



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 August 8, 2017

TELECONFERENCE LOCATIONS:

1) First and Second Meetings of Each Month: Mammoth Lakes CAO Conference Room, 3rd Floor Sierra Center Mall, 452 Old Mammoth Road, Mammoth Lakes, California, 93546; 2) Third Meeting of Each Month: Mono County Courthouse, 278 Main, 2nd Floor Board Chambers, Bridgeport, CA 93517.

Board Members may participate from a teleconference location. Note: Members of the public may attend the open-session portion of the meeting from a teleconference location, and may address the board during any one of the opportunities provided on the agenda under Opportunity for the Public to Address the Board.

NOTE: In compliance with the Americans with Disabilities Act if you need special assistance to participate in this meeting, please contact Shannon Kendall, Clerk of the Board, at (760) 932-5533. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB:** You can view the upcoming agenda at <http://monocounty.ca.gov>. If you would like to receive an automatic copy of this agenda by email, please subscribe to the Board of Supervisors Agendas on our website at <http://monocounty.ca.gov/bos>.

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

9:00 AM Call meeting to Order

Pledge of Allegiance

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

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

and number of persons wishing to address the Board.)

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on July 11, 2017.

B. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on July 18, 2017.

C. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Special Meeting held on July 18, 2017.

3. RECOGNITIONS

A. Resolution of Appreciation for David E. Cogdill, Sr

Departments: County Administrative Officer

(Supervisor John Peters) - Proposed resolution honoring David E. Cogdill, Sr.

Recommended Action: Adopt resolution.

B. Pretrial, Probation & Parole Week

Departments: Probation

(Karin Humiston) - Presentation by Karin Humiston, of the Mono County Board of Supervisors regarding Pretrial, Probation & Parole Week.

Recommended Action: Approve Proclamation of the Mono County Board of Supervisors Declaring July 16-22, 2017 as Pretrial, Probation and Parole Week.

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**

(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. Resolution: Industrial Disability Retirement - Franklin Smith

Departments: Risk Management

Proposed resolution determining that Franklin Smith is eligible for industrial disability retirement.

Recommended Action: Adopt proposed resolution #R17-____, Determining that Franklin Smith is eligible for industrial disability retirement. Provide any desired direction to staff.

Fiscal Impact: Advance Disability Pension Payments in the amount of \$2346.46 biweekly until the determination is final with CalPERS, at which time said expenditures would be reimbursed to the County.

B. Information Technology Staff Promotions beyond Step A

Departments: Information Technology

(Nate Greenberg) - Following the restructure of the Information Technology Department in October 2016, two anomalies were created in the staffing allocations. Due to limitations with the Mono County Personnel Rules, these staff members could not be promoted to anything higher than Step A. Following the Board's adoption of an update to the Personnel Rules (R17-47), Mono County Information Technology is proposing the promotion of two existing employees from Step A to steps which are consistent with the originally intended promotions in an effort to maintain parity and consistency with other staff.

Recommended Action: Authorize the promotion of existing employees Andy Liu from System Administrator, Step A to System Administrator, Step B and Joel Hickok from GIS Specialist III, Step A to GIS Specialist, Step C.

Fiscal Impact: These positions are funded with general fund monies and are included in the department's proposed budget for FY17-18.

C. Hiring Policy Variance Request - Mechanic II C Step

Departments: Public Works - Road

A Mechanic position in Bridgeport has been vacant for several months. During recruitment, a single qualified applicant was interviewed. The applicant's skills and experience warrant hiring him as a Mechanic II at a C Step.

Recommended Action: Authorize Public Works Director to work with Human Resources in hiring the applicant as a Mechanic II at a C Step. Provide any desired

direction to staff.

Fiscal Impact:

A Mechanic II at an A Step has an annual cost of \$82,182 (salary \$42,312 / benefits \$39,870). A Mechanic II at a C Step has an annual cost of \$87,805 (salary \$46,644 / benefits \$41,161). The difference is \$5,623.

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. Letters from Suddenlink

Departments: Clerk of the Board

Letter from Suddenlink regarding the closure of its store at 123 Commerce Drive in Mammoth Lakes, effective August 25, 2017. Letter from Altice USA providing notice of an increase in the SD/HD Non-DVR cable box rate from \$7.00 to \$10.00 for new residential Suddenlink customers.

B. Letter from Joyce Kaufman

Departments: Clerk of the Board

Letter from Joyce Kaufman regarding mail received from Vacasa, soliciting vacation homes.

C. Agricultural Commissioner's Office Department Update August 2017

Departments: Clerk of the Board

August 2017 department update from the Counties of Inyo and Mono Agricultural Commissioner's Office.

D. Letter from Wildlife Conservation Board

Departments: Clerk of the Board

Letter from Wildlife Conservation Board advising the Board that they are considering acquisition of approximately 6 acres of wildlife habitat located at Wheeler Ridge in Mono County. The proposal is scheduled to be presented at the Wildlife Conservation Board meeting on August 24, 2017.

9. REGULAR AGENDA - MORNING

A. Agenda Preparation and Minutes

Departments: Clerk of the Board

30 minutes

(Helen Nunn) - Presentation by Helen Nunn, Assistant Clerk of the Board of

Supervisors, outlining the agenda and minute preparation process.

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

Fiscal Impact: None.

B. Report on Annual Board Governance Workshop and Update of Board Rules of Procedures

Departments: CAO

1 hour (15 minute presentation; 45 minute discussion)

(Leslie Chapman) - Report on Annual Board Governance Workshop and Update of Board Rules of Procedure

Recommended Action: 1. Discuss outcomes from the Board Governance Workshop on June 6, 2017 followed by a review and update of the Board Rules of Procedure. 2. Adopt Board Rules of Procedure as presented or amended.

Fiscal Impact: None.

C. Response to 2016-17 Grand Jury Report

Departments: CAO, Board of Supervisors

15 minutes (5 minute presentation; 10 minute discussion)

(Tony Dublino) - County response to 2016-17 Grand Jury Report.

Recommended Action: Consider and potentially approve Board of Supervisors' response to 2016-17 Mono County Grand Jury Report. Provide any desired direction to staff.

Fiscal Impact: None

D. Authorization for Sale of Tax-Defaulted Property

Departments: Finance

10 minutes (5 minute presentation; 5 minute discussion)

(Gerald Frank) - Request for Approval to Sell Tax-Defaulted Property Subject to the Power of Sale.

Recommended Action: Adopt Proposed Resolution #R17-____, Approving the Sale of Tax-Defaulted Property Subject to the Power to Sell and authorize the Chair to sign Request to Sell Tax-Defaulted Property Subject to the Power of Sale.

Fiscal Impact: Total of all minimum bids is \$ 320,683. Minimum bids include known costs. There could potentially be additional costs not included in the minimum bid, which are unknown at this time.

E. Conflict-of-Interest Policy for Design-Build Construction

Departments: County Counsel

10 minutes (5 minute presentation; 5 minute discussion)

(Stacey Simon) - A conflict-of-interest policy for design-build construction.

Recommended Action: Adopt a conflict-of-interest policy for design-build construction. Provide any desired direction to staff.

Fiscal Impact: None.

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

B. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: County of Mono v. Gregory Oliver Jr., Norris Halak, et al.

C. Closed Session - Exposure to Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: 1.

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. Public Hearing - Revocation of Business License 0930 Rainbow Ridge Realty & Reservations

Departments: Community Development

PUBLIC HEARING - 1:00 p.m. (1 hour)

(Nick Criss) - Public hearing revocation of Business License 0930 Rainbow Ridge Realty & Reservations pursuant to Chapter 5.24.020 of the Mono County Code based on violations by the licensee or her agents or employees of any state or county law or regulation pertinent to the type of business for which the license was issued.

Recommended Action: Conduct public hearing. Consider staff report highlighting numerous and repetitive violations of county regulations by continuously renting/managing transient rentals in Single Family Residential (SFR) designated neighborhoods and revoke Business License 0930 Rainbow Ridge Realty & Reservations. Provide any desired direction to staff.

Fiscal Impact: Potential temporary loss of TOT revenue while clients find new property management for legal rentals. Loss of TOT for illegal rentals.

B. Ordinance temporarily designating roughly graded roads

Departments: Public Works - Roads

15 minutes (5 minute presentation; 10 minute discussion)

(Jeff Walters) - The Sierra Safari is a three-day guided off-highway vehicle tour starting in Mammoth Lakes, continuing to Hawthorne Nevada, and entering the Bridgeport area and the community of Bridgeport. The event takes place on roads and trails throughout Mono County, and Mineral County in Nevada. The Eastern Sierra ATV/UTV Jamboree is a four-day off-highway vehicle event taking place in the Antelope Valley. Both events include some dirt roads that are part of Mono County's maintained mileage system.

Recommended Action:

Introduce, read title, and waive further reading of proposed ordinance temporarily 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 2017 Sierra Safari off-highway vehicle tour and the 2017 Eastern Sierra ATV/UTV Jamboree.

Fiscal Impact: Public Works staff time amounting to \$500 or less from the Road Fund.

ADJOURN



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Approve minutes of the Regular Meeting held on July 11, 2017.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Scheereen Dedman

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[7-11-17 Minutes](#)

History

Time	Who	Approval
8/3/2017 10:45 AM	County Administrative Office	Yes
8/3/2017 4:02 PM	County Counsel	Yes
8/1/2017 11:56 AM	Finance	Yes



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

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

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

**Regular Meeting
July 11, 2017**

9:02 AM Meeting called to Order by Supervisor Gardner

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

*Break: 10:50 AM
Reconvene: 11:02 AM
Closed Session: 12:32 PM
Reconvene: 1:06 PM
Break: 2:51 PM
Reconvene: 3:00 PM
Adjourn: 3:18 PM*

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 Chair of the Board Supervisor Corless.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2. APPROVAL OF MINUTES

A. Board Minutes

Departments: Clerk of the Board

Note:

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

Approve the minutes of the Special Meeting held on June 7, 2017, as corrected.

Peters moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-137

Supervisor Stump:

- GWSA should be SGMA.

B. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Special Meeting held on June 12, 2017.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-138

C. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on June 13, 2017, as corrected.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-139

Supervisor Stump:

- Comment should read, "Requested a quick poll of the Board. Board members Gardner, Corless, and Peters in favor of a regulatory approach. Supervisor Stump supports a ban on commercial cannabis activities in Mono County due to a lack of county capacity to fulfill the regulatory role."

Supervisor Corless:

- Remove the name Bob Rooks from under Regular Agenda.
- Corrected names to Jeph Gundzik, Delinda Briggs.

D. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Regular Meeting held on June 20, 2017, as corrected.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-140

Supervisor Stump:

- Corrected to, "Has to be unanimous since there are only 4 of us?"
- Corrected Steam to stream.
- Corrected to \$800,000 settlement.

Note:

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Supervisor Corless:

- Staff title correction – Garrett Higerd, County Engineer.

E. Board Minutes

Departments: Clerk of the Board

Approve minutes of the Special Meeting held on June 22, 2017.

Peters moved; Corless seconded

Vote: 3 yes; 0 no; Absent: Johnston; Abstain: Gardner

M17-141

3. RECOGNITIONS - NONE

4. BOARD MEMBER REPORTS

Moved reports to end of agenda?

Supervisor Corless:

- July 21 - Attended the Rural Counties Representatives of California Board meeting (See additional documents for more details of actions taken and speakers); Board voted to support AB 668, Voting Modernization Act; Board voted to oppose SB 649 “Small cell” wireless infrastructure permitting, bill would effectively allow telecom companies to site their infrastructure on county facilities with no local approval/review (hearing is Wed., July 12, both RCRC and CSAC actively fighting); Federal legislation: Voted to support H.R. 975/Respect State Marijuana Laws Act, along with H.R. 2215, Secure and Fair Enforcement Banking Act
- County Picnic—thanked Leslie Chapman and the CAO team for a wonderful event.
- July 1 - Trail ribbon cutting in District 5; Mammoth Lakes Mayor Wentworth and Trails Coordinator Joel Rathje led the celebration of a new trail connector between the Borrow Pit trailhead and the Mammoth Rock Trail—a major accomplishment and, hopefully, a sign of more good things to come. County trails construction funding supported this project.
- July 7 - attended a trails workshop about building “SMARTER” trails, met a group of trails planning/construction/stewardship experts, including USFS staff, who held a conference and began construction on another new trail segment in the Sherwins area.
- Supervisor Johnston has asked that alternates take over his board assignments while he seeks treatment.

Supervisor Gardner:

- Saturday, June 24 - annual Trails Day event was held in June Lake. Was not able to attend, but about 36 participants volunteered to spend the day cleaning and repairing June Lake trails. Three separate trail projects were completed, including installing and repairing water bars, and removing fallen trees across trails. This annual event demonstrates the wonderful spirit of our volunteers in Mono County.
- Wednesday June 28 – the Supervisors attended the County picnic at Mono Lake County Park. Thanked and congratulated Leslie Chapman and her staff for a very successful event - It was well done and was a great opportunity to spend time with County employees and recognize their service.

Note:

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

DRAFT MEETING MINUTES

July 11, 2017

Page 4 of 18

- June 28 - held another workshop in June Lake to discuss short term rentals. Did not attend this meeting, as the primary topic was SRTs in the Clark Tract, and residence is in that area, considered it inappropriate to be there. The process is moving along is confident all June Lake residents have been provided the chance to make their views known on this subject. There is an excellent article on SRTs in Crested Butte, Colorado, in Outside magazine this month.
- Friday June 30 – attended, with Supervisor Corless, a meeting of an ESCOG subcommittee focusing on regional air service, as observers as Mono County is not on the subcommittee now. The meeting consisted of discussion of airport plans for the Mammoth and Bishop airports. Hopes we move towards a more regional approach as these plans and projects continue.
- Friday June 30 – In the category of regional successes, attended the 10th anniversary celebration for the Eastern Sierra Transit Authority in Bishop. ESTA was formed 10 years ago and has demonstrated great success in providing regional bus transportation. Congratulated ESTA for their continued good work for the Eastern Sierra. Considers it a perfect example of how the four jurisdictions in the Region can come together and achieve meaningful collaboration.
- Attended the first ever 4th of July June Lake Women's Club celebration at the Community center. Role included judging an apple pie contest and serving a shift in the dunk tank.
- Friday July 7 - attended a meeting of the Board Ad Hoc Budget Subcommittee with Supervisor Peters, CAO Chapman, and Finance Director Dutcher. Looks forward to their role on the subcommittee.
- Saturday, July - attended the June Lake Triathlon and watched son participate in the Half-Ironman Competition. Congratulated Alana Levin and her troop of volunteers who truly make this event very special to all those involved.

Supervisor Johnston:

- Absent.

Supervisor Peters:

- June 20 – After the BOS meeting, met with Mayor John Wentworth - Trails
- June 21 - Bi State Sage Grouse Workshop
- June 21 – Bridgeport Town Hall
- June 22 - Lincoln on Leadership
- June 25 - Bridgeport Chamber of Commerce Event Beer Garden Fundraiser
- June 26 - Mono Lake Committee, with Executive Director Geoff McQuilken and Eastern Sierra Policy Director Lisa Cutting
- June 28 – Mono County Picnic
- June 28 - Drive to Northern Regional CSAC Conference Cannabis
- June 29 - Attended the conference. Met with Supervisor Malia Cohen of San Francisco, Supervisor James Gore of Sonoma, and Supervisor Virginia Bass of Humboldt. Discussed best practices, lessons learned, and adaptive community-based planning.
- Humboldt Growers Alliance Executive Director Terra Carver and CannaRegs Co-Founder / Chief Strategy Officer Amanda Ostrowitz.
- June 30 - Toured legal facilities with Ms Carver
- July 1 - Forest Homeowners Annual meeting in Bridgeport
- July 1 - Virginia Lakes Mutual Water District Annual Meeting
- July 2 - Twin Lakes Homeowners Annual Meeting

Note:

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- 4th of July – Special Thanks to Public Works, Cal Trans, CHP and Lynda Pemberton of the Bridgeport Chamber of Commerce.
- July 7 - Budget Ad Hoc Meeting with Supervisor Gardner, Janet Dutcher, and Leslie Chapman
- Several Cancelled meetings: Local Transportation Commission, Antelope Valley RPAC
- Welcomed Jason Pelichowski, who was sworn in as Mono County's newest Deputy on June 21
- Upcoming Events: July 11, RPAC in Bridgeport; July 13, Town Hall in Antelope Valley discussing Cannabis, Broadband, and Parks and Recreation; July 19, Sacramento Counties Cannabis Summit

Supervisor Stump:

- During the last two weeks continued to attend meetings - CSA1, Tri Valley Water Commission, Cannabis issues, July 4th planning just some.
- Is pleased to report that the owners of the property hosting the cannabis grow in the residential neighborhood near the school in Benton have signed a settlement agreement. Under the agreement they were required to remove every marijuana plant within 48 hours, which they did. It's unknown where the plants went. There are other conditions that they have yet to comply with, but the window for compliance on those items is still open. The Court granted an extension until August of the county's legal case against the owners/growers. Thanked all county staff that worked so hard on this. Tremendous time and effort was involved as shown by the 100 pages of documents that were filed with the court.
- Minor flooding continues to be an issue. Hilton Creek rose 1 to 2 feet on the night of June 26th, which caused damage to the Juniper Loop Road (a private road) and several properties in the area. Damage also occurred on Willowbrook Road, also private. Much sand and many sandbags were used.
- Has received many comments that the county picnic on the 28th was the best the county has ever put on. Congratulated Megg Hawkins especially, and the generous CAO who paid for the band.
- The United States Forest Service is violating the California Fire Assistance Agreement to which they are a signatory. The agreement specifies reimbursement rates, among other things, for local government resources utilized by the Forest Service in the management of their direct protection responsibility fire incidents. The Forest Service Region Office is refusing to process over \$18 million in unpaid assistance invoices from the 2016 fire season according to a letter sent from the California Office of Emergency Services to the Chief of the Forest Service. Has asked that a letter and supporting document regarding this issue be included on the agenda, and will be requesting an agenda item in August to consider drafting a letter of support for the California OES letter.

5. COUNTY ADMINISTRATIVE OFFICE

Leslie Chapman, CAO:

- Had a back up to be able to take a vacation, thanked the board for that opportunity.
- Stray horses in Antelope Valley – helped animal control find a horse trailer. Housed the horses on her property until owners were located, horses returned to owners.
- Community Corrections Partnership, attended a meeting.
- June 28 - employee appreciation party was a smashing success. Was especially

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- excited to see Supervisor Larry Johnston there.
- June 29 - attended Q&A for payroll implementation.

6. DEPARTMENT/COMMISSION REPORTS

Stacey Simon, County Counsel:

- Introduced Jason Canger, Deputy County Counsel II.
- **Jason Canger:** nice to meet you, looking forward to working with you.

Jeff Walters, Public Works Director:

- Spring run-off issues.
- Upper summer meadows Rd. in Bridgeport, low water crossing, bridge remains closed.
- Met with Cal OES, working on a plan to get the bridge replaced. Fish and Wildlife would prefer that the bridge not be replaced as is because it has failed before. There will be some cost to the county. Not as much as a disaster. Roughly \$250,000. Through CDAA claim.
- **Supervisor Peters:** What is time frame? Do you plan to do it all with county staff?
- No time frame. Still working on final design. Will let the Board know as soon as we have a schedule.
- Resources are quite thin, probably a contractor.
- June 20 - Crowley Lake Dr. Rock Creek Channel became clogged with debris, caused run off onto Crowley Lake Dr. Undermined the road. The water has receded. Will work with the contractors to get the repairs done to get the road open. 100% of costs are covered. Fill out damage assessment form for Cal Trans.
- **Supervisor Stump:** complimented the road crew for their mitigation measures.

Janet Dutcher, Finance Director:

- Payroll implementation project update. 3 years in the works, almost there. Had informational meetings, well attended.
- Emailed several documents to help with the transition.
- Training for time keepers.
- Processing the transition check this week. Last check in the old system.
- Next step in the process will be to be to start implementing the portal. Access for all employees, view electronic version of paycheck, make withholding changes and changes to pay check. October, most likely January, the rest of the portal will come online. Improves the processing gone through to process payroll.
- Publically thanked the team.

Sheriff Ingrid Braun:

- Holiday week – quiet, everything went well. Lovely parade. Was in Crowley for fireworks show. Few incidents. Helped to have body cameras – people behave better when they realize they are on video. Nice week
- June Lake Triathlon on Saturday. Supervisor Gardner was there. No major incidents / injuries.
- Heat is here – in fire season. Have been fortunate in Mono County so far.
- Supervisor Stump – thanked her for the relocation of the command post.

7. CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a

Note:

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board member requests separate action on a specific item.)

A. Monthly Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 5/31/2017.

Action: Approve the Treasury Transaction Report for the month ending 5/31/2017.

Peters moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-142

B. Authority to Fill a Supervising Integrated Caseworker Position at Step C

Departments: Social Services

Grant the Department of Social Services authority to hire Ms. Jennifer Esparza at a C Step in the position of Supervising Integrated Caseworker. Ms. Esparza has 12 years of experience working in county Eligibility Services and possesses exceptional qualifications for the position of Supervising Integrated Caseworker.

Action: Grant the Director of Social Services the authority to fill a Supervising Integrated Caseworker position at Step C.

Peters moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-143

**C. Property Tax Software Maintenance Agreement
Stump pulled for discussion**

Departments: Finance

2017-18 Proposed contract and addendum with Megabyte Systems, Inc. for software maintenance and web services.

Action: Approve proposed contract and addendum with Megabyte Systems, Inc. for software maintenance and web services pertaining to the county property tax system not to exceed \$125,000.

Stump moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-144

Supervisor Stump:

- Several years ago when Megabyte was first purchased the assertion by county staff whom is no longer here was that this would diminish with time – it appears not to be

Note:

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diminishing. Should we continue to anticipate this annual expense? This is rolled into the property tax and administration fee?

- **Janet Dutcher:** it would appear so. What may have been incurred was the initial cost of the software, as well as the integration and migration. This is the annual fee for licensing and for support. Just like with any vendor, their costs go up. Yes, it's rolled in.

D. Appointment to Assessment Appeals Board

Departments: Clerk of the Board

Appoint Madeline "Mickey" Brown to serve as a member of the Assessment Appeals Board. Ms. Brown will be assuming the unexpired term of Rose Murray, set to expire November 5, 2018.

Action: Appoint Madeline "Mickey" Brown to serve as a member of the Assessment Appeals Board; provide any desired direction to staff.

Peters moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-145

E. Out-of-State Travel Request

Departments: Clerk of the Board

As Mono County National Association of Counties alternate representative and member of the NACo Public Lands Steering Committee, Supervisor Gardner is requesting authorization of out-of-state travel to attend the NACo Annual Conference in Ohio. This includes the public lands policy steering committee meeting. More conference information here:

<http://www.naco.org/events/nacos-82nd-annual-conference-exposition>.

Action: Approve out-of-state travel for Supervisor Gardner (the county's alternate NACo representative) to attend the NACo Annual Conference in Columbus, OH July 21-23.

Peters moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-146

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. Letter from SuddenLink

Note:

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

Departments: Clerk of the Board

Information received from Suddenlink Communications informing the County the Universal HD will no longer be carried on its channel lineup.

B. United States Fish and Wildlife Letter

Departments: Clerk of the Board

Letter from United States Fish and Wildlife Service, Pacific Southwest Region, Reno Office, regarding the management of Conway Ranch and disease transmission.

Supervisor Corless:

- Thinks it is important to be engaged with state and federal wildlife agencies, that wildlife management is a major concern for her as well as for the Board, and that the Board should take them up on their offer to assist with planning.

C. OVMAP/MLMAD Weekly Report

Departments: Clerk of the Board

Weekly Report for June 24 - 30, 2017 from Owens Valley Mosquito Abatement Program / Mammoth Lakes Mosquito Abatement District.

Supervisor Corless:

- Appreciates the abatement work.

D. Agricultural Commissioner's Office Department Update

Departments: Clerk of the Board

Counties of Inyo and Mono Agricultural Commissioner's Office Department Update July 2017.

9. REGULAR AGENDA - MORNING

A. Debt Financing Options for the South County Facilities Project

Departments: Finance

(Janet Dutcher, Jeff Land from Brandis Tallman LLC) - After brief discussion of debt basics for governments, receive presentation from Jeff Land of Brandis Tallman LLC describing options for debt financing construction of a new government facility in Mammoth Lakes.

Action: Receive presentation. Provide any desired direction to staff.

Janet Dutcher, Finance Director:

Note:

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

- Went through presentation, Debt Issuance Basics.
- Introduced Jeff Land.

Jeff Land, Brandis Tallman LLC:

- Supervisor Stump wanted to make sure South County could see the presentation.
- Full Service investment banking firm, work specifically with public agencies through California.
- Went through presentation, along with his associate Rick Brandis, President / Lead Underwriter.

Supervisor Peters:

- Asked about the timing of the launch date and the interest rate the county would be locked into. Asked about the role of the Economic Development Corporation in the process.

Supervisor Gardner:

- Clarified that pursuing this approach would make the most sense in terms of spreading the cost. Asked if there were any examples of private entities financing at a lower rate. Asked why it is a 35 year term. Clarified that there will not be an increase in taxes. Asked if the sooner it is done, the better.

Supervisor Stump:

- Clarified information about the lease. Asked clarifying questions regarding the process and the agreement.

Leslie Chapman:

- There is a point where the project is affordable, and a point where it is not. Not inclined to recommend something to the Board at \$25 million, with all of the other projects in the county. Recommend to the team to figure out how to cut money off of the project before approving bond financing.
- Confirmed Supervisor Corless' inquiry regarding the Mono County Economic Development Corporation, that it was formed to be a financing mechanism.

Supervisor Larry Johnston:

- Asked how the Town of Mammoth Lakes fits into all of this. Tony DuBolino answered that currently the county is proceeding on the project alone.

Supervisor Corless:

- Asked about a municipal bond in the city of Malibu. Clarified the tax burden.

Ron Day:

- In favor of the concept.

B. South County Facility - Project Delivery Methods

Departments: County Administrative Office

(Tony Dublino, Garrett Higerd) - Presentation by Tony Dublino regarding the project delivery options for a South County Facility.

Action: 1. Direct staff to develop Request for Qualifications to prequalify design-build contractors of a south county facility on the McFlex parcel. Only one prequalified contractor would ultimately be selected as the design-build contractor, following a formal Request for Proposals process, if the Board elects to move forward with the facility. 2. Authorize staff to engage architect to prepare 'performance criteria' to be used in a future formal Request for Proposals.

Peters moved; Gardner seconded

Note:

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

Vote: 4 yes; 0 no; Absent: Johnston
M17-147

Tony DuBlino, Assistant CAO:

- Went through Staff Report

Supervisor Gardner:

- Considers the timing unfortunate.

Supervisor Stump:

- Asked if there could be a disagreement that would derail the project. Asked about ownership of the parcel. Clarified the continuation clause.
- Asked if there is a cost to remodel if the TOML does not move into the facility.

Supervisor Peters:

- Asked questions about the agreement with TOML.
- Looks forward to more specific information about what the county is willing to commit to.
- Would like more information to build public trust.

