



# AGENDA

## BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

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

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

### Regular Meeting March 6, 2018

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#### TELECONFERENCE LOCATIONS:

**Due to anticipated lack of quorum, this meeting will be adjourned to March 9, 2018, at 9:00 a.m. in the Board of Supervisors chambers of the Bridgeport Courthouse.**

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: Board Minutes

Approval of Board Minutes for the Special Meeting on February 5, 2018.

**Recommended Action:** Approve the Board minutes of the Special Meeting on February 5, 2018.

**Fiscal Impact:** None.

**B. Board Minutes**

Departments: Clerk of the Board

Approval of Board minutes from the regular meeting of February 6, 2018.

**Recommended Action:** Approve the minutes of the regular Board meeting of February 6, 2018.

**C. Board Minutes**

Departments: Clerk of the Board

Approval of Board Minutes from the regular meeting of February 13, 2018.

**Recommended Action:** Approve the Board minutes from the regular meeting of February 13, 2018.

**Fiscal Impact:** None.

**D. Resolution to Extend Memorial Hall Hours for a Special Event**

Departments: CAO

Proposed resolution authorizing Ciria Pacheco to extend the hours of a special event birthday party until 12:00 a.m. on April 22, 2018 at the Bridgeport Memorial Hall.

**Recommended Action:** Consider and adopt proposed resolution #R18-\_\_\_\_, Authorizing Ciria Pacheco to extend the hours of a special event birthday party until 12:00 a.m. on April 22, 2018 at the Bridgeport Memorial Hall.

**Fiscal Impact:** None.

**E. Monthly Treasury Transaction Report**

Departments: Finance

Treasury Transaction Report for the month ending 1/31/2018.

**Recommended Action:** Approve the Treasury Transaction Report for the month ending 1/31/2018.

**Fiscal Impact:** None

**F. June Lake CAC Appointment**

Departments: CDD

June Lake Citizens Advisory Committee Appointments.

**Recommended Action:** Consider appointing Janet Hunt to the June Lake Citizens Advisory Committee for a vacant term ending in December 2018, as recommended by Supervisor Gardner.

**Fiscal Impact:** None.

**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. Southern Mono Historical Society Letter**

Letter from Southern Mono Historical Society asking for funding.

**B. Mill Creek Return Ditch Testing Letter**

Letter from John Boynton regarding the testing of the Mill Creek Return Ditch by Southern California Edison.

**7. REGULAR AGENDA - MORNING**

**A. Clerk Recorder Department Presentation**

Departments: Clerk-Recorder

30 minutes (20 minute presentation; 10 minute discussion)

(Shannon Kendall, Clerk-Recorder; Helen Nunn, Asst. Clerk-Recorder) - Present overview of department to Board, focusing on accomplishments to date for FY 2017-2018.

**Recommended Action:** None.

**Fiscal Impact:** None.

**B. Joint Recreation Position - Update**

Departments: CAO

15 minutes (5 minute presentation, 10 minute discussion)

(Tony Dublino) - Update Board on status of the Joint Recreation Position between the County and the Town of Mammoth Lakes, and provide direction on alternatives for investing an existing \$50,000 appropriation in recreation enhancements.

**Recommended Action:** Consider update, and direct staff to either: 1. Retain \$50,000 appropriation for purposes of a shared Town/County position, 2. Apply \$50,000 (or portion thereof) appropriation to contract services for recreation enhancement, or 3. Apply \$50,000 (or portion thereof) appropriation to recreation-based organization.

**Fiscal Impact:** Depending on direction, may result in budget savings of up to \$50,000.

**C. Property Use Agreement between Mono County and Town of Mammoth Lakes Pertaining to the Development of a Civic Center on the McFlex Parcel**

Departments: CAO

10 minutes (5 minute presentation, 5 minute discussion)

(Tony Dublino) - Proposed Property Use Agreement with the Town of Mammoth Lakes, pertaining to the development of a Civic Center on the McFlex property.

**Recommended Action:** Approve County entry into proposed Property Use Agreement and authorize Chair to execute said Agreement on behalf of the County. Provide any desired direction to staff.

**Fiscal Impact:** None.

**D. Commercial Cannabis Tax Ordinance and Resolution Calling Election on Same**

Departments: Finance

15 minutes

(Janet Dutcher) - Ordinance Adding Chapter 3.30 (Cannabis Business Tax) to Title

3 of the Mono County Code Subject to Voter Approval and Enactment Pursuant to Elections Code Section 9104 and Article XIIC of the California Constitution. Resolution calling an election to submit the ordinance to the voters and consolidating that election with the regularly-scheduled statewide election on June 5, 2018. (Adoption of the ordinance requires a 4/5ths vote)

**Recommended Action:** (1) Consider and potentially adopt ordinance ORD18-\_\_\_\_, Adding Chapter 3.30 (Cannabis Business Tax) to Title 3 of the Mono County Code Subject to Voter Approval and Enactment Pursuant to Elections Code Section 9104 and Article XIIC of the California Constitution. (2) Adopt proposed resolution R18-\_\_\_\_, calling an election to submit the ordinance to the voters and consolidating that election with the regularly-scheduled statewide election to be held on June 5, 2018.

**Fiscal Impact:** The tax measure is estimated to generate \$143,000 to \$330,000 in tax revenue annually.

**E. Public Works - 17/18 Budget Goals, Progress, and 18/19 Strategic Priorities**

Departments: Public Works

1 hour

(All Public Works Division Leaders) - Presentation by Public Works Division Leaders regarding Public Works 17/18 Budget Goals, Progress and 18/19 Strategic Priorities.

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

**Fiscal Impact:** None. Informational only.

**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 - Exposure to Litigation**

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

**THE AFTERNOON SESSION WILL BEGIN NO EARLIER THAN 1:00 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. Request to Purchase Three F-250 Trucks to Replace Out-of-Service Trucks**

Departments: Public Works

15 minutes

(Tony Dublino) - Authorize increase in appropriations by \$93,000 in the Motor Pool Fund to purchase three F-250 trucks to replace out-of-service trucks (appropriation increase requires a 4/5ths vote).

**Recommended Action:** Authorization to increase appropriation by \$93,000 in Motor Pool for the purchase of three F-250 trucks (requires a 4/5ths vote).

**Fiscal Impact:** Increases vehicle purchases for FY 2017-2018 from \$687,455 to \$780,455. The vehicle replacement reserve is projected to have a balance of \$462,500. Since this proposed purchase accelerates purchases planned for next year, it does not deplete funding set aside for future replacements.

**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**    March 6, 2018

**Departments: Board Minutes**

**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 for the Special Meeting on February 5, 2018.

**RECOMMENDED ACTION:**

Approve the Board minutes of the Special Meeting on February 5, 2018.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Scheereen Dedman

**PHONE/EMAIL:** /

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES    NO

**ATTACHMENTS:**

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<a href="#">Sp draft Minutes 2-5-18</a>

**History**

Time	Who	Approval
2/28/2018 1:13 PM	County Administrative Office	Yes
2/27/2018 10:05 AM	County Counsel	Yes
2/22/2018 12:59 PM	Finance	Yes



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

MEETING LOCATION Suite Z, 2nd Floor Minaret Mall, 437 Old Mammoth Rd., Suite Z, Mammoth Lakes, CA 93546

**Special Meeting  
February 5, 2018**

<b>Flash Drive</b>	<b>Portable Recorder</b>
<b>Minute Orders</b>	<b>M18-20 Not Used</b>
<b>Resolutions</b>	<b>R18-05 Not Used</b>
<b>Ordinance</b>	<b>ORD18-01 Not Used</b>

9:01 AM Meeting called to order by Chair Gardner  
*Supervisors Present: Corless, Gardner, and Stump.*  
*Supervisors Absent: Johnston and Peters.*

**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.

**Supervisor Gardner:**

- Asked that we focus with discipline and honesty today; knowing this is a difficult thing to do.
- Feels that this is an obligation to do.

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

**2. AGENDA ITEMS**

**A. Board of Supervisors Strategic Planning Workshop for setting FY 2018-2019 goals and funding priorities**

Departments: Board of Supervisors

(Leslie Chapman) - The Board of Supervisors will hold a strategic planning workshop to discuss goals and funding priorities for the

**Note:**

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



next budget cycle (FY 2018-2019).

**Action:** None.

**Leslie Chapman:**

- Thanked everyone that came today, including Megg who brought all the refreshments.
- Asked everyone to be gut level honest today; there are no consequences to saying what you need to say.
- If this is executed the way should be, it will tell us what services we're going to deliver and how to allocate our resources.

**Nate Greenberg:**

**Power Point (to be posted to the website as additional documents)**

- What were intended objectives/statements by the Board?
- What's missing, what's unrealistic?
- Plan is about where we're going, how we're going to get there.
- Broad conversation that starts with Strategic Priorities that have been sent out to everyone.
- How will we measure things? What does success look like?
- Structurally balanced budget for this year: can departments do what needs to be done within budgetary limitations?
- Buy-in needs to be established.
- What are substantive changes that might need to be made?
- He will mail out the discussed changes to all departments.

**General comments made by Supervisors.**

**Break: 10:36 a.m.**

**Reconvene: 10:48 a.m.**

**ADJOURNED**

**ATTEST**

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**BOB GARDNER**  
**CHAIR OF THE BOARD**

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**SHANNON KENDALL**  
**CLERK OF THE BOARD**

**Note:**

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



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** March 6, 2018

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT** Board Minutes

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### 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 February 6, 2018.

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### RECOMMENDED ACTION:

Approve the minutes of the regular Board meeting of February 6, 2018.

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### FISCAL IMPACT:

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**CONTACT NAME:** Helen Nunn

**PHONE/EMAIL:** 760-932-5534 / hnunn@mono.ca.gov

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### SEND COPIES TO:

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### MINUTE ORDER REQUESTED:

YES  NO

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### ATTACHMENTS:

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#### History

Time	Who	Approval
2/28/2018 1:13 PM	County Administrative Office	Yes
2/28/2018 10:46 AM	County Counsel	Yes
2/22/2018 12:59 PM	Finance	Yes



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

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

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

**Regular Meeting  
February 6, 2018**

<b>Flash Drive</b>	<b>Portable Recorder</b>
<b>Minute Orders</b>	<b>M18-20 to M18-26</b>
<b>Resolutions</b>	<b>R18-05</b>
<b>Ordinance</b>	<b>ORD18-01 Not Used</b>

9:00 AM Meeting called to order by Chair Gardner  
*Supervisors Present: Corless, Gardner, Peters, and Stump.*  
*Supervisors Absent: Johnston.*

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Pledge of Allegiance led by Supervisor Peters.

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

**Trisha Robertson with Mammoth Lakes Housing:**

- Report on completion of a new 1<sup>st</sup> time homebuyer loan at end of January. 2013 grants are now expired so the county is now out of funds for this program.

**Supervisor Peters:**

- Adjourn in memory of Sherrie Tems, who passed away in tragic accident a few weeks ago. She leaves behind family, relatives who work for the County, her husband Bob is on the school board.

**Supervisor Corless:**

**Note:**

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- Also adjourn in memory of Tiberio Lizza. Chris Lizza is member of our county planning commission.

## **2. RECOGNITIONS - NONE**

## **3. COUNTY ADMINISTRATIVE OFFICE**

### **Leslie Chapman:**

- Cannabis regulations and tax update meetings (4) –
- Department meetings – Animal Control, Clerk-Recorder, Finance, Social Services, Public Health, IT, EMS, HR, Risk Management, Assistant CAO, Probation
- California Association of County Executives meeting
- Pat West – Hospice of the Owens Valley
- Capital Improvement Project team meeting regarding presentation on the 13<sup>th</sup>
- Coffee with coworkers meetings in both Bridgeport and Mammoth
- Met with Madera staff regarding the county line adjustment and subsequently received a memo from their County Counsel regarding process (which agrees with previous information provided by Mono County Counsel.
- Sat in on a Continuum of Care Reform (CCR) Partnership & WRAP management meeting
- Strategic priorities presentation meetings with Nate Greenberg, including a follow up meeting with Supervisors Gardner and Corless.
- Budget planning meetings with Janet Dutcher
- Met with Doug Wilson from Wildan Consultants to discuss strategies for Public Works including the ongoing recruitment for director.
- All Hazards Incident Management team – Did three-day Incident Command Systems 300 which is a three-day disaster team training. Mammoth Fire Chief Frievalt set up and hosted the training and the Town, County and Fire District were all represented at the training.
- Follow up AHIMT meeting to discuss the structure and potential staffing of an Incident Command Team and an Emergency Operations Center based on attendance and participation at the training.
- PSO Negotiation meeting – it appears we are on the home stretch
- Avalanche training lunch – I didn't attend the meeting, but I stopped by to say hi and have lunch. Tony Dublino cooked burgers for the public works staff who were at the training.
- Attended the Antelope Valley Hospice planning meeting followed by the RPAC meeting.
- Quarterly update meeting with Superintendent of Schools, Stacey Adler.
- Emergency Radio Communications governance meeting. There was also a technical users' meeting that I did not attend.
- Strategic priorities workshop where we discussed and amended County priorities for the next 18 months.

## **4. DEPARTMENT/COMMISSION REPORTS**

### **Janet Dutcher:**

#### **Note:**

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

- Have agreement with Host Compliance in place to identify addresses for TOT rentals and code compliance. Collaborative effort with TTX and Code compliance.
- Open Gov for transparency in near completion. Looking to implement 4 components, 1. Peak Democracy, aiming for beginning of March for deployment, 2. Financial reporting for internal use, 3. Budget builder, for workflow and 6 yr forecast, 4. Reporting utility to automate reports that we currently do manually.

**Kathy Peterson:**

- Eastern Sierra Continuum of Care for homeless providers, Jan 25<sup>th</sup> is the annual point in time of homeless individual and families. County depts. and many volunteers participated, the survey yielded 20 surveys, and 23 homeless persons. This sheds light on the true number of homeless in our area, gives information to help us address the issue of homelessness. All areas of the county were searched, from Topaz to Benton/Chalfant. Most of the homeless were found in Mammoth.

**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.)

Supervisor Stump pulled 5b

**A. Board Minutes**

Departments: Clerk of the Board

Approval of Board minutes from the regular meeting of January 2, 2018.

**Action:** Approve the minutes of the regular Board meeting of January 2, 2018.

**Corless moved; Peters seconded**

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

**M18-20**

**B. Board Minutes**

Departments: Clerk of the Board

Approval of the Board minutes from the regular meeting of January 9, 2018.

**Action:** Approve the minutes of the regular Board meeting of January 9, 2018, as amended.

**Stump moved; Corless seconded**

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

**M18-21**

**Note:**

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

**Supervisor Stump:**

- Correction on Page 7 of 12 under his comments, second bullet point "median" should be "medium".

**C. Monthly Treasury Transaction Report**

Departments: Finance

Treasury Transaction Report for the month ending 12/31/2017

**Action:** Approve the Treasury Transaction Report for the month ending 12/31/2017

**Corless moved; Peters seconded**

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

**M18-22**

**D. Request for Approval to Hire a Community Development Permit Technician at B Step**

Departments: CDD

Request to hire candidate for the Permit Technician position in the Community Development Department at Step B.

**Action:** Authorize the hiring of a Permit Technician in the Community Development Department at Step B.

**Corless moved; Peters seconded**

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

**M18-23**

**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. Governor's Election Proclamation**

Correspondence dated January 9, 2018 containing the Governor's Proclamation of the regularly scheduled Statewide Direct Primary Election to be held on June 5, 2018.

**B. Letter from Sharon Clark**

A letter from Sharon Clark thanking the Board for its letter to Representative Cook regarding the new tax law, the Board's pursuit of reliable airport service.

**C. Letter from Senator Feinstein**

**Note:**

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Letter from Senator Dianne Feinstein discussing opposition to new offshore drilling leases.

**D. Poppy Awards**

Letters from Visit California advising that Mono County has been selected as a finalist for two 2018 Poppy Awards.

**Alicia Vennos:**

- Honored to be selected as finalists in 2 categories: best social media campaign, thanks to Jeff Simpson. The other is collaborative marketing campaign, shared with Yosemite Gateway. Award ceremony is Thursday February 15.
- **Supervisor Gardner:** great to have recognition for good staff work.

**7. REGULAR AGENDA - MORNING**

**A. Quarterly Investment Report**

Departments: Finance

10 minutes (5 minute presentation; 5 minute discussion)

(Gerald Frank) - Investment Report for the Quarter ending 12/31/2017

**Action:** Approve the Investment Report for the Quarter ending 12/31/2017

**Peters moved; Corless seconded**

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

**M18-24**

**Gerald Frank:**

- Went through his staff report and attachments of portfolio holdings, distribution, and cash balance.

**B. Employment Agreement for Public Health Officer**

Departments: Public Health, Human Resources

5 minutes

(Dave Butters) - Proposed resolution approving a contract with Dr. Thomas Boo as Public Health Officer, and prescribing the compensation, appointment and conditions of said employment.

**Action:** Announce Fiscal Impact. Adopt Resolution #R18-05, Approving a contract with Dr. Thomas Boo as Public Health Officer, and prescribing the compensation, appointment and conditions of

**Note:**

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said employment. Authorize the Board Chair to execute said contract on behalf of the County.

**Fiscal Impact:** There is no fiscal impact to the County General Fund. The cost of the position for the remainder of Fiscal Year 2017-18 is \$65,580 of which \$44,100 is salary and \$21,480 is the cost of benefits. There are no effects to the department budget for personnel as the budget at present includes an allocation for a Public Health Officer for the entire fiscal year.

**Stump moved; Corless seconded**  
**Vote: 4 yes; 0 no; 1 absent: Johnston**  
**R18-05**

**Supervisor Stump:**

- Very grateful that Dr. Boo is willing to do this with Mono County.

**Dave Butters:**

- Excellent work with CDC and the Toiyabe Indian Colony. He will be splitting between Toiyabe (Indian) and Mono County.

**C. Upper Summers Meadow Road Bridge - Repairs**

Departments: Public Works - Engineering

15 minutes

(Garrett Higerd) - Update on bridge construction.

**Action:** Approve and authorize CAO's signature on a contract amendment with Qualcon Contractors Inc. for road repairs on Upper Summers Meadow Road increasing the not to exceed amount to \$492,000, contingent upon approval of mid-year budget increase of \$325,000. Authorize the CAO, in consultation with County Counsel, to administer that contract, including making minor amendments to said contract from time to time as the CAO may deem necessary, and authority to approve and issue change orders to the contract in accordance with Public Contract Code §20142, in an amount not to exceed \$37,100 (10% up to \$250,000 plus 5% for the portion of the contract above \$250,000) per change order, provided such amendments do not substantially alter the scope of work, do not cause spending on the project to exceed the budgeted authority of \$675,000, and are approved as to form and legality by County Counsel.

**Peters moved; Stump seconded**  
**Vote: 4 yes; 0 no; 1 absent: Johnston**  
**M18-25**

**Garrett Higerd:**

**Note:**

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- Bridge is scheduled to be delivered. With Qualcon, a few things have occurred that have increased costs. We previously did not have complete plans at the time of the bid. Discovered the bridge needed to be wider, also needed to be deeper to prevent scour, (abutments). Project is 75% funded by CA Disaster Acts funds, for the match portion he's been looking into other resources such as RSTP funds. LTC approved the use of these funds last week.
- There will be safe, temporary access during construction.
- The CDAA funds will reimburse 75% of labor and management costs. Much of the engineering was done in-house.

**Janet Dutcher:**

- Original budget was \$350k, more accurate estimate now is \$675k.

## **D. Fish Stocking in Mono County**

Departments: Economic Development

30 Minutes

(Jeff Simpson) - Presentation by Jeff Simpson regarding the history and trends of fish stocking in Mono County, as well as information regarding a timing issue for the FY2018-19 plant which involves budget and the procurement of trout for stocking.

**Action:** Receive the presentation and provide direction to staff.

**Jeff Simpson:**

- Acknowledge Gaye Mueller and Gabe King, thanks for attending.
- Presented his Power Point, included on the website under this meeting's Supporting Documents.

**Janet Dutcher:**

- 2 points of clarification: 1, our purchasing requires us to have a budget before a contract can be signed. The appropriation for this \$50k comes before the budget is signed. 2. We are looking at no longer having a roll over budget process. This is part of the problem, spending the money before it's been approved. Looking to release the new budget in May, to eliminate the problem of roll over budget spending.

General discussion between CAO Chapman, Chair Gardner, Janet Dutcher, and Jeff Simpson regarding the timing of the budget, contract with Desert Springs, stocking, and payment dates.

**Jim King, Rock Creek:**

- Thank you to Jeff Simpson for all his work, feels Desert Springs is a very good company to work with, quality product. Feels the whole program is very important to his end of the county. Spends money each year on tourism for fishing in Rock Creek. In support of this program.

**Gaye Mueller, Pres of Fisheries Commission:**

- Thank you to Jeff. Desert Springs has been great to work with, they do whatever they need to do to help counties. Mono County is a world class trout fishing destination. Would like to see the Board support this and do whatever is needed to continue this program.

General discussion among supervisors in support of this program and thanks to Economic Development for their work.

**Note:**

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

**E. Owens Valley Groundwater Authority Update**

Departments: Community Development/CAO

15 minutes (10 minute presentation; 5 minute discussion)

Owens Valley Groundwater Authority Update and Financial Contribution.

**Action:** Receive update from staff regarding the Owens Valley Groundwater Authority (OVGA), status of grant application, funding commitments, and membership. Confirm or modify funding commitment previously approved by the Board.

**Jason Canger:**

- Went over his staff report, gave a review of the timeline of this item.

**Supervisor Stump:**

- Intention was to create equality among votes. The later package includes an additional \$20k requested, At this time, he would appreciate that, allows him to stand with other partners.

General discussion among supervisors in support of this program and additional requests.

**Janet Dutcher:**

- Previously, Board adopted \$91k out of contingency, appropriated it but haven't contributed the money yet.

Break at 10:48; reconvene at 11:00

**F. Mid-Year Budget Review**

Departments: CAO, Finance

1 hour 20 minutes (20 minute presentation, 60 minute discussion)

(Leslie Chapman, Janet Dutcher) - Receive analysis of the County's General Fund fiscal performance for the FY 2017-2018 through January. Present mid-year budget review and discuss budget updates.

**Action:** Receive update about General Fund performance through seven months of the current year. Hear budget updates and approve the mid-year budget adjustments (4/5ths vote required).

**Peters moved; Stump seconded**

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

**M18-26**

**Janet Dutcher:**

- Thanks to her team, including Joanne Werthwein and Stephanie Butters.

**Note:**

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- Went through her power point, found under this meeting date's Supporting Documents. Page numbers referenced in the power point refer to the report included in the published agenda packet.

Department and Board Discussions:

**Tim Kendall, District Attorney:**

- Victim Witness program is mandated, state and federally funded. Grant monies have slowly increased over last several years. A part time VW advocate position was previously written into the budget. Would like to bring that position back.
- PA function is also mandated; the county chose to use the DA as its PA function. Expenses have come out of the DA budget, but asking for an allocation to cover these unanticipated expenses related to the PA function, specifically cremation and disposal costs not otherwise reimbursable through the decedent's estate.

**Nate Greenberg, Information Technology:**

- Phone system is failing. Dealing with an ongoing support issue with the older phone system, was determined by the vendor to be at the end of its life, implemented in 2002. A modern system gains management efficiencies, cost savings, value in mobility aspects, expanded options within the system. Sheriff's system has not been able to move over the VoIP, could save at least 50% of current \$60-70k costs by moving to a better system.
- Estimate new system(s) at \$180k, would need to go out to RFP for this project. Eventually would roll this into the Infrastructure Replacement Program, would expect a 10-15 year lifecycle.
- Still need to retain analog phone lines in some areas for redundancy and backup. Some locations require analog for certain services.

