

Mono County Local Agency Formation Commission

PO Box 347
Mammoth Lakes, CA 93546
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PO Box 8
Bridgeport, CA 93517
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AGENDA

Wednesday, May 6, 2015 – 3 p.m.
Town/County Conference Room, Minaret Village Mall
Mammoth Lakes, California

- 1. CALL TO ORDER**
- 2. PUBLIC COMMENT**
- 3. MINUTES:** Review and approve minutes from June 4, 2014 – *p. 1*
- 4. PUBLIC HEARING:** Consider adoption of 2015-16 Preliminary Budget – *p. 3*
- 5. MEMBERSHIP – p. 6**
 - A. Accept resignation of public member John Ross
 - B. Initiate public solicitation for vacancy
 - C. Schedule appointment for June 3 meeting
- 6. MERGER:** Consider letters from Mono City and Lee Vining FPDs on potential merger & direct staff to initiate reorganization review – *p. 9*
- 7. STATUS REPORT:** Status report on Inyo LAFCO review of Southern Mono Healthcare District's Bishop services – *p. 12*
- 8. STATUS REPORT ON SPHERES OF INFLUENCE & MUNICIPAL SERVICE REVIEWS.**
Brent Calloway – p. 16
- 9. ADJOURN** to next meeting: June 3, 2015

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DRAFT MINUTES

June 4, 2014

COMMISSIONERS PRESENT: Byng Hunt, Mono County; Jo Bacon, Town of Mammoth Lakes; Hank Brown, special districts; John Ross, public member; Bruce Woodworth, alternate public member.

COMMISSIONER ABSENT: Earl Henderson, special districts

STAFF PRESENT: Scott Burns, executive officer; Brent Calloway, analyst; C.D. Ritter, secretary

1. CALL TO ORDER: Vice-Chair Jo Bacon called the meeting to order at 3:06 p.m. in the Town/County Conference Room, Minaret Village Mall, Mammoth Lakes.

2. PUBLIC COMMENT: None

3. MINUTES:

MOTION: Approve minutes of Special Meeting May 15, 2014, as submitted. (Hunt/Brown. Ayes: 3. Abstain due to absence: Ross, Woodworth. Absent: Henderson.)

4. PUBLIC HEARING, 2014-15 Final Budget: Scott Burns presented a staff report outlining items and amounts in the final budget, and noted a blending of Municipal Service Reviews into the General Plan update. **OPEN PUBLIC HEARING:** No comments. **CLOSE PUBLIC HEARING.**

MOTION: Adopt 2014-15 final budget. (Hunt/Ross. Ayes: 4-0. Abstain: Woodworth, alternate public member. Absent: Henderson.)

5. INFORMATIONAL

A. Water Transaction Program in Walker River Basin: New alternate public member Bruce Woodworth cited his role as part-time staff at the Mono County Resource Conservation District (RCD), which received a grant from US Fish and Wildlife to see about the sale or lease of surface water to re-water Walker Lake in Nevada. The RCD met, will revise a plan in two to three weeks, and then submit to Mono Supervisors in August. Commissioner Bacon asked how water could be sold if it already crosses the border. Woodworth explained that water would go to down-river interests, not into Walker Lake. Commissioner Hunt noted that the State Water Resources Board revisits annually, and will be watching. Bacon asked if it's a Mono Supervisors (BOS) decision. Woodworth indicated a federal court has the final say, so Hunt wanted to be sure BOS was at the table.

B. General Plan update: Notice of Preparation of an Environmental Impact Report (EIR) has been released, primarily with existing policies, no down-zoning, and no creation of new towns. The update includes the Regional Transportation Plan, which also serves as the Circulation Element. The EIR will cover Municipal Service Reviews and Spheres of Influence, as well as focus on endangered species and biological work. The US Fish

& Wildlife Service will release its economic analysis on amphibians July 3, 2014. A Sustainable Communities grant and possible involvement of the Bi-State Action Plan could avoid listing. A strategy for future projects would be to highlight smart planning at the policy level to streamline processing. Mentioned in the update is a regional trail system. A scoping meeting on the Notice of Preparation will be held June 19 in Mammoth.

