



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 at far right.

Regular Meeting

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

July 2, 2013

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

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

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

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

9:00 AM

Call meeting to Order

Pledge of Allegiance

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.)

Approximately thru **CLOSED SESSION**
10:30 a.m.

BOARD OF SUPERVISORS

- 1a) **Closed Session - Conference with Legal Counsel** - 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.
- 1b) **Closed Session - Conference with Real Property Negotiators** - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: 71 Davison St., Mammoth Lakes, CA 93546. Agency negotiators: Marshall Rudolph, Robin Roberts, and Jim Leddy. Negotiating parties: Mono County and Aleksandar Cvetkovic. Under negotiation: Price and terms of payment.
- 1c) **Closed Session - Public Employment** - PUBLIC EMPLOYMENT. Government Code section 54957. Titles: Human Resources Director/Risk Manager; Information Technology Manager; Animal Control Director; and Public Works Director.
- 1d) **Closed Session--Human Resources** - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, Leslie Chapman and Jim Leddy. 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.

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

2) **APPROVAL OF MINUTES**

A. Approve minutes of the Regular Meeting held on June 11, 2013.

3) **BOARD MEMBER REPORTS**

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

Approximately 10 Minutes **COUNTY ADMINISTRATIVE OFFICE**

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

10:30 a.m. **DEPARTMENT REPORTS/EMERGING ISSUES** Approximately 15 minutes (PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Approximately 5 minutes for Consent Items

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.)

CLERK OF THE BOARD

- 5a) **Appointments to the Mammoth Lakes Mosquito Abatement District Board of Commissioners** - Pursuant to California Elections Code §10515(a) and 10515(b), the Board of Supervisors shall make appointments to special districts if the number of persons who have filed a declaration of candidacy for board seats does not exceed the number of offices to be filled, or if there are an insufficient number of declarations of candidacy filed by 5:00 p.m. on the 83rd day prior to the general election. There are two seats on the Mammoth Lakes Mosquito Abatement District's Board that need to be filled. The District has recommended Cabot Thomas and Stephen Ganong to be appointed.

Recommended Action: Appoint Cabot Thomas and Stephen Ganong to serve on the Mammoth Lakes Mosquito Abatement District Board of Commissioners, terms to expire November 30, 2016.

Fiscal Impact: None.

COUNTY COUNSEL

- 6a) Letter of Support for A.B. 151 (As Amended)** - Proposed letter of support by the Board of Supervisors for Assembly Bill 151 (Olsen) as recently amended. Said Bill would provide counties with express authority under state law to provide financial assistance and relief to disabled veterans. The County has supported previous versions of this bill, for the purpose of being able to waive permit fees for disabled veterans making ADA-type modifications to their homes. The amended bill would still allow the County to waive such fees (as well as providing any other form of financial assistance).

Recommended Action: Approve and authorize the Board Chair to sign the proposed letter of support.

Fiscal Impact: None.

SHERIFF CORONER

- 7a) Mono County Sheriff's Office Emergency Management Performance Grant FY 2013** - The California Emergency Management Agency has requested a governing body resolution for participation in the Emergency Management Performance Grant. The resolution should specifically identify the following personnel as grants administrators to administer and sign documents related to the Emergency Management Performance Grant FY 2013: Mono County Sheriff-Coroner, Mono County Emergency Services Coordinator, Mono County Sheriff's Finance Officer.

Recommended Action: Approve and authorize Mono County Sheriff-Coroner, Mono County Emergency Services Coordinator and/or Mono County Sheriff's Finance Officer to apply for and administer the Emergency Management Performance Grant FY 2013. The Emergency Management Performance Grant will not exceed \$150,000.00.

Fiscal Impact: This resolution will assist with meeting the grant guidance for participation in the Emergency Management Performance Grant FY 2013. When the grant is awarded, the award will not exceed \$150,000.00.

- 7b) Mono County Sheriff's Office Homeland Security Grant Program FY 2013** - The California Emergency Management Agency has requested a governing body resolution for participation in the Homeland Security Grant Program. The resolution should specifically identify the following personnel as grants administrators to administer and sign documents related to the Homeland Security Grant Program FY 2013: Mono County Sheriff-Coroner, Mono County Emergency Services Coordinator, Mono County Sheriff's Finance Officer.

Recommended Action: Approve and authorize Mono County Sheriff-Coroner, Mono County Emergency Services Coordinator and/or Mono County Sheriff's Finance Officer to apply for and administer the Homeland Security Grant FY 2013. The Homeland Security Grant will not exceed \$150,000.00.

Fiscal Impact: This resolution will assist with meeting the grant guidance for participation in the Homeland Security Grant Program FY 2013. When the grant is awarded, the award will not exceed \$150,000.00.

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

CLERK OF THE BOARD

- 8a) Mono County Community Development Department** - Letter from Scott Burns, Director of the Mono County Community Development Department to the U.S. Fish & Wildlife Service, dated June 24, 2013 regarding endangered listing and critical habitat designation for Sierra Nevada Yellow-Legged Frog, Mountain Frog and Yosemite Toad.
- 8b) Department of California Highway Patrol** - Correspondence dated 5/31/13 regarding the fatality accident at U.S. 395 Northbound at East Walker River Bridge that occurred on May 13, 2013. This letter is the initial paperwork which refers to the formal report. Per CHP, the report itself is still pending various results.
- 8c) Inyo National Forest Extension** - Correspondence dated June 12, 2013 from Ed Armenta, Forest Supervisor, informing the Supervisors that the Inyo National Forest is extending the public review and

feedback for the Forest Plan Revision Assessment "topic papers" through September 1, 2013.

COUNTY ADMINISTRATIVE OFFICE

9a)
25 minutes

California State Association of Counties Legislative Issues Report (Jim Wiltshire, Director of Operations and Outreach) - Presentation by Jim Wiltshire, Director of Operations and Outreach for the California State Association of Counties regarding recent passage of State Budget as well as other issues which could impact Mono County.

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

Fiscal Impact: No fiscal impact.

PUBLIC WORKS - ENGINEERING DIVISION

Additional Departments: Facilities

10a)
20 minutes

Memorial Hall Remodel Fund (Vianey White) - In March, 2008, during mid-year budget, the Board allocated \$75,000 for improvements at Memorial Hall. Some of these funds were spent for small projects. During the mid-year review in February 2010, the remaining balance was \$72,663.66, and the Board authorized \$20,000 of this to be used for design for the ADA project. Since then, \$17,553.38 has been spent on preliminary design, bringing the balance down to \$55,110.28. Staff received a cost estimate of \$45,000 from Pressey& Associates to complete the plans for construction. Staff is requesting authorization to expend \$55,000 of these funds to complete the remodel plans for construction, including \$10,000 contingency to cover any unforeseen design changes, such as structural upgrades to the building. Balance remaining will be \$110.28. The construction costs for this project will be funded by CSA #5.

Recommended Action: Approve the request to expend \$55,000 to complete the Memorial Hall remodel plans for construction. Provide any desired direction to staff.

Fiscal Impact: \$55,000 of the Memorial Hall Remodel Fund.

COUNTY COUNSEL

11a)
15 minutes

Vallejo Contract Amendment (Promotion) (Marshall Rudolph) - Proposed resolution approving an agreement and first amendment to the agreement regarding employment of John Vallejo and an amendment to the list of allocated positions. The amendment would promote Mr. Vallejo from Deputy County Counsel I to Deputy County Counsel II, and would update the County's list of allocated positions to reflect that promotion.

Recommended Action: Adopt proposed Resolution R13-___, a resolution of the Mono County Board of Supervisors approving an agreement and first amendment to the agreement re employment of John Vallejo and an amendment to the list of allocated positions.

Fiscal Impact: The promotion would increase Mr. Vallejo's base salary increase by \$596 per month (\$7,152 per year) and, by extension, would result in a small increase in the County's cost of any other compensation and benefits received by Mr. Vallejo that are linked to base salary (e.g., CalPERS, performance pay, and 401(a) contributions).

LUNCH

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.)

BOARD OF SUPERVISORS

12a)
5 minutes

Resolution Recognizing Nancy Boardman for her Years of Service with Mono County (Byng Hunt, Chair) - Resolution of Appreciation recognizing Nancy Boardman for her years of service with Mono County.

Recommended Action: Approve proposed resolution.

Fiscal Impact: None.

12b)

5 minutes

Resolution Recognizing Paula Proctor for her Years of Service with Mono County (Byng Hunt, Chair) - Resolution of Appreciation recognizing Paula Proctor for her years of service with Mono County.

Recommended Action: Approve proposed resolution.

Fiscal Impact: None.

12c)

1 hour

Letter regarding Mammoth Mountain and June Mountain Ski Areas (Supervisor Alpers) - Letter from the Board of Supervisors addressed to Mono County Congressional Delegation in Washington, D.C., regarding a comprehensive package of policies and actions supporting the future success of the Mammoth Mountain and June Mountain Ski Areas, and the recreation corridor.

Recommended Action: Approve the letter addressed to Mono County's Congressional Delegation in Washington, D.C., as revised by the Board of Supervisors at their regular meeting of June 18, 2013, along with the accompanying cover letter, pertaining to the future success of the Mammoth Mountain and June Mountain Ski Areas, and the recreation corridor.

Fiscal Impact: None.

ADJOURNMENT

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

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Board of Supervisors
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Closed Session - Conference with Legal Counsel		

AGENDA DESCRIPTION:

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

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

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time	Who	Approval
6/26/2013 2:36 PM	County Administrative Office	Yes
6/26/2013 12:31 PM	County Counsel	Yes
6/26/2013 12:31 PM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Board of Supervisors
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Closed Session - Conference with Real Property Negotiators		

AGENDA DESCRIPTION:

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

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: 71 Davison St., Mammoth Lakes, CA 93546. Agency negotiators: Marshall Rudolph, Robin Roberts, and Jim Leddy. Negotiating parties: Mono County and Aleksandar Cvetkovic. Under negotiation: Price and terms of payment.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time	Who	Approval
6/26/2013 2:36 PM	County Administrative Office	Yes
6/26/2013 12:32 PM	County Counsel	Yes
6/26/2013 12:31 PM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Board of Supervisors
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Closed Session - Public Employment		

AGENDA DESCRIPTION:

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

PUBLIC EMPLOYMENT. Government Code section 54957. Titles: Human Resources Director/Risk Manager; Information Technology Manager; Animal Control Director; and Public Works Director.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Jim Leddy
PHONE/EMAIL: (760) 932-5414 / jleddy@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)
No Attachments Available

History

Time	Who	Approval
6/20/2013 5:35 PM	County Administrative Office	Yes
6/26/2013 11:23 AM	County Counsel	Yes
6/24/2013 3:04 PM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Board of Supervisors
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Closed Session--Human Resources		

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): Marshall Rudolph, John Vallejo, Leslie Chapman and Jim Leddy. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt).
Unrepresented employees: All.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time	Who	Approval
6/19/2013 10:52 AM	County Administrative Office	Yes
6/26/2013 10:58 AM	County Counsel	Yes
6/5/2013 11:06 AM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Clerk of the Board
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Board Minutes		

AGENDA DESCRIPTION:

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

A. Approve minutes of the Regular Meeting held on June 11, 2013.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Lynda Roberts
PHONE/EMAIL: 760-932-5538 / lroberts@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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 [Draft Minutes](#)

History

Time	Who	Approval
6/19/2013 10:51 AM	County Administrative Office	Yes
6/26/2013 11:13 AM	County Counsel	Yes
6/21/2013 11:19 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 at far right.

Regular Meeting

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

June 11, 2013

Flash Drive	#1012
Minute Orders	M13-140 to M13-143
Resolutions	R13-37 to R13-44
Ordinance	Ord13-02 to Ord13-03

9:00 AM

Meeting Called to Order by Supervisor Hunt, Chair

- Supervisors present: Alpers, Fesko, Hunt, Johnston, and Stump
- Supervisors absent: None
- Supervisors absent for part of the meeting: Fesko and Johnston
 - Due to a prior commitment, Supervisor Fesko was absent for the afternoon session.
 - Due to a pre-scheduled meeting, Supervisor Johnston left at 2:25 p.m.

Pledge of Allegiance led by Jim Leddy, County Administrative Officer

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Closed Session: 9:02 a.m.
 Break: 10:34 a.m.
 Reconvened: 10:37 a.m.
 Lunch: 12:05 p.m.
 Reconvened: 1:30 p.m.
 Adjourned: 2:46 p.m.

CLOSED SESSION

The Board had nothing to report from Closed Session.

BOARD OF SUPERVISORS

1a)

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

Note

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

- 1b) Closed Session - Conference with Real Property Negotiators - CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: APN: 015-010-065 ("Rodeo Grounds"). Agency negotiators: Supervisors Johnston and Alpers. Negotiating parties: Mono County and Intrawest. Under negotiation: price and terms of payment.
- 1c) Closed Session - Public Employment - PUBLIC EMPLOYMENT. Government Code section 54957. Title: deputy county counsel.
- 1d) Closed Session--Human Resources - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, John Vallejo, and Jim Leddy. 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.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2) APPROVAL OF MINUTES

M13-140

A. Approve minutes of the Regular Meeting held on May 21, 2013.

Johnston moved; Stump seconded

Vote: 5 Yes; 0 No

3) **BOARD MEMBER REPORTS**

Supervisor Alpers

- 1. Attended the Mule Days parade on Memorial Day weekend. Since there was not a Mono County presence in the parade, he will work with Economic Development about participating in the future.

Supervisor Fesko

- 1. No report; not present for the afternoon session.

Supervisor Hunt

- 1. Attended the Sierra Nevada Conservancy (SNC) board meeting last week. Discussed the following: 1) CEQA bills being worked on by the Legislature; there are no big changes expected in CEQA laws. 2) SNC is focusing on funding biomass projects using its last \$4 million. 3) Discussed action plan for next year. The Conservancy is running out of funds, so the question is how to get more money. They are a catalyst for accomplishing important projects.
- 2. Attended the YARTS board meeting yesterday. YARTS is operating and more bus service is expected from east to west over Tioga Pass.

Supervisor Johnston

- 1. No report; left the meeting at 2:25 p.m.

Supervisor Stump

- 1. Attended a community meeting in Benton last night. Received a request from the Chalfant and Benton communities to consider installing a shade structure over the children's play equipment in the park. The structures can be removed during the winter.

Note

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

2. Attended the LTC meeting. ESTA is running a Red's Meadow to Devil's Post Pile shuttle every day, and is working on long-range planning and prioritization.

COUNTY ADMINISTRATIVE OFFICE

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

Jim Leddy, CAO

1. Thanked the Board for the opportunity to serve. Leddy met employees at the picnics, and has been meeting with people in their offices.
2. Thanked Alicia Vennos (Economic Development Office) for taking him on a tour of the Mammoth offices.
3. Thanked Stacie Klemm, Teresa Neely, and Sarah Messerlian for their work on the picnics. The County has a good crew.
4. Thanked Marshall Rudolph and Lynda Salcido for filling in as CAO during the recruitment and hiring process.
5. Leddy looks forward to meeting with everyone and moving the Board's agenda forward.

DEPARTMENT REPORTS/EMERGING ISSUES

- Sheriff Obenberger: The Sheriff's Department acquired several smaller vehicles. The Explorers used by patrol are getting 15-16 miles per gallon versus 12-13 miles per gallon with the Expeditions; the Explorers used by administration are getting 22+ miles per gallon. The Explorers are smaller so are a little cramped with all the equipment. The Department cannot convert to all small vehicles because smaller vehicles can't tow.

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 Item #6a.**

PUBLIC WORKS - ROAD DIVISION

- 5a) County Maintained Mileage for FY 13 -14 - Consider and potentially adopt annual resolution confirming maintained mileage in the County Road System.

R13-37 **Action:** Adopt Resolution #R13-37, "A Resolution of the Mono County Board of Supervisors Specifying Additions and/or Exclusions to the Maintained Mileage Within the County Road System and Establishing Maintained Mileage for Fiscal Year 2013-14."

Fesko moved; Johnston seconded

Vote: 5 Yes; 0 No

COUNTY ADMINISTRATIVE OFFICE

Additional Departments: County Counsel

- 6a) Special Event Ordinance - Second Reading - Second Reading of the proposed Ordinance of the Mono County Board of Supervisors Creating Chapter 5.50 of the Mono County Code Pertaining to Special Events.

Note

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

ORD13-02 **Action:** Adopt Ordinance #ORD13-02, creating Chapter 5.50 of the Mono County Code Pertaining to Special Events.

Fesko moved; Alpers seconded

Vote: 5 Yes; 0 No

John Vallejo, Deputy County Counsel: Did not intend to have this item on the Consent Agenda; he offered his apologies.

Board Comments

- **Supervisor Stump:** The Board made changes last week, but Stump is still uncomfortable with the language pertaining to response time. He raised this concern again in order to provide the opportunity for anyone to weigh in.
- **Supervisor Johnston:** Philosophically agrees with Stump's concern, but the County needs to stay flexible to avoid potential legal problems. Prior to this ordinance, there was no time frame designated for review of applications.
- **Supervisor Fesko:** Concurred with Johnston. Believes staff understands the Board's desire for applicants to receive a response within 10 days.

