Counsel.

Reconvene at 1:05 PM

Nothing to report out of closed session.

THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 1:00 P.M.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

11. REGULAR AGENDA - AFTERNOON

A. Superintendent of Schools Report

Departments: CAO

(Dr. Stacey Adler, Superintendent of Schools) - Superintendent of Schools, Dr. Stacey Adler will give an update on County Office of

Note:

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Education topics including: 1. Total enrollment for all districts. 2. Data from recent test scores release for each district. 3. Information regarding "CA Dashboard." 4. Update regarding the Child Development Center. 5. Update regarding Footsteps2Brilliance. 6. Information regarding Dr. Adler's role with the California County Superintendents Educational Services Association.

Action: Hear update regarding County Office of Education activities.

Dr. Stacy Adler, Superintendent:

- Per statute, the superintendent of schools is required to address the Board every year.
- Report of enrollment in schools.
- Test scores, smarter balance assessment tests.
- California Dashboard, new system of accountability, how it's being measured across the state.
- Mammoth Lakes Child Development Center – floor plan provided (available in additional documents).
- Latest edition of Calliope – literary and arts magazine. Everything created by students in the county. All schools represented. All original work. (Available in additional documents)
- Trails to literacy. Footsteps to Brilliance.
- Starting in January, will be taking over as President of California County Superintendents Education Services Association. Year long term.

B. 2017 5-Year Road Capital Improvement Program

Departments: Public Works - Engineering

(Garrett Higerd) - Draft 5-year Road Capital Improvement Program (CIP) with recommendations for approximately \$19,000,000 in projects over the next five years.

Action: 1. Approve the 2017 5-Year Road CIP, including a prioritized list of road improvement projects. 2. Recommend local project priorities to the Mono Local Transportation Commission for the 2018 State Transportation Improvement Program (STIP).

Gardner moved; Stump seconded

Vote: 4 yes; 0 no; 1 absent: Johnston

M17-224

Garrett Higerd, Engineer:

- Went through exhibits.
- Follow up item from October 10. Pavement management system. Moving forward from that presentation.

12. BOARD MEMBER REPORTS

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

Supervisor Corless:

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- NACo Public Lands Steering Committee Call: top focus areas for committee for 2018 are PILT, SRS, forest management; update on current forest management legislation, nothing definitive; working on comment letter regarding National Park entrance fee increase, led by Mariposa Supervisor Kevin Cann; considering support of Legacy Act and noted possibility that it could be rolled into infrastructure package
- County “Drama” Training—thanks to all the participants, great to be able to share ideas and hone skills, all in the name of public service.
- ESTA/Old Mammoth Transit Meeting: about 20 residents, no clear consensus on short term solution. Still open for comment/feedback.
- Great Basin Unified Air Pollution Control District: Presentation about wildfire impacts, gave board a chance to talk about/compliment staff on the excellent wildfire information on the air district’s website.
- Veterans Day Celebration in Mammoth: Honored to speak as board chair; thanks to Mammoth Lakes Rotary for organizing this event (7th annual).
- Mammoth Voices: Shannon Kendall and Helen Nunn gave a great presentation at the last civic education event Monday night.

Supervisor Gardner:

- Last Wednesday I attended the meeting of the June Lake Public Utility District, and met with two new residents of the June Lake community. One of them, John DeCoster, is the owner of an exciting new business, Insane Audio, which has recently set up shop in June Lake. He has already hired four employees and expects to be hiring a few more in the months ahead. John relies heavily on the internet for his business, and told me he was very pleased with the support he has received from the County.
- I attended, with Supervisor Corless and Supervisor Stump, the Veterans Day event in Mammoth on Saturday. It was well done and a great tribute to those in our community who have served their nation.
- Last night I attended the third Mammoth Voices event which focused on County and other elections, and what candidates need to do to run for office. I commend those who have set up these sessions for the community. They have been full of information, and very useful for building civic responsibility for our citizens.
- Yesterday I joined other County and local officials for a meeting of our Treasury Oversight Committee. We reviewed the Investments Report last week, but I want to thank Gerald Frank and others in the Finance Dept. for their excellent stewardship of our investments.
- Finally, this Thursday with Supervisor Corless I will hold a Conference call with several other counties that have joined Mono County to form the Resorts/Tourism/Gateway County Caucus. This is an effort we have begun through the National Association of Counties to focus attention on and advocacy for, counties like ours that rely heavily on recreation to support our local economies.

Supervisor Johnston:

- **Absent**

Supervisor Peters:

- 7th CSA #5
- 10th Marine Corp 252nd Birthday with the traditional Ceremonial Ball BG Norman Cooling (Guest of Honor) and his wife Beth from DC Col Jim Donnelan and his

Note:

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wife Christine. Bridgeport Residents Hugh "Smitty" Smyth, 89 and Richard (Dick) Burbine, 91. Significant amount of money was raised locally and regionally to underwrite the attendance of all Marines stationed locally at MWTC.

- 12th AV Woman's Club 50th Annual Bazaar with many vendors and Dinner/Tony Iniquez Lighting
- Chris Fire - Road has opened. Several helicopters and an air tanker. Want to thank all of those who have responded. Want to keep all of those respondents and community members in our thoughts and prayers.
- Upcoming:
- 14th BCOC NMCC
- 15th Mono County Recreation Task Force
- 16th State Bureau of Cannabis Control 1st Advisory Committee Meeting
- CSAC Annual Conference

Supervisor Stump:

- 11-9: Attended the Great Basin Unified Air Pollution Control District. Received an update on the Owens Lake sand mitigation project near Keeler. Approved a new contract to continue work there for an extra two years to accommodate on the ground changes. Given that nowhere in the world has a sand mitigation project of this scale been attempted unexpected occurrences were bound to occur.
- 11-11: Attended the Veterans Day ceremony in Mammoth. Well attended. Thank you to Supervisor Corless for speaking and Supervisor Gardner for also attending.
- Tomorrow night will be attending Tri Valley Water Commission meeting, they will be voting to choose to be full voting members in the JPA.
- Wheeler Crest / Paradise Fire Safe Council received grant to do fire prevention planning in both communities.
- I will be out of the area from 11-16 through 11-21 to see my youngest son prior to his Navy departure.

ADJOURNED at 2:28 PM

ATTEST

**STACY CORLESS
CHAIR OF THE BOARD**

**SCHEEREEN DEDMAN
SENIOR 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 December 12, 2017

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)

Approval of the Board minutes from the regular meeting of November 21, 2017.

RECOMMENDED ACTION:

Approve the Board minutes of the regular meeting of November 21, 2017.

FISCAL IMPACT:

None.

CONTACT NAME: Scheereen Dedman

PHONE/EMAIL: x5538 / sdedman@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[11/21/17 Draft Board Minutes](#)

History

Time	Who	Approval
12/5/2017 6:14 PM	County Administrative Office	Yes
12/6/2017 1:07 PM	County Counsel	Yes
11/27/2017 9:18 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 Suite Z, 237 Old Mammoth Rd, Suite Z, Mammoth Lakes, CA 93546

**Regular Meeting
November 21, 2017**

Flash Drive	Portable Recorder
Minute Orders	M17-225 – M17-229
Resolutions	R17-84A – R17-85
Ordinance	ORD17-15

9:03 AM Meeting called to order by Chair Corless.

*Supervisors Present: Corless, Gardner, and Peters.
Supervisors Absent: Johnston, Stump.*

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 Supervisor Peters.

Supervisor Corless recognized friends in Colusa and Tehama County.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Julie Fritcher:

- Request to place S.1924 on agenda of next board meeting (available in additional documents). In regards to Camp Antelope.

2. RECOGNITIONS

A. Resolution Recognizing Scott Burns for His Years of Service to Mono County

Departments: Community Development

(Wendy Sugimura) - Presentation of resolution recognizing Scott Burns for

Note:

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

his years of public service.

Action: Adopt Resolution recognizing Scott Burns for his years of service.

Gardner moved; Peters seconded

Vote: 3 yes; 0 no; 2 absent: Johnston, Stump

M17-225

Wendy Sugimura, Analyst:

- Introduced the item.

Staff who spoke:

- Jerry LeFrancois
- Leslie Chapman
- Nate Greenberg
- Nick Criss
- CD Ritter
- Alicia Vennos

Supervisor Corless

- Read from the resolution.

Scott Burns:

- Thanked everyone.

Break: 9:27 AM

Reconvene: 9:29 AM

3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

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

Leslie Chapman, CAO:

- Recreation position.
- All Hazards Incident Management team.
- ESCOG.
- Recruitments.

4. DEPARTMENT/COMMISSION REPORTS

Janet Dutcher, Finance Director:

- Update on MOE (Maintenance of Effort).

Nate Greenberg, IT Director:

- Radio outage issue, affecting all of the fire departments on the repeaters, other than Conway Summit. Service was inexplicably restored. IT hasn't taken any action, but wanted to make everyone aware of it.
- Actively trying to launch a new website for the County.

Sheriff Braun:

- Appreciate the hard work of the IT department on the radio system.
- There was a shooting in a rural community in Tehama County. Causes pause to think, "Are we ready?" Active shooter training available.
- No-shave November. Suspended facial hair policy for the month. Donated to charity: Mammoth Hospitals Cancer Outreach program.

Karin Humiston, Probation Chief:

Note:

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- Prop 63.
SB 190, Fees.

Moved to Board Reports.

5. CONSENT AGENDA

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

A. Performance Contract between Mono County Behavioral Health and the California Department of Health Care Services

Departments: Behavioral Health

Proposed performance contract with California Department of Health Care Services.

Action: Approve County entry into proposed contract and authorize Robin Roberts or other designated Behavioral Health Staff to execute said contract on behalf of the County.

Gardner moved; Corless seconded

Vote: 3 yes; 0 no; 2 absent: Johnston, Stump

M17-226

B. Contract with Panorama Environmental, Inc. for Environmental Analysis of Water Leases/Transfers in Walker River Basin

Departments: Community Development

Proposed contract with Panorama Environmental Inc. for an amount not to exceed \$365,961, for California Environmental Quality Act Analysis of Water Leases/Transfers in the Walker River Basin, Mono County.

Action: Approve County entry into proposed contract and authorize CAO Leslie Chapman to execute said contract on behalf of the County.

Peters moved; Gardner seconded

Vote: 4 yes; 0 no; 2 absent: Johnston, Stump

M17-227

Supervisor Peters:

- Needs clarification on the timeline.

Wendy Sugimura:

- Grant's funding expires before the County can complete proposed scope of work can be completed.
- Have been told that it should not be a problem to extend the time frame.
- Should there be a problem, there is language in the contract that allows to either terminate or adjust.

6. CORRESPONDENCE RECEIVED

All items listed are located in the Office of the Clerk of the Board, and are available for review. Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

Note:

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A. SB 190 Letter

Departments: Clerk of the Board

Letter to the Board from multiple groups including the East Bay Community Law Center regarding the implementation of S.B. 190.

B. Wildlife Conservation Board Letter

Departments: Clerk of the Board

Letter from the California Wildlife Conservation Board on behalf of the California Department of Fish and Wildlife (DFW) advising of their consideration of acceptance, on DFW's behalf, of a conservation easement on 15+ acres of land within the Town of Mammoth Lakes and 10+ acres of land near Swall Meadows (Wheeler Ridge).

7. REGULAR AGENDA - MORNING

A. PUBLIC HEARING: Mono County Housing Program Guidelines

Departments: Finance

(Janet Dutcher) - Public hearing regarding Mono County Housing program guidelines.

Action: Adopt Resolution R17-84A, Approving the Mono County First Time Homebuyer Guidelines, Owner Investor Rehabilitation Guidelines, and Occupant Rehabilitation Guidelines.

Peters moved; Gardner seconded

Vote: 3 yes; 0 no; 2 absent: Johnston, Stump

R17-84A

Janet Dutcher, Finance Director:

- Introduced item.
- Seeking public input on Mono County Housing Guidelines.
- 3 separate guidelines as items on the agenda – home buyer guidelines.
- 2 guidelines attached for rehabilitation.
- Guidelines are for a new needs-based program.
- Patricia Robertson, from Mammoth Lakes Housing, which is the program administrator.

Public hearing opened 10:09 AM

Patricia Robertson:

- Gave update on progress of Mammoth Lakes Housing.

Public Hearing closed: 10:10 AM / Board Discussion

B. 2017/2018 CSAC Appointments

Departments: Clerk of the Board

Selection from the Board of Supervisors of a member and alternate to serve on the California State Association of Counties (CSAC) Board of Directors for 2017/18.

Note:

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Action: Elect Supervisor Larry Johnston to serve on the CSAC Board of Directors for the 2017/18 Association year beginning on November 28, 2017; also, elect Supervisor Peters as the alternate member.

Gardner moved; Corless seconded

Vote: 3 yes; 0 no; 2 absent: Johnston, Stump

M17-228

Leslie Chapman:

- Current appointments: Johnston, lead. Gardner, alternate.

Supervisor Corless:

- Want to keep Supervisor Johnston in the first spot should he regain health enough to begin participating again. Supervisor Peters has expressed interest in the alternate position.

C. Appointments to the Economic Development, Tourism & Film Commission

Departments: Economic Development

(Alicia Vennos) - Appointment of Wendy Schneider and Sarah Walsh to the Mono County Economic Development, Tourism & Film Commission, to represent District 2 and 3 respectively for a four-year term.

Action: Appoint Wendy Schneider and Sarah Walsh to the Mono County Economic Development, Tourism & Film Commission, for a four-year term effective Nov. 21, 2017 to June 30, 2021.

Gardner moved; Peters seconded

Vote: 3 yes; 0 no; 2 absent: Johnston

M17-229

Alicia Vennos, Economic Development Director:

- Introduced item. Asked that named applicants be appointed.
- Fills all commission seats.

Wendy Schneider:

- Will put the development of Mono County first.

D. Comment Letter on Proposed National Park Fee Increase, and Resolution in Support of the National Park Service Legacy Act

Departments: CAO

(Leslie Chapman) - Consider comment letter regarding proposed fee increase in certain National Parks, and Resolution R17-85, A Resolution of the Mono County Board of Supervisors in support of the National Park Service Legacy Act of 2017 (S751 and H.R. 2584) to create a reliable, predictable stream of resources to address deferred maintenance needs in America's National Park System.

Action: Authorize Chair to sign letter regarding proposed fee increase in certain National Parks, and approve Resolution R17-85, A Resolution of the Mono County Board of Supervisors in support of the National Park Service Legacy Act of 2017 (S751 and H.R. 2584) to create a reliable, predictable stream of resources to address deferred maintenance needs in America's

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National Park System.

Peters moved; Gardner seconded

Vote: 3 yes; 0 no; 1 absent: Johnston, Stump

R17-85

Supervisor Corless:

- Drafted a new letter that combined the two in the agenda packet (available in additional documents). Asked that this new letter be considered.
- Urgency, as comment period closes on 23rd.

Alicia Vennos, Economic Development Director:

- Believes the new letter is right on the mark.

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

9. CLOSED SESSION

Began at 10:21 AM

A. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, Dave Butters, Janet Dutcher, and Anne Larsen. 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

Departments: County Counsel

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

Nothing to report out of closed session.

THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 1:00 P.M.

Reconvened at 1:30 PM

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

11. REGULAR AGENDA – AFTERNOON

Opportunity for public address – no one spoke.

Note:

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A. PUBLIC HEARING: Request to Extend Temporary Moratorium on all Commercial Cannabis Activities in the Unincorporated Area of Mono County for One Year

Departments: Community Development

(Michael Draper) - Public hearing regarding request for approval of interim ordinance No. 17-15 of the Mono County Board of Supervisors extending the temporary moratorium prohibiting commercial medical and recreational cannabis activities, including commercial cultivation, distribution, transportation, delivery, storage, manufacturing, processing, provision or sale of cannabis products in the unincorporated area of Mono County established by Mono County Ordinance 16-11.

Action: Adopt proposed ORD17-15, Extending the temporary moratorium prohibiting commercial medical and recreational cannabis activities, including commercial cultivation, distribution, transportation, delivery, storage, manufacturing, processing, provision or sale of cannabis products in the unincorporated area of Mono County established by Mono County Ordinance 16-11.

Peters moved; Gardner seconded

Vote: 3 yes; 0 no; 2 absent: Johnston, Stump

ORD17-15

Supervisor Gardner moved to Bridgeport Board Chambers.

Michael Draper, Analyst:

- Introduced item.

Christy Milovich, Assistant County Counsel:

- Clarified: If this ordinance is adopted today, it extends to December 2, 2018.

Public hearing opened at 1:35 PM

Robert Calvert, Mammoth Lakes Wellness

Eric Edgerton, Tilth Farms

Cory Zyla, Plant Products

Jeph Gundzick, Banner Springs Ranch

Mono County Resident, no name provided

John McCallister, Business owner / June Lake resident

Sally Rosen, AV Cannabis Association: submitted a packet of signatures to the Board in support (available in additional documents).

Public hearing closed / Board Discussion: 1:59 PM

Roll-call vote:

Peters: Yes

Corless: Yes

Gardner: Yes

12. BOARD MEMBER REPORTS

The Board may, if time permits, take Board Reports at any time during the

Note:

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meeting and not at a specific time.

Supervisor Corless:

- Attended a workshop with the Town Planning Commission and Board of Mammoth Lakes Housing; presentation of the Community Action Housing Plan. Plan available at www.housemammothlakes.com. Recommendations by consultants for the Town to add housing capacity within its own staff. Considering the plan December 6.
- NACo Gateway Community Conference Call.
- Hosted Community Conversation with Mayor Wentworth and Councilman Fernie. Thanked the Eatery and Mammoth Brewing Company for providing a great venue.
- Seeking re-election in 2018.
- Will be at CSAC conference next week in Sacramento.

Supervisor Gardner:

- CAC Meeting in June Lake to discuss Free Summer ESTA bus shuttle.
- Conference call with NACo Resorts Tourism Gateway County Caucus.
- ESTA Board meeting. Provided annual reports to the Board.
- Asked that an item be added to the agenda: consideration of a letter to Representative Cook objecting to his support of the tax-reform bill that was approved by the House recently.

Supervisor Johnston:

- Absent.

Supervisor Peters:

- 14th AV Chamber – Geo Cache Event in, Kite Festival Out
- 15th Coffee with CAO
- 15th Mono County Recreation Position Meeting Leslie and Tony Noteworthy Jeremy Marshall moving on
- 16th State Bureau of Cannabis Control 1st Advisory Committee Meeting
- 17th AV Senior Center Farewell Lunch Moises Cornejo
- Chris Fire Update Sheriff's Dept. and CERT
- Cal Trans Road Updates
- **Upcoming:** CSAC Annual Conference

Supervisor Stump:

- Absent.

Moved to Item 5: Consent Agenda.

ADJOURNED at 2:16 PM

ATTEST

**STACY CORLESS
CHAIR OF THE BOARD**

Note:

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

SCHEEREN DEDMAN
SR. DEPUTY CLERK



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

Departments: Public Health

TIME REQUIRED

SUBJECT Change to Public Health Department
Staff Allocation List

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Change to the Public Health Department Staff Allocation List.

RECOMMENDED ACTION:

Approve the proposed resolution R17-___, Authorizing the County Administrative Officer to amend the County of Mono list of allocated positions for the Department of Public Health to add one Public Health Nursing Professional position at 0.1FTE.

FISCAL IMPACT:

There is no fiscal impact to the County General Fund. Funding for this change comes from a variety of sources including Title V, Title XIX, and Public Health 1991 Realignment, with \$9,152 in salary and \$490 in benefits for a total impact of \$9,642.

CONTACT NAME: Sandra Pearce

PHONE/EMAIL: 760.924.1818 / spearce@mono.ca.gov

SEND COPIES TO:

Sandra Pearce

Kim Bunn

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[BOS Staff Report](#)

[Resolution](#)

History

Time	Who	Approval
12/5/2017 6:36 PM	County Administrative Office	Yes
12/7/2017 12:05 PM	County Counsel	Yes
12/7/2017 12:39 PM	Finance	Yes



MONO COUNTY HEALTH DEPARTMENT

Public 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

DATE: December 12, 2017
TO: Honorable Board of Supervisors
FROM: Sandra Pearce, Public Health Director
SUBJECT: Public Health Department Staff Allocation List Change

Recommendation:

Approve the proposed resolution authorizing the County Administrative Officer to amend the County of Mono list of allocated positions for the Department of Public Health to add one Public Health Nursing Professional position at 0.1FTE

Fiscal Impact:

There is no fiscal impact to the County General Fund.

Funding for this change comes from a variety of sources including Title V, Title XIX, and Public Health 1991 Realignment, with \$9,152 in salary and \$490 in benefits for a total impact of \$9,642.

Discussion:

The role of the Public Health Nursing Professional has been to perform nursing functions on an as-needed basis, work on special projects, and to fill in performing nursing program duties during periods where there is lack of nursing staff due to medical leave or turnover. Currently, the Department has two (2) Health Program Manager/PHN vacancies, 50% of our nursing workforce, and these positions are needed to provide essential services to the residents of Mono County. This situation calls for the use of Nursing Professionals to, again, fill in the gap until we can fill the vacancies that are allocated.

In the following chart, the peach section shows the current approved allocation list, including FTE and salary for each staff member in Public Health. The yellow section shows the salary impact of the proposed change to the current allocation list given the current approved budget. At this time we do not feel that a budget adjustment request is justified, as the vacancies highlighted in red have resulted in enough salary savings to cover the enhanced cost associated with the greater use of the Nursing Professionals in the interim.

FY 2017-18 Allocation Change Request Results

Position	FTE	FY 2017-18 Approved Allocations	FTE	FY 2017-18 Proposed Allocation Changes
Director of Public Health	1.00	\$ 113,213	1.00	\$ 113,213
Director of Public Health Nursing (unfunded)	0.90	\$ -	0.90	\$ -
Public Health Officer	0.68	\$ 149,320	0.68	\$ 149,320
Health Program Manager	1.00	\$ 101,526	1.00	\$ 101,526
Health Program Manager	1.00	\$ 80,162	1.00	\$ 80,162
Health Program Manager (currently vacant)	1.00	\$ 78,229	1.00	\$ 78,229
Health Program Manager (currently vacant)	0.80	\$ 63,741	0.80	\$ 63,741
Public Health Nursing Professional	0.10	\$ 9,152	0.10	\$ 9,152
Public Health Nursing Professional	0.10	\$ 9,152	0.10	\$ 9,152
Public Health Nursing Professional	0.10	\$ 9,152	0.10	\$ 9,152
Public Health Nursing Professional	0.00	\$ -	0.10	\$ 9,152
Community Health Outreach Specialist	0.80	\$ 52,451	0.80	\$ 52,451
WIC Program Manager / Registered Dietician	1.00	\$ 62,215	1.00	\$ 62,215
WIC Nutrition Assistant - HP Coordinator	1.00	\$ 49,298	1.00	\$ 49,298
Fiscal & Technical Specialist IV	1.00	\$ 50,777	1.00	\$ 50,777
Fiscal & Technical Specialist IV	1.00	\$ 58,057	1.00	\$ 58,057
Fiscal & Technical Specialist IV	1.00	\$ 49,847	1.00	\$ 49,847
Fiscal & Administrative Services Officer	1.00	\$ 70,563	1.00	\$ 70,563
Emergency Preparedness Manager	1.00	\$ 64,674	1.00	\$ 64,674
Tobacco Control Program Coordinator	1.00	\$ 43,456	1.00	\$ 43,456
Environmental Health Manager	1.00	\$ 101,420	1.00	\$ 101,420
Environmental Health Specialist III	1.00	\$ 65,409	1.00	\$ 65,409
Environmental Health Specialist III	1.00	\$ 77,107	1.00	\$ 77,107
Environmental Health Specialist III	1.00	\$ 65,409	1.00	\$ 65,409
Environmental Health Specialist III (unfunded)	1.00	\$ -	1.00	\$ -
Contract Environmental Health Specialist	0.10	\$ 9,152	0.10	\$ 9,152
Environmental Health Technician (currently vacant)	0.50	\$ 20,800	0.50	\$ 20,800
		\$ 1,454,282		\$ 1,463,434

For questions regarding this item, please call Sandra Pearce at (760) 924-1818.

Submitted by:



Sandra Pearce, Public Health Director



RESOLUTION NO. R17-

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
AUTHORIZING THE COUNTY ADMINISTRATIVE OFFICER
TO AMEND THE COUNTY OF MONO LIST OF ALLOCATED
POSITIONS TO REFLECT THE ADDITION OF ONE PUBLIC
HEALTH NURSING PROFESSIONAL IN THE
DEPARTMENT OF PUBLIC HEALTH**

WHEREAS, the County of Mono maintains a list, of County job classifications, the pay ranges or rates for those job classifications, and the number of positions allocated by the Board of Supervisors for each of those job classifications on its List of Allocated Positions (or "Allocation List"); and

WHEREAS, the Allocation List identifies approved vacancies for recruitment and selection by Human Resources; determines and recognizes implementation of collective bargaining agreements related to job classifications and pay rates; and

WHEREAS, the County seeks to provide public services in the most efficient and economical manner reasonably possible, which at times requires the modification of job classifications on the Allocation List; and

WHEREAS, it is currently necessary to amend the Allocation List as part of maintaining proper accountability for hiring employees to perform public services; and

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES as follows:

1. The County Administrative Officer is authorized to amend the County of Mono List of Allocated Positions to reflect the following changes:

Increase the allocation of Public Health Nursing Professionals in the Department of Public Health by .10 full-time equivalent (FTE). New total is 0.5 FTE. Rate of pay per hour: \$44.00.

//

1 PASSED AND ADOPTED this 12th day of December 2017, by the following

2 Vote:

3 AYES :
4 NOES :
5 ABSTAIN :
6 ABSENT :

7 ATTEST: _____ Stacy Corless, Chair
8 Clerk of the Board Board of Supervisors

9
10 APPROVED AS TO FORM:

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12 _____
13 COUNTY COUNSEL

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OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

Departments: Finance

TIME REQUIRED

SUBJECT Monthly 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 10/31/2017.

RECOMMENDED ACTION:

Approve the Treasury Transaction Report for the month ending 10/31/2017.