**Ingrid Braun, Sheriff:**

- Board Q and A regarding the use of OES monies versus EMPG monies for the Sergeant position. Reiterated her department's need for the Snowcat.

Public Comment requested by Supervisor Gardner, no one spoke.

**Supervisor Peters:**

- When a request for money comes in, is the department requested to save money in other areas?
- Looking forward to a budget cycle when we don't have to roll over monies and borrow from other funds.

**Supervisor Gardner:**

- The fish stocking item, what is the impact on next year if we advance the money this year?
- **Leslie Chapman:** ongoing problem, to stock in the spring, the payment of \$50k needs to be paid. Still a yearly \$100k commitment.

**Supervisor Stump:**

- Supports items requested, especially the new phone system. Feels it's better service to the constituents.

**Supervisor Gardner:**

- Supportive of all items except the Snowcat. Does not feel it's good timing. Cannot support funding out of contingencies.

Board discussion around the individual department requests. Supervisor Gardner requested the Snowcat item be separated out so the rest of the budget requests can be approved.

**Janet Dutcher:**

- No, because \$70k of the grant was used to preserve the general fund contingency balance.

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BREAK at 12:50 p.m.; reconvene at 1:02 p.m.

**Supervisor Stump:**

- Was aware of this grant for OES for years, also aware the Snowcat was more recently added. Requests the Sheriff's office relook at this. Feels radios are worthwhile on a daily basis, other items within this request are worthy.

**Ingrid Braun:**

- Lack of communication in her office caused the breakdown between the grant writer and the county. Believes the Snowcat is an important piece of equipment the county needs, and her office is making sacrifices at the staffing levels with unfunded positions to make it happen. Using the grant in this way also helps fund the IT radios.

**Janet Dutcher:**

- Presented possible workaround, showed contingency balance as \$59k deficit without the \$70k redirect from EMPG grant funds.

**Supervisor Gardner:**

- Will support.

**Leslie Chapman:**

- Explained why she originally removed the Snowcat from last year's budget.

**G. FY 2018-2019 Budget Calendar**

Departments: CAO, Finance

20 minutes (10 minute presentation; 10 minute discussion)

(Leslie Chapman, Janet Dutcher) - Report and discussion regarding the budget calendar for adoption of the County's FY 2018-2019 final budget.

**Action:** Receive budget calendar outlining sequence of events culminating in the adoption of the County's FY 2018-2019 final budget; discuss and provide desired direction, if any.

**Janet Dutcher:**

- Went through her staff report and proposed calendar.

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

No one spoke.

**9. CLOSED SESSION at 1:40 p.m.**

**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

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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**

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

**C. Closed Session - Initiation of Litigation**

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

**D. Closed Session - Real Property Negotiations**

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: 126 Old Mammoth Rd, Mammoth Lakes, CA. 93546. Agency negotiators: Leslie Chapman, Tony Dublino, Stacey Simon. Negotiating parties: Mono County and Greenlaw Partners. Under negotiation: Price and Terms.

**E. Closed Session - Existing Litigation**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: County of Mono v. Emilio Gonzalez et al. (Superior Court Case No. 170027)

**THERE WAS NOTHING TO REPORT OUT OF CLOSED SESSION.**

**10. BOARD MEMBER REPORTS**

**Supervisor Corless:**

- 1/11 Great Basin Air Pollution Control District Mtg, Independence
- 1/17: RCRC Board of Directors/Installation of Officers Reception. Meeting highlights document attached/sent to board members. A few items:
  - --Congratulations to Inyo County Supervisor Matt Kingsley, 2<sup>nd</sup> Vice Chair, Tuolumne County Supervisor Randy Hanvelt, 1<sup>st</sup> Vice Chair, Rex Bohn, Chair

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- --Adopted policy principles, not all of Mono County's suggestions were included, many were
- --Voted to Support the "Water Supply and Water Quality Act of 2018" aka Meral bond. Gerald Meral addressed the board, noting this measure (on the ballot in November if qualified) will complement SB5.
- --Update on tree mortality and wildfire issues. New legislation will address issue of insurance coverage cancellations in wildfire risk areas—SB 824 (Lara), RCRC encourages us to take a "support position.
- --iFoster Program: RCRC and the National Homebuyers fund made a donation to iFoster that will ensure gifts of free laptops to eligible foster youth age 16-21 in member counties. iFoster CEO and Co-Founder Serita Cox provided an overview of the iFoster 1 Laptop Program, and presented the plan for distributing the laptops Next steps include RCRC communicating with member county Child Welfare Directors to identify a point person for iFoster. iFoster will then conduct webinars introducing the 1 Laptop Program, and work directly with each county to develop a roll-out plan. Our social services team has inquired about eligibility for youth here, and we will keep the board informed about implementation.
- 1/23: YARTS Board of Directors Meeting:
- Reservations: almost 17K in first year (out of 34K ticketed passengers), 90+ countries—can be for more than one seat.
- Already have over 2K summer reservations for 2018
- Free service days Veterans weekend—over 1,000 riders, free service days coming to Mammoth/120 East route this summer.
- JPA membership, and funding: Voted yes for adding other counties (Tuolumne, Madera) in as voting members, all counties provide funding
- Director's Report: Ardis—Caltrans grant not approved for hwy 49, will try next round; NPS decreased # of free entry days;
- Park Service Report (after government shut down weekend): "park is trashed" nobody in the valley to stop that; gates were open, people were coming in, "fiasco" limited staffing—really lucky that nothing major happened.
- Mono County has an appointee for AAC—Whitney Lennon, Mammoth Lakes Tourism
- Behavioral Health Advisory Board—Innovation Plan approval by board, currently open for public review.
- 1/25: Collaborative Planning Team meeting:
  - --BLM: interested in trading/disposing of properties where county facilities are located, inquired with staff, could talk to Rep. Cook's office about legislative process if there is county interest.
  - --Reports on Devils Postpile Fire Management plan update, open for comment now; hazard mitigation plan; discussion of Dept of Interior reorganization—will continue tracking this as it could impact county but no clear details now.
- Participated in Point-in-Time Homelessness Count
- 1/29: LTC meeting: first time as board appointee, now serving as vice-chair
- 1/31-2/2: Sacramento for RCRC Executive Committee orientation, then San Francisco for "Innovate to Impact" summit, sponsored by the Mental Health Service Oversight and Accountability Committee, facilitated by Verily (Google company) and Ideo, brought together many county mental health dept directors, state staff, and program service providers. Great experience, discussions and tools for workshopping ideas, keeping a

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people-focused approach. Clear that Robin, Amanda and our department are making a positive difference at the state level. Appreciate the invitation.

- 2/5:
- Mammoth Lakes Housing: big discussion on implementation of housing action plan and contract with town. Reviewed 2017 highlights, much great work accomplished toward housing community members.

**Supervisor Gardner:**

- On Friday, Jan. 12 I met with Mammoth Town officials and County staff to further discuss the joint Recreation position. That proposal is moving ahead and has great promise for the future.
- On Thursday Jan. 18 I listened to an online seminar on Cannabis taxation. The online seminar was quite useful in providing information about cannabis and possible taxation and revenue strategies.
- On Friday Jan. 19 I attended a meeting of the Eastern Sierra Transit Authority in Bishop. We are starting the process to recruit a new Executive Director to replace John Helm, who is retiring.
- On Jan. 25 I listened to the quarterly meeting of the Collaborative Planning Team. Thanks again to Supervisor Corless for standing in for me as chair of this meeting. It was very useful to hear about activities and ongoing issues from all the public lands agencies in our region.
- On Tuesday Jan. 30 I attended the Economic Development Commission meeting. This is an active group that is well involved with our staff on several activities affecting economic development in the County.
- Finally, last Friday the 2<sup>nd</sup>, I attended a field trip sponsored by the Sierra Nevada Bighorn Sheep Foundation to observe bighorn sheep. We traveled down south of Big Pine and saw at least 30 bighorn sheep on the slopes of the Sierra. Great fun and very informative.

**Supervisor Johnston:**

- Absent.

**Supervisor Peters:**

- 9<sup>th</sup> BP RPAC
- 1<sup>st</sup> AV RPAC & Hospice Phone In
- Sherry Tems: Lived in Walker, CA. Sherry worked for the Mono County Office of Education. She started working December 4, 2006. Her and her husband Bob moved here from Lancaster, CA. in 2006. Bob is a school Board Trustee and works and the Bug station in Topaz. She leaves behind 2 sons Joe and Rey. And 7 grandchildren. Sherry car pooled with several workmates from the Walker area, Dyna Hernandez, Caron Timpon, Judy Curti and Julie Rhodes. She loved her 2 dogs, crocheting. She was the best story teller and had the best sense of humor. She will be forever missed.

**Supervisor Stump:**

- 1-11 : Attended the Great Basin Unified Air Pollution District meeting
- 1-13 : Attended a Community Dinner in Benton put on by the White Mountain Fire Department. Great BBQ and sides.
- 1-23 : Attended a Community meeting in Chalfant aimed at establishing a Neighborhood Watch program. Thanks to Sheriff Braun, Sgt. Clark, Paul Roten, Brett McCurry and Josh Rhodes for all pitching in to make this happen. The group is paying for the signs themselves.
- 1-24 : Community meeting in Crowley, Paradise and Swall Meadows included, to focus on Hazard Mitigation planning.
- 1-25 : Attended the first portion of the Regional FAA visit to look at Mammoth and Bishop Airports meeting in Mammoth. I had to leave to

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attend a scheduled follow up meeting with the County's Hazard Mitigation Plan consultants.

- 1-25 : Attended the Hazard meeting referenced above. Draft report due out in the next two months.
- 1-26 : Attended the second meeting of the FAA visit at the Bishop airport. Thank you to all FAA staff that attended. The Western-Pacific FAA Airport Director summed up the visits by saying that work still needs to be done at both airports.
- 1-29 : Attended a special meeting of the Local Transportation Commission. Supervisor Corless elected Vice Chair. Commission gave support for a HWY 395 four lane project in San Bernardino County. County Staff attended the California Transportation Commission meeting in Southern California and gave a report. Our representatives received a warm reception from the Commission. Having that Commission here recently had positive benefits.
- 1-30 : Attended the Avalanche presentation in Lee Vining. Supervisor Gardner also attended. Thanks to Sue Burack and Tony Dublino for putting it on. Good information.
- 2-2 : Met with a private developer who had ideas on possible workforce housing options. More on this later.
- 2-5 : Attended Strategic Planning. CAO Chapman and team deserve thanks for continuing this process in a focused, positive fashion.
- 2-5 : Attended the Wheeler Crest Fire Safe Counsel meeting. That group is active and is creating an enhanced Community Wildfire Protection Plan for Swall Meadows and Paradise.

**ADJOURNED at 2:50 p.m. in memory of Sherry Tems and Tib Lizza.**

**ATTEST**

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**BOB GARDNER  
CHAIR OF THE BOARD**

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**HELEN NUNN  
ASSISTANT CLERK-RECORDER**

**Note:**

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OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** March 6, 2018

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT** Board Minutes

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### 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 February 13, 2018.

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### RECOMMENDED ACTION:

Approve the Board minutes from the regular meeting of February 13, 2018.

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### FISCAL IMPACT:

None.

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**CONTACT NAME:** Scheereen Dedman

**PHONE/EMAIL:** X5538 / sdedman@mono.ca.gov

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### SEND COPIES TO:

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### MINUTE ORDER REQUESTED:

YES  NO

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### ATTACHMENTS:

Click to download

[2-13-18 Draft Minutes](#)

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### History

Time	Who	Approval
2/28/2018 1:14 PM	County Administrative Office	Yes
2/27/2018 10:07 AM	County Counsel	Yes
2/25/2018 10:17 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  
February 13, 2018**

<b>Flash Drive</b>	<b>Board Room Recorder</b>
<b>Minute Orders</b>	<b>M18-27 – M18-32</b>
<b>Resolutions</b>	<b>R18-06 – R18-11</b>
<b>Ordinance</b>	<b>ORD18-01 Not Used</b>

9:02 AM Meeting Called to Order by Chair Gardner  
*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**

No one spoke.

**2. RECOGNITIONS - NONE**

**3. COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments

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

**Leslie Chapman, CAO:**

- Three Board meetings last week - they were very productive.
- Attended Town Council meeting, Finance Director Dutcher well-represented the County.
- Had the opportunity to work on a legislative change to the water code on behalf of the Tri Valley Groundwater commission. This does not come to the full Board. Would be

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happy to bring it back for full support from your Board.

- Have been asked for letter of support for the SGMA grant by the Joint Powers Association. Will be due February 21.
- Supervisor Stump: Since the creation of Tri Valley Water Commission in 1989, there are 3 items that have proved to not be functional over the years. The proposed legislative changes CAO Chapman speaks of would change those items.

#### 4. DEPARTMENT/COMMISSION REPORTS

Tony Dublino, Assistant CAO:

- Recreation position update. The Town did not approve the structure / funding of the position. Approved the job description and the salary ranges presented. Councilman Wentworth has reached out to meet with the agencies again.
- Asked that this item be agendized again. Board consensus to put it on a future agenda.

#### 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. New Hire for Community Development Analyst I (Planning) at the B Step

Departments: CDD; HR

Consider hiring a Community Development Analyst I (Planning) at the B Step.

**Action:** Authorize the hiring of an Analyst I (Planning) in the Community Development Department at Step B.

**Stump moved; Corless seconded**

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

**M18-27**

##### B. Consolidation of Elections - Mammoth Unified School District

Departments: Elections

Consolidation of special election of the Mammoth Unified School District with the Statewide Direct Primary Election on June 5, 2018, and direction to the Mono County Elections Division to conduct the election and canvass the returns.

**Action:** Adopt Resolution R18-06, Consolidating the Special Election called by the Mammoth Unified School District for the Purpose of Submitting to the Voters of the District a bond measure entitled "The Classroom Safety, Renovation and Improvement Measure" with the June 5, 2018, Statewide Direct Primary Election.

**Stump moved; Corless seconded**

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

**R18-06**

##### C. Consolidation of Elections - Mammoth Lakes Fire Protection District

Departments: Clerk of the Board

**Note:**

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The Mammoth Lakes Fire Protection District has requested that its Special Election on the imposition of a special tax on each parcel of land within the boundaries of the District to pay for fire protection services be consolidated with the Statewide Direct Primary Election on June 5, 2018, and that the Mono County Elections Division conduct the election and canvass the returns.

**Action:** Adopt Resolution R18-07, Approving the Mammoth Lakes Fire Protection District's Request to Consolidate its Special Election with the June 5, 2018 Statewide Direct Primary Election.

**Stump moved; Corless seconded**

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

**R18-07**

#### **D. Legislative Platform**

Departments: CAO

(Leslie Chapman) - Mono County Legislative Platform.

**Action:** Approve the 2018 Mono County Legislative Platform for distribution to the Board of Supervisors, State and Federal Legislators and interested members of the public.

**Stump moved; Corless seconded**

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

**M18-28**

#### **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. Mono Basin RPAC Letter**

Letter from Mono Basin Regional Planning Advisory Committee expressing support for the Hess Park Solar Pavilion Project.

##### **B. Letter from American Lung Association**

Letter from American Lung Association indicating that the 16th annual State of Tobacco Control report will be released January 24, 2018.

##### **C. Bridgeport Arch / Banner Project Letter**

Letter from Gene Kinum of the Bridgeport RPAC with requests to the Board regarding the Bridgeport Arch / Banner project.

**Supervisor Peters:**

- Introduced the item, and Mr. Kinum.

**Note:**

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**Gene Kinum, Bridgeport RPAC:**

- Went through letter, calling attention to the last pages – pictures of banners in different cities.
- Showed signatures of support (available in additional documents).
- Have had support but have not received a mandate to get this built.
- Have an opportunity to complete this arch.
- Asked that this item be placed on a future agenda.

## 7. REGULAR AGENDA - MORNING

### A. Employment Agreement with Chris Callinan

Departments: District Attorney

(Tim Kendall) - Proposed resolution approving a contract with Chris Callinan as District Attorney Chief Investigator, and prescribing the compensation, appointment and conditions of said employment.

**Action:** Fiscal Impact announced by Chair Gardner. Approve Resolution #R18-08, Approving a contract with Chris Callinan as District Attorney Chief Investigator, 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:** Salary for the remainder of FY 2017-2018 is \$48,738 and \$14,652 in benefits. Annual salary for the position is \$115,200 and \$52,225 in benefits. This amount is accounted for in the DA Department's FY 2017-2018 budget.

**Stump moved; Peters seconded**

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

#### **R18-08**

**Tim Kendall, District Attorney:**

- Presented the contract amendment for Chris Callinan.
- Amendment to the contract from January 2018.
- Chief Investigator position has been vacant since August 2017.

### B. Cannabis Regulatory Program - Update

Departments: CAO

(Tony Dublino) - Brief update on progress of County Cannabis regulatory program.

**Action:** Receive update. Provide any necessary direction to staff.

**Tony Dublino, Assistant CAO:**

- Provided overview of progress of regulatory program.

**Stacey Simon:**

- It is an Ordinance and an amendment to the County Code.

**Wendy Sugimura, Community Development Interim Director:**

- Addressing the time line: General Plan Amendment will be brought before the Board, this will be included in it.

**Supervisor Corless:**

- Please update the website with the current time line and update status.

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### C. Cannabis Tax Rate Workshop

Departments: Finance

(Janet Dutcher) - Continue cannabis tax workshop to discuss the proposed tax rate structure for commercial cannabis activities in the unincorporated areas of the County.

**Action:** Direct staff to finalize the draft tax ordinance, including revisions or modifications directed by the board, and prepare such related documents as are necessary to call an election for the purpose of submitting the question of whether the tax should be imposed to the voters of Mono County.

**Corless moved; Stump seconded**

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

**M18-29**

**Janet Dutcher, Finance Director:**

- Introduced item; went through presentation.

Board Direction:

(Initial to Max rates)

Retailer rates 4-8%

Testing rates 1-4%

Distribution and Manufacturing rates 2-4%

Cultivator rates as stated in the presentation:

Indoor, artificial lighting \$2.00 - \$3.00

Indoor, mix lighting \$1.50 - \$2.50

Outdoor \$0.50 - \$1.50

Nursery \$0.50 - \$1.00

**Leslie Chapman, CAO:**

- Recommends waiting until March to discuss the timing of the measure.

*Break: 10:30 A.M.*

*Resume: 10:41 A.M.*

### D. Child Support Services Update and MOU

Departments: Child Support Services

(Susanne Rizo) - Approval of the Memorandum of Understanding Between Inyo and Mono County for the Continued Operation of the Eastern Sierra Department of Child Support Services, a Regional Child Support Agency (MOU).

**Action:** Review and approve the 2018 Memorandum of Understanding between Inyo and Mono County for the regionalized delivery of these services, and authorize County Administrator to sign.

**Peters moved; Corless seconded**

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

**M18-30**

**Suzanne Rizo,**

- Went through presentation.

**Note:**

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## **E. Five-year Capital Improvement Program (CIP) Workshop**

Departments: CAO and other Departments

(Tony Dublino, Joe Blanchard, Garrett Higerd, Nate Greenberg, Justin Nalder, Amanda Greenberg) - Presentation by Tony Dublino, Joe Blanchard, Garrett Higerd, Nate Greenberg, Justin Nalder, and Amanda Greenberg on the County's current approach to planning and prioritizing capital projects, with a proposal for an improved 5-year Capital Improvement Plan process.

**Action:** Receive presentation; provide any direction to staff.

**Tony Dublino, Assistant CAO:**

- Began presentation.
- Trying to create a tool that allows us to be proactive rather than reactive when it comes to projects of this size.

**Joe Blanchard, Public Works:**

- Project Review Committee.
- Projects under \$25,000 will not be on the CIP list.

**Justin Nalder, Solid Waste Superintendent:**

- Discussed the accomplishments of Solid waste.

**Garret Higerd, Engineer:**

- Engineering Past projects, recent successes.

**Nate Greenberg, IT Director:**

- Recent successes of the IT department.

**Amanda Greenberg, Behavioral Health:**

- Discussed Behavioral Health past projects, successes.

*Break: 11:54 A.M.*

*Reconvene: 12:00 P.M.*

**Janet Dutcher, Director of Finance:**

- Discussed Financial Resources for addressing the GAP.

## **8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

No one spoke.

## **9. CLOSED SESSION at 12:31 PM**

### **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

**Note:**

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Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

## **B. Closed Session - Exposure to Litigation**

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

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

Nothing to report out of Closed Session.

*Reconvene: 1:21 P.M.*

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

No one spoke.

## **11. REGULAR AGENDA - AFTERNOON**

### **A. Sierra CAMP**

(Nikki Caravelli, Project Manager / Steve Frisch, President Sierra Business Council) - Presentation from the Sierra Business Council, discussing Sierra CAMP, the Sierra Consortium, and the 2018 Parks and Water bond measure.

#### **Action:**

Approve a Resolution to endorse Proposition 68, the June 2018 Parks & Water bond measure.

**Corless moved; Stump seconded**

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

**R18-09**

Join the Sierra Climate Adaptation and Mitigation Partnership (Sierra CAMP).

**Stump moved; Peters seconded**

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

**M18-31**

**Steve Frisch, President Sierra Business Council:**

- Went through presentation.
- Asking for endorsement of Prop 68.
- No financial cost to join Camp. Can participate at the level that you want to participate at.

### **B. Conway Ranch Grazing Proposals**

Departments: CAO

(Tony Dublino) - Presentation by Tony Dublino regarding cattle grazing proposals for Conway Ranch.

**Action:** Move forward with option a2, relating to the proposals received, to distribute an addendum to the October 2017 RFP with drafted lease document

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and Grazing Management Plan, and allow respondents to revise their proposals in response, and re-evaluate proposals. The addendum should include the four additional requirements that Supervisor Corless raised:

1. Specific conservation goals should be set, and the plan should be tied to those goals.
2. No rodenticides should be allowed.
3. The lease should address the possibility of a transfer of the property during the term, including an early termination option with compensation to the lesser in the event the purchaser wishes to discontinue the lease.
4. Some kind of policy around wildlife / predators.

**Corless moved; Stump seconded**

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

**M18-32**

**Tony Dublino, Assistant CAO:**

- Presented item.
- What is the appropriate way to go forward with a grazing lease?
- What is the desired approach to dealing with environmental reporting / CEQA?

**Stacey Simon:**

- Staff is asking for feedback today, option a1 or a2, it would be helpful to know the County's approach to CEQA for the issuance of those documents.

**Kay Ogden, Executive Director, Eastern Sierra Land Trust**

**Dr. Orrin Sage, Lands Committee, Eastern Sierra Land Trust**

**Steve Nelson, BLM Field Manager**

Public Comment:

**Lynn Boulton**

*Break: 3:09 P.M.*

*Reconvene: 3:19 PM*

### **C. Mono County Tobacco Policy Update & Proposed Amendments to Chapter 7.92 of the Mono County Code**

(Nancy Mahannah, Dustlyne Beavers) - Provide presentation to the Board of Supervisors on tobacco control policies, statistics and proposed amendments to Mono County Code 7.92 including suggested changes to tobacco policies related to multi-unit housing, enforcement and prohibitions.

**Action:** Introduce, read title, and waive further reading of proposed ordinance No. ORD18-\_\_ Amending Mono County Code Chapter 7.92 Relating to the County's Smoking and Tobacco Policy. Provide any desired direction to staff.

**Nancy Mahannah, Public Health:**

- Went through presentation.

