



# AGENDA

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

Regular Meetings: First, Second, and Third Tuesday of each month. Location of meeting is specified below.  
Meeting Location: Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

### Regular Meeting April 9, 2024

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#### TRIBAL LAND ACKNOWLEDGEMENT

*In respect to the Indigenous People and Tribal Elders, past, and present, the Bridgeport Indian Colony, Mono Lake Kutzadika Tribe, and Utu Utu Gwaitu Tribe are the indigenous People who live within this, their ancestral homeland from time immemorial to the present and have been the caretakers of these lands, waters, and all natural resources for the benefit of the environment and of all living things. We who live in Mono County offer this land acknowledgment with a spirit of mutual respect and collaboration.*

#### TELECONFERENCE INFORMATION

This meeting will be held in person at the location listed above. Additionally, a teleconference location will be available where the public and members of the Board may participate by electronic means.

1. Mammoth Teleconference Location – for meetings held on the first and second Tuesday of each month - Mono Lake Room of the Mono County Civic Center, First Floor, 1290 Tavern Road, Mammoth Lakes, CA. 93546;
2. Bridgeport Teleconference Location – for meetings held on the third Tuesday of each Month - Mono County Courthouse, Second Floor Board Chambers, 278 Main Street, Bridgeport, CA. 93517;
3. Zoom Webinar.

Members of the public may participate via the Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below.

##### **To join the meeting by computer:**

Visit <https://monocounty.zoom.us/j/86184622677> or visit <https://www.zoom.us/>, click on "Join A Meeting" and enter the Zoom Webinar ID 861 8462 2677.

To provide public comment, press the "Raise Hand" button on your screen.

##### **To join the meeting by telephone:**

Dial (669) 900-6833, then enter Zoom Webinar 861 8462 2677

To provide public comment, press \*9 to raise your hand and \*6 to mute/unmute.

If you are unable to join the Zoom Webinar of the Board meeting, you may still view the live stream of the meeting by visiting: [https://monocounty.granicus.com/MediaPlayer.php?publish\\_id=714fe04d-98f2-4e11-b476-233e3caea796](https://monocounty.granicus.com/MediaPlayer.php?publish_id=714fe04d-98f2-4e11-b476-233e3caea796)

**NOTE:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (760) 932-5530 or bos@mono.ca.gov. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517) and online at <http://monocounty.ca.gov/bos>. 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 and online.

***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**

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.) Please refer to the Teleconference Information section to determine how to make public comment for this meeting via Zoom.

**2. RECOGNITIONS**

**A. Proclamation of Appreciation for Doug Power**

Departments: Board of Supervisors, Community Development

10 minutes

(Chair Peters) - Proposed proclamation recognizing Doug Power of the Marine Corps Mountain Warfare Training Center for his many years of service to the citizens and communities of Mono County.

**Recommended Action:** Adopt proposed proclamation wishing Doug a happy retirement!

**Fiscal Impact:** None.

**B. Proclamation Designating the Month of April 2024 as National County Government Month**

Departments: Clerk of the Board

10 minutes

(Sandra Moberly, County Administrative Officer) - Proclamation Designating April 2024 as National County Government Month.

**Recommended Action:** Adopt proposed proclamation designating April 2024

as National County Government Month.

**Fiscal Impact:** None.

**3. COUNTY ADMINISTRATIVE OFFICER**

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

**4. DEPARTMENT/COMMISSION REPORTS**

Receive brief oral report on emerging issues and/or activities.

**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. Ordinance Amending Chapter 2.04 of the Mono County Code - Board of Supervisors**

Departments: County Administrative Office

Proposed ordinance amending section 2.04.030 of the Mono County Code to set and maintain salaries for members of the Board of Supervisors at 26.5% (for Supervisors) and 28.5% (for the Chair) of the salaries of State Court Judges.

**Recommended Action:** Adopt proposed ordinance amending section 2.04.030 of the Mono County Code to set salaries for members of the Board of Supervisors as a percentage of the salaries of State Court Judges.

**Fiscal Impact:** Approval of the salary adjustment ordinance for the Board will increase Board compensation from \$4,792 to \$5,266 per month for regular Board members (an increase of \$474) and from \$5,200 to \$5,664 per month (an increase of \$464) for the Chair position. The projected annual fiscal impact for a full fiscal year is estimated to be \$31,239. Board salary and benefit costs will change in future fiscal years as superior court judge salaries change.

**B. Race Communications Request for Refund of Taxes Paid**

Departments: County Counsel

Race Communications has filed a claim requesting a refund of property taxes paid for 2019-2020 tax year in the amount of \$10,764.22.

**Recommended Action:** Deny claim for refund for the reasons set forth in the staff report.

**Fiscal Impact:** Potential to incur litigation costs to defend the refund of taxes collected and distributed to taxing jurisdictions in FY 2019-20.

**C. Claim for Damages - Leonel Acero**

Departments: Risk Management

Claim for Damages filed by B and D Law Group on behalf of Leonel Acero, related to personal injury during a vehicle collision involving a county vehicle.

**Recommended Action:** Deny the claim submitted by B and D Law Group on behalf of Leonel Acero, direct the Risk Manager, in consultation with County Counsel, to send the notice to the claimant of the denial.

**Fiscal Impact:** None.

**D. Reappointment to First 5 Mono County Children and Families Commission**

Departments: First 5 Mono

On behalf of the Mono County Children and Families Commission, I respectfully request the Board of Supervisors to reappoint Janice Mendez to the First 5 Mono County Children and Families Commission.

**Recommended Action:** Reappoint Janice Mendez to the Mono County Children and Families Commission to serve a five-year term expiring March 15th, 2029.

**Fiscal Impact:** None.

**6. CORRESPONDENCE RECEIVED**

Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

**A. Educational Revenue Augmentation Fund (ERAF) Letter**

Letter to Honorable Sharon Quirk-Silva Chair, Assembly Budget Subcommittee No. 5 regarding the Item 9210: VLF Backfill Request Appropriation for Insufficient ERAF Amounts in Mono County. The letter was drafted and sent pursuant to the Board's adopted legislative platform and is provided here to the full Board in accordance with Resolution R21-17.

**B. Homeless Housing, Assistance and Prevention Program Funding (HHAP) Letter**

Letter regarding the Homeless Housing, Assistance and Prevention Program Funding sent to the Honorable Sharon Quirk-Silva and the Honorable Stephen Padilla. The letter was sent pursuant to the Board's adopted legislative Platform and is provided to the Board in accordance with Resolution R21-17.

**7. REGULAR AGENDA - MORNING**

**A. Main Lodge Update**

Departments: Clerk of the Board

40 minutes

(Town of Mammoth Lakes, United States Forest Service, Project Team) - The Town of Mammoth Lakes (Town) and United States Forest Service (USFS) are jointly reviewing the Mammoth Main Base Redevelopment Project (Evolving Main). The project is a comprehensive redevelopment of the Mammoth Mountain Ski Area (MMSA) Main Lodge area, including improvements on publicly owned (USFS) land and privately owned land. An informational handout on the privately owned portion of the proposed project is attached.

**Recommended Action:** None, informational only.

**Fiscal Impact:** None.

**B. County Fees Workshop**

Departments: Finance

45 minutes

(Janet Dutcher, Director of Finance) - Review proposed changes to County Fees for Fiscal Year (FY) 2024-25.

**Recommended Action:** Review and consider new and corrected County fees. Instruct Staff to bring back new or amended fees to a public hearing and for adoption. Provide any other direction to staff.

**Fiscal Impact:** If fees are as proposed, the Environmental Health's fee revenue will incrementally increase, making the program more fiscally sustainable without as much dependence on subsidy transfers. All other fee changes will have a negligible effect.

**C. Comment Letter on the Proposed Listing of the Greater Sage Grouse Under the California Endangered Species Act**

Departments: Community Development

30 minutes

(Wendy Sugimura, Community Development Director) - Consider proposed comment letter to the California Department of Fish and Wildlife on the proposed listing of the Greater Sage-Grouse under the California Endangered Species Act.

**Recommended Action:** Modify the letter as desired, authorize the Chair to sign, direct staff to submit the comment letter by the April 12 deadline, and provide any other direction to staff.

**Fiscal Impact:** None.

**D. Employment Agreement - Assistant Public Works Director**

Departments: Public Works

5 minutes

(Paul Roten, Public Works Director) - Proposed resolution to approve the Agreement Regarding Terms and Conditions of Employment of Karyn Spears as Assistant Public Works Director for Mono County, prescribing the compensation, appointment, and conditions of said employment.

**Recommended Action:** Announce Fiscal Impact. Approve proposed resolution to approve the Agreement Regarding Terms and Conditions of Employment of Karyn Spears as Assistant Public Works Director for Mono County, 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 estimated cost of this position for the remainder of this fiscal year is \$38,942, of which \$30,268 is salary and \$8,674 is benefits. The annual cost will be \$184,596, of which \$143,478 is salary and \$41,118 is benefits. The fiscal impact of this item is included in the Public Works FY 2023-24 adopted budgets.

**E. Appointment of Christopher L. Beck as County Counsel and Approval of Terms and Conditions of Employment**

Departments: Human Resources

10 minutes

(Christine Bouchard, Assistant County Administrative Officer) - Appointment of Christopher L. Beck as Mono County Counsel following the planned retirement of County Counsel Stacey Simon on May 10, 2024, and adoption of proposed resolution approving an agreement setting forth the terms and conditions of said employment.

**Recommended Action:** Announce Fiscal Impact. Approve resolution appointing Christopher L. Beck as the County Counsel for Mono County, effective May 11, 2024, and approving a contract with Mr. Beck prescribing the terms and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

**Fiscal Impact:** The estimated cost of this position for the remainder of the fiscal year is \$36,678, of which \$27,655 is salary and \$9,023 is benefits. The total cost of salary and benefits for an entire fiscal year is approximately \$267,750, of which \$201,885 is salary and \$65,865 is benefits. This is included in the Department's FY 2023-24 adopted budget.

**8. CLOSED SESSION**

**A. Closed Session - Labor Negotiations**

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Sandra Moberly, Mary Booher, Stacey Simon, Janet Dutcher, and Christine Bouchard. 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 Correctional Deputy Sheriffs' Association. Unrepresented employees: All.

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

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

**9. 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** April 9, 2024

**Departments:** Board of Supervisors, Community Development

**TIME REQUIRED** 10 minutes

**PERSONS** Chair Peters

**SUBJECT** Proclamation of Appreciation for  
Doug Power

**APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Proposed proclamation recognizing Doug Power of the Marine Corps Mountain Warfare Training Center for his many years of service to the citizens and communities of Mono County.

**RECOMMENDED ACTION:**

Adopt proposed proclamation wishing Doug a happy retirement!

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Wendy Sugimura

**PHONE/EMAIL:** 760-924-1814 / wsugimura@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<p>Click to download</p> <p> <a href="#">Proclamation of Appreciation for Doug Power</a></p>
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**History**

Time	Who	Approval
3/26/2024 12:12 PM	County Counsel	Yes
3/27/2024 9:47 AM	Finance	Yes
4/1/2024 1:24 PM	County Administrative Office	Yes





## **MONO COUNTY BOARD OF SUPERVISORS RECOGNITION OF DOUGLAS POWER**

**WHEREAS**, this board is aware that Douglas E. Power will be retiring from his position at the U.S. Marine Corps Mountain Warfare Training Center (MWTC) Pickel Meadows in Mono County on 30 April 2024; and

**WHEREAS**, Doug previously served in numerous distinguished capacities with the Marine Corps, including as Sergeant Major of the Marine Corps MWTC; and

**WHEREAS**, for the past 12 years and two months, Doug has served as the Marine Corps MWTC Government & External Affairs Officer; and

**WHEREAS**, Doug has been an extremely reliable and consistent presence at committee meetings, a frequent contributor providing timely reports on MWTC activities and initiatives, and a model for agency participation and representation; and

**WHEREAS**, during this time, Doug has made a meaningful difference in our local communities through his representation of the Marine Corps on advisory and agency committees, including the Antelope Valley Regional Planning Advisory Committee, the Bridgeport Valley Regional Planning Committee, and the Mono County Collaborative Planning Team; and

**WHEREAS**, Doug is well known for his generosity in hosting impressive tours of the Marine Corps MWTC base to local citizens and agency staff, highlighting the MWTC contributions to Mono County and its critical function in training US military forces; and

**WHEREAS**, Doug was kind enough to refrain from subjecting his visiting guests to authentic military training experiences, including culinary sampling of military grade “meals ready to eat” (MRE’s); and

**WHEREAS**, Doug took a hiatus from his job duties to battle cancer and, in true Marine Corps fighting spirit, won and returned to his position; and

**WHEREAS**, we will miss his partnership, camaraderie, and ability to make us feel like a part of the U.S. Marine Corps family.

**NOW, THEREFORE, BE IT RESOLVED** that the Mono County Board of Supervisors expresses its sincere appreciation to Doug Power for his many years of service to the citizens of Mono County and wishes him many happy trails in retirement.

**APPROVED AND ADOPTED** this 9th day of April 2024, by the Mono County Board of Supervisors.

\_\_\_\_\_  
Jennifer Kreitz, Supervisor District #1

\_\_\_\_\_  
Rhonda Duggan, Supervisor District #2

\_\_\_\_\_  
Bob Gardner, Supervisor District #3

\_\_\_\_\_  
John Peters, Supervisor District #4

\_\_\_\_\_  
Lynda Salcido, Supervisor District #5



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** April 9, 2024

**Departments: Clerk of the Board**

**TIME REQUIRED** 10 minutes

**SUBJECT** Proclamation Designating the Month  
of April 2024 as National County  
Government Month

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

Sandra Moberly, County  
Administrative Officer

**AGENDA DESCRIPTION:**

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

Proclamation Designating April 2024 as National County Government Month.

**RECOMMENDED ACTION:**

Adopt proposed proclamation designating April 2024 as National County Government Month.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Danielle Patrick

**PHONE/EMAIL:** 7609325535 / despinosa@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

Time

Who

Approval



***MONO COUNTY BOARD OF SUPERVISORS RECOGNIZING NATIONAL COUNTY GOVERNMENT MONTH – APRIL 2024***

***WHEREAS***, the nation’s 3,069 counties serving more than 330 million Americans provide essential services to create healthy, safe and vibrant communities; and

***WHEREAS***, counties fulfill a vast range of responsibilities and deliver services that touch nearly every aspect of our residents’ lives; and

***WHEREAS***, Mono County and all counties take pride in our responsibility to protect and enhance the health, well-being and safety of our residents in efficient and cost-effective ways; and

***WHEREAS***, under the leadership of National Association of Counties President Mary Jo McGuire, NACo is highlighting county leadership through the lens ForwardTogether, celebrating the role of county governments in connecting, inspiring and leading as intergovernmental partners; and

***WHEREAS***, that role includes a responsibility to inspire county residents to engage with their communities, and to lead by highlighting our strength as intergovernmental partners; and

***WHEREAS***, each year since 1991 the National Association of Counties has encouraged counties across the country to elevate awareness of county responsibilities, programs and services; and

***WHEREAS***, County employees provide support to all of our communities by delivering superior services while protecting our unique rural environment.

***NOW, THEREFORE, BE IT RESOLVED THAT I, JOHN PETERS***, do hereby proclaim April 2024 as National County Government Month and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

***APPROVED AND ADOPTED*** this 9th day of April 2024 by the Mono County Board of Supervisors.

\_\_\_\_\_  
**Jennifer Kreitz, Supervisor District #1**

\_\_\_\_\_  
**Rhonda Duggan, Supervisor District #2**

\_\_\_\_\_  
**Bob Gardner, Supervisor District #3**

\_\_\_\_\_  
**John Peters, Supervisor District #4**

\_\_\_\_\_  
**Lynda Salcido, Supervisor District #5**



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** April 9, 2024

**Departments: County Administrative Office**

**TIME REQUIRED**

**SUBJECT** Ordinance Amending Chapter 2.04 of  
the Mono County Code - Board of  
Supervisors

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

### AGENDA DESCRIPTION:

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

Proposed ordinance amending section 2.04.030 of the Mono County Code to set and maintain salaries for members of the Board of Supervisors at 26.5% (for Supervisors) and 28.5% (for the Chair) of the salaries of State Court Judges.

### RECOMMENDED ACTION:

Adopt proposed ordinance amending section 2.04.030 of the Mono County Code to set salaries for members of the Board of Supervisors as a percentage of the salaries of State Court Judges.

### FISCAL IMPACT:

Approval of the salary adjustment ordinance for the Board will increase Board compensation from \$4,792 to \$5,266 per month for regular Board members (an increase of \$474) and from \$5,200 to \$5,664 per month (an increase of \$464) for the Chair position. The projected annual fiscal impact for a full fiscal year is estimated to be \$31,239. Board salary and benefit costs will change in future fiscal years as superior court judge salaries change.

**CONTACT NAME:** Sandra Moberly

**PHONE/EMAIL:** / smoberly@mono.ca.gov

### 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="#">Ordinance updated</a>
<input type="checkbox"/> <a href="#">Judges pay schedule</a>
<input type="checkbox"/> <a href="#">Redline ordinance</a>

**History****Time**

4/1/2024 10:50 AM

3/28/2024 8:49 AM

4/1/2024 1:13 PM

**Who**

County Counsel

Finance

County Administrative Office

**Approval**

Yes

Yes

Yes



COUNTY ADMINISTRATIVE OFFICER  
COUNTY OF MONO  
Sandra Moberly, MPA, AICP

ASSISTANT COUNTY ADMINISTRATIVE OFFICER  
Christine Bouchard

To: Board of Supervisors

From: Mary Snyder, Special Projects – CAO’s Office

Date: April 9, 2024

Re: Ordinance Amending Mono County Code Section 2.04.030 to set salaries for members of the Board of Supervisors as a percentage of the salaries of state court judges

**BOARD OF SUPERVISORS**

CHAIR

John Peters / District 4

VICE CHAIR

Lynda Salcido / District 5

Jennifer Kreitz / District 1

Rhonda Duggan / District 2

Bob Gardner / District 3

**COUNTY DEPARTMENTS**

ASSESSOR

Hon. Barry Beck

DISTRICT ATTORNEY

Hon. David Anderson

SHERIFF / CORONER

Hon. Ingrid Braun

ANIMAL SERVICES

Chris Mokracek “Interim”

BEHAVIORAL HEALTH

Robin Roberts

COMMUNITY DEVELOPMENT

Wendy Sugimura

COUNTY CLERK-RECORDER

Queenie Barnard

COUNTY COUNSEL

Stacey Simon, Esq.

ECONOMIC DEVELOPMENT

Jeff Simpson

EMERGENCY MEDICAL SERVICES

Bryan Bullock

FINANCE

Janet Dutcher, DPA, MPA,

CGFM, CPA

HEALTH AND HUMAN SERVICES

Kathryn Peterson

INFORMATION TECHNOLOGY

Mike Martinez

PROBATION

Karin Humiston

PUBLIC WORKS

Paul Roten

**Strategic Plan Focus Area(s) Met**

A Thriving Economy  Safe and Healthy Communities  Mandated Function

Sustainable Public Lands  Workforce & Operational Excellence

**Discussion**

The proposed ordinance is presented to align with the timing of adjustments to the policies governing compensation of the County’s at-will and elected manager and department head positions. However, in lieu of tying Board salaries to comparable counties and salary surveys, the ordinance proposes that Board salaries instead be set as a percentage of the salaries paid to state court judges, as is the practice in many other counties.

The salaries of state court judges are established by Government Code Title 8, Chapter 1.5 of the California Government Code, commencing with section 68200. Section 68203 of that Chapter provides for annual increases to judges’ salaries in an amount produced by multiplying the current salary of each justice or judge by the average percentage salary increase for the fiscal year for California state employees. Further, in any year in which the Legislature places a dollar limitation on salary increases for state employees, the same limitation shall apply to judges in comparable wage categories.

Section 2.04.030 of the Mono County Code currently sets Board Member salaries at \$4,792 per month for regular members and \$5,200 per month for the Chair of the Board. Any increase or change to those amounts would be accomplished through adoption of an ordinance by the Board amending the County Code.

The proposed ordinance would replace these provisions with language specifying that regular Board Member salaries would be set at 26.5% of the salary paid to judges of the superior courts of California (\$63,196.94) and the Chair’s salary would be set at 28.5% of the salary paid to such judges (\$67,966.52). Annual increases would be automatic to

maintain said percentages.



ORD24-\_\_

**AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS  
AMENDING SECTION 2.04.030 OF THE MONO COUNTY CODE  
TO SET AND MAINTAIN SALARIES FOR MEMBERS OF THE BOARD  
OF SUPERVISORS AS A PERCENTAGE OF THE SALARIES  
OF STATE COURT JUDGES**

**WHEREAS**, Government Code sections 68200 et seq. establish a system for setting and revising the salaries of judges and justices of the courts of the State of California, which utilizes the average annual increase in salaries for State employees to determine and adjust the salaries of judges and justices; and

**WHEREAS**, pursuant to Article II, Section 1 of the California Constitution, the salaries paid to members of the Board of Supervisors are set and revised by ordinance adopted by the Board, without reference to any guidelines, process, or comparison group; and

**WHEREAS**, the Board of Supervisors wishes to implement a system for setting and revising the salaries of its members and the chair of the Board utilizing the process applicable to judges and justices under California law in order to eliminate the arbitrary setting of salaries by the Board and to implement a uniform process;

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

**SECTION ONE:** Section 2.04.030 of the Mono County Code, “Compensation” is hereby amended in its entirety to read as follows:

“Effective beginning with the first full pay period in July of 2024, the following shall apply:

- A. The salary of members of the board of supervisors not serving as chair shall be 26.5% of the salary paid to judges of the superior courts of California as calculated pursuant to Government Code section 68203 or any successor thereto. Any future changes to the salaries of said judges shall apply, prospectively only, to the salaries of members of the board of supervisors as necessary to maintain the members’ salaries at 26.5%.
- B. The salary of the chair of the board of supervisors shall be 28.5% of the salary paid to judges of the superior courts of California as calculated pursuant to Government Code section 68203 or any successor thereto. Any changes to the salaries of said judges shall



1 apply, prospectively only, to the salary of the chair of the board of supervisors as  
2 necessary to maintain the chair's salary at 28.5%.