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

CLERK OF THE BOARD

- 7a) California Water Boards Letter - Correspondence dated May 24, 2013 to the Mono County Board of Supervisors (and other interested parties) regarding Walker River Irrigation District's Petitions for Temporary Transfer and Change Involving Rights Established under the Walker River Decree, Case No. C-125.

The Board acknowledged receipt of correspondence.

PUBLIC WORKS - ROAD DIVISION

- 8a) Temporary Road Closures for, and Assistance with, the 151st Bridgeport 4th of July Celebration (Jeff Walters) - The 151st Annual Fourth of July Celebration in Bridgeport takes place this year. In past years Mono County Public Works has offered assistance, after Board authorization, to the Bridgeport Chamber of Commerce.

- R13-38** **Action:** 1) Adopt Resolution #R13-38, "A Resolution of the Mono County Board of Supervisors Authorizing the Temporary Closure of County Roads in Bridgeport and the Temporary Detour of Traffic onto County Roads in Bridgeport from Highway 395 for the 151st Annual Bridgeport Fourth of July Celebration." 2) Adopt Resolution #R13-39, "A Resolution of the Mono County Board of Supervisors Authorizing the Department of Public Works to Assist with Setting Up and Disassembling Facilities Associated with the 151st Annual Bridgeport Fourth of July Celebration."

R13-39

Fesko moved; Alpers seconded

Vote: 5 Yes; 0 No

Note

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

Jeff Walters, Interim Public Works Director: In past years, Mono County has provided assistance with the July 4th activities in Bridgeport. The Bridgeport Chamber of Commerce is again requesting assistance with labor, equipment and materials. The costs will be slightly less this year because permanent power poles have been installed. Walters has been assured that the re-paving of School and Bryant Streets will be finished. Staff will assist with activities on Thursday, Friday, and Saturday, July 4-6. The cost for this work is included in the Public Works operating budget, and should be below \$20,000

- **Supervisor Hunt:** The County provides this help each year because of the significance and symbolic importance of this celebration.
- **Supervisor Alpers:** This July 4th parade is 151 years old, and it is significant.

PROBATION

9a) Community Corrections Partnerships Allocations (Karin Humiston, Chief of Probation) - The Community Corrections Partnership Executive Committee (CCP) has recommended appropriations for proposals regarding the usage of a one-time funding source as well as a continual funding source under AB109 with the fiscal structure in 2012 by SB2010. Government Code Section 30029.05 specifies the share of the funds that each county receives. (See staff report for additional details.)

R13-40 **Action:** Adopt Resolution #R13-40, "A Resolution of the Mono County Board of Supervisors authorizing the County Administrative Officer to amend the County of Mono List of Allocated Positions to allocate an additional Deputy Probation Officer I".
Fesko moved; Johnston seconded
Vote: 5 Yes; 0 No

R13-41 **Action:** Adopt Resolution #R13-41, "A Resolution of the Mono County Board of Supervisors authorizing the County Administrative Officer to amend the County of Mono List of Allocated Positions to reflect the reclassification of a Deputy Probation Officer II to a Deputy Probation Officer III".
Fesko moved; Alpers seconded
Vote: 3 Yes; 2 No (Fesko, Johnston)

Karin Humiston, Probation Department: Introduced Curtis Hill, Deputy Probation Officer II; he is in a lead position and supervises the highest risk probationers. The goal of the Community Corrections Partnership (CCP) is to expand services within the County and to the jail. The case load of the Probation Department has increased about 20%. Also, they need to spend more time in the field to provide supervision. The reduced number of police officers in Mammoth Lakes has made an impact on the Probation Department.

Board Discussion

- **Supervisor Johnston:** 1) Mono County salaries are in the state's top 10, so he has issues with the promotion of the DPO II to DPO III and cannot support the change today. He believes this change would not make a difference to the level of service. This discussion would be more appropriate during the budget process. 2) Regarding Mammoth Lakes Police Department, he understands the need to backfill, but they should consider ways to budget appropriately instead of burdening the County. During the budget process, he would like to discuss how the County is supporting the Town. The Town should recognize that their cuts are impacting the safety of probation officers.

Note

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

- 3) Asked why Humiston was not asking for more than one additional position.
- **Supervisor Fesko:** 1) Employees will always have a limit as to how high they can move within the organization. He wondered if people are moving too fast into higher positions causing them to top out earlier. 2) The change in DPO II to III should be addressed during the budget. Although this does not impact the general fund, the Board should still consider this issue with the context of total budgetary impacts.
 - **Supervisor Hunt:** 1) The state is pushing responsibility to the counties, and not providing adequate funding. Mono County needs to address its own needs adequately. 2) Funding has been given to the program and should be spent on the program as necessary. 3) Agrees that the Board needs to keep an eye on salary creep.
 - **Supervisor Alpers:** 1) Has concerns about spending and salaries, but this issue has been reviewed by the CCP and it should move forward.
 - **Supervisor Stump:** 1) The County is mandated to provide the probation services. If AB 109 funding starts to diminish, there may be a reduction of staffing.

Humiston responded to the above discussion: 1) She has not seen a report about how Mono County salaries compare with other counties, but salaries of her probation staff are 28th in the state. 2) Humiston is charged with overseeing probation, and currently she cannot adequately perform the job. The current organizational structure does not give people a promotional ladder so there is no incentive to stay. Also, increased field supervision is necessary. 3) Probation is required to provide services regardless of staffing in the Mammoth Lakes Police Department. To clarify, the police officers were accompanying probation officers, but they can't do so at this point so probation officers are using their weapons more than in the past. 4) Due to the change in allocation of realignment funds, the program will require changes. 5) Humiston outlined the current office structure and work load/case load. The ideal case load ratio is 1-35; their case load is higher. Humiston has no administrative support, and right now the organizational structure is not meeting the needs of community. The position of Assistant Chief has been eliminated from the Probation Department. Creating the proposed structure allows her office to do the job better.

SHERIFF CORONER

- 10a) AB109 Funding allocated to the Sheriff's Office by the Mono County Community Corrections Partnership (CCP) (Sheriff Ralph Obenberger) - The Mono County Sheriff's Office is now tasked to house long term inmates in lieu of these inmates being sent to state prison with the implementation of AB109. Our custody capacity is now approximately 35% being long term inmates since AB109 took effect back in October 2011. The longest sentence we have received from the court is over seven years. The Sheriff's Office and Mono County Jail now faces new needs and increased duty assignments with the implementation of AB109. New funding allocations have been created in conjunction with AB109. The State distributes funding to each county's Community Corrections Partnership (CCP) based on the department needs. The CCP has already voted and approved the amount which the Sheriff's Office plans to spend.
- R13-42** **Action:** Adopt Resolution #R13-42, "A Resolution of the Mono County Board of Supervisors authorizing the County Administrative Officer to amend the County of Mono List of Allocated Positions to reflect the addition of a Public Safety Officer in the Sheriff's Department and to authorize the County Administrative Officer to fill said allocated position".

Note

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

Johnston moved; Stump seconded
Vote: 5 Yes; 0 No

R13-43 **Action:** Adopt Resolution #R13-43, "A Resolution of the Mono County Board of Supervisors authorizing the County Administrative Officer to amend the County of Mono List of Allocated Positions to reflect the supervising rank structural changes for custody operations, including the reclassification of current Jail Sergeant to a Lieutenant and two current Corporals to Sergeants".
Alpers moved; Stump seconded
Vote: 3 Yes; 2 No (Fesko, Johnston)

R13-44 **Action:** Adopt Resolution #R13-44, "A Resolution of the Mono County Board of Supervisors authorizing the County Administrative Officer to amend the County of Mono List of Allocated Positions to reflect the reclassification of an FTS IV in the Sheriff's Department to an Administrative Services Specialist".
Alpers moved; Hunt seconded
Vote: 3 Yes; 2 No (Fesko, Johnston)

M13-141 **Action:** Approve the purchase of a replacement jail security/communications system, not to exceed \$250,000, to replace the Orbacom system currently in place.
Fesko moved; Johnston seconded
Vote: 5 Yes; 0 No

Sheriff Obenberger: The Community Corrections Partnership met several times about the AB 109 funding. This funding is set and will be ongoing; a slight increase is anticipated for next year. Obenberger requested approval to do several things:

1) Public Safety Officer. Adding a public safety officer would allow for another PSO to be put on outside work details and address needs in the community seven days a week. The new position will be treated as a grant-funded position (i.e. would be considered for layoff if the funding is eliminated and the position is not supported by the general fund.

- **Supervisor Johnston:** Likes the idea of having work programs in the community.
- **Supervisor Fesko:** The new position would be completely funded by AB 109 money; expressed concern about the future of the position if funding is cut.

2) Jail Staffing. Described a problem with the current rank structure of jail staffing. The situation needs higher ranked positions due to potential liability issues with inmates coming to the County jail from state prison, and due to the increased training requirements and scope of responsibilities. Obenberger believes this should have been done years ago, but he is bringing the request forward now because funding is available.

- **Supervisor Fesko:** Suggested that this issue should be part of the larger budget discussion, and would prefer considering it during the budget process. However, waiting could also create an issue for general fund employees who would not be getting a raise.
- **Supervisor Johnston:** The issue with this request is a question of timing since this is occurring outside the budget process. Expressed concern about salary creep.
- **Supervisor Stump:** Asked what would happen if the funding disappears. He understands the responsibilities of working with inmates. Also, AB 109 is in effect right now and the mission has increased now. This is an immediate issue and it has been vetted through the multidisciplinary committee.

Note

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- o Marshall Rudolph, County Counsel: Regarding loss of funding, the Board can lay off employees by following a meet-and-confer process.
- **Supervisor Hunt:** Public safety is a major obligation of the County. He can support this request because the obligation is coming from the state.
- **Supervisor Alpers:** The Sheriff's presentation is compelling and he can see both sides, but realignment funding is available for a reason.

3) Finance Officer. The finance officer is the backbone position in the Sheriff's Department; the employee is currently working at an accountant level. Obenberger would like to promote this employee one step up to an Administrative Services Specialist because AB 109 has increased the scope of work and responsibility, so the employee is currently working out of class. Obenberger explained how the workload has increased (paperwork, state reports, and processing data requests). If they don't comply with AB 109, the state could potentially stop funding or impose fines. Most of the funding will go towards programs or new positions, with a small amount used for realignment of current positions.

- **Supervisor Fesko:** This reclassification would amount to about \$200 per month. Fesko reiterated his previous concerns. He does not necessarily disagree with the request, but believes it should be discussed during the budget. The situation of employees taking on more work without a pay increase has become the norm.
- **Supervisor Johnston:** People in the private sector doing similar work have taken a pay decrease. He reiterated his previous concerns about making the decision at this time.
- **Supervisor Hunt:** The increased responsibility is being driven by AB 109.

4) Orbacom System. Obenberger has \$250,000 to replace the jail security/communications system. He has obtained several bids.

Jim Leddy, CAO: Suggested bringing a discussion about the CCP before the Board prior to the budget talks in order to better understand the CCP process.

10b) Radio Communications Contract with Nielsen's Equipment for Support of Radio Communications (Sheriff Ralph Obenberger / IT Director Clay Neely) - John Nielsen has built and maintained the Mono County Radio Network for the past 18 years. Mr. Nielsen provides 24/7 support 365 days per year. He has performed outstanding work for the County during that time. The existing contract expires on June 30, 2013. The proposed contract is for another one year (July 1, 2013 thru June 30, 2014) with a 30 day cancellation clause for either party.

M13-142 Action: Find and determine that competitive bidding is not in the public's interest and approve County entry into proposed contract with Nielsen's Equipment for Support of Radio Communications. Authorize Board Chair to sign said contract on behalf of the County.

Fesko moved; Stump seconded

Vote: 5 Yes; 0 No

There was no discussion about this item.

LUNCH

Note

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

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

COUNTY COUNSEL

Additional Departments: Mono County Superior Court

- 11a) Discussion Regarding County - Court Collections MOU (Hector Gonzalez) - Proposed contract with Mono County Superior Court pertaining to collection services.

No Motion **Action:** Directed staff to work with Hector Gonzalez to develop a memorandum of understating pertaining to collection services.

Hector Gonzales, Court Administrator: Recently learned that the state will allocate an additional \$60 million to trial courts, so their fiscal situation is not as dire as discussed with the Board previously. Mono County Court should receive about \$87,000. But the Court's reserves are being drawn down this year, and will be eliminated next year. His office is currently understaffed, which impacts their ability to perform core functions. Regarding the collections program, the County can choose to do the collections or have the Court continue doing it by implementing the collection services program. Gonzales outlined a funding program that would enable them to continue making the collections:

- Reviewed the definition of a Comprehensive Collections Program.
- The Administrative Office of the Courts is working with the Association of Counties to establish guidelines; the law includes expectations about what courts and counties are supposed to do.
- Outlined the requirements of the law (Penal Code). Collection is a County function.
- The Court can no longer afford to provide the collections services without having a comprehensive plan with the County.
- Reviewed Guidelines and Standards for Cost Recovery adopted by the California Judicial Council. The Court has completed all required actions except obtaining County approval.
- Revenues recovered under this program are required to be reported separately from other funds.
- Reviewed Penal Code section 1463.007: 1) Definition of delinquent collections. 2) The required information about delinquent revenues and the collection costs. 3) Reviewed the templates for reporting this information. 4) Priority of who gets paid first from recovered fines.
- Outlined how the Court would operate a Comprehensive Collections Program. Entire costs for the first year are projected to be approximately \$48,000, including a clerk's time and capital expenditures (computer and collections software). The Court would pay for the capital expenditure.
- Reviewed the position of part-time Collections Clerk.
- Reviewed variable costs (outside collection agency and Franchise Tax Board). Recommended using the agency used by Inyo County for cost-saving reasons. Judge Eller has signed an agreement with the FTB (copy provided in the presentation binder).
- The Court is committed to minimizing program costs and maximizing delinquent revenue collections.
- Reviewed a flow chart showing the collections program, the current process and the proposed process.
- Reviewed current collections compared to collections in other counties. Reviewed a table showing what has been collected by Mono County Court over the past four years (\$485,000+ has been collected at a cost of approximately \$32,000).
- Reviewed a summary of the proposed cooperative plan with the County for a

Note

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comprehensive collections program. He no longer has resources available to continue a County-mandated function.

Board Comments

- **Supervisor Johnston:** Because he has a relative who works in the Court, he abstained from participating in the discussion.
- **Supervisor Stump:** Asked about the uncollected fees and the impact of the program on the general fund.
 - Gonzalez: 1) The comprehensive program is designed to pursue the uncollected fees through a civil process rather than using bench warrants, thus taking the Sheriff out of the process. The civil assessment is \$300 which is added to the uncollected fee; this is local revenue. The fee for a bench warrant (\$295) is state revenue. 2) The cost of the collections clerk position would be funded in part by the County's share of delinquent revenues. If delinquent revenues don't cover all costs, the Court will cover those costs from its budget; this language will be included in the MOU.
- **Supervisor Hunt:** Asked why the Court had not been participating in the collections program until this point.
 - Gonzalez: Until now there hasn't been a need or interest in a cooperative plan. But due to changes in the Court's fiscal situation, this program needs to move forward.

11b) Housing Mitigation Ordinance Suspension (Marshall Rudolph) - Proposed ordinance amending section 15.40.170 of the Mono County Code, pertaining to a temporary suspension of all housing mitigation requirements. The ordinance would extend an existing suspension of the County's housing mitigation requirements for a period of eighteen months, ending January 15, 2015.

ORD13-03 **Action:** Adopt Ordinance #ORD13-03, amending section 15.40.170 of the Mono County Code, pertaining to a temporary suspension of all housing mitigation requirements.

Stump moved; Alpers seconded

Vote: 3 Yes; 1 No (Johnston); 1 Absent (Fesko)

Marshall Rudolph, County Counsel: The first reading of this ordinance was done at the last meeting. The ordinance is coming before the Board today for adoption. This would extend the existing suspension of housing mitigation requirements for an additional 18 months, until January 2015. If so desired, the Board can end the suspension earlier or extend it further by adopting another ordinance.

PUBLIC WORKS - ROAD DIVISION

12a) Speed Survey Results (Jeff Walters and a Representative from Omni-Means) - During a recent Mono Basin RPAC meeting community members expressed concerns regarding speeds driven on Lee Vining Avenue and Mattly Avenue in Lee Vining. Community members in Chalfant had also expressed concerns over high speeds traveled on Chalfant Avenue. As a result of these concerns as well as law requirements Mono County Public Works Department contracted with Omni-Means to perform speed surveys along these roads.

Action: None.

Supervisor Johnston left at 2:25 p.m. to attend a pre-arranged telephone conference.