FISCAL IMPACT:

None

CONTACT NAME: Gerald Frank

PHONE/EMAIL: 7609325483 / gfrank@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[Treasury Transaction Report for the month ending 10/31/2017](#)

History

Time	Who	Approval
12/5/2017 6:14 PM	County Administrative Office	Yes
12/4/2017 3:58 PM	County Counsel	Yes
11/27/2017 9:19 AM	Finance	Yes



Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2017, End Date: 10/31/2017

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Buy Transactions									
Buy	10/3/2017	LOAN1017SD	23,457.89	WMFPD 1.65 10/3/2018-18	100.00	23,457.89	0.00	1.65	23,457.89
Buy	10/6/2017	3135G0T78	1,000,000.00	FNMA 2 10/5/2022	99.93	999,340.00	0.00	2.01	999,340.00
Buy	10/11/2017	07370W3J3	245,000.00	BEAL BANK USA 1.4 8/15/2018	100.00	245,000.00	0.00	1.40	245,000.00
Buy	10/11/2017	58404DAP6	245,000.00	MEDALLION BANK 2.15 10/11/2022	100.00	245,000.00	14.43	2.15	245,014.43
Buy	10/13/2017	51210SNP8	245,000.00	LAKESIDE BANK 1.4 8/13/2018	100.00	245,000.00	0.00	1.40	245,000.00
Buy	10/18/2017	08173QBX3	245,000.00	BENEFICIAL BANK 2.15 10/18/2022	100.00	245,000.00	0.00	2.15	245,000.00
Buy	10/18/2017	92937CGB8	245,000.00	WEX BANK 2 10/19/2020	100.00	245,000.00	0.00	2.00	245,000.00
Buy	10/19/2017	459200HG9	500,000.00	International Business Machine Corp 1.875 8/1/2022	98.08	490,400.00	2,031.25	2.30	492,431.25
Buy	10/20/2017	037833AY6	500,000.00	Apple Inc 2.15 2/6/2022-15	100.02	500,095.39	2,120.14	2.14	502,215.53
Buy	10/25/2017	966594BD4	245,000.00	Whitney Bank 1.75 10/25/2019	100.00	245,000.00	0.00	1.75	245,000.00
Subtotal			3,493,457.89			3,483,293.28	4,165.82		3,487,459.10
Deposit	10/2/2017	CAMP60481	6,229.69	California Asset Management Program LGIP	100.00	6,229.69	0.00	0.00	6,229.69
Deposit	10/3/2017	OAKVALLEY0670	4,691.96	Oak Valley Bank Cash	100.00	4,691.96	0.00	0.00	4,691.96
Deposit	10/13/2017	LAIF6000Q	36,833.02	Local Agency Investment Fund LGIP	100.00	36,833.02	0.00	0.00	36,833.02
Deposit	10/31/2017	OAKVALLEY0670	4,943.24	Oak Valley Bank Cash	100.00	4,943.24	0.00	0.00	4,943.24
Deposit	10/31/2017	OAKVALLEY0670	14,841,265.20	Oak Valley Bank Cash	100.00	14,841,265.20	0.00	0.00	14,841,265.20
Subtotal			14,893,963.11			14,893,963.11	0.00		14,893,963.11
Total Buy Transactions			18,387,421.00			18,377,256.39	4,165.82		18,381,422.21
Interest/Dividends									
Interest	10/1/2017	13063DAD0	0.00	California State GO UNLTD 2.367 4/1/2022		0.00	5,062.75	0.00	5,062.75
Interest	10/2/2017	36962G6W9	0.00	General Electric Cap Corp 1.625 4/2/2018		0.00	4,062.50	0.00	4,062.50
Interest	10/3/2017	9497486Z5	0.00	WELLS FARGO BK NA SIOUXFALLS SD 1.6 8/3/2021		0.00	322.19	0.00	322.19
Interest	10/5/2017	14042RCQ2	0.00	CAPITAL ONE, NATIONAL ASSOCIATION 1.7 10/5/2021		0.00	2,088.21	0.00	2,088.21
Interest	10/5/2017	981571CE0	0.00	Worlds Foremost Bk Sidney NE 1.75 5/5/2021		0.00	287.67	0.00	287.67
Interest	10/6/2017	89236TCX1	0.00	Toyota Motor Credit Corp 1.2 4/6/2018		0.00	3,000.00	0.00	3,000.00
Interest	10/7/2017	3135G0Q89	0.00	FNMA 1.375 10/7/2021		0.00	6,875.00	0.00	6,875.00



Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2017, End Date: 10/31/2017

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	10/10/2017	59013JZP7	0.00	Merrick Bank 2.05 8/10/2022		0.00	412.81	0.00	412.81
Interest	10/11/2017	20033APV2	0.00	COMENITY CAP BK SALT LAKE CITY UTAH 1.6 4/12/2021		0.00	322.19	0.00	322.19
Interest	10/12/2017	35633MAG7	0.00	FREEDOM BK OF VA VIENNA VA 0.75 11/14/2017		0.00	151.03	0.00	151.03
Interest	10/15/2017	55266CQE9	0.00	MB FINANCIAL BANK, NATIONAL ASSN 1.8 1/15/2021		0.00	362.47	0.00	362.47
Interest	10/15/2017	34387ABA6	0.00	FLUSHING BANK N Y 1.8 12/10/2018		0.00	362.47	0.00	362.47
Interest	10/17/2017	855736DA9	0.00	STATE BK & TR CO DEFIANCE OHIO 1.6 2/17/2021		0.00	322.19	0.00	322.19
Interest	10/18/2017	3133EGLD5	0.00	FFCB 1.18 10/18/2019-16		0.00	5,900.00	0.00	5,900.00
Interest	10/18/2017	22766ABN4	0.00	Crossfirst Bank 2.05 8/18/2022		0.00	412.81	0.00	412.81
Interest	10/21/2017	3133EGNF8	0.00	FFCB 1.3 4/21/2020-16		0.00	6,500.00	0.00	6,500.00
Interest	10/22/2017	38148JRS2	0.00	GOLDMAN SACHS BK USA NEW YORK 1.9 4/22/2020		0.00	2,333.88	0.00	2,333.88
Interest	10/23/2017	337630AZ0	0.00	FIRSTTRUST SVGS BK CONSHOHOCKENPA 0.7 10/23/2017		0.00	145.66	0.00	145.66
Interest	10/25/2017	330459BY3	0.00	FNB BANK INC 2 2/25/2022		0.00	402.74	0.00	402.74
Interest	10/26/2017	062683AC1	0.00	BBCN BANK 0.9 2/26/2018		0.00	181.23	0.00	181.23
Interest	10/26/2017	3136G3F59	0.00	FNMA 1.06 4/26/2019-17		0.00	5,300.00	0.00	5,300.00
Interest	10/26/2017	20070PHK6	0.00	COMMERCE ST BK WEST BEND WIS 1.65 9/26/2019		0.00	332.26	0.00	332.26
Interest	10/26/2017	91330ABA4	0.00	UNITY BK CLINTON NJ 1.5 9/26/2019		0.00	302.05	0.00	302.05
Interest	10/27/2017	3134GBKY7	0.00	FHLMC 2.125 4/27/2022-17		0.00	10,625.00	0.00	10,625.00
Interest	10/27/2017	3130AB6Q4	0.00	FHLB 2.08 4/27/2022-18		0.00	10,400.00	0.00	10,400.00
Interest	10/27/2017	27113PBG5	0.00	EAST BOSTON SVGS NK BOSTON MA 0.7 10/27/2017		0.00	140.96	0.00	140.96
Interest	10/27/2017	35637RCQ8	0.00	FREEDOM FIN BK W DES MOINES 1.5 7/26/2019		0.00	302.05	0.00	302.05
Interest	10/27/2017	596689EC9	0.00	MIDDLETON COMMUNITY BANK 1.4 11/27/2018		0.00	281.92	0.00	281.92
Interest	10/28/2017	20786ABA2	0.00	CONNECTONE BK ENGLEWOOD 1.55 7/29/2019		0.00	312.12	0.00	312.12
Interest	10/28/2017	3136G4EV1	0.00	FNMA 1.625 10/28/2021-17		0.00	8,125.00	0.00	8,125.00
Interest	10/28/2017	85916VBY0	0.00	STERLING BANK 1.7 7/26/2019		0.00	342.33	0.00	342.33
Interest	10/28/2017	57116AMW5	0.00	MARLIN BUSINESS BANK 1.4 10/28/2020		0.00	1,719.70	0.00	1,719.70



Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2017, End Date: 10/31/2017

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	10/28/2017	3136G4EU3	0.00	FNMA 1.6 10/28/2021-17		0.00	8,000.00	0.00	8,000.00
Interest	10/29/2017	01748DAX4	0.00	ALLEGIANCE BK TEX HOUSTON 2.15 9/29/2022		0.00	432.95	0.00	432.95
Interest	10/29/2017	02587DXK9	0.00	AMERICAN EXPRESS CENTURION BK 1.85 4/29/2020		0.00	2,272.46	0.00	2,272.46
Interest	10/29/2017	139797FF6	0.00	CAPITAL BK LITTLE ROCK 0.9 2/28/2018		0.00	181.23	0.00	181.23
Interest	10/30/2017	843383AX8	0.00	SOUTHERN BANK 1 1/30/2018		0.00	201.37	0.00	201.37
Interest	10/30/2017	11373QCC0	0.00	BROOKLINE BK MASS 0.75 10/30/2017		0.00	156.06	0.00	156.06
Interest	10/31/2017	CAMP60481	0.00	California Asset Management Program LGIP		0.00	6,953.32	0.00	6,953.32
Interest	10/31/2017	45340KDR7	0.00	INDEPENDENCE BK KY OWENSBORO 0.9 2/28/2018		0.00	187.27	0.00	187.27
Interest	10/31/2017	105245GN8	0.00	BRAND BKG CO LAWRENCEVILLE GA 0.85 11/30/2017		0.00	171.16	0.00	171.16
Interest	10/31/2017	29266N3Q8	0.00	ENERBANK USA SALT LAKE CITYUTAH 1.05 8/31/2018		0.00	218.49	0.00	218.49
Interest	10/31/2017	OAKVALLEY0670	0.00	Oak Valley Bank Cash		0.00	4,943.24	0.00	4,943.24
Subtotal			0.00			0.00	101,408.74		101,408.74
Total Interest/Dividends			0.00			0.00	101,408.74		101,408.74
Sell Transactions									
Matured	10/23/2017	337630AZ0	245,000.00	FIRSTTRUST SVGS BK CONSHOCKENPA 0.7 10/23/2017	0.00	245,000.00	0.00	0.00	245,000.00
Matured	10/27/2017	27113PBG5	245,000.00	EAST BOSTON SVGS NK BOSTON MA 0.7 10/27/2017	0.00	245,000.00	0.00	0.00	245,000.00
Matured	10/30/2017	11373QCC0	245,000.00	BROOKLINE BK MASS 0.75 10/30/2017	0.00	245,000.00	0.00	0.00	245,000.00
Subtotal			735,000.00			735,000.00	0.00		735,000.00
Withdraw	10/31/2017	OAKVALLEY0670	12,590,657.69	Oak Valley Bank Cash	0.00	12,590,657.69	0.00	0.00	12,590,657.69
Subtotal			12,590,657.69			12,590,657.69	0.00		12,590,657.69
Total Sell Transactions			13,325,657.69			13,325,657.69	0.00		13,325,657.69



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

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

Departments: Public Health

TIME REQUIRED

SUBJECT Agreement with the County of Alpine for Temporary Public Health Officer Coverage

PERSONS APPEARING BEFORE THE BOARD

AGENDA DESCRIPTION:

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

Proposed Agreement with the County of Alpine for Temporary Public Health Officer Coverage.

RECOMMENDED ACTION:

Approve County entry into the proposed agreement with the County of Alpine for temporary Public Health Officer coverage, and authorize the Chairperson of the Board of Supervisors to execute said agreement on behalf of the County. Provide any desired direction to staff.

FISCAL IMPACT:

There is no fiscal impact to the County General Fund.

CONTACT NAME: Sandra Pearce

PHONE/EMAIL: 760.924.1818 / spearce@mono.ca.gov

SEND COPIES TO:

Sandra Pearce

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
BOS Staff Report
Agreement

History

Time	Who	Approval
12/5/2017 6:16 PM	County Administrative Office	Yes

12/6/2017 11:23 AM

County Counsel

Yes

12/7/2017 9:10 AM

Finance

Yes



MONO COUNTY HEALTH DEPARTMENT

Public 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

DATE: December 12, 2017
TO: Honorable Board of Supervisors
FROM: Sandra Pearce, Public Health Director
SUBJECT: Agreement with the County of Alpine for Temporary Public Health Officer Coverage.

Recommendation:

Approve County entry into the proposed agreement with the County of Alpine for temporary Public Health Officer coverage, and authorize the Chairperson of the Board of Supervisors to execute said agreement on behalf of the County.

Fiscal Impact:

There is no fiscal impact to the County General Fund.

Discussion:

Health Officers are required to preserve and protect the public health, to enforce and observe all ordinances and statutes pertaining to public health and sanitary matters, and to take any and all preventive measures that may be necessary to preserve and protect the public from any public health hazards as defined by Section 8558 of the Government Code.

From time to time, the Health Officer may not be present in his or her respective County because of out-of-area training, illness, vacation, or other reason. During such time, the County may have the need for the services of an alternate Health Officer, in order to respond to an emergency or other circumstance that poses an immediate risk to public health. Mono County has an existing agreement for Health Officer Coverage with Inyo County and Riverside County which was established on February 19, 2013. However, in addition, Mono County and Alpine County deem it in the best interest of both Counties to have the ability to designate the Health Officer of Alpine County as an Alternate County Health Officer for Mono County, and the Health Officer of Mono County as an Alternate County Health Officer for Alpine County, in the event of an emergency posing an immediate risk to public health.

For questions regarding this item, please call Sandra Pearce at (760) 924-1818.

Submitted by:

A handwritten signature in black ink that reads "Pearce". The signature is written in a cursive style with a large, looping initial 'P'.

Sandra Pearce, Public Health Director

**AGREEMENT BETWEEN THE COUNTY OF MONO
AND THE COUNTY OF ALPINE FOR
TEMPORARY PUBLIC HEALTH OFFICER COVERAGE**

WHEREAS, the Board of Supervisors of Mono County (“Mono County”) and the Board of Supervisors of Alpine County (“Alpine County”), collectively “Counties” have each appointed a county health officer (the “Health Officers”) pursuant to Health and Safety Code Section 101000; and

WHEREAS, the Health Officers have the duty to preserve and protect the public health, to enforce and observe all ordinances and statutes pertaining to public health and sanitary matters, to take any and all preventive measures that may be necessary to preserve and protect the public from any public health hazard during any “state of war emergency,” “state of emergency,” or “local emergency,” as defined by Section 8558 of the Government Code, within his or her jurisdiction, to comply with all regulations and obligations necessary to address bioterrorism hazards, and to inform and consult with local officials in all matters pertaining to the preservation and protection of public health; and

WHEREAS, from time to time one of the Health Officers may not be present in his or her respective County because of out-of-area training, illness, vacation, or other reason, and during such time, the County served by the absent Health Officer may have the need for the services of a Health Officer in order to respond to an emergency or other circumstance that poses an immediate risk to public health; and

WHEREAS, to provide coverage for an emergency or other circumstance that may occur when one of the Health Officers is not available, Mono County and Alpine County deem it in the best interest of both Counties to designate the Health Officer of Alpine County as an Alternate County Health Officer for Mono County, and the Health Officer of Mono County as an Alternate County Health Officer for Alpine County, to stand in and act as the Health Officer in the absence of the other Health Officer in the event of an emergency posing an immediate risk to public health;

NOW, THEREFORE Mono County and Alpine County agree as follows:

I. REQUESTS FOR HEALTH OFFICER SERVICES

- A. By Mono County. The Mono County Board of Supervisors, Mono County Public Health Director, Mono County Administrative Officer and/or Mono County Sheriff may request that the Alpine County Health Officer serve as the temporary Health Officer for Mono County when the Mono County Health Officer is unavailable to respond to an emergency or other circumstance that poses an immediate risk to public health in Mono County, or is otherwise unavailable for any reason. In such cases, Mono County shall be referred to as the “Requesting County” and Alpine County shall be referred to as the “Covering County.”

Agreement re Temporary Health Officer Services (Mono-Alpine)

- B. By Alpine County. The Alpine County Board of Supervisors, Alpine County Health and Human Services Director, Alpine County Administrative Officer and/or Alpine County Sheriff may request that the Mono County Health Officer serve as the temporary Health Officer for Alpine County in the event that the Alpine County Health Officer is unavailable to respond to an emergency or other circumstance that poses an immediate risk to public health in Alpine County, or is otherwise unavailable for any reason. In such cases, Alpine County shall be referred to as the “Requesting County” and Mono County shall be referred to as the “Covering County.”

II. ACCEPTANCE BY COVERING COUNTY

The provision of Public Health Officer services under this Agreement is dependent upon the availability of resources and staffing of the Covered County. Neither County shall have any obligation to provide Public Health Officer services to the other by virtue of this Agreement and such services shall be provided at the sole discretion and availability of the Covering County. Accordingly, either County (through its Board of Supervisors or Public Health Officer) may decline to provide coverage under this Agreement following a request therefor pursuant to section I without penalty or liability to the Requesting County, its officers, agents or employees, or to any third party. Further, after commencing to provide coverage pursuant to this Agreement, the Board of Supervisors of the Covering County, or its Public Health Officer, may at any time provide written notice to the Requesting County that coverage will cease as of a date specified in the notice without penalty or liability to the Requesting County, its officers, agents or employees, or to any third party.

III. COORDINATION AND AUTHORITY

The Health Officer providing services pursuant to this Agreement shall have all of the powers and duties of the other County when providing temporary Health Officer coverage. Each County shall ensure that the temporary Health Officer has the same access to County resources, staff and authority that is generally available to that County’s Health Officer for the purposes of carrying out his or her duties as the County Health Officer.

III. CONSIDERATION

The consideration for this Agreement is the mutual covenants provided herein. Neither County shall be entitled to reimbursement or payment of any costs for the services if its Health Officer provided pursuant to this Agreement.

IV. INDEMNIFICATION AND HOLD HARMLESS

- A. By Covering County. The Covering County shall indemnify, defend with counsel acceptable to the Requesting County, and hold the Requesting County, its agents, officers and employees (collectively “Requesting County”) harmless from any 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 the Covering County/Covering Health Officer within the course and scope of providing Agreement re Temporary Health Officer Services (Mono-Alpine)

Coverage to the Requesting County under this Agreement.

- B. By Requesting County. The Requesting County shall indemnify, defend with counsel acceptable to the Covering County, and hold the Covering County, its agents, officers and employees (collectively "Covering County") harmless from any 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 and/or omissions of the Requesting County, its agents, officers and employees.

V. INSURANCE

Each county shall procure and maintain, during the entire term of this Agreement the following insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of this Agreement:

- A. General Liability. A policy of Comprehensive General Liability Insurance which covers all the work and services to be performed by the county under this Agreement, including operations, products and completed operations, property damage, bodily injury (including death) and personal and advertising injury. Such policy shall provide limits of not less than \$5,000,000.00 per claim or occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project or the general aggregate limit shall be twice the required occurrence limit.
- B. Automobile/Aircraft/Watercraft Liability Insurance. A policy of Comprehensive Automobile/Aircraft/Watercraft Liability Insurance for bodily injury (including death) and property damage which provides total limits of not less than \$5,000,000.00 per claim or occurrence applicable to all owned, non-owned and hired vehicles/aircraft/watercraft. If the services provided under this Agreement include the transportation of hazardous materials/wastes, then the Automobile Liability policy shall be endorsed to include Transportation Pollution Liability insurance covering materials/wastes to be transported by Contractor pursuant to this Agreement. Alternatively, such coverage may be provided in county's Pollution Liability policy.
- C. Workers Compensation Coverage. Statutory Workers' Compensation insurance coverage and Employer's Liability coverage for not less than \$1 million (\$1,000,000.00) per occurrence for all employees engaged in services or operations under this Agreement. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of Requesting County for all work performed by Covering County, its employees, agents, and subcontractors.

VI. MISCELLANEOUS PROVISIONS

- A. No Third-Party Liability. This Agreement is entered into for the sole benefit of the Agreement re Temporary Health Officer Services (Mono-Alpine)

Counties. Nothing in this Agreement shall be construed to create any duty to, any standard of care with reference to, or any liability to any person not a party to this Agreement. There are no third-party beneficiaries of this Agreement.

- B. Termination. This Agreement will remain in effect until terminated by either county by the filing of thirty (30) days' written notice of the intent to terminate. Notice shall be provided to the county representative listed below. Either county may change its designated representative by providing the other of written notice of the new designee.

Mono County Public Health Director
Attn: Sandra Pearce
P.O. Box 3329
Mammoth Lakes, CA 93546
spearce@mono.ca.gov

Alpine County Health & Human Services Director
Attn: Nichole Williamson
75 A Diamond Valley Road
Markleeville, CA 96120
nwilliamson@alpinecountyca.gov

- C. Amendment. This Agreement may be modified, amended, changed, added to, or subtracted from, by the mutual consent of both Counties, if such amendment or change order is in written form, and executed with the same formalities as this Agreement or in accordance with delegated authority therefor, and attached to the original Agreement to maintain continuity.
- D. Entire Agreement. This Agreement contains the entire agreement of the Counties, 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 both Counties.

**IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS
AND SEALS THIS ____ DAY OF DECEMBER, 2017.**

MONO COUNTY:

By: _____
Chair of the Board of Supervisors

Dated: _____

APPROVED AS TO FORM:

Mono County Counsel

APPROVED BY RISK MANAGEMENT:

Mono County Risk Manager

ALPINE COUNTY:

By: _____
Director of Health and Human Services

Dated: _____

APPROVED AS TO FORM:

Alpine County Counsel



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

Departments: Public Health

TIME REQUIRED

SUBJECT Resolution Decreasing Fees for
Medical Marijuana Identification Card
Program

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Proposed Resolution Decreasing Fees for the Medical Marijuana Identification Card (MMIC) per amended Health & Safety Code (HSC) section 11362.755.

RECOMMENDED ACTION:

Approve proposed resolution number R17- __, Decreasing the Fees to Administer the Approval, Issuance, and Annual Review of Medical Marijuana Identification Cards (MMIC) Pursuant to New Medical Cannabis Law, which Resolution Shall Supersede Resolution 09-57 in all Respects.

FISCAL IMPACT:

This proposed decreased will have a minimal impact on the public health fund budget. There is no fiscal impact to the County General Fund.

CONTACT NAME: Sandra Pearce

PHONE/EMAIL: 760.924.1818 / spearce@mono.ca.gov

SEND COPIES TO:

Sandra Pearce

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[BOS Staff Report](#)

[Resolution](#)

History

Time	Who	Approval
12/5/2017 6:17 PM	County Administrative Office	Yes
12/6/2017 5:00 PM	County Counsel	Yes
12/7/2017 12:58 PM	Finance	Yes



MONO COUNTY HEALTH DEPARTMENT

Public 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

DATE: December 12, 2017
TO: Honorable Board of Supervisors
FROM: Sandra Pearce, Public Health Director
SUBJECT: Resolution for Decreasing Fees for the Medical Marijuana Identification Card (MMIC)

Recommendation:

Approve the proposed resolution to decrease fees for the Medical Marijuana Identification Card (MMIC) per amended Health & Safety Code (HSC) section 11362.755.

Fiscal Impact:

There is no fiscal impact to the County General Fund.

Discussion:

In 2015, the Medical Cannabis Regulation and Safety Act (MCRSA) was enacted to amend prior laws for the licensure and regulation of medical marijuana. In November 2016, California voters approved Prop 64, the Adult Use of Marijuana Act (AUMA), legalizing recreational marijuana use for those 21 years of age and older. In June 2017, SB 94 was passed, which combined portions of the MCRSA and AUMA to create the Marijuana Adult Use Cannabis Regulation and Safety Act.

SB 94 maintains the provisions of the AUMA that, effective January 1, 2018, allows the tax-exempt sale of medicinal cannabis and products only if the buyer presents a valid state-issued Medical Marijuana Identification Card (MMIC). As a result, counties may experience an increase in the number of individuals applying for an MMIC. The California Department of Public Health (CDPH) will continue operation of the MMIC program and each county, or their designee, is required to provide and process applications, maintain records, and issue cards developed by CDPH.

SB 94 did not impact MMIC program operations, but it did modify the MMIC program by amending Health and Safety Code (HSC) section 11362.755, which impacts MMIC application fees. Specifically, these amendments removed statutory language authorizing CDPH to collect fees from counties to support program operational costs. It also limited the fees that a county health department can charge. Now, instead of charging \$225.00, the County may only charge \$100 per application or renewal. Furthermore, upon showing satisfactory proof of participation and eligibility in the Medi-Cal program, a Medi-Cal beneficiary is entitled to receive a 50 percent reduction in the fees and fees shall be waived upon showing satisfactory proof that a qualified

patient, or the legal guardian of a qualified patient under the age of 18, is a medically indigent adult who is eligible for and participates in the County Medical Services Program.

For questions regarding this item, please call Sandra Pearce at (760) 924-1818.

Submitted by:

A handwritten signature in black ink that reads "S Pearce". The signature is written in a cursive style with a large, looping initial "S".

Sandra Pearce, Public Health Director



RESOLUTION NO. R17-__

A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS DECREASING THE FEES TO ADMINISTER THE APPROVAL, ISSUANCE AND ANNUAL REVIEW OF THE MEDICAL MARIJUANA IDENTIFICATION CARDS PURSUANT TO NEW MEDICAL CANNABIS LAW, WHICH RESOLUTION SHALL SUPERSEDE RESOLUTION 09-57 IN ALL RESPECTS

WHEREAS, The Compassionate Use Act of 1996 (CUA) was approved by California voters as Proposition 215. The CUA amended the Health & Safety Code to exempt patients and their primary caregivers from criminal prosecution for possession and cultivation of cannabis, provided that the cannabis was cultivated and used for personal medical purposes, on the recommendation of a physician; and

WHEREAS, The Medical Marijuana Program Act (SB 420) took effect January 1, 2004, and added Article 2.5 (commencing with Section 11362.7) to the Health and Safety Code. SB 420 served to clarify the scope and application of the CUA by establishing California's medical cannabis program, which sets forth guidelines regarding how much medical cannabis patients may grow and possess without being subject to arrest and implements a voluntary patient identification card program and other provisions to protect patients and their caregivers; and

WHEREAS, in 2009, the Mono County Board of Supervisors approved Resolution No. 09-57 adopting fees in the total amount of \$225.00 to administer the Medical Marijuana Identification Card (MMIC) program pursuant to Health and Safety Code section 11362.755; and

WHEREAS, in 2015, the Medical Marijuana Regulation and Safety Act (MMRSA) was enacted to amend prior laws for the licensure and regulation of medical cannabis including the MMIC program; and in November 2016, California voters approved Proposition 64, the Adult Use of Marijuana Act (AUMA), legalizing recreational cannabis use for those 21 years of age and older; and

WHEREAS, in late June 2017, Senate Bill 94 (SB 94), combined portions of both MMRSA and AUMA to streamline and resolve the difference between both Acts and created one regulatory system that is now known as the Medical and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA); and

1 **WHEREAS**, SB 94 maintains the provisions of the AUMA that, effective January 1,
2 2018, allows the tax-exempt sale of medicinal cannabis and products only if the buyer
3 presents a valid state-issued MMIC; and

4 **WHEREAS**, SB 94 did not impact the MMIC program operations, the AUMA
5 provisions modified the MMIC program by amending (among other things) Health and Safety
6 Code section 11362.755 and the fees that a county health department can charge for
7 administering the program, which fees shall heretofore not exceed \$100 per application or
8 renewal; persons who provide satisfactory proof of participation and eligibility in the Medi-Cal
9 program are entitled to receive a 50 percent reduction in the fees; and the fees shall be
10 waived for a qualified patient, or the legal guardian of a qualified patient under the age of 18,
11 who is a medically indigent adult who is eligible for and participates in the County Medical
12 Services Program.

13 **NOW, THEREFORE, LET IT BE RESOLVED** by the Mono County Board of
14 Supervisors as follows:

15 **SECTION 1.** Pursuant to the revised section 11362.755 of the Health and Safety
16 code, the fees to be paid to the County Department of Public Health to administer the
17 Medical Marijuana Identification Card program shall be in the amount of \$100.00, and as
18 may be adjusted by future Resolution or State action. The amount of the fee shall be
19 reduced by 50 percent for any individual who provides satisfactory proof of participation and
20 eligibility in the Medi-Cal program and waived for a qualified patient, or the legal guardian of
21 a qualified patient under the age of 18, who is a medically indigent adult who is eligible for
22 and participates in the County Medical Services Program.

23 **SECTION 2.** This Resolution shall supersede and replace in entirety Resolution 09-
24 57.

25 **PASSED, APPROVED and ADOPTED** this _____ day of _____, 2017,
26 by the following vote, to wit:

27 **AYES:**
28 **NOES:**
 ABSENT:
 ABSTAIN:

Stacy Corless, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

Stacey Simon
County Counsel



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

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

Departments: CAO

TIME REQUIRED

**PERSONS
APPEARING
BEFORE THE
BOARD**

Leslie Chapman

SUBJECT Letter to Congressman Cook
opposing the Tax Cuts and Jobs Act

AGENDA DESCRIPTION:

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

Letter to Representative Paul Cook opposing the Tax Cuts and Jobs Act that is currently in the House-Senate Conference Committee.

RECOMMENDED ACTION:

Approve letter for Chairperson Corless' signature.

FISCAL IMPACT:

None

CONTACT NAME: Leslie Chapman

PHONE/EMAIL: 760-932-5414 / lchapman@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p> Letter to Congressman Cook</p>

History

Time	Who	Approval
12/7/2017 9:21 AM	County Administrative Office	Yes
12/7/2017 9:52 AM	County Counsel	Yes
12/7/2017 12:36 PM	Finance	Yes



Larry Johnston ~ District One Fred Stump ~ District Two Bob Gardner ~ District Three
John Peters ~ District Four Stacy Corless ~ District Five

BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517

(760) 932-5533 • FAX (760) 932-5531

Shannon Kendall, Clerk of the Board

December 12, 2017

Honorable Representative Paul Cook
1222 Longworth House Office Building
Washington, DC 20515

RE: Tax Cuts and Jobs Act

Dear Representative Cook,

The Mono County Board of Supervisors wishes to express our disappointment in your vote on the House tax reform package and urge you to oppose the Tax Cuts and Jobs Act tax reform legislation under consideration by the House-Senate Conference Committee.