**Supervisor Gardner:**

- Consensus from Board on support of 2 of the 3 items, smoke-free outdoor places and

**Note:**

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

preventing sales of flavored tobacco, direction to address Supervisor Stump's concerns about multi-unit housing and bring it back to the Board.

#### **D. Resolution for 2018-2019 Off-Highway Vehicle Grant**

Departments: Sheriff

(Sheriff Ingrid Braun) - The Off-Highway Vehicle Grant requires a governing body resolution to approve filing an application for FY 2018-2019 funding and to certify the Board's understanding of the grant requirements.

**Action:** Approve proposed R18-10, Authorizing the Mono County Sheriff-Coroner, Mono County Sheriff's Office Emergency Services Coordinator, and/or the Mono County Sheriff's Office Finance Officer to apply for and administer the California State Parks Off-Highway Vehicle (OHV) Grant Program for Fiscal Year 2018-19 for an amount not to exceed \$120,000.

**Peters moved; Corless seconded**

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

##### **R18-10**

**Sheriff Braun:**

- Service provided almost primarily on an over time basis.

#### **E. Resolution for 2018-2019 Boating Grant**

Departments: Sheriff

(Sheriff Ingrid Braun) - Proposed resolution authorizing the County's participation in the FY 2018-2019 California Department of Boating and Waterway Grant Program.

**Action:** Adopt proposed resolution, R18-11, Authorizing the County's participation in the FY 2018-2019 California Department of Boating and Waterways Grant Program and designating the Sheriff-Coroner, Mono County Sheriff's Office Emergency Services Coordinator, and/or the Mono County Sheriff's Office Finance Officer as an authorized agent to sign and administer the grant.

**Peters moved; Corless seconded**

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

##### **R18-11**

**Sheriff Braun:**

- The department used to have a boating officer.

### **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:**

- Have received comments regarding Board reports being at the end.

Reports moved to the next meeting (February 20).

#### **Note:**

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

**ADJOURNED at 4:19 PM**

**ATTEST**

---

**BOB GARDNER**  
**CHAIR OF THE BOARD**

---

**SCHEEREN DEDMAN**  
**SR. DEPUTY CLERK**



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** March 6, 2018

**Departments: CAO**

**TIME REQUIRED**

**SUBJECT** Resolution to Extend Memorial Hall  
Hours for a Special Event

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

### AGENDA DESCRIPTION:

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

Proposed resolution authorizing Ciria Pacheco to extend the hours of a special event birthday party until 12:00 a.m. on April 22, 2018 at the Bridgeport Memorial Hall.

### RECOMMENDED ACTION:

Consider and adopt proposed resolution #R18-\_\_\_\_, Authorizing Ciria Pacheco to extend the hours of a special event birthday party until 12:00 a.m. on April 22, 2018 at the Bridgeport Memorial Hall.

### FISCAL IMPACT:

None.

**CONTACT NAME:** Jay Sloane

**PHONE/EMAIL:** 760-932-5405 / jsloane@mono.ca.gov

### SEND COPIES TO:

Jay Sloane

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

Click to download
<input type="checkbox"/> <a href="#">Staff Report Ciria Pacheco</a>
<input type="checkbox"/> <a href="#">Resolution</a>

### History

Time	Who	Approval
2/15/2018 5:24 AM	County Administrative Office	Yes

2/27/2018 10:16 AM

County Counsel

Yes

2/28/2018 11:20 AM

Finance

Yes



# COUNTY OF MONO

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

*Jay Sloane*  
*Risk Manager*

To: Board of Supervisors

From: Jay Sloane

Date: March 6, 2018

## Subject

Ciria Pacheco is requesting authorization to extend the hours of a special event birthday party at the Bridgeport Memorial Hall until 12:00 a.m. on the evening of April 22, 2018.

## Recommendation

Consider and potentially adopt proposed resolution authorizing the extension of this special event. Provide any desired direction to staff.

## Discussion

Mono County Code section 5.50.050 provides that, unless an exemption is granted by the Board of Supervisors, special events may not operate between the hours of 10:00 p.m. and 7:00 a.m. Through the proposed resolution the Board would authorize an exemption allowing Ciria Pacheco's birthday party to occur until midnight.

## Fiscal Impact

None



**RESOLUTION NO. R18-**

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS  
AUTHORIZING CIRIA PACHECO TO EXTEND THE HOURS OF A SPECIAL EVENT  
BIRTHDAY PARTY UNTIL 12:00 A.M. ON APRIL 22, 2018 AT THE BRIDGEPORT  
MEMORIAL HALL**

**WHEREAS**, Ciria Pacheco has applied for a special event permit for a birthday party on the evening of April 22, 2018 at the Bridgeport Memorial Hall; and,

**WHEREAS**, Ciria Pacheco has requested that the Mono County Board of Supervisors authorize the festival to operate until 12:00 a.m. on the night of April 22, 2018; and,

**WHEREAS**, pursuant to subsection (H) of section 5.50.050 of the Mono County Code, special events may not operate between the hours of ten p.m. and seven a.m.; and

**WHEREAS**, pursuant to subsection (I) of section 5.50.050 of the Mono County Code, the Board of Supervisors may, by resolution, grant an exemption to authorize a special event to be conducted later than ten p.m. and/or earlier than seven a.m.;

**NOW, THEREFORE, BE IT RESOLVED** by the Mono County Board of Supervisors that Ciria Pecheco is hereby authorized to have a birthday party until 12:00 a.m. on the evening of April 22, 2018, at the Bridgeport Memorial Hall.

**APPROVED AND ADOPTED** this 6th day of March, 2018, by the following vote of the Board of Supervisors, County of Mono:

**AYES** :

**NOES** :

**ABSENT** :

**ABSTAIN** :

---

Bob Gardner, Chair  
Mono County Board of Supervisors

ATTEST:

Approved as to Form:

---

Shannon Kendall  
Clerk of the Board

---

Stacey Simon  
County Counsel



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** March 6, 2018

**Departments: Finance**

**TIME REQUIRED**

**SUBJECT** Monthly Treasury Transaction Report

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### AGENDA DESCRIPTION:

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

Treasury Transaction Report for the month ending 1/31/2018.

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### RECOMMENDED ACTION:

Approve the Treasury Transaction Report for the month ending 1/31/2018.

---

### FISCAL IMPACT:

None

---

**CONTACT NAME:** Gerald Frank

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

---

### SEND COPIES TO:

---

### MINUTE ORDER REQUESTED:

YES  NO

---

### ATTACHMENTS:

Click to download

[Treasury Transaction Report for the month ending 1/31/2018.](#)

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### History

Time	Who	Approval
2/15/2018 5:27 AM	County Administrative Office	Yes
2/27/2018 10:12 AM	County Counsel	Yes
2/22/2018 1:00 PM	Finance	Yes





## Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 12/31/2017, End Date: 1/31/2018

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
<b>Buy Transactions</b>									
Buy	1/4/2018	912828C65	1,500,000.00	T-Note 1.625 3/31/2019	99.71	1,495,605.47	6,428.57	1.87	1,502,034.04
Buy	1/9/2018	912828WS5	1,000,000.00	T-Note 1.625 6/30/2019	99.59	995,937.50	404.01	1.91	996,341.51
Buy	1/11/2018	61747MF63	245,000.00	Morgan Stanley Bank 2.65 1/11/2023	100.00	245,000.00	0.00	2.65	245,000.00
Buy	1/12/2018	501798LJ9	245,000.00	LCA Bank Corporation 2.3 1/12/2022	100.00	245,000.00	0.00	2.30	245,000.00
Buy	1/16/2018	796711C56	395,000.00	San Bernardino City CA SCH Dist 4 8/1/2020	104.05	410,985.65	3,335.56	2.35	414,321.21
Buy	1/16/2018	24422ESS9	500,000.00	John Deere Cap 2.3 9/16/2019	100.38	501,908.75	3,833.33	2.06	505,742.08
Buy	1/17/2018	313383FF3	1,000,000.00	FHLB 1.55 12/20/2019	99.05	990,510.00	1,162.50	2.06	991,672.50
Buy	1/17/2018	3133EH7F4	1,000,000.00	FFCB 2.35 1/17/2023	99.98	999,770.00	0.00	2.35	999,770.00
Buy	1/19/2018	310567AB8	245,000.00	Farmers State Bank 2.35 9/19/2022	100.00	245,000.00	0.00	2.35	245,000.00
Buy	1/23/2018	17275RAX0	500,000.00	Cisco Systems Inc 2.45 6/15/2020-15	100.26	501,300.00	1,293.06	2.34	502,593.06
Buy	1/23/2018	3135G0T94	1,000,000.00	FNMA 2.375 1/19/2023	99.44	994,410.00	0.00	2.49	994,410.00
<b>Subtotal</b>			<b>7,630,000.00</b>			<b>7,625,427.37</b>	<b>16,457.03</b>		<b>7,641,884.40</b>
Deposit	1/12/2018	LAIF6000Q	33,784.49	Local Agency Investment Fund LGIP	100.00	33,784.49	0.00	0.00	33,784.49
Deposit	1/31/2018	CAMP60481	10,933.13	California Asset Management Program LGIP	100.00	10,933.13	0.00	0.00	10,933.13
Deposit	1/31/2018	OAKVALLEY0670	5,430.80	Oak Valley Bank Cash	100.00	5,430.80	0.00	0.00	5,430.80
Deposit	1/31/2018	OAKVALLEY0670	18,120,295.57	Oak Valley Bank Cash	100.00	18,120,295.57	0.00	0.00	18,120,295.57
<b>Subtotal</b>			<b>18,170,443.99</b>			<b>18,170,443.99</b>	<b>0.00</b>		<b>18,170,443.99</b>
<b>Total Buy Transactions</b>			<b>25,800,443.99</b>			<b>25,795,871.36</b>	<b>16,457.03</b>		<b>25,812,328.39</b>
<b>Interest/Dividends</b>									
Interest	1/1/2018	794881BQ4	0.00	SALDEV 1.25 7/1/2019		0.00	1,000.00	0.00	1,000.00
Interest	1/3/2018	9497486Z5	0.00	WELLS FARGO BK NA SIOUXFALLS SD 1.6 8/3/2021		0.00	332.93	0.00	332.93
Interest	1/5/2018	981571CE0	0.00	Worlds Foremost Bk Sidney NE 1.75 5/5/2021		0.00	297.26	0.00	297.26
Interest	1/8/2018	33583CTQ2	0.00	FIRST NIAGARA BK NATL ASSN 1.35 1/8/2018		0.00	1,667.34	0.00	1,667.34
Interest	1/10/2018	59013JZP7	0.00	Merrick Bank 2.05 8/10/2022		0.00	426.57	0.00	426.57
Interest	1/11/2018	20033APV2	0.00	COMENITY CAP BK SALT LAKE CITY UTAH 1.6 4/12/2021		0.00	332.93	0.00	332.93



## Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 12/31/2017, End Date: 1/31/2018

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	1/13/2018	31938QQ98	0.00	FIRST BUSINESS BK MADISON WIS 1.9 1/13/2021		0.00	2,346.63	0.00	2,346.63
Interest	1/13/2018	89236TCP8	0.00	Toyota Motor Credit 1.55 7/13/2018		0.00	3,875.00	0.00	3,875.00
Interest	1/13/2018	51210SNP8	0.00	LAKESIDE BANK 1.4 8/13/2018		0.00	291.32	0.00	291.32
Interest	1/13/2018	3137EADB2	0.00	FHLMC 2.375 1/13/2022		0.00	11,875.00	0.00	11,875.00
Interest	1/15/2018	55266CQE9	0.00	MB FINANCIAL BANK, NATIONAL ASSN 1.8 1/15/2021		0.00	374.55	0.00	374.55
Interest	1/15/2018	34387ABA6	0.00	FLUSHING BANK N Y 1.8 12/10/2018		0.00	374.55	0.00	374.55
Interest	1/16/2018	94974BFG0	0.00	Wells Fargo 1.5 1/16/2018		0.00	3,750.00	0.00	3,750.00
Interest	1/17/2018	855736DA9	0.00	STATE BK & TR CO DEFIANCE OHIO 1.6 2/17/2021		0.00	332.93	0.00	332.93
Interest	1/17/2018	50116CBE8	0.00	KS Statebank Manhattan KS 2.1 5/17/2022		0.00	436.97	0.00	436.97
Interest	1/18/2018	22766ABN4	0.00	Crossfirst Bank 2.05 8/18/2022		0.00	426.57	0.00	426.57
Interest	1/21/2018	3135G0A78	0.00	FNMA 1.625 1/21/2020		0.00	8,125.00	0.00	8,125.00
Interest	1/22/2018	140420RD4	0.00	CAPITAL ONE BANK USA NATL ASSN 1.8 1/22/2020		0.00	2,223.12	0.00	2,223.12
Interest	1/23/2018	05580ABB9	0.00	BMW Bank of North America 1.35 1/23/2018		0.00	1,667.34	0.00	1,667.34
Interest	1/25/2018	330459BY3	0.00	FNB BANK INC 2 2/25/2022		0.00	416.16	0.00	416.16
Interest	1/26/2018	062683AC1	0.00	BBCN BANK 0.9 2/26/2018		0.00	187.27	0.00	187.27
Interest	1/26/2018	20070PHK6	0.00	COMMERCE ST BK WEST BEND WIS 1.65 9/26/2019		0.00	343.34	0.00	343.34
Interest	1/26/2018	91330ABA4	0.00	UNITY BK CLINTON NJ 1.5 9/26/2019		0.00	312.12	0.00	312.12
Interest	1/27/2018	3136G3H81	0.00	FNMA 1.45 1/27/2021-17		0.00	7,250.00	0.00	7,250.00
Interest	1/27/2018	35637RCQ8	0.00	FREEDOM FIN BK W DES MOINES 1.5 7/26/2019		0.00	312.12	0.00	312.12
Interest	1/27/2018	596689EC9	0.00	MIDDLETON COMMUNITY BANK 1.4 11/27/2018		0.00	291.32	0.00	291.32
Interest	1/28/2018	3136G3C78	0.00	FNMA 1.55 7/28/2021-16		0.00	7,750.00	0.00	7,750.00
Interest	1/28/2018	3136G3L52	0.00	FNMA 1.3 1/28/2020-16		0.00	6,500.00	0.00	6,500.00
Interest	1/28/2018	20786ABA2	0.00	CONNECTONE BK ENGLEWOOD 1.55 7/29/2019		0.00	322.53	0.00	322.53
Interest	1/28/2018	85916VBY0	0.00	STERLING BANK 1.7 7/26/2019		0.00	353.74	0.00	353.74
Interest	1/28/2018	46625HJR2	0.00	JPMORGAN CHASE 2.35 1/28/2019		0.00	11,750.00	0.00	11,750.00
Interest	1/28/2018	3130A8WC3	0.00	FHLB 1.15 1/28/2019-16		0.00	5,750.00	0.00	5,750.00



## Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 12/31/2017, End Date: 1/31/2018

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	1/29/2018	01748DAX4	0.00	ALLEGIANCE BK TEX HOUSTON 2.15 9/29/2022		0.00	447.38	0.00	447.38
Interest	1/29/2018	139797FF6	0.00	CAPITAL BK LITTLE ROCK 0.9 2/28/2018		0.00	187.27	0.00	187.27
Interest	1/30/2018	843383AX8	0.00	SOUTHERN BANK 1 1/30/2018		0.00	208.08	0.00	208.08
Interest	1/30/2018	33646CFD1	0.00	1st SOURCE BANK 1.15 1/30/2018		0.00	239.29	0.00	239.29
Interest	1/30/2018	560160AQ6	0.00	MAHOPAC NATL BK N Y 1.45 7/30/2019		0.00	1,790.85	0.00	1,790.85
Interest	1/31/2018	CAMP60481	0.00	California Asset Management Program LGIP		0.00	10,933.13	0.00	10,933.13
Interest	1/31/2018	45340KDR7	0.00	INDEPENDENCE BK KY OWENSBORO 0.9 2/28/2018		0.00	187.27	0.00	187.27
Interest	1/31/2018	29266N3Q8	0.00	ENERBANK USA SALT LAKE CITYUTAH 1.05 8/31/2018		0.00	218.49	0.00	218.49
Interest	1/31/2018	084670BF4	0.00	Berkshire Hathaway Inc 3.4 1/31/2022		0.00	8,500.00	0.00	8,500.00
Interest	1/31/2018	OAKVALLEY0670	0.00	Oak Valley Bank Cash		0.00	5,430.80	0.00	5,430.80
<b>Subtotal</b>			<b>0.00</b>			<b>0.00</b>	<b>109,837.17</b>		<b>109,837.17</b>
<b>Total Interest/Dividends</b>			<b>0.00</b>			<b>0.00</b>	<b>109,837.17</b>		<b>109,837.17</b>
<b>Sell Transactions</b>									
Matured	1/8/2018	33583CTQ2	245,000.00	FIRST NIAGARA BK NATL ASSN 1.35 1/8/2018	0.00	245,000.00	0.00	0.00	245,000.00
Matured	1/16/2018	94974BFG0	500,000.00	Wells Fargo 1.5 1/16/2018	0.00	500,000.00	0.00	0.00	500,000.00
Matured	1/23/2018	05580ABB9	245,000.00	BMW Bank of North America 1.35 1/23/2018	0.00	245,000.00	0.00	0.00	245,000.00
Matured	1/30/2018	843383AX8	245,000.00	SOUTHERN BANK 1 1/30/2018	0.00	245,000.00	0.00	0.00	245,000.00
Matured	1/30/2018	33646CFD1	245,000.00	1st SOURCE BANK 1.15 1/30/2018	0.00	245,000.00	0.00	0.00	245,000.00
<b>Subtotal</b>			<b>1,480,000.00</b>			<b>1,480,000.00</b>	<b>0.00</b>		<b>1,480,000.00</b>
Withdraw	1/16/2018	LAIF6000Q	1,500,000.00	Local Agency Investment Fund LGIP	0.00	1,500,000.00	0.00	0.00	1,500,000.00
Withdraw	1/19/2018	LAIF6000Q	4,000,000.00	Local Agency Investment Fund LGIP	0.00	4,000,000.00	0.00	0.00	4,000,000.00
Withdraw	1/29/2018	LAIF6000Q	1,500,000.00	Local Agency Investment Fund LGIP	0.00	1,500,000.00	0.00	0.00	1,500,000.00
Withdraw	1/31/2018	OAKVALLEY0670	16,596,219.47	Oak Valley Bank Cash	0.00	16,596,219.47	0.00	0.00	16,596,219.47
<b>Subtotal</b>			<b>23,596,219.47</b>			<b>23,596,219.47</b>	<b>0.00</b>		<b>23,596,219.47</b>
<b>Total Sell Transactions</b>			<b>25,076,219.47</b>			<b>25,076,219.47</b>	<b>0.00</b>		<b>25,076,219.47</b>



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** March 6, 2018

**Departments: CDD**

**TIME REQUIRED**

**SUBJECT** June Lake CAC Appointment

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

June Lake Citizens Advisory Committee Appointments.

**RECOMMENDED ACTION:**

Consider appointing Janet Hunt to the June Lake Citizens Advisory Committee for a vacant term ending in December 2018, as recommended by Supervisor Gardner.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Wendy Sugimura

**PHONE/EMAIL:** 1814 / wsugimura@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Staff Report</a>
<a href="#">Hunt Application</a>

**History**

Time	Who	Approval
2/28/2018 1:05 PM	County Administrative Office	Yes
2/28/2018 10:45 AM	County Counsel	Yes

2/22/2018 12:59 PM

Finance

Yes

# Mono County Community Development Department

---

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

## Planning Division

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

March 6, 2018

**TO:** Honorable Mono County Board of Supervisors  
**FROM:** Wendy Sugimura, Interim Director, for Bob Gardner, District 3 Supervisor  
**RE:** June Lake Citizens Advisory Committee Appointments

### RECOMENDATION

Consider appointing Janet Hunt to the June Lake Citizens Advisory Committee, as recommended by Supervisor Gardner.

### FISCAL IMPACT

No fiscal impacts are expected.

### DISCUSSION

The June Lake Citizens Advisory Committee (JLCAC) currently has one vacant seat which expires in December 2018. Supervisor Gardner recommends Janet Hunt fill this seat, and her application is attached with a brief description of her community interests. The following summarizes the status of current CAC membership:

#### Existing Members

- Patti Heinrich
- Jeffrey Ronci
- Julie Brown
- Jora Fogg
- Ann Tozier
- David Rosky
- Lindsay Chargin
- Jamie Schectman
- John DeCoster

#### Term Expires

12-31-18  
12-31-18  
12-31-18  
12-31-18  
12-31-20  
12-31-20  
12-31-20  
12-31-20  
12-31-20

If you have questions regarding this matter, please contact Supervisor Gardner or Wendy Sugimura at 760.924.1814.

## Regional Planning Advisory Committees

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

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

### MEMBERSHIP APPLICATION

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

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

Name Janet Hunt

Address [REDACTED]

City/State/Zip June Lake CA 93529

Phone (day) [REDACTED] Phone (eve.) [REDACTED]

Email hunt.house.junelake@gmail.com

Occupation/Business retired (former educator)

Special interests or concerns about the community:

I am very interested in the continued health of the June Lake community, including economic and environmental well being. I am a June Lake home owner (village) since 2002, and have lived here with my husband Bill full time since 2012. I am active in the JLL Womens Club, currently serving as recording secretary. I also serve on the Mono Arts Council, currently treasurer and the coordinator for the June Lake Jam Fest benefit, now scheduled for its 4th year this September. I hope to encourage a stronger partnership with the community around our event to maximize its benefit for all.

Signature Janet Hunt Date 2/6/18



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    March 6, 2018

**TIME REQUIRED**

**SUBJECT**            Southern Mono Historical Society  
Letter

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Letter from Southern Mono Historical Society asking for funding.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:** Scheereen Dedman

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

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Letter</a>

**History**

Time	Who	Approval
2/28/2018 1:14 PM	County Administrative Office	Yes
2/27/2018 10:27 AM	County Counsel	Yes
2/22/2018 1:00 PM	Finance	Yes



# The Mammoth Museum

## Southern Mono Historical Society

PO Box 65  
Mammoth Lakes, CA 93546  
[www.mammothmuseum.org](http://www.mammothmuseum.org)

February 12, 2018

Supervisor Corless  
Mono County Board of Supervisors  
Bridgeport, CA 93517

Re: Casa Diablo Interpretive Trail System

Dear Stacy,

This is a follow up to our recent conversation with regard to additional general funding for the Southern Mono Historical Society (Mammoth Museum at the Hayden Cabin and Casa Diablo Interpretive Trail System projects). A funding contribution from Mono County of \$2,500 - \$5,000 would be greatly appreciated in order to keep these projects moving forward.

SB-5 shows a lot of promise for future development of the Casa Diablo Trail System project, and we would welcome the opportunity to discuss the possibility of a joint application and the associated benefits of State funding. Robert Joki, President of SMHS, will be in town and available to meet either the 19<sup>th</sup> or 20<sup>th</sup> of February.

With the climate becoming less and less predictable, the importance of non-traditional winter activities needs to be addressed in a manner that provides year round options for our guests. These are exciting times and we as a community must stay out in front of the demand of our loyal recreation base.

On behalf of the Board of SMHS, we look forward to a great 2018 season.

Best Regards,

Dave Harvey,  
Board Member at Large  
(760) 914-3452  
davidharvey760@yahoo.com



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** March 6, 2018

**TIME REQUIRED**

**SUBJECT** Mill Creek Return Ditch Testing  
Letter

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### AGENDA DESCRIPTION:

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

Letter from John Boynton regarding the testing of the Mill Creek Return Ditch by Southern California Edison.

