



# AGENDA

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

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

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

### Regular Meeting October 4, 2016

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**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](http://www.monocounty.ca.gov). If you would like to receive an automatic copy of this agenda by email, please send your request to Bob Musil, Clerk of the Board: [bmusil@mono.ca.gov](mailto:bmusil@mono.ca.gov).

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

9:00 AM Call meeting to Order

Pledge of Allegiance

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

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business)

and number of persons wishing to address the Board.)

**2. APPROVAL OF MINUTES**

**A. Board Minutes**

Departments: Clerk of the Board

Approve Minutes of the Regular Meeting held on September 13, 2016.

**B. Board Minutes**

Departments: Clerk of the Board

Approve Minutes of the Regular Meeting held on September 20, 2016.

**3. RECOGNITIONS**

**A. Domestic Violence Awareness Month**

Departments: Clerk of the Board

(Susi Bains, Wild Iris Director) - Proclamation designating October 2016 as Domestic Violence Awareness Month.

**Recommended Action:** Approve Proclamation designating October 2016 as Domestic Violence Awareness Month.

**Fiscal Impact:** None.

**B. Resolution of Appreciation for Ed Parkinson, Sr.**

Departments: Clerk of the Board

A Resolution of Appreciation recognizing Ed Parkinson, Sr, a resident of Benton.

**Recommended Action:** Approve Resolution of Appreciation recognizing Ed Parkinson, Sr.

**Fiscal Impact:** None.

**4. BOARD MEMBER REPORTS**

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

**5. COUNTY ADMINISTRATIVE OFFICE**

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

**6. DEPARTMENT/COMMISSION REPORTS**

**7. CONSENT AGENDA - NONE**

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

**8. CORRESPONDENCE RECEIVED**

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

**A. Opinion Letter re: Wildlife Services (a subdivision of the Dept of Agriculture) Predator Control Program**

Opinion letter from the New York Times regarding Wildlife Services' predator control program submitted by Supervisor Larry Johnston.

**9. REGULAR AGENDA - MORNING**

**A. Ormat Presentation Regarding Local Geothermal Development**

Departments: Board of Supervisors

45 minutes (30 minute presentation; 15 minute discussion)

(Mark Hanneman, Janice Lopeman and Steve Henricksen) - Presentation by Ormat regarding local geothermal development (requested by Chairman Stump)

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

**Fiscal Impact:** None at this time

**B. Long Valley Hydrological Advisory Committee Report**

Departments: Community Development

20 minutes (10 minute presentation; 10 minute discussion)

(Nick Criss) - Presentation by Nick Criss updating the Board of Supervisors on the August 10, 2016 Long Valley Hydrological Advisory Committee meeting.

**Recommended Action:** Receive update; and provide any desired direction to staff.

**Fiscal Impact:** No fiscal impact to Mono County

**C. SCE Grant Easement Request**

Departments: Public Works - Road

10 minutes (5 minute presentation; 5 minute discussion)

(Jeff Walters) - Southern California Edison (SCE) is requesting a grant of easement to install approximately 25 feet of new underground conduit to two existing utility

poles along a county owned dirt road near the Mill Creek Powerhouse.

**Recommended Action:** Authorize the Public Works Director, in consultation with County Counsel, to sign the easement request paperwork. Provide any desired direction to staff.

**Fiscal Impact:** \$1,000 in compensation for the easement.

**D. Appointment to Assessment Appeals Board**

Departments: Clerk of the Board of Supervisors

15 minutes (5 minute presentation; 10 minute discussion)

(Bob Musil) - Discussion and possible appointment of Jeff Mills as an alternate member of the Assessment Appeals Board.

**Recommended Action:** Consider and potentially appoint Jeff Mills to serve as an alternate member of the Assessment Appeals Board; provide any desired direction to staff.

**Fiscal Impact:** None. The Assessment Appeals Board is fully funded in the 2016/2017 budget.

**E. Planning Commission Meeting Schedule Change**

Departments: Community Development

10 minutes (5 minute presentation; 5 minute discussion)

(Scott Burns) - Consider changing planning commission regular meeting time from the second Thursday to the third Thursday of each month.

**Recommended Action:** 1. Introduce, read title, and waive further reading of proposed ordinance amending section 2.36.040 A of the Mono County Code, pertaining to regular meetings of the planning commission; and 2. Provide any desired direction to staff.

**Fiscal Impact:** No fiscal impact.

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

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

**11. CLOSED SESSION**

**A. Closed Session--Human Resources**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, and Dave Butters. Employee Organization(s): Mono County Sheriff's Officers

Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

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

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

**C. Closed Session - Performance Evaluation - CAO**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: CAO.

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

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

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

**13. REGULAR AGENDA - AFTERNOON**

**A. Transient Rental Neighborhood Designation Process**

Departments: Community Development and Board of Supervisors  
90 minutes (30 minute presentation; 60 minute discussion)

(Supervisor Johnston, Nick Criss) - Supervisor Johnston's Transient Rental Designation Process Proposal

**Recommended Action:** Direct that Supervisors Johnston's proposal be presented to and considered by the Planning Commission and Board of Supervisors during upcoming public hearings on the matter; and provide any desired direction to staff.

**Fiscal Impact:** No fiscal impact.

**ADJOURN**



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE**    October 4, 2016

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT**            Board Minutes

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### AGENDA DESCRIPTION:

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

Approve Minutes of the Regular Meeting held on September 13, 2016.

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### RECOMMENDED ACTION:

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### FISCAL IMPACT:

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**CONTACT NAME:** Helen Nunn

**PHONE/EMAIL:** x5534 / hnunn@mono.ca.gov

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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:

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### MINUTE ORDER REQUESTED:

YES  NO

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### ATTACHMENTS:

Click to download

[Draft minutes 9-13-16](#)

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### History

Time	Who	Approval
9/28/2016 5:42 PM	County Administrative Office	Yes
9/28/2016 10:36 AM	County Counsel	Yes
9/28/2016 8:46 PM	Finance	Yes



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

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

**Regular Meeting  
September 13, 2016**

<b>Flash Drive</b>	#1004
<b>Minute Orders</b>	M16-186 to M16-195
<b>Resolutions</b>	R16-65 to R16-70
<b>Ordinance</b>	ORD16-07

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

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

*Break: 10:12 a.m.  
Reconvene: 10:24 a.m.  
Break: 11:55 a.m.  
Reconvene: 12:06 p.m.  
Break: 1:20 p.m.  
Reconvene: 1:27 p.m.  
Closed Session: 3:45 p.m.  
Adjourn: 4:15 p.m.*

**The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link:**  
<http://www.monocounty.ca.gov/meetings>

Pledge of Allegiance led by Pam Haas-Duhart

Chairman Stump called for a moment of silence to honor the victims of September 11.

**Note**

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

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

### **Peter Treadwell:**

- Resident of Swauger Creek area, presented a packet to the Board regarding logging activities in the Devil's Gate/ Swauger area.

### **Pam Haas-Duhart:**

- Read from a report she previously filed with the County of Mono.

Board direction to CAO to touch base with Pam Haas-Duhart and Scott Burns.

### **John Peters:**

- Follow up to the previous speakers, he spoke with Pete Treadwell and Scott Burns on this recently, Scott is aware of the recent concerns over this.

## 2. APPROVAL OF MINUTES

### A. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on August 9, 2016, as corrected.

**Johnston moved; Fesko seconded**

**Vote: 5 yes; 0 no**

#### **M16-186**

##### **Supervisor Corless:**

- Page 4, spelling correction of Margy Verba's name.

##### **Supervisor Johnston:**

- Page 5, in his comments, last part of third line, should state: "A commenter wrote in a letter that OHV doesn't allow the rider to hear the birds or silence."  
Next bullet, "Caring" should be "carrying" capacity.  
Next bullet should read, "We need to take a strong stand on the areas that are needed for wilderness."

### B. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Special Meeting held on August 11, 2016.

**Fesko moved; Corless seconded**

**Vote: 5 yes; 0 no**

#### **M16-187**

### C. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on August 16, 2016, as corrected.

**Johnston moved; Corless seconded**

**Vote: 5 yes; 0 no**

#### **M16-188**

#### **Note**

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



**Supervisor Stump:**

- Page 3, his comment should say "Told Steve Kerins, Deputy County Counsel, that the letter was well written".
- Page 6, second bullet point should be corrected to "Southern Mono Health Care District".

**D. Board Minutes**

Departments: Clerk of the Board

Approve minutes of the Special Meeting held on August 23, 2016, as corrected.

**Alpers moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M16-189**

**Supervisor Johnston:**

- Page 2 under Wendy Sugimura, 1st bullet, should be bike "pedal" not "spark".

3. RECOGNITIONS - NONE

4. **BOARD MEMBER REPORTS**

**Supervisor Alpers:**

- 9/8 - Attended a Mono County Team conference call meeting with SCE identifying some positive steps to begin to resolve the power line issues from Lundy power plant to the community of Lee Vining. In attendance were Leslie Chapman, Stacey Simon, Fred Stump, Bartshe Miller (MBRPAC), John Ljung (Mono City resident) and Adrienne Ratner representing Mono County. Representing SCE were Rudy Gonzales, Jon Lum, Gary Trumbo and Alex Aguilar. Meeting highlights included:
  - Completion by SCE of a power line patrol and a forthcoming maintenance plan.
  - Changing of annual line inspection to June.
  - A community/County field trip sponsored by SCE -Mono County will work with BLM, USFS and other agencies to help SCE secure necessary permits to make line improvements.
  - SCE will attend the 10/12 MBRPAC meeting to inform and discuss with local citizens SCE's plans to secure the safety of its transmission infrastructure.
  - I want to thank those that attended the meeting/call and SCE's cooperation is appreciated.

**Supervisor Corless:**

- 9/7: Mammoth Lakes Town Council, announced results of budget hearings/youth sports funding, agenda included an update on Reds Meadow Rd, parties working toward funding/FLAP grant with town in the lead
- 9/12: Mammoth Fire Safe Council, working to restart the group, next meeting 10/11.
- Coming up this week: Town-County Liaison Committee 9/15 at 2pm, Eastern Sierra Council of Governments 9/16 in Mammoth.
- Note that I will not be at the 9/20 meeting.

**Supervisor Fesko:**

- Nothing to report this week.

**Supervisor Johnston:**

- Noted that the Gran Fondo was held this past weekend. I've heard nothing but good things, especially about the road closures that were instituted this year.
- Working on a written draft proposal regarding single family transient rentals, similar to what I've talked about in previous meetings and what was discussed at the recent June Lake CAC. Will be consulting with staff on the draft and bring back at a future date.
- Great Basin APCD is meeting this Wednesday and will include items regarding the dust control projects at the Owens Dry Lake and the Keeler Dunes.

**Note**

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- Mammoth Lakes Housing is meeting on Thursday and among other things will be reviewing the findings of the three recent Housing Summit workshops. This coming Friday, the Eastern Sierra Council of Governments will be meeting in Mammoth. Items include airports and safety.
- I also received an unsolicited call from the Bishop Ford dealership. They indicated they recently provided nine fully equipped Ford Interceptors to Inyo County for \$45,000+ each. I recommended they continue to be in contact with our Public Works Department who is working on bids for police patrol vehicles.

**Supervisor Stump:**

- 9-7 Attended the Tri Valley Water Commission. The State has finalized their decision to deny the Basin Boundary Split. The Tri Valley Board will hear a presentation from DWR, hopefully at their October meeting, on what exact parameters a management plan needs to contain. That Board will decide in the near future if they want to act as a Groundwater Sustainability Agency or function as part of a single agency governing board that would include The Owens Valley portion of Inyo County.
- 9-8 Attended a Conference Call with SCE to discuss power line issues between Lundy Power Plant and Lee Vining. Also discussed a SCE line replacement project in Paradise scheduled for October.
- I will be requesting input from the Board about a potential Planning Commissioner appointment and the need to adjust the Planning Commission meeting date. My comments will be to request if the Board would like two agenda items on this or if one would be sufficient.

Board consensus is to bring this back in two items.

- I will reference the Inyo County press release about their letter of appreciation to Senator Berryhill which inadvertently included a reference to Mono County. This concerns Inyo County's Adventure Trail program.

## 5. COUNTY ADMINISTRATIVE OFFICE

**Leslie Chapman:**

- Received an email from Dan Holler with a thank you to the Board for the youth sports funding and trail development funding. Also a thank you for continuation of the air support service.
- Dept heads and manager meeting on the 7<sup>th</sup>, meetings are becoming more useful and active. Budget debrief. Spoke to creating a positive dialog and bringing in employees to the County.
- Met with SCE regarding the power poles in Lee Vining. SCE asked for some support, a more formal item will be coming back to the Board later. Getting permits to replace poles on federal land is one issue.

## 6. DEPARTMENT/COMMISSION REPORTS

**Janet Dutcher:**

- Budget was adopted last week, take time to recognize all the work that goes on behind the scenes and the Finance staff that made it happen.
- **Supervisor Stump:** acknowledged the Finance staff, throughout all the staffing and management changes, it has been a tremendous effort, wanted to say thank you very much in public.
- **Supervisor Alpers:** has received compliments on the county getting through the budget, thank you, acknowledges the hard work of the Finance staff.

**Scott Burns:**

- Follow up from budget, regarding the question on Long Valley HAC and ORMAT
- Nick Criss has been working on those, should come back in October. New legislation that sets in motion a new process to certify code enforcement agents.

**Note**

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- Cedar Barrager has been working with the county part time, extremely valuable employee, will not be returning due to family obligations.
- Critical habitat on frogs and toads, defer to Wendy

**Wendy Sugimura:**

- We had been waiting on critical habitat; all lakes and creeks have been removed from designated critical habitat area. Our comments were listened to; we should feel good about that.
- **Supervisor Corless:** suggested Wendy communicate this to the Fisheries Commission

**Nate Greenberg:**

- Notice of resignation over the weekend of Cameron Carey. Will be working to fill his position, as this will be a hit in the short term. Wants to recognize Cameron at a future meeting

**Ingrid Braun:**

- Regarding La Fondo: nothing to report. The event went off very well, the road closure went well, and it was a successful event. Nearly 1000 riders.

**Rick Johnson:**

- Last week, meeting with California local health officers on topic of marijuana.
- General comments regarding the potential legalization of marijuana; please see additional documents for his comments.

## 7. **CONSENT AGENDA**

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

### A. **Modification of Public Works Department Allocation List**

Departments: Human Resources

Proposed resolution is to eliminate the Assistant Public Works Director position from the Allocation List and replace with County Engineer position.

**Action:** Adopt proposed resolution #R16-65, 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 County Engineer in the Public Works Department, and the removal of the Assistant Public Works Director from the Public Works Department. Provide any desired direction to staff.

**Corless moved; Fesko seconded**

**Vote: 5 yes; 0 no**

**R16-65**

### B. **Employment Contract - Garrett Higerd**

Departments: Human Resources

Proposed resolution approving an employment contract with Garrett Higerd as County Engineer, and prescribing the compensation, appointment and conditions of said employment.

**Action:** Adopt proposed resolution #R16-66, a Resolution of the Mono County Board of Supervisors approving an employment agreement with Garrett Higerd and prescribing the compensation, appointment, and conditions of said employment.

**Note**

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

**Corless moved; Fesko seconded**  
**Vote: 5 yes; 0 no**  
**R16-66**

**C. Employment Agreement for Stacey Simon as County Counsel**

Departments: Human Resources and County Council

Proposed resolution approving a contract with Stacey Simon as County Counsel, and prescribing the compensation, appointment and conditions of said employment.

**Action:** Approve Resolution #R16-67, approving a contract with Stacey Simon as County Counsel, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

**Corless moved; Fesko seconded**  
**Vote: 5 yes; 0 no**  
**R16-67**

**D. Employment Agreement with Christian Milovich**

Departments: County Counsel and Human Resources

Proposed resolution approving a contract with Christian Milovich as Assistant County Counsel and prescribing the compensation, appointment and conditions of said employment.

**Action:** Approve Resolution #R16-68, approving a contract with Christian Milovich as Assistant County Counsel and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

**Corless moved; Fesko seconded**  
**Vote: 5 yes; 0 no**  
**R16-68**

**E. 2016-17 Tax Rates**

Departments: Finance

Establish the 2016-17 Tax Rates on the Secured Roll.

**Action:** Approve and authorize the Chairman's signature on proposed Resolution No. R16-69, establishing the 2016-17 tax rates on the secured roll.

**Corless moved; Fesko seconded**  
**Vote: 5 yes; 0 no**  
**R16-69**

**F. 2016-17 Appropriations Limit**

Departments: Finance

**Note**

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

Establish the 2016-17 Appropriations Limit.

**Action:** Approve and authorize the Chairman's signature on proposed Resolution #R16-70, establishing the 2016-17 Appropriations Limit and making other necessary determinations for the County and for those special districts governed by the Board of Supervisors that are required to establish appropriation limits.

**Corless moved; Fesko seconded**

**Vote: 5 yes; 0 no**

**R16-70**

#### **G. Treasury Transaction Report**

Departments: Finance

Treasury Transaction Report for the month ending 7/31/2016.

**Action:** Approve the Treasury Transaction Report for the month ending 7/31/2016.

**Corless moved; Fesko seconded**

**Vote: 5 yes; 0 no**

**M16-190**

#### **H. Out Of State Travel - Behavioral Health**

Departments: Behavioral Health

Mono County Behavioral Health has a variety of mandates required through Health Care Reform; one is to continue to increase the capacity of our Electronic Health Record system (EHR). Ms. Martin is the lead in this project for Mono County Behavioral Health. By attending this conference, Ms. Martin will become proficient in the new system and be able to train MCBH staff as needed; this will reduce the cost of using Echo Group trainers and support for implementation and use of the new system.

**Action:** Approve out of state travel for Mono County Behavioral Health employee, Shirley Martin, to attend the Echo Group, Peer to Peer v. 14 Conference, in Portsmouth, New Hampshire – October 16 – 19, 2016. There will be travel days on each side of the conference.

**Corless moved; Fesko seconded**

**Vote: 5 yes; 0 no**

**M16-191**

#### **I. Reappointment of Stacey Adler, PhD, to Mono First 5 Commission**

Departments: Clerk of the Board

The First 5 Mono County Executive Director requests the Mono County Board of Supervisors reappoint Stacey Adler, PhD, to serve a subsequent three-year term on the First 5 Commission, expiring July 31, 2019. This item is sponsored by Chairman Fred Stump.

**Action:** Reappoint Stacey Adler, PhD, to serve a subsequent three-year term on

#### **Note**

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

the First 5 Commission, expiring July 31, 2019.

**Corless moved; Fesko seconded**

**Vote: 5 yes; 0 no**

**M16-192**

**J. AIDS Drug Assistance Program (ADAP) Enrollment Site Contract #16-10377 for July 1, 2016-June 30, 2019**

Departments: Health Department

Proposed contract with California Department of Public Health, Center for Infectious Diseases, Office of AIDS (OA) pertaining to the AIDS Drug Assistance Program (ADAP) Enrollment Site Contract #16-10377.

**Action:** Approve County entry into the AIDS Drug Assistance Program (ADAP) Enrollment Site Contract #16-10377 and authorize the Director of Public Health's signature to execute said contract on behalf of the County including minor amendments that may occur in the 3-year contract period of July 1, 2016-June 30, 2019 with approval as to form by County Counsel.

**Corless moved; Fesko seconded**

**Vote: 5 yes; 0 no**

**M16-193**

**K. Ordinance Authorizing the Use of Certain Unpaved County Roads for the 2016 Sierra Safari Off-Highway Vehicle Event**

Departments: CAO, Public Works

Proposed ordinance designating certain unpaved county roads throughout the unincorporated area of Mono County as roughly graded roads within the meaning of Vehicle Code section 38001 for the purpose of facilitating the short-term use of those roads for the 2016 Sierra Safari Off-Highway Vehicle Tour.

**Action:** Adopt proposed ordinance.

**Corless moved; Fesko seconded**

**Vote: 5 yes; 0 no**

**ORD16-07**

**8. CORRESPONDENCE RECEIVED**

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

**A. News Release from US Fish & Wildlife re: Three Sierra Amphibians**

Departments: Clerk of the Board

News release dated August 25, 2016 from the US Fish and Wildlife Service regarding the Critical Habitat Designated for Three Sierra Amphibians in Mono

**Note**

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

County.

## 9. REGULAR AGENDA - MORNING

### A. IFTM Top Resa Travel Tradeshow, Sept. 20-23, 2016

Departments: Economic Development

(Alicia Vennos) - Presentation by Alicia Vennos regarding representing the High Sierra Visitors Council at the IFTM Top Resa travel trade show in France, Sept. 20-23, 2016.

**Action:** Approve out-of-state travel request for Alicia Vennos to represent Mono County and the High Sierra Visitors Council at IFTM Top Resa travel trade show in France, Sept. 20-23, 2016. Provide any desired direction to staff.

**Fesko moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M16-194**

**Alicia Vennos:**

- Gave an overview on the travel trade show and those invited.

**Supervisor Fesko:**

- This is a great opportunity, and it makes sense to keep doing this. Low impact to the county.

### B. Out of State Travel Authorization for Kirk Hartstrom

Departments: Information Technology

(Nate Greenberg) - Kirk Hartstrom was selected to participate in a security mentorship program through the Multi-State Information Security & Analysis Center (MS-ISAC). The kickoff for the mentorship program begins at MS-ISAC's Annual Meeting in San Antonio, TX from October 31 – November 2, 2016.

**Action:** Authorize Kirk Hartstrom to travel to San Antonio, TX for the Multi-State Information Sharing & Analysis Center Annual Meeting as part of the Security Mentorship program.

**Johnston moved; Fesko seconded**

**Vote: 5 yes; 0 no**

**M16-195**

**Nate Greenberg:**

- Kirk has a great opportunity and it's an honor as well to be a part of the Information Security Advisory Council. County is paying very little of the total cost due to the ISAC. He had to apply to the program and be accepted.

### C. South County Facility Analysis

Departments: Public Works, Finance, Administration

(Todd Lankenau) - South County Facility Analysis presentation by Todd Lankenau, Managing Partner, Collaborative Design Studios. The presentation will cover the results of Collaborative Design Studio's analysis of the long-term space needs, options, and costs for Mono County facilities in the south County.

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

**Note**

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**Peter Chapman:**

- The committee was formed of several different departments and did an analysis of space needs.

**Todd Lankenau:**

- Went through the power point.
- There are specific criteria to follow in order to design a building like this for State or County buildings. The cost estimate was prepared by an international cost estimating firm, the largest in the US. Gave them the program, criteria, and basic standards by which to price the building.
- For an accurate comparison, we should look at the cost of bringing the quality of the mall up to the quality of the new building. Upgrades need to be made to that building that will provide you with sufficient technologies.
- The County might have the option to purchase through a lease on the mall; went over a few options for financing. A lot of different avenues the County can take.

**Supervisor Corless:**

- Question about the land, given that it may be a joint facility with the Town.
- Where does the board go with this information?
- Need board consensus that we have 2 options, to either stay and expand, or build new. Next step might be a joint public meeting with Town Council because there hasn't been a public discussion on the Town's part to move forward on this topic.