Note

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Jeff Walters, Interim Public Works Director: The communities of Lee Vining and Chalfant expressed concern about automobile speeds on certain roads in their communities. The Lee Vining community wants the speed limit reduced on Lee Vining Avenue and wants a speed limit sign posted on Mattly Avenue. In Chalfant, residents want a speed limit sign posted on Chalfant Road.

Paul Miller, Omni-Means Engineering, PowerPoint presentation outlined the survey process and results:

- Surveys are regulated by the California Vehicle Code.
- Reviewed data collection methodology: Use radar gun at survey locations; prepare a data sheet; collect five years of collision history; calculate the average speed; determine the 85th percentile speed, which is used in calculating the recommended speed limit.
- Reviewed the three studies. Recommendations: Lee Vining Avenue, change from 25 mph to 15 mph; 2) Mattly Avenue, post a speed limit of 25 mph; 3) Chalfant Road North/South, post a speed limit of 30 mph.

Supervisor Alpers: Asked Walters how he approached the communities.

- Walters: Attended RPAC meetings and presented information similar to Miller's data. The recommended speed limits in Lee Vining are what the community members wanted; not sure about the community desire in Chalfant.

Supervisor Stump: Asked about the number of roads without posted speed limits.

- Walters: The County has 684 miles of roads, many without posted speed limits.

Walters will take the survey results to both communities and report back to the Board.

PUBLIC WORKS - ENGINEERING DIVISION

- 13a) Authorization to Bid the Aspen Road Paving Project (Garrett Higerd) - This project consists of a three inch thick hot mix asphalt overlay on approximately 0.24 miles of Aspen Road from Highway 158 to the end. The Project Manual and Plans, too large to attach here, can be viewed by visiting the Board of Supervisor's web page at: <http://www.monocounty.ca.gov/bos/event/board-supervisors-32>.

M13-143 **Action:** Approve bid package, including the project manual and project plans, for the Aspen Road Paving Project. Authorize the Public Works Department to advertise an Invitation for Bids and to issue the project for bid.

Alpers moved; Stump seconded

Vote: 3 Yes; 0 No; 2 Absent (Fesko, Johnston)

Garrett Higerd, Public Works: Briefly described the location of the project; the culver project on Aspen Road was finished last fall. This new project has to be advertised for a minimum of 30 days, during which time Higerd will do additional work with the right of way and bring more information back to the Board.

ADJOURN: 2:46 p.m.

ATTEST:

BYNG HUNT
CHAIR

Note

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

LYNDA ROBERTS
CLERK OF THE BOARD

§§§§§



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Clerk of the Board
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Appointments to the Mammoth Lakes Mosquito Abatement District Board of Commissioners		

AGENDA DESCRIPTION:

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

Pursuant to California Elections Code §10515(a) and 10515(b), the Board of Supervisors shall make appointments to special districts if the number of persons who have filed a declaration of candidacy for board seats does not exceed the number of offices to be filled, or if there are an insufficient number of declarations of candidacy filed by 5:00 p.m. on the 83rd day prior to the general election. There are two seats on the Mammoth Lakes Mosquito Abatement District's Board that need to be filled.

The District has recommended Cabot Thomas and Stephen Ganong to be appointed.

RECOMMENDED ACTION:

Appoint Cabot Thomas and Stephen Ganong to serve on the Mammoth Lakes Mosquito Abatement District Board of Commissioners, terms to expire November 30, 2016.

FISCAL IMPACT:

None.

CONTACT NAME: Shannon Kendall

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

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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History

Time	Who	Approval
6/19/2013 2:46 PM	County Administrative Office	Yes
6/26/2013 11:14 AM	County Counsel	Yes
6/21/2013 11:27 AM	Finance	Yes



CLERK-RECORDER-REGISTRAR COUNTY OF MONO

P.O. BOX 237, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5538 • FAX (760) 932-5531

Lynda Roberts
Clerk-Recorder
lroberts@mono.ca.gov

Linda Romero
Assistant Clerk-Recorder
lromero@mono.ca.gov

To: Honorable Board of Supervisors
From: Shannon Kendall, Sr. Deputy Clerk/Elections Asst.
Date: July 2, 2013

Subject

Appointments to the Mammoth Lakes Mosquito Abatement District Board of Commissioners.

Recommendation

Pursuant to California Elections Code, appoint Cabot Thomas and Stephen Ganong to serve on the Mammoth Lakes Mosquito Abatement District Board of Commissioners.

Discussion

Pursuant to California Elections Code §10515(a) and 10515(b), the Board of Supervisors shall make appointments to special districts if the number of persons who have filed a declaration of candidacy for board seats does not exceed the number of offices to be filled, or if there are an insufficient number of declarations of candidacy filed by 5:00 p.m. on the 83rd day prior to the general election.

By the end of the filing period for the November 6, 2012, election, no person had filed candidacy papers for the Mammoth Lakes Mosquito Abatement District Board of Commissioners, thus leaving two open seats as of November 30, 2012. Pursuant to California Elections Code §10507, the term of office of each elective officer, elected or appointed pursuant to this part, is four years or until his or her successor qualifies and takes office.

The Mammoth Lakes Mosquito Abatement District has submitted the names of Cabot Thomas and Stephen Ganong to be appointed to the open seats on their Board of Commissioners. The terms of these recommended appointees will expire on November 30, 2016.

Fiscal Impact

None.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	County Counsel
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Letter of Support for A.B. 151 (As Amended)		

AGENDA DESCRIPTION:

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

Proposed letter of support by the Board of Supervisors for Assembly Bill 151 (Olsen) as recently amended. Said Bill would provide counties with express authority under state law to provide financial assistance and relief to disabled veterans. The County has supported previous versions of this bill, for the purpose of being able to waive permit fees for disabled veterans making ADA-type modifications to their homes. The amended bill would still allow the County to waive such fees (as well as providing any other form of financial assistance).

RECOMMENDED ACTION:

Approve and authorize the Board Chair to sign the proposed letter of support.

FISCAL IMPACT:

None.

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[AB 151 staff](#)

[AB 151](#)

[letter of support](#)

History

Time	Who	Approval
6/27/2013 8:53 AM	County Administrative Office	Yes
6/26/2013 3:14 PM	County Counsel	Yes
6/26/2013 4:25 PM	Finance	Yes

County Counsel
Marshall Rudolph

Assistant County Counsel
Stacey Simon

Deputy County Counsels
John-Carl Vallejo

**OFFICE OF THE
COUNTY COUNSEL**

Mono County
South County Offices
P.O. BOX 2415

MAMMOTH LAKES, CALIFORNIA 93546

Telephone
760-924-1700
Facsimile
760-924-1701

Legal Assistant
Jennifer Senior

TO: Board of Supervisors

FROM: Marshall Rudolph

DATE: July 2, 2013

RE: Letter of Support for A.B. 151 as amended

Recommendation:

Approve and authorize the Board Chair's signature on proposed letter of support for Assembly Bill 151 (Olsen) as amended.

Fiscal/Mandates Impact:

None.

Discussion:

The Board has previously expressed its support for Assembly Bill 151 (Olsen), most recently in April of this year. Originally, the bill was drafted to grant counties the authority to waive building permit fees for veterans with service-connected disabilities (defined under applicable state law as "disabled veterans") who wished to make ADA-type modifications to their homes. The bill was recently amended to instead grant counties more general authority to provide financial assistance, relief, and support to disabled veterans (as defined). In other words, the amended bill would grant counties even greater authority to provide financial assistance (including but not limited to waiving fees) than the previous bill. A copy of the amended bill is enclosed. This is frankly a more logical means of resolving the current lack of clarity in state law regarding county authority in this area. Assemblymember Olsen has requested an updated letter of support from Mono County, and a proposed letter is enclosed

Please let me know if you have any questions or comments.

Encl.

AMENDED IN SENATE JUNE 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 151

Introduced by Assembly Member Olsen
(Coauthors: Assembly Members Achadjian, Chávez, Donnelly,
Gorell, and Wieckowski)
(Coauthors: Senators Cannella and Fuller)

January 18, 2013

~~An act to add Section 17951.5 to the Health and Safety Code, relating to local government fees. An act to add Article 1.5 (commencing with Section 935) to Chapter 5 of Division 4 of the Military and Veterans Code, relating to veterans.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 151, as amended, Olsen. Local government: ~~fee waiver:~~ disabled veterans ~~veterans:~~ assistance.

Existing law authorizes the board of supervisors of any county to grant financial assistance, relief, and support to indigent veterans, as provided. Existing law requires that the assistance, relief, and support be administered through and by any military, naval, or marine organization created for the purpose of aiding, relieving, and supporting such veterans, as specified.

This bill would authorize the governing board of a county to grant financial assistance, relief, and support to a disabled veteran, as defined.

~~The State Housing Law authorizes cities and counties to prescribe fees for permits required or authorized pursuant to the State Housing Law.~~

~~This bill would authorize the governing board of any city or county to grant financial assistance, relief, and support to disabled veterans, as~~

defined, by waiving service-related fees charged by the city or county, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 1.5 (commencing with Section 935) is
2 added to Chapter 5 of Division 4 of the Military and Veterans
3 Code, to read:

4
5 Article 1.5. Disabled Veterans
6

7 935. (a) The governing board of any county may grant
8 financial assistance, relief, and support to a disabled veteran, as
9 defined in Section 999.

10 SECTION 1. Section 17951.5 is added to the Health and Safety
11 Code, to read:

12 17951.5. (a) The governing board of any city or county may
13 grant financial assistance, relief, and support to disabled veterans
14 by reducing or waiving building inspection or permit fees charged
15 by the city or county for the modification of a dwelling owned by
16 a disabled veteran for the purpose of making the dwelling more
17 accessible.

18 (b) The governing body shall use its general fund or other
19 appropriate revenue source to compensate for the difference
20 between a fee reduced or waived pursuant to this section and the
21 fee that would otherwise be charged.

22 (c) For purposes of this section, "disabled veteran" has the same
23 meaning as defined in Section 999 of the Military and Veterans
24 Code.

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BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5538/5534 • FAX (760) 932-5531

Lynda Roberts
Clerk of the Board
lroberts@mono.ca.gov

Linda Romero
Assistant Clerk of the Board
lromero@mono.ca.gov

July 2, 2013

Assemblymember Kristin Olsen
State Capitol, Room 2170
Sacramento, CA 95814

Fax: (916) 319-2112

RE: AB 151 (as amended); letter of support

Dear Assemblymember Olsen:

As you know, the Mono County Board of Supervisors has previously expressed its strong and unanimous support for Assembly Bill 151, which as previously drafted authorized counties to provide certain fee waivers to veterans with service-related disabilities. We understand it has recently been amended to generally authorize counties to grant financial assistance, relief, and support to disabled veterans. Mono County is fully supportive of such bill amendments. In fact, as amended, A.B. 151 would provide counties with even greater authority to waive fees or otherwise provide financial assistance and relief to disabled veterans. Like many other counties, Mono County is committed to honoring veterans for their service to our country and, in that regard, the County wishes to provide certain fee waivers for disabled veterans. But current state law – which expressly authorizes counties to provide financial assistance, relief, and support for indigent veterans -- has been interpreted by the attorney general as implicitly precluding a county from waiving fees for a veteran who is not indigent. (See 29 Ops.Cal.Atty.Gen 183 (1957), concluding that a county may not provide free hospitalization benefits to veterans without considering their financial status.) A.B. 151 would eliminate any lack of clarity regarding county authority in this area.

Again, our heartfelt thanks for your efforts.

Sincerely yours,

MONO COUNTY BOARD OF SUPERVISORS

By: _____
Byng Hunt, Chairman



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Sheriff Coroner
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Mono County Sheriff's Office Emergency Management Performance Grant FY 2013		

AGENDA DESCRIPTION:

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

The California Emergency Management Agency has requested a governing body resolution for participation in the Emergency Management Performance Grant. The resolution should specifically identify the following personnel as grants administrators to administer and sign documents related to the Emergency Management Performance Grant FY 2013: Mono County Sheriff-Coroner, Mono County Emergency Services Coordinator. Mono County Sheriff's Finance Officer.

RECOMMENDED ACTION:

Approve and authorize Mono County Sheriff-Coroner, Mono County Emergency Services Coordinator and/or Mono County Sheriff's Finance Officer to apply for and administer the Emergency Management Performance Grant FY 2013. The Emergency Management Performance Grant will not exceed \$150,000.00.

FISCAL IMPACT:

This resolution will assist with meeting the grant guidance for participation in the Emergency Management Performance Grant FY 2013. When the grant is awarded, the award will not exceed \$150,000.00.

CONTACT NAME: Jennifer Hansen

PHONE/EMAIL: (760) 932-5279 / jhansen@monosheriff.org

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THE COUNTY ADMINISTRATOR
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32 DAYS PRECEDING THE BOARD MEETING

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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 [EMPG FY 2013 Staff Report](#)

 [EMPG FY 2013 Resolution](#)

History

Time	Who	Approval
6/19/2013 12:35 PM	County Administrative Office	Yes
6/26/2013 11:11 AM	County Counsel	Yes
6/13/2013 3:00 PM	Finance	Yes



P.O. BOX 616 • 49 BRYANT STREET • BRIDGEPORT, CA 93517 • (760) 932-7549 • FAX (760) 932-7435

Ralph Obenberger
Sheriff/Coroner

MONO COUNTY SHERIFF'S OFFICE

Robert Weber
Undersheriff

July 2, 2013

To

Honorable Chair and Members of the Board of Supervisors

From

Ralph Obenberger, Sheriff – Coroner

Subject

Resolution authorizing Mono County Sheriff-Coroner, Mono County Emergency Services Coordinator, and/or Mono County Sheriff's Finance Officer to apply for and administer the California Emergency Management Agency's Emergency Management Performance Grant FY 2013.

Recommendation

Approve and authorize Mono County Sheriff-Coroner, Mono County Emergency Services Coordinator and/or Mono County Sheriff's Finance Officer to apply for and administer the Emergency Management Performance Grant FY 2013. The Emergency Management Performance Grant will not exceed \$150,000.00.

Discussion

The California Emergency Management Agency has requested a governing body resolution for participation in the Emergency Management Performance Grant. The resolution should specifically identify the following personnel as grants administrators to administer and sign documents related to the Emergency Management Performance Grant FY 2013:

Mono County Sheriff-Coroner
Mono County Emergency Services Coordinator
Mono County Sheriff's Finance Officer

Fiscal Impact

This resolution will assist with meeting the grant guidance for participation in the Emergency Management Performance Grant FY 2013. When the grant is awarded, the award will not exceed \$150,000.00.

Ralph Obenberger
Sheriff – Coroner
Mono County



RESOLUTION NO. R13-__

A RESOLUTION AUTHORIZING THE MONO COUNTY SHERIFF'S DEPARTMENT TO PARTICIPATE IN THE 2013 EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) AND TO NAME SHERIFF RALPH OBENBERGER AS AN AUTHORIZED REPRESENTATIVE FOR THE MONO COUNTY OPERATIONAL AREA AND SERGEANT JEFF BEARD, AND/OR THE MONO COUNTY SHERIFF'S OFFICE FINANCE OFFICER AS THE GRANT ADMINISTRATOR FOR THE MONO COUNTY OPERATIONAL AREA.

WHEREAS, The Mono County Board of Supervisors authorizes the Mono County Sheriff's Department to participate in the 2013 Emergency Management Performance Grant (EMPG); and

NOW, THEREFORE BE IT RESOLVED BY THE MONO COUNTY BOARD OF SUPERVISORS that Sheriff Ralph Obenberger is the authorized representative and Sergeant Jeff Beard and/or the Mono County Sheriff's Office Finance Officer as the grant administrator for the Mono County Operational Area.

PASSED AND ADOPTED this 2nd day of July, 2013, by the following vote:

AYES :
NOES :
ABSTAIN:
ABSENT :

ATTEST: _____
Clerk of the Board

Byng Hunt, Chair
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Sheriff Coroner
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Mono County Sheriff's Office Homeland Security Grant Program FY 2013		

AGENDA DESCRIPTION:

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

The California Emergency Management Agency has requested a governing body resolution for participation in the Homeland Security Grant Program. The resolution should specifically identify the following personnel as grants administrators to administer and sign documents related to the Homeland Security Grant Program FY 2013: Mono County Sheriff-Coroner, Mono County Emergency Services Coordinator, Mono County Sheriff's Finance Officer.

RECOMMENDED ACTION:

Approve and authorize Mono County Sheriff-Coroner, Mono County Emergency Services Coordinator and/or Mono County Sheriff's Finance Officer to apply for and administer the Homeland Security Grant FY 2013. The Homeland Security Grant will not exceed \$150,000.00.

FISCAL IMPACT:

This resolution will assist with meeting the grant guidance for participation in the Homeland Security Grant Program FY 2013. When the grant is awarded, the award will not exceed \$150,000.00.

