



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

Regular Meetings: The First, Second, and Third Tuesday of each month. Location of meeting is specified at far right.

Regular Meeting

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

December 20, 2011

- 9:03 AM Meeting Called to Order by Supervisor Hazard, Chair
- **Supervisors Present: Supervisors Bauer, Hansen, Hazard, Hunt, and Johnston**
  - **Supervisors Absent: None**

Pledge of Allegiance led by Lynda Roberts, Clerk of the Board

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

**No one spoke.**

Closed Session: 9:05 a.m.  
Break: 10:33 a.m.  
Reconvened: 10:37 a.m.  
Lunch/Closed Session: 12:07 p.m.  
Reconvened: 1:27 p.m.  
Adjourned: 4:05 p.m.

**CLOSED SESSION**

**The Board had nothing to report from morning Closed Session.**  
**The Board had nothing to report from afternoon Closed Session.**

**BOARD OF SUPERVISORS**

- 1a) Closed Session--CAO Performance Evaluation - PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.
- 1b) 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.

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

**No one spoke.**

### 2) APPROVAL OF MINUTES

**M11-287**

A. Approve minutes of the Regular Meeting held on December 6, 2011, as corrected.

**Johnston moved; Hansen seconded**

**Vote: 4 Yes; 0 No; 1 Abstain (Hunt)**

- Supervisor Hazard: Correction to his board member report, bullet point #5: "CSAC: Department of General Services, State of California: they have a discount travel contract available to the state..."; change "state" to "County".
- Supervisor Johnston: Correction to his comments under Item 12a (University of California Division of Agriculture and Natural Resources), bullet point #1: "...he was a Solar Star 4-H person." Change "Solar" to "Silver".

### 3) BOARD MEMBER REPORTS

#### **Supervisor Bauer**

1. The County's press release regarding IMAAA was very well done.
2. December 14: Attended her first Eastside Gateway meeting to discuss YARTS and Yosemite Park. They determined the best use of money will be to run the YARTS High Country Hiker Shuttle, which will stop at Tuolumne Meadows. Bob Peters took this information to a meeting he attended the next day.
3. December 14: Attended the Lee Vining RPAC meeting. They are making good progress on their local area plan. Regarding Mono Lake State Park, the group agreed that working with the local State Park representative (Jeanne Sisson) is the best way to move forward.
4. December 16: Attended the ESTA meeting. They passed a resolution to indemnify counties and make ESTA responsible for their employees.
5. One member of the June Lake Fire Protection District recently passed away. It has now been 60 days and the District has not refilled the position. Bauer will bring this issue forward so the Board of Supervisors can make an appointment.
6. Bauer plans to attend a meeting in January regarding YARTS expansion; the meeting will be held in Fresno.
7. Regarding the dead trees in June Lake, the Forest Service has language in their MOU that allows them to control Caltrans' salting of trees. She will bring this discussion to the Board of Supervisors.

#### **Supervisor Hansen**

1. Attended the Economic Subcommittee meeting.
2. Attended the Lee Vining RPAC meeting; discussed Mono Lake and the area plan.
3. December 15: Attended LDTAC.
4. Yesterday: Attended the Fisheries Commission meeting; plans to agendize a workshop in February.

#### **Supervisor Hazard**

1. December 14: 1) Attended a meeting with the management team; this issue was discussed in closed session. 2) Met with Garrett Higerd regarding flood plain issues and maps. Tri-valley will be impacted by the availability and rate of flood insurance; for a period of time, people will be able to buy into a group policy rate. There will be a 90-day public comment period, but only to challenge scientific merits. Staff will conduct community outreach efforts. 3) Participated in a phone conversation pertaining to AB 1387 (EMS bill); this is an emotional and challenging issue.
2. December 15: 1) Attended the Planning Commission meeting to observe the discussions about the Vista Cell Tower and the June Lake bed and breakfast. 2) Attended the County holiday luncheon, and attended the Town/County Liaison meeting.