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### RECOMMENDED ACTION:

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### FISCAL IMPACT:

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**CONTACT NAME:** Scheereen Dedman

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

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### SEND COPIES TO:

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### MINUTE ORDER REQUESTED:

YES  NO

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### ATTACHMENTS:

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[Letter](#)

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### History

Time	Who	Approval
2/28/2018 12:48 PM	County Administrative Office	Yes
2/28/2018 10:45 AM	County Counsel	Yes
2/28/2018 11:21 AM	Finance	Yes

Supervisor Gardner,

I am writing to inquire what you, as Chair of the Mono County Board of Supervisors, and the County Staff are doing regarding Southern California Edison's diversion of the Lundy Hydro Plant tailrace water from Wilson Creek to Mill Creek via the refurbished Mill Creek Return Ditch as described in the Mono Lake Committee's Fall 2017 News Letter.

I have spent summers in the Mono Basin since 1962 and have developed a long-standing interest in water issues affecting this area. In 1975 I built a cabin on a 35-acre inholding on the north side of Mono Lake within the Mono Basin Natural Scenic Area that is managed by the US Forest Service. I was one of the named plaintiffs in the original Audubon litigation to save Mono Lake. Repeatedly during the past three decades I have submitted written comments to FERC, SWRCB, BLM, USFS, Southern California Edison, Mono County and the Mono Lake Committee regarding the controversy surrounding allocation of tailrace water from the Lundy Hydro Plant between Wilson Creek and Mill Creek. I have also been very concerned about the future of the Conway and Mattly Ranches even before these properties were acquired by Mono County in 2000 and placed in a Conservation Easement with the Eastern Sierra Land Trust in 2014. From my many interactions with Tim Alpers, your predecessor as the County Supervisor representing the Third District, I am well aware of the efforts he made trying to resolve the controversial Wilson and Mill Creek water issues and the future of the County's Conway and Mattly Ranch properties.

I was very concerned to see the report in the Fall 2017 Mono Lake News Letter that Southern California Edison had begun tests on the Mill Creek Return Ditch "to evaluate its capacity and reliability as part of an effort to comply with a longstanding hydropower settlement agreement with the Mono Lake Committee and five other agencies and stakeholders". I find it remarkable that the Mono County Board of Supervisors has taken no public position on Southern California Edison's aforementioned tests which appear to violate the 1998 decision by the SWRCB regarding Mono Basin water issues. This decision specified that there would be no changes in the allocation of tailrace water from the Lundy Hydro Plant between Wilson Creek and Mill Creek until a complete Environmental Impact Study of its effect on the north Mono Basin environment was carried out. Two decades later, the required Environmental Impact Study still has not been done.

Transfer of water from Wilson Creek to Mill Creek could jeopardize the ability to irrigate the wet meadows on Conway and Mattly Ranches owned by the County, as well as the irrigated meadows and ponds on the DeChambau Ranch owned by the USFS. Wilson Creek also supports a rich riparian habit including a self-sustaining wild brown trout fishery and habitat for numerous native bird species that could be threatened by reduced flows. In addition, the transfer could negatively impact the fresh water delta where Wilson Creek flows into Mono Lake that provides essential shorebird habitat. The amount of flow necessary to maintain these Wilson Creek resources may well be in excess of the Mono County and USFS water rights. The Environmental Impact Study ordered by the SWRCB in 1998 would have determined how much additional water is needed in Wilson Creek to sustain these resources.

The "longstanding hydropower settlement agreement" mentioned above that was submitted to FERC in 2005 is itself highly controversial. FERC did not require Southern California Edison to construct the conveyance facility capable of diverting up to 52 cfs of Wilson Creek water to Mill Creek for relicensing the Lundy Hydro Plant in 2010, in spite of the fact that construction of this facility was the centerpiece of the Settlement Agreement. Instead FERC said Southern California Edison could construct the conveyance facility within a four-year time period at its own expense subject to FERC's approval of the engineering drawings. However, Southern California Edison failed to construct the conveyance facility

before FERC's four year permit expired. FERC also stated it had no authority over regulation of the tailrace water once it left the Lundy Hydro Plant and that only the SWRCB had the authority to change water allocation between Wilson Creek and Mill Creek. The fact that the two major holders of Wilson and Mill Creek water rights (Mono County and the City of Los Angeles) refused to sign the "longstanding hydropower settlement agreement" casts doubt on the validity of this Agreement. Furthermore, five of the seven parties who signed the Settlement Agreement appear to have no Wilson Creek or Mill Creek water rights for properties they own in the Mono Basin. The Mono County Board of Supervisors and the County Counsel have repeatedly opposed the wholesale transfer of Lundy tailrace water from Wilson Creek to Mill Creek via the proposed conveyance facility that was included as the major condition in the Settlement Agreement submitted to FERC.

Although membership on the Board of Supervisors has changed considerably over time, Stacy Simon, the current County Counsel and Marshall Rudolph, the former County Counsel have dealt with these water issues for at least two decades. Their expertise should be invaluable in assisting you and the other Supervisors in responding to issues associated with Southern California Edison's current rewatering of the existing return ditch to divert Wilson Creek water to Mill Creek. Recently the signatories to the 2005 Settlement Agreement have reinitiated private discussions regarding alternate means of transferring Wilson Creek water to Mill Creek that appear to be related to Southern California Edison's testing the capacity of the existing Return Ditch to divert Wilson Creek water to Mill Creek. Has Mono County taken any action on these issues to protect their senior Mill Creek water rights for Conway and Mattly ranches that are exercised from Wilson Creek? The Mono County Supervisors voted in September 2016 to recommend that stretches of both Wilson Creek and Mill Creek be designated as Wild and Scenic Rivers in the Inyo National Forest Plan. In doing so, they acknowledged the importance of maintaining necessary water flows in both Wilson and Mill Creeks to sustain their valuable environments. Citizen of the Mono Basin have every right to expect that the present Supervisors will honor this commitment when addressing Southern California Edison's recent transfer of water from Wilson Creek to Mill Creek via the rewatered return ditch in violation of the 1998 order by the SWRCB.

Video of the County Staff Reports at the September 19<sup>th</sup>, 2017 Board of Supervisor's meeting revealed a brief discussion of Southern California Edison's rewatering the Mill Creek return ditch after they cleaned it out last summer. Tony Dublino confirmed that water was flowing in the return ditch. He also mentioned that the Parties to the FERC Settlement Agreement had been meeting recently regarding a plan to put water back in the return ditch and stated that neither Mono County nor LADWP were participants in these meetings. Tony commented that Staff were looking at issues regarding impact of the rewatering of the Mill Creek on the County's Conway Ranch water rights and would inform the Board of any significant findings. You stated that you were aware of Southern California Edison's testing the Mill Creek return ditch and "personally observed water flowing in both Creeks". You also mentioned that you would be interested to learn if rewatering the return ditch raised issues regarding the Conway Ranch water rights. County Counsel Stacy Simon commented that if any County water right issues were identified this would be considered as an agenda item in an open or closed session at a future Board Meeting.

Minutes of the January 9, 2018 Board of Supervisors' meeting indicate you said during Board Reports that "On Thursday the 4th of January 2018, I participated in a meeting with County staff and Southern California Edison officials to discuss issues concerning Mill Creek and Wilson Creek. The meeting was quite useful in understanding the history of the County's water rights and involvement in this issue". Minutes of the Mono Basin RPAC meeting on Wednesday October 11, 2017 indicate you mentioned in your Supervisor's report that "Work is being done on the Mill Creek return ditch by SCE to test options

for returning water to Mill Creek to meet settlement obligations". Lisa Cutting from the Mono Lake Committee, the Chairperson at that meeting, reported that SCE has recently carried out tests on the Mill Creek return ditch and found that 15 to 16 cfs could be carried with a 2 cfs loss. This loss could be mitigated, however, with some work". In minutes of the January 10, 2018 Mono Basin RPAC meeting, your Supervisor's Report, presented by the Chairperson stated that "The County continues to work with Southern California Edison on issues concerning Wilson Creek and Mill Creek water flows. This is a complex issue that deserves careful review and understanding".

No details of what was discussed at the January 4th meeting with Southern California Edison have been made public. Likewise, your Board Report in the video of the January 9, 2018 Supervisors' meeting fails to define the specific issues that the County is working on with Southern California Edison concerning Wilson Creek and Mill Creek water flows. How do you define the complex issue that deserves "careful review and understanding" and who is carrying out this review? As a property owner, tax payer and summer resident in the Mono Basin, I request that you provide me with details of your discussions with Southern California Edison regarding their justification for rewatering the Mill Creek return ditch and with a summary of discussions by Mono County Staff regarding how the County proposes to deal with this issue. Is Mono County considering the environmental consequences of reduced Wilson Creek flows along the length of Wilson Creek or is it only looking at the consequences on the Conway and Mattly ranches owned by the County? The time has come for the general public to be told what is going on behind closed doors and be given an opportunity to provide input and comments regarding Mono County's response to efforts by the Settlement Parties to move Water from Wilson Creek to Mill Creek in violation of the SWRCB's 1998 ruling on the reallocation of water between these two creeks.

John E. Boynton

Professor Emeritus of Biology

Duke University

P.O. Box 291

Lee Vining CA 93541

760-914-0450



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** March 6, 2018

**Departments: Clerk-Recorder**

**TIME REQUIRED** 30 minutes (20 minute presentation;  
10 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Shannon Kendall, Clerk-Recorder;  
Helen Nunn, Asst. Clerk-Recorder

**SUBJECT** Clerk Recorder Department  
Presentation

**AGENDA DESCRIPTION:**

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

Present overview of department to Board, focusing on accomplishments to date for FY 2017-2018.

**RECOMMENDED ACTION:**

None.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Shannon Kendall

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

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<p>Click to download</p> <p> <a href="#">Staff Report</a></p>
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**History**

Time	Who	Approval
2/28/2018 1:13 PM	County Administrative Office	Yes
2/5/2018 11:13 AM	County Counsel	Yes
2/28/2018 4:00 PM	Finance	Yes



## CLERK – RECORDER – REGISTRAR COUNTY OF MONO

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](mailto:skendall@mono.ca.gov)

Helen Nunn  
Asst. Clerk-Recorder-Registrar  
760-932-5534  
[hnunn@mono.ca.gov](mailto:hunn@mono.ca.gov)

To: Honorable Board of Supervisors  
From: Shannon Kendall  
Clerk-Recorder-Registrar of Voters  
Date: March 6, 2018

**Subject:**  
Clerk-Recorder Department Update

### **Discussion:**

#### **Divisions within the Clerk-Recorder's Office and Responsibilities:**

1. Clerk of the Board of Supervisors
  - County Clerk is *ex-officio* Clerk of the Board of Supervisors (Government Code Section 25100 and 26801); serves as support for Board of Supervisors, Assessment Appeals Board, Personnel Appeals Board and various other boards as requested. For various boards, functions include: managing/preparing agendas and packets, attending meetings, preparing minutes, processing minutes orders, resolutions and ordinances, updates to BOS website, assisting Board members as needed and budget preparation.
2. Clerk-Recorder
  - Recording/maintaining property documents; processing/maintaining/providing vital records (birth/death records, and marriage licenses); FPPC Form 700 filing office; processing/maintaining FBN applications; processing variety of notices (i.e. CEQA Notices); maintaining roster of County Public Agencies; maintaining all County Contracts; serve as Clerk of the BOS; perform marriages; keep website updated; prepare budget.
3. Registrar of Voters
  - Conduct all elections held in Mono County, including statewide primary, general and special elections as well as local elections for Mono County, Town of Mammoth Lakes, Special Districts, and School Districts; mandated function; daily updating of Voter Registration database and monthly updating of website; prepare budget.

#### **Accomplishments in our office not included in our FY 2017-2018 Goals:**

- Update on SB 2/ Affordable Housing Act Fee.
- Implementation of VitalChek.
- Governor's Proposed 18-19 Budget.
- Elections: Mock Election, Knowlnk Poll Books, Campaign Filing Dates, What's on the ballot?

## **Review of 2017-2018 Department Goals:**

### **Clerk of the Board of Supervisors Goals and Progress:**

GOAL: Implement template changes in Novus to better facilitate desired order of items

- Progress: completed several months ago; will potentially have additional changes to template soon.
- Why important to County residents: a streamlined agenda and agenda process creates efficient meetings and transparency for public.
- How success measured: meetings have been running a bit more smoothly with less delays; there are very few complaints regarding agenda itself.
- This was a useful goal and remains a work in progress. We are committed to producing the best agenda possible and will be flexible and accommodate suggested changes, as appropriate.

GOAL: Work towards using true "Action Based" minutes

- Progress: Implemented several months ago.
- Why important to County residents: Because we have Granicus as an official record of the meeting itself, minutes can be minimized. Granicus is a benefit to the public and shorter minutes allow less for the public to wade through if reviewing them.
- How success measured: Less time is now required during the "approval of minutes" section in agenda providing a more streamlined meeting for the public.
- This was a useful goal.

GOAL: Conduct workshop for Board members outlining agenda process.

- Progress: Implemented several months ago.
- Why important to County residents: By creating better working relationships between the Board, Department Heads and clerk staff, we can provide the best agenda possible. This in turn, gets passed on to our residents furthering efficiency and transparency.
- How success measured: By adhering to agenda deadlines, fewer delays in the agenda creation process occurs.
- While this is a useful, ongoing goal, it remains a challenge to publish the agenda in a timely fashion. We will always be striving to improve upon this.

### **Clerk-Recorder Goals and Progress:**

GOAL: Finalize and go live with E-Recording

- Progress: This was implemented in September 2017.
- Why important to County residents: Eliminates need for paper recording thus giving customers a more efficient way to record.
- How success measured: We can see that E-Recording is being utilized, since its implementation this past September. We have collected approximately \$3,105 with the allowable \$1 per document; additionally, we have received nothing but positive feedback on time-saving and efficiency from our customers. Additionally, we've steadily added agents/submitters since implementation.
- This was an extremely useful goal; we will continue to see increases in E-recording as we go forward.

GOAL: Use Modernization funds to contract for records preservation and digitizing of documents

- Progress: In process of getting contract approved to begin work. We already have a sales order and quote in place and our vendor, Kofile will be coming to office shortly to pick up designated books (approximately 69) for preserving/digitizing.
- Why important to County residents: Provides customers with a better researching experience and alleviates the possibility of damage being caused to the books, which are historical.
- How success measured: Less damaged books, more customer satisfaction and efficiency in research experience and a finished product that will last forever.
- Ongoing and useful goal; it is the Clerk-Recorder's responsibility to preserve these records



GOAL: Pursue the option of having recorded and scanned real property documents available online to the public for a fee.

- Progress: Has not been addressed this fiscal year.
- Why important to County Residents: This would be convenient for the public and could generate a small amount of revenue to the county when copies of said documents are requested.
- How success measured: Decrease in staff time spent providing this information by telephone and increase services we can provide to our customers, as well as increased revenue for the County.
- Although still considered a worthwhile goal, this will require working with IT to produce a program that allows customers to acquire real property documents online.

#### **Registrar of Voters Goals and Progress:**

GOAL: Improve overall election preparation/management

- Progress: With election in June, this is ongoing. We have already updated our candidate's guide and we continue to make changes to our elections plan/checklist to create additional efficiency. We have reached out to other counties during this process and have utilized the expertise of County Counsel as needed. We will continue to do so.
- Why important to County residents: Transparency in the overall election process, including security, is extremely important to our residents. By providing problem-free elections we can foster trust between the elections office and our county residents.
- How success measured: the certification of a successful, error-free election to the state.
- Very useful goal; we plan to continue bettering the entire elections process.

GOAL: Conduct extensive voter outreach/education including better communications between the County/Town

- Progress: We have spoken to both the Town Council and the Board of Supervisors generally about the upcoming election cycle and our plan to do outreach to various groups. We spoke at the Mammoth Voices Candidate's night in November and are planning additional speaking opportunities to provide general voter information as well as increased media coverage. We continue to poll other counties for information in addition to including County Counsel on all legal-related issues.
- Why important to County residents: Reinstating voter trust and confidence in the election process.
- How success measured: Successful elections in addition to voter feedback about their overall election process.
- Extremely useful goal and ongoing and crucial to the success of future elections.

GOAL: Increase proficiency in the use and understanding of new election equipment, EIMS (our Election Management Software) and VoteCal (new System of Record for SOS).

- Progress: In progress. Currently engaged in Mock Election with State which gave us practice in both EIMS and VoteCal. Extensive equipment training to occur this month and in turn, we will thoroughly train additional staff/poll workers on new equipment.
- Why important to County residents: As the elections team continues to learn and understand all the various processes related to conducting elections, we can pass our experience on to poll workers and voters creating a better voting experience.
- How success measured: The confidence level of elections team, the trust of the voters and successful elections.
- Extremely useful goal that will be ongoing.

#### **LOOKING AHEAD – STRATEGIC PRIORITIES, OBJECTIVES AND TACTICS FOR 2018-2019**

In looking at next year's Strategic Priorities with the Clerk-Recorder's office, it is important to note that most of the services we provide are mandated and therefore require a lot of staff time to complete. This doesn't leave us a lot of room for extensive projects outside that realm. There are, however, several priorities we wish to focus on in the next fiscal year that will not only enhance our mandated services but also make the office run more efficiently. First and foremost on the list is continuing to improve the election process, which is also mandated in our office.

**Clerk-Recorder Goals:**

Strategic Priority: 4. Improve County Operations

4b – Leverage technology to improve operational efficiency and increase customer service and transparency.

4b.1 – Maintain historical value of property and other books, which is a responsibility of the Clerk-Recorder's office, by continuing our records preservation and digitizing of documents project. This will be done using Modernization Funds.

- Measured by successful completion of approximately 25 additional books in the next Fiscal Year. There will be a decrease in damaged books and better customer service, providing them with an enhanced researching experience when they come into our office.

4b.2 – Continue using and gaining experience in previously implemented programs: E-Recording, collection of SB 2 fee, and VitalChek, all of which required updating our current technology and training.

- Measured by reports that will show us how often these new services get utilized during the year. Not as tangible but equally important will be the customer feedback we receive regarding these services.

**Board of Supervisors Goals:**

- During the Strategic Priority workshop it seemed the Board was interested in helping set the priorities for the Board of Supervisor's budget which is in the Clerk-Recorder's control.
- Asking for feedback today from Board members as to how we can accomplish this and the steps you'd like to take.
- We can bring back a future agenda item to discuss this thoroughly based on direction give today.

**Registrar of Voters Goal(s):**

Strategic Priority: 4. Improve County Operations

4b – Leverage technology to improve operational efficiency and increase customer service and transparency.

4b.1 – Continue improving election practices and voter experience. (Mandated service.)

Measured by error-free elections evidenced by successful, timely certifications to state, potential Post-Election surveys to voters for both the June and November elections, and positive feedback from both voters and poll workers.

**Recommendation:**

None. Presentation Only.

**Fiscal Impact:**

None at this time.



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** March 6, 2018

**Departments: CAO**

**TIME REQUIRED** 15 minutes (5 minute presentation,  
10 minute discussion)

**PERSONS APPEARING BEFORE THE BOARD** Tony Dublino

**SUBJECT** Joint Recreation Position - Update

**AGENDA DESCRIPTION:**

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

Update Board on status of the Joint Recreation Position between the County and the Town of Mammoth Lakes, and provide direction on alternatives for investing an existing \$50,000 appropriation in recreation enhancements.

**RECOMMENDED ACTION:**

Consider update, and direct staff to either: 1. Retain \$50,000 appropriation for purposes of a shared Town/County position, 2. Apply \$50,000 (or portion thereof) appropriation to contract services for recreation enhancement, or 3. Apply \$50,000 (or portion thereof) appropriation to recreation-based organization.

**FISCAL IMPACT:**

Depending on direction, may result in budget savings of up to \$50,000.

**CONTACT NAME:** Tony Dublino

**PHONE/EMAIL:** 760.932.5415 / tdublino@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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**History**

Time	Who	Approval
3/1/2018 10:35 AM	County Administrative Office	Yes
3/1/2018 10:45 AM	County Counsel	Yes

3/1/2018 1:05 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:** March 6, 2018

**To:** Honorable Board of Supervisors

**From:** Tony Dublino, Assistant CAO

**Subject:** Shared Recreation Position between the Town of Mammoth Lake and the County -- Update

**Recommended Action:**

Consider update, and direct staff to either:

1. Retain \$50,000 appropriation for purposes of a shared Town/County position
2. Apply \$50,000 (or portion thereof) appropriation to contract services for recreation enhancement
3. Apply \$50,000 (or portion thereof) appropriation to recreation-based organization

**Fiscal Impact:**

Depending on direction, may result in budget savings of up to \$50,000.

**Discussion:**

In July 2017, the Board of Supervisors convened the Mono County Recreation Task Force, which issued a recommendation on how the County could improve the recreation experience in Mono County. In response to the recommendation, the Board appropriated \$50,000 for recreation purposes, and directed staff to develop an organizational structure and job description for a potential recreation position. Staff developed a recommendation for a County position while a different concept of a Shared Town/County Recreation position emerged. Upon consideration of both, the Board directed staff in December to pursue the option of a shared Town/County position.

Through a series of meetings, County and Town staff worked to develop and refine a job description, a salary range, and a draft agreement that would govern the position. This work was presented to the Town Council on February 7<sup>th</sup>, 2018. The Town Council did not approve the funding for the position or the organizational structure, but did approve the job description and the salary range.

The Town Council requested that the Town Manager further review the proposed structure for the position within the Town's organization, and requested that the proposed position be included for consideration as part of the Town's budget process for FY 18/19. This direction means that at least a few more months will pass before a position can be hired and begin work, assuming the Town Council approves the position and the funding. This outcome, or course, is not guaranteed.

Nonetheless, staff has continued to participate in discussions regarding a shared position and potential

agreements between the Town, County, Inyo National Forest and Humboldt-Toiyabe National Forest. Unless otherwise directed, staff will continue to engage in this process and work towards the realization of a shared position between the Town and County.

Meanwhile, the Board's \$50,000 appropriation for FY 17/18 remains unspent. Because it appears this appropriation will not be spent this fiscal year on a shared recreation position with the Town, the Board is requested to consider whether the funds should be allocated elsewhere. This may be in the form of a contractor who could perform recreation-specific work this spring or summer, a contribution to a recreation-based organization, or some other alternative.

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

Respectfully submitted,



Tony Dublino  
Assistant CAO



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** March 6, 2018

**Departments: CAO**

**TIME REQUIRED** 10 minutes (5 minute presentation, 5 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Tony Dublino

**SUBJECT** Property Use Agreement between Mono County and Town of Mammoth Lakes Pertaining to the Development of a Civic Center on the McFlex Parcel

### AGENDA DESCRIPTION:

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

Proposed Property Use Agreement with the Town of Mammoth Lakes, pertaining to the development of a Civic Center on the McFlex property.

### RECOMMENDED ACTION:

Approve County entry into proposed Property Use Agreement and authorize Chair to execute said Agreement on behalf of the County. Provide any desired direction to staff.

### FISCAL IMPACT:

None.

**CONTACT NAME:** Tony Dublino

**PHONE/EMAIL:** 760.932.5415 / tdublin@mono.ca.gov

### SEND COPIES TO:

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

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[Property Use Agreement](#)

History

<b>Time</b>	<b>Who</b>	<b>Approval</b>
2/28/2018 9:11 AM	County Administrative Office	Yes
2/28/2018 11:17 AM	County Counsel	Yes
3/1/2018 8:15 AM	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:** March 6, 2018  
**To:** Honorable Board of Supervisors  
**From:** Tony Dublino, Assistant CAO

**Subject: Mono County / Town of Mammoth Lakes Property Use Agreement**

**Recommended Action:**

Authorize Chair to execute Mono County / Town of Mammoth Lakes Property Use Agreement, pertaining to the development of a Civic Center on the McFlex Parcel in the Town of Mammoth Lakes.

