



# 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 September 4, 2018

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#### TELECONFERENCE LOCATIONS:

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

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

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

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

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

9:00 AM Call meeting to Order

Pledge of Allegiance

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

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

and number of persons wishing to address the Board.)

**2. RECOGNITIONS - NONE**

**3. COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments

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

**4. DEPARTMENT/COMMISSION REPORTS**

**5. CONSENT AGENDA**

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

**A. Board Minutes**

Departments: Clerk of the Board

Approval of Board minutes for the regular meeting of August 7, 2018.

**Recommended Action:** Approve Board minutes for the regular meeting of August 7, 2018.

**Fiscal Impact:** None.

**B. Board Minutes**

Departments: Clerk of the Board

Approval of Board minutes for the regular meeting of August 14, 2018.

**Recommended Action:** Approve Board minutes for the regular meeting of August 14, 2018.

**Fiscal Impact:** None.

**C. Board Minutes**

Departments: Clerk of the Board

Approval of Board minutes for the regular meeting of August 21, 2018.

**Recommended Action:** Approve Board minutes for the regular meeting of August 21, 2018.

**Fiscal Impact:** None.

**D. Claim for Damages - Jennifer Huh**

Departments: Risk Management

Claim for damages filed by Jennifer Huh against the Mono County Office of Education, Superintendent of Schools and Mono County for whistleblower retaliation, violation of Constitutional rights to freedom of speech and privacy, and related claims.

**Recommended Action:** Deny the claim submitted by Jennifer Huh on August 2, 2018, and authorize the Risk Manager to send notice of the denial to Ms. Huh.

**Fiscal Impact:** None.

**E. 2018-19 Appropriations Limit**

Departments: Finance

Proposed resolution establishing the 2018-19 Appropriations Limit.

**Recommended Action:** Adopt proposed resolution #R18-\_\_\_\_, Establishing the 2018-19 Appropriations Limit and making other necessary determinations for the County and for those special districts governed by the Board of Supervisors that are required to establish appropriation limits.

**Fiscal Impact:** None.

**F. 2018-19 Property Tax Rates**

Departments: Finance

Proposed resolution establishing the 2018-19 tax rates on the secured roll.

**Recommended Action:** Adopt proposed resolution R#18-\_\_\_\_, Establishing the 2018-19 tax rates on the secured roll. Provide any desired direction to staff.

**Fiscal Impact:** None. Allows for the collection of voter approved debt.

**G. Resolution to Authorize Mono County's Participation in Homeless Mentally Ill Outreach and Treatment Funding**

Departments: Behavioral Health

Proposed resolution to authorize Mono County Behavioral Health to Participate in the one-time Homeless Mentally Ill Outreach and Treatment funding opportunity available as a result of Senate Bill (SB) 840.

**Recommended Action:** Adopt proposed resolution R18-\_\_\_\_, Resolution Authorizing Mono County's Participation in Homeless Mentally Ill Outreach and Treatment Funding

**Fiscal Impact:** No fiscal impact to the general fund. Provides up to \$100,000 of one-time state funding for Mono County Behavioral Health.

**H. Onsite Wastewater Treatment System Ordinance**

Departments: Environmental Health

Proposed Onsite Wastewater Treatment System ordinance superseding and replacing Chapter 14.04 of the Mono County Code.

**Recommended Action:** Adopt proposed ordinance ORD18-\_\_\_\_, Superseding and replacing Chapter 14.04 of the Mono County Code in its entirety to implement new regulations consistent with the California Statewater Resources Control Board's water quality control Policy for siting, design, operation and maintenance of onsite wastewater treatment systems.

**Fiscal Impact:** None.

**I. Approve Mammoth Community Water District's Amended Conflict of Interest Code**

Departments: Clerk of the Board

All local government agencies are required by state law to adopt their own conflict-of-interest codes and to review such codes once every two years. However, a local agency should amend its conflict-of-interest code as frequently as circumstances require. As such, the Mammoth Community Water District has amended its 2016 Conflict of Interest Code by Resolution No. 07-19-18-18 to conform to current FPPC recommendations on format and content and to memorialize changes in designated staff positions subject to the code's reporting requirements and other minor changes, and seeks approval of its new Conflict of Interest Code by the Mono County Board of Supervisors, its code-reviewing body.

**Recommended Action:** Approve the new Conflict of Interest Code adopted by the Mammoth Community Water District on July 19, 2018, and direct the Clerk to notify the District's Executive Assistant of the Board's action.

**Fiscal Impact:** None.

**6. CORRESPONDENCE RECEIVED**

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

**A. Trophy Fish Budget Letters**

Departments: Clerk of the Board

Letters to the Board of Supervisors from June Lake Loop Chamber of Commerce and Lake Front Cabins regarding the budget allocation for trophy fish stocking.

**7. REGULAR AGENDA - MORNING**

**A. Proposition 3 Endorsement Request from Sierra Business Council**

Departments: Clerk of the Board

15 minutes

(Chris Mertens, Government Affairs Director at Sierra Business Council) - A presentation by Chris Mertens, Government Affairs Director at Sierra Business Council, about Proposition 3, also known as the Water Supply and Water Quality Act of 2018.

**Recommended Action:** Approve the Mono County Board of Supervisors Resolution R18-\_\_\_\_, In Support of Proposition 3, the Water Supply and Water Quality Act of 2018.

**Fiscal Impact:** None. Passage of Proposition 3 secures a minimum of \$350 million for the Sierra Nevada region, which includes \$250 million to the Sierra Nevada Conservancy.

**B. Community Event Marketing Fund Recipient Report – June Lake Chamber of Commerce**

Departments: Economic Development

10 Minutes

(Ralph Lockhart) - Presentation by Ralph Lockhart of the June Lake Chamber of Commerce regarding the June Lake Winter Festival event, and the beneficial impact of the Community Event Marketing Fund.

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

**Fiscal Impact:** None at this time.

**C. Community Grant Fund Recipient Report – Bridgeport Chamber of Commerce**

Departments: Economic Development

10 Minutes

(Misti Sullivan) - Presentation by Misti Sullivan of the Bridgeport Chamber of Commerce regarding three events in the Bridgeport Valley, and the beneficial impact of the Community Event Marketing Fund, as well as the Performing & Visual Arts Grant.

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

**Fiscal Impact:** None at this time.

**D. Community Event Marketing Fund Recipient Report – Northern Mono Chamber of Commerce**

Departments: Economic Development

10 Minutes

(Pam Hamic) - Presentation by Pam Hamic of the Northern Mono Chamber of Commerce regarding three events in the Antelope Valley, and the beneficial impact of the Community Event Marketing Fund.

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

**Fiscal Impact:** None at this time.

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

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

**9. CLOSED SESSION**

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

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

**B. Closed Session - Existing Litigation**

Departments: County Counsel

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: U.S.A. et al. v. Walker River Irrigation District et al., U.S. Ninth Circuit Court of Appeals, Case No. 15-16478 (and related cases).

**Recommended Action:**

**Fiscal Impact:**

**C. Closed Session - Performance Evaluation, County Administrative Officer**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

**D. Closed Session - Public Employment, Public Works Director**

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Public Works Director.

**10. BOARD MEMBER REPORTS**

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

**ADJOURN**



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** September 4, 2018

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT** Board Minutes

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### AGENDA DESCRIPTION:

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

Approval of Board minutes for the regular meeting of August 7, 2018.

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### RECOMMENDED ACTION:

Approve Board minutes for the regular meeting of August 7, 2018.

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### FISCAL IMPACT:

None.

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**CONTACT NAME:** Scheereen Dedman

**PHONE/EMAIL:** 5538 / sdedman@mono.ca.gov

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### SEND COPIES TO:

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### MINUTE ORDER REQUESTED:

YES  NO

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### ATTACHMENTS:

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[8-7-18 Draft Minutes](#)

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### History

Time	Who	Approval
8/30/2018 5:46 AM	County Administrative Office	Yes
8/29/2018 6:01 PM	County Counsel	Yes
8/30/2018 7:54 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  
August 7, 2018**

<b>Flash Drive</b>	<b>Board Room Recorder</b>
<b>Minute Orders</b>	<b>M18-155 – M18-169</b>
<b>Resolutions</b>	<b>R18-43 – R18-48</b>
<b>Ordinance</b>	<b>ORD18-13 Not Used</b>

9:04 AM Meeting Called to Order by Chair Gardner.  
*Supervisors Present: Corless, Gardner, Halferty, Peters, and Stump.*

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 Halferty.

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

**Phil Kiddoo, Air Pollution Control Officer, Great Basin Unified Air Pollution Control District:**

- Provided update on smoke conditions in Mono County.
- Advised people to go to the website to see hourly conditions - <https://www.gbuapcd.org>.
- Encouraged Board to send constituents to the GBUAPCD office if they have concerns.

**2. RECOGNITIONS - NONE**

**3. COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments

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

**Leslie Chapman, CAO:**

- A committee has been formed to study medicine-assisted treatment in our jails. Trying to be more sensitive towards mental illness in our jails. Going to Sacramento next

**Note:**

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

Tuesday, to get more information, to become more educated on the topic to see what Mono County can do.

- Talked to the Economic Development Director about the smoke and its impacts to the local economy. Looking into outreach and other solutions.
- Looking into SBA Loans – loans available for businesses that have had a loss of revenue. Need the gov to make a statewide emergency declaration.
- Working on the budget - asked Board to email all requests as soon as possible.

**Tony Dublino, Assistant CAO:**

- Flood in Chalfant on 7/19. Coordinated with LADWP to make repairs.
- Rock slides in Lundy Canyon. Coordinated with USFS. Disaster meeting cancelled because it was determined that it could be handled with available resources.
- Fires – worked with Chief Frievalt to get information to the Board.
- Assigned staff to Incident Management Team – Dustlyne Beavers, Public Health, stepped up to help.
- McFlex Parcel - moving forward.
- Grand Jury response drafted.
- Working on the Capital Improvement Program.
- Recreation – June Lake pavers project; Lee Vining trail.
- Reviewing the more than 80 applications received for the Eastern Sierra Recreation Coordinator position.
- Grazing management plan for Conway Ranch; Fatal accident on 395, ended up on Conway Ranch.
- State has issued draft permanent regulations on cannabis. Comment period is now open, closes at end of August, last opportunity for Board to supply comment is 8/21 meeting. State has moved to allow deliveries state-wide – contrast our regulations. RCRC has drafted a letter in opposition to this position specifically.

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

**Janet Dutcher, Finance Director:**

- Open.gov will be in the County next Thursday, Training scheduled. Morning session in Bridgeport, afternoon in Mammoth.

**Sheriff Braun:**

- Update of Search and Rescue incidents.
- Saturday, Shop with a Cop.
- Supervisor Stump: Thanked her for attending Larry Johnston's celebration, former-Deputy March's memorial

**Amber Hise, WIC Director:**

- Breastfeeding Week, August 1-7; August is Breastfeeding Awareness Month.
- Upcoming wellness relay.

#### **5. CONSENT AGENDA**

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

##### **A. Board Minutes**

Departments: Clerk of the Board

Approval of the minutes from the regular Board meeting on July 3, 2018.

**Note:**

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

**Action:** Approve the minutes from the regular Board meeting on July 3, 2018.  
**Peters moved; Corless seconded**  
**Vote: 5 yes; 0 no**  
**M18-155**

**B. Board Minutes**

Departments: Clerk of the Board

Approval of the minutes from the regular Board meeting on July 10, 2018.

**Action:** Approve the minutes from the regular Board meeting on July 10, 2018.  
**Peters moved; Corless seconded**  
**Vote: 5 yes; 0 no**  
**M18-156**

**C. Board Minutes**

Departments: Clerk of the Board

Approval of the minutes from the regular Board meeting on July 17, 2018.

**Action:** Approve the minutes from the regular Board meeting on July 17, 2018.  
**Peters moved; Corless seconded**  
**Vote: 5 yes; 0 no**  
**M18-157**

**D. Quarterly Investment Report**

Departments: Finance

Investment Report for the Quarter ending 6/30/2018.

**Action:** Approve the Investment Report for the Quarter ending 6/30/2018.  
**Peters moved; Corless seconded**  
**Vote: 5 yes; 0 no**  
**M18-158**

**E. Monthly Treasury Transaction Report**

Departments: Finance

Treasury Transaction Report for the month ending 6/30/2018

**Action:** Approve the Treasury Transaction Report for the month ending 6/30/2018.  
**Peters moved; Corless seconded**  
**Vote: 5 yes; 0 no**  
**M18-159**

**F. 2018 WIC Contract Amendment #15-10093 A03**

**Note:**

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

Departments: Public Health

Proposed Standard Agreement Amendment with California Department of Public Health (CDPH) Women, Infants, and Children (WIC) Program pertaining to Contract #15-10093 A03.

**Action:** Approve County entry into proposed contract amendment and authorize Board Chairman to execute said contract on behalf of the County by signing the following: 2 copies of Standard Agreement Amendment (STD 213A); 1 copy of California Civil Rights Laws Attachment (DGS OLS 04).

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-160**

#### **G. Agreement for Legal Services for Mono County Childcare Council**

Departments: County Counsel

Proposed contract with Mono County Childcare Council pertaining to the provision of legal services by the Office of the County Counsel.

**Action:** Approve County entry into proposed contract and authorize Chair to execute said contract on behalf of the County.

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-161**

#### **H. Amendment and Extension of Contract with Willdan Engineering-Interim Director of Public Works**

Departments: CAO

Proposed contract with Willdan Engineering pertaining to Interim Director of Public Works services.

**Action:** Approve entry and authorize CAO to extend contract with Doug Wilson of Willdan Consulting, for the provision of Interim Director of Public Works Services.

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-162**

#### **I. Approval of Two New Positions in the Behavioral Health Department**

Departments: Behavioral Health

Proposed resolution amending the County List of Allocated Positions to include 2 new positions in the Behavioral Health Department.

**Action:** Consider and potentially adopt R18-43, A Resolution of the Mono County Board of Supervisors authorizing the County Administrative Officer to

**Note:**

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amend the County of Mono List of Allocated Positions to add one (1) .60 Case Manager I Position, and one (1) Office Assistant I/II Position, in the Behavioral Health Department.

**Stump moved; Halferty seconded**

**Vote: 5 yes; 0 no**

**R18-43**

**Supervisor Stump:**

- Asked that the item be pulled.

**Robin Roberts, Behavioral Health Director:**

- No general fund monies.

## **J. Consolidation of Elections - Antelope Valley Fire Protection District**

Departments: Elections

The Antelope Valley Fire Protection District has requested that its Special Election on the imposition of a special tax on each parcel of land within the boundaries of the District to pay for fire protection services be consolidated with the 2018 Statewide General Election on November 6, 2018, and that the Mono County Elections Division conduct the election and canvass the returns.

**Action:** Adopt Resolution R18-44, Approving the Antelope Valley Fire Protection District's Request to Consolidate its Special Election with the November 6, 2018 Statewide General Election.

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**R18-44**

## **K. New Hire for Public Safety Officer I at C Step**

Departments: Sheriff

On July 2, 2018, a new employee was hired as a PSO I. This employee has three years of experience as a Police Officer in the state of Nevada and possesses a Nevada Basic POST Certificate. The combination of law enforcement experience and training make this employee overqualified for the entry level, and therefore we are requesting a starting salary at Step C.

**Action:** Approve moving New Public Safety Officer from Step A to Step C.

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-163**

## **L. Appointment of Supervisor Halferty to Eastern Sierra Transit Authority Board**

Departments: Clerk of the Board

Appointment of Supervisor Halferty to the Eastern Sierra Transit Authority Board

**Note:**

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

of Directors, to replace Kirk Stapp.

**Action:** Appoint Supervisor Halferty to the Eastern Sierra Transit Authority Board of Directors.

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-164**

#### **M. Sierra Center Mall Estoppel Certificate**

Departments: CAO, County Counsel

Tenant estoppel certificate for Sierra Center Mall.

**Action:** Authorize Board Chair to sign estoppel certificates.

**Corless moved; Peters seconded**

**Vote: 5 yes; 0 no**

**M18-165**

**Stacey Simon, County Counsel:**

- Explained item. Requesting the estoppel in conjunction with refinance of the building. There are two different certificates. Requesting Board to approve the one in the packet and the new one that came in on Friday.
- Amendments as exhibits (additional documents).

#### **N. Reclassification of Vacant Administrative Services Specialist to Fiscal and Administrative Services Officer**

Departments: Public Works

Proposed resolution authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to add one fiscal and administrative services officer and delete one Administrative Services Specialist in the Department of Public Works.

**Action:** Adopt proposed resolution R18-45, Authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to add one fiscal and administrative services officer and delete one Administrative Services Specialist in the Department of Public Works.

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**R18-45**

### **6. CORRESPONDENCE RECEIVED**

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

#### **A. California Secretary of State Thank You Letter**

Departments: Elections

**Note:**

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

A letter from the California Secretary of State thanking Shannon Kendall, Mono County Registrar of Voters, for a successful June Primary Election and participating in the Election Observation Program.

## **B. Agricultural Commissioner's Office Department Update August 2018**

Departments: Clerk of the Board

August 2018 department update from the Counties of Inyo and Mono Agricultural Commissioner's Office.

### **Supervisor Stump:**

- First part of report has to do with irrigation issue being discussed today.
- Would like to cross reference the first part of the report into item 7c – available in additional documents for item 7c.

## **7. REGULAR AGENDA - MORNING**

### **A. Employment Agreement for Community Development Director**

Departments: Human Resources

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

**Action:** Announce Fiscal Impact. Approve Resolution #R18-46, Approving a contract with Wendy Sugimura as Community 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.

**Fiscal Impact:** The cost for this position for the remainder of FY 2018-2019 (August 6, 2018 through June 30, 2019) is approximately \$184,672 of which \$109,000 is salary, and \$75,672 is the cost of the benefits and was included in the approved budget.

**Stump moved; Corless seconded**

**Vote: 5 yes; 0 no**

### **R18-46**

**Dave Butters, Human Resources Director:**

- Introduced item.

Fiscal impact announced by Chair Gardner.

### **B. Resolution for Sale of 71 Davison, Mammoth Lakes, CA**

Departments: Behavioral Health

Proposed resolution declaring the County's intention to sell property located at 71 Davison Road in Mammoth Lakes, California.

**Action:** Adopt proposed resolution R18-47, Declaring its intention to sell certain county-owned surplus real property (APN 031-070-011) and specifying the

#### **Note:**

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terms and conditions of the sale, as amended.

**Stump moved; Halferty seconded**

**Vote: 5 yes; 0 no**

**R18-47**

**Amanda Greenberg, Mental Health Services Act Coordinator:**

- Introduced item, went through presentation (available in additional documents).

**Stacey Simon, County Counsel:**

- September 4 date, there is a conflict between provisions that authorize the County to sell property and provisions that requires the County to give notice to developers of low-income affordable housing. The County must provide notice for three weeks in a newspaper of general circulation and post it for the same period. Developers have 60 days to notify the County.
- Recommends a revision to put the date out to October 9, to put the County past the 60-day window.
- Reduced price to \$150,000.
- Moves forward with the for market sale but contains language that states that the County will also entertain bids pursuant to a government code that allows the County to sell at below-market rates for affordable housing to qualified proposers.

**Leslie Chapman, CAO:**

- Where the proceeds go will need to be discussed as a separate agenda item, recommends after the sale.

**Supervisor Halferty:**

- Davison Road, not Davison Street.

*Break: 9:59 AM*

*Reconvene: 10:12 AM*

### **C. Los Angeles Department of Water and Power Removal of Water from Little Round and Long Valleys**

Departments: Various

(Staff ) -

**Item 1:** Staff presentation on the County's attempts to work collaboratively with the Los Angeles Department of Water and Power (LADWP) to address negative impacts to environmental, aesthetic, recreational, agricultural, economic and other resources in Mono County resulting from LADWP's reduction in water to approximately 6,400 acres of wetland and meadow habitat in Long Valley and Little Round Valley this summer. Proposed letters to LADWP Board of Commissioners President Mel Levine and Los Angeles Mayor Eric Garcetti regarding same.

**Item 2:** Staff presentation and public comment on current conditions in the Long Valley and Little Round Valley areas, discussion of next steps and direction to staff.

**Action:**

**Item 1:**

**1A.** Approve proposed letter to LADWP Commission President Mel Levine

**Note:**

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



correcting inaccurate information contained in various communications regarding this issue; provide any desired direction to staff.

**1B.** Approve proposed letter to Los Angeles Mayor Eric Garcetti thanking him for his attempts to encourage a negotiated solution with LADWP but informing him that the negotiations between the County and LADWP have ended without Mono County's concerns having been addressed; provide any desired direction to staff.

**Item 2:**

**2A.** Continue outreach to elected officials, agencies and others to further a political/collaborative solution;

**2B.** Continue participation with interested parties including environmental organizations, recreational groups, wildlife agencies, state and federal representatives, ranchers and others to coordinate efforts in response to LADWP's actions;

**2C.** Pursue state and/or federal legislation restraining LADWP's actions in Mono County to protect the natural environment and related Eastern Sierra values;

**2D.** Pursue the development of a long-term water management plan for Long Valley and Little Round Valley which is based on sound science and protects environmental and other Eastern Sierra values; and/or

**2E.** File litigation against LADWP to restrain LADWP's actions this year and prevent further harm.

**Peters moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-166**

**Stacey Simon, County Counsel:**

- Introduced item.

*Break: 10:17 AM*

*Reconvene: 10:18 AM*

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

- The date LADWP will turn off water is August 14.

**Public Comment:**

Jeff Dozier, Friends of the Inyo

Deborah Lurie, Friends of the Inyo

Elizabeth Dobbs, McGee Creek

Clarence Martin, LADWP Aqueduct Manager

Gary Nelson, Mono City

Patti Novak-Echenique, Joe Echenique Livestock, Cain Ranch presentation (available in additional documents)

Matt Kemp, Inyo / Mono Lessee

Chris Long, Economic Development, Tourism, and Film Commission

Kay Ogden, Eastern Sierra Land Trust

Lisa Cutting, Mono Lake Committee

April Sall, Bodie Hills Conservation Partnership

Mark Lacey, Lacey Livestock

Dieter Fiebiger

**Note:**

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

*Break: 11:43 AM*  
*Reconvene: 11:52 AM*

Phillip Kiddoo, Great Basin Unified Air Pollution Control District Air Pollution Control Officer  
Lynn Boulton, Range of Light Group, Sierra Club  
Chris Bumbar, Business Owner  
Jillian Filkey, Irvine CA  
Sharon Grike – Westerbly, Bridgeport  
Mary Roper, Owens Valley Committee  
Matt McClain, Town of Mammoth Lakes Recreation Executive Director  
Fran Hunt, Sierra Club  
Steve Nelson, BLM

Ron Day, Long valley, RPAC, Fire Commissioner  
Pam Kobylarz, Assistant Town Manager  
Tina Braithwaite, Chair Benton Paiute Tribe  
Tony Taylor, Passport President Eastern Sierra Land Trust  
David McMullen, Berkeley

*Break 1:10 PM*  
*Reconvene: 1:18 PM*

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

No one spoke.

**9. CLOSED SESSION at 1:19 PM**

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

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

**B. Closed Session -- Anticipated Litigation**

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

**C. Closed Session -- Workers' Compensation**

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Workers'

**Note:**

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

compensation claim of Arturo Torres.

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

*Reconvene at 2:11 PM*

Nothing to report out of Closed Session.

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

No one spoke.

**11. REGULAR AGENDA - AFTERNOON**

**A. Budget Allocation Transfer**

Departments: Sheriff

(Ingrid Braun) - Request a budget allocation transfer of \$178,000 from the Jail Budget and appropriate \$172,000 from General Fund carryover to fund the Sheriff's Office anticipated excess appropriations of \$350,000 for Fiscal Year 2017-2018.

**Action:** Approve transfer of \$217,000 in appropriations from the Jail Budget and \$100,000 from General Fund carryover to the Sheriff's Office budget for fiscal year 2017-2018.

**Stump moved; Halferty seconded**

**Vote: 5 yes; 0 no**

**M18-167**

**Sheriff Braun:**

- Introduced item.
- Updated amount: \$217,000 from Jail Budget. \$100,000 from General Fund.

**B. Approve Contract with Price, Paige & Company for Audit Services**

Departments: Finance

(Janet Dutcher) - Proposed contract with Price Paige & Company pertaining to audit services from August 1, 2018 to March 31, 2023, for a total amount not to exceed \$403,015.

**Action:** Approve County entry into proposed contract and authorize Board Chair to execute said contract on behalf of the County.

**Stump moved; Peters seconded**

**Vote: 5 yes; 0 no**

**M18-168**

**Janet Dutcher, Finance Director:**

- Introduced item.

**C. Approval of Contract with Roebelen Construction for the Design-Build Construction of a Civic Center on the McFlex Property**

**Note:**

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

Departments: CAO

(Tony Dublino) - Proposed contract with Roebbelen Contracting, pertaining to the Design-Build of a Mono County Civic Center building in Mammoth Lakes.

**Action:** Approve County entry into proposed contract and authorize Chair to execute said contract on behalf of the County.

**Corless moved; Halferty seconded**

**Vote: 5 yes; 0 no**

**M18-169**

**Tony Dublino, Assistant CAO:**

- Introduced item.

**Bryan Todd, Vice President, Roebbelen Construction:**

- Answered questions regarding the project.

#### **D. Resolution Declaring County's Intent to Reimburse Itself for Capital Costs**

Departments: Finance, CAO, County Counsel

(Janet Dutcher) - Proposed resolution of the Board of Supervisors of Mono County Declaring Its Official Intent to Reimburse Itself for Certain Capital Costs from the Proceeds of Long-Term Debt.

**Action:** Adopt proposed resolution #R18-48, Declaring Its Official Intent to Reimburse Itself for Certain Capital Costs from the Proceeds of Long-Term Debt. Provide any desired direction to staff.

**Halferty moved; Corless seconded**

**Vote: 5 yes; 0 no**

**R18-48**

**Janet Dutcher, Finance Director:**

- Introduced item.

#### **12. BOARD MEMBER REPORTS**

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

**Supervisor Corless:**

- YARTS—hosted meeting and agency staff in Mammoth but no quorum, will continue the meeting. Looking to implement fare increase.
- Collaborative Planning Team—Filled in for Supervisor Gardner, discussion of DWP Long Valley issue, agency updates, introduction of Jan Cutts, new Bridgeport District Ranger.
- Lions Fire Community Meeting/Ongoing Fire Discussions: Fielding many questions from concerned residents, would like to consider holding a future meeting with Forest Service fire managers/decision makers in order to better understand decision-making (when there is room for such management decisions and consideration of management for resource benefit), where local government input fits in, especially regarding public health impacts.
- Community Corrections Partnership Executive Committee—budget recommendations made, including funding for jail project.
- Mammoth Lakes Housing: Discussion of Executive Director position, staff

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recommendation to appoint Patricia Robertson as permanent ED—board decided to consider this recommendation further at a special meeting. Also appointed members to a nomination committee for two open board positions.