3. December 16: 1) Met with Garrett Higerd about issues in Paradise. 2) Attended the Airport Planning Commission meeting.
4. Yesterday, attended the IMAAA meeting.
5. Regarding the letter received from the fire districts, they are asking for some documents; Hazard asked staff to supply the information.
6. Regarding an effort in LTC to raise the speed limit along 395, many residents in his district want to lower the speed limit due to deer kill. This issue should be carefully considered before suggesting a speed increase in Mono County.
7. Gabe Capata, a family friend, was recently killed in a motorcycle accident. He was a very good-hearted and generous person. Hazard asked to have the meeting adjourned in memory of Gabe.

#### **Supervisor Hunt**

1. December 14: Attended the Mono County Economic Development Subcommittee meeting. Staff is moving towards developing an RFP for a consultant who will help develop a strategic plan that will allow the group to qualify for federal grants.
2. December 15: Attended the Town/County Liaison meeting. They discussed 1) solid waste and implementation of the program; 2) air service subsidy; 3) Town lawsuit and upcoming announcement about the decision (scheduled for January 12); 4) Town budget process; 5) state budget impacts; and 6) Whitmore track. Future agendas will include election updates.
3. Last Friday, attended the ESCOG meeting. Discussed the following: 1) The financial issues facing the Tri-county Fairgrounds; they are working to form a non-profit in order to continue operations, and need supervisor support. Hunt suggested having a representative give a presentation to the Board of Supervisors. 2) Redistricting update. 3) Mammoth land swap. 4) Forest Service film permitting. Larry Johnston was appointed vice-chair for next year.
4. Last Friday, attended the ESTA board meeting. They discussed the 2012 schedule and financial reports. They are currently conducting labor negotiations. Byng Hunt was appointed chair for the upcoming year.
5. Hunt thanked Supervisor Hazard for his service as chair this year.

#### **Supervisor Johnston**

1. Attended the Christmas luncheons in both Bridgeport and Mammoth. Both events were well attended, and several employees received multi-year service pins, including Supervisor Hazard, who received a 35-year service pin and award.
2. Attended the LDTAC meeting.
3. Attended the ESCOG meeting in Bishop.
4. Attended the Night of Lights event over the weekend; it was spectacular.
5. Thanked staff for their work this year and for keeping the Board informed about issues.

### **COUNTY ADMINISTRATIVE OFFICE**

4)

#### **CAO Report regarding Board Assignments (Jim Arkens)**

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

#### **Jim Arkens**

1. Attended the Christmas luncheons in Bridgeport and Mammoth; both events were well attended.
2. The CAO staff lunch was last Wednesday; they went to a restaurant in Bridgeport.
3. Attended the County/Town Liaison meeting in Mammoth.
4. Attended the ESCOG meeting last Friday.
5. Attended the IMAAA meeting yesterday in Bishop.
  - Supervisor Hazard asked for Arkens' assessment of the meeting. Arkens: Several weeks ago IMAAA asked for an additional \$165,000 to help pay administrative costs. Yesterday their request dropped to \$100,000, and services and administrative costs became intertwined, which created some confusion. Information provided was disorganized. Also, the Inyo Board has

not talked with their seniors, but Mono County has spoken with its seniors. Supervisor Hazard handled the situation well. Mono County's commitment is to provide services to seniors, and the County can do so as soon as the state does their part. Mono County is ready to operate the program the way it needs to be done.

- Supervisor Hazard: It appears from yesterday's meeting that Inyo County wants to keep the JPA (IMAAA Board) together so they can continue to receive funding; however, Mono County is ready to move on as of July 1, 2012. Hazard specified that Mono County wants equal participation with the state. The Board of Supervisors will need to consider at some point whether to continue with the JPA. Hazard thanked all County staff that participated in yesterday's meeting.
6. Status meetings with department heads are ongoing.