**Leslie Chapman:**

- Lease on Town land would be minimal. Town does have costs, but perhaps County could pay some upfront costs to offset the Town's costs. No decision needed today, just presenting information and ideas.
- The Town plans on moving forward regardless of our decision.
- Big picture: we've done a lot of work and felt it was a good time to present these findings to the Board. Very important decision, not to be taken lightly. Want to make sure we do our due diligence. The committee is reviewing the report and will present to the Board in the next couple of weeks. Also looking into several different financing options.

**Supervisor Johnston:**

- If the County pays property tax through some means, doesn't that tax come back to the County in a circular form?
- The County owns land in Mammoth, the land cost should be zero.
- If a lease could be done that gives the County ownership at the end, can that be done?

**Supervisor Fesko:**

- Thank you for this. Why do we feel we need to bring the private building, the mall, up to standards of other government agencies? Questions why renovating the mall would need to be upgraded so much. Also concerned with vacating existing spaces and leaving vacancies.
- Questions the social aspect of this move, putting County employees outside of the hub of the Town.
- Need a broader discussion, see where the town is at. Needs to answer, who owns what? How much owned by town/county? Co-ownership? Lease back to town? Wants to see copy of power point, there will be a lot more questions down the road.

**Supervisor Stump:**

- Is the Town going to move ahead regardless of our decision?
- He is not interested in creating an impressive government center, the beauty is in the environment. Does not believe the public would be supportive of an expensive, impressive building.
- Welcomed Paul Rudder and his attorney to come back to address this new information.

**Supervisor Alpers:**

- Agrees with Leslie Chapman, anxious to hear our next agenda item. Supervisor Fesko makes some points that have not been previously discussed, the social aspects. Those issues are important for our work force.

**Note**

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#### **D. Request for Letter of Interest re: Sierra Center Mall**

Departments: Clerk of the Board

(Paul Rudder) - The Sierra Center will request that the Board consider and execute a letter of interest with respect to the redesign and reconstruction of, and addition to, County office space at the Sierra Center, together with a new lease for an extended period of time.

**Action:** Receive presentation by Sierra Center Mall, consider executing a letter of interest.

**Drew Hild:**

- Felt it would be good to hear from professionals in the field, not all square footages are equal in building trade.
- Gave some clarification of square footage needs, actual occupancy sizes versus total construction sizes; hard costs versus soft costs and how their numbers include all costs.
- At the last meeting, they said they went to a lender for the financing, went back to the capital markets and find out if the Town qualifies for loans: yes, but only if the County backs it. Reviewed a potential layout for the remodel (see video for this information). Explained if done this way, the Town is responsible for their lease, not the County.

**Greg Jennison:**

- Formerly of Neubauer- Jennison Construction. 45+ years in the area, has built many structures including MMSA employee housing, remodel projects, single family residences, commercial projects for the town and industrial park, wide range of construction. Spoke to advantage of underground parking at the mall. He felt soft costs and architectural and engineering fees were not addressed in the previous presentation.

**Dean Sparks, principal of Natoma Real Estate Advisors:**

- Represents Deutsche Bank. His firm is based near Fresno, hired to source and advise on financial options. Went through the basic loan allowances, terms, risks, the need to move on the loan sooner rather than later, etc.
- Explained credit rating of the Town.
- The County's credit rating (Investment Grade) is a consideration because it reflects the County's ability to pay the lease. This is standard in commercial real estate lending.
- There are no particular dates we need to hit, but we don't know if interest rates will rise. Interest rates are favorable now but we want to be able to take advantage of the rate we have offered to us. We don't know if or when the financial atmosphere may change.

**Supervisor Stump:**

- Why is the County's credit rating such a consideration when the County is not the borrower on the loan?

**Paul Rudder:**

- The lender knows the rent will always be paid, which is more than enough to pay the mortgage on the building. The lender is willing to bring in the Town if the County is willing to come in first.

**Leslie Chapman:**

- For clarification, the Town's credit rating is actually BB+, just a hair below investment grade.

**Supervisor Alpers:**

- We have to be financially accountable to the public.

**Supervisor Fesko:**

- Expressed concerns over interest rates changing due to market fluctuations.

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

**John Peters:**

- Thank you for supporting new and local events, such as the Eastern Sierra Kite Festival this

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weekend. Northern Mono Chamber and local businesses have worked very hard to put this together.

**11. CLOSED SESSION**

**A. Closed Session--Human Resources**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, and Dave Butters. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

**THE AFTERNOON SESSION WILL RECONVENE AFTER CLOSED SESSION IF NECESSARY**

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

*No one spoke.*

**ADJOURN**

**ATTEST**

---

**FRED STUMP  
CHAIRMAN OF THE BOARD**

---

**HELEN NUNN  
SR. DEPUTY CLERK OF THE BOARD**

**Note**

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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    October 4, 2016

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT**                    Board Minutes

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Approve Minutes of the Regular Meeting held on September 20, 2016.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**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:**

<p>Click to download</p> <p> <a href="#">09-20-16 Draft Mins</a></p>
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**History**

Time	Who	Approval
9/26/2016 2:11 PM	County Administrative Office	Yes
9/28/2016 10:35 AM	County Counsel	Yes
9/28/2016 8:46 PM	Finance	Yes



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

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

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

**Regular Meeting  
September 20, 2016**

<b>Flash Drive</b>	On Portable Recorder
<b>Minute Orders</b>	M16-196 to M16-203
<b>Resolutions</b>	R16-71
<b>Ordinance</b>	ORD16-08

9:05 AM Meeting Called to Order by Chairman Stump.

*Supervisors Present: Alpers, Fesko, Johnston, and Stump.  
Supervisors Absent: Corless.*

*Break: 10:26 a.m.  
Reconvene: 10:38 a.m.  
Closed Session: 11:06 a.m.  
Reconvene: 11:28 a.m.  
Adjourn: 11:29 a.m.*

**The Mono County Board of Supervisors stream all of their meetings live on the internet and archives them afterward. To listen to any meetings from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>**

Pledge of Allegiance led by Cameron Carey.

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

**Cindy Kamler (Eastern Sierra Wildlife Care):**

- Has had contract with County through Fisheries Commission.
- Contract is up for renewal; she originally thought she had an item on today's agenda but could have misunderstood.

**Note**

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- She gave some background on her organization and her expertise in this area.
- Thanked Board for all their support.

## 2. APPROVAL OF MINUTES

### A. Board Minutes

Departments: Clerk of the Board

**Action:** Approve minutes of the Regular Meeting held on September 6, 2016.

**Fesko moved; Alpers seconded**

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

**M16-196**

## 3. RECOGNITIONS

### A. Resolution Recognizing September 27, 2016 as National Voter Registration Day

Departments: Elections

National Voter Registration Day is a formally recognized voter outreach initiative which aims at registering eligible citizens so they can be empowered to cast a ballot on Election Day. This year, National Voter Registration Day occurs on September 27, 2016. The Secretary of State's Office encourages California's grassroots organizations, businesses, schools, and other civically minded groups to promote the vote within their communities. The National Voter Registration Day organization has resources available for participating groups and allows local events to be posted in a searchable calendar on their website at <http://nationalvoterregistrationday.org/events/>. The Secretary of State has added a webpage dedicated to this day and includes links to these resources. This page can be found at <http://www.sos.ca.gov/elections/votingresources/voting-california/help-strengthen-our-democracy/national-voterregistration-day/>.

**Action:** Approve proposed resolution recognizing September 27, 2016 as National Voter Registration Day.

**Johnston moved; Fesko seconded**

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

**M16-197**

### B. Resolution of Appreciation for Cameron Carey

Departments: Clerk of the Board

(Nate Greenberg) - A resolution of appreciation of Cameron Carey.

**Action:** Approve proposed resolution in appreciation of Cameron Carey.

**Johnston moved; Fesko seconded**

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

**M16-198**

**Nate Greenberg:**

- Thanked Cameron for all his work in the county; he brought a fresh direction to the IT

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Department.

- Read and presented resolution.
- Cameron spoke a few words, extending his gratitude for his opportunities here.

#### 4. BOARD MEMBER REPORTS

##### **Supervisor Alpers:**

- 9/14 - Attended the Mono Basin RPAC held at the Lee Vining Community Center. Two main subjects of interest were the status of the Rockfall Project and SCE meeting recap. The Caltrans Rockfall Project should be completed in the first week of November. District 9 Director Brent Green risked working into possibly the winter season to accommodate the contractor and prevent any further disruption in traffic flow in the 2 lane Mono Lake corridor. To date, work is on schedule. Bartshe Miller and I briefed the RPAC Board and attendees on the meeting held with SCE, County staff and citizens regarding upgrading the Lundy-Lee Vining transmission line. We will be following through with SCE staff to meet the agreed upon timelines.
- 9/16 - Attended the monthly ESTA Board of Directors meeting held in Suite Z, Mammoth Lakes. The Board of Directors took the following action:
  - Approved an agreement between ESTA and the Pahrump Senior Services for the provision of twice monthly transit service between Tecopa/Shoshone and Pahrump.
  - Authorized the Exec. Dir. to approve an agreement with the County of Inyo for the provision of parking for ESTA buses and employee's cars at the Lone Pine Airport.
  - ESTA ridership is up 15% this year over the 10% increase last year.
- 9/17,18,19 - Toured the Owens River Fire destruction on public and private lands.
- Acknowledged various owners associated with Owens River Fire. Harry Blackburn, local fishing guide – he risked life and death out there. Got into ranches, his leadership was impressive.
- Plans to write the History of the upper Owens River once he retires.

##### **Supervisor Corless:**

- Absent.

##### **Supervisor Fesko:**

- 9/13 Attended CSA #5. They reported on the progress at Memorial Hall. The elevator lift is installed and awaiting inspection by the State. The other additions are complete and have turned out nice. Thanks to all of those in Public Works that worked on this important Community project. The CSA is hopeful that the new roof will be able to get installed before winter so that all interior improvements can be protected.
- 9/13 Thanks to Nick Criss for his help on determining the limits on horses in a residential area near Topaz. This information was helpful for the surrounding property owners.
- 9/14 Thanks to Gerry and Scott in Planning for their help and patience on a fence issue in Walker. While the end result is not what the neighbors would like, it could have been worse in the end. Thanks Gerry and Scott!
- 9/15 Thanks to Don Nunn for getting the flag back up and flying at the Antelope Valley Seniors Center.
- 9/17 & 18 Attended the Northern Mono Chamber of Commerce's "1st Annual Eastern Sierra Kite Festival". The festival was attended by the "Berkeley Kite Wranglers" with their many kites. Attendance over the two days amounted to a few hundred people, for a first year event, it was a SUCCESS! Many kids were in attendance making their own kites and then getting a chance to fly them. The only thing missing on both days was early day winds. Sunday afternoon was the best day for kite flying. The famous "Octopi" kite measures 20' wide by 100' long and only weighs 35 pounds. I had the opportunity to get up close to one of these great kites, even looking down into its innards. All in all a great event. The Chamber is looking forward to a bigger and better event next year!
- Gave update on Jerry Vandebroke. He'll end up in a rehab center at some point, once surgery has been completed.

#### **Note**

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**Supervisor Johnston:**

- Attended the Great Basin APCD meeting last Wednesday along with Supervisor Stump. We elected John Wentworth as Vice Chair. Recognized through Resolution Duane Ono's 25 years of service to the APCD. Had reports on the Keeler Dunes project and the Owens Dry Lake Phase 9-10 construction projects.
- Attended the Mammoth Lakes Housing meeting on Thursday. Reviewed the Stakeholder Summit Series. Reviewed the MLH monthly report (handout for Board members); of note is the Shady Rest Analysis/ Feasibility Study which is promising based on good potential using Cap and Trade funds (map handout for Board members).
- Attended the Eastern Sierra Council of Governments. There was an update on the Inyo Juvenile Hall situation and how it relates to Mono County. Regional air service was discussed; noted Alaska is now ok to land and takeoff in more inclement weather; Supervisor Stump was in attendance and presented his concerns for safety issues.
- Participated in the SAR fundraiser at Snowcreek on Sunday. It was a very beneficial and well attended event.
- Working on alternate approach to how we accommodate transient rentals, he has a draft that he wants to run by staff. He needs their input. After that, maybe we can do an agenda item to discuss. Should have draft done in the next few days.

**Supervisor Stump:**

- 9-14 Attended the Great Basin Unified Air Pollution Control District Meeting. Received a report on Owens Lake dust mitigation. At the 11-10 Air District meeting in Mammoth there will be a workshop with several presenters on smoke from vegetation fires and controlled burns.
- 9-15 Attended the Town County Liaison meeting. Covered Solid waste, airport emergency response capability, potential shared facilities, and Town and County projects.
- 9-16 Attended ESCOG and spoke about Airport emergency response capability.
- Assisted with logistics for local Fire Departments responding to the Owens River Fire. The first day saw erratic fire behavior. I am glad the Board emphasized fire in its comment letter to the Forest Service. Gave thanks to all local fire departments involved.
- Ask Supervisor Johnston what his wishes are around TROD changes.

## 5. COUNTY ADMINISTRATIVE OFFICE

Leslie Chapman was out but Stacey Simon and Janet Dutcher gave some info:

**Stacey Simon:**

- Leslie has been very busy this past weekend volunteering for Mill Pond Festival; she organizes this every year. This was the 25<sup>th</sup> year anniversary.
- She is home ill at the moment.

**Janet Dutcher:**

- Leslie has a way of keeping everyone informed without being in the room.
- The County recently offered/conducted hearing tests for both North and South County.
- Leslie continues to fine tune strategic plan and decision making process; there should be an update soon.
- Leslie and Janet attended Town Liaison meeting.
- Meeting tomorrow morning to continue discussions on the South County facility alternatives.
- Meetings continuing regarding Bridgeport Clinic.
- CAO/Department Head meetings to begin soon.

## 6. DEPARTMENT/COMMISSION REPORTS

**Sheriff Braun:**

- Spoke about the Owens River Fire, started on Saturday. Cause still being investigated.
- Management area is located at Canyon Lodge.
- Some outbuildings were lost. It's hard to lose buildings, they are part of Mono County history.
- It's important to remember and mourn what's lost but also extremely important to note what's

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been saved.

- 20% contained at this point.
- Supervisor Stump: Mobile Command Post: parked parallel in front of Sheriff's Substation, not sure why it's parked that way – the Sheriff will get that moved.

**Jeff Walters:**

- Update: Jerry Vandebroke was involved in a motorcycle accident. Surgery yesterday for broken hip, more surgery to come. He'll be out of commission for a while. They are in a bit of a scramble mode to maintain current level of service. Brett McCurry has stepped up; he has past experience.

**Janet Dutcher:**

- She's been here for four months; has met a lot of dedicated people working for county. Having said that, expressed how important it is to balance work and family.
- Finance is busy right now: approved budget has been posted; she's working on a report that will have final budget number for FY 16-17.
- In process of trying to cross-train, etc. so it's challenging to have auditor's floating around.
- Going to start first quarterly fiscal and technical training.
- Transitioning into closing books for 2016. Prepping for external auditors and preparing own financial statements.
- Assessor has turned over the tax roll to Finance and now it's been turned over to Tax Collector's side. Bills will be printed and mailed shortly. Any questions, contact Gerald Frank.
- Supervisor Johnston: the only contact that taxpayers get from the county is their yearly tax statement – is there a way to reach out to them at that time aside from just giving them a bill? A newsletter? A thank you?
- She and Gerald will be attending a conference in four weeks – she will query her colleagues on how to reach out to taxpayers. Gerald is all about getting public/community involved and recognized.

**Robin Roberts:**

- Felt compelled to say something about "place". There is a part of psychology called the Psychology of Place – how people feel about a place that is important to them that gets lost. One of narratives in county is how we feel about where we live. Wanted to send condolences to all of us about what it's like when some part of our land gets destroyed; it's heartbreaking.

## 7. **CONSENT AGENDA**

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

### A. **Hiring Policy Variance Request - Mechanic III D Step**

Departments: Public Works - Road

A mechanic vacancy in Road resulted in several applicant interviews. The most qualified applicant is a former Mono County Mechanic III. His mechanical experience including his many years of working for Mono County have shown he has the necessary skills to fill this vacancy.

**Action:** Approve variance of Mono County Personnel System, Section 080 - Salary Upon Hire, policy to allow the Public Works Department to hire one qualified Mechanic III Range 62, Step D.

**Fesko moved; Alpers seconded**

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

#### **Note**

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**M16-199**

**B. Avalanche Forecasting - USFS Special Use Permit for Weather Station**

Departments: Public Works - Road

In November 2015 the Mono County Board of Supervisors authorized the Public Works Director to hire an avalanche forecaster and purchase and install a portable weather station to assist with avalanche forecasting. The United States Forest Service has issued a Special Use Permit to allow placement of the portable weather station on their land near Twin Lakes.

**Action:** Authorize Public Works Director to sign the Special Use Permit with USFS, to permit the Department of Public Works to engage in specified use of certain land in the Humboldt-Toiyabe National Forest through December 31, 2036, with terms and conditions as stated.

**Fesko moved; Alpers seconded**

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

**M16-200**

**Supervisor Fesko:**

- Glad to see this going forward at this time; has his support.

**Stacey Simon:**

- There is a typo on description of agenda item. Lists contract termination date as December 31, 2016, it should be December 31, 2036.

**C. Urgency Ordinance Confirming Designation of Roads for Use in 2016 Sierra Safari OHV Event**

Departments: CAO and Public Works (Road Division)

Proposed urgency ordinance confirming the designation of certain unpaved county roads throughout the unincorporated area of Mono County as roughly graded roads within the meaning of Vehicle Code section 38001 for the purpose of creating clear guidance to the public, law enforcement and participants in the 2016 Sierra Safari off-highway vehicle tour.

**Action:** Adopt proposed urgency ordinance #ORD16-08, confirming the designation of certain unpaved county roads throughout the unincorporated area of Mono County as roughly graded roads within the meaning of Vehicle Code section 38001 for the purpose of creating clear guidance to the public, law enforcement and participants in the 2016 Sierra Safari off-highway vehicle tour.

**Fesko moved; Alpers seconded**

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

**ORD16-08**

**8. CORRESPONDENCE RECEIVED - NONE**

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

**9. REGULAR AGENDA - MORNING**

**Note**

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## A. Law Library Board of Trustees Update

Departments: County Counsel

Mono County Law Library Board of Trustees' annual report regarding the Mono County Law Library.

**Action:** None.

**Stacey Simon:**

- Was unaware that she was going to be the President of the Law Library Board of Trustees in her current position but she is.
- She is required to report to the board once a year.
- She gave some specifics on this board, resources, expenditures, etc.
- Anna Danielson of Mono County Free Library moves everything forward and responds to the public's needs for legal resources. She's been reporting a decline in the online legal resources.
- A lot of resources are now provided free online through user-friendly sources such as Google.
- Previously, the board eliminated a portion of the Westlaw subscription and there has been little blowback as a result of that. This year, the board voted to eliminate remaining portion once contract expires in 2018. She doesn't think the contract can be terminated any sooner.
- The funds saved will be redirected into types of books people are using.
- The termination of law library will result in a budget that's closer in line with what the revenues are.
- The law library does not have an obligation to provide research services to outside attorneys.
- If the public all of a sudden complained, the board could address it. Anna does track use and feels that the legal research sites are not being utilized.

**Supervisor Fesko:**

- Asked about specifics to terminate contract sooner?

**Supervisor Stump:**

- Is it our responsibility to provide research services at the library to private attorneys?
- What about the public?

## B. Adoption of Information Security Framework

Departments: Information Technology

(Nate Greenberg) - The IT Department seeks to adopt internal security policies and formally implement an Information Security Program for Mono County. This action demonstrates a commitment to security and establishes a roadmap to improve the overall level of maturity relative to IT security.

**Action:** Approve the Department's adoption of internal technology security policies and an Information Security Program that will be overseen and updated by the IT Director as industry standards evolve.

**Alpers moved; Johnston seconded**

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

**M16-201**

**Nate Greenberg:**

- Gave background and information on this item/proposed program.
- Adopting internal set of standards and approaches to help get up to federal requirements.
- They've never had such policies/standards for IT personnel to adhere to.

### Note

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- Hasn't brought up all the standards that will change as he doesn't want it to be public document.
- Asking for board to acknowledge and approve direction IT is headed.
- Mono County is included as one of entities.
- His staff is working on projects as they emerge; a lot of these aren't immediate requirements. They're using this as a road map/project list for the future.

**Supervisor Fesko:**

- Doesn't see Mono County mentioned, assumes we're included?
- Approves that we're looking at this type of policy; feels additional security is needed.
- Appreciates keeping certain things private and not published; this is important.

**Supervisor Johnston:**

- Could public ask for information? (Stacey Simon: no, exempt from disclosure.)

**Supervisor Stump:**

- Fine to keep confidential as long as staff is able to navigate this successfully.

**C. PC & Cell Phone Policy Updates**

Departments: Information Technology; County Counsel

In an effort to standardize and modernize policy language surrounding the use of computers and mobile devices (including cellular phones, smartphones, and tablets), the Information Technology Department and County Counsel have updated both the Mono County PC Policy and Mono County Cell Phone Policy. This item is to present these policies and seek adoption by the Board.

**Action:** Adopt proposed resolution #R16-71, approving Version 3 of the IT Standards and Policies (including correct date and approval of all red-line comments), which replaces and supersedes Version 2 of the PC Standards and Policies, the County Cell Phone Policy, and certain provisions of the Personnel Rules pertaining to technology use (the use of computers and mobile devices).

**Fesko moved; Alpers seconded**

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

**R16-71**

**Nate Greenberg:**

- Gave out a handout; to be posted to web.
- New set of policies will provide structure to what end user should expect.
- This set of policies is comprehensive, walking through gamut of devices and types of information accessed; pulls in and updates existing cell phone policies for county to acknowledge.
- As we move more to a mobile world and we're carrying smart phones that connect to email, the need to look at these devices within our overall security structure becomes important.
- Document in front of board has a few red-line changes, mentioned some of the changes, corrections to keep things consistent with actual policy.
- These policies are meant to describe and support how we're doing business today. Not changing how we're currently operating, just rewriting to support how we are doing business with the appropriate language.

**Supervisors were happy and impressed with proposal/changes.**

**D. Delta Wireless Radio Maintenance Contract**

Departments: Information Technology

**Note**

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This contract authorizes Delta Wireless to perform technical work to maintain, upgrade, and support the County's Public Safety Radio System through mutually agreed upon Scopes of Work overseen by the Department of Information Technology.

**Action:** Authorize the County Administrative Officer to sign Delta Wireless contract Amendment #2 for the provision of radio system support and service on an as-needed basis through June 30, 2017.