3 C. Members of the board and their dependents shall be entitled to the same medical care,  
4 dental care, and vision care coverage provided to all county employees, and to the same  
5 term life insurance provided to all county department heads (elected and appointed).  
6 Members of the board shall also continue to have the option of being members of the  
7 California Public Employees Retirement System (CalPERS), and shall be responsible  
8 for paying the employee's share of any retirement contributions owed to CalPERS as  
9 determined by the County's contract with CalPERS and County policy, and also any  
10 employee share of the "normal cost" of retirement benefits that may be mandated by  
11 the Public Employees' Pension Reform Act of 2013 (PEPRA)."

12 **SECTION TWO:** In accordance with Government Code section 25123.5, this ordinance  
13 shall become effective 60 days from the date of its adoption and final passage, which appears  
14 immediately below. The Clerk of the Board of Supervisors shall post this ordinance and also  
15 publish it in the manner prescribed by Government Code Section 25124 no later than 15 days  
16 after the date of its adoption and final passage. If the Clerk fails to publish this ordinance within  
17 said 15-day period, then the ordinance shall not take effect until 60 days after the date of  
18 publication.

19 **PASSED, APPROVED and ADOPTED** this 9th day of April, 2024, by the following  
20 vote, to wit:

21 **AYES:**

22 **NOES:**

23 **ABSENT:**

24 **ABSTAIN:**

25 \_\_\_\_\_  
26 John Peters, Chair  
27 Mono County Board of Supervisors

28 **ATTEST:**

29 **APPROVED AS TO FORM:**

30 \_\_\_\_\_  
31 Clerk of the Board

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

**The State Bar of California**  
**Annual Salaries for State Bar Court Judges, 7/1/2023 to 6/30/2024**

Classification Title	Unit	Effective Date*	Minimum Annual Salary**	Maximum Annual Salary**
Presiding Judge	Judge	7/1/2023	\$ 238,479	\$ 238,479
Review Judge	Judge	7/1/2023	\$ 238,479	\$ 238,479
Hearing Judge	Judge	7/1/2023	\$ 217,785	\$ 217,785

\***7/1/2023**: Per 12/18/2023 Exempt Pay Letter from the California Department of Human Resources to the State Controller's Office, providing notice of statutory judicial salaries effective 7/1/2023 (update to previous Exempt Pay Letter on August 9, 2023).

\*\*The State Bar Court presiding judge and Review Department (appeals level) judges are paid the same salary as superior court judges; State Bar Court Hearing Department judges (trial level) are paid 91.3225 percent of the salary of superior court judges (Business and Professions Code Sections 6079.1(d) and 6086.65(a)). Salaries of superior court judges are set pursuant to Government Code Section 68203.

**2.04.030 Compensation.**

- A. The salary of members of the board of supervisors not serving as chair shall be 26.5% of the salary paid to judges of the superior courts of California as calculated pursuant to Government Code section 68203 or any successor thereto. Any future changes to the salaries of said judges shall apply, prospectively only, to the salaries of members of the board of supervisors as necessary to maintain the members' salaries at 26.5%.
- B. The salary of the chair of the board of supervisors shall be 28.5% of the salary paid to judges of the superior courts of California as calculated pursuant to Government Code section 68203 or any successor thereto. Any changes to the salaries of said judges shall apply, prospectively only, to the salary of the chair of the board of supervisors as necessary to maintain the chair's salary at 28.5%.
- C. Members of the board and their dependents shall be entitled to the same medical care, dental care, and vision care coverage provided to all county employees, and to the same term life insurance provided to all county department heads (elected and appointed). Members of the board shall also continue to have the option of being members of the California Public Employees Retirement System (CalPERS), and shall be responsible for paying the employee's share of any retirement contributions owed to CalPERS as determined by the County's contract with CalPERS and County policy, and also any employee share of the "normal cost" of retirement benefits that may be mandated by the Public Employees' Pension Reform Act of 2013 (PEPRA)."

The salary of members of the board of supervisors is set at four thousand seven hundred ninety-two dollars per month, with the exception of the chair of the board whose salary is set at five thousand two hundred two dollars per month. In addition, the members of the board and their dependents shall be entitled to the same medical care, dental care, and vision care coverage provided to all county employees, and to the same term life insurance provided to all county department heads (elected and appointed). Members of the board shall also continue to have the option of being members of the California Public Employees Retirement System (CalPERS), with the employee's share of any CalPERS contributions being paid by said board members (as it is by other county officers and employees).



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** April 9, 2024

**Departments: County Counsel**

**TIME REQUIRED**

**SUBJECT** Race Communications Request for  
Refund of Taxes Paid

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Race Communications has filed a claim requesting a refund of property taxes paid for 2019-2020 tax year in the amount of \$10,764.22.

**RECOMMENDED ACTION:**

Deny claim for refund for the reasons set forth in the staff report.

**FISCAL IMPACT:**

Potential to incur litigation costs to defend the refund of taxes collected and distributed to taxing jurisdictions in FY 2019-20.

**CONTACT NAME:** Jeff Hughes

**PHONE/EMAIL:** 760-924-1700 / jhughes@mono.ca.gov

**SEND COPIES TO:**

Janet Dutcher and Queenie Barnard

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Staff Report</a>
<a href="#">Race Communications Request for Refund - Redacted</a>

**History**

Time	Who	Approval
4/4/2024 12:53 PM	County Counsel	Yes
3/27/2024 9:46 AM	Finance	Yes

4/4/2024 10:37 PM

County Administrative Office

Yes

**County Counsel**  
Stacey Simon

**Assistant County Counsel**  
Christopher L. Beck

**Deputy County Counsel**  
Emily R. Fox  
Jeff Hughes

**OFFICE OF THE  
COUNTY COUNSEL**

*Mono County*

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

**Telephone**  
760-924-1700

**Risk Manager**  
Jay Sloane

---

**Paralegal**  
Kevin Moss

To: Board of Supervisors

From: Jeff Hughes, Deputy County Counsel

Date: 04/01/2024

Re: Race Communications Request for Refund of Taxes Paid

**Strategic Plan Focus Area(s) Met**

A Thriving Economy    Safe and Healthy Communities    Mandated Function  
 Sustainable Public Lands    Workforce & Operational Excellence

**Discussion**

Race Communications is a provider of fiber internet in California and, accordingly owns and has installed fiber optic cable through Mono County – primarily within road rights-of-way. The presence of fiber optic cable within the right-of-way creates a taxable possessory interest. The value of that interest is determined annually by the State pursuant to provisions of State law and property taxes are charged to Race accordingly.

Utility companies having property interests that span multiple counties in California (including Race) are taxed pursuant to a system referred to as the unitary tax system. Under this system, the State Board of Equalization (“SBOE”) assesses the value of all of the utility’s property statewide as a unit. Next, the SBOE allocates a share of the entire value to each county. Each county in which the utility’s property is located then imposes and collects the tax according to the property tax rates for the area within which the property is located.

Race is requesting a refund of a percentage of the taxes it paid in the 2019-2020 tax year, alleging that the SBOE’s method of taxation, which is set forth in statute, violates the California Constitution. The Sixth District of the Court of Appeal of the State of California recently decided a case on this exact issue and determined that this taxation method does not violate the California Constitution. (See *County of Santa Clara v. Superior Ct.*, 87 Cal. App. 5th 347, (2023), review denied (Apr. 19, 2023).)

Given that the most current case law states that this taxation method is constitutional, we recommend that the Board deny Race Communications’ request for refund and direct County Counsel to issue a formal denial to Race Communications.

If you have any questions regarding this item, please call or email me.

**CERTIFIED MAIL/RETURN RECEIPT REQUESTED**

Race Telecommunications LLC  
1325 Howard Ave #604  
Burlingame, CA 94010

January 10, 2024

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

To the Clerk of the Board of Supervisors in Mono County:

Race Telecommunications LLC ("Race") is making a claim for partial refund in the amount of **\$10,764.22**, plus applicable interest, in connection with its payment of Tax Year 2019-20 second installment payment to Mono County, outlined below

Assessment No.	[REDACTED]
Bill Number	[REDACTED]
Tax Year	2019-20
Total Second Payment	\$33,114.41
Claim Amount	<b>\$10,764.22</b>

This claim is being filed within four (4) years of the second installment payment made 2/26/2020 in accordance with California Revenue and Taxation Code ("Code") Section 5097, as interpreted in McDougal v. County of Marin (208 Cal.App.2d 65 (1962)). Proof of payment is attached to this letter.

Race is subject to the assessment jurisdiction of the California State Board of Equalization, pursuant to article XIII, section 19 of the California Constitution, which establishes that, "This [State-assessed] property shall be subject to taxation to the same extent and in the same manner as other property."

For Tax Year 2019-20, the County applied a (Code Section 100(b)) tax rate of 1.3481% to the assessed value of Race's property. Conversely, the County applied an (average Code Section 93) tax rate of 1.1290% to the assessed value of locally assessed property. Race asserts that the 2019-20 tax rate applied by the County to the assessed value of Race's property violated article XIII, section 19 of the California Constitution.

On this basis, Race contends that, as a matter of law, it is entitled to a partial refund of its second installment property tax payment for tax year 2019-20, in the amount of \$10,764.22, based on the difference between the tax rate applied by the County to the assessed value of Race's property and the average tax rate applied by the County to the assessed value of locally-assessed property.

I hereby certify and declare under penalty of perjury under the laws of the State of California that the tax amount sought to be partially refunded was paid; that the amount herein claimed is correct, and no part thereof has heretofore been refunded; and, that I am duly authorized to act on behalf of Race.

Sincerely



Raul Alcaraz  
President, Race Telecommunications LLC  
[raul@race.com](mailto:raul@race.com)



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** April 9, 2024

**Departments: Risk Management**

**TIME REQUIRED**

**SUBJECT** Claim for Damages - Leonel Acero

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Claim for Damages filed by B and D Law Group on behalf of Leonel Acero, related to personal injury during a vehicle collision involving a county vehicle.

**RECOMMENDED ACTION:**

Deny the claim submitted by B and D Law Group on behalf of Leonel Acero, direct the Risk Manager, in consultation with County Counsel, to send the notice to the claimant of the denial.

**FISCAL IMPACT:**

None.

**CONTACT NAME:**

**PHONE/EMAIL:** /

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Staff Report claim</a>
<a href="#">Claim Leonel</a>

**History**

Time	Who	Approval
3/26/2024 12:11 PM	County Counsel	Yes
3/27/2024 9:45 AM	Finance	Yes



3/28/2024 10:37 AM

County Administrative Office

Yes

**County Counsel**  
Stacey Simon

**Assistant County Counsel**  
Christopher Beck

**Deputy County Counsel**  
Emily R. Fox  
Jeffrey Hughes

**OFFICE OF THE  
COUNTY COUNSEL**  
*Mono County*

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

**Telephone**  
760-924-1700

---

**Risk Manager**  
Jay Soane

**Paralegal**  
Kevin Moss

To: Board of Supervisors

From: Jay Sloane

Date: April 9, 2024

Re: Claim for damages filed by Leonel Acero

Discussion:

On February 5, 2024, the Clerk of the Board received a claim filed by B&D Law Group on behalf of Leonel Acero. The claim alleges bodily injury related to a vehicle collision with a county vehicle on September 26, 2023.

Recommended Action:

Deny the claim submitted by B&D Law Group on behalf of Leonel Acero, direct the Risk Manager, in consultation with County Counsel, to send the notice to the claimant of said denials.

Fiscal Impact:

None.

# B&D LAW GROUP, APLC

10700 SANTA MONICA BOULEVARD, SUITE 200

LOS ANGELES, CALIFORNIA 90025

TEL: (310) 424-5252

FAX: (310) 492-5855

## CLAIM FOR DAMAGES

(Government Code §911.2)

**TO: THE EXECUTIVE OFFICER-CLERK, BOARD OF SUPERVISORS FOR THE  
COUNTY OF MONO, CA.**

**SENT VIA PRIORITY MAIL: 9405 5112 0620 4531 0868 24**

County of Mono

Executive Officer-Clerk, Board of Supervisors

P.O. Box 715

Bridgeport, CA 93517

RE: Leonel Acero  
Date of Incident: September 26, 2023  
Our File Number 21703

**Name of Claimant(s):** Leonel Acero

**Mailing Address of Claimant:**

21 Kingsley St. Bridgeport, CA 93517

**Give Address to Which You Desire Notices or Communications to be Sent  
regarding this Claim:**

B&D LAW GROUP, APLC , 10700 Santa Monica Blvd., Suite 200, Los Angeles,  
California 90025-4768

**How Did Damage or Injury Occur? Give full particulars:**

Claimant Leonel Acero suffered damages and bodily injuries when his vehicle was rear-  
ended by public entity [REDACTED] of Mono County Public Works  
Department.

**Name of Agency against which this claim is filed?**

County of Mono; Lee Vining, a census-designated place (CDP); County of Mono Public  
Works Department

**When Did Damage or Injury Occur? Give full particulars; date, time of day:**

On or about September 26, 2023 at approximately 8:15am.

**Where Did Damage or Injury Occur? Describe fully.:**

At or near US 395 Southbound and Picnic Grounds Road, Lee Vining, CA 93541.

County of Mono, CA  
Attention: Executive Officer-Clerk, Board of Supervisors  
RE: Leonel Acero  
Page 2 of 2

**What Particular Act or Omission Do You Claim Caused the Injury or Damage?**

The public entity respondents were negligent and careless by not properly maintaining adequate distance between his vehicle and claimant's vehicle which caused him to collide with the rear of claimant, Leonel Acero's vehicle. The driver was in violation of California Vehicle Code, §§ 22350, 21703, 23123, 17001, 17002 and/or California Government Code §§ 815.2, 815.4, 815.6, and 820.

**Give Names of employees causing the injury or Damage, if known:**

**Names and Address of Witnesses, Doctors and Hospitals:**

Absolute Best Chiropractic 1929 California St. Carson City, NV 89701  
Brecke Chiropractic Center 2215 Green Vista Dr. Ste. 304 Sparks, NV 89431  
Synergex Med 3711 Long Beach Blvd. Ste. 4105 Long Beach, CA 90807


**What Damage or Injuries Do You Claim Resulted? Please give full extent of injuries or damages claimed.**

By way of example and without limitation: Injuries to their person and body, including but not limited to shoulders, back, and neck.

**What is the amount of Your Claim? Please itemize your Damages:**

Within the jurisdiction of the Superior Court (Unlimited Civil Case). Demand excess of \$25,000.00.

DATED: 2-6-2024

  
\_\_\_\_\_  
DANIEL D. GEOULLA, ESQ.  
On Behalf of Claimants

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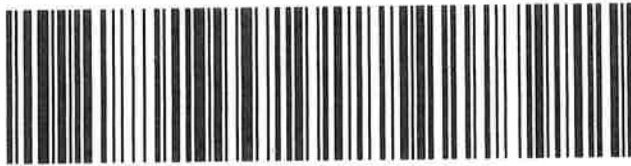
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TO: Executive Officer-Clerk, Board of Supervisors  
PO BOX 715  
BRIDGEPORT CA 93517-0715

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Mono County

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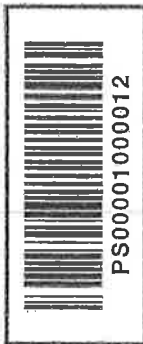
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**OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS**

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** April 9, 2024

**Departments: First 5 Mono**

**TIME REQUIRED**

**SUBJECT** Reappointment to First 5 Mono  
County Children and Families  
Commission

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

On behalf of the Mono County Children and Families Commission, I respectfully request the Board of Supervisors to reappoint Janice Mendez to the First 5 Mono County Children and Families Commission.

**RECOMMENDED ACTION:**

Reappoint Janice Mendez to the Mono County Children and Families Commission to serve a five-year term expiring March 15th, 2029.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Danielle Patrick

**PHONE/EMAIL:** 7609325535 / despinosa@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

**History**

Time	Who	Approval
3/26/2024 12:17 PM	County Counsel	Yes
3/27/2024 9:47 AM	Finance	Yes

4/1/2024 1:17 PM

County Administrative Office

Yes



**Bob Gardner**  
Commission Chair  
Mono County Board of  
Supervisors

**Stacey Adler, PhD**  
Commission Vice- Chair  
Mono County Superintendent  
of Schools

**Janice Mendez**  
Commission Secretary  
Project Lead  
Community Health in Diabetes  
Prevention  
Bridgeport Indian Colony

**Dr. Tom Boo**  
Mono County Health Officer

**Michelle Raust**  
Program Manager, Child and  
Adult Services  
Mono County Department of  
Social Services

**Patricia Robertson**  
Executive Director  
Mammoth Lakes Housing

**Date:** April 18<sup>th</sup>, 2024

**To:** Honorable Board of Supervisors

**From:** Molly DesBaillets, Executive Director First 5 Mono County

**Subject:** Reappointment of Janice Mendez to the First 5 Mono County  
Children and Families Commission

**Recommended Action:**

Reappoint Janice Mendez to the Mono County Children and Families  
Commission to serve a five-year term expiring March 15th, 2029.

**Discussion:**

On behalf of the Mono County Children and Families Commission, I  
respectfully request the Board of Supervisors to reappoint Janice Mendez  
to the First 5 Mono County Children and Families Commission.

In accordance with Mono County Code, Ms. Mendez--who serves as the  
Project Lead for Community Health in Diabetes Prevention for the  
Bridgeport Indian Colony--wishes to serve under the membership category:  
*representatives of community-based organizations that have the goal of  
promoting or nurturing early childhood development.*

**Fiscal Impact:**

None

**Molly DesBaillets, MA**  
Executive Director

*Providing leadership in sustaining a network of support for all children, ages 0 through 5 years, and their families. Partnering with the  
community to improve outcomes in children's health, safety and learning.*

P.O. Box 130 ♦ Mammoth Lakes, CA 93546  
760-924-7626 ♦ 760-934-8443 (fax) ♦ [mdesbaillets@monocoe.org](mailto:mdesbaillets@monocoe.org) [first5mono.org](http://first5mono.org)





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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    April 9, 2024

**TIME REQUIRED**

**SUBJECT**            Educational Revenue Augmentation  
Fund (ERAF) Letter

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Letter to Honorable Sharon Quirk-Silva Chair, Assembly Budget Subcommittee No. 5 regarding the Item 9210: VLF Backfill Request Appropriation for Insufficient ERAF Amounts in Mono County. The letter was drafted and sent pursuant to the Board's adopted legislative platform and is provided here to the full Board in accordance with Resolution R21-17.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

**History**

Time	Who	Approval
4/1/2024 10:41 AM	County Counsel	Yes
4/4/2024 10:19 AM	Finance	Yes
4/4/2024 10:31 PM	County Administrative Office	Yes



**COUNTY ADMINISTRATIVE OFFICER**  
**COUNTY OF MONO**  
Sandra Moberly, MPA, AICP  
PO Box 696  
Bridgeport, CA 93517-0696  
(760) 932-5410  
[smoberly@mono.ca.gov](mailto:smoberly@mono.ca.gov)  
[www.mono.ca.gov](http://www.mono.ca.gov)

March 27, 2024

**BOARD OF SUPERVISORS**

CHAIR

John Peters / District 4

VICE CHAIR

Lynda Salcido / District 5

Jennifer Kreitz / District 1

Rhonda Duggan / District 2

Bob Gardner / District 3

The Honorable Sharon Quirk-Silva  
Chair, Assembly Budget Subcommittee No. 5  
1021 O Street, Suite 4210  
Sacramento, CA 95814

Re: **Item 9210: VLF Backfill**  
**Request Appropriation for Insufficient ERAF Amounts in Mono County**

**COUNTY DEPARTMENTS**

ASSESSOR

Hon. Barry Beck

DISTRICT ATTORNEY

Hon. David Anderson

SHERIFF / CORONER

Hon. Ingrid Braun

ANIMAL SERVICES

Chris Mokracek "Interim"

BEHAVIORAL HEALTH

Robin Roberts

COMMUNITY DEVELOPMENT

Wendy Sugimura

COUNTY CLERK-RECORDER

Queenie Barnard

COUNTY COUNSEL

Stacey Simon, Esq.

ECONOMIC DEVELOPMENT

Jeff Simpson

EMERGENCY MEDICAL SERVICES

Bryan Bullock

FINANCE

Janet Dutcher

CPA, CGFM, MPA

HEALTH AND HUMAN SERVICES

Kathryn Peterson

INFORMATION TECHNOLOGY

Mike Martinez

PROBATION

Karin Humiston

PUBLIC WORKS

Paul Roten

Dear Assembly Member Quirk-Silva:

On behalf of the Mono County Board of Supervisors, I write to respectfully urge your consideration for including an appropriation to backfill the insufficient ERAF amounts in our County. The Governor's proposed 2024-25 state budget, regrettably, does not include a backfill of these funds, which will significantly impact local programs and services. In total, we respectfully request \$2,313,845 to backfill our losses due to lack of sufficient funds in our ERAF to fully fund the VLF Swap in 2022-23. Without these resources, we – and other counties facing the same circumstance – will not only be treated differently than the remaining counties in the state, but will face greater challenges in managing our expanding state-mandated obligations.