Eliminating the deduction for state and local taxes and capping the local property tax deduction would hurt hard-working California families and add to the housing affordability crisis in the state by eliminating a key incentive for homeownership. In 2015, 6.1 million California taxpayers claimed the SALT deduction averaging over \$18,000 per household. Our constituents, many of whom counted on the deductibility of state and local taxes when determining the affordability of their houses, purchased their homes with the understanding that their property taxes would be deductible. Repealing SALT could endanger their financial security and make California homes less affordable for current homeowners and for prospective buyers.

The SALT deduction has been an integral component of the federal tax code since its creation in 1913 and was one of the six deductions allowed under the original tax code. Eliminating or capping the federal deductibility for state and local property, sales and income taxes would represent double taxation and would upset the carefully balanced fiscal federalism that has existed since the permanent creation of the federal income tax over 100 years ago.

Recently, the Congressional Budget Office found that the House and Senate tax bills would increase the federal deficit by \$1.6 and \$1.4 trillion, respectively, over the next decade. This would most likely result in a loss of federal funding to local governments posing threats to critical county services and programs including education, public welfare, hospitals, transportation and law enforcement.

We urge you to reconsider your decision and reject the House-Senate Conference Report.

Thank you for your consideration of our request.

Stacy Corless, Chair
Mono County Board of Supervisors



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

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

Departments: CAO

TIME REQUIRED 45 minutes (5 minute presentation;
40 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Tony Dublino

SUBJECT Mono County Recreation Position - Options

AGENDA DESCRIPTION:

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

Receive update on the development of a position devoted to improving and enhancing recreation in Mono County.

RECOMMENDED ACTION:

None. Update Only.

FISCAL IMPACT:

None at this time.

CONTACT NAME: Tony Dublino

PHONE/EMAIL: 760.392.5415 / tdublino@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
White Paper and Option for shared position with Town of Mammoth Lakes
Proposal for Mono County Recreation Position
Mono County Recreation Task Force Recommendation

History

Time	Who	Approval
12/7/2017 9:31 AM	County Administrative Office	Yes

12/7/2017 9:51 AM

County Counsel

Yes

12/7/2017 12:48 PM

Finance

Yes



County of Mono

County Administrative Office

Leslie L. Chapman
County Administrative Officer

Tony Dublino
Assistant County Administrative Officer

Dave Butters
Human Resources Director

Jay Sloane
Risk Manager

Date: December 12, 2017
To: Honorable Board of Supervisors and Town Council
From: Tony Dublino, Assistant CAO
Subject: Mono County Recreation Position – Update

Recommended Action(s):
None (update only)

Fiscal Impact:
None at this time.

Discussion:

At the July 18 Town/County Joint meeting the Board created the Mono County Recreation Task Force, with the general direction to develop a recommendation to the County Board on how the County might best improve and enhance recreation experiences in the future.

The group convened 3 times and developed a recommendation for Board consideration, pursuant to the Board's request. That recommendation (attached) was presented to the Board on September 5, 2017 along with a basic description of next steps toward achieving the recommended goal.

The first of those next steps was for the Board to commit funds through the budget process, which was completed on September 12th during the Budget Hearings with a \$50,000 appropriation.

The following step was for staff to consider county-wide organizational structure and, provided the various County Departments that have a history and interest in recreation policy (Community Development, Economic Development, Public Works, Public Health, CAO), to recommend how to best structure the recommended position, and to identify approaches for funding the full cost.

During staff's review and development of a proposal, another concept for structuring a recreation position was brought to the table. This concept emerged out of meetings between the USFS, Town of Mammoth Lakes and County representatives who share a mutual interest in sustaining and improving recreation opportunities in the region. The group recognized a unique opportunity to form a regional public-public partnership between local and federal agencies, with a basic concept to create a "Joint Position" between the Town of Mammoth Lakes and the County that would reduce the financial burden to both agencies of a full-time position, while still achieving many of the same goals that were outlined by the Task Force Recommendation.

Prior to this option, and based on the recommendations of the Recreation Task Force, staff was prepared to propose the County create a "Recreation Manager" position that was responsive to the Task Force recommendation. The attached job description and responsibilities provide the essential picture, with cost alternatives provided for a full-time position or a part-time (960 hours per year) position without benefits.

CAO staff was prepared to recommend the part time alternative, which seemed preferable to the creation of a full-time position because it is anticipated that the position will require a great deal of flexibility in terms of work location and hours, that those hours would be concentrated in the summer months, and that the reduced costs of a part time approach would live within the County's approved \$50,000 appropriation.

A part-time County position would save the County money because a joint position would carry full benefits. There is concern that a shared position may present management challenges that a County position would not. At the same time, it is recognized that there may be other reasons (such as regional coordination) that outweigh the related drawbacks of a shared position, or the Board may disagree that these are in fact drawbacks.

The concept of a joint position will be discussed at the December 19th Joint Meeting, where further details can be developed.

If you have any questions regarding this item, please contact me at (760) 932-5415.

Respectfully submitted,



Tony Dublino
Assistant CAO

White Paper on Joint Town/County Gateway Recreation Specialist Position

Need

There is a growing need and support for local agencies to provide agreed upon assistance to the Forest Service. There are growing unfunded demands in at least the following areas:

- Permitting (i.e. use permits, film permits, other agreements)
- Visitor Centers (maintenance and staffing)
- Existing “hard infrastructure” – Bathrooms, pavement maintenance, water, sewer, buildings
- Existing “soft infrastructure” trail maintenance, signage, campground services

The reduction in funding at the national level has exacerbated the decline in the quality of existing infrastructure, adequate staffing levels and limited to no new services or infrastructure. Similar needs exist in much of the County and Town recreational assets as well as on Federal lands.

It is recognized that the Town of Mammoth Lakes and Mono County’s economic engine is tied to Tourism. A significant tourism draw is the recreational opportunities afforded through the Inyo and Humboldt Toiyabe (HT) Forests. The draw is enhanced by the municipal assets and programs (i.e. – Whitmore Park, fish stocking, advertising, municipal multi-use trails, events, wayfinding).

To the extent that the quality of visitor experience(s) are negatively impacted by the condition of infrastructure and services this makes it more difficult to attract return visitors and new. For the Town and the County to work with permittees to be successful and to have their own permits in proper order, also adds to the visitor experience and the ability of local agencies to assist the USFS in meeting other needs. This includes short-term permits for filming as well as long-term permits for guides, campgrounds etc.

For the Town, this is vitally important as it directly affects the use of restricted funds to meet needs on Forest Service Land. This includes: trail maintenance, sign placement, construction of new trails, clean-up of recreational areas, planning efforts to enhance all of these, addressing dog waste, to note a few.

With existing and growing backlog of infrastructure projects, the Inyo and HT can both use assistance in developing “shovel ready” projects that may be able to access new State and existing Federal funding sources by working with local agencies. Similar support is needed for municipal eligible projects.

There is also a lack of staff resources on the Forests to focus on convening community based organizations and individuals who may be interested in assisting in meeting the noted needs but do not know how or the exact nature of the need. Town and County resources are also limited in ability to provide a single point of contact to assist in the facilitation of community based requests for both municipal recreational improvements as well as federal land based enhancements.

Response

In August, the County convened a “Recreation Task Force” that developed a recommendation to create a County position that was focused solely on recreation. The County Board approved \$50,000 funding and now is considering the highest potential use and benefit of those funds.

A first step in assisting the USFS (Inyo and HT) in meeting the needs of the Town’s and County’s tourism, and providing direct support for municipal amenities serving the visitor experience is to provide direct

support to areas of mutual benefit. Representatives of the Town, County and USFS have been exploring ways to provide this support.

The Forest Service, from the local office to Washington is supportive of looking at a creative public-to-public partnership. The concept is to have a joint Town/County position to work directly with the Inyo and HT Forests to assist in addressing key areas of need as noted above. The position will also assist in facilitation of public discussion, support and direct involvement in municipal recreational assets as well as those on federal lands.

The position will need to have:

- Focus (a single position cannot not address everything)
- Priorities (address agreed upon items that bring success to all the parties)
- Access (support from Town and County personnel and access to key USFS personnel)

The above will need to be jointly fleshed out by the participating agencies.

Structure

The proposed structure options include:

- a. Structure and Organization
 - i. Option A:
 - 1. Full-time County Position (alternately, Part-Time (960 hour) non-benefitted County position
 - a. Position focused on unincorporated Mono County, including lands adjacent to Town
 - 2. Part-time Town Position
 - a. Position focused on lands within Town limits
 - ii. Option B:
 - 1. Shared Full-time Position
 - a. 3 out of 5 workdays devoted to Town of Mammoth Lakes goals
 - i. Town provides 3/5 funding
 - ii. Town provides direction and oversight
 - b. 2 out of 5 workdays are devoted to Mono County goals
 - i. County provides 2/5 funding
 - ii. County provides direction and oversight of this work load
 - c. Payroll for position is within Town – on books as a Town employee
 - d. Office space is provided within Town offices on Town days
 - e. Position works remotely, or from County office work station in Mammoth, or in Bridgeport on County days
 - iii. Option C: Same as above but with ‘flipped’ allocation of time, etc.
- b. Position is modeled loosely similar to the Town’s Trails Manager/Coordinator position

Cost

For a full year of service:

The Town will also need to set aside funding – Estimated at \$100,000 - \$120,000
For FY17-18 – it is likely the position will only be in place for 3-4 months so the funding is less but to be successful this program needs to have ongoing commitment.

If a priority – – Next steps:

Confirm funding

Finalize a job description

Development of the initial areas focus, priorities and support structure

Finalize agreement with USFS as appropriate

Prepare MOU between the parties (town & county) as appropriate to set expectations

Initiate a recruitment

**CAO proposal for
Mono County Recreation Position**

On September 5th, the BOS was presented with a recommendation from the Mono County Recreation Task Force, and was provided a series of next steps to carry out that recommendation.

The first step was the approval of an appropriation for a County Recreation Position, and that step was completed on September 12th during the Budget Hearings. The next step was for the CAOs office to consider the goals and organizational structure, and recommend a specific job description (title, structure, salary, responsibilities) that would achieve those goals.

The CAO's office has considered the relevant issues and now recommends the following position be allocated within County Public Works Department:

Recreation Manager / At-Will

Job reports to: PW Director; CAO

Alternative 1:

Pay range: \$6,200-\$7,200/mo. (With benefits, total annual cost = \$133,104 - \$150,121)

Position is full-time with flexible schedule and flexible work locations.

Alternative 2:

Pay range: \$35/hr; not to exceed 960 hours per year; (no benefits, total annual cost: \$33,600)

Position is part-time, works entirely from home-office or remotely, submits bi-weekly timesheets

(Current BOS approval is for \$50,000. Other monies available during this fiscal year may include LTC, TOML contribution, CSA contribution(s), Grants, Fish enhancement funds)

Job responsibilities:

Coordinate with INF, HTNF and BLM to identify specific needs relating to existing recreation assets. Identify and process any necessary agreements needed to provide the assistance.

Coordinate with CADFW to identify areas of need relating to sustainable fisheries.

Coordinate with TOML to identify areas of need within the Town, and in areas outside Town limits that are utilized by Town residents and visitors, where TOML has an interest.

Coordinate with County Commissions, Planning and Economic Development Department to identify areas of need.

Compile areas of need, into specific 'projects' that address those needs. (i.e., springtime restroom opening event. Snow removal and parking clearing at high elevation trailhead. LCT Restoration project)

Provide Supervisors and public the opportunity to view projects and make suggestions and/or recommendations as to priorities.

Develop and implement strategies to supplement USFS, BLM, and CADFW and local capacity for identified priorities.

Develop necessary agreements with USFS and BLM to allow for the assistance (Use Permits, Public/Private Partnerships, etc).

Provide a process by which USFS, BLM can make emergency requests for assistance.

- Organizing the efforts of regional volunteer work forces
- Building a county-driven volunteer workforce
- Working with DA and probation on community service opportunities
- Working with inmate workforce on addressing needs
- Access to a limited # of staff hours (budget) from facilities to devote to recreation maintenance

Compile existing work from CDD on wayfinding, coordinate and contribute to regional wayfinding system.

Coordinate and contribute to the development of a long-term regional recreation strategy and initiative.

Identify and pursue grant opportunities at all levels and from all sources, for individual projects as well as long-term funding sustainability for the position itself.

Coordinate available recreation activities, facility conditions and projects with the marketing efforts of the Economic Development Department.

Coordinate future planning of recreation assets and infrastructure with the Community Development Department.

Represent the County at various public events and on various commissions, for all things relating to trails and recreation.

Coordinate the County's fish enhancement program, staff the Fisheries Commission, and to develop a long-term approach to sustainable fisheries and angling in the County.

RECOMMENDATION OF THE MONO COUNTY RECREATION TASK FORCE TO THE MONO COUNTY BOARD OF SUPERVISORS

Background:

The recreation task force, as formed on July 18, included members of the Board of Supervisors, Mammoth Lakes Town Council, and Danna Stroud of the Sierra Nevada Conservancy. Participation in task force meetings included representatives from the Inyo National Forest, Humboldt-Toiyabe National Forest, Bishop Bureau of Land Management Field Office, Caltrans, Mammoth Lakes Recreation, and town and county staff members. Together, the group identified a set of values to guide the discussion, and to help determine key findings.

Values:

- Take a collaborative approach, leverage resources (no one can afford to do it alone), work regionally from an Eastern Sierra perspective
- Think beyond current budget, administrative boundaries
- Engage with the recreation economy, and the state and national outdoor recreation movement
- Use model of town working with Inyo National Forest
- Protect natural resources
- Enhance and improve recreation assets and experiences
- Work should be sustainable for generations to come
- Build on what we have—connect and coordinate existing facilities
- Seek public engagement, stewardship, education, investment, volunteerism (work to unite)

Key Task Force Findings:

- The county should invest in recreation, including recreation on public lands in our county, and develop programs and capacity for the county to engage in outdoor recreation opportunities.
- Destination and experience-based recreation represents a major, expanding, and sustainable sector of the economy of Mono County.
- Recreation assets are wide-ranging. Assets include trails, lakes, rivers and creeks, parks and playgrounds, tennis courts and ballfields. In addition to physical assets there are non-physical assets such as experiences and destinations.
- The vast majority of recreation assets and opportunities within the region are located on public lands managed mostly by federal and local agencies and districts, and there is a need for continued and enhanced coordination and collaboration, which is a highly complicated task.
- As participants in task force meetings, agency representatives confirmed the need for assistance from local government with the maintenance and operation of existing recreation infrastructure.
- Agency representatives also identified a need for increased connectivity between existing assets, communities and transportation corridors.
- Mono County has invested significant resources in the development of recreation assets including community planning and visioning, transportation and connectivity planning, marketing, information sharing and the funding of trails maintenance and construction via nonprofit organizations and partner agencies.

- Investment in recreation has community health benefits beyond economic development.
- There are opportunities to enhance and/or expand the existing recreation assets to provide for future economic and community growth.
- There are opportunities for additional coordination of volunteer stewardship efforts and grant funding that could enhance trails-based recreation with reduced financial impact to the County.
- Other local agencies, such as the Town of Mammoth Lakes, have successfully funded recreation-based services through local tax measures that have produced increased capacity for recreation and there is an opportunity for Mono County to pursue the same.

Recommendation:

The Mono County Recreation Task Force respectfully recommends to the Board of Supervisors consider the following:

- ***County Recreation Position: In order to most effectively coordinate and address these needs, the MCRTF recommends to the Board of Supervisors the County establish a position and hire a single point of contact to coordinate all the County's recreation efforts, with emphasis on the following two recommendations:***
 - ***Focus on Existing Needs: The County should consider how to best support needs within the existing recreation assets, including helping public lands management agencies with operations and maintenance.***
 - ***Revenue Expansion: The County should consider efforts at generating and/or securing revenue for the purposes of supporting sustainable recreation assets within the County. This revenue may come from existing revenue sources, grants, or local tax measures.***
 - ***Coordinate marketing and communication with partners.***



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

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

Departments: CDD, Finance

TIME REQUIRED 20 minutes (10 minute presentation, 10 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Megan Mahaffey

SUBJECT Housing Mitigation Ordinance

AGENDA DESCRIPTION:

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

The current Housing Mitigation Ordinance suspension expires January 15, 2018. A continued suspension of the Housing Mitigation Ordinance will allow for a community based planning effort to allow our communities to weigh in on the solution to Housing Needs in Mono County including a Housing Mitigation Ordinance.

RECOMMENDED ACTION:

1. Introduce, read title and waive further reading of proposed ordinance extending the current suspension of the Mono County Housing Mitigation Ordinance until August 30, 2018; and 2. Direct Staff to initiate review of the housing survey/study with Planning Commission, RPAC's and JLCAC, and report back on recommendations for adjusting the HMO and county housing policy.

FISCAL IMPACT:

Minimal impact. Funded via CDBG grant.

CONTACT NAME: Megan Mahaffey

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Staff Report
<input type="checkbox"/> Proposed Ordinance
<input type="checkbox"/> Housing Mitigation Ord 06-06

History

Time	Who	Approval
12/6/2017 11:00 PM	County Administrative Office	Yes
12/6/2017 4:56 PM	County Counsel	Yes
12/7/2017 1:40 PM	Finance	Yes

Mono County Community Development Department

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

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

December 12, 2017

TO: Honorable Board of Supervisors

FROM: Megan Mahaffey - Mono County, Accountant

RE: Housing Mitigation Ordinance

RECOMMENDATION

1. Introduce, read title and waive further reading of proposed ordinance extending the current suspension of the Mono County Housing Mitigation Ordinance until August 30, 2018; and
2. Direct Staff to initiate review of the housing survey/study with Planning Commission, RPAC's and JLCAC, and report back on recommendations for adjusting the HMO and county housing policy.

FISCAL IMPACT

Minimal impact. Funded via CDBG grant.

BACKGROUND

Mono County recently completed a Housing Needs Assessment for Mono County which was presented to the board last month. The direction received by staff was to pursue a community based approach to alleviating the housing shortage in Mono County. The current suspension of the Housing Mitigation ordinance expires January 15, 2018, and therefore, requires extension in order to allow time for the community based approach to proceed.

DISCUSSION

As per the recommendation of the Mono County Housing Needs Assessment from BBC consulting and the direction from the board in November from the needs assessment, pursuing a community based approach to alleviate the housing shortage in Mono County is the best course of action. The first step will be to go out to the communities with the Housing Needs Assessment and introduce a diverse menu of solutions. The Housing Mitigation Ordinance will be one piece of the menu of options. The currently suspended ordinance is very strong and would work fine in fast growing markets, but it is not the best solution for a rural area without a specific economic climate. Some changes to the ordinance could produce units in larger developments and would help build the trust fund for all other types of developments. The Housing Mitigation Ordinance is one tool that will help alleviate the need for housing in Mono County. A continued suspension of the Housing Mitigation Ordinance will allow for our communities to weigh in on the solution to Housing Needs in Mono County as well as other tools before we move forward in any direction.

ATTACHMENTS

- Ordinance No. Ord16-05 Amending Chapter 15.40.170 of the Mono County Code, Extending the Temporary Suspension of all Housing Mitigation Requirements.



ORDINANCE NO. ORD17-__

**AN ORDINANCE OF THE MONO COUNTY
BOARD OF SUPERVISORS AMENDING CHAPTER 15.40.170 OF
THE MONO COUNTY CODE EXTENDING THE TEMPORARY SUSPENSION
OF ALL HOUSING MITIGATION REQUIREMENTS**

WHEREAS, the County previously enacted a temporary suspension of certain housing mitigation requirements on development projects, as codified in Chapter 15.40 of the Mono County Code, which will expire on January 15, 2018, if not extended; and

WHEREAS, the Board wishes to continue that suspension for an additional five (5) months;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO ORDAINS as follows:

SECTION ONE: Section 15.40.170 of the Mono County Code is hereby amended to read as follows:

“15.40.170 Temporary suspension of requirements.

All housing mitigation requirements set forth in Chapter 15.40 shall be suspended in their entirety, and be of no force or effect, during the period from January 15, 2018, through August 30, 2018.”

SECTION TWO: This ordinance shall become effective 30 days from the date of its adoption and final passage, which appears immediately below. The Clerk of the Board of Supervisors shall post this ordinance and also publish the ordinance in the manner prescribed by Government Code section 25124 no later than 15 days after the date of this ordinance’s adoption and final passage. If the Clerk fails to so publish this ordinance within said 15-day period, then the ordinance shall not take effect until 30 days after the date of publication.

PASSED, APPROVED and ADOPTED this ____ day of _____, 2017, by the following vote, to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Stacy Corless, Chair
Mono County Board of Supervisors

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ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel



ORDINANCE NO. ORD06- 06

**AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS
ADDING CHAPTER 15.30 TO TITLE 15 OF THE MONO COUNTY CODE
ENACTING HOUSING MITIGATION REQUIREMENTS**

WHEREAS, the Board of Supervisors finds that the County of Mono has a shortage of housing that is affordable to many residents who work and reside in Mono County as a result of sharply rising housing costs over the past several years, the increase in second homes; and

WHEREAS, wages for workers residing in Mono County have not kept pace with the increase in housing costs. As a result, employees in the lower, moderate, and even upper-moderate income ranges cannot afford to reside in proximity to work centers, have been forced to move greater distances from their places of employment, or have moved from the area entirely. This has decreased the pool of workers necessary to meet the needs of businesses and communities within Mono County. It has also increased commuting time to places of employment and contributes to substandard living conditions for workers and their families that earn low and moderate income levels; and

WHEREAS, requiring developers of land to mitigate the impact of development projects on the availability of workforce and affordable housing, either directly or through the payment of fees, dedication of land, or similar means, is reasonable and necessary to offset the impact of the development which has resulted in a decrease of land available for workforce housing, and for persons with low and moderate levels of income, a demonstrative increase in the price of housing, and an increase in the need for workers within the county; and

1 **WHEREAS**, Despite the availability of state and county incentives, there has
2 been little or no market development of residential housing affordable to households
3 earning very low, low, moderate, and even upper-moderate income levels and no other
4 reasonable means to meet this need for workforce and affordable housing are available;
5 and

6 **WHEREAS**, A requirement that new development mitigate these impacts by the
7 development of affordable housing units, the payment of fees, or similar means is
8 reasonable and necessary to improve the health, safety and general welfare of the
9 citizens of Mono County; and

10 **WHEREAS**, Recognizing that different regions within the county experience
11 separate and distinct needs for affordable housing, different mitigation requirements
12 will apply to most appropriately address the needs of the different communities; and

13 **WHEREAS**, These mitigation conditions will not result in a negative impact on
14 the overall development of housing or impose a barrier that will prevent persons with
15 lower and moderate levels of income from purchasing housing;

16
17 **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**
18 **MONO ORDAINS** as follows:

19 **SECTION ONE:** That title 15 of the Mono County Code is amended by the
20 addition of a new Chapter 15.40 entitled "Housing Mitigation Requirements" and will
21 read as set forth in Exhibit "A" attached hereto and incorporated herein by this reference

22 **SECTION TWO:** This ordinance shall become effective 30 days from the date of
23 its adoption and final passage, which appears immediately below. The Clerk of the
24 Board of Supervisors shall post this ordinance and also publish the ordinance in the
25 manner prescribed by Government Code section 25124 no later than 15 days after the
26 date of this ordinance's adoption and final passage. If the Clerk fails to so publish this
27 ordinance within said 15 day-period, then the ordinance shall not take effect until 30
28 days after the date of publication.

1 **APPROVED AND ADOPTED** this 13th day of June, 2006, by the following vote:

2 **AYES** :**Supervisor Bauer, Farnetti, Hazard, Hunt.**
3 **NOES** :**None.**
4 **ABSTAIN** :**None.**
5 **ABSENT** :**None.**
6 **VACANT** :**District #4.**



TOM FARNETTI, Chairman
Board of Supervisors
County of Mono

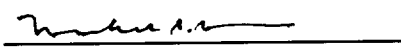
7
8 **ATTEST:**

APPROVED AS TO FORM:

9 **CHRISTY ROBLES**
10 **ACTING CLERK OF THE BOARD**

MARSHALL RUDOLPH
COUNTY COUNSEL

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Exhibit A

Chapter 15.40

Housing Mitigation Requirements

Sections:

- 15.40.010 Purpose
 - 15.40.020 Definitions
 - 15.40.030 Housing Trust Fund
 - 15.40.040 Non-Residential Development Project Housing Impact Fees
 - 15.40.050 Residential Development Project Inclusionary Requirements
 - 15.40.060 Alternatives
 - 15.40.070 Single Family Residence Mitigation Fees
 - 15.40.080 Developer Incentives
 - 15.40.090 Exempt Projects
 - 15.40.100 Procedure
 - 15.40.110 Occupancy and Availability of Affordable Units
 - 15.40.120 Serial or Sequential Development Prohibited
 - 15.40.130 Enforcement
 - 15.40.140 Annual Review
 - 15.40.150 Appeal, Waiver and Adjustment
 - 15.40.160 Severability
-
- 15.40.010 Purpose/Findings.

The County of Mono has a shortage of housing that is affordable to many citizens who work and reside in Mono County. The cost of housing has risen sharply over the past several years due to the cost of housing in the county's resort communities, the increase in second-home residences throughout the county, the scarce and limited amount of private land within the county available for residential development, and the overall increase in the cost of housing throughout the State of California. Wages for workers residing in Mono County have not kept pace with the increase in housing costs. As a result, employees in the lower, moderate, and even upper-moderate income ranges cannot afford to reside in proximity to work centers, have been forced to move greater distances from their places of employment, or have moved from the area entirely. This has decreased the pool of workers necessary to meet the needs of businesses and communities within Mono County. It has also increased commuting time to places of employment and contributes to substandard living conditions for workers and their families that earn low and moderate income levels.

Requiring developers of land to mitigate the impact of development projects on the availability of workforce and affordable housing, either directly or through the

payment of fees, dedication of land, or similar means, is reasonable and necessary to offset the impact of the development which has resulted in a decrease of land available for workforce housing, and for persons with low and moderate levels of income, a demonstrative increase in the price of housing, and an increase in the need for workers within the county. Despite the availability of state and county incentives, there has been little or no market development of residential housing affordable to households earning very low, low, moderate, and even upper-moderate income levels and no other reasonable means to meet this need for workforce and affordable housing are available.

A requirement that new development mitigate these impacts by the development of affordable housing units, the payment of fees, or similar means is reasonable and necessary to improve the health, safety and general welfare of the citizens of Mono County. Recognizing that different regions within the county experience separate and distinct needs for affordable housing, different mitigation requirements will apply to most appropriately address the needs of the different communities. These mitigation conditions will not result in a negative impact on the overall development of housing or impose a barrier that will prevent persons with lower and moderate levels of income from purchasing housing.

15.40.020 Definitions

For the purposes of this chapter the following definitions shall apply:

A. "Affordable Unit" means a housing unit which is required to be built, sold, and/or restricted pursuant to the requirements under this chapter. For purposes of determining the fractional fee required pursuant to this chapter, the designated size of an affordable single-family unit, including an affordable condominium unit and an affordable unit required for non-residential projects, is determined to be twelve hundred (1200) square feet (excluding garage and secondary dwelling unit); the designated size of an affordable multi-family unit or manager's unit is one thousand (1000) square feet; and the designated size of a secondary unit is six hundred-forty (640) square feet.

B. "Building Cost" means the cost per square foot of building a single family residence in Mono County as determined by the Mono County Building Division for "Habitable Space D," or as determined by resolution of the Board of Supervisors.

C. "Developer" means a person or entity who applies for a permit or other approval for the construction, placement, or creation of residential or non-residential development, including the subdivision of land.

E. "Dwelling Unit" means any structure or portion thereof designed or used as residence or sleeping quarters of a household, including a caretaker unit.

F. "Full-Time Equivalent Employee" ("FTEE") means a full-time employee or combination of part-time employees whose work constitutes a total of 2,080 hours of

annual employment generated by residential and non-residential development. In general, a full-time employee employed for an entire year equals one FTEE, a full-time employee employed on a seasonal basis equals one-half FTEE, and a part-time employee employed on an annual basis equals one-half FTEE. When an "employee generation calculation" results in seasonal or part-time employees, those employees shall be combined to form FTEEs.

G. "Household" means one or more individuals who occupy one dwelling unit as a single housekeeping unit, whether or not related by blood or marriage.

H. "Housing Fund" means the County of Mono Affordable Trust Fund established pursuant to this Chapter.

I. "Housing Mitigation Fee" means any fee established pursuant to this chapter.

J. "HUD" means the United States Department of Housing and Urban Development.

K. "Housing Mitigation Agreement" means an agreement between the County of Mono and a developer governing how the developer shall comply with this chapter.

