



AGENDA

BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

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

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

Regular Meeting January 17, 2017

TELECONFERENCE LOCATIONS: 1) First and Second Meetings of Each Month: Mammoth Lakes CAO Conference Room, 3rd Floor Sierra Center Mall, 452 Old Mammoth Road, Mammoth Lakes, California, 93546; 2) Third Meeting of Each Month: Mono County Courthouse, 278 Main, 2nd Floor Board Chambers, Bridgeport, CA 93517. Board Members may participate from a teleconference location. Note: Members of the public may attend the open-session portion of the meeting from a teleconference location, and may address the board during any one of the opportunities provided on the agenda under Opportunity for the Public to Address the Board.

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

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

9:00 AM Call meeting to Order

Pledge of Allegiance

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

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

2. **APPROVAL OF MINUTES - NONE**

3. **RECOGNITIONS - NONE**

4. **BOARD MEMBER REPORTS**

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

5. **COUNTY ADMINISTRATIVE OFFICE**

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

6. **DEPARTMENT/COMMISSION REPORTS**

7. **CONSENT AGENDA**

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

A. Allocation from Fish and Game Fine Fund to Eastern Sierra Wildlife Care

Departments: Economic Development

On Wednesday, July 6, 2016, the Mono County Fisheries Commission recommended a \$3,500.00 expenditure over the next three years for a total expenditure of \$10,500 from the Fish and Game Fine Fund to support Eastern Sierra Wildlife Care.

Recommended Action: The Board consider and approve the recommendation by the Mono County Fisheries Commission to allocate an annual sum of \$3,500.00 (Three Thousand Five Hundred Dollars) over the next three years for a total sum of \$10,500.00 (Ten Thousand Five Hundred Dollars) from the Fish and Game Fine Fund to support Eastern Sierra Wildlife Care.

This action is a permissible use of the Fish and Game Fine Fund money per the Fish and Game Code Section 13103 article (b).

Fiscal Impact: Mono County receives roughly \$7,500.00 on an annual basis from the Department of Fish and Wildlife. Currently \$7,500.00 is available in the budget for this expenditure. If approved the \$3,500.00 expenditure would bring the available balance in this account to \$4,000.00.

B. Appointment to Treasury Oversight Committee

Departments: Finance

Appoint Mary (Mollie) Nugent to the Mono County Treasury Oversight Committee.

Recommended Action: Appoint Mary (Mollie) Nugent to the Mono County Treasury Oversight Committee.

Fiscal Impact: None.

C. Appointments in Lieu of Election

Departments: Clerk of the Board

Appointment of Directors of Special Districts in Lieu of Election. The following Special District has two vacancies to be filled: Chalfant Valley Fire Protection/Community Services District. This Special District has submitted names for appointment/reappointment, as outlined in staff report. These terms will expire on 11/30/2020. The Board of Supervisors is the governing body under Elections Code Section 10515 to make these appointments.

Recommended Action: Make appointments to Chalfant Valley Fire/Community Services District, as recommended, to fill special district board vacancies.

Fiscal Impact: None.

D. Antelope Valley RPAC Bylaws Ratification

Departments: CDD

The Antelope Valley Regional Planning Advisory Committee (AVRPAC) bylaws have been amended to conform to Board of Supervisor's RPAC Purpose and Procedures.

Recommended Action: Ratify the revised AVRPAC bylaws.

Fiscal Impact: None.

E. Behavioral Health Advisory Board Updated Bylaws

Departments: Board of Supervisors

The Behavioral Health Advisory Board's Bylaws were updated and approved by the Advisory Board at their August 2016 meeting.

Recommended Action: Approve the updated Behavioral Health Advisory Board Bylaws.

Fiscal Impact: None.

8. CORRESPONDENCE RECEIVED

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

A. Mono County Fisheries Commission

Departments: Clerk of the Board

Correspondence dated December, 2016 from Gaye Mueller, Chairperson of the Mono County Fisheries Commission, regarding concerns about the wild trout populations in the Eastern Sierra and in support of the Slinkard Creek Project.

B. Letter from CA Water Boards

Departments: Clerk of the Board

Letter dated January 3, 2017 to Louis Molina of the Mono County Health Department regarding drinking water. The Board was cc'd on this correspondence.