6. **ADJOURN** at 3:27 p.m.

Prepared by C.D. Ritter, LAFCO secretary

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STAFF REPORT

May 6, 2015

TO: Mono LAFCO

FROM: Scott Burns, Executive Officer

RE: 2015-16 PRELIMINARY BUDGET

RECOMMENDATION

Following the close of the public hearing, adopt the attached preliminary budget for fiscal year 2015-16.

BACKGROUND

In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act), a public hearing is scheduled today to adopt the preliminary budget for fiscal year 2015-16. The budget must be at least equal to the budget adopted for the previous fiscal year unless the commission finds that reducing staffing or program costs will still allow the LAFCO to fulfill the purposes and requirements of the Act.

The proposed preliminary budget reflects a status-quo level of funding, with an amount the same as the current year budget of \$11,532.

ALTERNATIVE APPORTIONMENT

The CKH Act establishes methods for apportioning LAFCO staffing and program costs among the County, Town and special districts. The law allows alternative apportionment methods, which Mono LAFCO has used in the past to avoid impacting financially constrained special districts. Prior to three years ago, LAFCO costs were fully borne by the Town of Mammoth Lakes and Mono County. The past three years, the commission applied an alternative apportionment method consisting of a third from Mono County; a third from the Town of Mammoth Lakes; and a third from special districts, with the special district share provided exclusively from the Southern Mono Healthcare District and the Mammoth Community Water District, rather than from all independent special districts.

The proposed preliminary budget reflects this same alternative budget apportionment method, which consists of a third (\$3,844) from Mono County; a third (\$3,844) from the Town of Mammoth Lakes; and a third (\$3,844) from the special districts. Instead of all independent special districts in Mono County contributing, this alternative apportionment consists of \$1,922 from Southern Mono Hospital District and \$1,922 from the Mammoth Community Water District.

FY 2015-16 BUDGET

The attached proposed budget for fiscal year 2015-16 calls for maintaining a status-quo funding level. LAFCO staff activity this past year has entailed:

- responding to occasional LAFCO inquiries;
- conducting reviews/updates of agency Spheres of Influence/Municipal Service Reviews, in concert with the Mono County General Plan Update and Environmental Impact Report,

and in so doing sharing grant funds for coordination of the SOI/MSR updates with the county general plan and regional transportation plan updates;

- coordinating with federal, state and local agencies, conservation entities and land owners in planning for open space and agricultural preservation via the Bi-State Action Plan for Sage Grouse;
- reviewing the accuracy of district maps with the Assessor and GIS Coordinator as a part of the above reviews, making technical map corrections and converting to a GIS format;
- conducting initial discussions on potential district consolidation processes with Lee Vining and Mono City fire protection district representatives;
- assisting County Service Areas on boundary research, capital programming and project planning;
- reviewing development projects and CEQA documents for potential LAFCO issues;
- investigating potential Community Development Block Grant funding for reorganization study for Lee Vining and Mono City FPDs; and
- coordinating with Inyo LAFCO to examine hospital service issues between the Southern Mono and Northern Inyo healthcare districts;

Anticipated work tasks this year include:

- conclude review and update of Sphere of Influence/Municipal Service Reviews, including supporting CEQA documentation, in concert with the general plan and regional transportation plan updates
- conduct a reorganization review for the potential merger of the Mono City and Lee Vining FPDs
- respond to application activity, including application processing, such as a FPD merger
- Work with Inyo LAFCO in coordinating health care district service review;
- reflect LAFCO policies in the Mono County General Plan update; and
- review plans, projects and environmental documents for LAFCO concerns, including the Inyo Forest Plan update

This expected low level of activity, which is similar to last year, is reflected in the attached recommended FY 2015-16 preliminary budget.