L. "Location Factor" means a factor that represents the cost of housing and need for affordable housing within a specific geographic region within Mono County that will be used in the calculation of housing mitigation requirements.

M. "Market Rate Unit" means a dwelling unit in a residential development project that is not an affordable unit.

N. "Area Median Income," also known as "AMI," means the median income, adjusted for family size, applicable to Mono County as published annually pursuant to Title 25 of the California Code of Regulations, Section 6932 (or its successor provision), as determined periodically by HUD and updated on an annual basis.

O. "Non-residential development project" means a project for the construction, addition, subdivision of land, or placement of a structure which is for a non-residential use and which is proposed to be developed within the following General Plan land use designations: commercial, commercial lodging, service commercial, industrial park, industrial, rural resort, including that portion of any development within a mixed use or combined use designation (e.g. specific plan) which includes the construction, addition, or placement of a structure for non-residential use.

P. "Residential development project" means a project for the construction or placement of any residential dwelling unit in a permanent location, or the subdivision of land which is planned, designed, or used for development of residential dwelling units

within the following General Plan land use designations: rural residential, estate residential, single-family residential, multi-family residential, or any other area where residential dwelling units may be developed.

Q. "Secondary Housing Unit" shall mean a dwelling unit located on the same parcel as a principal unit and as defined pursuant to Chapter 16 of the Land Use Element of the Mono County General Plan.

R. "Sleeping Area" means any bedroom, loft, or other space that can be equipped with beds, foldout sofas, or other similar sleeping furniture within a visitor accommodation/transient occupancy facility.

15.40.030 Housing Trust Fund

A. There is hereby established the Mono County Affordable Housing Trust Fund (the "Housing Fund"). Any and all fees collected pursuant to this Chapter, together with any other funds received by grant or otherwise for the purpose of furthering the development of affordable housing within the County of Mono, shall be deposited into the Housing Fund.

B. The Housing Fund shall be administered by the Mono County Housing Authority subject to any direction provided by the Board of Supervisors and the provisions of this chapter.

15.40.040 Requirements For Non-Residential Projects

A. Affordable Housing Mitigation requirements shall be imposed on developers of non-residential development projects based on the Full-Time Equivalent Employment generation created by the proposed use. The mitigation requirements shall be determined pursuant to Table Z of this Chapter.

B. Developers of non-residential development projects shall construct or acquire one affordable unit, or pay a fractional housing mitigation fee, based on the type of development project as defined below. The affordable unit may be offered for sale or may be a rental unit and shall be deed-restricted as provided in Section 17.60.110 of this chapter. A fee shall be paid for any fractional units ("the fractional amount"). The fee shall be based on the fractional amount multiplied by the Building Cost multiplied by the designated size of one affordable unit multiplied by the location factor: Fractional amount x Building Cost x 1200 x location factor. The affordable units shall be constructed or acquired on-site if allowable by the Mono County General Plan, or if not allowable on-site, the unit(s) shall be constructed or acquired off-site in the community where the development project is located.

1. Visitor Accommodations. Developers of any visitor accommodation, including but not limited to hotels, motels, inns, resorts, timeshares, and other development projects designed for the use of transient occupancy by visitors, shall provide one affordable unit for every twenty (20) sleeping areas provided by the project multiplied by the location factor. Any visitor accommodation project that results in the development of nine or fewer sleeping areas is exempt from the provisions of this chapter. Developers of ten (10) and up to nineteen (19) sleeping areas shall be required to pay a fractional fee where each sleeping area is determined to have a fractional value of one-eleventh of an affordable unit multiplied by the location factor. Developers of more than 20 sleeping areas shall pay a fractional fee in addition to providing one affordable unit for every 20 sleeping areas developed where each sleeping area is determined to have a fractional value of 1/20 of an affordable unit multiplied by the location factor.

2. Commercial. Developers of commercial projects, including but not limited to office and retail space, restaurants and other food services, facilities for repair services, professional services, and facilities for cultural and religious activities, shall provide one affordable unit for every eight thousand (8,000) square feet of commercial space developed multiplied by the location factor. Commercial development projects less than two thousand (2,000) square feet shall be exempt from the provisions of this chapter. Commercial development projects of two thousand (2000) square feet and up to and including seven thousand nine hundred and ninety-nine (7,999) square feet shall pay a fractional fee where each square foot is determined to have a fractional value of 1/6001 of an affordable unit multiplied by the location factor. Commercial development projects that are greater than eight thousand (8,000) square feet shall pay a fractional fee in addition to providing any required affordable unit(s) where each square foot is determined to have a fractional value of 1/8000 of an affordable unit multiplied by the location factor.

3. Industrial or Service Commercial. Developers of industrial and service commercial projects, including but not limited to facilities to be used for cottage industries, automobile repair shops, plumbing and construction services, manufacturing shops, and similar facilities, shall provide one affordable unit for each ten thousand (10,000) square feet of industrial or service commercial space developed multiplied by the location factor. Industrial or service commercial projects that are less than twenty-five hundred (2,500) square feet are exempt from the provisions of this chapter. Industrial and service commercial projects of twenty five hundred (2500) square feet and up to and including nine thousand nine hundred and ninety-nine (9,999) square feet shall pay a fractional fee where each square foot is determined to have a fractional value of 1/7500 of an affordable unit multiplied by the location factor. Industrial and service commercial projects greater than ten thousand (10,000) square feet shall pay a fractional fee in addition to providing any required affordable unit(s) where each square foot is determined to have a fractional value of 1/10,000 of an affordable unit multiplied by the location factor.

4. Storage and Warehouse. Each storage and warehouse project shall provide one affordable unit for each twenty thousand (20,000) square feet of storage or warehouse space developed multiplied by the location factor. Storage and warehouse projects less than five thousand (5,000) square feet are exempt from the provisions of this chapter. Storage and warehouse projects of five thousand (5000) square feet and up to and including nineteen thousand nine hundred and ninety-nine (19,999) square feet shall pay a fractional fee where each square foot is determined to have a fractional value of 1/15,000 of an affordable unit multiplied by the location factor. Industrial and service commercial projects greater than twenty thousand 20,000 square feet shall pay a fractional fee in addition to providing any required affordable unit(s) where each square foot is determined to have a fractional value of 1/20,000 of an affordable unit multiplied by the location factor.

C. Special Fees and Exemptions. The following non-residential development projects are exempt from the housing mitigation requirements set forth in this chapter:

1. Non-residential projects producing less than one (1) FTEE in any five-year period.
2. Public and private elementary and secondary schools.
3. Nursery school and daycare facilities that are open to public enrollment.
4. Public libraries, art galleries, museums, and other non-recreational public facilities.
5. Churches and other places of worship.
6. Any building which is destroyed or damaged by fire or natural catastrophe so long as the square footage of the building is not increased as a result of the repair, rebuilding, or restoration of the damaged building.
7. Multi-family apartment buildings that are deed-restricted to require working resident occupancy or other approved affordable housing criteria.
8. Secondary housing units as defined in Chapter 16 of the Land Use Element of the Mono County General Plan.

D. Developers of non-residential development projects may propose to the Community Development Department and the Planning Commission comparable alternatives to these requirements in lieu of construction or acquisition of affordable units or payments of all or a portion of the housing mitigation fee.

15.40.050 Residential Development Projects Inclusionary Requirements.

A. Single-Family Subdivisions. All residential development projects shall provide an affordable housing unit for each ten (10) lots or housing units developed, and shall pay a fee in lieu of providing any fractional units. The size, design, and location of inclusionary units shall be consistent with the Mono County General Plan, applicable

specific plans, and other county ordinances and building standards. Compliance may be accomplished by the developer alone or in combination with others, including without limitation the Mono County Housing Authority or a nonprofit housing corporation. The housing mitigation requirements set forth herein shall be based upon the size and location of the project.

1. Inclusionary Requirements.

a. Developers of residential subdivisions consisting of the creation of two units or lots shall not be required to meet any housing mitigation requirements.

b. Developers of residential subdivisions consisting of the creation of three (3) and up to and including nine (9) lots shall pay a fractional fee whereby the fractional unit is to be calculated where each lot is determined to have a fractional value of 1/10th of an affordable unit multiplied by the location factor.

c. Developers of residential subdivisions consisting of the creation of ten or more lots or housing units shall provide an inclusionary unit on-site for every ten lots or units created and shall pay a fee in lieu of providing a fractional inclusionary unit where each lot is determined to have a fractional value of 1/10th of an affordable unit multiplied by the location factor. The inclusionary unit(s) provided shall be sold at an affordable level as provided in Table Y.

d. In addition to building an affordable unit and paying affordable unit fractional fees, developers of each residential subdivision consisting of three (3) or more lots shall be required to deed-restrict twenty percent (20%) of the lots developed multiplied by the location factor to require the building of a secondary dwelling unit at the same time as the primary residence is constructed, and shall pay a fee in lieu of providing a fractional deed-restricted lot unit where each lot is determined to have a fractional value of 1/5th of a secondary unit multiplied by the location factor. Any lot designated to require a secondary dwelling unit will not be issued a building permit unless the plans submitted show an approved secondary dwelling unit and a certificate of occupancy shall not be issued unless the secondary dwelling unit has been constructed in an approved manner.

e. The construction of the on-site units shall be located within the same subdivision and within the boundaries of the project, shall be compatible in exterior appearance with the market rate units being

developed in the project, and shall be dispersed throughout the residential development to the extent feasible and as provided in the housing mitigation agreement. Placement of any required secondary unit deed-restricted lots or units shall be dispersed throughout the residential development to the extent feasible and as provided in the housing mitigation agreement. The affordable units must contain a similar number of bedrooms as the market rate units but may be smaller than market rate units as determined in the housing mitigation agreement and as provided in Table Y. The interior amenities within an affordable unit or secondary dwelling unit may differ from the interior amenities in a market rate unit, and may be required to include EPA II wood stoves, energy efficient amenities, and other cost-efficient amenities as provided in the housing mitigation agreement.

f. The on-site units and secondary dwelling units must be built at the same time as market rate units and a certificate of occupancy will not be issued as to any unit until the affordable unit(s) are completed and issued a certificate of occupancy.

B. Multi-Family Subdivisions, Projects and Condominiums.

All multi-family projects and condominium developments in Mono County shall meet the housing mitigation requirements set forth herein, based upon the size and location of the project.

1. Condominiums and Planned Developments.

a. Condominium subdivisions consisting of the creation of two (2) or fewer units shall not be subject to the provisions of this chapter other than as provided in section 15.40.070 for any specific condominium unit.

b. Condominium subdivisions consisting of the creation of three (3) and up to and including nine (9) units shall pay a fractional fee whereby the fractional unit is to be calculated where each unit is determined to have a fractional value of 1/10th of an affordable unit multiplied by the location factor.

c. Condominium subdivisions consisting of the creation of ten or more units shall provide an inclusionary unit on-site for every ten units created and shall pay a fee in lieu of providing a fractional inclusionary unit where each unit is determined to have a fractional value of 1/10th of an affordable unit multiplied by the

location factor. The inclusionary unit(s) provided shall be sold at an affordable level pursuant to Table Y.

d. In addition to the inclusionary requirements above, condominium subdivisions consisting of the creation of fifteen (15) or more units shall construct or provide an on-site manager's or employee unit for every additional (15) units developed and shall pay a fee in lieu of providing a fractional inclusionary unit where each unit is determined to have a fractional value of 1/15th of an affordable unit multiplied by the location factor.

e. The interior amenities within an affordable condominium unit may differ from the interior amenities in a market rate unit, and may be required to include EPA II wood stoves, energy efficient amenities, and other cost-efficient amenities as provided in the housing mitigation agreement.

2. Multi-Family Units.

a. A project consisting of the development of fewer than fifteen (15) duplexes, triplexes or other form of multi-family project not developed as a condominium or planned development project, where with the exception of one owner-occupied unit all other units will be leased as rental units, shall be exempt from the requirements of this chapter. The project must be deed-restricted to prevent the conversion to condominiums to be subject to the provisions of this section, or will otherwise be subject to section 15.40.050.B.i., above.

b. A project consisting of the development of fifteen (15) or more duplexes, triplexes or other multi-family project not developed as a condominium project or planned development, where with the exception of one owner-occupied unit all units will be leased as rental units, shall construct or provide an on-site manager's unit for the use of managers or other employees of the project, or provide an affordable unit, for every fifteen (15) units developed and shall pay a fee in lieu of providing a fractional inclusionary unit where each unit is determined to have a fractional value of 1/15th of an affordable multi-family unit multiplied by the location factor. Each affordable unit required to be constructed pursuant to this section shall be affordable to persons earning 80% or less of the AMI. The project must be deed-restricted to prevent the conversion to condominiums to be subject to the provisions of this section, or will otherwise be subject to section 15.40.050.B.i., above.

15.40.060 Alternatives

The County will consider and may approve alternative mitigation proposals in those circumstances where it can be demonstrated by the developer that the alternative proposal meets the purpose of this chapter and provides a greater housing benefit to the community than would otherwise be attained through building affordable dwelling units or the payment of fees in accordance with this Chapter. Developers may submit an alternative plan with the designated processing fee to the Community Development Department. Initial approval of such an alternative proposal will be made by the Community Development Department and thereafter approved by the Planning Commission, and will be subject to final review and approval by the Board of Supervisors. Alternatives that will be considered include, but are not limited to, land dedication, off-site housing, conversion of existing housing, and payment of in lieu fees.

15.40.70 Single Family Residence Housing Mitigation Fees.

Developers of Single Family residences shall pay a Housing Mitigation Fee in an amount set forth in Table X based on the square footage of the single family dwelling, the FTEE factor, building cost, and location factor. The first twenty-three hundred and ninety-nine (2399) square feet shall be exempt from this requirement. This fee shall be paid prior to the issuance of a building permit. The gross floor area of any attached garage and/or any attached or detached secondary housing unit shall not be included in the calculation of square footage for the purposes of this section.

15.40.80 Developer Incentives.

A. A developer may apply for incentives from the County to assist the developer in meeting the requirements of this Chapter. The grant of any incentive(s) by the County to a developer is discretionary and nothing in this Chapter shall establish, directly or through implication, a right of a developer to receive any assistance or incentive from the County. In granting incentives the County may require the demonstration of exceptional circumstances that necessitate assistance from the County, as well as documentation of how such incentives will increase the feasibility of providing affordable housing. The following incentives will be considered by the County:

1. Density Bonus. A density bonus incentive pursuant to the California Density Bonus Law will be provided for any project that meets the criteria set forth in Government Code section 65915, as that section may be amended or replaced from time to time. The County may consider an additional density bonus upon request of the developer when such request can be accommodated within the parameters of the Mono County General Plan or any applicable specific plan.
2. Fee Waiver or Deferral. The payment of County fees required under this Chapter may be deferred until the certificate of occupancy is issued. Further, a developer may apply for a fee reduction or waiver when the developer can

demonstrate that substantial evidence exists that a waiver or reduction of any fee is necessary to allow the developer to meet the requirements of this section, and/or when a developer proposes to substantially exceed the requirements of this Chapter. A developer of a residential subdivision who builds affordable units in amounts that exceed the requirements of this Chapter may apply for a waiver of assessments for any applicable County maintained road maintenance and snow removal services that would otherwise be required.

3. Reduced Site Development Standards. A developer may propose, and the County may consider, a reduction in site development standards including a reduction in setback, lot coverage, and square footage requirements; a reduction in parking requirements; a modification of the requirement that all utility lines must be placed underground; and reduction of open space requirements. To be eligible for such reduced development standards, the developer must provide substantial evidence that the reductions are necessary to allow the developer to meet or exceed the requirements of this Chapter, and that the reduced requirements will meet all applicable health, safety, snow storage and drainage requirements and will further the purpose of this Chapter.

15.40.90 Exempt Projects.

A. In addition to any projects deemed exempt as provided elsewhere in this Chapter, the following projects are exempt from the provisions of this Chapter:

1. Multi-family units that will be rented to permanent residents of Mono County or persons employed within Mono County, and that provide at least twenty-five percent (25%) of the available units to persons falling within the HUD affordable housing guidelines. To be eligible for this exemption the project must be deed-restricted to prevent the conversion of the multi-family units into condominiums and to ensure that the affordable units remain within the affordable housing guidelines.
2. Residential development for agriculture workers.
3. Mobile Home Park development.
4. Any building that is replaced or repaired as a result of fire or other catastrophic damage or loss so long as the square footage is not increased.
5. Any development that is being developed as an affordable housing project as defined by state law.

15.40.100 Procedure.

Housing Mitigation Agreement. The developer, the holder of any deed of trust or other lien holder on the property, and the Community Development Director or his or her designee shall execute a Housing Mitigation Agreement prior to the recordation of the parcel map or subdivision map, in the case of subdivisions, and prior to the issuance of building permits in the case of all other development. The Developer's entry into the Housing Mitigation Agreement shall be a condition of approval for any tentative parcel or final map. The executed Housing Mitigation Agreement shall be recorded by the county recorder at the time of the recording of any final or parcel map or at the time of the issuance of any building permit. The Housing Mitigation Agreement shall include, but not be limited to, the following:

1. A complete description of the development project;
2. The specific method of compliance with the requirements of this Chapter;
3. Any such matters as may be determined appropriate by the developer and/or the County.

15.40.110 Occupancy and Availability of Affordable Units

The occupancy and continuing availability of inclusionary units shall be provided for in the following manner:

A. For Sale Inclusionary Units. Inclusionary units that will be for sale shall be subject to the following conditions and restrictions:

1. Eligible Participants. Only full-time Mono County residents or employees working within Mono County meeting eligibility requirements specified by the Board of Supervisors by resolution shall be eligible to purchase affordable units.
2. Restrictions on Use and Resale. The affordable housing units developed pursuant to this Chapter shall be subject to resale restrictions, deed restrictions, and other requirements specified by the Board of Supervisors by resolution.
3. Sales Price and Transfer. The initial maximum purchase price shall be set by the Community Development Director. Restrictions will run with the property and be observed by subsequent owners.
4. Restriction on Use of Unit. The unit must be occupied by the owner of the unit as their primary residence and may not be leased or

rented without the express approval of the Community Development Director or his designee; or, if the unit is administered by the Mono County Housing Authority, by that entity. A secondary housing unit developed as a requirement pursuant to this Chapter may be rented in an amount determined by the affordable housing guidelines as defined by state law or the Mono County Housing Authority.

5. Term of Restrictions. The restrictions set forth in this section shall remain in effect in perpetuity.

6. Covenants, Conditions, and Restrictions. Any Covenants, Conditions, and Restrictions ("C, C & Rs") required for approval of any subdivision shall include all of the requirements of this Chapter and shall be recorded. Additional Conditions that may be required include provisions that the owner of an affordable unit must pay all property taxes in a timely manner, may not refinance the unit without the express written approval of the Community Development Director and only when any deed of trust is subordinate to the CC&Rs, that the owner must maintain the property in good condition, and comply with all local land use requirements. The CC&Rs shall provide, in addition to any other enforcement remedies, that they may be enforced by the County at the County's sole discretion as to any condition imposed by the County.

15.40.120 Serial or Sequential Development Prohibited.

Developers may not avoid the requirements of this Chapter by developing projects in a serial or sequential manner. Development of property owned by a developer or his or her successor in interest that is contiguous to any other development subject to this chapter shall be deemed to be one single project for the purposes of this Chapter when the subsequent development occurs within five (5) years of any prior development and when the combined development becomes subject to the requirements of this Chapter.

15.40.130 Enforcement.

A. The Community Development Department/Mono County Housing Authority shall be responsible for monitoring and enforcing the provisions of this Chapter. Any violation of this Chapter may be enforced in any manner permissible by law and shall constitute a violation of the Mono County Code and may be enforced as provided in Section 1.04.060 and Chapter 1.12 of the Mono County Code.

B. Owners and occupants of property subject to the restrictions and requirements of this Chapter shall permit County employees to inspect the property upon two business days advance written notice. Owners of property subject to the restrictions pursuant to this Chapter shall retain all records related to compliance with the obligations and restrictions of this Chapter, the Housing Mitigation Agreement and/or the C, C&Rs for a

period not less than five years, and shall make such records available to County employees for inspection and copying upon five business days advance written notice.

15.40.140 Annual Review

The provisions of this Chapter, the Affordable Housing Guidelines, and any resolutions adopted to further the purposes of this Chapter shall be reviewed annually by the Mono County Housing Authority and the Community Development Director or his or her designee, and an annual report and accounting shall be provided to the Board of Supervisors evaluating the policies set forth in this Chapter and their effects.

15.40.150 Appeal, Waiver, and Adjustment

A developer of any project subject to the requirements of this Chapter may appeal to the Board of Supervisors for a reduction, waiver, or adjustment of any of the provisions or requirements contained in this Chapter. Any such appeal shall be based upon the absence of any reasonable relationship or nexus between the impact of the development and either the inclusionary requirement or the amount of the fee charged. Based on substantial evidence, and a finding of good cause, the Board of Supervisors may adjust or waive any provision or requirement contained in this Chapter.

Any appeal must be in writing and filed with the County Clerk/Recorder and served on the Community Development Director not later than ten (10) days before the first public hearing on any discretionary approval or permit for the development, or if no discretionary permit is required, or if the action complained of occurs after the first public hearing on such permit or approval, then the appeal shall be filed within ten (10) days after payment of the fees objected to. The appeal shall set forth in detail the factual and legal basis for the claim of waiver, reduction, or adjustment. The Board of Supervisors shall consider the appeal within sixty (60) days after the filing of the appeal. The appellant shall bear the burden of producing substantial evidence to support the appeal, which shall include providing comparable technical information to support appellant's position. The decision of the Board of Supervisors shall be final.

15.40.160 Severability

The provisions of this Chapter are intended to be severable, and in the event any provision or requirement provided for under this Chapter is determined to be invalid or unenforceable, the remainder of the Chapter shall remain in effect.

Table X

Large Single Family Fee - Based on House Size

Fee = (House Size - 2399) x 1.00625 (FTEE Factor) exponentially raised by the House Size/1000 x Bldg Cost x Location Factor

<u>Example Size</u>	<u>FEE</u>
Up to 2400 sf	\$0
2500 sf	\$314
3000 sf	\$2,245
4000 sf	\$8,000
5000 sf	\$16,296
6000 sf	\$27,159
7000 sf	\$56,678
8000 sf	\$60,726
9000 sf	\$75,384
10000 sf	\$96,752

(Housing Ordinance Calculator to be used to determine fee.)

Table Y

<u>Required Family Units</u>	<u>Type Required (minimum size)</u>
1	1 - 1200 sf, 2BR @120% AMI
2	1 - 1200 sf, 2BR @120% AMI 1 - 1200 sf, 3BR @100% AMI
3	1 - 1200 sf, 2BR @120% AMI 1 - 1200 sf, 3BR @100% AMI 1 - 1200 sf, 3BR @ 80% AMI
4	1 - 1200 sf, 2BR @120% AMI 1 - 1200 sf, 3BR @100% AMI 1 - 1200 sf, 3BR @ 80% AMI 1 - 1500 sf, 3BR @150% AMI
5	1 - 1200 sf, 2BR @120% AMI 1 - 1200 sf, 3BR @100% AMI 1 - 1200 sf, 3BR @ 80% AMI 1 - 1500 sf, 3BR @150% AMI 1 - 1800 sf, 3BR @200% AMI
6	1 - 1200 sf, 2BR @120% AMI 1 - 1200 sf, 3BR @100% AMI 1 - 1200 sf, 3BR @ 80% AMI 1 - 1500 sf, 3BR @150% AMI 1 - 1800 sf, 3BR @200% AMI 1 - 1500 sf, 4BR @120% AMI
7	1 - 1200 sf, 2BR @120% AMI 1 - 1200 sf, 3BR @100% AMI 1 - 1200 sf, 3BR @ 80% AMI 1 - 1500 sf, 3BR @150% AMI 1 - 1800 sf, 3BR @200% AMI 1 - 1500 sf, 4BR @120% AMI 1 - 1500 sf, 4BR @100% AMI
8	1 - 1200 sf, 2BR @120% AMI 1 - 1200 sf, 3BR @100% AMI 1 - 1200 sf, 3BR @ 80% AMI 1 - 1500 sf, 3BR @150% AMI 1 - 1800 sf, 3BR @200% AMI 1 - 1500 sf, 4BR @120% AMI 1 - 1500 sf, 4BR @100% AMI

- 1 - 1500 sf, 4BR @ 80% AMI
- 9
- 2 - 1200 sf, 2BR @120% AMI
 - 1 - 1200 sf, 3BR @100% AMI
 - 1 - 1200 sf, 3BR @ 80% AMI
 - 1 - 1500 sf, 3BR @150% AMI
 - 1 - 1800 sf, 3BR @200% AMI
 - 1 - 1500 sf, 4BR @120% AMI
 - 1 - 1500 sf, 4BR @100% AMI
 - 1 - 1500 sf, 4BR @ 80% AMI
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- 2 - 1200 sf, 2BR @120% AMI
 - 2 - 1200 sf, 3BR @100% AMI
 - 1 - 1200 sf, 3BR @ 80% AMI
 - 1 - 1500 sf, 3BR @150% AMI
 - 1 - 1800 sf, 3BR @200% AMI
 - 1 - 1500 sf, 4BR @120% AMI
 - 1 - 1500 sf, 4BR @100% AMI
 - 1 - 1500 sf, 4BR @ 80% AMI
- 11
- 2 - 1200 sf, 2BR @120% AMI
 - 2 - 1200 sf, 3BR @100% AMI
 - 2 - 1200 sf, 3BR @ 80% AMI
 - 1 - 1500 sf, 3BR @150% AMI
 - 1 - 1800 sf, 3BR @200% AMI
 - 1 - 1500 sf, 4BR @120% AMI
 - 1 - 1500 sf, 4BR @100% AMI
 - 1 - 1500 sf, 4BR @ 80% AMI
- 12
- 2 - 1200 sf, 2BR @120% AMI
 - 2 - 1200 sf, 3BR @100% AMI
 - 2 - 1200 sf, 3BR @ 80% AMI
 - 2 - 1500 sf, 3BR @150% AMI
 - 1 - 1800 sf, 3BR @200% AMI
 - 1 - 1500 sf, 4BR @120% AMI
 - 1 - 1500 sf, 4BR @100% AMI
 - 1 - 1500 sf, 4BR @ 80% AMI
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- 2 - 1200 sf, 2BR @120% AMI
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 - 1 - 1500 sf, 4BR @ 80% AMI

14 2 - 1200 sf, 2BR @120% AMI
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15 2 - 1200 sf, 2BR @120% AMI
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16 2 - 1200 sf, 2BR @120% AMI
 2 - 1200 sf, 3BR @100% AMI
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 2 - 1500 sf, 3BR @150% AMI
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17 3 - 1200 sf, 2BR @120% AMI
 2 - 1200 sf, 3BR @100% AMI
 2 - 1200 sf, 3BR @ 80% AMI
 2 - 1500 sf, 3BR @150% AMI
 2 - 1800 sf, 3BR @200% AMI
 2 - 1500 sf, 4BR @120% AMI
 2 - 1500 sf, 4BR @100% AMI
 2 - 1500 sf, 4BR @ 80% AMI

Additional requirement to be determined on a similar basis.

Table Z (applies to non-residential projects)

<u>Use</u>	<u>FTEE Generation Rate</u>
Visitor Accommodations (includes motels, hotels, fractional ownerships, and other visitor accommodations except condominiums)	0.2 / sleeping area
Commercial (includes retail, office, restaurant, etc.)	0.5 / 1000 sf
Industrial / Service Commercial	0.4 / 1000 sf
Storage / Warehouse	0.2 / 1000 sf
Other	Determined by Community Development Director

**MONO COUNTY
GENERAL PLAN HOUSING ELEMENT
FINAL ENVIRONMENTAL IMPACT REPORT (FEIR)**

SCH # 98122016

**ADDENDUM #2
HOUSING ORDINANCE TITLE 15**

MAY 2006

Prepared by:

**Mono County Community Development Department
P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, (760) 924-1801 fax**

I. INTRODUCTION

The proposed project (proposed Housing Ordinance Title 15 of the Mono County Code) is part of the implementation program outlined in the Mono County Housing Element, which calls for development of implementing devices such as ordinances and other similar housing related or promulgation measures. The Housing Ordinance applies countywide to the unincorporated area of Mono County, California. Following its adoption, the Housing Ordinance will help guide the development of affordable work force housing in new development projects throughout the county.

An addendum to the Mono County General Plan Land Use Amendments Final Environmental Impact Report (FEIR) is proposed for this project as allowed by Section 15164 (a) of the CEQA Guidelines:

- (a) "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."