C. Carle Letter Regarding Sanctuary Status for Mono County

Departments: Clerk of the Board

Email correspondence dated January 12, 2017 from Ryan Carle of Lee Vining regarding the Board's consideration of "Sanctuary Status" for Mono County.

9. REGULAR AGENDA - MORNING

A. Workshop: Implementation of Sustainable Groundwater Management Act

Departments: County Counsel

1 hour (30 minute presentation; 30 minute discussion)

(Stacey Simon) - Presentation by County Counsel Stacey Simon regarding implementation of Sustainable Groundwater Management Act (SGMA), including discussion of SGMA requirements as applied to Mono County; of Mono County's options regarding designation of one or more Groundwater Sustainability Agencies within the Owens Valley Groundwater Basin; and related issues.

Recommended Action: Hear presentation; consider and discuss potential options available to Mono County under SGMA. Provide any desired direction to staff.

Fiscal Impact: Fiscal impact is uncertain at this time. Fiscal impact may vary significantly depending on option(s) ultimately selected by Mono County, as well as by requirements imposed by state agencies and other external factors.

B. Resolution Restoring Three Positions to the County Administration Office

Departments: CAO

40 minutes (10 minute presentation; 30 minute discussion)

(Leslie Chapman) - 1. Proposed resolution to modify the Personnel Allocation List and restore three positions to the County Administrator's office. 2. Budget amendment to allocate contingencies or Economic Stabilization funds for two of the positions.

Recommended Action: 1. Adopt proposed resolution #R17-__, Authorizing the County Administrative Officer to add three positions to the Personnel Allocation

List: Assistant County Administrative Officer, Deputy CAO – Director of Communications and Human Resources Generalist. 2. Approve budget amendment to use contingencies and/or economic stabilization funds to fund the Assistant County Administrator and the Human Resources Generalist positions. (4/5 vote required.) 3. Delay funding and recruitment for the Deputy Director of Communications until next fiscal year to ensure that adequate funding is available.

Fiscal Impact: Assistant County Administrative Officer - \$60,144 including benefits for the remainder of the 2016-17 fiscal year, and \$180,433 for a full year; **Human Resources Specialist** - \$35,562 including benefits for the remainder of the 2016-17 fiscal year, and \$106,689 for a full year; **Deputy CAO – Communications Director** - \$0 including benefits for the remainder of the 2016-17 fiscal year, and \$139,951 for a full year. If the Assistant CAO and the HR Generalist are funded, a total of \$95,706 will need to be appropriated from contingencies or economic stabilization funds.

C. 2% Cost of Living Adjustment for County Administrative Officer

Departments: County Counsel, Finance

10 minutes (5 minute presentation; 5 minute discussion)

(Stacey Simon and Janet Dutcher) - Proposed resolution adjusting base compensation for County Administrative Officer to provide 2% COLA.

Recommended Action: 1. Orally report fiscal impact. 2. Adopt proposed resolution R17-_____, establishing and adjusting the 2017 base compensation for the County Administrative Officer to implement the same 2% cost of living adjustment provided to other county employees. Provide any desired direction to staff.

Fiscal Impact: The additional cost for this position for the remainder of FY 2016-2017 (Jan 1 – June 30) is \$2,268 of which \$1,600 is salary, \$382 is the employer portion of PERS, and \$286 is the cost of benefits. Total additional cost for a full fiscal year would be \$4,535 of which \$3,200 is annual salary, \$764 is the employer portion of PERS and \$571 is the cost of benefits. The cost of this increase is included in the FY 2016-2017 adopted budget.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

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

11. CLOSED SESSION

A. Closed Session - Real Property Negotiations

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: Sierra Center Mall, Mammoth Lakes. Agency negotiators: Leslie Chapman, Janet Dutcher, Tony Dublino, Stacey Simon. Negotiating parties: Mono County and Highmark Mammoth Investments, LLC.

Under negotiation: Price and terms of payment.

B. Closed Session--Human Resources

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Stacey Simon, Leslie Chapman, and Dave Butters. 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.

C. Closed Session - Initiation of Litigation

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

D. Closed Session - Public Employment

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

E. Closed Session - Public Employment

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Clerk/Recorder.