**Fesko moved; Alpers seconded**

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

**M16-202**

**Nate Greenberg:**

- Gave background/information on item.
- This contract before you is an amendment of existing contract to bring it up to \$275,000 limit. This is a "not to exceed" time and materials based contract.
- Gave specifics on projects to be addressed – first major effort, overhaul of main site at Conway Summit.
- There is sign-off by him for each discreet project. The reason the funds aren't specified for certain products is because there are a lot of unknowns.
- Conway lease is currently being re-evaluated. This doesn't have anything to do with IT's projects, but it certainly impacts them.
- At Conway, IT plans to go through and pull antennas and move to a structure that has one single common listening antenna that is up high and can be seen from a large distance away. Below that, several transmitting antennas for the different channels, will clean everything up. Will help set things up for future projects.
- Need to work on getting things up to standard.
- We're not going digital: internally, we need a one, two, three and five year plan with a ten year being best case scenario.
- Longer term – talked about going to a digital radio that would tie in with digital 395 but we're not ready to invest in that yet.
- We're not dependent on Digital 395 at all for our radio communications at the moment.
- There were issues at Sweetwater, Antelope and Casa.

**Supervisor Johnston:**

- He was concerned that this was a lot of money for unspecified product.
- What will they be doing at Conway?
- Has had calls about analog vs. digital. Will this not work in mountainous terrain?
- How much are we dependent on Digital 395?

**Supervisor Stump:**

- In light of all radio traffic this past weekend, he fully supports this.
- Likes the way they're prioritizing; would add a point east as well.
- In evaluating areas, which is next poorest?

**Supervisor Fesko:**

- Knows this is a problem with all our radio sites, just the way it's evolved over time.
- Delta Wireless is a good company – he's sure their work will be top notch.
- Looking forward to hearing updates, asked Nate to make visits to the board to keep them apprised of progress.

**E. Replacement Benefits Plan Invoice and Request for Contingency Funds**

Departments: Finance

(Janet Dutcher, Finance Director) - Information about the annual Retirement Benefits Plan (RBP) invoice per eligible retiree and request contingency funds to pay last year's and this year's invoice.

**Note**

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**Action:** Authorize use of contingency funds for unanticipated annual Replacement Benefit Plan invoices (a four-fifths vote is required).

**Johnston moved; Alpers seconded**

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

**M16-203**

**Janet Dutcher:**

- This is simple request of \$6,000 in contingency money but it is an opportunity to speak about unknown aspect of CALPERS Pension plan.
- Gave some details/explanation of the annual Retirement Benefits Plan (RBP) and the fact that a former employee submitted package to retire and his allowance was over \$210,000 so County got an invoice for 2016 from CALPERS for almost \$3,000 to pay their share. That's why she's asking for these funds. These will be ongoing expenses.
- This can be budgeted in the future, this is an unanticipated fund request so it fits the definition of contingency. She feel the new stabilization fund should be used for different things.

**Supervisor Stump:**

- Voiced concern about the amount some retired employees are making.

**Supervisor Johnston:**

- Asked if it would be approximately \$3,000 each year for individual that's being discussed?
- Why not contingency and not the new "fund" that was created.

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

*No one spoke.*

**11. CLOSED SESSION**

*There was nothing to report out of closed session.*

**A. Closed Session--Human Resources**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, and Dave Butters. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

**B. Closed Session - Workers Compensation**

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

**ADJOURN: 11:29 a.m.**

**Note**

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

**ATTEST**

---

**FRED STUMP**  
**CHAIRMAN OF THE BOARD**

---

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



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    October 4, 2016

**Departments: Clerk of the Board**

**TIME REQUIRED**

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

Susi Bains, Wild Iris Director

**SUBJECT**                    Domestic Violence Awareness Month

**AGENDA DESCRIPTION:**

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

Proclamation designating October 2016 as Domestic Violence Awareness Month.

**RECOMMENDED ACTION:**

Approve Proclamation designating October 2016 as Domestic Violence Awareness Month.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Helen Nunn

**PHONE/EMAIL:** x5534 / hnunn@mono.ca.gov

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

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

**History**

Time	Who	Approval
9/14/2016 6:02 PM	County Administrative Office	Yes

9/22/2016 5:33 PM

County Counsel

Yes

9/9/2016 8:21 AM

Finance

Yes



**A PROCLAMATION BY THE MONO COUNTY BOARD OF SUPERVISORS  
DOMESTIC VIOLENCE AWARENESS MONTH**

**WHEREAS**, 1 in every 3 teenagers, 1 in every 4 women, and 1 in every 6 men will experience domestic violence during their lifetime;

**WHEREAS**, approximately 15.5 million children are exposed to domestic violence every year;

**WHEREAS**, families are indispensable to a stable society, and they should be a place of support to instill responsibility and values in the next generation;

**WHEREAS**, domestic violence is widespread and causes long-term damaging effects that also leave a mark on family, friends, and the community at large;

**WHEREAS**, the problem of domestic violence crosses all economic, racial, gender, educational, religious, and societal barriers, and is sustained by societal indifference;

**WHEREAS**, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity due to the systematic use of physical, emotional, sexual, psychological, and economic control and/or abuse;

**WHEREAS**, survivors should have help to find the compassion, comfort, and healing they need, and domestic abusers should be punished to the full extent of the law;

**WHEREAS**, survivors of violence should have access to medical and legal services, counseling, transitional housing, and other supportive services so that they can escape the cycle of abuse;

**WHEREAS**, it is important to recognize the compassion and dedication of the individuals who provide services to victims of domestic violence and work to increase public understanding of this significant problem;

**WHEREAS**, local programs, state coalitions, national organizations, and other agencies nationwide are committed to increasing public awareness of domestic violence and its prevalence, and to eliminating it through prevention and education;

**WHEREAS**, the residents of Mono County must dedicate ourselves to protecting vulnerable members of our community;

**WHEREAS**, the residents of Mono County must make ending domestic violence a priority;

**NOW, THEREFORE**, in recognition of the important work done by Wild Iris and all victims' service providers, let it be resolved that the Mono County Board of Supervisors proclaims October 2016 as Domestic Violence Awareness Month.

**APPROVED AND ADOPTED** this 4<sup>th</sup> day of October, 2016, by the Mono County Board of Supervisors.

\_\_\_\_\_  
Larry Johnston, Supervisor District #1

\_\_\_\_\_  
Timothy E. Fesko, Supervisor District #4

\_\_\_\_\_  
Fred Stump, Supervisor District #2

\_\_\_\_\_  
Stacy Corless, Supervisor District #5

\_\_\_\_\_  
Tim Alpers, Supervisor District #3



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE**    October 4, 2016

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT**                    Resolution of Appreciation for Ed  
                                         Parkinson, Sr.

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

---

### AGENDA DESCRIPTION:

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

A Resolution of Appreciation recognizing Ed Parkinson, Sr, a resident of Benton.

---

### RECOMMENDED ACTION:

Approve Resolution of Appreciation recognizing Ed Parkinson, Sr.

---

### FISCAL IMPACT:

None.

---

**CONTACT NAME:** Supervisor Fred Stump

**PHONE/EMAIL:** / fstump@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:

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### MINUTE ORDER REQUESTED:

YES  NO

---

### ATTACHMENTS:

Click to download

[Resolution of Appreciation](#)

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### History

**Time**

9/28/2016 5:19 PM

**Who**

County Administrative Office

**Approval**

Yes

9/28/2016 12:57 PM

County Counsel

Yes

9/28/2016 8:51 PM

Finance

Yes

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS  
RECOGNIZING ED PARKINSON, SR.**

**WHEREAS**, Ed has lived in the Owens Valley since the early 1940s, he moved to Benton in 1966 and brought with him information on creating the first Fire Department in Benton, which he then did with the help of two fellow CalTrans co-workers; and,

**WHEREAS**, Ed purchased the first fire truck for Benton from Fish Lake Valley for one dollar, and the second fire truck from Mammoth Lakes also for one dollar; and,

**WHEREAS**, In 1968 the White Mountain Fire Protection District was created by the California Secretary of State, and Ed was able to talk the State into donating two Quonset huts from the State Yard in Benton to the Fire Department. A contractor was hired to move one to the Benton property to be used as the first Benton Fire Station. The other was moved to Chalfant. Both are still in use at each site although new buildings have been built to replace them and house the fire equipment. Ed donated the concrete for the Benton Station and he did the brick work to place the Quonset on; and,

**WHEREAS**, Ed was a firefighter and later a Commissioner for many years, he stepped down as a Commissioner in 1999, but has continued to contribute to the Department in any way he can; and,

**WHEREAS**, In 1980 after the death of his daughter Ida Lynn, Ed donated the property across the street from his home to Mono County to be used as a park in his daughter's memory, as well as the adjoining properties to the park for two churches; and,

**WHEREAS**, After the County built the Benton Community Center at the park, Ed managed the use of the Center for the County. He was the person to contact to use the Center and he made sure whoever used the building kept it clean and he collected the fees for the County; and,

**WHEREAS**, Ed has helped many people in the Benton Community over the years by being active in the Benton/Hammil Booster Club, the park and community center, and the Edna Beaman Elementary School. He has also helped people if they were having problems with their wells or pumps, often not charging them. People could always depend on Ed's help; all they needed to do was ask; and,

**NOW, THEREFORE, BE IT RESOLVED** that the Mono County Board of Supervisors wants to honor and thank Ed for all his contributions to the residents of the Tri Valley; and

**BE IT FURTHER RESOLVED** that the Board of Supervisors recognizes Ed Parkinson Sr. as an outstanding citizen who has helped countless people in his 95 years.

**APPROVED AND ADOPTED** this 4<sup>th</sup> day of October, 2016, by the Mono County Board of Supervisors.

\_\_\_\_\_  
Larry Johnston, Supervisor District #1

\_\_\_\_\_  
Timothy E. Fesko, Supervisor District #4

\_\_\_\_\_  
Fred Stump, Supervisor District #2

\_\_\_\_\_  
Stacy Corless, Supervisor District #5

\_\_\_\_\_  
Tim Alpers, Supervisor District #3



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    October 4, 2016

**TIME REQUIRED**

**SUBJECT**            Opinion Letter re: Wildlife Services (a  
                                 subdivision of the Dept of  
                                 Agriculture) Predator Control  
                                 Program

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Opinion letter from the New York Times regarding Wildlife Services' predator control program submitted by Supervisor Larry Johnston.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:** Helen Nunn

**PHONE/EMAIL:** x5534 / hnunn@mono.ca.gov

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**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

**History**

Time	Who	Approval
9/26/2016 1:55 PM	County Administrative Office	Yes
9/26/2016 10:24 PM	County Counsel	Yes

9/22/2016 5:30 PM

Finance

Yes

Sunday Review | OPINION

# America's Wildlife Body Count

By RICHARD CONNIFF SEPT. 17, 2016

Until recently, I had never had any dealings with Wildlife Services, a century-old agency of the United States Department of Agriculture with a reputation for strong-arm tactics and secrecy. It is beloved by many farmers and ranchers and hated in equal measure by conservationists, for the same basic reason: It routinely kills predators and an astounding assortment of other animals — 3.2 million of them last year — because ranchers and farmers regard them as pests.

To be clear, Wildlife Services is a separate entity, in a different federal agency, from the United States Fish and Wildlife Service, whose main goal is wildlife *conservation*. Wildlife Services is interested in control — ostensibly, “to allow people and wildlife to coexist.”

My own mildly surreal acquaintance with its methods began as a result of a study, published this month in the journal *Frontiers in Ecology and the Environment*, under the title “Predator Control Should Not Be a Shot in the Dark.” Adrian Treves of the University of Wisconsin and his co-authors set out to answer a seemingly simple question: Does the practice of predator

control to protect our livestock actually work?

To find out, the researchers reviewed scientific studies of predator control regimens — some lethal, some not — over the past 40 years. The results were alarming. Of the roughly 100 studies surveyed, only two met the “gold standard” for scientific evidence. That is, they conducted randomized controlled trials and took precautions to avoid bias. Each found that nonlethal methods (like guard dogs, fences and warning flags) could be effective at deterring predators.

Seven other studies met a slightly lower scientific standard, but produced conflicting results or were inconclusive.

So why is this agency so focused on killing predators? While predators are far from the leading cause of death of livestock, they are the most visible. Killing as many of them as possible in turn can feel like a deeply gratifying solution, in a way that dealing with disease or bad weather never has been. We seem to kill predators out of mindless, even primordial antipathy, rather than for any good reason. It is how we managed by the mid-20th century to eradicate gray wolves almost completely from the lower 48 states.

According to the Treves review, one organization of wildlife managers published a number of flawed or biased studies on lethal control in its scholarly journals. Then, in 2004, it published an article debunking some of those flawed studies. Thereafter, though, the same journals continued to cite the flawed studies as if they were still valid. Authors, editors and peer reviewers alike were seemingly blinded by conventional wisdom that killing predators protects livestock.

I thought Wildlife Services might have a different perspective on the Treves study, and this is where things turned weird. Gail Keirn, a legislative and public affairs aide for Wildlife Services, declined to arrange an interview. The agency would accept written questions, she said, to be answered in



writing, a useful formula for public relations, not journalism. I've had better luck getting access at the C.I.A.

Soon after, Dr. Treves held an online session to introduce his study. Two journalists joined the conversation. But so did four other people — Wildlife Services employees, who refused to identify themselves by name despite repeated requests by Dr. Treves. The conversation stumbled to an awkward close.

It was a creepy moment, but it was also wonderfully inept. Even if Ms. Keirn wouldn't identify herself, her phone number, from which she had dialed into the session, was prominently displayed in a screen shot Dr. Treves sent me afterward. When I emailed to question Ms. Keirn about it, she protested, "I thought this was an open forum" and a good opportunity for Wildlife Services "to learn more." Later, she sent me a written statement from a Wildlife Services official who ignored the Treves study while citing some of the same studies found to be flawed in that 2004 critique.

It was perfect as slapstick, but also a pity, because taxpayers who spent \$127 million in 2014 for the agency's wildlife damage management operations deserve transparency. Instead, the agency reveals little more than its annual body count, listing only the species, the number of dead and the method of killing. Last year, for instance, it killed 68,905 coyotes using calling devices, snares and traps, "M 44 cyanide capsule" and other poisoning devices, and guns, sometimes fired with the help of "night vision/infrared equipment," and sometimes from helicopters or fixed-wing aircraft.

But why were different species killed, or where? Your guess is as good as mine — and not just about the predators but about the agency's decision to kill 17 sandhill cranes last year, or 150 blue-winged teal ducks, or 4,927 cattle egrets. Before killing 708,487 red-winged blackbirds that year, did anyone weigh the damage they do to ripening corn and other crops against the

benefit they provide by feeding on corn earworms and other harmful insects? Is the scientific support for killing 20,777 prairie dogs (on which the survival of species like the burrowing owl and the black-footed ferret depend), better than that for killing predators?

There is no way to verify the numbers Wildlife Services provides. The habit of secrecy is a pity because even critics of Wildlife Services acknowledge that killing is sometimes necessary. Feral swine (42,250 killed last year) are, for instance, a menace to agriculture and endangered species alike. Lethal control for livestock protection also “has to be on the table,” said Lisa Upson, executive director of the Montana conservation nonprofit group People and Carnivores. Ranchers will experiment with nonlethal methods first only if they have the option, as a last resort, of killing a specific individual predator that repeatedly attacks livestock. “A lot of ranchers have accepted that wolves are here to stay and have moved to saying let’s try some preventive things,” Ms. Upson said.

In Montana, Wildlife Services has recently begun to collaborate with Ms. Upson’s group and the Natural Resources Defense Council, both longtime critics, on nonlethal predator deterrence projects.

There is reason to hope for more substantial change. Last month, the Obama administration overrode objections by the State of Alaska and announced that 73 million acres of national wildlife refuges there are off limits to what Dan Ashe, director of the Fish and Wildlife Service, described as that state’s “withering attack on bears and wolves.” The next step ought to be a closer look at the federal government’s own predator control programs.

In their study, Dr. Treves and his co-authors urge the appointment of an independent panel to conduct a rigorous large-scale scientific experiment on predator control methods. They also recommended that the government put the burden of proof on the killers and suspend predator control programs that are not supported by good science. For Wildlife Services, after a century

of unregulated slaughter of America's native species, this could be the moment to set down the weapons, step out of the way, and let ranchers and scientists together figure out the best way for predators and livestock to coexist.

Richard Conniff is the author of "House of Lost Worlds: Dinosaurs, Dynasties, and the Story of Life on Earth" and a contributing opinion writer.

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A version of this op-ed appears in print on September 18, 2016, on page SR12 of the New York edition with the headline: America's Wildlife Body Count.

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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    October 4, 2016

**Departments: Board of Supervisors**

<b>TIME REQUIRED</b>	45 minutes (30 minute presentation; 15 minute discussion)	<b>PERSONS APPEARING BEFORE THE BOARD</b>	Mark Hanneman, Janice Lopeman and Steve Henricksen
<b>SUBJECT</b>	Ormat Presentation Regarding Local Geothermal Development		

**AGENDA DESCRIPTION:**

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

Presentation by Ormat regarding local geothermal development (requested by Chairman Stump)

**RECOMMENDED ACTION:**

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

**FISCAL IMPACT:**

None at this time

**CONTACT NAME:** Steve Henricksen

**PHONE/EMAIL:** 775-229-5197 / shenricksen@ormat.com

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THE COUNTY ADMINISTRATOR  
**PRIOR TO 5:00 P.M. ON THE FRIDAY**  
**32 DAYS PRECEDING THE BOARD MEETING**

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

**History**

Time	Who	Approval
9/28/2016 5:43 PM	County Administrative Office	Yes

9/26/2016 4:33 PM

County Counsel

Yes

9/28/2016 8:50 PM

Finance

Yes



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    October 4, 2016

**Departments: Community Development**

**TIME REQUIRED**    20 minutes (10 minute presentation;  
10 minute discussion)    **PERSONS APPEARING**    Nick Criss

**SUBJECT**    Long Valley Hydrological Advisory  
Committee Report    **BEFORE THE BOARD**

**AGENDA DESCRIPTION:**

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

Presentation by Nick Criss updating the Board of Supervisors on the August 10, 2016 Long Valley Hydrological Advisory Committee meeting.

**RECOMMENDED ACTION:**

Receive update; and provide any desired direction to staff.

**FISCAL IMPACT:**

No fiscal impact to Mono County

**CONTACT NAME:** Nick Criss

**PHONE/EMAIL:** 760-914-1419 / ncriss@mono.ca.gov

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**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">staff report</a>
<a href="#">LVHAC Minutes</a>

History

Time

Who

Approval

9/26/2016 2:16 PM	County Administrative Office	Yes
9/26/2016 4:30 PM	County Counsel	Yes
9/26/2016 11:57 AM	Finance	Yes

# Mono County Community Development Department

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P.O. Box 347  
Mammoth Lakes, CA 93546  
(760) 924-1800, fax 924-1801  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

P.O. Box 8  
Bridgeport, CA 93517  
(760) 932-5420, fax 932-5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

October 4, 2016

**To:** Board of Supervisors  
**From:** Nick Criss, Compliance Officer  
**Re:** Long Valley Hydrological Advisory Committee August Meeting Update

## **Recommendation**

Receive update on the August 10, 2016 meeting of the Long Valley Hydrological Advisory Committee (LVHAC).

## **Fiscal Impact**

No impact to General Fund.

## **Discussion**

In response to Board of Supervisor requests during the July 19, 2016, Board meeting, this report is intended to update the Board on what transpired during August 10, 2016, the LVHAC meeting.

Please contact Nick Criss, 924-1826, if you have questions concerning this matter.

## **ATTACHMENTS**

- Draft Minutes from the August 10, 2016 LVHAC meeting



LONG VALLEY  
HYDROLOGIC ADVISORY COMMITTEE

**DRAFT MEETING NOTES**  
**August 10, 2016**

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**THERMAL SUBCOMMITTEE ATTENDEES**

**Ormat:** Janice Lopeman, Steve Henricksen, Mark Hanneman, Rahm Orenstein, Cheryl Eanes, Edward Pozek & Patrick Walsh (via phone). **USGS:** Jim Howle, Bill Evans & Deborah Beryfeld. **BLM:** Steve Nelson, Dan Munger & Dale Johnson. **EGS:** Gene Suemnicht. **CA DOGGR:** Jack Truschel, Matt Cochrane & Charlene Wardlow. **USFS:** Margie DeRose. **Mono County:** Nick Criss & CD Ritter

**PUBLIC MEETING ATTENDEES**

**Ormat:** Janice Lopeman, Steve Henricksen, Mark Hanneman, Rahm Orenstein, Cheryl Eanes, Edward Pozek & Patrick Walsh (via phone). **USGS:** Jim Howle, Bill Evans & Deborah Beryfeld. **BLM:** Steve Nelson, Dan Munger & Dale Johnson. **EGS:** Gene Suemnicht. **MCWD:** Pat Hayes, Clay Murray, Forrest Cross, Tom Cage & Irene Yamashita. **CA DOGGR:** Jack Truschel, Matt Cochrane & Charlene Wardlow. **USFS:** Margie DeRose. **Mono County:** Nick Criss & CD Ritter. **Other:** Fred Stump, Larry Johnston & Stacy Corless, Mono Supervisors; Mike Bodine, *The Sheet*; Greg Newbry & Bob Reeder, citizens; Susan Burak, Snow Survey Associates

---

1. **Call to order & introductions:** Nick Criss called the meeting to order at 10:13 a.m. in Town/County Conference Room at Minaret Village Mall, Mammoth Lakes. Attendees introduced themselves and their agencies.
2. **Public comment:** None
3. **Meeting notes:** Approve meeting notes of Feb. 10, 2016. (*Criss/Hayes. Ayes: All.*)
4. **Subcommittee status reports:** Discussed monitoring wells, well 14.25 temperatures higher. Discussed water level data in 2015. New wells support Ormat's model. BLM has what is needed to come up with new monitoring plan, adjust to fit needs.

What does BLM consider OK? Dale Johnson recalled BLM held series of facilitated meetings, worked through issues MCWD had mentioned in letter. BLM staff geologist unexpectedly left – expertise in geology is needed. Information from subcommittee today? Nick Criss indicated no other data presented. Monitoring data show higher temps at new monitoring well? Johnson confirmed.
5. **USGS monitoring data:** Jim Howle discussed wells in Long Valley, Sherwin Creek, and Shady Rest. Bill Evans's map showed areas of discussion, such as Long Valley Caldera, MCWD wells, and resurgent dome. Hot water flows all way to Hot Creek, even beyond. Areas exist where medium-deep wells hit warm water. Dry Creek wells were drilled earlier by MCWD.

Hot water was sampled and studied by many over time. Looking for mixing, consider chloride/boron, the gold standard for Long Valley. Waters around Mammoth were characterized. Analyze many different things in waters to spot outlier. Two sources of salt (ski area, and naturally in geothermal system). No groundwater sources move horizontally without invoking thermal water input.

Another chart showed most wells plot near origin. Normal to show variation over time, tap different water seasonally. All data from central lab except Menlo Park in 2011.

Why changed? Drought is favorite scapegoat. Decrease in availability of cold and thermal water. Hayes thought a change in relative proportion of cold and thermal water occurred.

Gene Suemnicht mentioned groundwater data shown on MCWD website. Evans indicated data need to be checked. Bromide is another conservative species. Ratio chlorine/bromine (Cl/Br) has little bit of range. No outlier, all new P17 wells plot together. Similar to chlorine/boron (Cl/B). Non-thermal groundwaters of different ages/sources. Vertical trend near origin. No Br data prior to drought. Menlo sees lower Br than central lab. Change is huge compared to lab offset. Important to stay with a lab, use its data. Check vs other labs, but reduce scatter.