The Mono County General Plan Land Use Amendments FEIR was previously certified on November 14, 2000 (Board of Supervisors Resolution 00-82).

II. PROJECT DESCRIPTION

The proposed ordinance will require developers of land to mitigate the impact of development projects on the availability of workforce and affordable housing, either directly or through the payment of fees, dedication of land, or similar means, necessary to offset the impact of the development which has resulted in a decrease of land available for workforce housing, and for persons with low and moderate levels of income, a demonstrative increase in the price of housing, and an increase in the need for workers within the county. Despite the availability of state and county incentives, there has been little or no market development of residential housing affordable to households earning very low, low, moderate, and even upper-moderate income levels and no other reasonable means to meet this need for workforce and affordable housing are available.

A requirement that new development mitigate these impacts by the development of affordable housing units, the payment of fees, or similar means is reasonable and necessary to improve the health, safety and general welfare of the citizens of Mono County. Recognizing that different regions within the county experience separate and distinct needs for affordable housing, different mitigation requirements will apply to most appropriately address the needs of the different communities. These mitigation conditions will not result in a negative impact on the overall development of housing or impose a barrier that will prevent persons with lower and moderate levels of income from purchasing housing. Moreover, the ordinance neither imposes nor requires changes in the land use designations or densities in any area of the county.

The ordinance has four main components as follows:

- Non-residential project developers will be required to mitigate housing effects of their projects based on the number of Full-Time Equivalent Employees created. Non-residential projects include visitor accommodations, commercial, industrial/service commercial, and storage/warehousing;
- Single-family project developers will be required to mitigate housing effects of their projects based on the number of lots proposed in the development. The affordable housing units generated will generally be required to be constructed within the proposed development as inclusionary housing.
 - Multi-family and condominium project developers will be required to mitigate housing effects of their projects based on the number of units proposed in the development. The affordable housing units generated will generally be required to be constructed within the proposed development as inclusionary housing.

- Proposed large single-family homes (2400 sf or larger) will pay an exponentially increasing fee based on the exponentially increasing number of employees generated by larger homes.

III. IMPACT ANALYSIS

The proposed housing implementation ordinance will not result in additional potential adverse environmental impacts beyond those already analyzed in the Final Environmental Impact Report (FEIR) for the existing Housing Element and Land Use Element of the Mono County General Plan. This determination is based on the following findings:

- The proposed ordinance is consistent with the Mono County Land Use Element and Housing Element. Future housing development will occur in the areas identified for residential development in the Land Use Element and at the densities identified in the Land Use Element, all consistent with the Housing Element.
- The overall build-out figures for residential development have not changed from the levels identified in the Land Use Element.
- Proposed housing implementation requirements of the ordinance are consistent with the existing Housing Element.
- Due to the small-scale nature of much of the housing development in Mono County, large-scale expansion of public and private services is not needed as a result of housing ordinance implementation. Large-scale projects will require further review in compliance with CEQA.
- No changes are proposed in Housing Element demographic, economic, and housing data due to the housing ordinance and the Mono County Master Environmental Assessment (MEA), that forms the setting for the General Plan EIRs, will not be affected.

DECISION NOT TO PREPARE A SUBSEQUENT EIR

The CEQA Guidelines require the preparation of a subsequent EIR if one or more of several conditions are met; an addendum is required if none of the conditions requiring a subsequent EIR has occurred but minor changes are necessary to the original EIR. The decision not to prepare a subsequent EIR for the amendment of the Mono County Housing Element was based on an analysis of the conditions requiring a subsequent EIR and the determination that none of those conditions applied to the amendment of the Housing Element; i.e.,

- (1) There are no substantial changes in the proposed Housing Element that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- (2) There are no substantial changes with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- (3) There is no 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, that shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR; or

- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
or
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.



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

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

Departments: County Counsel

TIME REQUIRED 20 minutes (10 minute presentation,
10 minute discussion) **PERSONS APPEARING** Christian Milovich

SUBJECT Resolution Adopting Mono County
Records Retention Policy **BEFORE THE BOARD**

AGENDA DESCRIPTION:

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

Proposed resolution Approving a County-wide Record Retention and Destruction Policy/Schedule.

RECOMMENDED ACTION:

Adopt proposed resolution. Provide any desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Christian Milovich

PHONE/EMAIL: 760-924-1706 / cmilovich@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Proposed Resolution Adopting County-Wide Record Retention Policy
Exhibit A - Mono County Record Retention and Destruction Policy

History

Time	Who	Approval
12/6/2017 11:06 PM	County Administrative Office	Yes
12/6/2017 2:37 PM	County Counsel	Yes

12/7/2017 12:35 PM

Finance

Yes

County Counsel
Stacey Simon

Assistant County Counsel
Christian E. Milovich

Deputies
Anne M. Larsen
Jason Canger

**OFFICE OF THE
COUNTY COUNSEL**

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

Telephone
760-924-1700

Facsimile
760-924-1701

Paralegal
Jenny Senior

To: Board of Supervisors

From: Christian Milovich

Date: December 12, 2017

Re: Mono County Record Retention and Destruction Policy

Recommended Action: Consider and approve proposed resolution adopting a county-wide record retention and destruction policy. [4/5 vote is required].

Fiscal Impact: None

Discussion: For the Board's consideration and adoption today is a records management policy for the orderly retention, preservation or disposal of documents on a County-wide basis. The purpose of the policy is to ensure continuity of procedures throughout the County for the management, retention and destruction of records and to ensure compliance with laws that govern the retention and destruction of those records.

Retention schedules are used by public entities across the State of California and are an appropriate mechanism for the Board to proactively make the determination under the applicable sections of the Government Code as to when various categories of records will no longer be necessary or required for County purposes, when and how they can be destroyed and under what circumstances an electronic reproduction must be retained.

Pursuant to section 26202 of the Government Code, a 4/5 vote of your Board is required for the adoption of this policy.

If you have any questions on this matter prior to your meeting, please call me at 924-1706.



RESOLUTION NO. 17- ____

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
ADOPTING A COUNTY-WIDE RECORD RETENTION
AND DESTRUCTION POLICY**

WHEREAS, the County of Mono (“County”) generates, receives, handles and maintains many records in the performance of its business activities as a public entity and in turn has an obligation to maintain County records in accordance with government laws and regulations and accepted records management practices; and

WHEREAS, there are significant costs to maintaining records beyond their useful life as such records otherwise take up space in the County’s offices; and

WHEREAS, the Mono County Record Retention and Destruction Policy (“Policy”), which is attached as Exhibit A and incorporated herein by this reference, is intended to: (1) establish consistent procedures throughout the County for the management, retention, and destruction of records; and (2) ensure compliance with laws that govern the retention and destruction of those records; and

WHEREAS, sections 26200 et seq. of the Government Code provide the relevant procedures for destroying County records; and

WHEREAS, pursuant to section 26201 of the Government Code, the Board may authorize destruction or disposition of duplicate records, papers, or documents the originals or permanent photographic reproductions of which are on file with any officer or department of the County; and

WHEREAS, pursuant to section 26205.1(a) of the Government Code, the Board may delegate to County officers the authority to destroy any non-judicial public record, paper, or document if the record, paper, or document is photographed, micro photographed, microfilmed, or otherwise reproduced in accordance with State law; including, but not limited to, section 12168.7 of the Government Code; and

WHEREAS, pursuant to section 26205.1(b) of the Government Code, the Board may delegate to County officers the authority to destroy any record not prepared or received pursuant to state statute without creating an alternate copy; and

1 **WHEREAS**, pursuant to section 26202 of the Government Code, the Board may, by a
2 four-fifths vote, authorize the destruction of records prepared or received pursuant to state or
3 federal statute where those records have been maintained for the required period of time and the
4 Board has determined the retention of those records is no longer necessary or required for
5 County purposes; and

6 **WHEREAS**, retention schedules are used by public entities across the State of California
7 and are an appropriate mechanism for the Board to proactively make the determination under
8 section 26202 of the Government Code as to when various categories of records will no longer
9 be necessary or required for County purposes and thereby improve the efficiency of records
10 management; and

11 **WHEREAS**, there are some County records that are required by law to be filed and
12 preserved and of which the board may not authorize destruction, and it is necessary and
13 appropriate to identify those records and specify how long they must be retained; and

14 **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MONO COUNTY
15 RESOLVES** as follows:

16 **SECTION 1.** There is a need for an orderly and controlled plan for the retention and the
17 systematic destruction of certain department records and documents, which are no longer needed
18 or required for County purposes.

19 **SECTION 2.** The Mono County Record Retention and Destruction Policy, which sets
20 forth retention periods, as well as procedures to properly and lawfully retain and destroy records
21 is approved and the County Administrative Officer or the designated Department Head is
22 authorized to retain and destroy the specified records in accordance with the Policy.

23 **SECTION 3.** No County record may be destroyed except as set forth in this Resolution
24 or as otherwise authorized by law.

25 **SECTION 4.** This Resolution supersedes and replaces in entirety, Mono County Board
26 of Supervisors' Resolution No. R01-04 Authorizing the Destruction of Certain District Attorney
27 Office Records, Documents, Instruments, Books, and Papers Pursuant to Government Code
28 section 26205.1 and Resolution No. R09-69 Authorizing the Destruction of Certain Clerk of the
Board Records Pursuant to Government Code section 26202.

APPROVED AND ADOPTED this 12th day of December, 2017, by the following vote:

AYES :
NOES :
ABSTAIN :
ABSENT :

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Stacy Corless, Chair
Board of Supervisors

ATTEST:
CLERK OF THE BOARD

APPROVED AS TO FORM:
COUNTY COUNSEL



Mono County Record Retention and Destruction Policy *Adopted _____, 2017*

ARTICLE I CONDITIONS FOR DESTRUCTION APPLICABLE TO ALL RECORDS

Section 1.0.1. The County officer authorizing destruction or disposition must determine that the record has no further administrative value.

Section 1.0.2. All records dated 1910 and earlier and all other records of apparent historical significance shall be offered to local historical societies in Mono County and then to the State of California Historical Preservation Commission or other state historical societies for preservation for historical purposes. If the offer is refused or not acted upon within thirty (30) days, the records may be destroyed pursuant to this resolution. Alternatively to destruction, the records may be given to any member of the public.

Section 1.0.3. Where federal or state funds have been furnished, authority to destroy a record must be secured from the appropriate federal or state agency if the record is required to be retained by the terms of the agreement or law by which the funds have been furnished.

Section 1.0.4. Reproduction means preserved in any form of communication or representation, including optical, electronic, magnetic, micrographic, or photographic media or other technology capable of accurately producing or reproducing the original record, in accordance with regulations adopted by the California Secretary of State for the preservation and reproduction of the medium.

Section 1.0.5. Authorization or requirement for reproduction means:

- a) The device used to reproduce the record, paper, or document on film, optical disk, or any other medium is one which accurately reproduces the original in all details and which does not permit additions, deletions, or changes to the original document images.
- b) The reproduction is placed in conveniently accessible files, and provision is made for preserving, examining, and using the files, either permanently or for the stated time period.
- c) Every reproduction shall be deemed to be an original record and a transcript, exemplification, or certified copy of any reproduction shall be deemed to be a transcript, exemplification, or certified copy, as the case may be, of the original.

Section 1.0.6. The term "record" means and includes all official or non-official, non-judicial documents, papers, audio recordings, records, documents, books, and files in the custody of County officers.

Section 1.0.7. Authorization for destruction of a record after a term of years of retention as set forth herein does not require the destruction of any record at the end of any such term of years, and the record may be retained for a longer period for the convenience of the County officer.

Section 1.0.8. Records that are related to litigation (Litigation Hold), whether asserted, threatened, pending, or ongoing, shall not be destroyed until the litigation has terminated and/or in accordance with Article II of this resolution, whichever is later.

Section 1.0.9. The Resolutions, minutes, audio tape recordings and other similar documents of Mono County Boards, Commissions and Committees which are subject to the Brown Act are governed by Article III for the Clerk of the Board Section 3.4.

Section 1.0.10. Destruction of duplicate copies is authorized pursuant to Government Code § 26201.

Section 1.0.11. This Policy supersedes and replaces in entirety, Mono County Board of Supervisors' Resolution No. R01-04 Authorizing the Destruction of Certain District Attorney Office Records, Documents, Instruments, Books, and Papers Pursuant to Government Code section 26205.1 and Resolution No. R09-69 Authorizing the Destruction of Certain Clerk of the Board Records Pursuant to Government Code section 26202.

ARTICLE II

DOCUMENTS AND SPECIAL CONDITIONS APPLICABLE TO ALL COUNTY OFFICERS IF THE RECORD IS NOT COVERED UNDER ARTICLE III (Board of Supervisors Approval Not Required Unless Otherwise Specified) (Govt. Code, §26205.1)

Section	Description of Record(s)	Conditions	Retention	Citation
2.1.1	DUPLICATE copies of documents WITH THE EXCEPTION of duplicate copies of the deposit permits or deposit receipts retained by the Clerk/Auditor/Controller at the time of issuance thereof and copies of inventories required by Section 24051 of the Government Code which the officer must retain for five years and deliver to the successor in office.	The original or a permanent reproduction is in the files of any officer or department of this County.	Immediately IF original is preserved.	Govt. Code § 26201
2.1.2	Records which were not prepared or received pursuant to state statute or county ordinance, and not required by law to be filed and preserved, including but not necessarily limited to the following: documents, forms or records made as supporting data for reports; resumes or other records whether or not the data is actually included in such report, resume or other record; time sheets, individual overtime slips and other records kept in support of payrolls by departments other than the Auditor's office (see section 3.2.9	The records are over two years old. No copy need be retained.	2 years.	Govt. Code § 26205.1(b)

	and 3.2.10 for payrolls records pertaining to Auditor); automobile mileage reports; forms developed and maintained for departmental use only; letters or other records of requests from the public for information only and replies thereto; information compiled or collected for statistical reports or budget preparation and like records.			
2.1.3	Records which were prepared pursuant to state statute or County ordinance, but not expressly required by law to be filed and preserved and not otherwise addressed in Article III.	The records are over two years old. Requires 4/5th vote of the BOS, finding records are no longer needed for County purposes. No copy need be retained.	2 years from date record was created. *NOTE: any record which falls under this category and is not expressly mentioned in Article III will need to be brought to the Board separately and destruction will need to be approved by a 4/5 th vote.	Govt. Code § 26202
2.1.4	Records which are expressly required by law to be filed and preserved.	Hard copy record may not be destroyed unless accurately reproduced in a format that preserves all details and does not permit additions, deletions, or changes to the original document images and the reproduction is placed in conveniently accessible files, and provision is made for preserving, examining and using the files on a permanent basis.	Permanent (hardcopy or the reproduction).	Govt. Code § 26205.1
2.1.5	Unaccepted bids or proposals for construction or installation of public works.	The records are five years old.	5 years.	Govt. Code § 26201
2.1.6	Recordings of routine video monitoring, by a video or electronic imaging systems designed to record the regular and ongoing operations of the department, including mobile in-car video systems, jail observation and monitoring systems, and building security taping systems.	Recordings have been kept for 1 year.	1 year.	Govt. Code § 26202.6

2.1.7	Recordings of the routine daily recording of telephone communications to and from a county and maintained by the Department. (Does not include voicemail).	Recordings have been kept for 100 days and written approval of County Counsel has been obtained. 100 days.	100 days. (Requires County Counsel approval).	Govt. Code § 26202.6
2.1.8	Inventories filed by county officers or persons in charge of any office, department, service or institution of the County and the executive head of special districts whose affairs and funds are under supervision and control of the BOS or for which the board is ex officio.	Have been on file for more than five years. OR Document has been reproduced in accordance with section 26205.1.	5 years. OR Until reproduced in accordance with Section 26205.1.	Govt. Code §§ 24051, 26205.1
2.1.9	Original deeds granting property to Mono County or any special district governed by the BOS.	Do not destroy under any circumstances.	Permanent.	
2.1.12	Voicemails (including voicemails forwarded to email).		No retention necessary	

ARTICLE III

DOCUMENTS AND SPECIAL CONDITIONS APPLICABLE TO SPECIFIC COUNTY DEPARTMENTS (Board of Supervisors Approval Not Required Unless Otherwise Specified) (Govt. Code, §26205.1)

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Section	Description of Record(s)	Conditions	Retention/Destruction	Citation
3.1.1 (Assessor)	Any document not otherwise specified, including but not limited to documents containing information obtained from taxpayers.	Six years have elapsed since lien date for the taxes or tax year for which the document or information was obtained. OR Document has been preserved and is retrievable pursuant to R&T §465.	6 years. OR Immediately if preserved in a medium that provides access to the documents.	R&T Code § 465
3.1.2 (Assessor)	Affidavits claiming an exemption, for the first time, pursuant to section 254.5, 257 and 277.	Six years have elapsed since the lien date of the tax year for which the exemption was last granted. AND Document has been preserved and is retrievable in accordance with R&T §465.	6 years. AND Document has been preserved and is retrievable in accordance with R&T §465.	R&T Code § 465
3.1.3 (Assessor)	Lot books.	The records are reproduced & placed in conveniently accessible files.	Until reproduced and reproductions are in publicly accessible files.	R&T Code § 1256; Govt. Code § 26205.1

3.2.1 (Auditor)	County, school or special district claims, warrants or any other paper issued as a warrant voucher.	The record is over five years old. OR The record has been reproduced in accordance with Gov't Code § 12168.7 & the reproduced records are in conveniently accessible files and kept for five years from the date of the document.	5 years. OR At any time after the record has been reproduced in accordance with Gov't Code § 12168.7 & the reproduced records are in conveniently accessible files and kept for 5 years from the date of the document.	Govt. Code § 26907
3.2.2 (Auditor)	The Index or Warrant Register.	The record is over five years old. OR A photographic record has been made of the record.	5 years. OR At any time after a photographic record has been made of the record. (An index or warrant register that is over 5 years old may be destroyed without being reproduced).	Govt. Code § 26907
3.2.3 (Auditor)	County, school or special district bonds or coupons.	Bonds or any and all coupons pertaining thereto have been paid or cancelled for not less than five years.	5 years after paid or canceled.	Govt. Code §§ 53921 & 26907.1
3.2.4 (Auditor)	Auditor's copies of County deposit permits.	The record is more than five years old.	5 years.	Govt. Code § 26907.2
3.2.5 (Auditor)	Statements & affidavits of salaried County officers regarding fees collected as required by Chapter 8 of the Government Code, commencing with § 24350.	The records are more than five years old. OR At any time after the records have been reproduced if the copy is kept and maintained for five years.	5 years. OR Until reproduced (copies must be kept for 5 years).	Govt. Code §§ 24356 and 26907
3.2.6 (Auditor)	Any original unsecured tax roll containing the information set forth in the delinquent roll or abstract list.	The record has been certified as correct and complete by the Auditor; a certified permanent record on a substitute media has been prepared in accordance with Gov't Code § 26205; and the substitute media will be retained for at least 5 years from the date of the creation of the original document.	5 years. OR Immediately once certified by the Auditor as correct and reproduced and maintained for 5 years in accordance with Gov't Code § 26205 (reproduction may be destroyed after five years).	R&T Code § 2928

3.2.7 (Auditor)	Fiscal, statistical & other records necessary for maintaining accountability & meeting reporting requirements related to the administration of public social services.	Three years have elapsed since the date of the final expenditure report. OR Record has been reproduced and is stored electronically. Cannot be destroyed if Audit findings have not been resolved.	3 years from date final expenditure report submitted. OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). Cannot be destroyed if Audit findings have not been resolved.	WIC § 10851(c),(f)
3.2.8 (Auditor)	Statements of assets in Treasury.	Original quarterly and annual reports are filed with the Clerk and another copy of each is posted and maintained in the Auditor's office for at least one quarter.	At least 1 quarter after filing copy with the Clerk of the Board of Supervisors.	Govt. Code §§ 26920, 26922
3.2.9 (Auditor)	All records used to support payroll transactions.	6 years have elapsed since the close of the calendar year in which the final payment is made.	6 years after the end of the calendar year in which the record was created.	Govt. Code § 26202
3.2.10 (Auditor)	Payroll Masters – Year-end report for all yearly payroll activity for all departments.	10 years have elapsed since the end of the calendar year in which the record was created.	10 years after the end of the calendar year in which the record was created.	Govt. Code § 26202
3.3.1 (Behavioral Health)	Records pertaining to health care services rendered under Medi-Cal or any other health care program administered by the department or its agents/contractors, including services rendered, recipient of services, date of service & any additional information legally required to be kept.	The recipient has not rec'd any public assistance from the County for a period of three years. OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). * Cannot be destroyed until audit findings have been resolved. * Cannot be destroyed if another statute requires a longer retention period. * Records shall be retained beyond the 3-year period when the County is notified by the department or the State Department of Health Services, whichever has jurisdiction over the records,	3 years from the date final expenditure report submitted (for the last service provided). OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). * Cannot be destroyed until audit findings have been resolved. * Cannot be destroyed another statute requires a longer retention period. * Records shall be retained beyond the 3-year period when the County is notified by the department or the State Department of Health Services, whichever has jurisdiction over the records, to retain records for a longer period of time, including for civil or criminal action.	WIC §§ 10851. 14124.1

		to retain records for a longer period of time, including for civil or criminal action.		
3.3.2 (Behavioral Health)	Narrative portions of a case record pertaining to health care services rendered under Medi-Cal or any other health care program administered by the department or its agents/contractors, including services rendered, recipient of services, date of service and any other information legally required to be kept.	The recipient has not rec'd any public assistance from the County for a period of three years. OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). * Narrative portions can only be destroyed AFTER audit by the department or State Department of Health Services, whichever has jurisdiction. AND only if no criminal or civil action is pending.	3 years from the date final expenditure report submitted (for the last service provided). OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). * Narrative portions can only be destroyed AFTER audit by the department or State Department of Health Services, whichever has jurisdiction. AND only if no criminal or civil action is pending.	WIC §§ 10851.14124.1
3.3.3 (Behavioral Health)	Patient health records or reproductions, if held by the Department.	Seven years have elapsed since the date the client/patient last received services or treatment and the case file has been audited by the State Department of Benefit Payments. OR If the client/patient is an unemancipated minor when services were rendered, the file must be kept at least one year after minor turns 18, and in any case not less than seven years.	7 years after the date the client/patient last received services or treatment and the case file has been audited by the State Department of Benefit Payments. OR If the client/patient was an unemancipated minor when services were rendered, the file must be kept at least one year after minor turns 18, and in any case not less than 7 years.	22 CCR § 77143 H&S Code § 123145
3.3.4 (Behavioral Health)	Fiscal, statistical and other records necessary for maintaining accountability and meeting reporting requirements relating to the administration of public services.	Three years have elapsed since the date of the final expenditure report. OR Record has been reproduced and is stored electronically. Cannot be destroyed if Audit findings have not been resolved.	3 years from date final expenditure report submitted. OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). Cannot be destroyed if Audit findings have not been resolved.	WIC § 10851(c),(f)

3.3.5 (Behavioral Health)	DUI participant case files	48 months have elapsed since one of the following and: Individual has been transferred to another DUI program; Individual has been dismissed from the program; OR Notice of Completion Certificate has been issued.	48 months have elapsed since one of the following: Individual has been transferred to another DUI program; Individual has been dismissed from the program; OR Notice of Completion Certificate has been issued.	9 CCR § 9866
3.4.1 (Clerk of the Board)	Contracts & original specifications of County buildings.	The building to which the records apply has been completed for over ten years.	10 years.	Govt. Code §§25101, 26202; CCP §337.15
3.4.2 (Clerk of the Board)	Resolution Books; Minute Books; Ordinance Books; Board agendas & packets; records and accounts of supervisors.	Permanent. (Can be reproduced and retained electronically)	Permanent. (Can be reproduced and retained electronically).	Govt Code §§ 25102, 25102.1, 25104, 25105
3.4.3 (Clerk of the Board)	Contracts and agreements not relating to public improvements.	Four years has elapsed since the expiration of term and no legal action pending.	4 years after term ends (if no legal action pending).	Govt. Code § 26202, CCP § 337
3.4.4 (Clerk of the Board)	Assessment Appeals Board files.	Five years have elapsed since final AAB action and no legal action is pending involving the application. OR Records have been reproduced & three years have elapsed.	5 years after final AAB action (if no legal action pending). OR 3 years (if reproduced).	Govt. Code § 25105.5
3.4.5 (Clerk of the Board)	Audio or video recordings of official proceedings of a public body subject to the Brown Act.	Two years have elapsed since the date of the recording.	2 years.	Govt. Code § 54953.5
3.4.6 (Clerk of the Board)	Claims against County or special district for which the Board of Supervisors is the governing body.	Five years have elapsed since final Board action and no legal action is pending involving the application.	5 years (if no legal action pending).	Govt. Code § 25105.5
3.4.7 (Clerk of the Board)	Correspondence received (not requiring action).	2 years have elapsed since receipt of correspondence.	2 years.	Govt. Code § 26202

3.4.8 (Clerk of the Board)	Any document containing information obtained from taxpayers.	Six years have elapsed since lien date for the taxes for which the information was obtained. OR Three years have elapsed since such lien date and the records are reproduced.	6 years. OR 3 years if reproduced.	Rev. & Tax Code §§ 465
3.5.1 (Community Development)	Building Permits	Kept for the life of the building or reproduction has been made and is accessible and reproduction is kept for life of building.	Life of the building. OR May be destroyed at any time provided a reproduction is made and retained. Reproduction must be kept for the life of the building.	H&S Code §19850; Govt Code § 26205
3.5.2 (Community Development)	Zoning Maps or Maps referencing Land Use Designations.	May not be destroyed unless reproduced and the reproduction is placed in conveniently accessible files, and provision is made for preserving, examining and using the files on a permanent basis.	Permanent. OR Until reproduced and the reproduction is in conveniently accessible files and available for use on a permanent basis.	Govt. Code § 26205.1
3.5.3 (Community Development)	Environmental Documents (CEQA) including: Initial Study Negative Decs. EIR's Technical Studies	May not be destroyed unless reproduced and the reproduction is placed in conveniently accessible files, and provision is made for preserving, examining and using the files on a permanent basis.	Permanent. OR Until reproduced and the reproduction is in conveniently accessible files and available for use on a permanent basis	Govt. Code § 26205.1
3.6.1 (Coroner)	The official file for each deceased person required by Gov't Code § 27463.	The Coroner's investigation is completed, the case is closed, and the record is reproduced and placed in conveniently accessible files.	Until reproduced and placed in conveniently accessible files (after investigation completed and case closed).	Govt. Code § 27463.5
3.6.2 (Coroner)	Blood and urine samples from persons killed as result of motor vehicle accident.	Detailed medical findings resulting from chemical examinations must be reduced to writing or permanently preserved on recording disks or similar recording media.	Permanent.	Govt. Code § 27491.25
3.7.1 (County Clerk)	Fictitious business name statement.	The statements have expired and four years have elapsed since the expiration.	4 years after expiration.	Bus. & Prof. Code § 17927(a)

3.7.2 (County Clerk)	Statements of abandonment of fictitious business name or withdrawal from partnership operation under fictitious business name and proof of publication.	At the same time the fictitious business name statement to which it relates is destroyed.	Until fictitious business name statement is destroyed.	Bus. & Prof. Code §§ 17927 (a) & 17927(b)
3.7.3 (County Clerk)	Official Oath filed by a Notary Public.	One year has elapsed since the expiration of the term of the commission for which the oath was taken.	1 year after expiration of the commission for which the oath was taken.	Govt. Code § 8213
3.7.4 (County Clerk)	All public papers of any Notary Public who dies, resigns, is disqualified, removed from office, or allows his commission to expire without reappointment within 30 days.	More than ten years have elapsed since records were deposited, no request for or reference to such records has been made, and an order of the court is first obtained.	10 years (if court order obtained and no request for/reference to records have been made).	Govt. Code § 8209
3.7.5 (County Clerk)	Certificates of Confidential Marriages.	After one year if reproduced.	1 year (if reproduced).	Family Code § 511
3.7.6 (County Clerk)	Grand Jury Reports and Responses.	Permanent record. Do not destroy.	Permanent.	Penal Code § 933(c)
3.7.7 (County Clerk)	Statements of Cash in Treasury (filed with Clerk by Auditor)		2 years.	Govt. Code §§ 26920, 26922, 26205.1
3.7.8 (County Clerk)	Deputy Oath.	5 years have elapsed since the date of revocation of the appointment of the deputy.	5 years after the date of revocation of appointment. (No reproduction need be made or preserved).	Govt. Code §§ 24102 (a),(d)
3.7.9 (County Clerk)	Process Server's Certificate of Registration.	The certificate of registration has been kept for three years past the expiration date of the certificate.	The cert. of registration retained for 3 years following the expiration date of the cert., after which the cert. may be destroyed if scanned or if the conditions in Gov. Code § 26205.1 are met. If cert. is scanned, the image shall be retained for 10 years, after which time that image may be destroyed and no reproduction thereof need be made or preserved.	Bus. & Prof. Code § 22351(c)