**Supervisor Halferty:**

- Attended Lions Fire update at Mammoth lakes forest service auditorium. Forest Service did a great job of having a multitude of people to address concerns. Fire was at about \$5 million at that point, containment has fluctuated. Really appreciate Forest Service doing those type of public outreach events. I feel like we put the fire fighters on defense, want to step back and say thank you to them.
- Mammoth Lakes Housing Board member, encouraging the Board to find some permanent staffing solutions.
- Plan to continue on with the California Coalition. Term up in October of this year, spoken to the Board and believe they will have me continue on.

**Supervisor Gardner:**

- On July 20 I attended a meeting of the Eastern Sierra Transit Authority Board. We have hired an interim Executive Director while we continue to seek a permanent ED. ESTA is struggling with driver shortages, especially in Mammoth, and has addressed this with reduced service in some areas. We are also increasing benefits for drivers to boost recruitment and retention.
- On July 20 I also attended another meeting with the TOML about the joint recreation position. We have numerous applicants for this position and will be selecting a candidate soon. We also have finalized the agreement with the USFS for partnership activities in the future.
- On July 31 I participated in the Economic Development and Tourism Commission meeting with Supervisor Peters. There were several important topics discussed, including the LADWP dewatering issue and the Mono County budget.
- On Aug. 1 I attended the Fish Commission meeting, again with Supervisor Peters. There was a spirited discussion about fish stocking and the County budget.

**Supervisor Peters:**

- 18<sup>th</sup> BCOC
- 19<sup>th</sup> IMACA
- 31<sup>st</sup> Tourism Commission
- Topaz Appreciation Dinner
- 1<sup>st</sup> Fisheries Commission
- 2<sup>nd</sup> AV RPAC
- 6<sup>th</sup> Jan Cutts, Bridgeport District Ranger on the HT
- Donnel Fire
- Clear Messaging/Forecasting tools to provide to the public and local Chambers
- Phill Kiddoo Great Basin Air Pollution control Officer Deploying PM Monitors
- Tony Dublino/Brett McCurry Response to BLM's Steve Nelson's request at 7pm Friday Evening 3<sup>rd</sup>
- Brent Green on messaging signage. Truck travel on County Roads with private contractors
- Justin Nalder Working with Walker Recycle Center to help prevent the closure
- Garret Higerd Updates on Airport issues and traffic issues related to the Fog Sealing
- **Upcoming:**
- Working with Sarah Jenkins Founders Day Coordinator to tour the courthouse and take photos as Hank the Founders Day Mascot

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- 14<sup>th</sup> Northern Mono Chamber
- Hospice Fundraiser Luau Dinner Saturday Night 11th

**Supervisor Stump:**

- 7-18 - Attended the Tri Valley Water Commission meeting. Legislation amending the Commission was signed by the Governor and will go into effect in 2019. Great work by Jason Canger to make this happen.
- 7-19 - Flash flood issues in the North-east side of Chalfant. The area has experience flooding before. One house had to be evacuated which is better than last time. Perhaps after the Hazard Mitigation Plan is finalized some grant money can be made available to fund raising homes in the flood plane area to the level that is required for new construction. This would be much less expensive than developing a flood control system which would require, among other things, raising the level of Hwy 6 in certain sections. A thank you to Tony Dublino for his follow up with DWP since the water flooding the community was coming off their land. It starts on Forest Service land, transitions to BLM, and then to DWP. All these agencies say it is not their problem.
- 7-21 - Attended the memorial for Larry Johnston. Nice tributes to Larry. He was truly remarkable and his skill set is a loss to the entire area. Thank you to Supervisor Corless for obtaining and reading a resolution in Larry's honor from the California legislature. Thank you also to former Supervisor Alpers for attending and speaking. Sheriff Braun also attended. Larry, although he represented a District entirely in the Town, understood all County issues and was genuinely concerned for all County residents.
- 7-24 - Attended the first portion to the Environmental Group Roundtable to discuss the DWP dewatering in Long Valley issue. Made some opening comments. Thank you to Stacy Simon and Jason Canger for also attending.
- 7-24 - Met with the a representative of the new Auditing Company conducting audits of the Special Districts. Gave me an opportunity to advise the new firm that if information is required from small special districts the key to success is to ask for the information early.
- 7-24 - Attended the CSA 1 meeting. As the CSA transitions away from focus on the Skate Park the Board has adopted a "lets maintain what we have" philosophy. This will include repairs needed to the Crowley Community Center building and grounds. Public Works has prepared a list of what those projects are. There is an opening on the CSA Board if someone is interested.
- 7-31 - Assisted with the fire response to the two lightning fires that occurred on the North side of Crowley Lake
- Many thank yous this week:
- Supervisor Corless for her partnership on smoke issues.
- Garrett Higerd and Brent McCurry for help with road issues including concerns by those effected by the "fog seal and stripe project".
- Angelle Nolan for help with multiple dog issues.
- Sheriff Braun and Lt. West for attending the memorial of former Deputy March.
- To all the Mono, Inyo County, and City of Bishop staff that are working to support the Owens Valley Groundwater Authority. As Chair of that Board I appreciate all the help making this work.
- Wendy Sugimura and Gerry LeFrancois for their work on an issue involving the Historic Benton Hot Springs.
- Cal Trans, via Garrett Higerd, for all the information about the 395 project in the area of Lower Rock Creek Road so that the Swall and Paradise residents who use that intersection could be advised of lane and access restrictions.
- Thank you to John Rutkowski, former Mono Sheriff Department Detective for over 30 years, for his 24 years of service as a Long Valley Fire Protection District Commissioner. John's last meeting as a Fire Board member was their July meeting. In

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small communities people often need to wear multiple hats to keep things working. As the older generation cycles out of doing that I hope that enough younger folks put themselves forward to do the same.

**ADJOURNED at 3:44 PM**

**ATTEST**

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

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



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** September 4, 2018

**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)

Approval of Board minutes for the regular meeting of August 14, 2018.

**RECOMMENDED ACTION:**

Approve Board minutes for the regular meeting of August 14, 2018.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Scheereen Dedman

**PHONE/EMAIL:** 5538 / sdedman@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">8-14-18 Draft Minutes</a>

**History**

Time	Who	Approval
8/30/2018 5:37 AM	County Administrative Office	Yes
8/29/2018 6:05 PM	County Counsel	Yes
8/30/2018 7:54 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  
August 14, 2018**

<b>Flash Drive</b>	<b>Board Room Recorder</b>
<b>Minute Orders</b>	<b>M18-170 – M18-172</b>
<b>Resolutions</b>	<b>R18-49 – R18-51</b>
<b>Ordinance</b>	<b>ORD18-13 Not Used</b>

9:01 AM Meeting Called to Order by Chair Gardner.  
*Supervisors Present: Corless, Gardner, Halferty, Peters, and Stump.*

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 Peters.

Supervisor Gardner asked that this meeting be adjourned today in the memory of Peter Marzano.

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

No one spoke.

**2. RECOGNITIONS - NONE**

**3. COUNTY ADMINISTRATIVE OFFICE**

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

**Tony Dublino, Assistant CAO:**

- Covering for Leslie today, she is at Seminar for Medical assisted treatment in our jails.

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- EMS negotiations.
- Several meetings with department heads regarding implementation of the salary survey.
- Civic center project / jail project meetings.

#### 4. DEPARTMENT/COMMISSION REPORTS

**Garrett Higerd, Engineer:**

- County wide Fog Seal project. First SB1 funded project. \$650,000 budget. Sealing and striping 46 miles of road around Mono County.
- Supervisor Stump: Chance to look at damage on Crowley Lake drive post project?
- Will have separate contractor look into it.
- Consent item, Upper Summer Meadows.
- Supervisor Peters: Stop sign areas not sealed.

**Barry Beck, Assessor:**

- Assessment Role Turnover.
- California Assessors Association (CAA) has requested help from the Board of Supervisors. Lack of uniformity among California counties for assessment appeals.

#### 5. CONSENT AGENDA

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

##### A. 2018 Gran Fondo Road Closures

Departments: Public Works

The Department of Public Works received a request from the Mammoth Mountain Community Foundation to close certain county roads in the Mono Lake and Long Valley areas in conjunction with special events planned for the 2018 Mammoth Gran Fondo Bike Ride. The Ride is scheduled to take place on September 8, 2018. In response to this request, Public Works proposes to close portions of various county roads and State Highway 120 to through traffic to allow safe travel for participants.

**Action:** Adopt proposed resolution R18-49, Authorizing the Closure of County Roads to Thru Traffic in the Mono Lake and Long Valley Areas for the 2018 Mammoth Gran Fondo Bike Ride.

**Corless moved; Halferty seconded**

**Vote: 5 yes; 0 no**

**R18-49**

##### B. Contract Approval - Upper Summers Meadow Road Bridge Guardrail Project

Departments: Public Works

The Project will complete the Upper Summers Meadow Road Emergency Bridge Project. The installation of guardrails is necessary to permanently protect the bridge structure and provide for public safety. Currently, temporary

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concrete k-rails are being used as guardrails for the bridge. The Project manual (contract documents, special provisions, technical specifications, and plan set) were approved at the Board Meeting on July 17, 2018. One bid was received for the Project prior to the August 2, 2018 submission deadline. A budget increase of \$7,555 is necessary to appropriate enough funds to service this proposed contract.

**Action:** (1) Identify Coral Construction Company, Inc. as the responsible bidder submitting the lowest responsive bid in response to the Invitation for Bids for the Upper Summers Meadow Road Bridge Guardrail Project (“Project”); (2) approve and execute a contract with Coral Construction Company for the Project in an amount not to exceed \$57,555.00; (3) authorize the Public Works Director to administer the contract, including making minor amendments to the contract as deemed necessary by the Public Works Director and County Counsel and issuing change orders to the contract pursuant to Public Contract Code §20142 in an amount not to exceed \$5,255.50 per change order, provided such amendments and change orders do not substantially alter the scope of work, do not cause spending on the project to exceed the budgeted authority, and are approved by County Counsel; (4) approve increase in appropriations of \$12,555 in the Disaster Assistance fund offset with an increase in revenue of \$9,

**Halferty moved; Peters seconded**

**Vote: 5 yes; 0 no**

**M18-170**

**Supervisor Stump:**

- Pulled item.

**Garrett Higerd, Engineer:**

- Explained the options for guard rails.

**Janet Dutcher, Finance Director:**

- Explained funding source.

## **6. CORRESPONDENCE RECEIVED - NONE**

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

## **7. REGULAR AGENDA – MORNING**

Addition of Urgency Board item.

Information came to a Board member yesterday, requires action prior to August 21.

*The Board determines that there is a need to take immediate action with respect to the proposed agenda item (Initiation of Litigation), that the need for Action came to the County’s attention subsequent to the agenda being posted and therefore, that the Board add the item to the agenda. Authority: Govt. Code 54954.2 (b)(2). Note that urgency items may only be added to the agendas of*

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*regular meetings, not special meetings.*

**Stump moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-171**

## **A. EMS Revenue Enhancement Workshop**

Departments: EMS

(Chris Mokracek) - Chief Mokracek will present a variety of revenue enhancement and efficiency ideas for the EMS Department.

**Action:** Receive presentation by EMS staff. Provide direction to staff to pursue any or all ideas to increase revenue.

**Chris Mokracek, EMS Chief:**

- Introduced item, went through presentation.

## **B. EMS Proposed Fee Schedule 2018/19**

Departments: Paramedics

(Chris Mokracek) - Public hearing to consider adoption of resolution to increase various fees charged by Mono County for providing emergency medical services.

**Action:** Consider and potentially adopt resolution R18-50, Adopting Fee Schedule for Emergency Medical Services for Fiscal year 2018-2019.

**moved; seconded**

**Vote: 5 yes; 0 no**

**R18-50**

**Public Hearing Opened: 10:10 AM**

**Chris Mokracek, EMS Chief:**

Introduced item.

Effective July 1, 2018 to June 30, 2019.

Public Comment 10:22 AM

**Patti Hamic – Christensen:**

- Can you charge non-residents a higher rate?
- If you are already having difficulty collecting fees, will this increase the percentage of uncollected fees?

**Public Hearing Closed: 10:32 AM**

Board wants a higher increase to be considered using the appropriate process as part of the previous item, 7a.

*Break: 10:44 AM*

*Reconvene: 10:52 AM*

## **C. 5-Year Capital Improvement Program**

**Note:**

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Departments: CAO, Public Works, IT

(Tony Dublino) - Workshop to consider capital improvement program process, review current programming and scheduling of projects, and consider the financial resources and staffing requirements to complete and deliver these projects.

**Action:** Receive workshop, consider process and current programming of projects, and provide any direction to staff.

**Tony Dublino, Assistant CAO:**

- Went through presentation (available in Additional documents).

**Janet Dutcher, Finance Director:**

- Budget Overview.

**Patti Hamic-Christensen:**

- RPAC Member.
- Desire to have certain things in the community repaired.
- Held community focus groups.

**Steve Noble, CSA #5 Chair:**

- Has lots of projects he's working on.
- Funds are available, but never have the personnel.

**Gene Kinum, Bridgeport RPAC:**

- Arch project.
- Survey to determine community support for this project (additional documents).

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

**Patti Hamic -Christensen:**

- President Northern Mono County Hospice.
- Provided update. Handed out brochures (additional documents)

## 9. CLOSED SESSION at 12:32 PM

### A. Closed Session--Human Resources

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

### B. Closed Session -- Existing Litigation

**Note:**

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CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.  
Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Administrative Citation - Case No. 2016/026: Gloria Ma.

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

*Reconvene: 1:39 PM*

Direction confirmed to initiate litigation against the Los Angeles Department of Water and Power related to the reduction in irrigation water in Long Valley and Little Round Valleys.

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

No one spoke.

**11. REGULAR AGENDA - AFTERNOON**

**A. On-Site Wastewater Treatment Systems Ordinance**

Departments: Health

(Louis Molina) - An ordinance amending Chapter 14.04 of the Mono County Code, in order to implement the onsite wastewater treatment systems (OWTS) policy and local agency management program (LAMP), to synchronize the provisions set forth in the OWTS policy and the LAMP approved by the Regional Water Board.

**Action:** Introduce, read title, and waive further reading of proposed ordinance ORD18-\_\_\_, Superseding and replacing in its entirety Chapter 14.04 of the Mono County Code.

**Corless moved; Peters seconded**

**Vote: 5 yes; 0 no**

**M18-172**

**Louis Molina, Environmental Health Director:**

- Introduced item.
- On May 15 came before Board on OWTS.
- May 23 item on consent agenda, LAMP. Approved.
- Took LAMP to lahontan, on July 19, approved.
- Brings us to this step. Coordination of new Ord that ties in with that Lamp. Current ord is vague.

**B. Sale of Tax-Defaulted Property**

Departments: Finance

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

**Action:** Approve resolution R18-51, Approving the sale of tax-defaulted

**Note:**

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property subject to the power of sale.

**Stump moved; Halferty seconded**

**Vote: 5 yes; 0 no**

**R18-51**

**Gerald Frank, Assistant Tax Collector / Treasurer:**

- Went through item.
- County could retain some properties.

### **C. Brown Act Refresher - Exception to Definition of a Meeting**

Departments: County Counsel

(Stacey Simon) - Presentation regarding Ralph M. Brown Act exception for attendance by Supervisors at conferences, community meetings that are open to the public, meetings of other local agencies that are open to the public and/or social or ceremonial occasions, and for attendance by Supervisors as observers at meetings of Board of Supervisors' standing committee meetings.

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

**Stacey Simon, County Counsel:**

- Introduced item.
- Chart is a cheat sheet, spells out frequent exceptions.

## **12. BOARD MEMBER REPORTS**

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

**Supervisor Corless:**

- ESTA/Old Mammoth Transit: Thank you to ESTA board for supporting the staff recommendation to restart the Old Mammoth limited bus route to accommodate the needs of MUSD students. We had a meeting with neighborhood residents, ESTA/town/water district/school district staff to talk about short and long-term solutions. For now, bus will make one morning and one afternoon run. Longer term, need to look at options for Red Line bus route extension. The proposed/discussed bus turnaround at Woodman will not be approved by the water district (property owner). ESTA and town staff will work on next steps. Thanks to all for participating.
- Local Transportation Commission: EV charging station presentation, need for unified approach to access, funding. SB1 project list, Prop 6 discussion: need for clear understanding of projects and benefits. ESTA: introduced new interim Executive Director Joe Rye, approved ESTA project list for SB1 funding.
- Mill City Cabin Tract CERCLA Meeting: Update from Inyo National Forest on the closure of the Mill City cabin tract due to high levels of mercury, arsenic and other toxins from mining processing. No good news, cleanup is delayed and cabin owners don't have use of their cabins—however, Forest Supervisor Tammy Randall-Parker took a much more sympathetic approach to their plight.

**Supervisor Gardner:**

- Last Tuesday evening on the 7<sup>th</sup> I attended a meeting in Bishop about the Inyo National Forest Management Plan. A draft version of the plan is now available for comment.

**Note:**

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The comment period will be open through early October. The County may want to review the plan and decide what course to take.

- On Wednesday I attended the Board meeting of the June Lake Public Utility District. The Board is in the process of considering an increase in water and sewer rates. They are pursuing this increase based on the process required by law.
- That same evening, I attended a Caltrans workshop in Lee Vining on the proposed Rehabilitation project for the Lee Vining 95 corridor. They have completed of survey and received many comments from both Lee Vining residents and visitors. Caltrans is doing an excellent job reaching out for input on this project.
- On Friday the 10<sup>th</sup> I attended a meeting of the Eastern Sierra Transit Authority Board. ESTA continues to struggle with driver shortages, especially in Mammoth, and has addressed this with reduced service in some areas. We are also increasing benefits for drivers to boost recruitment and retention.
- On Saturday the 11<sup>th</sup> I did trail work with several volunteers at Convict Lake as part of the MLTPA and FOI Trails Day. We cleaned out part of the boardwalk on the trail that had been filled with runoff from last winter and recent rains.
- Finally, last night I joined others in Lee Vining at the Mono basin Fire Safe Council. The Council is getting more organized and will be pursuing fire prevention activity in the area.

**Supervisor Halferty:**

- Attended Town of Mammoth Lakes meeting yesterday. Informative, good solutions. Staff has some things to come back to.
- Tomorrow, August 15, The Parcel – formerly known as Shady Rest – action and direction is being requested. A contract with a consultant to create development scenarios including an analysis for market rate housing.
- Attended a meeting yesterday, August 13, on the Old Mammoth transit route.
- Celebration of Life for Bill Taylor August 26<sup>th</sup> Mono Lake County Park. Moonlight walk.

**Supervisor Peters:**

- 9<sup>th</sup> Recycling Center
- 10<sup>th</sup> Leslie Budget and Gene Arch
- 11<sup>th</sup> Hospice Fundraiser
- 13<sup>th</sup> LTC
- Donnell Fire Impacts Sept 1<sup>st</sup> Containment Estimate
- Clear Messaging/Forecasting tools to provide to the public and local Chambers
- **Upcoming:**
- Monday, November 26 from 9:00 to 10:30 in San Diego. Erin Hannigan (Solano) is the Institute moderator this year and will be moderating this session. I will be inviting Belia Ramos (Napa) and Sue Frost (Sacramento) to join you for this conversation.
- 14<sup>th</sup> Northern Mono Chamber
- 15<sup>th</sup> Jann Cutts

**Supervisor Stump:**

- 8-7: Attended the Wheeler Crest Fire Safe Council Meeting. Topics included the County Hazard Mitigation Plan, DWP dewatering impacts, and road financing and improvement projects.
- 8-10: Spent an hour doing volunteer weed removal at the Crowley Community Center. Much more to be done.
- 8-13: Attended the Local Transportation Commission meeting along with Supervisors Peters and Corless. Good presentation on Electric Vehicle Recharging stations.

**Note:**

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- Thank you to all the staff that worked so hard to prepare for last week's DWP item. Scheereen deserves thanks for her quick action to support presentations and seating.
- Thank you also to the Benton Road Shop crew for their work on the temporary dyke at the edge of Chalfant to help reduce the impact of another, inevitable flood event. Thanks to DWP for letting us do the work on their land.

**Janet Dutcher, Finance Director:**

- Gave update on her experience in the MPA program at CSUN.

**ADJOURNED in honor of Peter Marzano at 2:29 PM**

**ATTEST**

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**BOB GARDNER  
CHAIR OF THE BOARD**

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**SCHEEREEN DEDMAN  
SR. DEPUTY CLERK**



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** September 4, 2018

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT** Board Minutes

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### AGENDA DESCRIPTION:

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

Approval of Board minutes for the regular meeting of August 21, 2018.

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### RECOMMENDED ACTION:

Approve Board minutes for the regular meeting of August 21, 2018.

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### FISCAL IMPACT:

None.

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**CONTACT NAME:** Scheereen Dedman

**PHONE/EMAIL:** 5538 / sdedman@mono.ca.gov

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### SEND COPIES TO:

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### MINUTE ORDER REQUESTED:

YES  NO

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### ATTACHMENTS:

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[8-21-18 Draft Minutes](#)

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### History

Time	Who	Approval
8/30/2018 5:42 AM	County Administrative Office	Yes
8/29/2018 6:07 PM	County Counsel	Yes
8/30/2018 7:55 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, 437 Old Mammoth Rd, Suite Z, Mammoth Lakes, CA 93546

**Regular Meeting  
August 21, 2018**

<b>Flash Drive</b>	<b>Board Room Recorder</b>
<b>Minute Orders</b>	<b>M18-173 – M18-182</b>
<b>Resolutions</b>	<b>R18-52 Not Used</b>
<b>Ordinance</b>	<b>ORD18-13 Not Used</b>

9:03 AM Meeting Called to Order by Chair Gardner.  
*Supervisors Present: Corless, Gardner, Halferty, Peters, and Stump.*

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**

**Patrick Hayes, General Manager, Mammoth Water Community District:**

- Discussed Item 5e, Sierra Nevada Conservancy, fuel reduction.
- At a previous meeting he requested a letter of support, regarding the expansion of a geothermal project, which is a great concern to the water district. Passed the letter on to electorates in Washington.
- Discussed the proposal of a settlement with Great Basin Unified Air Pollution Control District for an outstanding lawsuit for the past four years.

**Rick McCoy, Owner of Boulder Lodge in June Lake:**

- Discussed proposed reduction in Fish Enhancement budget.
- Fishing is his main source of income.
- Suggested that the County raise TOT to get the needed funds.

**2. RECOGNITIONS - NONE**

**3. COUNTY ADMINISTRATIVE OFFICE**

**Note:**

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

## CAO Report regarding Board Assignments

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

### **Leslie Chapman, CAO:**

- 7<sup>th</sup>, Finance Director Dutcher met with Jeff Land and Rudy Salo to discuss COP financing for the Southern Mono Civic Center, the Board will see a presentation today.
- 8<sup>th</sup>, Civic center kickoff meeting, Assistant CAO Tony Dublino presented a plan.
- Jail kickoff planning meeting. Looking closely at timing. Objective is to move the jail project forward, not too quickly, so there isn't too much of a strain on County resources.
- Capital Improvement Plan presentation.
- 8<sup>th</sup> and 9<sup>th</sup>, with Human Resources director Dave Butters, had meetings with most department heads - a first pass with the revision from salary survey.
- 9<sup>th</sup>, met with union representative, one outstanding issue with Deputy Sheriffs Association.
- 15<sup>th</sup> and 16<sup>th</sup>, Coffee with Coworkers.
- Kicked off OpenGov software.
- 17<sup>th</sup>, regular department head meetings. Public Health and Social Services.
- Meeting with Dan Holler, discussed joint concerns and projects.
- Meeting with Fire Chief, and Dan Holler. Incident Management Team - discussed team, next round of trainings.
- 20<sup>th</sup>, Workshop meeting with negotiation team to review some proposals, moving forward with negotiations, long meeting scheduled for the 27<sup>th</sup>.
- Checked in with Tony Dublino regarding the drawings for the Civic Center.
- Meeting with Stacey Simon and Anne Larsen, Public defender contracts.
- Reviewing budget requests for the next iteration of the budget with Finance Director Dutcher. Moving the budget item from the meeting on Sep. 18 to Oct. 2, would like Board feedback. Board gave consensus to move budget item to October 2, 2018 meeting.

## 4. DEPARTMENT/COMMISSION REPORTS

### **Assistant CAO, Tony Dublino:**

- Update on Civic Center project.
- Initial set of plans, schematic drawings, making updates and revisions.
- Meetings with department heads to discuss space planning.

### **Stacey Simon, County Counsel:**

- Mono County filed litigation against Los Angeles Department of Water and Power and the City of Los Angeles on August 15 in Mono County Superior Court, case is pending.

### **Janet Dutcher, Finance Director:**

- Update on OpenGov training.

### **Sheriff Braun:**

- Search and rescue. 1.5 weeks ago, deep into the Minarets. In Madera county. Our new direction is that if they came in from our side, we are going to take the search and rescue, and not waste any time.
- Commander from Madera met with Phil West, to discuss communication and difference between East and West sides of the Sierra.
- Eastside Velo Club cleaned up trash on Benton Crossing from green church to dump road. 700 pounds of trash 20 people picked up. Jeff and Lesley Byberg spearheaded the movement.
- Supervisor Peters: September 16, event to benefit search and rescue program, at Sierra Star Golf Course. Encourages anyone listening to get the word out.

### **Note:**

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- Missing person from Bridgeport, reported overdue for 2 weeks, found in Tuolumne County. Did not survive. It is being handled by Tuolumne.
- Supervisor Gardner: Pending item discussed in past about transferring property from Madera County to Mono County.

**Garett Higerd, Engineer:**

- Fog and Seal project is nearing completion. Finished up Bridgeport, Working on Lundy Road tomorrow. Striping will be completed next week. This is funded by SB1 tax.
- Supervisor Peters: It looks great, lots of positive comments about the work in Bridgeport.

**Karen Humiston, Probation Chief:**

- August 13, multiple entities sent letter to County BOS chastising a few probation departments and courts still charging under Senate Bill 190.
- Mono County is in compliance with SB 190 and have been since January.

**Joe Blanchard, Public Works Supervisor:**

- Skate Park in Crowley, project in process of ending. Paul Roten and Claude Fiddler were instrumental in getting this project completed.
- Hess Solar Pavilion - Grand Opening this weekend on Saturday. Putting up solar panels today.

## 5. CONSENT AGENDA

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

### A. Mono County Response to 2017-2018 Grand Jury Final Report

Departments: CAO

The County is required to respond within 90 days to Grand Jury Reports. The 2017-2018 Grand Jury Final Report was issued in mid-July, and included only one investigation into offices within the County's jurisdiction, which was the annual jail visit. Staff has prepared a response for Board consideration.