ATTACHMENT

- Preliminary FY 2015-16 Budget

FY 2015-16 PRELIMINARY BUDGET

Salary and Benefits	\$8,732
Memberships (CALAFCO)	\$800
Office Expense	\$200
Travel and Training	\$1,500
Legal Notices	\$300
TOTAL	\$ 11,532

MONO COUNTY

LOCAL AGENCY FORMATION COMMISSION

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May 6, 2015

To: Mono LAFCO

From: C.D. Ritter, Secretary
Scott Burns, EO

Re: Public Member Commissioner

RECOMMENDATION

Consider the following actions:

- A. Accept resignation of public member John Ross;
- B. Initiate public solicitation for vacancy; and
- C. Schedule appointment for June 3 meeting

BACKGROUND

On Jan. 21, 2015, Mono LAFCO received an email from John Ross indicating he would no longer serve as the regular public member following his term expiration May 5, 2015. After serving several terms, he plans to retire next year and suggested recruiting someone new for the position. Staff has initiated the required public notice of vacancy, with the intent of scheduling the appointment by Mono LAFCO in June.

ATTACHMENT

- Government Code Sections 56325 & 56331
- Mono LAFCO roster

Applicable Government Code Excerpts

56325 (d). Selection of the public member and alternate public member shall be subject to the affirmative vote of at least one of the members selected by each of the other appointing authorities. Whenever a vacancy occurs in the public member or alternate public member position, the commission shall cause a notice of vacancy to be posted as provided in Section 56158. A copy of this notice shall be sent to the clerk or secretary of the legislative body of each local agency within the county. Final appointment to fill the vacancy may not be made for at least 21 days after the posting of the notice.

56331. When appointing a public member pursuant to Sections 56325, 56326, and 56329, the commission may also appoint one alternate public member who may serve and vote in place of a regular public member who is absent or who disqualifies himself or herself from participating in a meeting of the commission. If the office of a regular public member becomes vacant, the alternate member may serve and vote in place of the former regular public member until the appointment and qualification of a regular public member to fill the vacancy.

No person appointed as a public member or alternate public member pursuant to this chapter shall be an officer or employee of the county or any city or district with territory in the county, provided, however, that any officer or employee serving on January 1, 1994, may complete the term for which he or she was appointed.

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MONO COUNTY

Stump, Fred (regular member till 12.31.15)

PO Box 715
Bridgeport, CA 93517
760-914-1294 fstump@mono.ca.gov

Alpers, Tim (regular member till 12.31.15)

PO Box 263
Lee Vining, CA 93541
760-937-0385 talpers@mono.ca.gov

Johnston, Larry (alternate member till 12.31.15)

PO Box 1903
Mammoth Lakes, CA 93546
760-924-1806 ljohnston@mono.ca.gov

MAMMOTH LAKES, TOWN OF

Bacon, Jo (regular member till 05.02.16, elected vice-chair 03.04.09)

PO Box 1609
Mammoth Lakes, CA 93546
760-934-4932 jbacon@townofmammothlakes.ca.gov

Richardson, Shields (regular member till 05.02.18)

PO Box 3089
Mammoth Lakes, CA 93546
760-934-5200 srichardson@townofmammothlakes.ca.gov

Wentworth, John (alternate member till 05.02.18)

PO Box 100, PMB 234
Mammoth Lakes, CA 93546
760-934-3154 jwentworth@townofmammothlakes.ca.gov

SPECIAL DISTRICTS

Brown, Hank (regular member till 05.02.18)

136 Sierra Springs Dr.
Crowley Lake, CA 93546
760-935-4445 hanklvf@gmail.com

Henderson, Earl (regular member till 05.02.18, elected chair 03.04.09)

PO Box 8004
Mammoth Lakes, CA 93546
760-934-3567 earl.henderson3@verizon.net

King, Maria (alternate member till 05.02.18)

PO Box 9407
Mammoth Lakes, CA 93546
760-914-2058 maria@minaret.com

PUBLIC MEMBER

Ross, John (regular member till 05.04.15)

PO Box 862
Mammoth Lakes, CA 93546
760-934-6273 rpuross@aol.com

Woodworth, Bruce (alternate member till 05.02.16)

824 Burcham Flat Rd.
Coleville, CA 96107
650-387-4996 monocountyrtd@gmail.com

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STAFF REPORT

May 6, 2015

TO: Mono LAFCO

FROM: Scott Burns, Executive Officer

RE: Mono Basin Fire Protection District consolidation issue

RECOMMENDATION

Consider request of Mono City and Lee Vining fire protection districts, and direct staff to review consolidation potential as part of Fiscal Year 2015-16 work program.