3.7.10 (County Clerk)	Professional Photocopier application for registration.	The application for registration has been kept for a period of three years past the expiration date.	Application for registration shall be retained for 3 years past its expiration date, after which time it may be destroyed if it is scanned or if the conditions in Gov. Code 26205.1 are met. If it is scanned, the scanned image shall be retained for 10 years. After which time image may be destroyed & no reproduction need preserved.	Bus. & Prof. Code § 22452(c)
3.7.11 (County Clerk)	Unlawful Detainer Assistants & Legal Document Assistants application for registration.	The application for registration has been kept for a period of three years following the expiration date of the application.	The County clerk shall retain the application for a period of 3 years following the expiration date of the application, after which time the application may be destroyed if it is scanned or if the conditions specified in Gov. Code 26205.1 are met. If the application is scanned, the scanned image shall be retained for a period of 10 years, after which that image may be destroyed and no reproduction need be made or preserved.	Bus. & Prof. Code § 6403(e)
3.8.1 (County Counsel)	Assessment Appeal Files (e.g., records for appeals of property tax amount, including owner's appeal, BOE decisions or findings, attorney notes, etc.).	Six years have elapsed since matter was closed.	6 years.	Code of Civil Proc. §§338, 341, et seq.; Govt. Code §25205; R&T Code §465
3.8.2 (County Counsel)	Bail Bond Motion Files (e.g., records of bail summary judgments, receipt of payments, proof of transfer of funds to court, attorney notes, etc.).	Two years have elapsed since matter was closed.	2 years.	PC § 1305 Govt. Code § 26205.1
3.8.3 (County Counsel)	Code Enforcement or Admin Appeal Hearing Case Files (e.g., petitions, orders, notices, pictures, attorney notes, etc.).	Five years have elapsed since matter was closed.	5 years.	Govt. Code § 26205.1

3.8.4 (County Counsel)	Human Resources Case Files (e.g., grievances, writs, disciplinary actions, federal or state litigation matters, attorney notes, etc.).	10 years have elapsed since matter was closed or since separation from the County services (whichever is later).	10 years after matter is closed or separation from County (whichever is later).	Govt. Code §§ 12946, 26205.1
3.8.5 (County Counsel)	Juv. Dependency Case Files (e.g., petitions filed pursuant to WIC, birth certificates, notices, citations, orders, social worker reports, ex parties, court reports, parent locator discovery reports, ICWA documents, minute orders, paternity tests, attorney notes, etc.).	Matter is closed + child reaches 28 years of age.	File shall be retained until the child reaches 28 years old.	Govt. Code § 68152(g); WIC § 826(a)
3.8.6 (County Counsel)	Litigation Case Files (e.g., records related to County action in civil and criminal cases or actions involving property such as eminent domain, including briefs, court proceedings, pleadings, investigative materials, petitions, notices, attorney notes, etc.).	Ten years have elapsed since matter was closed.	10 years.	Govt. Code § 26205.1
3.8.7 (County Counsel)	Conservatorship Case Files (e.g., records related to LPS or Probate conservatorship matters, including petitions, accountings, correspondence, court orders, letters of conservatorship, attorney notes, etc.).	Five years have elapsed since the matter was closed.	5 years.	CCP §§338, 337 et seq.; Govt. Code §§ 945, 25105.5; PC §832.5

3.8.8 (County Counsel)	County Department/District files (e.g., correspondence, memoranda, research, etc.).	Five years have elapsed since matter was closed.	5 years.	Govt. Code § 26205.1
3.9.1 (District Attorney)	Crime and supplemental reports, complaints, and files.	10 years has elapsed since record or file has been closed or adjudicated; it does not relate to an unadjudicated crime; it does not relate to unserved warrants; it does not relate to a criminal death case; and it is not presently the subject of either civil or criminal litigation.	10 years after close or adjudication of case provided record is not related to an unadjudicated crime, unserved warrant, criminal death case, and is not presently the subject of either civil or criminal litigation.	Govt. Code § 26205.1
3.9.2 (District Attorney)	Miscellaneous noncriminal reports.	3 years have elapsed since the record or file has been closed.	3 years.	
3.10.1 (Human Resources)	Any personnel or employment record or file made or kept by County (including but not limited to requests for reasonable accommodation application forms submitted by applicants & other records having to do with hiring, promotion, demotion, transfer, layoff, or termination, rates of pay or other terms of compensation & selection for training).	Two years have elapsed since the date of the making of the record or the personnel action involved.	Record shall be preserved for a period of 2 years from the date of the making of the record or the personnel action involved, whichever occurs later.	Title 29, Chpt XIV, § 1602.31 CFR; Govt. Code §12946
3.10.2 (Human Resources)	Terminated Employee Files.	Seven years have elapsed since the end of employment.	7 years.	Title 29, Chpt XIV, § 1602.31 CFR; Govt. Code §12946
3.10.3 (Human Resources)	EE0-4 Reports – annual report req'd by federal law.	Three years have elapsed since the report was created.	3 years.	Title 29, Chpt XIV, § 1602.30 CFR

3.10.4 (Human Resources)	MOU agreements negotiated between County & employee bargaining units.		Permanent.	
3.11.1 (Probation)	Records relating to individual minors.	Five years have elapsed since the termination of jurisdiction of the juvenile court over the minor.	5 years.	WIC § 826(a)
3.11.2 (Probation)	Records related to any person over 18.	Five years have elapsed since the termination of probation.	5 years.	Penal Code § 1203.10
3.12.1 (Public Health)	Rabies Control Records.	10 years have elapsed since the date record was created.	10 years.	Gov't Code § 26202
3.12.2 (Public Health)	X-ray photographs and case records taken with regard to tuberculosis.	The records are more than five years old and: 1. They do not show the existence of tuberculosis in the infectious stage; 2. The individual to whom the records pertain has been deceased more than two years, would be 102 years old according to date of birth as shown on the record; or 3. The person's place of residence has been unknown for over 10 years.	5 years (if the records do not show the existence of tuberculosis in the infectious stage; or the individual to whom the records pertain has been deceased more than two years, would be 102 years old according to date of birth as shown on the record; or the person's place of residence has been unknown for over 10 years). * The records may be offered to a public or private medical library instead of being destroyed.	H&S Code § 123150
3.12.3 (Public Health)	Client/patient health records or reproductions, if held by the Department.	Seven years have elapsed since the date the client/patient last received services or treatment and the case file has been audited by the State Department of Benefit Payments. OR If the client/patient is an unemancipated minor when services were rendered, the file must be kept at least one year after minor turns 18, and in any case not less than seven years.	7 years after the date the client/patient last received services or treatment and the case file has been audited by the State Department of Benefit Payments. OR If the client/patient was an unemancipated minor when services were rendered, the file must be kept at least one year after minor turns 18, and in any case not less than 7 years.	22 CCR § 77143 H&S Code § 123145
3.12.4 (Public Health)	Women, Infants & Children (WIC) program records.	Three years have elapsed since the date of the final expenditure report for the period to which the report pertains. * Cannot be destroyed if any litigation, claim, negotiation,	3 years after date of the final expenditure report for the period to which the report pertains. * Cannot be destroyed if any litigation, claim, negotiation, audit or other action involving the records has been started before the end of	7 CFR § 246.25

		<p>audit or other action involving the records has been started before the end of the three-year period.</p> <p>* If FNS deems any of the program records to be of historical interest, it may require the State or local agency to forward such records to FNS whenever either agency is disposing of them.</p>	<p>the 3-year period.</p> <p>* If FNS deems any of the program records to be of historical interest, it may require the State or local agency to forward such records to FNS whenever either agency is disposing of them.</p>	
3.12.5 (Public Health)	<p>Records pertaining to health care services rendered under CMAA, Medi-Cal or any other health care program administered by the department or its agents or contractors, including services rendered, recipient of services, date of service and any additional information required by law to be kept by said Department.</p>	<p>The recipient has not rec'd any public assistance from the County for a period of three years. OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed).</p> <p>* Cannot be destroyed until audit findings have been resolved.</p> <p>* Cannot be destroyed if another statute requires a longer retention period.</p> <p>* Records shall be retained beyond the 3-year period when the County is notified by the department or the State Department of Health Services, whichever has jurisdiction over the records, to retain records for a longer period of time, including for civil or criminal action.</p>	<p>3 years from the date final expenditure report submitted (for the last service provided). OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed).</p> <p>* Cannot be destroyed until audit findings have been resolved.</p> <p>* Cannot be destroyed another statute requires a longer retention period.</p> <p>* Records shall be retained beyond the 3-year period when the County is notified by the department or the State Department of Health Services, whichever has jurisdiction over the records, to retain records for a longer period of time, including for civil or criminal action.</p>	<p>WIC §§ 10851, 14124.1; 42 CFR §433.32</p>

3.12.6 (Public Health)	Narrative portions of a case record pertaining to health care services rendered under CMAA, Medi-Cal or any other health care program administered by the department or its agents or contractors, including services rendered, recipient of services, date of service and any additional information required by law to be kept by said Department.	The recipient has not rec'd any public assistance from the County for a period of three years. OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). * Narrative portions can only be destroyed AFTER audit by the department or State Department of Health Services, whichever has jurisdiction. AND only if no criminal or civil action is pending.	3 years from the date final expenditure report submitted (for the last service provided). OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). * Narrative portions can only be destroyed AFTER audit by the department or State Department of Health Services, whichever has jurisdiction. AND only if no criminal or civil action is pending.	WIC §§ 10851.14124.1; 42 CFR §433.32
3.12.7 (Public Health)	Fiscal, statistical and other records necessary for maintaining accountability and meeting reporting requirements relating to the administration of public services.	Three years have elapsed since the date of the final expenditure report. OR Record has been reproduced and is stored electronically. Cannot be destroyed if Audit findings have not been resolved.	3 years from date final expenditure report submitted. OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). Cannot be destroyed if Audit findings have not been resolved.	WIC § 10851(c),(f); 42 CFR §433.32
3.12.8 (Public Health)	Water Test Records.	Five years have elapsed since the date record was created.	5 years.	40 CFR § 141.33(a)
3.12.9 (Public Health)	Records of chemical analyses made pursuant to 40 CFR § 141.33(a).	10 years have elapsed since the date the record was created.	10 years.	40 CFR § 141.33(a)
3.12.10 (Public Health)	Small water system files (made for each small water system under County jurisdiction pursuant to CCR § 64259) including permits & all corresponding technical reports, monitoring results, photos plans, historical data and correspondence.	10 years have elapsed since the date the record was created.	10 years.	22 CCR § 64259

3.12.11 (Public Health)	Solid Waste records for disposal sites located with the jurisdiction of enforcing agency.		All files and their contents shall be retained by the enforcement agency for as long as a facility or disposal site physically exists.	14 CCR § 18020
3.13.1 (Public Works)	Traffic Collision Reports received from the California Highway Patrol.	Two years have elapsed since receipt of the records.	2 years.	Govt. Code § 26202
3.13.2 (Public Works)	Unaccepted bids or proposals for construction or installation of public works.	Two years have elapsed since receipt of the bid. Accepted bids should be filed with the contract.	2 years.	Govt. Code § 26202.1
3.14.1 (Purchasing Agent)	Written requisitions received by the Purchasing Agent.	Three years have elapsed since creation.	3 years.	Govt. Code § 25501.5
3.14.2 (Purchasing Agent)	Unaccepted bids & proposals for services, supplies & equipment received by Purchasing Agent.	Two years have elapsed since receipt of the record.	2 years.	Govt. Code § 26205.1
3.14.3 (Purchasing Agent)	Accepted bids & proposals for services, supplies & equipment received by Purchasing Agent.	Four years have elapsed since completion of the project or contract.	4 years after completion of project or contract.	CCP § 337
3.14.4 (Purchasing Agent)	Contracts for the construction of County buildings.	The building to which the records apply has been completed for over 10 years.	10 years.	Govt. Code, § 26205.1; CCP § 337.15
3.15.1 (Recorder)	Federal tax liens, together with any release of such lien.	More than eight years have elapsed since the lien was filed and all unreleased liens are reproduced.	8 years IF all unreleased liens are reproduced.	Govt. Code § 27206
3.15.2 (Recorder)	Papers and record books created under Land Title Law.	The records have been reproduced in accordance with Gov't Code §26205.5. AND PROVIDED THAT any page which cannot be reproduced on film with full legibility is permanently preserved.	Until reproduced in accordance with Gov't Code § 26205.5. AND PROVIDED THAT any page which cannot be reproduced on film with full legibility must be permanently preserved.	Govt. Code §§ 27207; 26205.5

3.15.3 (Recorder)	Any or all filed papers or record books created by handwriting, typing on printed forms, typewriting or photographic methods.	The records have been reproduced in accordance with Gov't Code § 26205.5 AND PROVIDED THAT any page which cannot be reproduced on film with full legibility is permanently preserved.	Until reproduced in accordance with Gov't Code § 26205.5. AND PROVIDED THAT any page which cannot be reproduced on film with full legibility must be permanently preserved.	Govt. Code § 26205.5
3.15.4 (Recorder)	Any original document left for recording.	Documents are undeliverable by mail and uncalled for for at least ten years after the date of recording. OR Documents have been reproduced & are undeliverable by mail & uncalled on for at least two years.	10 years (if undeliverable and uncalled for during that time). OR 2 years (if reproduced and undeliverable and uncalled for during that time).	Govt. Code § 26205.6
3.15.5 (Recorder)	Any notice of completion of any building or improvement, and the contract, plans, specifications and bond under which the work was done.	Five years have elapsed from the date of filing in the Recorder's office AND the Recorder has not been notified in writing to retain them by someone claiming interest under the contract or in the property affected. OR Two years have elapsed and the Recorder has returned the documents to the person who filed them, and the Recorder has not been notified in writing to retain them by someone claiming interest under the contract or in the property affected in either case.	5 years (if not returned to filer) UNLESS notified in writing to retain them by someone claiming interest under the contract or in the property affected. OR 2 years (if returned to filer) UNLESS notified in writing to retain them by someone claiming interest under the contract or in the property affected.	Govt. Code § 27205
3.15.6 (Recorder)	Temporary Index sheets prepared by key punch or printing machine.	Permanent indexes have been completed from same key punch cards.	Must be retained until permanent indexes are completed from same key punch cards.	Govt. Code § 27265
3.15.7 (Recorder)	State highway construction plans and right of way maps.	Document has been microfilmed.	Can be destroyed at any time provided document has been microfilmed.	Streets & Highways Code §§ 128, 129

3.16.1 (Registrar of Voters)	Cancelled original affidavits of registration.	Five years have elapsed since cancellation. OR The first general election has taken place since such cancellation and the affidavits are reproduced.	5 years. OR After the first general election has taken place since cancellation (if reproduced).	Elections Code § 17000
3.16.2 (Registrar of Voters)	Index to affidavits of registration described in EC § 2183.	Five years have elapsed since the date of the registration.	5 years.	Elections Code § 17000
3.16.3 (Registrar of Voters)	Index of voters from previous statewide general election.	Five years have elapsed since the date of the election. OR Record has been reproduced.	5 years. OR Until next subsequent general election IF record has been reproduced.	Elections Code §§ 2191; 17300
3.16.4 (Registrar of Voters)	For Federal & State or local elections: Packages with the following ballots & envelopes: Voted polling place ballots; Paper record; copies (see EC § 19271) of voted polling place ballots; Voted VBM ballots; VBM id envelopes; Voted provisional voter ballots; Provisional ballot voter id envelopes; Spoiled ballots; Canceled ballots; Unused VBM ballots surrendered by voter pursuant to EC§ 3015; Ballot receipts.	The record has remained unopened & unaltered and the designated time period (<u>22 months past a federal election & 6 months past a state or local election</u>) has elapsed since the declaration of the result of the election by the body canvassing the returns AND no contest to said election or criminal action involving fraudulent use, marking or falsification of ballots or forgery of absent voters' signatures has been commenced within said time period.	Federal Election: 22 months. State or Local Election: 6 months Cannot be destroyed if a contest to election has arisen or criminal action involving fraudulent use, marking or falsification of ballots or forgery of absent voters' signatures has commenced within the said period of time.	Elections Code §§ 17301-17306
3.16.5 (Registrar of Voters)	Nomination papers.	Four years have elapsed since the expiration of the term for which the papers were filed; and there is no pending investigation, action or proceeding.	4 years (if no pending investigation, action or proceeding).	Elections Code § 17100

3.16.6 (Registrar of Voters)	Initiative and referendum petitions.	Eight months have elapsed since the certification of the results of the election for which the petition qualified OR If the measure is not submitted to the voters, eight months have elapsed since the final examination of the petition by the elections official. Cannot be destroyed if the petition is evidence in any action or proceeding then pending or if there has been a written request to preserve the petitions for an ongoing or pending investigation.	8 months after the certification of the results of the election for which the petition qualified OR If the measure is not submitted to the voters, 8 months have elapsed since the final examination of the petition by the elections official. Cannot be destroyed if the petition is evidence in any action or proceeding then pending or if there has been a written request to preserve the petitions for an ongoing or pending investigation.	Elections Code § 17200
3.16.7 (Registrar of Voters)	Statements of organization, registration statements, and original campaign statements of persons holding elective state office, candidates for any such office, committees supporting any such officeholder or candidate, and committees supporting or opposing statewide measures.	Retain permanently. OR Two years have elapsed since record was filed AND the record has been reproduced.	Permanently. OR 2 years after record was filed AND the record has been reproduced.	Govt. Code § 81009 (a), (g)
3.16.8 (Registrar of Voters)	Campaign statements of city council members, County supervisors, candidates for any of these offices, and committees supporting any officeholder or candidate.	If elected: Retain permanently. OR Two years have elapsed since record was filed AND record has been reproduced. If not elected: Five years or more have elapsed since record was filed.	If elected: Retain permanently. OR 2 years from date record was filed AND record has been reproduced. If not elected: 5 years or more have elapsed since record was filed.	Govt. Code § 81009(b), (g)

3.16.9 (Registrar of Voters)	Campaign Statements - all other persons for all other offices not otherwise specified.	Seven years have elapsed since record was filed. OR Two years have elapsed since record was filed AND record has been reproduced.	7 years. OR 2 years from date record was filed AND the record has been reproduced.	Govt. Code § 81009(c), (g)
3.16.10 (Registrar of Voters)	Statements of Economic Interest of persons holding statewide elective office.	Retain permanently. OR Two years have elapsed since record was filed AND record has been reproduced.	Permanently. OR 2 years from date record was filed AND record has been reproduced.	Govt. Code § 81009(d), (g).
3.16.11 (Registrar of Voters)	Statements of Economic Interest - Supervisors, DA, County Counsel, Treasurer, CAO, Planning Commissioners - all other County filers.	Seven years have elapsed since record was filed. OR Two years have elapsed since record was filed AND record has been reproduced.	7 years. OR 2 years from date record was filed AND record has been reproduced.	Govt. Code § 81009 (e), (g)
3.16.12 (Registrar of Voters)	Copies of reports or statements relating to the Political Reform Act.	Four years have elapsed since record was filed. OR Two have lapsed since record was filed AND the record has been reproduced.	4 years. OR 2 years from date record was filed AND record has been reproduced	Govt. Code § 81009 (f), (g)
3.16.13 (Registrar of Voters)	Recall petitions NOT for state officer.	Preserve all recall petitions filed for eight months after the results of the election for which the petition qualified, or, if no election is held, eight months after the elections official's final examination of the petition. Thereafter, the petition shall be destroyed as soon as practicable, unless it is in evidence in some action or proceeding then pending or unless the elections official has received a written request from the Attorney General, the Secretary of State, the Fair Political Practices Commission, a district attorney, a grand jury, or the governing body of a County, city and County, city, or school district, including a school district, that the petition be preserved for use in a pending or ongoing investigation.	8 months after the results of the election for which the petition qualified for. OR 8 months after the election official's final examination of the petition. Thereafter, the petition shall be destroyed as soon as practicable, unless it is in evidence in some action or proceeding then pending or unless a written request is received from specified entities or officials.	Elections Code § 17400

3.16.14 (Registrar of Voters)	Records reflecting appointment of precinct officials, including Precinct officers' declaration of intention, Precinct board member apps., nominations & orders appointing precinct boards & polling place assignments. Records of Vote by mail ballot applications.	The designated time period (<u>22 months past a federal election & 6 months past a state or local election</u>) has elapsed since the date of the election.	Federal Election: 22 months State or Local Election: 6 months.	Elections Code §§ 17502-17505
3.16.15 (Registrar of Voters)	List of new resident voters.	22 months has elapsed since the date of the election.	22 months.	Elections Code § 17506
3.16.16 (Registrar of Voters)	Applications for Voter Registration Information.	Five years have elapsed from the date of the application.	5 years.	Elections Code § 2188
3.16.17 (Registrar of Voters)	Roster of Voters, Combined Roster of Voters, Indexes (as provided for in EC § 14109).	Five years have elapsed since the date of the election. OR Record has been reproduced	5 years. OR Until next subsequent general election IF record has been reproduced.	Elections Code § 17300
3.17.1 (Risk Mgmt)	Insurance Policies.	Current or old.	Permanent. Any destruction of insurance policy requires approval of Risk Manager, County Counsel and BOS.	
3.17.2 (Risk Mgmt)	Operational Files	Information needed to administer County self-insurance programs including: cert of insurance letters, costs allocation plans, actuary studies, insurance renewal data, CAL OSHA 200 logs, OSHA surveys, annual State of CA Workers Comp report, loss runs, structures and contents values, incident reports, subrogation recoveries and other information filed by category of insurance coverage.	Permanent.	

3.17.3 (Risk Mgmt)	General Liability Claim Files	Civil claims against the County seeking monetary damages.	Permanent.	
3.17.4 (Risk Mgmt)	Workers' Comp Claim Files	On the job injury claims. Includes employee claims, employers report of occupational injury or illness, medical reports, legal correspondence, Appeal's Board findings and awards and other information relevant to the injury claim. All information is filed chronologically.	Permanent.	
3.17.5 (Risk Mgmt)	Community Center Use Agreements	4 years have elapsed since the date the record was created and the record is not the subject of any litigation, claim, negotiation or other such action.	4 years provided the records are not the subject of any litigation, claim, negotiation or other action.	Govt. Code § 26202
3.17.6 (Risk Mgmt)	Film & Special Event permits & corresponding applications.	4 years have elapsed since the date the record was created and the record is not the subject of any litigation, claim or negotiation.	4 years provided the records are not the subject of any litigation, claim, negotiation or other action.	Govt. Code § 26202
3.18.1 (Sheriff)	Please refer to Mono County Resolutions Nos. 97-62 and 08-01.			
3.19.1 (Social Services)	Records pertaining to health care services rendered under Medi-Cal or any other health care program administered by the department or its agents/contractors, including services rendered, recipient of services, date of service & any additional information legally required to be kept.	The recipient has not rec'd any public assistance from the County for a period of three years. OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). * Cannot be destroyed until audit findings have been resolved. * Cannot be destroyed if another statute requires a longer retention period. * Records shall be retained beyond the 3-year period when the County is notified by the department or the State Department of Health Services, whichever has	3 years from the date final expenditure report submitted (for the last service provided). OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). * Cannot be destroyed until audit findings have been resolved. * Cannot be destroyed if another statute requires a longer retention period. * Records shall be retained beyond the 3-year period when the County is notified by the department or the State Department of Health Services, whichever has jurisdiction over the records, to retain records for a longer period of time, including for civil or criminal action.	WIC §§ 10851.14124.1

		jurisdiction over the records, to retain records for a longer period of time, including for civil or criminal action.		
3.19.2 (Social Services)	Narrative portions of a case record pertaining to health care services rendered under Medi-Cal or any other health care program administered by the department or its agents/contractors, including services rendered, recipient of services, date of service and any other information legally required to be kept.	The recipient has not rec'd any public assistance from the County for a period of three years. OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). * Narrative portions can only be destroyed AFTER audit by the department or State Department of Health Services, whichever has jurisdiction. AND only if no criminal or civil action is pending.	3 years from the date final expenditure report submitted (for the last service provided). OR Immediately upon reproduction and electronic storage (and then after three years can be destroyed). * Narrative portions can only be destroyed AFTER audit by the department or State Department of Health Services, whichever has jurisdiction. AND only if no criminal or civil action is pending.	WIC §§ 10851.14124.1
3.19.3 (Social Services)	Fiscal, statistical and other records necessary for maintaining accountability and meeting reporting requirements relating to the administration of public social services.	Three years have elapsed since the date of the final expenditure report. OR Record has been reproduced and is stored electronically. Cannot be destroyed if Audit findings have not been resolved.	3 years from date final expenditure report submitted. OR Immediately upon reproduction and electronic storage (and then after 3 years can be destroyed). Cannot be destroyed if Audit findings have not been resolved.	WIC §§ 10851 (c),(f) 14124.1
3.20.1 (Treasurer/ Tax Collector)	Redemption certificates.	12 years have elapsed since receipt. OR Records have been reproduced in accordance with Gov't Code § 26205 (and will be maintained for 12 years).	12 years. OR Immediately provided the records have been reproduced in accordance with Gov't Code § 26205 (and will be retained for 12 years, after which time the reproduction may be destroyed).	R&T Code § 4107
3.20.2 (Treasurer/ Tax Collector)	Delinquent tax rolls and the original secured rolls on which they are based.	12 years have elapsed since receipt OR The abstract list has been certified as correct and complete by the Auditor and a reproduction has been made in accordance with Gov't Code § 26205 (and will be maintained for 12 years).	12 years. OR Immediately provided the records have been reproduced in accordance with Gov't Code § 26205 (and will be retained for 12 years, after which time the reproduction may be destroyed).	R&T Code § 4377

3.20.3 (Treasurer/ Tax Collector)	Abstract lists of the tax rolls (prepared under § 4373 of the R&T Code).	Two years have elapsed since the time the lien has been removed.	2 years.	R&T Code § 4377
3.20.4 (Treasurer/ Tax Collector)	Any original unsecured tax roll containing the information set forth in the delinquent roll or abstract list.	The abstract list has been certified as correct and complete by the Auditor and a reproduction has been made in accordance with Gov't Code § 26205 (and will be maintained for 5 years).	5 years. OR Immediately provided and the records have been reproduced in accordance with Gov't Code § 26205 (and will be retained for 5 years, after which time the reproduction may be destroyed).	R&T Code § 2928
3.20.5 (Treasurer/ Tax Collector)	Tax Rolls.	Two years after the last current item has been recorded thereon IF the records are reproduced & a copy of the reproduction is permanently retained.	2 years after last current item has been recorded (IF reproduced and reproduction is permanently retained).	Govt. Code § 26908
3.20.6 (Treasurer/ Tax Collector)	Certificates of deposit from the County Auditor.	The certificates have been filed for more than five years. OR The certificate has been filed for more than one year, and it has been reproduced in accordance with Gov't Code § 27001(b), the reproduced record is conveniently accessible & a provision is made for preserving, examining & using the same.	5 years. OR 1 year (if record is reproduced in accordance with Gov't Code § 27001(b), the reproduced record is conveniently accessible & a provision is made for preserving, examining & using the same.	Govt. Code § 27001
3.20.7 (Treasurer/ Tax Collector)	Bonds & interest coupons (County). See section 3.2.3 for school & special district bonds.	The bonds or any and all coupons pertaining thereto have been paid or canceled.	Upon payment or cancellation.	Govt. Code § 53921

ARTICLE IV

The records of special districts for which the board of supervisors is the governing body shall be destroyed in compliance with Government Code sections 60200, et seq.

ARTICLE V

This policy may be amended from time to time by additions, deletions, or amendments thereto by further resolution of the Board of Supervisors which shall be made with specific reference hereto and all of the provisions hereof not otherwise modified shall remain in full force and effect.