## DEPARTMENT REPORTS/EMERGING ISSUES

- **Tom Perry, Community Development—Building:** Update about Walker Community Center addition. The State Fire Marshal gave a verbal determination about requirements for the project, and will perform a plan review. The written determination of requirements is forthcoming. Original cost estimates will be revised in order to incorporate this new information. The project should move forward by the first week of January.
- **Jody Henning, Assessor:** Update about vacant position in the Assessor's Office. The position was advertised and five applicants applied.
- **Sheriff Scholl:** 1) Update about Shop-with-a-Cop program. This is a multiagency fundraiser that includes police and sheriff's departments in Inyo and Mono Counties. Sworn deputy sheriffs and police officers took needy children to breakfast in Bishop and then shopping at Kmart. It was very successful. 2) Regarding the Night of Lights event last weekend, people did not like the band and some audience members started throwing bottles. The concert ended early so a crowd of people moved to locations in the Village, and caused problems. The Town Police Department needed more help. A debriefing meeting will be scheduled in order to find out how the Sheriff's Office can help next year. 3) The Sheriff's Department will staff up for New Year's Eve and other upcoming events.

## 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.)

**Supervisor Johnston pulled item #5a.**

## ECONOMIC DEVELOPMENT

- 5a) Extension of agreement with CAJA/EMA for environmental consulting services - Proposed amendment to contract with CAJA/EMA environmental consulting services extending the date of existing agreement for environmental consulting services until June 30, 2012.

**M11-288** **Action:** Approve County entry into proposed contract amendment with CAJA/EMA environmental consulting services, and authorize County Administrative Officer to execute said contract amendment on behalf of the County.

**Bauer moved; Hunt seconded**

**Vote: 5 Yes; 0 No**

Supervisor Johnston: Even though these costs will be paid by the applicant, Johnston believes it is the County's duty to make sure the contract is efficient. For example, task #7 (attending a

hearing for \$8,000) does not seem to be efficient; the amount seems excessive.

#### PUBLIC WORKS - ENGINEERING DIVISION

- 6a) Offer of Dedication for Parcel Map No. 37-188, Maddock - The Planning Commission approved Parcel Map 37-188 on December 8, 2011 which subdivided a 26.39-acre parcel (APN 025-200-052-000) in Hammil Valley into two parcels of 12.147 and 14.243 acres in size. The Board of Supervisors must accept or reject an offer of dedication made on the map for a 75-foot wide drainage easement.

**M11-289** **Action:** Reject on behalf of the public the offer of dedication for a drainage easement along Spring Canyon Creek, and authorize Clerk's signature on Parcel Map No. 37-188.  
**Bauer moved; Hunt seconded**  
**Vote: 5 Yes; 0 No**

#### COUNTY COUNSEL

- 7a) Personnel Appeals Board Pool Changes - Modifications to the appointment of members to the standing pool of individuals eligible to serve as personnel appeals board members.

**M11-290** **Action:** Pursuant to Section 540(A) of the County Personnel System applicable to County employees whose positions are represented by the Mono County Public Employees (MCPE) and Deputy Probation Officers (DPO) bargaining units: (1) Remove Julie Tiede from the standing pool of available Personnel Appeals Board members with respect to each bargaining unit she is currently assigned to; (2) Appoint Ralph Obenberger in Julie Tiede's place to both pools; (3) Remove Rita Sherman from the standing pool of available Personnel Appeals Board members with respect to the MCPE pool; and (4) Appoint Clay Neely to the MCPE pool in Rita Sherman's place.  
**Bauer moved; Hunt seconded**  
**Vote: 5 Yes; 0 No**

#### SHERIFF CORONER

- 8a) Renewal of 2012 Annual Operating and Financial Plan for Controlled Substances with the Inyo National Forest - This is an ongoing contract that is renewed annually. This agreement supports the operation to suppress manufacturing and trafficking of controlled substances on or affecting the administration of National Forest System lands, with an emphasis on identification, apprehension, and prosecution of suspects engaged in these activities.

**M11-291** **Action:** Authorize the Sheriff's Department to participate and renew the contract with the U.S. Department of Agriculture, Forest Service, Inyo National Forest regarding the 2012 Controlled Substances Operating and Financial Plan. Authorize the Board of Supervisors Chairman to sign the above mentioned

contract. Authorize Sheriff Richard C. Scholl to sign said contract.