**Action:** Approve 2017-2018 Grand Jury Final Report response letter, with any necessary changes.

**Corless moved; Peters seconded**

**Vote: 5 yes; 0 no**

**M18-173**

### B. Multi-Year Contract for Substance Use Disorder/ Drug MediCal Services for Fiscal Years 2017-18 through 2019-20 between Department of Health Care Services and Mono County Behavioral Health Department

Departments: Behavioral Health

Proposed contract with Department of Health Care Services for Substance Use Disorder Services for FY 2017-2018 through 2019-2020.

**Action:** Approve County entry into proposed contract and authorize Behavioral Health Director to execute said contract on behalf of the County.

**Stump moved; Halferty seconded**

**Note:**

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**Vote: 5 yes; 0 no**

**M18-174**

**Supervisor Stump:**

- Pulled item.
- Still a problem with methamphetamines in Benton. Doesn't want to see methamphetamines get lost because opioids are the new target substance.

**Robin Roberts, Behavioral Health Director:**

- Focus on opioids only because there is a medically assisted treatment that works for people using opioids and want help getting off of them. There is not a medical treatment that works for methamphetamines in the same way. These departments are very aware of it and it will not get lost.

**C. Solid Waste Franchise Agreement with Mammoth Disposal Company and D&S Waste, Inc.**

Departments: Public Works - Solid Waste

An updated Primary Franchise Agreement has been proposed with Mammoth Disposal Company and D&S Waste Removal, Inc., pertaining to collection of solid waste from residential and commercial customers in Unincorporated Mono County through December 31, 2022.

**Action:** Approve and sign two franchisee agreements for the collection and disposal of solid waste within the unincorporated area of the County, specifically the (1) Primary Franchise Agreement between County of Mono and Mammoth Disposal Company for Collection of Solid Waste from Residential and Commercial Customers in Unincorporated Mono County and the (2) Primary Franchise Agreement between County of Mono and D & S Waste Removal, Inc. for Collection of Solid Waste from Residential and Commercial Customers in Unincorporated Mono County (collectively, "Franchise Agreements") as amended.

**Halferty moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-175**

**Justin Nalder, Solid Waste Supervisor:**

- Amendment to Exhibit 13.01a (available in additional documents).

**D. Letter to Los Angeles Congressional Representatives**

Departments: Board of Supervisors

Letter to Los Angeles Congressional representatives Tony Cardenas, Nanette Diaz Barragan, Judy Chu, Jimmy Gomez and Maxine Waters responding to their letter dated July 26, 2018 concerning the additional export of water from Long Valley and Little Round Valleys by the Los Angeles Department of Water and Power.

**Action:** Approve proposed letter as revised following Board discussion.

**Peters moved; Stump seconded**

**Vote: 5 yes; 0 no**

**Note:**

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

**M18-176**

**Supervisor Peters:**

- Asked that Councilmember Nury Martinez be added to the CC list.

**E. Letter of Support for Hazardous Fuel Reduction by Mammoth Lakes Fire Safe Council**

Departments: Board of Supervisors

In July, the Mammoth Community Water District (District) submitted a pre-application to the Sierra Nevada Conservancy (SNC) to request additional funding for the Lakes Basin Hazardous Fuels Reduction Project, a 661 acre fuels reduction project located in the Mammoth Lakes Basin. Mammoth Lakes Fire Safe Council was awarded \$500,000 in grant funding for this project in June, 2018 and the District is seeking to receive the remainder of the funding necessary for project completion.

**Action:** Review and approve letter in support of hazardous fuels reduction project in Mammoth Lakes Basin to Sierra Nevada Conservancy.

**Corless moved; Peters seconded**

**Vote: 5 yes; 0 no**

**M18-177**

**6. CORRESPONDENCE RECEIVED**

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

**A. Reds Meadow Fuels Reduction Project Letter**

Inyo National Forest, Mammoth Ranger District, is proposing to undertake the Red's Meadow Hazardous Fuels Reduction Program. The proposed action is included, as well as information for submitting comments.

**B. Fish Enhancement Budget Potential Deductions Letter**

A letter from Pine Cliff Resorts in June Lake regarding the potential decrease of the County fish enhancement budget.

**Supervisor Stump:**

- Unaware of any proposals to reduce Fish Enhancement funding.
- Previously established approvals of funding need to be noted when people discuss reductions.

**7. REGULAR AGENDA - MORNING**

**A. Public Hearing - CalTrans Speed Survey**

Departments: Community Development

(Wendy Sugimura) - The California Department of Transportation (Caltrans) has

**Note:**

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

conducted a speed zone survey on State Route 120, west of the junction of US 395, from post mile 0.0 to 12.05. This section of SR 120 is currently posted at 50 mph. It is Caltrans recommendation that the 50 mph speed limit be removed and to post this area at 55 mph.

**Action:** Receive information from Caltrans concerning the speed survey and possible speed increase on State Route 120. Provide direction to Caltrans District 9 and/or county staff.

**Wendy Sugimura, Community Development Director:**

- Introduced item, this was a letter a correspondence item on the agenda previously.
- Mono Basin RPAC also saw the letter, requested that the Board hold a public hearing.

**Public Hearing opened 9:58 AM.**

**Lianne Talbot, CalTrans District 9 Traffic Operations Engineer:**

- Discussed how speed zones are set, and how the survey was performed.

**Supervisor Peters:**

- Last survey 2012. Findings were to not change it.

**Brad Larson, Speed Zone Survey Coordinator:**

- Licensed registered engineer for Caltrans District 9. Performed the survey.
- Observed speeds around post mile 7.2 down to Highway 395.
- Wouldn't be changing the mileage at the top, just at the bottom 5 miles approximately.

**Supervisor Gardner:**

- 3 supervisors wanting to keep speed as is, 2 want to make it higher.

**Closed public hearing 10:24 AM.**

## **B. Trails Maintenance 2018 Grant Program Report**

Departments: Economic Development

(Wendy Schneider) - Presentation and report by Wendy Schneider, Executive Director of Friends of the Inyo, regarding the FY17-18 Trails Maintenance Grant Program. Due to the size of the document, the PowerPoint presentation can be found as a Supporting Document at <https://monocounty.ca.gov/bos/page/board-supervisors-11>.

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

**Alicia Vennos, Economic Development:**

- Introduced item.

*Break 10:25 AM*

*Reconvene: 10:38*

**Julia Runcie, Stewardship Director, Friends of the Inyo:**

- Went through presentation
- Discussed accomplishments of Friends of Inyo.

**Note:**

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



### **C. Community Event Marketing Fund Recipient Report - June Lake Jam Fest**

Departments: Economic Development

(Janet Hunt, Executive Director, June Lake Jam Fest) - Presentation by Janet Hunt, Executive Director of the June Lake Jam Fest regarding the growth and success of the annual June Lake Jam Fest. As a recipient of Mono County's Community Event Marketing Fund, Ms. Hunt would like to express her appreciation of the Board's support on behalf of local non-profit Mono Arts Council, and to share event attendee demographics and benefit to local lodging sector and community.

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

**Janet Hunt, Executive Director June Lake Jam Fest:**

- Presented update about June Lake Jam Fest (handouts available in additional documents).
- Working with everyone in the County office has been a pleasure.

### **D. Community Grant Fund Recipient Report - Southern Mono Historical Society**

Departments: Economic Development

(Marianne O'Connor, Southern Mono Historical Society/Hayden Cabin Museum) - Presentation by Marianne O'Connor of the Southern Mono Historical Society (SMHS) regarding the Jazz by the Creek event and the Hayden Cabin Museum Roof Repair project. As a recipient of Mono County's community grant programs, Ms. O'Connor would like to extend her appreciation to the Board of Supervisors on behalf of SMHS, and to share the results/progress of the funded programs.

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

**Marianne O'Connor, Treasurer, Southern Mono Historical Society:**

- Received \$1,000 from Community Event Marketing Fund.
- Received \$2,000 from Historical Preservation Grant fund.
- Community funds used for 3<sup>rd</sup> annual Jazz by the Creek Event.
- Historic preservation funds used for re-roof restoration project at Hayden Cabin.

### **E. Financing Arrangement for Construction of the Proposed Mono County Civic Center**

Departments: Finance, CAO, County Counsel

(Janet Dutcher, Leslie Chapman, Stacey Simon) - Present information about the Certificate of Participation debt-financing structure and review the anticipated debt transaction recommended for the Mono County Civic Center project. Introduce proposed financing team and discuss each of their roles. Review next steps involved for obtaining debt proceeds to fund construction costs. Financing specialists will be available to answer any questions the Board or the public may have and to provide additional information, as requested.

**Action:** Receive presentation and other relevant information.

**Janet Dutcher, Finance Director:**

**Note:**

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- Introduced item.
- Look at financing.
- Certificate of participation debt financing structure being recommended.
- Introduced Jeff Land.

**Jeff Land, Brandis Tallman LLC:**

- Went through presentation.
- Discussing components of the Certificate of Participation

**Rudy Salo, Nixon Peabody:**

- Go over financing structure.

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

No one spoke.

**9. CLOSED SESSION at 12:16 PM**

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

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

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

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

**C. Closed Session -- Exposure to Litigation**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Claim for damages filed by Jennifer Huh against Mono County Superintendent of Schools, Mono County Office of Education and Mono County.

**D. Closed Session -- Existing Litigation**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Mono County v. Los Angeles Department of Water and Power, et al.

**Note:**

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(CV180078).

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

*Reconvene: 1:51 PM*

Nothing to report out of closed session.

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

No one spoke.

Moved to Item 12.

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

#### **A. Opioid Epidemic and Harm Reduction Presentation**

Departments: Public Health, Behavioral Health

(Dr. Tom Boo, Bryan Wheeler, Robin Roberts, Ingrid Braun, Sandra Pearce) -

This presentation is a collaborative effort between Mono County Public Health, Behavioral Health, and Sheriff's Office to inform the Board, stakeholders, and community about opioids, local evidence-based interventions, and opportunities to move forward in addressing strategic priority 1C: Improving Public Health and Safety through addressing the opioid crisis and substance abuse.

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

**Dr. Thomas Boo:**

- Went through presentation.
- Harm reduction.

*Break: 2:19 PM*

*Reconvene: 2:25 PM*

**Chair Gardner left the meeting, meeting continued by Vice Chair Peters.**

**Bryan Wheeler, Public Health Program Director:**

- Currently doing wellness fairs in Benton on the reservation.
- Offering testing, immunization, education.

**Tim Kendall, District Attorney:**

- Take back drug medication program. Usually collect a little over 30 pounds every year. Arrange with DOJ to dispose of in an environmentally friendly way. Six collections sites available.

**Robin Roberts, Behavioral Health Director:**

- Continued through presentation.

**Sandra Pearce, Public Health Director:**

- Concluded presentation.

#### **B. CDPH Naloxone Distribution Grant**

**Note:**

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

Departments: Public Health

(Tom Boo) - Naloxone Distribution Grant from the California Department of Public Health (CDPH) for the purchase of Narcan products for the emergency treatment of opioid overdose.

**Action:** Approve County entry into the Naloxone Distribution Grant Agreement #16-11059 with CDPH and authorize the Public Health Director's signature to execute said contract on behalf of the County, including forms CDPH 1229 and Contractor Certification Clause (CCC).

**Stump moved; Halferty seconded**

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

**M18-178**

**Sandra Pearce, Public Health Director:**

- Introduced item.

### **C. CDPH, Syringe / Needle Exchange Program**

Departments: Public Health

(Sandra Pearce) - Syringe Exchange Program of the California Department of Public Health, Office of AIDS (CDPH/OA).

**Action:** Authorize the Public Health Department's submission of an application to become a CDPH/OA Syringe Exchange Program.

**Corless moved; Stump seconded**

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

**M18-179**

*Break: 3:27 PM*

*Reconvene: 3:35 PM*

### **D. Workshop and Request for Qualifications for Permanent Supportive Housing and Affordable Housing Project Developer in Mammoth Lakes**

Departments: Behavioral Health

(Amanda Greenberg) - Presentation by Amanda Greenberg from the Behavioral Health Department and Jennifer Lopez, a national housing consultant, regarding the development of permanent supportive housing/affordable (PS/A) housing in Mammoth Lakes and Walker, CA. Approval to release Request for Qualifications for PS/A housing developer.

**Action:** Authorize Mono County Behavioral Health to release a Request for Qualifications (RFQ) in substantially the form provided in the packet and including such changes as approved by County Counsel, for an experienced PS/A housing developer to partner with Mono County in the identification, development and operation of a PS/A housing project in Mammoth Lakes.

**Halferty moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M18-180**

**Amanda Greenberg, Mental Health Services Act Coordinator:**

**Note:**

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

- Introduced item and presenter.

**Jen Lopez, Consultant:**

- Via ZoomRoom:
- Went through presentation with Amanda Greenberg.

**Supervisor Gardner returned 3:50 PM**

**E. Proposed Amendment to Mono County Code Section 12.10.021 - Exemptions to Solid Waste Handling Requirements**

Departments: Public Works - Solid Waste

(Justin Nalder) - Proposed Amendment to Mono County Code Section 12.10.021 - Exemptions to Solid Waste Handling Requirements, to eliminate in its entirety the exemption from the solid waste franchise/franchise agreement requirement provided in Section 12.10.21(A)(3); in addition, amend the definition of "construction and demolition waste" provided in Section 12.02.020 to exclude the terms "rubble" and "pavements."

**Action:** Introduce, read title, and waive further reading of proposed ordinance amending Mono County Code Section 12.10.021 – Exemptions to Solid Waste Handling Requirements.

**Corless moved; Gardner seconded**

**Vote: 4 yes; 1 no**

**M18-181**

**Justin Nalder, Solid Waste Supervisor:**

- Introduced item.

**Supervisor Stump:**

- Voted no.

**F. California Cannabis Regulations - Proposed Final Regulations**

Departments: County Counsel, Community Development, CAO

(Michael Draper, Christy Milovich) - Discussion of the State's Proposed Final Regulations for Cannabis: Review of consistency with adopted County regulations, and consideration of a comment letter to be submitted within the open comment period related to language in the proposed regulations which allows cannabis deliveries to be made to any jurisdiction within California and/or additional provisions of the proposed regulations.

**Action:** Consider the State's draft permanent regulations and potentially approve proposed comment letter, as drafted.

**Stump moved; Gardner seconded**

**Vote: 4 yes; 1 no**

**M18-182**

**Michael Draper, Planner:**

- Introduced item, provided background.
- Errors in the year – September 2016, emergency cannabis regulations; June 2017, new regulations re-adopted so regulations can be effective January 1, 2018.

**Note:**

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- **Supervisor Halferty:** Voters state-wide voted for Prop 64. These regulations keep this a black market and not collect taxes, and I don't believe this is what the voters intended. Voted no.

Moved to item 8.

## 12. BOARD MEMBER REPORTS

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

### **Supervisor Corless:**

- RCRC Board Meeting: Highlights memo attached (available in additional documents).
- Sonoma County voted to join RCRC; Board took "no position" position on Prop 10; legislative update, AB 924 (tribal cannabis) not moving forward; much discussion of fire/forest health (given impacts of Carr and Mendocino Complex Fires), new forest management task force, encouraging members to get involved.
- Town Council—approved letter of support for County in LADWP issue—appreciate the support.
- Eastern Sierra Council of Governments.
- OpenGov training.
- Out of town next week and will miss September 4 meeting.

### **Supervisor Gardner:**

- August 16, I attended a meeting of the Eastern Sierra Council of Governments in Bishop. We covered several items, including the status of air service improvements, recreation collaboration, moving towards making ESCOG a formal joint powers authority, and opportunity zones in the region.

### **Supervisor Halferty:**

- Wednesday, ethics training. Thank you to Stacey Simon and Andy Morris.
- Wednesday, Town Council meeting. Shady Rest. Public Engagement and no market-rate homes on the The Parcel.
- Thursday, OpenGov training. Tried to attend the Housing workshop. It went late and I couldn't be there.
- Volunteered at MacBeth. Exciting.

### **Supervisor Peters:**

- 14<sup>th</sup> NMCC
- 15<sup>th</sup> Jan Cutts
- 20<sup>th</sup> TOC, DWP Call, CAO Chapman
- Donnell Fire Impacts 108 open 51% 35,000 acres
- **Upcoming:** CSA 5:30

### **Supervisor Stump:**

- 8-15: Attended the Owens Valley Groundwater Authority meeting - Two letters sent, one to DWP and one to DWR. County Counsel has copies of both if anyone is interested.
- 8-16: Attended OpenGov Training - When fully implemented it will be a useful tool
- 8-18: Benton Community Center follow up of issues surrounding water tanks
- 8-19 & 8-20: Multiple emails about Fish Stocking - I responded to the best of my knowledge
- Steve Noble has made an offer to CSA#1, and I anticipate they will give him a call.

### **Note:**

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

**ADJOURNED at 4:53 PM**

**ATTEST**

---

**BOB GARDNER  
CHAIR OF THE BOARD**

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**SCHEEREN DEDMAN  
SR. DEPUTY CLERK**



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** September 4, 2018

**Departments: Risk Management**

**TIME REQUIRED**

**SUBJECT** Claim for Damages - Jennifer Huh

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### AGENDA DESCRIPTION:

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

Claim for damages filed by Jennifer Huh against the Mono County Office of Education, Superintendent of Schools and Mono County for whistleblower retaliation, violation of Constitutional rights to freedom of speech and privacy, and related claims.

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### RECOMMENDED ACTION:

Deny the claim submitted by Jennifer Huh on August 2, 2018, and authorize the Risk Manager to send notice of the denial to Ms. Huh.

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### FISCAL IMPACT:

None.

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### CONTACT NAME:

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

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### SEND COPIES TO:

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### MINUTE ORDER REQUESTED:

YES  NO

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### ATTACHMENTS:

Click to download
<input type="checkbox"/> <a href="#">Staff Report</a>
<input type="checkbox"/> <a href="#">Rejection Letter</a>
<input type="checkbox"/> <a href="#">Claim</a>

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### History

Time	Who	Approval
8/30/2018 5:38 AM	County Administrative Office	Yes



8/30/2018 3:48 PM

County Counsel

Yes

8/30/2018 2:30 PM

Finance

Yes



## COUNTY OF MONO

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P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517  
(760) 932-5405 • FAX (760) 932-5411

Jay Sloane  
Risk Manager

To: Board of Supervisors

From: Jay Sloane

Date: September 4, 2018

Re: Jennifer Huh, v. Mono County Office of Education, et al.

Discussion:

On August 6, 2018 the Clerk of the Board received a claim filed by the Law Offices of Kesluk, Silverstein, and Jacob. The claim concerns employment and personnel matters unrelated to the County of Mono, but includes the County among the list of Defendants. The claim alleges whistleblower retaliation, violation of Huh's constitutional rights to freedom of speech and privacy. This claim is misdirected, as the County of Mono County has never employed Jennifer Huh and had no involvement in the acts described.

Recommended Action:

Deny the claim submitted on behalf of Jennifer Huh and direct the Risk Manager, in consultation with County Counsel, to send the notice to the claimant of said denials.

Fiscal Impact:

None.



# COUNTY OF MONO

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P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517  
(760) 932-5410 • FAX (760) 932-5411  
jsloane@mono.ca.gov

Jay Sloane  
Risk Manager  
Mono County Administration

TO: Douglas Silverstein, Esq., Kesluk Silverstein & Jacob  
9255 Sunset Blvd. Ste 411  
Los Angeles, CA 90064

Claim of Jennifer Huh )  
Claimant, )  
v. )  
COUNTY OF MONO )  
Respondent. )  
\_\_\_\_\_ )

**NOTICE OF REJECTED CLAIM**

(Gov. Code 913)

RE: Jennifer Huh v. County of Mono  
Claim No.: MON18-0001  
DOL: 2/05/2018

Dear claimant:

**NOTICE IS HEREBY GIVEN** that the claim which you presented to the County of Mono on 08/02/18 was rejected on 09/04/2018 in its entirety.

**WARNING**

Subject to certain exceptions, you have only six (6) months from the date this notice is personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code Section 945.6. This notice does not apply to any claim you may have under federal law, and your time for filing an action on any federal law claim may be less than six months.

You may (at you own expense) seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

Please be advised that pursuant to Sections 128.5 and 1038 of the California Code of Civil Procedure, the County of Mono will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that action was not brought in good faith and with reasonable cause.

Sincerely,

\_\_\_\_\_  
Jay Sloane  
Risk Manager  
Mono County Office of Administration

**PROOF OF SERVICE - C.C.P. 1013A, 2015.5**

I, Jay Sloane, declare that:

1. I am employed in the County of Mono, California; I am over the age of eighteen years and not a party to the within cause; and my business address is 74 N. School St, Bridgeport, California 93517.

2. I am readily familiar with the practice of the County of Mono in the processing of correspondence, said practice being that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for processing.

3. On September 4, 2018, I served the following document(s)

**NOTICE OF CLAIM DEEMED REJECTED**  
for the claim of Jennifer Huh

In said cause, on the following interested parties:

Jennifer Huh  
c/o Douglas Silverstein, Esq., Kesluk Silverstein & Jacob  
9255 Sunset Blvd. Ste 411  
Los Angeles, CA 90064

4. Said service was performed in the following manner:

**X BY U.S. POSTAL SERVICE (Mail):** I placed each such document in a sealed envelope addressed as noted above, with first-class mail postage thereon fully prepaid, for collection and mailing at Bridgeport, California, following the above-stated business practice, on this date.

**BY PERSONAL SERVICE:** I hand-delivered each such envelope to the address[es] listed on this date.

**BY COURIER/MESSENGER SERVICE (Hand Delivery):** I caused each such envelope to be delivered by hand to the address[es] listed above on this date.

**BY FACSIMILE:** I caused said document[s] to be transmitted by facsimile machine to the parties at the number[s] indicated above on this date.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed September 4, 2018, at Bridgeport, California.

---

Jay Sloane

BRIAN S. KESLUK  
DOUGLAS N. SILVERSTEIN  
MICHAEL G. JACOB  
LAUREN J. MORRISON  
MIA MUNRO  
GEOFFREY L. BRYAN  
ASHLEY H. CRUZ



9255 SUNSET BLVD., SUITE 411  
LOS ANGELES, CA 90069  
TELEPHONE (310) 273-3180  
FACSIMILE (310) 273-6137  
www.californialaborlawattorney.com

NOTICE OF CLAIMS

RECEIVED

103 - 5 2018

OFFICE OF THE CLERK

*Via Overnight Mail*

Date: August 1, 2018

To: Mono County Office of Education  
37 Emigrant Street, P.O. Box 477, Bridgeport, CA 93517  
Superintendent Stacey Adler  
37 Emigrant Street, P.O. Box 477, Bridgeport, CA 93517  
Mono County Administrative Officer  
P.O. Box 696 Bridgeport, CA 93517  
Mono County Board of Supervisors  
P.O. Box 715 Bridgeport, CA 93517

From: Douglas Silverstein, Esq., Kesluk Silverstein & Jacob  
9255 Sunset Boulevard Ste 411  
Los Angeles, California 90064  
Jennifer Huh, c/o Douglas Silverstein, Kesluk Silverstein & Jacob  
(all communications to Jennifer Huh to be made through Douglas Silverstein, Esq.)

Re: Notice of Claims

Jennifer Huh ("Huh") has retained Kesluk Silverstein & Jacob to make legal claims and file litigation against Mono County, the Mono County Office of Education ("Office of Education") and Superintendent Stacey Adler ("Adler"), for (1) whistleblower retaliation by Adler and the Board (in violation of the Labor Code, Education Code, and California common law), (2) violation of Huh's Constitutional right to Freedom of Speech under the United States and California Constitutions, (3) violation of right to privacy, and related claims.

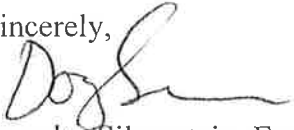
Please let this serve as notice under the California Tort Claims Act of Jennifer Huh's claims against the Board and its officers, including Adler, of the following injuries:

On or around February 5, 2018 the Mono County Office of Education and Superintendent Stacey Adler demoted Huh by taking away her human resources and cabinet responsibilities in retaliation for reporting the improper use of public funds and public corruption by Adler. Adler also violated Huh's privacy by accessing and disclosing Huh's private personnel records for improper use in Adler's campaign for office. On or around June 28, 2018 the Board and Adler refused to renew Huh's contract for employment with the Board in retaliation for reporting improper use of public funds and

public corruption, improper disclosure of her private records and personnel file by Adler, and because Huh exercised her consitutional right to run for public office. As a result, Huh has suffered from economic loss in the form of lost wages, benefits, pensions, and loss of earning potential; and from emotional distress. Huh intends to also seek punitive damages, attorney's fees, interest, and costs under state and federal law. Damages far exceed \$10,000 and the matter will not be a limited civil case.

Please do not hesitate to contact my office should you want to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Silverstein". The signature is fluid and cursive, with a long horizontal stroke at the end.

Douglas Silverstein, Esq.  
Kesluk Silverstein & Jacob



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** September 4, 2018

**Departments: Finance**

**TIME REQUIRED**

**SUBJECT** 2018-19 Appropriations Limit

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Proposed resolution establishing the 2018-19 Appropriations Limit.

**RECOMMENDED ACTION:**

Adopt proposed resolution #R18-\_\_\_\_, Establishing the 2018-19 Appropriations Limit and making other necessary determinations for the County and for those special districts governed by the Board of Supervisors that are required to establish appropriation limits.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Stephanie Butters

**PHONE/EMAIL:** 760-932-5496 / sbutters@mono.ca.gov

**SEND COPIES TO:**

Finance

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Staff Report</a>
<a href="#">2018-19 Appropriations Resolution</a>
<a href="#">Exhibit A</a>

**History**

Time

Who

Approval

8/30/2018 9:02 AM	County Administrative Office	Yes
8/30/2018 3:57 PM	County Counsel	Yes
8/30/2018 2:17 PM	Finance	Yes





# DEPARTMENT OF FINANCE

## AUDITOR-CONTROLLER

### COUNTY OF MONO

---

*Stephanie M. Butters*  
Assistant Finance Director  
Auditor-Controller

*Janet Dutcher, CPA, CGFM*  
Director of Finance

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

**TO:** Honorable Board of Supervisors

**FROM:** Stephanie Butters, Assistant Finance Director

**DATE:** September 4, 2018

**SUBJECT:** 2018-19 Appropriation Limit

---

#### **RECOMMENDATION:**

Approve and authorize the Chair's signature on proposed Resolution setting the Appropriation Limit for Fiscal Year 2018-19.

#### **BACKGROUND:**

Proposition 4, approved by voters in November 1979, added Article XIII B to the State Constitution. Article XIII B places a limit on appropriations of revenue identified as proceeds of taxes. The limit is commonly referred to as the Gann Limit. The Gann Limit as originally approved by voters set the 1978-79 expenditure level as the base spending limit. This limit was adjusted annually for population growth and inflation (using the lower of the percentage growth of the U.S. Consumer Price Index or California's per capita personal income).