F. 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. Administrative Citation - Czeschin.

THE REGULAR AGENDA WILL RECONVENE NO EARLIER THAN 1:00 P.M.

12. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

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

13. REGULAR AGENDA - AFTERNOON

A. HOME Investment Partnership Program

Departments: Finance

10 minutes (5 minute presentation; 5 minute discussion)

(Jennifer Halferty) - Approve Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development Department for funding under the Home Investment Partnerships Program (HOME) and if selected the execution of a Standard Agreement and amendments thereto and of any related documents necessary to participate in the HOME Investment Partnerships Program to fund the Mono County First Time Homebuyer Program.

Recommended Action: Approve Resolution 17-__ authorizing the submittal of an application to the California State Department of Housing and Community Development Department for funding under the Home Investment Partnerships Program (HOME) and if selected the execution of a Standard Agreement and amendments thereto and of any related documents necessary to participate in the HOME Investment Partnerships Program to fund the Mono County First Time Homebuyer Program.

Fiscal Impact: The HOME application is for up to an additional \$1,000,000 to provide continued funding for the Mono County First Time Homebuyer Program. The current Mono County HOME loan portfolio consists of five loans for total valuation of \$660,227 ranging from \$77,700 – \$165,352. These five loans have leveraged \$782,443 in private funding for a total of \$1.459 million in real estate investment in unincorporated Mono County.

B. Reclassification of Social Services Employees to Align with State Analysis

Departments: Social Services

15 minutes (5 minute presentation; 10 minute discussion)

(Kathryn Peterson) - Reclassification of Eligibility Workers and Integrated Caseworkers to conform to Job Analysis/Worker Classification Study performed by the CPS HR Consulting (Merit System Services).

Recommended Action: Adopt Resolution R17-__ authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to add three Eligibility Specialist Trainee I/II, one Eligibility Specialist III, one Eligibility Specialist Supervisor, three Integrated Caseworker I/II, one Integrated Caseworker III, one Supervising Caseworker and delete three Eligibility Worker I/II, one Eligibility Worker III, one Eligibility Worker Supervisor, one Integrated Caseworker I/II, one Integrated Caseworker III, and one Supervising Integrated Caseworker

Fiscal Impact: The additional cost for these fully staffed position reclassifications for the remainder of FY 2016- 2017 (January to June 2017) is approximately \$23,561 of which \$17,838 is salary and \$5,723 is the cost of the benefits. Total additional cost for a full fiscal year (2016-2017) would be \$47,123 of which \$35,676 is annual salary and \$11,447 is the cost of benefits. The funds for these additional costs will require a midyear budget amendment. There is no cost to the Mono County General Fund for the proposed increase; the cost for this position this year and in subsequent fiscal years is paid for with Social Services funds.

C. Public Works Restructure - Road

Departments: Public Works - Road

20 minutes (5 minute presentation; 15 minute discussion)

(Jeff Walters) - Restructure to restore parity in the Public Works Superintendent positions. The proposed restructure would establish parity between the Supervisor and Superintendent positions within Public Works.

Recommended Action: Adopt proposed resolution R17-_____, Authorizing the County Administrative Officer to amend the County List of Allocated Positions to Eliminate one Road Operations Supervisor and to Add one Road Operations Superintendent in the Public Works Department. Provide any desired direction to staff.

Fiscal Impact: Annual cost of restoring parity is \$87,732 for salaries and \$57,780 for benefits, for a total increase of \$27,348, to be paid out of Road Fund.

D. Update on Status of Jail Renovation/Replacement Project

Departments: Public Works, Sheriff, CAO, Finance

30 minutes (5 minute presentation, 25 minute discussion)

(Garrett Higerd) - Update on status of efforts to secure site adjacent to existing jail facility for construction of jail annex and on issues related to the preparation of a grant proposal for funds to construct that annex or, alternatively, to construct a new facility on the site of the old County hospital on Twin Lakes Road.

Recommended Action: Hear staff report. Provide any desired direction to staff.