CONTACT NAME: Jennifer Hansen

PHONE/EMAIL: (760) 932-5279 / jhansen@monosheriff.org

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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 [HSGP FY 2013 Staff Report](#)

 [HSGP FY 2013 Resolution](#)

History

Time	Who	Approval
6/19/2013 12:37 PM	County Administrative Office	Yes
6/26/2013 11:12 AM	County Counsel	Yes
6/13/2013 3:05 PM	Finance	Yes



P.O. BOX 616 • 49 BRYANT STREET • BRIDGEPORT, CA 93517 • (760) 932-7549 • FAX (760) 932-7435

Ralph Obenberger
Sheriff/Coroner

MONO COUNTY SHERIFF'S OFFICE

Robert Weber
Undersheriff

July 2, 2013

To

Honorable Chair and Members of the Board of Supervisors

From

Ralph Obenberger, Sheriff – Coroner

Subject

Resolution authorizing Mono County Sheriff-Coroner, Mono County Emergency Services Coordinator and/or Mono County Sheriff's Finance Officer to apply for and administer the Office of Homeland Security FY 2013 Homeland Security Grant Program.

Recommendation

Approve and authorize Mono County Sheriff-Coroner, Mono County Emergency Services Coordinator and/or Mono County Sheriff's Finance Officer to apply for and administer the Homeland Security Grant FY 2013. The Homeland Security Grant will not exceed \$150,000.00.

Discussion

The California Emergency Management Agency has requested a governing body resolution for participation in the Homeland Security Grant Program. The resolution should specifically identify the following personnel as grants administrators to administer and sign documents related to the Homeland Security Grant Program FY 2013:

Mono County Sheriff-Coroner
Mono County Emergency Services Coordinator
Mono County Sheriff's Finance Officer

Fiscal Impact

This resolution will assist with meeting the grant guidance for participation in the Homeland Security Grant Program FY 2013. When the grant is awarded, the award will not exceed \$150,000.00.

Ralph Obenberger
Sheriff – Coroner
Mono County



RESOLUTION NO. R13-__

A RESOLUTION AUTHORIZING THE MONO COUNTY SHERIFF'S DEPARTMENT, SPECIFICALLY, SHERIFF RALPH OBENBERGER, SERGEANT JEFF BEARD AND/OR THE MONO COUNTY SHERIFF'S DEPARTMENT FINANCE OFFICER TO APPLY FOR AND ADMINISTER THE OFFICE OF HOMELAND SECURITY FY2013 HOMELAND SECURITY GRANT PROGRAM.

WHEREAS, The Mono County Board of Supervisors authorizes the Mono County Sheriff's Department to participate in the 2013 Homeland Security Grant Program; and

WHEREAS, the Mono County Sheriff's Department is authorized to execute any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and subgranted through the State of California.

NOW, THEREFORE BE IT RESOLVED BY THE MONO COUNTY BOARD OF SUPERVISORS that Sheriff Ralph Obenberger, Sergeant Jeff Beard and/or the Mono County Sheriff's Office Finance Officer can apply for and administer the Office of Homeland Security FY2013 Homeland Security Grant Program.

PASSED AND ADOPTED this 2nd day of July, 2013, by the following vote:

AYES :
NOES :
ABSTAIN:
ABSENT :

ATTEST: _____
Clerk of the Board

Byng Hunt, Chair
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Clerk of the Board
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Mono County Community Development Department		

AGENDA DESCRIPTION:

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

Letter from Scott Burns, Director of the Mono County Community Development Department to the U.S. Fish & Wildlife Service, dated June 24, 2013 regarding endangered listing and critical habitat designation for Sierra Nevada Yellow-Legged Frog, Mountain Frog and Yosemite Toad.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[Frog Letter](#)

History

Time	Who	Approval
6/25/2013 10:32 AM	Clerk of the Board	Yes

Mono County Community Development Department

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

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

June 24, 2013

Public Commission Processing
Attn: FWS-R8-ES/2012-0100 and FWS-R8-ES-2012-0074
Division of Policy and Directives Management
U.S. Fish & Wildlife Service
4401 N. Fairfax Dr., MS 2042-PDM
Arlington, VA 22203

RE: Endangered Listing and Critical Habitat Designation for Sierra Nevada Yellow-Legged Frog, Mountain Yellow Frog and Yosemite Toad

The Mono County Community Development Department wishes to join with Inyo County in requesting a 60-day extension to respond to the proposed rule-making and if no extension is granted, that public hearings be conducted. Although difficult to identify areas to be designated with the maps provided in the Federal Register notice, it appears that several major recreation areas in or near Rock Creek, Convict Lake, June Lake Loop, Tioga Pass, Saddlebag and Virginia Lakes areas and the incorporated Town of Mammoth Lakes are proposed for inclusion. Due to the importance of these areas to local land use and the recreational economy of Mono County, we request the opportunity to study the proposed designations and boundaries in more detail via a time extension.

Similar to Inyo County (see Inyo County letters dated 6/06/13 and 6/18/13), we believe the endangered listing and designation of critical habitat within our county could significantly impact our local communities, businesses, social attributes, culture, history and economy. The current and historical use of the proposed designation areas are an integral part of our county's well being. The designations and listing restrictions impacting recreation, access, trout stocking and/or packing will dramatically reduce these important components of local economy, culture, history and society.

Similar to Inyo County's position, we agree that mitigation measures can and should be promulgated and implemented to minimize potential impacts to these species in the critical habitat areas, while providing for continued established uses and recreational access. We welcome the opportunity to examine the land uses in and around the proposed designations and collaborate in mitigation measure development.

Again, due to the short time frame to respond to the proposed rule-making, the poor quality of maps provided in the Federal Register, and the local significance of the areas proposed for designation, we request a 60-day extension beyond June 24, 2013, to study the proposal in more detail. If no extension is granted, we request that public hearings be conducted, preferably in Mono County. Public briefings before the Mono County Board of Supervisors and Mono County Collaborative Planning Team (USFWS is a member) are also requested.

The opportunity to comment on the rule-making process is appreciated. Please contact us at (760) 924-1807 if you have questions concerning this request.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Burns", with a stylized flourish at the end.

Scott Burns
Director

cc Jim Leddy, CAO
Mono County Board of Supervisors



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Clerk of the Board
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Department of California Highway Patrol		

AGENDA DESCRIPTION:

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

Correspondence dated 5/31/13 regarding the fatality accident at U.S. 395 Northbound at East Walker River Bridge that occurred on May 13, 2013. This letter is the initial paperwork which refers to the formal report. Per CHP, the report itself is still pending various results.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[CHP](#)

History

Time	Who	Approval
6/20/2013 2:38 PM	Clerk of the Board	Yes

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Bridgeport, CA 93517
P. O. BOX 158
125 Main Street
(760) 760-7995
(760) 932-7352 Fax
(800) 735-2929 (TT/TDD)
(800) 735-2922 (Voice)



May 31, 2013

File No.: 820.12669.15820/Haz-Mat/2013/05-31/County Board of Sup. Prop. 65

RE: U.S. 395 Northbound at East Walker River Bridge

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

The enclosed report is submitted pursuant to Health and Safety Code Section 25180.7 (Proposition 65). The report documents information regarding a spill of diesel fuel and other vehicle fluids that occurred on May 13, 2013, at approximately 0347 hours. The diesel fuel and fluid was spilled into the Walker River and surrounding river banks with a point of origin at US 395. The diesel fuel and other fluids were spilled into the river by a 2009 Freightliner truck, which left the roadway over the bridge and subsequently landed in the river below the bridge. The truck then ignited and burned which caused all vehicle fluids to be lost into the river and adjoining river banks. The registered owner and driver of the Freightliner truck was identified as Miguel Marquez. The California Department of Transportation (Caltrans) and numerous allied agencies responded to mitigate the spread of diesel fuel.

Swift Transportation Corporation contracted Patriot Environmental Services to conduct the clean-up efforts, ensuring the diesel and fluid contaminants were removed from the river, roadway, and the contaminated soil near the banks of the river. The incident was managed by the California Highway Patrol (CHP) until May 31, 2013 at 5:00 p.m. After that time the incident was turned over to the California Department of Fish and Wildlife.

This report is submitted on behalf of all designated employees of the CHP. If you have any questions regarding this matter, I can be reached at (760) 932-7995.

Sincerely,

R.D. COHAN, Lieutenant
Commander

Enclosure

(report pending per CHP)

RECEIVED

JUN 20 2013

OFFICE OF THE CLERK





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

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Clerk of the Board
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Inyo National Forest Extension		

AGENDA DESCRIPTION:

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

Correspondence dated June 12, 2013 from Ed Armenta, Forest Supervisor, informing the Supervisors that the Inyo National Forest is extending the public review and feedback for the Forest Plan Revision Assessment "topic papers" through September 1, 2013.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[Armenta](#)

History

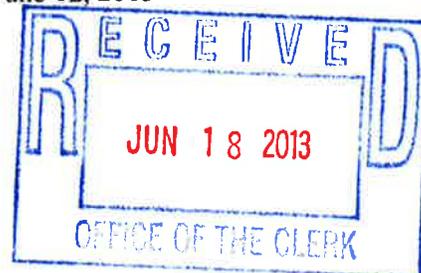
Time	Who	Approval
6/18/2013 3:48 PM	Clerk of the Board	Yes



File Code: 1920

Date: June 12, 2013

Mono County Board of Supervisors
c/o Clerk of the Board
PO Box 715
Bridgeport, CA 93517



Dear Mono County Supervisors:

I am pleased to announce The Inyo National Forest is extending the public review and feedback for the Forest Plan Revision Assessment "topic papers" through September 1, 2013.

It was previously announced that the topic papers were available for public review and feedback through June 30, 2013.

The first (and current) phase of the Forest Plan Revision process is an assessment of forest resource conditions and trends, including social and economic conditions; terrestrial and aquatic ecosystems; and recreation opportunities and access.

The topic papers will be used to prepare the Forest Assessment Report, which will be completed by December, 2013. The assessment will help frame the "Need for Change" as the forest develops a revised plan and evaluates the environmental effects of the proposed plan as required by the National Environmental Policy Act.

The draft topic papers are available on the Living Assessment Wiki page (<http://livingassessment.wikispaces.com/>) and the Forest website (<http://www.fs.fed.us/nepa/fs-usda-pop.php/?project=40601>). A hard copy is available for review at the Forest Supervisor's Office in Bishop, CA (address below).

Your feedback is welcome! You can edit the topic papers directly in the Living Assessment Wiki, submit your input by email to comments-pacificsouthwest-inyo@fs.fed.us, or in writing to Inyo National Forest, Attn: Forest Plan Revision, 351 Pacu Lane, Suite 200, Bishop CA. Please contact Susan Joyce, Forest Planner, at (760) 873-2516 or sejoyce@fs.fed.us for more information about the topic papers.

More information about the meetings and Forest Plan Revision is available at <http://www.fs.usda.gov/main/inyo/landmanagement/planning>

Sincerely,

EDWARD E. ARMENTA
Forest Supervisor

What is a Forest Plan?

Forest Plans provide direction and zoning for the management of a wide range of resources and activities on National Forests, such as water, wildlife, timber, and recreation. The Inyo's Forest Plan was completed in 1988.





OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	County Administrative Office
ADDITIONAL DEPARTMENTS			
TIME REQUIRED	25 minutes	PERSONS APPEARING BEFORE THE BOARD	Jim Wiltshire, Director of Operations and Outreach
SUBJECT	California State Association of Counties Legislative Issues Report		

AGENDA DESCRIPTION:

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

Presentation by Jim Wiltshire, Director of Operations and Outreach for the California State Association of Counties regarding recent passage of State Budget as well as other issues which could impact Mono County.

RECOMMENDED ACTION:

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

FISCAL IMPACT:

No fiscal impact.

CONTACT NAME: Jim Leddy

PHONE/EMAIL: (760) 932-5414 / jleddy@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[CSAC state issues report Cover Memo](#)

[CSAC Budget Bulletin](#)

History

Time	Who	Approval
6/23/2013 10:37 AM	County Administrative Office	Yes
6/26/2013 11:14 AM	County Counsel	Yes
6/24/2013 3:02 PM	Finance	Yes



BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5530 • FAX (760) 932-5531

Lynda Roberts
Clerk of the Board
760-932-5538
lroberts@mono.ca.gov

Linda Romero
Assistant Clerk of the Board
760-932-5534
lromero@mono.ca.gov

To: Honorable Board of Supervisors
From: Jim Leddy, County Administrative Officer
Date: June 19, 2013

Subject:

California State Association of Counties (CSAC) state issues report.

Recommendation

Accept presentation from Jim Wiltshire, Director of Operations and Outreach for the California State Association of Counties on recent state budget as well as other issues of import to counties.

Background

The California State Association of Counties is the statewide association which represents all 58 California counties in state legislative matters. Each county appoints a Supervisor to the CSAC Board of Directors and Supervisor Larry Johnston is currently Mono County's representative.

Discussion

The Board has expressed a strong interest in strengthening County efforts to impact any state policy decisions which might impact Mono County services. Mono County strives to provide superior public services efficiently and effectively and state funding and policy decisions greatly impact the County's ability to provide these services.

With recent passage of the state budget, providing an opportunity for an update from CSAC and information sharing on Mono issues is warranted.

Fiscal Impact

There is no direct fiscal impact from this item. State budget issues will always be a major factor in



**2012-13 State Budget
Week of June 16, 2013**

June 17, 2013

TO: CSAC Board of Directors
County Administrative Officers
CSAC Corporate Associates

FROM: Matt Cate, CSAC Executive Director
DeAnn Baker, Director of Legislative Affairs

RE: **Budget Action Bulletin No. 1**

Over two days, the Senate and Assembly considered the 2013-14 Budget Bill and trailer bills, marking the first time since 1986 that the full state budget was approved by the constitutional deadline of June 15. In order for bills to be in print for 24 hours, the Legislature’s actions on a handful of trailer bills, including AB 85, which contains the county provisions related to Medi-Cal expansion, was delayed until Saturday, June 15 (cutting it close for one legislator who was scheduled to be married that afternoon and another who was to attend his son’s wedding). In all, 21 bills were approved, with one bill set for hearing on Monday, June 17.

CSAC staff continues to review the contents of trailer bills, but we summarize the major provisions of each in this Budget Action Bulletin. There will be significant implementation work to come, particularly with the Medi-Cal expansion, so our work is not done. Please don’t hesitate to contact CSAC staff if we can be of assistance.

2013-14 BUDGET TRAILER BILLS

Bill number	Content
AB 110	2013-14 Budget Bill
AB 74	Human Services <ul style="list-style-type: none"> • Changes to CalWORKS, CWS, community care licensing, and IHSS
AB 75	Alcohol and Drug Programs

Bill number	Content
	<ul style="list-style-type: none"> Provisions necessary to carry out elimination of Department of Alcohol and Drug Abuse Programs
AB 76	General Government No. 1 <ul style="list-style-type: none"> Local government mandate provisions and changes to state government operations
AB 77 SB 72	Resources and Environmental Protection* <ul style="list-style-type: none"> Various changes to budget items for Resources Agency departments, changes to beverage container recycling financing structure, and oversight provisions for California Public Utilities Commission
SB 73	Proposition 39 Implementation <ul style="list-style-type: none"> Provisions implementing California Clean Energy Jobs Act (Proposition 39)
SB 74	Corrections <ul style="list-style-type: none"> Changes to composition of BSCC, addition of corrections health care undersecretary, and other technical changes
SB 75	Courts <ul style="list-style-type: none"> Revisions to SB 678 funding methodology, changes to courts' reserve policy, fee changes, and operational efficiencies
SB 76	Public Safety <ul style="list-style-type: none"> Technical and corrective changes to SB 1020 (2012 fiscal structure bill for 2011 Realignment programs), notice requirements for CDCR regarding operational changes that affect counties, provisions requiring transmittal of PRCS health information, and changes to regulatory responsibilities for remote caller bingo
AB 82	Health <ul style="list-style-type: none"> Various statutory changes to health programs, including partial restoration of Medi-Cal adult dental and nutritional benefits
SB 78	MCO Tax <ul style="list-style-type: none"> Reauthorization of fee paid by Medi-Cal managed care plans
AB 85	Medi-Cal expansion <ul style="list-style-type: none"> Mechanism for calculating county savings for three types of counties, modification of 1991 Realignment structure
AB 86	K-12 Education <ul style="list-style-type: none"> Funding provisions for K-12 education programs
SB 82	Mental Health

Bill number	Content
	<ul style="list-style-type: none"> Provisions to enact the Mental Health Wellness Act that expands capacity building and provides crisis care intervention services
AB 89	Developmental Services <ul style="list-style-type: none"> Provisions related to Department of Developmental Services, including master plan requirements
SB 85	Transportation <ul style="list-style-type: none"> Debt services and transportation bond structure provisions, framework for high-speed rail utility work
AB 92	General Government #2 <ul style="list-style-type: none"> Housing and infill development grant provisions, clarification of local revenue shifts under triple flip
AB 94	Higher Education <ul style="list-style-type: none"> Creation of middle class scholarship, various provisions for UC and CSU budgets, and performance measures
SB 89	2012-13 Supplemental Appropriations <ul style="list-style-type: none"> Deficiency appropriation for current fiscal year
AB 97	Local Control Funding Formula <ul style="list-style-type: none"> Modified K-12 financing structure
AB 98	Seismic Safety Fee <ul style="list-style-type: none"> Permanent fund source for Seismic Safety Commission
AB 100 SB 94	Coordinated Care Initiative* <ul style="list-style-type: none"> Various changes to CCI, including delinking of duals demonstration project and reintegration of long-term support into Medi-Cal managed care
ACA 8	Local Government Infrastructure Financing <ul style="list-style-type: none"> Lower vote threshold for taxes and debt for local infrastructure and public safety facilities

***These trailer bills have not yet been passed by the Legislature.**

2011 Public Safety Realignment technical adjustments

As outlined below, a variety of corrective and clarifying provisions have been enacted as part of the budget to advance the successful implementation of AB 109.