Under Article XIII B and the statutes implementing that Article (Government Code Sections 7900 et. seq.), the governing body of every local jurisdiction in California must establish by resolution its annual appropriation limit for the following fiscal year. The appropriation limit is a limit on the amount of tax dollars that may be appropriated by the governing body during the fiscal year. It is calculated by adjusting the appropriations limit from the previous year to take into account "change in the cost of living and the change in population." (Cal. Const. Art. XIII B, § 1) If tax proceeds collected in the prior fiscal year exceed the limit, then a reduction in tax rates is required to take place.

The County has several available choices from which to choose the factor for setting the appropriations limit. It can choose the factor that is most advantageous to the County. Of the available choices, using the County-wide population change, the Town population change, or the population change derived from contiguous counties, the County has chosen the "Alternate" rate, derived from the State provided rate for cost of living changes combined with the contiguous counties population change, which gives the County the highest possible appropriations limit.

#### **DISCUSSION:**

The Appropriations Limit as calculated is \$32,161,787. As County tax proceeds, in conjunction with capital spending, is below this limit by \$6,558,317 this year, no change to the tax rate is required.

#### **FINANCIAL IMPACT:**

None.



R18-\_\_

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS ESTABLISHING THE 2018-19 APPROPRIATIONS LIMIT AND MAKING OTHER NECESSARY DETERMINATIONS FOR THE COUNTY AND FOR THOSE SPECIAL DISTRICTS GOVERNED BY THE BOARD OF SUPERVISORS THAT ARE REQUIRED TO ESTABLISH APPROPRIATION LIMITS**

**WHEREAS**, Article XIII(B) of the California Constitution and the legislation adopted to implement it (California Government Code §7901 et seq.) provide that the State and each local government that receives proceeds of taxes shall establish and be subject to an annual appropriations limit; and

**WHEREAS**, the County Auditor-Controller has computed the 2018-19 appropriations limit for the County and for those special districts governed by the Board of Supervisors that are required to establish appropriations limits and, for at least fifteen days prior to the meeting at which this resolution is adopted, the documentation used in determining the appropriations limit(s) and other necessary determinations set forth in this resolution has been available for public review in the Auditor-Controller’s Office.

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

**SECTION ONE:** The percentage change in the California per capita personal income computed by the State Department of Finance is hereby selected as the “change in cost of living” for purposes of calculating the appropriation limit(s) established herein for fiscal year 2018-19. The alternative population for contiguous counties is hereby selected as the “change in population” for purposes of calculating the appropriation limit(s) established herein for fiscal year 2018-19.

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1           **SECTION TWO:** The 2018-19 appropriations limit for the County of Mono is hereby  
2 established as \$32,161,787, the calculation of which is set forth in Exhibit "A" attached hereto  
3 and incorporated by this reference. The 2018-19 appropriations limit(s) for those special districts  
4 governed by the Board of Supervisors that are required to establish appropriations limits are  
hereby established as also shown on Exhibit "A".

5           **PASSED, APPROVED and ADOPTED** this 4th day of September, 2018, by the  
6 following vote, to wit:

7 **AYES:**

8 **NOES:**

9 **ABSENT:**

10 **ABSTAIN:**

11  
12  
13  
14 \_\_\_\_\_  
Bob Gardner, Chair  
Mono County Board of Supervisors

15  
16 **ATTEST:**

**APPROVED AS TO FORM:**

17  
18  
19 \_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_

**Exhibit A**

**Statement of Mono County Appropriation Limit Calculations  
For the Tax Year 2018-19**

	<u>2016-17</u> <u>Limit</u>	<u>Population</u> <u>Change<sup>(1)</sup></u>	<u>Per Capita</u> <u>Change</u>	<u>2017-18</u> <u>Limit</u>	<u>Population</u> <u>Change<sup>(1)</sup></u>	<u>Per Capita</u> <u>Change</u>	<u>2018-19</u> <u>Limit</u>
<b>Mono County</b>	<b>29,294,327</b>	<b>1.0099</b>	<b>1.0369</b>	<b>30,677,019</b>	<b>1.0113</b>	<b>1.0367</b>	<b>32,161,787</b>
CSA#1	378,004	1.0074	1.0369	394,853	1.0098	1.0367	413,356
CSA#5	56,255	1.0074	1.0369	58,761	1.0098	1.0367	61,515

<sup>(1)</sup> The alternate method for population change was used for Mono County per GC 7901.

**Appropriation Limit Calculation  
Based on Actual Revenues  
Fiscal Year Ended June 30, 2018**

	Actuals FY 17-18
Property Taxes	19,161,314
Sales and Use Tax	514,897
Transient Occupancy Tax	3,548,346
Property Tax Transfer Tax	226,115
Interest	207,693
Franchise Tax Fees	199,422
Motor Vehicle License Fees	1,634,481
Aid of Agriculture (unclaimed gas tax)	68,265
Homeowner's Property Tax Relief	42,937
	<u>25,603,469</u>

2017-18 Limitation	30,677,019
2018-19 Population Factor	1.0113
2018-19 Per Capita Factor	<u>1.0367</u>
2018-19 Appropriation Limit	32,161,787
2018-19 Proceeds of Taxes	<u>(25,603,469)</u>
Amount Under Limitation	6,558,317



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** September 4, 2018

**Departments: Finance**

**TIME REQUIRED**

**SUBJECT** 2018-19 Property Tax Rates

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

---

### AGENDA DESCRIPTION:

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

Proposed resolution establishing the 2018-19 tax rates on the secured roll.

---

### RECOMMENDED ACTION:

Adopt proposed resolution R#18-\_\_\_, Establishing the 2018-19 tax rates on the secured roll. Provide any desired direction to staff.

---

### FISCAL IMPACT:

None. Allows for the collection of voter approved debt.

---

**CONTACT NAME:** Stephanie Butters

**PHONE/EMAIL:** 760-932-5496 / sbutters@mono.ca.gov

---

### SEND COPIES TO:

Finance

---

### MINUTE ORDER REQUESTED:

YES  NO

---

### ATTACHMENTS:

Click to download
<a href="#">Staff report</a>
<a href="#">Resolution</a>
<a href="#">Exhibit A - Schedule of Tax Rates</a>

---

### History

Time	Who	Approval
8/30/2018 5:48 AM	County Administrative Office	Yes

8/29/2018 11:22 AM

County Counsel

Yes

8/30/2018 8:00 AM

Finance

Yes



# DEPARTMENT OF FINANCE AUDITOR-CONTROLLER COUNTY OF MONO

---

*Stephanie M. Butters*  
Assistant Finance Director  
Auditor-Controller

*Janet Dutcher, CPA, CGFM*  
Director of Finance

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

**TO:** Honorable Board of Supervisors

**FROM:** Stephanie Butters, Assistant Finance Director

**DATE:** September 4, 2018

**SUBJECT:** Tax Rates for Fiscal Year 2018-19

---

## **RECOMMENDATION:**

Adopt proposed resolution approving the Tax Rates for Fiscal Year 2018-19.

## **BACKGROUND:**

The tax rates are established by law (Proposition 13) and the various bond issues voters have approved for their area throughout the county. These bond issues include the bond series approved by the voters for the Eastern Sierra Unified School District, the Southern Mono Healthcare District, Kern Community College District (Mammoth Campus), and Mammoth Unified School District. The new voter approved 2018 Mammoth Unified School District Bond is included in the 2018-19 rates in anticipation of the upcoming debt service payments. The tax rates for the Round Valley School District and Bishop Union High School are prepared by the Auditor-Controller of Inyo County based in part by the values of the affected tax rate areas.

## **FISCAL IMPACT:**

None. Adoption of the proposed Resolution only allows the adopted rate to be placed on the tax rolls to allow the County to collect not only the statutory 1% tax on property, but also to collect appropriately for voter approved debt.



R18-\_\_

**A RESOLUTION OF THE MONO COUNTY  
BOARD OF SUPERVISORS ESTABLISHING THE 2018-19 TAX RATES ON THE  
SECURED ROLL**

**WHEREAS**, Section 29100 of the California Government Code requires the Board of Supervisors to adopt by resolution the rates of taxes on the secured roll; and

**WHEREAS**, the County Auditor-Controller has duly computed tax rates for the 2018-19 secured roll that will comply with the requirement of state law, including, but not limited to, those imposed by Section 29100 of the Government Code; and

**WHEREAS**, a copy of said tax rates is attached hereto as Exhibit "A" and incorporated herein by this reference.

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES** that: the tax rates set forth in Exhibit "A" hereto are hereby adopted for the 2018-19 secured roll.

**PASSED, APPROVED and ADOPTED** this 4th day of September, 2018, by the following vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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

ATTEST:

APPROVED AS TO FORM:

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

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



Exhibit A

**COUNTY OF MONO  
TAX RATES  
2018-19**

**TAX AREAS 051-000 THRU 051-013/ 051-019 THRU 051-034**

	<b>PERCENTAGE</b>
PROP 13 (1% Limit)	1.000000
Eastern Sierra Unified School District (ESUSD) Bonds	0.060000
<b>TOTAL</b>	<b>1.060000</b>

**TAX AREAS: 051-014 THRU 051-018**

PROP 13 (1% Limit)	1.000000
Eastern Sierra Unified School District (ESUSD) Bonds	0.060000
<b>TOTAL</b>	<b>1.060000</b>

**TAX AREAS: 010-000, 010-002, 010-003,010-004, 010-006, 010-008, 010-011, 010-012**

PROP 13 (1% Limit)	1.000000
Mammoth Campus, Kern Community College SFID Bonds	0.029285
Mammoth Unified School District (MUSD) Bonds	0.088497
Southern Mono Healthcare District Bonds	0.048847
<b>TOTAL</b>	<b>1.166629</b>

**TAX AREAS: 010-001,010-005,010-007,010-009,010-010**

PROP 13 (1% Limit)	1.000000
Mammoth Campus, Kern Community College SFID Bonds	0.029285
Mammoth Unified School District (MUSD) Bonds	0.088497
Southern Mono Healthcare District Bonds	0.048847
<b>TOTAL</b>	<b>1.166629</b>

**TAX AREAS: 010-013, 059-000, 059-005, 059-007, 059-012**

PROP 13 (1% Limit)	1.000000
Mammoth Unified School District (MUSD) Bonds	0.088497
Southern Mono Healthcare District Bonds	0.048847
<b>TOTAL</b>	<b>1.137344</b>

**TAX AREAS: 060-000**

PROP 13 (1% Limit)	1.000000
Round Valley Bond (Determined by Inyo County)	0.030712
Bishop HS Bond (Determined by Inyo County)	0.010705
Southern Mono Healthcare District Bonds	0.048847
<b>TOTAL</b>	<b>1.090264</b>

**TAX AREAS: 060-001 THRU 060-006**

PROP 13 (1% Limit)	1.000000
Round Valley Bond (Determined by Inyo County)	0.030712
Bishop HS Bond (Determined by Inyo County)	0.010705
<b>TOTAL</b>	<b>1.041417</b>

**Unitary Tax Rate**

Unitary 1% Ad Valorem	1.000000
Unitary Debt Service Rate	0.348109
<b>TOTAL</b>	<b>1.348109</b>



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** September 4, 2018

**Departments: Behavioral Health**

**TIME REQUIRED**

**SUBJECT** Resolution to Authorize Mono  
County's Participation in Homeless  
Mentally Ill Outreach and Treatment  
Funding

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Proposed resolution to authorize Mono County Behavioral Health to Participate in the one-time Homeless Mentally Ill Outreach and Treatment funding opportunity available as a result of Senate Bill (SB) 840.

**RECOMMENDED ACTION:**

Adopt proposed resolution R18-\_\_\_, Resolution Authorizing Mono County's Participation in Homeless Mentally Ill Outreach and Treatment Funding

**FISCAL IMPACT:**

No fiscal impact to the general fund. Provides up to \$100,000 of one-time state funding for Mono County Behavioral Health.

**CONTACT NAME:** Amanda Greenberg

**PHONE/EMAIL:** 760-924-1754 / agreenberg@mono.ca.gov

**SEND COPIES TO:**

agreenberg@mono.ca.gov

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

History

Time

Who

Approval

8/30/2018 5:41 AM	County Administrative Office	Yes
8/29/2018 11:19 AM	County Counsel	Yes
8/30/2018 2:25 PM	Finance	Yes



MONO COUNTY BEHAVIORAL HEALTH DEPARTMENT

---

**COUNTY OF MONO**

---

P. O. BOX 2619 MAMMOTH LAKES, CA 93546 (760) 924-1740 FAX: (760) 924-1741

**TO:** Mono County Board of Supervisors

**FROM:** Amanda Greenberg, Mono County Behavioral Health, Mental Health Services Act Coordinator

**DATE:** August 21, 2018

**SUBJECT:**

Approve Resolution Authorizing Mono County's Participation in Homeless Mentally Ill Outreach and Treatment (HMIOT) Funding (R 18-\_\_)

**DISCUSSION:**

California recognizes the growing need to allocate significant investments in mental health services and homelessness. Senate Bill (SB) 840 allows for a funding opportunity to the Department of Health Care Services (DHCS) to provide counties with one-time funding for local activities involving individuals with serious mental illness and who are homeless or at risk of becoming homeless. All counties are eligible to receive this funding.

Mono County is eligible for \$100,000, which may be used to fund outreach and services for individual with mental illness who are homeless or at risk of homelessness. SB 840 requires that counties designate a single organization that will serve as the County's primary contact for the funding, and Mono County Behavioral Health (MCBH) proposes that it serve as this organization. MCBH plans to work with community and regional partners such as Mono County Department of Social Services, IMACA, and Inyo County Behavioral Health to develop supportive service and outreach programming with these funds.

In order to receive these one-time funds, the county must provide DHCS a letter of interest and required attestations (Board of Supervisors Resolution). The funds appropriated in this item shall be available for encumbrance or expenditure until June 30, 2020. A report outlining how the funds were expended shall be submitted within 90 days after full expenditure.

**FISCAL IMPACT:**

There is no impact to the general fund.

**SUBMITTED BY:**

Amanda Greenberg, Mono County Behavioral Health Mental Health Services Act Coordinator,  
Contact: 760.924.1754



R18-\_\_

**A RESOLUTION OF THE MONO COUNTY  
BOARD OF SUPERVISORS AUTHORIZING MONO COUNTY'S PARTICIPATION IN  
HOMELESS MENTALLY ILL OUTREACH AND TREATMENT FUNDING**

**WHEREAS**, California's Governor Edmund G. Brown, Jr. and the California Legislature have recognized the critical need for funding at the local level to combat homelessness;

**WHEREAS**, The Governor, Legislature, and this County recognize the need for outreach and treatment to those who are living with a severe mental illness who are also homeless or at risk of homelessness, including persons participating in Whole Person Care pilots or who have had recent involvement with the criminal justice system or release from incarceration, as well as other special populations within the county;

**WHEREAS**, The Governor and Legislature have allocated \$50 million dollars in one-time funding for Fiscal Year 2018-19 to counties and four eligible cities for the Homeless Mentally Ill Outreach and Treatment allocation;

**WHEREAS**, The Governor and Legislature have directed counties to leverage other available funding for this purpose and prohibited any supplantation of existing funding or services in order to maximize the impact of Homeless Mentally Ill Outreach and Treatment allocation dollars locally;

**WHEREAS**, The Governor and Legislature require counties that receive Homeless Mentally Ill Outreach and Treatment allocation funding to expend the funding no later than June 30, 2020, and further require counties to report to the Department of Health Care Services the disposition of funds, the services provided, and the number of individuals who received services no later than 90 days after the full expenditure of funding;

**WHEREAS**, the County of Mono designates the Mono County Behavioral Health Director, Robin K. Roberts, as the single point of contact to the Department of Health Care Services for the Homeless Mentally Ill Outreach and Treatment allocation;

**WHEREAS**, the County of Mono affirms the county's commitment to combatting homelessness and improving outreach and treatment for those living with severe mental illness in our communities pursuant to the provisions of SB 840 and the receipt of Homeless Mentally Ill Outreach and Treatment funding;

1           **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**  
2 **MONO RESOLVES:** to authorize the County's participation in the Homeless Mentally Ill  
3 Outreach and Treatment allocation in Fiscal Year 2018-19.

4           **PASSED AND ADOPTED** by the Board of Supervisors of the County of Mono, State of  
5 California at the meeting of the said Board held on the 4th day of September by the following  
6 vote, to wit:

7 **AYES:**

8 **NOES:**

9 **ABSENT:**

10 **ABSTAIN:**

11  
12  
13  
14 \_\_\_\_\_  
15 Bob Gardner, Chair  
16 Mono County Board of Supervisors

17 **ATTEST:**

18 **APPROVED AS TO FORM:**

19  
20 \_\_\_\_\_  
21 Clerk of the Board

22  
23 \_\_\_\_\_  
24 County Counsel



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** September 4, 2018

**Departments: Environmental Health**

**TIME REQUIRED**

**SUBJECT** Onsite Wastewater Treatment  
System Ordinance

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Proposed Onsite Wastewater Treatment System ordinance superseding and replacing Chapter 14.04 of the Mono County Code.

**RECOMMENDED ACTION:**

Adopt proposed ordinance ORD18-\_\_\_, Superseding and replacing Chapter 14.04 of the Mono County Code in its entirety to implement new regulations consistent with the California Statewater Resources Control Board's water quality control Policy for siting, design, operation and maintenance of onsite wastewater treatment systems.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Louis Molina

**PHONE/EMAIL:** 760-924-1845 / lmolina@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Staff Report</a>
<a href="#">Draft Ordinance</a>
<a href="#">Exhibit A</a>

**History**

Time

Who

Approval



8/30/2018 5:45 AM	County Administrative Office	Yes
8/30/2018 3:50 PM	County Counsel	Yes
8/30/2018 2:47 PM	Finance	Yes



MONO COUNTY HEALTH DEPARTMENT  
Environmental Health

P.O. BOX 476, BRIDGEPORT, CA 93517 PHONE (760) 932-5580 • FAX (760) 932-5284  
P.O. BOX 3329, MAMMOTH LAKES, CA 93546 PHONE (760) 924-1830 • FAX (760) 924-1831

**To:** Honorable Board of Supervisors  
**From:** Louis Molina, Environmental Health Director  
**Date:** September 4, 2018  
**Subject:** Adoption of Ordinance Amending Chapter 14.04 of the Mono County Code Regulating Onsite Wastewater Treatment Systems in Mono County

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**Recommended Action**

Adopt proposed ordinance amending Chapter 14.04 of the Mono County Code regulating onsite wastewater treatment systems (OWTS) in Mono County.

**Fiscal Impact**

None.

**Discussion**

This agenda item is the second reading of the ordinance proposing amendments to Chapter 14.04 of the Mono County Code regulating OWTSs in Mono County. If adopted, then the ordinance will go into effect in 30 days.

**Background**

On June 19, 2012, the California State Water Resources Control Board adopted the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy), which established new statewide standards and/or regulations for the permitting and operation of OWTSs. The new statewide standards and/or regulations require local jurisdictions, such as the County, to update their existing OWTS and septic system regulations. However, the OWTS Policy seeks to recognize the specific knowledge and experience of local environmental health departments and permitting agencies. Accordingly, the OWTS Policy allows local agencies to prepare local agency management programs (LAMP) that provide standards and criteria for the construction and implementation of new and replacement OWTSs that take into account environmental characteristics of a region, for example, the geographic and climatic conditions unique to Mono County. Once approved by the local government or agency's governing body and the respective regional water quality control board, a LAMP may be used by a local government or agency to set standards and criteria for the approval of new and replacement OWTSs.

On June 5, 2018, the Mono County Board of Supervisors approved Mono County's LAMP, which includes siting, construction, and reporting standards and criteria specific for OWTSs in Mono County. Thereafter, as required by the OWTS Policy, the Mono County Department of Public Health, Environmental Health Division submitted the County's LAMP to the Lahontan Regional Water Quality Control Board (Regional Water Board) as required by the OWTS Policy. At its July 19, 2018 meeting, the Regional Water Board approved the County's LAMP with the adoption of Resolution No. R6V-2018-0037.

In order to implement the OWTS Policy and the County’s LAMP, the County must prepare and implement an ordinance amending the Mono County Code to synchronize the provisions set forth in the OWTS Policy and the LAMP approved by the Regional Water Board. At its August 7 meeting, the Mono County Department of Public Health, Environmental Health Division introduced an ordinance that would supersede and replace in its entirety Chapter 14.04 of the Mono County Code to incorporate relevant provisions of the OWTS Policy and the County’s LAMP. This agenda item is the second reading of that ordinance, and if adopted, the ordinance will go into effect in 30 days.

For questions regarding this item, please call Louis Molina at 924-1845 or via email at [lmolina@mono.ca.gov](mailto:lmolina@mono.ca.gov).

Submitted by: \_\_\_\_\_  
Louis Molina, Environmental Health Director                      Date

Reviewed by: \_\_\_\_\_  
Sandra Pearce, Public Health Director                              Date



ORDINANCE NO. 18 - \_\_

**AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS  
SUPERSEDING AND REPLACING CHAPTER 14.04 OF THE MONO COUNTY CODE  
IN ITS ENTIRETY TO IMPLEMENT NEW REGULATIONS CONSISTENT WITH  
THE CALIFORNIA STATEWATER RESOURCES CONTROL BOARD'S WATER  
QUALITY CONTROL POLICY FOR SITING, DESIGN, OPERATION AND  
MAINTENANCE OF ONSITE WASTEWATER TREATMENT SYSTEMS**

**WHEREAS**, in September 2000, the State of California enacted Assembly Bill No. 885, which amended the California Water Code to require the California State Water Resources Control Board ("State Water Board") to develop statewide standards and/or regulations for the permitting and operation of onsite wastewater treatment systems ("OWTS"); and

**WHEREAS**, on June 19, 2012, the State Water Board adopted Resolution No. 2012-0032, approving and adopting the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems ("OWTS Policy"); and

**WHEREAS**, the OWTS Policy established a statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements, and recognizes the effectiveness of local permitting agencies; and

**WHEREAS**, the County has prepared this ordinance to supersede and replace in its entirety Chapter 14.04 of the Mono County Code, which currently provides standards for and governs the regulation of sewage disposal systems, to establish standards and regulations consistent with the OWTS Policy for implementation in Mono County.

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

**SECTION ONE:** Chapter 14.04 of the Mono County Code is hereby superseded and replaced in its entirety as set forth in Exhibit A attached hereto and incorporated herein by this reference.

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

[CONTINUED ON NEXT PAGE]

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

3 **AYES:**

4 **NOES:**

5 **ABSENT:**

6 **ABSTAIN:**  
7  
8

9 \_\_\_\_\_  
10 Bob Gardner, Chair  
11 Mono County Board of Supervisors

12  
13 **ATTEST:**

14 **APPROVED AS TO FORM:**

15 \_\_\_\_\_  
16 Clerk of the Board

17 \_\_\_\_\_  
18 County Counsel

# **EXHIBIT A**

## **CHAPTER 14.04 – Onsite Wastewater Treatment Systems**

14.04.010 Purpose and Intent

14.04.020 Definitions

14.04.030. General Provisions

14.04.040 Permits

14.04.050 New System Standards

14.04.060 Repair, Upgrades, Evaluation, Modification and Abandonment Standards

14.04.070 Servicing, Inspections and Reporting

14.04.080 Violations and Conflicting Provisions

14.04.090 Right of Entry

14.04.100 Remedies

14.04.110 Powers and Duties of the Administrative Authority

### **14.04.010. Purpose and Intent**

The purpose of this chapter is to regulate onsite wastewater treatment systems as defined herein. It is the intent of the Board of Supervisors, in adopting this chapter, to ensure that onsite wastewater treatment systems are constructed, modified, repaired, abandoned, maintained, inspected and serviced in a manner that prevents environmental degradation and protects the health, safety and general welfare of the people of Mono County. This chapter is intended to implement and comply with the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy), adopted by the California State Water Resources Control Board on June 19, 2012, and as may be amended, the policy and purpose of which is to protect water quality and public health.

### **14.04.020. Definitions**

The definitions set forth in this section shall govern the construction of this chapter.

(A) “Accessible” means being readily reached and located and opened for purposes of servicing, inspection, repair, upgrade or modification, as defined in this chapter.

(B) “Accessory Dwelling Unit” or “ADU” means a room or set of rooms in a single-family home that has been designed or configured to be used as a separate dwelling unit and has been established by permit. ADUs generally include living, sleeping, and bathroom facilities, may include a kitchen, and have a

lockable entrance door. A detached ADU is a separate structure, normally in a backyard cottage or above a detached garage.

(C) “Adequate Access” means unobstructed tank ports with a minimum of a twenty inch (20”) inside diameter.

(D) “Administrative Authority” means the Director of the Environmental Health Services Division of the Mono County Public Health Department, or a duly authorized representative thereof.

(E) “Alluvium” means unconsolidated rock and/or soil that has been redeposited and typically lies above consolidated bedrock.

(F) “Alternative Wastewater Treatment System” means an onsite wastewater dispersal field that consists of components other than a conventional or supplemental treatment system as defined in this chapter. Examples include, but are not limited to, “mound,” “evapotranspiration,” and “at grade” systems.

(G) “ANSI” means the American National Standards Institute.

(H) “Bedroom” means any room in a dwelling that has a door for privacy, a closet, and an egress window.

(I) “Bedrock” means any consolidated rock, either weathered or not, which usually underlies alluvium. Bedrock would include sedimentary rocks excluding alluvium. “Bishop Tuff” would be considered bedrock for the purposes of this chapter.

(J) “Building Official” means an employee of the Mono County Community Development Department, working in the Building Division, and works under the general supervision of the Department Director.

(K) “Cesspool” means an excavation with permeable sides and/or bottom that receives sewage, wastewater, or drainage and is designed to retain organic matter or solids but permits liquids to seep through the bottom or sides.

(L) “Community System” means a residential wastewater treatment system serving more than two single family housing units on a single lot or on more than two parcels; or commercial, industrial, or institutional systems that treat 2,500 gallons or more of domestic/sanitary wastewater per day (peak daily flow).

(M) “Conventional Onsite Wastewater Treatment System” means an onsite wastewater treatment system composed of a septic tank and a dispersal field that uses leach lines or a leach bed that is gravity fed.

(N) “Dispersal Area” means the location of a dispersal field and expansion area.

(O) “Dispersal Field” means a location used for discharge of liquid sewage effluent from a septic tank, dosing tank or treatment tank. Standard dispersal fields include, but are not limited to, leach lines, leach beds, and seepage pits.

(P) “Drywell” shall be synonymous with the term “Seepage Pit.”

(Q) “Effluent” means the partially treated wastewater discharge from an onsite wastewater treatment system.