How to explain change? Evans indicated two types of groundwater, could be drought-related. Important to recognize variations that occur over time, not attribute them to changes in geothermal development. Hanneman saw similarity to Steamboat Hot Springs in Reno. Response due to climate.

Evans noted most responses on different slope than geothermal fluid line. Orenstein recalled 2011-16 was historic drought. No change in production. Evans concurred that drought was possible, but not the only possibility. Chlorine/lithium (Cl/Li) = ~89. 14-25 plots well off geothermal line. 14-25 water has unusual chemistry, with potassium. Still not fully sampled. Analyses only for deep part of well. Bit of wildcard in chemistry, unlike other wells. Arsenic (As) extremely non-conservative in solution. Sources for As exist, not only on geothermal activity. Isobutane, working fluid at Casa Diablo, not detectable in P17, M26.

How far back are other chemicals seen? Evans indicated 2011 analysis. The Cl anomaly there long time. P17 sure bet if it had Cl, same reason for today.

Lithium? Evans stated rocks 1,000-10,000 years old, good source of thermal elements. Good source of Cl mostly leached out. Non-thermal waters not get a lot of Cl. Ski area waters have nice source of Cl. Shallow groundwaters around Mammoth Lakes don't have Cl in them, looks like highly enriched in Li, but function of Li is out of volcanic rocks that lost Cl.

Higher Cl and B in drought years? Mark Hanneman noted concentration rises.

Pat Hayes indicated MCWD has been collecting water quality samples from its wells. Status of available results? Howle stated May data still not released. Hayes thought July 19 presentation to BOS seemed to advocate additional monitoring. *Correct.*

Discovery of hot water in 14-25A not expected? Howle indicated it was expected by Ormat, not USGS. Need additional data for conclusions about difference with other wells. Pump plugged with rock flour in February 2016, so one sample in deep piezometer anomaly. Dissolved samples get filtered.

Evans indicated wells get lots of crushed rock in drilling process. Sampled water during drilling. Analysis has weird chemistry, high potassium (K). Not lot of groundwater throughflow, stagnant water around well.

Does deeper geothermal have K? Evans noted not acid sulfate water.

Janice Lopeman showed pole magnetic map from USGS air map survey.

Rahm Orenstein noted models show if deep enough, hot enough for electricity. Steamboat Hot Springs in Reno is much bigger. In known geothermal area, elevated temperature or chemicals unlike Reno water sources.

Evans suggested releasing temperature profiles from deep wells to make better sense of it. Orenstein stated it's usually confidential due to competitive landscape.

Background from USGS? Evans stated dark blue is demagnetized rock, long-term high temp system.

Evans asked what happens west of 14-25. Hot water is there.

Hayes asked if it was discussed at "secret" geothermal subcommittee today. Seeing it first time himself, no chance to study it, but suspect not necessarily represent hotter waters to west. Evans indicated have been found. Lopeman confirmed depths much greater.

Data from BLM in 2014? Lopeman indicated no. USGS in 2013 published poster on it.

Tom Cage stated geothermal water exists west under Knolls, east of scenic loop. If Ormat stated that, why not show area of hotter water to west? Ormat was not surprised water was hot in 14-25A, and brought core samples indicating protective dome to keep geothermal from intermingling with fresh water.

Suemnicht indicated no dome, but core illustrated alteration. Clay seals around water wells. Altered rock 1600' thick in area. Water + clay = high conductivity. Continuous horizontal.

Deborah Beryfeld asked for explanation.

Lopeman explained different surveys are needed to show hot zone. Exact up-flow zone is not defined. Several people studied, reported up-flow zones. Only a few wells to northwest, cannot characterize. Only goes so deep. Pure geophysics of USGS survey. Low vs higher resistivity zones.

Hot water up to surface? Dan Munger explained it shows process in degradation/weathering cycle. Blue area shows hot source that alters it. Does not show flow, only that rock changed due to hot source.

Does blue area expand? Lopeman stated Ormat didn't expect to have cold temps at 14-25A, but USGS did. Cage thought Ormat expected it to be dry. Evans confirmed it's not a static well, but continuous flow, reason why abandoned.

Orenstein found it interesting to speculate, but salient point is data collected after drilling did not change perception. CD IV is another monitoring point. Commercial geothermal around 100 years ago. First Ormat in 1983 is still running.

**7. Update on MCWD/Ormat meetings:** Dale Johnson stated on May 26 talks were at point of working toward monitoring plan. Completion slowed down by departure of geologist, advertising now.

Irene Yamashita inquired about progress. Johnson indicated it's difficult without geologist. Yamashita asked about communications on plan. Johnson indicated no review, not there.

As of May 26, Hayes confirmed MCWD's position to maintain no clear delineation of what's going on underground. Data should drive undertaking. USGS points show intermingling of geothermal at P17 and 26 with groundwater. Need two deep geothermal monitoring wells. Ormat has not agreed to drill second well to provide vital information on gradients between two systems. Gradient changes with pumping. Lots of speculation at meetings. He thought Steve Nelson couldn't require Ormat to drill second well unless new data were available.

Howle indicated data seem to indicate mingling of fluids. Need more monitoring before project proceeds. Jointly agree to apply for 80/20 grant, MCWD lead agency. Application from Ormat is due in October. New information from water sampling (\$120,000 to protect water supply). Need data and wells in place. Didn't say required, was suggested. Coldwater production could also influence.

Nelson cited no change in MCWD position. Key points: If BLM had not required monitoring plan (against advice of different counsels), couldn't be having these discussions. Both wells located at good sites, with different information at different spots, so big progress. It was BLM's decision, the only entity that could require such a plan. Worked hard to get as close as possible between parties. Not get completely agreeable plan to sign unless geologist is on staff and experts can review. Will be best plan with what is known today. Not get perfect monitoring plan right off, not easy. BLM took responsibility for monitoring plan, is committed to doing it, or would have folded it in a long time ago. However, no ink on paper until geologist is available.

Orenstein stated Ormat takes pride as most successful geothermal developer in world, being good neighbors to Mammoth Lakes, Reno, and Hawaii communities. Disagreed on not enough data: see 30-year Casa Diablo monitoring response plan. Want to move forward, as fossil fuels provide jobs.

Nelson indicated important discussions are taken to heart. Two huge priorities – water and clean energy.

**8. CD IV update:** On hold for monitoring plan and BLM to acquire staff geologist. Yamashita inquired about flow tests. Johnson noted sundry notice from Ormat, similar to 2012 proposal. Ormat now wants 30-day test, beginning around Aug. 24-25. Not yet signed, but close.

Yamashita questioned change from seven-day to 30-day test. Nelson indicated it was to take advantage of where monitoring plan is heading.

Lopeman asked if flow data would be shared. Suemnicht confirmed flow test completed, submitted to Ormat, not yet to BLM. Johnson indicated test preceded CD IV. Orenstein recalled it was explored before building plant. 2011-12 flow test was CD IV. Lopeman indicated long-term test will show how reservoir reacts over longer time.

Wardlow recalled well 14-25 was drilled in 2010. Took USFS over year, plus other delays. Orenstein stated that after delays, finally seeing light at end of tunnel.

**9. Adjourn** at 12:11 p.m. to Feb. 1, 2017, same time. Data in March? Howle indicate he couldn't guess; typical six-month schedule, hard to anticipate return times. Hayes thought Ormat/BLM/MCWD could continue separately when data are available.

*Prepared by CD Ritter, LVHAC secretary*



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    October 4, 2016

**Departments: Public Works - Road**

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

**SUBJECT**            SCE Grant Easement Request

**AGENDA DESCRIPTION:**

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

Southern California Edison (SCE) is requesting a grant of easement to install approximately 25 feet of new underground conduit to two existing utility poles along a county owned dirt road near the Mill Creek Powerhouse.

**RECOMMENDED ACTION:**

Authorize the Public Works Director, in consultation with County Counsel, to sign the easement request paperwork. Provide any desired direction to staff.

**FISCAL IMPACT:**

\$1,000 in compensation for the easement.

**CONTACT NAME:** Jeff Walters

**PHONE/EMAIL:** 760 932 5459 / jwalters@mono.ca.gov

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

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES    NO

**ATTACHMENTS:**

Click to download
<input type="checkbox"/> <a href="#">SCE Grant Easement Request - Staff Rpt 10.04.16</a>
<input type="checkbox"/> <a href="#">SCE Grant of Easement letter</a>
<input type="checkbox"/> <a href="#">SCE Grant of Easement Letter</a>

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
9/14/2016 6:03 PM	County Administrative Office	Yes
9/28/2016 11:15 AM	County Counsel	Yes
9/23/2016 1:09 PM	Finance	Yes



# MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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POST OFFICE BOX 457 • 74 NORTH SCHOOL STREET • BRIDGEPORT, CALIFORNIA 93517  
760.932.5440 • Fax 760.932.5441 • [monopw@mono.ca.gov](mailto:monopw@mono.ca.gov) • [www.monocounty.ca.gov](http://www.monocounty.ca.gov)

**Date:** October 4, 2016

**To:** Honorable Chair and Members of the Board of Supervisors

**From:** Jeff Walters, Public Works Director / Director of Road Operations & Fleet Services

**Subject:** SCE Grant Easement Request

**Recommended Action:**

Authorize Public Works Director to sign Grant of Easement paperwork with SCE. Provide any desired direction to staff.

**Fiscal Impact:**

SCE is offering \$1,000 in compensation to Public Works.

**Discussion:**

Southern California Edison (SCE) is requesting a grant of easement to install approximately 25 feet of new underground conduit to two existing utility poles located along a county owned dirt road near the Mill Creek Powerhouse. This unnamed road is rarely traveled and follows the powerline from the Mill Creek Powerhouse. Little to no impact would result from this minor installation.

Mono County's Planning Department has found the proposed action is in conformity with the Mono County General Plan section 11.010.B which allows underground facilities for the distribution of gas, water, sewer, telephone, television, communications and electricity in all land use designations. Policies in the Conservation/Open Space Element, and Circulation Element also call for installing utilities underground, in conformity with the section noted above.

If you have any questions regarding this item, please contact me at 932-5459.

Respectfully submitted,

Jeff Walters  
Public Works Director / Director of Road Operations & Fleet Services



August 16, 2016

County of Mono  
Public Works Department  
Attn: Jeff Walters  
PO Box 457  
Bridgeport, CA 93517

Re: Request for Easement, APN 019-100-008  
Reference No: 801485036

Dear Mr. Walters:

Spectrum Land Services is an authorized agent of Southern California Edison (SCE) for the acquisition of easements to provide SCE permission to install, maintain and operate a fiber optic telecommunications system adjacent or attached to their electrical distribution or transmission systems. The telecommunication facilities provide a fully redundant communication link between SCE's facilities. SCE's electric plants, transmission and distribution facilities, and substations are designed and engineered to be linked electronically, as are all the offices and personnel locations (and some customers) in SCE's service territory. Furthermore, the telecommunications facilities provide the backbone for the monitoring, controls and relay protection between these utility facilities.

SCE is requesting a grant of easement to install approximately 25.00 feet of new underground conduit to two existing poles located along the dirt road known as Cemetery Road.

SCE is offering a one-time compensation for a right-of-way easement in the amount of \$1,000.00. The basis for this determination is explained in the enclosed Appraisal Report. If this offer is acceptable, please sign in the area provided. Also, please execute and notarize the enclosed Grant of Easement and complete the enclosed W-9 tax form. Please return all original executed documents in the return envelope provided. The copy of the Grant of Easement is for your files.

Please return the executed originals to my office at your earliest convenience, using the enclosed self-addressed stamped envelope. Upon receipt of the foregoing executed originals, payment will be promptly furnished to you. If you have any questions, please contact me at 714-568-1800 ext. 228 or via email at [VWalters@spectrumland.com](mailto:VWalters@spectrumland.com).

Regards,



Vicky Walters  
Project Manager  
Acting on behalf of Southern California Edison  
Spectrum Land Services  
725 Town & Country Road, Suite 410  
Orange, CA 92868  
(714) 568-1800 ext. 228  
(714) 568-1801 fax  
[VWalters@spectrumland.com](mailto:VWalters@spectrumland.com)

**AGREED and ACCEPTED**

BY: \_\_\_\_\_  
Signature                                  Print Name                                  Date

BY: \_\_\_\_\_  
Signature                                  Print Name                                  Date

BY: \_\_\_\_\_  
Efriam Miranda, Southern California Edison                                  Date





PLACES

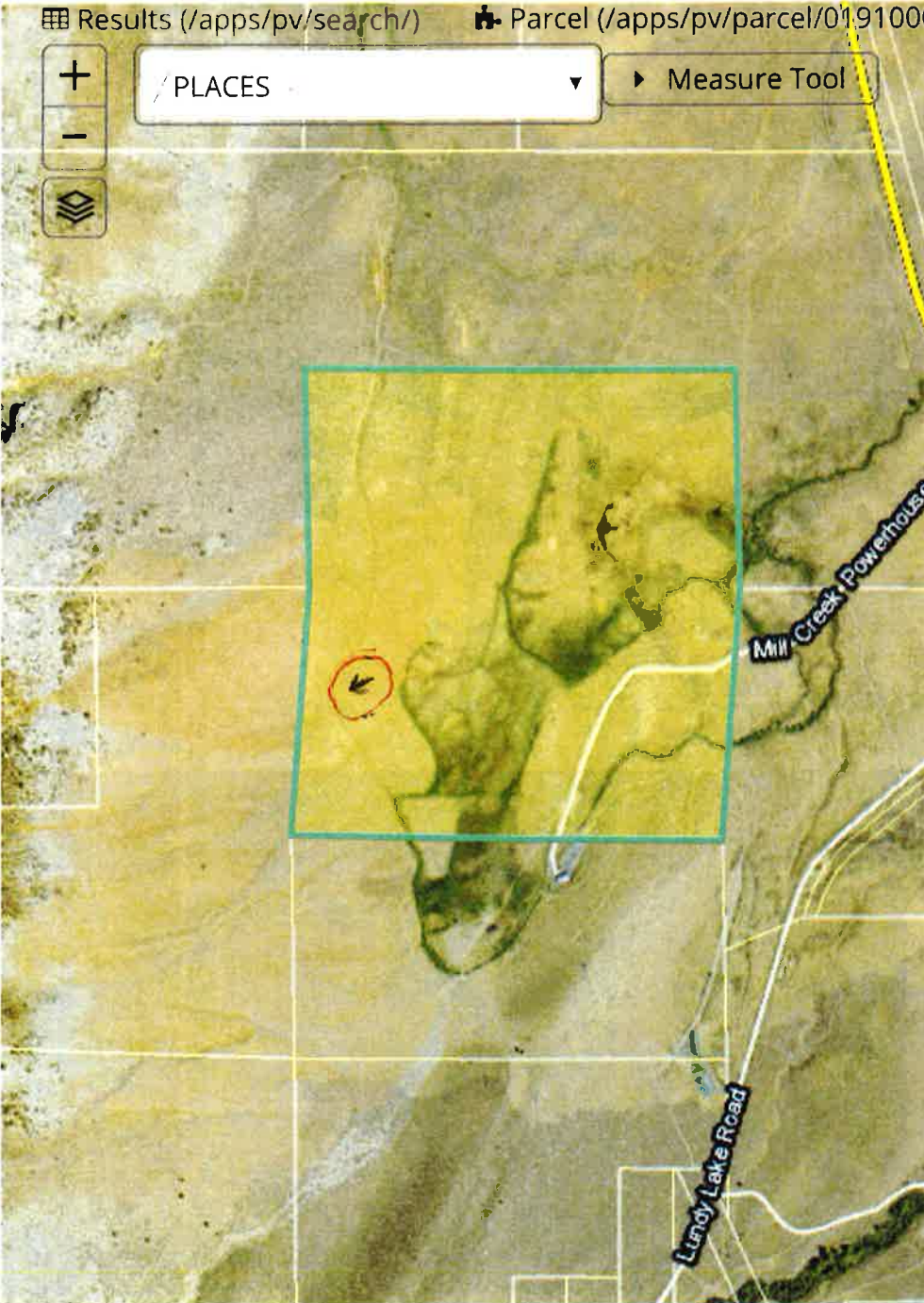
Measure Tool



# Mono City

## 019-100-008-000

[View or Print Value Notice \(http://apps.mptsweb.com/ValueNotices/Def:](http://apps.mptsweb.com/ValueNotices/Def:)



<b>Address</b>	Mono City
<b>Community</b>	Mono City
<b>Complex</b>	
<b>Assessee Name</b>	COUNTY OF MONO
<b>Owner(s)</b>	COUNTY OF MONO P.O. BOX 715 BRIDGEPORT, CA 93517
<b>Legal Description</b>	12 2N 25E REF 443-263,270 ,277,281
<b>Improvement Value</b>	
<b>Land Value</b>	
<b>Land Use Designation</b>	(http://www.monocounty.ca.gov/gener: 04 Land Use Designations) Agriculture (AG)
<b>Division Type</b>	Lot
<b>Parcel Type</b>	Land Parcel
<b>Stated Area</b>	160 a.
<b>Calculated Acres</b>	170.84



RECORDING REQUESTED BY



SOUTHERN CALIFORNIA  
**EDISON**

An EDISON INTERNATIONAL Company

WHEN RECORDED MAIL TO

**SOUTHERN CALIFORNIA EDISON COMPANY**

2 INNOVATION WAY, 2nd FLOOR  
POMONA, CA 91768

Attn: Title and Real Estate Services

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SCE Doc. No.

**GRANT OF  
EASEMENT**

DOCUMENTARY TRANSFER TAX \$ NONE VALUE AND CONSIDERATION LESS THAN \$100.00)	DISTRICT	SERVICE ORDER	SERIAL NO.	MAP SIZE
	Bishop	801485036	71261A	
SCE Company	FIM 564-2376-2	APPROVED:	BY	DATE
SIG. OF DECLARANT OR AGENT DETERMINING TAX FIRM NAME	APN 019-100-008	REAL PROPERTIES DEPARTMENT	SLS/VW	6/28/16

COUNTY OF MONO, a political subdivision of the State of California (hereinafter referred to as "Grantor"), hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time underground electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of wires, underground conduits, cables, vaults, manholes, handholes, and including above-ground enclosures, markers and concrete pads and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for transmitting intelligence by electrical means, in, on, over, under, across and along that certain real property in the County of Mono, State of California, described as follows:

FOR LEGAL DESCRIPTION, SEE EXHIBITS "A" AND "B", BOTH ATTACHED HERETO AND MADE A PART HEREOF.

Grantor further grants, bargains, sells and conveys unto the Grantee the right of assignment, in whole or in part, to others, without limitation, and the right to apportion or divide in whatever manner Grantee deems desirable, any one or more, or all, of the easements and rights, including but not limited to all rights of access and ingress and egress granted to the Grantee by this Grant of Easement.

Grantor agrees for itself, its successors and assigns, not to erect, place or maintain, nor to permit the erection, placement or maintenance of any building, planter boxes, earth fill or other structures except walls and fences on the above described real property. The Grantee, and its contractors, agents and employees, shall have the right to trim or cut tree roots as may endanger or interfere with said systems and shall have free access to said systems and every part thereof, at all times, for the purpose of exercising the rights herein granted; provided, however, that in making any excavation on said property of the Grantor, the Grantee shall make the same in such a manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so removed by it and restore the surface of the ground to as near the same condition as it was prior to such excavation as is practicable.

Grant of Easement from  
County of Mono to  
S.C.E. Co., a Corp.  
Serial No. 71261A  
SCE DOC.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**GRANTOR**

COUNTY OF MONO, a political subdivision of the  
State of California

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )

County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_, a Notary Public, personally appeared

\_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**SERIAL 71261A**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF MONO, STATE OF CALIFORNIA ACCORDING TO THE OFFICIAL PLAT THEREOF, BEING A STRIP OF LAND 10.00 FEET WIDE, LYING 5.00 FEET ON EACH SIDE OF, AND PARALLEL WITH, THE FOLLOWING DESCRIBED CENTERLINE:

**PARCEL 1 – 10' WIDE EASEMENT**

**COMMENCING** AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 12, AS SHOWN AND DELINEATED ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON AUGUST 22, 1968 IN BOOK 5 OF MAPS AT PAGE 125, MONO COUNTY RECORDS; THENCE NORTH 48°07'56" WEST, 3007.87 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE NORTH 86°19'19" WEST, 13.71 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 12.50 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°15'00" FOR AN ARC DISTANCE OF 2.45 FEET; THENCE SOUTH 82°25'41" WEST, 15.29 FEET TO THE **POINT OF TERMINATION**.

**EXCEPTING THEREFROM** THAT PORTION LYING WITHIN THAT CERTAIN GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY, RECORDED ON OCTOBER 9, 1969 IN VOLUME 105 AT PAGE 435, OF OFFICIAL RECORDS OF THE COUNTY RECORDER OF MONO.

CONTAINING A TOTAL AREA OF 215 SQUARE FEET MORE OR LESS.

ALL FOUND MONUMENT DESCRIPTIONS, BASIS OF BEARING, COURSES AND DISTANCES ARE SHOWN ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (2011), ZONE 3, EPOCH 2010.00. DIVIDE DISTANCES SHOWN BY 0.99954924 TO OBTAIN GROUND DISTANCES.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION, IN ACCORDANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.

  
\_\_\_\_\_  
RYAN P. MICHALAK, LS 9176

JUNE 28, 2016




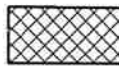
# EXHIBIT "B"

PORTION OF THE SOUTH HALF OF THE  
NORTHWEST QUARTER SECTION 12,  
T.2N., R.25E., M.D.B.&M.  
MONO COUNTY, CA

## LEGEND:

 = FOUND NGS BENCHMARK, AS DESCRIBED

 = FOUND SECTION CORNER, AS DESCRIBED

 PARCEL 1 - 10' WIDE EASEMENT TO SCE  
TOTAL AREA = 215 SQ.FT.

## ABBREVIATIONS:

APN = ASSESSORS PARCEL NUMBER  
SCE = SOUTHER CALIFORNIA EDISON  
FD = FOUND  
CL = CENTERLINE  
P.O.C. = POINT OF COMMENCEMENT  
T.P.O.B. = TRUE POINT OF BEGINNING  
P.O.T. = POINT OF TERMINATION  
NGS = NATIONAL GEODETIC SURVEYS  
NAVD = NORTH AMERICAN VERTICAL DATUM  
RP = REFERENCE POINT  
OR = OFFICIAL RECORDS  
M.D.B.&M. = MOUNT DIABLO BASE AND MERIDIAN



JUNE 28, 2016

MARK THOMAS & COMPANY, INC.

RYAN P. MICHALAK, LS 9176

## BASIS OF BEARINGS:

MEASURED BEARINGS SHOWN ON THIS SURVEY ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM 1983 (2011), ZONE 3, EPOCH 2010.00, BASED UPON THE NGS DERIVED COORDINATES OF "CONWAY" (PID JR1114) IN US SURVEY FEET AS:

NORTHING: 2219965.94 EASTING: 6942937.95 ELEVATION: 8379.5'  
DIVIDE DISTANCES SHOWN BY 0.99954924 TO OBTAIN GROUND DISTANCES.

ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. (NAVD'88)

## REFERENCES AND NOTES:

- RECORD OF SURVEY - BK 5 MAPS PAGE 125
- VOLUME 105 PAGE 435 OFFICIAL RECORDS
- VOLUME 0897 PAGE 108 OFFICIAL RECORDS



**MARK THOMAS & COMPANY, INC.**  
Providing Engineering, Surveying, and Planning Services  
7300 Folsom Boulevard, Suite 102  
Sacramento, CA 95826  
(916) 381-9100

WO NO. 801485036

DR. BY JRJ

CH. BY RPM

DATE 6/28/16

LUNDY POWERHOUSE, MONO CITY  
(SERIAL 71261A)

A PORTION OF THE SOUTH HALF OF THE NORTHWEST 1/4  
SECTION 12 T.2N. R.25E. M.D.B.& M., MONO COUNTY



An EDISON INTERNATIONAL Company

SOUTHERN CALIFORNIA  
**EDISON**

SHEET NO. 1  
OF 2 SHEETS

SERIAL 71261A







RECORDING REQUESTED BY

SOUTHERN CALIFORNIA  
**EDISON**

An EDISON INTERNATIONAL Company

WHEN RECORDED MAIL TO

**SOUTHERN CALIFORNIA EDISON COMPANY**

2 INNOVATION WAY, 2nd FLOOR  
POMONA, CA 91768

Attn: Title and Real Estate Services



COPY

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SCE Doc. No.

**GRANT OF  
EASEMENT**

<u>DOCUMENTARY TRANSFER TAX \$ NONE</u> <u>VALUE AND CONSIDERATION LESS THAN \$100.00</u>		DISTRICT Bishop	SERVICE ORDER 801485036	SERIAL NO. 71261A	MAP SIZE
SCE Company		FIM 564-2376-2	APPROVED:	BY	DATE
SIG. OF DECLARANT OR AGENT DETERMINING TAX	FIRM NAME	APN 019-100-008	REAL PROPERTIES DEPARTMENT	SLS/VW	6/28/16

COUNTY OF MONO, a political subdivision of the State of California (hereinafter referred to as "Grantor"), hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time underground electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of wires, underground conduits, cables, vaults, manholes, handholes, and including above-ground enclosures, markers and concrete pads and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for transmitting intelligence by electrical means, in, on, over, under, across and along that certain real property in the County of Mono, State of California, described as follows:

FOR LEGAL DESCRIPTION, SEE EXHIBITS "A" AND "B", BOTH ATTACHED HERETO AND MADE A PART HEREOF.

Grantor further grants, bargains, sells and conveys unto the Grantee the right of assignment, in whole or in part, to others, without limitation, and the right to apportion or divide in whatever manner Grantee deems desirable, any one or more, or all, of the easements and rights, including but not limited to all rights of access and ingress and egress granted to the Grantee by this Grant of Easement.

Grantor agrees for itself, its successors and assigns, not to erect, place or maintain, nor to permit the erection, placement or maintenance of any building, planter boxes, earth fill or other structures except walls and fences on the above described real property. The Grantee, and its contractors, agents and employees, shall have the right to trim or cut tree roots as may endanger or interfere with said systems and shall have free access to said systems and every part thereof, at all times, for the purpose of exercising the rights herein granted; provided, however, that in making any excavation on said property of the Grantor, the Grantee shall make the same in such a manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so removed by it and restore the surface of the ground to as near the same condition as it was prior to such excavation as is practicable.



Grant of Easement from  
County of Mono to  
S.C.E. Co., a Corp.  
Serial No. 71261A  
SCE DOC.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**GRANTOR**

COUNTY OF MONO, a political subdivision of the  
State of California

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )

County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_, a Notary Public, personally appeared

\_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

## Vicky Walters

---

**From:** Vicky Walters  
**Sent:** Tuesday, July 26, 2016 4:26 PM  
**To:** 'Melissa Garcia-Medrano'  
**Subject:** RE: (External):RE: Lundy WO801485036 Serial 71261A Legal & Exhibit  
**Attachments:** E-COUNTY OF MONO.pdf

Oops. Try this.

Vicky Walters | Project Manager  
Spectrum Land Services

**SCE Pony Mail Address: "Attn: Spectrum Land Services" (do not specify location)**

725 W. Town & Country Road, Suite 410 | Orange, CA 92868

T: 714-568-1800 xt. 228 | F: 714-568-1801 | Email: VWalters@spectrumland.com

This message and any files or attachments transmitted with it may contain confidential or proprietary information of Spectrum Land Services and is intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient of this message, you are hereby notified that any dissemination, distribution, copying, or action taken in relation to the contents of and attachments to this message is strictly prohibited and may be unlawful. If you have received this message in error, please notify the sender immediately and permanently delete the original and any copy(s). Thank You.

---

**From:** Melissa Garcia-Medrano [mailto:Melissa.Garcia.Medrano@sce.com]  
**Sent:** Tuesday, July 26, 2016 3:55 PM  
**To:** Vicky Walters  
**Subject:** RE: (External):RE: Lundy WO801485036 Serial 71261A Legal & Exhibit

Hey ☺

Ingrid reached out to me today and Efram, and advised that we need UG communication on the easement.

The area to the right of the pole will be UG cable.

Thanks

---

**From:** Vicky Walters [mailto:vwalters@spectrumland.com]  
**Sent:** Wednesday, June 29, 2016 3:56 PM  
**To:** Melissa Garcia-Medrano <Melissa.Garcia.Medrano@sce.com>  
**Subject:** RE: (External):RE: Lundy WO801485036 Serial 71261A Legal & Exhibit

Good afternoon!

See attached for PDF of the easement for this project.

Please let me know if you need anything else.

Vicky Walters | Project Manager  
Spectrum Land Services

**SCE Pony Mail Address: "Attn: Spectrum Land Services" (do not specify location)**

725 W. Town & Country Road, Suite 410 | Orange, CA 92868

T: 714-568-1800 xt. 228 | F: 714-568-1801 | Email: VWalters@spectrumland.com

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**SERIAL 71261A**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF MONO, STATE OF CALIFORNIA ACCORDING TO THE OFFICIAL PLAT THEREOF, BEING A STRIP OF LAND 10.00 FEET WIDE, LYING 5.00 FEET ON EACH SIDE OF, AND PARALLEL WITH, THE FOLLOWING DESCRIBED CENTERLINE:

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**EXCEPTING THEREFROM** THAT PORTION LYING WITHIN THAT CERTAIN GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY, RECORDED ON OCTOBER 9, 1969 IN VOLUME 105 AT PAGE 435, OF OFFICIAL RECORDS OF THE COUNTY RECORDER OF MONO.

CONTAINING A TOTAL AREA OF 215 SQUARE FEET MORE OR LESS.

ALL FOUND MONUMENT DESCRIPTIONS, BASIS OF BEARING, COURSES AND DISTANCES ARE SHOWN ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (2011), ZONE 3, EPOCH 2010.00. DIVIDE DISTANCES SHOWN BY 0.99954924 TO OBTAIN GROUND DISTANCES.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION, IN ACCORDANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.

  
\_\_\_\_\_  
RYAN P. MICHALAK, LS 9176

JUNE 28, 2016




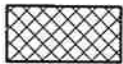
# EXHIBIT "B"

PORTION OF THE SOUTH HALF OF THE  
NORTHWEST QUARTER SECTION 12,  
T.2N., R.25E., M.D.B.&M.  
MONO COUNTY, CA

## LEGEND:

 = FOUND NGS BENCHMARK, AS DESCRIBED

 = FOUND SECTION CORNER, AS DESCRIBED

 PARCEL 1 - 10' WIDE EASEMENT TO SCE  
TOTAL AREA = 215 SQ.FT.

## ABBREVIATIONS:

APN = ASSESSORS PARCEL NUMBER  
SCE = SOUTHER CALIFORNIA EDISON  
FD = FOUND  
CL = CENTERLINE  
P.O.C. = POINT OF COMMENCEMENT  
T.P.O.B. = TRUE POINT OF BEGINNING  
P.O.T. = POINT OF TERMINATION  
NGS = NATIONAL GEODETIC SURVEYS  
NAVD = NORTH AMERICAN VERTICAL DATUM  
RP = REFERENCE POINT  
OR = OFFICIAL RECORDS  
M.D.B.&M. = MOUNT DIABLO BASE AND MERIDIAN



JUNE 28, 2016

MARK THOMAS & COMPANY, INC.

RYAN P. MICHALAK, LS 9176

## BASIS OF BEARINGS:

MEASURED BEARINGS SHOWN ON THIS SURVEY ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM 1983 (2011), ZONE 3, EPOCH 2010.00, BASED UPON THE NGS DERIVED COORDINATES OF "CONWAY" (PID JR1114) IN US SURVEY FEET AS:

NORTHING: 2219965.94 EASTING: 6942937.95 ELEVATION: 8379.5'  
DIVIDE DISTANCES SHOWN BY 0.99954924 TO OBTAIN GROUND DISTANCES.

ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. (NAVD'88)

## REFERENCES AND NOTES:

- RECORD OF SURVEY - BK 5 MAPS PAGE 125
- VOLUME 105 PAGE 435 OFFICIAL RECORDS
- VOLUME 0897 PAGE 108 OFFICIAL RECORDS



**MARK THOMAS & COMPANY, INC.**  
Providing Engineering, Surveying, and Planning Services  
7300 Folsom Boulevard, Suite 102  
Sacramento, CA 95826  
(916) 381-9100

WO NO. 801485036  
DR. BY JRJ  
CH. BY RPM  
DATE 6/28/16

LUNDY POWERHOUSE, MONO CITY  
(SERIAL 71261A)  
A PORTION OF THE SOUTH HALF OF THE NORTHWEST 1/4  
SECTION 12 T.2N. R.25E. M.D.B.& M., MONO COUNTY

 SOUTHERN CALIFORNIA  
**EDISON**  
An EDISON INTERNATIONAL Company

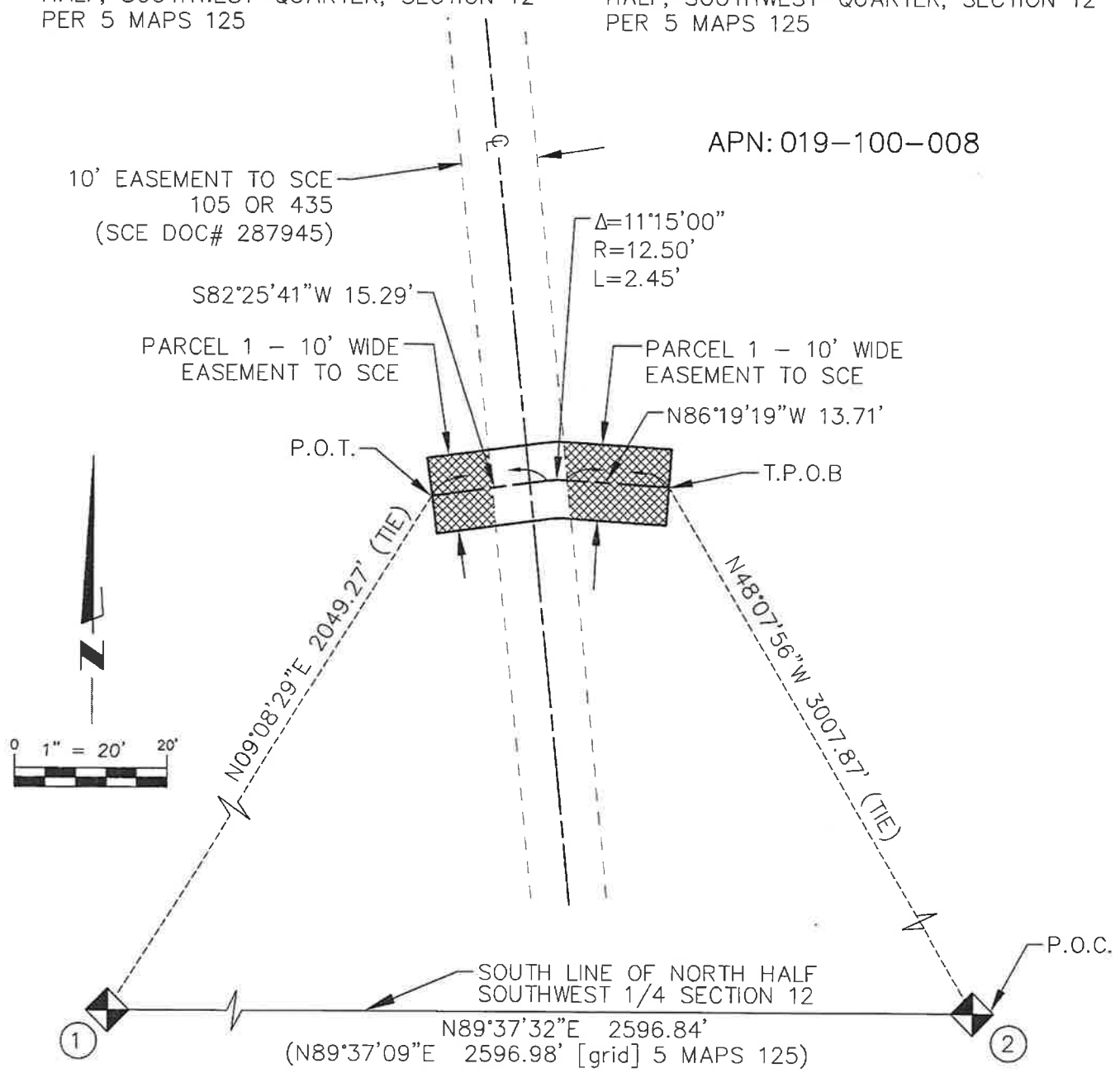
SHEET NO. 1  
OF 2 SHEETS  
SERIAL 71261A

# EXHIBIT "B"

PORTION OF THE SOUTH HALF OF THE  
NORTHWEST QUARTER SECTION 12,  
T.2N., R.25E., M.D.B.&M.  
MONO COUNTY, CA

① FD 4"x4" POST WITH  
BRASS PLATE MARKED 1/16 CORNER  
WITH 5' R.P. MONUMENTS.  
ACCEPTED AS SOUTHWEST CORNER, NORTH  
HALF, SOUTHWEST-QUARTER, SECTION 12  
PER 5 MAPS 125

② FD 4"x4" POST WITH  
BRASS PLATE MARKED 1/16 CORNER  
WITH 5' R.P. MONUMENTS.  
ACCEPTED AS SOUTHEAST CORNER, NORTH  
HALF, SOUTHWEST-QUARTER, SECTION 12  
PER 5 MAPS 125



WO NO. 801485036  
DR. BY: JRJ  
CH. BY: RPM  
DATE: 6/28/16

LUNDY POWERHOUSE, MONO CITY  
(SERIAL 71261A)  
A PORTION OF THE SOUTH HALF OF THE NORTHWEST 1/4  
SECTION 12 T.2N. R.25E. M.D.B. & M., MONO COUNTY



SOUTHERN CALIFORNIA  
**EDISON**  
An EDISON INTERNATIONAL Company

SHEET NO. 2  
OF 2 SHEETS  
SERIAL 71261A



SOUTHERN CALIFORNIA  
**EDISON**<sup>®</sup>

An EDISON INTERNATIONAL<sup>®</sup> Company



***Real Properties Department  
Real Estate Valuation***

***July 28, 2016***

Melissa Garcia-Medrano, Land Services Assistant,  
Land Management, Real Properties Dept.,  
Southern California Edison Company  
2 Innovation Way, (PIV2) Pomona CA 91768

**SUBJECT:** File # 16-072 ACQ Electric line and telecom easement,  
Notif# 203326325, WO# 801485036, Parcel # 019-100-008,  
Owner: County of Mono,  
Location: Millcreek Powerhouse Road, West of Hwy 395, north of Lundy  
Lake Road, Mono County California 93541

The following appraisal is reported in a summary format for the valuation of a utility easement for an electrical and telecom line upgrade. The following report is intended to comply with the reporting requirements set forth under Standard Rule 2-2 of the Uniform Standards of Professional Appraisal Practice (USPAP) for the specific type of appraisal and report. This report incorporates, by reference, the data and valuation analysis contained in the office file. The information contained in this report is specific and confidential to the needs of The Southern California Edison Company (the client); the appraiser is not responsible for unauthorized use of this report. Additional supporting information is contained in the appraiser/company work file and may be provided upon request.

Southern California Edison (SCE) is currently seeking an easement which encumbers a portion of the subject parcel. The purpose of the easement is for electrical and communications lines within an underground conduit, from a riser on a pole to a manhole just beyond the roadway. The proposed easement is adjacent to an existing SCE electric line easement. The subject parcel is open land in Mono County, California. It is identified by the following highlighted LandVision map.



The subject parcel is located west of highway 395, northwest of Lundy Lake Road, a few miles from Mono Lake, Mono County CA. The subject parcel is in a remote rural area. The utility easement consists of two rectangular strip of land situated either side of an existing SCE line easement. The strip of land is 10 feet wide with a land area of 215.00 square feet.

The purpose of the easement is for electrical and communications lines within an underground conduit, from a riser on a pole to a manhole just beyond the roadway. The easement area will restrict some surface property rights as well as restrict some subsurface rights, within the easement area. All site improvements will be replaced in kind or protected in place as part of the project.

Specifically, SCE is seeking “an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time underground electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of wires, underground conduits, cables, vaults, manholes, handholes, and including above-ground, enclosures, markers and concrete pads and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for transmitting intelligence by electrical means, in, on, over, under, across and along that certain real property in the County of Mono...

## **BASIS OF VALUATION**

"Fair Market Value", as defined pursuant to Chapter 1275, Title 7, Part 3 of the California Code of Civil Procedure, entitled: Eminent Domain Law, is as follows:

Fair Market Value. . . Article 4.

Measure of Compensation for Property Taken.

1263.320 (a) The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.

(b) The fair market value of the property taken for which there is no relevant market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

1263.330 The fair market value of the property taken shall not include any increase or decrease in the value of the property that is attributable to any of the following:

- (a) The project for which the property is taken;
- (b) The eminent domain proceeding in which the property is taken;
- (c) Any preliminary actions of the plaintiff relating to the taking of the property.

1263.420 Damage to the remainder is the damage, if any, caused to the remainder by either or both of the following:

- (a) The severance of the remainder from the part taken;
- (b) The construction and use of the project for which the property is taken in the manner proposed by the plaintiff whether or not damage is caused by a portion of the project located on the part taken.

1263.430 Benefit to the remainder is the benefit, if any, caused by the construction and use of the project for which the property is taken in the manner proposed by the plaintiff whether or not the benefit is caused by a portion of the project located on the part taken.

"Easement", as defined in the Dictionary of Real Estate Appraisal (5th Edition), Appraisal Institute, pages 63 and 246, is as follows:

1. The right to use another's land for a stated purpose.



2. Nonpossessory (incorporeal) interest in landed property conveying use, but not ownership, of a portion of that property.

**SUBJECT DATA**

Land Owner and Property History: According to public records, the owner of record is the County of Mono. No title report was provided for review. Ownership is assumed to be accurate, but may be otherwise.

Property Sales History: According to public records, there have been no transfers of the subject within the last 10 years. There are no known apparent current agreements, options, or listing of the subject larger parcel for sale.

Location: The subject property is located on Millcreek Powerhouse Road, West of Hwy 395, north of Lundy Lake Road, Mono County California

APN: 019-100-008-000

Ownership: County of Mono

Size and shape: Per the plat map, the subject larger parcel is generally rectangular in shape and contains a land area of 7,442,483± square feet or 170.86 acres.

Interest Appraised: Proposed permanent utility easement over assumed fee simple land.

Property Type: Rural

Present Use: Open land

Encumbrances: Unknown – title report not provided.

Topography: Generally hilly

Utility services: Utility services unknown.

Environmental: Unknown: no specific documentation provided for review. Appraisal assumes no environmental factors to prohibit future development.

Hazardous Materials: None known – appraisal assumes no hazardous materials.

Zoning: The subject larger parcel is governed by the Zoning and General Plan established and enforced by the County of Mono. The subject is zoned AG agricultural.

**General Plan:** The General Plan Land Use designation is Agricultural, which is consistent and conforming to zoning.

**Highest and Best Use as-vacant:** Highest and best use is defined as: The reasonably probable and legal use of vacant land or improved property that is physically possible, appropriately supported, and financially feasible and that results in the highest value. Highest and best use as though vacant is as agricultural fields, grass/hay fields or grazing.

**Purpose and Intended Use:** This appraisal is provided for internal Edison valuation purposes to determine the value of acquiring an easement to Southern California Edison for underground electrical and communication line purposes. The intended use is for Southern California Edison Real Properties staff to assist in negotiations of the property rights and is considered confidential. The intended users of this report are the SCE Real Properties staff and their representatives.

**Date of value:** The date of value is July 11, 2016.

**Date of Report:** The date of report is July 28, 2016.

**Methodology:** *Sales Comparison Approach* – The Sales Comparison Approach is based on the consideration of comparable land sales and is applicable to the valuation of the land rights to be acquired. Since only a portion of the land rights are proposed to be acquired (and valued), only the land will be analyzed.

*Cost Approach* – The Cost Approach is based in part on a replacement cost new of improvements less depreciation. Since the property right being appraised is an easement and does not impact any improvements (if present), the Cost Approach is considered not applicable or appropriate.

*Income Capitalization Approach* – The Income Approach is based on an analysis of income produced from the property and expenses to the property. Since only the underlying land value is considered, the Income Capitalization Approach is not applicable.

Therefore, the only applicable and appropriate method to estimate the value of the unencumbered fee land is the Sales Comparison Approach.

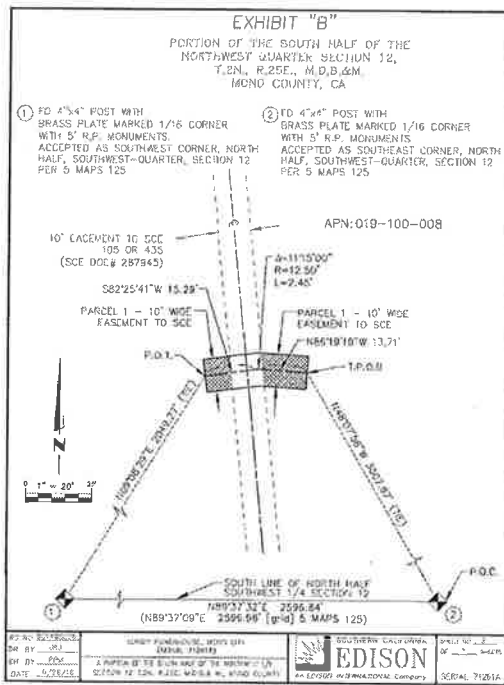
It is assumed that the easement being acquired is a permanent easement. The location of the easement would be aligned with the

existing SCE electric line easement, thus being minimally disruptive to the land, while being necessary to the electrical system.