BACKGROUND

Representatives of the Mono City and Lee Vining Fire Protection Districts have initiated discussions with staff on the process for a possible consolidation of the two FPDs. In response, staff has investigated potential funding for a reorganization study, and will report its progress at Wednesday's meeting. The proposed FY 2015-16 Mono LAFCO budget also includes staff time to investigate the consolidation potential and, if applicable, process a consolidation proposal.

ATTACHMENTS

- Mono City FPD Letter
- Lee Vining FPD Letter

MONO CITY VOLUNTEER FIRE PROTECTION DISTRICT
PO Box 156
Lee Vining, CA 93541

RECEIVED
APR 28 2015
MONO COUNTY
Community Development

April 19, 2015

Mono County Local Agency Formation Commission (LAFCO)
PO Box 347
Mammoth Lakes, CA 93546

Dear Members of the Commission,

The Fire Commissioners of the Mono City Volunteer Fire Protection District understand that there is currently an opportunity to secure a Community Block Development Grant that could fund a LAFCO study of possible merger or improved partnership between our District and the Lee Vining Volunteer Fire Department. The 2009 Sphere of Influence studies completed under LAFCO direction for both fire protection districts recommended that a merger be considered to combine resources. A study would answer questions our fire fighters and commission have about administration, financing, and operations. We are very motivated to improve the training level and emergency response effectiveness of both departments.

We recognize that determining the feasibility of consolidation will take time, so hope to see this study initiated as soon as possible. We will, of course, provide whatever assistance and information you request as this moves forward.

Sincerely,



David Carle
Secretary/Commissioner

for the Mono City Volunteer FPD Commissioners:
Beverly Brewster
Jack Shipley
Barbara Wanner

cc: Scott Burns, Mono County

LEE VINING FIRE PROTECTION DISTRICT
PO Box 246
Lee Vining, CA 93541

11
RECEIVED
APR 13 2015
MONO COUNTY
Community Development

Mono County Local Agency Formation Commission (LAFCO)
PO Box 347
Mammoth Lakes, CA 93546

April 7, 2015

Dear Members of the Commission,

The Commissioners of the Lee Vining Fire Protection District would like to request assistance from LAFCO in determining the feasibility of consolidating our district with the Mono City Fire Protection District.

Briefly, the reasons for this request are as follows: for a considerable period of time, both the Lee Vining and Mono City Fire Departments have been experiencing a reduction in ability to function effectively due to low populations of each district by itself. Concerns have been brought to our board by department and community members which include operational, financial and management, as well as fire fighter safety. The membership of the Lee Vining Fire Department strongly supports moving forward to investigate a potential merger of the departments for the purpose of providing the best possible volunteer emergency response organization for the Mono Basin.

The population of Lee Vining in the 2010 census was 222; Mono City was 172. We really are one community, the Mono Basin. It has become difficult to fill leadership and membership positions in our departments with such a small population base. The Lee Vining FPD has seen a high turnover of commissioners in recent years; having a combined set will allow us to have a more stable and committed board that represents both parts of the community. Currently, several key positions on both departments remain unfilled. Many of the rank and file members of the LVFD have moved to Mono City for housing, and are therefore not readily available to respond to incidents for which they have been trained; yet have not been able to respond for Mono City due to lack of organizational structure and training in that department. The Incident Command System (ICS) currently does not function well on joint calls. Trainings by one department do not have enough members to be effective, combining would provide a more consistent pool with the structure to be effective. Financially we would have better options together for obtaining equipment and other needs.

The 2009 Sphere of Influence studies completed under LAFCO direction for both the Lee Vining Fire Protection District and the Mono City Fire Protection District recommended that a merger of the districts be considered, noting the advantages of combining resources due to economies of scale.

In summary, there is concern for what is best for fire fighter's personal safety, including quicker response times, ICS structure in place, and better training. We realize that determining the feasibility of consolidating our two districts into one will take time, and we appreciate your assistance with this request.