**Fiscal Impact:**

None. This Agreement will establish certain cost responsibilities for the development of the McFlex property, but does not incur costs of its own. Any costs would occur only upon development of the McFlex property, which would involve separate Board approval.

**Discussion:**

In order to develop a Civic Center on the McFlex property in an efficient and systematic manner, it is necessary to arrive at, and memorialize an agreement with the Town that describes how the development process will unfold, how shared infrastructure will be funded, and to establish clear expectations regarding process and other requirements.

This Agreement has been negotiated over the last several months between Town and County staff, and has been discussed before both Board and Council on numerous occasions. The remaining points of contention were resolved in the last month, and staff of both parties agreed to bring the item before elected officials. The Town approved the Agreement unanimously at its February 21 meeting.

This Agreement represents a significant and necessary milestone in the development of the McFlex property, and staff is recommending the Board authorize the Chair to execute the Agreement on behalf of Mono County, allowing the development process to continue.

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

Respectfully submitted,

Tony Dublino  
Assistant CAO

**MONO COUNTY/TOWN OF MAMMOTH LAKES**  
**PROPERTY USE AGREEMENT**

This Agreement is made this \_\_\_<sup>th</sup> day of \_\_\_\_\_ 2018, by and between the Town of Mammoth Lakes, a general law city (the "Town"), and the County of Mono, a political subdivision of the State of California (the "County"), and pertains to the use, possession and development of adjoining parcels of real property owned by the Town and by the County within the Town of Mammoth Lakes. The Town and the County may be referred to herein individually as an "Owner" and collectively as the "Owners."

**I. RECITALS**

A. The Owners have fee title ownership of adjoining parcels of real property, consisting of approximately 6.24 acres in combined size, located adjacent to Mammoth Hospital in Mammoth Lakes (hereinafter the "Property"). The Property was acquired in 2006 for possible development as a civic center, with office space for employees of the Town and the County and related facilities. The legal description of the Property and respective ownership, in the form of a record of survey, is attached hereto as Exhibit "A" and incorporated herein by this reference.

B. In July of 2007, the Town and the County entered into a Memorandum of Understanding (the "2007 MOU") that outlined a process for developing the Property in the future. The 2007 MOU emphasized coordination and collaboration between the Owners and set forth a process for determining the specific location of future development.

C. In accordance with the principles of coordination and collaboration set forth in the 2007 MOU, Town and County staff jointly participated in preliminary site planning discussions facilitated by HMC Architects in the Spring of 2017. Those discussions resulted in the development of a preliminary site plan (the "HMC Plan") that identifies the location of a conceptual civic center on the Property. The HMC Plan is attached hereto as Exhibit "B" and incorporated herein by this reference.

D. The County's current office leases in the Sierra Center and Minaret Malls expire in 2019 and 2021, respectively. The Town's current lease in the Minaret Mall expires in 2021. Accordingly, the Owners are considering options for the future location of their facilities, which could include entering into new leases for the same or different spaces, construction of a civic center or other office facility on the Property, or a combination of these options.

E. Because the County's lease at the Sierra Center Mall expires two years before the Town's lease, the County must make a decision regarding its future facilities in Mammoth Lakes before the Town. Accordingly, this Agreement assumes that the County would develop the Property (if at all) prior to the Town.

F. The Owners therefore enter into this Agreement for the purpose of establishing a shared understanding regarding the possible initial development of the Property by the County in a manner that provides for future development, potential connectivity, and design consistency with a Town facility on the Property through amendment to this Agreement or new agreement between the Owners, as necessary.

## **II. TERMS AND CONDITIONS**

### **1. Preliminary Site Planning**

The HMC Plan shall be the basis for determining land ownership and developing detailed site and architectural plans as set forth below.

### **2. Land Ownership Adjustment**

In order to provide unimpeded control of each Owner's facility, access to financing, and future equity, the land underlying any developed facility or portion of a developed facility, and all associated infrastructure, should be owned by the agency developing and owning that facility and infrastructure. Therefore, within thirty (30) calendar days of a decision by the Mono County Board of Supervisors to proceed with development, memorialized in a written correspondence from the County to the Town, the Town and the County will take one of the following actions:

#### *a. Lot-line Adjustment*

Jointly process a lot line adjustment establishing County ownership of the land underlying the proposed County facility and infrastructure as approximately shown on Exhibit "C" (the "County Parcel"), and establishing Town ownership of a commensurate area of property along Hwy 203 (the "Town Parcel"), if so desired by the Town. The County will prepare the application for Lot Line Adjustment and assume all processing costs.

#### *b. Lot Creation by Deed*

Alternatively, the Town may create the County Parcel by deed reflecting the area required for development of a County facility, including all necessary infrastructure, as approximately shown on Exhibit "C", and transfer that County Parcel to the County. The County

will likewise transfer sufficient area to create a Town Parcel of commensurate acreage to the Town by deed, if so requested by the Town.

*c. Map Recordation*

Regardless of whether ownership is established through lot-line adjustment or grant deed as described above, within two years of entry into this Agreement the Owners shall coordinate to develop and prepare a Parcel Map, Official Map or Record of Survey which memorializes all interests (road and access easements, utility easements, etc), in the Property for approval and recordation.

3. Environmental Review

Unless otherwise agreed in writing by the Owners, the County will act as lead agency under the California Environmental Quality Act (CEQA) with respect to development of a County facility and related County infrastructure on the County Parcel. The County's analysis for CEQA purposes shall include a future Town facility to the extent reasonably known to County. The Town shall reimburse the County for costs, if any, incurred by the County in excess of those it would incur if it were analyzing only the County facility.

The Town will act as lead agency with respect to any development of a Town facility (whether stand-alone or connected to a County facility) and related Town infrastructure on the Town Parcel.

Each Owner, when acting as the lead agency, shall defend, indemnify, and hold harmless the other Owner, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from, or in connection with, the lead agency's acts or omissions with regard to its compliance with CEQA or other laws, with regard to the preparation and processing of the CEQA reports and documentation and with regard to the decision based thereon concerning the project. Specifically, each lead agency's obligation to defend, indemnify, and hold the other harmless specifically extends to any suit or challenge by any third party against the lead agency that contests the legality or adequacy of the CEQA reports and documentation or the lead agency's compliance with the requirements of CEQA or other laws.

4. Pre-Development of Site and Architectural Plans

*a. Preparation*

The County shall, at its sole cost and expense, prepare or cause to be prepared a detailed site plan depicting the location and footprint of its proposed County facility and any related infrastructure (e.g., parking, access, electrical, sewer, water) and detailed architectural plans for the facility. The detailed site and architectural plans shall be collectively referred to in this agreement as the “County Plans”. The County Plans will include a stand-alone structure with adequate access, parking, and landscaping features to serve the County facility. The County will make its best efforts to locate and design the facility and all improvements so as to reflect a logical first phase of development (using the HMC site plans as a basis) to accommodate a second phase of development by the Town. It is anticipated that during this second phase the Owners may wish to establish connectivity between the buildings and/or to share infrastructure such as parking or landscaping, in order to encourage interagency collaboration and economy. In such event, the Owners shall either amend this Agreement to address their respective roles, duties and responsibilities for the second phase of development, or enter into a new agreement governing such matters.

*b. Easements and Rights-of-Way*

Subject to paragraph c below, in addition to and contemporaneously with the land ownership adjustment described in paragraph 2 of this Agreement, or at such later time as the Owners may mutually agree, each Owner will grant to the other those easements and/or rights-of-way which may be necessary or desirable to the other Owner’s development of the Property, as shown on the County Plans or any plans the Town may adopt (the “Town Plans”), provided that such easements or rights-of-way do not unreasonably interfere with the granting Owner’s use of the Property. The County Plans and the Town Plans shall be collectively referred to in this Agreement as the “Approved Plans”. Currently, water/sewer and electrical infrastructure owned by Mammoth Community Water District (MCWD) and Southern California Edison (SCE), respectively, and located within the proposed development area, transects the area proposed for construction. As part of its initial development of the site, County will work with MCWD and SCE to relocate this infrastructure, as necessary, to a location on the Property that is acceptable to both Owners and shall pay all costs associated with the relocation.

*c. Property Access*

As of the date of entry into this Agreement, it has not been determined whether access to the County Parcel and County facility would best be accomplished from State Highway 203

via Thompson Way, whether or not combined with employee or other limited access from Sierra Park Road, or through eastward extension of the existing Tavern Road onto the Property, or a combination of those. That determination will be made by the County based on a traffic analysis, as well as information provided by the California Department of Transportation (Caltrans), prior to the County's determination whether to undertake the project. If the County determines that sufficient access capacity is available from Highway 203/Thompson Way, whether or not combined with access from Sierra Park Road, and represents the most cost-effective option, then County will incorporate such access into the County Plans.

Notwithstanding the above, the Town may request that the County fully develop and utilize Tavern Road as a public road, and, if County agrees, then the access shall be considered shared infrastructure and shall be subject to paragraph 5.c. herein. The Town and the County shall mutually determine whether the Tavern Road extension and Thompson Way shall be constructed as, and meet Town standards for, driveways, easements, or public streets.

If it is determined by County that Hwy. 203/Thompson Way, whether or not combined with limited access from Sierra Park Road, does not have sufficient capacity to accommodate the County's project and/or that it is uneconomical to do so, then additional capacity shall be gained through an extension of Tavern Road, and the County will incorporate the extension of Tavern Road into the County Plans and design and construct the access at its sole cost. If the Town requests changes to County's design or construction of Tavern Road and the County agrees, then the Town shall reimburse County for any costs attributable to the requested changes.

*d. Opportunity for Design Consistency*

The Town is encouraged to determine its intentions as to any future Town facility prior the development of the County Plans, so that the County Plans best reflect the Town's input and goals. While the County intends to follow the general design concept as drafted by HMC during preliminary site planning, changes may occur during the final design process. Because a joint facility should have similar design features, the Town's early participation in the County's design process will help ensure that the County's ultimate facility design will complement and/or be identical to a facility design the Town would pursue.

In the event the Town requests a design feature or component be included in the County's Plans which would increase the County's costs to develop the Plans or its facility, the

Town shall reimburse the County for such additional costs, as determined by the person or entity preparing the Plans and actual costs following construction, provided that no such reimbursement shall be required for design features or components requested or required by Town pursuant to paragraph 4.e. herein.

*e. Consistency with Town Requirements*

The County Plans shall be consistent with the design guidelines of the Town, notwithstanding that the County is not legally subject to the Town's land use requirements (including its design guidelines). If at any time prior to County approval of the County Plans, the Town's Community and Economic Development Director determines that the County Plans are not in compliance with the Town's design guidelines, she shall provide County with written notification of her determination and of the changes required to bring the Plans into compliance. In the event the County does not agree with the changes then, at the discretion of the Town's Community and Economic Development Director, the matter may be submitted to the Town's Design Review Committee for binding determination. County shall make any changes required for design consistency at its sole expense.

5. Construction

*a. Construction of County Facility*

The County shall own and shall be solely responsible for construction of the County facility and all related infrastructure on the County Parcel (including any easement granted to the County under paragraph 4.b. herein). This includes, but is not limited to, preparing procurement documents, selecting the person or entity to perform the work, contract preparation and execution, site preparation, construction, construction management, and all costs associated therewith.

The County may utilize all or a portion of the Town Parcel on a temporary basis for construction staging or the installation of temporary structures during construction of the County facility. Notwithstanding the foregoing, no such structures shall be residential in nature or used for habitation, except that the County may have security personnel residing onsite. No temporary structures shall be installed on the Town Parcel prior to the County obtaining a building permit for the County facility, and all such structures shall be removed within 30 days of issuance of a certificate of occupancy for the County facility. In the event that the County makes any such use of the Town Parcel, the County shall secure, and maintain during any period of such occupancy,

the insurance described in paragraph 7 of this Agreement, covering its activities on the Town Parcel.

*b. Construction of Town Facility*

The Town shall own and shall be solely responsible for construction of the Town facility and all related infrastructure on the Town Parcel (including any easement granted to the Town under paragraph 4.b. herein). This includes, but is not limited to, preparing procurement documents, selecting the person or entity to perform the work, contract preparation and execution, site preparation, construction, construction management, and all costs associated therewith.

For purposes of this paragraph 5, infrastructure includes but is not limited to electrical, sewer, water, internet, phones, technology, landscaping, access and parking.

*c. Construction of Shared Infrastructure*

If the Owners determine that it is necessary or desirable to construct infrastructure to serve both entities' facilities at the time of initial development ("Enhanced Infrastructure"), then upon written agreement between them or amendment to this Agreement, that Enhanced Infrastructure may be constructed by the first Owner developing its Parcel (presumed to be the County), with costs allocated on a pro-rata basis between the Owners in accordance with their proportional square-footage share of the future facility (currently envisioned as 62% County, 38% Town). These proportions shall be adjusted following Plan approval to be consistent with actual development proportions.

6. Operation and Maintenance

*a. Operation and Maintenance of County Facility and Infrastructure*

The County shall be solely responsible for operation and maintenance of the facility and infrastructure located on the County Parcel, with the exception of Town infrastructure located in an easement created under paragraph 4.b. herein.

*b. Operation and Maintenance of Town Facility and Infrastructure*

The Town shall be solely responsible for operation and maintenance of the facility and infrastructure located on the Town Parcel, with the exception of County infrastructure located in an easement created under paragraph 4.b. herein.

*c. Operation and Maintenance of Shared Infrastructure or Facilities*

In the event that the Owners agree to construct Enhanced Infrastructure pursuant to paragraph 5.c herein, or shared interior spaces to be used by both agencies (e.g., a lobby,



chambers or restrooms), then they shall amend this Agreement, or enter into a new agreement, governing the operation and maintenance of such shared infrastructure and/or spaces.

For purposes of this paragraph 6, operation and maintenance means: the provision of janitorial services, utility costs and installation, building maintenance, repair or renovation, the provision of cleaning and sanitary supplies, repair and operation of mechanical systems, paving, repaving, striping, landscaping, snow removal and other similar services or costs.

#### 7. Insurance

Prior to the commencement of any construction activity on the Property, the Owner undertaking such construction shall obtain, and shall maintain throughout the term of this Agreement or as otherwise noted, the following insurance policies, or self-insurance, in the following amounts:

- General Liability (for each occurrence) Insurance (GL) of not less than two million dollars (\$2,000,000) and containing coverage for at least: (i) Premises/Operations Liability; (ii) Personal Injury Liability; (iii) Contractual Liability; and (iv) Property Damage. General Liability (aggregate): two million dollars (\$2,000,000).
- Automobile Liability Insurance covering all owned, non-owned, and hired vehicles. Such insurance shall have minimum limits of one million dollars (\$1,000,000) for bodily injury, one million dollars (\$1,000,000) for each accident and one million dollars (\$1,000,000) for property damage.
- Workers' Compensation insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limits of no less than one million dollars (\$1,000,000) per accident for bodily injury or disease.
- Property insurance against all risks of loss to any improvements or betterments, at full replacement cost with no coinsurance penalty provision.

Additional requirements for insurance required under this Agreement are set forth in Exhibit "D", which is attached hereto and incorporated by this reference.

#### 8. No Fiduciary Relationship; Status of Owners.

It is expressly acknowledged by the Owners that this Agreement shall not be deemed to have created any fiduciary relationship by and between them. This Agreement shall in no way be construed to create, and shall not be deemed to have created, any relationship of

employer/employee, master/servant, principal/agent, partnership, joint venture, joint power, or otherwise. The relationship of the Town and the County is as expressly limited, established, and created pursuant to the terms and provisions of this Agreement.

9. Designation of Personnel.

Each Owner shall designate in writing all persons to act on that Owner's behalf concerning the implementation of this Agreement. No person other than those specifically designated by the Owners shall have any authority, whether express, implied, ostensible, or otherwise. The designated representatives may be amended by written notice to the other Owner. The Town's designated representative is the Town Manager. The County's designated representative is the County Administrative Officer.

10. Notices.

All notices, approvals, consents, or other documents required or permitted under this Agreement shall be in writing and, except as otherwise provided herein, shall be transmitted and effective either by (1) personal delivery, (2) mail, registered or certified, postage prepaid with return receipt requested, (3) by an overnight delivery service (e.g., Federal Express), or (4) by email with a confirmation copy by regular mail, first class postage prepaid. Overnight delivery or mailed notices shall be addressed to the Owners at the addresses listed below. Email notices shall be transmitted to the email addresses listed below. Each Owner may change that address and/or email address by giving written notice to the other Owner. In the event of any mailing, notice shall be deemed given on the 3<sup>rd</sup> day after deposit. The addresses and email addresses of the Owners are as follows:

**Town of Mammoth Lakes**

Attn: Daniel C. Holler, Town Manager  
P.O. Box 1609  
Mammoth Lakes, CA 93546  
Telephone Number: (760) 934-8989 x228  
dholler@townofmammothlakes.ca.gov

**County of Mono**

Attn: Leslie Chapman, County Administrative Officer  
P.O. Box 696  
Bridgeport, CA 93517  
Telephone Number: (760) 932-5414  
lchapman@mono.ca.gov

11. Dispute Resolution.

Any dispute, controversy, or claim arising out of, in connection with, or in relation to the interpretation, performance, or breach of this Agreement shall be resolved, at the request of either Owner, as follows:

*a. Committee*

The Town Manager and the County Administrative Officer shall each appoint three (3) members to a committee which shall attempt to resolve any issues or disputes in a manner that serves the best interests of the citizens of those agencies. Only when such committee members report to their respective council or board that the committee has reached an impasse and a mutually satisfactory agreement cannot be reached after exploring all reasonable options and opportunities, or either Owner's committee members have failed to so report within 30 days, may either Owner institute legal action or request alternative dispute resolution as described in subparagraph b.

*b. Alternative Dispute Resolution*

The Owners may, by mutual agreement, participate in any method of reputable dispute resolution, including but not limited to mediation or arbitration, upon such terms, formalities and conditions as agreed upon in writing.

12. Termination

It is recognized that the Owners have entered into this Agreement for the purpose of providing certainty to the County in making a decision regarding the future location of its Mammoth Lakes facilities. Accordingly, until such time as the Property is divided as described in paragraph 2 herein, this Agreement may be terminated by the County by providing the Town with thirty (30) calendar days' notice of its intent to terminate. Thereafter, this Agreement may only be terminated by mutual consent of the Owners.

13. Indemnification

To the extent not previously addressed above, and in addition thereto, Owners shall hold harmless, defend at their own expense, and indemnify each other and their officers, employees, agents, and volunteers, against any and all liability, claims, losses, damages, or expenses, including reasonable attorney's fees, arising from all acts or omissions of Owners or their officers, employees, agents and volunteers, for any and all acts arising out of or in the performance of this Agreement to the fullest extent permitted by law; excluding, however, such

liability, claims, losses, damages, or expenses arising from each respective Owner's negligence or willful acts.

14. Counterparts.

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. In addition, this Agreement may contain more than one counterpart of the signature page and may be executed by the affixing of the signatures of each of the parties to any one of such counterpart signature pages; all of such counterpart signature pages shall read as though one and they have the same force and effect as though all of the signers had signed a single signature page.

15. Preparation of this Agreement.

This Agreement is the product of negotiation by and between the Owners. Each Owner has had the opportunity to consult with legal counsel as to this Agreement and its terms and has either done so, or has knowingly waived its right to do so. Therefore, the Owners acknowledge and agree that the Agreement shall not be deemed prepared or drafted by one Owner or another and shall be construed accordingly.

16. Entire Agreement.

This Agreement contains the entire understanding of the Owners, and no representation, inducements, promises, or agreements otherwise between the Owners not embodied herein or incorporated herein by reference, shall be of any force or effect. Further, no term or provision hereof may be changed, waived, discharged, or terminated, unless executed in writing by the Owners.

**III. EXECUTION**

This Agreement is entered into by and between the Owners as of this \_\_\_\_\_ day of March, 2018:

TOWN OF MAMMOTH LAKES

By: \_\_\_\_\_

Mayor, Town of Mammoth Lakes

Date Signed: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Andrew Morris, Town Attorney

COUNTY OF MONO

By: \_\_\_\_\_  
Stacy Corless  
Chair, Mono County Board of Supervisors

Date Signed: \_\_\_\_\_

APPROVED BY COUNTY RISK MANAGEMENT:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Stacey Simon, County Counsel

# EXHIBIT "A"

SCALE: 1"=100'

## RECORD OF SURVEY NO. 36 - 168

IN THE INCORPORATED TOWN OF MAMMOTH LAKES, COUNTY OF MONO, STATE OF CALIFORNIA

SHEET 1 OF 1

BEING A PORTION OF THE NORTHEAST QUARTER, SECTION 35, TOWNSHIP 3 SOUTH,  
RANGE 27 EAST, MOUNT DIABLO BASE AND MERIDIAN.  
DESCRIBED IN THE GRANT DEED RECORDED AS DOCUMENT #2013003600 IN THE OFFICIAL  
RECORDS OF MONO COUNTY, CALIFORNIA.



**SURVEYOR'S STATEMENT:**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT AT THE REQUEST OF THE TOWN OF MAMMOTH LAKES IN MAY, 2012.

*Andrew K. Holmes* 12/17/14  
ANDREW K. HOLMES DATE  
L.S. 4428



**COUNTY SURVEYOR'S STATEMENT:**

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE PROFESSIONAL LAND SURVEYOR'S ACT THIS 17<sup>TH</sup> DAY OF JANUARY, 2015.

MONO COUNTY SURVEYOR  
*Brett K. Jefferson* 1/12/2015  
BRETT K. JEFFERSON DATE  
L.S. NO. 6267

**RECORDER'S STATEMENT:**

INSTRUMENT NO.: 2015000228  
FEE: \$ 0.00

FILED THIS 23<sup>RD</sup> DAY OF JANUARY, 2015, AT 11:17 A.M. IN BOOK 5 OF RECORD OF SURVEY MAPS AT PAGE 35 AT THE REQUEST OF THE TOWN OF MAMMOTH LAKES.

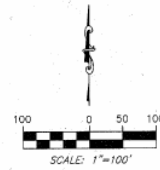
MONO COUNTY RECORDER  
BY: *Daria VanBroske*  
DEPUTY COUNTY RECORDER

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS MAP IS BETWEEN FOUND MONUMENTS AT THE ON 1/16 OF SECTION 35 AND THE CENTER 1/4 OF SECTION 35 AS SHOWN PER RECORD OF SURVEY MAP BOOK 4, PAGE 15 (R1), AND SHOWN HEREON AS N 00°16'48" E.