In 2004, a state budget compromise between the state and its counties and cities was struck to permanently reduce taxpayer's Vehicle License Fee (VLF) obligations by 67.5 percent. The VLF had served as an important general purpose funding source for county and city programs and services since its inception. In exchange for this revenue reduction, the state provided counties and cities with an annual in-lieu VLF amount (adjusted annually to grow with assessed valuation) to compensate for the permanent loss of VLF revenues with revenues from each county's Educational Revenue Augmentation Fund (ERAF); this transaction became known colloquially as the "VLF Swap." The 2004 budget agreement made clear that excess ERAF funds – shifted property tax revenues that were not needed to fully fund K-14 schools – would not be used to fund the in-lieu VLF amount. Further, the Legislature and Administration agreed to a ballot measure – Proposition 1A – that amended the Constitution to ensure that future shifts or transfers of local agency property tax revenues could not be used to pay for state obligations. That November, Proposition 1A was approved by 83.7 percent of voters.

Legislation to implement the VLF swap carefully and purposefully identified the sources of funds that were available to pay the state's in-lieu VLF obligation: ERAF distributions to non-basic aid schools and property tax revenues of non-basic aid schools. Proposition 98 ensures that state funds are provided to those schools to meet their constitutional funding guarantee, so they do not experience any financial loss. However, in those instances where there are too few non-basic aid schools in a county from which to transfer sufficient funds to pay the state's in-lieu VLF obligation, the state has historically provided annual appropriations to make up for the revenue shortfalls.

The Governor's 2024-25 proposed budget failed to include funds to ensure that Mono County was held harmless for losses associated with the VLF Swap. Without backfill, we – through no fault of our own – will endure a significant reduction in general purpose revenue that will directly affect the provision of local programs and services in our small rural community, at precisely the time when we are being asked to do more. We recognize that the state is facing a severe fiscal shortfall; however, even these small amounts have an outsized impact on our community. As a result, we respectfully urge you to consider appropriating funds for this purpose.

Sincerely,



Sandra Moberly, MPA, AICP  
Mono County Administrative Officer

cc: Members and Consultants, Assembly Budget Subcommittee No. 5  
The Honorable Marie Alvarado-Gill, California State Senate  
The Honorable Megan Dahle, California State Assembly  
Christian Griffith, Chief Consultant, Assembly Budget Committee  
William Weber, Consultant, Assembly Republican Caucus  
Chris Hill, Principal Program Budget Analyst, Department of Finance



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** April 9, 2024

**TIME REQUIRED**

**SUBJECT** Homeless Housing, Assistance and  
Prevention Program Funding (HHAP)  
Letter

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Letter regarding the Homeless Housing, Assistance and Prevention Program Funding sent to the Honorable Sharon Quirk-Silva and the Honorable Stephen Padilla. The letter was sent pursuant to the Board's adopted legislative Platform and is provided to the Board in accordance with Resolution R21-17.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

**History**

Time	Who	Approval
4/1/2024 10:52 AM	County Counsel	Yes
4/4/2024 10:19 AM	Finance	Yes
4/4/2024 10:35 PM	County Administrative Office	Yes



**COUNTY ADMINISTRATIVE OFFICER**  
**COUNTY OF MONO**  
Sandra Moberly, MPA, AICP  
PO Box 696  
Bridgeport, CA 93517-0696  
(760) 932-5410  
[smoberly@mono.ca.gov](mailto:smoberly@mono.ca.gov)  
[www.mono.ca.gov](http://www.mono.ca.gov)

March 28, 2024

**BOARD OF SUPERVISORS**

CHAIR

John Peters / District 4

VICE CHAIR

Lynda Salcido / District 5

Jennifer Kreitz / District 1

Rhonda Duggan / District 2

Bob Gardner / District 3

The Honorable Stephen Padilla  
Chair  
Assembly Budget Subcommittee #4  
1020 N Street, Room 502  
Sacramento, CA 95814

**COUNTY DEPARTMENTS**

ASSESSOR

Hon. Barry Beck

DISTRICT ATTORNEY

Hon. David Anderson

SHERIFF / CORONER

Hon. Ingrid Braun

ANIMAL SERVICES

Chris Mokracek "Interim"

BEHAVIORAL HEALTH

Robin Roberts

COMMUNITY DEVELOPMENT

Wendy Sugimura

COUNTY CLERK-RECORDER

Queenie Barnard

COUNTY COUNSEL

Stacey Simon, Esq.

ECONOMIC DEVELOPMENT

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CPA, CGFM, MPA

HEALTH AND HUMAN  
SERVICES

Kathryn Peterson

INFORMATION

TECHNOLOGY

Mike Martinez

PROBATION

Karin Humiston

PUBLIC WORKS

Paul Roten

Re: Homeless Housing, Assistance and Prevention Program Funding

Dear Assembly Member Padilla:

On behalf of Mono County, I am writing regarding our support for funding for the Homeless Housing, Assistance and Prevention (HHAP) Program. Counties remain on the frontlines of responding to the homelessness crisis, which is the top issue facing our communities. The HHAP program is working and transforming the lives of individuals throughout the state by helping them secure permanent housing and needed services. We are thankful for the Legislature's leadership in making unprecedented investments for this program in recent years in partnership with Governor Newsom and urge you to continue that commitment even in this difficult budget situation.

Ongoing HHAP Funding

Last year, the California State Association of Counties (CSAC) created the AT HOME Plan (Accountability, Transparency, Housing, Outreach, Mitigation, and Economic Opportunity) that outlines the development of a comprehensive homelessness response system. Working with the Administration and the Legislature, counties successfully advocated for several elements of this plan to be incorporated for the HHAP program through enactment of AB 129 (Chapter 40, Statutes of 2023). As part of these reforms, all counties are currently developing regionally coordinated homelessness action plans, signing memorandums of understanding that define roles and responsibilities, and submitting joint applications with continuums of cares (CoCs) and big cities. Combined with the \$1 billion in funding for HHAP Round 5, these actions will increase accountability for HHAP funding, further local collaboration, and strengthen homelessness response efforts.

Our county is currently in the midst of finalizing our regional plan and application and looking forward to what can be accomplished with this funding. Unfortunately, the HHAP program is funded with one-time investments which prevents counties from being able to make long-term program commitments. Even more concerning, the Governor's Budget does not include funding for a HHAP Round 6, though does acknowledge a commitment to discuss potential funding during this budget process. **Mono County respectfully requests ongoing funding for the HHAP program at a level of at least the current**

**\$1 billion annual amount.** In addition, we request that the \$360 million in HHAP supplemental funding be distributed as outlined in AB 129 instead of being delayed until 2025-26 as proposed in the Governor's Budget.

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Failure to provide ongoing funding or fund a Round 6 of HHAP at a consistent level would have detrimental impacts on local homelessness response efforts. Without the HHAP program, projects that support the lowest incomes would be impossible, this may be particularly true in a rural county like Mono County, which experiences similar construction costs as the rest of California but has no access to project based vouchers at all, and incomes are far lower, almost half the level of Los Angeles County, for example.

#### Allocation Criteria

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Counties that are achieving success in reducing the number of homeless individuals will see their HHAP allocations be reduced. Unfortunately, the number of individuals experiencing homelessness in those counties is then likely to increase again as homelessness services and housing supports are not able to be sustained at same level due to reduced funding. In addition, there are factors outside of the control of a county that can impact the PIT count such as severe weather. In Mono County, for example, we see a clear influx of homelessness in outdoor areas in the summer as compared with when PIT counts are collected in January. In January the temperatures typically reach well below freezing and there is generally several feet and up to dozens of feet of snow accumulation at that point. Mono County is the only county that is climate zone 6 in California. This climate zone is typical of most Northern Continental U.S. States, like Minnesota, North Dakota, Michigan, and Maine. Similar to those places, the January PIT Count is under-representative of our actual needs because people are driven into places that are harder to find, either out of the county, inside friends apartments, or inside any other space they can find that is warm enough to avoid hypothermia and its complications, up to and including fatal complications.

Our county supports the CSAC recommendation that the Legislature, Administration, and funded entities work together to identify a more comprehensive manner to determine individual applicant allocations of HHAP funding. Possible factors to consider include looking at multiple years of PIT counts, adding a buffer to allocation levels so that they can't increase or decrease more than a certain percentage in a given year, or ensuring funded entities that meet certain metrics are prevented from having their allocation reduced even if their PIT count goes down. Adjusting the method by which the county-by-county allocations are determined can create more fairness and reward successful programs.

#### Minimum Allocation

Our county supports the CSAC recommendation for the inclusion of a minimum allocation for counties. This practice has long been common in human services programs funded by the state in recognition that it takes a certain level of funding to stand up a program, hire staff, and support rural counties that often cover large

geographic areas. Some smaller counties in California get minimal HHAP allocations based on their PIT count, which are also sometimes impacted by severe winter weather. In the recently announced HHAP Round 5 allocations, seven counties received an allocation less than \$100,000, which will make regional planning and program implementation more difficult. CSAC does not have a specific amount to recommend as the minimum funding level as that will depend on the overall amount of funding provided for the program but does recommend establishing that all counties will receive a minimum amount of funding.

Conclusion

While the number of homeless individuals does continue to increase in California, it is the result of a confluence of factors outside of the HHAP program that are causing individuals to become newly homeless. Without the HHAP program, the number of Californians experiencing homelessness would be far greater than the number seen today. The collaboration requirements, flexible funding, and accountability measures of the HHAP program are leading to successful program investments that must continue to be prioritized. We should not pull back on our collective commitment to this program, but rather strengthen our resolve and allow for longer-term goals and program investments by dedicating ongoing funding. We look forward to partnering with the Legislature on this issue.

Sincerely,

*Sandra Moberly*

Sandra Moberly, MPA, AICP  
Mono County Administrative Officer

cc: The Honorable Brian Dahle, Member, California State Senate  
The Honorable Isaac Bryan, Chair, Assembly Natural Resources Committee  
The Honorable Jim Patterson  
The Honorable Marie Alvarado-Gil  
Mono County Board of Supervisors  
John Kennedy, Rural County Representatives of California (RCRC)  
Alicia Sebastian, Executive Director of CCRH (California Coalition for Rural Housing)



**COUNTY ADMINISTRATIVE OFFICER**  
**COUNTY OF MONO**  
Sandra Moberly, MPA, AICP  
PO Box 696  
Bridgeport, CA 93517-0696  
(760) 932-5410  
[smoberly@mono.ca.gov](mailto:smoberly@mono.ca.gov)  
[www.mono.ca.gov](http://www.mono.ca.gov)

March 28, 2024

**BOARD OF SUPERVISORS**

**CHAIR**

John Peters / District 4

**VICE CHAIR**

Lynda Salcido / District 5

Jennifer Kreitz / District 1

Rhonda Duggan / District 2

Bob Gardner / District 3

The Honorable Sharon Quirk-Silva  
Chair  
Assembly Budget Subcommittee #5  
1021 O Street, Suite 4210  
Sacramento, CA 95814

**COUNTY DEPARTMENTS**

**ASSESSOR**

Hon. Barry Beck

**DISTRICT ATTORNEY**

Hon. David Anderson

**SHERIFF / CORONER**

Hon. Ingrid Braun

**ANIMAL SERVICES**

Chris Mokracek "Interim"

**BEHAVIORAL HEALTH**

Robin Roberts

**COMMUNITY DEVELOPMENT**

Wendy Sugimura

**COUNTY CLERK-RECORDER**

Queenie Barnard

**COUNTY COUNSEL**

Stacey Simon, Esq.

**ECONOMIC DEVELOPMENT**

Jeff Simpson

**EMERGENCY MEDICAL SERVICES**

Bryan Bullock

**FINANCE**

Janet Dutcher  
CPA, CGFM, MPA

**HEALTH AND HUMAN SERVICES**

Kathryn Peterson

**INFORMATION TECHNOLOGY**

Mike Martinez

**PROBATION**

Karin Humiston

**PUBLIC WORKS**

Paul Roten

Re: Homeless Housing, Assistance and Prevention Program Funding

Dear Assembly Member Quirk-Silva:

On behalf of Mono County, I am writing regarding our support for funding for the Homeless Housing, Assistance and Prevention (HHAP) Program. Counties remain on the frontlines of responding to the homelessness crisis, which is the top issue facing our communities. The HHAP program is working and transforming the lives of individuals throughout the state by helping them secure permanent housing and needed services. We are thankful for the Legislature's leadership in making unprecedented investments for this program in recent years in partnership with Governor Newsom and urge you to continue that commitment even in this difficult budget situation.

Ongoing HHAP Funding

Last year, the California State Association of Counties (CSAC) created the AT HOME Plan (Accountability, Transparency, Housing, Outreach, Mitigation, and Economic Opportunity) that outlines the development of a comprehensive homelessness response system. Working with the Administration and the Legislature, counties successfully advocated for several elements of this plan to be incorporated for the HHAP program through enactment of AB 129 (Chapter 40, Statutes of 2023). As part of these reforms, all counties are currently developing regionally coordinated homelessness action plans, signing memorandums of understanding that define roles and responsibilities, and submitting joint applications with continuums of cares (CoCs) and big cities. Combined with the \$1 billion in funding for HHAP Round 5, these actions will increase accountability for HHAP funding, further local collaboration, and strengthen homelessness response efforts.

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Alicia Sebastian, Executive Director of CCRH (California Coalition for Rural Housing)



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** April 9, 2024

**Departments: Clerk of the Board**

**TIME REQUIRED** 40 minutes

**SUBJECT** Main Lodge Update

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

Town of Mammoth Lakes, United  
States Forest Service, Project Team

**AGENDA DESCRIPTION:**

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

The Town of Mammoth Lakes (Town) and United States Forest Service (USFS) are jointly reviewing the Mammoth Main Base Redevelopment Project (Evolving Main). The project is a comprehensive redevelopment of the Mammoth Mountain Ski Area (MMSA) Main Lodge area, including improvements on publicly owned (USFS) land and privately owned land. An informational handout on the privately owned portion of the proposed project is attached.

**RECOMMENDED ACTION:**

None, informational only.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Danielle Patrick

**PHONE/EMAIL:** 7609325535 / despinosa@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">staff report</a>
<a href="#">Handout</a>
<a href="#">Power Point Presentation</a>

**History**

Time

Who

Approval

3/26/2024 12:11 PM	County Counsel	Yes
3/28/2024 8:51 AM	Finance	Yes
4/1/2024 1:12 PM	County Administrative Office	Yes



**COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
PLANNING DIVISION**

**P.O. Box 1609, Mammoth Lakes, CA 93546**

**Phone: (760) 965-3630 Fax: (760) 934-8608**

**[www.townofmammothlakes.ca.gov](http://www.townofmammothlakes.ca.gov)**

---

**To:** Mono County Board of Supervisors

**From:** Nolan Bobroff, Town of Mammoth Lakes Community and Economic Development Director  
Jen Murillo, Town of Mammoth Lakes Contract Planner

**Date:** April 9, 2024

**Subject:** Presentation on the Mammoth Mountain Ski Area Main Base Redevelopment Project (Evolving Main)

**Recommended Action:** None, informational only.

**Discussion:** The Town of Mammoth Lakes (Town) and United States Forest Service (USFS) are jointly reviewing the Mammoth Main Base Redevelopment Project (Evolving Main). The project is a comprehensive redevelopment of the Mammoth Mountain Ski Area (MMSA) Main Lodge area, including improvements on publicly owned (USFS) land and privately owned land. An informational handout on the privately owned portion of the proposed project is attached.

The applicant, Town, USFS, and other agencies continue to discuss various topics and issues related to the project. The applicant is also preparing a specific plan that would establish zoning and development standards for the privately owned parcels. The draft specific plan has not been prepared or submitted to the Town. A draft specific plan is needed to inform the draft environmental analysis (Environmental Impact Report (EIR)/Environmental Impact Statement (EIS)) required for this project.

Future public meetings and input opportunities on this project will be offered, including when the draft specific plan and draft EIR/EIS are available. Public review of the draft EIR/EIS is expected in late 2024. Town and the USFS decisions on this project are not expected until late 2025 or early 2026. Town staff will continue to provide project updates to the Mammoth Lakes Planning and Economic Development Commission and Town Council.

**Fiscal Impact:** None.

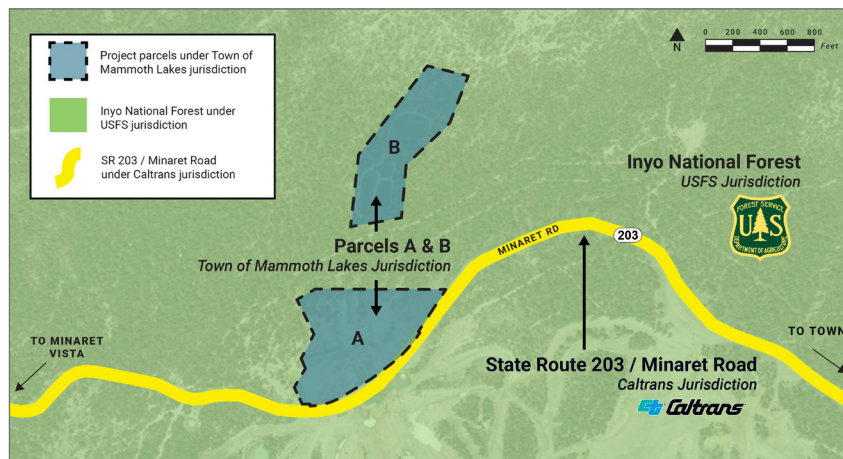
**Attachment:** Mammoth Main Base Redevelopment Project “Evolving Main” Information Sheet (February 2024)

# Mammoth Main Base Redevelopment Project

## “Evolving Main” Information Sheet

### LAND EXCHANGE

In 2020, a land exchange transferred approximately 35 acres at the base of Mammoth Mountain Ski Area (MMSA) Main Lodge from federal (U.S. Forest Service) to private ownership. The 35 acres are comprised of two parcels (Parcel A and Parcel B). These two parcels are now owned by Mammoth Main Lodge Redevelopment LLC (MMLR). MMLR is under the commercial real estate subsidiary of Alterra Mountain Company (Alterra). MMSA is under the resorts subsidiary of Alterra. The goal of this land exchange is for redevelopment of the 35 acres to *enhance the economic and community needs within Mammoth Lakes and Mono County.*



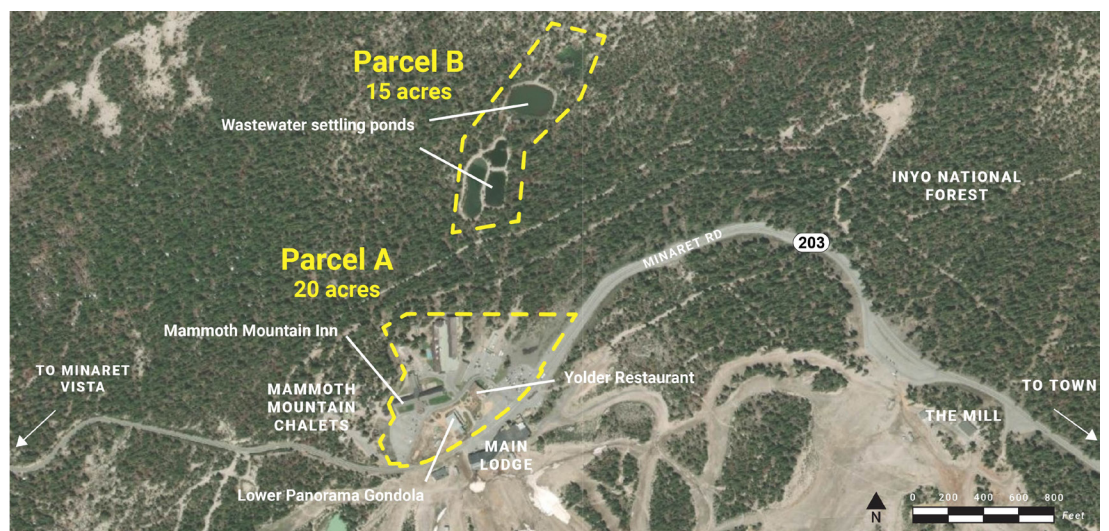
### LAND JURISDICTION

The Town of Mammoth Lakes has jurisdiction over the redevelopment of Parcels A and B. However, redevelopment will also include improvements on Mammoth Mountain Ski Area, outside of Parcels A and B, that will require U.S. Forest Service approval. In addition, any changes to State Route 203/Minaret Road will require approval from the California Department

of Transportation (Caltrans). Due to the complexity, uniqueness, and scale of this potential private redevelopment project, many agencies are involved in the review and ultimate decisions on this project.

### PARCEL A & B

Parcel A currently contains Mammoth Mountain Inn, the Yolder Restaurant, lower Panorama Gondola building, lower terminal of Discovery Chair (Chair 11), surface parking, and other uses. Parcel B contains wastewater settling ponds and is accessed by an unimproved service road. Parcel A is about 4 miles up State Route 203 (Minaret Road) from The Village at Mammoth.



# PROPOSED PARCEL A & B REDEVELOPMENT PROGRAM

The current draft proposed development program for Parcels A and B is shown in the illustrative concept plan below.



- 250 hotel rooms
- 209 resort residential units
- 95,000 square feet of commercial space
- Pedestrian plaza
- Wastewater treatment facility

This project will be a substantial private investment in the region. The potential tax revenue generation from this project is being estimated and will be provided to the public when available.

## ILLUSTRATIVE TIMELINE

Below is an estimated high-level timeline for review and decisions on this project. Please check the websites below for updates as project review proceeds.



Project updates are provided at regularly scheduled Mammoth Lakes Town Council and Planning and Economic Development Commission meetings. Visit the Town website below for meeting information.

