



# AGENDA

## BOARD OF SUPERVISORS, COUNTY OF MONO

### STATE OF CALIFORNIA

Regular Meetings: The First,  
Second, And Third Tuesday of  
each month

### Regular Meeting

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

June 21, 2011

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

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

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

**9:00 AM** Call meeting to Order

Pledge of Allegiance

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

Approximately  
thru 10:15 a.m.

**CLOSED SESSION**

**BOARD OF SUPERVISORS**

- 1a) Closed Session--Human Resources** - CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Marshall Rudolph, Brian Muir, and Jim Arkens. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39--majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.
- 1b) Conference with Legal Counsel** - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Subdivision (a) of Government Code section 54956.9. Name of case: Crosby v.

Mono County et al. (U.S. District Court).

1c) **Conference with Legal Counsel** - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to subdivision (c) of Government Code section 54956.9. Number of potential cases: one.

1d) **Public Employment** - PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Administrative Officer.

2) **APPROVAL OF MINUTES**

**A. Approve Minutes of the Regular Meeting of June 7, 2011.**

3) **BOARD MEMBER REPORTS**

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

Approximately 10 Minutes **COUNTY ADMINISTRATIVE OFFICE**

4) **CAO Report regarding Board Assignments (P. 4)**  
RECOMMENDED ACTION: Receive brief oral report by Clerk County Administrative Officer (CAO) regarding his activities.

10:00 a.m. **DEPARTMENT REPORTS/EMERGING ISSUES**  
Approximately 15 minutes (PLEASE LIMIT COMMENTS TO FIVE MINUTES EACH)

Approximately 5 minutes for Consent Items

## CONSENT AGENDA

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

### COUNTY COUNSEL

5a) **Appointment of Robert Schafer to Redistricting Advisory Committee** - Utilization of Resolution 11-28 to fill a vacant position on the Redistricting Advisory Committee.

**Recommended Action:** Appoint Robert Schafer to the Citizens Redistricting Advisory Committee.

**Fiscal Impact:** None.

### ECONOMIC DEVELOPMENT

6a) **Renewal of Agreement with Inland Aquaculture Group for Trophy Trout Stocking** - The existing stocking agreement with Inland Aquaculture Group ( IAG ) expires June 30, 2011. The attached draft agreement is for the same amount as the current agreement, \$100,850.00, but due to rising costs, the price per pound has also been increased by IAG. Consequently, Mono County will receive less poundage for the same cost as last year, All the current stocking locations will remain the same.

**Recommended Action:** That the Board approve the renewal of the agreement with IAG for trophy trout stocking for July 1, 2011 to June 30,2012, for the amount of One Hundred Thousand, Eight Hundred and Fifty Dollars ( \$100,850.00).

**Fiscal Impact:** If approved, there will be a fiscal impact of \$ 100,850.00.

### PUBLIC WORKS

7a) **Approval of Tract Map No. 10-002A, Eilts (Phase 1 of 2)** - Consider and potentially approve Tract Map No. 10-002A, Eilts (Phase 1 of 2).

**Recommended Action:** Authorize Clerk's signature approving Tract Map No. 10-002A which

will subdivide a 127.40 acre parcel (APN 025-190-035-000) in Hammil Valley into parcels of 12.099 and 115.30 acres in size.

**Fiscal Impact:** None.

- 7b) FY 10-11 RSTP Road Funding Agreement** - Annual funding through the Regional Surface Transportation Program (RSTP) apportionment is a major source of revenue for Mono County's road maintenance programs. The exchange agreement allows the State to forward non-federal highway apportionments directly to the Road Fund and the County maintains total control over how these funds are expended.

**Recommended Action:** Approve and authorize Chair's signature on the FY10-11 Federal Exchange and State Match Agreement for allocation of Federal Surface Transportation Program Funds through the State's Regional Surface Transportation Program.

**Fiscal Impact:** \$329,725 revenue to Public Work's Road Division.

## REGULAR AGENDA

### CORRESPONDENCE RECEIVED (INFORMATIONAL)

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

### CLERK OF THE BOARD

- 8a) No Correspondence** -  
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### ECONOMIC DEVELOPMENT

- 9a) Support of Letter to Fish & Game Regarding Regulation Change for Lower Rush Creek** (Dick Noles) - The current bag limit for Lower Rush Creek is zero ( catch & release ). Dick Noles, with the the support of the MCFC, would like to request the Fish & Game Department to change the regulation for Lower Rush Creek to a 2 fish bag limit for catch-and-keep.  
20 minutes

**Recommended Action:** That the Board receive the information from Mr. Noles and direct staff as necessary.

**Fiscal Impact:** None.

- 9b) Informational Update from California Dept. of Fish & Game** (CDFG Staff TBD) - The Board requested that a representative from California Department of Fish & Game (CDFG) appear before the Board to apprise them of the status of fish stocking for this year, any pending issues related to the statewide EIR that may affect Mono County, and other apposite topics related to fish stocking by CDFG or private entities. Information related to the AB-7 bill may also be presented. The Bishop office of the CDFG has yet to determine who will make the presentation.  
30 minutes

**Recommended Action:** That the Board receive the information presented by CDFG and direct staff accordingly, if necessary.