Fiscal Impact: The fiscal impact associated with today's discussion is the cost to prepare and submit an application for SB 844 funding, is largely included in an existing contract with Nacht and Lewis to provide jail architecture services not to exceed \$111,735. Additional costs are anticipated to be \$12,510 for updated jail population projections and no more than \$20,976 for Mike Booher consulting, plus staff time. The fiscal impact of completing the project will be refined as part of the complete funding application and will be presented to your board along with financing options before the application is submitted to the Board of State and Community Corrections (BSCC).

E. Resolution for Exception to 180-day Wait Period under PERS Laws

Departments: County Counsel, Public Works, Sheriff, Finance, CAO

10 minutes (5 minutes presentation, 5 minutes discussion)

(Stacey Simon and Garrett Higerd) - Proposed resolution certifying critical need for appointment of Mono County retiree Mike Booher to part-time, limited term, non-benefitted position of Jail Operations/Needs Specialist.

Recommended Action: Adopt proposed resolution providing necessary certifications for exception to the 180-day wait period under Government Code

sections 7522.56 & 21224 for the limited term, part-time employment of PERS retiree Glenn Michael Booher as Jail Operations/Needs Specialist. Provide any desired direction to staff.

Fiscal Impact: Up to \$20,976 to be funded from the remaining unencumbered balance budgeted for the Jail project in fund 190, Capital Improvement Projects.

F. Extension of Temporary Moratorium on Commercial Cannabis Activities

Departments: Community Development

PUBLIC HEARING - 3:00 P.M. (30 minutes)

(Michael Draper) - Public hearing pertaining to request for approval of interim ordinance No. 17_ of the Mono County Board of Supervisors extending the temporary moratorium prohibiting commercial medical and recreational marijuana activities, including commercial cultivation, distribution, transportation, delivery, storage, manufacturing, processing, provision or sale of cannabis products in the unincorporated area of Mono County established by Mono County Ordinance 16-11.

Recommended Action: Following public hearing adopt proposed ordinance No. 17- extending the temporary moratorium prohibiting commercial medical and recreational marijuana activities, including commercial cultivation, distribution, transportation, delivery, storage, manufacturing, processing, provision or sale of cannabis products in the unincorporated area of Mono County established by Mono County Ordinance 16-11. Provide any desired direction to staff.

Fiscal Impact: No impact to general fund.

ADJOURN



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: Economic Development

TIME REQUIRED

SUBJECT Allocation from Fish and Game Fine
Fund to Eastern Sierra Wildlife Care

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

On Wednesday, July 6, 2016, the Mono County Fisheries Commission recommended a \$3,500.00 expenditure over the next three years for a total expenditure of \$10,500 from the Fish and Game Fine Fund to support Eastern Sierra Wildlife Care.

RECOMMENDED ACTION:

The Board consider and approve the recommendation by the Mono County Fisheries Commission to allocate an annual sum of \$3,500.00 (Three Thousand Five Hundred Dollars) over the next three years for a total sum of \$10,500.00 (Ten Thousand Five Hundred Dollars) from the Fish and Game Fine Fund to support Eastern Sierra Wildlife Care.

This action is a permissible use of the Fish and Game Fine Fund money per the Fish and Game Code Section 13103 article (b).

FISCAL IMPACT:

Mono County receives roughly \$7,500.00 on an annual basis from the Department of Fish and Wildlife. Currently \$7,500.00 is available in the budget for this expenditure. If approved the \$3,500.00 expenditure would bring the available balance in this account to \$4,000.00.

CONTACT NAME: Jeff Simpson

PHONE/EMAIL: 760-924-4634 / jsimpson@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

[Staff Report](#)

[Fish and Game Fine Fund Expenditure Uses](#)

History

Time	Who	Approval
1/12/2017 6:01 AM	County Administrative Office	Yes
1/9/2017 9:44 AM	County Counsel	Yes
1/8/2017 2:54 PM	Finance	Yes



MONO COUNTY

ECONOMIC DEVELOPMENT and SPECIAL PROJECTS

P.O. BOX 603, MAMMOTH LAKES, CALIFORNIA 93546
(760) 924-4634 • (760) 924-1697 (Fax)

Alicia Vennos
Economic Development Manager
Avennos@mono.ca.gov
760-924-1743

Jeff Simpson
Economic Development Manager
Jsimpson@mono.ca.gov
760-924-4634

STAFF REPORT

January 17, 2017

TO: Honorable Board of Supervisors

From: Jeff Simpson, Economic Development Manager

SUBJECT: Fish and Game Fine Fund Expenditure.