Supervisor Corless:

- Asked if there was an existing MOU. Asked if companies helping to prepare the RFQ could also bid on it.

Ron Day:

- Thanked the presenters. Said he liked what he heard.

C. Ordinance Implementing Digital Infrastructure & Video Competition Act

Departments: County Counsel and Information Technology

(Stacey Simon and Nate Greenberg) - Proposed ordinance repealing and replacing Chapter 5.44 of the Mono County Code to enact regulations consistent with the Digital Infrastructure and Video Competition Act.

Action: Introduce, read title, and waive further reading of proposed ordinance repealing and replacing Chapter 5.44 of the Mono County Code to enact regulations consistent with the Digital Infrastructure and Video Competition Act.

Stump moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-148

Stacey Simon, County Counsel:

- Went through Staff Report.
- Clarified that the language didn't need to be modified.
- Corrected the name of the ordinance to repealing and replacing Chapter 5.44 of the Mono County Code to enact regulations consistent with the Digital Infrastructure and Video Communication Act.

D. Resolution Amending Travel Policy

Departments: County Administrative Officer

Note:

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

(Leslie Chapman) - Proposed resolution amending sections 620 and 630 of the Mono County Personnel Rules to eliminate the requirement of Board approval for out-of-state travel by employees.

Action: Adopt proposed resolution #R17-55, Amending Sections 620 and 630 of the Mono County personnel rules to eliminate the requirement of Board of Supervisors approval for out-of-state travel by employees.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

R17-55

Leslie Chapman, CAO:

- Does not include elected officials.

E. Public Health Department Staff Allocation

Departments: Public Health

(Sandra Pearce) - Proposed resolution authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to add one Health Program Manager in the Department of Public Health.

Action: Adopt proposed resolution #R17-56, Authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to reflect the addition of a Health Program Manager in the Department of Public Health.

Peters moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

R17-56

Sandra Pearce, Acting Public Health Director:

- Went through presentation.

F. Probation Staff Promotions to Deputy Probation Officer III, Step B

Departments: Probation

(Karin Humiston) - Proposed promotion of two existing employees from Deputy Probation Officer II, B Step to Deputy Probation Officer III, B Step.

Action: Authorize the promotion of two existing employees, Jon Himelhoch and Erin Van Kampen, from Deputy Probation Officer II, B Step to Deputy Probation Officer III, B Step.

Peters moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-149

Karin Humiston, Chief of Probation:

Note:

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

- Went through staff report.

G. Amendment of Allocation List

Departments: Human Resources

(Dave Butters) - Proposed resolution amending the Mono County allocation list to change the Solid Waste Superintendent position from 0.8 FTE to 1.0 FTE.

Action: Approve resolution #R17-58, Authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to reflect the Solid Waste Superintendent from 0.8 FTE to 1.0 FTE.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

R17-58

Dave Butters:

- Went through staff report.

H. Employment Agreement for Solid Waste Superintendent

Departments: Human Resources

(Dave Butters) - Proposed resolution approving a contract with Justin Nalder as Solid Waste Superintendent, and prescribing the compensation, appointment and conditions of said employment.

Action: Announce Fiscal Impact. Approve Resolution #R17-59, Approving a contract with Justin Nalder as Solid Waste Superintendent, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the county.

Peters moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

R17-59

Fiscal Impact: The cost for this position for the remainder of FY 2016-2017 (June 26 to June 30th) is approximately \$2,710 of which \$1,665 is salary; \$2,744 is the employer portion of PERS, and \$648 is the cost of the benefits and was included in the approved budget. Total cost for a full fiscal year (2017-2018) would be \$155,848 of which \$87,612 is annual salary; \$22,843 is the employer portion of PERS, and \$45,393 is the cost of the benefits.

Dave Butters:

- Went through staff report.

Tony DuBlino:

- Stated that Justin would have been here but there was a staffing crisis at the landfill -

Note:

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Otherwise he would have been here to express his gratitude.

I. Employment Agreement with Alicia Vennos as Economic Development Director

Departments: Human Resources

(Dave Butters) - Proposed resolution approving a contract with Alicia Vennos as Economic Development Director, and prescribing the compensation, appointment and conditions of said employment.

Action: Announce Fiscal Impact. Approve Resolution #R17-____, Approving a contract with Alicia Vennos as Economic Development Director, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the county.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

R17-60

Fiscal Impact: The cost for this position for the remainder of FY 2016-2017 (May 20 to June 30th) was approximately \$18,726 of which \$11,502 is salary; \$2,744 is the employer portion of PERS, and \$4,480 is the cost of the benefits and was included in the approved budget. Total cost for a full fiscal year (2017-2018) will be \$166,750 of which \$102,420 is annual salary; \$24,437 is the employer portion of PERS, and \$39,893 is the cost of the benefits.

Dave Butters:

- Went through staff report.

J. Employment Agreement with Sandra Pearce as Public Health Director

Departments: Human Resources

(Dave Butters) - Proposed resolution approving a contract with Sandra Pearce as Director of Public Health, and prescribing the compensation, appointment and conditions of said employment.

Action: Announce Fiscal Impact. Approve Resolution #R17-57, Approving a contract with Sandra Pearce as Director of Public Health, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the county.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

R17-57

Note:

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Fiscal Impact: The cost for this position for the remainder of FY 2016-2017 (May 2 to June 30th) was approximately \$29,492 of which \$18,114 is salary; \$4,322 is the employer portion of PERS, and \$7,055 is the cost of the benefits and was included in the approved budget. Total cost for a full fiscal year (2017-2018) will be \$191,448 of which \$112,092 is annual salary; \$29,227 is the employer portion of PERS, and \$50,129 is the cost of the benefits.

Dave Butters:

- Went through staff report.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

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

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

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

13. REGULAR AGENDA - AFTERNOON

A. Workshop on Proposed Joint Powers Agreement Establishing the Owens Valley Groundwater Authority

Departments: CAO, Community Development, County Counsel (Leslie Chapman, Wendy Sugimura, and Stacey Simon) - Presentation regarding joint powers agreement proposed by the County of Inyo to establish the Owens Valley Groundwater Authority, an entity to serve as the

Note:

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Groundwater Sustainability Agency (GSA) for the Owens Valley Groundwater Basin, or portions of that basin.

Action: Hear presentation and provide any desired direction to staff.

Stacey Simon, County Counsel:

- Want to hear from Inyo County, they are the experts. Thank them for the incredible amount of time they have put into drafting a very comprehensive proposal.
- Introduced Bob Harrington, Director of Inyo County Water Department, and John Vallejo, Inyo County Counsel.

Bob Harrington, Director Inyo County Water Department:

- Went through the draft of the Joint Powers Agreement.
- Clarified information about representation.

Supervisor Gardner:

- Asked for a review of the concept behind the JPA and the advantage of JPA.

Supervisor Stump:

- Asked staff to create a map to indicate Wheeler Crest District Boundary.
- Stated that he sits on the Tri-Valley Groundwater Management District Board also, but is looking at the county interest, not the Tri-Valley interest.
- Asked if a portion of the basin is not a part of the GSA, does it expose the entire basin to state management?
- How much of the proposal exists on federal land?
- Clarified if Wheeler Crest sat out the decision, but Mono County agrees to the JPA, Wheeler Crest becomes part of the agreement.

Supervisor Corless:

- Does DWR have a preference for one plan?
- Will staff be making a recommendation to the Board?
- What is the worst case scenario?

Supervisor Peters:

- Asked if the county can join and ultimately decide that it doesn't agree with the plan.

Glenn Inouye, Chairman of the Wheeler Crest Community Service District Board:

- Discussed the concerns of the Wheeler Crest District.

B. Treasury Loan for Purchase of Election Equipment

Departments: Finance, Elections

(Janet Dutcher) - Finance the purchase of the new election equipment from Dominion Voting Systems, Inc. with a 5-year Treasury loan so as to preserve the county's eligibility under AB 668, Voting Modernization Bond Act of 2018, which in its current form qualifies the county for reimbursement but only if we continue to make payments on the date that the legislation becomes effective.

Action: 1. Approve the use of a Treasury Loan to fund the purchase of the new election equipment. 2. Authorize the County Administrator to sign the loan agreement for the Treasury Loan.

Gardner moved; Stump seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-150

Note:

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Janet Dutcher, Finance Director:

- Went through staff report.

C. Review of Need for Continuation of Local Emergency - Severe Winter Storms

Departments: CAO, Sheriff

(Leslie Chapman, Ingrid Braun) - On January 31, 2017 the Mono County Sheriff declared a state of local emergency as a result of extreme winter weather. The Board of Supervisors ratified this declaration on February 7, 2017, and further declared a continuing state of emergency. Mono County Code Section 2.60.080 requires that the Board of Supervisors review the need for continuing the local emergency every 14 days, and Government Code section 8630 requires that the Board review the need at least every 30 days until it is terminated. This item is provided for that purpose.

Action: Review need for continuing the local emergency. If Board determines that need no longer exists, direct staff to prepare a declaration terminating local emergency.

Sheriff Braun:

- Still snowmelt. Recommended continued declaration of emergency.

D. Review of Need for Continuation of Local Emergency - Snowmelt and Runoff

Departments: CAO, Sheriff

(Leslie Chapman, Ingrid Braun) - On March 20, 2017 the Mono County Sheriff declared a state of local emergency as a result of continuing snowmelt and runoff from severe winter storms beginning in January 2017. The Board of Supervisors ratified this declaration on March 21, 2017, and further declared a continuing state of emergency. Mono County Code Section 2.60.080 requires that the Board of Supervisors review the need for continuing the local emergency every 14 days, and Government Code section 8630 requires that the Board review the need at least every 30 days until it is terminated. This item is provided for that purpose.

Action: Review need for continuing the local emergency. If Board determines that need no longer exists, direct staff to prepare a declaration terminating local emergency.

ADJOURN at 3:18 PM By Corless

Note:

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ATTEST

**STACY CORLESS
CHAIR OF THE BOARD**

**SCHEEREN DEDMAN
SENIOR DEPUTY CLERK**



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Approve minutes of the Regular Meeting held on July 18, 2017.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Scheereen Dedman

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[7-18-17 Regular Minutes](#)

History

Time	Who	Approval
8/3/2017 10:45 AM	County Administrative Office	Yes
8/3/2017 4:05 PM	County Counsel	Yes
8/1/2017 11:50 AM	Finance	Yes



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

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

MEETING LOCATION Mammoth Lakes Suite Z, 237 Old Mammoth Rd, Suite Z, Mammoth Lakes, CA 93546

**Regular Meeting
July 18, 2017**

Flash Drive	Portable Recorder
Minute Orders	M17-151 to M17-153
Resolutions	R17-61 to R17-62
Ordinance	ORD17-10

9:15 AM Meeting called to Order by Chair of the Board Corless.

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

*Break: 10:43 AM
Reconvene: 10:51 AM
Adjourn: 11:53 AM*

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

Pledge of Allegiance led by Supervisor Stump.

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Pam Bold, Executive Director of High Sierra Energy Foundation

- Congratulated Mono County for advancing to the Silver level.
- Savings of 10.5% since 2006 baseline.
- Data Analysis through the Energy Star energy management portfolio.
- Presented Leslie Chapman with an award.

Note:

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2. APPROVAL OF MINUTES – NONE

3. RECOGNITIONS

A. Resolution of Appreciation for Rick Phelps

Departments: County Administrative Officer

(Supervisor Fred Stump) - Proposed resolution honoring Rick Phelps's work on behalf of the High Sierra Energy Foundation, benefitting the citizens and organization of Mono County.

Action: Adopt proposed resolution Honoring Rick Phelps's work on behalf of the High Sierra Energy Foundation, benefitting the citizens and organization of Mono County. Provide any desired direction to staff.

Stump moved; Gardner seconded

Vote: 4 yes; 0 no; Absent: Johnston

Supervisor Stump:

- Presented the recognition.

Rick Phelps

- Stated that is has been nothing but fun, it's hard to believe it's been 12 years,

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.

Supervisor Corless:

- July 13 - Great Basin Unified Air Pollution Control District Board Meeting in Markleeville— updates on runoff impacts; board took action to nominate Owens Lake to the national register of historic places as an archaeological district, after hearing moving testimony from tribal representatives; update on Keeler Dunes restoration project.
- Cap and Trade deal made it through legislature yesterday, included promise to suspend SRA fees. Sen. Berryhill only republican to vote yes. <http://www.sacbee.com/news/politics-government/capitol-alert/article161887448.html>
- YARTS JPA in Mammoth 7/24
- Collaborative Planning Team 7/27

Supervisor Gardner:

- Wednesday July 12, attended the monthly Mono Basin RPAC meeting.
- Thursday, July 13, attended the quarterly meeting of the Yosemite Gateway Partners in Yosemite Valley. Some highlights of the meeting included presentations about art in Yosemite and discussion of the impact of increased visitation in the park. Received a commitment from the acting Superintendent Chip Jenkins (Yosemite National Park) to attend a meeting in the fall about issues related to the opening of the Tioga Pass road.
- Wednesday July 19, will be joining Supervisor Peters and other county staff at a seminar in Sacramento on cannabis regulation.
- Friday through Sunday, July 21-23, will be attending the NACo Conference in Columbus, Ohio with Board Chair Corless. Will be presenting a platform change proposal supporting increased funding for all federal public lands agency infrastructure. This is particularly timely given the sad condition of the Inyo National Forest water and sewer systems as well as other facilities, and the minimal funding available to the INF for capital repair and replacement projects. Will also be joining with other counties across the nation to start a NACo Resorts/Tourism/Gateway County Caucus to advocate for policies supporting counties dependent on outdoor recreation and continued federal investment in and

Note:

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protection of public lands. Will be leading this new effort with Board Chair Corless.

Supervisor Peters:

- July 11 – RPAC in Bridgeport. Discussed cannabis, and nightly rentals.
- July 13 – Town Hall in Antelope Valley. Discussed cannabis, broadband, and parks and recreation. Over sixty people attended. Presentation from Jeff Weiss with the Forest Service. Race communications came.
- Had a meeting to further the topic of hospice in the north part of the county.
- Thrift store and recycling center.
- Upcoming: July 19 - Sacramento Cannabis Conference; July 21 - Rosachi Ranch tour with Greg Tanner and Jeremy Marshall.

Supervisor Johnston:

- Absent

Supervisor Stump:

- Tuesday, Wednesday, and Friday SGMA meetings.
- Monday, July 17 - Community meeting in Benton - Cannabis main topic of conversation.

5. COUNTY ADMINISTRATIVE OFFICE

Leslie Chapman, CAO:

- Working on the Budget.
- Workshop August 9.
- Attended CSAC class last Friday.
- Talked to Bill Chiat, interested in coming back and doing second workshop, Board governance, "Principles of Highly effective Boards." Has available 4th week in October.
- Attended Walker Town Hall. Thanked Supervisor Peters for providing that forum.
- Still have review of the first workshop. Made a commitment to bring that forward on August 8 regardless.

6. DEPARTMENT/COMMISSION REPORTS

Nate Reade, Agricultural Commissioner:

- Have been doing a lot of mosquito work in Mammoth Lakes. Hoping that things improve shortly.
- Encouraged members of the community to wear repellent while they are out. Have had West Nile cases in the state. Haven't found presence in the Mono County population.
- Adulthood happens at 4 am.

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. Mammoth Gran Fondo

Departments: Public Works - Road

Action: Adopt Resolution No. R17-61, A Resolution of the Mono County Board of Supervisors Authorizing the Closure of Certain County Roads and State Highways to Thru Traffic in the Mono Lake and Long Valley Areas for the 2017 Mammoth Gran Fondo Bike Ride.

Stump moved; Gardner seconded

Note:

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Vote: 4 yes; 0 no; Absent: Johnston
R17-61

Supervisor Corless pulled item for discussion.

Lindsay Barksdale, Mammoth Mountain Community Foundation:

- Gave information presentation of event.
- Thanked the Board for past support, and county staff for service.

B. County Children's Trust Fund

Departments: Social Services

Request of the Mono County Child and Family Advisory Board to spend funds held in the County Children's Trust Fund.

Action: Approve request to use CBCAP monies in the County Children's Trust Fund in an amount not to exceed \$63,000 to fund services provided by Mono County Office of Education, as recommended by the Child and Family Advisory Board. Approve county entry into the proposed agreement, and authorize the Board Chair to execute the agreement on behalf of the County.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston
M17-151

C. Temporary Road Closure Request

Departments: Public Works

Consider proposed resolution for temporary road closure of Crowley Lake Drive south of Rainbow Tarns to the junction of Rock Creek Road on Saturday, September 9, 2017, from 8:00 am to 2:00 pm for the E. Clampus Vitus monument dedication and celebration for Tom's Place 100th anniversary.

Action: Consider and potentially adopt proposed resolution #R17-62, Authorizing the Temporary Closure of a Portion of a County Road in Tom's Place for its 100th Anniversary Dedication to be held on Saturday, September 9, 2017.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston
R17-62

Supervisor Stump:

- Spoke to owners, they are in complete support of the item. Also supports it.

D. Digital Infrastructure and Video Competition Act Ordinance

Departments: County Counsel and Information Technology

Proposed ordinance repealing and replacing Mono County Code Chapter 5.44 to enact regulations consistent with the Digital Infrastructure and Video Competition Act of 2006.

Action: Adopt proposed ordinance No. Ord17-10, Repealing and replacing Mono

Note:

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

County Code Chapter 5.44 to enact regulations consistent with the Digital Infrastructure and Video Competition Act of 2006.

Stump moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

ORD17-10

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. Thank You Letter

Departments: Clerk of the Board

Letter from Jeff and Donna Simenson expressing their gratitude for the approval of a nightly rental by the Planning division.

Supervisor Peters:

- They are very happy and appreciative for their ability to do what they have intended for years.

B. United States Forest Service Letter

Departments: Clerk of the Board

Letter from Inyo National Forest seeking comments on a Draft Environmental Impact Statement that analyzes the Mammoth Base Land Exchange.

C. Letter from California Fish and Game Commission

Departments: Clerk of the Board

Letter from California Fish and Game Commission, providing a Notice of Findings regarding the northern spotted owl which was published in the California Regulatory Notice Register on July 7, 2017.

D. Letter from California Fish and Game Commission

Departments: Clerk of the Board

Letter from California Fish and Game Commission, providing a Notice of Findings regarding the petition to list foothill-yellow-legged frog as threatened under the California Endangered Species Act. This notice was published in the California Regulatory Notice Register on July 7, 2017.

Supervisor Corless:

- Confirmed that the letter was not regarding a frog that is in Mono County.

Note:

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E. Letter from Cal OES re: California Fire Assistance Agreement with the Forest Service

Departments: Clerk of the Board

Letter from Cal OES, Governor's Office of Emergency Services, to Chief Tidwell of the United States Forest Service regarding failure to comply with the California Fire Assistance Agreement (CFAA).

Supervisor Corless:

- Will put this item on the agenda for August 1.

Supervisor Stump:

- Was copied a week ago, asking for it to be included as correspondence. Having been in the field, it is truly concerning that the Forest Service is adopting the policy of not paying, particularly volunteer fire departments for their services.
- Discussed facts from the letter.
- Most of the fire districts in Mono County are not well-funded. They cannot afford to subsidize the Forest Service in terms of responses to incidents.

Frank Frievalt, Mammoth Lakes Fire Protection District Fire Chief:

- High points, expected Cal OES to have some answers – they did not have a firm position at the meeting. The discussion is pretty early on. Previous to this meeting we met for the annual region 6 meeting. The explanation to Cal OES from the Forest Service was that they had a new finance system in place, they have been holding on to entire billings if only one item was in question. Robert Baird, USFS Regional Director of Fire Aviation Management, provided a spreadsheet that said they had reconciled \$14 million of \$16 million. There was a clearly a disconnect of which bills had been paid and which had not. Spoke to Chief Schmidt - there are three districts with some level of outstanding bills.
- USFS Chief Tidwell did a response letter – there are ongoing meetings to close the gaps between facts and frustrations.
- Crafted additional questions to direct to Cal OES. Will not forward until both parties agree.
- There has been some question about compensation for response incidents. Zero intent to not reimburse.
- General misconceptions about the CFAA and the local fire department to local forest service agreements – modification of grant or application. Primarily deal with the Forest Service on the local level.
- California represents the largest fire activity. Funding is shrinking for the Forest Service. Fire suppression costs are rising. Other states might have similar issues, but not at this magnitude. Federal budget is shrinking, costs are rising. Local cooperation is going to be the key to the future.

Supervisor Corless:

- Can the Tidwell letter and any additional correspondence be included in the packet?
- Will be attending the meeting in Ohio; can bring this letter. Is this a problem in any other states?

9. REGULAR AGENDA - MORNING

A. 2016 Crop and Livestock Report

Departments: Agricultural Commissioner

(Nathan Reade) - Presentation of the 2016 Inyo/Mono Crop and Livestock report.

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

Note:

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Nathan Reade, Agricultural Commissioner:

- Gave presentation of Livestock report.
- Values contained in report are Gross Production Value.
- Provided preview to the Economic Study – Economic contributions of agriculture to the two counties. Intends to bring that back with a real presentation and have a good discussion about that.
- Thinks cannabis will go in the crop report. CDFA doesn't want to call it an agricultural commodity, so until that is resolved, there isn't an answer. In the meantime, thinks it will be included in the crop report.
- (The economic impact) will be a variable number for some time, take 10 years for the market to stabilize in order to get that number.

Supervisor Stump:

- When the time comes, where will cannabis go?
- Need to be able to quantify the (economic) impact in some way, if it won't be your office, then who?
- Saw a news article from farm bureau in Tulare ground water sustain and legal action – do you have any information on that?

Supervisor Peters:

- Where does the data for production numbers for cattle come from?
- This number 8230 - does it represent an animal here all year long?

Supervisor Corless:

- Is 2017 looking better because of water or is it looking flooded?

B. 2017-2022 Public Health Emergency Preparedness Contract Agreement #17-10173

Departments: Mono County Public Health

(Deb Diaz, Public Health Emergency Preparedness Coordinator) - Proposed contract with California Department of Public Health pertaining to FY 2017-2022 Public Health Emergency Preparedness Contract Agreement #17-10173.

Action: Approve County entry into proposed contract and that the Board of Supervisors authorize the Chair's signature on the following documents: Non-supplantation certification form; CCC 04/2017 Certification: Contractor Certification Clauses; DGS OLS 04 (Rev. 01/17); Exhibit F, Federal Terms and Conditions Certification Regarding Lobbying. In addition, authorize the Health Officer's signature on STD 213 Standard Agreement, Agreement number 17-10173, between the California Department of Public Health and Mono County, for the term of July 1, 2017 through June 30, 2022, and any contract amendments for the five-year contract period.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-152

Dr. Rick Johnson, Public Health Officer:

- Presented information about the agreement.
- Requested an amendment to the action. Fourth document is Exhibit F. Board approved as amended today.

Deb Diaz:

- Went through staff report.

Supervisor Stump:

Note:

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

- Advised that the footer on the monogram was extremely dated - the Board and CAO are incorrect.
- Is that dependent upon this agreement or separate funding stream?
- Even though it's a 5 year contract, it's a year one guarantee only.

C. Elections Process Update

Departments: Elections

(Shannon Kendall) - Update on Election Process

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

Shannon Kendall, County Clerk-Recorder:

- Went through Staff Report.

Supervisor Corless:

- Appreciating getting this update today. SBU 450 – what is the deadline for deciding on participation in 2020? It's great that we have a county next door that can show us the way.

D. Joint Powers Agreement Establishing the Owens Valley Groundwater Authority

Departments: CAO and Community Development

(Leslie Chapman and Wendy Sugimura) - Proposed joint powers agreement (JPA) creating the Owens Valley Groundwater Authority to serve as the groundwater sustainability agency for the Owens Valley Groundwater Basin in Inyo and Mono Counties or portions thereof.

Action: Contingent upon the County's understanding that it need not withdraw its prior election to serve as a GSA within Mono County until after the GSP preparation budget is released, and with direction to staff to not withdraw until that time, for areas of Mono County within the Owens Valley Groundwater Basin (excluding the Tri-Valley Groundwater Management District (TVGMD)), join the Joint Powers Agreement (JPA) proposed by the County of Inyo to establish the Owens Valley Groundwater Authority, **unless**, prior to August 1, 2017, the Wheeler Crest Community Services District (WCCSD) determines that it will serve as the groundwater sustainability agency (GSA) within its District boundaries, in which case join the JPA only with respect to those portions of the basin within Mono County but outside of TVGMD and WCCSD and rescind County's GSA election within the WCCSD. Designate Supervisor Stump to serve as the County's representative on the JPA Board.

Gardner moved; Peters seconded

Vote: 4 yes; 0 no; Absent: Johnston

M17-153

Wendy Sugimura:

- Deadline is August 1.
- Not considering the Tri-Valley area in the decision since they are their own entity.
- Fears and uncertainties driven by unknown things – cost, how much of the cost the entities need to take on to retain a sense of authority of their own areas, ultimate structure, how much authority does everyone retain. Additional authority for Inyo County entities since their Board of Supervisors get to weigh in.

Note:

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

- Anybody who chooses to join may withdraw after the budget is known, but prior to financing commitments are made.
- Wheeler Crest prefers that Mono County remain a GSA.
- Staff recommendation – join JPA; if Wheeler Crest decides to join, their district will also be covered under JPA. If they don't come along, Mono County would only join for areas outside of Wheeler Crest. Covers all areas that we are responsible, prevents state intervention, and minimizes Mono County cost.
- Options – could remain a GSA, not join JPA. Incur costs up to \$250,000 cost for plan, obligated to coordinate plan with JPA, and potentially Tri-Valley.
- Mono County to join JPA only for areas not covered by Wheeler Crest, largely uninhabited, and remain GSA for Wheeler Crest, asking Wheeler Crest to be responsible for costs of a ground water sustainability plan.
- Remain separate in some fashion and seek joint grant funds with whatever entities out there have GSA status. In everyone's best interest to coordinate with others and submit one grant funds application.
- Tri- valley position is unknown.
- If Mono County joins JPA now, and goes through preliminary budget discussion, and ultimately decides to withdraw, option 1 is still available. And at that time, Wheeler Crest would know what their financial commitment would need to be.

Glenn Inouye, Wheeler Crest Community Service District Chairman:

- Speaking personally, not as chairman of the Board, we will gather tonight to discuss it.
- Understands and supports the decision – it makes the most sense.
- Although the Board disagrees with the original concept, what Inyo has done is being fair in not singling out Mono County, not making special exceptions - appreciates all of their hard work.
- Does think it's prudent for Wheeler Crest to step forward as a GSA.
- Supports Mono County joining as member with Supervisor Stump's option. If the Board makes the decision now not to join the JPA, there are penalties.

Supervisor Stump:

- Tri Valley – opinion is for Mono County to remain GSA. The reason is that the county will have to coordinate with Wheeler Crest, as well as the JPA.
- Wants to see a budget including potential costs in the development of a plan.
- Supports in deference to his constituents – hard position for him to be in.
- Request that if the county does do this, that it withhold as part of that motion, notifying DWR of the county's withdrawal. Inyo set the August 1 deadline, not DWR deadline.