**LEGEND**

- FOUND MONUMENT AS NOTED
- FOUND CALTRANS BRASS CAP PER RECORD R/W MAP
- MONUMENT SET PER (R1) NOT FND, SET 5/8" REBAR AND CAP STAMPED "LS 4428" REESTABLISHED PER (R1) TIES
- SET 5/8" REBAR AND CAP STAMPED "LS 4428"
- ▲ SET MAG NAIL & WASHER STAMPED "LS 4428"
- ALUM. ALUMINUM
- BC BEGIN CURVE
- BLM BUREAU OF LAND MANAGEMENT
- C CALCULATED
- COR CORNER
- CF CALCULATED FROM
- FND FOUND
- INST. INSTRUMENT
- M MEASURED
- NO. NUMBER
- RAD RADIAL
- STA STATION
- PMB PARCEL MAP BOOK
- CL CENTERLINE



**TOWN ENGINEER'S STATEMENT:**

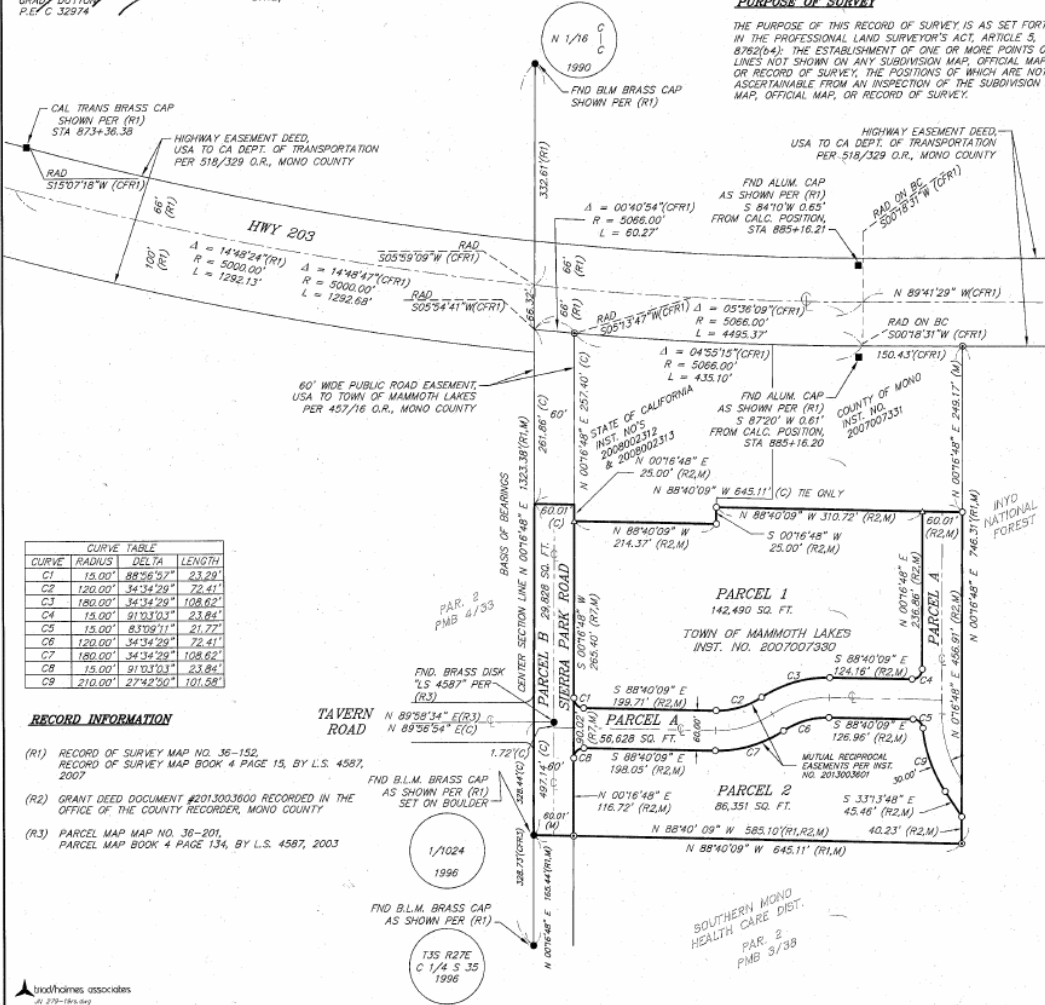
IN ACCORDANCE WITH SECTION 8762.5 OF THE PROFESSIONAL LAND SURVEYOR'S ACT, I GRADY DUTTON, BEING THE TOWN ENGINEER FOR THE TOWN OF MAMMOTH LAKES DO HEREBY STATE THAT THE LANDS SHOWN HEREON ARE WITHIN THE INCORPORATED BOUNDARY OF THE TOWN OF MAMMOTH LAKES AND COMPLY WITH THE PROVISIONS OF THE SUBDIVISION MAP ACT, DIVISION 2 (COMMENCING WITH SECTION 86410) OF TITLE 7 OF THE GOVERNMENT CODE, AND ANY APPLICABLE LOCAL ORDINANCES THERE TO.

MAMMOTH LAKES TOWN ENGINEER

*Grady Dutton* 12/23/14  
GRADY DUTTON DATE  
P.E. C. 32974

**PURPOSE OF SURVEY**

THE PURPOSE OF THIS RECORD OF SURVEY IS AS SET FORTH IN THE PROFESSIONAL LAND SURVEYOR'S ACT, ARTICLE 5, §8760(4); THE ESTABLISHMENT OF ONE OR MORE POINTS OR LINES NOT SHOWN ON ANY SUBDIVISION MAP, OFFICIAL MAP, OR RECORD OF SURVEY, THE POSITIONS OF WHICH ARE NOT ASCERTAINABLE FROM AN INSPECTION OF THE SUBDIVISION MAP, OFFICIAL MAP, OR RECORD OF SURVEY.



BOOK 5 OF RECORD OF SURVEY MAPS AT PAGE 35

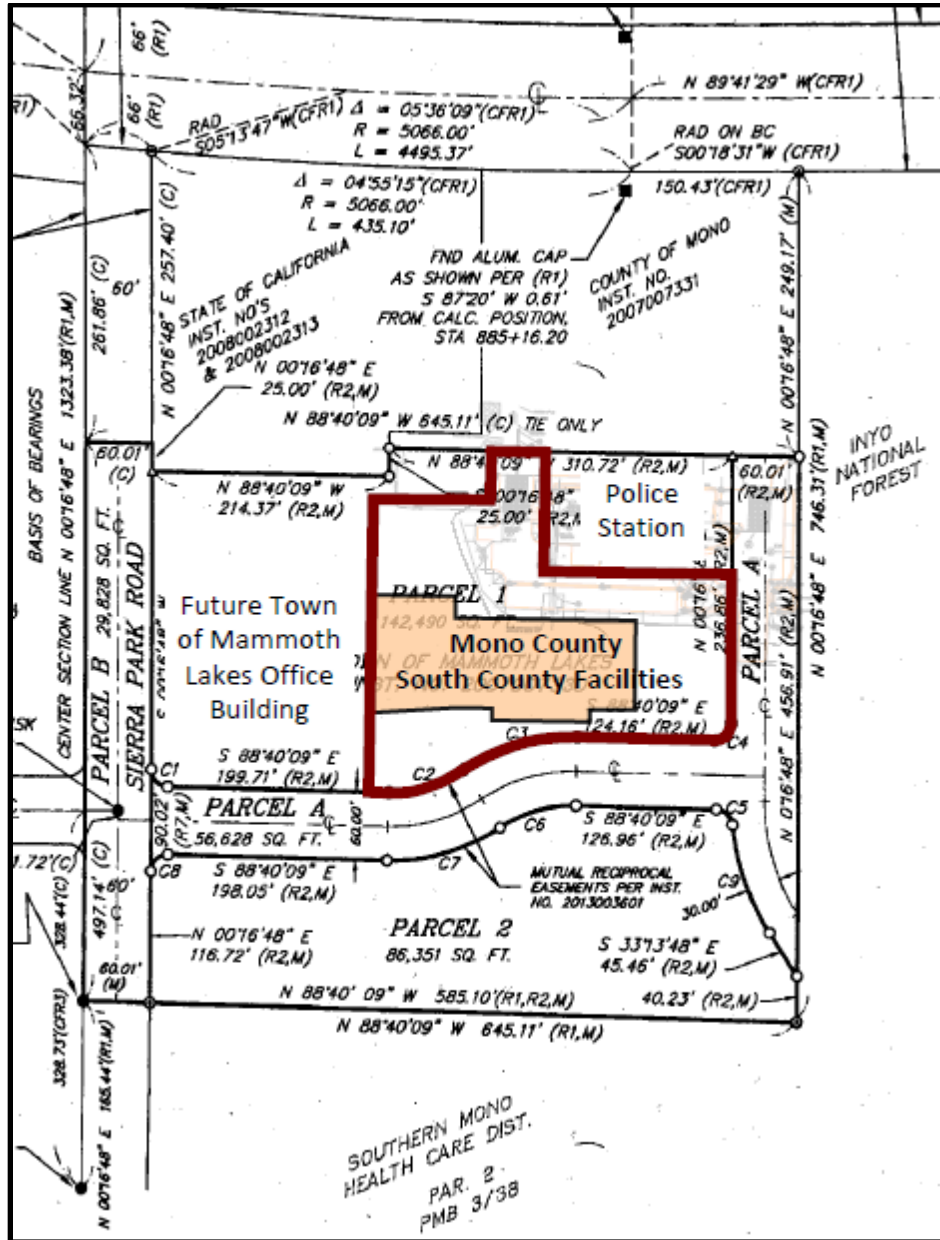
**EXHIBIT "B"**

**HMC Site Plan**



EXHIBIT "C"

Approximate boundaries of "County Parcel"





## **EXHIBIT D**

### **ADDITIONAL INSURANCE PROVISIONS**

Any insurance policy, or self-insurance, required under this Agreement shall contain, or shall be endorsed to contain, the following provisions and/or shall conform to the following requirements:

#### **i. Provider Rating**

Insurance required under this Agreement shall be maintained with insurers with a rating from A.M. Best Company of A VII or through self-insurance providing equivalent standards, unless otherwise acceptable to the Owners.

#### **ii. Additional Insured Status**

The Owners, their officers, officials, employees, agents and volunteers are to be covered as additional insureds on any GL policy with respect to liability arising out of this Agreement, including materials, parts, or equipment furnished in connection with such work or operations.

#### **iii. Primary Coverage**

For the County Parcel and all activities of the County, its officers, employees, agents, or volunteers thereon or related thereto, and for Town Parcel when County is acting pursuant to paragraph 5.a. herein, the County's GL and Property insurance coverage shall be primary as respects the Town, its officers, officials, employees, agents and volunteers with the exception of the Town's negligent acts. Any GL, Property or self-insurance maintained by the Town, its officers, officials, employees, agents or volunteers shall be excess of Mono County's insurance.

For the Town Parcel and all activities of the Town its officers, employees, agents, or volunteers thereon or related thereto, the Town's GL and Property insurance coverage shall be primary as respects the County, its officers, officials, employees, agents and volunteers with the exception of the County's negligent acts. Any GL, Property or self-insurance maintained by the County, its officers, officials, employees, agents or volunteers shall be excess of the Town's insurance.

#### **iv. Notice of Cancellation**

Each insurance policy required under this Agreement shall state that coverage shall not be canceled, except with notice to both Owners.

#### **v. Waiver of Subrogation**

The Owners hereby grant to each other a waiver of any right to subrogation which any insurer of Owners may acquire against each other by virtue of the payment of any loss under such insurance. The Owners agree to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the Owners have received a waiver of subrogation endorsement from the insurer.

**vi. Self-Insured Retentions**

Self-insured retentions must be declared by the Owners.

**vii. Verification of Coverage**

Owners, to the extent required by the other, shall furnish each other with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. Alternatively, proof of coverage and additional insured endorsements may be provided in the form of an evidence of coverage letter from the Owners' self-insurance administrator.



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** March 6, 2018

**Departments: Finance**

**TIME REQUIRED** 15 minutes

**PERSONS** Janet Dutcher

**SUBJECT** Commercial Cannabis Tax Ordinance  
and Resolution Calling Election on  
Same

**APPEARING  
BEFORE THE  
BOARD**

### AGENDA DESCRIPTION:

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

Ordinance Adding Chapter 3.30 (Cannabis Business Tax) to Title 3 of the Mono County Code Subject to Voter Approval and Enactment Pursuant to Elections Code Section 9104 and Article XIII C of the California Constitution. Resolution calling an election to submit the ordinance to the voters and consolidating that election with the regularly-scheduled statewide election on June 5, 2018. (Adoption of the ordinance requires a 4/5ths vote)

### RECOMMENDED ACTION:

(1) Consider and potentially adopt ordinance ORD18-\_\_\_, Adding Chapter 3.30 (Cannabis Business Tax) to Title 3 of the Mono County Code Subject to Voter Approval and Enactment Pursuant to Elections Code Section 9104 and Article XIII C of the California Constitution. (2) Adopt proposed resolution R18-\_\_\_, calling an election to submit the ordinance to the voters and consolidating that election with the regularly-scheduled statewide election to be held on June 5, 2018.

### FISCAL IMPACT:

The tax measure is estimated to generate \$143,000 to \$330,000 in tax revenue annually.

**CONTACT NAME:** Janet Dutcher

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

### SEND COPIES TO:

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

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<a href="#">Ordinance</a>
<a href="#">Resolution</a>

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
2/28/2018 1:11 PM	County Administrative Office	Yes
3/1/2018 10:49 AM	County Counsel	Yes
3/1/2018 11:20 AM	Finance	Yes



# DEPARTMENT OF FINANCE AUDITOR-CONTROLLER COUNTY OF MONO

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Stephanie M. Butters  
Assistant Finance Director  
Auditor-Controller

Janet Dutcher, CPA, CGFM  
Director of Finance

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**Date:** March 6, 2018  
**To:** Honorable Board of Supervisors  
**From:** Janet Dutcher, Finance Director  
**Subject:** Commercial Cannabis Tax Ordinance

**Action Requested:**

1. Consider and potentially adopt proposed ordinance.
2. Adopt proposed resolution calling an election to submit the ordinance to the voters and consolidating that election with the regularly-scheduled statewide election to be held on June 5, 2018.

*(Adoption of the ordinance requires a 4/5ths vote.)*

**Discussion:**

On February 20, 2018, your Board introduced, read title and waived further reading of the proposed ordinance adding Chapter 3.30 (Cannabis Business Tax) to Title 3 of the Mono County Code. This agenda item is the proposed adoption of the ordinance. The ordinance itself does not become effective until after approved by Mono County voters. Staff request the Board consider adopting the attached resolution, which calls for an election to submit the ordinance to the voters and consolidates that election with a regularly-scheduled statewide election. If approved, Finance will file the resolution and ordinance with the County Clerk-Recorder to place the tax measure on the June 5, 2018 ballot for a vote of the public. If approved by a majority of voters, the tax takes effect on July 1, 2018

**Fiscal Impact:**

The tax measure is estimated to generate \$143,000 to \$330,000 in tax revenue annually.



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE COUNTY OF MONO,  
CALIFORNIA ADDING CHAPTER 3.30 (CANNABIS  
BUSINESS TAX) TO TITLE 3 OF THE MONO COUNTY  
CODE SUBJECT TO VOTER APPROVAL AND  
ENACTMENT PURSUANT TO ELECTIONS CODE  
SECTION 9104 AND ARTICLE XIIC OF THE  
CALIFORNIA CONSTITUTION**

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF  
MONO ORDAINS that:**

SECTION 1. CODE AMENDMENT. Subject to voter approval and enactment of this ordinance pursuant to Elections Code Section 9104 and Article XIIC of the California Constitution, Chapter 3.30 of Title 3 shall be added to the Mono County Code to read as follows:

**CHAPTER 3.30  
CANNABIS BUSINESS TAX**

**Sections:**

- 3.30.010 Title.
- 3.30.020 Authority and Purpose.
- 3.30.030 Intent.
- 3.30.040 Definitions.
- 3.30.050 Tax imposed.
- 3.30.060 Reporting and remittance of tax.
- 3.30.070 Payments and communications –timely remittance.
- 3.30.080 Payment – when taxes deemed delinquent.
- 3.30.090 Notice not required by County.
- 3.30.100 Penalties and interest.
- 3.30.110 Refunds and credits.
- 3.30.120 Refunds and procedures.
- 3.30.130 Personal cultivation not taxed.
- 3.30.140 Administration of the tax.
- 3.30.150 Appeal procedure.
- 3.30.160 Enforcement –action to collect.
- 3.30.170 Apportionment.
- 3.30.180 Constitutionality and legality.
- 3.30.190 Audit and examination of premises and records.
- 3.30.200 Other licenses, permits, taxes or charges.

- 3.30.210 Payment of tax does not authorize unlawful business.
- 3.30.220 Deficiency determinations.
- 3.30.230 Failure to report – nonpayment, fraud.
- 3.30.240 Tax assessment –notice requirements.
- 3.30.250 Tax assessment – hearing, application, and determination.
- 3.30.260 Relief from taxes-disaster relief.
- 3.30.270 Conviction for violation – taxes not waived.
- 3.30.280 Violation deemed misdemeanor.
- 3.30.290 Severability.
- 3.30.300 Remedies cumulative.
- 3.30.310 Amendment or repeal.

**3.30.010 Title.**

This ordinance shall be known as the Cannabis Business Tax Ordinance.

**3.30.020 Authority and Purpose.**

The purpose of this Ordinance is to adopt a tax, for revenue purposes, pursuant to Sections 37101 and 37100.5 of the California Government Code, upon Cannabis Businesses that engage in business in the County. The Cannabis Business Tax is levied based upon business gross receipts and square footage of plant canopy. It is not a sales and use tax, a tax upon income, or a tax upon real property.

The Cannabis Business Tax is a general tax enacted solely for general governmental purposes of the County and not for specific purposes. All of the proceeds from the tax imposed by this Chapter shall be placed in the County's general fund and be available for any legal County purpose.

**3.30.030 Intent.**

The intent of this Ordinance is to levy a tax on all Cannabis Businesses that operate in the County, regardless of whether such business would have been legal at the time this Ordinance was adopted. Nothing in this Ordinance shall be interpreted to authorize or permit any business activity that would not otherwise be legal or permissible under laws applicable to the activity at the time the activity is undertaken.

**3.30.040 Definitions.**

The following words and phrases shall have the meanings set forth below when used in this Chapter:

A. “Business” shall include all activities engaged in or caused to be engaged in within the unincorporated area of the County, including any commercial or industrial enterprise, trade, profession, occupation, vocation, calling, or livelihood, whether or not carried on for gain or profit, but shall not include the services rendered by an employee to his or her employer.

B. “Cannabis” means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. “Cannabis” also means the separated resin, whether crude or purified, obtained from cannabis. “Cannabis” also means marijuana as defined by Section 11018 of the California Health and Safety Code and is not limited to medical cannabis.

C. “Cannabis product” means raw cannabis that has undergone a process whereby the raw agricultural product has been transformed into a concentrate, an edible product, or a topical product. “Cannabis product” also means marijuana products as defined by Section 11018.1 of the California Health and Safety Code and is not limited to medical cannabis products.

D. “Canopy” means all areas occupied by any portion of a cannabis plant whether contiguous or noncontiguous on any one site. When plants occupy multiple horizontal planes (as when plants are placed on shelving above other plants) each plane shall be counted as a separate canopy area.

E. “Cannabis business” means any business activity involving cannabis, including but not limited to cultivating, transporting, distributing, manufacturing, compounding, converting, processing, preparing, storing, packaging, delivering, testing, dispensing, retailing and wholesaling of cannabis, of cannabis products or of ancillary products and accessories, whether or not carried on for gain or profit.

F. “Cannabis business tax” or “business tax,” means the tax due pursuant to this Chapter for engaging in cannabis business in the unincorporated area of the County.

G. “Commercial cannabis cultivation” means cultivation in the course of conducting a cannabis business.

H. “County permit” means a permit issued by the County to a person to authorize that person to operate or engage in a cannabis business.

I. “Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis and includes, but is not limited to, the operation of a nursery.

J. “Employee” means each and every person engaged in the operation or conduct of any business, whether as owner, member of the owner's family, partner, associate, agent, manager or solicitor, and each and every other person employed or working in such business for a wage, salary, commission, barter or any other form of compensation.

K. “Engaged in business as a cannabis business” means the commencing, conducting, operating, managing or carrying on of a cannabis business, whether done as owner,



or by means of an officer, agent, manager, employee, or otherwise, whether operating from a fixed location in the unincorporated area of the County or coming into the unincorporated area of the County from an outside location to engage in such activities. A person shall be deemed engaged in business within the unincorporated area of the County if:

1. Such person or person's employee maintains a fixed place of business within the unincorporated area of the County for the benefit or partial benefit of such person;
2. Such person or person's employee owns or leases real property within the unincorporated area of the County for business purposes;
3. Such person or person's employee regularly maintains a stock of tangible personal property in the unincorporated area of the County for sale in the ordinary course of business;
4. Such person or person's employee regularly conducts solicitation of business within the unincorporated area of the County; or
5. Such person or person's employee performs work or renders services in the unincorporated area of the County.

The foregoing specified activities shall not be a limitation on the meaning of "engaged in business."

L. "Evidence of doing business" means evidence such as, without limitation, use of signs, circulars, cards or any other advertising media, including the use of internet or telephone solicitation, or representation to a government agency or to the public that such person is engaged in a cannabis business in the unincorporated area of the County.

M. "Fiscal year" means July 1 through June 30 of the following calendar year.

N. "Gross Receipts," except as otherwise specifically provided, means, whether designated a sales price, royalty, rent, commission, dividend, or other designation, the total amount (including all receipts, cash, credits and property of any kind or nature) received or payable for sales of goods, wares or merchandise or for the performance of any act or service of any nature for which a charge is made or credit allowed (whether such service, act or employment is done as part of or in connection with the sale of goods, wares, merchandise or not), without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service costs, interest paid or payable, losses or any other expense whatsoever. However, the following shall be excluded from Gross Receipts:

1. Cash discounts where allowed and taken on sales;
2. Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser;

3. Such part of the sale price of any property returned by purchasers to the seller as refunded by the seller by way of cash or credit allowances or return of refundable deposits previously included in gross receipts;

4. Receipts derived from the occasional sale of used, obsolete or surplus trade fixtures, machinery or other equipment used by the taxpayer in the regular course of the taxpayer's business;

5. Cash value of sales, trades or transactions between departments or units of the same business;

6. Whenever there are included within the gross receipts amounts which reflect sales for which credit is extended and such amount proved uncollectible in a subsequent year, those amounts may be excluded from the gross receipts in the year they prove to be uncollectible; provided, however, if the whole or portion of such amounts excluded as uncollectible are subsequently collected they shall be included in the amount of gross receipts for the period when they are recovered;

7. Receipts of refundable deposits, except that such deposits when forfeited and taken into income of the business shall not be excluded when in excess of one dollar;

8. Amounts collected for others where the business is acting as an agent or trustee and to the extent that such amounts are paid to those for whom collected. These agents or trustees must provide the finance department with the names and the addresses of the others and the amounts paid to them. This exclusion shall not apply to any fees, percentages, or other payments retained by the agent or trustees.

O. "Lighting" means a source of light that is primarily used for promoting the biological process of plant growth. Lighting does not include sources of light that primarily exist for the safety or convenience of staff or visitors to the facility, such as emergency lighting, walkway lighting, or light admitted via small skylights, windows or ventilation openings.

P. "Nursery" means a facility or part of a facility that is used only for producing clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis.

Q. "Person" means an individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, whether organized as a nonprofit or for-profit entity, and includes the plural as well as the singular number.

R. "Sale" means and includes any sale, exchange, or barter.

S. "State" means the State of California.

T. “State license,” “license,” or “registration” means a state license issued pursuant to California Business & Professions Code Sections 19300, *et seq.* or other applicable state law.

U. “Tax Administrator” means the Finance Director of the County of Mono or his or her designee.

V. “Testing Laboratory” means a cannabis business that (i) offers or performs tests of cannabis or cannabis products, (ii) offers no service other than such tests, (iii) sells no products, excepting only testing supplies and materials, (iv) is accredited by an accrediting body that is independent from all other persons involved in the cannabis industry in the state and (v) is registered with the State Department of Public Health.

**3.30.050 Tax imposed.**

A. Beginning July 1, 2018, there is imposed upon each person who is engaged in business as a cannabis business a cannabis business tax regardless if the business has been issued a permit to operate lawfully in the unincorporated area of the County or is operating unlawfully.