**Bauer moved; Hunt seconded**

**Vote: 5 Yes; 0 No**

Supervisor Hazard asked about a match from the General Fund. Sheriff Scholl: This grant does not require a match; the Forest Service provides the money.

## FINANCE

9a) Petty Cash Funds - Consider elimination of petty cash funds of \$20.00 for Child Support and \$50.00 for Public Works in Bridgeport.

**M11-292 Action:** Approve elimination of petty cash funds for Child Support and Public Works in Bridgeport.

**Bauer moved; Hunt seconded**

**Vote: 5 Yes; 0 No**

9b) Letter of Support, AB 1191 (Brian Muir) - Letter of Support for AB 1191.

**M11-293 Action:** Approve and authorize the Chairman's signature on a letter of support to Assembly Member Alyson Huber in regards to AB 1191.

**Bauer moved; Hunt seconded**

**Vote: 5 Yes; 0 No**

## 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

10a) California Pacific Electric Company Notice of Rate Increase - Notice received in the Clerk's office from California Pacific Electric Company regarding General Rate Increase Pursuant to the Post Test Year Adjustment Mechanism Attrition Factor for 2012. This is informational only; we aren't aware of any Mono County residents that might be impacted by this.

10b) Suddenlink Information - Correspondence received from Suddenlink, dated December 7, 2011 informing customers that there will be no change in the price of a number of Suddenlink's locally available services and equipment. Also included in this correspondence are details of limited price increases. This is informational only.

10c) Community Development Department - Vista Towers LLC Hearing Notice - Notice from the Community Development Department, dated November 28, 2011 regarding Vista Towers, LLC Initial Study including project description/location, public review period, and public hearing information.

- Supervisor Johnston: It seems unusual to have this notice listed on the agenda.  
Supervisor Hazard: The notice is advisory and came through the mail. This may have been an unusual circumstance.

**The Board acknowledged receipt of the correspondence.**

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## BOARD OF SUPERVISORS

- 11a) Resolution of Appreciation, Dave O'Hara (Chairman Hazard) - Resolution of appreciation honoring Dave O'Hara upon his retirement from the Mono County Sheriff's Department and Mono County.

**Action:** None.

Sheriff Scholl: Read the resolution and presented it to Lt. O'Hara in honor of his retirement at the end of the month. This resolution truly honors Lt. O'Hara for his many years of service to Mono County.

The Sheriff and the Board of Supervisors wished Lt. O'Hara the best of luck and thanked him for his years of service.

## PUBLIC WORKS - ENGINEERING DIVISION

- 12a) Agreement for Airport Consulting Services (Garrett Higerd) - Contract with Reinard W. Brandley, Airport Engineer to provide as-needed consulting services for the operation and management of the County's airport facilities.

**M11-294** **Action:** Authorize the Chair of the Board of Supervisors, in consultation with County Counsel, to execute and administer a five-year professional services agreement with Reinard W. Brandley of Loomis, California, to provide airport planning, environmental, engineering, design and construction management services in an amount not to exceed \$417,500. This authorization shall include making minor amendments to said agreement from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work or budget and are approved as to form and legality by County Counsel. Per Diem will be paid per the fee schedule.

**Hunt moved; Bauer seconded**

**Vote: 5 Yes; 0 No**

Garret Higerd, Public Works, provided the following information:

- This program has been ongoing for many years; Higerd has been working on it for just the past few months.
- The contract with PBS&J expired last year, so Public Works put out a new Request for Qualifications, and received two RFQs. Based on his qualifications, Reinard W. Brandley is the most qualified.
- The proposed contract is for five years, which is allowed by the FAA. Tasks include general engineering (an airport capital improvement plan will be developed that is reviewed annually with FAA); Bryant field runway reconstruction; and Lee Vining Airport revegetation.
- The 5% match has been supplemented by Caltrans.
- The FAA is interested in small rural airports for general safety reasons, and these airports serve law enforcement, fire, and medical professionals.

Supervisor Johnston: Asked about the work to be done at Bryant field; asked for clarification about the per diem; and asked if \$250 per hour was a reasonable rate.