Supervisor Corless:

- Staff opinion on position stump is proposing? That the county does not withdraw as GSA upon agreeing to the JPA?
- Supports the recommendation by staff. And fully supports the condition suggested by Supervisor Stump.

Supervisor Peters:

- Knowing what the voting structure is going to be, in addition to the budget, is critical.
- Agrees with both recommendations.

Supervisor Gardner:

- Respects the experience and time that Supervisor Stump has put into this.
- Supportive of the staff's recommendation.
- Concerned of fiscal impacts that could be coming.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

Note:

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

11. CLOSED SESSION
Nothing on Closed

A. Closed Session--Human Resources

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

ADJOURN at 11:53 AM

ATTEST

STACY CORLESS
CHAIR OF THE BOARD

SCHEEREN DEDMAN
SENIOR DEPUTY CLERK

Note:

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



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Board Minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Approve minutes of the Special Meeting held on July 18, 2017.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Scheereen Dedman

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[July 18 2017 Special Meeting Draft Minutes](#)

History

Time	Who	Approval
8/3/2017 10:45 AM	County Administrative Office	Yes
8/2/2017 6:49 PM	County Counsel	Yes
8/3/2017 8:39 AM	Finance	Yes



**DRAFT MEETING MINUTES
SPECIAL JOINT MEETING
BOARD OF SUPERVISORS AND MAMMOTH LAKES TOWN COUNCIL
COUNTY OF MONO
STATE OF CALIFORNIA**

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

**Special Meeting
July 18, 2017**

Flash Drive	Portable Recorder
Minute Orders	M17-154 to M17-155
Resolutions	R17-63 Not used
Ordinance	ORD17-11 Not used

1:04 PM Meeting called to order by Board Chair Corless.

*Supervisors Present: Corless, Gardner, Peters, and Stump.
Councilmembers Present: Colin Fernie, Shields Richardson, Bill Sauser, Mayor Pro Tem Cleland Hoff, and Mayor John Wentworth.
Supervisors Absent: Johnston.*

*Break: 2:39 PM
Reconvene: 2:49 PM
Adjourn: 4:34 PM*

**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 Mayor Wentworth.

Supervisor Corless:

- Introduced Board, Council, and staff.
- Noted Supervisor Johnston absent – asked to keep him in thoughts.

1 OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

2. AGENDA ITEMS

Note:

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

A. Outdoor Recreation--Opportunities for Collaboration and Enhancement

Departments: Board of Supervisors and Town Council

(Mayor John Wentworth and Supervisor Stacy Corless) - Presentation by Mayor John Wentworth and Supervisor Stacy Corless regarding opportunities for collaboration and enhancement of outdoor recreation in Mono County.

Related background information can be located at the following link:

<https://www.dropbox.com/sh/ra8fb3mhmovb1m3/AAA7IzX4MdTy4FwT2P-LAo1la?dl=0>

Action: Move to form a task force to explore recreational opportunities in Mono County as stated in the item documentation, and in terms of the four members, Supervisors Corless and Peters, Mayor Wentworth, and Councilmember Sauser, plus Danna Stroud, and move ahead with the anticipation that the Board work closely with and meet the budget requirements currently incorporated in the cycle with Mono County.

Gardner moved; Peters seconded.

Vote: 4 Yes; 0 No; Absent: Johnston

M17-154

Mayor Wentworth:

- Went through presentation.

Supervisor Corless:

- Clarified that this item was to form an Ad Hoc committee in order to make specific recommendations to the Board of Supervisors.
- To be treated as a Brown Act committee, with a very specific function.

Leslie Chapman, CAO, Mono County:

- There are heavy duty time constraints. Mono County is in the middle of budget discussions.

Lynn Boulton, Chair, Range of Light Group:

- Carving out a piece of Mono County budget or create a budget? Are you going to consider a Measure R sort of thing? How do you pick what your budget will be?

Jeremy Marshall, Humboldt-Toiyabe Bridgeport District Ranger:

- Supports these efforts. Bring forth the untapped market. This is part of larger efforts between Bridgeport and Carson districts. The budget goes down every year.

Danna Stroud, Sierra Nevada Conservancy:

- Happy to provide support and participation in this effort.

B. Termination of the Mono County Narcotic's Enforcement Program

Departments: District Attorney

(Tim Kendall) - Explanation as to why the Narcotic Enforcement Program will no longer be utilized.

Action: None. Information Only.

Tim Kendall, Mono County District Attorney:

- Gave presentation.
- Most of 132 cases (arrests) were prosecuted, most in drug court, the ones handled in that manner were in custody. Some were diverted for other reasons.
- Does not know the details of the marijuana OD, was told by staff that there were ODs that resulted in a hospital visit.
- The reason the program is unsustainable is that it takes two officers focused on the task.

Note:

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- Doing activities that involve narcotics with one officer poses a tremendous safety issue.
- Currently, the DA's focus is on helping those that need help, it's not putting them in jail. Probably only 2% of people voluntarily ask for help.

Robin Roberts, Behavioral Health Director, Mono County:

- Continued presentation.
- The department has identified someone to lead a special project. Hoping that it will create something that will get more people to come to Behavior Health and won't have to come through law enforcement.

Mayor Pro Tem Hoff:

- 132 arrests last year, where did they go? Twenty-seven people in jail in Bridgeport?
- Someone OD'd on marijuana?
- Supportive of anything and has ideas, would love to work in any capacity.

Councilman Sauser:

- The program is doing good, and continues to do good.
- Distressed that the Sheriff will not come forward without the Town police coming forward.

Mayor Wentworth:

- Would appreciate if the DA made himself available to see how the Town can invest in this program. Shares the concern that the Town is just hearing about this now.
- The town has been trying to get out of a hole in regards to the bankruptcy. The Town has been looking at law enforcement issues in a bubble. The DA has a very willing partner with the Town to look to what steps need to be taken.

Supervisor Gardner:

- Not in agreement with the DA stopping the program. Would hope that the Board could give direction to staff to support what Mayor Wentworth said, and staff could come back to the Board with an alternative. The most compelling thing is that without a program, the county can't get people into treatment. What is more important than saving someone's life?

C. Civic Center Update

Departments: County Administrative Office

(Tony Dublino) - Presentation by Tony Dublino on current status of Civic Center project from the County side. Discuss 'deal points' of proposed Agreement between Town and County enabling the orderly development and operations of the envisioned Civic Center.

Action: Direct staff to prepare final Agreement establishing process and cost responsibilities for developing a Civic Center on the Town's portion of the McFlex property, including direction on essential deal points, and bring Agreement back to Town Council and Board of Supervisors for consideration.

Tony Dublino, Assistant CAO, Mono County:

- Went through staff report.

Supervisor Corless:

- This would be a good chance to clarify ownership.

Pam Kobylarz, Assistant to the Town Manager, TOML:

- Will speak to the item on tomorrow night's Town agenda.

Councilman Fernie:

- It is premature to make comments on this issue until it is grappled with as a council.

D. Transfer of Federal Aviation Administration (FAA) Grant Funds from Lee

Note:

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

Vining Airport to Mammoth Yosemite Airport

Departments: Public Works

(Garrett Higerd) - Update on status of FAA Entitlement Funds and the Lee Vining Airport Lease.

Action: Approve Agreement for Transfer of Entitlements and authorize the County Engineer to execute said agreement on behalf of the County.

Gardner moved; Peters seconded.

Vote: 4 Yes; 0 No; Absent: Johnston

M17-155

Garrett Higerd, County Engineer, Mono County:

- Went through staff report.

Councilman Sauser:

- County doesn't have any shovel-ready projects. So County is giving it to Town as a 0% interest loan? Is that enough money to buy the land for the airport? Doesn't want to give neither County nor Town any legal issues.

Grady Dutton, Public Works Director, TOML:

- The FAA does look on this favorably. Effective because it keeps the money regional. Does not know the financial impact of this decision since he does not know how the Town will be able to return it.

Leslie Chapman:

- This is money that is going to be lost. As of today, the county needs to get this transferred to the Town so it is not lost. As long as there is an overall commitment to work towards that Lee Vining airport, which is a down-the-road decision.

Mayor Wentworth:

- Doesn't want to issue monies from the general fund.

E. Cooperative Programs and Services Updates

Departments: Various

(Various) - Updates from various Town and County departments regarding joint programs and services.

Hear and comment on various cooperative programs and services including:

Community Conversation Update (Board Chair Corless and Mayor Wentworth)

Supervisor Corless:

- Community Conversation May 31 at Mammoth Brewing / The Eatery.
- Included updates about recreation, technology, and air service, then moved into a discussion of projects lined up for the Town and the County.
- Asked participants about what types of projects they want to see in their community, and then broke into smaller groups for a more in-depth discussion guided by four questions: what's great about all of this; what scares you about all of this; what do you need to know; and what did we miss?
- The meeting wrapped up with the questions "What do we want to look like this summer?" and "What do we want to look like in 20 years?"

Councilman Fernie:

- Heard a lot of feedback that people appreciated a different environment to interact with elected officials.

Note:

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Cannabis Update (Christy Milovich, Michael Draper, and Wendy Sugimura)

Christy Milovich, Assistant County Counsel, Mono County:

- Since staff last updated the board, the trailer bill passed, now have Senate Bill 94, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA).
- Waiting for new regulations, should be out in August.
- Community Development Department is in second round of outreach.
- At the meeting on the 1st, there will be no staff update.
- The State will start licensing January 1, so the county has to have regulation by then, even if it includes continuing the moratorium.
- The onus is on the county to prove it has an ordinance of regulation, which is part of the new regulation.

Election update (Shannon Kendall)

Shannon Kendall, Clerk-Recorder, Mono County:

- Provided update of election process.
- Plans to have two temporary election workers in the office, saturate the public with voter outreach; make presentations to RPACs; update website to include voter specific information, and coordinate more closely with the Town Clerk.

TOT enforcement update (Rob Patterson and Janet Dutcher)

Janet Dutcher, Finance Director, Mono County:

- Talked about the Enforcement efforts Mono County has in place.

Rob Patterson, Administrative / Finance Director, TOML:

- TOML has an active enforcement process.
- Need to enhance approach using some sort of online search engine.
- Collecting tax and not remitting to the town is also fraud - add a 25% penalty.

Leslie Chapman:

- Made recommendation to go ahead with a short-term contract with host compliance, but keep talking about something that is better accommodating.

Tim Kendall:

- Failure to pay TOT can be tax fraud. As a last resort, county code and town ordinances can be enforced.

FLAP Grant (Grady Dutton)

Dan Holler, Town Manager, TOML:

- Grant has been submitted.

Grady Dutton:

- Early August, should get a letter late August saying if the town has been selected or not.

Housing needs survey update (Sandra Moberly, Scott Burns, and Megan Mahaffey)

Sandra Moberly, Planning Manager, TOML:

- Discussed the needs assessment survey.

Building Official update (Tony Dublino and Dan Holler)

Dan Holler, Town Manager, TOML:

- Hired Tom Perry from the County, position hasn't been filled in the County. Have spoken with Scott Burns, share some services.

Assemblyman Bigelow visit in August (Dan Holler and Leslie Chapman)

Dan Holler:

Note:

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

- Assemblyman Bigelow will spend some time in Bridgeport August 10-11 – he will be looking at the jail and court services, sheriff, probation, and also do a tour of the biomass plant.
- August 11 he will focus on the town area here in Mammoth Lakes.
- Has not heard of any public meetings being arranged yet.

Leslie Chapman:

- Luncheon at Bridgeport Inn at noon.

Supervisor Corless:

- Asked if anyone had arranged a public meeting in Mammoth.

Forest Plan Revision (Mayor Wentworth)

Mayor Wentworth:

- Final draft of Forest plan in October.
- Level of damage this winter, may need to think about a letter of representation to the federal representative asking what is the plan is to get some federal dollars to help fix this sort of stuff?

Dan Holler:

- Working with NaCo looking at recreation as a stronger piece on a national platform.

F. Future Town / County Agenda Items

Departments: County Administrative Office

Agenda items for future joint Town/County meetings.

Action: Identify possible agenda items for future joint Town/County meetings.

Supervisor Corless:

- Try to get one more meeting in before the end of the year. Should have a conversation about animal control.

ADJOURNED at 4:34 PM

ATTEST

STACY CORLESS
CHAIR OF THE BOARD

SCHEEREEN DEDMAN
SENIOR DEPUTY CLERK

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



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: County Administrative Officer

TIME REQUIRED

**PERSONS
APPEARING
BEFORE THE
BOARD**

Supervisor John Peters

SUBJECT Resolution of Appreciation for David
E. Cogdill, Sr

AGENDA DESCRIPTION:

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

Proposed resolution honoring David E. Cogdill, Sr.

RECOMMENDED ACTION:

Adopt resolution.

FISCAL IMPACT:

CONTACT NAME: Tony Dublino

PHONE/EMAIL: (760) 932-5415 / tdublino@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
No Attachments Available

History

Time	Who	Approval
8/3/2017 4:06 AM	County Administrative Office	Yes
8/3/2017 5:19 PM	County Counsel	Yes
8/3/2017 4:45 PM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Probation

TIME REQUIRED

**PERSONS
APPEARING
BEFORE THE
BOARD**

Karin Humiston

SUBJECT Pretrial, Probation & Parole Week

AGENDA DESCRIPTION:

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

Presentation by Karin Humiston, of the Mono County Board of Supervisors regarding Pretrial, Probation & Parole Week.

RECOMMENDED ACTION:

Approve Proclamation of the Mono County Board of Supervisors Declaring July 16-22, 2017 as Pretrial, Probation and Parole Week.

FISCAL IMPACT:

None.

CONTACT NAME: Karin Humiston

PHONE/EMAIL: 760-932-5570 / khumiston@mono.ca.gov

SEND COPIES TO:

Karin Humiston

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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Governor's Letter
Proclamation

History

Time	Who	Approval
8/3/2017 10:44 AM	County Administrative Office	Yes
8/3/2017 4:00 PM	County Counsel	Yes

8/3/2017 5:25 PM

Finance

Yes



OFFICE OF THE GOVERNOR

July 16-22, 2017

Probation Services Week

Probation professionals play an essential role in our justice system. They orchestrate important public safety services and help offenders to successfully reenter society and become productive citizens.

Working hand-in-hand with local law enforcement agencies and community groups, California's probation departments provide rehabilitative programs, as well as crucial services and referrals to offenders. Their efforts promote offender accountability by assisting offenders to live lawful lifestyles. They also protect the rights of victims through prevention and helping to secure restitution.

Probation services are a vital component of our courts and communities, and are an important branch of our law enforcement. I encourage all Californians to join me in honoring their immense contributions to our state.

Sincerely,


EDMUND G. BROWN JR.

**PROCLAMATION of the MONO COUNTY
BOARD OF SUPERVISORS DECLARING JULY 16-22, 2017,
AS PRETRIAL, PROBATION AND PAROLE WEEK**

WHEREAS, community corrections is an essential part of the justice system; and,

WHEREAS, community corrections professionals uphold the law with dignity, while recognizing the right of the public to be safe-guarded from criminal activity; and,

WHEREAS, community corrections professionals are responsible for supervising adult and juvenile offenders in the community; and,

WHEREAS, community corrections professionals are trained professionals who provide services and referrals for offenders; and,

WHEREAS, community corrections professionals work in partnership with community agencies and groups; and,

WHEREAS, community corrections professionals promote prevention, intervention and advocacy; and,

WHEREAS, community corrections professionals provide services, support, and protection for victims; and,

WHEREAS, community corrections professionals advocate community, evidence-based practices and restorative justice; and,

WHEREAS, community corrections professionals are a force for positive change in their communities.

NOW, THEREFORE, the Mono County Board of Supervisors proclaims the week of July 16-22, 2017, PRETRIAL, PROBATION and PAROLE WEEK. APPROVED AND ADOPTED this 18th day of July, 2017, by the Mono County Board of Supervisors.

Larry Johnston, Supervisor District #1

Fred Stump, Supervisor District #2

Bob Gardner, Supervisor District #3

John Peters, Supervisor District #4

Stacy Corless, Supervisor District #5



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Risk Management

TIME REQUIRED

**PERSONS
APPEARING
BEFORE THE
BOARD**

SUBJECT Resolution: Industrial Disability
Retirement - Franklin Smith

AGENDA DESCRIPTION:

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

Proposed resolution determining that Franklin Smith is eligible for industrial disability retirement.

RECOMMENDED ACTION:

Adopt proposed resolution #R17-____, Determining that Franklin Smith is eligible for industrial disability retirement. Provide any desired direction to staff.

FISCAL IMPACT:

Advance Disability Pension Payments in the amount of \$2346.46 biweekly until the determination is final with CalPERS, at which time said expenditures would be reimbursed to the County.

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

Jay Sloane

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Resolution

History

Time	Who	Approval
8/3/2017 3:42 AM	County Administrative Office	Yes

8/3/2017 3:59 PM

County Counsel

Yes

8/3/2017 5:20 PM

Finance

Yes



COUNTY OF MONO

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

Jay Sloane
Mono County Administration
Risk Manager

To: Board of Supervisors

From: Jay Sloane

Date: 8/8/2017

Re: Proposed Resolution Regarding Industrial Disability Retirement of Franklin Smith.

Recommendation:

Adopt resolution determining that Franklin Smith is eligible for Industrial Disability Retirement. Provide any direction to staff.

Fiscal Impact:

Advanced Disability Pension payments in the amount of \$2346.46 biweekly until the employee is placed on the retirement roll by CalPERS at which time CalPERS begins paying the industrial disability retirement allowance to the member and said expenditures would be reimbursed to the County by CalPERS (Government Code section 21419).

If the IDR claim is denied by PERS, the advance paid by the County will be recovered by PERS from the employee's Advance Disability Account or from his PERS retirement check and remitted to the County (Section 4850.3 or 4850.4)

Discussion:

CalPERS requires a Board determination regarding the County's position on the disability, or lack thereof, of an employee filing for an industrial disability retirement (IDR). In this case, medical evaluations and reports conclusively establish that Franklin Smith's injury prevents him from carrying out his normal duties in the District Attorney's office, and the County previously agreed that the injury was work-related through the worker's compensation process. As such, it is appropriate to make the formal finding that he is substantially disabled for purposes of his IDR application.



R17-__

**A RESOLUTION OF THE MONO COUNTY
BOARD OF SUPERVISORS DETERMINING THAT
FRANKLIN SMITH IS ELIGIBLE FOR
INDUSTRIAL DISABILITY RETIREMENT**

WHEREAS, the County of Mono (hereinafter referred to as Agency) is a contracting agency of the Public Employee's Retirement System; and

WHEREAS, the Public Employee's Retirement Law requires that a contracting agency determine whether an employee of such agency in employment in which he is classified as a local safety member is disabled for purposes of the California Public Employee's Retirement Law and whether such disability is "industrial" within the meaning of such Law; and

WHEREAS, an application for industrial disability retirement of Franklin Smith employed by the Agency in the position of Chief Investigator has been filed with the California Public Employee's Retirement System; and

WHEREAS, the County of Mono has reviewed the medical and other evidence relevant to such alleged disability;

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

1. That the County of Mono does hereby find and determine that Franklin Smith is substantially incapacitated within the meaning of the California Public Employee's Retirement Law for performance of his duties in the position of Chief Investigator.

2. That County of Mono does hereby find and determine that such disability is a result of injury or disease arising out of and in the course of employment. Neither said Franklin Smith nor the agency, County of Mono, has applied to the Workers' Compensation Appeals Board for a determination pursuant to Government Code section 21166 whether such disability is industrial.

3. That the member was separated from his employment in the position of Chief Investigator after expiration of his rights under Government Code section 21164, effective August 8, 2017 and no dispute as to the expiration of such leave rights is pending. His last day on pay status is August 8, 2017.

4. There is not a possibility of third party liability.

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5. Advance Disability Pension payments will be made. The payments will be made biweekly in the amount of \$2346.46 beginning August 13, 2017 and retroactive to August 9, 2017.

6. The primary disabling condition is a back injury.

PASSED, APPROVED and ADOPTED this 8th day of August, 2017, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Stacy Corless, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Information Technology

TIME REQUIRED

PERSONS APPEARING BEFORE THE BOARD Nate Greenberg

SUBJECT Information Technology Staff Promotions beyond Step A

AGENDA DESCRIPTION:

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

Following the restructure of the Information Technology Department in October 2016, two anomalies were created in the staffing allocations. Due to limitations with the Mono County Personnel Rules, these staff members could not be promoted to anything higher than Step A. Following the Board's adoption of an update to the Personnel Rules (R17-47), Mono County Information Technology is proposing the promotion of two existing employees from Step A to steps which are consistent with the originally intended promotions in an effort to maintain parity and consistency with other staff.

RECOMMENDED ACTION:

Authorize the promotion of existing employees Andy Liu from System Administrator, Step A to System Administrator, Step B and Joel Hickok from GIS Specialist III, Step A to GIS Specialist, Step C.

FISCAL IMPACT:

These positions are funded with general fund monies and are included in the department's proposed budget for FY17-18.

CONTACT NAME: Nate Greenberg

PHONE/EMAIL: (760) 924-1819 / ngreenberg@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p> Staff Report</p>

History

Time	Who	Approval
7/26/2017 1:39 PM	County Administrative Office	Yes

7/31/2017 9:04 AM

County Counsel

Yes

8/1/2017 12:39 PM

Finance

Yes



**INFORMATION TECHNOLOGY
COUNTY OF MONO**

PO Box 7657 | 437 OLD MAMMOTH ROAD, STE. 228 MAMMOTH LAKES, CA 93546
(760) 924-1819 • FAX (760) 924-1697 • ngreenberg@mono.ca.gov

Nate Greenberg
Information Technology Director

August 8, 2017

To Honorable Board of Supervisors
From Nate Greenberg, Information Technology Director
Subject Promotions for existing Information Technology staff beyond to Step A

Recommendation

Authorize the promotion of existing employees Andy Liu from System Administrator (Range 81) Step A to System Administrator, Step B and Joel Hickok from GIS Specialist III (Range 79), Step A to GIS Specialist, Step C.

Discussion

On October 11, 2016, the Mono County Board of Supervisors approved the restructure of the Information Technology Department through Resolution R16-72. As part of that resolution, the County List of Allocated Positions was amended to create the positions necessary for the proposed restructure. This item is the next step in the process.

Through the implementation of the new structure it became evident that in two circumstances it would be necessary to promote staff into a step higher than A to ensure equity and parity among the team. The Mono County Board of Supervisors recently adopted Resolution R17-47, which allows the Board to authorize the internal promotions above Step A, which is now being requested.

In the case of the Systems Administrator position filled by Andy Liu, the request is promote to MCPE Range 81B. Andy was hired into the position of IT Specialist III (MCPE 79A) in November 2013. He is an extremely valuable member of the organization - providing support for complex systems and infrastructure, and had not realized any step increase for the past three plus years. Mono County IT recently hired an additional Systems Administrator into MCPE Range 81A, it is important to ensure parity relative to this new hire given Andy's tenure.

In the case of the GIS Specialist III position filled by Joel Hickok, the request is to promote to MCPE Range 79C. Joel was hired into the position of GIS Specialist I (MCPE 75C) in October of 2014. He has performed exceptionally over the past two plus years, serving as the sole web and application developer for the County and ensuring a high level of sophistication for the services we provide. Through the restructure he has stepped into the supervisory role of GIS Specialist III, bypassing the GIS Specialist II position all together. Since he would have received a 5% pay increase for the promotion to GIS Specialist II, it seems reasonable for him to receive a total of 10% for moving into Specialist III. To achieve that level of compensation, he needs to remain a C Step.

Fiscal Impact

The cost of these positions are fully within the FY 17-18 Information Technology Department budget.

Strategic Plan Alignment

2016 – 2017 Mono County Focus Areas

- ✘ Economic Base
- ✓ Infrastructure
- ✓ Public Safety
- ✘ Environmental Sustainability
- ✓ Mono: Best Place to Work

IT Strategic Initiatives

- ✓ I. Business Operations and Efficiency
- ✓ II. Communications, Broadband, and Accessibility
- ✓ III. Infrastructure Resiliency and Security



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Public Works - Road

TIME REQUIRED

SUBJECT Hiring Policy Variance Request -
Mechanic II C Step

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

A Mechanic position in Bridgeport has been vacant for several months. During recruitment, a single qualified applicant was interviewed. The applicant's skills and experience warrant hiring him as a Mechanic II at a C Step.

RECOMMENDED ACTION:

Authorize Public Works Director to work with Human Resources in hiring the applicant as a Mechanic II at a C Step. Provide any desired direction to staff.

FISCAL IMPACT:

A Mechanic II at an A Step has an annual cost of \$82,182 (salary \$42,312 / benefits \$39,870). A Mechanic II at a C Step has an annual cost of \$87,805 (salary \$46,644 / benefits \$41,161). The difference is \$5,623.

CONTACT NAME: Jeff Walters

PHONE/EMAIL: 760.932.5459 / jwalters@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p> Hiring Policy Variance Request - Mech II C Step - BOS stff report</p>
--

History

Time	Who	Approval
7/30/2017 10:02 AM	County Administrative Office	Yes
7/31/2017 9:03 AM	County Counsel	Yes

8/3/2017 8:45 AM

Finance

Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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

Date: August 8, 2017
To: Honorable Chair and Members of the Board of Supervisors
From: Jeff Walters, Public Works Director / Director of Road Operations and Fleet Services
Subject: Hiring Policy Variance Request – Mechanic II C Step

Recommended Action:

Approve a variance of Mono County Personnel System policy, Section 080 – Salary Upon Hire, to allow the Public Works Department, in consultation with Human Resources, to hire one qualified Mechanic II at a C Step. Provide any desired direction to staff.

Fiscal Impact:

The funding source for this position is full-time out of the Road Fund.

A Mechanic II at an A Step has an annual cost of \$82,182 (salary \$42,312 / benefits \$39,870). A Mechanic II at a C Step has an annual cost of \$87,805 (salary \$46,644 / benefits \$41,161). The total difference is \$5,623.

Discussion:

A Mechanic II vacancy has existed in Road for several months. Public Works has followed the Mono County Public Employees MOU protocol to fill that vacancy and would like to hire the single qualified applicant at a C Step. With a Class B license and significant experience as a mechanic their qualifications and experience warrant an offer higher than an A Step.

This is an allocated position for which there will be sufficient appropriation in the 2017/18 Budget.