B. The initial rate of the cannabis business tax shall be as follows:

1. For every person who is engaged in commercial cannabis cultivation in the unincorporated area of the County:
  - a. Two dollars (\$2.00) annually per square foot of canopy space in a facility that uses exclusively artificial lighting.
  - b. One dollar and fifty cents (\$1.50) annually per square foot of canopy space in a facility that uses a combination of natural and supplemental artificial lighting.
  - c. Fifty cents (\$.050) annually per square foot of canopy space in a facility that uses no artificial lighting.
  - d. Fifty cents (\$.50) annually per square foot of canopy space for any nursery.

For purposes of this subdivision (B), the square feet of canopy space for a business shall be rebuttably presumed to be the maximum square footage of canopy allowed by the business’s County permit for commercial cannabis cultivation, or, in the absence of a County permit, the square footage shall be the maximum square footage of canopy for commercial cannabis cultivation allowed by the state license type. Should a County permit be issued to a business which cultivates only for certain months of the year, the County shall prorate the tax as to sufficiently reflect the period in which cultivation is occurring at the business. In no case shall canopy square footage which is authorized by the County commercial cannabis permit but not utilized for cultivation be deducted for the purpose of determining the tax for cultivation, unless the Tax Administrator is informed in writing and authorizes such reduction for the purpose of

relief from the tax prior to the period for which the space will not be used, that such space will not be used.

2. For every person who engages in the operation of a testing laboratory: one percent (1%) of gross receipts.
  3. For every person who engages in the retail sales of cannabis as a retailer (dispensary) or non-store front retailer (delivery) or microbusiness (retail sales): Four percent (4%) of gross receipts.
  4. For every person who engages in a cannabis distribution business: two percent (2%) of gross receipts.
  5. For every person who engages in a cannabis manufacturing, processing, or microbusiness (non-retail), or any other type of cannabis business not described in Section (B) (1), (2), (3) or (4): Two and half percent (2.5%) of gross receipts.
- C. The County Board of Supervisors may, by resolution or ordinance, adjust the rate of the cannabis business tax. However, in no event may the County Board of Supervisors set any adjusted rate that exceeds the maximum rate calculated pursuant to Subdivision (D) of this Section for the date on which the adjusted rate will commence.
- D. The maximum rate shall be calculated as follows:
1. For every person who is engaged in commercial cannabis cultivation in the unincorporated area of the County:
    - a. Through June 30, 2021, the maximum rate shall be:
      - i. Three dollars (\$3.00) annually per square foot of canopy space in a facility that uses exclusively artificial lighting.
      - ii. Two dollars (\$2.50) annually per square foot of canopy space in a facility that uses a combination of natural and supplemental artificial lighting.
      - iii. One dollar (\$1.50) annually per square foot of canopy space in a facility that uses no artificial lighting.
      - iv. One dollar (\$1.00) annually per square foot of canopy space for any nursery.
    - b. On July 1, 2021 and on each July 1 thereafter, the maximum annual tax rate per square foot of each type of canopy space shall increase by the

percentage change between January of the calendar year prior to such increase and January of the calendar year of the increase in the Consumer Price Index (“CPI”) for all urban consumers in the Western Region as published by the United States Government Bureau of Labor Statistics. However, no CPI adjustment resulting in a decrease of any tax imposed by this subsection shall be made nor shall the total amount of the tax exceed the maximum rates set forth in this Subsection (D).

2. For every person who engages in the operation of a testing laboratory, the maximum tax rate shall not exceed two and a half percent (2.5%) of gross receipts.
3. For every person who engages in the retail sales of cannabis as a retailer (dispensary) or non-store front retailer (delivery business), or microbusiness (retail sales activity) the maximum tax rate shall not exceed eight percent (8%) of gross receipts.
4. For every person who engages in a cannabis distribution business, the maximum tax rate shall not exceed four percent (4%) of gross receipts.
5. For every person who engages in a cannabis manufacturing, processing, or microbusiness (non-retail activity) or any other type of cannabis business not described in Section (D) (1), (2), (3) or (4), the maximum tax rate shall not exceed four percent (4%) of gross receipts.

### **3.30.060 Reporting and remittance of tax.**

A. The cannabis business tax imposed by this Chapter shall be paid, in arrears, on a quarterly basis. For commercial cannabis cultivation, the tax due for each calendar quarter shall be based on the square footage of the business’s canopy space during the quarter and the rate shall be 25% of the applicable annual rate. For all other cannabis businesses activities, the tax due for each calendar quarter shall be based on the gross receipts for the quarter.

B. Each person owing cannabis business tax for a calendar quarter shall, no later than the last day of the month following the close of the calendar quarter, file with the tax administrator a statement of the tax owed for that calendar quarter and the basis for calculating that tax. The Tax Administrator may require that the statement be submitted on a form prescribed by the Tax Administrator. The tax for each calendar quarter shall be due and payable on that same date as the statement for the calendar quarter is due.

C. Upon cessation of a cannabis business, tax statements and payments shall be immediately due for all calendar quarters up to the calendar quarter during which cessation occurred.

D. The Tax Administrator may, at his or her discretion, establish shorter report and payment periods for any taxpayer as the Tax Administrator deems necessary to ensure collection of the tax. The Tax Administrator may also require that a deposit, to be applied against the taxes

for a calendar quarter, be made by a taxpayer at the beginning of that calendar quarter. In no event shall the deposit required by the Tax Administrator exceed the tax amount he or she projects will be owed by the taxpayer for the calendar quarter. The Tax Administrator may require that a taxpayer make payments via a cashier's check, money order, wire transfer, or similar instrument.

E. For purposes of this section, the square feet of canopy space for a business shall be rebuttably presumed to be no less than the maximum square footage of canopy allowed by the business's County permit for commercial cannabis cultivation, or, in the absence of a County permit, the square footage shall be the maximum square footage of canopy for commercial cannabis cultivation allowed by the state license type. In no case shall canopy square footage which is authorized by the permit or license but not utilized for cultivation be excluded from taxation unless the Tax Administrator is informed in writing, prior to the period for which the space will not be used, that such space will not be used.

### **3.30.070 Payments and communications – timely remittance.**

Whenever any payment, statement, report, request or other communication is due, it must be received by the Tax Administrator on or before the final due date. A postmark will not be accepted as timely remittance. If the due date would fall on a Saturday, Sunday or a holiday, the due date shall be the next regular business day on which the County is open to the public.

### **3.30.080 Payment - when taxes deemed delinquent.**

Unless otherwise specifically provided under other provisions of this Chapter, the taxes required to be paid pursuant to this Chapter shall be deemed delinquent if not received by the Tax Administrator on or before the due date as specified in Sections 3.30.060 and 3.30.070.

### **3.30.090 Notice not required by the County.**

The County may as a courtesy send a tax notice to the business. However, the Tax Administrator is not required to send a notice of assessment pursuant to Section 3.30.240, a notice of delinquency pursuant to Section 3.30.220, or any other tax notice or bill to any person subject to the provisions of this Chapter. Failure to send any tax notice or bill shall not affect the validity of any tax or penalty due under the provisions of this Chapter.

### **3.30.100 Penalties and interest.**

A. Any person who fails or refuses to pay any cannabis business tax required to be paid pursuant to this Chapter on or before the due date shall pay penalties and interest as follows:

1. A penalty equal to ten percent (10%) of the amount of the tax, in addition to the amount of the tax, plus interest on the unpaid tax calculated from the due date of the tax at the rate of one percent (1.0%) per month.

2. If the tax remains unpaid for a period exceeding one calendar month beyond the due date, an additional penalty equal to twenty-five percent (25%) of the amount of the tax, plus interest at the rate of one percent (1.0%) per month on the unpaid tax and on the unpaid penalties.

3. Interest shall be applied at the rate of one percent (1.0%) per month on the first day of the month for the full month and will continue to accrue monthly on the tax and penalty until the balance is paid in full.

B. Whenever a check or electronic payment is submitted in payment of a cannabis business tax and the payment is subsequently returned unpaid by the bank for any reason, the taxpayer will be liable for the tax amount due plus any fees, penalties and interest as provided for in this Section, and any other amount allowed under state law.

### **3.30.110 Refunds and credits.**

A. No refund shall be made of any tax collected pursuant to this Chapter, except as provided in Section 3.30.120.

B. No refund of any tax collected pursuant to this Chapter shall be made because of the discontinuation, dissolution, or other termination of a business.

### **3.30.120 Refunds and procedures.**

A. Whenever the amount of any cannabis business tax, penalty or interest has been overpaid, paid more than once, or has been erroneously collected or received by the County under this Chapter, it may be refunded to the claimant who paid the tax provided that a written claim for refund is filed with the Tax Administrator within one (1) year of the date the tax was originally due and payable.

B. The Tax Administrator, his or her designee or any other County officer charged with the administration of this Chapter shall have the right to examine and audit all the books and business records of the claimant in order to determine the eligibility of the claimant to the claimed refund. No claim for refund shall be allowed if the claimant refuses to allow such examination of claimant's books and business records after request by the Tax Administrator to do so.

C. In the event that the cannabis business tax was erroneously paid, and the error is attributable to the County, the County shall refund the amount of tax erroneously paid up to one (1) year from when the error was identified.

### **3.30.130 Personal Cultivation Not Taxed.**

The provisions of this Chapter shall not apply to personal cannabis cultivation as defined in the "Medicinal and Adult Use Cannabis Regulation and Safety Act". This Chapter shall not apply to personal use of cannabis that is specifically exempted from state licensing requirements,

that meets the definition of personal use or equivalent terminology under state law, and for which the individual receives no compensation whatsoever related to that personal use.

**3.30.140 Administration of the tax.**

A. It shall be the duty of the Tax Administrator to collect the taxes, penalties, fees, and perform the duties required by this Chapter.

B. For purposes of administration and enforcement of this Chapter generally, the Tax Administrator may from time to time promulgate such administrative interpretations, rules, and procedures consistent with the purpose, intent, and express terms of this Chapter as he or she deems necessary to implement or clarify such provisions or aid in enforcement.

C. The Tax Administrator may take such administrative actions as needed to administer the tax, including but not limited to:

1. Provide to all cannabis business taxpayers forms for the reporting of the tax;
2. Provide information to any taxpayer concerning the provisions of this Chapter;
3. Receive and record all taxes remitted to the County as provided in this Chapter;
4. Maintain records of taxpayer reports and taxes collected pursuant to this Chapter;
5. Assess penalties and interest to taxpayers pursuant to this Chapter;
6. Determine amounts owed and enforce collection pursuant to this Chapter.

**3.30.150 Appeal procedure.**

Any taxpayer aggrieved by any decision of the Tax Administrator with respect to the amount of tax, interest, penalties and fees, if any, due under this Chapter may appeal to the County Board of Supervisors by filing a notice of appeal with the Clerk of the Board within thirty (30) days of the serving or mailing of the notice of delinquency pursuant to Section 3.30.220 or notice of assessment pursuant to Section 3.30.240. The Clerk of the Board, or his or her designee, shall fix a time and place for hearing such appeal, and the Clerk of the Board, or his or her designee, shall give notice in writing to such operator at the last known place of address. The finding of the County Board of Supervisors shall be final and conclusive and shall be served upon the appellant in the manner prescribed by this Chapter for service of notice. Any amount found to be due shall be immediately due and payable upon the service of the notice.

**3.30.160 Enforcement - action to collect.**

Any taxes, penalties and/or fees required to be paid under the provisions of this Chapter shall be deemed a debt owed to the County. Any person owing money to the County under the provisions of this Chapter shall be liable in an action brought in the name of the County for the



recovery of such debt. The provisions of this Section shall not be deemed a limitation upon the right of the County to bring any other action including criminal, civil and equitable actions, based upon the failure to pay the tax, penalties and/or fees imposed by this Chapter or the failure to comply with any of the provisions of this Chapter.

### **3.30.170 Apportionment.**

If a business subject to the tax is operating both within and outside the unincorporated area of the County, it is the intent of the County to apply the cannabis business tax so that the measure of the tax fairly reflects the proportion of the taxed activity actually carried on in the unincorporated area of the County. To the extent federal or state law requires that any tax due from any taxpayer be apportioned, the taxpayer may indicate said apportionment on his or her tax return. The Tax Administrator may promulgate administrative procedures for apportionment as he or she finds useful or necessary.

### **3.30.180 Constitutionality and legality.**

This tax is intended to be applied in a manner consistent with the United States and California Constitutions and state law. None of the tax provided for by this Chapter shall be applied in a manner that causes an undue burden upon interstate commerce, a violation of the equal protection or due process clauses of the Constitutions of the United States or the State of California or a violation of any other provision of the California Constitution or state law. If a person believes that the tax, as applied to him or her, is impermissible under applicable law, he or she may request that the Tax Administrator release him or her from the obligation to pay the impermissible portion of the tax.

### **3.30.190 Audit and examination of premises and records.**

A. For the purpose of ascertaining the amount of cannabis business tax owed or verifying any representations made by any taxpayer to the County in support of his or her tax calculation, the Tax Administrator shall have the power to inspect any location where commercial cannabis cultivation occurs and to audit and examine all books and records (including, but not limited to bookkeeping records, state and federal income tax returns, and other records relating to the gross receipts of the business) of persons engaged in cannabis businesses. In conducting such investigation, the tax administrator shall have the power to inspect any equipment, such as computers or point of sale machines, that may contain such records.

B. It shall be the duty of every person liable for the collection and payment to the County of any tax imposed by this Chapter to keep and preserve, for a period of at least four (4) years, all records as may be necessary to determine the amount of such tax as he or she may have been liable for the collection of and payment to the County, which records the Tax Administrator or his/her designee shall have the right to inspect at all reasonable times.

### **3.30.200 Other licenses, permits, taxes, fees or charges.**

A. Nothing contained in this Chapter shall be deemed to repeal, amend, be in lieu of, replace or in any way affect any requirements for any permit or license required by, under or by virtue of any provision of any other Chapter of this Code or any other ordinance or resolution of the County, nor be deemed to repeal, amend, be in lieu of, replace or in any way affect any tax, fee or other charge imposed, assessed or required by, under or by virtue of any other Chapter of this code or any other ordinance or resolution of the County. Any references made or contained in any other Chapter of this code to any licenses, license taxes, fees, or charges, or to any schedule of license fees, shall be deemed to refer to the licenses, license taxes, fees or charges, or schedule of license fees, provided for in other Chapter of this Code.

B. The Tax Administrator may revoke or refuse to renew the license required by Chapter 5.04 of this Code, any other Chapter of this Code or any other ordinance or resolution of the County for any business that is delinquent in the payment of any tax due pursuant to this Chapter or that fails to make a deposit required by the tax administrator pursuant to Section 3.30.060.

**3.30.210 Payment of tax does not authorize unlawful business.**

A. The payment of a cannabis business tax required by this Chapter, and its acceptance by the County, shall not entitle any person to carry on any cannabis business unless the person has complied with all of the requirements of this Code and all other applicable state laws.

B. No tax paid under the provisions of this Chapter shall be construed as authorizing the conduct or continuance of any illegal or unlawful business, or any business in violation of any local or state law.

**3.30.220 Deficiency determinations.**

If the Tax Administrator is not satisfied that any statement filed as required under the provisions of this Chapter is correct, or that the amount of tax is correctly computed, he or she may compute and determine the amount to be paid and make a deficiency determination upon the basis of the facts contained in the statement or upon the basis of any information in his or her possession or that may come into his or her possession within three (3) years of the date the tax was originally due and payable. One or more deficiency determinations of the amount of tax due for a period or periods may be made. When a person discontinues engaging in a business, a deficiency determination may be made at any time within three (3) years thereafter as to any liability arising from engaging in such business whether or not a deficiency determination is issued prior to the date the tax would otherwise be due. Whenever a deficiency determination, a notice of deficiency shall be given to the person concerned in the same manner as notices of assessment are given under Section 3.30.240.

### **3.30.230 Failure to report—nonpayment, fraud.**

A. Under any of the following circumstances, the Tax Administrator may make and give notice of an assessment of the amount of tax owed by a person under this Chapter at any time:

1. If the person has not filed a complete statement required under the provisions of this Chapter;
2. If the person has not paid the tax due under the provisions of this Chapter;
3. If the person has not, after demand by the Tax Administrator, filed a corrected statement, or furnished to the Tax Administrator adequate substantiation of the information contained in a statement already filed, or paid any additional amount of tax due under the provisions of this Chapter; or
4. If the Tax Administrator determines that the nonpayment of any business tax due under this Chapter is due to fraud, a penalty of twenty-five percent (25%) of the amount of the tax shall be added thereto in addition to penalties and interest otherwise stated in this Chapter and any other penalties allowed by law.

B. The notice of assessment shall separately set forth the amount of any tax known by the Tax Administrator to be due or estimated by the Tax Administrator, after consideration of all information within the Tax Administrator's knowledge concerning the business and activities of the person assessed, to be due under each applicable section of this Chapter, and shall include the amount of any penalties or interest accrued on each amount to the date of the notice of assessment.

### **3.30.240 Tax assessment - notice requirements.**

The notice of assessment shall be served upon the person either by personal delivery, or by a deposit of the notice in the United States mail, postage prepaid thereon, addressed to the person at the address of the location of the business or to such other address as he or she shall register with the Tax Administrator for the purpose of receiving notices provided under this Chapter; or, should the person have no address registered with the Tax Administrator for such purpose, then to such person's last known address. For the purposes of this Section, a service by mail is complete at the time of deposit in the United States mail.

### **3.30.250 Tax assessment - hearing, application and determination.**

Within thirty (30) days after the date of service of the notice of assessment, the person may apply in writing to the Tax Administrator for a hearing on the assessment. If application for a hearing before the County is not made within the time herein prescribed, the tax assessed by the Tax Administrator shall become final and conclusive. Within thirty (30) days of the receipt of any such application for hearing, the Tax Administrator shall cause the matter to be set for hearing before him or her no later than thirty (30) days after the receipt of the application, unless

a later date is agreed to by the Tax Administrator and the person requesting the hearing. Notice of such hearing shall be given by the Tax Administrator to the person requesting such hearing not later than five (5) days prior to such hearing. At such hearing said applicant may appear and offer evidence why the assessment as made by the Tax Administrator should not be confirmed and fixed as the tax due. After such hearing the Tax Administrator shall determine and, if applicable, reassess the proper tax to be charged and shall give written notice to the person in the manner prescribed in Section 3.30.240 for giving notice of assessment.

### **3.30.260 Relief from taxes -disaster relief.**

A. If a Business is unable to comply with any tax requirement due to a disaster, the Business may notify the Tax Administrator of this inability to comply and request relief from the tax requirement;

B. The Tax Administrator, in its sole discretion, may provide written relief from the cannabis business tax requirement for Businesses whose operations have been impacted by a disaster if such tax liability does not exceed five thousand (\$5,000) dollars. If such tax liability is five thousand one (\$5,001) dollars or more than such relief shall only be approved by the County Board of Supervisors;

C. Temporary relief from the cannabis tax may be provided for a reasonable amount of time as determined by the Tax Administrator in order to allow the Business time to recover from the disaster;

D. The Tax Administrator may require that certain conditions be followed in order for a Business to receive temporary relief from the cannabis business tax requirement;

E. A Business shall not be subject to an enforcement action for a violation of a cannabis business requirement in which the licensee has received temporary relief from the tax administrator;

F. For purposes of this section, “disaster” means fire, flood, storm, tidal wave, earthquake, or similar public calamity, whether or not resulting from natural causes.

G. The Business shall notify the Tax Administrator in writing of its request for temporary relief from imposition of the tax requirement pursuant to subsection (A) of this Section. The request shall clearly indicate why relief is requested, the time period for which the relief is requested, a description of the disaster justifying relief, and the reasons relief is needed for the specified amount of time;

H. The Business will grant the Tax Administrator access to the location where the Business has been impacted due to a disaster.

**3.30.270 Conviction for violation - taxes not waived.**

The conviction and punishment of any person for failure to pay the required tax shall not excuse or exempt such person from any civil action for the tax debt unpaid at the time of such conviction. No civil action shall prevent a criminal prosecution for any violation of the provisions of this Chapter or of any state law requiring the payment of all taxes.

**3.30.280 Violation deemed misdemeanor.**

Any person violating any of the provisions of this Chapter shall be guilty of a misdemeanor.

**3.30.290 Severability.**

If any provision of this Chapter, or its application to any person or circumstance, is determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Chapter or the application of this Chapter to any other person or circumstance and, to that end, the provisions hereof are severable.

**3.30.300 Remedies cumulative.**

All remedies and penalties prescribed by this Chapter or which are available under any other provision of the Mono County Code and any other provision of law or equity are cumulative. The use of one or more remedies by the County shall not bar the use of any other remedy for the purpose of enforcing the provisions of this Chapter.

**3.30.310 Amendment or repeal.**

This Chapter may be repealed or amended by the County Board of Supervisors without a vote of the people to the extent allowed by law. However, as required by Article XIII C of the California Constitution, voter approval is required for any amendment that would increase the rate of any tax levied pursuant to this Chapter. The people of the County of Mono affirm that the following actions shall not constitute an increase of the rate of a tax:

A. The restoration of the rate of the tax to a rate that is no higher than that set by this Chapter, if the County Board of Supervisors has acted to reduce the rate of the tax;

B. An action that interprets or clarifies the methodology of the tax, or any definition applicable to the tax, so long as interpretation or clarification (even if contrary to some prior interpretation or clarification) is not inconsistent with the language of this Chapter; or

C. The collection of the tax imposed by this Chapter even if the County had, for some period of time, failed to collect the tax.