- Higerd: Bryant Field will have full asphalt rehabilitation.
- Tara McKenzie, Deputy County Counsel: The per diem is included in the fee schedule that is attached to the contract, so that is the agreed upon rate. The body of the contract can be reworded to be more specific.
- Brian Muir, Finance Director: \$140 per day for per diem is reasonable since it includes both meals and lodging.
- Higerd: The \$250 hourly rate is reasonable since the contractor has special knowledge

within this area of expertise. From the work accomplished to date, the contractor is efficient and effective and is making Mono County's interest his priority. The contract will be charged on time and materials, so the County will only pay for services received. The Request for Qualifications was an open process; fees and rates play a role but are considered after qualifications. No local contractor submitted an RFQ.

Supervisor Hazard: 1) Since Caltrans has paid a portion of construction costs, Hazard will support this contract with the understanding that Caltrans will continue to pay that portion so this project is not competing for funding with other County projects. 2) A citizen raised a concern about this company because of their tie to Mammoth Airport and questionable relationship with FAA. The question has been resolved.

## ELECTIONS

13a) Election Worker Compensation (Lynda Roberts) - Amend Resolution R09-68 pertaining to certain expenditures for the benefit of Election Workers to include reimbursement for attendance at required training sessions.

**R11-89** **Action:** Adopt Resolution #R11-89, A Resolution of the Mono County Board of Supervisors Authorizing Certain Expenditures Pertaining to Election Workers and Designating the Amount of Compensation to be Paid to Election Workers.  
**Bauer moved; Johnston seconded**  
**Vote: 5 Yes; 0 No**

Lynda Roberts, Registrar of Voters: Reviewed information presented in the staff report. It is important to incentivize poll workers to attend the training, which is required. The cost is minimal, and it is fair to pay them for their time.

## BOARD OF SUPERVISORS

### **Additional Departments: CAO/HR**

14a) Employment Contract -- County Counsel (Jim Arkens) - Proposed resolution #R11-90 approving an employment agreement with Marshall Rudolph and prescribing the compensation, appointment, and conditions of said employment.

**R11-90** **Action:** Adopt Resolution #R11-90 approving an employment agreement with Marshall Rudolph and prescribing the compensation, appointment, and conditions of said employment.  
**Hunt moved; Bauer seconded**  
**Vote: 4 Yes; 1 No (Johnston)**

Jim Arkens, CAO/HR Director: Marshall Rudolph reports directly to the Board. This is a four-year contract with no increase; Rudolph is eligible for performance pay. The new contract is the same as it has been for the last two years.

Supervisor Bauer: Marshall's hourly rate is probably much lower than a private attorney's hourly rate. His work is excellent and his service is valuable to the County. Bauer supports management contracts as written. The County has an impressive management team, and the Board has honored their contracts.

Supervisor Johnston: Thanked Marshall for his service to the County. In the near future, the County will be faced with potentially severe economic issues, so Johnston can't generally support management contracts as worded since there is no way to revise the contracts. Johnston believes performance pay and the auto allowance should be phased out, and does not believe it is appropriate to use County vehicles for commuting.

Supervisor Hazard: In reference to the 23-county survey, Hazard asked for an update at a

future meeting so the Board can have a policy discussion about management contracts rather than address each individual contract.

Supervisor Hansen: Concurred with Johnston's concern since Mono County may face financial issues in the future.

14b) Mono Lake Tufa State Natural Reserve (Supervisor Hansen) - Update on the Mono Lake State Tufa Natural Reserve park closure issue after the Mono Basin RPAC Meeting. This item is on the agenda at the request of Supervisor Hansen.

**Action: None**

Supervisor Hansen: This item is a follow-up of the last RPAC meeting. Mono Lake won't be closed so the community believes it can now move on. Hansen expressed disappointment with members of the State Parks office and elected officials for not providing a copy of the concessionaire agreement. Hansen asked the Public Works Director to consider plowing the picnic ground road so the public has access during winter months.

Supervisor Hazard: Asked staff to provide information about the legal status of the road.