- SB 1020, the 2011 Realignment fiscal structure bill enacted in 2012, provides direction to the state controller to assign overall growth to the various law enforcement subaccounts only in 2012-13. SB 76, the Public Safety trailer bill, corrects this oversight and clarifies that growth is to be distributed to the subaccounts using the same specified percentage shares in all future fiscal years.
- SB 76 specifies that the various law enforcement subvention programs funded out of the Enhanced Law Enforcement Activities Subaccount (ELEAS) within 2011 Realignment are to receive monthly allocations – rather than quarterly disbursements, as set out in current law. Programs affected by this change affect the Citizens’ Option for Public Safety (COPS), the Juvenile Justice Crime Prevention Act, booking fee replacement revenue and rural and small sheriffs grants, among others.
- SB 76 also specifies that mandatory supervision begins immediately upon release from county jail to avoid any potential gaps in supervision.
- In anticipation of the courts’ assumption of the revocation process for parolees beginning July 1, 2013, SB 76 clarifies that for parolees either, 1) the court in the county of supervision or 2) the court in the county in which an alleged violation of supervision has occurred has jurisdiction to hear a revocation motion or petition. SB 76 also specifies that for all locally supervised offenders the court in the county of supervision has jurisdiction to hear a revocation motion or petition.
- SB 76 additionally details a process to manage circumstances in which persons are misclassified when released to post-release community supervision (PRCS) or parole. Specifically, it provides that any person released to either to parole or PRCS shall remain – after having served 60 days or more of supervision – under the jurisdiction of the department providing supervision, even if a different determination regarding jurisdiction is subsequently made.
- The public safety trailer bill also requires the corrections secretary of the California Department of Corrections and Rehabilitation (CDCR) or a designee to provide notification to the statewide associations of counties, sheriffs, and probation chiefs regarding any planned changes to prison reception center and parole office operations.

- To ensure full and timely communication regarding specified medical, mental health, and other clinical needs of state prisoners being released to PRCS, SB 76 contains provisions regarding the transfer of a standard set of healthcare information, consistent with HIPAA.
- SB 76 also permits the sheriff to award two-for-one credits for jail inmates who participate in in-custody work or job training programs.

CCP planning grants

The main Budget Bill (AB 110) contains a \$7.9 million General Fund appropriation to provide planning grants to local Community Corrections Partnerships (CCPs). The fixed amount grants will be allocated as in previous years, with a specified amount of \$100,000, \$150,000, or \$200,000 designated based on a county's population. A county's receipt of a CCP planning grant is conditioned upon a report being submitted to the Board of State and Community Corrections (BSCC) detailing progress in implementing the local CCP plan. The BSCC is directed to work with the Department of Finance (DOF) to develop the format of the report.

SB 678—Community Corrections Performance Incentive Act

The Courts budget trailer bill (SB 75) includes language to update the methodology for calculating counties' SB 678 performance grants. The revised formula contains a new element – felony probation failures resulting in jail incarceration; reflects a change in the 2012 marginal rate for state prison inmates; and adds a third performance tier for incentive payments. As a result, the formula-driven funding is expected to produce just over \$107 million in 2013-14 for county probation departments, reflecting an augmentation of \$72.1 million over the January budget proposal.

Reentry and Community Transition Pilot Program

AB 110 commits up to \$5 million of existing corrections funding to support a three-year Reentry and Community Transition pilot program with four specified counties (Los Angeles, Marin, San Diego and San Francisco). Under the pilot, CDCR is authorized to enter into contracts pursuant to Penal Code 4115.56 for reentry purposes. Each county would be permitted to serve up an average daily population of 56, with a required risk and needs assessment for each participant. Individualized treatment and rehabilitation plans would be required, as would specified evidence-based services and programs. Participating counties would submit a report annually to the Legislature and DOF, with specified elements and outcome measures.

Long-term offender proposal

As updated previously, the budget does not address the issue of long-term jail offenders. Counties will recall that the Governor's May Revision outlined a concept that would permit a swap of long-term county jail offenders for shorter-term prison inmates that maintains population and cost neutrality given the state's budget and federal-court population reduction order constraints. The concept outlined other elements, including: 1) granting new authority to existing county parole boards for determining whether long-term offenders should be sent to state prison, but only after the inmate has served three years in a county jail and, 2) creating a presumption for split sentences. The specific mechanics of the proposal were not finalized within the timeframe the budget was concluded, so discussions will continue in the near-term. The Administration has emphasized that it remains committed to finding a mechanism to resolve this issue by the end of this legislative year.

Corrections

The Corrections trailer bill, SB 74, contains various provisions of interest to counties related to corrections, CDCR, and BSCC, detailed below.

- A change in the composition to the BSCC effective July 1, 2013, will add a thirteenth member to the BSCC. The chair of the BSCC – appointed by the Governor and approved by the Senate – will now serve full time, with the corrections secretary serving prospectively as a voting member of the board.
- To address a potential conflict of interest issue raised earlier this year, the Corrections trailer bill clarifies that members of a BSCC committee – specifically meant for Executive Steering Committee – has no financial interest and therefore may participate in awarding contracts and bond financing.
- The Corrections trailer bill also corrects an erroneous code section reference codified in SB 1022 (2012) related to the \$500 million jail construction grant program.
- A \$15.4 million increase in CDCR funding will permit a significant increase in fire camp work crews relying on state prison inmates. Counties will recall that following AB 109 implementation, there was a concern that the state would have insufficient lower-level prison inmates to sustain fire camp services, and CDCR's budget was reduced accordingly. However, CDCR has implemented changes in classification systems and identified a sufficient number of inmates to maintain current fire camp levels.

ACTION

- The Corrections budget trailer bill also establishes an administrative structure – including a new corrections undersecretary and related staffing – to support the future transition of inmate health care back to the state from the federal receiver.
- A dedication of \$6.6 million is included in the budget to support an initiative to reduce drugs and other contraband in the prisons.

Judicial Branch

The budget approved by the Legislature contains a \$60 million restoration to the judicial branch, which will partially offset the ongoing reductions the courts were facing due to previous years' budget actions.

SB 75, the Judicial Branch trailer bill, also contains provisions meant to offer the courts additional revenue authority and flexibility to best operationalize previous budget actions. Among the provisions:

- An increase from \$10 to \$15 for mailing a plaintiff's claim in a small claims action;
- The specification that court reporting fees for proceedings lasting less than one hour shall be distributed to the court in which the fee was collected.
- Relief for collecting entities from the requirement to provide a Social Security number to the Franchise Tax Board in the context of the Tax Intercept Program.
- The requirement that the courts on an ongoing basis publicly present their local budget plan, with an opportunity for public input.
- Various revisions to timing and frequency of trial court audits.
- The requirement for an evaluation of the Long Beach Courthouse project, which is being completed through a public-private partnership.

Other public safety items of interest. AB 110 contains a second round of grants to city police agencies, augmented in 2013-14 to \$27.5 million statewide.

AGRICULTURE AND NATURAL RESOURCES

Both the Senate and the Assembly took up respective versions of AB 77 and SB 72, the Resources and Environmental Protection trailer bills. However, neither took up the bills for concurrence and, therefore, neither has yet passed. It is expected that one of the vehicles will be taken up this week and sent to the Governor for signature. The following programs were included in those trailer bills:

- **Property Assessed Clean Energy Program (PACE)**

Included in the trailer bills is a provision that would require the California Alternative Energy and Advanced Transportation Authority to develop and administer a risk mitigation program for Property Assessed Clean Energy (PACE) loans. PACE is a financing mechanism to help fund residential and commercial energy efficiency, water conservation, and renewable generation improvements to existing homes and business properties via a special voluntary property tax assessment. In 2010, the Federal Housing Financing Authority (FHFA) objected to the senior lien status that PACE financing shares with other property taxes and assessments and took steps to stop residential PACE. FHFA issued a statement advising Fannie Mae and Freddie Mac to avoid buying mortgages with PACE assessments. These actions almost entirely stalled the development of residential PACE programs and put communities with existing programs at risk. Since that time, multiple efforts have been made to reverse this ruling, including litigation. The provision included in the Resources trailer bills would address this issue by establishing a risk mitigation program for PACE loans, which would provide financial assistance in the form of a loss reserve to financial institutions or insurance companies providing loans or insurance policies to facilitate the installation of PACE energy efficiency improvements.

- **Department of Fish and Wildlife & Delta Stewardship Council**

The Resources trailer bills would additionally require monies received in the Wildlife Restoration Fund from agricultural leases to be expended by the Department of Fish and Wildlife for the purposes of managing, maintaining, restoring, or operating lands owned and managed by the department. Finally, the bills include a provision that would eliminate the term limits on the seven voting members of the Delta Stewardship Council. Of the seven, four are appointed by the Governor, one each by the Senate and Assembly, and the seventh is the Chair of the Delta Protection Commission.

CSAC will apprise counties of the action taken on AB 77 and SB 72.

Cap and Trade and Proposition 39

The Legislature approved the Governor's \$500 million loan from Cap and Trade auction revenues to the State's General Fund. In the weeks leading up to the budget compromise, the Legislature did express concern with the Governor's loan proposal and the Assembly Budget Committee approved a limited \$100 million appropriation for the 2013-14 fiscal year, only to be voted down by the Budget Conference Committee. It is

ACTION

anticipated that a more detailed investment plan will take shape over the next year with an expenditure plan for auction revenues to be included in next year's budget.

The Legislature also approved SB 73, the Budget trailer bill related to Proposition 39 funding. The bill allocates all Proposition 39 revenues dedicated for energy efficiency to schools and community colleges. Proposition 39 requires out-of-state businesses to calculate their California income tax liability based on the percentage of their sales in California and dedicates up to \$550 million annually for five years to fund projects that "create energy efficiency and clean energy jobs" in California. It does not specifically allocate these funds towards schools and community colleges; rather, it lists eligible entities as schools and other public facilities. AB 73 specifies the allocation of Proposition 39 funds, excluding local governments as eligible recipients and dedicates all revenues available for energy efficiency projects for K-12 local educational agencies and California Community College districts.

Seismic Safety Commission

AB 98 is the Budget trailer bill that creates the Seismic Safety Account within the Insurance Fund. The bill would impose an assessment on each person who owns real property, commercial or residential, that is covered by a property insurance policy. The assessment would not exceed \$0.15 per property exposure and the accrued revenues would be utilized for the support of the Seismic Safety Commission and to the Department of Insurance for the actual administrative costs. According to estimates, this assessment will generate \$1.2 million.

GOVERNMENT FINANCE AND OPERATIONS

Local Tax Threshold

The Assembly passed ACA 8 in the midst of approving other budget-related bills. Senate President Pro Tem Darrell Steinberg has announced that it has no plans to take up the measure this year, but might do so in 2014.

ACA 8 would allow counties, cities, and special districts to, with a 55 percent vote, raise ad valorem taxes or special assessments to pay for bonds that fund public safety facilities or public improvements such as transportation infrastructure or wastewater systems. The current vote threshold for raising these rates is two-thirds.

Mandates

As usual, there is a long list of mandates that the budget suspends and a short list of mandates it funds. Both lists are reproduced below. Suspended mandates become optional for the duration of the fiscal year. Notably, the budget continues to suspend all election-related mandates and it continues the practice of neither funding nor suspending the Peace Officers' Procedural Bill of Rights (POBOR) and the Local Government Employment Relations Mandate.

This year, the budget also makes changes to statute to permanently relieve local entities of the duty to perform some reimbursable activities. These changes are in a budget trailer bill, AB 76. Specifically it relieves local agencies of activities related to these mandates:

- *Public Records Act* (02-TC-10 and 02-TC-51)
- *Local Agency Ethics* (07-TC-04)
- *Deaf Teletype Equipment* (04-LM-11)
- *Adult Felony Restitution* (04-LM-08)
- *Pocket Masks* (CSM-4291)
- *Domestic Violence Information* (CSM-4442)
- *Victims' Statements-Minors* (04-LM-14)

For the Public Records Act, the bill also makes compliance with the new, reimbursable parts of it optional, and encourages local agencies to follow the provisions as "best practices." If a local agency chooses not to follow those best practices, they must orally announce that fact at the next regularly scheduled meeting and annually thereafter. These provisions appear on pages 17 and 18 of AB 76.

To get around the AB 1234 mandate (Local Agency Ethics), the trailer bill adds a new section to the Government Code stating that any prior statute requiring a governing board member to receive compensation or reimbursement for expenses shall instead be construed to confer the discretion to authorize compensation or reimbursement. The bill also changes many code sections specific to one or another type of local agency to read "may" instead of "shall" in the appropriate places.

Most of the other mandates listed above are made optional by changing "shall" to "may" or to "is encouraged to." The bill also inserts the phrase "as a best practice" at the beginning of several of the newly optional sections.

The Budget Bill, AB 110, lists funded and suspended mandates. The **funded** mandates total a cost of \$48,359,000 to the General Fund and \$2,637,000 to two special funds. Specifically:

- \$520,000 for *Allocation of Property Tax Revenues* (Ch. 697, Stats. 1992) (CSM- 4448)
- \$175,000 for *Crime Victims' Domestic Violence Incident Reports* (Ch. 1022, Stats. 1999) (99-TC-08)
- \$11,977,000 for *Custody of Minors-Child Abduction and Recovery* (Ch. 1399, Stats. 1976; Ch. 162, Stats. 1992; and Ch. 988, Stats. 1996) (CSM-4237)
- \$7,334,000 for *Domestic Violence Arrest Policies* (Ch. 246, Stats. 1995) (CSM-96-362-02)
- \$1,438,000 for *Domestic Violence Arrests and Victims Assistance* (Chs. 698 and 702, Stats. 1998) (98-TC-14)
- \$2,041,000 for *Domestic Violence Treatment Services* (Ch. 183, Stats. 1992) (CSM-96-281-01)
- \$1,780,000 for *Health Benefits for Survivors of Peace Officers and Firefighters* (Ch. 1120, Stats. 1996) (97-TC-25)
- \$10,000 for *Medi-Cal Beneficiary Death Notices* (Chs. 102 and 1163, Stats. 1981) (CSM-4032)
- \$690,000 for *Peace Officer Personnel Records: Unfounded Complaints and Discovery* (Ch. 630, Stats. 1978; Ch. 741, Stats. 1994) (00-TC-24)
- \$344,000 for *Rape Victim Counseling* (Ch. 999, Stats. 1991) (CSM-4426)
- \$21,792,000 for *Sexually Violent Predators* (Chs. 762 and 763, Stats. 1995) (CSM-4509)
- \$3,000 for *Threats Against Peace Officers* (Ch. 1249, Stats. 1992; Ch. 666, Stats. 1995) (CSM-96-365-02)
- \$255,000 for *Unitary Countywide Tax Rates* (Ch. 921, Stats. 1987) (CSM-4317 and CSM-4355)
- \$0 for *Peace Officers' Procedural Bill of Rights Act* (Ch. 675, Stats. 1990) (CSM-4499)
- \$0 for *Local Government Employment Relations Mandate* (Ch. 901, Stats. 2000) (01-TC-30)
- \$2,604,000 (not General Fund) for *Administrative License Suspension, Per Se* (Ch. 1460, Stats. 1989) (98-TC-16)
- \$33,000 (not General Fund) for *Pesticide Use Reports* (Ch. 1200, Stats. 1989) (CSM-4420)

The list of **suspended** mandates is much longer:

- *Absentee Ballots* (Ch. 77, Stats. 1978 and Ch. 1032, Stats. 2002) (CSM-3713)
- *Absentee Ballots-Tabulation by Precinct* (Ch. 697, Stats. 1999) (00-TC-08)
- *Adult Felony Restitution* (Ch. 1123, Stats. 1977) (04-LM-08)
- *AIDS/Search Warrant* (Ch. 1088, Stats. 1988) (CSM-4392)
- *Airport Land Use Commission/Plans* (Ch. 644, Stats. 1994) (CSM-4507)
- *Animal Adoption* (Ch. 752, Stats. 1998 and Ch. 313, Stats. 2004) (04-PGA-01, 98-TC-11)
- *Brendon Maguire Act* (Ch. 391, Stats. 1988) (CSM-4357)
- *Conservatorship: Developmentally Disabled Adults* (Ch. 1304, Stats. 1980) (04-LM-13)
- *Coroners' Costs* (Ch. 498, Stats. 1977) (04-LM-07)
- *Crime Statistics Reports for the Department of Justice* (Ch. 1172, Stats. 1989; Ch. 1338, Stats. 1992; Ch. 1230, Stats. 1993; Ch. 933, Stats. 1998; Ch. 571, Stats. 1999; and Ch. 626, Stats. 2000) (02-TC-04 and 02-TC-11) and *Crime Statistics Reports for the Department of Justice Amended* (Ch. 700, Stats. 2004) (07-TC-10)
- *Crime Victims' Domestic Violence Incident Reports II* (Ch. 483, Stats. 2001; Ch. 833, Stats. 2002) (02-TC-18)
- *Deaf Teletype Equipment* (Ch. 1032, Stats. 1980) (04-LM-11)
- *Developmentally Disabled Attorneys' Services* (Ch. 694, Stats. 1975) (04-LM-03)
- *DNA Database & Amendments to Post-mortem Examinations: Unidentified Bodies* (Ch. 822, Stats. 2000; Ch. 467, Stats. 2001) (00-TC-27 and 02-TC-39)
- *Domestic Violence Background Checks* (Ch. 713, Stats. 2001) (01-TC-29)
- *Domestic Violence Information* (Ch. 1609, Stats. 1984 and Ch. 668, Stats. 1985) (CSM- 4222)
- *Elder Abuse, Law Enforcement Training* (Ch. 444, Stats. 1997) (98-TC-12)
- *Extended Commitment, Youth Authority* (Ch. 267, Stats. 1998 and Ch. 546, Stats. 1984) (98-TC-13)
- *False Reports of Police Misconduct* (Ch. 590, Stats. 1995 and Ch. 289, Stats. 2000) (00-TC-26)
- *Fifteen-Day Close of Voter Registration* (Ch. 899, Stats. 2000) (01-TC-15)
- *Firearm Hearings for Discharged Inpatients* (Ch. 578, Stats. 1999) (99-TC-11)
- *Grand Jury Proceedings* (Ch. 1170, Stats. 1996; Ch. 443, Stats. 1997; and Ch. 230, Stats. 1998) (98-TC-27)
- *Handicapped Voter Access Information* (Ch. 494, Stats. 1979) (CSM-4363)
- *Identity Theft* (Ch. 956, Stats. 2000) (03- TC-08)
- *In-Home Supportive Services II* (Ch. 445, Stats. 2000 and Ch. 90, Stats. 1999) (00-TC-23)

- *Inmate AIDS Testing* (Ch. 1579, Stats. 1988 and Ch. 768, Stats. 1991) (CSM-4369 and CSM-4429)
- *Judiciary Proceedings* (Ch. 644, Stats. 1980) (CSM-4366)
- *Law Enforcement Sexual Harassment Training* (Ch. 126, Stats. 1993) (97-TC-07)
- *Local Coastal Plans* (Ch. 1330, Stats. 1976) (CSM-4431)
- *Mandate Reimbursement Process* (Ch. 486, Stats. 1975 and Ch. 1459, Stats. 1984) (CSM-4204 and CSM-4485)
- *Mandate Reimbursement Process II* (Ch. 890, Stats. 2004) (05-TC-05) (Suspension of Mandate Reimbursement Process and Mandate Reimbursement Process II includes suspension of the Consolidation of Mandate Reimbursement Process I and II)
- *Mentally Disordered Offenders: Treatment as a Condition of Parole* (Ch. 228, Stats. 1989 and Ch. 706, Stats. 1994) (00-TC-28, 05-TC-06)
- *Mentally Disordered Offenders' Extended Commitments Proceedings* (Ch. 435, Stats. 1991; Ch. 1418, Stats. 1985; Ch. 858, Stats. 1986; Ch. 687, Stats. 1987; Chs. 657 and 658, Stats. 1988; Ch. 228, Stats. 1989; and Ch. 324, Stats. 2000) (98-TC-09)
- *Mentally Disordered Sex Offenders' Recommitments* (Ch. 1036, Stats. 1978) (04- LM-09)
- *Mentally Retarded Defendants Representation* (Ch. 1253, Stats. 1980) (04-LM-12)
- *Missing Persons Report* (Ch. 1456, Stats. 1988 and Ch. 59, Stats. 1993) (CSM-4255, CSM-4368, and CSM-4484)
- *Modified Primary Election* (Ch. 898, Stats. 2000) (01-TC-13)
- *Not Guilty by Reason of Insanity* (Ch. 1114, Stats. 1979 and Ch. 650, Stats. 1982) (CSM- 2753) (05-PGA-35)
- *Open Meetings Act/Brown Act Reform* (Ch. 641, Stats. 1986 and Chs. 1136, 1137, and 1138, Stats. 1993) (CSM-4257 and CSM- 4469)
- *Pacific Beach Safety: Water Quality and Closures* (Ch. 961, Stats. 1992) (CSM-4432)
- *Perinatal Services* (Ch. 1603, Stats. 1990) (CSM-4397) (05-PGA-38)
- *Permanent Absent Voters II* (Ch. 922, Stats. 2001, Ch. 664, Stats. 2002, and Ch. 347, Stats. 2003) (03-TC-11)
- *Personal Safety Alarm Devices* (8 Cal. Code Regs. 3401 (c)) (CSM-4087)
- *Photographic Record of Evidence* (Ch. 875, Stats. 1985; Ch. 734, Stats. 1986; and Ch. 382, Stats. 1990) (98-TC-07)
- *Pocket Masks* (Ch. 1334, Stats. 1987) (CSM-4291)
- *Post-Conviction: DNA Court Proceedings* (Ch. 943, Stats. 2001 and Ch. 821, Stats. 2000) (00-TC-21 and 01-TC-08)
- *Postmortem Examinations: Unidentified Bodies, Human Remains* (Ch. 284, Stats. 2000) (00-TC-18)

- *Prisoner Parental Rights* (Ch. 820, Stats. 1991) (CSM-4427)
- *Senior Citizens Property Tax Postponement* (Ch. 1242, Stats. 1977 and Ch. 43, Stats. 1978) (CSM-4359)
- *Sex Crime Confidentiality* (Ch. 502, Stats. 1992; Ch. 36, 1993–94 1st Ex. Sess.; and Ch. 555, Stats. 1993) (98-TC-21)
- *Sex Offenders: Disclosure by Law Enforcement Officers* (Chs. 908 and 909, Stats. 1996; Chs. 17, 80, 817, 818, 819, 820, and 822, Stats. 1997; and Chs. 485, 550, 927, 928, 929, and 930, Stats. 1998) (97-TC- 15)
- *SIDS Autopsies* (Ch. 955, Stats. 1989) (CSM-4393)
- *SIDS Contacts by Local Health Officers* (Ch. 268, Stats. 1991) (CSM-4424)
- *SIDS Training for Firefighters* (Ch. 1111, Stats. 1989) (CSM-4412)
- *Stolen Vehicle Notification* (Ch. 337, Stats. 1990) (CSM-4403)
- *Very High Fire Hazard Severity Zones* (Ch. 1188, Stats. 1992; Ch. 843, Stats. 1994; and Ch. 333, Stats. 1995) (97-TC- 13)
- *Victims' Statements-Minors* (Ch. 332, Stats. 1981) (04-LM-14)
- *Voter Identification Procedures* (Ch. 260, Stats. 2000) (03-TC-23)
- *Voter Registration Procedures* (Ch. 704, Stats. 1975) (04-LM-04)
- *Structural and Wildland Firefighter Safety Clothing and Equipment* (8 Cal. Code Regs., 3401 to 3410, incl.) (CSM-4261-4281)

EMPLOYEE RELATIONS

Unemployment Insurance (UI) Program.

Counties will recall that due to a structural imbalance between revenues and benefit payments, the Employee Development Department in 2009, in order to continue making UI benefit payments, began borrowing funds from the Federal Unemployment Account. The UI Fund deficit was \$9.9 billion at the end of 2011, and is projected to be \$10.2 billion by the end of 2013. The state made interest payments on the loan in the amounts of \$303.5 million (in 2011) and \$308.2 million (in 2012) through a loan from the UI Disability Fund. SB 71, the General Government trailer bill approved by the Legislature, includes \$216.5 million for this purpose.

Occupational Safety and Health Fund and Labor Enforcement Compliance Fund.

The final state budget as passed eliminates the sunset date for the employer surcharges for the Occupational Safety and Health Fund (OSHF) and the Labor Enforcement and Compliance Fund (LECF). Additionally, it increases the annual revenue caps of both of the Funds.

Created in 2009, the OSHF supports the Division of Occupational Safety and Health, the Occupational Safety and Health Standards Board, and the Occupational Safety and Health Appeals Board and the LECF supports antifraud efforts and covers the payment of benefits to employees whose employers are uninsured. Both the OSHF and LECF are funded through surcharges on all employers; self-insured employers' surcharges are based on paid indemnity. SB 71 as passed by the Legislature would remove the statutory caps on these employer surcharges for both the OSHF and LECF funds indefinitely; the new cap for OSHF (previously \$52 million) is \$57 million and the new cap for LECF is \$46 million (previously \$37 million.)

Labor Compliance Monitoring.

The final 2013-14 state budget passed by the Legislature appropriates \$5 million from the Cal OSHA Targeted Inspection and Consultation Fund (TICF) to the Compliance Monitoring Unit (CMU). The funds must be repaid by June 30, 2015.

SB 2X 9 (Chapter 7, Statutes of 2009) - in order to shift responsibility for compliance monitoring and enforcement on state bond-funded and other types of public works projects from local labor compliance programs (LCP) to DIR - created the CMU and required all public entities to pay a fee to DIR for labor compliance program (LCP) enforcement and monitoring in place of maintaining or creating their own LCP. This fee applies to all projects funded through bonds issued by the state as well as specified design-build projects and statute dictates that the fee could not exceed one-fourth of one percent of the state bond proceeds used for public works projects. According to the Governor's Budget proposal, revenues have not been sufficient to meet the program's requirements.

The final budget, as passed in SB 71, will allow the CMU to recoup a greater share of enforcement costs through charging awarding bodies for the difference between what existing capped CMU fees pay for state bond-funded projects and the actual CMU enforcement costs. Such costs would be paid by the awarding body from other funds authorized to be used to finance the project.

Workers' Compensation Reform Implementation.

Senate Bill 863 (Chapter 363, Statutes of 2012) is the workers' compensation reform legislation signed by Governor Brown last September and aimed at increasing permanent disability (PD) benefits to injured workers while reducing costs related to friction and inefficiency within the system. The reform included a \$120 million "Return to Work Fund" (Fund) – to be administered by the Department of Industrial Relations

(DIR) and funded annually through the Workers' Compensation Administration Revolving Fund (Fund) – intended to provide additional payments to injured workers whose PD ratings are disproportionately low in comparison to their wage loss.

As passed, the 2013-14 state budget makes the Fund cumulative, meaning funding could be added to it annually over \$120 million regardless of how much money was awarded from it the previous year. Perhaps most important is language that requires use of monies from the Fund to only be available for injuries sustained on or after July 1, 2013 (current statute, due to drafting oversight, would have applied use of the Fund to *all* dates of injury).

HEALTH AND HUMAN SERVICES

State/County Fiscal Transaction on Health Savings and 1991 Realignment Changes

AB 85, the Medi-Cal Expansion trailer bill, contains all the major provisions related to county savings associated with the implementation of the Affordable Care Act (ACA). CSAC is working on a detailed reader's guide to AB 85 that will be available later this week. Major provisions include:

- County choice of a formula to determine savings by December 4, 2013, via board resolution. County can choose between 60/40 calculation of savings (60 percent of 1991 health realignment funds and 60 percent of maintenance of effort (MOE) related to health realignment). The measure includes caps for counties with high MOEs – 14.6 percent for non-hospital counties and 25.9 percent for hospital counties. The second option is a cost/revenue based formula detailed in Articles 12 and 13 of the measure.
- Includes provisions to assist county hospitals, including Medi-Cal assignment to plans and primary care providers and Medi-Cal rates.
- Creates a County Health Funding Resolution Committee, comprised of CSAC, Department of Health Care Services and Department of Finance, to hear: 1) cost/revenue formula disputes associated with the calculation of the historic percent of realignment spent on indigent care, 2) a county petition to change its selection of the 60/40 to the cost/revenue formula, and 3) a county petition to use an alternative cost calculation due to extraordinary circumstances related to the health care marketplace, provider or provider contracts.
- Specifies the \$300 million withholding from the health realignment account in 2013-14 will be done via a schedule developed by DOF in consultation with CSAC.
- Includes a true-up process for the cost/revenue formula and the 60/40 formula.

ACTION

- Includes language to allow any county with cash flow related to health programs to work with DOF and CSAC on implementing procedures to address these issues.
- Includes legislative intent to review the formulas if the federal government enacts federal immigration reform. Also requires DHCS to provide the Legislature with a report on the impacts on county health expenditures to assist with its review.

1991 Realignment changes include:

- Health realignment savings will be diverted to new accounts at the state level – the Child Poverty and Family Supplemental Support Subaccount and the Family Support Subaccount.
- At the local level, counties will create family support accounts.
- The health realignment savings will be used for CalWORKs grant increases. Counties will NOT have a new share of cost for CalWORKs grants. Whatever the revenues produce will be used to offset state General Fund costs for CalWORKs grants.
- Swaps Vehicle License Fees and Sales Tax funds between the Health Account and the Social Services Account. This transaction is intended to change the color of the funds, not the underlying formulas for disbursement of funds.
- Changes the disbursement of General Growth as follows: 1) the mental health calculation remains the same as in current law, 2) sets the health allocation to 18.4545 percent from an existing calculation, 3) eliminates general growth for the social services subaccount, and 4) allocates the rest of the general growth to the Child Poverty and Family Supplemental Support Subaccount.
- Provides that DOF, DHCS, Department of Social Services, the Controller, and CSAC will work together on technical implementation on the changes to 1991 realignment.

Human Services Trailer Bill

AB 74 contains the main trailer bill provisions for human services programs, including:

- Changes to the California In-Home Supportive Services (IHSS) Authority (Statewide Authority) for implementing the last, best and final offer. These changes only apply to the statewide authority, not to local public authorities. The bill also exempts certain collective bargaining activities, meetings, and investigations involving the Statewide Authority from the Brown Act.
- Changes to Community Care Licensing around fingerprint fees.

- Makes changes to the 60-day placement limitation in a community care facility licensed as a group home for children or in a temporary shelter care facility. The bill would impose certain requirements relating to placements that extend beyond 120 days. The bill also would enact substantially similar provisions for a dependent child six to 12 years of age, inclusive, and states the Legislature's intent that no child or youth in foster care reside in group care for longer than one year. Additionally, the trailer bill requires the Department of Social Services to provide updates to the Legislature, commencing no later than January 1, 2014, regarding the outcomes of assessments of children and youth who have been in group homes for longer than one year.
- Extends counties' eligibility to receive the full allocation for CalFresh administration in 2013-14 for the administration of the CalFresh program without paying the county's share of the nonfederal costs for the amount above the 1996-97 expenditure requirement.
- Revises, as of January 1, 2014, provisions relating to the allowable value of a licensed vehicle by, among other things, requiring that for each licensed vehicle with an equity value of more than \$9,500, the equity value that exceeds \$9,500 be attributed toward the family's resource level.
- Revises the semiannual reporting for CalWORKs.
- Includes additional changes associated with the expansion of subsidized employment for CalWORKs recipients.

Alcohol and Drug Trailer Bill

AB 75, the Alcohol and Drug trailer bill, contains a number of budget trailer bill items related to alcohol and drug provisions, including:

- Statutory changes necessary to eliminate the Department of Alcohol and Drug Abuse Programs (DADP) and transfer its programs and functions to other departments in state government.
- State that it is the intent of the Legislature that substance use disorder programs within the DHCS, and the Office of Problem Gambling within the DPH, have input in policy decisions at the both department and agency level and continue to utilize system stakeholders for input on public policy issues.
- Require by April 1, 2014, and March 1 annually thereafter, that DHCS and the DPH to report to the Joint Legislative Budget Committee and the appropriate budget subcommittees and policy committees of the Legislature, using baseline measurements to assess year-over-year changes that demonstrate how and why

service delivery was improved, or otherwise changed as a result of this transition. Sunsets the reporting requirement as of January 1, 2019.

Mental Health Wellness Act

SB 82, the Mental Health trailer bill, is the vehicle for Senate President pro Tempore Darrell Steinberg's Investment in Mental Health Wellness Act of 2013 (Act). Pro Tem Steinberg has indicated that the Act was developed to support mobile crisis support teams, crisis intervention, crisis stabilization services, crisis residential treatment, and personnel resources.

The measure includes a one-time General Fund investment of \$142 million to be distributed by the California Health Facilities Financing Authority (CHFFA) as competitive grants to increase capital capacity and program expansion for mental health services. Counties may apply for the grants and may also do so jointly, as well as nonprofit organizations and public agencies where the county affirmatively supports the collaboration.