D. The adjustment of the tax in accordance with the provisions of subdivisions (C) and (D) of Section 3.30.050.

SECTION 2. STATEMENT OF HOW TAX MAY BE SPENT. All revenue from the taxes imposed by Chapter 3.30 of the Mono County Code, including taxes levied on commercial cannabis cultivation, cannabis testing laboratories, retail cannabis sales, cannabis distribution, manufacturing, processing, micro-businesses or any other cannabis business, as listed in Mono County Code Section 3.30.050, shall be spent for unrestricted general revenue purposes.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The County Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**PASSED, APPROVED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Bob Gardner, Chair of the Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

\_\_\_\_\_  
County Counsel



R18-\_\_

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO CALLING FOR AN ELECTION TO PRESENT TO THE VOTERS OF THE COUNTY A PROPOSED ORDINANCE ADDING CHAPTER 3.30 TO THE MONO COUNTY CODE ESTABLISHING CANNABIS BUSINESS LICENSE TAXES AND ORDERING CONSOLIDATION OF SAID ELECTION WITH THE CONSOLIDATED GENERAL ELECTION CALLED FOR JUNE 5, 2018 (COUNTYWIDE)**

**WHEREAS**, Revenue and Taxation Code sections 7284 and 7284.4 provide that a county may establish business licenses and a license tax, subject to any-applicable voter approval requirement imposed by law; and

**WHEREAS**, Government Code sections 53723 and 53724 provide that a legislative body may not impose a general tax unless or until the tax is submitted to the electorate of the local government and approved by a majority vote of the voters voting in an election on the issue; and

**WHEREAS**, Government Code section 53724 additionally provides that no tax subject to the vote requirement prescribed by Government Code section 53723 (general taxes) shall be presented at an election unless the ordinance or resolution proposing such tax is approved by a two-thirds vote of all members of the legislative body of the local government; and

**WHEREAS**, Elections Code section 9140 authorizes the Board of Supervisors to submit to the voters, without a petition, an ordinance for the repeal, amendment or enactment of any ordinance, to be voted on at any succeeding, regular or special election and, receiving the majority of votes cast, the ordinance shall be repealed, amended, or enacted accordingly; and

**WHEREAS**, as a result of recent voter-approved changes to state law, there has been strong interest by cannabis businesses to open in the unincorporated area of the County; and

**WHEREAS**, cannabis businesses are likely to create demands upon County services, and the County does not currently impose any taxes upon cannabis businesses, aside from generally applicable taxes;

1           **WHEREAS**, the Board of Supervisors of the County of Mono desires to adopt  
2 cannabis regulations to prevent cannabis businesses from being a public nuisance,  
3 including a regulatory and permitting program, and desires to provide appropriate  
4 licensing and revenue for the County in a manner consistent with State law; and

5           **WHEREAS**, every person engaged in business activity in the County of Mono is  
6 required to obtain a business tax certificate and to pay the County business tax; and

7           **WHEREAS**, the Board of Supervisors of the County of Mono desires to enact Chapter  
8 3.30, creating new business license tax rates for the following types of cannabis businesses: (a)  
9 Retailers (b) Cultivation, (c) Manufacturing, (d) Testing Facilities, (e) Distribution, (f)  
10 Microbusinesses and (g) other commercial cannabis activity which has been issued a permit to  
operate lawfully in the unincorporated area of the County or is operating unlawfully; and

11           **WHEREAS**, as the County seeks to appropriately regulate cannabis businesses  
12 and seeks adequate funding to provide essential public services, all revenues received  
13 from the taxes imposed by Chapter 3.30 shall be deposited in the County's General Fund  
to be expended for general purposes; and

14           **WHEREAS**, on February 20, 2018, the Board of Supervisors of the County of  
15 Mono introduced, read title and waived further reading and on March 9, 2018, the Board  
16 considered and approved to submit to the voters the Ordinance adding Chapter 3.30  
17 establishing Cannabis Business License taxes;

18           **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of the  
19 County of Mono does hereby declare and order the proposed Ordinance, to be attached  
20 hereto as Exhibit A and incorporated by this reference, be submitted to a vote of the  
qualified electors of the County of Mono at the June 5, 2018, election, as follows:

21           **SECTION ONE:** There shall be included on the ballot to be marked by all Mono  
22 County voters, in addition to any other matters required by law, a ballot measure in  
23 substantially the following form:

For unrestricted general revenue purposes, such as to fund sheriff, EMS, and code compliance, shall the County tax cannabis businesses within the unincorporated areas up to \$3.00 per canopy square foot for cultivation (adjustable for inflation), 8% of gross receipts for retail, 2.5% for testing laboratories and 4% for other cannabis businesses; estimated to generate \$143,000 to \$330,000 annually; to be levied until repealed by the voters or the County Board of Supervisors?	<b>YES</b>	
	<b>NO</b>	

30           A mark in the voting square after "YES" shall be counted in favor of the adoption of the  
31 proposed ordinance. A mark placed in the voting square after "NO" shall be counted  
32 against the adoption of the proposed ordinance.



1  
2           **SECTION TWO:** The County Elections Office is hereby authorized and directed  
3 to take any and all actions necessary under the law to prepare for and conduct the election  
4 including, without limitation, the following:

- 5           A. Furnish any and all official ballots, notices, printed matter, and all supplies,  
6           equipment, and paraphernalia that may be necessary in order to properly and  
7           lawfully conduct the election.
- 8           B. Fix and determine dates for submission of arguments for or against said  
9           proposed ordinance pursuant to the provisions of the Elections Code.
- 10          C. Take the necessary and appropriate action to provide the election officers,  
11          polling places and voting precincts.
- 12          D. Transmit a copy of the measure to the County Auditor and County Counsel in  
13          accordance with Elections Code 9160.
- 14          E. Give notice of the time and place of holding the election together with any  
15          other notices required by law.
- 16          F. Provide for the polls for this election to be open during the hours required by  
17          law.
- 18          G. Hold and conduct the election as provided by law for the holding of County  
19          initiative elections.

20           **SECTION THREE:** In accordance with Elections Code section 9160, the Mono  
21 County Counsel is directed to prepare an impartial analysis of the measure and the County  
22 Auditor is directed to prepare a fiscal impact statement.

23           **SECTION FOUR:** Arguments for or against the measure may be submitted in  
24 conformity with Elections Code section 9161, *et seq.*

25  
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**SECTION FIVE:** The County Administrative Officer is hereby authorized and directed to take any and all actions necessary under law to prepare for and appropriate all monies necessary for the Elections Office to prepare and conduct the general election in a manner consistent with state and local laws.

**PASSED, APPROVED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote, to wit:

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

\_\_\_\_\_  
Bob Gardner, Chair  
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
County Counsel



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** March 6, 2018

**Departments: Public Works**

**TIME REQUIRED** 1 hour

**PERSONS APPEARING BEFORE THE BOARD** All Public Works Division Leaders

**SUBJECT** Public Works - 17/18 Budget Goals, Progress, and 18/19 Strategic Priorities

**AGENDA DESCRIPTION:**

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

Presentation by Public Works Division Leaders regarding Public Works 17/18 Budget Goals, Progress and 18/19 Strategic Priorities.

**RECOMMENDED ACTION:**

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

**FISCAL IMPACT:**

None. Informational only.

**CONTACT NAME:** Tony Dublino

**PHONE/EMAIL:** 760.932.5415 / tdublino@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<p>Click to download</p> <p> <a href="#">Presentation</a></p>
---

**History**

Time	Who	Approval
2/28/2018 12:10 PM	County Administrative Office	Yes
3/1/2018 9:10 AM	County Counsel	Yes
2/28/2018 3:59 PM	Finance	Yes

The background features a dark blue gradient with a starry space pattern. Overlaid on this are several circular gauges and progress indicators. One large gauge on the left has a scale from 140 to 260. Other smaller gauges and dashed lines with arrows are scattered across the page, suggesting a technical or data-driven theme.

# DEPARTMENT OF PUBLIC WORKS

DEPARTMENT FUNCTIONS AND PURPOSE,  
FY 17/18 GOALS AND PROGRESS,  
STRATEGIC PRIORITIES FOR THE FUTURE

# TODAY'S DISCUSSION

- Introduce each Division and describe basic functions and purpose.
- Review 2017-2018 Budget Goals:
  - Progress Report, importance to County residents, methods for measurement
  - Any changes or adjustments to the goals
- Next year: Opportunities to advance Strategic Priorities

# PUBLIC WORKS DIVISIONS

- Fleet/Motor Pool
- Roads
- Engineering
- Facilities
- Solid Waste
- Administration



# FLEET/MOTOR POOL

## FUNCTIONS AND PURPOSE

To provide and maintain the County's fleet of vehicles for all Departments.

To provide and maintain County's heavy equipment and small equipment fleet for all Departments.

To purchase new vehicles and equipment as required/approved, and to oversee the sale of vehicles and equipment at Auction.

To oversee the maintenance and testing of the County's five fueling stations and Bryant field.

Acquire parts and supplies for all divisions of the Public Works Department, and to maintain and account for those inventories.

Implementing hazardous waste removal for a variety of County operations



# FLEET/MOTOR POOL

## FY 2017-2018 Budget Goals

- Update CARB compliance plan and bring before Board of Supervisors in Summer 2017  
*Complete, ongoing update in preparation for FY 18/19*
- Install water/oil separator at Crowley Road shop by June 2018.  
*Road Dept to report/In progress*
- Work with Risk Management to provide Safe Driver training classes for all county staff by January 1, 2018.  
*In progress*
- Respond to repair requests within 24 hours.  
*Successful, continuing effort*
- Provide car wash options for all departments no later than October 2017.  
*Complete, options have been identified*





# FLEET/MOTOR POOL



- Opportunities to advance strategic priorities for next FY

2d: Sustain and protect community, landscape, environmental character

***Investigate and analyze Electric Vehicle fleet vehicles***

# ROADS



## FUNCTION AND PURPOSE

- Provide Maintenance (grading, striping, debris removal, crack sealing) and Snow Removal on 684 miles of County Roads.
- Assist with Special Events and other Department projects as needed (Facilities, Solid Waste, Fleet, Law Enforcement etc.)



# ROADS



## FY 2017-2018 Budget Goals

- Track Road Repair expenses for County labor and equipment and FEMA

### *Complete*

- Install water/oil separator at Crowley Road shop by June 2018.

### *In progress*

- Assist Ca. State Parks staff with ongoing road repairs to Bodie Road.

### *Complete, ongoing*

- Stripe 100 miles of centerline on County Roads.

*25% complete, projects to be completed by end of FY*



# ROADS



- Opportunities to advance strategic priorities for next FY
- Striping and Pavement preservation efforts.
- Instillation of sand oil separator in District 1
- Work with IT to integrate drainages, signage, striping etc. into the GIS system to assist with locating, planning road repairs, maintenance plans and costs.



# ENGINEERING

- FUNCTION AND PURPOSE
- To provide engineering and project management expertise necessary to manage, plan, design, construct, and maintain roads, bridges, facilities, drainage structures, airports, solid waste, and other County infrastructure
- To provide land development services including subdivision map processing, improvement permit administration, and floodplain management.



# ENGINEERING



## Budgets Managed

- Public Works – Funds engineering staff and overhead. Revenue is primarily from the General Fund.
- State and Federal Projects – Funds the 5-Year Road CIP. Revenue is almost exclusively from grants.
- Airports – Enterprise fund for operation and maintenance of Bryant Field and Lee Vining Airports.
- Zones of Benefit/Countywide Service Area – 10 separate funds that provide services, primarily private road operations and maintenance, to distinct communities.
- Disaster Fund – Created specifically for storm repairs.
- Jail Project – Created separately from the CIP budget because of its size.

# ENGINEERING

- FY 17-18 Budget Goals

- Jail – Procure architect team, complete real estate due diligence and project establishment, demolish the Bridgeport Hospital, and complete schematic design.

*Partially complete, in progress*

- South County Civic Center – Assist with issuing Requests for Qualifications (RFQs) for Design-Build Entities and Performance Criteria Architects. Assist with selecting architect and Design-Build teams and negotiating scopes of work.

*Partially complete, in progress*

- New Gas Tax Revenue (SB1/RMRA) – Utilize approximately \$600,000 on a 2018 Pavement Preservation Project with roads and treatments selected based on Pavement Management System. Leverage for matches on disaster projects.

*Partially Complete, in progress*



# ENGINEERING



- FY 17-18 Budget Goals (continued...)

- 2018 State Transportation Improvement Program (STIP) – Identify and prepare Project Study Reports (PSRs) for new projects to be programmed.

***Complete***

- Systemic Safety Analysis Report (SSARP) – Complete safety analysis of the entire paved County road system.

***In progress, completion end June***

- Upper Summers Meadow Road Bridge – Construct emergency bridge at Green Creek to replace low water crossing that was destroyed by spring flooding. Manage emergency grants.

***In progress, completion end June***

- Airports – Get final approval from FAA on Airport Layout Plans and negotiate a permanent airport easement with LADWP at Lee Vining Airport.

***ALPs approved, other in progress***

- Stock Drive Realignment Project – Complete close-out

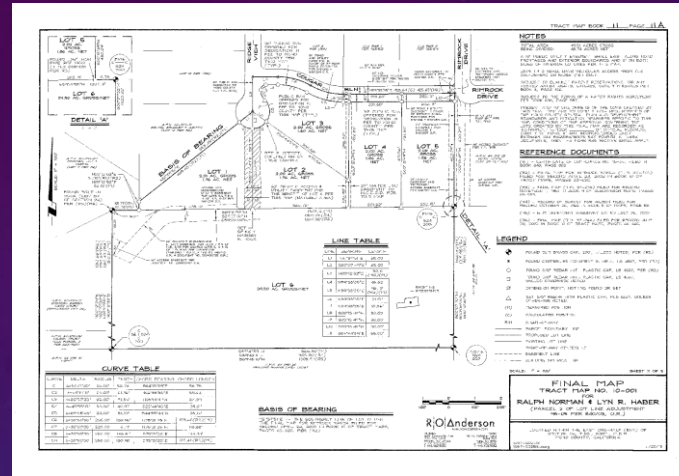
***Complete***

- Bryant Field and Lee Vining Airport Runway Maintenance – Schedule preventative asphalt maintenance and look for funding.

***In progress, completion end June***



# ENGINEERING



- FY 17-18 Budget Goals (continued...)
- June Lake Highlands ZOB – Finish crack seal and slurry seal as part of the Northshore Drive Project.

## ***Complete***

- Rimrock Ranch-Zone C, Rimrock Ranch-T37-49A, and Sierra Meadows ZOBs – Complete Crack Seal and Slurry Projects.

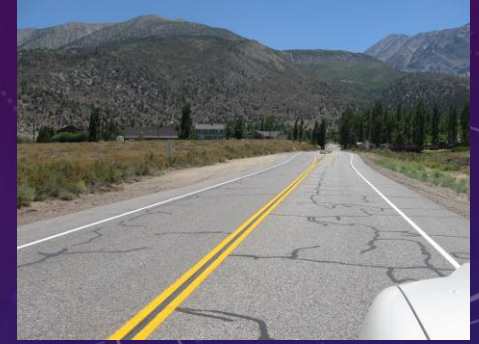
## ***In Progress – Completion mid June***

- Rimrock Ranch–Zone C – Work with tract map developer to expand ZOB to include properties adjacent to Cougar Run.

## ***Complete***

# ENGINEERING

- Why are these goals important to County Residents?
- Goals are aligned with Strategic Priorities, especially:
  - Improve Public Health & Safety
  - Promote a Fiscally Healthy County and Regional Economy
  - Improve County Operations
  - Support the County Workforce



# ENGINEERING

- Measuring Success
- Are the County's infrastructure assets being maintained as well as possible with the available staffing and funding?
  - If the average Pavement Surface Evaluation and Rating (PASER) is stable or improving, we are on the right track.
  - The Bridge Program Inventory Update will serve as a good tool.
  - Are projects delivered on schedule and budget?
- Is County infrastructure safe? What is the risk?
  - The Systemic Safety Analysis Report will serve as a good tool.
- Is good customer service being provided?

# ENGINEERING

- 2017-18 Budget Goal Changes
- Jail – Demolition of the Bridgeport Hospital will not occur this fiscal year because it must occur during the construction phase of the project to be eligible for funding.
- South County Facility – What is the level of the Engineering Division’s responsibility for site development and project/contract management? Other goals will likely need to be postponed and/or additional staff hired in order to take this on.
- Bridge Program – Add initiation of a bridge inventory update.
- Airports – It is unlikely that negotiations with LADWP for the Lee Vining Airport easement will be resolved this fiscal year.
- Workforce – Procure consultant teams, fill vacancies, and invest in training.

# ENGINEERING



- Opportunities to advance strategic priorities for next FY



# FACILITIES



## FUNCTIONS AND PURPOSE

- The facilities division is responsible for maintenance on all County Facilities including parks, buildings, cemeteries, campgrounds and airports.
- The facilities division is also responsible for numerous capital improvement projects, energy efficiency projects, as well as ADA accessibility projects. We are also responsible for maintaining all HVAC, electrical, plumbing, and irrigation systems.
- State testing, reporting, and inspection requirements of all regional water systems, Fire suppression systems, as well as State inspections of our elevators.



# FACILITIES



## FY 17/18 Budget Goals:

The facilities division emphasis for this budget year is to focus on productivity and will strive to be under budget by 2% on the projects listed below. We will also continue practices that incorporate aspects of the strategic plan. For example, protecting natural resources and reduced energy use are areas that we will strive to emphasize. Projects include:

- Memorial Hall phase III remodel ***Complete, under budget.***
- Upgrading/Painting Bridgeport Visitors center ***Complete, under budget.***
- Mono Lake Park CDBG ADA project ***Nearly complete, over budget.***
- Antelope Valley Com Center new HVAC system ***Complete, under budget***
- Walker Wellness Center Pergola ***On hold***
- Crowley Lake Playground CDBG ADA project ***Complete, under budget.***
- Increase bear box installations by 30 % ***In progress, completion end June***
- Install 10 fire rings ***In progress, completion end June***



# FACILITIES



- Why These Goals Are Important

- Measuring success

- CHANGES?

- Future Goals and Strategic Priorities





# SOLID WASTE



- **FUNCTION AND PURPOSE**
- Provide Collection Services at Transfer Stations
- Waste Disposal Services at County Landfills
- Oversee Permitting, Monitoring and Maintenance of Both Active and Closed Landfills
- Implements Recycling Programs while Enhancing Diversion

# SOLID WASTE



- FY 17/18 Budget Goals:
  - Submit Final Closure Plan for Benton Crossing Landfill for Public and Agency Review.  
*Partially Complete*
  - Renew Franchise Agreements with Waste Haulers.  
*Partially Complete*
  - Present a Cost Analysis of Transfer Station Operation Alternatives to Board of Supervisors.  
*In progress*
  - Perform Parcel Fee Audit in the Town of Mammoth Lakes.  
*In progress*

# SOLID WASTE

- Future Opportunities to advance strategic priorities
- Solid Waste operations currently performs tactics which promote several of the strategic priorities. Although, in the coming year the goal of Improving County Operations through environmental compliance will likely be at the forefront of compliance for local governments due to more stringent recycling and composting requirements. Recycling in California continues to face unfunded mandates. There may be considerations for good faith efforts in striving to reach recycling requirements. This would aid in preventing excessive burden on residents and businesses within Mono County by allowing us to implement creative incentives, innovative policy, partnerships, as well as outreach and education.

# OTHER BUDGETS AND GOALS

- CIP
  - Implement 5 year CIP projects plan.  
*In progress, plan on bringing back as part of budget process.*
  - Crowley Lake Skatepark CSA funded.  
*In progress*
- Cemeteries
  - Layout and install plot markers at Mt. Morrison before the winter.  
*Not Complete, in progress for completion end June*
  - During the winter develop a GIS database for the cemetery.  
*Partially Complete*
  - Use the Mt. Morrison cemetery to develop a plan for organizing and improving the Mono Lake cemetery  
*Not initiated*
- Conway Ranch
  - Identify appropriate staff for continued irrigation and maintenance  
*Working on RFP that would handle this*
  - Install water measuring devices in accordance with state regulations  
*In progress, completion end June*
  - Obtain Board direction on future property management, aquaculture and grazing of Conway Ranch  
*In progress.*

# ADMINISTRATION

- Least seen, but extremely important
- Doesn't have a budget, but controls everyone's budget?!
- Other department goals trickle down to this department to implement the administrative
- Tracks all revenues and expenditures *by codes*
- Make sure vendors and contractors get paid
- Submits invoices for services (Solid Waste, Encroachment Fees, Grant charges, etc)
- Collects, enters and delivers payroll so staff can get paid (thanks Terry!)
- In past, this group has not had specific goals set for them

# ADMINISTRATION

Measuring success?

Strategic goals for the future?

Specific goals as part of budget – either within departments or Department-wide goals.

Setting specific criteria and expectations for administrative services

# PUBLIC WORKS WRAP UP

- Largest Department in County
- Most diverse geographically diverse - 15 different locations where staff reports to duty
- Most employees – 50 employees
- Diverse services, diverse equipment, diverse skills
- 11 different budgets
- Greatest influence over physical environment
- Most visible and tangible work product



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    March 6, 2018

**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:**

<p><a href="#">Click to download</a></p> <p>No Attachments Available</p>
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**History**

**Time**

**Who**

**Approval**





OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** March 6, 2018

**TIME REQUIRED**

**SUBJECT** Closed Session - Exposure to  
Litigation

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### AGENDA DESCRIPTION:

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

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

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### RECOMMENDED ACTION:

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### FISCAL IMPACT:

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### CONTACT NAME:

**PHONE/EMAIL:** /

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### SEND COPIES TO:

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### MINUTE ORDER REQUESTED:

YES  NO

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### ATTACHMENTS:

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No Attachments Available

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### History

Time	Who	Approval
2/15/2018 5:27 AM	County Administrative Office	Yes
2/27/2018 10:07 AM	County Counsel	Yes
2/22/2018 12:58 PM	Finance	Yes



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** March 6, 2018

**Departments: Public Works**

**TIME REQUIRED** 15 minutes

**PERSONS APPEARING BEFORE THE BOARD** Tony Dublino

**SUBJECT** Request to Purchase Three F-250 Trucks to Replace Out-of-Service Trucks

### AGENDA DESCRIPTION:

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

Authorize increase in appropriations by \$93,000 in the Motor Pool Fund to purchase three F-250 trucks to replace out-of-service trucks (appropriation increase requires a 4/5ths vote).

### RECOMMENDED ACTION:

Authorization to increase appropriation by \$93,000 in Motor Pool for the purchase of three F-250 trucks (requires a 4/5ths vote).

### FISCAL IMPACT:

Increases vehicle purchases for FY 2017-2018 from \$687,455 to \$780,455. The vehicle replacement reserve is projected to have a balance of \$462,500. Since this proposed purchase accelerates purchases planned for next year, it does not deplete funding set aside for future replacements.

**CONTACT NAME:** Tony Dublino

**PHONE/EMAIL:** 760.932.5415 / tdublino@mono.ca.gov

### SEND COPIES TO:

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

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[Staff Report](#)

### History

**Time**

2/28/2018 12:47 PM

**Who**

County Administrative Office

**Approval**

Yes

3/1/2018 10:34 AM

County Counsel

Yes

2/28/2018 4:21 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:** March 6, 2018  
**To:** Honorable Board of Supervisors  
**From:** Tony Dublino, Assistant CAO; Interim Director of Public Works  
**Subject:** Request to Purchase Three F-250 Trucks to Replace Out-of-Service Trucks

**Recommended Action:**

Authorization to increase appropriation by \$93,000 in Motor Pool for the purchase of three F-250 trucks (requires a 4/5ths vote).

**Fiscal Impact:**

Increases vehicle purchases for FY 2017-2018 from \$687,455 to \$780,455. The vehicle replacement reserve is projected to have a balance of \$462,500. Since this proposed purchase accelerates purchases planned for next year, it does not deplete funding set aside for future replacements.

**Discussion:**

The County purchased numerous Ford Diesel trucks in years past, and has experienced tremendous mechanical difficulties with the trucks' performance, specifically as it relates to emissions systems and how those systems influence engine performance.

In early February, it was determined that five of these trucks need significant investment (several thousands of dollars each) in order for them to be operable and safe. Among those five, one appears worthy of the investment, but four are unworthy. All have been taken out of service, due to unacceptable operating performance.

One of the four was slated for replacement this fiscal year, and that replacement has already been funded and is expected to be delivered in April 2018.

The other three, however, will need to be replaced. They were all slated for replacement within the next 2 years--the "Useful Life" mileage for these trucks is 160,000 miles. Currently, one of the three exceeds this with 177,000 miles currently, the second would have exceeded this FY with 146,000 miles currently, and the third would have exceeded in the next FY with 104,000 miles currently. Unfortunately, these trucks will not make it as long as was planned, and will need to be replaced at the earliest opportunity. This would normally be dealt with as part of the FY18/19 acquisitions, but that would leave the Public Works Department without three trucks for the greater portion of a year.

As part of the Motor Pool acquisitions for the FY 17/18, Bishop Ford won the bid for providing the County a 2018 Ford F-250 (gasoline engine), for the price of \$30,857. Bishop Ford has agreed to provide 3 additional F-250's at the same price, but the deadline for ordering 2018 model years is upon us. It is anticipated that the price for a 2019 model year will increase approximately 3%, or about \$3,000.

Due to the efficiencies of fleet uniformity, as well as the possibility of saving approximately \$3,000, staff

recommends Board approval of this appropriation at this time so 2018 model year trucks can be acquired.

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

Respectfully submitted,



Tony Dublino  
Assistant CAO; Interim Public Works Director