Jeanne Sisson, Acting Sector Superintendent for the area: Mono Lake State Park will stay open; the Bodie Foundation's proposal was instrumental in keeping the lake open. Money collected will be used for the benefit of the park. Sisson talked about the interface between non-profit organizations and the state regarding park management, and talked about the required criteria. Many organizations showed an interest in helping with the Mono Lake State Park, but the Bodie proposal was the most expedient way to get the park off the closure list. The Bodie Foundation has no management authority; State Parks will retain that authority. Status quo will prevail at this point. Sisson is working to make a copy of the Bodie Foundation permit available.

Supervisor Bauer: Attendees at the recent RPAC meeting agreed that Ms. Sisson was very respectful when dealing with the public, and they felt confident with her ability to help resolve this problem.

Supervisor Johnston: Thanked all those involved for stepping up to get the park off the closure list.

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**LUNCH**

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

**No one spoke.**

**ECONOMIC DEVELOPMENT**

15a) Air Service Research Results & Update (John Urdi - Executive Director, Mammoth Lakes Tourism) - Presentation by John Urdi, Executive Director, Mammoth Lakes Tourism, regarding Air Service Research Results and Update.

**M11-295 Action:** Affirm participation in the Eastern Sierra Air Alliance (ESAA) and designate Supervisor Hap Hazard to represent the Board at this committee. Authorize expenditure of \$85,000 approved during the Fall 2011 budget hearing.

**Bauer moved; Hunt seconded**

**Vote: 4 Yes; 1 No (Hansen)**

John Urdi, Mammoth Lakes Tourism, provided the following update about the past year's efforts:

- Cooperative Marketing: The Mono County logo was included on advertising materials,

events brochures, posters, the annual vacation planner, and a banner hanging at the Mammoth Airport.

- Cooperative Efforts: Advertising, consumer trade shows, public relations, educational seminars, and promotional activities.
- Updates about air service: 1) employment at the airport has increased due to more flights; 2) FlightView is available for real-time check on status of flights; 3) cancelled flight card provides information and outlines options if a flight is cancelled; 4) van companies may provide transportation back to LA when a flight is cancelled; 5) a video at the airport provides a four-season message that includes information about skiing and ice climbing at June Lake and fishing at Rock Creek.
- Number of passengers in summer 2011 was up from 2010 (April through November).
- Winter outlook 2011-12: Urdi outlined the number of flights and cities of origination.
- Eastern Sierra Air Alliance: purpose will be to explore funding options by increasing private participation; develop benefits to give businesses for participating; and discuss marketing efforts, new routes, markets and carriers.
- Summer Event Research: conducted surveys at special events, airport terminal, rental cars, taxi trips, and lodging establishments. Urdi reviewed the results of the surveys.
- AMEX Research: tracks the customer's entire trail of spending for their trip to Mono County. Period measured was April 15-September 15; Urdi presented information pertaining to expenditures in Mono County outside of the 93546 zip code area. He is working with VISA to get the same information.
- The air subsidy will be higher this year than last year due to an increase in fuel costs. The cost may be about \$150,000 more than anticipated, but it is a marketing expense to get people to the area.

#### Board Comments

- Supervisor Hazard: Attended the Mammoth Lakes Airport Commission meeting; the presentation was very insightful and detailed. He would like to have this presented at a Board of Supervisors meeting. The State of California Department of General Services has a contract with airline service providers that allow governmental agencies to access contract rates. If agencies utilize Mammoth Airport, this would open a mid-week market.
- Supervisor Johnston: Asked for more details about why a subsidy is needed, the total cost, and who is paying the subsidy. There is some reluctance to subsidize private business. Expressed concern about the County's economic future and competing needs, such as snow plowing vs. airline subsidy. He noted that the County is making improvements to the airport road, thus providing more than \$85,000 in support.
  - Urdi: The subsidy is needed because of opportunity costs to the airline; they may lose money by flying to Mammoth rather than to another area. Urdi briefly reviewed the current subsidy arrangement. During the winter months, Mammoth Mountain provides the subsidy and a line of credit.
- Supervisor Bauer: The program appears to be working. The County should be part of the negotiating process. Bauer believes the County is on the right track with the \$85,000 subsidy.
- Supervisor Hunt: Does not have a solid opinion about the appropriate level of County participation. Questions need to be addressed and the County needs to be "at the table" asking questions before making a large financial commitment.
- Supervisor Hansen: Believes the County should be part of this but is not certain how much funding the County should provide.