RECOMMENDATION: The Board consider and approve the recommendation by the Mono County Fisheries Commission to allocate an annual sum of \$3,500.00 (Three Thousand Five Hundred Dollars) over the next three years for a total sum of \$10,500.00 (Ten Thousand Five Hundred Dollars) from the Fish and Game Fine Fund to support Eastern Sierra Wildlife Care.

BACKGROUND: On Wednesday, July 6, 2016, the Mono County Fisheries Commission approved a \$3,500.00 expenditure over the next three years for a total expenditure of \$10,500 from the Fish and Game Fine Fund to support Eastern Sierra Wildlife Care.

Eastern Sierra Wildlife Care is dedicated to helping native wildlife through rehabilitation of injured, ill and orphaned birds, mammals, and reptiles and by furthering public knowledge and appreciation of wildlife through education. Songbirds, hawks, owls, water birds, and small mammals are brought to us from as far north as Bridgeport and Walker and as far south as Olancho.

Scope of Work:

1. Eastern Sierra Wildlife Care (ESWC), a non-profit, 501(c)(3) tax-exempt corporation, will provide services for Mono County by rehabilitating wild animals in need of help. This includes, but is not limited to, injured, ill and orphaned wildlife. ESWC will provide appropriate care, food and housing with the goal of returning them to their natural, wild existence. All care is provided free of charge by ESWC to community members, visitors to the area, US Forest Service, Bureau of Land Management, police and sheriff departments, California Highway Patrol, LADWP, Southern California Edison and Caltrans.

2. ESWC headquarters is located in Inyo County with satellite facilities in Mono County and operates under permits from California Department of Fish and Game and the United States Fish and Wildlife Services [regulations governing wildlife rehabilitation are set forth in CDFG and USFWS codes].

3. Provide annually to County a written statement of all work completed under this Agreement no later than February 1, 2018 - 2020.

DISCUSSION: This action is a permissible use of the Fish and Game Fine Fund money per the Fish and Game Code Section 13103 article (b).

FISCAL IMPACT: Mono County receives roughly \$7,500.00 on an annual basis from the Department of Fish and Wildlife. Currently \$7,500.00 is available in the budget for this expenditure. If approved the \$3,500.00 expenditure would bring the available balance in this account to \$4,000.00.

13102. Expenditures from the fish and game propagation fund of any county shall be subject to the provisions of Division 3 (commencing with Section 29000) of Title 3 of the Government Code.

13103. Expenditures from the fish and wildlife propagation fund of any county may be made only for the following purposes:

(a) Public education relating to the scientific principles of fish and wildlife conservation, consisting of supervised formal instruction carried out pursuant to a planned curriculum and aids to education such as literature, audio and video recordings, training models, and nature study facilities.

(b) Temporary emergency treatment and care of injured or orphaned wildlife.

(c) Temporary treatment and care of wildlife confiscated by the department as evidence.

(d) Breeding, raising, purchasing, or releasing fish or wildlife which are to be released upon approval of the department pursuant to Sections 6400 and 6401 onto land or into waters of local, state, or federal agencies or onto land or into waters open to the public.

(e) Improvement of fish and wildlife habitat, including, but not limited to, construction of fish screens, weirs, and ladders; drainage or other watershed improvements; gravel and rock removal or placement; construction of irrigation and water distribution systems; earthwork and grading; fencing; planting trees and other vegetation management; and removal of barriers to the migration of fish and wildlife.

(f) Construction, maintenance, and operation of public hatchery facilities.

(g) Purchase and maintain materials, supplies, or equipment for either the department's ownership and use or the department's use in the normal performance of the department's responsibilities.

(h) Predator control actions for the benefit of fish or wildlife following certification in writing by the department that the proposed actions will significantly benefit a particular wildlife species.

(i) Scientific fish and wildlife research conducted by institutions of higher learning, qualified researchers, or governmental agencies, if approved by the department.