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

Respectfully submitted,

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



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Letters from Suddenlink

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Letter from Suddenlink regarding the closure of its store at 123 Commerce Drive in Mammoth Lakes, effective August 25, 2017. Letter from Altice USA providing notice of an increase in the SD/HD Non-DVR cable box rate from \$7.00 to \$10.00 for new residential Suddenlink customers.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Scheereen Dedman

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Letters from Suddenlink

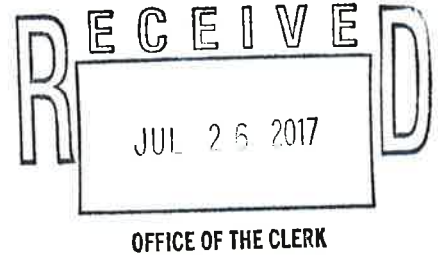
History

Time	Who	Approval
7/26/2017 1:50 PM	County Administrative Office	Yes
7/27/2017 3:09 PM	County Counsel	Yes
8/1/2017 11:50 AM	Finance	Yes



July 7, 2017

Clerk of the Board – County of Mono
Lynda Roberts
P.O. Box 715
Bridgeport, CA 93517



Re: Franchise Office Closure

Dear Lynda Roberts:

We have made the decision to close our local Suddenlink store located at 123 Commerce Drive, Mammoth Lakes, CA effective August 25, 2017 due to limited customer use of the location. We remain committed to providing superior service in June Lake, and our local technicians will be available for service related issues, installations, and upgrades. Suddenlink customers can continue to contact our care center to speak with a customer service representative regarding service issues, billing issues, or to order services. These numbers are as follows:

To order new service:
visit order.suddenlink.com or call [877-694-9474](tel:877-694-9474)

To transfer your existing service to a new address:
visit [EasyMove](#) or call [877-694-9474](tel:877-694-9474)

For general, billing or technical support: [877-794-2724](tel:877-794-2724)

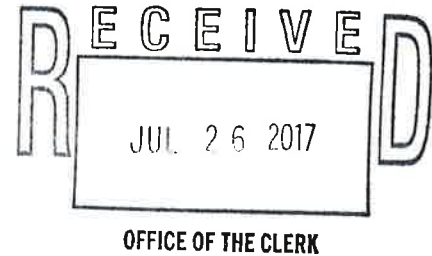
Business/Ad Sales: [800-490-9604](tel:800-490-9604)

Suddenlink maintains the same commitment to our quality products and first class service to our customers. We value the relationship between our company and Mono County. If you should have any questions or concerns regarding this matter, please do not hesitate to contact me at 530.550.3922

Sincerely,

A handwritten signature in black ink, appearing to read "James K. [unclear]".

Director of Operations



July 17, 2017

Clerk of the Board – County of Mono
Lynda Roberts
P.O. Box 715
Bridgeport, CA 93517

Altice USA (“Altice” or “the Company”) hereby notifies you that effective August 15, 2017, the SD/HD Non-DVR Cable Box rate of \$7.00 a month will be \$10.00 a month for all *new* residential customers. All video service pricing for current Suddenlink customers is unaffected.

This change is consistent with rates currently assessed by other industry providers. Altice continues to provide great value to our customers through investing in “best-in-class” products and services. We recently transitioned to an all-digital TV platform, offering even better picture quality and more HD content, and are continuously delivering faster internet speeds to meet the future demand of our customers.

Should you have any questions, please do not hesitate to contact me at 530.550.3922 or by email at jason.oelkers@alticeusa.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Oelkers', written over a light blue horizontal line.

Jason Oelkers
Director of Operations



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Letter from Joyce Kaufman

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Letter from Joyce Kaufman regarding mail received from Vacasa, soliciting vacation homes.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Scheereen Dedman

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Vacasa Letter

History

Time	Who	Approval
8/3/2017 3:47 AM	County Administrative Office	Yes
7/31/2017 9:05 AM	County Counsel	Yes
8/1/2017 11:56 AM	Finance	Yes

Dear All,

I am attaching to this e-mail scans of materials that my husband, Bob Marks, and I received unsolicited at our home in Whittier. We have been homeowners in June Lakes since we built our house in Peterson Tract in 2005, and we plan to retire here permanently. Thus, we have been following the issue of rentals with great concern. We are especially dismayed that someone has been reaching out aggressively to seek rental properties. I am not as familiar with the law about rentals as I should be but it is my understand that there are limits and prohibitions about private rentals in Mono County in general and in June Lake specifically. I would also guess that if we received this materials, then others are getting it as well and I am sure that there are some who would be very willing to rent their second homes, especially with the "guarantee" of a "net increase of \$5,00 in your first year with Vacasa." As a concerned homeowner, this to me is a recipe for disaster.

I know that the CAC is very concerned about this issue and has held a number of meetings about it, and we have made our position known. But given this set of mailings, I specifically wanted to bring this to your attention and also to ask what, if anything, we can do to stop these solicitations and others as well as make sure that vacation rentals are limited if not prohibited in our area.

Thank you for your attention. I look forward to hearing from you.

Sincerely,

Joyce Kaufman



2303639
PO BOX 2532
MAMMOTH LAKES, CA 93546



*****AUTO**MIXED AADC 980 283 T3 P1



Now accepting vacation homes in June Lake.

Do you have a second home that you are currently using, or considering, as a vacation rental? Would you like to get a complimentary customized rate analysis and estimate of how much you could be earning? We are Vacasa, and we make vacation rentals easy. Nationally recognized as the second-largest vacation rental management company in the U.S., we are expanding into June Lake because of the demand for vacation homes there.

When you entrust us with your vacation home, our professional Vacasa-employed staff will handle all the details, including:

- Housekeeping and Property maintenance and management
- Reservations, booking, payment, and taxes
- Extensive marketing, including advertising on popular vacation rental sites like VRBO, HomeAway, Airbnb, FlipKey, and TripAdvisor

Earn More, Work Less. Guaranteed.

We are confident in our ability to put more money in your pocket. If you currently list your home through another management company, **we will guarantee a net increase of \$5,000 in your first year with Vacasa.** If you currently manage your property yourself, we guarantee that you will earn more than you did in the prior year, while we do all the work.

We'd love to show you how our highly visited website, specialized proprietary rate algorithms and analysis tools can maximize your home's income. Please contact me for an analysis of how much you could earn, should you list your home with Vacasa.

Sincerely,

A handwritten signature in blue ink that reads "Emma".

Emma Haisten, Vacasa Business Development Manager, June Lake
(760) 201-1614 | emma.haisten@vacasa.com



Why Choose Vacasa? Comprehensive Management



Full-service vacation rental management is a full-time job. Let us do the work!

Comprehensive Management

We provide full-service management, including plenty of services for which our competitors charge extra. If you're new to renting your home, we can help arrange the permits and any other details required to set up your property.

Innovative Technology

Using our specialized rate algorithm and analysis tools—among the most advanced in the industry—we automatically optimize rates year-round, ensuring your home is truly maximizing its potential earnings.

World-Class Marketing

We invest in extensive advertising for your home, with top-tier listings on sites like VRBO, HomeAway, FlipKey, TripAdvisor, and VacationRentals.com. Our innovative marketing team will help you find customers you didn't even know existed.

A Strong Local Presence, On Call 24/7

We have the resources of a national company, but our focus is inherently local. Our Local Operations Managers are on call 24 hours per day, seven days per week. If a problem arises, we're here to help.

No Limits on Owner Use

You bought a vacation home so that you could enjoy it. That's why Vacasa doesn't limit the time you can spend in your own home.







Time with family.
Time with friends.
That's why we're here.



Get ready to
experience
life in



Vacasa now offers 3D photography with every listing. What's more, it's virtual reality ready. Which means your guests can experience your home from the comfort of theirs. And it's completely free - just for signing up. All part of Vacasa's world-class management service.

-  Local team at your fingertips
-  No long-term contracts or hidden fees
-  No restrictions on owner use
-  Thorough guest screening
-  Smart marketing turns views into bookings
-  Income guarantees

The future is here. Put your home ahead of the competition with Vacasa's cutting-edge Matterport technology. Give us a call today!

visit vacasa.com



3D

photography
invites your
guests inside





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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Agricultural Commissioner's Office
Department Update August 2017

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

August 2017 department update from the Counties of Inyo and Mono Agricultural Commissioner's Office.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Scheereen Dedman

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Department update

History

Time	Who	Approval
7/30/2017 10:24 AM	County Administrative Office	Yes
7/31/2017 9:01 AM	County Counsel	Yes
8/1/2017 11:58 AM	Finance	Yes



Department Update

Counties of Inyo and Mono Agricultural Commissioner's Office

August 2017

Agriculture

The *2016 Crop and Livestock Report and Agriculture in Inyo and Mono Counties: An Economic Profile* have both been posted online at the [Useful Links/Forms/Reports](#) page at www.inyomonoagriculture.com.

Staff attended the [Counties Cannabis Summit](#) hosted by CSAC, RCRC, and UCC on July 19 in Sacramento. Very little information presented was new.

One speaker from Colorado made the point that California should be ready to deal with pesticide issues at the local level as Colorado was not, which created a lot of issues. In California, Agricultural Commissioners have been providing pesticide regulation at the local level as agents of regulating state agencies since 1972. This is in contrast to all other states, and pesticide problems arising from cannabis cultivation at the local level should not be an issue due to this long-standing arrangement.

There have been some concerns noted recently regarding how state agencies such as CalCannabis expect to enforce the cannabis cultivation regulations that are in development. Various options have been proposed, most of which involve the Agricultural Commissioner's office conducting enforcement work on behalf of the state, which has proposed pre-application fees ranging from \$60 to \$4,260 and permit fees ranging from \$560 to \$38,350 per year. So far, it seems very little if any of this will trickle down to the local level where most of the on-the-ground work will be conducted.

SB 1, which authorized an increase in gas taxes, should increase Agricultural Commissioner disbursements by \$20 million dollars according to a recent analysis. This would double current disbursements. A California Agricultural Commissioner and Sealer's Association subcommittee is currently looking into this issue.

Agriculture Legislation of Interest

[A.B. 527—Pest control aircraft pilot's certificate: unmanned aircraft.](#)

This bill seeks to create a new pest control operator category to allow for the licensing and use of unmanned aerial vehicles to apply pesticides.

Weights & Measures

Testing of livestock scales will commence this month. These scales are scheduled to coincide with the shipping of calves, which typically happens in our area in the fall.



Livestock scale in Bridgeport, in operation for about 140 years.

Weights & Measures Legislation of Interest

[AB 347 \(Chau\)](#)

This bill would extend the law that allows county sealers to charge registration fees for device inspections past the current sunset date of January 1, 2019 to January 1, 2022.

Mosquito Abatement Program

Our first mosquito pool samples to come in positive for West Nile Virus were submitted in late July. These samples were collected in the southeast Bishop area, which has been a common area to find this disease since it was first seen in our area in 2004. A press release on this can be found [on our website](#). So far, no samples have tested positive for St. Louis Encephalitis or Western Equine Encephalitis. It is important to note that these positive samples do not denote a human infection, and that over 200 such detection were noted in California during the same week.



Three of these samples were West Nile virus positive!

We are working on options to effectively treat mosquito breeding sources that are either too vast or inaccessible at this point due to water spreading activities. This may include aerial operations.

Excessive adult mosquito populations continue to be an issue throughout areas served by OVMAP and MLMAD. High runoff conditions make successful control very difficult, and as long as extensive water spreading is occurring we will continue to see large populations of mosquitos in our communities and outlying areas.

Mosquito control program reports continue to be updated weekly and can be found on the [OVMAP page](#) on our website.

Eastern Sierra Weed Management

Crews will be traveling to the Antelope Valley off and on throughout August to conduct invasive plant management in the area. Known weed sites were inaccessible during the spring and early summer due to high water conditions and flooding along the West Walker River. Some of our most critical priority weed populations occur in this area, including the only Yellow starthistle population left in Mono County.

Work continues on both the Perennial pepperweed project on the Owens River near Bishop, as well as in the LORP area. Some work was conducted in the Mammoth Lakes area on Dalmatian toadflax in July that was spread in hydro seeded wildflower mix nearly 20 years ago. Additional management of Perennial pepperweed will occur in August in the Bishop sewage treatment plant area.

Important Dates

August 2-3

Initial Trip—ESWMA Crew in Antelope Valley

August 17

Southern Agricultural Commissioner and Sealers Association Meeting (Webinar)

August 19

National Potato Day



Our primary weed target in the Antelope Valley, Scotch thistle, can grow up to 12 feet tall



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Letter from Wildlife Conservation Board

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Letter from Wildlife Conservation Board advising the Board that they are considering acquisition of approximately 6 acres of wildlife habitat located at Wheeler Ridge in Mono County. The proposal is scheduled to be presented at the Wildlife Conservation Board meeting on August 24, 2017.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Scheereen Dedman

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Letter from WCB

History

Time	Who	Approval
8/3/2017 10:45 AM	County Administrative Office	Yes
8/3/2017 4:04 PM	County Counsel	Yes
8/3/2017 5:20 PM	Finance	Yes



EDMUND G. BROWN JR, Governor
NATURAL RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE CONSERVATION BOARD
Mailing Address: 1416 9th Street, Rm. 1266
Sacramento, California 95814
www.wcb.ca.gov
(916) 445-8448
Fax (916) 323-0280

JUL 27 2017

Mono County Board of Supervisors
P.O. Box 715
Bridgeport, California 93517

Wheeler Ridge Expansion 8
Mono County
Project ID 2016168

Dear Board Members:

The Department of Fish and Wildlife (CDFW), through the Wildlife Conservation Board (WCB), is involved in a land acquisition program focused on the long-range protection and enhancement of habitat for fish and wildlife. The CDFW identifies sites considered for acquisition in response to public interest, legislative mandate and departmental goals.

I am writing to advise you that the WCB will consider the acquisition of 6± acres of wildlife habitat located in Mono County and identified as Assessor's Parcel No. 064-100-020. The proposal is scheduled to be presented at the August 24, 2017, Board meeting. You will find enclosed a copy of the preliminary meeting Agenda for your review. A more complete description of each proposal will be contained in the final meeting Agenda, which will be available at www.wcb.ca.gov beginning on August 14, 2017.

If you have any questions about this proposal or need additional information, please feel free to contact me at (916) 445-0137.

Sincerely,

A handwritten signature in blue ink, appearing to read 'John P. Donnelly'. Below the signature, the name 'John P. Donnelly' and the title 'Executive Director' are printed in a black, sans-serif font.

John P. Donnelly
Executive Director

Enclosure

CC: The Honorable Tom Berryhill
The Honorable Franklin Bigelow
Leslie MacNair, Regional Manager
CDFW, Inland Deserts Region (6)
James & Sherry Dodson, Land Owner



EDMUND G. BROWN Jr., Governor
NATURAL RESOURCES AGENCY
DEPARTMENT OF FISH AND WILDLIFE
WILDLIFE CONSERVATION BOARD
Mailing Address: 1416 9th Street, Room 1266
Sacramento, California 95814
www.wcb.ca.gov
(916) 445-8448
Fax (916) 323-0280

Notice of Meeting
WILDLIFE CONSERVATION BOARD

August 24, 2017
10:00 a.m.
State Capitol, Room 112
Sacramento, California 95814

Preliminary Agenda Items

Item Number

1. Roll Call
2. Funding Status — Informational
3. Special Project Planning Account
4. Proposed Consent Calendar (Items 5 – 15)
- *5. Approval of Minutes
- *6. Recovery of Funds

*Proposed Consent Calendar

***7. Hope Valley Wildlife Area Encroachment
Alpine County
\$0**

To consider a boundary adjustment transferring 0.4± acres to an adjacent landowner to resolve an encroachment on the California Department of Fish and Wildlife's Hope Valley Wildlife Area in Alpine County.

***8. East Contra Costa County NCCP/HCP (Roddy Home Ranch)
Contra Costa County
\$317,200**

To consider the allocation for a grant to the East Contra Costa County Habitat Conservancy (ECCCHC) and the acceptance of a U.S. Fish and Wildlife Service Habitat Conservation Plan Land Acquisition grant, and the approval to sub-grant these federal funds to the ECCCHC, for a cooperative project with the East Bay Regional Park District to acquire 40± acres of land for the protection and preservation of existing regional wildlife linkages and grassland habitats that support listed species identified in the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan, located south of the city of Antioch in Contra Costa County. The purposes of this project are consistent with the proposed funding source that allows for the acquisition and protection of habitats that are critical to the sustainability of threatened or endangered species. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c)(SSJD-NCCP)]

***9. San Joaquin River Parkway
Riverbottom Park and Schneider Property Habitat Restoration, Augmentation
Madera/Fresno County
\$193,155**

To consider the allocation for an augmentation to an existing grant to River Partners for a cooperative project with the San Joaquin River Conservancy (SJRC) and the City of Fresno (City) to restore 147± acres of riparian habitat at the City's Riverbottom Park property in Fresno County and the SJRC Schneider Property in Madera County, both of which are within the floodplain of the San Joaquin River in the vicinity of the Burlington Northern Santa Fe Railroad river crossing. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition, development, rehabilitation, restoration and protection of land and water resources located within the boundaries of the San Joaquin River Conservancy. [California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(b)(5)]

***10. State Lands Lease-PRC 7629.9 Renewal - Morro Bay
San Luis Obispo County
\$0**

To consider a proposal to authorize the California Department of Fish and Wildlife to renew an existing lease with the California State Lands Commission for hunting, sportfishing, and aquaculture activities on Morro Bay in San Luis Obispo County.

***11. Desert Tortoise Research Natural Area Habitat Restoration
Kern County
\$58,000**

To consider the allocation for a grant to Desert Tortoise Preserve Committee, Inc., for a cooperative project with the Bureau of Land Management (BLM) to install protective boundary fencing and neutralize unauthorized off-road vehicle routes by installing vertical and horizontal mulch, decompacting soil, and otherwise naturalizing appearances, located on BLM land within the Desert Tortoise Research Natural Area, located three miles north of California City in Kern County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition, development, rehabilitation, restoration and protection of habitat to promote the recovery of threatened and endangered species, to provide corridors linking separate habitat areas to prevent habitat fragmentation, and to protect significant natural landscapes and ecosystems and other significant habitat areas. [California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resources Code Section 5096.650(a)]

***12. Carpinteria Salt Marsh Infrastructure Improvement Project
Santa Barbara County
\$91,700**

To consider the allocation for a grant to the Regents of the University of California to restore and repair the Estero access road, replace collapsed culverts, enhance perimeter fencing, install interpretive signs, and replant native vegetation at the Carpinteria Salt Marsh Reserve located immediately west of the City of Carpinteria in Santa Barbara County. The purposes of this project are consistent with the proposed funding source that allows for the construction and development of facilities that will be used for research and training to improve the management of natural lands and the preservation of California's wildlife resources. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b)(3)]

***13. Coachella Valley Stormwater Channel and Delta Conservation Area,
Mecca Land Development Property
Riverside County
\$75,000**

To consider the allocation for a grant to the Coachella Valley Conservation Commission (CVCC), and the acceptance of a U.S. Fish and Wildlife Service Habitat Conservation Plan Land Acquisition grant, and the approval to subgrant these federal funds to CVCC acquire 39± acres of land for the protection of natural communities within the Coachella Valley Stormwater Channel and Delta Conservation area that support listed species identified by the Coachella Valley Multi-Species Conservation Plan/Natural Community Conservation Plan. The property is located southeast of the city of Indio, in the unincorporated community of Mecca in Riverside County. The purposes of this project are consistent with the proposed funding source that allows for the acquisition of habitat to protect rare, endangered, threatened or fully protected species. [Habitat Conservation Fund (Proposition 117), Section 2786(b/c)]

***14. Rancho Jamul Ecological Reserve, Expansion 3**
San Diego County
\$25,000

To consider the acquisition in fee of 40± acres of land by the California Department of Fish and Wildlife (CDFW) for the protection of threatened and endangered species, to preserve biological communities supporting sensitive species, to enhance wildlife linkages, and provide future wildlife oriented public use opportunities. The property is an expansion of CDFW's Rancho Jamul Ecological Reserve and supports the San Diego County Multiple Species Conservation Program, a joint Habitat Conservation Plan and Natural Community Conservation Plan located near the community of Jamul in San Diego County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition of habitat to protect rare, endangered threatened or fully protected species. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(b/c)]

***15. San Vicente Highlands (Briles) and Expansion 1 (Pitman)**
San Diego County
\$265,000

To consider the acquisition in fee to acquire a total of 12± acres of land from two separate landowners by the California Department of Fish and Wildlife for the protection of deer and mountain lion habitat, to maintain a wildlife corridor and linkages, and provide future wildlife oriented public use opportunities located near the city of Poway in San Diego County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition of habitat to protect deer and mountain lions. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)]

16. East Contra Costa County HCP/NCCP (Casey)
Contra Costa County
\$1,065,800

To consider the allocation for a grant to the East Contra Costa County Habitat Conservancy (ECCCHC) and the acceptance of a U.S. Fish and Wildlife Service Habitat Conservation Plan Land Acquisition grant, and the approval to sub-grant these federal funds to the ECCCHC, for a cooperative project with the East Bay Regional Park District to acquire 320± acres of land for the protection and preservation of existing regional wildlife linkages and grassland habitats that support listed species identified in the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan, located in unincorporated Byron in Contra Costa County. The purposes of this project are consistent with the proposed funding source that allows for the acquisition and protection of habitats that are critical to the sustainability of threatened or endangered species. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75055(c)(SSJD-NCCP)]

17. Wheeler Ridge, Expansion 8 (Dodson)
Mono County
\$295,000

To consider the acquisition in fee of 6± acres of land by the California Department of Fish and Wildlife for the protection of deer and mountain lion habitat, to maintain a migration corridor for the Round Valley mule deer herd, and provide future wildlife oriented public use

opportunities, located in the community of Swall Meadows near Mammoth Lakes in Mono County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for the acquisition of habitat to protect deer and mountain lions. [Habitat Conservation Fund (Proposition 117), Fish and Game Code Section 2786(a)]

**18. San Joaquin River Parkway, Sycamore Island Fishing Pond, Enhancement Project
Madera County
\$1,606,627**

To consider the allocation for a grant to the California Department of Water Resources for a cooperative project with the California Department of Fish and Wildlife and the San Joaquin River Conservancy (SJRC) to construct public access and habitat enhancements to a gravel pit pond adjacent to the San Joaquin River at the SJRC Sycamore Island property located approximately three miles downstream of the State Route 41 bridge in Madera County. The purposes of this project are consistent with the proposed funding sources, which allows for the acquisition, restoration, and protection of land and water resources located within the boundaries of the San Joaquin River Parkway. [Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1), California Water Code Section 79731(g)]

**19. San Joaquin River Parkway, Sycamore Island Habitat Enhancement Project
Madera/Fresno County
\$218,660**

To consider the allocation for a grant to the San Joaquin River Parkway and Conservation Trust for a cooperative project with the San Joaquin River Conservancy (SJRC) to enhance 5± acres of floodplain and riverbank habitat on SJRC property, located approximately 2 miles downstream of State Route 41 in Fresno and Madera Counties. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for River Parkway projects identified by the San Joaquin River Conservancy Board. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Public Resources Code Section 75050(f)].

**20. Sedgwick Reserve Infrastructure and Facilities Project, Phase 2
Santa Barbara County
\$1,380,000**

To consider the allocation for a grant to the Regents of the University of California for a cooperative project with University of California, Santa Barbara to construct an administrative and meeting hall, to renovate research quarters, construct an outdoor kitchen, and repair roads and other infrastructure and facilities needed to serve the Reserve's current and projected needs within the Sedgwick Reserve 35 miles north of Santa Barbara near the town of Santa Ynez in Santa Barbara County. The purposes of this project are consistent with the proposed funding source that allows for the construction and development of facilities that will be used for research and training to improve the management of natural lands and the preservation of California's wildlife resources. [Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Proposition 84), Section 75055(b)(3)]

21. Los Angeles River- Taylor Yard G2

Los Angeles County

\$20,050,000

To consider the allocation of a grant to assist in a cooperative project with the Santa Monica Mountains Conservancy and the Mountains Recreation and Conservation Authority to acquire a multipurpose easement over 9± acres of land for habitat restoration, open space preservation, and to provide potential future wildlife-oriented public use opportunities located four miles north of downtown Los Angeles in Los Angeles County.

Pursuant to WCB policy, an Independent Appraisal Review has been performed and is available at www.wcb.ca.gov. The purposes of this project are consistent with the proposed funding source that allows for the acquisition, protection and restoration of coastal wetlands and watersheds located in Southern California. [Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Proposition 50), Water Code Section 79572(a) and Water Code Section 79572(a)(LAR)]

22. Red Hill Bay Shallow Water Habitat, Augmentation

Imperial County

\$1,493,000

To consider the allocation for an augmentation to an existing grant to the Imperial Irrigation District for a cooperative project with the Sonny Bono Salton Sea National Wildlife Refuge to restore 530± acres of shallow brackish water habitat in the Red Hill Bay area of the Salton Sea, located 15 miles northwest of Brawley in Imperial County. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for acquisitions, grants or other activities that directly restore the Salton Sea and its transboundary watersheds [Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2005 (Proposition 50), Water Code Section 79565 and Fish and Game Code Section 2932.2]

23. Otay Mesa Habitat Restoration Project

San Diego County

\$384,600

To consider the allocation for a grant to The Chaparral Lands Conservancy for a cooperative project with California Department of Parks and Recreation to restore 5± acres of sensitive vernal pool and sensitive maritime succulent scrub habitats on City of San Diego Department of Parks and Recreation property adjacent to Ocean Hills Parkway and Otay Mesa Road in the community of Otay Mesa. The purposes of this project are consistent with the authorized uses of the proposed funding source, which allows for projects that are critical to the sustainability of federal or state listed threatened or endangered species or species of special concern. [California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40), Public Resource Code Section 50 96.650(a)]

**24. Wildlife Conservation Board Strategic Plan
Informational/Action**

Staff will present next steps in the implementation of the WCB Strategic Plan through a presentation of the outcome of a workshop initiated to identify measurable goals for WCB's acquisition efforts, and will describe how WCB staff expect to measure the conservation effectiveness of the Board's programs

PERSONS WITH DISABILITIES

Persons with disabilities needing reasonable accommodation to participate in public meetings or other CDFW activities are invited to contact the Department's EEO Officer at (916) 653-9089 or EEO@wildlife.ca.gov. Accommodation requests for facility and/or meeting accessibility should be received by August 10, 2017. Requests for American Sign Language Interpreters should be submitted at least two weeks prior to the event, and requests for Real-Time Captioners at least four weeks prior to the event. These timeframes are to help ensure that the requested accommodation is met. If a request for an accommodation has been submitted but is no longer needed, please contact the EEO Officer immediately.



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Clerk of the Board

TIME REQUIRED 30 minutes

PERSONS APPEARING BEFORE THE BOARD Helen Nunn

SUBJECT Agenda Preparation and Minutes

AGENDA DESCRIPTION:

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

Presentation by Helen Nunn, Assistant Clerk of the Board of Supervisors, outlining the agenda and minute preparation process.

RECOMMENDED ACTION:

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

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:

Click to download
Staff Report
Power Point

History

Time

Who

Approval

8/4/2017 11:23 AM	County Administrative Office	Yes
1/31/2017 11:15 AM	County Counsel	Yes
8/3/2017 5:28 PM	Finance	Yes



C L E R K – R E C O R D E R – R E G I S T R A R
C O U N T Y O F M O N O

P.O. BOX 237, BRIDGEPORT, CALIFORNIA 93517
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Shannon Kendall
Clerk-Recorder-Registrar
760-932-5533
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Helen Nunn
Asst. Clerk-Recorder-Registrar
760-932-5534
hunn@mono.ca.gov

To: Honorable Board of Supervisors

From: Helen Nunn
Assistant Clerk-Recorder-Registrar of Voters

Date: August 8, 2017

Subject:
Agenda Preparation and Board Minutes Workshop

Discussion:
The Clerk's office is charged with preparing the Board agendas and preparation of the minutes. This presentation will go over the agenda preparation deadline dates, policy, and procedure, as well as the preparation of the meeting minutes and the move toward more action based minutes and the benefits of doing so.