SB 82 also includes ongoing funding of \$54 million – \$32 million from Mental Health Services Act (Proposition 63) administrative funds and \$22 million in federal funds – for triage personnel. This funding would be allocated by the Mental Health Services Oversight and Accountability Commission and would be gathered by increasing the state administrative fund percentage from the current 3.5 percent to five percent, as allowed by Proposition 63.

Health Trailer Bill

The omnibus health trailer bill, AB 82, include the following provisions:

- Partially restores Medi-Cal Adult Dental benefits starting May 1, 2014 (\$16.9 million General Fund). Not all services under the previous benefit will be available, but the state will begin to cover preventive/diagnostic services, restoration services (amalgams, composite and stainless steel crowns), and full mouth dentures. Full restoration of services may occur based on the revenues available in the 2014-15 budget.
- Provides "gap" Medi-Cal coverage for foster youth who turn 21 between July 1, 2013 and the implementation of the Affordable Care Act on January 1, 2014. After 2014, these youth will automatically qualify for Medi-Cal coverage.
- Approves the state's acceptance of a grant from the California Endowment for Medi-Cal Enrollment Assistance (\$14 million) and Medi-Cal Outreach and Enrollment

Grants to Community-Based Organizations (\$12.5 million). This will allow the state to also receive \$26.5 million in matching federal funds.

- Removes the seven physician and clinic visit annual cap for Medi-Cal beneficiaries enacted as part of last year's budget.
- Requires the Department of Health Care Services to post proposed State Plan Amendments (SPAs), waiver amendments, and waiver renewals on its website.

Managed Care Tax

SB 78, the MCO tax trailer bill, establishes two taxes on managed care organizations to fund the Healthy Families Program (\$125 million) and health care services for children, seniors and persons with disabilities.

- Establishes a gross premium tax on Medi-Cal managed care organizations retroactive to July 1, 2012 and through July 1, 2013. The tax rate is 2.35 percent and is projected to generate \$166.4 million in revenue.
- Establishes a sales tax on Medi-Cal managed care plans beginning July 1, 2013 and effective through July 1, 2016. The rate for this portion would be equal to the state sales and use tax rate (3.9375 percent) and would generate about \$340 million in revenues.

Coordinated Care Initiative

AB 100, the Coordinated Care Initiative trailer bill, contains technical implementation language for the Coordinated Care Initiative (CCI), a demonstration project set to be rolled out in eight counties (Alameda, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Mateo, and Santa Clara) by early next year. The measure was considered by the Legislature as part of the budget over the weekend, but the Senate Budget and Fiscal Review Committee convened today to review the measure once more before sending it to the Senate Floor. As currently written, AB 100:

- Allows for the mandatory enrollment of Medi-Cal and Medicare beneficiaries (dual eligibles) into Medi-Cal managed care.
- Integrates Long-Term Services and Supports (LTSS) into participating managed care plans.
- Creates a state In-Home Supportive Services (IHSS) Statewide Public Authority.

CSAC will provide an update on the progress of this measure in the next *CSAC Bulletin*.

Medi-Cal Provider Rates:

A restoration of Medi-Cal provider rates was not included in the 2013-14 budget package approved by the Legislature over the weekend. The specific restoration of the cut made in 2011 under AB 97 for Distinct Part/Skilled Nursing Facilities (DP/SNFs) had been included in the Senate's version of the budget plan, but the joint Budget Conference Committee removed the \$32 million appropriation. CSAC will continue to work with other stakeholders to mitigate the significant impacts for rural and urban DP/SNF facilities as the Legislative session continues.

HOUSING, LAND USE AND TRANSPORTATION

Funding for Grants for Local Coastal Programs

Through AB 110, the main Budget Bill, the Legislature provided \$3 million in additional funding to the California Coastal Commission (Commission) for purposes of grants to counties and cities to develop Local Coastal Programs and for Commission staff to support Local Coastal Program efforts.

Transportation Funding

The final 2013-14 state budget did not differ from the Governor's May Revision with respect to transportation funds for counties. Except for the on-going diversion of new Highway User Tax Account (HUTA) revenues related to Off-Highway Vehicles (OHVs) for General Fund purposes, HUTA revenues are fully funded in 2013-14. CSAC is still exploring coalition efforts to sunset the share of new HUTA revenue related to OHVs back to transportation purposes so as to uphold the fundamental promise made in the Transportation Tax Swap.

Transportation Bond Debt Service

AB 85, the Transportation Trailer Bill, included the Governor's proposal to create an Enhanced Transportation Bond structure. The new program would authorize the direct payment of transportation general obligation (GO) bond debt service from truck weight fees. Currently, truck weight fees are used to backfill the General Fund for GO bond debt service. The result of the new program should be a higher credit rating and better financing for existing transportation bond debt.

The final state budget also transfers \$67 million in special fund revenue to offset the cost of transportation bond debt service. This continues the policy from previous budgets to transfer a portion of State Highway Account revenues generated from sources other than excise taxes (sale of surplus property, rental income, etc.) for this

purpose. The Legislature-approved state budget makes this transfer on a permanent basis (anticipated General Fund savings of \$60 million annually in future fiscal years).

Active Transportation Program

The Legislature did not adopt the Administration’s proposal to consolidate five different state and federal programs that fund bicycle, pedestrian, and mitigation projects into one new program for Active Transportation.

Strategic Growth Council

The General Government Trailer Bill (AB 76) would add the Secretary of the Business, Consumer Services, and Housing Agency to the Strategic Growth Council. With the Governor’s Reorganization Plan taking effect on July 1, 2013, California’s housing entities will no longer be represented on the Council without action by the Legislature and Governor.

STAY TUNED FOR THE NEXT BUDGET ACTION BULLETIN!

If you would like to receive the Budget Action Bulletin electronically, please e-mail Stanicia Boatner, CSAC Senior Legislative Assistant at sboatner@counties.org. We’re happy to accommodate you!

ACTION



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Public Works - Engineering Division
ADDITIONAL DEPARTMENTS	Facilities		
TIME REQUIRED	20 minutes	PERSONS APPEARING BEFORE THE BOARD	Vianey White
SUBJECT	Memorial Hall Remodel Fund		

AGENDA DESCRIPTION:

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

In March, 2008, during mid-year budget, the Board allocated \$75,000 for improvements at Memorial Hall. Some of these funds were spent for small projects. During the mid-year review in February 2010, the remaining balance was \$72,663.66, and the Board authorized \$20,000 of this to be used for design for the ADA project. Since then, \$17,553.38 has been spent on preliminary design, bringing the balance down to \$55,110.28. Staff received a cost estimate of \$45,000 from Pressey & Associates to complete the plans for construction. Staff is requesting authorization to expend \$55,000 of these funds to complete the remodel plans for construction, including \$10,000 contingency to cover any unforeseen design changes, such as structural upgrades to the building. Balance remaining will be \$110.28. The construction costs for this project will be funded by CSA #5.

RECOMMENDED ACTION:

Approve the request to expend \$55,000 to complete the Memorial Hall remodel plans for construction. Provide any desired direction to staff.

FISCAL IMPACT:

\$55,000 of the Memorial Hall Remodel Fund.

CONTACT NAME: Vianey White

PHONE/EMAIL: 760-932-5446 / vwhite@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

 [Memorial Hall Remodel Fund BOS Staff Report](#)

History

Time	Who	Approval
6/19/2013 12:27 PM	County Administrative Office	Yes
6/26/2013 11:13 AM	County Counsel	Yes
6/13/2013 4:27 PM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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

Date: July 2, 2013
To: Honorable Chair and Members of the Board of Supervisors
From: Vianey White, Project Manager
Re: Memorial Hall Remodel Fund

Recommended Action:

Approve the request to expend \$55,000 to complete the Memorial Hall remodel plans for construction. Provide any desired direction to staff.

Fiscal Impact:

\$55,000 of the Memorial Hall Remodel Fund.

Background:

In March, 2008, during mid-year budget, the Board allocated \$75,000 for improvements at Memorial Hall. Some of these funds were spent for small projects. During the mid-year review in February 2010, the remaining balance was \$72,663.66, and the Board authorized \$20,000 of this to be used for design for the ADA project. Since then, \$17,553.38 has been spent on preliminary design, bringing the balance down to \$55,110.28. Staff received a cost estimate of \$45,000 from Pressey & Associates to complete the plans for construction. Staff is requesting authorization to expend \$55,000 of these funds to complete the remodel plans for construction, including \$10,000 contingency to cover any unforeseen design changes, such as structural upgrades to the building. Balance remaining will be \$110.28. The construction costs for this project will be funded by CSA #5.

Please contact me at 760.932.5446 or by email at vwhite@mono.ca.gov with any questions regarding this matter.

Respectfully submitted,

Vianey White
Project Manager



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

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	County Counsel
ADDITIONAL DEPARTMENTS			
TIME REQUIRED	15 minutes	PERSONS APPEARING BEFORE THE BOARD	Marshall Rudolph
SUBJECT	Vallejo Contract Amendment (Promotion)		

AGENDA DESCRIPTION:

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

Proposed resolution approving an agreement and first amendment to the agreement regarding employment of John Vallejo and an amendment to the list of allocated positions. The amendment would promote Mr. Vallejo from Deputy County Counsel I to Deputy County Counsel II, and would update the County's list of allocated positions to reflect that promotion.

RECOMMENDED ACTION:

Adopt proposed Resolution R13-___, a resolution of the Mono County Board of Supervisors approving an agreement and first amendment to the agreement re employment of John Vallejo and an amendment to the list of allocated positions.

FISCAL IMPACT:

The promotion would increase Mr. Vallejo's base salary increase by \$596 per month (\$7,152 per year) and, by extension, would result in a small increase in the County's cost of any other compensation and benefits received by Mr. Vallejo that are linked to base salary (e.g., CalPERS, performance pay, and 401(a) contributions).

LUNCH

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.)

CONTACT NAME: Marshall Rudolph

PHONE/EMAIL: (760) 924-1707 / mrudolph@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

- [Vallejo staff](#)
 - [coco job des](#)
 - [vallejo resolution](#)
 - [vallejo contract amendment](#)
-

History

Time	Who	Approval
6/26/2013 2:44 PM	County Administrative Office	Yes
6/26/2013 12:32 PM	County Counsel	Yes
6/26/2013 4:21 PM	Finance	Yes

County Counsel
Marshall Rudolph

Assistant County Counsel
Stacey Simon

Deputy County Counsels
John-Carl Vallejo

**OFFICE OF THE
COUNTY COUNSEL**

Mono County
South County Offices
P.O. BOX 2415

MAMMOTH LAKES, CALIFORNIA 93546

Telephone
760-924-1700
Facsimile
760-924-1701

Legal Assistant
Jennifer Senior

TO: Board of Supervisors

FROM: Marshall Rudolph

DATE: July 2, 2013

RE: Proposed Resolution Amending the Agreement re Employment of John Vallejo and amending the County's List of Allocated Positions

Recommendation:

Adopt proposed resolution.

Fiscal/Mandates Impact:

The promotion would increase Mr. Vallejo's base salary by \$596 per month (\$7,152 per year) and, by extension, would result in a small increase in the County's cost of any benefits linked to base salary (e.g., CalPERS, performance pay, or 401(a) contributions).

Discussion:

The proposed resolution would effectuate a promotion of John-Carl Vallejo from Deputy County Counsel I to Deputy County Counsel II, effective July 2, 2013. Mr. Vallejo has been employed by the County as a Deputy County Counsel I since December of 2010. Deputy County Counsel I is the entry level of the County's classification series for deputy/assistant county counsels. The other two levels in the series are Deputy County Counsel II and Assistant County Counsel. See enclosed job description.

An attorney is eligible to be hired or promoted to the level of Deputy County Counsel II if they possess at least two years of experience in the practice of public law comparable to that of a Deputy County Counsel I with Mono County. Accordingly, Mr. Vallejo became eligible for such a promotion in December of 2012. He is well-qualified for the promotion and, in fact, has already been performing at the Deputy II level since well before December of 2012. My original intention was to bring that promotion forward as

a policy request to the Board through the budget process for fiscal year 2013-14. But circumstances have changed due to the unexpected resignation of another deputy county counsel in May, which created a vacancy for which we're actively recruiting at all three levels (deputy I/II/assistant) and expect to be interviewing soon. I believe such circumstances justify consideration of Mr. Vallejo's promotion ahead of the budget process.

In my opinion, if the County is willing to hire a new attorney at the deputy II or assistant level ahead of the budget process, then it should also be willing to promote an existing attorney who is qualified for the deputy II level ahead of the budget process. Otherwise, the hypothetical new attorney will in effect be able to leapfrog ahead of the existing attorney, even assuming that the Board were ultimately to approve the existing attorney's promotion. I recognize that the difference in time between those events may only be a couple of months; nevertheless, I think the sequence of those events matters and the most appropriate sequence is to promote an existing employee to the higher level for which they're qualified before hiring a new employee at that same level.

I understand that any time the Board grants an exception to the budget process (or any other standard procedure), a legitimate concern arises of whether there could be numerous other exception requests that the Board would feel obliged to consider or grant. But I surmise that this particular situation is distinguishable from other, more typical promotion situations (which would presumably be akin to the request I was prepared to bring to the Board during the budget process before the unexpected vacancy occurred). If there actually were another department with exactly the same situation - where a recruitment was ongoing to fill a vacancy at a position level that an existing employee was already eligible to be promoted to - then it would seemingly be reasonable to grant the same exception to the budget process for that other department as well.

I appreciate your consideration of this request. Please let me know if you have any questions or comments.

Encl.

MONO COUNTY
BARGAINING UNIT: MGMT. COUNCIL
FLSA Exempt
Serves "At Will" Under Negotiated Employment Agreement

June 1999

**DEPUTY COUNTY COUNSEL I
DEPUTY COUNTY COUNSEL II
ASSISTANT COUNTY COUNSEL
(Series Specification)**

DEFINITION

Under the general supervision of the County Counsel, to provide a variety of professional legal services to the County through the County Counsel's Office; to assume responsibility for the department in the absence of the County Counsel; and to do other related work as required. This position serves at the will and pleasure of the County Counsel.

REPORTS TO

County Counsel

EXAMPLES OF DUTIES

All Three Classes:

Researches and writes legal opinions for the Board of Supervisors and County departments; confers with, represents, and advises County officials, boards, commissions, departments, and special districts on legal matters; prepares drafts of contracts, notices, ordinances, resolutions, and other legal documents; prosecutes and defends litigation and other proceedings by and against the County and certain public officials and agencies; prepares and conducts proceedings for the acquisition of lands by condemnation or purchase for local governmental agencies; and assists in preparing the departmental budget. Acts as County Counsel in County Counsel's absence.

TYPICAL PHYSICAL REQUIREMENTS

Sit for extended periods; frequently stand and walk; normal manual dexterity and eye-hand coordination; corrected hearing and vision to normal range; verbal communication; use of office equipment including computers, telephones, calculators, copiers, and FAX.

[Handwritten mark]

TYPICAL WORKING CONDITIONS

Work is performed primarily in office and courtroom environments; frequent contact with staff and the public.

DESIRABLE QUALIFICATIONS

Knowledge of:

Deputy County Counsel I:

- ✓ General knowledge of the principles of civil, constitutional, and administrative law, and specific laws governing and affecting County operations.
- ✓ General knowledge of judicial procedures and the rules of evidence.
- ✓ General knowledge of the principles, methods, materials and practices of legal research and writing.

Deputy County Counsel II: All of the above, plus:

- ✓ Increasing knowledge of the principles of civil, constitutional, and administrative law, and specific laws governing and affecting County operations.
- ✓ Increasing knowledge of judicial procedures and the rules of evidence.
- ✓ Increasing knowledge of the principles, methods, materials and practices of legal research and writing.

Assistant County Counsel: All of the above, plus:

- ✓ Broader knowledge and mastery of laws governing and affecting County operations.

and

Ability to:

All Three Levels:

- ✓ Research, analyze, and apply legal principles, facts, evidence, and precedents to legal problems.
- ✓ Analyze and appraise a variety of legal documents and instruments.
- ✓ Draft legal documents such as ordinances, resolutions, statutes and contracts.
- ✓ Present statements of fact, law, and argument clearly and logically, in written and oral form.
- ✓ Establish and maintain effective working relationships with County and governmental officials and the general public

and

Training and Experience:

Any combination of training and experience which would provide the required knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities might be:

All Three Classes:

Graduation from an accredited school of law.

and

Deputy County Counsel I:

No experience required.

Deputy County Counsel II:

Two (2) years of experience in the practice of public law comparable to that of a Deputy County Counsel I with Mono County.

Assistant County Counsel:

Three (3) years of experience in the practice of public law comparable to that of a Deputy County Counsel II with Mono County.