## RELEVANT PROJECT LINKS

Town project website: [www.townofmammothlakes.ca.gov/1155/Mammoth-Main-Base-Redevelopment-Evolving](http://www.townofmammothlakes.ca.gov/1155/Mammoth-Main-Base-Redevelopment-Evolving)

USFS project website with sign-up for emails: [www.fs.usda.gov/project/?project=62406](http://www.fs.usda.gov/project/?project=62406)

Applicant's project website: [www.evolvingmain.com](http://www.evolvingmain.com)



# **Mammoth Main Base Redevelopment Project (*Evolving Main*)**

**Mono County Board of Supervisors**

April 9, 2024

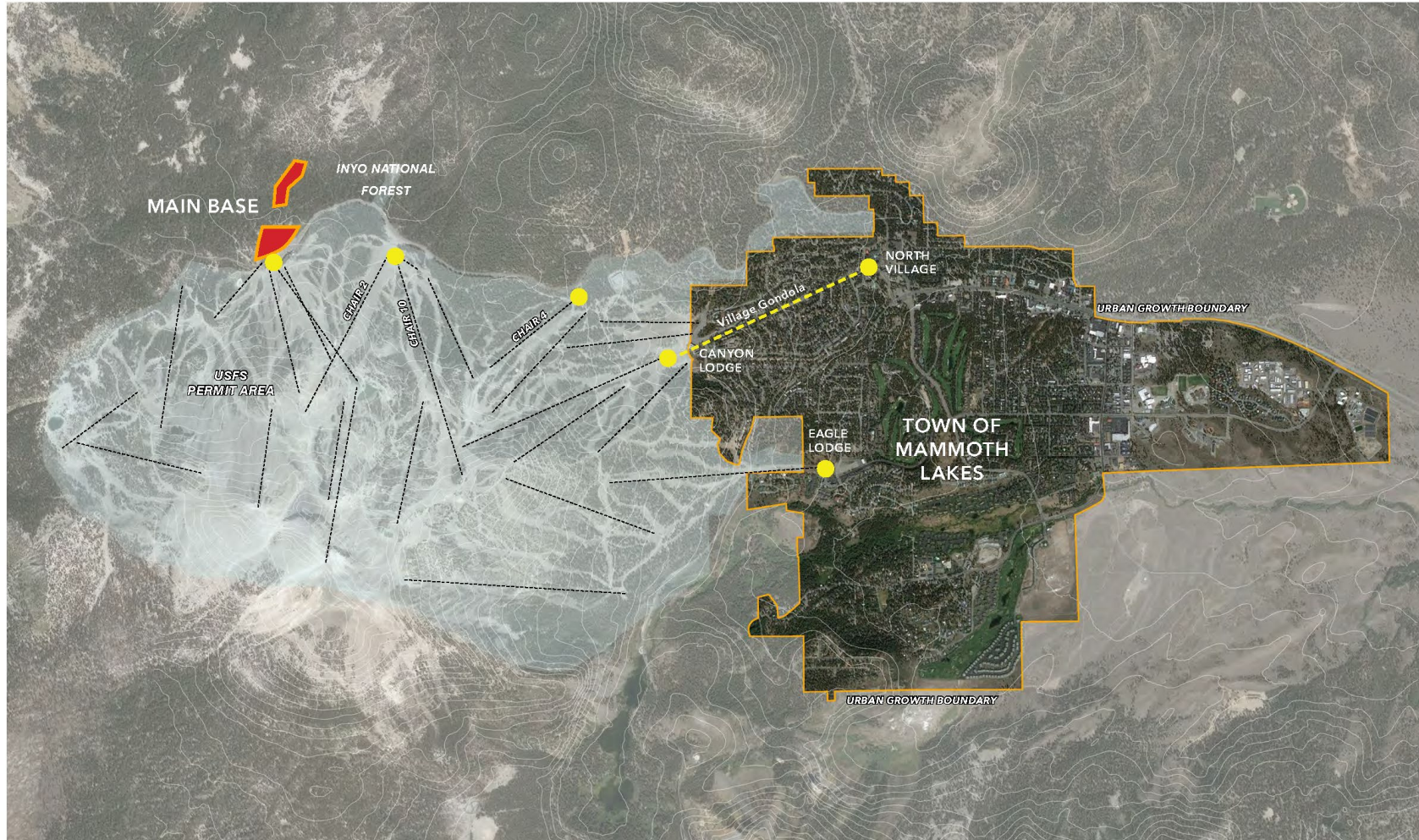


# Outline

- **Project Overview**
- **Key Topics**
- **Outreach**

# Project Overview

# Project Overview: Town Context



**Figure 2 - Town Context**

Mammoth Main Base October 17, 2022

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# Project Overview: Ownership

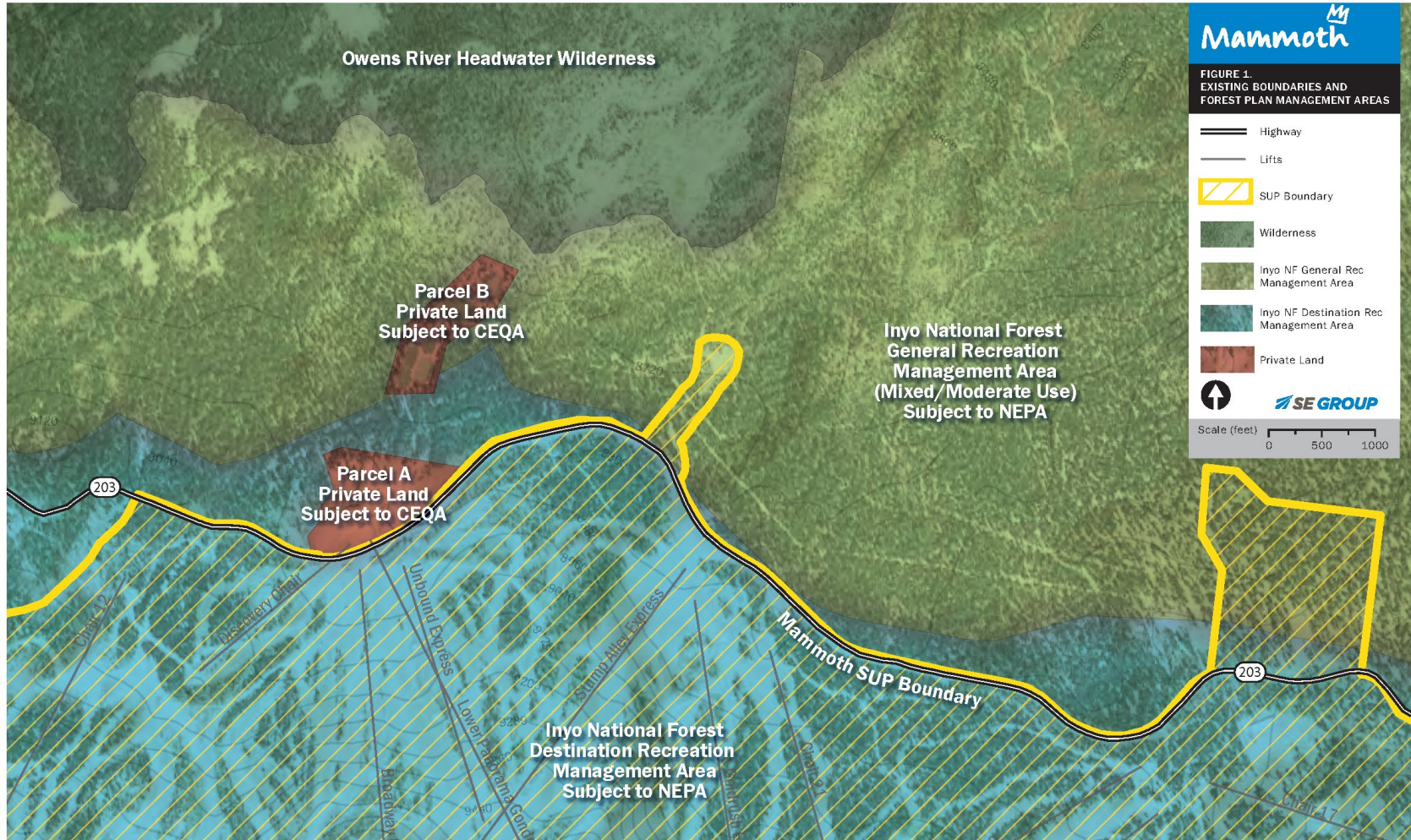
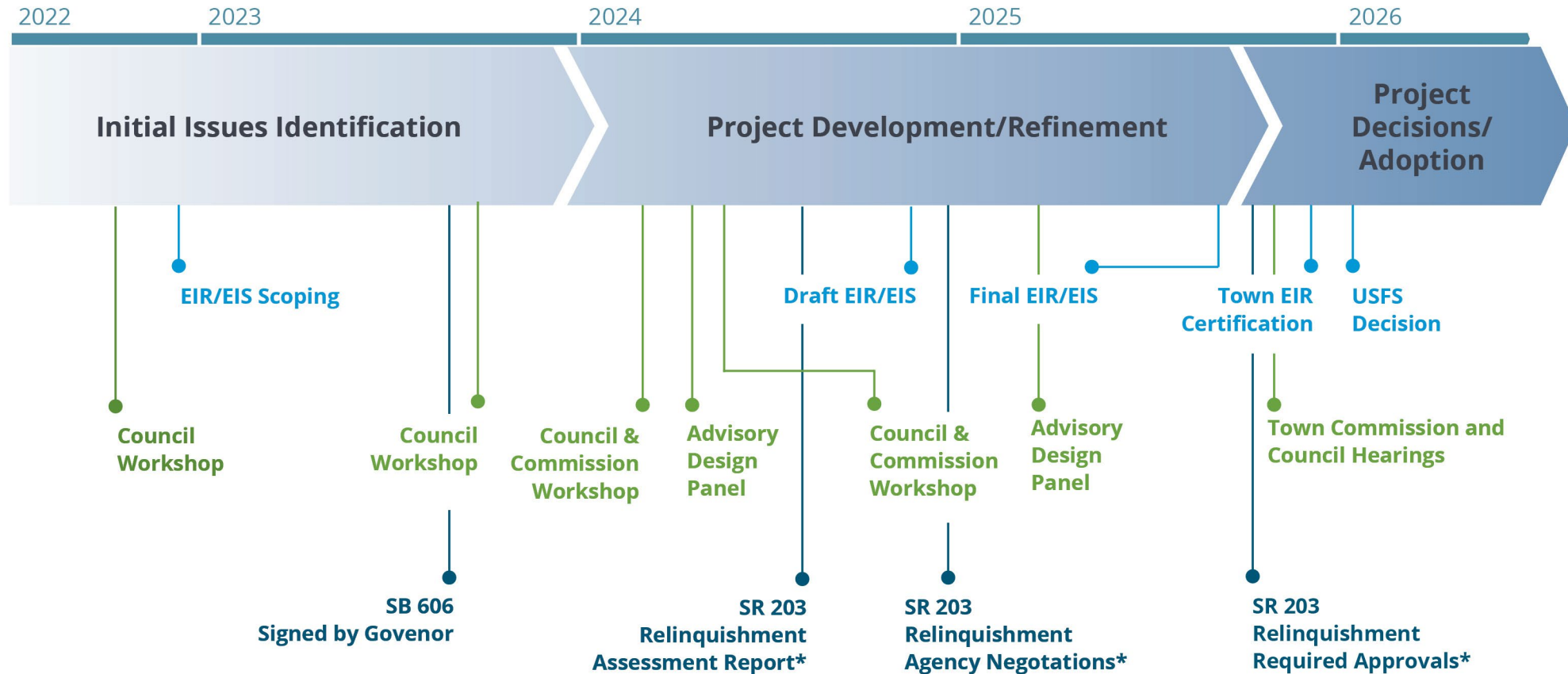


Figure 3 - Ownership

# Project Overview: Illustrative Timeline



\* Timing unknown and will be updated after further discussions with CalTrans.



# Project Overview: Existing Conditions



Figure 4 - Existing Conditions

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# Project Overview: Illustrative Concept Plan

Legend	
-----	Main Base Parcel Boundary
A	Main Base
B	Resort Residential
C	Reclaimed Water Storage Pond
D	Wastewater Treatment & Facilities
USFS Permit Area	
1	New Road Connection
2	Ski Beach
3	Gus' Pasture Training Terrain
4	Proposed Ski Run
5	Existing Chalets
6	Transit & Arrival Plaza
7	Mountain Operations
8	Employee Parking
—	Existing Chair
—	Proposed Gondola or Chair

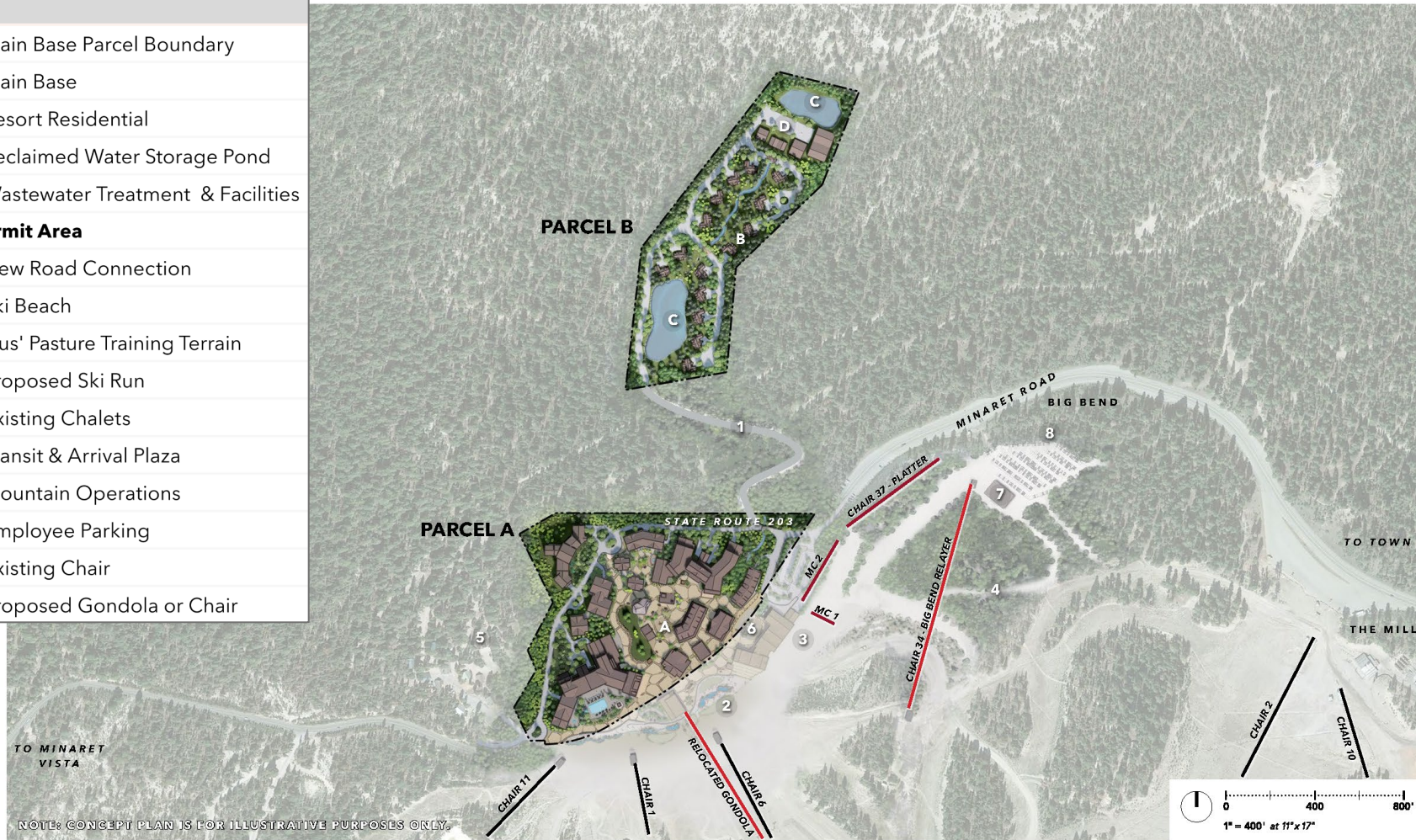


Figure 7 - Illustrative Concept Plan

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# Project Overview: Proposed Land Use

PARCEL A						
Land Use	Area (AC) <sup>(1)</sup>	Max. Hotel Keys	Max. Units	Max. Commercial (SF) <sup>(2)</sup>	Max. FAR	
MB-MU	Main Base- Mixed Use	17.77	250	164	95,000	1.3
<b>Total</b>		<b>17.77</b>	<b>250</b>	<b>164</b>	<b>95,000</b>	
<small>(1) Minaret Road (2.69 acres) not included in acreage. (2) Hotel and residential amenity space is an accessory to that use and is not included in maximum commercial SF. (3) Residential units allowed up to 2 lock-offs per unit.</small>						
PARCEL B						
Land Use	Area (AC)	Max. Units	Max. SF <sup>(4)</sup>	Max. FAR	Max. DU/AC	
MB-RR	Main Base- Resort Residential	11.77	45	140,000	---	4.0
MB-U	Main Base- Utility	3.49	---	45,000	0.3	---
<b>Total</b>		<b>15.26</b>	<b>45</b>	<b>185,000</b>		
<small>(4) Max. SF includes both 135,000 sf of Resort Residential and 5,000 sf of Commercial.</small>						

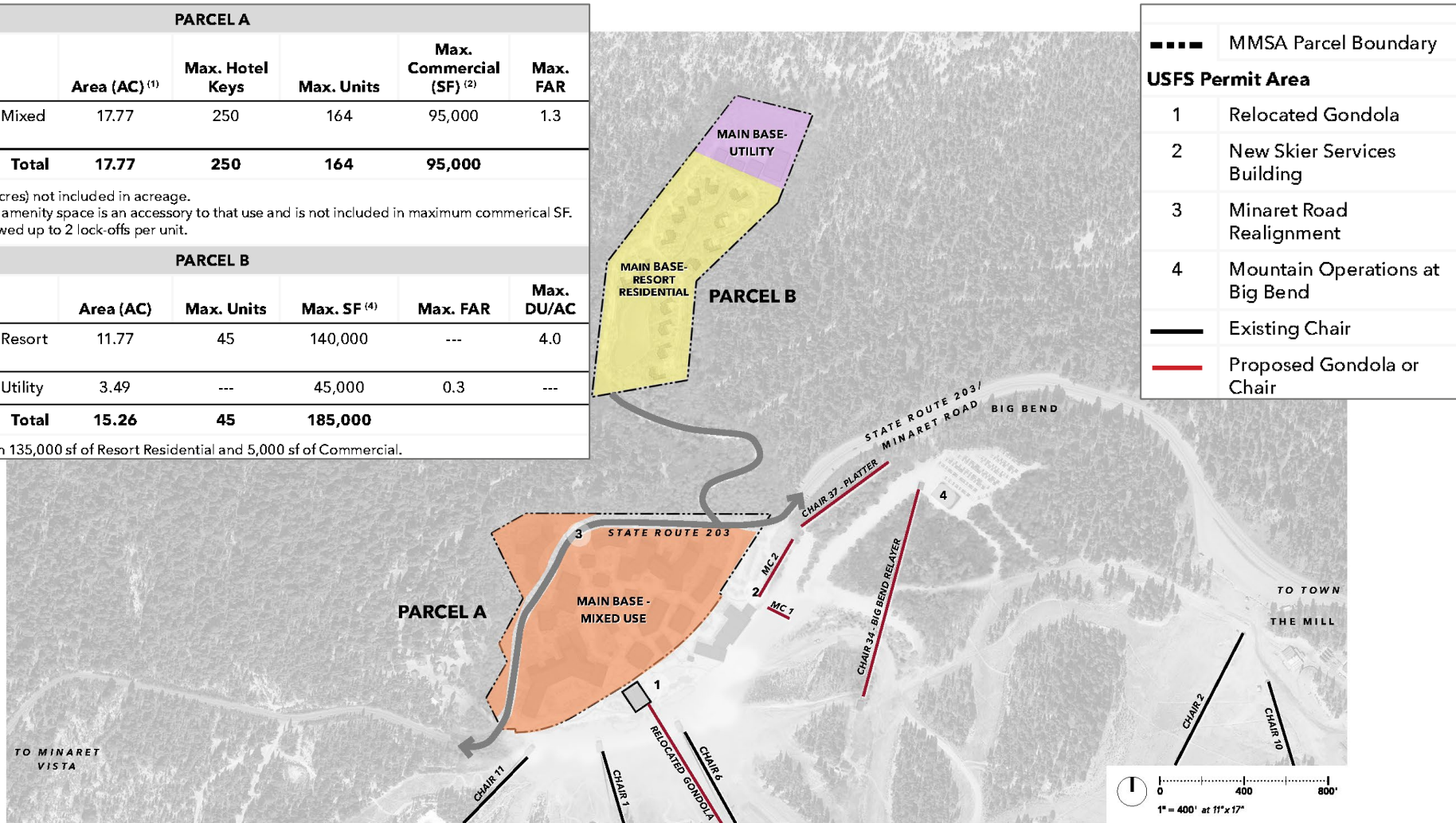


Figure 8 - Proposed Land Use

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# Project Overview: Parcel A Illustrative Concept Plan



Figure 10 - Parcel A Illustrative Concept Plan

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4/9/24

# Project Overview: Parcel B Illustrative Concept Plan

## Legend

-----	MMSA Parcel Boundary
A	Resort Residential
B	Wastewater Treatment & Facilities
C	Reclaimed Water Storage Ponds