**Fiscal Impact:** None.

### BOARD OF SUPERVISORS

- 10a) Federal and State Budgets** (Board Members) - The Board of Supervisors may discuss the Federal budget and the California State budget and potential impacts to Mono County.  
15 minutes

**Recommended Action:** Discuss issues if necessary; provide staff direction if so desired.

**Fiscal Impact:** None.

### FINANCE

- 11a) FY 2011/2012 Temporary Budget** (Brian Muir) - Proposed resolution adopting a temporary

5 minutes

budget for Fiscal Year 2011-2012.

**Recommended Action:** Adopt proposed resolution #R11-\_\_\_\_, adopting a temporary budget for Fiscal Year 2011-2012. Provide any desired direction to staff.

**Fiscal Impact:** FY 11/12 \$66,019,649.

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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.)

#### **AGRICULTURAL COMMISSIONER**

12a)

**Counties of Inyo and Mono Agricultural Commissioner's Office 2010 Crop and Livestock Report** (George Milovich) - Presentation by George Milovich regarding 2010 Crop Report.

20 minutes

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

**Fiscal Impact:** None.

**Additional Departments:** Finance

12b)

**Unrefunded Gas Tax Revenues** (George Milovich) - Consider request to reserve \$65,083 for future use in constructing a building to house the Agricultural Inspector's Department.

10 minutes

**Recommended Action:** Approve transfer of \$65,083 from the General Fund to the Capital Improvement Program for future use to construct a building to house the Agricultural Inspector's Department.

**Fiscal Impact:** FY 10/11 reduction of \$65,083 cash in the General Fund.

#### **FINANCE**

13a)

**Veterans' Services** (Yvette Mason) - Presentation by Yvette Mason, Veterans' Services Claims Representative, regarding her activities and services available for veterans in Mono County.

20 minutes

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

**Fiscal Impact:** None.

#### **BOARD OF SUPERVISORS**

14a)

**Verbal Report on Preliminary Solar Sites Survey** (Lisa Isaacs) - Discussion regarding preliminary solar sites survey/inventory of possible sites for some form of demonstration or pilot project for a relatively small scale photovoltaic installation.

20 minutes

**Recommended Action:** Receive information/discuss possible future actions.

**Fiscal Impact:** None.

#### **COUNTY COUNSEL**

**Additional Departments:** Public Works

15a)

**Solid Waste Franchise Ordinance** (Matt Carter) - Proposed ordinance amending section 12.10.021 of the Mono County Code pertaining to exemptions from the county's franchise requirement for certain solid waste handling.

10 minutes

**Recommended Action:** Introduce, read title, and waive further reading of proposed ordinance. Provide any desired direction to staff.

**Fiscal Impact:** Up to \$4,000 in lost revenue annually.

## **PUBLIC WORKS**

**16a)**

10 Minutes

**Transfer Station Operations Contract** (Matt Carter) - Proposed contract with successful bidder for operation of the County transfer stations.

**Recommended Action:** 1. Consider and potentially authorize the Public Works Director, in consultation with County Counsel, to award the Transfer Station Operations contract to the firm submitting the bid in the best interest of the County. This authorization shall include making minor adjustments to said contract from time to time as the Public Works Director may deem necessary, provided such amendments do not alter the maximum contract amount and do not substantially alter the scope of work or budget and are approved as to form by County Counsel. 2. Authorize the Interim County Administrative Officer to execute said contract on behalf of the County. 3. Provide any desired direction to staff.

**Fiscal Impact:** It is anticipated that the contract will not exceed \$330,000 for the first year. The total contract amount will be subject to an annual increase based on the Consumer Price Index (CPI), up to a maximum of 4% per year over the five-year agreement.

## **COUNTY COUNSEL**

**Additional Departments:** Public Works

**17a)**

15 minutes

**Solid Waste Franchise Agreements** (Matt Carter and Stacey Simon) - Proposed contracts with Mammoth Disposal, Inc. and D & S Waste Removal, Inc. pertaining to franchised hauling of solid waste within unincorporated Mono County.

**Recommended Action:** Approve County entry into proposed contracts and authorize Chair to execute said contracts on behalf of the County. Provide any desired direction to staff.

**Fiscal Impact:** Annual revenue of approximately \$90,000.

**Additional Departments:** Public Works

**17b)**

10 minutes

**Sludge Disposal Agreement** (Matt Carter) - Proposed contract with Mammoth Community Water District pertaining to ongoing sludge disposal at the Benton Crossing Landfill.