(R) “Emergency Repair” means a repair that is intended to immediately remedy a failing onsite wastewater treatment system where wastewater has surfaced and is a threat to health and safety or creates a nuisance as defined in this chapter.

(S) “Equivalent Dwelling Unit” or “EDU” means a unit of measure used for sizing a development based on the amount of waste generated from that development; the value used in implementation of these criteria is 250 gallons per day per EDU. For the purposes of these criteria, the discharge from a single-family dwelling is equal to one EDU. Senior citizen dwelling units and second units as defined in Government Code Sections 65852.1 and 65852.2 will not be considered as additional dwelling units.

(T) “Expansion Area” means an undeveloped area designated as a location for an additional or replacement dispersal field.

(U) “Failing Onsite Wastewater Treatment System” means any onsite wastewater treatment system where wastewater is no longer safely treated or discharged and presents a health risk to humans or adversely impacts the environment, as determined by the Administrative Authority. Evidence of a failing system includes, but may not be limited to:

(1) A backup of sewage into a structure which is caused by a septic tank or dispersal area problem other than a plumbing blockage;

(2) A discharge of sewage or onsite wastewater treatment system effluent to the surface of the ground that creates a health and safety concern, creates a nuisance, or contaminates the waters of the state;

(3) A septic tank that requires pumping more frequently than once a year in order to provide adequate dispersal of sewage; or

(4) Inability to use the system as intended.

(V) “Graywater System” means an onsite wastewater treatment system as defined by the California Plumbing Code.

(W) “Groundwater” means water located below the land surface in the saturated zone of the soil or rock. Groundwater includes perched water tables, shallow water tables, and zones that are seasonally or permanently saturated.

(X) “Inspection” means checking, observing, testing, and/or evaluating an onsite wastewater treatment system to determine the condition of an onsite wastewater treatment system.

(Y) “IAPMO” means the International Association of Plumbing and Mechanical Officials.

(Z) “Inspection Port” means a pipe installed directly into a leaching trench, mound system, and/or other dispersal field to monitor the performance of the system through visual inspection or collection of samples.

(AA) “Leach Line” means a subsurface soil absorption wastewater dispersal system installed in a trench, usually consisting of a perforated distribution pipe placed over gravel or other media and backfilled with



native material. For purposes of this chapter, “leach line” also includes a trench with gravel-less leaching chambers.

(BB) “Limiting Conditions” means geological, hydrological or soil conditions that restrict the ability of the soil in a dispersal field to eliminate effluent. Examples of limiting conditions may include but are not limited to: impervious material, bedrock, high groundwater, fractured rock, consolidated rock, and extreme percolation rates (less than one minute per inch or greater than 120 minutes per inch).

(CC) “Local Agency Management Program” or “LAMP” means the program used for implementation of the Tier 2 standards in the State Water Resources Control Board’s Policy for Siting, Design, Operation and Management of Onsite Wastewater Treatment Systems (OWTS Policy).

(DD) “Low Pressure Distribution” means a wastewater dispersal system of small diameter pipes equally distributing effluent throughout a trench or bed at greater than atmospheric pressure.

(EE) “Maintenance” means work related to the upkeep of a wastewater treatment system. Examples include, but are not limited to, any installation, repair or replacement of septic tank baffles, risers, tees, ells, tops, access port lids, pumps, and blowers. For purposes of this chapter, “maintenance” may also include cleaning of any wastewater treatment system components.

(FF) “Modification” means replacement or enlargement of any component of an onsite wastewater treatment system, not defined as “maintenance” or “repair” in this chapter, which results in a change in flow, capacity or design of the system.

(GG) “NSF” means the National Sanitation Foundation or NSF International, a not-for-profit, nongovernmental organization that develops health and safety standards and performs product certification.

(HH) “Nuisance” means an onsite wastewater treatment system that has created an obnoxious situation such as, but not limited to, unpleasant odors, saturated surface soils, or surfacing effluent.

(II) “Onsite Wastewater Treatment System” or “OWTS” means a system composed of a septic tank and a dispersal field and related equipment and appurtenances. Onsite wastewater treatment systems may also be referred to as septic systems, onsite sewage disposal systems, individual sewage disposal systems or private sewage disposal systems and may include alternative and supplemental treatment systems.

(JJ) “Onsite Wastewater Treatment System Policy” or “OWTS Policy” means the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatments Systems adopted by the California State Water Resources Control Board with the approval of Resolution No. 2012-0032 on June 19, 2012.

(KK) “Operating Permit” means a written authorization to operate an OWTS issued by the Administrative Authority.

(LL) “Parallel Distribution” means a dispersal field in which the OWTS effluent is distributed simultaneously through a distribution box.

(MM) "Percolation Test" means a subsurface test conducted to measure the absorption rate of water in soil strata. The test is conducted after initial pre-saturation and results are usually expressed in minutes per inch.

(NN) "Person" means any individual, firm, partnership, association, corporation, estate, trust, joint venture, receiver, county, or other political subdivision, or any other group or combination acting as a unit.

(OO) "Primary Treatment" means temporary holding of wastewater in a septic tank where heavy solids can settle to the bottom while oil, grease and lighter solids float to the surface.

(PP) "Public Water System" means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year.

(QQ) "Qualified Contractor" means a contractor holding a license that is current and active from the Contractors State License Board for Plumbing (C-36), Sanitation Systems (C-42), or General Engineering Contractor (A). A contractor holding a license as a General Building Contractor (B) shall be considered a Qualified Contractor when constructing, modifying, or abandoning an OWTS as part of a larger construction project involving a new structure or major addition to an existing structure.

(RR) "Qualified Inspector" means a Registered Environmental Health Specialist, Professional Engineer, or Qualified Contractor or an individual that meets the requirements of the State OWTS Policy.

(SS) "Qualified Professional" means an individual licensed or certified by a State of California agency to design OWTS and practice as professionals for other associated reports, as allowed under their license or registration. Depending on the work to be performed and various licensing and registration requirements, this may include an individual who possesses a Registered Environmental Health Specialist certificate or is currently licensed as a Professional Engineer or Professional Geologist.

(TT) "Regional Water Quality Control Board" means, for the purposes of this chapter, the Lahontan Regional Water Quality Control Board, also known as California Regional Water Quality Control Board Region 6, which is one of nine regional water quality control boards in California. Each regional water quality control board is charged with protecting water quality and exercising rulemaking and regulatory activities within its jurisdictional boundaries. Each regional water quality control board is supported by and coordinates with the State Water Resources Control Board. Mono County falls within the Lahontan Regional Water Quality Control Board (Region 6).

(UU) "Registered Pumper" means a firm or person that pumps and/or hauls septage or wastewater from chemical toilets has been issued a registration by the Administrative Authority, and as otherwise outlined in the Mono County LAMP.

(VV) "Repair" means restoration, replacement, or alteration of any malfunctioning or damaged component of an OWTS except those defined in this chapter as maintenance.

(WW) "Secondary Treatment" means wastewater treatment which removes dissolved and suspended biological matter. Secondary treatment is typically performed by indigenous, water-borne microorganisms in a septic tank or treatment tank.

(XX) "Seepage Pit" means an excavation, typically cylindrical in shape and filled with rock, constructed for the purpose of disposing of sewage effluent from a septic tank or treatment tank.

(YY) "Septic Tank" means a water tight, compartmentalized, covered receptacle designed and constructed to: receive the discharge of sewage; separate the solids from the liquid; digest organic matter; store digested solids for a period of retention; and allow the resultant effluent to discharge from the tank to the dispersal field.

(ZZ) "Serial Distribution" means the distribution of septic tank effluent by gravity flow that progressively loads one section of a dispersal system to a predetermined level before overflowing to the succeeding section.

(AAA) "Servicing" means inspection pumping and cleaning of a septic tank, dispersal field, or other system components.

(BBB) "Severely Constrained Lot" means a lot of record that contains limiting conditions that prevent the installation of an OWTS that conforms to the provisions of this chapter.

(CCC) "Sewage" means any and all waste substance, liquid or solid, associated with human habitation, or which contains or may contain human or animal excreta or excrement, offal or any feculent matter. Industrial wastewater shall not be considered as sewage.

(DDD) "Shallow Drip System" means a treated wastewater dispersal system using filters, flexible tubing, drip emitters and a flushing mechanism to disperse directly to the soil without stone aggregate or chambers.

(EEE) "Subdrain" means an underground passage for the re-direction of water, typically made by filling a trench with loose stones and/or a perforated pipe and covering with earth. Subdrains are also called curtain drains, rubble drains or French drains.

(FFF) "Supplemental Treatment System" means an OWTS that utilizes engineered designs and/or technology to treat effluent to reduce one or more constituents of concern in wastewater. It may also be referred to as an Advanced Treatment System or Enhanced Treatment System. Examples include, but are not limited to, sand filters, textile filters and aerobic treatment units but do not include composting or incinerating toilets.

(GGG) "Tertiary Treatment" means wastewater that has already undergone primary and secondary treatment and will be disinfected prior to discharge.

(HHH) "Treatment Tank" means a tank other than a septic tank in which wastewater is acted on either by chemical or biological means, to reduce the concentrations of constituents of concern.

#### **14.04.030. General Provisions**

##### **(A) Requirement for Adequate Wastewater Treatment**

(1) Any structure, regardless of use, that produces wastewater shall have adequate wastewater treatment as required by the California Plumbing Code, as amended and adopted by Section 15.04.030 of the Mono County Code. Wastewater treatment shall either be accomplished by means of an approved OWTS or connection to a public sewer.

- (2) When a public sewer exists within 200 feet of a structure that produces wastewater, an OWTS will not be permitted and the structure must connect to the public sewer system.
- (3) The minimum daily design flow for residences shall be calculated using 150 gallons per day per bedroom.
- (4) The maximum allowable density for OWTS is two (2) Equivalent Dwelling Units (EDU) per acre, without a private well on the property, or 40,000 square feet for a lot with a single-family-dwelling served by an OWTS and a private well. An Accessory Dwelling Unit shall not be considered as a separate EDU.
- (5) Chemical toilets may be used only on a temporary or occasional basis.
- (6) A supplemental treatment system for new or replacement OWTS shall be required under any one of the following conditions:
  - a) Areas identified by the Regional Water Quality Control Board as having groundwater basins experiencing significant groundwater degradation due to OWTS.
  - b) Areas identified by the Regional Water Quality Control Board as having surface waters experiencing degradation due to OWTS.
  - c) On previously developed severely constrained lots where a repair is required but no conforming OWTS can be constructed.
- (7) Composting and incinerating toilets may only be utilized, with written permission from the Administrative Authority, when the residence or structure is also equipped with a standard toilet served by an OWTS, regardless of whether such OWTS is a conventional, alternative, or supplemental treatment system.
- (8) Graywater systems are allowed as per the requirements of the California Plumbing Code.
- (9) For OWTS utilizing parallel distribution for wastewater dispersal, each trench line shall be of equal length to the maximum extent practical. For dispersal systems using serial distribution, trenches shall be maintained at the shallowest depth possible and no deeper than five (5) feet below ground surface.

(B) Protection of OWTS

- (1) Each OWTS shall be located so as to be accessible for servicing, inspection, upgrades, modification and repairs.
- (2) Designated expansion areas shall not be developed in a manner that precludes their availability for the new dispersal field.
- (3) Each OWTS shall be designed, installed and maintained so as to prevent infiltration and exfiltration.
- (4) If subdrains discharge diverted water to subsurface soils, the minimum upslope separation from any dispersal field shall be twenty feet and the minimum down slope separation shall be fifty feet. If the subdrain is provided for the sole purpose of protecting the integrity of a

structure, such as a retaining wall, then the Administrative Authority may modify the separation requirements provided above.

(C) Permit Issuance Does Not Allow Continued Violation

The issuance of a permit or approval of plans shall not be deemed or construed to allow a violation of any of the provisions of the Mono County Code or California state law. The issuance of a permit or approval of plans shall not prevent the Administrative Authority from requiring the correction of errors in said permit or approved plans when a condition allowed in the approval is found to be in violation of the Mono County Code or California state law. Continued violation may result in administrative fines assessed to the responsible party pursuant to Chapter 1.12 of the Mono County Code.

(D) Prohibitions

(1) Discharges from a new OWTS are prohibited if they could result in noncompliance with state and county regulations.

(2) Seepage pits and cesspools are prohibited. Upon discovery, cesspools shall be properly abandoned and replaced with an OWTS that meets the requirements of this chapter. The continued use of a properly functioning, existing seepage pit will be evaluated on a case by case basis.

(3) Holding tanks are prohibited as a permanent method of sewage disposal for both residential and commercial applications. Approved vault toilets, such as those used in campgrounds, are exempt from this prohibition.

(4) Sewage dispersal shall not be permitted in fill material or on slopes greater than 30% unless it is specifically designed by a Registered Civil Engineer to accommodate the discharge without creating a nuisance or public health hazard as approved by the Administrative Authority.

(5) Discharge from an OWTS that exceeds peak design flow or maximum permitted capacity is prohibited.

(6) An OWTS that discharges above grade, including but not limited to sprinklers, exposed drip lines, and ponds is prohibited.

(7) Dispersal fields are prohibited in roadways, but may be allowed with prior approval of the Administrative Authority in designated parking areas if they are designed to withstand vehicle load ratings and are covered with a permeable surface.

(E) Industrial Operations

(1) Any industrial operation which generates wastewater other than, or in addition to, domestic wastewater shall have separate OWTS for the domestic and the industrial wastewater unless a single system is approved by the Regional Water Quality Control Board. Separate applications, plans, and specifications must be submitted for each system.

(2) Industrial wastewater may be subject to regulation by the Regional Water Quality Control Board.

(F) Inspections

(1) Inspections shall be scheduled with the Administrative Authority a minimum of two working days in advance of the time requested. Inspections are required prior to final covering of any components of a system.

(2) A Qualified Professional, with the approval of the Administrative Authority, may conduct construction inspections of an OWTS after excavation and prior to the placement of any rock or fill material. Prior to final approval, a signed report shall be submitted to the Administrative Authority confirming that the OWTS installation has been completed in accordance with the approved design. This does not preclude the normal inspection process associated with any other building permit or requirement.

(3) When the OWTS is installed outside the permitted/approved area, additional testing will be required, or approved by the Qualified Professional that designed the OWTS. The previously approved plans shall be revised to reflect the new location or design change.

(G) Permit Suspension and Revocation.

(1) The Administrative Authority may suspend or revoke a permit whenever it is determined that the permittee has violated any provisions of this chapter; has misrepresented any material fact in the permit application or supporting documents for such permit; and/or performed any work under the permit that has resulted in a nuisance.

(2) No person whose permit has been suspended or revoked shall continue to perform the work for which the permit was granted until, in the case of a suspension, the permit has been reinstated by the Administrative Authority. The permit shall not be reinstated until the violation causing the suspension has been abated.

(3) Upon suspension or revocation of any permit, if any work already done by the permittee has left an OWTS in such a condition as to constitute an emergency, the Administrative Authority may order the permittee to perform any work reasonably necessary to protect the health and safety of the public. No permittee or person who has held any permit issued pursuant to this chapter shall fail to comply with any such order.

(H) Professional Qualifications, Signatures, and Stamps

(1) An OWTS shall be designed by a Qualified Professional as defined by this chapter.

(2) In order to construct, modify, repair, abandon or replace any OWTS, a person must be a Qualified Contractor as defined by this chapter. However, a property owner may construct, repair or modify a system on his/her own property provided the owner complies with all the provisions of this chapter.

(3) A Qualified Inspector, Qualified Contractor, or professional engineer shall perform inspection, maintenance and servicing required by this chapter.

(4) Prior to approval by the Administrative Authority, percolation and performance test reports and final OWTS plans, shall have an original signature and stamp of the professional engineer or the Registered Geotechnical Engineer who performed the tests, wrote the reports and designed the onsite sewage treatment system.

#### **14.04.040. Permits**

No person shall construct, reconstruct, repair, modify, destroy, or abandon any OWTS or graywater system, or any portion thereof, without having first obtained a permit from the Administrative Authority. It shall be unlawful for any person to cover, abandon, destroy, modify, repair, conceal, or put into use an OWTS or graywater system, or any portion thereof, without having first obtained a permit and final approval from the Administrative Authority. Alternative systems and systems with supplemental treatment require an operating permit in conformance with Section 14.04.050(I) of this chapter which shall be issued by the Administrative Authority prior to the final approval of the construction of the OWTS.

##### **(A) Applications**

(1) An OWTS permit application shall be submitted on a form approved by the Administrative Authority for new construction, repair, abandonment or modification of an OWTS, alternative system, or graywater system. The application shall be accompanied by plans and specifications submitted in a format prescribed by the Administrative Authority. The approved application shall be deemed a permit to construct and will contain conditions that apply to the construction, operation and maintenance of the OWTS. The permit conditions shall be binding upon the property owner and successive property owners for the life of the system.

##### **(B) Fees**

(1) Submission of an application shall be accompanied by payment of all appropriate fees. The Board of Supervisors may, by resolution, adopt such fees as are allowed under California Health and Safety Code Section 101325 and may prescribe such terms and conditions as may be necessary to enable Mono County to recover the reasonable and necessary costs it incurs in administering this chapter.

(2) The Mono County Board of Supervisors shall determine fees for operating permits.

##### **(C) Expiration**

Construction permits shall expire by limitation and become null and void if the work authorized is not commenced within one (1) year from the date of issuance of the permit. If the work authorized by such permit is started and then suspended or abandoned for a period of one (1) year or longer, the work shall not be recommenced until a new permit is obtained. Upon written request from the applicant, the Administrative Authority may issue a one-time renewal of the permit for a maximum of one (1) year beyond the initial expiration date, provided that the plans, specifications, and site conditions have not changed. The renewal request must be received by the Administrative Authority prior to the expiration of the previously approved permit. When such renewal is authorized the work must comply with current requirements. Upon the expiration of a permit, no further work shall be performed unless a new permit is issued.

##### **(D) Exemption for Maintenance and Servicing**

OWTS maintenance and servicing, as defined in this chapter, may be performed by a Qualified Contractor without a permit as long as a written report of work performed is submitted to the Administrative Authority and such work complies with all codes, regulations, and procedures applicable

in Mono County at the time the maintenance is performed. The written report shall be submitted on a form approved by the Administrative Authority within 30 days of completion of the maintenance. If the report is not received by the Administrative Authority within 30 days of the completion of the maintenance or servicing, the Qualified Contractor may be subject to administrative fines pursuant to Chapter 1.12 of the Mono County Code.

(E) Transfers

An OTWS permit for operation, construction, modification, repair, or abandonment is not transferable. If there is a sale or transfer of a property upon which a permit has been issued and the work authorized in the permit was not completed by the previous owner, the new property owner must submit a new application.

(F) Zoning Clearance

Approval and/or appropriate permits to construct must be issued by the Mono County Community Development Department for any new structure utilizing an OWTS prior to the issuance of a permit to construct the OWTS.

(G) Administrative Fines and Penalties

Any person who commences work on an OWTS for which a permit is required, without first having obtained a permit, shall be required to obtain a permit and pay double the permit application fee established by the Mono County Board of Supervisors and may be subject to administrative fines pursuant to Chapter 1.12 of the Mono County Code.

(H) Suspension and Revocation

(1) The Administrative Authority may suspend or revoke any permit to construct, repair, modify, or abandon an OWTS, or any component of the system, issued pursuant to this chapter, whenever the permittee has violated any provisions of this chapter, misrepresented any material fact in the permit application or supporting documents for such permit, and/or performed any work that was not authorized under the permit or has created a nuisance.

(2) Any permittee whose permit has been suspended or revoked shall discontinue work for which the permit was granted until such permit has been reinstated or reissued.

(3) If the work halted by the suspension or revocation of a permit has left an OWTS in a condition that constitutes a safety hazard, a nuisance, or threatens public health, then the Administrative Authority may order the permittee to perform any work reasonably necessary to protect public health and safety or mitigate the nuisance, as provided in Section 7.20.010(D) the Mono County Code. If the permittee fails to mitigate the hazard or nuisance, the Administrative Authority may have the construction completed at the expense of the permit holder using and according to the process provided in Section 7.20.090(A) of the Mono County Code.

(I) Right to a Hearing

Any person, whose application for a permit has been denied, suspended, or revoked, may submit a request for an appeal hearing to challenge the denial, suspension, or revocation, to the Administrative Authority. The request must be submitted in writing to the Mono County Clerk in person or by mail



within 10 business days after the permit is denied, suspended, or revoked. When such denial, suspension, or revocation is sent by mail, the hearing must be requested within ten business days from the date the citation was postmarked. The request must specify the grounds upon which the appeal is submitted and should contain documentation that substantiates the reason for the appeal. As soon as practicable after receiving the written request for a hearing, the county administrative officer shall appoint a hearing officer who shall be a planning commissioner. The county administrative officer, or his or her designee, shall then fix a date, time, and place for the hearing. Written notice of the date, time, and place of the hearing shall be served at least 10 business days prior to the date of the hearing to the person to which the denial, suspension, or revocation was issued and to the property owner (if different), as well as anyone else who received formal notice of the citation. The hearing officer shall independently consider the facts of the case and shall draw his or her own independent conclusions as to the merits of the appeal. The order and decision of the hearing officer shall be the final administrative action of the county. The county clerk shall serve the hearing officer's order and decision to the person who filed the appeal within five (5) working days (after the decision is given to the clerk for filing) by certified mail, postage prepaid, return receipt requested.

#### **14.04.050 New System Standards**

The following requirements shall be met to ensure that each new OWTS is installed at locations that have been adequately evaluated and that methods used to conduct those evaluations meet specified minimum standards.

##### **(A) General Site Evaluation**

(1) The Administrative Authority shall require the submission of all information necessary to thoroughly evaluate the suitability of a site for wastewater treatment and dispersal and to assess any limiting conditions. At a minimum, the site evaluation information shall include but is not limited to:

- a) The Administrative Authority may require a geologic report, prepared by a Certified Engineering Geologist, describing soil characteristics, depth to groundwater, and bedrock or other confining zones. Slope stability shall be addressed when the proposed dispersal field is located on a slope greater than 30 percent.
- b) The minimum separation from the bottom of the dispersal field to groundwater shall be confirmed by soil profiles or borings pursuant to Section 14.04.050(B) and Section 14.04.050 (C) of this chapter. Where fluctuations in groundwater levels may impact the dispersal field, the highest recorded depth shall be utilized.
- c) Minimum site requirements shall be those provided in the California Plumbing Code as amended and adopted by the County and/or the OWTS Policy, whichever are more stringent.
- d) Minimum setbacks for the components of an OWTS include:
  - 100 feet from the septic tank or dispersal field to any private water well and 150 feet to any Public Water System well;

- 200 feet to any Public Water System well for dispersal fields greater than 10 feet in depth;
- 5 feet from the septic tank to a building foundation or permanent structure, including a deck;
- 8 feet from the dispersal field to a building foundation or permanent structure, including a deck;
- 5 feet from any portion of the OWTS to any property line, or as otherwise specified by a subdivision's Specific Plan or other similar planning regulation;
- 200 feet from a dispersal field to a water body and 50 feet to a stream.
- Other site-specific setbacks may be imposed to ensure water quality protection and satisfy public health concerns.

(B) Soil Evaluation for Leach Fields

(1) Leach Trenches:

a) At least two (2) deep soil borings or trenches shall be required within the primary dispersal area and expansion area. Deep borings or trenches shall be a minimum of five (5) feet beneath the proposed maximum depth of the dispersal field, or a minimum of 10 feet below ground surface, whichever is greater.

b) When using percolation tests to determine site suitability, not less than three (3) percolation tests shall be conducted in the primary dispersal field and expansion areas. Percolation tests shall be completed with adequate separation to characterize the primary dispersal field and the expansion area. The tests shall be performed at a depth corresponding to the bottom of the subsurface dispersal field.

c) Percolation tests shall be valid for five (5) years after completion. A professional engineer or soils engineer may recertify the tests for an additional term of five (5) years. After 10 years, the original percolation tests are no longer valid and must be repeated.

(2) Leach beds may be installed only if leaching trenches are not feasible, as determined by a Qualified Professional or registered geotechnical engineer with concurrence from the Administrative Authority. A determination of leach line infeasibility must be provided and shall include a certified written statement by the Qualified Professional or registered geotechnical engineer, which specifies the unfavorable conditions that render leach lines infeasible.

(3) Alternative systems may be utilized only if limiting conditions make leach lines infeasible, as determined by a Qualified Professional or registered geotechnical engineer with the concurrence of the Administrative Authority. A determination of leach line infeasibility must be provided and shall include a written statement that has been signed and stamped by the Qualified Professional or registered geotechnical engineer that specifies the unfavorable conditions, which render effluent dispersal using leach lines infeasible.

(C) Soil Profiles or Soil Borings

(1) Soil profiles or soil borings may be required by the Administrative Authority when available information indicates that variations in groundwater levels occur that may result in a failure to

maintain the minimum separation required between the bottom of the dispersal field and groundwater.

(2) Soil Profiles or borings shall be performed during the period of highest anticipated groundwater, to be determined by the Administrative Authority, which is generally late spring to early summer.

(3) In the event of a drought or the project is constructed in the dry times of the year, the Administrative Authority may accept additional hydrologic or geologic information provided by a professional engineer experienced in soil mechanics, a registered geotechnical engineer, a professional geologist, a certified engineering geologist, or a certified hydrogeologist that estimates the highest anticipated elevation of groundwater based on soil or historic data.

#### (D) Tank Requirements

(1) Septic tanks and treatment tanks must be watertight. Water tightness shall be ensured prior to backfilling the excavation around the tank.

(2) Septic tanks and treatment tanks shall be constructed of reinforced concrete, plastic, or other durable synthetic material. Tanks shall be corrosion resistant and shall be certified by IAPMO, NSF, or ASTM.

(3) Septic tanks and treatment tanks shall only be installed beneath surfaces subject to vehicular traffic (e.g., driveways and vehicle turnarounds) when site constraints make other locations unfeasible. Tanks installed in vehicular traffic areas shall be traffic rated or engineered to support the additional load. Septic tanks and treatment tanks placed in areas subject to vehicular traffic shall be provided with lids or risers that are rated for traffic loading.

(4) Septic tanks shall be sized based on the current California Plumbing Code or Mono County LAMP criteria, whichever is more restrictive.

(5) All septic tanks for new systems and replacement tanks for existing systems shall be equipped with an effluent filter that is an American National Standards Institute (ANSI) listed. The filter must be accessible for cleaning, replacement and maintenance.

(6) Septic tanks and treatment tanks shall be installed by a Qualified Contractor according to the manufacturer's specifications. Earth cover over the tank shall be clean fill material free of debris and rock.

(7) Septic tanks shall have a minimum of two (2) compartments with access to each compartment and a lid with a minimum of 20 inches in diameter for each compartment. Access lids shall have a maximum separation of 10 feet. Treatment tanks may consist of a single tank if required by the manufacturer of an approved supplemental treatment system.