Sincerely,



Cedar Barager
Secretary/Commissioner



Mary DeForrest
President/Commissioner



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 E-Mail: inyolafco@inyocounty.us

LAFCO STAFF REPORT

AGENDA ITEM No. 7 (Informational Item and Potential Action)
DATE OF MEETING: April 20, 2015
SUBJECT: Southern Mono Health Care District's Bishop Operations

EXECUTIVE SUMMARY

Recommend Action: Receive a presentation from staff regarding Southern Mono Health Care District's operations in Bishop and authorize the Chair to sign correspondence to the District in regards thereto.

Alternatives:

- 1) Direct staff to schedule a future agenda item regarding this issue for action.
- 2) Direct staff otherwise.

BACKGROUND INFORMATION

Staff understands that the Southern Mono Health Care District has been operating a clinic in the Bishop area for many years, outside of its boundary and sphere of influence. Generally, local agencies may only provide services within their boundaries or pursuant to an out-of-area service agreement as provided by Government Code Section 56133, which states:¹

(a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization.

(c) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the residents of the affected territory if both of the following requirements are met:

¹ Government Code Section 56133 is commonly discussed to be modified and is subject to change.

(1) The entity applying for the contract approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.

(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, or sewer system corporation as defined in Section 230.6 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district of a contract to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of those requests to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the contract for extended services. If the contract is disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(e) This section does not apply to contracts or agreements solely involving two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider. This section does not apply to contracts for the transfer of nonpotable or nontreated water. This section does not apply to contracts or agreements solely involving the provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section does not apply to an extended service that a city or district was providing on or before January 1, 2001. This section does not apply to a local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.

Staff recently became aware of a dispute between the Northern Inyo Hospital District and the Southern Mono Health Care District regarding the latter's operations in Bishop. This item has been agendaized for the Commission to provide direction to staff as to how to approach this issue. Given that Southern Mono Health Care District is operating outside of its boundaries without an approved out-of-area service agreement, staff recommends that the Commission authorize the Chair to sign correspondence to the Southern Mono Health Care District notifying it of the

relevant requirements and providing information about how to proceed if it wishes to continue to operate outside of its boundaries.

Alternatives

The Commission could direct the Chair to sign correspondence that directs the Southern Mono Health Care District to immediately cease its operations, or otherwise direct changes to the tone of the correspondence. The Commission could direct staff to research the issue further and report back at a later date, or prepare a draft of the correspondence for the Commission's consideration at a future date. The Commission could also not take any action; this is not recommended as it appears that Southern Mono Health Care District is operating outside of its boundaries contrary to relevant law.

Respectfully Submitted,

Joshua Hart, AICP, Executive Officer

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STAFF REPORT

May 6, 2015

TO: Mono LAFCO
FROM: Brent Calloway, associate analyst
RE: Municipal Service Reviews and Sphere of Influence update

RECOMMENDATION

Informational only

BACKGROUND

A web-based mapping application specifically designed for Mono LAFCO is now available online <https://monomammoth.maps.arcgis.com/home/> (search for LAFCO).

The application is being developed concurrently with web-based General Plan mapping platforms and will serve as the permanent location for Municipal Service Review and Sphere of Influence information as well as an analysis tool for LAFCO issues.

As discussed at the June 2014 meeting of the Mono LAFCO, the Municipal Service Reviews (MSRs) are being converted to an online format while being simplified to include only the legal requirements of the Cortese-Knox-Hertzberg regulations. Supporting data and information used to inform the required MSR findings and Sphere of Influence (SOI) recommendations will be available either through links in the mapping application to outside data sources or directly incorporated into the mapping application. The hope is to reduce the redundancy of the current MSRs and create an automatically updating foundation of data and background information that will enable the commission to periodically review and update MSR and SOI findings and recommendations as required by law, without intensive staff updates of the hard documents.

The technical mapping errors detected in the 2013 comprehensive review of the SOIs were corrected in the mapping application, but proposed boundary changes discussed at that time have not been further processed.