For the purposes of this appraisal, the unit of comparison used is price per acre. This unit is a common unit of comparison used by buyers and sellers of land in this area.

**ACQUISITION DATA**

Area to be acquired: Permanent Easement, containing two strip of land 10 feet wide with an area of 215.00 square feet per SCE sources.



**Location of acquisition**

**Within parcel:** The proposed easement for the underground conduit line is situated across, and angled from the existing SCE line easement. It goes under an unpaved roadway which at that point is almost parallel to the existing SCE line. See Exhibit B drawing above.

**Severance damages:** I have concluded that there is no severance damages as a result of the part acquired.

**Benefits:** None noted.

## VALUATION DATA

Scope of Work: The scope of this assignment is to:

- Identify the subject property characteristics.
- Aerial photos provided by LandVision.
- Consulted relevant public records for the subject larger parcel and sales and relevant portion of zoning ordinance with the county planning department representative.
- Research local real estate market activity for recent sales of vacant land of similar zoning to the subject. Where possible, comparable sales were verified when possible with a party to or a real estate broker involved in the transaction.
- Secondary sources such as MLS, and brokers.
- Internet websites were relied upon for data. Supporting data is retained in the appraiser's work file.
- Interviewed realtors who are active in the subject's area and surrounding markets.
- Analyze the most comparable sales data to determine an appropriate unitary value estimate for the "unencumbered fee land."
- The appraisal is for land only and does not include any improvements or structures, if any are present.
- Consider the easement upon the subject parcel, determine impacts, if any.
- Prepare a report to communicate findings and conclusions. Deliver to client.

**Selected Market Data**

SUMMARY OF LAND SALE COMPARABLES						
Sale No.	Property Identification	Sale Date	Grantor	Zoning	Land Area (acres)	Sale Price
		Document No.	Grantee	General Plan	Orientation	Sale Price/Acre
1	along Hwy 120, east of Hwy 395, west of N Mine Loop Mono County APN: 021-130-040	Mar-16	County of Mono	OS	634	\$51,500
		2016000741	City of Los Angeles	Open space	Interior	\$81.23
2	Twin Lakes Rd west of Hwy 395 Bridgeport APN: 016-052-08	Apr-14	Park Livestock Co	AG DC	159	\$800,000
		2014001450	Centennial Livestock	Agricultural	Interior	\$5,030.18
3	Remote - east of Mono Lake, in River Springs area Benton area APN: 375-011-04	Jan-16	E Goldiann	RC	10	\$7,800
		2016000064	Robert Leidy	Resource Mangmnt	Interior	\$780.00
4	Twin Lakes Rd West of Hwy 395, Bridgeport APN: 010-170-009	Jan-16	State of Calif	AG DC	40	\$250,000
		2016000321	Sierra Land & Sheep LLC	Agricultural	Interior	\$6,250.00
5	E of Hwy 395, W of Burcham Flat Rd Bridgeport - Sonora Junction Area APN: 006-120-042, -043	Aug-14	George Mead	RM	80	\$118,000
		2016002970	McMahon	Resource Mangmnt	Interior	\$1,475.00
6	14235 Burcham Flat Rd, N & E of Hwy 395, Bridgeport APN: 006-120-007	Current	Haley Underground Inc	RM	160	\$349,900
		Listing	TBD	Resource Mangmnt	Corner	\$2,186.88
Subj.	upon Mill Creek Power House Road Mono APN: 019-100-008-000	Subject		AG	171	--
		--		Agricultural	interior	--

#### Market Data discussion:

I researched the subject's area for comparable land sales. The area is remote and there are few property transfers. The survey was extended to include adjacent areas to find land sales. In reviewing the data, we found comparable land sales that cover a marketing time from April 2014 through March 2016. These were the most comparable recent sales in the subject's market area. The comparable sales range from \$81 to \$6,250 per acre.

The comparable sales bracket the subject property in size, they are the most comparable land sales available. Comparable Sale #1 has been utilized as a landfill, per comments of a County planner, it was previously licensed from the City of LA, prior to being purchased by the County of Mono. Comparable sale #2 is of similar size and similar agricultural zoning. It is rural, yet less remote location and it has full frontage along the Walker River. Comparable sale #2 is the most similar. Comparable sales #3 is much smaller in size, remote location, and the sales data per MLS data. Comparable sale #4 is smaller in size, but has similar zoning. The transfer value of the January sale, was not available. Data presented in grid is from the transfer dated March 25, 2010. Comparable sale #5 is smaller in size, an unconfirmed sale of open land, located north of the subject in the Bridgeport area. Comparable #6 is a current listing of 160 acres, in the Bridgeport area, located near Highway 395. This property is of similar size, similar remote location, north of the subject in Bridgeport area, the land use zoning – resource management is slightly inferior to agricultural. It has been on the market 5 months. This is a relative short amount of time.

Comparable sale #2 was given primary consideration due to similar location, size, and zoning compared to the subject. The remaining sales were given secondary consideration. Thus, based on the market data, it is my opinion that an appropriate value indicator for the subject larger parcel is \$5000. per acre, which is within the range of the market.

#### Easement:

The typical appraisal method for valuing partial interests (as this easement), is the *before and after* method. In this method, the appraiser values the larger parcel before the taking (or easement) is implied, and then again after the easement is assumed to be in place. The difference (if any) is the amount attributed to the easement and is the value due to the owner. However, when lesser takings, or grants, are involved where such a before and after value would likely be nominal (due to impact, location, etc...) another approach and formula is often applied.

This formula basically estimates the value of the part taken (as a part of the whole), adds damages to the larger parcel (if any), subtracts special benefits (if any), and the difference is the value of the property interest in question. This method is based on the knowledge that property ownership is known as a "bundle of rights," where an

ownership can be divided into separate sticks that comprise the “bundle.” For example, certain sticks or rights represent the right to use the surface of the land, or the air rights around an airport, or the subsurface rights to acquire the right to run a pipeline. This latter method has been deemed appropriate and is used in this report.

Easement percentage of fee: Based on the use to which the easement will be put and the property rights imposed by the taking of the proposed easement, an appropriate percentage deduction to the previously concluded fee simple value of the property will be estimated. The loss in value has been quantified based on an apportionment of the impact on the subsurface, surface and air right estates of the property. The contributory value of the easement is roughly 75% of the concluded per unit value of the fee value for the property. Reasoning is provided as follows:

75% of fee: The “bundle of rights” of any ownership can be roughly divided into 3 areas: subsurface rights, surface rights and aerial rights. The percentages of fee commonly attributed to the areas are 25% subsurface, 50% surface, and 25% aerial. The proposed easement is located at the junction of the existing SCE Electric Line easement and the unpaved access road which runs parallel for a short distance. It is assumed this easement will affect some surface rights and the subsurface rights. It is assumed any site improvements impacted in the acquisition area will be replaced in kind or protected in place. Given the foregoing, it is my opinion that the rights to be acquired equate to 75% of the underlying fee rights within the proposed easement area.

## **RECONCILIATION:**

The information presented here represents recent land transfers, market activity and valid research for open land. It is my conclusion that the data is adequate in quantity, to determine an applicable unit value of the unencumbered land. Considering the information provided along with subject’s location and physical characteristics, it is my opinion that the unit value indicator for the unencumbered fee interest is \$5000 per acre.

## **Easement areas:**

The easement area (part take area) to be acquired consists of 215.00 square feet for an underground conduit line connecting a pole and a manhole on either side of the existing unpaved road. In recognizing the impact of the easement the land rights granted can be adjusted to a lower percentage of fee in comparison to granting the entire bundle of rights. Typically, the underground easement would prohibit some surface uses and all underground uses within the easement area. It would constitute some of the surface portion, and most of the subsurface portion of the bundle of rights. Assuming that SCE will reserve the rights in the proposed document, the easement is believed to represent 75% of the value of the unencumbered fee.

**Calculations: Easement**

		Per Sq.Ft.	Per Acre
Concluded Fee Simple Value Per Unit:		\$ 0.11	\$ 5,000
Easement Area to be acquired:		215.00	0.0049
Percent of Fee Simple Value:	75%	\$ 0.07	\$ 3,750
<b>Concluded Just Compensation:</b>	<b>215.00 SF X \$0.11 X 75% =</b>	<b>\$18</b>	
<b>Rounded:</b>	<b>\$20 Nominal</b>		

**Just Compensation:**

It is my opinion that the value of the easement, as of July 11, 2016, is Nominal:  
Please see the following statement of nominal award.

**\$1,000 (ONE THOUSAND DOLLARS) NOMINAL**



Ingrid R. Blowers,  
Appraiser #AR004628  
Southern California Edison Co.  
Real Properties Dept.



### **NOMINAL VALUE AWARD FOR COSTS**

As we can see from the analysis presented above, the value in the property rights proposed to be taken in the easement is small. Nonetheless, the transfer of the property rights to be acquired does impose a requirement that the property owner review project information, and execute necessary documents to bring about the transfer of these specified property rights. These requirements necessitate the consideration of the concept of “nominal value” which is described as follows:

“That amount of money necessary to effect a transfer of title to property where the property has no recognized independent use.”<sup>1</sup>

The monetary inducement to effect a transaction is, at least in part, driven by the anticipated costs associated with the transaction process, along with the time that must be devoted by the property owner to complete the process. We assume that the mapping, legal description, deed of easement, and all recording fees will be prepared and/or paid for by the public agency which is acquiring the specific property rights. Accordingly, there are no anticipated costs to the owner for these purposes. However, the owner may reasonably wish to retain legal counsel to review these documents, and to obtain the assurance that the property rights being transferred are as represented by the acquiring public agency. For the type of property under consideration, it is my opinion that the actual transaction costs would be on the order of magnitude of a few hundred dollars. Accordingly, it is our opinion that for the property rights proposed to be acquired, the indication of "**nominal value**" is in the total amount of:

**\$1,000 (ONE THOUSAND DOLLARS)**

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<sup>1</sup> Appraisal Institute, The Dictionary of Real Estate Appraisal, Fifth Edition, 2010

## Assumptions and Limiting Conditions

Standards Rule (S.R.) 2-1 of the *Standards of Professional Appraisal Practice of the Appraisal Institute* requires the appraiser to "clearly and accurately disclose any extraordinary assumption or limiting condition that directly affect" the report and indicate its impact on the value range. In compliance with S.R. 2-1 and to assist the reader in interpreting this report, such assumptions and limiting conditions are set forth as follows:

1. The term "Market Value," as used in this report, is defined as
  - (a) The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.
  - (b) The fair market value of property taken for which there is no relevant, comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.”<sup>2</sup>
2. The conclusions and opinions expressed in this report apply to the date of value set forth in this report. The dollar amount of any value opinion or conclusion rendered or expressed in this report is based upon the purchasing power of the American dollar existing on the date of value.
3. The appraiser assumes no responsibility for economic, physical, or demographic factors that may affect or alter the opinions in this report if said economic, physical, or demographic factors were not present as of the date of the letter of transmittal accompanying this report. The appraiser is not obligated to predict future political, economic, or social trends.
4. In preparing this report, the appraiser was required to rely on information furnished by other individuals or found in previously existing records and/or documents. Unless otherwise indicated, such information is presumed to be reliable. However, no warranty, either expressed or implied, is given by the appraiser for the accuracy of such information and the appraiser assumes no responsibility for information relied upon later found to have been inaccurate. The appraiser reserves the right to make such adjustments to the analyses, opinions, and conclusions set forth in this report as may be required by consideration of additional data or more reliable data that may become available.
5. No opinion as to the title of the subject properties is rendered. Data related to ownership and legal description was provided by SCE sources and is considered reliable. Title is assumed marketable, free, and clear of all liens, encumbrances, easements, and restrictions except those specifically discussed in the report. The properties are valued assuming them to be under responsible ownership and competent management and available for their highest and best use.
6. The appraiser assumes no responsibility for hidden or unapparent conditions of the properties, subsoil, ground water, or structures that render the subject properties more or less valuable. No responsibility is assumed for arranging for engineering, geologic, or environmental studies that may be required to discover such hidden or unapparent conditions.

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<sup>2</sup> California Code of Civil Procedure §1263.320.

7. The appraiser has not been provided any information regarding the presence of any material or substance on or in any portion of the subject properties or improvements thereon, which material or substance possesses or may possess toxic, hazardous, and/or other harmful and/or dangerous characteristics. Unless otherwise stated in the report, the appraiser did not become aware of the presence of any such material or substance during the appraiser's inspection of the subject properties. However, the appraiser is not qualified to investigate or test for the presence of such materials or substances. The presence of such materials or substances may adversely affect the value range of the subject properties. The value estimated in this report is predicated on the assumption that no such material or substance is present on or in the subject properties on in such proximity; thereto that it would cause a loss in value. The appraiser assumes no responsibility for the presence of any such substance or material on or in the subject properties, nor for any expertise or engineering knowledge required to discover the presence of such substance or material. Unless otherwise stated, this report assumes the subject properties are in compliance with all federal, state, and local environmental laws, regulations, and rules.
8. Unless otherwise stated, the subject properties are valued assuming them to be in full compliance with all applicable zoning and land use regulations and restrictions.
9. Unless otherwise stated, the properties are valued assuming that all required licenses, permits, certificates, consents or other legislative and/or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
10. No engineering survey was made by the appraiser. Except as specifically stated, data relative to size and area of the subject properties was taken from sources considered reliable and no encroachment of the subject properties are considered to exist.
11. No opinion is expressed as to the value of subsurface oil, gas, or mineral rights or whether the properties are subject to surface entry for the exploration or removal of such materials, except as is expressly stated.
12. Maps, plats, and exhibits included in this report are for illustration only to serve as an aid in visualizing matters discussed within the report. They should not be considered as surveys or relied upon for any other purpose, nor should they be removed from, reproduced, or used apart from this report.
13. No opinion is intended to be expressed for matters that require legal expertise or specialized investigation or knowledge beyond that customarily employed by real estate appraisers.
14. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and improvements must not be used in conjunction with any other report and are invalid if so used.
15. Possession of this report, or a copy of it, does not carry with it the right of publication. Without the written consent of the appraiser, this report may not be used for any purpose by any person other than the party to whom it is addressed. In any event, this report may be used only with proper written qualification and only in its entirety for its stated purpose.
16. Testimony or attendance in court or at any other hearing is not required by reason of rendering this appraisal unless such arrangements are made a reasonable time in advance of said hearing. Further, unless otherwise indicated, separate arrangements shall be made concerning compensation for the appraiser's time to prepare for and attend any such hearing.
17. In the event that appraiser is subpoenaed for a deposition or judicial or administrative proceeding and is ordered to produce the appraisal report and files, appraiser shall immediately notify the client. Appraiser shall appear at the deposition or judicial or administrative hearing with the appraisal report and files and answer all questions unless client provides appraiser with legal

counsel who instructs appraiser not to appear, instructs appraiser not to produce certain documents, or instructs appraiser not to answer certain questions. It shall be the responsibility of client to obtain a protective order.

18. The Americans with Disabilities Act (ADA) became effective on January 26, 1992. I have not made a specific compliance survey and analysis of the properties to determine whether or not they are in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the properties, together with a detailed analysis of the requirements of the ADA, could reveal that the properties are not in compliance with one or more of the requirements of the Act. If so, this could have a negative effect on the properties' value.
19. Where the value of the various components of the property are shown separately, the value of each is segregated only as an aid to better estimating the value of the whole; the independent value of the various components may, or may not, be the market value of the component.
20. The appraiser is not qualified to detect the presence of any threatened or endangered species. The client is urged to retain an expert in this field if there is any question as to the existence of any threatened or endangered species. The value estimated in the report assumes that no threatened or endangered species is present on the property.
21. A Limited Environmental Review was not provided to the appraiser by the client. The appraiser is not an expert in biological or environmental matters and strongly suggests that the client and or future user of the subject site obtain a biological and environmental assessment prior to any activity on the property. The value conclusion assumes that property in compliance with all local, regional, and State environmental approvals, including those required by CEQA through California Public Utilities Code 851. The appraiser assumes no responsibility for any failure of obtaining proper environmental clearances.

**CERTIFICATION**

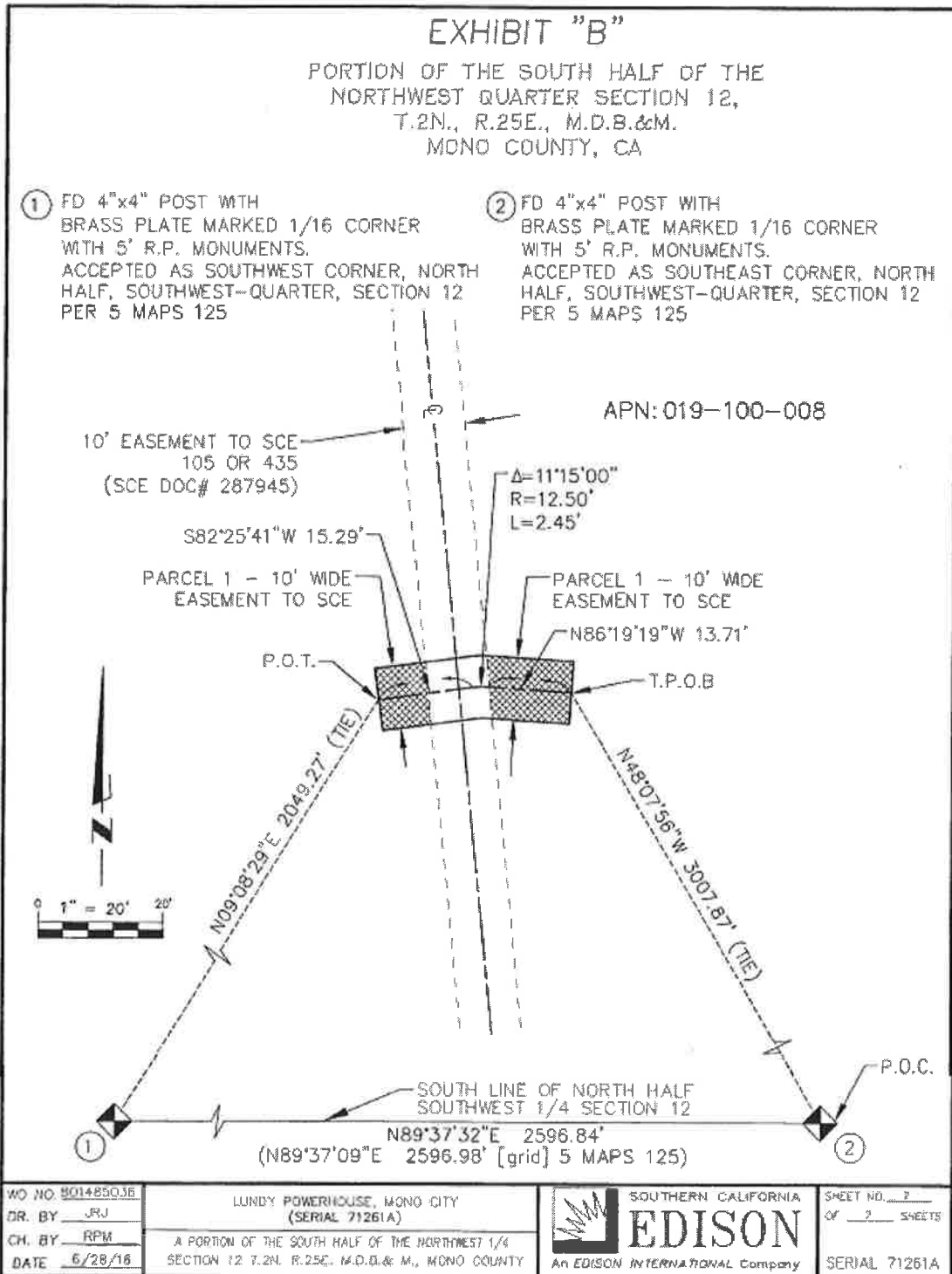
I certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are my personal, unbiased professional analyses, opinions, and conclusions.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- this appraisal assignment was not based on a requested minimum value, valuation, a specific valuation, nor provides a value estimate for the approval of a loan (federally or privately funded).
- my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- I have not made a personal inspection of the exterior of the property that is the subject of this report.
- no one provided significant professional assistance to the person signing this report.
- I have the knowledge and experience required to complete this assignment competently.




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Ingrid R. Blowers  
Appraiser # AR004628



RECORDING REQUESTED BY



**SOUTHERN CALIFORNIA  
EDISON**  
*An EDISON INTERNATIONAL Company*

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WHEN RECORDED MAIL TO

SOUTHERN CALIFORNIA EDISON COMPANY  
2 INNOVATION WAY, 2nd FLOOR  
POMONA, CA 91768

Attn: Title and Real Estate Services

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SCE Doc. No.  
**GRANT OF  
EASEMENT**

DOCUMENTARY TRANSFER TAX \$ NONE VALUE AND CONSIDERATION LESS THAN \$100.00	USUAL Bishop	SERIAL NUMBER 801485036	SERIAL NO. 71261A	MAP SHEET
SCE Company SIG OF DECLARANT OR AGENT DETERMINING TAX	FIN 564-2376-2 APN 019-100-003	APPROVED REAL PROPERTIES DEPARTMENT	BY SLS/VW	DATE 6/28/16
FRM NAME				

COUNTY OF MONO, a political subdivision of the State of California (hereinafter referred to as "Grantor"), hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time underground electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of wires, underground conduits, cables, vaults, manholes, handholes, and including above-ground enclosures, markers and concrete pads and other appurtenant fixtures and equipment necessary or useful for distributing electrical energy and for transmitting intelligence by electrical means, in, on, over, under, across and along that certain real property in the County of Mono, State of California, described as follows:

FOR LEGAL DESCRIPTION, SEE EXHIBITS "A" AND "B", BOTH ATTACHED HERETO AND MADE A PART HEREOF.

Grantor further grants, bargains, sells and conveys unto the Grantee the right of assignment, in whole or in part, to others, without limitation, and the right to apportion or divide in whatever manner Grantee deems desirable, any one or more, or all, of the easements and rights, including but not limited to all rights of access and ingress and egress granted to the Grantee by this Grant of Easement.

Grantor agrees for itself, its successors and assigns, not to erect, place or maintain, nor to permit the erection, placement or maintenance of any building, planter boxes, earth fill or other structures except walls and fences on the above described real property. The Grantee, and its contractors, agents and employees, shall have the right to trim or cut tree roots as may endanger or interfere with said systems and shall have free access to said systems and every part thereof, at all times, for the purpose of exercising the rights herein granted; provided, however, that in making any excavation on said property of the Grantor, the Grantee shall make the same in such a manner as will cause the least injury to the surface of the ground around such excavation, and shall replace the earth so removed by it and restore the surface of the ground to as near the same condition as it was prior to such excavation as is practicable.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**SERIAL 71261A**

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF MONO, STATE OF CALIFORNIA ACCORDING TO THE OFFICIAL PLAT THEREOF, BEING A STRIP OF LAND 10.00 FEET WIDE, LYING 5.00 FEET ON EACH SIDE OF, AND PARALLEL WITH, THE FOLLOWING DESCRIBED CENTERLINE:

**PARCEL 1 – 10' WIDE EASEMENT**

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 12, AS SHOWN AND DELINEATED ON THAT CERTAIN RECORD OF SURVEY FILED FOR RECORD ON AUGUST 22, 1968 IN BOOK 5 OF MAPS AT PAGE 125, MONO COUNTY RECORDS; THENCE NORTH 48°07'56" WEST, 3007.87 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 86°19'19" WEST, 13.71 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 12.50 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°15'00" FOR AN ARC DISTANCE OF 2.45 FEET; THENCE SOUTH 82°25'41" WEST, 15.29 FEET TO THE POINT OF TERMINATION.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THAT CERTAIN GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY, RECORDED ON OCTOBER 9, 1969 IN VOLUME 105 AT PAGE 435, OF OFFICIAL RECORDS OF THE COUNTY RECORDER OF MONO.