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

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

Departments: County Counsel; Information Technology

TIME REQUIRED 30 minutes (15 minute presentation; 15 minute discussion); **PERSONS APPEARING BEFORE THE BOARD** Stacey Simon and Nate Greenberg

SUBJECT Resolution Adopting Voice and Electronic Media Policy

AGENDA DESCRIPTION:

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

Proposed resolution enacting the Mono County Voice and Electronic Media Policy and superseding and replacing, in its entirety, the Mono County Voice and Electronic Media Retention Policy enacted by Resolution R15-51.

RECOMMENDED ACTION:

Adopt proposed resolution R17-___, Enacting the Mono County Voice and Electronic Media Policy and superseding and replacing, in its entirety, the Mono County Voice and Electronic Media Retention Policy enacted by Resolution R15-51. Provide any desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Stacey Simon

PHONE/EMAIL: 760-924-1704 (Mammoth) 760-932-5417 (Bridgeport) / ssimon@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Staff Report
<input type="checkbox"/> Resolution adopting Voice and Elec Media. Policy
<input type="checkbox"/> Voice and Electronic Media Policy

History

Time

Who

Approval

12/6/2017 11:06 PM	County Administrative Office	Yes
12/6/2017 5:04 PM	County Counsel	Yes
12/7/2017 12:35 PM	Finance	Yes

County Counsel
Stacey Simon

Assistant County Counsel
Christian E. Milovich

Deputy County Counsel
Anne M. Larsen
Jason T. Canger

**OFFICE OF THE
COUNTY COUNSEL**

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

Telephone
760-924-1700

Facsimile
760-924-1701

Paralegal
Jenny Senior

To: Board of Supervisors

From: Stacey Simon, Christy Milovich and Nate Greenberg, IT Director

Date: December 12, 2017

Re: Mono County Voice and Electronic Media Policy

Recommended Action

Adopt proposed resolution enacting the *Mono County Voice and Electronic Media Policy* and superseding and replacing, in its entirety, the *Mono County Voice and Electronic Media Retention Policy* enacted by Board Resolution R15-51.

Focus Area(s) Met

Economic Base Infrastructure Public Safety
 Environmental Sustainability Mono Best Place to Work

Discussion

In 2015, the Board of Supervisors adopted Resolution R15-51, which established the *Mono County Voice and Electronic Media Retention Policy* (the "2015 Policy"). The 2015 Policy set forth rules and standards for the use of electronic media by County employees and officials and implemented a two-year retention period for email messages.

On your agenda for adoption today is a comprehensive, countywide records retention policy (the "Records Retention Policy") which includes provisions governing the retention and destruction of County records (regardless of their physical form) in accordance with applicable law.

In researching and developing the Records Retention Policy, it became apparent that the two-year retention schedule established by the 2015 Policy for email was out of alignment with the practices of public agencies around California – and far in excess of retention periods required by State law for most email communications.

Specifically, standard email retention periods among surveyed counties range from 60 days to 180 days, with 90-days being most common. These shorter periods reduce the need for electronic storage and aid in efficient document management by eliminating years of built up email messages which languish in inboxes and are rarely (if ever) utilized. As such, it is proposed that the 2015 Policy be revised to reflect a 90-day retention period, consistent with the practice of other counties in California, and that a “phase-in” period and training for employees (as described below) accompany the change.

In accordance with the above, the proposed resolution would supersede and replace the 2015 Policy with a new, *Mono County Voice and Electronic Media Policy* containing the same rules and standards as the 2015 Policy, but establishing a 90-day retention period for email communication. And in accordance with the proposed Records Retention Policy on your agenda today, any record which is required by law to be kept or maintained (regardless of whether it is in email, paper or other form) would be handled in accordance with applicable legal standards. This will require that employees, volunteers and officials identify and preserve certain records which originally were included in, or created as, email messages, as discussed in more detail below and in the trainings to be provided in the upcoming months.

Training and Phase-in Period

As with any change of policy, transitions can be hard. As such, IT and County Counsel have worked together to establish a “phase-in” system for the new email retention period that provides employees with time to retrieve and separately save old emails that they wish to preserve or which must be retained by law. In conjunction with that phase-in period, we will be providing training to all County email users in identifying email messages that must be saved separately and apart from the email system and maintained in accordance with County retention policies and State law. This includes emails that: (1) were made for the purpose of disseminating information to the public; (2) were made and kept for the purpose of memorializing an official public transaction; (3) are required by law to be kept; or (4) are necessary and convenient to the discharge of a County officer’s official duties and were made or retained for the purpose of preserving their informational content.

Fiscal Impact

Staff time to implement new policy, but long-term savings resulting from improved records management practices.

If you have any questions on this matter prior to your meeting, please call Stacey Simon at 924-1704 or 932-5417, Christy Milovich at 924-1706 or Nate Greenberg at 924-1819.



R17-__

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS ADOPTING
A VOICE AND ELECTRONIC MEDIA POLICY
AND SUPERSEDING AND REPLACING THE
2015 MONO COUNTY VOICE AND ELECTRONIC MEDIA
RETENTION POLICY**

WHEREAS, in 2015 the Board of Supervisors adopted the Mono County Voice and Electronic Media Policy (the “2015 Policy”) which established the County’s rules and standards for the use of electronic media by County employees and officials and implemented a two-year retention period for email messages; and

WHEREAS, in conjunction with its adoption of a comprehensive, countywide records retention policy, the Board now wishes to update the 2015 Policy to modify the retention period for email correspondence that is not otherwise required by law to be preserved by replacing the 2015 policy with the attached Voice and Electronic Media Policy providing a 90-day retention period for email messages that are not otherwise required by law to be retained;

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

SECTION ONE: The Mono County Public Voice and Electronic Media Policy attached to this Resolution as an Exhibit and incorporated by this reference is hereby adopted.

SECTION TWO: The Mono County Voice and Electronic Media Retention Policy adopted in 2015 by Resolution R15-51 is hereby superseded and replaced in its entirety and shall be of no further force and effect.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2017, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Stacy Corless, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel

VOICE & ELECTRONIC MEDIA POLICY

Covering email, file storage, voicemail,
and other electronic communications



MONO COUNTY, CA

PRODUCED BY

Mono County Information Technology
437 Old Mammoth Road, Suite 228
PO Box 7657
Mammoth Lakes, CA 93546

A. PURPOSE OF POLICY

This policy provides guidelines for the long and short-term storage and removal of Electronic Media and messages sent and received by Mono County employees and managed by the Department of Information Technology (“IT Department”). A more comprehensive set of policies and standards governing the use of technology is included in the “Information Technology Standards and Policies” document.

B. DEFINITIONS

1. “Authorized User” is any employee, contractor, volunteer, or other individual who has been authorized by the Board of Supervisors, County Administrative Officer (CAO), or Department Director to use the County’s electronic equipment or systems.
2. “Electronic Media” include but are not limited to data and messages which are created, sent, or received by County computers and personal computing devices, landline and cellular phones, or similar type of equipment as email messages, voicemail or similar.
3. “Mono County Personnel” means any person employed by the County, whether as regular full-time, part-time, temporary, probationary, or otherwise; as well as County officials, consultants, and volunteers.

C. GENERAL RULES OF ELECTRONIC MEDIA USAGE

To ensure that all forms of electronic media are used appropriately, general rules of electronic media usage include:

1. Authorized Users with access to County data are charged with appropriate protection of those data. The policies and standards governing technology use within the County are designed to protect data, systems, and our employees.
2. All Authorized Users are responsible for the proper care and handling of all forms of County owned electronic media to which they have access.
3. Electronic Media may not be used for any prohibited purpose, including illegal activities, messages that may constitute discrimination or harassment under state, local, or federal law, or other inappropriate uses which threaten the integrity of systems or data.
4. Supervisors, managers, department directors, as well as the IT Department, as authorized by the applicable department director, reserve the right to enter, search and monitor the County’s computer files, voice mail, e-mail, or any type of County electronic file of any employee without advance notice. Justification for such actions may include monitoring work flow or productivity, investigating theft, disclosure of confidential business or proprietary information, or personal abuse of the system.

5. Authorized Users who access the County's network, email, voice mail and electronic data files remotely from a non-County computer or other Electronic Media are held to the same standards of responsible use defined in this policy as if they were using County Electronic Media at County facilities.
6. Authorized Users may not store County data or messages on third-party websites, personal storage devices, or in a method which is otherwise not accessible by the IT Department without prior written authorization (i.e., use of Dropbox, Google Drive, or similar systems and devices for storing County documents, or forwarding a County email to a personal email account).
7. All Electronic Media created or received by County systems are considered property of Mono County.

D. DATA STORAGE, RETENTION AND BACKUP

The Mono County IT Department is responsible for designing and implementing a file structure system for securely and logically storing County Electronic Media.

The IT Department regularly replicates and backs-up data to ensure operational continuity in the event data is compromised, lost, or otherwise affected. In general, data snapshots are taken on a daily, weekly, and monthly basis, with several months of data saved should it need to be recalled at a later date. Any concerns regarding loss of or damage to data should be reported to the IT Department as soon as they are discovered.

Authorized Users shall be trained by the IT Department on this structure when they begin employment, and are responsible for the maintenance of the data to which they have access.

File storage is divided into two primary categories:

1. User Files

Each Authorized User will receive their own dedicated U-Drive (U:\) for file storage, which, unless otherwise authorized, only they and the IT Department have access to. Files stored in this folder will be backed-up regularly and retained indefinitely, or destroyed by the User in accordance with the County's records retention policy.

Upon separation with the County, the applicable department director may be given access to the former employee's emails and electronic files stored in their U:\, or designate an alternate Authorized User to take ownership of them. Any e-mails or files stored on the former employee's U:\ that have not been preserved or moved to another location, will be purged in accordance with the County's records retention policy.

At any time during the course of employment, supervisors, managers, department directors, as well as IT staff, as authorized by the applicable department director, reserve the right to enter, search, and monitor the County's computer files, voice mail, e-mail, or any type of County electronic file of any employee without advance notice. In these situations, read-only access may be granted to any of the Authorized User's folders directly, or a copy of the files in any folder may be made into a location determined by the department director.

2. Departmental Files

The IT Department will work with individual departments, their directors, and staff to ensure that file system organization and security meets the needs of that particular department and respond to requests to modify access for specific-use cases.

By default, data is saved on the Mono County file system for an indefinite amount of time, unless otherwise deleted by an Authorized User. In order to avoid cluttering of the file system, it is important for individual departments to manage their file structure appropriately by reviewing, organizing, and deleting old and unneeded files on an annual basis, in a manner that is consistent with the County's record retention policy.

The IT Department recognizes that each department will have different data storage requirements and retention periods, and will work with departments to ensure that their needs are upheld, while recommending best practices for data storage and maintenance where appropriate.

The IT Department recognizes the value of Cloud-based storage solutions (such as Microsoft OneDrive) and has implemented them for various Mono County Personnel to meet a specific business need. The implementation of these storage services has been done in accordance with the same policies as set forth in this document as well as all applicable data standards and requirements imposed upon local government agencies.

Mono County Personnel shall use the data storage methods which have been provided by the IT Department, and not implement third-party non-authorized solutions (such as Dropbox, Google Drive, or similar offerings) on their own.

E. ELECTRONIC MAIL

Electronic mail (email) addressed to, generated by, or received on County email addresses is the property of the County and is to be used for County business-related purposes only. The email system is not to be used in a way that may be disruptive, illegal, offensive to others, harmful to morale, or that otherwise compromises the overall integrity of the system or poses a security threat to the County.

Email users are responsible for the management of their personal mailboxes and those departmental boxes which they maintain. Email messages are assumed to be transitory communication. Messages that need to be retained for specific purposes, for example, because they are subject to a litigation hold are part of a project record, or are "official records" as defined in the County's Public Records Act Policy for Private Devices and Accounts should be stored outside of the email system according to best practices provided by IT staff.

Emailing en masse out of the County's regular email system for any purpose that is not directly related to County business is strictly prohibited. If a need arises to send an email to more than 25 recipients that is not directly related to County business, approval may be granted by the IT Director to utilize the County's email list serve program for sending bulk emails.

Email messages will be managed and retained according to the terms established in Section H below.

While the IT Department has the ability to access e-mail messages stored on or deleted from the County

system at any time, it may not do so without prior authorization of either the Authorized User, CAO, County Counsel, HR Director, or applicable department director. Upon receiving such permission, the IT Department may provide access to an Authorized User's mailbox for an indicated amount of time. It is understood that during this time it is not possible to determine who sent messages from the account in question.

Authorized Users are otherwise strictly prohibited from accessing another Authorized User's email without the express permission of the Authorized User, applicable department director, or HR Director.

Access to the mailboxes of Authorized Users no longer employed or retained by Mono County may be established by the IT Department following approval by the applicable department director, the CAO, or the HR Director and remain subject to the same retention period specified below.

Emails sent by HIPAA-covered agencies that contain confidential patient information must be encrypted using a method established by the IT Department.

F. VOICEMAIL

Voicemail messages left on the County phone system are considered transitory communication and are only maintained up until the time that the user deletes the message from the system. It is not possible to recover deleted messages, and they are not backed-up.

Some Authorized Users receive voicemail in the form of an email message with an attached audio recording. In the case of these voicemails, the message is maintained by the County's email system and retained within the same periods set forth in Section H below, or may be deleted sooner by the User.

Employees shall establish a password for their voicemail box that ensures unique access to that box, and should generally not share that password with any other employee.

Voicemail messages, which are left on the County maintained phone system, are considered property of Mono County and may be accessed by the IT Department upon the request of the applicable department directors, HR Director, County Counsel, or the CAO.

G. ELECTRONIC FILES AS PUBLIC RECORDS

Authorized Users need to be aware that data, files, messages, and information created by or stored on County computers, servers, or voicemail systems may be subject to disclosure under the Public Records Act, and/or discovery in litigation. County records created through email and other forms of electronic communication(s) that are official records or retained in the ordinary course of business must be protected and retained in accordance with records retention laws and best practices described by the IT Department and County Counsel.

H. RETENTION OF ELECTRONIC MESSAGES AND COMMUNICATIONS

Electronic communications are a business tool that shall be used in accordance with generally accepted business practices and all local, state, and federal laws, including the California Public Records Act, to provide an efficient and effective means of communication.

Email messages are considered transitory in nature and should only be retained where necessary (e.g., if they are official records, part of a project file, or subject to litigation hold). As such, the County's email management system will automatically delete emails (and voicemails that become emails) which are not saved by the User outside of the email system after 90 days.

Certain departments have specific use cases which substantiate the need to retain an actual email message for a longer time period. In these unique circumstances, IT will work to provide an appropriate retention method within Outlook or similar approved system.

Typically, the content of the email message is of greater value than the email itself. In these circumstances, the best practice is to:

1. Save the email content into an electronic project file or business system;
2. Copy the content to OneNote or similar note tracking system;
3. Export a PDF of the message and store in a project folder in the County's electronic file system.

Authorized Users are encouraged to seek guidance from the IT Department and County Counsel in either case to ensure that both messages and information are retained properly and only when necessary.

I. DISCLOSURE OF ELECTRONIC COMMUNICATION

Periodically, the County receives requests for inspection or production of documents pursuant to the Public Records Act, as well as subpoenas or court orders for documents.

In the event such a request or demand includes electronic messages, the IT Department will work with the County Counsel's office to temporarily preserve any messages related to the request, or review the Authorized User's mailboxes included as part of the request, in order to produce, by any reasonable means available, the appropriate data.

In these circumstances, the IT staff will access an Authorized User's mailbox and copy appropriate messages to a secondary location, which will be reviewed by County Counsel staff before being delivered to the requestor.

J. PROHIBITED USES OF THE ELECTRONIC MEDIA

Prohibited uses of Electronic Media include, but are not limited to the following:

1. Illegal activities under local, state, and/or federal law;
2. Intentional or negligent misuse;
3. Anything that may be construed as harassment or disparagement of others based on race, religious creed, color, age, sex, sexual orientation, gender identity, genetic characteristics, national origin, religion, marital status, medical condition, disability, military service, pregnancy, childbirth and related medical conditions, and/or any other classification protected by federal, state, and local laws and ordinances, or perception that an individual has one of these characteristics. This includes, but is not limited to, slurs, obscene messages, sexually explicit images and/or cartoons, etc.;
4. Except as a part of an authorized user's regular County duties, knowingly displaying, transmitting, or downloading sexually explicit or pornographic images, messages, or cartoons;
5. Transmitting messages which are threatening, obscene, lewd, or profane;
6. Soliciting others for commercial ventures or other non-job-related matters;
7. Unauthorized mass mailing to more than 25 recipients (any larger distribution requires pre-authorization and use of the County's email campaign);
8. Forging electronic mail messages;
9. Intentionally disrupting network traffic or crashing the network and connected systems;
10. Any other use which is deemed by the County to be inappropriate or in violation of the intended use of any electronic media.

Unauthorized use of the County's Electronic Media as outlined in this policy will be reviewed on a case-by-case basis and may be subject to disciplinary action up to and including termination.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

Departments: County Counsel and Information Technology

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

PERSONS APPEARING BEFORE THE BOARD

Stacey Simon and Nate Greenberg

SUBJECT Resolution Adopting Public Records Act Policy for Private Devices and Accounts

AGENDA DESCRIPTION:

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

Proposed resolution adopting Public Records Act Policy for Private Devices and Accounts.

RECOMMENDED ACTION:

Adopt proposed resolution R17-____, Adopting a Public Records Act Policy for Private Devices and Accounts. Provide any desired direction to staff.

FISCAL IMPACT:

Cost savings in reduced staff time and data storage.

CONTACT NAME: Stacey Simon

PHONE/EMAIL: 760-924-1704 (Mammoth) 760-932-5417 (Bridgeport) / ssimon@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Resolution
Private Accounts and Devices Policy
Exhibit A -Verification Form
Backup

History

Time	Who	Approval
12/6/2017 10:58 PM	County Administrative Office	Yes
12/4/2017 12:38 PM	County Counsel	Yes
12/7/2017 12:34 PM	Finance	Yes

County Counsel
Stacey Simon

Assistant County Counsel
Christian E. Milovich

Deputy County Counsel
Anne M. Larsen
Jason T. Canger

**OFFICE OF THE
COUNTY COUNSEL**

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

Telephone
760-924-1700

Facsimile
760-924-1701

Paralegal
Jenny Senior

To: Board of Supervisors

From: Stacey Simon

Date: December 12, 2017

Re: Resolution adopting Public Records Act Policy for Private Devices
and Accounts

Recommended Action

Consider and potentially adopt proposed resolution adopting Public Records Act Policy for Private Devices and Accounts.

Focus Area(s) Met

Economic Base Infrastructure Public Safety
 Environmental Sustainability Mono Best Place to Work

Discussion

This year the California Supreme Court determined that certain electronic communications located on personal devices (e.g., texts) or in personal accounts (e.g., Snapchat, Facebook, Gmail) that pertain to the conduct of public agency business are public records which must be disclosed in response to a request made under the California Public Records Act (CPRA).

Since the Supreme Court's ruling, public agencies throughout California have been working to develop policies and procedures addressing how their employees, volunteers and officials use personal devices and accounts for agency-related business. Specifically, public agencies are limiting (or in some cases outright prohibiting) the use of personal devices and accounts for government purposes. This is being done not only to protect employees and officials from burdensome and intrusive searches of personal devices and accounts, but also to limit the expense and staff time associated with searching multiple locations to comply with requests for records. The overarching goals are to ensure that public records are easily located and provided, that employees'

privacy is protected and that time-consuming and burdensome searches of multiple accounts or locations are minimized.

The attached proposed policy for Mono County reflects this approach, and is based on a model developed by the California County Counsels' Association. It contains two basic components:

- (1) The policy "strongly discourages" employees, volunteers and public officials from using personal accounts or devices to conduct county business. For those departments or employees for which use of personal devices or accounts is critical to job function (e.g., a caseworker whose client only communicates by text), the policy requires that the communication be forwarded to the employee's county email account or county-issued electronic device (or a paper record created and filed) so that the record is available without resorting to searching a private device or account.
- (2) The policy establishes procedures for ensuring adequate training and compliance with the CPRA as it relates to producing public records which may be maintained in private devices or accounts.

Finally, this office, in conjunction with the Information Technology Department, created a one-page handout to assist staff and others in understanding the law and complying with the new requirements. That handout is included in the board packet and was initially distributed shortly after the Supreme Court decision came out.

Fiscal Impact

Cost savings in reduced staff time and data storage.

If you have any questions on this matter prior to your meeting, please call me at 924-1704 or 932-5417.



R17-__

**A RESOLUTION OF THE MONO COUNTY
BOARD OF SUPERVISORS ADOPTING
A PUBLIC RECORDS ACT POLICY FOR PRIVATE
DEVICES AND ACCOUNTS**

WHEREAS, when personal email accounts or personal devices are used to conduct County business, the records created may constitute public records within the meaning of the California Public Records Act (CPRA) which are subject to disclosure; and

WHEREAS, the County has an interest in restricting and regulating the use by County employees of personal accounts or devices in order to protect the privacy of those employees and to efficiently manage public records of the County by encouraging their maintenance in County accounts and devices; and

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES that the Mono County Public Records Act Policy for Private Devices and Accounts, which is attached hereto and incorporated herein by this reference, is adopted.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2017, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Stacy Corless, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel



Mono County Public Records Act Policy for Private Devices and Accounts

Adopted December 12, 2017

1. Purpose and Applicability

1.1 Purpose. The County of Mono is committed to transparency and compliance with the California Public Records Act (CPRA). This policy is intended to address the County's public records that may exist outside of the County's electronic and communications systems, i.e., residing on private devices or accounts.

1.2 Applicability. This policy applies to 'Personally Owned Devices' (PODs) and associated Authorized Users -- County employees, elected and appointed officials, officers and others who are in possession of "public records" residing in their private electronic devices or private electronic accounts or which are otherwise stored outside of the County's electronic and communications systems.

1.3 Public Records. "Public records" have been defined as any writing that relates in some substantive way to the conduct of the public business, regardless of physical form or characteristics. Such records may include, but are not limited to, email, word documents, photographs, text messages, voicemail, or other similar records that are stored outside of the County's electronic and communications systems. The 2017 California Supreme Court case, *City of San Jose v. Superior Court* ((2017) 2 Cal.5th 608) held that this definition includes records that are stored on private accounts outside of the County's electronic and communications systems.

Factors used to determine whether a record relates to public business include "... the content itself; the context in, or purpose for which, it was written; the audience to whom it was directed; and whether the writing was prepared by an employee acting or purporting to act within the scope of his or her employment." *City of San Jose*, 2 Cal.5th 608, 618. The *San Jose* Court also puts context to this definition throughout the opinion by references to public records as records in the furtherance of the public's business. *Id.* at p. 619. Accordingly, "public records" may include, but are not limited to, email, word documents, photographs, text messages, voicemail, or other similar records.

2. Use of County Accounts and Agency Owned Devices (AODs) Strongly Encouraged

2.1 County employees and officers are strongly encouraged to conduct all County business by using their County accounts and/or County-issued electronic devices. Doing so will help facilitate the County's response to CPRA requests and reduce burdens on the employees and officers (see 2.4 below).

2.2 If, notwithstanding the above advisement, County business is conducted using private accounts, emails or other private electronic messages that appear to be "public records" as described in section 1.3, these records should be copied or forwarded by the Authorized User to his or her County email account or County-issued electronic device as soon as it is reasonably practicable to do so.

2.3 Text messaging about County business using PODs should be minimized in general and should not be used for any substantive communication. Texts that relate in a substantive way to the conduct of County business, though short, may be considered public records.

2.4 Authorized Users should be aware that: (1) searching your private device for public records may be time consuming and burdensome; (2) use of personal accounts to conduct County business may result in being individually named in litigation regarding the records, and (3) individual privacy may be impacted by a CPRA request. The use of only County accounts and devices is therefore highly encouraged to lessen the burden on Authorized Users and to simplify the process of responding to CPRA requests.

3. Training

All Authorized Users are generally required to complete training with respect to the CPRA including, but not limited to, training regarding conducting a reasonable search for responsive public records and distinguishing public records from personal records.

4. Private Accounts and County Document Retention Policy

4.1 While the *City of San Jose* case does not discuss records retention policies, because the court found that documents and communications on PODs or in private electronic accounts may be “public records” means that the County’s records retention policies apply to such records

4.2 As noted in section 3 above, Authorized Users must have a working knowledge of the county’s records retention policies in order to properly retain, preserve, manage, or dispose of those “public records” that may reside on their PODs or in their private accounts.

4.3 The County’s record retention and disposal policies are set forth in the Mono County Records Retention Policy (R17-__) and its retention and disposal policies for email, voicemail and other electronic communications are set forth in the Mono County Voice and Electronic Media Policy (R17-__).

4.4 The County’s retention policies’ core concepts (as applicable here) include:

4.4.1 Emails are a modern equivalent to phone conversations or handwritten notes and are considered transitory in nature. They are automatically deleted by the County’s email system after 90 days. If they are deleted from an Authorized User’s account before the expiration of 90 days, they will nevertheless be retained on the County’s server for that period and must be provided in response to a CPRA request unless exempt from disclosure. In that event that material contained within an email constitutes an Official Record as defined in section 4.5.1 below, it must be transferred out of the email system and maintained within the Authorized User’s files.

4.4.2 Text messages and voicemails are also considered transitory communications and may be deleted as soon as they are no longer needed by the recipient, unless they constitute Official Records as defined in section 4.5.1 below.

4.5 Gov. Code § 6252(e) and *City of San Jose* broadly define “public records” for purposes of what must be disclosed pursuant to a CPRA request (although it excludes records which are “primarily personal”), but neither the CPRA nor *City of San Jose* discuss what records must be kept or for how long. Notably, the CPRA *expressly* recognizes that there are “public records” that are not kept in the ordinary course of business. (Gov. Code § 6254(a).)

4.5.1 As detailed in the County’s record retention policies (see section 4.4 above), County policy is that only “Official Records” need be retained pursuant to the County Records Retention Schedule. The County defines an “official record” as:

A paper or electronically-stored document in the County’s possession that meets any of the following criteria:

- (1) The document was made for the purpose of disseminating information to the public;
- (2) the document was made and kept for the purpose of memorializing an official public transaction;
- (3) the document is required by law to be kept; or
- (4) the document is necessary and convenient to the discharge of a County officer’s official duties and was made or retained for the purpose of preserving its informational content.

Official Records do not include preliminary drafts, notes, or inter- or intra-agency memoranda not kept in the ordinary course of business and the retention of which is not necessary for the discharge of a County officer’s official duties.

4.5.2 Under the definition in section 4.5.1, the vast majority of emails and texts, while “public records” for purposes of the CPRA, are not “Official Records” that must be retained pursuant to the County records retention schedules. The County has implemented a 90-day retention and auto-deletion protocol for emails residing on County systems. County email system users must identify emails that qualify as Official Records and preserve them pursuant to the appropriate records retention schedule.

4.5.3 Emails, texts, or other “public records” that qualify as Official Records and reside on private accounts or devices shall, as soon as possible, be moved or copied to an appropriate County system, database, or library for proper retention. Such Official Records should be deleted from the private device or account after they have been transferred to the appropriate County system and once there is no further utility for the records to reside on the private device or account.

4.5.4 Emails, texts, or other “public records” that do not qualify as Official Records subject to a mandatory retention period shall be deleted from private devices and accounts as soon as it is practical to do so.

5. Cooperation with County’s Responses Procedures

5.1 Upon receipt of a CPRA request, the County shall communicate the request and any additional instructions to the appropriate Authorized Users. Searches for public records should include

both public devices and accounts and private devices and accounts unless the Authorized User is explicitly instructed not to search his/her private devices or accounts.

5.2 Upon receipt of the CPRA request and any supplemental instructions, an Authorized User shall search his/her own personal device or account for public records related to the request, if the Authorized User has been trained to distinguish between personal and public records. If the Authorized User has not yet received this training, the Authorized User should notify County Counsel before making the response so that the training can be provided.

6. Employees – Searches and Verification Forms

Employees must conduct a thorough and reasonable search for public records related to the request and may be required to complete a Verification Form (Attachment A) to document the search. Employees shall provide responsive public records and a completed Verification Form, if applicable, to their supervisors or other authorized representative within the time requested by their supervisor or authorized representative. Note that responsive public records are still subject to possible exemptions before production.

7. Elected and Appointed Officials

Elected and appointed officials must also conduct a thorough and reasonable search for responsive public records and it is recommended that they follow the same procedures as employees to the extent that it does not impermissibly interfere with the performance of their statutory functions.