Special Requirements:

- Active membership in the State Bar of California
- Possession of a valid California Driver's License

This job specification should not be construed to imply that these requirements are the exclusive standards of the position. Not all duties are necessarily performed by each incumbent. Additionally, incumbents will be required to follow instructions and to perform other job related duties as may be required.

Revised 6/99





RESOLUTION NO. R13-

A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS APPROVING AN AGREEMENT AND FIRST AMENDMENT TO AGREEMENT RE EMPLOYMENT OF JOHN VALLEJO AND AN AMENDMENT TO THE LIST OF ALLOCATED POSITIONS

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

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

Section 1: The Agreement and First Amendment to Agreement re Employment of John Vallejo, a copy of which is attached hereto as an exhibit and incorporated herein by this reference as though fully set forth, is hereby approved and the compensation, appointment, and other terms and conditions of employment set forth in that amended Agreement are hereby prescribed and shall govern the employment of Mr. Vallejo. The Chairman of the Board of Supervisors shall execute said Agreement on behalf of the County.

Section 2: The County Administrative Officer shall amend the County of Mono List of Allocated Positions to reflect the following change: one of the Deputy County Counsel I positions currently allocated to the County Counsel Department shall be replaced by one Deputy County Counsel II position, which is hereby allocated.

PASSED AND ADOPTED this ____ day of _____, 2013, by the following vote:

AYES :
NOES :
ABSTAIN :
ABSENT :

ATTEST: Clerk of the Board

Byng Hunt, Chair
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL

**AGREEMENT AND FIRST AMENDMENT TO
AGREEMENT RE EMPLOYMENT
OF JOHN VALLEJO**

This Agreement and First Amendment is entered into this 2nd day of July, 2013, by and between John-Carl Vallejo and the County of Mono (sometimes referred to herein collectively as "the parties") for the purpose of amending that certain Agreement re Employment of John Vallejo.

I. RECITALS

- A. The County currently employs John-Carl Vallejo in accordance with an employment agreement entered into on or about December 7, 2010 (sometimes referred to herein as "the Agreement").
- B. The parties wish to amend the Agreement to effectuate a change in Mr. Vallejo's employment position and compensation.

II. AGREEMENT

NOW, THEREFORE, the parties agree as follows:

- 1. Effective July 2, 2012, Mr. Vallejo's employment position is changed to "Deputy County Counsel II" and all references in the Agreement to Mr. Vallejo's former job title as "Deputy County Counsel I" are hereby amended to instead read "Deputy County Counsel II."
- 2. The first sentence of Section 3 of the Agreement is amended to read as follows: "Effective July 2, 2013, Mr. Vallejo's base salary shall be \$8,336 per month." Mr. Vallejo shall also continue to receive any temporary performance pay (merit pay) awarded by the County Counsel, calculated using the new base salary. Any other benefits received by Mr. Vallejo that are calculated using base salary (e.g., CalPERS and 401(a) contributions) shall be adjusted accordingly.
- 3. All other provisions of the Agreement not hereby amended shall remain in full force and effect.

III. EXECUTION:

The parties hereby execute this Agreement as of the date first written above.

///
///
///

JOHN-CARL VALLEJO

THE COUNTY OF MONO

By: Byng Hunt, Chair
Board of Supervisors

APPROVED AS TO FORM:

County Counsel



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Board of Supervisors
ADDITIONAL DEPARTMENTS			
TIME REQUIRED	5 minutes	PERSONS APPEARING BEFORE THE BOARD	Byng Hunt, Chair
SUBJECT	Resolution Recognizing Nancy Boardman for her Years of Service with Mono County		

AGENDA DESCRIPTION:

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

Resolution of Appreciation recognizing Nancy Boardman for her years of service with Mono County.

RECOMMENDED ACTION:

Approve proposed resolution.

FISCAL IMPACT:

None.

CONTACT NAME: Shannon Kendall

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

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Boardman Resolution](#)

History

Time

Who

Approval

6/19/2013 10:52 AM	County Administrative Office	Yes
6/26/2013 12:31 PM	County Counsel	Yes
6/13/2013 4:23 PM	Finance	Yes

**RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF MONO
IN APPRECIATION OF NANCY BOARDMAN**

WHEREAS, Nancy Boardman moved from Dana Point, California, to the beautiful Sierras in October of 1980 with her family, consisting of her husband Rich and her two children Chad and Dawn; and

WHEREAS, Mono County first employed Nancy as a Public Health Clinical Assistant in that same October, and she was subsequently promoted to Public Health Aid, which included working directly with the Animal Control Department; and

WHEREAS, Nancy's title continued to change as she was promoted to Senior Administrative Clerk and Animal Control Supervisor/Environmental Health Clerk; and

WHEREAS, a short time later, Nancy was handed a box with all the documents left for the almost disbanded Animal Control Department and told to "see what she could do with the department", and was then given the titles Animal Control Coordinator, Animal Control Program Manager and finally, Animal Control Director in the year 2000; and

WHEREAS, Nancy went to work building the Animal Control Department by hiring one Animal Control Officer and developing policies and procedures from scratch based on State Mandates; and

WHEREAS, her knowledge, personnel, and compassion have grown along with her dream of what the department *should* and *would* become; and

WHEREAS, Nancy has added staff to ensure safety through better patrol and response time, has created very successful low-cost vaccination and licensing clinics, and has increased outreach programs and web pages to showcase information about Animal Control and animals available for adoption; and

WHEREAS, Nancy has been instrumental in many, many accomplishments over the years in the Animal Control Department, developing the Animal Control Motto, "Treat every person as we wish to be treated and treat every animal that we care for as if it were our own".

NOW, THEREFORE BE IT RESOLVED, the Mono County Board of Supervisors and the Animal Control Department, hereby extend a most sincere "THANK YOU" in appreciation for Nancy's many years of dedicated service; and

BE IT FURTHER RESOLVED, Nancy Boardman is hereby extended our best wishes as she moves into the next chapter of her life, and congratulations and best wishes in retirement. APPROVED AND ADOPTED this 2nd day of July, 2013, by the Mono County Board of Supervisors.

Larry Johnston, Supervisor District #1

Fred Stump, Supervisor District #2

Tim Alpers, Supervisor District #3

Timothy Fesko, Supervisor District #4

Byng Hunt, Supervisor District #5



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Board of Supervisors
ADDITIONAL DEPARTMENTS			
TIME REQUIRED	5 minutes	PERSONS APPEARING BEFORE THE BOARD	Byng Hunt, Chair
SUBJECT	Resolution Recognizing Paula Proctor for her Years of Service with Mono County		

AGENDA DESCRIPTION:

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

Resolution of Appreciation recognizing Paula Proctor for her years of service with Mono County.

RECOMMENDED ACTION:

Approve proposed resolution.

FISCAL IMPACT:

None.

CONTACT NAME: Shannon Kendall

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

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Proctor Resolution](#)

History

Time

Who

Approval

6/19/2013 10:52 AM	County Administrative Office	Yes
6/26/2013 11:12 AM	County Counsel	Yes
6/13/2013 4:24 PM	Finance	Yes

**RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF MONO
IN APPRECIATION OF PAULA PROCTOR**

WHEREAS, Paula Proctor began her career at Mono County in February of 1991 as an Eligibility Worker in Social Services helping families throughout Mono County; and

WHEREAS, Paula has also worked as an Administrative Assistant in the Sheriff's Office and as a Fiscal & Technical Specialist in the County Administrative Office; and

WHEREAS, Paula currently works as a Fiscal & Technical Specialist IV in the Probation Office; and

WHEREAS, Paula has given countless hours to ensure efficiency and service delivery to the citizens of Mono County; and

WHEREAS, Paula could be depended upon to bring a positive word to any situation, and clients all enjoyed her company.

NOW, THEREFORE BE IT RESOLVED, the Mono County Board of Supervisors and the Mono County Probation Department, hereby extend a most sincere "THANK YOU" in appreciation for Paula's many years of dedicated service.

BE IT FURTHER RESOLVED, Paula Proctor is hereby extended our best wishes as she moves into the next chapter of her life and congratulations and best wishes in retirement. APPROVED AND ADOPTED this 2nd day of July, 2013, by the Mono County Board of Supervisors.

Larry Johnston, Supervisor District #1

Fred Stump, Supervisor District #2

Tim Alpers, Supervisor District #3

Timothy Fesko, Supervisor District #4

Byng Hunt, Supervisor District #5



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE	July 2, 2013	DEPARTMENT	Board of Supervisors
ADDITIONAL DEPARTMENTS			
TIME REQUIRED	1 hour	PERSONS APPEARING BEFORE THE BOARD	Supervisor Alpers
SUBJECT	Letter regarding Mammoth Mountain and June Mountain Ski Areas		

AGENDA DESCRIPTION:

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

Letter from the Board of Supervisors addressed to Mono County Congressional Delegation in Washington, D.C., regarding a comprehensive package of policies and actions supporting the future success of the Mammoth Mountain and June Mountain Ski Areas, and the recreation corridor.

RECOMMENDED ACTION:

Approve the letter addressed to Mono County's Congressional Delegation in Washington, D.C., as revised by the Board of Supervisors at their regular meeting of June 18, 2013, along with the accompanying cover letter, pertaining to the future success of the Mammoth Mountain and June Mountain Ski Areas, and the recreation corridor.

FISCAL IMPACT:

None.

CONTACT NAME: Lynda Roberts

PHONE/EMAIL: 760-932-5538 / lroberts@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[MMSA,JMSA CAO cover letter](#)

History

Time	Who	Approval
6/24/2013 8:12 AM	County Administrative Office	Yes
6/26/2013 11:15 AM	County Counsel	Yes
6/24/2013 4:58 PM	Finance	Yes



COUNTY OF MONO

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

Jim Leddy
County Administrative Officer

July 2, 2013

The Honorable Paul Cook
United States House of Representatives
1222 Longworth House Office Building
Washington, DC 20515

Dear Representative Cook:

Thank you for your interest in the Mammoth Mountain and June Lake ski areas. The enclosed Board of Supervisors' letter reflects the County's commitment to comprehensive long term strategic planning and ongoing support for and concerted efforts to strengthen the economy of Mono County while preserving the incredibly unique quality of life the region possesses.

The Board has worked diligently with community stakeholders to provide a detailed set of efforts to advance a common vision for a recreational corridor area. The Board's letter details those efforts and is the culmination of an extensive public engagement process. The letter balances community considerations with the Board's unwavering commitment to improving the economy. I strongly urge you to review their letter.

The Mono County Board of Supervisors wants to be clear in its endorsement of H.R. 1241 (previously H.R. 2157 - McKeon), an act to facilitate a land exchange at the base of Mammoth Mountain Ski Area. Successful completion of the land exchange requires this facilitating legislation. Carrying out the trade and allowing MMSA to own 21 acres under its base facilities as private land will make it possible for MMSA to finance the complete revitalization of the facilities, resulting in improved guest service, better amenities and renewed accommodations. From construction to on-going operations, the exchange will have substantial beneficial economic effects on the entire Eastern Sierra region, including increased property tax and transient occupancy tax revenues, increased regional visitation, and direct and indirect job creation. In the larger context of the regional recreation corridor, the exchange is at the center of a regional growth strategy, and is therefore essential to Mono County's ability to position itself for future prosperity.

We thank you for your consideration. Please let us know what additional information we can provide in order to gain your support for the Board's efforts on behalf of Mono County.

Sincerely,

Jim Leddy
County Administrative Officer
Mono County

Enclosure: July 2, 2013 Mono County Board of Supervisors Letter

CC: Senator Dianne Feinstein
Senator Barbara Boxer
Congressman Buck McKeon



Larry Johnston ~ District One Fred Stump ~ District Two Tim Alpers ~ District Three
Tim Fesko ~ District Four Byng Hunt ~ District Five

BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517

(760) 932-5538 • FAX (760) 932-5531

Lynda Roberts, Clerk of the Board

July 2, 2013

The Honorable Paul Cook
United States House of Representatives
1222 Longworth House Office Building
Washington, DC 20515

Dear Representative Cook:

The Mono County Board of Supervisors appreciates your continued interest and inquiries regarding the current condition and future success of Mammoth Mountain Ski Area, June Mountain Ski Area, and their respective communities. As you are aware, there has been much discussion locally and in the media regarding the reopening of June Mountain Ski Area, and upgrades to the base area of the Mammoth Mountain Ski Area. Our Board has held several public hearings to receive input and consider constituent views on these matters. It is the desire of this Board to move forward and initiate policies and actions, in conjunction with stakeholders, to develop the Mammoth-June area into an all-inclusive premier year round recreation corridor. Acknowledging the issues in this regional corridor, we wish to go forward from this point with a comprehensive package including support for the following:

1. Mammoth Mountain Ski Area's plan, including 2013 opening and infrastructure improvement projected timeline, to create a family-friendly ski resort at June Mountain which includes replacing the J-1 access chairlift, installing snowmaking, adding family amenities such as day care and animation, enhanced marketing programs, and assisting in discussions regarding responsibly adding hotel room equivalents to the community. Mono County stands ready to designate necessary staff time to assist in implementing the plan to continue operating June Mountain Ski Area in a sustainable way. Reaching the full potential of the recreation corridor depends on the success of both ski areas. Our board intends to communicate regularly with MMSA/JMSA management, staff, and the United States Forest Service to monitor progress toward our common goal. Specificity regarding June Mountain improvements, timing, and permitting will be approved by the USFS through the June Mountain Operating Plan and Master Development Plan.
2. Mammoth Mountain Ski Area's plan for a land exchange at the Mammoth Mountain Main Lodge area as part of the year round recreation corridor vision and regional economic sustainability. Included in the exchange are sensitive private land holdings located within the Mono Basin National Scenic Area, the first National Scenic Area established by Congress. These lands are better suited for resource management under the US Forest Service and are consistent with policies found in the Mono County General Plan. By contrast, the land at the base of Mammoth Mountain that will pass into private hands has been developed and heavily disturbed for over 50 years.

3. Examine either County acquisition of the June Lake Rodeo Grounds property or identification of a willing developer to assist with an environmentally- and community-compatible bed-base development that will ensure the long term success and sustainability of the June Mountain Ski Area and the June Lake community. This would include consideration of a land trade at the base of the June Mountain Ski Area.
4. Promote a working partner relationship between Mammoth/June Mountain Ski Area management, Mammoth Lakes Tourism Department, and the June Lake community.
5. Continuing to build upon June Lake marketing strategies developed by the community this past year which included the creation of several new special events.
6. Building upon other community and County efforts such as:
 - a. Continue the efforts to obtain permission from the US Forest Service and private land owners to create new Nordic Ski Areas in the June Lake Loop area on both public and private lands.
 - b. Modifying the Mono County General Plan to create environmentally consistent, business friendly regulations to assist in the creation of economic activity. An example of this is the recently incorporated provision changes allowing area appropriate rental of single family homes on a transient, less than 30 days, basis.
 - c. Development of a US Forest Service/Mono County agreement for environmental studies to support continued expansion of June Lake Community Trails.
 - d. Completion of community Infrastructure Improvements including upcoming State funded June Lake Village street refurbishments which include family-friendly features for pedestrian, cycling, transit, snow removal, and drainage.
 - e. Facilitation of High Speed Internet availability through active County involvement in both the Digital 395 project and funding a County Staff position devoted to last mile provider promotion to make this service available to the public.
 - f. Continuing County support for wildland fuel reduction projects to create Fire Resistant Communities.
 - g. Continue active County support for and expansion of Public Transportation through the Mono County Local Transportation Commission and the Eastern Sierra Transit Authority with continued support of regional, rather than just County specific, projects.
 - h. Position the County to take advantage of grant funding specific to Business Development through CDBG and USDA sources.
 - i. County consideration of continued support for Air Service to the Mammoth-June recreation corridor as visitation to June Lake and other County communities increases, and to improve the quality of life for residents.

- j. Perpetuate the Eastern Sierra Sport Fishing Industry by developing the County-owned Conway Ranch into a self-contained, multi-strained, trophy trout farm.
- k. County support of local leadership and participation via monthly meetings of the June Lake Citizens Advisory Committee, the June Lake Chamber of Commerce, the Mammoth Mountain/June Mountain Ski Area management staff, and the US Forest Service (when necessary) to sustain momentum of new and existing programs through Coordinated Strategic Planning.

These separate efforts, taken together, will advance our new common vision for the corridor. We hope that you and your capable staff will join the community of June Lake, Mammoth Mountain Ski area, Mono County, the Town of Mammoth Lakes, the US Forest Service, the June Lake Citizens Advisory Committee, the June Lake Chamber of Commerce, and all other stakeholders in closely monitoring multi-tracked, simultaneous progress to ensure continued development of a premier, all season mountain recreation and tourism region.

Sincerely,
Mono County Board of Supervisors

Byng Hunt, Chair, District 5 Supervisor

Tim Alpers, District 3 Supervisor

Larry Johnston, District 1 Supervisor

Fred Stump, District 2 Supervisor

Timothy Fesko, District 4 Supervisor

Cc: Senator Barbara Boxer
Senator Dianne Feinstein
Congressman Buck McKeon