Recommendation:
Receive presentation and provide any direction to staff.

Fiscal Impact:
None at this time.

Agenda Preparation and Board Minutes Workshop

**Helen Nunn
Assistant Clerk of the Board
August 8, 2017**

OVERVIEW

- Preparation of the Agenda
- Preparation of the Board Minutes

Agenda Preparation

- The Clerk's Office prepares an Agenda Deadline Schedule for each calendar year.
- Departments can create items at any time prior to the agenda closing.
- Once the item is submitted, access is limited to Clerk, CAO, County Counsel and Finance.
- 1st agenda review is the Wednesday after the agenda closes.

Agenda Preparation Continued ...

- One week prior to the board meeting, incomplete items may be removed.
- Final agenda review is the Wednesday before the board meeting.
- Ideally, the agenda is finished and published the Thursday before the board meeting.
- The agenda cannot be completed until the approval committee has signed off on each item.

Agenda Preparation Continued ...

- Last minute items.
- Importance of planning ahead.
- Authorization for last minute items

Board Minutes Preparation

- Rule 37 of the Board Rules of Procedure specifies that:
 - *The Clerk or Deputy Clerk shall be present during all meetings for the purpose of taking and maintaining the minutes of the meeting; presenting and receiving correspondence, records, documents, claims, reports, or petitions; preserving all records; marking or attesting all resolutions and ordinances; imparting information on Board documents of public record; and otherwise fulfilling all duties imposed by law or required by the Board.*
 - *The Clerk shall record all regular meetings of the Board by audio or visual means or both. Regular meetings may also be broadcast or webcast.*

Board Minutes Preparation Continued ...

- Two main types of minutes:
 - Detailed Minutes
 - Action Minutes
- Under “Rule 44” of the current Rules of Procedures it states, “The clerk shall prepare and distribute Action Summaries (“minutes”) of Board meetings.

Board Minutes Preparation Continued ...

- Rule 44 goes on to say:
 - *The minutes shall consist of the brief statement of each item posted on the agenda and supplemental agenda plus all motions, resolutions and ordinance numbers related thereto, all votes recorded thereon, and the final action taken by the Board. The minutes shall be made available internally and to the public and shall be placed on the Internet.*

Board Minutes Preparation Continued ...

- Our Board is currently authorized to prepare action based minutes with detail whenever an item is controversial.
- The Clerk of the Board feels that although less detail is now used, the minutes still provide an over-abundance of detail which is duplicative in light of Granicus.
- The Clerk of the Board recommends moving to a *true* “Action” based method as already defined in Rule 44 of current rules of procedure.

Board Minutes Preparation Continued ...

- Benefits to using Action Based Minutes:
 - Reduces Clerk time needed for preparation.
 - Reduces Board member time needed to read, make corrections, and approve.
 - Accurate and complete record of discussion *is* currently being preserved via audio and video.
 - Switching to true action based minutes will eliminate duplicative efforts and free up valuable staff time.

Action Based Minutes

- It is ingrained in business culture to document meetings
- Pages of minutes are not only laborious to read through, but information can easily get lost in what the minute taker thinks is important.
- Action minutes take the focus away from the “he said she said”, and refocuses on what needs to be done once we leave the meeting.

• Source: <https://knowhownonprofit.org/how-to/how-to-replace-minutes-with-action-logs#>

Sample of Action Minutes

POLICY MATTERS

- 1) Award contract for Meridian Boulevard Sidewalk and Shady Rest Park Improvements Project.

Town Manager Daniel C. Holler reported that staff was not recommending award of this project due to the high bid received.

- 2) Award Contract for Construction of the Multi-Use Facility Earthwork and Utilities Project.

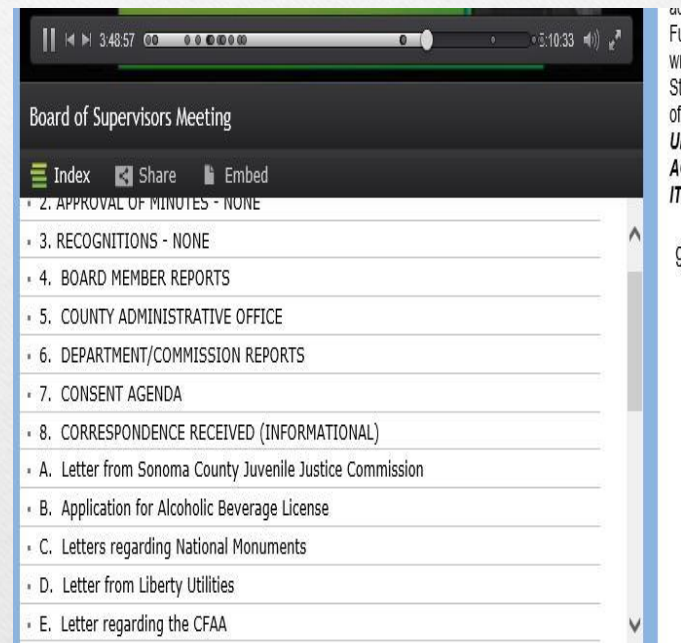
Engineering Manager Haislip Hayes outlined the information in the staff report. There was discussion among members of Council and staff.

ACTION:

It was moved by Councilmember Bill Sauser, seconded by Councilmember Colin Fernie, and carried by a 4 - 0 roll call vote to with Mayor Pro Tem Cleland Hoff abstaining, approve the plans and specifications. Award the contract to the lowest responsive bidder, Spiess Construction, for a total award amount of \$486,835.00. Authorize the Public Works Director to execute the construction contract and accept the project upon completion. Authorize the Public Works Director to review and approve minor revisions to complete the project, up to an additional 10% of the award amount.

Granicus

- Our video software allows us to “timestamp” agenda items, making it easy for the public to jump to the item they are interested in.



The screenshot displays a video player interface for a "Board of Supervisors Meeting". At the top, there is a video control bar with a play/pause button, a progress bar showing 3:48:57, and a volume icon. Below the control bar, the title "Board of Supervisors Meeting" is displayed. Underneath the title, there are three icons: a menu icon labeled "Index", a share icon labeled "Share", and an embed icon labeled "Embed". The main content area shows a list of agenda items, each preceded by a small square icon:

- 2. APPROVAL OF MINUTES - NONE
- 3. RECOGNITIONS - NONE
- 4. BOARD MEMBER REPORTS
- 5. COUNTY ADMINISTRATIVE OFFICE
- 6. DEPARTMENT/COMMISSION REPORTS
- 7. CONSENT AGENDA
- 8. CORRESPONDENCE RECEIVED (INFORMATIONAL)
 - A. Letter from Sonoma County Juvenile Justice Commission
 - B. Application for Alcoholic Beverage License
 - C. Letters regarding National Monuments
 - D. Letter from Liberty Utilities
 - E. Letter regarding the CFAA

On the right side of the video player, there is a vertical sidebar with the text "Fu", "wri", "Str", "of", "UN", "AC", "ITI" and a large number "9".

QUESTIONS

?



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: CAO

TIME REQUIRED 1 hour (15 minute presentation; 45 minute discussion)

PERSONS APPEARING BEFORE THE BOARD Leslie Chapman

SUBJECT Report on Annual Board Governance Workshop and Update of Board Rules of Procedures

AGENDA DESCRIPTION:

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

Report on Annual Board Governance Workshop and Update of Board Rules of Procedure

RECOMMENDED ACTION:

1. Discuss outcomes from the Board Governance Workshop on June 6, 2017 followed by a review and update of the Board Rules of Procedure. 2. Adopt Board Rules of Procedure as presented or amended.

FISCAL IMPACT:

None.

CONTACT NAME: Leslie Chapman

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

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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[Staff Report](#)

[Revised Board Rules of Procedure](#)

History

Time	Who	Approval
8/4/2017 11:20 AM	County Administrative Office	Yes
8/4/2017 11:43 AM	County Counsel	Yes
8/4/2017 11:41 AM	Finance	Yes



COUNTY OF MONO

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

Leslie L. Chapman
County Administrative Officer

Tony Dublino
Assistant County Administrative Officer

TO: Honorable Board of Supervisors

FROM: Leslie Chapman, CAO

DATE: August 8, 2017

RE: Board Governance Workshop Review and Board Rules of Procedure Update

Recommendation: Conduct a workshop to review, amend and adopt the Mono County Board of Supervisors Board Rules of Procedure.

Fiscal Impact: None

Government is a trust, and the officers of the government are trustees. And both the trust and the trustees are created for the benefit of the people.

-Henry Clay

Discussion:

Today's workshop will begin with a review of the Board Governance workshop that was held on June 6th. We will then review the Board Rules of Procedure as amended by staff and your Board will provide comments and propose additional revisions. The workshop will conclude with either a vote to adopt the new rules as amended or direction for staff to bring the revised Board Rules of Procedure back for approval at a future meeting.

On June 6th, your Board conducted a workshop that was facilitated by Bill Chiat who is the Dean of the California State Association of Counties Institute for Excellence in County Government and President of Alta Mesa Group, LLC. Additionally, he has held many leadership positions in state and local government. His experience coupled with his dynamic facilitation style makes him uniquely qualified to assist our County leadership in achieving its goal to consistently perform as a high functioning team.

The title of the session was, "*E PLURIBUS UNUM Workshop on Board Governance.*" E Pluribus Unum means "*out of the many, the one*" and symbolizes the reality of local government where each Board member is appointed as an individual but under the California Constitution, only has the power to govern as a team. Therefore, the success of each board member and the organization is inextricably tied to the success of the full Board and staff working together as a team.

Over the course of the six-hour workshop, there were key questions asked, experiences shared, issues debated and conclusions drawn about the philosophy and actions of a high functioning board. It was a productive working session where this board debated questions such as, what is the Board's responsibility in governance, how does a governing board work as a team, and what are the Board's expectations of one another. Some highlights of the conclusions reached are listed below.

Mr. Chiat pointed out that the County Board of Supervisors sets an example for all other local governing bodies and for the people of Mono County now and in the future. With this in mind, your board concluded that some of the major responsibilities in its governance are to:

- Listen and be a voice for the communities of Mono County,
- Maintain and increase the quality of life,
- Build the economy,
- Provide a safety net for our citizens,
- Ensure that we maintain a good place to live,
- Be fiscally prudent,
- Protect life and property,
- Balance services across the County for all people, and
- Maintain relationships with the Town of Mammoth Lakes and all local agencies countywide.

Then the discussion moved to the characteristics of an effective board including practices that if followed would foster a climate of trust, openness and mutual respect amongst the members. Patterns emerged from this discussion resulting in the following list.

- Have a shared vision.
- Be curious and ask questions.
- Use active listening and thoughtfully consider each decision
- Have a sincere desire and willingness to compromise, along with an appreciation and commitment to move forward remembering sometimes people must bend to get things done.
- Show up to meetings prepared and on time.
- Show mutual respect and tolerance for each other, staff and citizens.
- Show a desire to cause no harm to others.
- Be respectful of people's time by adhering to time constraints imposed by the published agenda.
- Act with honesty and integrity.

As the day was winding down, the group explored roles of the County Supervisor highlighting the balance of authority and leadership practices, and shared decision-making. This discussion led to a sincere discussion about the expectations that Board members have of each other. This produced the following list and a promise that each Board member would strive to:

- Come to the Board meetings prepared and informed by studying agenda packets and getting questions answered by calling relevant staff in advance of the meeting.
- Manage the agenda by watching the time and keeping comments brief, keeping in mind that 5 – 10 minutes is generally a reasonable amount of time to speak during debate.
- Show respect for other board members, staff and the public by avoiding personal attacks and ambushes, never questioning the integrity of staff or criticizing others who aren't present at the meeting.
- During public meetings, don't debate with speakers, including the public.

- Prior Board decisions are not revisited except when they are reauthorized in accordance with Board Rules of Procedure Rule 29 or 30.
- Each Board member has permission to interrupt the meeting and ask the Chair for process if any of the above expectations are violated.

Overall, it was a productive, thought provoking and constructive day that left everyone considering what our vision is and how this Board wants to govern. To this end, there are two obvious next steps: clearly defining the shared vision through the strategic planning process and updating the Board Rules of Procedure to reflect your Board's objectives.

After participating in the workshop and then reviewing our Board Rules of Procedure, it appears that there is good framework, and we have this opportunity to reconnect with our current rules and implement improvements. After soliciting input from staff that are frequently present during board meetings and incorporating those edits and comments, we present the attached Board Rules of Procedure for the 2017-18 fiscal year and welcome your Board's comments, changes and vote to adopt our revised guidelines for Board excellency.

Mono
County
Board of
Supervisors

Board Rules of Procedure



Adopted Date: August 8, 2017

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INTRODUCTION BOARD GOVERNANCE

Governance is the act of transforming the needs and desires of the community into policies that direct the organization. As the governance team fulfills the responsibility of setting direction, the way in which the governance team members perform their role is critical. Whether in Board Chambers, out in the community or at home, Board members are always stewards of the County.

The integrity of the County is dependent upon the responsible and professional manner in which each Board member and the Board collectively, fulfills governance roles and responsibilities. The demeanor of governance team members sends an important message to employees and the public. In all relationships, dealings and transactions, Board members act with integrity, openness, respect and honesty. Through these values, the governance team strives to earn and convey trust. The team retains public trust through efficient and cost-effective stewardship of resources

Utilizing effective governance practices, private citizens, once elected to the Board of Supervisors, work with the County Administrator to keep the organization's efforts focused on its mission, values and strategic goals. The community elects Board members to set and monitor the direction of the County with the County Administrator, who translates this direction into action. It is therefore vital that the Board and County Administrator have a respectful and productive working relationship based on trust and open communication.

When done effectively, the opportunity to create a climate for excellence increases dramatically.

GOVERNANCE CULTURE

An excellent governance culture is characterized by a Board that operates in an environment of trust, respect and professional demeanor at all times. The Board sets the tone for the entire County in how it carries out its governance responsibilities.

The Mono County Board of Supervisors will strive to:

- Govern as a team that is strategically focused and mission driven.
- Establish and govern within a culture of curiosity and inquiry
- Use active listening and thoughtfully consider each decision
- Have a sincere desire and willingness to compromise, along with an appreciation and commitment to move forward remembering sometimes people must bend to get things done.
- Show up to meetings prepared and on time.
- Show mutual respect and tolerance for each other, staff and citizens.
- Show a desire to cause no harm to others.

Mono County Board Rules of Procedure

Introduction

- Be respectful of people's time by adhering to time constraints imposed by the published agenda.
- Act with honesty and integrity.

BOARD GUIDELINES

In addition to abiding by the rules of procedure outlined in this document, members of the Mono County Board of Supervisors agree to the following guidelines for working with each other, staff members and the community.

Mission, Vision and Values

- Meet Mono County's mission to support all our communities by providing superior services while protecting our unique rural environment.
- Realize the county vision of outstanding community services and quality of life beyond compare.
- Be guided by county values of customer service, integrity, excellence, collaboration, innovation, and results orientation.

Roles and Responsibilities

- As elected representatives of the people of Mono County, set the direction and policy of the organization.
- Ensure fiscal responsibility.
- Use the strategic planning process as the means to implement direction and policy, and to align goals and resources.

Governance Principles

- Prepared, Informed: Read and research meeting materials; engage with colleagues, staff and public with respect and dignity; make decisions based on data and evidence; continually learn about county issues, services and programs.
- Transparency and Accessibility: Use Board report section of regular meetings to inform colleagues, staff and public on activities relating to Board assignments, and constituent issues; use role as elected representative to communicate Board actions and policies and be willing to hear concerns and answer questions in a variety of media (phone calls, emails, etc.);
- High Ethical Standards: Meet and exceed requirements of the Fair Political Practices Commission; demonstrate a commitment to training and compliance with laws governing personal financial gain, special privileges and perks, fairness, open government, whistle-blowing protections, and staff relations issues.
- Partnership with CAO and Staff: Support the CAO in managing the county; agree to established rules in interacting with staff (bringing any staff requests that require significant resources back to the full board for consideration).
- Accountability: Measure effectiveness according to goals set in the strategic plan; hold annual Board governance sessions to discuss and evaluate Board performance and adherence to rules and guidelines.

RULES OF PROCEDURE

OF THE BOARD OF SUPERVISORS

MONO COUNTY, CALIFORNIA

I. PURPOSE

The purpose of these Rules of Procedure (“Rules”) is to foster understanding and respect for the democratic process, facilitate compliance with applicable laws, encourage public participation, provide guidance on decorum, and enhance effective and efficient management of Board meetings.

II. GENERAL

Rule 1. Applicability of Rules

These Rules are adopted pursuant to Government Code §25003. The Rules shall apply to the Board of Supervisors of the County of Mono whether sitting as the Board of Supervisors of the County or as the governing board of any other commission, authority or board.

These Rules are intended to expedite the transaction of business of the Board in an orderly fashion, and are deemed to be procedural only. The failure to strictly observe application of the Rules shall not affect the jurisdiction of the Board or invalidate any action taken at a meeting that is otherwise held in conformity with the law. Except as otherwise provided by law, these Rules, or any one of them, may be suspended by a majority of the Board.

These Rules supersede and replace all rules of procedure previously adopted by the Board.

Rule 2. Definitions

In interpreting these Rules:

- a) “Board” refers to the Board of Supervisors of Mono County, whether sitting as the Board of Supervisors of the County or as the governing body of any other authority or board
- b) “Board member” or “member” refers to a member of the Board
- c) “Chair”, “Vice-Chair” and “Chair Pro-Tempore” refers to the Board members elected to those respective offices
- d) “Clerk” refers to the Clerk of the Board of Mono County
- e) “County Administrator” refers to the County Administrative Officer of Mono County

III. MEETINGS

Rule 3. Regular Meetings and Annual Calendar

Regular meetings generally shall be held on the first three Tuesdays of every month. Any meeting may be cancelled upon the order of the Chair, or by a majority of the members of the Board.

Regular meetings shall commence at 9:00 a.m. The first two regular meetings of the month shall be held at the Board of Supervisors Chambers, 2nd Floor, County Courthouse, 278 Main Street, Bridgeport, California; the third regular meeting of the month shall be held in the Town of Mammoth Lakes’ Council Chambers, 2nd floor,

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Suite Z of the Minaret Mall located at 437 Old Mammoth Road in Mammoth Lakes. Videoconferencing will be available each week between Bridgeport and Mammoth Lakes, unless technically infeasible. Business shall normally be conducted between 9:00 a.m. and 5:00 p.m., but may continue past 5:00 p.m., provided a majority of the Board members present do not object.

An annual calendar of meetings shall be adopted by the Board at its first meeting in January. The calendar will include all known regular meetings. All regularly scheduled meetings shall also be streamed live over the internet unless technologically infeasible, and shall be archived and available for later online viewing. Videos shall be available on the county website at <http://monocounty.ca.gov/meetings>.

Rule 4. Special Meetings, Budget Hearings, Workshops and Planning Meetings

Special meetings may be called at any time by the Chair, or by a majority of the Board members. Upon the call of a special meeting, the Clerk will prepare and distribute, at least 24 hours before the time of the special meeting, written notice to each member and to any local newspaper of general circulation that has requested such notices. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings (Government Code §54956).

Budget Hearings, Workshops, Study Sessions and Planning Meetings may be called by the Chair or by a majority of the Board at times and locations in accordance with the law and specified notice provisions.

Rule 5. Emergency Meetings

Emergency meetings may be called by the Chair or by a majority of the Board, in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities. Upon the call of an emergency meeting, the Clerk shall give notice of the meeting, and comply with posting requirements (Government Code §54956.5).

Rule 6. Closed Sessions

Prior to holding any closed session, the Chair shall announce the session in an open meeting, and shall provide an opportunity for public comment on items on the closed session agenda. The listing of such items on the agenda shall constitute such announcement, at the discretion of the Chair. During the closed session, the Board may discuss or consider only those items on the agenda. At the conclusion of the closed session the Board shall orally report action taken, in an open meeting, where required by law (Government Code §54957.1).

IV. ELECTIONS, POWERS, AND DUTIES OF THE CHAIR, VICE-CHAIR, AND CHAIR PRO-TEMPORE

Rule 7. Annual Selection of Chair, Vice Chair and Chair Pro-Tempore

At its first regular meeting, after January 1ST of each year, the Board shall nominate and elect from its membership a Chair, Vice-Chair, and a Chair Pro-Tempore. The Chair shall call the meeting to order and the first order of business shall be the election of officers for the ensuing calendar year. The Chair, Vice-Chair, and Chair Pro-Tempore shall serve until the election of their successors. It is intended (but not mandated) that the Supervisor elected as Vice-Chair will succeed the Chair in the following year and that the Chair Pro-Tempore shall similarly succeed the Vice-Chair.

Rule 8. Powers of Chair, Vice-Chair, and Chair Pro-Tempore

The Chair shall serve as presiding officer of the Board, rule on questions of procedure and execute official Board records and documents presented by the County Administrator/Clerk. In the absence or unavailability of the Chair, the Vice-Chair shall call the meeting to order and serve as presiding officer. The Vice-Chair shall have and exercise all powers and duties of the Chair for meetings over which he or she is called to preside and at ceremonial and official functions which the Chair cannot attend.

If both the Chair and the Vice-Chair are absent or unable to participate, the Chair Pro-Tempore shall call the meeting to order, serve as the presiding officer, and shall have and exercise all power and duties of the Chair for the meeting over which he or she is called to preside and at ceremonial and official functions which neither the Chair nor Vice-Chair can attend.

V. AGENDAS AND AGENDA MATERIALS

Rule 9. Meeting Agenda

At least 72 hours before a regular meeting, the Clerk shall post an agenda. The agenda shall consist of a brief statement of each item to be considered by the Board (Government Code §54950). The agenda shall indicate the time and location of the meeting and shall be posted as required by law.

Rule 10. Addendums/Supplemental Agenda Items

At least 72 hours before a regular meeting, the Clerk shall prepare, post, and distribute all addendums/supplemental agendas when there has been an item added, continued, deleted, and/or modified since the distribution of the initial meeting agenda.

Rule 11. Use of Novus Agenda Software

All Departments/Agencies shall use Novus Agenda Software to prepare agenda items and submit supporting documents. Departments will work directly with the Clerk of the Board if they require assistance in creating an agenda item.

Rule 12. Department/Agency Agenda Responsibilities

When submitting an item for consideration by the Board, it is the responsibility of the originating Department or Agency to provide all required information, and to meet all established deadlines. Exceptions to deadlines will be considered if items are deemed to be time sensitive or of special importance to a Board member. The Clerk of the Board will work directly with departments to add agenda items after the deadline, or may require departments to obtain approval of the CAO prior to adding late items. Board members may work with the CAO, Clerk of the Board, or pertinent department head when needing to add items to an agenda.

Outside agencies and citizens will work with the Clerk of the Board when requesting an agenda item for Board consideration, and will follow established guidelines found in Appendix C (Request to place an Item on the Board's Agenda by the Public or Non-County Entity).

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Rule 13. Review and Filing of Agenda Items

After preparing agenda items in Novus Agenda, all items shall be reviewed by the County Administrator, County Counsel, and Finance Director, or their designee. Any one of these three reviewers may ask for additional information, clarification, and may determine not to place any item on the agenda that is not complete or is not submitted in accordance with instructions. Without amendment to these Rules, agenda submittal instructions may be amended or additional requirements imposed to ensure appropriate review and Brown Act compliance.

Rule 14. Board Correspondence

Correspondence addressed to the Board of Supervisors will be placed on the agenda by the Clerk of the Board. If the Clerk determines that correspondence should not be placed on the agenda for any reason, she/he will receive direction from the CAO, County Counsel, and/or Board members prior to including the correspondence on the agenda. If the Clerk receives correspondence from County departments addressed to the Board, such correspondence will be forwarded to the Board members and CAO and not added to the agenda.

Rule 15. Supplemental Correspondence and Information Prior to Board Meeting and During Board Meeting

- a) After Initial Agenda Distribution and Prior to Meeting Rule - Agenda materials distributed via mail, email, or hand delivery to a majority of the Board must be forwarded to the Clerk for public review.
- b) At Meeting Rule - Documents, including PowerPoint handouts, distributed to Board members by County employees or Board members themselves at the meeting, shall be kept to a minimum. When necessary to distribute materials at the meeting, copies shall be provided to the Clerk for distribution to: Board members, County Administrator, County Counsel, and the Clerk, with remaining copies available for distribution to the general public. If large numbers of the public are anticipated to attend the Board Meeting on a matter and new information will be distributed to the Board members, then the number of copies should be increased to anticipate the number needed for the public.

Any supplemental correspondence or written information related to an agenda item which is provided to three or more Board members shall be concurrently filed with the Clerk and made a part of the official record. This Rule shall not apply to attorney-client privileged communications, documents containing information protected from disclosure by the attorney work product doctrine, or information which may not be publicly disclosed under the other applicable law.

Sufficient copies of supplemental correspondence and information should be delivered to the Clerk and the Clerk shall make the appropriate distribution to the Board, CAO and County Counsel.

VI. CONDUCT OF BUSINESS

Rule 16. Order of Business

The Board shall conduct business in the order specified in the posted agenda or as modified at the discretion of the Chair with the concurrence of the Board. The Board may modify or amend the Order of Business for Regular meetings without amending these Rules by attaching the amendment to these Rules as Appendix A.

Rule 17. Board Member; Notification of Absence

If any Board member is unable to attend a meeting of the Board, all reasonable efforts shall be made to notify the Chair, County Administrator, and the Clerk, in writing (electronic mail or regular mail) and as soon as possible to ensure there are sufficient members present to consider all agenda items.

Rule 18. Quorum and Action

Three members of the Board shall constitute a quorum sufficient to transact business. In the absence of a quorum, the remaining members or the Clerk may adjourn the meeting to another date and time in accordance with Government Code §54944 and shall post a Notice of Adjournment.

Rule 19. Matters Not on the Agenda/Emergency Items

No action shall be taken on any item not appearing on a posted agenda except:

- a) Upon a determination by a four-fifths (4/5) vote of the Board, or if less than four-fifths (4/5) of the members are present, a unanimous vote of those members present, that 1) there is a need to take immediate action, and 2) the issue arose subsequent to the agenda being posted and there is a need to take action prior to the next regularly-scheduled meeting pursuant to Government Code section 54954.2(b).

Any requests to hear a matter not on the agenda or emergency item shall be communicated to the Chair, County Administrator, County Counsel and Clerk as soon as the need becomes known.

Rule 20. Consent/Regular Calendar Items

Agenda items on the Consent Calendar are routine in nature, consistent with adopted Board policy, and do not require individual consideration. The Consent Calendar will be enacted by one motion for approval of the recommended actions. There will be no separate discussion of these items prior to the time the Board votes on the motion unless any member of the Board requests removal of a specific item from the Consent Calendar for separate discussion and action. Any Board member may ask the Clerk to record a “no” or “abstention” vote on any Consent Calendar item.

Agenda items on the Regular Calendar require separate discussion and/or action and may include, but are not limited to changes in policy, items that require the Board to consider options and provide direction, requests for new or unbudgeted positions, introductions of a proposed Ordinance, Public Hearings, and other matters as required by law.