CONTAINING A TOTAL AREA OF 215 SQUARE FEET MORE OR LESS.

ALL FOUND MONUMENT DESCRIPTIONS, BASIS OF BEARING, COURSES AND DISTANCES ARE SHOWN ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (2011), ZONE 3, EPOCH 2010.00. DIVIDE DISTANCES SHOWN BY 0.99954924 TO OBTAIN GROUND DISTANCES.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION, IN ACCORDANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.

  
RYAN P. MICHALAK, LS 9176

JUNE 28, 2016





Page 1 of 1




### EXHIBIT "B"

PORTION OF THE SOUTH HALF OF THE  
NORTHWEST QUARTER SECTION 12,  
T.2N., R.25E., M.D.B.&M.  
MONO COUNTY, CA

**LEGEND:**

-  = FOUND NGS BENCHMARK, AS DESCRIBED
-  = FOUND SECTION CORNER, AS DESCRIBED

 PARCEL 1 – 10' WIDE EASEMENT TO SCE  
TOTAL AREA =215 SQ.FT.

**ABBREVIATIONS:**

- APN = ASSESSORS PARCEL NUMBER
- SCE = SOUTHER CALIFORNIA EDISON
- FD = FOUND
- CL = CENTERLINE
- P.O.C. = POINT OF COMMENCEMENT
- T.P.O.B. = TRUE POINT OF BEGINNING
- P.O.T. = POINT OF TERMINATION
- NGS = NATIONAL GEODETIC SURVEYS
- NAVD = NORTH AMERICAN VERTICAL DATUM
- RP = REFERENCE POINT
- OR = OFFICIAL RECORDS
- M.D.B.&M. = MOUNT DIABLO BASE AND MERIDIAN



JUNE 28, 2016

MARK THOMAS & COMPANY, INC.

  
RYAN P. MICHALAK, LS 9176

**BASIS OF BEARINGS:**

MEASURED BEARINGS SHOWN ON THIS SURVEY ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM 1983 (2011), ZONE 3, EPOCH 2010.00, BASED UPON THE NGS DERIVED COORDINATES OF "CONWAY" (PID JR1114) IN US SURVEY FEET AS:  
NORTHING: 2219965.94 EASTING: 6942937.95 ELEVATION: 8379.5'  
DIVIDE DISTANCES SHOWN BY 0.99954924 TO OBTAIN GROUND DISTANCES.


ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. (NAVD'88)

**REFERENCES AND NOTES:**

- RECORD OF SURVEY – BK 5 MAPS PAGE 125
- VOLUME 105 PAGE 435 OFFICIAL RECORDS
- VOLUME 0897 PAGE 108 OFFICIAL RECORDS



MARK THOMAS & COMPANY, INC.  
Planning, Engineering, Surveying, and Planning Services  
7300 Folsom Boulevard, Suite 102  
Sacramento, CA 95826  
(916) 381-9100

WD NO. <b>801485038</b>	LUNDY POWERHOUSE, MONO CITY (SERIAL 71261A)	 SOUTHERN CALIFORNIA <b>EDISON</b> An EDISON INTERNATIONAL Company	SHEET NO. <u>1</u> OF <u>2</u> SHEETS
DR. BY <u>JRJ</u>	A PORTION OF THE SOUTH HALF OF THE NORTHWEST 1/4 SECTION 12 T.2N. R.25E. M.D.B. & M., MONO COUNTY		SERIAL 71261A
CH. BY <u>RPM</u>			
DATE <u>6/28/16</u>			



Mono City  
019-100-008-000

[View or Print Value Notice](#)

<b>Address</b>	Mono City
<b>Community</b>	Mono City
<b>Complex</b>	
<b>Land Use Designation</b>	Agriculture (AG)
<b>Division Type</b>	Lot
<b>Parcel Type</b>	Land Parcel
<b>Stated Area</b>	160 a.
<b>Calculated Acres</b>	170.84
<b>Previous Assessment #</b>	001910008000000



**Note.** If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States:

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

**Foreign person.** If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

**Nonresident alien who becomes a resident alien.** Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

**Example.** Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

## Backup Withholding

**What is backup withholding?** Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

**Payments you receive will be subject to backup withholding if:**

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code* on page 3 and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* above.

## What is FATCA reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code* on page 3 and the Instructions for the Requester of Form W-9 for more information.

## Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

## Penalties

**Failure to furnish TIN.** If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of TINs.** If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

### Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account, list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

**Note. ITIN applicant:** Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C Corporation, or S Corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

**Line 2**

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

**Line 3**

Check the appropriate box in line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box in line 3.

**Limited Liability Company (LLC).** If the name on line 1 is an LLC treated as a partnership for U.S. federal tax purposes, check the "Limited Liability Company" box and enter "P" in the space provided. If the LLC has filed Form 8832 or 2553 to be taxed as a corporation, check the "Limited Liability Company" box and in the space provided enter "C" for C corporation or "S" for S corporation. If it is a single-member LLC that is a disregarded entity, do not check the "Limited Liability Company" box; instead check the first box in line 3 "Individual/sole proprietor or single-member LLC."

**Line 4, Exemptions**

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space in line 4 any code(s) that may apply to you.

**Exempt payee code.**

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt payees 1 through 5 <sup>2</sup>
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

<sup>1</sup> See Form 1099-MISC, Miscellaneous Income, and its instructions.

<sup>2</sup> However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

**Exemption from FATCA reporting code.** The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

- A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)
- B—The United States or any of its agencies or instrumentalities
- C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)
- E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)
- F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state
- G—A real estate investment trust
- H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940
- I—A common trust fund as defined in section 584(a)
- J—A bank as defined in section 581
- K—A broker
- L—A trust exempt from tax under section 664 or described in section 4947(a)(1)
- M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

**Note.** You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

**Line 5**

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns.

**Line 6**

Enter your city, state, and ZIP code.

**Part I. Taxpayer Identification Number (TIN)**

**Enter your TIN in the appropriate box.** If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on this page), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

**Note.** See the chart on page 4 for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at [www.ssa.gov](http://www.ssa.gov). You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at [www.irs.gov/businesses](http://www.irs.gov/businesses) and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting [IRS.gov](http://IRS.gov) or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note.** Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

**Caution:** A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

**Part II. Certification**

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, or 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code* earlier.

**Signature requirements.** Complete the certification as indicated in items 1 through 5 below.

**1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983.** You must give your correct TIN, but you do not have to sign the certification.

**2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983.** You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

**3. Real estate transactions.** You must sign the certification. You may cross out item 2 of the certification.

**4. Other payments.** You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

**5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions.** You must give your correct TIN, but you do not have to sign the certification.

**What Name and Number To Give the Requester**

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account <sup>1</sup>
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor <sup>2</sup>
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee <sup>1</sup>
b. So-called trust account that is not a legal or valid trust under state law	The actual owner <sup>1</sup>
5. Sole proprietorship or disregarded entity owned by an individual	The owner <sup>3</sup>
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor <sup>4</sup>
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity <sup>4</sup>
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

<sup>1</sup> List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

<sup>2</sup> Circle the minor's name and furnish the minor's SSN.

<sup>3</sup> You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

<sup>4</sup> List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 2.

\*Note. Grantor also must provide a Form W-9 to trustee of trust.

**Note.** If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

**Secure Your Tax Records from Identity Theft**

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

**Protect yourself from suspicious emails or phishing schemes.** Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to [phishing@irs.gov](mailto:phishing@irs.gov). You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: [spam@uce.gov](mailto:spam@uce.gov) or contact them at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or 1-877-IDTHEFT (1-877-438-4338).

Visit [IRS.gov](http://IRS.gov) to learn more about identity theft and how to reduce your risk.

**Privacy Act Notice**

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** October 4, 2016

**Departments: Clerk of the Board of Supervisors**

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

**PERSONS  
APPEARING  
BEFORE THE  
BOARD** Bob Musil

**SUBJECT** Appointment to Assessment Appeals  
Board

### AGENDA DESCRIPTION:

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

Discussion and possible appointment of Jeff Mills as an alternate member of the Assessment Appeals Board.

### RECOMMENDED ACTION:

Consider and potentially appoint Jeff Mills to serve as an alternate member of the Assessment Appeals Board; provide any desired direction to staff.

### FISCAL IMPACT:

None. The Assessment Appeals Board is fully funded in the 2016/2017 budget.

**CONTACT NAME:** Bob Musil

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

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

### SEND COPIES TO:

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

Click to download
<input type="checkbox"/> <a href="#">Staff Report</a>
<input type="checkbox"/> <a href="#">Application for Appointment</a>
<input type="checkbox"/> <a href="#">Resume</a>

History

<b>Time</b>	<b>Who</b>	<b>Approval</b>
9/26/2016 6:32 AM	County Administrative Office	Yes
9/22/2016 5:33 PM	County Counsel	Yes
9/22/2016 3:20 PM	Finance	Yes





Larry Johnston ~ District One   Fred Stump ~ District Two   Tim Alpers ~ District Three  
Tim Fesko ~ District Four   Stacy Corless ~ District Five

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## **BOARD OF SUPERVISORS COUNTY OF MONO**

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P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517

(760) 932-5538 • FAX (760) 932-5531

*Bob Musil, Clerk of the Board*

To: Honorable Board of Supervisors

From: Bob Musil, Clerk of the Board of Supervisors

Date: October 4, 2016

### Subject

Appointment of Alternate Member to Assessment Appeals Board

### Recommended Action

Consider appointment of Jeff Mills as an alternate member of the Assessment Appeals Board; provide any desired direction to staff.

### Discussion

The Assessment Appeals Board is responsible for considering appeals filed by property owners disputing the assessed value of their property. The Board consists of three regular members and at least one alternate member. Typically the alternate member hears cases where a regular member is either unable to attend a hearing or has recused themselves due to a conflict of interest.

The alternate member of the Board resigned in March, leaving only the three regular members on the Board. Hearings are scheduled before the Board on October 26-27. A member of the Board has already recused herself from one of the cases, and the applicant in that case has requested that his appeal be heard by a full three member panel. Further complicating this case, Revenue & Taxation Code §1604 requires that the case be heard, and a decision rendered, within two years of the date the appeal was filed. That period will expire prior to the November hearing date which the Assessment Appeals Board has set.

After much effort, we have identified a qualified candidate to serve on the Board, and he has submitted an application to do so. Jeff Mills is a former member of the Assessment Appeals Board, and also a former real estate agent in Bridgeport.

Mr. Mills is currently employed as a Public Safety Officer for the Mono County Sheriff's Office. This does not create a legal barrier for Mr. Mills, since the only statutory disqualification involves current or recently departed employees of the Assessor's Office. The appointment of a county employee could still create the appearance of a conflict, and that is a question for your Board to decide.

Fiscal Impact

None. Full funding for the Assessment Appeals Board is already included in the 2016/2017 annual budget.

# MONO COUNTY APPLICATION FOR APPOINTMENT TO BOARDS/COMMISSIONS/COMMITTEES

<b>DATE</b>	September 9, 2016
<b>NAME</b>	JEFFREY L. MILLS
<b>POSITION APPLIED FOR:</b>	

<b>RESIDENCE ADDRESS</b>	95 LAKESIDE Drive Bridgeport, CA. 93517
<b>PHONE</b>	(775) 450-5237
<b>BUSINESS ADDRESS</b>	25 Emigrant Street Bridgeport, CA. 93517
<b>PHONE</b>	(760) 932-5277
<b>OCCUPATION</b>	

How did you learn of the opening? Bob Musil

Please state briefly any experience of which you feel will be helpful when you serve in this appointment: California Real Estate Broker Since 2003, California real estate Salesperson Since 1983.

Other information may be submitted by resume if desired.  
Summary of background and skills: See Attached Resume

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Professional experience: See Attached resume

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Education: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Professional and/or community organizations: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Personal interests and hobbies: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Have you ever been convicted of a felony, which would disqualify you from appointment? If you are appointed and cannot be bonded as required, your appointment will be revoked. NO

If you desire a personal interview or wish to address the Board, you may contact the Board of Supervisor's Office directly at (760) 932-5533.

Please return application to: Clerk of the Board  
County of Mono  
P. O. Box 715  
Bridgeport, CA 93517

Jerry L. Mills  
Signature

Sept. 9, 2016  
Date

# Jeffrey Lee Mills

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2613 Spear Point Drive, Reno Nevada 89509  
Cell: 775-450-5237 - jeff@bridgeport-properties.com

## Professional Summary

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Results-oriented business professional with demonstrated ability to provide leadership to an organization with a focus on customer service. Excellent problem solving skills. Expertise in developing client relations. Business owner with over twenty five years experience directing a team towards increased revenues and success.

## Summary of Skills

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- Experienced in Peachtree software
- Bookkeeping
- Cash flow reports
- Budget development
- Account maintenance
- Business recovery and sustainability
- Operations analysis
- Procedure and process review and development
- Financial reporting
- Expertise in full balance sheet and income statement reporting
- Experience with conflict resolution
- Hiring/Firing
- Recruiting
- Compensation/Payroll
- Negotiation skills
- Complex problem solving skills
- Strategic planning
- Internet marketing
- Provide advertising solutions
- Proficiency with Microsoft Office Suite and web-based reporting tools

## Achievements

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### *Bridgeport Properties:*

- Developed a Real Estate brokerage with the highest volume of property transfers (2004 - 2011) for the Bridgeport area.

### *Hays Street Cafe:*

- Achieved status as one of the top Restaurants in the region, and have retained that status for 24 years.
- Increased annual gross sales by more than 100% over past 20 years.

## Professional Experience

---

### **Automation Processing**

November 2014 to Current

#### **United States Postal Service - Reno, Nevada**

I am currently working with the United States Postal Service at the Reno Processing and Distribution center. I am an automated processing clerk responsible for the operation of the Delivery Barcode Sorting (DBCS) and Combined input/output Subsystem (CIOS) for the Automated redirection of return to sender and forward mailpieces.

### **Owner/Broker**

June 2004 to November 2014

#### **Bridgeport Properties - Bridgeport, California**

Responsible for all phases of real property transfers. Analyzed sales data and listing data to provide current market values to Home Sellers, Home Buyers and Lenders. Developed and executed marketing programs and general business solutions resulting in increased company exposure, customer traffic, and sales. Negotiated purchase agreements and coordinated with lenders, attorneys, escrow officers, title officers and inspectors.

### **Owner/Manager**

March 1990 to November 2014

#### **Hays Street Cafe - Bridgeport, California**

Performed complex general accounting functions, including preparation of journal entries, account analysis and balance sheet reconciliations. Compiled financial reports pertaining to cash receipts, expenditures and profit and loss. Received, recorded, and banked cash, checks, and vouchers as well as reconciled records of bank transactions, and filed state sales tax reports. Managed employee compensation program and filed quarterly and annual state and federal payroll tax

reports. Prepared accurate financial statements for end of the quarter and end of year tax reporting. Implemented employee recruiting, interviewing and hiring practices. Created employee training and safety program. responsible for employee evaluation and reviews. Executed marketing and public relations campaigns, including new product introductions and existing product development. Increased employee awareness of customer service by developing business practices that focus on customer satisfaction.

### **Flight School Manager**

June 1988 to February 1990

**Martin Aviation** - Santa Ana, California

Managed fleet of aircraft and certified flight instructors for a part 141 flight school on Orange county's John Wayne Airport. Responsible for working with international students and assisted with student visas. Assisted with development of a computer based scheduling program for aircraft rental, flight instructor time and invoicing.

### **Real Estate Sales Associate & Mortgage Broker**

May 1986 to January 1990

**First Team Real Estate** - Huntington Beach, California

Achieved recognition for top selling salesperson.

### **Helitack Firefighter**

June 1984 to October 1985

**United States Forest Service** - Bridgeport, CA.

Helicopter initial attack to wild fires.

### **Deputy Sheriff**

July 1978 to April 1983

**Mono County Sheriff's Department** - Bridgeport, California

Served as Dispatcher, Jailer and Deputy Sheriff.

## **Education**

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### **Appraisal for Property Tax, 2011**

**Los Rios Community College** - Sacramento, California

Relevant coursework: Fundamentals of property evaluation procedures, property tax laws, principles of value.

### **California Brokers License : Real Estate Broker, 2003**

#### **Online Classes**

- Related coursework: Real Estate Law, Real Estate Finance and Mortgage Brokering, Real Estate Principles, Appraisal, Economics and Property management,

### **California Real Estate Salesperson License : Real Estate Sales, 1983**

**Fullerton City College** - Fullerton, California

Relevant coursework: Fundamentals of Real Estate Sales, Real Estate Laws and Practices, Real Estate Marketing.

### **Police Officer Standards and Training Certificate : Criminal Justice, 1982**

**San Bernardino Valley College** - San Bernardino, California

Completion of the San Bernardino Sheriff's Academy

### **High School Diploma : 1978**

**La Mirada High School** - La Mirada, California

Graduated with Honors

## **Professional Affiliations**

---

California Association of Realtors

National Association of Realtors

## **Previous Community Involvement**

---

Treasurer Eastern Sierra Academy & Lee Vining High School P.T.S.O.

Elected Board of Trustee, Eastern Sierra Unified School District 1996-2000  
Served as Foreman Mono County Grand Jury  
Vice President/Treasurer Bridgeport Chamber of Commerce

### **Interests/Hobbies**

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- Flying - Private Pilot
- Scuba Diving
- Golf



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    October 4, 2016

**Departments: Community Development**

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

**SUBJECT**            Planning Commission Meeting Schedule Change

**AGENDA DESCRIPTION:**

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

Consider changing planning commission regular meeting time from the second Thursday to the third Thursday of each month.

**RECOMMENDED ACTION:**

1. Introduce, read title, and waive further reading of proposed ordinance amending section 2.36.040 A of the Mono County Code, pertaining to regular meetings of the planning commission; and
2. Provide any desired direction to staff.

**FISCAL IMPACT:**

No fiscal impact.

**CONTACT NAME:** Scott Burns

**PHONE/EMAIL:** 924.1807 / sburns@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
<a href="#">staff report</a>
<a href="#">Ordinance</a>

History



<b>Time</b>	<b>Who</b>	<b>Approval</b>
9/28/2016 5:22 PM	County Administrative Office	Yes
9/28/2016 11:04 AM	County Counsel	Yes
9/28/2016 8:52 PM	Finance	Yes

# Mono County Community Development Department

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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](http://www.monocounty.ca.gov)

October 4, 2016

**To:** Honorable Chair and Members of the Board of Supervisors  
**From:** Scott Burns, Director  
**Subject:** PLANNING COMMISSION REGULAR MEETING CHANGE

**Recommended Action:**

1. Introduce, read title, and waive further reading of proposed ordinance amending section 2.36.040 A of the Mono County Code, pertaining to regular meetings of the planning commission; and
2. Provide any desired direction to staff.

**Fiscal Impact:**

None.

**Discussion:**

In order to accommodate new commissioner and existing commissioner scheduling constraints, a change in the regular meeting time specified in the Mono County Code is proposed. Specifically, the current requirement to hold planning commission meetings the second Thursday of each month is proposed to be changed to the third Thursday of each month. This amendment concept has been discussed with and favorably received by existing planning commissioners. The community development department can also accommodate the change, as the third Thursday does not conflict with other regularly scheduled meetings.

If this ordinance change is approved, a corresponding change to planning commission bylaws will be presented to the planning commission for approval. Please contact Planning Commission Secretary CD Ritter or Scott Burns if you have questions concerning this matter.

**Attachments:**

Proposed Ordinance



ORDINANCE NO. ORD16-\_\_

**AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS  
AMENDING CHAPTER 2.36 OF THE MONO COUNTY CODE, PERTAINING TO  
REGULAR MEETINGS OF THE MONO COUNTY PLANNING COMMISSION**

**WHEREAS**, Chapter 2.36 creates the Mono County planning commission and specifies its membership, compensation, and manner of transacting business, including a regular meeting schedule; and

**WHEREAS**, the Board wishes to change the planning commission's regular meeting time from ten a.m. the **second** Thursday of the month to ten a.m. the **third** Thursday of the month.

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

**SECTION ONE:** Section 2.36.040 A of Chapter 2.36 of the Mono County Code is hereby amended to read as follows:

**2.36.040 Meetings.**

**A.** Regular meetings of the planning commission shall be held on the third Thursday of each month, commencing at ten a.m. Regular meetings shall be scheduled for the third Thursday of the month, but may also be scheduled for the fourth Thursday due to commission workload, holidays, or other scheduling difficulties. All meetings shall be duly noticed. Unless otherwise noticed, meetings shall be held in the board of supervisors' room, Courthouse, Bridgeport, California. The commission may, on a majority vote of its members, or with the approval of the chair in consultation with the planning director dispense with any regular meeting.

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

**PASSED, APPROVED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote, to wit:

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

\_\_\_\_\_  
Fred Stump, Chairman  
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

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

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



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    October 4, 2016

**TIME REQUIRED**

**SUBJECT**                    Closed Session--Human Resources

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, and Dave Butters. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

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

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

**History**

Time

Who

Approval



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    October 4, 2016

**TIME REQUIRED**

**SUBJECT**            Closed Session - Initiation of  
Litigation

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

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

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No Attachments Available

**History**

Time	Who	Approval
9/27/2016 10:31 AM	County Administrative Office	Yes
9/26/2016 10:21 PM	County Counsel	Yes
9/28/2016 8:47 PM	Finance	Yes



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    October 4, 2016

**TIME REQUIRED**

**SUBJECT**            Closed Session - Performance  
                                 Evaluation - CAO

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: CAO.

**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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No Attachments Available

**History**

Time	Who	Approval
9/28/2016 5:23 PM	County Administrative Office	Yes
9/28/2016 10:39 AM	County Counsel	Yes
9/28/2016 8:47 PM	Finance	Yes



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    October 4, 2016

**TIME REQUIRED**

**SUBJECT**            Afternoon Session

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

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

**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:**

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

**History**

Time

Who

Approval



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    October 4, 2016

**Departments: Community Development and Board of Supervisors**

**TIME REQUIRED**    90 minutes (30 minute presentation; 60 minute discussion)    **PERSONS APPEARING BEFORE THE BOARD**    Supervisor Johnston, Nick Criss

**SUBJECT**            Transient Rental Neighborhood Designation Process

**AGENDA DESCRIPTION:**

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

Supervisor Johnston's Transient Rental Designation Process Proposal

**RECOMMENDED ACTION:**

Direct that Supervisors Johnston's proposal be presented to and considered by the Planning Commission and Board of Supervisors during upcoming public hearings on the matter; and provide any desired direction to staff.