(8) Septic tanks and treatment tanks shall be installed so as to be accessible for servicing, inspection, maintenance, upgrades, or replacement. Tanks shall have a minimum setback of five (5) feet to any foundation or structure.

(9) Septic tanks shall be installed with the top of the tank no deeper than 12 inches below finish grade. If it is demonstrated that the top of a septic tank must be deeper than 12 inches below

grade, each compartment of a septic tank shall be provided with a watertight riser, capable of withstanding anticipated structural loads and extending to within 12 inches of finish grade. Septic tanks and treatment tanks shall be installed as shallow as practical and in no case at a depth greater than factory recommendations.

(10) When a Qualified Professional, other than the Administrative Authority, inspects a septic tank or treatment tank installation, the Qualified Professional shall provide written certification that the installation has been completed per the approved plans.

(11) Risers shall be installed to within 12 inches of grade to enhance access for maintenance.

(12) Distribution boxes, drop boxes, pump chambers, and stilling chambers shall be watertight and commercially manufactured with corrosion resistant materials.

(13) When septic tank risers are installed to finish grade, access lids shall be gas-tight, securely fastened with stainless steel or other corrosion resistant fasteners and be resistant to vandals, tampering, and access by children. Risers and lids on tanks installed in vehicular access areas shall be traffic rated.

(14) Surface water shall be diverted away from the riser cover or septic tank lid by providing a sloping surface away from the riser, or extending the riser at least six (6) inches above grade.

#### (E) Leach Line Construction

(1) Leach line construction shall conform to criteria outlined in the most recent edition of the California Plumbing Code.

(2) Application rates shall be in conformity with the Mono County LAMP. Leach field sizing will be calculated based on the appropriate application rate, in gallons per square foot per day (g/sf/d), for the soil characteristics observed on site. Application rates for various soils are derived from the most recent edition of the USEPA Onsite Wastewater Treatment System Manual.

(3) Inspection ports shall be installed at the end of each trench and at other locations if required by the Administrative Authority. Inspection ports shall extend to the bottom of the trench or bed. The portion of the inspection port within the rock filter material, or within the chamber if a chamber system leach field is used, shall be perforated to permit the free flow of liquid. The inspection ports shall have removable caps and may either extend above grade or set to grade if enclosed in a service box with removable lid. The boxes shall be made of non-degradable material such as PVC, fiberglass, or concrete.

#### (F) Low Pressure Distribution

(1) When required by site conditions, OWTS effluent may be distributed to a dispersal field under pressure. Dispersal utilizing pressure distribution shall meet the following requirements:

a) Pressure distribution systems shall be fully engineered. When system installation is inspected by other than the Administrative Authority, the Qualified Professional shall submit a stamped and signed letter to the Administrative Authority stating that the pressure distribution system has been constructed per the previously submitted plans.

- b) The pump chamber shall include a visual and audible high-water alarm.
- c) Emergency storage capacity shall be required equal to six (6) hours of peak flow or 375 gallons whichever is greater.
- d) The dispersal field shall be dosed in compliance with design requirements.
- e) The distribution network shall be accessible for inspection, testing, flushing and adjustment.

#### (G) Alternative Wastewater Treatment Systems

- (1) OWTS utilizing an alternative dispersal field that may be approved for installation include mound and pressurized leach bed systems. The Administrative Authority may approve other types of systems.
- (2) The Administrative Authority may adopt design standards for alternative systems after consultation with the Regional Water Quality Control Board.
- (3) Operation, maintenance, and monitoring specifications shall be provided for review and approval for any alternative dispersal system
- (4) A notice of the installation of an alternative onsite sewage dispersal field shall be recorded with the Mono County Clerk-Recorder's office. Said notice shall run with the land and serve as constructive notice to any future owner, heirs, executors, administrators, or successors that the OWTS serving the subject property has an alternative dispersal field for wastewater dispersal and is subject to an operating permit, regular monitoring, maintenance, and reporting requirements.
- (5) The property owner shall ensure that a Qualified Inspector, acceptable to the Administrative Authority, conducts a visual and operational inspection of the system once every year to ensure that the system is functioning properly.
- (6) The property owner shall submit a report a minimum of once a year, prepared by a Qualified Contractor or Qualified Professional in a form prescribed by the Administrative Authority. The report shall include the results of any inspections, a check of the high water alarm, and any other requirements specified by the Administrative Authority. Reports shall be submitted within 30 days of the completion of the inspection.

#### (H) Supplemental Treatment Systems

- (1) The Administrative Authority shall review and approve the method of supplemental treatment proposed prior to construction. Treatment systems and their components shall be tested and certified by an independent testing agency, such as IAPMO, ANSI, NSF or similar, and shall be tested for the removal of total suspended solids, bio-chemical oxygen demand (BOD), and total nitrogen.
- (2) A "Notice of Installation of a Supplemental Treatment System" shall be recorded with the Mono County Clerk-Recorder office. Said notice shall run with the land and serve as constructive notice to any future owner, heirs, executors, administrators, or successors that the OWTS

servicing the subject property has supplemental treatment and is subject to an operating permit with monitoring, reporting, and maintenance requirements.

(3) A maintenance contract between the property owner and the supplier of the supplemental treatment system or their representative shall be in force for the supplemental treatment unit and dispersal field prior to installation. The maintenance agreement shall be in force for the life of the supplemental treatment system.

(I) Operating Permits

(1) An operating permit issued by the Administrative Authority is required for the operation of alternative and supplemental treatment systems. All OWTS requiring operating permits shall be operated, maintained and monitored pursuant to the requirements of this chapter and the permit. The operating permit shall be renewed every five (5) years following the review of satisfactory annual reports submitted to the Administrative Authority. The Administrative Authority may suspend or revoke an operating permit for failure to comply with any monitoring, maintenance, or other requirements of the permit. If a permit is suspended or revoked, operation of the system shall cease until the suspension or revocation is lifted or a new permit issued. Continued use of an OWTS where the operating permit has expired or has been suspended may cause the responsible party to be subject to administrative fines pursuant to Chapter 1.12 of the Mono County Code.

(2) Operation, maintenance and monitoring specifications shall be provided for review and approval for any supplemental treatment.

(3) The property owner shall ensure that a Qualified Contractor, Qualified Professional, Registered Environmental Health Specialist, or manufacturer's representative conducts a visual and operational inspection of the system at the frequency specified by the manufacturer or a minimum of once per year to determine if the system is functioning properly.

(4) The property owner shall submit a report for every inspection or a minimum of once a year, within 30 days of inspection, prepared by a Qualified Contractor, Qualified Professional, Registered Environmental Health Specialist, or manufacturer's representative in a form prescribed by the Administrative Authority. The report shall include the inspection results, analysis of the wastewater from the inspection ports for total suspended solids, BOD, and nitrogen series, and any other requirements specified by the Administrative Authority.

**14.04.060 Repair, Upgrades, Evaluation, Modification and Abandonment Standards**

(A) Failed OWTS

(1) A Qualified Contractor as defined in this chapter shall perform all repairs. An owner-builder may perform the work in lieu of the Qualified Contractor but all repairs shall meet the provisions of this chapter.

(2) Upon failure of an OWTS, the system shall be repaired and shall conform to the provisions of this chapter. Failures in which there is surfacing of effluent shall be repaired immediately.

(3) If the OWTS to be repaired was constructed under a valid permit and the approved expansion area is known, then the replacement dispersal field shall be of equal or larger size. The permittee shall verify the size, type and location of the existing dispersal field. This information shall be submitted to the Administrative Authority as part of the repair application.

(4) If the replacement dispersal field was previously approved, an adjacent "like for like" or larger dispersal field shall be installed under permit and inspection of the Administrative Authority.

(5) An OWTS that has failed and for which a replacement dispersal field cannot meet current standards, shall meet all the requirements of this chapter for a new OWTS to the maximum extent feasible.

(6) An OWTS that has failed and was not constructed under a valid permit or was legally non-conforming, shall be replaced with a system that meets all the requirements of this chapter for a new OWTS to the maximum extent feasible.

#### (B) Upgrades

(1) Upon discovery, all existing hollow seepage pits shall be properly abandoned and replaced with a dispersal field approved by the Administrative Authority.

(2) Upon discovery, all cesspools and bottomless septic tanks or otherwise non-watertight tanks shall be properly abandoned and replaced with a septic tank that conforms to the provisions of this chapter.

(3) Cesspools or OWTS without adequate dispersal fields shall install a dispersal field approved by the Administrative Authority.

(4) Upon discovery, septic tanks made of wood, metal, or brick tanks with cracked or missing mortar, must be replaced with a septic tank that meets the requirements for new systems specified in Section 14.04.050 (D) of this chapter.

(5) Replacement septic tanks and treatment tanks shall meet the requirements for new systems specified in section 14.04.050 (D) of this chapter.

(6) Septic tanks and treatment tanks and all components must be constructed to provide adequate access so that all compartments can be inspected and pumped.

(7) Septic or treatment tanks constructed of concrete shall be replaced or structurally modified when the narrowest section of the lid or wall is found to have a remaining thickness of 2-1/2" or less at its narrowest point or if the remaining concrete is less than half the original thickness. Risers shall be removed and reinstalled after the tank top is repaired.

(8) Septic tanks shall be replaced or repaired when the height of the baffle between compartments is equal to the water depth within the tank or when the baffle between compartments deteriorates to the point where it no longer provides compartment separation as designed.

(9) Any septic tank or treatment tank, which has more than two (2) feet of cover and is uncovered for purposes of servicing, repair or modification shall be retrofitted with risers that have a minimum inside diameter of 20 inches and manhole covers as specified in this chapter.

(10) If the septic tank or treatment tank is located at greater than five (5) feet beneath ground surface, then the riser shall be a minimum of 30 inches in diameter. Risers must be installed to allow for the measurement of the thickness of the tank top.

(11) Septic tanks or treatment tanks that are found to be located within the required setback distance from a structure shall be evaluated for adequate access. If it is determined that the septic tank or treatment tank is inaccessible, they shall be relocated to provide the required setback.

(12) Missing, deteriorated, or damaged components, including but not limited to, tees, ells, risers, and lids, must be repaired or replaced.

(13) Single compartment septic tanks requiring repair or modification must be replaced with a tank that meets the requirements for new systems specified in Section 14.04.050 (D) of this chapter.

(14) Fiberglass or plastic tanks which have warped, collapsed, deflected, or have a damaged baffle, shall be replaced.

#### (C) Evaluation of OWTS

An OWTS evaluation shall be performed, and approved in writing by the Administrative Authority, for projects that remodel the interior of a structure, change the footprint of the structure, or change the use of a structure. An evaluation can only be approved when it is determined by the Administrative Authority that the proposed improvements or change in use will not encroach into required setbacks or the 100% expansion area and the existing system will accommodate the proposed changes.

#### (D) Modification

(1) Modification of an existing OWTS shall be required by the Administrative Authority when any of the following occurs:

- a) Improvements to a property intrude upon the physical location of the system or the expansion area;
- b) The existing septic system does not meet required setbacks;
- c) The septic tank or treatment tank does not meet the minimum capacity requirements contained in this chapter;
- d) The dispersal area including the 100% expansion area is not adequately sized or functioning properly; or
- e) A project increases flow to the dispersal field.



(2) The modification permit approval shall be based on field testing, engineering calculations, and other information deemed necessary by the Administrative Authority in order to determine the adequacy of the dispersal field with respect to the proposed modification.

(3) Modifications that require replacement or expansion of the dispersal field shall meet the requirements for new systems provided in Section 14.04.050 of this chapter to the maximum extent feasible.

(4) A modification permit is required when the proposed construction or change in use results in either of the following:

- a) Adds a bedroom as defined in this chapter to a residential structure; or
- b) Increases peak daily design flow or the number of plumbing fixture units to a nonresidential structure.

(5) A modification shall not be required if adequate information, as determined by the Administrative Authority, is provided to confirm that the existing system meets current requirements for the proposed project.

#### (E) General Abandonment Standards

(1) An existing OWTS, or portion thereof, shall be properly abandoned under permit and inspection by the Administrative Authority within 30 days of the occurrence of any of the following:

- a) The discovery of a hollow seepage pit that does not meet the criteria for seepage pits, as provided in this chapter;
- b) Connection of the served structure(s) to the public sewer; or
- c) Removal or demolition of the served structure(s), unless the owner demonstrates his/her intent to use the system to serve a replacement structure and demonstrates to the satisfaction of the Administrative Authority that the system can be maintained in a safe and secure manner until completion of the replacement structure.

(2) Prior to abandonment of any OWTS, or portion thereof, the property owner shall identify the replacement method of sewage treatment and dispersal, and specifically identify the structure(s) to be demolished.

(3) The abandonment of the OWTS shall not occur prior to obtaining the required permit from the Administrative Authority.

(4) During abandonment of an OWTS, the property owner shall provide evidence of the type of sewage dispersal field present on the property.

(5) Abandonment standards for septic tanks, treatment tanks, cesspools, and seepage pits shall include the following:

- a) Prior to abandonment, a Registered Pumper shall pump the septic tank, treatment tank, cesspool or hollow seepage pit to remove any standing wastewater;

- b) Whenever possible, the septic tank, treatment tank, piping and/or other appurtenances shall be removed and transported to an approved disposal facility or landfill;
- c) The top of the septic tank, treatment tank, cesspool, or hollow seepage pit shall be removed;
- d) If a tank must be left in place, the bottom of the tank shall be cracked or perforated, or at least one wall of the tank shall be removed, prior to inspection;
- e) The tank, cesspool or hollow seepage pit shall be filled with clean earth, sand, gravel, concrete or other material approved by the Administrative Authority. In the event the abandoned septic tank is filled with concrete or cement slurry, perforation of the bottom or removal of a wall shall not be required;
- f) The Building Official shall be consulted regarding the abandonment of a septic tank, treatment tank or hollow seepage pit located within the setback distance of a structure.

(7) Abandonment standards for dispersal fields are as follows:

- a) Seepage pits shall be excavated to a minimum depth of two (2) feet below grade and the inspection/vent pipe cut a minimum of 18 inches below grade. The perforated pipe and the excavation shall be backfilled with clean earth or other fill material approved by the Administrative Authority.
- b) Gravel-filled leach lines may be abandoned in place without structural modification. Leach lines utilizing hollow chambers shall have the chambers removed and the trench backfilled with clean fill, or be evaluated by a Qualified Professional or geotechnical engineer, with the concurrence of the Administrative Authority, if the chambers are to be abandoned in place.

#### **14.04.070 Servicing, Inspections, and Reporting**

##### **(A) Servicing and Pumping**

- (1) Any individual who inspects OWTS shall be a Qualified Inspector as defined by this chapter. Inspections shall include a visual evaluation of the system to detect any deficiencies and a review of any documents in the files of the Qualified Inspector to identify previous inspections, servicing, or work performed on the system.
- (2) Whenever an OWTS is serviced, the Qualified Inspector shall inspect the system in accordance with procedures adopted by the Administrative Authority. Such procedures shall include, but not be limited to:
  - a) A Registered Pumper shall pump the contents of all compartments of the septic tank and the septage shall be transported to an approved disposal facility;
  - b) The septic tank or treatment tank shall be inspected for signs of deterioration, corrosion, elevated liquid level or damage. The dispersal field shall be examined for failure;

c) Ascertain the existence of a hollow seepage pit or cesspool if the structure is served by a substandard septic tank (e.g. made of wood, steel or bottomless).

d) The OWTS inspection report shall be fully completed, legible, and submitted to the Administrative Authority and in conformity with Section 14.04.070(B).

#### (B) Reporting

(1) A report on a form, or in a manner approved by the Administrative Authority, shall be submitted by a Qualified Inspector to the Administrative Authority and the property owner no later than 30 days following inspection, servicing, or maintenance of an OWTS. If an inspection has determined that an OWTS has failed, as defined in this chapter, the written report shall be provided within 24 hours of servicing or maintenance.

(2) The report shall include:

a) The name, address, and telephone number of the property owner as well as the street address of the property on which the OWTS is located;

b) The name, address, and telephone number of the company that provided the service and conducted the inspection;

c) A description of the system, including the type and size of the septic tank, treatment tank, other system components, as well as the type and location of the dispersal field;

d) A description of the maintenance performed, including the date of the service, the volume of material pumped from the septic and or treatment tank(s), an assessment of the condition of the tank(s) and other system components and a description of any repairs, modifications or upgrades provided; and

e) A description of any uncorrected deficiencies of the OWTS. Reported deficiencies shall include, but not be limited to, damaged, corroded deteriorated septic system components, failed dispersal field, backflow of effluent from the dispersal field back into the septic tank or treatment tank, lack of access risers or other upgrades required by this chapter, or other condition determined to be a significant deficiency or not in compliance with the provisions of this chapter.

#### (C) Property Owner Notification

(1) Upon receiving an inspection report identifying an uncorrected deficiency or required maintenance, repair or upgrade of an OWTS, the Administrative Authority shall notify the property owner in writing of the corrections required to comply with the applicable standards in this chapter.

(2) All corrective actions necessary to comply with the standards of this chapter shall be completed within 30 days of the date that a notification has been sent, unless otherwise directed by the Administrative Authority.

#### (D) Registered Pumper Requirements

(1) Septage haulers shall register with the Administrative Authority.

(2) Septage haulers shall have vehicles that meet the following minimum standards, which shall be verified at the Administrative Authorities request:

- a) The pumper vehicle, its holding tank(s), and all related appurtenances shall be watertight, functional, and maintained in good operating condition;
- b) Each pumper vehicle shall be identified with the business name and phone number with letters and numbers of at least 3 inches in height;
- c) Holding tanks shall be constructed of durable, corrosion resistant material, and shall meet the following criteria:
  - i) All hoses and related equipment shall be stored in covered containers or otherwise secured to the vehicle or holding tank; and
  - ii) Man-ways and cleanouts shall be covered with secured, tight fitting lids;
- d) Appropriate safety equipment is to be provided and shall include, but not limited to, a fire extinguisher, heavy-duty rubber gloves, bleach, disinfectant and eye protection; and
- e) The current registration decal shall be posted in the rear of the vehicle in a conspicuous location.

(3) The Administrative Authority may suspend or revoke a septage hauler's registration, issued pursuant to this chapter and California Health & Safety Code Sections 117400-117450, as may be amended from time to time, whenever it finds that the registrant or its employees performing the work has done any of the following:

- a) Violated any provision of this chapter;
- b) Misrepresented any material facts in the application or supporting documents for such a registration; or
- c) Misrepresented facts in reports or failed to submit reports to the Administrative Authority as required by this chapter.

(4) No hauler whose registration has been suspended or revoked shall continue to perform the work for which the registration was granted until such time that the Administrative Authority reinstates the registration.

(5) Any hauler whose registration has been suspended or revoked may appeal the denial or suspension to the Environmental Health Services Director or the appointed representative in writing within 10 working days after notification of the imposition of suspension or revocation. Such an appeal must specify the grounds upon which it is taken. The Administrative Authority shall set the appeal hearing at the earliest practicable time and shall notify the appellant, in writing, of the established date and time at least 10 days prior to the hearing date.

#### **14.04.080 Violations and Conflicting Provisions**

##### **(A) Violations**

(1) In the event of a violation of the provisions of this chapter, the property owner of the parcel where the violation exists shall be given notice of such violation and a reasonable time for its correction. In the event that all required corrections are not completed in the time noted on the notice of violation, the property owner shall be subject to administrative fines as provided in Chapter 1.12 of the Mono County Code.

(2) If the Administrative Authority performs an inspection after notice of violation has been given and the violation has not been corrected, the property owner shall be subject to a violation reinspection fee at a rate approved by the Board of Supervisors.

**(B) Conflicting Provisions**

(1) If any of the provisions of this chapter conflict with any of the provisions of other codes adopted by the County of Mono, the provisions of this code shall control unless expressly stated to the contrary.

(2) If any part of this chapter or its application is deemed invalid by a court of competent jurisdiction, the Board of Supervisors intend that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this chapter are severable.

**14.04.090 Right of Entry**

(A) Whenever it is necessary to make an inspection to enforce any of the provisions or perform any duty imposed by this chapter or by the Mono County Code, incorporated herein by this reference, or any other applicable law, the Administrative Authority is hereby authorized to enter such property at any reasonable time and to inspect the same and perform any duty imposed upon the Administrative Authority by this chapter or other applicable law, provided that if such property be occupied, the Administrative Authority shall first present proper credentials to the occupant and request entry, explaining the reasons therefore. If such entry is refused or cannot be obtained because the owner or other person having charge or control of the property cannot be found after due diligence, the Administrative Authority shall have recourse to every remedy provided by law to secure lawful entry and inspect the property.

(B) Notwithstanding subsection (a) of this section, if the Administrative Authority has reasonable cause to believe that the onsite sewage dispersal system or premises is so unsafe, offensive, or dangerous as to require immediate inspection to safeguard the public health or safety, the Administrative Authority shall have the right to immediately enter and inspect such property and use any reasonable means required to effect such entry and make such inspection, whether such property be occupied or unoccupied and whether or not permission to inspect has been obtained. If the property is occupied, the Administrative Authority shall first present proper credentials to the occupant and demand entry, explaining the reasons therefore and the purpose of the inspection.

**14.04.100 Remedies**

(A) Any violation of the provisions of this chapter by any person is subject to administrative fines as provided in Chapter 1.12 of the Mono County Code. These remedies are not exclusive of any other

remedies available under other federal, state, or local laws and it is within the discretion of the Administrative Authority to seek cumulative remedies.

(B) The County Health Officer or his designee may order the public water supply to any premises or property to be discontinued upon finding by the County Health Officer or his designee that the continuation of such supply may endanger the public health. These may include but are not limited to:

(1) When sewage is overflowing or being discharged on the ground surface, the Director of Environmental Health Services may order the occupant or occupants thereof who contribute to such overflow or discharge to abate the same forthwith.

(2) If such occupant or occupants fail to abate such overflow or discharge as ordered, the County Health Officer may order such occupant or occupants to vacate the premises within 24 hours.

#### **14.04.110 Powers and Duties of the Administrative Authority**

(A) The Administrative Authority may adopt policies and procedures to implement and administer this chapter.

(B) Within the unincorporated area of Mono County, the Administrative Authority is authorized and directed to enforce the provisions of this chapter. It is authorized to consult with qualified experts in any matter concerning the construction, operation, maintenance, and repair of OWTS to the extent that it deems it necessary to assist in carrying out its duties under this chapter. The Administrative Authority may request and shall receive the assistance and cooperation of other officials of the County of Mono, so far as may be necessary to carry out its duties outlined in this chapter.

(C) The Administrative Authority may approve requests for variances from the provisions of this chapter if it is determined that complete compliance with the prescribed standards is not possible or practical and that the variance is not counter to the purposes and intent of this chapter or with the LAMP approved by the Regional Water Quality Control Board.



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** September 4, 2018

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT** Approve Mammoth Community Water  
District's Amended Conflict of Interest  
Code

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

### AGENDA DESCRIPTION:

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

All local government agencies are required by state law to adopt their own conflict-of-interest codes and to review such codes once every two years. However, a local agency should amend its conflict-of-interest code as frequently as circumstances require. As such, the Mammoth Community Water District has amended its 2016 Conflict of Interest Code by Resolution No. 07-19-18-18 to conform to current FPPC recommendations on format and content and to memorialize changes in designated staff positions subject to the code's reporting requirements and other minor changes, and seeks approval of its new Conflict of Interest Code by the Mono County Board of Supervisors, its code-reviewing body.

### RECOMMENDED ACTION:

Approve the new Conflict of Interest Code adopted by the Mammoth Community Water District on July 19, 2018, and direct the Clerk to notify the District's Executive Assistant of the Board's action.

### FISCAL IMPACT:

None.

### CONTACT NAME:

PHONE/EMAIL: /

### SEND COPIES TO:

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

Click to download

[MCWD Resolution / COI Code](#)

[Staff report](#)

History

<b>Time</b>	<b>Who</b>	<b>Approval</b>
8/30/2018 5:26 AM	County Administrative Office	Yes
8/30/2018 2:22 PM	County Counsel	Yes
8/30/2018 8:01 AM	Finance	Yes



## 2018 Local Agency Biennial Notice

Name of Agency: Mammoth Community Water District  
Mailing Address: POB 597 Mammoth Lakes, CA 93546  
Contact Person: Pat Hayes Phone No. 760.934.2596  
Email: PHayes@mcwd.dst.ca.us Alternate Email: ghake@mcwd.dst.ca.us

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

**An amendment is required. The following amendments are necessary:**

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) \_\_\_\_\_

**The code is currently under review by the code reviewing body.**

**No amendment is required.** (If your code is over five years old, amendments may be necessary.)

---

### Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

\_\_\_\_\_  
Signature of Chief Executive Officer

\_\_\_\_\_  
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2018**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**

## RESOLUTION NO. 07-19-18-18

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MAMMOTH COMMUNITY WATER DISTRICT ADOPTING AMENDED DISTRICT CONFLICT OF INTEREST CODE

**WHEREAS**, Government Code Section 87300 requires each local public agency to adopt and promulgate a conflict of interest code pursuant to the Political Reform Act for the purpose of ensuring that agency officials subject to the statute disclose economic interests that might be involved in the making or in the participation of making decisions that may foreseeably have a material effect on each official's financial interest;

**WHEREAS**, Government Code Section 87307 authorizes a local public agency to amend its conflict of interest code at any time; and

**WHEREAS**, the District's existing conflict of interest code, as last amended by the Board on August 18, 2016, requires updating to conform to current FPPC recommendations on format and content and to memorialize changes in designated staff positions subject to the code's reporting requirements, and make other minor changes.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Mammoth Community Water District as follows:

1. The Board of Directors hereby adopts the revised District conflict of interest code attached hereto, which supersedes the amended conflict of interest code adopted by the Board on August 18, 2016, and all other prior inconsistent codes, resolutions or ordinances.

2. Designated employees and consultants shall file statements of economic interest on FPPC Form 700 electronically with the Mono County Clerk-Recorder's Office or with the District's designated code filing officer, the Executive Assistant or her designee, who will make the statements available for public inspection and copying and file such statements with Mono County.

3. This conflict of interest code shall not take effect until the Mono County Board of Supervisors approves it in its capacity as code reviewing body under the Political Reform Act. The General Manager is hereby authorized and directed to submit a certified copy of this resolution with the amended District conflict of interest code to the Board of Supervisors and request approval of that code.


4. After approval by the Mono County Board of Supervisors, the amended code attached hereto shall constitute the Conflict of Interest Code of the Mammoth Community Water District in accordance with subdivision (a) of Section 18730.