Rule 21. Public Hearings

Upon receipt of a request by a Department/Agency or Board member for a public hearing, the County Administrator or Clerk may set the hearing without action of the Board unless the Board is required by law to schedule the hearing. In that event, the matter shall be placed on the Consent Calendar to set the hearing.

Subject to the Chair’s right to maintain order, any person wishing to speak at a public hearing shall be heard. Except for rebuttal allowed an applicant, or the appellant in the case of an appeal, each speaker shall speak only once unless otherwise authorized by the Chair.

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Each speaker's presentation at a public hearing shall be as brief as possible; visual and other materials may be used as appropriate. The Chair may establish a time limit for presentations. When speakers use or submit to the Board visual or other materials, such materials shall become part of the file and identified and maintained as such. When CDs, DVDs, thumb drives, USB memory sticks, or other portable electronic media (e-media) are submitted to the Board, at least one hard-copy of the information stored on the e-media must be provided to the Clerk. Speakers with lengthy presentations are encouraged to submit them in writing.

The closing of a public hearing signifies the point after which the Board will no longer accept or consider any additional communication on the matter that was the subject of the hearing. As used in this Rule, "communication" includes oral communication; written communication such as documents, letters, and photographs; and any type of electronic communication, including e-mails, e-mail attachments, graphic images, spread sheets, text messages, and social media messages.

Should the Board close a public hearing and continue its deliberations to a subsequent meeting, or announce a tentative decision, by motion or other proceedings, and defer its action on a final decision to a subsequent meeting to allow preparation of appropriate findings and/or conditions of approval, any written or electronic communication received by a Board member or the Clerk after the close of the hearing on the matter that was the subject of the hearing shall be placed in a separate file kept by the Clerk and labeled to indicate it was received after the close of the hearing. Late written and electronic communication shall not be given to Board members, nor should Board members retain copies.

Should County staff determine that communication received after the close of a public hearing should be considered by the Board prior to its rendering a final decision on the matter that was the subject of the hearing, County staff shall recommend to the Board that the hearing be reopened. If the Board concurs, the Board shall reopen the hearing, following appropriate notice, for the limited purpose of receiving testimony and evidence on the new information.

VII. PROCEDURE AND VOTING

Rule 22. Order and Decorum

The Chair shall preserve order and decorum and shall decide all questions of order and procedure subject to an appeal to the Board. The nature of any appeal shall be briefly stated and the Chair shall have the right to state the reason for his or her decision.

A Board member wishing to speak shall refrain until he or she has been recognized by the Chair. While a Board member is speaking, other Board members shall be respectful and shall not engage in or entertain private discussions.

Consistent with the purpose of the Rules, members are encouraged to use a formal style, including appropriate titles, in addressing the public, staff and each other. All members shall refrain from the use of profanity, emotional outbursts, personal attacks or any speech or conduct which tends to bring the organization into disrepute.

Rule 23. Commitment to Civility

To assure civility in its public meetings, staff and the public are also encouraged to engage in respectful dialog that supports freedom of speech and values diversity of opinion. To achieve compliance with these Rules, Board members, staff, and the public are encouraged to:

- Create an atmosphere of respect and civility where elected officials, County staff, and the public are free to express their ideas.
- Establish and maintain a cordial and respectful atmosphere during discussions.
- Foster meaningful dialogue free of personal attacks.
- Listen with an open mind to all information, including dissenting points of view, regarding issues presented to the Board.
- Recognize it is sometimes difficult to speak at Board meetings, and out of respect for each person's feelings, allow them to have their say without comment, including booing, whistling or clapping.
- Adhere to speaking time limit.

Rule 24. Use of Electronic Devices and Documents

The use of electronic documents, via iPads or other electronic means, is encouraged as a means of reducing the production and distribution of paper documents, and thereby decreasing costs.

Any member of the public may view the same electronic documents on line at:

http://monocounty.ca.gov/meetings_sub/bos, or may view the documents in paper form in the Clerk's Office.

The Board shall refrain from emailing, texting, using social media, or otherwise engaging in electronic communications in the Board Chambers on matters that are listed on the Board agenda.

Rule 25. Motions – General

Any motion for action shall require a second before being acknowledged by the Chair. The Clerk shall enter into the minutes the motion and the names of the moving and seconding members. After a motion is stated by the Chair, it shall be open for debate but may be withdrawn by the maker at any time before a decision is made or an amendment adopted. A motion may be amended with the consent of the moving and seconding members at any time before a decision is made or an amendment adopted unless another motion is pending. The Clerk shall enter into the minutes the vote of each member on each motion.

Rule 26. Voting

It shall take at least three affirmative votes of the Board to pass any motion (Govt. Code §25005), except where supermajority four-fifths (4/5) votes or unanimous votes are required by law. Appendix B contains a list of common items that require a four-fifths (4/5) vote. Appendix B may be up-dated without amending these Rules. An abstention shall count as neither an "aye" nor a "no" vote.

A supervisor who is absent from all or a part of: (1) a public hearing, (2) an item that requires findings, or (3) an item that is quasi-judicial in nature, may subsequently vote on the matter if the supervisor has reviewed all

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evidence received during his/her absence, listened to the Clerk's recording or read a true and complete transcript of the proceedings, and so states on the record.

Rule 27. Roll Call Votes

The roll need not be called in voting upon a motion except where specifically required by law or requested by a Board member or the Chair. Each roll call vote shall be made in an order determined by the Clerk or directed by the Chair but generally shall first include: the maker of the motion; the member who seconded the motion; the balance of the members present, with the Chair called last, unless the Chair made, or seconded, the motion.

Rule 28. Conflicts of Interest

Any Board member with a disqualifying conflict of interest must, in compliance with the Political Reform Act:

- a) Publicly state the nature of the conflict in sufficient detail to be understood by the public;
- b) Recuse himself/herself from discussing and voting on item; and
- c) Leave the room until after the discussion, vote, and other disposition of the matter is concluded, unless the matter has been placed on the Consent Calendar.

The member may be allowed to address the Board as a member of the public, but only in the limited circumstances allowed by the Political Reform Act. Disclosure of a conflict shall be noted in the official Board minutes. The member must also comply with all other applicable conflict of interest laws.

Members may not have a financial interest in a contract approved or considered by the Board. In these cases, disclosure and recusal does not remove the conflict and such a contract is considered void (Government Code §1090). The Board member is encouraged to discuss possible conflicts with County Counsel and/or to request advice from the Fair Political Practices Commission prior to the meeting.

Rule 29. Motion to Rescind

A motion to rescind any action or motion shall require four-fifths (4/5) vote unless notice has been given at the previous meeting, either verbally or in writing, that such rescission is proposed. If notice has been given, the motion requires only a majority vote of all the members of the Board. A motion to rescind is not in order if action has been taken which cannot be changed.

Rule 30. Motion to Reconsider

Any Board member who votes in the majority on a question, as well as any Board member who was absent, is eligible to make a motion to reconsider. A motion to reconsider shall be in order during the meeting at which the action to be reconsidered took place provided members of the public in attendance during the original action are still present in the Board chamber. In all other cases, motions for reconsideration must be placed on a future agenda for action.

A motion to reconsider shall require a majority vote. A motion to reconsider, if lost, shall not be renewed nor shall any subject be reconsidered a second time within twelve (12) months except by a four-fifths (4/5) vote of the Board. A motion to reconsider is not in order if action has been taken which cannot be changed.

Rule 31. Substitute Motion

A substitute motion is an amendment where an entire resolution or section, or one or more paragraphs is stricken and another is inserted in its place. The motion to substitute, if adopted by majority vote, completely supersedes. The vote shall then be taken only on the motion that was substituted. A substitute motion is appropriate if amendments become involved or a paragraph requires considerable changes. A substitute motion may not be made when an amendment is pending.

Rule 32. Ordinances

Ordinances are introduced at one meeting (first reading), then generally placed on the agenda for adoption at a subsequent meeting.

- The first reading will become the primary meeting at which: (1) the title of the ordinance will be read; (2) the Board will typically consider a motion to waive the reading of the text of the ordinance and to introduce the ordinance by title only; (3) members of the public shall have an opportunity to address the ordinance; (4) the ordinance shall be introduced by a motion and majority vote of the Board.
- At the second reading: (1) the ordinance may be placed on the Consent Calendar for adoption; (2) if pulled from the Consent Calendar for separate action, the title of the ordinance may be read; (3) a motion to adopt the ordinance may be made; (4) a majority vote will adopt the ordinance unless a 4/5ths vote is required for a particular matter.
- Pursuant to Government Code §25123, ordinances shall generally become effective 30 days from the date of final passage.

Other ordinance hearing procedures may be used as required by law.

Rule 33. Planning Matters – Request for Continuance

Any Board member may request that a Planning matter within his/her District be continued to the next available regular meeting that will allow for compliance with any applicable legal noticing requirements, due to that Board member’s unavailability at the meeting for which the item is scheduled or for any other reason. Upon concurrence of a majority of the Board, such continuance shall be granted.

Rule 34. Planning Matters – Original Jurisdiction

Any member may request the Board to exercise original jurisdiction over a use permit or other planning application, as authorized under the County Code, except in cases where state law requires a recommendation of the Planning Commission prior to action by the Board on the matter. A request to exercise original jurisdiction shall be filed in writing with the Clerk, or made orally at a Board meeting, prior to any decision by a lower level decision maker approving or denying the subject application. A request to exercise original jurisdiction need not state the reasons for the request but shall be brought as a noticed agenda item to the full Board for majority approval.

VIII. DUTIES OF COUNTY STAFF DURING BOARD MEETINGS

Rule 35. County Administrator

The County Administrator shall be present during Board meetings and shall provide such information as necessary to assist the Board members in their deliberation and decision making. The County Administrator

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may delegate this responsibility to the Assistant County Administrator, County Finance Director, Human Resources Director, or County Counsel should extraordinary circumstances prevent the discharge of this responsibility.

Rule 36. County Counsel

County Counsel shall be present during Board meetings, and shall serve as advisor to the Board on appropriate rules to comply with legal requirements. All questions of law shall be referred to County Counsel for his or her opinion. County Counsel may delegate this responsibility to the Assistant County Counsel or a Deputy County Counsel.

Rule 37. Clerk of the Board

The Clerk or Deputy Clerk shall be present during all Board meetings for the purpose of taking and maintaining the minutes of the meeting; presenting and receiving correspondence, records, documents, claims, reports, or petitions; preserving all records; marking or attesting all resolutions and ordinances; imparting information on Board documents of public record; and otherwise fulfilling all duties imposed by law or required by the Board.

The Clerk shall record all regular meetings of the Board. All meetings shall be recorded by audio means. All regularly scheduled meetings, and whenever else possible, meetings shall also be recorded by video means. Video recordings shall be available online for later review as soon as practical on the county website at <http://monocounty.ca.gov/meetings>.

Rule 38. Sheriff

The Sheriff, or a representative of the Sheriff's Office, shall at the discretion of the Chair or a majority of Board members, be in attendance at the meeting of the Board, for the purpose of maintaining order and upholding the law.

Rule 39. Department and Agency Directors

Department and Agency Directors, or a designee, having any matter on the agenda for consideration by the Board, whether consent or regular, shall be available for the purpose of providing information to the Board and shall also attend any Board meeting when requested to do so by a Board member or the County Administrator. Department and Agency Directors may be present in person or by telecommunication as the item warrants. Given Mono County's seasons and efforts to contain costs, Department and Agency Heads are asked to keep these factors in mind when scheduling meeting attendance.

IX. COMMITTEES

Rule 40. Board Committees/Assignments and Reporting Requirements

The Clerk shall maintain a list of Board Committees and Assignments. Annually, the incoming Chair shall review the list of Committees and Assignments. The list of appointments shall be adopted by the Board at its first meeting in January.

All members who are assigned to special projects, committees, and separate boards or commissions shall provide regular reports to the full Board regarding their activity in connection with the special projects, committees, and separate boards or commissions. (Government Code §53234, et. seq.)

Committee members shall call Board committee meetings as needed provided they are held in conformance with the law. The County Administrator's Office and County Counsel may serve as support staff to all Board created committees. Other department heads and/or staff may also support as requested by the committee.

Rule 41. Board of Supervisors Standing Subcommittees

Standing subcommittees are those subcommittees of the Board of Supervisors which have continuing jurisdiction over a particular subject matter or whose meeting schedule is fixed by resolution or action of the Board. Even if comprised of less than a quorum of the Board, a standing subcommittee is subject to the Brown Act.

The Chair shall recommend, with Board concurrence, members to each standing subcommittee. Generally, appointments shall occur at the Board's first regular meeting in January. All standing subcommittees shall be appointed for the calendar year, and the members shall continue as committee members until their successors have been appointed.

Rule 42. Board of Supervisors' Ad-Hoc Subcommittees

Ad-Hoc subcommittees of the Board of Supervisors are not subject to the Brown Act. They may be formed by Board action, shall be solely composed of members of the Board, shall consist of less than a quorum of the Board, shall serve a limited or single purpose, for a limited time, and shall be dissolved once the specific task assigned is completed.

Ad-Hoc Subcommittees are encouraged to conclude their business at the end of each calendar year. The Clerk will maintain a current index of Ad-Hoc Subcommittees and their purpose.

X. OTHER

Rule 43. Board Member Referrals to Staff

Board member referrals that are anticipated to involve significant staff time or other resource commitment and/or are a departure from established county or departmental policy require Board approval prior to staff starting work. Board members are encouraged to discuss referrals which may require significant resources with the Chair and CAO.

Board approval shall be obtained through majority action of the Board, on an agenda item in which the scope and resource needs of the referral are identified.

Rule 44. Action Summaries and Recordings of Meetings

The Clerk shall prepare and distribute Action Summaries ("minutes") of Board meetings. The minutes shall consist of the brief statement of each item posted on the agenda and supplemental agenda plus all motions, resolutions and ordinance numbers related thereto, all votes recorded thereon, and the final action taken by the Board. The minutes shall be made available internally and to the public and shall be placed on the Internet.

The Clerk shall maintain the official audio record of each Board meeting for a period of at least 2 years and will make these recordings available for listening by the public at no charge. Video recordings of meetings shall be

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archived and available on the internet for a period of at least 2 years, and shall be available for viewing at no charge on the county website at <http://monocounty.ca.gov/meetings>.

XI. PARTICIPATION OF THE PUBLIC

Rule 45. Public Comment / Time Limits

Members of the public have the right to address the Board on any item within the subject matter jurisdiction of the Board (Government Code §54954.3). Members of the public may state their name but are not required to do so. Members of the public shall direct their comments to the Chair who may, at his or her discretion, request a response from staff. Time limitations are at the discretion of the Chair, and may be reduced or extended.

Public comments on items on the agenda will be called prior to the Board taking action on the item.

Under the Public Comment portion of the meeting, members of the public will be allowed to address the Board regarding any item **not on the agenda**. No action may be taken on items not on the agenda unless authorized by law.

Rule 46. Orderly Conduct

The Chair may determine when orderly conduct of a Board meeting is not feasible due to disruptive behavior by person(s) in attendance. The Chair may request that person(s) disrupting the meeting leave the chambers/meeting room. If order cannot be restored, the Chair may order the chambers/meeting room cleared and continue in session. Members of the news media, except those participating in the disturbance, shall be allowed to remain. The Chair may re-admit any person(s) provided their re-admission will not disrupt the continued orderly conduct of business. The Chair may also call a recess and reconvene when order has been restored. (Government Code section 54957.9.)

Rule 47. Security and Prohibition of Banners/Signs or other Hazardous Objects

The Board has the power to implement security measures in the chambers/meeting room. Any hazardous object which could impair the safety of individuals in the event of an emergency are prohibited in the chambers/meeting room. Any large object/container that may be deemed a hazardous object which could impair the safety of individuals in the event of an emergency may be prohibited in the chambers/meeting room.

XII. APPENDIX A. Order of Agenda

Generally, business at Regular meetings shall be transacted in the following order. Business may be reordered by the Chair or by a majority of members. The Chair may modify the Agenda Order for the Board's or public's convenience at a particular meeting, provided that no matter noticed for public hearing may be heard prior to the published time. The Board may modify or amend the Agenda Order without amending these Rules.

- I. Call to Order (9:00 a.m.)
- II. Pledge of Allegiance
- III. Public Comment on matters not on the agenda, but within the subject matter jurisdiction of the Board
- IV. Approval of Minutes
- V. Presentations
- VI. County Administrative Officer Report
- VII. Department/Commission Reports
- VIII. Consent Calendar
- IX. Correspondence Received
- X. Regular Morning Calendar
- XI. Public Comment on matters not on the agenda, but within the subject matter jurisdiction of the Board
- XII. Closed Session
- XIII. Reconvene and Report from Closed Session (1:00 p.m. unless adjusted by the Chair as needed)
- XIV. Public Comment on matters not on the agenda, but within the subject matter jurisdiction of the Board
- XV. Regular Afternoon Calendar
- XVI. Board Member Reports on assigned Boards, Councils, Commissions or other meetings attended

Adjournment – Meeting may be Adjourned in the Memory of/Moment of Silence/Reading of Names

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XIII. APPENDIX B. 4/5ths and Unanimous Vote Requirements

Subject	Vote	Code	Description
Off Agenda Action	Unanimous	Gov. Code §54954.2(b)(2)	To consider an item not on the Agenda, the Board must make findings that the need to take action arose after the Agenda was posted. The vote requires at least four votes of the Board if two-thirds of the members are present. If less than two-thirds are present, it requires a unanimous vote.
Airport	4/5	Gov. Code §26021	Property acquisition for airport purchases by purchase, condemnation or lease; resolution for County aid.
Airport	4/5	Gov. Code §26026	Contribute money to the United States for the acquisition or improvement by the United States or any of its authorized agencies of airports in the county.
Bonds		Gov. Code §§26880, 26885, 26946, 29917, 53595.20, 53345.8; Sts. & Hwys Code §§9132, 5227, 10355, 9534.5; Ed. Code §15145; Pub. Util. Code §§99100, 99102, 99118, 99119	There are many special voting requirements and other processes required for bonds. Please check with County Counsel.
Bridges	4/5	Pub. Contract §20405(c)	Modify the plans, specifications and working details of bridge construction contracts.
Budget	4/5	Gov. Code §29088	Changes to proposed budget after budget hearing but prior to final budget
Budget	4/5	Gov. Code §29125	The following transfers and revisions to the adopted appropriations require a 4/5 vote: (1) transfers between funds; or (2) transfers from appropriation for contingencies.
Budget	4/5	Gov. Code §29127	Adopt resolution necessary to appropriate and expend funds necessary to meet specific emergencies.

Mono County Board Rules of Procedure

Budget	4/5	Gov. Code §29130	Make available for appropriation any of the following fund balances: a) Restricted, committed, assigned, and unassigned fund balances, excluding the general reserves and nonspendable fund balance; b) Amounts that are either in excess of anticipated amounts or not specifically set forth in the budget derived from any actual or anticipated increases in financing sources.
Collections	4/5	Gov. Code §26220(a) and (b)	a) Assign for the purpose of collection any or all delinquent bills, claims and accounts, and any or all money judgments taken in the name of the County. b) Assign for the purpose of collection any or all delinquent or unsecured taxes.
Condemnation/Eminent Domain	4/5	Code of Civ. Pro. §1245.240	Adopt a resolution of necessity prior to commencing an eminent domain proceeding.
Contracts	4/5	Pub. Contract Code §20128	Modify terms of a construction contract.
Contracts	4/5	Pub. Contract Code § 20135	Alter or change in any manner the plans and specifications previously adopted by the Board for the erection, alteration, construction, or repair of any public building or structure, where such alteration or change increases cost.
Contracts	4/5	Pub. Contract Code §20136	Adopt an order to alter or change a contract that is for the erection, construction, alteration or repair of any public building or other structure.
Contracts	4/5	Pub. Contract Code § 20137	Contracts for the erection, construction, alteration, or repair of any public building or other structure: the Board may authorize a change if it does not exceed 10% of the original contract price.
Contracts	4/5	Pub. Contract Code § 20150.10	Adopt a resolution declaring that a project can be performed more economically by county personnel, or that in the Board's opinion a contract to perform the project can be negotiated with the original bidders at a lower price than that in any of the bids, or the materials or supplies furnished at a lower price in the open market.
Contracts	4/5	Pub. Contract Code § 22038(a)(2)	After rejection of bids, adopt a resolution that declares that a project can be performed more economically by the employees of the agency.

Mono County Board Rules of Procedure

Contracts	4/5	Pub. Contract Code §22050(a)(1)	In the case of an emergency, repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services and supplies for those purposes, without giving notice for bids to let contracts. (See also Pub. Contract Code §22035.)
Contracts	4/5	Pub. Contract Code §22050(b)(1)	Adopt a resolution or ordinance that delegates to the appropriate county administrative officer, chief engineer or other nonelected agency officer, the authority to order any action pursuant to the emergency powers described in (a)(1) above.
Contracts	4/5	Pub. Contract Code §3400(c)(4)	Use of specific brand/trade name (without "or equal") in the invitation of bids or requests for proposals in order to respond to an emergency declared by a local agency by a four-fifths vote.
Counsel	4/5	Gov. Code § 25203	Employ counsel to assist the district attorney, county counsel or other counsel for the county or public entity for which the Board is the governing body.
Flood Control, Maintenance and Sanitation District	4/5	Gov. Code § 23014	Adopt a resolution appropriating any of its available moneys to a revolving fund (not to exceed \$500,000) to be used by any county sanitation district, county flood control district, or county district maintenance district located wholly within the county for certain purposes.
Legislation	4/5	Gov. Code §25123(d); Elec. Code §9141(a)(4)	Adopt ordinances that are for the immediate preservation of the public peace, health or safety, which contain a declaration of the facts constituting the urgency, in which case the ordinance shall take effect immediately.
Parks	Unanimous	Gov. Code §25583	Adopt a resolution of intention to abandon a park or a portion of a park and fix a time when it will meet to take final action.
Parks	4/5	Gov. Code §25553	Find that the enlargement or improvement of the public park, beach, golf course or recreation ground is of general county interest or that the cost of maintenance is increased by reason of use by residents of the county outside of the city, such that the Board may determine to extend aid to city parks.

Mono County Board Rules of Procedure

Planning	4/5	Gov. Code §65858	Adopt as an urgency measure, an interim ordinance prohibiting any uses that may conflict with a contemplated general plan, specific plan, or zoning proposal. Any extension of time on the interim ordinance also requires a 4/5 vote.
Planning	4/5	Pub. Util. Code §§ 21676, 21676.5	Overrule an airport land use commission's determination.
Property	Unanimous	Gov. Code §25363	Cash sale or lease of any property not required for public use at a noticed public auction (4/5ths vote); sale or lease at an unadvertised, private sale can be authorized by simple majority, but only after the Board unanimously finds that the value of the property does not exceed \$500, monthly rental value is less than \$75 or it is a product of a County farm.
Property	Unanimous	Gov. Code §25550 & §25550.5	Conveyance of county property to city for public park purposes.
Property	4/5	Gov. Code §25365(a)	Convey to another governmental agency within the county any real or personal property.
Property	4/5	Gov. Code §25365(b)	Exchange real property with any person, firm or corporation for the purpose of removing defects in the title or where the real property is not required for county use and the real property to be acquired is required for county use.
Property	4/5	Gov. Code §25515.2(c)	Action to approve any sale, lease, lease with option to purchase, development or contract agreement for public property after a request for proposals.
Property	4/5	Gov. Code §25536(a)	Enter leases, concession or managerial contracts involving leasing or subleasing county-owned, leased or managed property devoted to or held for certain purposes.
Property	4/5	Gov. Code §25536(c)	Sell or lease county-owned property without complying with Article 8 "Sale or Lease of Real Property" if the county repurchases or leases back the property as part of the same transaction. Pledge specific revenues as security for the payment of obligations incurred in the repurchase or leaseback of the property.

Mono County Board Rules of Procedure

Property	4/5	Gov. Code §25536.5	Approve an agreement to amend a lease, sublease, concession or managerial contract entered to permit a permanent improvement or alteration of property at the expense of the lessee or concessionaire and to permit a credit on rentals or other reimbursement.
Property	4/5	Gov. Code §25526	Adopt a resolution declaring intent to sell or lease property.
Property	4/5	Gov. Code §53867	Determines that property cannot be sold for a sum at least equal to the total of the amount paid, all accrued penalties and delinquencies, and necessary expenses incurred, and local agency may sell the property or lien for less than such total but not less than the fair market value of the property or lien.
Roads	Unanimous	Sts. & Hwy Code §1026(c)	County aid to road districts: order the expense of material for highway construction to be paid out of the county general fund.
Special Assessment Districts	4/5	Sts. & Hy. Code §§ 2808.5, 2808.6, 2808.7	There are several statutory special vote requirements related to special assessment districts. Please consult with County Counsel.
Special Purpose District	Unanimous	Gov. Code § 26909, subd. (b)	Approve a unanimous request made by the governing board of a special district to replace an annual audit with another specified audit.
Streets and Highway	4/5	Sts. & Hwy. Code §942	Let County rent county equipment used in the maintenance and construction of county roads, when such equipment is not in use upon the roads under the jurisdiction of the Board, and arrange the rate of rental compensation, in keeping with the general conditions prevailing in the county in which the transaction is made.
Streets and Highway	4/5	Sts. & Hwy. Code § 969.5	Adopt a resolution that determines that the general county interest demands the improvement or repair of a privately-owned road.

Streets and Highway	4/5	Sts. & Hwy. Code § 1070	Determine that the public convenience and necessity demand the acquisition or construction of a new county highway or improvement, repair or maintenance of any existing county highway, and the expense of such new highway or the expense of improving, repairing, or maintaining such existing highway is too great to pay out of the road fund of the district (such that the Board may adopt a resolution to make such acquisition or do such work and charge the expense to the county general fund, the road fund of the county, or the district fund of any district benefited).
Streets and Highway	4/5	Sts. & Hwy. Code § 1627	Adopt a resolution that establishes a “county highway right of way acquisition revolving fund” for acquiring rights of way for county highway purposes through purchase or condemnation.
Streets and Highway	4/5	Sts. & Hwy. Code §§ 1680, 1686	Adopt a resolution that determines that certain activities are of general county interest and that county aid may be extended to cities for city streets.
Streets and Highway	4/5	Sts. & Hwy. Code § 1700	Adopt a resolution that declares any highway located in whole or in part within a city to be a county highway for one or more of the following purposes: acquisition of rights-of-way, construction, maintenance, improvement, or repair.
Tax	4/5	Gov. Code § 53724	Approve an ordinance or resolution that proposes a tax that is subject to approval by the voters pursuant to Government Code section 53722.
Tax	4/5	Rev. & Tax. Code § 7285	Approve ordinance proposing a transactions and use tax for general purposes.
Tax	4/5	Rev. & Tax. Code § 7285.5	Adopt ordinance regarding a transactions and use tax for specific purposes.