**FISCAL IMPACT:**

No fiscal impact.

**CONTACT NAME:** Scott Burns

**PHONE/EMAIL:** 924.1807 / sburns@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
<a href="#">staff report</a>
<a href="#">Sup Johnston</a>
<a href="#">attach MO</a>
<a href="#">July Staff Rep</a>
<a href="#">JLCAC</a>



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**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
9/29/2016 5:58 AM	County Administrative Office	Yes
9/29/2016 2:20 PM	County Counsel	Yes
9/29/2016 5:59 AM	Finance	Yes

# Mono County Community Development Department

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October 4, 2016

**TO:** Board of Supervisors  
**FROM:** Larry Johnston, District 1 Supervisor  
Nick Criss, Compliance Officer  
Scott Burns, Community Development Director  
**RE:** SUPERVISOR JOHNSTON'S TRANSIENT RENTAL DESIGNATION PROPOSAL

## **RECOMMENDATION**

Following review of Supervisor Johnston's proposal and receipt of status report on the current staff community outreach and review process, direct that Supervisors Johnston's position be presented to and considered by the Planning Commission and Board of Supervisors during upcoming public hearings on the matter; and provide any desired direction to staff.

## **FISCAL IMPACT**

No impact to General Fund.

## **DISCUSSION**

As directed at the September 20, 2016 Board of Supervisors meeting, this item reviews Supervisor's Johnston's attached "Alternative Transient Rental Neighborhood Designation Process." Staff will also report on the progress of community outreach, including two meetings of the June Lake Citizens Advisory Committee (CAC), the Antelope Valley Regional Planning Advisory Committee (RPAC), the Bridgeport Valley RPAC, and the Mono Basin RPAC.

Please contact Nick Criss, 924-1826 if you have questions concerning this matter.

## **ATTACHMENTS**

- Supervisor Johnston's Alternative Transient Rental Neighborhood Designation Process
- Minute Order
- July Staff Report
- June Lake CAC Chapter 25 Recommended Changes

Date: September 27, 2016

To: Mono County Board of Supervisors  
From: Larry K. Johnston, District 1 Supervisor  
Re: Alternative Transient Rental Neighborhood Designation Process

### SUMMARY

This approach is an option that is proactive in determining if and where additional single-family transient rentals should be allowed. It is focused on June Lake where a nexus appears present (via large scale resort facilities) to consider this expanded land use designation. Neighborhood and community preservation is given precedent over transient rental conversion though specific mapping of Neighborhoods and empowerment of present single-family owners to vote on whether their particular Neighborhood should be converted to a Single-Family Residential - Transient Rental area (SFR-TR). The final determination would be through a General Plan Amendment that requires Planning Commission recommendation to the Board of Supervisors and final action by the Board. In any Neighborhood that is revised to SFR-TR, a much simpler process to allow transient rentals would ensue, that is, only a Vacation Home Rental Permit would be needed. Finally, permit fees would include fees for enforcement activities associated with transient rentals.

### Background

In 2012, Chapter 25–Transient Rental Overlay District (TROD), was enacted by the County.<sup>1</sup> This was in reaction to several factors including dealing with issues of illegal transient rental occupancies (both for neighbors and County staff), evolving web-based rental opportunities (e.g., VRBO), reported economic opportunities (Transient Occupancy Taxes – TOT; June Mountain Ski Area sustainability, etc.), and added income for primary and second-home owners. Chapter 25 allowed the establishment of a TROD on any parcel or parcels throughout the county in districts designated SFR, ER, RR, MFR-L, or RMH. If a TROD were to be enacted in these districts, any single-family, multifamily residential or accessory dwelling unit may be rented on a transient basis (subject to requirements in 25.070 – vacation home rental permit). The process required a General Plan Amendment with Planning Commission recommendation and Board of Supervisors approval. Since 2012, 11 TROD applications were received and six (6) TRODs ultimately were approved (3 were withdrawn, 2 denied), all approved TRODs are in June Lake except one approved in Lundy Canyon.

### Moratorium Enacted

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<sup>1</sup> Resolution R12-90 and General Plan Amendment 12-004; Vote: 3 Yes (Bauer, Hunt, Hansen), 2 No (Hazard, Johnston)

In March of 2016 following a joint meeting with the Planning Commission, the Board of Supervisors enacted a moratorium on TROD processing, which has been extended to March 2, 2017. This moratorium came about primarily due to the rather contentious and continuing public reaction to TROD applications. Summarizing one letter received in this regard (Goodson/Malone, 9/14/2006), there has been discord in neighborhoods, pitting neighbor against neighbor, “breeding dishonesty and intimidation on the part of proponents.” The disharmony of neighborhoods has dragged on and on. Homeowners opposed to TROD establishment have been continuously on the defensive with respect to their zoning rights and expectations embodied in their home ownerships.

Incidentally, Measure Z within the Town of Mammoth Lakes was passed by almost 70% of the votes at a special election in October 2015. Measure Z requires the Town to obtain voter approval before allowing additional transient rental zoning. In essence, Measure Z took power from the Town Council to enact additional transient rental zoning and gave that power to the voters.

#### Planning Commission Reconsideration

At the request of the Board of Supervisors, the Planning Commission was asked to reconsider TROD implementation options. The Commission has since devised a modified proposal, which the Board considered on July 12, 2016. This Revised Chapter 25 proposal includes:

- Defining “Type I” daily rentals as owner-occupied properties and requiring a Use Permit for approval (only Planning Commission approval required vs. original Chapter 25 which required both Planning Commission and Board approval).
- Defining “Type II” daily rentals for “vacant” properties (such as second home properties) with off-site management, and requiring a General Plan Amendment process for approval (same process as original Chapter 25).
- Requiring a Vacation Home Rental Permit (same as original Chapter 25).
- Eliminating the encouragement of multi-parcel applications to establish a TROD.
- Focusing on lack of “reasonable opposition” by neighbors directly affected rather than neighborhood support (“reasonable opposition” undefined).
- Defining “neighbor” to be within 500 feet and setting an increased noticing period (20 days vs. original 10 days).

On July 12, the Board of Supervisors reviewed the draft Revised Chapter 25 and took the following Minute Order action:

“Direct staff to review the proposed revisions with applicable RPACs and the June Lake CAC, including extending the notice period to 30 days, and

waiving the appeal fee for Type I applications and initiate General Plan Amendment hearings.”<sup>2</sup>

Currently, the review of the Revised Chapter 25 is making its way through the applicable RPACs/CAC.

### Analysis

Albeit the Planning Commission and planning staff have endeavored to make the TROD more palatable to the general public, there remains the unresolved issue that neighborhoods and homeowners will need to continuously defend their inherent and expected single-family ownership rights versus commercialization and intrusion embodied in transient rentals.

A person who purchased a single-family home in a zoning district<sup>3</sup> in which single-family homes are permitted did so with the following General Plan assurance (Land Use Element, Land Use Designation Criteria, II-139):

*The land use designations described below were applied to private lands in the county based on an area’s suitability for certain uses. Each parcel or area was analyzed using the following criteria:*

- *Does the area include natural hazards that limit development, such as flood zones, Alquist-Priolo zones, unstable soils or steep slopes, etc.?*
- *Does the area include natural resources that limit development; e.g., wetlands, significant habitat, deer migration routes, etc.?*
- *What are the existing uses in the area?*
- *Is infrastructure available for development (i.e., sewer, water roads, fire protection)?*
- *What is the existing land division pattern in the area and what are the lot sizes?*
- *Does the area have open space value (e.g., visuals, wildlife habitat, agricultural preservation, cultural resources)?*
- *What is the community vision for the future of the area?*

This process helps assure a homeowner and neighborhoods that a systematic, thoughtful analysis led to the present land use designations. The last bullet point is particularly relevant in that the community vision was specifically considered in the existing land use district designation process. As an example, the June Lake Area Plan states in Objective K: “Retain the Down Canyon’s single-family residential character...”.

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<sup>2</sup> Alpers moved; Corless seconded; Vote: 4 yes (Alpers, Corless, Stump); 1 no (Johnston)

<sup>3</sup> Note that “zoning,” “zoning district,” “land use district,” etc., are use interchangeably throughout this report since Mono County does not have a separate Zoning Ordinance from the General Plan.

What occurred with the original Chapter 25 TROD process, and what is still embodied in the revised version currently under consideration, is that all land use designations that allow single family will have been *de facto*<sup>4</sup> rezoned to allow the potential for transient uses through an “overlay” approach. The current zoning does not allow this to happen (presumably because the current zoning was carefully considered when originally designated). Transient rentals are currently not listed, thus not permitted, as a compatible use in SFR, ER, RR, MFR-L, or RMH land use districts.

Both the original Chapter 25 approach and the more recent draft Revised Chapter 25 are flawed from a planning perspective; “planning” implies proactive consideration, not reactive deliberation. If Chapter 25 is enacted the battles of homeowner vs. homeowner, resident versus second homeowner, neighborhood preservation versus commercialization, will continue *ad infinitum*. Moreover, the proposal relies on the careful consideration of TROD applications by elected decision makers who, over time, may or may not be consistent in their TROD reviews (e.g., Board members are elected every two years which can result in inconsistent outcomes). Further, the parcel-by-parcel application process can lead to a series of “spot zoning”<sup>5</sup> designations, the antithesis of modern planning practice.

There are reasons to question the advisability of creating a “Type I” TROD approach as envisioned in the Planning Commission’s recommendation. First, it does nothing to stave off repeated TROD proposals in a neighborhood, potentially one after the other, placing those in opposition in constant defense. It also presumes, the Owner will be a responsible innkeeper, but there is no assurance that that will ensue. The loss of long-term affordable housing (granny units, rooms, etc.) is also of concern.

Promoting the concept that TRODs are ok if there’s no “reasonable opposition” is inconsistent with good planning principles. Land uses should be allowed on their merit as a public necessity in context to their setting, not whether or not enough people show up in opposition. At some point, people will just tire of coming to meetings and writing letters. Additionally, “reasonable opposition” is totally subjective and undefined.

The definition of a “neighbor” as someone within a certain distance of a TROD proposal, say 500 feet, is disingenuous to a functioning neighborhood.

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<sup>4</sup> *de facto* – meaning existing in fact, although perhaps not intended, legal, or accepted (Cambridge University Press).

<sup>5</sup> Spot zoning – the application of zoning to a specific parcel or parcels of land within a larger zoned area when the rezoning is usually at odds with a master plan or current zoning restriction. This may be ruled invalid as an “arbitrary, capricious and unreasonable treatment” of a limited parcel of land by a local ordinance. The defining characteristic of spot zoning is the unjustified nature of the benefit to the particular property owner, to the detriment of the general land use plan or public goals (State Standard Zoning Enabling Act)

Neighborhoods should be defined and notified as a whole, especially those threatened by piecemeal, spot zoning proposals that present little public good or which may require long term enforcement activity.

### Alternative Transient Rental Approach

An alternate approach is to proactively designate those areas that are suitable for Transient Rentals (TR) and zone them accordingly; not as a broad overlay covering the entire county. The approach suggested here would be a planning process to be conducted by the Mono County Planning Division to determine if there may be some current single-family zoned neighborhoods that could be rezoned to allow nightly transient rentals.

Guiding principles include:

- A. The preservation of resident occupied, community-oriented single-family neighborhoods and associated zoning protections from non-neighborhood uses are paramount.
- B. People who live in or purchase single family homes in neighborhoods zoned for single family have inherent rights that include long term expectations that single family zoning prohibits uses such as transient nightly rentals or blanket overlays that potentially allow nightly rentals.
- C. Buying or owning an existing single-family home does not bestow rights beyond that empowered in the current zoning.
- D. The reported demand for single-family homes as transient rentals does not supersede the inherent rights of current single-family zoning.
- E. The advent of web-based transient rental businesses does not require the need to change single-family zoned neighborhoods to accommodate such business.
- F. The potential for increased tourism or the potential for increased transient occupancy taxes (TOT) are not sufficient reasons, absent other considerations, to allow nightly transient rentals in single-family zoned areas.
- G. Poor enforcement or lack of enforcement of illegal transient rentals, are not sufficient reasons, absent other considerations, to allow nightly transient rentals in single-family zoned areas.
- H. Supplemental homeowner income is not a sufficient reason, absent other considerations, to rezone single-family homes to allow nightly rentals.
- H. There may be some currently zoned single-family areas that could be re-zoned to allow nightly transient rentals.
- I. If decision makers (or those who make recommendations regarding this process to decision makers) own transient commercial properties, have transient rentals, are connected to businesses that would stand to profit from transient rentals, or desire transient rentals on their single family private property, then these individuals should not participate in the process as there may be a perceived lack of objectivity if not direct conflict of interest.

## Proposed Planning Division Process

- A. Focus Initial Planning Process to Single Family Areas of June Lake. Since the hot spot for current TROD proposals is June Lake, the June Lake resort area should be addressed first; this is an important nexus if additional consideration of single-family transient rentals is justified. Also, it is an important change from the countywide Chapter 25 overlay option, which *de facto* rezones the entire county.
- B. Draft “Neighborhood Maps.” The planning staff would develop criteria to establish specific maps of single-family Neighborhoods; such criteria would include proximity to public services, management agencies, topographic features, major roadways, private roads, water ways, subdivision layout, snow removal considerations, HOA restrictions, etc. As examples, the Highlands area of June Lake could likely be considered a Neighborhood, the single family areas on the east side of Hwy 158 could be considered a Neighborhood, the Peterson Tract could likely be considered a Neighborhood, etc. This would involve basic proactive planning and mapping work.
- C. Public Input on Draft Neighborhood Maps via the CAC or Other Means. This would involve seeking public input on the Draft Neighborhood Maps created by the Planning staff. Review by the CAC in a workshop setting would be one review option but at least two public meetings should be held. Included in this review would be the Planning Division’s professional assessment of whether or not a mapped Neighborhood should be considered for further evaluation. This would be presented to the CAC and the recommended Neighborhood Maps would be forwarded to the Planning Commission, which would hold at least two public hearings before adopting a Final set of Neighborhood Maps in June Lake.
- D. Neighborhood by Neighborhood Advisory Voting. For those Neighborhoods found by the Planning Commission to be eligible for further consideration, ballots would be devised that would be used by Neighborhood parcel owners to vote on whether to recommend their Neighborhood for potential rezoning to allow transient nightly rentals. There would be one vote per parcel and each ballot would have to be signed by the property owners. The Ballot might read:

**Would you favor transient rentals in your neighborhood?**

**A “Yes” vote would advise the Planning Commission and Board of Supervisors to consider changing the zoning of your Neighborhood (defined by Map X) to “SFR-TR” which could allow any single family home in your Neighborhood to have nightly transient rentals.**



**A “No” vote would advise the Planning Commission and Board of Supervisors to not allow transient rentals in your Neighborhood and keep the present zoning.**

- E. It is proposed that an affirmative 4/5 vote<sup>6</sup> would be required in each voting Neighborhood to proceed further; that is, it would take at least 80% of the parcels in a Neighborhood to vote in the affirmative to forward a recommendation to the Planning Commission and Board to consider changing the zoning, by General Plan Amendment, to allow transient rentals in a designated Neighborhood. (Note: as with any General Plan Amendment, hearings would be held and the outcome would not be certain.)
- F. If a defined Neighborhood is designated through a General Plan Amendment to be SFR-TR, then a simplified approval process would ensue where a proposed transient rental home would only require a Vacation Home Rental Permit (versus a subsequent Use Permit or other permit action).
- G. Land Use designations of ER, RR, MFR-L, or RMH would not be considered for TR designations.
- H. Transient Occupancy Taxes would have to be paid by each Vacation Home Rental Permit holder.
- I. A yearly permit fee would be established for all Vacation Home Rental Permit holders to help fund transient rental enforcement activities.

Attachments:

Original Chapter 25

Draft Revised Chapter 25

Chapter 26 (Transient Rental Standards & Enforcement)

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<sup>6</sup> A 4/5 vote is required by some Board of Supervisors actions, such as allocation of Reserve funds. This 4/5 “super majority” requirement helps assure that such actions are clearly a public necessity.

**BOARD OF SUPERVISORS  
COUNTY OF MONO  
P.O. BOX 715, BRIDGEPORT, CA 93517**

*Bob Musil  
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Clerk of the Board*

**REGULAR MEETING of  
July 12, 2016**

*Shannon Kendall  
760-932-5533  
skendall@mono.ca.gov  
Asst. Clerk of the Board*

**MINUTE ORDER  
M16-150  
Agenda Item 9b**

**TO: Community Development**

**SUBJECT: Transient Rental Regulations Workshop**

Direct staff to review the proposed revisions with applicable RPACs and the June Lake CAC, including extending the noticing period to 30 days, and waiving the appeal fee for type 1 applications and initiate General Plan Amendment hearings.

**Alpers moved; Corless seconded**

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

# Mono County Community Development Department

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July 12, 2016

**To:** Board of Supervisors  
**From:** Nick Criss, Compliance Officer  
Scott Burns, Director  
**Re:** TRANSIENT RENTAL WORKSHOP

## RECOMMENDATION

Conduct workshop on the Planning Commission's recommended revisions of General Plan Land Use Element Chapter 25 concerning transient rentals. Provide direction to staff, including:

1. If in general concurrence with the Planning Commission, direct staff to review the proposed revisions with applicable RPACs and the June Lake CAC, and initiate General Plan Amendment hearings; or
2. If significant changes to the Planning Commission recommendations are desired, refer the matter back to the Planning Commission with a request for further consideration, with specific direction.

## FISCAL IMPACT

No impact associated with workshop.

## DISCUSSION

Following the Board's Feb. 11, 2016, joint workshop with the Planning Commission, three additional workshops on possible revisions to the development standards of Chapter 25, Transient Rental Overlay District were conducted by the Planning Commission. Extensive discussion focused on owner-occupied vs. non-owner-occupied; neighborhood vs. neighbor; minimizing conflicts; adequate access; parking; impact on workforce housing; and path to legitimacy. Highlights of the recommended changes include:

- Defines Type I rentals as owner-occupied properties and sets Use Permit Process for approval;
- Defines Type II rentals as vacant properties with off-site management and sets a General Plan Amendment process for approval;
- Requires Vacation Home Rental Permits (Ch. 26) for both Type I and Type II rentals;
- Eliminates encouraging multi-parcel applications or the setup of districts;
- Focuses on lack of reasonable opposition by neighbors directly affected rather than neighborhood support;
- Defines neighbor; and
- Sets standard noticing requirement.

Please contact Nick Criss, 924-1826, or Scott Burns, 924-1807, with questions concerning the workshop.

## ATTACHMENTS

- Original Ch. 25 – Transient Rental Overlay District
- Planning Commission Draft of Ch. 25 – Transient Rentals

PLANNING COMMISSION DRAFT

DEVELOPMENT STANDARDS

CHAPTER 25 – TRANSIENT RENTALS

Sections:

25.010	Intent.
25.020	Establishment of Type I Vacation Rental: Owner-Occupied.
25.030	Establishment of Type II Vacation Rental: Not Owner-Occupied.
25.040	Notice requirements.
25.050	Uses permitted.
25.060	Uses permitted subject to director review
25.070	Uses permitted subject to use permit
25.080	Additional requirements

**25.010 Intent.**

In recognition of the demand by visitors for diverse lodging options, this chapter is intended to establish a process to permit transient rentals within residential areas that do not exhibit reasonable opposition by neighbors who may be directly affected, **and that are consistent with the applicable Area Plan\***.

**25.020 Establishment of Type I Vacation Rental: Owner-Occupied**

Type I vacation rentals are owner-occupied or associated with an owner-occupied principal residence. This includes rental of an entire dwelling unit or if only part of the unit, include at a minimum a sleeping room (with shared full bathroom), is limited to a single party of individuals, and the owner is present during the rental. The transient rental use may be permitted on any residential parcel and having land use designation(s) of SFR, ER, RR, MFR-L or RMH subject to Use Permit, **if not prohibited by the applicable Area Plan. Fees for appeal of Type I Use Permit decisions shall be waived.**

**25.030 Establishment of Type II Vacation Rental: Not Owner-Occupied**

Type II vacation rentals include rental of an entire dwelling unit that is not concurrently occupied by the owner or on the same parcel as a principal residence concurrently occupied by the owner. The transient rental use may be overlaid on any residential parcel, or group of parcels meeting the requirements of 25.060, and having land use designation(s) of SFR, ER, RR, MFR-L or RMH, **if not prohibited by the applicable Area Plan**, where no reasonable opposition from neighbors within 500ft of the subject parcel can be demonstrated and that has adequate year round access.

In addition to the requirements of this chapter, initiation and application for a transient rental shall be processed in the same manner as any land use redesignation (see Ch. 48, Amendments I. General Plan Map/Land Use Designation Amendments). The land use designation followed by the letters TR (e.g., SFR-TR) would indicate a transient rental.

**\* The June Lake Area Plan is presently under revision to determine areas appropriate for single family neighborhood transient rentals. The June Lake Citizens Advisory**

**Committee (JLCAC) recommends that no transient rental overlay applications be processed for June Lake until the Area Plan revision is concluded.**

**25.040 Notice requirements.**

- A. Notice shall be given to owners of surrounding properties published once in a newspaper of general circulation 30 days in advance of a public hearing.
- B. "Surrounding property," for the purposes of this planning permit, shall be defined as those properties that fall within a 500-foot radius drawn from the nearest limits of the parcel that is subject of the land use application. If a property is located more than 500 feet from the boundary of the parcel, but may be directly affected by any land use application on the subject parcel, then that property owner may also be noticed. Further, any property owners, regardless of their location or proximity to the parcel subject to a land use application, may receive notice as long as they submit their request in writing to the Planning Division more than 10 days in advance of the hearing. Such notice shall be given to those properties at least 20 days in advance of the hearing by mail to all persons whose names and addresses appear on the latest adopted tax roll of the County.

**25.050 Uses permitted.**

The following uses shall be permitted with a transient rental approval, plus such other uses as the commission finds to be similar and not more obnoxious or detrimental to the public safety, health and welfare:

- A. All uses permitted in the underlying land use designation.
- B. Where the principal use of the subject parcel(s) is single-family or multi-family residential the residence or any accessory dwelling unit on the parcel(s), may be rented on a transient basis subject to the requirements of 25.070.

**25.060 Uses permitted subject to director review.**

All uses permitted subject to director review in the underlying land use designation with which the transient rental overlay district is combined shall be permitted, subject to director review approval.

**25.070 Uses permitted subject to use permit.**

All uses permitted subject to use permit in the underlying land use designation with which the transient rental overlay district is combined shall be permitted, subject to securing a use permit.

**25.080 Additional requirements.**

Any person or entity that leases, rents, or otherwise makes available for compensation, a single-family or multi-family residence located within an approved transient rental established by this chapter, for a period of less than thirty (30) days, must first obtain a vacation home rental permit and comply with all applicable requirements of that permit, as set forth in Chapter 26, Transient Rental Standards and Enforcement.

Parcels located within conditional development zones (avalanche) shall not be allowed transient rentals during the avalanche season, November 1 through April 15.

DRAFT