Figure 15 - Parcel B Illustrative Concept Plan

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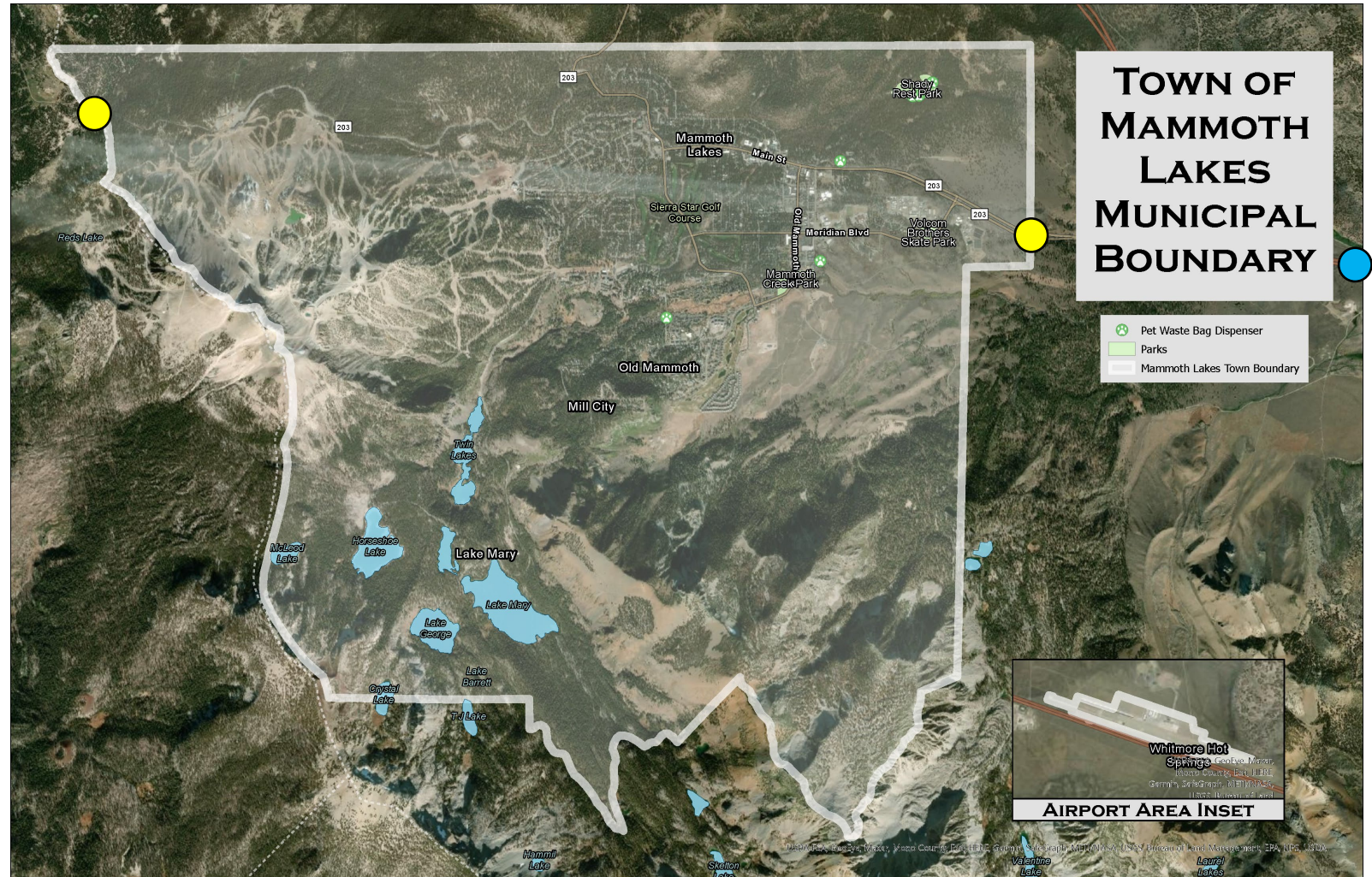
# Key Topics

# Key Topics

- **State Route 203**
- **Access/Egress**
- **Housing**
- **Trails and Public Access**
- **Parking**
- **Snow Storage**
- **Building Height and Massing**
- **General Plan Characteristics**

# Key Topic: State Route 203

- Realignment
- Design
- Relinquishment
- Maintenance
- Snow Removal



- SR 203 at Town Limits
- US 395

# Key Topic: Access/Egress

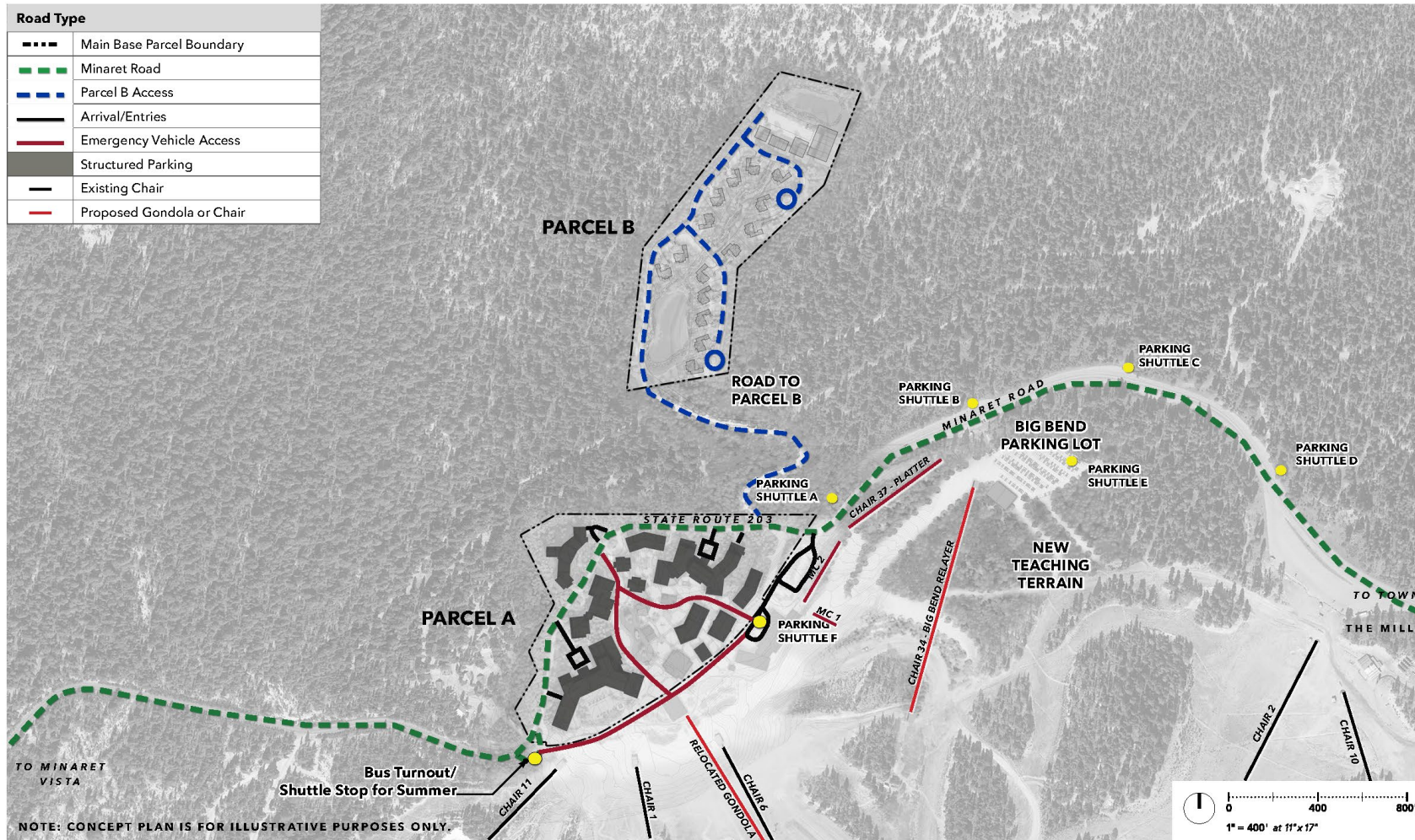


Figure 17 - Circulation

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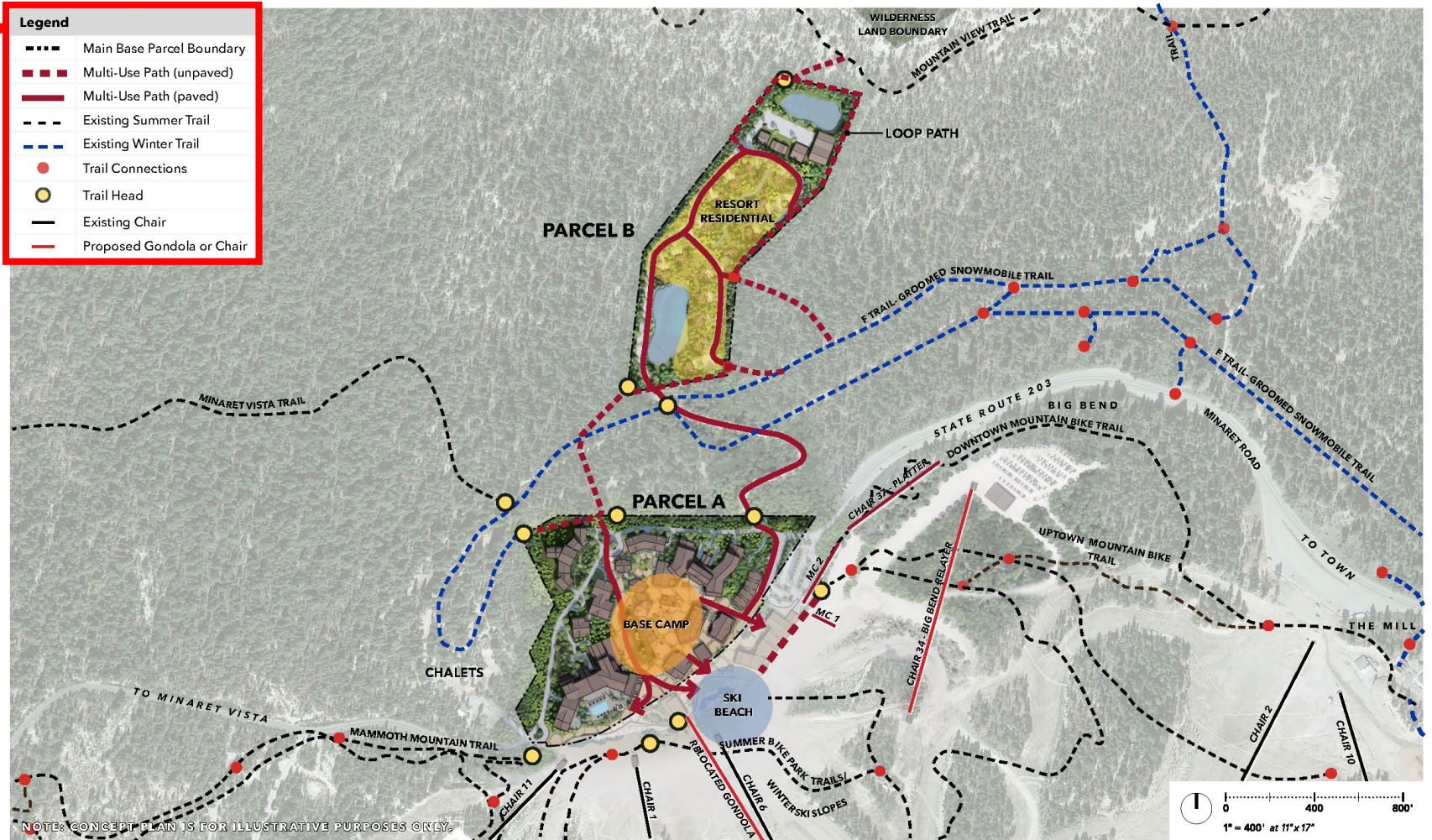
# Key Topic: Housing



# Key Topic: Trails and Public Access

Legend	
	Main Base Parcel Boundary
	Multi-Use Path (unpaved)
	Multi-Use Path (paved)
	Existing Summer Trail
	Existing Winter Trail
	Trail Connections
	Trail Head
	Existing Chair
	Proposed Gondola or Chair

Legend	
	Main Base Parcel Boundary
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*This Figure is being updated to properly show existing trails*

Figure 21 - Open Space and Trail Network



# Key Topic: Parking

Legend	
	Main Base Parcel Boundary
	Structured Parking
	Vehicular Access
	Transit/Parking Shuttle Stop
	Existing Chair
	Proposed Gondola or Chair

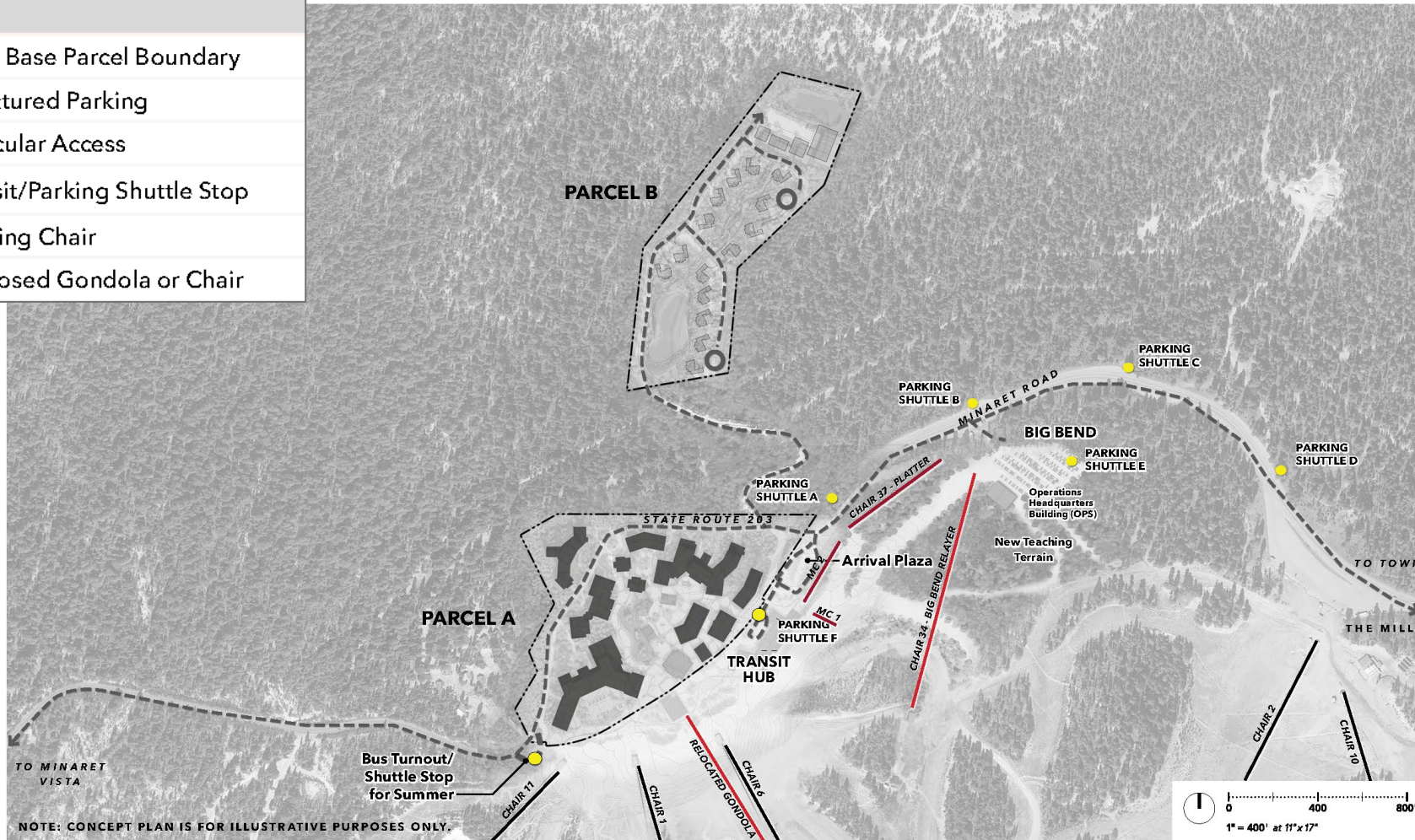


Figure 19 - Parking

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# Key Topic: Snow Storage

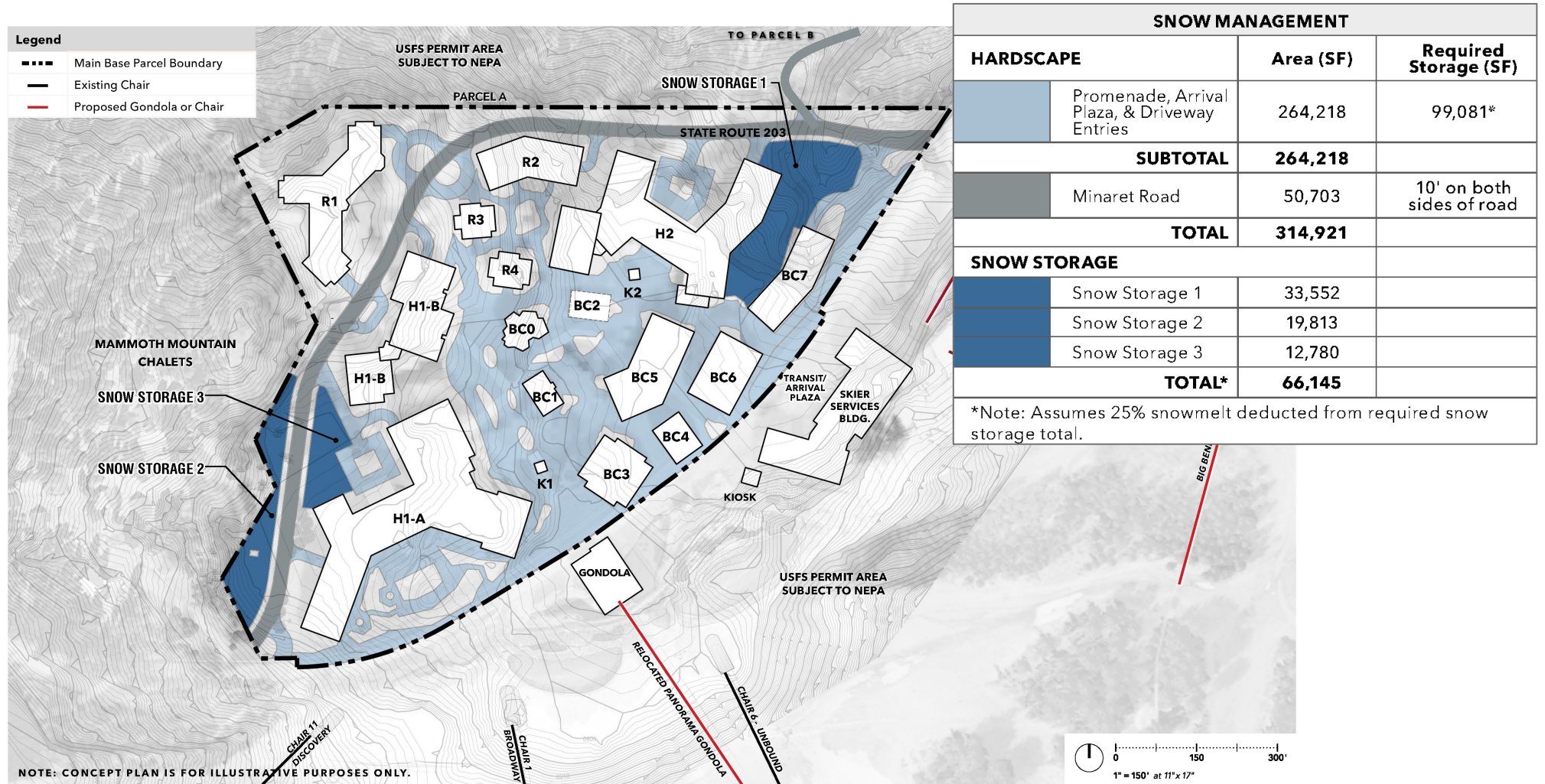


Figure 22 - Parcel A Proposed Snow Management

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# Key Topic: Building Height and Massing