XIV. APPENDIX C. Request to Place Item on Board's Agenda by the Public or Non-County Entities

- a) The public or any non-county entity (i.e. other governments, businesses, non-profits groups or other interest groups) are requested to contact the Clerk of the Board of Supervisors (760-932-5533 or 760-932-5538) for the date of the next available agenda. This information online at: <http://monocounty.ca.gov/bos>; click on **Meetings** link.
- b) A non-county individual or group seeking placement of an item on the Board of Supervisors' Agenda must have one of the Supervisors sponsor the item, and concurrence from the Board Chair. The name of Board Member sponsor shall be provided to the Clerk of the Board.
- c) The following information is required via email to the Clerk of the Board of Supervisors before the item will be added to the agenda:
- *A brief description of the item to be discussed.*
 - *Is there a requested Board action, or is this item informational?*
 - *Is there a fiscal impact to the County?*
 - *Name of the person(s) who will be appearing before the Board to make the presentation.*
 - *Amount of time requested, including discussion and questions from the Board.*
 - *Preferred time of presentation, morning or afternoon.*
Morning is between 9:30-12:00 p.m.; afternoon is after 2:00 p.m.
- NOTE:** *An afternoon time may not be possible if the meeting will be finished before Noon.*
- *If the request is coming from an organization, please provide via email a cover memo on the organization's letterhead addressed to the Mono County Board of Supervisors describing in detail the request, expected Board action, and fiscal impact.*
 - *If handouts are to be provided or additional information at the Board meeting, you must provide this information via email to the Clerk of the Board of Supervisors. At least 20 copies for public distribution*
 - *If a PowerPoint presentation will be presented, please email it prior to the agenda deadline so it can be included in the Board's packet.*
- d) Upon request, the Clerk of the Board will provide a copy of a sample cover memo.



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: CAO, Board of Supervisors

TIME REQUIRED 15 minutes (5 minute presentation;
10 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Tony Dublino

SUBJECT Response to 2016-17 Grand Jury Report

AGENDA DESCRIPTION:

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

County response to 2016-17 Grand Jury Report.

RECOMMENDED ACTION:

Consider and potentially approve Board of Supervisors' response to 2016-17 Mono County Grand Jury Report. Provide any desired direction to staff.

FISCAL IMPACT:

None

CONTACT NAME: Tony Dublino

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
MCGJ BOS Response Letter
MCGJ BOS Response Attachment A
MCSO Response

History

Time	Who	Approval
8/3/2017 4:05 AM	County Administrative Office	Yes

7/31/2017 9:50 AM

County Counsel

Yes

8/1/2017 12:37 PM

Finance

Yes



COUNTY OF MONO

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

Leslie L. Chapman
County Administrative Officer

Tony Dublino
Assistant County Administrative Officer

TO: Board of Supervisors

FROM: Leslie Chapman, CAO

DATE: August 8, 2017

RE: Board of Supervisor's Response to 2016-17 Mono County Grand Jury Report

Recommendation:

Approve proposed Board of Supervisors response, or provide additional comments and clarifications.

Fiscal Impact:

None.

Discussion:

The 2016-17 grand jury report includes findings and recommendations regarding the Elections/Registrar of Voters Office, resulting from an Grand Jury Investigation.

State law requires elected officials as well as the Board of Supervisors to respond to those findings and recommendations. Since the Registrar of Voters is appointed, there is no required response. The Board must respond within 90 days of the issuance of the report (Penal Code section 933(c)).

State law prescribes the specific manner and language to be used by an agency head or governing body in responding to findings and recommendations of a grand jury report. The prescribed response with respect to a finding is to "agree" or "disagree" with an explanation. The prescribed response with respect to a recommendation is, generally speaking, to indicate whether the recommendation will or will not be "implemented" with an explanation. (Penal Code section 933.05).

Mono County Registrar of Voters Shannon Kendall provided a summary of her Department's response during a Board Update on July 18, 2017. At that meeting, the Board did not request additional clarification or actions, and her response has become the basis for the proposed Board response to the Report, included with this staff report as "Attachment A."

If you have any questions regarding this item, please call me at 760.932.5414



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

BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5533 • FAX (760) 932-5531
Shannon Kendall, Clerk of the Board

August 8, 2017

Honorable Judge Mark Magit
Presiding Judge of the Superior Court
100 Thompsons Way
P.O. Box 1037
Mammoth Lakes, California 93546

Re: Response to the Mono County Grand Jury 2016-2017 Report

Dear Judge Magit:

Please consider this letter and accompanying Attachment "A" as the official response to the 2016–2017 Mono County Grand Jury Report, and place this document on file as the Mono County Board of Supervisors' response. The Attachment includes specific responses to Investigation # 1 involving the Elections/Registrar of Voters office within the County's jurisdiction. The statutory inspection of the Bridgeport Jail did not generate findings nor recommendations, so no response was prepared.

The Board of Supervisors and County staff recognize the critical role the Grand Jury provides to the community and the County by ensuring the legal and financial adequacy of government services. The Grand Jury provides a sense of openness, transparency and accountability that are crucial to our democracy, and the County appreciates the work performed and the guidance offered. The County thanks the members of the Grand Jury for their public service and encourages the Court to continue to ensure broad representation from all communities of Mono County.

Sincerely,

Stacy Corless, Chair
Mono County Board of Supervisors

Enclosure: Attachment A: 2016-2017 Mono County Grand Jury Response



Investigation #1 (Elections/Registrar of Voters)

The Board of Supervisors has reviewed the findings and recommendations and provides the following response:

Findings:

F1 - The Mono County Registrar of Voters Office was generally unprepared, due to the lack of experience of its leadership, for dealing with the complexities of the June 2016 primary, and November 2016 general elections.

Board Response: the Board agrees with the finding.

F2 - The Mono County Clerk/Recorder/Registrar of Voters who was in charge of conducting the June 2016 primary and November 2016 general elections, while being an honest, experienced, dedicated, and reflective county administrator, did not have the skill set - organization, delegation of duties, careful attention to detail - that a complex and multi-faceted department requires for accurately conducting its business, especially during primary and general elections.

Board Response: the Board agrees with the finding.

F3 - Mono County could lobby the state for voting legislation in California which could expand the number of citizens able to cast absentee ballots during primary or general elections from 1,000 to 10,000. Mono County could also choose to opt-in by 2020 to new legislation which provides for two general voting centers within the county with extended voting days. The adoption of either of these measures would allow for greater voting opportunities and fewer costs to Mono County.

Board Response: the Board agrees with the finding.

F4 - Mono County's voting machines are obsolete and need to be replaced. There should be enough voting machines so that each precinct in Mammoth Lakes has a dedicated voting machine.

Board Response: the Board agrees with the finding.

F5 - Mono County's Registrar of Voters Office needs to conduct additional voter education and outreach to eliminate confusion during elections. Mono County's Registrar of Voters Office also needs to ensure that clearly written and accurate sample and absentee ballots are prepared, distributed, and received by the county's voters in a timely manner. The Mono County Registrar of Voters Office needs to be in close contact with the Mammoth Lakes Town Clerk, and any other pertinent local officials to ensure that candidates for office submit petitions of office in a timely manner with enough opportunity for voter signatures to be verified prior to the deadline.

Board Response: the Board agrees with the finding.



Recommendations:

R1 - Staff within the office of the Registrar of Voters should receive continuing training and education in the efficient use of new state voting software. Ongoing staff development should be conducted regarding election protocol and procedures. Mono County's internal election procedure manuals should be updated and distributed to relevant staff as needed. The office should hire additional skilled personnel to help them conduct each election. Additional staff levels during election periods should be determined by the nature and demands of each particular election.

Action: Clerk/Recorder/Registrar of Voters

Timeframe: 6 months

Board Response: The Registrar intends to reach out to SOS to obtain additional VoteCal training. Election protocols and procedures are in the process of being updated and will be complete prior to next election. New poll worker machine instructions are being written for the new machines just purchased. The County intends to double the number of temporary election workers, for a total of two, instead of only one in November 2016. All of the above items are expected to be completed prior to next election.

R2 - Mono County should appoint an administrator to be Clerk/Recorder/ Registrar of Voters who has experience in conducting elections, and who also has a skill set with high levels of organization, delegation, and careful attention to details. This individual should also strive to maintain long-term stability and morale within the department and to employ and train such skilled staff as are necessary to conduct the many diverse duties and functions of the Clerk/Recorder/Registrar of Voters offices.

The initial action of appointing a new Clerk/Recorder/Registrar of Voters was taken by the Chief Administrative Officer (CAO) of Mono County in early 2017. The Mono County CAO should monitor the offices of the Clerk/Recorder/Registrar of Voters to verify that a reorganization and updating of files, and policy/procedure manuals has been undertaken, and that newly hired personal receive the training they need to be effective in their multi-departmental setting.

Timeframe: 9 months

Board Response: As stated in the Report, Shannon Kendall was appointed to Clerk-Recorder-Registrar-Clerk of the Board temporarily in December 2016 and permanently in February 2017. Shannon has the required skill set and experience to perform the job efficiently. There have been additional staff members added to the Department, bringing the office to full staffing levels. New staff is currently training on elections duties and all staff plan to acquire additional training in VoteCal, EIMS (election



management system), and on new voting machines during 2017. Reorganization of files, manuals, etc., is occurring at this time and is ongoing.

R3 - The Mono County Board of Supervisors and the Registrar of Voters should carefully research new state legislation and voting initiatives to determine whether Mono County might take advantage of more flexible regulations regarding the number of voters in an area who may cast their ballots via absentee ballot and/or create several general election centers which are open for extended days to maximize voting opportunities and reduce costs.

Action: Mono County Board of Supervisors, Mono County Chief Administrative Officer, Registrar of Voters
Timeframe: 6 months

Board Response: The Registrar's office is monitoring SB 450 as well as Inyo County's pilot program. Under Mono County's current legislative platform, we continue to lobby for ALL vote by mail elections. The consideration of legislation and initiatives that may present solutions for Mono County is current, and ongoing.

R4 - After carefully researching and reviewing new voting legislation and initiatives, the Board of Supervisors of Mono County should budget sufficient funds to purchase new voting machines - consistent with projected future needs and election methods.

Action: Mono County Board of Supervisors, Mono County Chief Administrative Officer
Timeframe: 6 months

Board Response: This has been completed. New voting machines have been purchased, consistent with current election methods and projected needs, and are SB 450 compliant should the County pursue that direction in the future.

R5 - The Mono County Registrar of Voters needs to clearly communicate to Mono County voters information regarding State of California Voter registration requirements, online voter signature requirements, and prospective elected-official voter petition rules. All sample and absentee ballots, along with measure/initiative arguments, need to be accurate and accompanied by clear instructions. These documents should never be proofread by only one person. Mono County's online Elections Office website needs to be updated and have accurate information. Instructions on absentee and sample ballots should match the information provided on the Mono County Elections Office website and should be in accordance with state law. There should be clear and ongoing communication between satellite offices, such as the Town of Mammoth Lakes Town Clerk, and the Registrar of Voters office regarding timelines for the submission of candidate petitions, the certification of voter signatures, and the precise number of candidates who can be voted for on a given election.



Action: Registrar of Voters

Timeframe: 6 months

Board Response: The Registrar is developing plans for extensive voter outreach and education in future election cycles, including additional advertising/radio spots, additional poll worker training, presentations to RPACS and other community groups, an updated and more informative website with FAQs. There have also been plans developed to ensure accuracy of election details, including consistency between voter information in guides, sample ballots, etc. The timelines for the filing of candidate, petition and/or other paperwork will be coordinated very closely with Town Clerk. These plans and approaches are currently being developed, and are expected to be in place prior to the June 2018 primary.

MONO COUNTY
SHERIFF
A Commitment to Community Safety and Service



Ingrid Braun
Sheriff-Coroner

MONO COUNTY SHERIFF'S OFFICE

Michael Moriarty
Undersheriff

June 27, 2017

Honorable Judge Mark Magit
Presiding Judge, Mono County Superior Court
100 Thompson Way
Post Office Box 1037
Mammoth Lakes, California 93546

Re: Response to the Mono County Grand Jury 2016-2017 Report, Jail Inspection

Dear Judge Magit:

As required by California Penal Code Section 933(c), I am responding to the Mono County Grand Jury 2016-2017 Report, relating to the examination of the Mono County Jail.

Findings and Recommendations

I agree with the findings of the report. The report is an accurate depiction of our current facility. I was present for the Grand Jury's tour of our Jail, and I appreciated the time they took to conduct a full inspection. The Grand Jury members asked specific and informed questions, which were thoroughly answered by Jail Sergeants Shawn Minder and Scott Bush.

The report did not make any recommendations, but it did express a hope that Mono County be selected for funding to build a new facility. On June 8, 2017, the California Board of State and Community Corrections announced that Mono County was selected to receive state lease-revenue bond financing in the amount of \$25 million. The Mono County Sheriff's Office and Public Works Department have started the planning process of building a new jail facility, with an expected completion in 2022.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "IB", written over a white background.

Ingrid Braun
Sheriff-Coroner

c: Mono County Board of Supervisors
Leslie Chapman, County Administrative Officer
Stacey Simon, County Counsel



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Finance

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

SUBJECT Authorization for Sale of Tax-Defaulted Property

AGENDA DESCRIPTION:

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

Request for Approval to Sell Tax-Defaulted Property Subject to the Power of Sale.

RECOMMENDED ACTION:

Adopt Proposed Resolution #R17-___, Approving the Sale of Tax-Defaulted Property Subject to the Power to Sell and authorize the Chair to sign Request to Sell Tax-Defaulted Property Subject to the Power of Sale.

FISCAL IMPACT:

Total of all minimum bids is \$ 320,683. Minimum bids include known costs. There could potentially be additional costs not included in the minimum bid, which are unknown at this time.

CONTACT NAME: Gerald Frank

PHONE/EMAIL: 760-932-5483 / gfrank@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Staff Report
<input type="checkbox"/> Resolution
<input type="checkbox"/> Resolution Exhibit
<input type="checkbox"/> Schedule of Properties
<input type="checkbox"/> Request to Sell

History

Time	Who	Approval
7/30/2017 9:55 AM	County Administrative Office	Yes
7/31/2017 10:32 AM	County Counsel	Yes
8/1/2017 11:48 AM	Finance	Yes



DEPARTMENT OF FINANCE

COUNTY OF MONO

Gerald A. Frank
Assistant Finance Director
Treasurer-Tax Collector

Janet Dutcher, CPA, CGFM
Finance Director

Stephanie Butters
Assistant Finance Director
Auditor-Controller

P.O. Box 495
Bridgeport, California 93517
(760) 932-5480
Fax (760) 932-5481

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

Date: August 8, 2017
To: Honorable Board of Supervisors
From: Finance: Janet Dutcher, Gerald Frank
Subject: Sale of Tax-Defaulted Property

Actions Requested:

Approve Resolution for the sale of tax-defaulted property subject to the power to sell.

Discussion:

The Revenue and Taxation Code requires approval from the Board of Supervisors before the Tax Collector may conduct a sale of tax defaulted property. The attached request includes a list of property subject to sale and the minimum bid required.

Fiscal Impact:

Total of all minimum bids is \$ 320,683

Minimum bids include known costs. There could potentially be additional costs not included in the minimum bid, which are unknown at this time.



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RESOLUTION NO. R17-__

**RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
APPROVING THE SALE OF TAX-DEFAULTED PROPERTY
SUBJECT TO THE POWER OF SALE**

WHEREAS, the Mono County Treasurer-Tax Collector has notified the Board of Supervisors, pursuant to Revenue and Taxation Code section 3698, of the intention to sell certain tax-defaulted property under Chapter 7 of Part 6 of Division 1 of the Revenue and Taxation Code, including a description of the property to be sold and the minimum price at which it is proposed to sell the property; and

WHEREAS, a copy of said notice is attached hereto as Exhibit "A" and incorporated herein by this reference;

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

SECTION ONE: That approval is hereby granted, and the Treasurer-Tax Collector is hereby authorized, to sell the property described in the notice attached hereto as Exhibit "A" at the minimum price set forth in said notice. Further, the Mono County Board of Supervisors authorizes, in the event any parcel does not sell, the Treasurer- Tax Collector to re-offer that parcel at a reduced minimum price, as authorized by Revenue and Taxation Code 3698.5(c).

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SECTION TWO: Any parcel(s) remaining unsold thereafter may be re-offered at a new sale within 90 days of the original sale date, pursuant to Revenue and Taxation Code section 3692(e), with the option to offer the remaining parcels at a reduced minimum price, pursuant to Revenue and Taxation Code 3698.5(c).

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

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

 Stacey Corless, Chair
 Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

 Clerk of the Board

 County Counsel



**DEPARTMENT OF FINANCE
TREASURER-TAX COLLECTOR
COUNTY OF MONO**

*Gerald A. Frank
Assistant Director of Finance
Treasurer-Tax Collector*

*Janet Dutcher, CPA, CGFM
Director of Finance*

*P.O. Box 495
Bridgeport, California 93517
(760) 932-5480
Fax (760) 932-5481*

Exhibit "A"

**NOTICE TO BOARD OF SUPERVISORS OF THE
INTENTION TO SELL TAX-DEFAULTED PROPERTY**

TO: MONO COUNTY BOARD OF SUPERVISORS
FROM: JANET DUTCHER, FINANCE DIRECTOR, TREASURER TAX-COLLECTOR
DATE: AUGUST 8, 2017
RE: NOTICE OF INTENTION TO SELL TAX-DEFAULTED PROPERTY

IN ACCORDANCE WITH REVENUE AND TAXATION CODE SECTION 3698, THE BOARD OF SUPERVISORS IS HEREBY NOTIFIED OF MY INTENTION TO SELL AT PUBLIC AUCTION VIA INTERNET THE TAX-DEFAULTED PROPERTY DESCRIBED ON THE ATTACHED SCHEDULE (INCORPORATED HEREIN BY THIS REFERENCE), UNDER CHAPTER 7 OF PART 6 OF DIVISION 1 OF THE CALIFORNIA REVENUE AND TAXATION CODE.

**2017 Tax Sale List
(Previously Not Offered)**

No.	Asmt No.	Default Num	Default Date	AssesseeName	Description	Minimum Bid
1	001-100-046-000	DEF120000002	June 30, 2012	BERG RONALD L	Parcel 3 of Parcel Map 31-43 in the Coutny of Mono, State of California as per Map recorded in Book 3, Page 35 of Parcel Maps in the Office of the county Recorder of said county.	\$ 26,888.30
2	002-040-007-000	DEF100000009	June 30, 2010	CAINE TERI LYNN	The Easterly fifty feet of the Westerly one hundred twenty five feet of the Northerly one hundred feet of Block J of said town, which is further described as a lot approximately fifty feet by one hundred feet situated in Block J of said town.	\$ 12,838.31
3	002-353-011-000	DEF120000015	June 30, 2012	GLASSBURN TED & THERESA	Parcel M-1 of the MILL CREEK RANCH SUBDIVISION, in the County of Mono, State of California, as per map recorded in Book 1 Pages 60, 60A and 60B and in Book 2 Pages 27, 27A and 27B of Maps, in the Office of the County Recorder of said County	\$ 13,324.21
4	002-460-049-000	DEF120000021	June 30, 2012	WALTON TERRY	Parcel 1 of Parcel Map 31-70, in the County of Mono, State of California, as per Map recorded in Book 4, Page 29-29A of Parcel Maps, in the Office of the County Recorder of said county.	\$ 7,177.99
5	010-364-003-000	DEF120000054	June 30, 2012	CONNOLLY ISABEL S. & JOHN R.	Lot 15, Block G, of the South Portion of Twin Lakes Subdivision. The official Plat of the same being filed in the Office of the County Recorder of Mono County, California on April 18, 1955, Under4 File No. 1121. Reserving herein as easement (5) feet in width along all lot lines for public utility purposes.	\$ 5,049.43
6	011-040-030-000	DEF120000055	June 30, 2012	ROBLES, MICHAELA O. ETAL	THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 25 EAST, M.D.M., COUNTY OF MONO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF	\$ 15,402.84
7	011-040-031-000	DEF120000056	June 30, 2012	ROBLES, MICHAELA O.	A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 25 EAST, M.D.B.&M.,	\$ 4,434.22
8	022-350-044-000	DEF100000077	June 30, 2010	BOHL, JEFFREY	Lot 21 in Block 2 of MAMMOTH CAMP TRACT NO. 2, in the Town of Mammoth Lakes, County of Mono, State of California, as per map recorded in Book 1 Page 5 of Maps, records of said County.	\$ 73,647.80
9	031-212-113-000	DEF120000167	June 30, 2012	INTRAWEST PROPERTIES INC.	AN UNDIVIDED 1181/145,829 INTEREST IN COMMON IN AND TO ALL THAT PORTION OF LOT A OF MAMMOTH SKI & RACQUET CLUB, ACCORDING TO MAP THEREOF NO. 36-53, BOOK 8 SUBDIVISION MAPS, PAGES 33 THROUGH 33-S FILED IN THE OFFICE OF THE RECORDER OF MONO COUNTY DECEMBER 26, 1973, SHOWN AND DEFINED AS COMMON AREA ON THAT CERTAIN CONDOMINIUM PLAN RECORDED DECEMBER 26, 1973.	\$ 20,508.62

2017 Tax Sale List
(TimeShares Previously Offered)

No.	Asmt No.	New Asmt No.	Default Num	Default Date	AssesseeName	Description	Minimum Bid
TS1	233-001-012-000	015-089-001-512	DEF100000187	June 30, 2010	TRAVIS RICHARD S. & ANNE R.	Heidelberg Inn Timeshare Unit 1, 2 Bedroom, Floating	\$ 250.00
TS2	233-001-016-000	015-089-001-516	DEF090000310	June 30, 2009	HERRERA, JORGE RODRIGUEZ	Heidelberg Inn Timeshare Unit 1, 2 Bedroom, Floating	\$ 250.00
TS3	233-001-026-000	015-089-001-526	DEF060005027	June 30, 2007	GERBER, SUSAN KAY	Heidelberg Inn Timeshare Unit 1, 2 Bedroom, Floating	\$ 250.00
TS4	233-001-032-000	015-089-001-532	DEF110000185	June 30, 2011	PORTESI MICHAEL R. & PATRICIA	Heidelberg Inn Timeshare Unit 1, 2 Bedroom, Floating	\$ 250.00
TS5	233-002-001-000	015-089-002-501	DEF980019832	June 30, 1999	CACTUS RESORT PROPERTIES, INC.	Heidelberg Inn Timeshare Unit 2, 1 Bedroom, Fixed	\$ 250.00
TS6	233-002-002-000	015-089-002-502	DEF030004976	June 30, 2004	CHISM JAMES D. & MAUREEN	Heidelberg Inn Timeshare Unit 2, 1 Bedroom, Fixed	\$ 250.00
TS7	233-002-044-000	015-089-002-544	DEF000005045	June 30, 2011	STEPHENS, CHARLES W. ETAL	Heidelberg Inn Timeshare Unit 2, 1 Bedroom, Fixed	\$ 250.00
TS8	233-003-002-000	015-089-003-502	DEF110000186	June 30, 2011	ALMARAZ JOSEPH E. & NORMA A.	Heidelberg Inn Timeshare Unit 3, 2 Bedroom, Floating	\$ 250.00
TS9	233-003-021-000	015-089-003-521	DEF100000190	June 30, 2010	VENDITTI MICHAEL G. & VALERIE	Heidelberg Inn Timeshare Unit 3, 2 Bedroom, Floating	\$ 250.00
TS10	233-003-041-000	015-089-003-541	DEF100000191	June 30, 2010	CONTRERAS, SARA J.	Heidelberg Inn Timeshare Unit 3, 2 Bedroom, Floating	\$ 250.00
TS11	233-003-044-000	015-089-003-544	DEF100000192	June 30, 2010	CLARK HOWARD C. & DEBORAH L.	Heidelberg Inn Timeshare Unit 3, 2 Bedroom, Floating	\$ 250.00
TS12	233-003-046-000	015-089-003-546	DEF100000193	June 30, 2010	NUNN DAVID H. & JEANETTE M.	Heidelberg Inn Timeshare Unit 3, 2 Bedroom, Floating	\$ 250.00
TS13	233-003-047-000	015-089-003-547	DEF110000189	June 30, 2011	BRADFORD JOHNNY A. & SUSAN	Heidelberg Inn Timeshare Unit 3, 2 Bedroom, Floating	\$ 250.00
TS14	233-004-010-000	015-089-004-510	DEF060005167	June 30, 2007	BRITTEN, KAREN F.	Heidelberg Inn Timeshare Unit 4, 2 Bedroom, Floating	\$ 250.00
TS15	233-004-023-000	015-089-004-523	DEF100000194	June 30, 2010	MARSHALL WAYNE & LEE ANN	Heidelberg Inn Timeshare Unit 4, 2 Bedroom, Floating	\$ 250.00
TS16	233-004-035-000	015-089-004-535	DEF090000314	June 30, 2009	HORNBY FAMILY TRUST	Heidelberg Inn Timeshare Unit 4, 2 Bedroom, Floating	\$ 250.00
TS17	233-004-039-000	015-089-004-539	DEF090000585	June 30, 2009	PETERSON, HOLLY KAY	Heidelberg Inn Timeshare Unit 4, 2 Bedroom, Floating	\$ 250.00
TS18	233-004-041-000	015-089-004-541	DEF110000191	June 30, 2011	KUKEL, ALLEN J.	Heidelberg Inn Timeshare Unit 4, 2 Bedroom, Floating	\$ 250.00
TS19	233-005-001-000	015-089-005-501	DEF090000315	June 30, 2009	SOOO GOOD FINANCIAL, INC.	Heidelberg Inn Timeshare Unit 5, 2 Bedroom, Floating	\$ 250.00
TS20	233-005-013-000	015-089-005-513	DEF110000193	June 30, 2011	HILTON A.R. & S.E.	Heidelberg Inn Timeshare Unit 5, 2 Bedroom, Floating	\$ 250.00

**REQUEST FOR APPROVAL TO SELL TAX DEFAULTED PROPERTY SUBJECT TO THE
POWER OF SALE**

August 8, 2017

Honorable Board of Supervisors of Mono County, State of California:

Your approval to sell at public auction via Internet, for the stated minimum price, the tax defaulted property that is subject to the power of sale and described on the attached schedule, in accordance with Chapter 7 of Part 6 of Division 1 of the California Revenue and Taxation Code, is requested.

In the event that any parcel does not sell after the initial offering, I respectfully request your approval to re-offer the unsold parcel(s) at the end of the auction at a reduced minimum price, pursuant to California Revenue and Taxation Code section 3698.5(c), and for any remaining unsold parcels(s) thereafter to be re-offered at a new sale within 90 days of the original sale date, pursuant to California Revenue and Taxation Code section 3692(e), with the option to offer the remaining parcels at a reduced minimum price, pursuant to California Revenue and Taxation Code section 3698.5(c). If excess proceeds results from the sale, notice will be given to parties of interest, pursuant to California Revenue and Taxation Code section 3692(e).

Janet Dutcher

Director of Finance, Treasurer/Tax Collector

By _____

Assistant Finance Director, Treasurer/Tax Collector

APPROVAL BY BOARD OF SUPERVISORS

Approval for said sale is hereby granted. The tax collector is directed to sell the property described in said notice as provided for by law, pursuant to Chapter 7 of Part 6 of Division 1 of the California Revenue and Taxation Code.

The foregoing was approved by the Board of Supervisors of Mono County,

the _____ day of _____, _____.