**PASSED AND ADOPTED** by the Board of Directors of the Mammoth Community Water District on this 19th day of July 2018, by the following vote:

AYES: Directors Cage, Creasy, Domaille, Kaufman, and Smith  
NOES: None

ABSENT: None  
ABSTAIN: None

MAMMOTH COMMUNITY WATER DISTRICT

By:   
\_\_\_\_\_  
Thomas R. Smith  
President, Board of Directors

Attest:

  
\_\_\_\_\_  
Patrick A. Hayes  
General Manager/Secretary

# MAMMOTH COMMUNITY WATER DISTRICT

## CONFLICT OF INTEREST CODE

Adopted: July 19, 2018

---

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, Section 18730 of Title 2 of the California Code of Regulations, which contains the terms of a standard conflict of interest code. This regulation can be incorporated by reference into any agency's code without publication in full within the code. After public notice and hearing, Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of that regulation, Title 2, section 18730 of the California Code of Regulations and any amendments to it duly adopted by the Fair Political Practices Commission from time to time are hereby incorporated by reference in full into this code and will be applied in accordance with the provisions existing on the date that any issue arising under this code adopted by the Mammoth Community Water District Board of Directors must be addressed. This cover page, the referenced and incorporated FPPC regulation, and the Appendix, which is attached hereto and incorporated herein, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Mammoth Community Water District.

Recognizing that different employees have different levels of authority and responsibility, the Appendix to this Conflict of Interest Code establishes three categories of disclosure under which employees are designated based on the scope of their decision making authority. Employees with no significant decision making responsibility are classified as exempt, and are not required to file reports under this Code.

Non-exempt District employees and officers listed in the attached Appendix are designated as persons who are deemed to make, or participate in the making of, decisions that may have a material effect on a financial interest. Consultants are also subject to the disclosure requirements of this Conflict of Interest Code if they are in a position to make decisions, or influence decisions, that could have an effect on their financial interest.

**MAMMOTH COMMUNITY WATER DISTRICT  
CONFLICT OF INTEREST CODE**

**APPENDIX OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES**

**Designated Positions.** The officers and employees listed below are designated as persons who are deemed to make, or participate in the making of, decisions that may have a material effect on a financial interest. Persons holding designated positions listed below will disclose interests and investments in accordance with the corresponding disclosure categories as defined below.

<b><u>Designated Position</u></b>	<b><u>Disclosure Categories</u></b>
District Engineer	1
Human Resources Manager	3
Information Services Manager	3
Purchasing Agent	2
Operations Superintendent	2
Maintenance Superintendent	2
Principal Analyst	3
District Counsel	1
Consultants <sup>1</sup>	1

**Officials Who Manage Public Investments.** Officials who manage public investments are deemed to be “statutory filers” within the meaning of Government Code Section 87200 and California Code of Regulations, Title 2, section 18720 because they must file statements of economic interest (FPPC Form 700) pursuant to the state Political Reform Act instead of the District’s Conflict of Interest Code. The District’s statutory filers are: Members of the Board of Directors, General Manager/Board Secretary and Finance Director/Board Treasurer. As a result, such persons are not designated in this code and are listed here for information only. An individual holding one of the above-listed positions may contact the Fair Political Practices Commission (“FPPC”) for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether or not a position is covered by Government Code Section 87200.

**Disclosure Categories.** The District’s disclosure categories are defined as follows:

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<sup>1</sup> Unless the General Manager determines in writing that narrower disclosure is permitted in accordance with the standards provided on page 2 of this Appendix under the heading “Consultants.”

Category 1- Full Disclosure: All persons in this disclosure category will disclose all interests in real property within two miles of the District's boundaries, as well as all investments, business positions in business entities and sources of income, including receipt of gifts, loans and travel payments, from all sources.

Category 2 – Employees with Significant Contracting and Policy Authority, But Without Authority Over Acquisition of Interests in Real Property: All persons in this disclosure category will disclose all investments, business positions in business entities and sources of income, including receipt of gifts, loans and travel payments, in or from all sources that provide goods, equipment or services, including training or consulting services, of the type utilized by the District.

Category 3 – Employees with Specific Contracting or Policy Authority or Who Participate in Making Specific Contracts or Policies: All positions in this category will disclose all investments, business positions in business entities and sources of income, including the receipt of gifts, loans and travel payments, in or from all sources that provide services and supplies of the type utilized by the department or programs administered or managed by the designated position.

**Consultants.** “Consultant” means an individual who, pursuant to a contract with the District, either: (A) Makes a governmental decision whether to: (1) approve a rate, rule, or regulation; (2) adopt or enforce a law; (3) issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement; (4) authorize the District to enter into, modify, or renew a contract provided it is the type of contract that requires District approval; (5) grant District approval to a contract that requires District approval and to which the District is a party, or to the specifications for such a contract; (6) grant District approval to a plan, design, report, study, or similar item; or (7) adopt or grant District approval of policies, standards, or guidelines for the District, or for any subdivision thereof; or (B) Serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in California Code of Regulations, Title 2, Section 18702.2 or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's conflict of interest code under Government Code Section 87302. (See 2 CCR 18701(a)(2).)<sup>2</sup>

“Consultants” are included in the list of designated positions and must disclose interests and investments in accordance with the broadest disclosure category in the District's conflict of interest code, subject to the following limitation: The General Manager may determine in writing that a particular consultant, although a “consultant” and “designated position,” nevertheless is hired or retained to perform a range of duties that is limited in scope and therefore is not required to comply with any or some of the disclosure requirements described in this section. The General Manager's written determination

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<sup>2</sup> A consultant serves in a staff capacity only if he or she has an on-going relationship with the District. A consultant who works on one project or a limited range of projects for the District is not deemed a consultant subject to the reporting requirements of this code unless the project or projects extend over a substantial period of time, generally more than one year. (See *Smith* Advice Letter, FPPC No. I-99-316; *Travis* Advice Letter, FPPC No. A-96-053; *Randolph* Advice Letter, FPPC No. A-95-045.)

will include a description of the consultant's duties, and, based on that description, a statement of the extent of disclosure requirements. The written determination is a public record and will be retained for public inspection in the same manner and location as the District's conflict of interest code as required by Government Code Section 81008.

**New Position Added or New Consultant Hired Without Code Revision.** If the District creates a new position that requires disclosure under this code without simultaneously amending the code, the employee appointed to fill such a position will file a Form 700 Assuming Office Statement and thereafter file annual Form 700 Disclosure of Economic Interest Statements using the broadest disclosure category until the District amends the code to designate the position and, if warranted, to authorize more narrow disclosure for the position. Alternatively, the General Manager may designate for any such position or consultant narrower disclosure obligations using a FPPC Form 804 (New Hire) or Form 805 (New Consultant) as appropriate. (See 2 CCR 18734.)

**Filing of Form 700 Statements of Economic Interest.** Persons holding designated positions shall file statements of economic interests with the Executive Assistant, who is the District's code filing officer. The Executive Assistant will retain all Forms 700 filed for the retention period provided in the District's records management policy and will, upon request, make filed statements of economic interests available for public inspection and reproduction in accordance with Government Code Section 81008. The Executive Assistant also shall file copies of all statements of economic interest with the County of Mono.

**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: Anne Larsen

Date: September 4, 2018

Re: Consent agenda item re Mammoth Community Water District conflict-of-interest code

As you may recall, all local government agencies are required by state law to adopt their own conflict-of-interest codes and to review such codes once every two years. Such codes and amendments thereto are not effective, however, until duly approved by the "code-reviewing body." The Board of Supervisors is the code-reviewing body for the conflict-of-interest codes of all agencies in the county other than the Town of Mammoth Lakes.

I have reviewed the revised conflict of interest code adopted by the Mammoth Community Water District and find that it complies with all applicable statutory requirements. Accordingly, I recommend Board approval.

**Fiscal Impact**

None.

If you have any questions on this matter prior to your meeting, please call me at 924-1707.





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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    September 4, 2018

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT**                    Trophy Fish Budget Letters

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Letters to the Board of Supervisors from June Lake Loop Chamber of Commerce and Lake Front Cabins regarding the budget allocation for trophy fish stocking.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Lake Front Cabins Letter</a>
<a href="#">June Lake Loop CoC Letter</a>

**History**

Time	Who	Approval
8/30/2018 5:38 AM	County Administrative Office	Yes
8/29/2018 11:21 AM	County Counsel	Yes
8/30/2018 8:01 AM	Finance	Yes



August 25, 2018

**Board of Supervisors**

c/o Clerk of the Board

PO Box 715

Bridgeport, CA 93517

Re: 2018-19 Mono County Budget for Trophy Fish Enhancement

Since 1950 fishing has been the back bone of Lake Front Cabins in June Lake. My husband Bob and I have owned and managed Lake Front Cabins for almost 15 years. We have ten cabins open year round and last year paid just under \$60,000 to Mono County in TOT and property tax on our hotel.

I did a survey of my own this summer. For 49 days from June through August I surveyed each of my guests. One simple question, "What activities are you doing during your stay in Mono County?" I surveyed 90 guests (one answer per room) and found the following:

Fishing: 72%	Stayed an average of 4.8 nights
Hiking: 7%	Stayed an average of 2.2 nights
Fishing & Family gatherings 22%	Stayed an average of 6.1 nights

Over the previous years, I have listened to my guests and heard that fishing has not been good. I take it on the chin many a day when guests say they haven't caught a fish, or that the stockers are the size of their palms. I agonize with the new dad who is taking his child fishing for the first time and see his growing anxiety over a bad fishing experience. I hear the talk at the fish cleaning station about where a fish was caught because another guest had no luck. I listen to my guests at the bbq area commiserating about their bad fishing experiences. I've even fielded complaints about guests saying they will not return because of the poor fishing. They say there are so many other places in Southern California to have a quality fish experience. Or even worse, the guest who doesn't say anything, but leaves a day or two early, or only comes once a year instead of twice.

How can I explain that the county is cutting our trophy fish allotment –that would be a sure way to encourage they never return. Now I'm afraid our fishing guest will hear about the budget cuts (on top of numerous other fishing cuts already experienced) and will be slowing leaving June Lake. I am afraid that the rumors or the truth of the budget cutting will persist in the many years ahead. Kind of like us still

Board of Supervisors

Page 2

getting comments regularly that June Mountain has closed. Like the summer wildfires, bad news travels fast and lingers for way too long.

I am all for supporting the hiking community. But not on the back of our fishing community. I am asking that you consider this not just another budget issue of shuffling money around. Because by cutting our fish enhancement funding you are diminishing the fishing experience, you are slowing killing off our bread and butter. You will also be cutting off a source of county revenue, the 57% of TOT that June Lake supplies. If you can present me with a plan to replace my lost guests, please do so. When countless other important issues are standing in front of you with their hands out, why bite the hand that feeds you?

Laura Newland

Owner and Manager

Lake Front Cabins

June Lake

info@lakefrontcabins.net



8/27 Facebook Post, dedicated to the Board of Supervisors:

Vince, the "King of June Lake" has been coming to June Lake since he was the age of Elijah (his grandson here with him). Vince has probably spent more hours trolling June Lake over the last 60 years than any other person. He comes monthly though the fishing season and brings his entire family for several weeks always attending the Fireman's BBQ. The BBQ is about the only time in June Lake when Vince is not on the lake. — at Lake Front Cabins, June Lake.



June Lake Loop Chamber of Commerce  
P.O. Box 2  
June Lake, CA 93529  
JuneLakeLoop.org

August 27, 2018

Subject: 2019-20 Budget for Trophy Fish Stocking

Dear Mono County Supervisors,

We, the June Lake Loop Chamber of Commerce, would like to express our deep concern over the amount of money allocated for trophy fish stocking for your 2019 budget.

The main reason our summer guests come back year, after year, after year is to fish. It's a family tradition that is handed down from generation to generation. When we polled our chamber members, 71% of the responses told us that fishing is extremely important to their businesses and clientele. Members in turn have polled their guests and asked "What do you come to June Lake for?" the number one answer is to fish.

June Lake is Mono County's largest transient occupancy tax contributor, which in turn supports your budget. We want to make sure you understand how important fishing is to June Lake. The 2019 budgeted amount for trophy fish stocking should not be declining, it should be increasing.

Maybe you can help explain why this adjustment is on the agenda for next year's budget. Is the cost of the fish rising? Are we not getting as much bang for our buck as we used to? A detailed explanation would be greatly appreciated and an invitation to a monthly meeting is always extended.

If there are ways we can help, we are interested. We are all in this together and we want to see our community, and county, to continue to thrive.

Thank you for your time,

**The June Lake Loop Chamber of Commerce**

President, Jessalyn McCoy

Vice President, Ralph Lockhart

Treasurer, Dan Roberts

Secretary, Abigail Ross

Executive Board Members, Lindsey Chargin, Luis Curiel, Janet Hunt, and Jamie Schectman



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** September 4, 2018

**Departments: Clerk of the Board**

**TIME REQUIRED** 15 minutes

**SUBJECT** Proposition 3 Endorsement Request  
from Sierra Business Council

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

Chris Mertens, Government Affairs  
Director at Sierra Business Council

---

### AGENDA DESCRIPTION:

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

A presentation by Chris Mertens, Government Affairs Director at Sierra Business Council, about Proposition 3, also known as the Water Supply and Water Quality Act of 2018.

---

### RECOMMENDED ACTION:

Approve the Mono County Board of Supervisors Resolution R18-\_\_\_\_, In Support of Proposition 3, the Water Supply and Water Quality Act of 2018.

---

### FISCAL IMPACT:

None. Passage of Proposition 3 secures a minimum of \$350 million for the Sierra Nevada region, which includes \$250 million to the Sierra Nevada Conservancy.

---

**CONTACT NAME:** Nikki Caravelli

**PHONE/EMAIL:** / ncaravelli@sierrabusiness.org

---

### SEND COPIES TO:

---

### MINUTE ORDER REQUESTED:

YES  NO

---

### ATTACHMENTS:

Click to download
<input type="checkbox"/> <a href="#">Staff Report</a>
<input type="checkbox"/> <a href="#">Presentation</a>
<input type="checkbox"/> <a href="#">Sample Resolution</a>
<input type="checkbox"/> <a href="#">Summary of Major Programs</a>
<input type="checkbox"/> <a href="#">Fact Sheet</a>

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
8/30/2018 5:36 AM	County Administrative Office	Yes
8/29/2018 2:26 PM	County Counsel	Yes
8/30/2018 2:34 PM	Finance	Yes





---

Date: September 4, 2018

To: Honorable Mono County Board of Supervisors

From: Chris Mertens, Government Affairs Director at Sierra Business Council

Subject: Proposition 3 Endorsement

Recommendation

Approve a Resolution to endorse Proposition 3, the November 2018 Water bond measure known as the Water Supply and Water Quality Act of 2018.

Discussion

Our region faces challenges to the health and prosperity of our natural resources and communities. These include tree mortality and wildfire risk, lack of funding availability for rural development and restoration efforts, drought and water supply changes, and other threats. To increase the pace and scale of investment in solutions to these issues, it is critical for Sierra/Cascade communities to build support for Proposition 3 via endorsements. Proposition 3 will invest \$8.877 billion dollars in California water infrastructure, including key categories like: safe drinking water, Sustainable Groundwater Management (SGMA) implementation, watershed restoration, fish and wildlife habitat conservation, wildfire mitigation, drought and flood protection, infrastructure repair, and many other important water management programs.

Proposition 3 also contains unprecedented funding for the Sierra/Cascade region: \$350 million to the region as a whole, with \$250 million of this to the Sierra Nevada Conservancy. This is more than 7 times the amount allocated to the region in Proposition 1 (2014). The measure includes over \$640 million for sustainable groundwater management, in addition to funding available to the region through statewide competitive grant programs administered by the following agencies:

- State Water Resources Control Board: \$1.510 billion
- Natural Resources Agency: \$105 million
- Wildlife Conservation Board: \$290 million
- Department of Conservation: \$54 million
- Department of Parks and Recreation: \$20 million
- Cal FIRE: \$20 million
- Department of Water Resources: \$1.095 billion

Fiscal Impact

Proposition 3 – no financial costs to endorse. Opportunity to promote the measure to increase the likelihood of passage, thereby securing a minimum of \$350 million for the Sierra Nevada region, in addition to at least \$3.448 billion in statewide competitive grant and loan allocations available for Sierra Nevada entities.

# Proposition 3 – The Water Supply and Water Quality Act



**SIERRA**  
BUSINESS COUNCIL

**Chris Mertens, Government Affairs Director**

# Overview

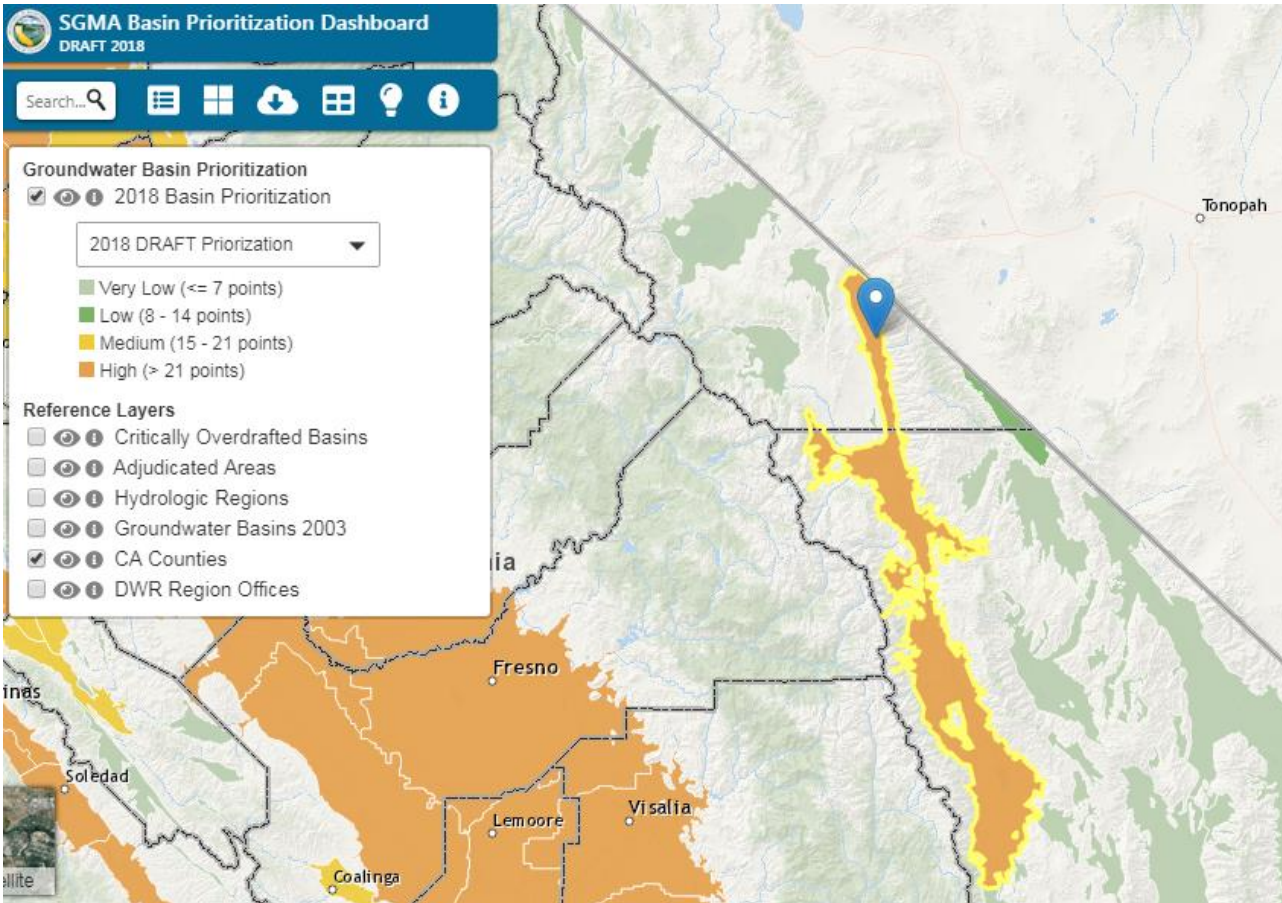
- \$8.9 billion bond
- Water focused (only 18% overlap with Prop. 68 funding programs)
- Major funding for: safe drinking water, groundwater clean up, conservation, watershed restoration, wastewater recycling, fisheries, water conveyance infrastructure

# Sierra/Cascade Benefits

- **Direct Sierra funding:**
  - \$250 million to SNC
    - \$200 million for projects consistent with mission, WIP, etc.
    - \$50 million for forest health/wildfire prevention
  - \$100 million to Tahoe Conservancy
    - \$60 million for projects consistent with mission, Tahoe EIP
    - \$30 million for stormwater improvement
    - \$10 million for Upper Truckee River Restoration



# Sustainable Groundwater



## Basin Priority Details

**OWENS VALLEY - OWENS VALLEY (6-012.01)**

**High** 42 Priority Points

### Component 1 - Population

Population (2010) 17,552

Pop / mi<sup>2</sup> 17

C1 Priority Points 1

### Component 2 - Population Growth

Population (2030) 19,011

Pop Growth 8%

C2 Priority Points

**Population Density < 50 ppl/sq.mi. and 2010 Population <= 25,000** 0

### Component 3 - Public Supply Wells

Public Supply Wells 133

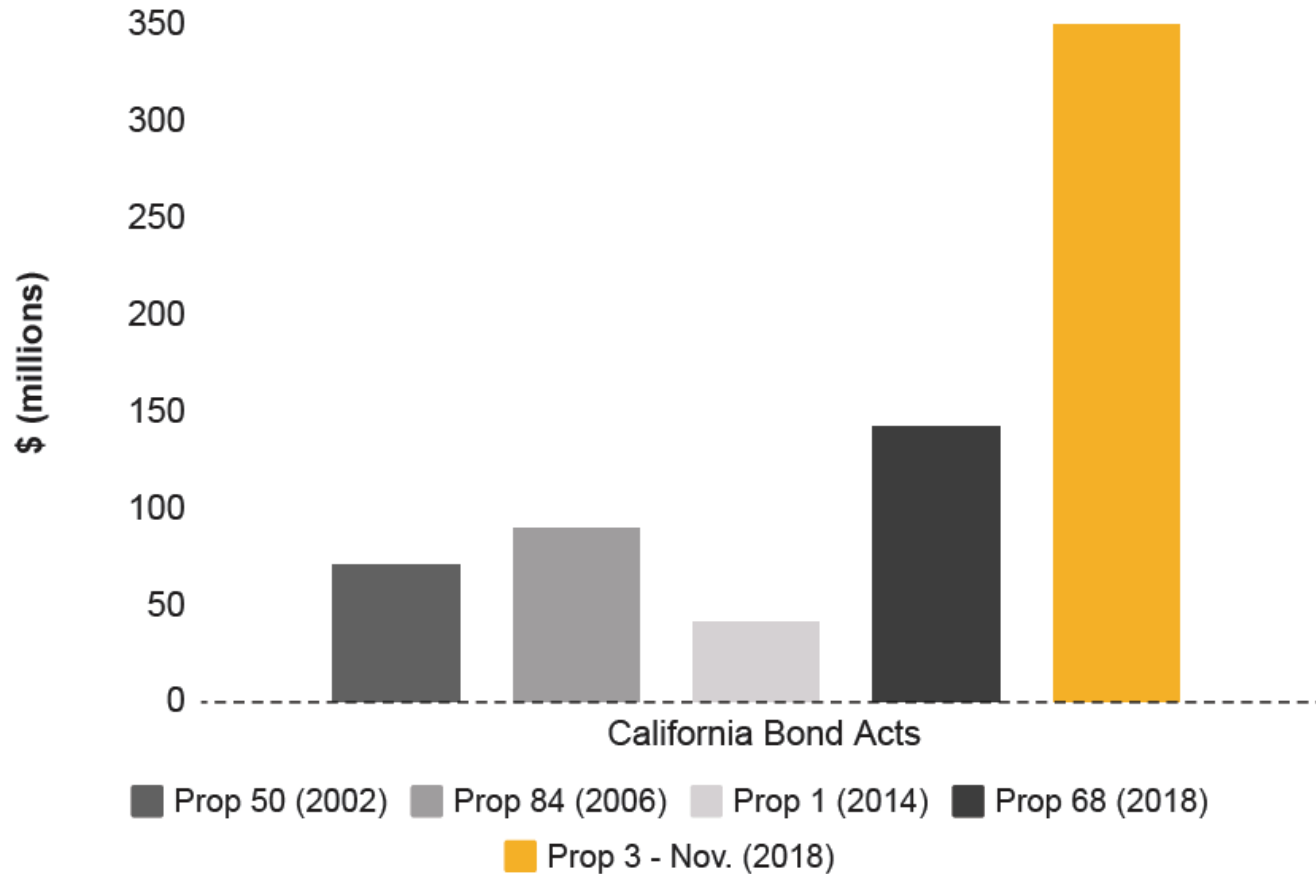
# Competitive Grant Programs

- **Sierra nonprofits, public agencies, tribes, districts eligible for \$3.4 billion from competitive grant programs. Through:**

Funding Agency	Amount Available
CA Natural Resources Agency	\$105 million
Wildlife Conservation Board	\$290 million
Dept. of Conservation	\$54 million
Water Resources Control Board	\$1.5 billion
Dept. of Water Resources	\$1 billion
State Parks	\$20 million
Cal FIRE	\$20 million