**Recommended Action:** Approve County entry into proposed contract and authorize Chair to execute said contract on behalf of the County. Provide any desired direction to staff.

**Fiscal Impact:** Approximately \$140,000 in annual revenue.

## **COMMUNITY DEVELOPMENT - PLANNING DIVISION**

**Additional Departments:** Public Works, Finance

**18a)**

1 hour

**Development Impact Fee Review** (Scott Burns, Mary Booher) - Presentation regarding Development Impact Fee Program Report (dated June 2011), which is intended to provide the factual and evidentiary basis for the Board to not only make the 5-year findings required by Government Code section 66001 and Mono County Code section 3.60.060 with respect to unexpended fee revenue, but also to consider potential future revisions to existing fees. In addition, potentially consider suspension or termination of the Program and direct staff to agendaize any resolutions or ordinances that may be necessary to effectuate such a suspension or termination. If the Program is not suspended or terminated, potentially also discuss and clarify the Board's intended meaning of the term "reconstruction" for purposes of DIF calculation.

**Recommended Action:** Acknowledge receipt of Development Impact Fee Program Report (dated June 2011), which is incorporated by reference, with one or more the following actions based on that Report:

1. In accordance with Government Code Section 66001(d) and Mono County Code section 3.60.060(B), make the following findings based on that Report with respect to any DIF account funds remaining unexpended:

- (a) The Report identifies the purposes to which the fees are to be put.
- (b) The Report duly demonstrates a reasonable relationship between the fee and the purpose for which it is charged.
- (c) The Report identifies all sources and amounts of funding anticipated to complete financing in incomplete improvements previously identified (if any).
- (d) The Report designates the approximate dates on which funding referred to in finding (c) is expected to be deposited into the appropriate account or fund (if known).

2. Direct staff to prepare and agendize such documents, and notice such public hearings, as may be necessary to potentially revise DIF fees in accordance with the Report and/or any Board direction; or

3. Suspend the Development Impact Fee Program, and direct staff to prepare and agendize such documents as may be necessary to effectuate this, and

- a. Based on the above findings (set forth in number 1), retain funds already collected but unexpended; or
- b. Direct staff to refund all funds collected but unexpended.

4. Terminate the Development Impact Fee Program, and direct staff reprepare and agendize such documents as may be necessary to effectuate this, and

- a. Based on the above findings (set forth in number 1), retain funds already collected but unexpended; or
- b. Direct staff to refund all funds collected but unexpended.

Provide any other desired direction to staff, including directing staff to prepare an ordinance revising the Board's intended meaning for the term "reconstruction."

**Fiscal Impact:** The fiscal impact varies, based on the option selected. All fees collected through the DIF program are held for Capital Projects as identified. Without DIF fees, these projects will have to be funded through other resources, which is often the General Fund.

## COUNTY COUNSEL

**Additional Departments:** Mental Health

**19a)**  
5 minutes

**Second Amendment to Sierra Center Mall Lease** (Tara McKenzie) - Proposed Second Amendment to Lease Agreement with DOHENY V LLC, pertaining to the Mammoth Sierra Center Mall. Via this amendment to the original lease, the County is leasing additional office space at the Mammoth Sierra Center Mall for the Mental Health Department.

**Recommended Action:** Approve Second Amendment to Lease Agreement with DOHENY V LLC, pertaining to the lease of additional office space at the Mammoth Sierra Center Mall, located at 452 Old Mammoth Road in Mammoth Lakes, California. Authorize Board Chair to execute said lease amendment on behalf of the County. Provide any desired direction to staff.

**Fiscal Impact:** \$18,338 per year to Mental Health funds.

**Additional Departments:** Public Works

**19b)**  
10 minutes

**County-ESUSD Joint Use Agreements for Ballfields in Lee Vining and Walker** (John-Carl Vallejo) - (1) Proposed MOU with the Eastern Sierra Unified School District pertaining to the joint use agreement for the ballfield in Lee Vining. (2) Proposed MOU with the Eastern Sierra Unified School District pertaining to the joint use agreement for the ballfield in Walker.

**Recommended Action:** Approve County entry into proposed MOUs and authorize the County CAO to execute said MOUs on behalf of the County. Provide any desired direction to staff.

**Fiscal Impact:** None.

**Additional Departments:** CSA #1 Board

**19c)**  
20 minutes

**Crowley Lake Community Garden** (Tara McKenzie and Kim McCarthy) - Hear public comment and receive the Long Valley RPAC, CSA#1 Board, and county staff recommendations regarding the proposed Crowley Lake Community Garden. Consider proposed resolution.

**Recommended Action:** Adopt proposed resolution #R11-\_\_\_\_ establishing a community garden pilot project at the Crowley Lake Community Center. Provide any desired direction to staff.

**Fiscal Impact:** No general fund impact. An impact of up to \$16,350.00 in CSA#1 funds.

**ADJOURNMENT**

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