ATTEST:

Shannon Kendall

Clerk of the Board of Supervisors

By _____

Deputy

Date: _____



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: County Counsel

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

SUBJECT Conflict-of-Interest Policy for Design-Build Construction

AGENDA DESCRIPTION:

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

A conflict-of-interest policy for design-build construction.

RECOMMENDED ACTION:

Adopt a conflict-of-interest policy for design-build construction. Provide any desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Stacey Simon

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff report
Policy

History

Time	Who	Approval
7/30/2017 10:00 AM	County Administrative Office	Yes
8/2/2017 6:51 PM	County Counsel	Yes
8/4/2017 9:19 AM	Finance	Yes

County Counsel
Stacey Simon

Assistant County Counsel
Christian E. Milovich

Deputies
Anne M. Larsen
Jason Canger

**OFFICE OF THE
COUNTY COUNSEL**

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

Telephone
760-924-1700

Facsimile
760-924-1701

Paralegal
Jenny Senior

To: Board of Supervisors

From: Stacey Simon

Date: August 1, 2017

Re: Conflict-of-Interest Policy for Design-Build Projects

Recommended Action

Approve proposed conflict-of-interest policy for design-build projects. Provide any desired direction to staff.

Focus Area(s) Met

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

Fiscal Impact

None

Discussion

Section 22162 of the California Public Contract Code requires that local agencies utilizing the design-build procurement method in the construction of public facilities adopt conflict-of-interest guidelines addressing the ability of a person or entity that performs services for the local agency relating to the solicitation of a design-build project to submit a proposal as a design-build entity or join a design-build team. Such guidelines must be consistent with governing conflict-of-interest laws.

The proposed policy is consistent with the conflict-of-interest laws of the state and would satisfy the County's obligation under the Public Contract Code.

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

COUNTY OF MONO ORGANIZATIONAL CONFLICT OF INTEREST POLICY FOR DESIGN-BUILD PROJECTS

PURPOSE

In accordance with Public Contract Code section 22162, the purpose of this policy is to clarify the County of Mono's organizational conflict of interest guidelines applicable to design-build projects procured pursuant to Public Contract Code section 22160, et seq.

POLICY

Contractors and consultants participating as proposers on a design-build project or joining a design-build team ("Proposers") may not have organizational conflicts of interest. Organizational conflicts of interest are circumstances arising out of a Proposer's existing or past activities, business or financial interests, familial relationships, contractual relationships, and/or organizational structure (e.g., parent entities, subsidiaries, affiliates) that may or may not rise to the level of a legal conflict of interest. An organizational conflict of interest is a conflict that results in (i) impairment or potential impairment of a Proposer's ability to render impartial assistance or advice to the County or of its objectivity in performing work for the County, (ii) an unfair competitive advantage for any bidder or Proposer with respect to a County procurement; or (iii) a perception or appearance of impropriety with respect to any County procurement or contract or a perception or a reasonable appearance of unfair competitive advantage or impropriety with respect to a County procurement.

An organizational conflict of interest exists in the following instances:

- a. A Proposer is the County's general engineering or architectural consultant to the design-build project, except that a sub-consultant to the general engineering or architectural consultant that has not yet performed work on the contract to provide services for the design-build project may participate as a Proposer or join a design-build team if it terminates the agreement to provide work and provides no work for the County's general engineering or architectural consultant on the design-build project.
- b. A Proposer has assisted or is assisting the County in the procurement of the design-build project, including the preparation of the request for proposals, evaluation criteria, or any other aspect of the procurement.
- c. A Proposer has performed preliminary design services for the design-build project pursuant to a contract with the County, such as conceptual layouts, preliminary design, or preparation of bridging documents.
- d. A Proposer performed design work on a previous contract that specifically excludes it from participating as a proposer or joining a design-build team for the design-build project.
- e. A Proposer has obtained advice from, or discussed any aspect relating to the design-build project or procurement of the design-build project with, any person or entity with an

organizational conflict of interest, including, but not limited to, the consultants of any entity that have provided technical support on the design-build project.

- f. Any circumstances that would violate California Government Code 1090, et seq., the California Political Reform Act, or other applicable laws (collectively, “Applicable Law”).

Proposers' Obligations

If a Proposer determines that an organizational conflict exists, it must disclose the conflict to the County as soon as reasonably practicable prior to contract award. Such disclosure will not necessarily disqualify a Proposer from being awarded a contract, unless such award is prohibited by Applicable Law. The Proposer shall suggest measures to avoid, neutralize, or mitigate all perceived, potential or actual conflicts. The County, at its sole discretion, shall determine whether the suggested measures are sufficient to overcome the organizational conflict and whether the Proposer may continue with the procurement process.

Obligations After Contract Award

The successful Proposer to whom a contract is awarded ("Contractor") has an ongoing obligation to monitor and disclose its organizational conflicts of interest and to avoid taking any action or entering into any arrangement which would result in the creation of an organizational conflict of interest. The County has a right to ongoing enforcement of this Policy. If an organizational conflict of interest is discovered after contract award, the Contractor must make an immediate and full written disclosure to the County that includes a description of the action that the Contractor has taken or proposes to take to avoid or mitigate such conflicts (if mitigatable). If an organizational conflict of interest is determined to exist and the Contractor was aware of its existence prior to contract award, and did not disclose the conflict, the County may terminate the contract. If a new organizational conflict arises after contract award, and Contractor's proposed measures to avoid or mitigate the conflict are determined by the County to be inadequate to protect the County, the County may terminate the contract. If the contract is terminated, the County assumes no obligations, responsibilities and liabilities to reimburse all or part of the costs incurred or alleged to have been incurred by Contractor and is entitled to pursue any available legal remedies.

Incorporation by Reference

This Policy shall be incorporated by reference into all design-build contracts executed by the County.



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

TIME REQUIRED

SUBJECT Closed Session--Human Resources

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

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

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p>No Attachments Available</p>
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History

Time

Who

Approval



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

TIME REQUIRED

SUBJECT Closed Session - Existing 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 – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: County of Mono v. Gregory Oliver Jr., Norris Halak, et al.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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No Attachments Available

History

Time	Who	Approval
7/30/2017 10:13 AM	County Administrative Office	Yes
7/31/2017 10:33 AM	County Counsel	Yes
8/1/2017 11:46 AM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

TIME REQUIRED

SUBJECT Closed Session - Exposure to
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. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: 1.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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History

Time	Who	Approval
8/3/2017 3:38 AM	County Administrative Office	Yes
8/3/2017 4:02 PM	County Counsel	Yes
8/3/2017 8:45 AM	Finance	Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

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: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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No Attachments Available

History

Time

Who

Approval



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Community Development

TIME REQUIRED PUBLIC HEARING - 1:00 p.m. (1 hour)

PERSONS APPEARING BEFORE THE BOARD Nick Criss

SUBJECT Public Hearing - Revocation of Business License 0930 Rainbow Ridge Realty & Reservations

AGENDA DESCRIPTION:

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

Public hearing revocation of Business License 0930 Rainbow Ridge Realty & Reservations pursuant to Chapter 5.24.020 of the Mono County Code based on violations by the licensee or her agents or employees of any state or county law or regulation pertinent to the type of business for which the license was issued.

RECOMMENDED ACTION:

Conduct public hearing. Consider staff report highlighting numerous and repetitive violations of county regulations by continuously renting/managing transient rentals in Single Family Residential (SFR) designated neighborhoods and revoke Business License 0930 Rainbow Ridge Realty & Reservations. Provide any desired direction to staff.

FISCAL IMPACT:

Potential temporary loss of TOT revenue while clients find new property management for legal rentals. Loss of TOT for illegal rentals.

CONTACT NAME: Nick Criss

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

SEND COPIES TO:

ncriss@mono.ca.gov

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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Staff Report
Notice of Violation 3/23/16
Notice

History

Time	Who	Approval
7/23/2017 2:35 PM	County Administrative Office	Yes
8/2/2017 6:52 PM	County Counsel	Yes
8/3/2017 9:07 AM	Finance	Yes

Mono County Community Development Department

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

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

August 8, 2017

To: Mono County Board of Supervisors

From: Nick Criss, Code Compliance Officer

Subject: Revocation of Business License 0930 Rainbow Ridge Realty and Reservations

RECOMMENDED ACTION

1. Following the close of the Public Hearing, consider revocation of Business License 0930 Rainbow Ridge Realty and Reservations for failure to comply with requirements set forth in Chapter 5.24.020 D. of the Mono County Code for violations by the licensee or his agents or employees of any state or county law or regulation pertinent to the type of business for which the license was issued.

FISCAL IMPACT

Unknown, some potential loss of TOT revenue from illegal rentals collected and remitted by Rainbow Ridge Realty. Some temporary TOT revenue loss from legal rentals managed by Rainbow Ridge until those owners find new management, should the Board decide to revoke business license 0930.

BACKGROUND

Rainbow Ridge Realty and Reservations has continually violated County Land Use regulations by advertising, renting and managing illegal short term rentals in Single-Family Residential (SFR) Designated neighborhoods, in particular several homes along Leonard Avenue in June Lake. On February 23, 2016, the Mono County Compliance Division issued a Notice of Violation ordering the owner of Rainbow Ridge, Connie Lear, to cease short term or nightly rentals of all houses and cabins on properties that are designated SFR lacking applicable County land use permits. In addition, after the notice was sent out, the Compliance Division and the Community Development Director had several conversations with Ms. Lear, where the County regulations concerning these illegal transient rentals were clearly explained, and she promised that those houses would no longer be offered for rent. Beyond that, she is a licensed realtor and her profession dictates that she know, understand and accurately represent local zoning laws. Yet despite these communications with Ms. Lear, as the months passed the Compliance Division continued to receive complaints that the houses on Leonard Avenue were constantly occupied with renters. She continued to advertise these properties for nightly rentals on her own website and continues to do so even as this staff report is being drafted.

Additionally, it is important to note that this hearing is part of a larger enforcement action. All the owners along Leonard Avenue represented by Rainbow Ridge were issued individual Notices of Violation clearly informing each owner their properties were not designated for short term rentals. Every owner involved in these illegal rentals has been made fully aware that this activity was illegal, and yet they continued renting their properties out nightly in collusion with Rainbow Ridge as the manager for these rentals. While the Compliance Division worked to compile evidence of these illegal rentals, time after time renters fully and freely admitted renting the home through Rainbow Ridge Realty. As part of this enforcement action, the Leonard Avenue homeowners represented by Connie Lear have also been issued administrative citations for Chapter 26 violations in the Mono County General Plan.

Connie Lear's refusal to obey the law has resulted in unfair business advantage over her competitors who have followed the law by not renting or managing properties in areas that do not allow for short term

rentals. The concept of legal transient rentals works only if responsible property managers and owners follow the laws and rules of the County. Mono County Code chapter 5.24.020 states: “Upon good cause shown, the board of supervisors may order the investigation of any person holding a license issued under the provisions of this chapter. After notice to the person holding the license and the opportunity for a hearing, the board may revoke or suspend the business license on such conditions as it deems appropriate, on the basis of any of the following acts or omissions: D. Violation by the licensee or his agents or employees of any state or county law or regulation pertinent to the type of business for which the license was issued.”

ATTACHMENTS

- Notice of Violation issued on 2/23/16
- Notice of Public Hearing 7/19/17

**Mono County
Community Development Department**

Compliance Division

PO Box 347 / Mammoth Lakes, CA 93546 / 760.924.1826, fax 924.1801 / ncriss@mono.ca.gov

February 23, 2016

Rainbow Ridge Realty
PO Drawer C
June Lake, CA 93529

NOTICE OF VIOLATION

Complaint No. 2016/007 – Notice of Violation regarding violations of the Mono County Code, Rainbow Ridge Realty, 2603 Hwy 158, CA – Mono County Assessor’s Parcel No. 015-086-002.

To: Connie Lear

It has come to this office’s attention that you are advertising and managing several rental properties that are not in Land Use designations that allow for transient rentals. Furthermore, several houses that you are managing in different Land Use Designations (such as MFR or MU etc.) will require Use Permits granted by the Planning Commission. Community Development is not aware any permits have been granted.

Transient Rental Occupancy is defined in the Mono County General Plan Land Use Element Section 02.1210 as follows:

“Transient Rental” means any structure, or portion of structure, which is occupied, or intended or designed for occupancy by transients for the purposes of sleeping, lodging or similar reasons. A “Transient” is any person who exercises occupancy, whether by agreement, concession, permit, right of access, license, contract, payment of rent or otherwise, for a period of thirty (30) consecutive calendar days or less.

You are hereby notified that you are in violation of the following code sections:

Violation No. 1 – Mono County General Plan 04.020 B “Uses Permitted”

Buildings, structures and land shall be used, designed, erected, structurally altered or enlarged only for the purposes listed in the land use designation in which such building, structure or land is located, and then only after applying for and securing all permits and licenses required by law.

Some of properties you are advertising and renting on a transient basis are currently designated Single-Family Residential (SFR) within the Mono County General Plan Land Use Element. Using your home as a Transient Occupancy Rental (30 consecutive calendar days or less) is not a permitted use within the SFR designation without having established a Transient Rental Overlay District and complying with General Plan Chapter 26 Transient Rental Standards and Enforcement regulations. Furthermore, several other homes you are managing as transient rentals are in Land Use Designations such as Mixed Use (MU) and Multi-Family Residential

(MFR). The use of these properties as transient rentals may be permitted though a Use Permit granted by the Mono County Planning Commission. However, the Community Development Department is not aware that any permits have been granted for these properties and therefore renting them nightly remains illegal. Operating a transient occupancy rental business without the proper land use approvals is a violation of the Mono County General Plan Section 04.020.

Violation No. 2 – Mono County Code Section 5.24.020 D “Ground for suspension or revocation” Upon good cause shown, the Board of Supervisors may order the investigation of any person holding a license issued under the provisions of this chapter. After notice to the person holding the license and the opportunity for a hearing, the board may revoke or suspend the business license on such conditions as it deems appropriate, on the basis of any of the following acts or omissions: D. Violation by the licensee or his agents or employees of any state or county law or regulation pertinent to the type of business for which the license was issued.

Operating and managing unpermitted transient rentals is a violation of Mono County General Plan 04.020 B, which is grounds for business license revocation.

Violation No. 3 – Mono County Code Section 3.20.020 Nuisance Prohibition.

No person shall commit, create or contribute to the creation of a public nuisance in the county, nor shall anyone allow a condition constituting a public nuisance to exist on property in the county that is within their ownership or control. Mono County Code Section 7.20.010 D.1 defines a “Public Nuisance” as any violation of any provision of the Mono County Code, the Mono County General Plan, any county area or specific plan, airport land use plan, any variation or subpart of the foregoing, or any other land-use planning document duly approved by the board of supervisors or the planning commission.

Violations 1 and 2 are determined to be a “Public Nuisance” and are a violation of the Mono County Code Section 7.20.020.

You are hereby directed to abate the above-mentioned code violations and comply with the following directives within ten (10) business days:

Directive No. 1

Immediately cease transient or nightly rentals of all houses and cabins on properties that are designated SFR within the Mono County General Plan Land Use Element until such time that a Transient Overlay District is established per the requirements of Chapter 25 & 26 of the Mono County General Plan.

Directive No. 2

Immediately cease transient or nightly rentals of all houses and cabins on properties that are designated MFR or MU within the Mono County General Plan Land Use Element until such time that a Use Permit can be obtained for each property.

Please be advised that failure to abate the aforementioned violations, a public hearing will be scheduled in front of the Mono County Board of Supervisors to permanently revoke your Mono County Business License.

If you have any additional questions regarding the approved uses of your property, please feel free to call me at (760) 924-1826.

Thank you for your attention to this matter, and I look forward to your voluntary compliance.

Sincerely,

Nick Criss, Compliance Officer
Mono County Compliance Division

CC: File 2016/007
Scott Burns, Community Development Director
Tim Alpers, District 3 Supervisor

Via: Certified Mail/Return Receipt Requested To:
Rainbow Ridge Realty
PO Drawer C
664June Lake, CA 93529

**Mono County
Community Development Department**

Compliance Division

PO Box 347 / Mammoth Lakes, CA 93546 / 760.924.1826, fax 924.1801 / ncriss@mono.ca.gov

Date: July 31, 2017

To: Rainbow Ridge Realty
ATTN: Connie Lear
PO Drawer C
June Lake, CA 93529

From: Nick Criss

Re: Revocation of Business License 0930 Rainbow Ridge Realty & Reservations.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Mono County Board of Supervisors will conduct a public hearing August 8, 2017, at **1:00 p.m.** in Bridgeport Board chambers in the Mono County Courthouse (second floor) to consider the following:

Revocation of Business License 0930 Rainbow Ridge Realty & Reservations pursuant to Chapter 5.24.020 of the Mono County Code based on violations by the licensee or her agents or employees of any state or county law or regulation pertinent to the type of business for which the license was issued, including violations of the following:

Mono County General Plan 04.020 B (Uses Permitted). Buildings, structures and land shall be used, designed, erected, structurally altered or enlarged only for the purposes listed in the land use designation in which such building, structure or land is located, and then only after applying for and securing all permits and licenses required by law.

Several of the properties you are advertising and renting on a transient basis are currently designated Single-Family Residential (SFR) within the Mono County General Plan Land Use Element. Using a home as a Transient Occupancy Rental (30 consecutive calendar days or less) is not a permitted use within the SFR designation. Furthermore, several homes you are managing as transient rentals are in land use designations such as Mixed Use (MU) and Commercial (C). The use of these properties as transient rentals may be permitted though additional planning permits granted by the director or the Mono County Planning Commission. However, the Community Development Department is not aware that any permits have been granted for these properties, and therefore renting them nightly remains illegal. Operating a property management business where you knowingly advertise and rent out properties where nightly rentals are prohibited or without the proper land use approvals is a violation of the Mono County General Plan Section 04.020.

Mono County Code Section 3.20.020 (Nuisance prohibition)

No person shall commit, create or contribute to the creation of a public nuisance in the county, nor shall anyone allow conditions constituting a public nuisance in the county that is within their ownership or control. Mono County Code Section 7.20.010 D.1 defines a “Public Nuisance” as any violation of any provision of the Mono County Code, the Mono County General Plan, any County area or specific plan, airport land use plan, any variation or subpart of the foregoing, or any other land-use planning document duly approved by the board of supervisors or the planning commission.

Mono County Code Section 5.24.020 D (Ground for suspension or revocation)

Upon good cause shown, the Board of Supervisors may order the investigation of any person holding a license issued under the provisions of this chapter. After notice to the person holding the license and the opportunity for a hearing, the board may revoke or suspend the business license on such conditions as it deems appropriate, on the basis of any of the following acts or omissions: . . . D. Violation by the licensee or his agents or employees of any state or county law or regulation pertinent to the type of business for which the license was issued.

For additional information contact Nick Criss, ncriss@mono.ca.gov or 760-924-1826.



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

REGULAR AGENDA REQUEST

Print

MEETING DATE August 8, 2017

Departments: Public Works - Roads

TIME REQUIRED 15 minutes (5 minute presentation;
10 minute discussion) **PERSONS APPEARING BEFORE THE BOARD** Jeff Walters

SUBJECT Ordinance temporarily designating roughly graded roads

AGENDA DESCRIPTION:

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

The Sierra Safari is a three-day guided off-highway vehicle tour starting in Mammoth Lakes, continuing to Hawthorne Nevada, and entering the Bridgeport area and the community of Bridgeport. The event takes place on roads and trails throughout Mono County, and Mineral County in Nevada. The Eastern Sierra ATV/UTV Jamboree is a four-day off-highway vehicle event taking place in the Antelope Valley. Both events include some dirt roads that are part of Mono County's maintained mileage system.

RECOMMENDED ACTION:

Introduce, read title, and waive further reading of proposed ordinance temporarily 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 2017 Sierra Safari off-highway vehicle tour and the 2017 Eastern Sierra ATV/UTV Jamboree.

FISCAL IMPACT:

Public Works staff time amounting to \$500 or less from the Road Fund.

CONTACT NAME: Jeff Walters

PHONE/EMAIL: (760) 932-5459 / jwalters@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
staff report
Ordinance

History

Time	Who	Approval
7/23/2017 2:51 PM	County Administrative Office	Yes
8/3/2017 5:17 PM	County Counsel	Yes
8/1/2017 11:55 AM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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

Date: August 8, 2017
To: Honorable Chair and Members of the Board of Supervisors
From: Jeff Walters, Public Works Director / Director of Road Operations and Fleet Services
Subject: Ordinance Temporarily Designating Certain County Roads as “roughly graded” for the purpose of making them available for the 2017 Sierra Safari Off-Highway Vehicle Event and 2017 Eastern Sierra ATV / UTV Jamboree

Recommended Action:

Introduce, read title, and waive further reading of 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 2017 Sierra Safari off-highway vehicle tour and 2017 Eastern Sierra ATV / UTV Jamboree.

Provide any desired direction to staff.

Strategic Plan Focus Area(s) Met

The proposed ordinance furthers the Strategic Plan focus area of “economic base” by facilitating the continuation of a popular events in Mono County which have taken place for many years, and which brings visitors and economic benefits to the community of Bridgeport, the Antelope Valley and other areas within the County.

Fiscal Impact:

Public Works staff time to place “Special Event” signs estimated at less than \$1,000.

Discussion:

Mono County has been the site of off-highway vehicle events known as the Sierra Safari and Eastern Sierra ATV/UTV Jamboree. Sierra Safari is a three-day off-highway vehicle tour starting in Mammoth Lakes, continuing to Hawthorne Nevada, and entering the Bridgeport area and the community of Bridgeport. The Eastern Sierra ATV/UTV Jamboree is four days of guided off-highway vehicle tours throughout the Bridgeport and Antelope areas.

These events take place on roads and trails throughout Mono County, and Mineral County in Nevada, including some dirt roads that are part of Mono County’s maintained mileage system.

Last year the California Highway Patrol (CHP) brought to the County’s attention an ambiguity in the laws governing the use of County-maintained unpaved roads by off-highway vehicles such as those participating in the Sierra Safari. CHP indicated that these ambiguities could be addressed through adoption of a local ordinance designating those roads as “roughly graded roads” pursuant to Vehicle Code section 38001.

The County has developed an ordinance confirming that the roads involved in the events are “roughly graded roads” so that the event may take place again this Fall. Similar ordinances have been adopted in Lassen, Del Norte, and Plumas counties. The ordinance proposed for your Board’s introduction and subsequent approval is designed as a short-term solution (with a sunset date of October 16) for the purpose of allowing the Sierra Safari and ATV/UTV Jamboree to go forward this year.

If you have any questions regarding this item, please contact me at 760.932.5459. I may also be contacted by email at jwalters@mono.ca.gov.

Respectfully submitted,



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

Attachments: Exhibit 1 – Proposed Ordinance



ORDINANCE NO. ORD17-__

**AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS
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
2017 SIERRA SAFARI OFF-HIGHWAY VEHICLE TOUR
AND THE 2017 EASTERN SIERRA UTV / ATV JAMBOREE**

WHEREAS, Mono County has been the site of off-highway vehicle events known as the Sierra Safari and the Eastern Sierra ATV/UTV Jamboree; and

WHEREAS, portions of the Sierra Safari and Eastern Sierra ATV/UTV Jamboree take place on dirt roads and trails throughout Mono County, and Mineral County in Nevada, including some roads that are part of Mono County's maintained mileage system; and

WHEREAS, the events are an important recreational and economic opportunity for Mono County, bringing critically needed commerce, activity and prestige to the communities of Bridgeport and the Antelope Valley; and

WHEREAS, the California Highway Patrol has indicated that the County must designate those County-maintained roads which are "roughly graded roads" within the meaning of California Vehicle Code section 38001, in order that the use of such roads for the Sierra Safari and Eastern Sierra ATV/UTV Jamboree is authorized; and

WHEREAS, the County desires to make that designation for the purpose of allowing the Sierra Safari and the Eastern Sierra ATV/UTV Jamboree to go forward this year, through adoption of this ordinance, which sunsets after the event;

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

SECTION ONE: Definitions and Findings

A. For the purposes of this ordinance the term "**Off-Highway Vehicles**" (OHV) means off-highway motorized wheeled vehicles including but not limited to "All-Terrain Vehicle" (ATV), "Utility Vehicle" (UTV), "Trail Bike", "Dune Buggy", "Off-Road Motorcycle", and Jeep-type vehicles, – pursuant to Sections 38006, 38010, and 38012 of Division 16.5, "Off-Highway Vehicles" of the California Vehicle Code. This definition applies to off-highway motorized wheeled vehicles that are not licensed for on-highway use as well as highway-licensed vehicles while operated off-highway.

B. The unpaved roads or portions of unpaved roads listed below are a part of the Mono County Maintained Mileage System and are within or connect to rural recreation areas and public lands where off-highway vehicle use is permitted.

C. The unpaved roads or portions of unpaved roads identified below are low volume, low speed, roughly-graded dirt roadways which are minimally maintained. The design and use of

1 these roads allows for the safe operation of both regular vehicular traffic and off-highway
2 vehicle use.

3 **SECTION TWO: Off-Highway Vehicles: Areas Allowed**

4 The following unpaved roads, or portions thereof, are hereby designated as roughly
5 graded roads, pursuant to Section 38001 of Division 16.5, "Off-Highway Vehicles" of the
6 California Vehicle Code upon which Off-Highway Vehicles may be operated at the operator's
7 own risk:

8 **Road District ONE:**

9 **Road #3001, Big Springs Road**

10 **Road #3003, Bald Mountain Road**

11 **Road #3004, Bald Mountain Springs Road**

12 **Road District TWO:**

13 **Road #3028, Adobe Ranch Road**

14 **Road #3029, McGee Canyon Road**

15 **Road District THREE:**

16 **Road #3020, Pilot Springs Road**

17 **Road #3024, Crooked Meadows Road**

18 **Road #3023, Johnny Meadows Road**

19 **Road #3027, Dobie Meadows Road**

20 **Road #3022, Wet Meadows Road**

21 **Road#3021, Logging Camp Road**

22 **Road District FOUR:**

23 **Road #4007, Bodie Road**

24 **Road #4114, Aurora Canyon Road**

25 **Road #4008, Bodie Masonic Road**

26 **Road #5001, Burcham Flat Road**

27 **Road #4020, Masonic Road**

28 **Road #4004, Green Creek Road**

Road #4005, Upper Summers Meadows Road

Road District FIVE:

Road #5011, Eastside Road

Road #5007, Eastside Lane

Road #5017, Lobdell Lake Road

SECTION THREE: This ordinance shall automatically sunset, and shall be of no further force and effect, on October 16, 2017 unless extended by further ordinance of the Board of Supervisors

SECTION FOUR: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby

1 declares that it would have passed this ordinance and every section, subsection, sentence,
2 clause or phrase thereof, irrespective of the fact any one or more sections, subsections,
3 sentences, clauses or phrases be declared unconstitutional or invalid.

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

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

12 **AYES:**
13 **NOES:**
14 **ABSENT:**
15 **ABSTAIN:**

16 _____
17 Stacy Corless, Chair
18 Mono County Board of Supervisors

19 ATTEST:

20 APPROVED AS TO FORM:

21 _____
22 Clerk of the Board

23 _____
24 County Counsel