# Historic Opportunity

## California Bond Allocations to the Sierra/Cascade

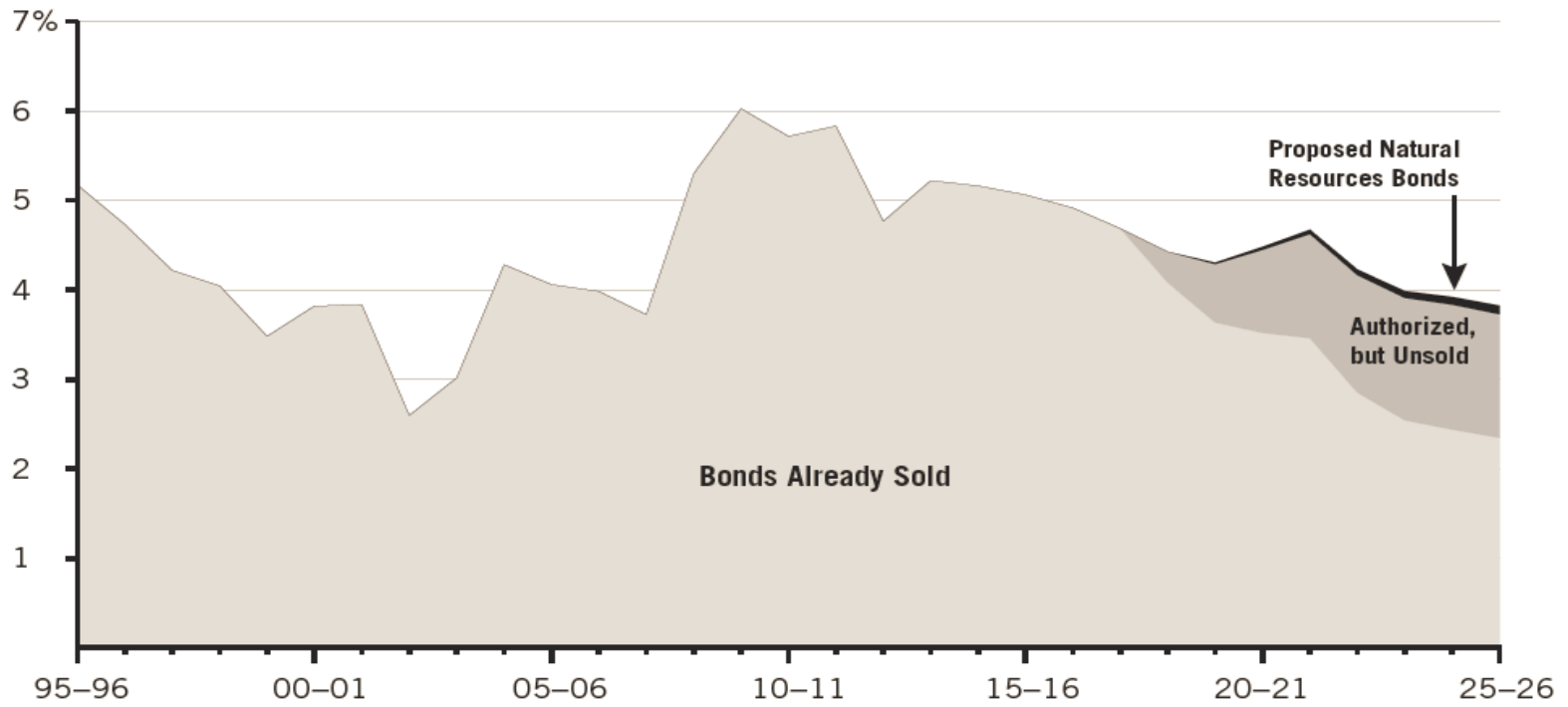


# Bond Indebtedness

Figure 1

## General Fund Debt Service Ratio

*Percent of General Fund Revenues Spent on Debt Service*



Microsoft PowerPoint 2010



# Campaign Overview

- Polling
- Notable endorsements
- Opposition
- More information: [www.waterbond.org](http://www.waterbond.org)



# Questions?

**Chris Mertens**

Government Affairs Director

[cmertens@sierrabusiness.org](mailto:cmertens@sierrabusiness.org) | [sierrabusiness.org](http://sierrabusiness.org)

**Kerri Timmer**

Vice President, Climate & Energy

[ktimmer@sierrabusiness.org](mailto:ktimmer@sierrabusiness.org) | [sbcsierracamp.org](http://sbcsierracamp.org)



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**A RESOLUTION OF THE MONO COUNTY  
BOARD OF SUPERVISORS IN SUPPORT OF PROPOSITION 3, THE WATER  
SUPPLY AND WATER QUALITY ACT OF 2018**

**Whereas**, in our frequently very dry state, our economy relies on an uninterrupted and high-quality water supply. By making water use more efficient, investing in sustainable groundwater management, reducing the demand for water, providing new and diverse water supplies, improving the quality of our source watersheds, and protecting key environmental uses of water, this measure will assure that the economic and environmental engines of our county are not derailed by a shortage of water;

**Whereas**, California’s water situation requires implementation of the Governor’s Water Action Plan to provide for the water needs of people, agriculture and the environment. This measure will help provide a more reliable water supply by reducing waste, increasing the amount of water available to meet our needs, improving water quality and providing additional protection for our communities from floods;

**Whereas**, this measure provides a fair and reasonable distribution of funds directly and indirectly benefitting every region of the state;

**Whereas**, severe fire conditions can lead to significant erosion, reduced water quality and impacts on water infrastructure. This measure provides funding to manage forests and watersheds to reduce fire danger, mitigate the effects of wildfires on water supply and quality, and enhance water supplies;

**Whereas**, the State Water Resources Control Board, the Department of Fish and Wildlife, and many other agencies have recognized that providing funding for fish habitat enhancement is vital to restoring native California fish populations, and that relying solely on flow to restore those populations will not be sufficient. Providing funding for fish habitat enhancement is a vital complement to reasonable flows to protect fish;

**Whereas**, California has lost ninety-five percent (95%) of its historical wetlands. These wetlands provide food, water and cover for migratory and other birds, fish, mammals, reptiles, amphibians and a vast number of plant species. Many species may become endangered or threatened without wetlands and many more survive only due to wetlands available today. This division combines work to sustain and protect current wetlands with the potential to increase wetlands in California to support a thriving flora and fauna;

1           **Whereas**, this measure allocates \$350 million directly to forest health, restoration,  
2 conservation, water quality, and fuel reduction projects in the Sierra Nevada region;

3           **Whereas**, this measure allocates \$675 million to implement the Sustainable Groundwater  
4 Management Act to stabilize groundwater levels in overdrafted groundwater basins;

5  
6           **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**  
7 **MONO RESOLVES** that the County of Mono does hereby endorse Proposition 3, THE  
8 WATER SUPPLY AND WATER QUALITY ACT OF 2018.

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

11 **AYES:**

12 **NOES:**

13 **ABSENT:**

14 **ABSTAIN:**

15  
16  
17 \_\_\_\_\_  
18 Chair  
19 Mono County Board of Supervisors

20 **ATTEST:**

**APPROVED AS TO FORM:**

21  
22  
23 \_\_\_\_\_  
24 Clerk of the Board

\_\_\_\_\_

## **Short Summary of major programs in Water Supply and Water Quality Bond Act of 2018**

**Safe drinking water and wastewater treatment for disadvantaged communities.** \$750 million. Provides safe drinking water and wastewater treatment for disadvantaged communities

**Wastewater recycling.** \$400 million. Recycles wastewater mainly for landscaping and industrial uses

**Groundwater desalination.** \$400 million. Converts salty groundwater to usable water supply.

**Urban water conservation.** \$300 million. Leak detection, toilet replacement, landscape conversion.

**Agricultural water conservation.** \$50 million. Improves inefficient irrigation systems, increasing river flows to Delta

**Groundwater.** \$675 million. Implements the Sustainable Groundwater Management Act., stabilizing groundwater levels in overdraft groundwater basins.

**Central valley flood management,** including flood plain restoration. \$100 million. Makes farms and communities more flood safe, and makes flood plains for habitat friendly. Additional \$50 million for retrofit of a reservoir (probably Bullard's Bar) for better flood management.

**San Francisco Bay Wetlands and flood improvements.** \$200 million. Improves wetlands in San Francisco Bay to provide flood protection and mitigate sea level rise.

**Flood Control.** 100 million

**Data management.** \$60 million. Better data collection and management: streamflow, etc.

**Stormwater management** \$600 million for a variety of state agencies. Capture and treatment of stormwater flows improved river and ocean water quality and increasing water supplies

**Watershed Restoration** \$2.355 billion to a wide variety of state agencies. Pays for better management of watersheds throughout the state to improve water quality and water supply.

**Land Management for Water Yield.** \$100 million. Removal of invasive weeds which use excessive amounts of surface and groundwater such as tamarisk, yellow starthistle, and Arundo. Estimates of water savings are in excess of one million acre feet per year.

**Central Valley Fisheries restoration.** \$400 million. Restoring fish habitat. Supplements necessary streamflows.

**Water and specific habitat improvements for fisheries.** \$350 million. Purchase of water for fish and waterfowl.

**Salmon/steelhead restoration.** \$300 million

**Waterfowl habitat.** \$280 million. Helps acquire and restore waterfowl habitat.

**Bay Area Regional Reliability.** \$250 million. Improves interconnections between Bay Area water agencies, making it easier to survive droughts.

**Improvement to Friant Kern Canal and other Friant water interconnections.** \$750 million. Restores lost capacity to Friant Kern Canal, pays for groundwater recharge programs, water conservation and possibly new water conveyance in the Friant area.

**Oroville Dam Spillway Repair.** \$200 million. Makes Oroville Dam more flood safe.

The initiative also allows state and federal water contractors to recover the funds they pay in climate change charges due to implementation of AB 32, and use those funds in their own systems for water and energy conservation to reduce greenhouse gas emissions. These water/energy conservation projects must meet AB32 standards for emissions mitigation.

# PROPOSITION 3 & THE SIERRA NEVADA

For Sierra Engagement in the Statewide Ballot Measure Campaign



**PROPOSITION 3, THE WATER SUPPLY AND WATER QUALITY ACT OF 2018**, is a citizen's initiative water bond that will appear on the November 2018 statewide California ballot. On April 25, the California Secretary of State announced that sufficient signatures have been submitted to place the water bond on the ballot.

The bond will invest \$8.877 billion dollars in California water infrastructure, including key categories like: safe drinking water, Sustainable Groundwater Management (SGMA) implementation, watershed restoration, fish and wildlife habitat conservation, wildfire mitigation, drought and flood protection, infrastructure repair, and many other important water management programs.

The bill will benefit individual water users, the environment, and agriculture, and subsequently has received support across the board from conservation, agricultural, environmental justice, water and civic organizations. It is a balanced water bond measure, resulting in improved water supplies for every part of the state, and provides some of the much-needed investment in California's sustainable water future. **It also has more funding for conservation and natural resource protection in the Sierra/Cascade region than any previous bond measure.**

## Funding directed to Sierra/Cascade watersheds (\$350 million total):

- Sierra Nevada Conservancy (SNC): \$250 million
  - \$200 million for general purposes including Watershed Improvement Program
  - \$50 million forest health/fire risk reduction
- California Tahoe Conservancy (CTC): \$100 million
  - \$60 million for general purposes including Lake Tahoe Environmental Improvement Program
  - \$40 million for storm water and river parkways

That is more than **3.5 times** the amount the Sierra received in Prop 84 (2006 resource bond) and more than **7 times** the amount in Prop 1 (2014 water bond).

## At least \$3.448 billion in total Proposition 3 funding (39% of the total \$8.877 billion) is open to Sierra/Cascade communities through competitive statewide, regional, or discretionary grant, loan, or incentive programs:

- Improvement of water quality and water supply: \$1.945 billion (includes CTC funds) of \$3.03 billion, or approximately 64%
- Watershed, land, and fisheries improvements: \$859 million (includes CTC & SNC funds) of \$2.895 billion, or approximately 29%
- Groundwater sustainability and storage: Up to \$640 million of \$685 million, or approximately 93%

Additional funding allocated to state agencies or programs without statewide competitive grant programs or direct allocations to the Sierra region, such as funding for the California Conservation Corps and the Wildlife Conservation Board, may result in direct benefits to the region as well.

**Funding availability to Sierra/Cascade entities through loan, grant, or incentive programs by agency:**

- State Water Resources Control Board: \$1.510 billion
- Department of Water Resources: \$1.095 billion
- Natural Resources Agency: \$105 million
- Wildlife Conservation Board: \$290 million
- Department of Conservation: \$54 million
- Department of Parks and Recreation: \$20 million
- Cal FIRE: \$20 million

**Detailed funding availability breakdown, based on Sierra/Cascade eligibility:**

General Purpose:	Administering Agency:	Allocation (in millions):	Specific Purpose:	Eligible applicants:
Improvement of water quality and water supply	State Water Resources Control Board	\$500	Safe drinking water grants and loans for public water system infrastructure, especially small systems	Public water systems <sup>1</sup> , public agencies
		\$250	Wastewater treatment grants and loans for low income communities	Public agencies and nonprofits
		\$400	Wastewater recycling grants and loans	Wide eligibility <sup>2</sup>
	Department of Water Resources	\$300 (to be split at DWR's discretion)	Water conservation; incentives for turf removal/drought resilient landscapes	Public and private land owners
			Water conservation; grants for leak detection	Public water systems
			Water conservation; grants for toilet replacements	Wide eligibility
			Water conservation; grants for water-energy saving conservation efforts	Public water systems
		\$100	Repairs to flood control reservoirs	Wide eligibility
		\$360	Grants for the capture and use of urban dry weather water runoff and	Cities, counties, and JPA's

<sup>1</sup> Defined as regional, municipal, and district urban water suppliers, including privately owned water suppliers of a public water system

<sup>2</sup> Public agencies, nonprofits, state universities, RCDs, public utilities, mutual water companies, public water systems, urban water suppliers, federal agencies, federally recognized tribes and state recognized tribes



	State Water Resource Control Board		storm water <sup>3</sup> , consistent with Stormwater Resource Plan projects. Funds may also be used for technical assistance and DAC outreach	
			Up to \$50 million from this allocation may be expended as grants for development of stormwater resource plans	Wide eligibility
	California Tahoe Conservancy	\$30	Grants for dry weather runoff and stormwater runoff in the Tahoe Basin	Wide eligibility
	Department of Water Resources	\$5	Direct funding support	IRWMS
<b>Watershed, land, and fisheries improvements</b>	Sierra Nevada Conservancy	\$200	Projects consistent with SNC's enabling statute and Watershed Improvement Program (WIP)	Wide eligibility, if SNC decides to award grants to implement the WIP
	California Tahoe Conservancy	\$60	Projects consistent with CTC's enabling statute and Lake Tahoe Environmental Improvement Program	Wide eligibility, if CTC decides to award grants to implement the EIP
	Natural Resources Agency	\$70	Grants for river parkway acquisition, restoration, protection, and development	Wide eligibility
	California Tahoe Conservancy	\$10	Upper Truckee River Parkway habitat restoration, public recreation, and water quality improvements	Wide eligibility, if CTC decides to award grants for implementation
	Wildlife Conservation Board	\$190	For the WCB's governing purpose, and grants and loans for acquisition and restoration of watershed lands, Natural Community Conservation Plan implementation, and Habitat Conservation Plans; includes \$10 million for farmer assistance and \$30 million for grants for grazing land protection	Wide eligibility

<sup>3</sup> "Urban" in this context is not defined in prop 3, nor in the California code language referenced by the measure in this section. "Dry weather runoff" means surface waterflow and waterflow in storm drains, flood control channels, or other means of runoff conveyance produced by non-stormwater sources such as irrigation, residential, commercial, and industrial activities. "Stormwater" means temporary surface water runoff and drainage generated by immediately preceding storms.

	Department of Conservation	\$13 minimum	Land use planning, resource conservation, and other authorized Resource Conservation District work	Resource Conservation Districts
	Department of Conservation	\$31 minimum	California Farmland Conservation Program grants	Wide eligibility
	Department of Conservation	\$10	Watershed Coordinator Program grants	Wide eligibility
	Department of Water Resources	\$50	Urban creek <sup>4</sup> restoration project grants	Wide eligibility
	Cal FIRE	\$20	Urban <sup>5</sup> forestry grants	Wide eligibility
	Department of Parks and Recreation	\$20	Non-motorized river and lake access grants	Wide eligibility
	Sierra Nevada Conservancy	\$50	Wildfire mitigation grants	Wide eligibility
	Wildlife Conservation Board	\$100	Grants for public and private land quality improvements for groundwater recharge and water supply and quality	Wide eligibility
	Natural Resources Agency	\$35 minimum	Grants/loans for river and stream restoration, including floodplains and upper watersheds, to benefit native fish, fisheries and wildlife of the Central Valley	State or local agencies, tribes, and nonprofit organizations
	California Conservation Corps	(\$40) <sup>6</sup>	Watershed health projects. Not a statewide competitive program, though benefits will likely accrue statewide	-
	Department of Parks and Recreation	(\$150) <sup>7</sup>	Watersheds affecting State Parks. Not a statewide competitive program, though benefits will likely accrue statewide	-
<b>Groundwater Sustainability and Storage</b>	Department of Water Resources	\$640	Grants for implementing groundwater sustainability plans for medium or high priority basins (includes \$5 million available for research, up to	Wide eligibility; Groundwater sustainability agencies

<sup>4</sup> "Urban creek" means a creek, stream, or river that crosses built-up residential, commercial, or industrial property, or that crosses land where, in the near future, the land use will be residential, commercial, or industrial.

<sup>5</sup> An "urban area" for the purposes of this program means a locality with at least 2500 people

<sup>6</sup> This allocation not included in calculations at the bottom of page 1 due to lack of eligibility to Sierra recipients, though included in the table for informational purposes about possible general benefits.

<sup>7</sup> See #6.

			\$10 million for decision support tools, up to \$5 million for higher educational institutions' capital outlay and facilities, and up to \$10 million for flood management). An additional \$10 million included for technical assistance <sup>8</sup> , but not administered through a grant program	
<b>Water for Wildlife, Pacific Flyaway Restoration, and Dynamic Habitat Management</b>	Wildlife Conservation Board	(\$300) <sup>9</sup>	Water, storage, and delivery rights for fish and wildlife condition improvement; Not a statewide competitive program, though benefits will likely accrue statewide	-
	Wildlife Conservation Board	(\$130) <sup>10</sup>	Migratory bird habitat; at least \$10 million may be available upon discretion of the Department of Fish and Wildlife for grants or agreements to increase or enhance wildlife-dependent recreation	-
	Department of Fish and Wildlife	(\$50) <sup>11</sup>	Actions and incentives for private land conservation on behalf of fish and wildlife habitat. Private landowners in the Sierra may be eligible for these incentives	-

### Additional specifications:

The above totals exclude funding directed explicitly to coastal, urban, or other non-Sierra/Cascade regions. Except where specified, funding directed to state agencies to carry out specified purposes through agency programs without a competitive grant process or other statewide program are not included here. Certain directed funding to state agencies may be used in Sierra communities through partnership rather than through direct grants; these funding streams are also not included here.

In addition to specifications for each program, the bond measure requires of most programs varying prioritization or minimum investment percentages that must go to disadvantaged communities, which are defined by a Median Household Income (MHI) of less than 80% of the statewide average, or severely disadvantaged communities, defined by a MHI less than 60% of the statewide average. (According to the Census ACS 1-year survey, the MHI for California was \$67,739 in 2016).

<sup>8</sup> See #6.

<sup>9</sup> See #6.

<sup>10</sup> See #6.

<sup>11</sup> See #6.

###



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** September 4, 2018

**Departments: Economic Development**

**TIME REQUIRED** 10 Minutes

**PERSONS APPEARING BEFORE THE BOARD** Ralph Lockhart

**SUBJECT** Community Event Marketing Fund  
Recipient Report – June Lake  
Chamber of Commerce

**AGENDA DESCRIPTION:**

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

Presentation by Ralph Lockhart of the June Lake Chamber of Commerce regarding the June Lake Winter Festival event, and the beneficial impact of the Community Event Marketing Fund.

**RECOMMENDED ACTION:**

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

**FISCAL IMPACT:**

None at this time.

**CONTACT NAME:** Alicia Vennos

**PHONE/EMAIL:** 760-924-1743 / [avennos@mono.ca.gov](mailto:avennos@mono.ca.gov)

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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**History**

Time	Who	Approval
8/30/2018 5:24 AM	County Administrative Office	Yes
8/29/2018 11:05 AM	County Counsel	Yes
8/30/2018 7:54 AM	Finance	Yes



# MONO COUNTY

## ECONOMIC DEVELOPMENT and SPECIAL PROJECTS

---

P.O. BOX 603, MAMMOTH LAKES, CALIFORNIA 93546  
(760) 924-4634 • (760) 924-1697 (Fax)

---

Alicia Vennos  
Economic Development Director  
Avennos@mono.ca.gov  
760-924-1743

---

Jeff Simpson  
Economic Development Manager  
Jsimpson@mono.ca.gov  
760-924-4634

---

### STAFF REPORT

**SUBJECT:** Community Event Marketing Fund Recipient Report – June Lake Chamber of Commerce

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

**BACKGROUND:** Presentation by Ralph Lockhart of the June Lake Chamber of Commerce regarding the June Lake Winter Festival event. As a recipient of Mono County's Community Event Marketing Fund grant program, Mr. Lockhart would like to extend his appreciation to the Board of Supervisors on behalf of the June Lake Chamber of Commerce, and to share feedback on the event.

**DISCUSSION:** None at this time.

**FISCAL IMPACT:** None at this time. The Mono County Community Event Marketing Fund (CEMF) of \$20,000 is a reimbursement grant program designed to assist local non-profits in driving overnight visitation to their tourism-based events. The June Lake Chamber of Commerce received a \$1,500 CEMF grant in FY17-18 to promote the 2018 June Lake Winter Festival.



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** September 4, 2018

**Departments: Economic Development**

**TIME REQUIRED** 10 Minutes

**PERSONS APPEARING BEFORE THE BOARD** Misti Sullivan

**SUBJECT** Community Grant Fund Recipient Report – Bridgeport Chamber of Commerce

**AGENDA DESCRIPTION:**

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

Presentation by Misti Sullivan of the Bridgeport Chamber of Commerce regarding three events in the Bridgeport Valley, and the beneficial impact of the Community Event Marketing Fund, as well as the Performing & Visual Arts Grant.

**RECOMMENDED ACTION:**

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

**FISCAL IMPACT:**

None at this time.

**CONTACT NAME:** Alicia Vennos

**PHONE/EMAIL:** 760-924-1743 / [avennos@mono.ca.gov](mailto:avennos@mono.ca.gov)

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

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**History**

Time	Who	Approval
8/30/2018 5:15 AM	County Administrative Office	Yes
8/29/2018 1:01 PM	County Counsel	Yes
8/30/2018 8:01 AM	Finance	Yes



# MONO COUNTY

## ECONOMIC DEVELOPMENT and SPECIAL PROJECTS

---

P.O. BOX 603, MAMMOTH LAKES, CALIFORNIA 93546  
(760) 924-4634 • (760) 924-1697 (Fax)

---

Alicia Vennos  
Economic Development Director  
Avennos@mono.ca.gov  
760-924-1743

---

Jeff Simpson  
Economic Development Manager  
Jsimpson@mono.ca.gov  
760-924-4634

---

### STAFF REPORT

**SUBJECT:** Community Grant Fund Recipient Report – Bridgeport Chamber of Commerce

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

**BACKGROUND:** Presentation by Misti Sullivan of the Bridgeport Chamber of Commerce regarding three events. As a recipient of Mono County's community grant programs, Ms. Sullivan would like to extend her appreciation to the Board of Supervisors on behalf of the Bridgeport Chamber of Commerce, and to share feedback and progress on the funded events.

**DISCUSSION:** None at this time.

**FISCAL IMPACT:** In FY17-18, the Bridgeport Chamber of Commerce received \$5,000 from Mono County's Community Event Marketing Fund to help advertise the Bridgeport Fish Fest and Bridgeport Autumn Festival events to markets outside the Eastern Sierra; and \$1,500 from the Performing and Visual Arts Grant Fund for support and promotion of the Eastern Sierra Photography Jamboree event.





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

## **REGULAR AGENDA REQUEST**

Print

**MEETING DATE** September 4, 2018

**Departments: Economic Development**

**TIME REQUIRED** 10 Minutes

**PERSONS APPEARING BEFORE THE BOARD** Pam Hamic

**SUBJECT** Community Event Marketing Fund  
Recipient Report – Northern Mono  
Chamber of Commerce

### **AGENDA DESCRIPTION:**

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

Presentation by Pam Hamic of the Northern Mono Chamber of Commerce regarding three events in the Antelope Valley, and the beneficial impact of the Community Event Marketing Fund.

### **RECOMMENDED ACTION:**

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

### **FISCAL IMPACT:**

None at this time.

**CONTACT NAME:** Alicia Vennos

**PHONE/EMAIL:** 760-924-1743 / [avennos@mono.ca.gov](mailto:avennos@mono.ca.gov)

### **SEND COPIES TO:**

### **MINUTE ORDER REQUESTED:**

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### **History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
8/30/2018 5:37 AM	County Administrative Office	Yes
8/29/2018 11:06 AM	County Counsel	Yes
8/30/2018 8:01 AM	Finance	Yes



# MONO COUNTY

## ECONOMIC DEVELOPMENT and SPECIAL PROJECTS

---

P.O. BOX 603, MAMMOTH LAKES, CALIFORNIA 93546  
(760) 924-4634 • (760) 924-1697 (Fax)

---

Alicia Vennos  
Economic Development Director  
Avennos@mono.ca.gov  
760-924-1743

---

Jeff Simpson  
Economic Development Manager  
Jsimpson@mono.ca.gov  
760-924-4634

---

### STAFF REPORT

**SUBJECT:** Community Event Marketing Fund Recipient Report – Northern Mono Chamber of Commerce

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

**BACKGROUND:** Presentation by Pam Hamic of the Northern Mono Chamber of Commerce regarding three events. As a recipient of Mono County's Community Event Marketing Fund grant program, Ms. Hamic would like to extend her appreciation to the Board of Supervisors on behalf of the Northern Mono Chamber of Commerce, and to share feedback and progress on the funded events.

**DISCUSSION:** None at this time.

**FISCAL IMPACT:** In FY17-18, the Northern Mono Chamber of Commerce received \$5,000 from Mono County's Community Event Marketing Fund to help advertise Cache the Valley, Birding & Hiking the Valley, and the Eastern Sierra ATV & UTV Jamboree events to markets outside the Eastern Sierra.



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**     September 4, 2018

**TIME REQUIRED**

**SUBJECT**             Closed Session--Human Resources

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

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

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

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YES  NO

**ATTACHMENTS:**

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**History**

**Time**

**Who**

**Approval**



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** September 4, 2018

**Departments: County Counsel**

**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: U.S.A. et al. v. Walker River Irrigation District et al., U.S. Ninth Circuit Court of Appeals, Case No. 15-16478 (and related cases).

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:** Stacey Simon, Jason Canger

**PHONE/EMAIL:** (760) 924-1700 / ssimon@mono.ca.gov, jcanger@mono.ca.gov

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YES  NO

**ATTACHMENTS:**

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**History**

Time	Who	Approval
8/30/2018 3:55 PM	County Administrative Office	Yes
8/30/2018 3:48 PM	County Counsel	Yes
8/30/2018 3:56 PM	Finance	Yes



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    September 4, 2018

**TIME REQUIRED**

**SUBJECT**

Closed Session - Performance  
Evaluation, County Administrative  
Officer

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

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**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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**History**

Time	Who	Approval
8/30/2018 3:55 PM	County Administrative Office	Yes
8/30/2018 2:31 PM	County Counsel	Yes
8/30/2018 2:29 PM	Finance	Yes



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** September 4, 2018

**TIME REQUIRED**

**SUBJECT** Closed Session - Public Employment,  
Public Works Director

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### AGENDA DESCRIPTION:

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

PUBLIC EMPLOYMENT. Government Code section 54957. Title: Public Works Director.

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### RECOMMENDED ACTION:

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### FISCAL IMPACT:

---

### CONTACT NAME:

PHONE/EMAIL: /

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### MINUTE ORDER REQUESTED:

YES  NO

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#### History

Time	Who	Approval
8/30/2018 3:55 PM	County Administrative Office	Yes
8/30/2018 2:30 PM	County Counsel	Yes
8/30/2018 2:25 PM	Finance	Yes