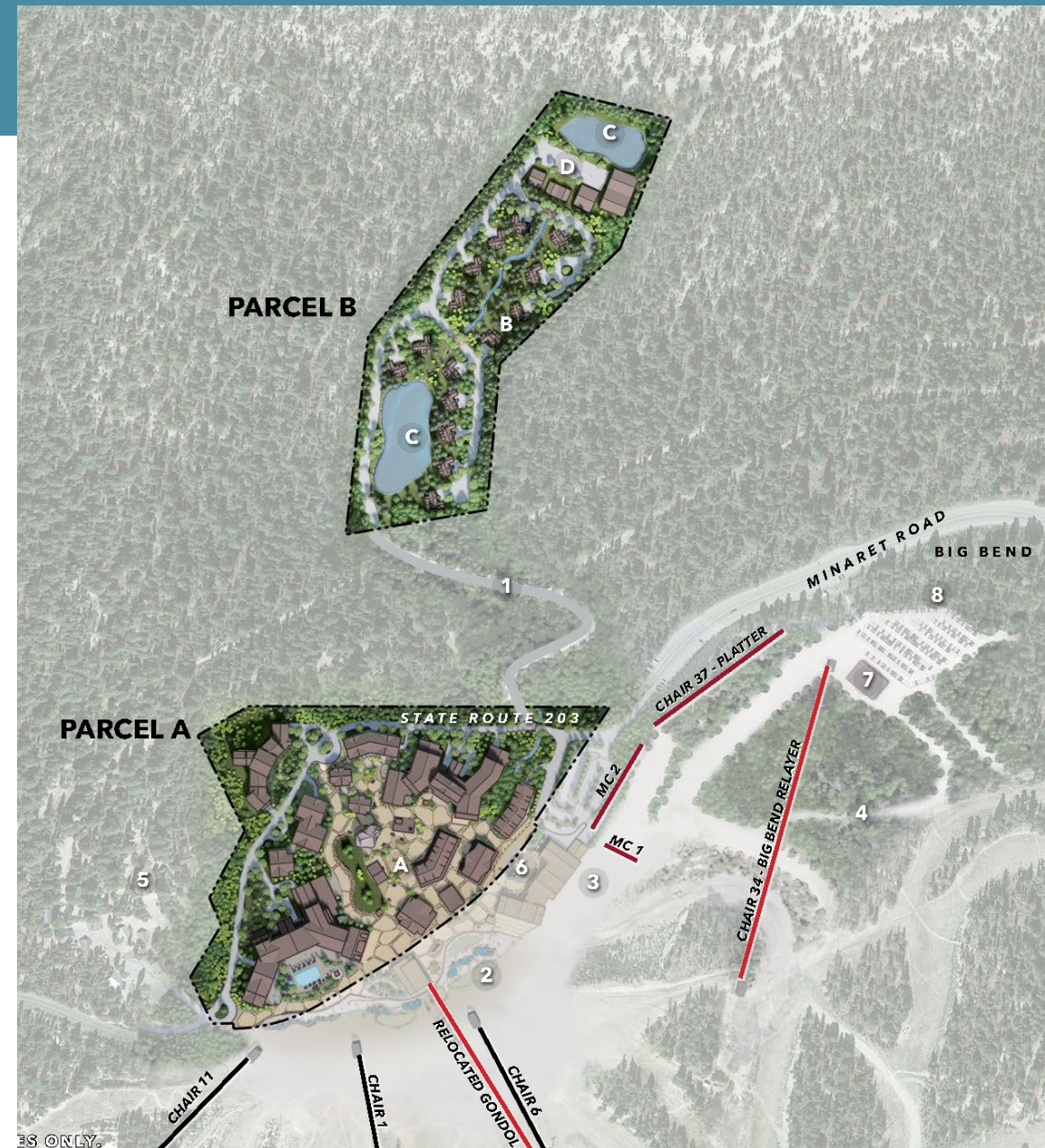
Figure 14 - Parcel A Conceptual Massing Plan

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# Key Topic: General Plan

## Main Lodge/Mountain Portal characteristics:

- An island in the forest
- An area without differentiation between private and public lands to create continuity of experience
- A full service winter and summer recreation portal
- Sufficient lodging to ensure sustainability year-round with supporting services, restaurants and amenities
- Parking strategy designed to support transit and minimize auto trips to and from the town



# Outreach

# Outreach



**Department Updates – Council & Commission** (*public, monthly*)



**Working Group** (*not public*)



**Workshops** (*public, dates TBD*)



**Advisory Design Panel Meetings** (*public, dates TBD*)



**Public Hearings** (*public, dates TBD*)

*Project information  
sheet available  
(to be updated  
when needed)*

# Thank You

Town's project webpage - [www.townofmammothlakes.ca.gov/1155/Mammoth- Main-Base-Redevelopment](http://www.townofmammothlakes.ca.gov/1155/Mammoth-Main-Base-Redevelopment)

USFS project webpage - [www.fs.usda.gov/project/?project=62406](http://www.fs.usda.gov/project/?project=62406) *[email sign up here]*

Applicant's project webpage - [www.evolvingmain.com/](http://www.evolvingmain.com/)



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** April 9, 2024

**Departments: Finance**

**TIME REQUIRED** 45 minutes

**PERSONS APPEARING BEFORE THE BOARD** Janet Dutcher, Director of Finance

**SUBJECT** County Fees Workshop

**AGENDA DESCRIPTION:**

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

Review proposed changes to County Fees for Fiscal Year (FY) 2024-25.

**RECOMMENDED ACTION:**

Review and consider new and corrected County fees. Instruct Staff to bring back new or amended fees to a public hearing and for adoption. Provide any other direction to staff.

**FISCAL IMPACT:**

If fees are as proposed, the Environmental Health's fee revenue will incrementally increase, making the program more fiscally sustainable without as much dependence on subsidy transfers. All other fee changes will have a negligible effect.

**CONTACT NAME:** Janet Dutcher

**PHONE/EMAIL:** 7609325494 / jdutcher@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Staff Report</a>
<a href="#">Proposed County Fee Changes</a>

**History**

Time	Who	Approval
3/26/2024 12:20 PM	County Counsel	Yes
3/27/2024 9:43 AM	Finance	Yes



4/4/2024 10:54 PM

County Administrative Office

Yes



# DEPARTMENT OF FINANCE

## COUNTY OF MONO

---

Gerald A. Frank, CGIP  
Assistant Finance Director  
Treasurer-Tax Collector

Janet Dutcher, DPA, MPA, CPA, CGFM  
Finance Director

Kimberly Bunn  
Assistant Finance Director  
Auditor-Controller

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

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

**To:** Honorable Board of Supervisors

**From:** Janet Dutcher, Finance Director  
Gerald Frank, Assistant Finance Director

**Date:** April 9, 2024

**Subject:** County Fees Workshop

**Recommended Action:**

- Review and consider new and corrected County fees. Fees that did not change are not included.
- Instruct staff to bring back new or amended fees to a public hearing.
- Provide any other direction to staff.

**Background:**

Mono County reviews and adjusts fees on an annual basis if needed, in compliance with all applicable laws and regulations. In 2023 the Board received a County-wide Fee Study report prepared by Willdan Financial Services and approved an updated fee schedule on May 2, 2023 implementing a comprehensive update to County fees.

As a part of the 2023 fee schedule implementation, the Board capped Environmental Health fees at a maximum increase of 25% annually until the fees caught up with the fees recommended as a part of the Willdan analysis.

After the implementation of the fees in May 2023 it was discovered that the Solid Waste fees were calculated incorrectly, making the ultimate outcome of last year's fee adoption invalid. Because of this error, staff has not implemented any changes to the solid waste fees until they could be rectified as a part of this process. This workshop provides an update regarding the solid waste fees as well as fees within the Environmental Health and Clerk Departments which require updates.

The final fees will be presented to the Board for consideration on May 14, 2024 and information received as a part of this workshop will inform the final fee schedule that will be considered as a part of that public hearing.

**Discussion:**

Except for fees specified by State law, the California Constitution and its rules and regulations allow for the collection of fees for cost recovery of government activities that provide a specific benefit or service or are in place for regulatory purposes. The basic concept of fees is to charge the actual user for the cost of providing the services. In cases where there is no fee, or the fee does not fully cover expenses, other taxpayers must subsidize the costs incurred to provide services.

Over the past several months Finance has worked with departments to:

- Add new fees left off last year's fee adoption (e.g. County Clerk-Recorder).
- Correct fees that were calculated incorrectly (e.g. solid waste).
- Increase Environmental Health fees by 25% per 2023 direction by the Board to gradually increase these fees.

The fees included in this agenda item were not increased solely by applying a CPI rate, rather, in calculating the new or the corrected fees, Finance used the same model from last year which was prepared by Willdan. That model calculates the total cost of each service based on fully burdened hourly rates that include labor, benefits, and overhead amounts, divided by productive hours. The fully burdened hourly rates are used with the time estimates for performing activities associated with each fee to arrive at the reasonable cost of each fee. In 2023 the Board recommended that Environmental Health fees be increased gradually at a rate of 25% per year, but not to exceed the reasonable cost of providing the service.

The list of fees (see attachment) includes six fees to be removed, six fees corrected to follow State law, 13 fees with only a correction to the name, two new fees and increases to 190 existing fees. Of the 190 existing fees, recommended increases to 50 of these fees are greater than 25%. After completion of this fee update process, staff will put together a comprehensive list of County fees showing all updated fees.

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**EXHIBIT  
COUNTY FEES**

#	Description	Current Fee	Purposed Fee	Percentage Change
<b>County Clerk-Recorder</b>				
1	Meeting Services (Clerk Meeting other than AAB & BOS)	\$75.00	\$75.00	0%
6	Clerk-Recorder Research	\$75.00	\$125.00	67%
8	Document Certification	\$1.60	\$1.75	9%
9	Notary Public Bond Filing/Withdrawal	\$21.00	Removed	
11	Power of Attorney/Revocation - Filing	\$12.00	\$12.00	0%
12	Power of Attorney-additional names - Filing	\$6.00	\$6.00	0%
17	Confidential Marriage License	\$80.00	\$80.00	0%
24	Human Remains Disposition Permit - Regular	\$16.00	\$16.00	0%
31	Marriage License	\$66.00	\$66.00	0%
35	Recording: Document with Two Titles or more – Standard Size	\$16.00	Removed	
36	Recording: Document with Two Titles or more – Standard Size-add'l page	\$19.00	Removed	
37	Recording: Document with Two Titles or more – Non-Standard Size	\$6.00	Removed	
40	Recording: Notice of Involuntary Lien (Per Debtor)	\$4.00	\$4.00	
41	Recording: Recordable document – First Page	\$14.00	\$14.00	0%
48	Vital Record Search	\$13.00	Removed	
49	Assessment Appeals: Findings of Facts \$250 Deposit	\$162.00	\$162.00	0%
50	Records and Index Subscription	\$27.00	\$27.00	0%
52	Marriage Certificate - Gov't Agency	\$12.00	Per Gov Code	
53	Marriage Certificate - Public	\$18.00	Per Gov Code	
54	Certified Birth Certificate - Gov't Agency	\$23.00	Per Gov Code	
55	Certified Birth Certificate - Public	\$31.00	Per Gov Code	
56	Certified Death Certificate	\$25.00	Per Gov Code	
57	Certified Fetal Death	\$22.00	Per Gov Code	
58	SB2 Fee Per Parcel, Per Document (\$225.00 Maximum)	\$75.00	\$75.00	0%
59	Preliminary 20 day notice	New	\$54.00	
60	Recording: Penalty Print (per page)	New	\$3.00	
61	Recording: Release of Lien - Public Agency	\$10.00	\$20.00	0%
<b>Finance</b>				
14	Research Fee	\$33.00	\$98.00	197%
<b>Community Development (per hour unless specified)</b>				
3	Appeal (Initial Dep (\$110 per hour) (Planning & Building)	\$655.00	\$660.00	1%
37	Building Permit - OTC	\$130.00	Removed	
<b>Public Health - Environmental Health</b>				
Food Sanitation				
1602	Farmers Market/Certified Farmers Market	\$437.00	\$546.00	25%
1607	Produce Stand/Farm Stand	\$218.00	\$272.00	25%
1611	Retail Market 10 to 50 sq. ft.	\$109.00	\$136.00	25%
1612	Retail Market 51 to 1,999 sq. ft.	\$327.00	\$408.00	25%

**EXHIBIT  
COUNTY FEES**

1613	Retail Market 2,000 to 5,999 sq. ft.	\$437.00	\$546.00	25%
1614	Retail Market 6,000+ sq. ft.	\$546.00	\$682.00	25%
1619	Additional Food Prep Unit within Market	\$109.00	\$136.00	25%
1621	Restaurant 0 to 10 Seats	\$218.00	\$272.00	25%
1622	Restaurant 11 to 60 Seats	\$437.00	\$546.00	25%
1623	Restaurant 61 to 100 Seats	\$655.00	\$818.00	25%
1624	Restaurant 100+ Seats	\$874.00	\$1,092.00	25%
1629	Bar/Distillery Tasting Room	\$218.00	\$272.00	25%
1630	Satellite Distribution	\$218.00	\$272.00	25%
1632	School Cafeteria	\$218.00	\$272.00	25%
1640	Cottage Food Operation - Class A	\$12.00	\$15.00	25%
1642	Cottage Food Operation - Class B	\$27.00	\$33.00	22%
1650	Bakery, Food Processing 1,999 sq. ft. or less	\$327.00	\$408.00	25%
1651	Bakery, Food Processing 2,000+ sq. ft.	\$437.00	\$546.00	25%
1653	Mobile Food Facility - Limited/no prep	\$218.00	\$272.00	25%
1655	Mobile Food Facility - Full Service	\$218.00	\$272.00	25%
1681	Bed and Breakfast	\$327.00	\$344.00	5%
1682	Farmstay	\$327.00	\$344.00	5%
1683	Caterer	\$218.00	\$272.00	25%
1692	Plan Check - Construction Inspections (Hourly)	\$109.00	\$136.00	25%
1693	Food Facility - Minor Remodel (limited equipment replacement and/or finish upgrades)	\$218.00	\$272.00	25%
1694	Food Facility - Major Remodel (substantial change to equipment, operations, and/or kitchen footprint)	\$437.00	\$546.00	25%
	Temporary Food Facility Fee (Less than 10 days from event)	\$136.00	\$154.00	13%
1695	Plan Check - Bed & Breakfast	\$655.00	\$818.00	25%
1695	Plan Check - Mobile Food Facility	\$655.00	\$818.00	25%
1695	Plan Check - Bakery/Food Processing < 500 sq. ft.	\$655.00	\$818.00	25%
1696	Plan Check - Bakery/Food Processing > 500 sq. ft.	\$874.00	\$1,092.00	25%
1695	Plan Check - Restaurant < 1,500 sq. ft.	\$655.00	\$818.00	25%
1696	Plan Check - Restaurant > 1,500 sq. ft.	\$874.00	\$1,092.00	25%
1695	Plan Check - Retail Market without Food Prep < 2,000 sq. ft.	\$655.00	\$818.00	25%
1696	Plan Check - Retail Market without Food Prep > 2,000 sq. ft.	\$874.00	\$1,092.00	25%
1695	Plan Check - Retail Market with Food Prep < 1,500 sq. ft.	\$655.00	\$818.00	25%
1696	Plan Check - Retail Market with Food Prep > 1,500 sq. ft.	\$874.00	\$1,092.00	25%
1697	Annual Temporary Food Facility Fee (July - June) - Not Prorated (vendor application required for each event)	\$147.00	\$413.00	181%
1699	Food Sanitation - Second or Subsequent Reinspection (Hourly)	\$109.00	\$136.00	25%
	<b>Hazardous Materials Disclosure</b>			
2116	Business Plan - Small (55 - 5,000 gallons)	\$109.00	\$136.00	25%
2117	Business Plan - Medium (5,001 - 25,000 gallons)	\$327.00	\$408.00	25%
2118	Business Plan - Large (> 25,000 gallons)	\$437.00	\$546.00	25%
2121	CUPA - New/Major Repair Facility Plan Check (Hourly charge applies above 5 hrs.)	\$546.00	\$682.00	25%

**EXHIBIT  
COUNTY FEES**

2122	CUPA - New/Major Repair Facility Construction (Hourly charge applies above 5 hrs.)	\$546.00	\$682.00	25%
2123	CUPA - Plan Check/Construction (Hourly)	\$109.00	\$136.00	25%
2127	Business Plan - Small (500 - 5,000 lbs.)	\$109.00	\$136.00	25%
2128	Business Plan - Medium (5,001 - 25,000 lbs.)	\$327.00	\$408.00	25%
2129	Business Plan - Large (> 25,000 lbs.)	\$437.00	\$546.00	25%
2131	Business Plan - Small (200 - 2,000 cu. ft.)	\$109.00	\$136.00	25%
2132	Business Plan - Medium (2,001 - 20,000 cu. ft.)	\$327.00	\$408.00	25%
2133	Business Plan - Large (> 20,000 cu. ft.)	\$437.00	\$546.00	25%
2199	Hazardous Materials - Second or Subsequent Reinspection (Hourly)	\$109.00	\$136.00	25%
	<b><u>Hazardous Materials Control</u></b>			
2246	Hazmat Response - Business Hours (Hourly)	\$109.00	\$136.00	25%
2247	Hazmat Response - Non Business Hours (Hourly)	\$164.00	\$205.00	25%
	<b><u>Underground Storage Tank</u></b>			
2307	CUPA - UST Minor Upgrade/Repair	\$218.00	\$272.00	25%
2371	Annual Operating Permit - Facility w/ UST	\$655.00	\$818.00	25%
2390	UST Removal (per tank)	\$546.00	\$682.00	25%
2391	Facility w/ UST - Agricultural Operations (Hourly)	\$109.00	\$136.00	25%
2399	UST - Second or Subsequent Reinspection (Hourly)	\$109.00	\$136.00	25%
	<b><u>Housing &amp; Institution</u></b>			
2499	Housing - Second or Subsequent Reinspection (Hourly)	\$109.00	\$136.00	25%
	<b><u>Land Use</u></b>			
2699	Land Use Activity (Hourly)	\$109.00	\$136.00	25%
	<b><u>Recreational Health</u></b>			
3611	Public Pool	\$383.00	\$478.00	25%
3612	Public Spa	\$327.00	\$408.00	25%
3615	Wading Pool	\$327.00	\$408.00	25%
3617	Special Use Pool	\$327.00	\$408.00	25%
3690	Pool - Plan Check for New Construction	\$764.00	\$955.00	25%
3691	Spa - Plan Check for New Construction	\$655.00	\$818.00	25%
3692	Pool/Spa - Minor Remodel	\$218.00	\$272.00	25%
3693	Pool/Spa - Major Remodel	\$437.00	\$546.00	25%
3694	Pool/Spa - Construction Inspection (Hourly)	\$109.00	\$136.00	25%
3699	Pool/Spa - Second or Subsequent Reinspection (Hourly)	\$109.00	\$136.00	25%
	<b><u>Vector Control</u></b>			
4099	Vector Control Activity (Hourly)	\$109.00	\$136.00	25%
	<b><u>Liquid Waste</u></b>			
4203	OWTS Permit Extension (one year, one time)	\$55.00	\$68.00	24%
4205	OWTS Certification	\$218.00	\$272.00	25%
4220	OWTS - Minor Repair	\$383.00	\$413.00	8%
4221	OWTS - Alternative System Permit to Operate	\$109.00	\$136.00	25%
4233	Grey Water System	\$546.00	\$682.00	25%
4244	Septic & Chemical Toilet Cleaning Service - Per Vehicle	\$164.00	\$205.00	25%
4299	Liquid Waste - Second or Subsequent Reinspection (Hourly)	\$109.00	\$136.00	25%
	<b><u>Solid Waste</u></b>			
4423	Collection Vehicle	\$164.00	\$205.00	25%
4445	Transfer Station - Annual (monthly inspections)	\$1,967.00	\$2,458.00	25%
4446	Transfer Station - Annual (quarterly inspections)	\$655.00	\$818.00	25%

**EXHIBIT  
COUNTY FEES**

4447	Landfill - Annual (Monthly Inspections)	\$2,624.00	\$3,280.00	25%
4448	Closed Permitted Landfill	\$1,312.00	\$1,515.00	15%
4499	Solid Waste - Second or Subsequent Reinspection (Hourly)	\$109.00	\$136.00	25%
	<b>Water</b>			
4601	Well & Septic System Certification	\$327.00	\$408.00	25%
4621	Community Water System	\$406 - \$912	\$849.00	
4636	Public Water System - Installation Permit Application	\$983.00	\$1,228.00	25%
4638	Public Water System - Change of Ownership	\$327.00	\$408.00	25%
4639	Public Water System - Permit Amendment	\$327.00	\$408.00	25%
4640	Nitrate Testing	\$46.00	\$57.00	24%
4660	Water Carrier (Domestic)	\$109.00	\$136.00	25%
4661	Monitoring Well Construction - Additional (Same Site and Time)	\$55.00	\$68.00	24%
4662	Monitoring Well Construction - 1st Well	\$218.00	\$272.00	25%
4663	Monitoring Well Destruction - 1st Well	\$109.00	\$136.00	25%
4664	Well Permit Extension (one year, one time)	\$55.00	\$68.00	24%
4666	Water Well Construction	\$874.00	\$959.00	10%
4669	Well Repair/Alteration	\$218.00	\$272.00	25%
4671	Monitoring Well Destruction - Additional (Same Site and Time)	\$55.00	\$68.00	24%
4672	Water Well Certification	\$218.00	\$272.00	25%
4681	Boring Probe Survey	\$437.00	\$546.00	25%
4683	Spring Construction	\$874.00	\$959.00	10%
4699	Water - Second or Subsequent Reinspection (Hourly)	\$109.00	\$136.00	25%
	<b>Misc Environmental Health</b>			
4893	Tattoo/Piercing - Practitioner Registration (one time)	\$55.00	\$68.00	24%
4894	Tattoo/Piercing - Facility Inspection (Annual)	\$218.00	\$272.00	25%
4899	Tattoo/Piercing - Second or Subsequent Reinspection (Hourly)	\$109.00	\$136.00	25%



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** April 9, 2024

**Departments: Community Development**

**TIME REQUIRED** 30 minutes

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

Wendy Sugimura, Community  
Development Director

**SUBJECT** Comment Letter on the Proposed  
Listing of the Greater Sage Grouse  
Under the California Endangered  
Species Act

**AGENDA DESCRIPTION:**

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

Consider proposed comment letter to the California Department of Fish and Wildlife on the proposed listing of the Greater Sage-Grouse under the California Endangered Species Act.

**RECOMMENDED ACTION:**

Modify the letter as desired, authorize the Chair to sign, direct staff to submit the comment letter by the April 12 deadline, and provide any other direction to staff.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Wendy Sugimura

**PHONE/EMAIL:** 760-924-1814 / wsugimura@mono.ca.gov

**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="#">Sage-Grouse range map</a>
<input type="checkbox"/> <a href="#">Comment letter to CDFW</a>

**History**

Time

Who

Approval



4/3/2024 1:43 PM	County Counsel	Yes
3/28/2024 8:51 AM	Finance	Yes
4/3/2024 7:57 PM	County Administrative Office	Yes

# Mono County Community Development Department

PO Box 347  
Mammoth Lakes, CA 93546  
760.924.1800, fax 924.1801  
[commdev@mono.ca.gov](mailto:commdev@mono.ca.gov)

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

**Date:** April 9, 2024

**To:** Mono County Board of Supervisors

**From:** Wendy Sugimura, Director

**RE:** Comment Letter on the Proposed Listing of the Greater Sage Grouse Under the California Endangered Species Act

## BACKGROUND

The Board will be familiar with two proposed listings of the Bi-State Sage Grouse as threatened under the federal Endangered Species Act (ESA) which resulted in decisions that listing was not warranted in 2015 and 2020. Both decisions were challenged in court and remanded to the U.S. Fish and Wildlife Service to remediate portions of the evaluation that were found to be deficient. The next federal ESA evaluation is currently underway, and a decision is expected this summer.