Board Members and Mr. Urdi generally discussed the best types of planes for this area, originating cities, airlines' points of view (opportunity costs), potential markets, questions about the future, and how lack of snow so far this year is impacting the flights.

## BOARD OF SUPERVISORS

- 16a) Mammoth Lakes Trails and Public Access (John Wentworth, MLTPA CEO and Board President) - John Wentworth will present an update detailing the current state of the Mammoth Lakes Trail System (MLTS); recent developments and future actions related to the system, such as the adoption of the Trail System Master Plan; and data reflecting MLTPA's efforts as a contractor to the Town of Mammoth Lakes in support of this system. Supervisors Hunt and Johnston sponsored this agenda item.

**Action:** This item was deferred to the January 17, 2012, meeting.

## COUNTY COUNSEL

- 17a) Realignment Initiatives (Marshall Rudolph) - Receive information regarding and potentially discuss two proposed initiative measures (for November 2012) pertaining to realignment: The Local Taxpayers, Public Safety, and Local Services Protection Act of 2012, proposed by the California State Association of Counties (CSAC); and The Schools and Local Public Safety Protection Act, proposed by Governor Brown.

**Action:** None

Marshall Rudolph, County Counsel: A related item will be agendaized for the January 3<sup>rd</sup> meeting, so this discussion will continue on January 3<sup>rd</sup>. Rudolph provided background information and an overview of the issue, which is fast-moving and changing:

- Basically, state functions will be shifted to counties (i.e. criminal functions and health and human services); funding will be shifted to the counties.
- CSAC is concerned about lack of funding protection. There is no constitutionally protected source of revenue; realignment will require the Legislature to annually approve funding.
- CSAC has put together a proposed ballot measure for the November 2012 election.
- Newest development this month: The Governor has proposed a measure to deal with this issue in terms of creating protection for revenue sources, but it also deals with aspects of funding for schools.
- Prop 98 was passed in the 1990s, and it amended the constitution in order to create a minimum funding level for schools (at least 40% of the state's budget). Designating funding for counties will reduce the amount available from the state's general fund for schools. The Governor's measure addresses this issue and creates protection for Prop 98.
- Neither measure provides a guarantee that designated funding will be sufficient.
- Certain funding sources (state sales tax, DMV fees) would be put into a local revenue fund for realignment programs. The difference between the two measures is the definition of realignment: CSAC is more precise per legislation that was passed; the Governor views the definition more broadly.
- Both measures provide continuous appropriations, allow for alternative/replacement funding, take funding approval away from the Legislature, and include funding for unanticipated expenses. Providing a protected revenue source is in both versions.
- LAO (Legislative Analyst's Office) released an analysis this past Friday. Rudolph read from the analysis.
- The CSAC formula calls for a specific percent of revenues, which will go up and down. It also allows the Legislature to redirect money as long as they provide an alternative funding source.
- Copies of the full measures are in the agenda packet. Rudolph reviewed the

differences between the two measures (CSAC's and the Governor's).

Supervisor Hazard: The CSAC legislation is a possible fix, but it may not pass. The Governor's proposal is also lacking; it will be a tax initiative and could fail. Both measures are troubling. Hazard expressed concern about a potential CSAC dues increase to make the fix work (if it passes). He asked for direction from the Board about how they want him to weigh in.

Supervisor Bauer: Early polls show support for the Governor's version. She expressed concern about a potential split within CSAC if they increase their dues.

ADJOURN: 4:05 p.m.

Adjourn the meeting in memory of Gabe Capata, a family friend of Supervisor Hazard's.

ATTEST:

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DUANE "HAP" HAZARD  
CHAIR

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LYNDA ROBERTS  
CLERK OF THE BOARD

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