8. Volunteers

Volunteers may not have county devices or accounts and, out of necessity, may conduct County business on private devices and accounts. Volunteers should be apprised of this and related County policies as appropriate. When asked to search for “public records”, volunteers should follow the procedure in the employees’ section above. Portions of the Verification Form may not apply to volunteers (i.e. department databases) but the volunteers may indicate this with “n/a” on the Verification Form. The County may offer these volunteers devices or accounts to use or volunteers may copy their communications on a County device or account, e.g., email sent via a private email address about County business is copied to a government email address.

9. Departing Authorized Users

9.1 Before their last day with the County, Authorized Users leaving the County shall transfer all public records from their private devices or accounts to a County account or system for further disposition by the County (See 9.2). Authorized Users may be asked to complete an affidavit or other form (described below) attesting to their search and transfer of public records.

9.2 The public records provided by the departing Authorized User will be reviewed by the County for a determination of what records, if any, require retention as Official Records. (See section 4.5.1 above.) Official Records requiring retention shall be archived with the appropriate office, department or custodian of records. The departing Authorized Users’ supporting affidavits shall be maintained by the County for the applicable retention period.

10. Affidavits

While the Verification Form is at the option of the County, a court may require an affidavit or sworn declaration in the event of litigation. The affidavit or declaration must contain facts sufficient to show the reasonableness of the Authorized User's search. The affidavit or declaration should be case-specific and its elements may vary, including but not limited to: (1) a description of the files with responsive records; (2) a description of the file locations; (3) the specific person doing the search, either named or described by job title; and (4) the search terms. The affidavit or declaration should be reasonably detailed and nonconclusory. If a search produces "responsive" documents that do not qualify as public records, then the affidavit should describe the nature of those records sufficient to demonstrate to the court their personal nature. (Example - A request seeks records referencing Project X. Project X is only tangentially mentioned in an email asking about a lunch date.)



Public Records Act Verification to County Counsel's Office

Name of Public Records Act Request: Date Received: _____	Name: _____ Department: _____ Title: _____
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INSTRUCTIONS:

Return a completed version of this form (pages 1 and 2) to _____ as an electronic PDF with your signature or drop off a signed hard copy, even if you do not have any responsive material. Please return within ***seven calendar days*** if possible, and if not please contact the person named above.

Complete the table on the following page to indicate whether you have responsive records, describe the records you think you might have, the precise location of those records, and provide the records (electronic or hard copy, as directed) to the person named above for review and possible production.

Please complete all search data and potentially relevant records fields on the following page by typing in or writing in your responses. The form will be returned to you if incomplete. If something is not applicable please write "n/a" in the fourth column, and explain why (i.e., "I do not use personal email to conduct county business", etc.).

Search Location	Search Date	Records Related to the Request Found?	General Types of Records (if none, explain reason)
Departmental X, Y, Z Drives		<input type="checkbox"/> Yes <input type="checkbox"/> No	
U: Drive or OneDrive		<input type="checkbox"/> Yes <input type="checkbox"/> No	
SharePoint or other Departmental shares		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Departmental Business Systems (Case/Record Management, etc.)		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Work Computer(s) <i>(includes email saved outside of Outlook in project folders, etc.)</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Personal Computer(s) <i>(includes any records saved locally to your home computer)</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
County issued cell phone or other mobile device <i>(includes texts and photos)</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Personal cell phone or other mobile device <i>(includes texts and photos)</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Personal Email <i>(includes deleted/sent items)</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
PC Recycle /Trash Bin		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Removable Storage Media <i>(such as flash drives, DVDs, and other external drives)</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Hard copy files not in office <i>(includes archived files and potentially files in storage)</i>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Other		<input type="checkbox"/> Yes <input type="checkbox"/> No	

The following people may also have records responsive to this CPRA request:

The following search terms were used when looking for documents:

I certify that I have completed the information above to the best of my ability

Printed Name

Signature

Date



California Supreme Court Ruling on Public Records on Personal Accounts and Devices

WHAT DO YOU NEED TO KNOW?

On March 2, 2017, the California Supreme Court held that when public agency employees – including County employees, elected officials, Board appointees, and members of advisory boards and commissions – use their personal email accounts and devices for County business, those records may need to be disclosed in response to a Public Records Act (PRA) request.

Because of this court ruling, County employees responding to a PRA request will be required to search their personal email accounts and devices when necessary, in addition to their work accounts, for any relevant records. Relevant records from employees' personal email accounts and devices relating to county business will have to be disclosed if they contain information sought in a PRA request.

Due to this court ruling, you are strongly urged to only send work-related messages using County-owned accounts. If you use a personal email account or device for communications relating to county business, it is your responsibility to ensure that they are forwarded to your County email account or transferred to a County computer.

Retain, Don't Delete

Because work-related records in your personal email account or device are public records, **you may not delete them** unless you do it in accordance with the retention schedules for your department and the County. Additionally, in the event of a **litigation hold**, you must preserve all relevant work-related records in your personal email accounts and devices, regardless of other retention policies.

For How Long?

Work-related messages must be retained for the time specified on the County or department's record retention schedule. Only work-related messages that are transitory records – emails or other messages solely used as personal notes to create some other official document – may be deleted. You may **only delete non-transitory records** from your personal email account or device before the retention period ends if you have properly emailed them to your County email or transferred them to your County computer. Improperly deleting official records is a felony.

Text Messages and Social Media

Avoid using text messages and social media on your personal phone or device for county business if at all possible. If your personal device contains work-related text or social media messages, transfer them to your County email or computer.

Searching Personal Accounts

When to search personal accounts and devices: If you have forwarded your work-related messages to your County email account, you should not have to search your personal accounts or devices (unless you suspect they contain messages you have not yet forwarded). Generally, you will only be asked to search your personal email accounts and devices if the County receives a PRA request for **communications** or **correspondence** seeking the types of records you possess.

Conducting these searches is your responsibility. The County will not search your personal email accounts or devices, nor will any County employee

ask for the password or access to your personal accounts.

When you find relevant records:

Each record must be considered individually based on the specific PRA request. Records that directly relate to County business must be disclosed. However, records that are clearly personal in nature that only make a passing reference to County business need not be disclosed. To meet the County's legal obligations, we may ask that you complete an affidavit to confirm that you have searched and forwarded relevant messages.

Examples of “Personal” and “Work-Related” Messages

Personal Message

From: Employee’s personal email.
To: Employee’s spouse’s personal email.

Hi honey – I’ll be home by six tonight. How was the kids’ soccer game? I hope the coach showed up this time. I’m stopping at Vons on the way, so let me know if we need anything. You won’t believe what they’re having me do now at work, I’ll tell you about it tonight. I just wish I didn’t already have so much on my plate.

Work-Related Message

From: Employee’s personal email.
To: Employee’s boss’s personal email.

While you were at the management meeting, the local news called about some incident that occurred at one of the community centers last night. I didn’t know what happened and so told them you’d call them back. I have to leave early because I have a dentist appointment. Hope you have a good weekend.

Enforceable by the Court

Any employee who refuses to search personal email accounts or devices, or refuses to disclose responsive records found during a search, could be subject to court action. The County would be obligated to inform the individual who made the PRA request that an employee has refused to comply, and the requestor would then have the option of **going to court to compel the employee to disclose the records**. The County cannot defend or indemnify employees who intentionally refuse to comply with PRA requests.

Best Practices for Personal Accounts and Devices

Avoid using your personal email accounts, text messages, or apps on your personal phone for County-related business.

If you do use your personal email account or device for work purposes, **immediately forward any work-related emails to your County email account**. If you send text messages or use other apps or social media, be sure that their content is transferred to your County computer.

The Supreme Court’s Rationale

The Supreme Court found that public records should be accessible to the public regardless of where they are located. If a County employee sends an email, text, or other communication while **acting in the scope of their employment**, and the message is **substantially connected to County business**, the message is a public record even if it was sent using the employee’s personal email account or device. When an employee moves a paper copy of a record from the office, the paper copy remains a public record even when the employee takes it home. The same is true of messages that the employee “takes home” on a personal device. Therefore, the Court found that a reasonable search for records relevant to a PRA request must include searches of employees’ personal email accounts and devices, and any

work-related records must be disclosed under the Public Records Act. Due to privacy concerns of employees, the Court stated that personal messages that make only a passing reference to government business need not be disclosed.

Types of records affected:

This ruling affects any type of work-related record that you may have in your **personal email accounts or devices**, including, but not limited to, emails and their attachments, text messages, voicemails, photos, videos, and Word or text documents. It also includes **communications sent using apps or social media**, including Facebook, Twitter, Instagram, and Snapchat.

For more information, download and read the court opinion for City of San Jose v. Superior Court (Smith) at <http://www.courts.ca.gov/opinions/documents/S218066.PDF>.

Additional Guidance and Questions

If you have any questions, please contact the County Counsel’s Office. The County Counsel is currently reviewing County policies to provide further guidance to departments if necessary.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

Departments: Finance

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

SUBJECT Request for General Fund Contingency - Mammoth Lakes Mosquito Abatement District Audits for FY 2014 and FY 2015

AGENDA DESCRIPTION:

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

Request up to \$15,000 in General Fund contingency funds as contribution to Mammoth Lakes Mosquito Abatement District (MLMAD) to cover the costs of auditing fiscal years ended June 30, 2014 and 2015.

RECOMMENDED ACTION:

Authorize use of contingency funds up to \$15,000 and transfer to the account of Mammoth Lakes Mosquito Abatement District for cost to engage a CPA firm for auditing the District's transactions for fiscal years ended June 30, 2014 and 2015. A four-fifths vote is required.

FISCAL IMPACT:

Transferring General Fund contingency of \$15,000 will reduce General Fund contingency from \$329,000 to \$314,000. MLMAD has a carryover balance of \$68,450 of which approximately \$12,000 is needed each year to cover annual spending.

CONTACT NAME: Janet Dutcher

PHONE/EMAIL: 760-932-5494 / jdutcher@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff report
Mammoth Lakes Mosquito Abatement District Audit Engagement Letter 2014 and 2015

History

Time	Who	Approval
12/6/2017 11:06 PM	County Administrative Office	Yes
12/6/2017 4:59 PM	County Counsel	Yes
12/7/2017 9:13 AM	Finance	Yes



DEPARTMENT OF FINANCE AUDITOR-CONTROLLER COUNTY OF MONO

Stephanie M. Butters
Assistant Finance Director
Auditor-Controller

Janet Dutcher, CPA, CGFM
Director of Finance

P.O. Box 556
Bridgeport, California 93517
(760) 932-5490
Fax (760) 932-5491

TO: Honorable Board of Supervisors

FROM: Janet Dutcher, Finance Director

DATE: December 5, 2017

SUBJECT: Request for General Fund contingency – Audits of Mammoth Lakes Mosquito Abatement District for fiscal years ended June 30, 2014 and 2015

RECOMMENDATION:

Authorize use of contingency funds up to \$15,000 and transfer to the account of Mammoth Lakes Mosquito Abatement District (MLMAD) for cost to engage a CPA firm for auditing the District's transactions for fiscal years ended June 30, 2014 and 2015. A four-fifths vote is required.

BACKGROUND:

California State law requires the County Auditor to contract with a CPA firm to perform an audit of a special district within the County if the district does not do so on their own. Special District audits are required to be remitted to the California State Controller's Office within twelve months following the end of each fiscal year.

DISCUSSION:

The Finance Department engages one CPA firm to perform the required external audits of seventeen of our County's special districts. Each district pays for their audit and the County, in substance, makes a set contribution towards each District's accounts to ease the cost burden of these audits to the Districts. All seventeen district audits are performed at the same time for each fiscal year.

For the years ended June 30, 2014 and 2015, MLMAD did not have an active governing board and had limited or no staffing. Audits for those years were partially completed but the audits were not finished and audit reports were never issued, mainly because required communications, requiring signature of someone authorized to represent MLMAD, could not be obtained and the CPA firm at the time would not issue the District's audit reports.

Several months ago we received communication from the State Controller's Office requesting these two audits. We obtained a quote from our current external auditor to perform these audits for \$8,000 for each fiscal year. This item is to request the transfer from contingency of up to \$15,000, which is \$7,500 for each fiscal year less a \$500 contribution from the District.

FISCAL IMPACT:

Transferring General Fund contingency of \$15,000 will reduce General Fund contingency from \$329,000 to \$314,000. MLMAD has a carryover balance of \$68,450 of which approximately \$20,500 is anticipated to be needed each fiscal year to cover annual spending.

Attachment:

Engagement letter dated July 28, 2017 from CliftonLarsonAllen



CliftonLarsonAllen LLP
925 Highland Pointe Drive, Suite 450
Roseville, CA 95678
916-784-7800 | fax 916-784-7850
CLAconnect.com

July 28, 2017

Mono County Department of Finance
Mammoth Lakes Mosquito Abatement District
P.O. Box 556
Bridgeport, CA 93517-0556

We are pleased to confirm our understanding of the terms and objectives of our engagement and the nature and limitations of the audit and nonaudit services CliftonLarsonAllen LLP (“CLA,” “we,” “us,” and “our”) will provide for Mammoth Lakes Mosquito Abatement District (“you,” “your,” or “the entity”) for the years ended June 30, 2014 and 2015.

Elba Zuniga is responsible for the performance of the audit engagement.

Audit services

We will audit the financial statements of the governmental activities, and the major fund, which collectively comprise the basic financial statements of Mammoth Lakes Mosquito Abatement District, as of and for the years ended June 30, 2014 and 2015, and the related notes to the financial statements.

The Governmental Accounting Standards Board (GASB) provides for certain required supplementary information (RSI) to accompany the entity’s basic financial statements. The following RSI will be subjected to certain limited procedures, but will not be audited.

1. Budgetary comparison schedules.

Nonaudit services

We will also provide the following nonaudit services:

- Preparation of your financial statements and related notes.
- Preparation of adjusting journal entries.

Audit objectives

The objective of our audit is the expression of opinions about whether your basic financial statements are fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America (U.S. GAAP). Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS) and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of your accounting records and other procedures we consider necessary to enable us to express such opinions. We will apply certain limited procedures to the RSI in accordance with U.S. GAAS. However, we will not express an opinion or provide any assurance on the RSI because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

We will issue a written report upon completion of our audit of your financial statements. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming opinions on the financial statements, we retain the right to take any course of action permitted by professional standards, including declining to express opinions or issue a report, or withdrawing from the engagement.

We will also provide a report (which does not include an opinion) on internal control related to the financial statements and on compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements, as required by *Government Auditing Standards*. The report on internal control over financial reporting and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that the entity is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit conducted in accordance with U.S. GAAS and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Auditor responsibilities, procedures, and limitations

We will conduct our audit in accordance with U.S. GAAS and the standards for financial audits contained in *Government Auditing Standards*. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements as a whole are free from material misstatement, whether due to fraud or error. An audit involves performing procedures to obtain sufficient appropriate audit evidence about the amounts and disclosures in the basic financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the basic financial statements.

There is an unavoidable risk, because of the inherent limitations of an audit, together with the inherent limitations of internal control, that some material misstatements may not be detected, even though the audit is properly planned and performed in accordance with U.S. GAAS and *Government Auditing Standards*. Because we will not perform a detailed examination of all transactions, material misstatements, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity, may not be detected. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management and those charged with governance of any material errors, fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management and those charged with governance of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention.

In making our risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the basic financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting fraud or errors that are material to the financial statements and to preventing and detecting misstatements resulting from noncompliance with provisions of laws, regulations, contracts, and grant agreements that have a material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*. An audit is not designed to provide assurance on internal control or to identify deficiencies, significant deficiencies, or material weaknesses in internal control. However, we will communicate to you in writing significant deficiencies or material weaknesses in internal control relevant to the audit of the basic financial statements that we identify during the audit that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the entity's compliance with the provisions of laws, regulations, contracts, and grant agreements that have a material effect on the financial statements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

We will include in our report on internal control over financial reporting and compliance relevant information about any fraud; noncompliance with provisions of laws, regulations, contracts, or grant agreements; or abuse that may have occurred that are required to be communicated under *Government Auditing Standards*.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Management responsibilities

Our audit will be conducted on the basis that you (management and, when appropriate, those charged with governance) acknowledge and understand that you have certain responsibilities that are fundamental to the conduct of an audit.

You are responsible for the preparation and fair presentation of the financial statements and RSI in accordance with U.S. GAAP. Management's responsibilities include the selection and application of accounting principles; recording and reflecting all transactions in the financial statements; determining the reasonableness of significant accounting estimates included in the financial statements; adjusting the financial statements to correct material misstatements; and confirming to us in the management representation letter that the effects of any uncorrected

misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design, implementation, and maintenance of effective internal control, including evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error. You are responsible for the design, implementation, and maintenance of internal controls to prevent and detect fraud; assessing the risk that the financial statements may be materially misstated as a result of fraud; and for informing us about all known or suspected fraud affecting the entity involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the entity received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for implementing systems designed to achieve compliance with applicable laws and regulations and the provisions of contracts and grant agreements; identifying and ensuring that the entity complies with applicable laws, regulations, contracts, and grant agreements; and informing us of all instances of identified or suspected noncompliance whose effects on the financial statements should be considered. You are responsible for taking timely and appropriate steps to remedy any fraud; noncompliance with provisions of laws, regulations, contracts, or grant agreements; or abuse that we may report.

You are responsible for ensuring that management is reliable and for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters, and for the accuracy and completeness of that information, and for ensuring the information is reliable and properly reported; (2) additional information that we may request for the purpose of the audit; and (3) unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence. You agree to inform us of events occurring or facts discovered subsequent to the date of the financial statements that may affect the financial statements.

Management is responsible for the preparation of the supplementary information in accordance with U.S. GAAP. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. You agree to provide us written representations related to the presentation of the supplementary information.

Management is responsible for providing us with a written confirmation concerning representations made by you and your staff to us in connection with the audit and the presentation of the basic financial statements and RSI. During our engagement, we will request information and explanations from you regarding, among other matters, the entity's activities, internal control, future plans, specific transactions, and accounting systems and procedures. The procedures we will perform during our engagement and the conclusions we reach as a basis for our report will be heavily influenced by the representations that we receive in the representation letter and otherwise from you. Accordingly, inaccurate, incomplete, or false representations could cause us to expend unnecessary effort or could cause a material fraud or error to go undetected by our procedures. In view of the foregoing, you agree that

we shall not be responsible for any misstatements in the entity's financial statements that we may fail to detect as a result of misrepresentations made to us by you.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the "Audit objectives" section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other engagements or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

Responsibilities and limitations related to nonaudit services

For all nonaudit services we may provide to you, management agrees to assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, and/or experience to understand and oversee the services; evaluate the adequacy and results of the services; and accept responsibility for the results of the services.

The responsibilities and limitations related to the nonaudit services performed as part of this engagement are as follows:

- We will prepare a draft of your financial statements and related notes. Since the preparation and fair presentation of the financial statements is your responsibility, you will be required to acknowledge in the representation letter our assistance with preparation of the financial statements and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for those financial statements. You have a responsibility to be in a position in fact and appearance to make an informed judgment on those financial statements.
- We will propose adjusting journal entries as needed. You will be required to review and approve those entries and to understand the nature of the changes and their impact on the financial statements.

These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*.

Use of financial statements

The financial statements and our report thereon are for management's use. If you intend to reproduce and publish the financial statements and our report thereon, they must be reproduced in their entirety. Inclusion of the audited financial statements in a document, such as an annual report or an offering document, should be done only with our prior approval of the document. You are responsible to provide us the opportunity to review such documents before issuance.

If the parties (i.e., you and CLA) agree that CLA will not be involved with your official statements related to municipal securities filings or other offering documents, we will require that any official statements or other offering documents issued by you with which we are not involved clearly indicate that CLA is not involved with the contents of such documents. Such disclosure should read as follows:

CliftonLarsonAllen LLP, our independent auditor, has not been engaged to perform and has not performed, since the date of its report included herein, any procedures on the financial statements addressed in that report. CliftonLarsonAllen LLP also has not performed any procedures relating to this offering document.

With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website or submitted on a regulator website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in those sites or to consider the consistency of other information in the electronic site with the original document.

We may issue preliminary draft financial statements to you for your review. Any preliminary draft financial statements should not be relied on or distributed.

Engagement administration and other matters

We understand that your employees will prepare all confirmations, account analyses, and audit schedules we request and will locate any documents or invoices selected by us for testing. A list of information we expect to need for our audit and the dates required will be provided in a separate communication.

We will provide copies of our reports to the entity; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

We are available to perform additional procedures with regard to fraud detection and prevention, at your request, as a separate engagement, subject to completion of our normal engagement acceptance procedures. The terms and fees of such an engagement would be documented in a separate engagement letter.

The audit documentation for this engagement is the sole and exclusive property of CLA and constitutes confidential and proprietary information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the State Controller, or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of CLA personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of seven years after the report release date or for any additional period requested by the State Controller. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

CLA will not disclose any confidential, proprietary, or privileged information of the entity to any persons without the authorization of entity management or unless required by law. This confidentiality provision does not prohibit us from disclosing your information to one or more of our affiliated companies in order to provide services that you have requested from us or from any such affiliated company. Any such affiliated company shall be subject to the same restrictions on the use and disclosure of your information as apply to us.

Our engagement and responsibility end on delivery of our signed report. Any additional services that might be requested will be a separate, new engagement. The terms and conditions of that new engagement will be governed by a new, specific engagement letter for that service.

Government Auditing Standards require that we make our most recent external peer review report publicly available. The report is posted on our website at www.CLAconnect.com/Aboutus/.

Mediation

Any disagreement, controversy, or claim ("Dispute") that may arise out of any aspect of our services or relationship with you, including this engagement, shall be submitted to non-binding mediation by written notice ("Mediation Notice") to the other party. In mediation, we will work with you to resolve any differences voluntarily with the aid of an impartial mediator.

The mediation will be conducted as specified by the mediator and agreed upon by the parties. The parties agree to discuss their differences in good faith and to attempt, with the assistance of the mediator, to reach an amicable resolution of the Dispute.

Each party will bear its own costs in the mediation. The fees and expenses of the mediator will be shared equally by the parties.

Any Dispute will be governed by the laws of the state of California, without giving effect to choice of law principles.

Time limitation

The nature of our services makes it difficult, with the passage of time, to gather and present evidence that fully and fairly establishes the facts underlying any Dispute that may arise between the parties. The parties agree that, notwithstanding any statute or law of limitations that might otherwise apply to a Dispute, including one arising out of this agreement or the services performed under this agreement, for breach of contract or fiduciary duty, tort, fraud, misrepresentation or any other cause of action or remedy, any action or legal proceeding by you against us must be commenced within twenty-four (24) months ("Limitation Period") after the date when we deliver our final audit report under this agreement to you, regardless of whether we do other services for you relating to the audit report, or you shall be forever barred from commencing a lawsuit or obtaining any legal or equitable relief or recovery.

The Limitation Period applies and begins to run even if you have not suffered any damage or loss, or have not become aware of the existence or possible existence of a Dispute.

Fees

Our fees for these services will be as follows:

	June 30, 2014	June 30, 2015
Basic Financial Statements	\$8,000	\$8,000

The fees are based on anticipated cooperation from your personnel and their assistance with preparing confirmations and requested schedules. If unexpected circumstances require significant additional time, we will advise you before undertaking work that would require a substantial increase in the fee. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30days or more overdue and will not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed even if we have not issued our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket expenditures through the date of termination.

Unanticipated services

We do not anticipate encountering the need to perform additional services beyond those described in this letter. Below is a listing of services considered to be outside the scope of our engagement. If any such service needs to be completed before the audit can proceed in an efficient manner, we will determine whether we can provide the service and maintain our independence. If appropriate, we will notify you and provide a fair and reasonable price for providing the service. We will bill you for the service at periodic dates after the additional service has been performed.

Changes in engagement timing and assistance by your personnel

The fee estimate is based on anticipated cooperation from your personnel and their assistance with timely preparation of confirmations and requested schedules. If the requested items are not available on the dates required or are not accurate, we will advise management. Additional time and costs may be necessary because of such unanticipated delays. Examples of situations that may cause our estimated fee to increase include:

- Significant delays in responding to our requests for information such as reconciling variances or providing requested supporting documentation (e.g., invoices, contracts, and other documents)
- Rescheduling our fieldwork
- Schedule disruption caused by litigation, financial challenges (going concern), loan covenants (waivers), etc.
- Identifying a significant number of proposed audit adjustments
- Schedules prepared by your personnel that do not reconcile to the general ledger

- Numerous revisions to information and schedules provided by your personnel
- Restating financial statements for accounting errors in the prior year
- Lack of availability of entity personnel during audit fieldwork

Changes in accounting and audit standards

Standard setters and regulators continue to evaluate and modify standards. Such changes may result in new or revised financial reporting and disclosure requirements or expand the nature, timing, and scope of the activities we are required to perform. To the extent that the amount of time required to provide the services described in the letter increases due to such changes, our fee may need to be adjusted. We will discuss such circumstances with you prior to performing the additional work.

Other fees

You also agree to compensate us for any time and expenses, including time and expenses of legal counsel, we may incur in responding to discovery requests or participating as a witness or otherwise in any legal, regulatory, or other proceedings that we are asked to respond to on your behalf.

Finance charges and collection expenses

You agree that if any statement is not paid within 30 days from its billing date, the unpaid balance shall accrue interest at the monthly rate of one and one-quarter percent (1.25%), which is an annual percentage rate of 15%. In the event that any collection action is required to collect unpaid balances due us, reasonable attorney fees and expenses shall be recoverable.

Agreement

We appreciate the opportunity to be of service to you and believe this letter accurately summarizes the significant terms of our engagement. This letter constitutes the entire agreement regarding these services and supersedes all prior agreements (whether oral or written), understandings, negotiations, and discussions between you and CLA. If you have any questions, please let us know. Please sign, date, and return a copy of this letter to us to indicate your acknowledgment and understanding of, and agreement with, the arrangements for our audit of your financial statements including the terms of our engagement and the parties' respective responsibilities.

Sincerely,

CliftonLarsonAllen LLP



Elba Zuniga, CPA
Principal
916-784-7800
Elba.Zuniga@CLAconnect.com

Response:

This letter correctly sets forth the understanding of Mammoth Lakes Mosquito Abatement District.

Authorized governance signature: _____

Title: _____

Date: _____

Authorized management signature: _____

Title: _____

Date: _____



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

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

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, Dave Butters, Janet Dutcher, and Anne Larsen. 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: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
No Attachments Available

History

Time

Who

Approval



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

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

TIME REQUIRED

SUBJECT Closed Session - Initiation of
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. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: 1.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Jason Canger

PHONE/EMAIL: (760) 924-1712 / jcanger@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p>No Attachments Available</p>
--

History

Time	Who	Approval
12/5/2017 6:12 PM	County Administrative Office	Yes
12/6/2017 1:08 PM	County Counsel	Yes
12/7/2017 8:45 AM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE December 12, 2017

Departments: Board of Supervisors

TIME REQUIRED 12:30 PM - 1 Hour

SUBJECT Bridgeport Visitor Center Grand Re-Opening

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

In November of 2016, Ms. Brown and her class gave the Board a presentation on their service learning project – restoring the Bridgeport Visitor Center. The project is now complete and the class wishes the Board to be present for the grand re-opening. For this portion of the meeting, the Board will adjourn and reconvene at the Visitor Center at 123 Emigrant Street, Bridgeport, CA., 93517.

RECOMMENDED ACTION:

None, informational only.

FISCAL IMPACT:

None.

CONTACT NAME: Scheereen Dedman

PHONE/EMAIL: x5538 / sdedman@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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 [Staff Report](#)

History

Time	Who	Approval
12/5/2017 10:24 AM	County Administrative Office	Yes
12/6/2017 4:54 PM	County Counsel	Yes

11/29/2017 9:06 AM

Finance

Yes



C L E R K – R E C O R D E R – R E G I S T R A R
C L E R K O F T H E B O A R D O F S U P E R V I S O R S
C O U N T Y O F M O N O

P.O. BOX 237, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5530 • FAX (760) 932-5531

Shannon Kendall
Clerk-Recorder-Registrar
760-932-5533
skendall@mono.ca.gov

Helen Nunn
Asst. Clerk-Recorder-Registrar
760-932-5534
hunn@mono.ca.gov

To: Mono County Board of Supervisors

From: Scheereen Dedman, Senior Deputy Clerk

Date: December 12, 2017

Re: Visitor Center Grand Re-Opening

Recommended Action:

None. Informational only.

Discussion:

In November of 2016, Ms. Brown and her class gave the Board a presentation on their service learning project – restoring the Bridgeport Visitor Center. The project is now complete and the class wishes the Board to be present for the grand re-opening.

Fiscal Impact:

None.