The California Department of Fish and Wildlife is now also proposing to list the Greater Sage Grouse as threatened or endangered under the California Endangered Species Act (CESA) in response to a petition by the Center for Biological Diversity. The petition requests the two populations of the species be listed separately: 1) the Northeastern California population in Lassen and Modoc counties, and 2) the Bi-State population in Mono and Inyo Counties. A map of the current and historic ranges is provided in Attachment 1.

The Board will also recall that Mono County has been a highly engaged collaborator on sage-grouse conservation through the Local Area Working Group (LAWG), Technical Advisory Committee (TAC), and Executive Oversight Committee (EOC) which include federal, state, and local agencies as well as private landowners and ranchers. The Bi-State sage-grouse conservation model has been consistently cited as an exemplary model of cross-agency cooperation and collaboration. In recognition of the collaborative success of this group and Mono County's role, the County was honored with the 2016 National Conservation Leadership Award by the Bureau of Land Management and U.S. Forest Service at a national award ceremony.

## DISCUSSION

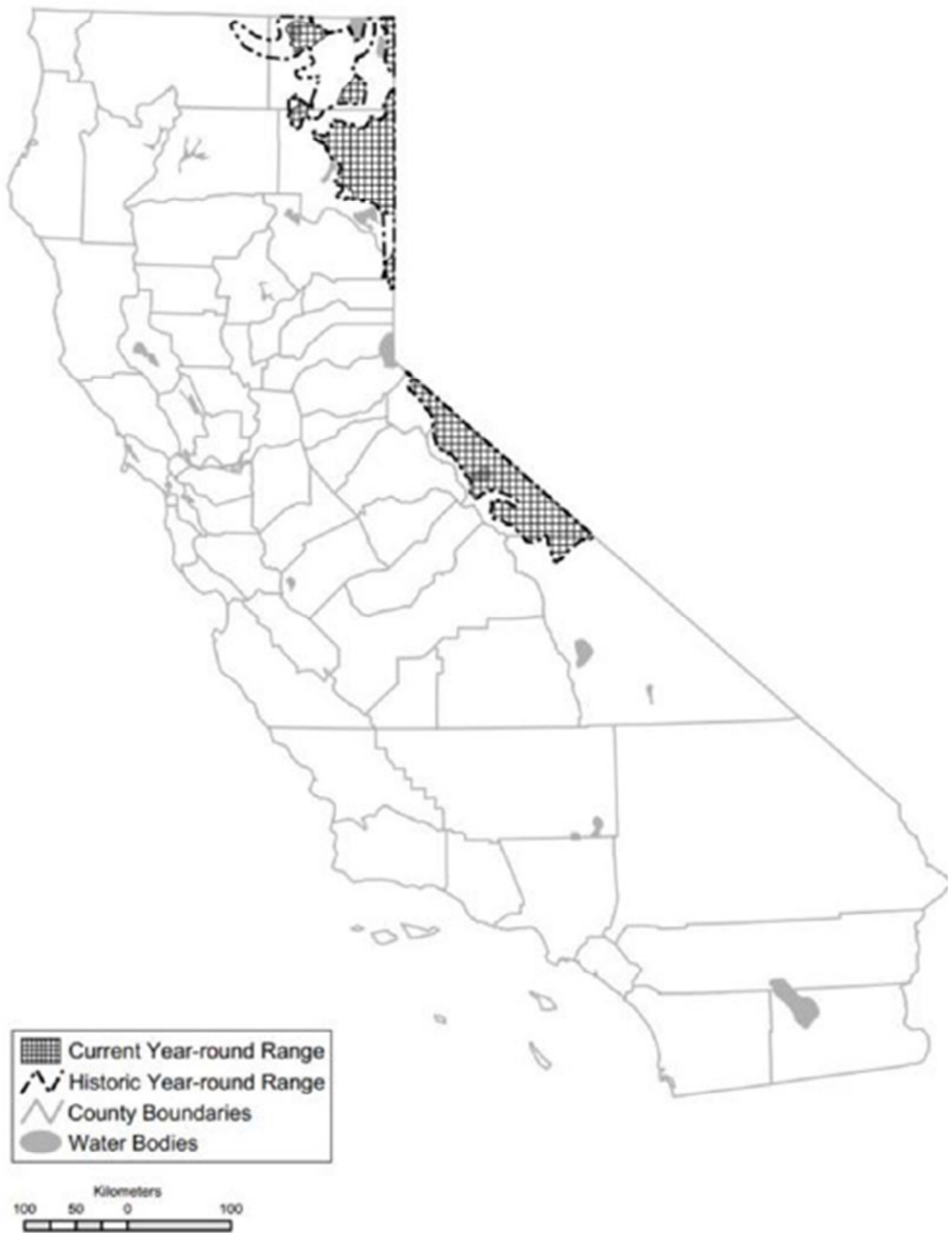
The County approaches federal and state ESA listings in a balanced manner, recognizing the need for conservation and protection while concurrently honoring development and private property rights. Much of the County's conservation philosophy is embedded in the General Plan Land Use Element's policies promoting compact communities and development within and adjacent to existing communities.

The attached comment letter summarizes the efforts of the Bi-State conservation groups as well as Mono County's role and accomplishments, and identifies the following key conclusions: 1) Mono County's land use authority has limitations and further regulations may subject the County to takings claims, 2) additional regulatory layers may detrimentally impact the voluntary and collaborative Bi-State conservation effort, and 3) the Bi-State effort is already essentially implementing a conservation and recovery plan consistent with the intent of CESA.

The Board should provide any further modifications or direction, and direct staff to submit the letter via email by the comment deadline of April 12.

## ATTACHMENTS

1. Sage-Grouse range map
2. Proposed comment letter



California Department of Fish and Game, March 2023. Evaluation of the Petition from the Center for Biological Diversity to List the Greater Sage-Grouse (*Centrocercus urophasianus*) as Threatened or Endangered under the California Endangered Species Act. P. 8, Figure 1. Available at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=211317&inline>. Accessed March 27, 2024.



Jennifer Kreitz-District One   Rhonda Duggan-District Two   Bob Gardner-District Three  
John Peters-District Four   Lynda Salcido-District Five

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## BOARD OF SUPERVISORS COUNTY OF MONO

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

*Queenie Barnard, Clerk of the Board*

April 9, 2024

Director Charlton H. Bonham  
California Department of Fish and Wildlife  
PO Box 944209  
Sacramento, CA 94244-2090

*Delivered via email to:*

[wildlifemgt@wildlife.ca.gov](mailto:wildlifemgt@wildlife.ca.gov)

[director@wildlife.ca.gov](mailto:director@wildlife.ca.gov)

[scott.gardner@wildlife.ca.gov](mailto:scott.gardner@wildlife.ca.gov)

[chad.dibble@wildlife.ca.gov](mailto:chad.dibble@wildlife.ca.gov)

### **Subject: Comment on the Petitioned Action to List the Greater Sage-Grouse**

Dear Director Bonham:

Mono County appreciates the opportunity to comment on the petitioned action to list the Greater Sage Grouse (*Centrocercus urophasianus*) as threatened or endangered under the California Endangered Species Act (CESA). While the County supports treating the populations separately, given the Bi-State population is considered a Distinct Population Segment (DPS), the County opposes the listing because the Bi-State DPS is already the subject of a successful unique, multi-agency collaborative effort that has been celebrated as an exemplary conservation model. As the California Department of Fish & Wildlife (CDFW) is aware, this Bi-State conservation effort includes multiple offices of the Bureau of Land Management, two forests within the National Forest Service, U.S. Geological Survey, National Resources Conservation Service (NRCS), U.S. Fish and Wildlife Service (USFWS), Nevada Department of Wildlife (NDOW), Los Angeles Department of Water and Power (LADWP), Mono County, non-governmental organizations, private ranchers and landowners, and the CDFW. Listing may disrupt and derail these existing and effective collaborative efforts, which are detailed below.

### ***Conservation Efforts***

Mono County continues to be highly engaged in conservation efforts through the Bi-State Local Area Working Group (LAWG), Technical Advisory Committee (TAC), and Executive Oversight Committee (EOC), and remains firmly committed to completing its share of the Bi-State Action Plan, which is in the update process.

The 2012 Bi-State Action Plan, which has guided the work of the LAWG, TAC, and EOC for the past 12 years, was exceptionally effective, and the same is expected for the 2024 Plan. Implementation of the 2012 Plan by Bi-State conservation partners has resulted in completion of almost 90% of the actions. Recent analysis from USGS has also shown that this work led to an overall 37% increase in population success across the Bi-State to date, helping to stabilize the population trends.

Mono County remains dedicated to the conservation effort and use of a data-driven, science-based adaptive management approach to ensure that we continue to focus our conservation efforts on actions that will effectively ameliorate identified threats to the DPS.

### ***Accomplishments Since 2014***

Since 2014, Mono County has directed well over \$2.5 million to sage-grouse conservation work, including closing and relocating the existing landfill in the South Mono Population Management Unit (PMU) as of January 1, 2023; updating the 2015 Mono County General Plan to include required mitigation measures for discretionary projects that may impact sage-grouse populations or habitat; review of other plans with sage-grouse conservation measures (e.g., Humboldt-Toiyabe National Forest Plan update, Inyo National Forest Plan update); developing a website to provide outreach and information dissemination; updating the Community Wildfire Protection Plan (CWPP) to include best practices to reduce the threat of wildfire to sage-grouse habitat; filing as intervenors on behalf of the U.S. Fish and Wildlife Service to defend the 2015 decision to withdraw the listing; reviewing ministerial permits (e.g., building permits) and working with applicants to minimize potential impacts; initiating legal action challenging LADWP's method of decision-making to dewater a portion of the South Mono PMU under the California Environmental Quality Act (CEQA); and responding to LADWP's Notice of Preparation of and Environmental Impact Report (EIR) on the proposed dewatering project (also known as the Ranch Lease Renewal Project). Mono County has also helped convene other interested parties such as environmental organizations to collaborate on the LADWP dewatering proposal, and the Court of Appeal decision on the matter indicates that the lands may not be dewatered prior to CEQA compliance, although the amount of water applied in a given year may vary without further CEQA review.

In addition, Mono County has partnered with the Bureau of Land Management (BLM) Bishop Field Office on over \$300,000 of services and projects (funded by the BLM), including habitat conservation projects to restore/protect wet meadows in Long Valley and Bodie Hills, assistance coordinating and attendance at meetings (LAWG, TAC, EOC), assistance with annual lek counting, editing annual reports, and engaging in conservation and management issues on lands owned by LADWP.

### ***Regulatory Mechanisms***

Mono County has also amended land use planning policies and development standards to ensure that adequate regulatory mechanisms are in place to conserve sage-grouse populations and habitats as follows:

- Refined our planning policies, including clarifying and strengthening mitigation standards of the General Plan Land Use Element and Conservation/Open Space Elements, particularly as they apply to ministerial actions.
- Updated and adjusted the Development Credit Program for agricultural lands which provides for concentration of development to conserve valuable agricultural lands and avoid sensitive habitat.
- Revised the Hazard Mitigation Plan and Safety Element to better contain development to areas with firefighting infrastructure, such as within fire protection districts (FPDs). In most instances, sage grouse

habitat is located outside the ten FPDs in Mono County. Also, new state law requirements severely restrict subdivisions outside of FPDs.

- Continued rigorous application of the California Environmental Quality Act (CEQA) to all applicable projects, ensuring full documentation and consideration of environmental consequences prior to discretionary decisions. The County also reviews environmental documents of other agencies to pursue compliance with the Mono County General Plan, including sage grouse mitigation measures. In some instances, such as transportation projects, we participate in preparation of joint National Environmental Policy Act (NEPA)/CEQA documents that incorporate sage grouse mitigation strategies.

### *Present and Future Commitments*

Beyond regulatory mechanisms, Mono County continues to proactively participate in conservation efforts coordinated through the LAWG, TAC, and EOC, and is currently reviewing the update to the 2012 Bi-State Sage Grouse Action Plan. Mono County is a key collaborator on the LADWP Adaptive Management Plan, which adaptively manages irrigation in a portion of the Long Valley PMU together with the USFWS, CDFW, U.S. Geological Survey (USGS), and others. Further, Mono County has and continues to manage the threat of development to sage-grouse populations and habitats through the following actions:

- Participation in conservation projects with direct or co- benefits for sage-grouse conservation. For example, Mono County is assisting Caltrans with the collaborative Wildlife Crossings project, which will reduce roadkill along U.S. Highway 395 and thereby reduce predators who are also a threat to sage grouse, such as ravens and coyotes.
- Refined development review process with formalization of our Land Development Technical Advisory Committee for pre-application reviews and inclusion of other agencies, including remote attendance abilities. Also, online GIS resources and electronic data bases have improved the ability to avoid sensitive habitats in land use and capital improvement planning, including use of a biological assessment for lands near communities with the most potential for development applications.
- Continued implementation of the Benton Crossing landfill closure plan, which is anticipated to cost at least \$6 million. The landfill has been closed since January 1, 2023.
- Active prevention of new impacts from the Pumice Valley landfill/transfer station which replaced the Benton Crossing landfill, including no local landfilling of putrescent household waste.

As a result of these actions and the County's regulatory mechanisms, no new parcels have been established through subdivision within known sage grouse habitat in the past decade, and development of concern is regularly discussed between management agencies; for example:

- In January 2024, the Bureau of Land Management (BLM), Inyo National Forest, LADWP, Town of Mammoth Lakes, and Mono County met to discuss potential recreation infrastructure improvements at the Whitmore recreation complex and collaboratively address concerns.
- In March 2024, the BLM and Mono County met to discuss the closure of the Benton Crossing Landfill, operation of the Pumice Valley Landfill, and operation of a recently permitted transfer station in the northern Mono Basin that processes municipal household waste.
- In April 2024, the LADWP convened the adaptive management group to discuss irrigation in specified areas of the Long Valley PMU.

The willingness of the various agencies to participate in sage-grouse conservation efforts across jurisdictional boundaries is a testament to the collaborative power and efficacy of the Bi-State conservation effort.

### ***Bi-State DPS Range***

The range of the Bi-State DPS and the protections that may be granted under the CESA are unclear to Mono County. If the species is ultimately listed, Mono County respectfully requests the CDFW utilize the current best science available from the Bi-State conservation effort to determine the protected range and distribution. The current and historic range as mapped in Figure 1 of CDFW's petition evaluation may be historic information, but does not accurately reflect current viable habitat and therefore is of limited value to a conservation effort.

### ***Additional info/Closing comments***

Mono County remains committed to the Bi-State conservation effort and fulfilling its role in the upcoming revision of the Bi-State Action Plan, and wishes to make the following closing points:

- The voluntary and collaborative conservation model in place is working and fulfills the need for any conservation measures and/or recovery plan under CESA.
- A CESA listing could have the unintended consequence of impeding current good-faith efforts by imposing deference to state law, resulting in a withdrawal of partners to limit liability under the listing.
- Mono County's authority to limit development has legal boundaries. The County has strengthened its development policies through General Plan regulations and CEQA implementation, and further preclusion of development potentially exposes the County to legal action under private property takings laws.

The County hopes its significant accomplishments to date will be considered along with its future conservation commitments as reasons for the Bi-State DPS to not be listed under CESA. The County hopes to continue close relationships with CDFW staff and other partners to work collaboratively on sage grouse conservation. If the CDFW has any questions regarding this letter or the County's position, please don't hesitate to contact Wendy Sugimura, Community Development Director, at (760) 924-1814 or [wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov).

Sincerely,

SUPERVISOR JOHN PETERS  
MONO COUNTY BOARD CHAIR

CC: U.S. Fish and Wildlife Service, Reno Office  
Town of Mammoth Lakes  
State of California, Governor Newsom  
State of California, Assemblyman Jim Patterson  
Office State of Nevada, Governor Lombardo  
California Department of Fish and Wildlife  
Natural Resources Conservation Service  
USFS: Inyo National Forest and Humboldt-Toiyabe National Forest

BLM, Bishop Field Office  
Rural County Representatives of California (RCRC)  
State of California, Senator Marie Alvarado-Gil  
California State Association of Counties (CSAC)  
County of Inyo  
Nevada Department of Wildlife  
U.S. Geological Survey



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** April 9, 2024

**Departments: Public Works**

**TIME REQUIRED** 5 minutes

**SUBJECT** Employment Agreement - Assistant  
Public Works Director

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

Paul Roten, Public Works Director

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### AGENDA DESCRIPTION:

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

Proposed resolution to approve the Agreement Regarding Terms and Conditions of Employment of Karyn Spears as Assistant Public Works Director for Mono County, prescribing the compensation, appointment, and conditions of said employment.

---

### RECOMMENDED ACTION:

Announce Fiscal Impact. Approve proposed resolution to approve the Agreement Regarding Terms and Conditions of Employment of Karyn Spears as Assistant Public Works Director for Mono County, prescribing the compensation, appointment, and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

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### FISCAL IMPACT:

The estimated cost of this position for the remainder of this fiscal year is \$38,942, of which \$30,268 is salary and \$8,674 is benefits. The annual cost will be \$184,596, of which \$143,478 is salary and \$41,118 is benefits. The fiscal impact of this item is included in the Public Works FY 2023-24 adopted budgets.

---

**CONTACT NAME:** Paul Roten

**PHONE/EMAIL:** 7607090427 / [proten@mono.ca.gov](mailto:proten@mono.ca.gov)

---

### SEND COPIES TO:

Once approved, please have the following people sign:

Chair Peters, [jpeters@mono.ca.gov](mailto:jpeters@mono.ca.gov)

Karyn Spears, [kspears@mono.ca.gov](mailto:kspears@mono.ca.gov)

Jeff Hughes, [jhughes@mono.ca.gov](mailto:jhughes@mono.ca.gov)

---

### MINUTE ORDER REQUESTED:

YES  NO

---



## ATTACHMENTS:

Click to download

[Staff Report](#)

[K. Spears - Resolution](#)

[K. Spears - Employment Agreement](#)

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### History

Time	Who	Approval
4/3/2024 2:20 PM	County Counsel	Yes
4/4/2024 9:41 AM	Finance	Yes
4/4/2024 10:35 PM	County Administrative Office	Yes



# MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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

April 9, 2024

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

**From:** Paul Roten, PW Director

**Re:** Staff Report - Employment Agreement with Karyn Spears

**Discussion:**

In Karyn Spears short time with Mono County, she has proven that she has the capacity and knowledge to bring valuable performance to the position of Assistant Public Works Director. Karyn Spears presently works as the Superintendent of Parks and Facilities. In addition to that position, she has taken on extra responsibilities in support of the Public Works Director, in Fleet, Solid Waste, and Conway Ranch. She has further shown exemplary performance helping train other supervisors in contract and project work. She has helped in the preparation of budgets and in grant applications. She has further shown exemplary performance helping train other supervisors in contract and project work. We look forward to Ms. Spears' continued work to support Mono County's public works needs.

If you have any questions regarding this item, please contact Paul Roten at 760-709-0427, or [proten@mono.ca.gov](mailto:proten@mono.ca.gov)

Respectfully submitted,

Paul Roten, Public Works Director



**RESOLUTION NO. R24-**

**A RESOLUTION OF THE MONO COUNTY  
BOARD OF SUPERVISORS APPROVING AN  
AGREEMENT PRESCRIBING THE COMPENSATION, APPOINTMENT,  
AND CONDITIONS OF EMPLOYMENT OF KARYN SPEARS**

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mono County Board of Supervisors, that the Agreement Regarding Terms and Conditions of Employment of Karyn Spears, a copy of which is attached hereto as an exhibit and incorporated herein by this reference as though fully set forth, is hereby approved and the compensation, appointment, and other terms and conditions of employment set forth in that Agreement are hereby prescribed and shall govern the employment of Karyn Spears. The Chair of the Board of Supervisors shall execute said Agreement on behalf of the County.

**PASSED AND ADOPTED** this 9th day of April, 2024, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

ATTEST: \_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
John Peters, Chair  
Board of Supervisors

APPROVED AS TO FORM:

\_\_\_\_\_  
COUNTY COUNSEL

**AGREEMENT REGARDING TERMS AND CONDITIONS OF  
EMPLOYMENT OF KARYN SPEARS  
AS ASSISTANT PUBLIC WORKS DIRECTOR FOR MONO COUNTY**

This Agreement is entered into by and between Karyn Spears and the County of Mono (hereinafter “County”).

**I. RECITALS**

The Director of Public Works has offered Karyn Spears hereinafter (“Ms. Spears”) the position of Assistant Public Works Director for Mono County in accordance with the terms and conditions set forth in this Agreement. Ms. Spears wishes to accept employment with the County on said terms and conditions.

**II. AGREEMENT**

1. This Agreement shall commence on April 14, 2024 (“Effective Date”), and shall remain in effect unless or until terminated in accordance with this Agreement.
2. As of the Effective Date, Ms. Spears shall be employed by Mono County as its Assistant Public Works Director, serving at the will and pleasure of the Director of Public Works. Ms. Spears accepts such employment. The Director of Public Works shall be deemed the “appointing authority” for all purposes with respect to Ms. Spears’ employment. The Director of Public Works and Ms. Spears will work together to establish specific, measurable, achievable and realistic performance goals for Ms. Spears’ work. Ms. Spears’ job performance and progress towards achieving the agreed-upon goals shall be evaluated by the Director of Public Works in accordance with the “Policy Regarding Compensation of At-Will and Elected Management Level Officers and Employees” adopted by the Mono County Board of Supervisors on April 2, 2024, and as the same may be amended or updated from time to time and unilaterally implemented by the County (hereinafter the “*Management Compensation Policy*”).
3. Ms. Spears’ salary shall be initially set at Range 121, Step A as set forth in the “Resolution of the Mono County Board of Supervisors Adopting a Salary Matrix for At-Will Employees and Elected Department Heads” most recently updated by the Mono County Board of Supervisors on April 2, 2024, and as the same may be amended or updated from time to time and unilaterally implemented by the County (hereinafter the “*Salary Matrix*”) and shall be modified as provided in the Management Compensation Policy and the Salary Matrix ,
4. Ms. Spears understands that she is responsible for paying the employee’s share of any retirement contributions owed to the Public Employees Retirement System (PERS) with respect to her employment for the County as determined by the County’s contract with PERS and/or County policy, and also any employee share of the “normal cost” of her retirement benefits that may be mandated by the Public Employees Pension Reform Act

of 2013 (PEPRA).

5. Ms. Spears shall continue to earn and accrue vacation and sick leave in accordance with the “Policy Regarding Benefits of Management-level Officers and Employees,” updated most recently by the Mono County Board of Supervisors on April 2, 2024, and as the same may be further amended from time to time and unilaterally implemented by the County (hereinafter the “**Management Benefits Policy**”) and in accordance with any applicable County Code provisions not in conflict with said Policy. Also, pursuant to said Policy, in recognition of the fact that her employment will be exempt from the payment of overtime or compensatory time-off under the Fair Labor Standards Act, she shall be entitled to 80 hours of merit leave (aka administrative leave) during each calendar year of service. Ms. Spears understands that said merit leave does not accrue from one calendar year to the next; rather, it must be used by December 31st of each calendar year in which it is provided, or it is lost. Consistent with Ms. Spears’ uninterrupted employment status, this Agreement shall have no effect on any sick leave or vacation time that Ms. Spears may have accrued as of the effective date of this Agreement nor on her original date of hire or total years of service as a County employee, to the extent the same may be relevant in determining such accruals or Ms. Spears’ date of eligibility for or vesting of any non-salary benefits or for any other purpose.
6. To the extent deemed appropriate by the Director of Public Works, the County shall pay the professional dues, subscriptions, and other educational expenses necessary for Ms. Spears’ full participation in applicable professional associations, for her continued professional growth and for the good of the County.
7. To the extent not inconsistent with the foregoing or any other provision of this Agreement, Ms. Spears shall be entitled to the same general benefits provided by the County to other management-level employees, as described more fully in the County’s Management Benefits Policy. Such benefits include but are not limited to CalPERS retirement benefits at the tier applicable to Ms. Spears’ employment, CalPERS medical insurance, County dental and vision coverage, and life insurance.
8. Ms. Spears understands and agrees that her receipt of compensation or benefits of any kind under this Agreement or under any applicable County Code provision or policy – including but not limited to salary, insurance coverage, and paid holidays or leaves – is expressly contingent on her actual and regular rendering of full-time personal services to the County or, in the event of any absence, upon her proper use of any accrued leave. Should Ms. Spears cease rendering such services during this Agreement and be absent from work without any accrued leave to cover said absence, then she shall cease earning or receiving any additional compensation or benefits until such time as she returns to work and resumes rendering personal services; provided, however, that the County shall provide any compensation or benefits mandated by state or federal law. Furthermore, should Ms. Spears’s regular schedule ever be reduced to less than full-time employment, on a temporary or permanent basis, then all compensation and benefits provided by this Agreement or any applicable County policies shall be reduced on a pro-rata basis, except

for those benefits that the County does not generally pro-rate for its other part-time employees.

9. Consistent with the “at will” nature of Ms. Spears’ employment, the Director of Public Works may terminate Ms. Spears’ employment at any time during this Agreement, without cause. In that event, this Agreement shall automatically terminate concurrently with the effective date of the termination. Ms. Spears understands and acknowledges that as an “at will” employee, she will not have permanent status nor will her employment be governed by the Mono County Personnel Rules except to the extent that the Rules are ever modified to apply expressly to at-will employees. Among other things, she will have no property interest in her employment, no right to be terminated or disciplined only for just cause, and no right to appeal, challenge, or otherwise be heard regarding any such termination or other disciplinary action the Director of Public Works may, in his or her discretion, take during Ms. Spears’ employment.
10. In the event of a termination without cause under Paragraph 9 occurring after the first twelve (12) months of employment, Ms. Spears shall receive as severance pay a lump sum equal to six (6) months’ salary. For purposes of severance pay, “salary” refers only to base compensation. Ms. Spears shall not be entitled to any severance pay in the event that the Director of Public Works has grounds to discipline her on or about the time he or she gives notice of termination. Grounds for discipline include but are not limited to those specified in section 520 of the Mono County Personnel Rules, as the same may be amended from time to time. Ms. Spears shall also not be entitled to any severance pay in the event that she becomes unable to perform the essential functions of her position (with or without reasonable accommodations) and her employment is duly terminated for such non-disciplinary reasons.
11. Ms. Spears may resign her employment with the County at any time. Her resignation shall be deemed effective when tendered, and this agreement shall automatically terminate on that same date, unless otherwise mutually agreed to in writing by the parties. Ms. Spears shall not be entitled to any severance pay or earn or accrue additional compensation of any kind after the effective date of such resignation.
12. This Agreement constitutes the entire agreement of the parties with respect to the employment of Ms. Spears, and shall supersede and replace any and all prior agreements or understandings regarding Ms. Spears’ employment.
13. The parties agree that the Board of Supervisors’ approval of this Agreement on behalf of the County is a legislative act and that through this agreement, the Board of Supervisors is carrying out its responsibility and authority under Section 25300 of the Government Code to set the terms and conditions of County employment. It is not the parties’ intent to alter in any way the fundamental statutory (non-contractual) nature of Ms. Spears’ employment with the County nor to give rise to any future contractual remedies for breach of this Agreement or of an implied covenant of good faith and fair dealing. Rather, the parties intend that Ms. Spears’ sole remedy in response to any failure by the

County to comply with this Agreement shall be traditional mandamus. Pursuant to Government Code sections 53243 et seq., Ms. Spears shall reimburse the County for any paid leave pending an investigation, legal criminal defense, or cash settlement related to termination by the County if Ms. Spears is convicted of a crime involving abuse of office or position.

14. Ms. Spears acknowledges that this Agreement is executed voluntarily by her, without duress or undue influence on the part or on behalf of the County. Ms. Spears further acknowledges that she has participated in the negotiation and preparation of this Agreement and has had the opportunity to be represented by counsel with respect to such negotiation and preparation or does hereby knowingly waive her right to do so, and that she is fully aware of the contents of this Agreement and of its legal effect. Thus, any ambiguities in this Agreement shall not be resolved in favor of or against either party.
15. For purposes of this Agreement, a photocopy, facsimile, .pdf, or electronically scanned signatures, including but not limited to DocuSign or similar service, shall be deemed as valid and as enforceable as an original.

### **III. EXECUTION**

This Agreement is executed by the parties this 9th day of April, 2024.

EMPLOYEE

MONO

THE COUNTY OF

\_\_\_\_\_  
Karyn Spears

\_\_\_\_\_  
John Peters, Chair  
Board of Supervisors

APPROVED AS TO FORM:

\_\_\_\_\_  
COUNTY COUNSEL



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** April 9, 2024

**Departments: Human Resources**

**TIME REQUIRED** 10 minutes

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

Christine Bouchard, Assistant County  
Administrative Officer

**SUBJECT** Appointment of Christopher L. Beck  
as County Counsel and Approval of  
Terms and Conditions of Employment

**AGENDA DESCRIPTION:**

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

Appointment of Christopher L. Beck as Mono County Counsel following the planned retirement of County Counsel Stacey Simon on May 10, 2024, and adoption of proposed resolution approving an agreement setting forth the terms and conditions of said employment.

**RECOMMENDED ACTION:**

Announce Fiscal Impact. Approve resolution appointing Christopher L. Beck as the County Counsel for Mono County, effective May 11, 2024, and approving a contract with Mr. Beck prescribing the terms and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

**FISCAL IMPACT:**

The estimated cost of this position for the remainder of the fiscal year is \$36,678, of which \$27,655 is salary and \$9,023 is benefits. The total cost of salary and benefits for an entire fiscal year is approximately \$267,750, of which \$201,885 is salary and \$65,865 is benefits. This is included in the Department's FY 2023-24 adopted budget.

**CONTACT NAME:** Christine Bouchard

**PHONE/EMAIL:** / cbouchard@mono.ca.gov

**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="#">Resolution</a>
<input type="checkbox"/> <a href="#">Exhibit to Resolution - Agreement</a>



**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
4/3/2024 1:54 PM	County Counsel	Yes
4/4/2024 9:51 AM	Finance	Yes
4/4/2024 10:30 PM	County Administrative Office	Yes



COUNTY ADMINISTRATIVE OFFICER  
COUNTY OF MONO  
Sandra Moberly, MPA, AICP

ASSISTANT COUNTY ADMINISTRATIVE OFFICER  
Christine Bouchard

To: Board of Supervisors

From: Christine Bouchard, Assistant County Administrator

Date: April 9, 2024

Re: Appointment of Christopher Beck as County Counsel

**BOARD OF SUPERVISORS**

**CHAIR**

John Peters / District 4

**VICE CHAIR**

Lynda Salcido / District 5

Jennifer Kreitz / District 1

Rhonda Duggan / District 2

Bob Gardner / District 3

**COUNTY DEPARTMENTS**

**ASSESSOR**

Hon. Barry Beck

**DISTRICT ATTORNEY**

Hon. David Anderson

**SHERIFF / CORONER**

Hon. Ingrid Braun

**ANIMAL SERVICES**

Chris Mokracek "Interim"

**BEHAVIORAL HEALTH**

Robin Roberts

**COMMUNITY DEVELOPMENT**

Wendy Sugimura

**COUNTY CLERK-RECORDER**

Queenie Barnard

**COUNTY COUNSEL**

Stacey Simon, Esq.

**ECONOMIC DEVELOPMENT**

Jeff Simpson

**EMERGENCY MEDICAL SERVICES**

Bryan Bullock

**FINANCE**

Janet Dutcher, DPA, MPA, CGFM, CPA

**HEALTH AND HUMAN SERVICES**

Kathryn Peterson

**INFORMATION TECHNOLOGY**

Mike Martinez

**PROBATION**

Karin Humiston

**PUBLIC WORKS**

Paul Roten

**Strategic Plan Focus Area(s) Met**

A Thriving Economy    Safe and Healthy Communities    Mandated Function

Sustainable Public Lands    Workforce & Operational Excellence

**Discussion**

Current County Counsel Stacey Simon will be retiring effective May 10, 2024. Christopher Beck was appointed Assistant County Counsel on May 31, 2022, working with Ms. Simon on a variety of topics and legal issues.

During his tenure Christopher has handled matters involving juvenile dependency, conservatorships, general and complex litigation, and other general matters.

This item is before you today to appoint Christopher Beck as County Counsel upon the retirement of Ms. Simon.



**RESOLUTION NO. R24-**

**A RESOLUTION OF THE MONO COUNTY  
BOARD OF SUPERVISORS APPOINTING CHRISTOPHER L. BECK AS COUNTY  
COUNSEL FOR THE COUNTY OF MONO AND APPROVING AN EMPLOYMENT  
AGREEMENT PRESCRIBING THE TERMS AND CONDITIONS OF SAID EMPLOYMENT**

**WHEREAS**, the Board of Supervisors has authority under Sections 27640 et seq. and Section 25300 of the California Government Code to appoint a County Counsel for the County and to prescribe the terms and conditions of employment for said County Counsel; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mono County Board of Supervisors that Christopher L. Beck (Mr. Beck) is appointed, effective May 11, 2024, as the County Counsel for Mono County and that the powers and duties assigned to him shall be as set forth in Government Code Sections 27640 et seq.

**BE IT FURTHER RESOLVED** that the terms and conditions of employment of Mr. Beck shall be as set forth in the Employment Agreement of Christopher L. Beck as County Counsel for Mono County, a copy of which is attached hereto as an exhibit and incorporated herein by this reference as though fully set forth (the "Agreement").

**BE IT FINALLY RESOLVED** that the Agreement is hereby approved by the Board and that the terms and conditions of employment set forth in that Agreement shall govern the employment of Mr. Beck. The Chair of the Board of Supervisors shall execute the Agreement on behalf of the County.

**PASSED AND ADOPTED** this \_\_\_\_ day of April, 2024, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**ATTEST:** \_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
John Peters, Chair  
Board of Supervisors

**APPROVED AS TO FORM:**

\_\_\_\_\_  
COUNTY COUNSEL

**EMPLOYMENT AGREEMENT  
OF CHRISTOPHER L. BECK  
AS COUNTY COUNSEL FOR MONO COUNTY**

This Agreement is entered into by and between Christopher L. Beck and the County of Mono (hereinafter “County”).

**I. RECITALS**

Christopher L. Beck (hereinafter “Mr. Beck”) is currently employed by Mono County as its Assistant County Counsel. The County now wishes to employ Mr. Beck as its County Counsel in accordance with the terms and conditions set forth in this Agreement. Mr. Beck wishes to accept employment with the County on said terms and conditions.

Mr. Beck’s employment is pursuant and subject to Government Code Sections 27640, et seq., which apply to the appointment and certain of the terms and conditions of employment of County Counsels.

**II. AGREEMENT**

1. This Agreement shall commence May 11, 2024, (“Effective Date”) and shall remain in effect for a four-year term, through May 10, 2028, as set forth in Government Code Section 27641. Any removal of Mr. Beck during that term shall comply with Government Code Section 27641.
2. As of the Effective Date, Mr. Beck shall be employed by Mono County as its County Counsel, serving at the will and pleasure of the Board of Supervisors. In that capacity, Mr. Beck shall have, exercise, and discharge the powers and duties set forth in Chapter 2.78 of the Mono County Code and in Government Code section 27640 et seq., as same may be amended from time to time, together with such additional powers and duties which may be set forth in state law or assigned to him by the Board of Supervisors. Mr. Beck accepts such employment. The Board of Supervisors shall be deemed the “appointing authority” for all purposes with respect to Mr. Beck’s employment. The Board of Supervisors and Mr. Beck will work together to establish specific, measurable, achievable and realistic performance goals for Mr. Beck’s work. Mr. Beck’s job performance and progress towards achieving the agreed-upon goals shall be evaluated by the Board of Supervisors in accordance with the “Policy Regarding Compensation of At-Will and Elected Management Level Officers and Employees” adopted on April 2, 2024, and as the same may be amended or updated from time to time and unilaterally implemented by the County (hereinafter the “*Management Compensation Policy*”).
3. Mr. Beck’s salary shall be Range 125, Step D as set forth in the “Resolution of the Mono County Board of Supervisors Adopting a Salary Matrix for At-Will and Elected Management Level Employees” adopted on April 2, 2024, and as same may be amended or updated from time to time and unilaterally implemented by the County (hereinafter the

“*Salary Matrix*”) and shall be modified as provided in the then-applicable Management Compensation Policy and Salary Matrix. Mr. Beck’s primary work location shall be the Mono County Civic Center in Mammoth Lakes.

4. Mr. Beck understands that he is responsible for paying the employee’s share of any retirement contributions owed to the Public Employees Retirement System (PERS) with respect to his employment for the County as determined by the County’s contract with PERS and/or County policy, and also any employee share of the “normal cost” of his retirement benefits that may be mandated by the Public Employees Pension Reform Act of 2013 (PEPRA).
5. Mr. Beck shall continue to earn and accrue vacation and sick leave in accordance with the “Policy Regarding Benefits of Management-level Officers and Employees,” updated most recently on April 2, 2024, and as the same may be further amended from time to time and unilaterally implemented by the County (hereinafter the “*Management Benefits Policy*”) and in accordance with any applicable County Code provisions not in conflict with said Policy. Also, pursuant to said Policy, in recognition of the fact that his employment will be exempt from the payment of overtime or compensatory time-off under the Fair Labor Standards Act, he shall be entitled to 80 hours of merit leave (aka administrative leave) during each calendar year of service. Mr. Beck understands that said merit leave does not accrue from one calendar year to the next; rather, it must be used by December 31<sup>st</sup> of each calendar year in which it is provided, or it is lost. Consistent with Mr. Beck’s uninterrupted employment status, this Agreement shall have no effect on any sick leave or vacation time that Mr. Beck may have accrued as of the effective date of this Agreement nor on his original date of hire or total years of service as a County employee, to the extent the same may be relevant in determining such accruals or Mr. Beck’s date of eligibility for or vesting of any non-salary benefits or for any other purpose.
6. The County shall pay all of the professional dues, subscriptions, and other expenses necessary for Mr. Beck’s continuing and full participation in national, regional, state, and local associations and organizations necessary and desirable for his continued professional growth and for the good of the County. Such expenses include the reasonable costs of attending various educational programs that will provide Mr. Beck with credit toward her fulfillment of the state bar’s Mandatory Continuing Legal Education (MCLE) requirements. The County particularly supports and encourages Mr. Beck’s active participation in the County Counsels’ Association of California and will pay his reasonable and necessary costs of attending at least three meetings each year hosted by that association, such as the annual fall meeting, mid-winter meeting, and spring civil-law meeting.
7. To the extent not inconsistent with the foregoing or any other provision of this Agreement, Mr. Beck shall be entitled to the same general benefits provided by the County to other management-level employees, as described more fully in the County’s Management Benefits Policy. Such benefits include but are not limited to CalPERS

retirement benefits at the tier applicable to Mr. Beck's employment, CalPERS medical insurance, County dental and vision coverage, and life insurance.

8. Mr. Beck understands and agrees that his receipt of compensation or benefits of any kind under this Agreement or under any applicable County Code provision or policy – including but not limited to salary, insurance coverage, and paid holidays or leaves – is expressly contingent on his actual and regular rendering of full-time personal services to the County or, in the event of any absence, upon his proper use of any accrued leave. Should Mr. Beck cease rendering such services during this Agreement and be absent from work without any accrued leave to cover said absence, then he shall cease earning or receiving any additional compensation or benefits until such time as he returns to work and resumes rendering personal services; provided, however, that the County shall provide any compensation or benefits mandated by state or federal law. Furthermore, should Mr. Beck's regular schedule ever be reduced to less than full-time employment, on a temporary or permanent basis, then all compensation and benefits provided by this Agreement or any applicable County policies shall be reduced on a pro-rata basis, except for those benefits that the County does not generally pro-rate for its other part-time employees.
9. Mr. Beck may resign his employment with the County at any time. His resignation shall be deemed effective when tendered, and this agreement shall automatically terminate on that same date, unless otherwise mutually agreed to in writing by the parties. Mr. Beck shall not be entitled to any severance pay or earn or accrue additional compensation of any kind after the effective date of such resignation.
10. This Agreement constitutes the entire agreement of the parties with respect to the employment of Mr. Beck and shall supersede and replace any and all prior agreements or understandings regarding Mr. Beck's employment.
11. The parties agree that the Board of Supervisors' approval of this Agreement on behalf of the County is a legislative act and that through this agreement, the Board of Supervisors is carrying out its responsibility and authority under Section 25300 of the Government Code to set the terms and conditions of County employment. It is not the parties' intent to alter in any way the fundamental statutory (non-contractual) nature of Mr. Beck's employment with the County nor to give rise to any future contractual remedies for breach of this Agreement or of an implied covenant of good faith and fair dealing. Rather, the parties intend that Mr. Beck's sole remedy in response to any failure by the County to comply with this Agreement shall be traditional mandamus. Pursuant to Government Code sections 53243 et seq., Mr. Beck shall reimburse the County for any paid leave pending an investigation, legal criminal defense, or cash settlement related to termination by the County if Mr. Beck is convicted of a crime involving abuse of office or position.
12. Mr. Beck acknowledges that this Agreement is executed voluntarily by him, without duress or undue influence on the part or on behalf of the County. Mr. Beck further

acknowledges that he has participated in the negotiation and preparation of this Agreement and has had the opportunity to be represented by counsel with respect to such negotiation and preparation or does hereby knowingly waive his right to do so, and that he is fully aware of the contents of this Agreement and of its legal effect. Thus, any ambiguities in this Agreement shall not be resolved in favor of or against either party.

13. For purposes of this Agreement, a photocopy, facsimile, .pdf, or electronically scanned signatures, including but not limited to DocuSign or similar service, shall be deemed as valid and as enforceable as an original.

**III. EXECUTION:**

This Agreement is executed by the parties this 9<sup>th</sup> day of April, 2024.

EMPLOYEE

THE COUNTY OF MONO

\_\_\_\_\_  
Christopher L. Beck

\_\_\_\_\_  
John Peters, Chair  
Board of Supervisors

APPROVED AS TO FORM:

\_\_\_\_\_  
COUNTY COUNSEL



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    April 9, 2024

**TIME REQUIRED**

**SUBJECT**                    Closed Session - Labor Negotiations

**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): Sandra Moberly, Mary Booher, Stacey Simon, Janet Dutcher, and Christine Bouchard. 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 Correctional Deputy Sheriffs' Association. Unrepresented employees: All.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

Time	Who	Approval
4/3/2024 1:48 PM	County Counsel	Yes
3/27/2024 9:47 AM	Finance	Yes
4/3/2024 7:50 PM	County Administrative Office	Yes





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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** April 9, 2024

**TIME REQUIRED**

**SUBJECT** Closed Session - Exposure to  
Litigation

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

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

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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