(j) Reasonable administrative costs, excluding the costs of audits required by Section 13104, for secretarial service, travel, and postage by the county fish and wildlife commission when authorized by the county board of supervisors. For purposes of this subdivision, "reasonable cost" means an amount which does not exceed 3 percent of the average amount received by the fund during the previous three-year period, or three thousand dollars (\$3,000) annually, whichever is greater, excluding any funds carried over from a previous fiscal year.

(k) Contributions to a secret witness program for the purpose of facilitating enforcement of this code and regulations adopted pursuant to this code.

(l) Costs incurred by the district attorney or city attorney in investigating and prosecuting civil and criminal actions for violations of this code, as approved by the department.

(m) Other expenditures, approved by the department, for the purpose of protecting, conserving, propagating, and preserving fish and wildlife.

13104. The department may audit, or require the county to audit, expenditures by the county from its fish and wildlife propagation fund in order to determine compliance with this chapter.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: Finance

TIME REQUIRED

SUBJECT Appointment to Treasury Oversight
Committee

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Appoint Mary (Mollie) Nugent to the Mono County Treasury Oversight Committee.

RECOMMENDED ACTION:

Appoint Mary (Mollie) Nugent to the Mono County Treasury Oversight Committee.

FISCAL IMPACT:

None.

CONTACT NAME: Janet Dutcher

PHONE/EMAIL: x5494 / jdutcher@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Staff Report
<input type="checkbox"/> Resolution R13-114
<input type="checkbox"/> Committee Member List
<input type="checkbox"/> Mollie Nugent Application

History

Time	Who	Approval
1/4/2017 5:36 PM	County Administrative Office	Yes
1/4/2017 12:38 PM	County Counsel	Yes
12/30/2016 3:51 PM	Finance	Yes



DEPARTMENT OF FINANCE

COUNTY OF MONO

Gerald A. Frank
Assistant Finance Director
Treasurer-Tax Collector

Janet Dutcher, CPA, CGFM
Finance Director

Stephanie Butters
Assistant Finance Director
Auditor-Controller

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

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

Date: January 17, 2016

To: Honorable Board of Supervisors

From: Finance: Janet Dutcher, Gerald Frank

Subject: Appointment to Treasury Oversight Committee

Recommendation:

Per Government Code section 27131(a) and Mono County Resolution No. R13-114, confirm nominated member to sit on the Treasury Oversight Committee.

Discussion:

On December 17, 2013, your Board approved Resolution R13-114 establishing the Treasury Oversight Committee and authorizing the treasurer to nominate members to sit on the Committee, subject to confirmation by your Board (Gov't Code §27131(a)). We are pleased to present the following nominee who was chosen because they are required by the Government Code, affiliated with an organization that participates in the County Treasury or they responded to an advertisement that was published in the local papers:

1: Mary (Mollie) Nugent, Business Manager, ESUSD

On December 7, 2016, the Treasury Oversight Committee recommended Mary (Mollie) Nugent for a seat on the Treasury Oversight Committee.

Fiscal Impact:

None

Attachments:

1. Mono County Resolution No. R13-114
2. Application for Appointment
3. Committee Member List



1
2
3
4
5

RESOLUTION NO. R13- 114
BOARD OF SUPERVISORS, COUNTY OF MONO
RESOLUTION OF THE MONO COUNTY BOARD OF
SUPERVISORS ESTABLISHING TREASURY
OVERSIGHT COMMITTEE

6
7
8

WHEREAS, the State Legislature has declared that the creation of a county treasury oversight committee will promote the public interest by involving depositors, enhancing the security and investment return on their funds by providing a more stable and predictable balance for investment by establishing criteria for the withdrawal of funds, and

9
10
11
12
13

WHEREAS, the Board of supervisors in each county may, if the county is investing surplus funds, establish a county treasury oversight committee. The Board of Supervisors, in consultation with the county treasurer, shall determine the exact size of the committee, which shall consist of 3 – 11 members, and the categories from which the members shall be represented, as specified in subdivision (a) to (g), inclusive, of Section 27132. Members shall be nominated by the treasurer and confirmed by the Board of Supervisors.

14

NOW, THEREFORE, THE BOARD OF SUPERVISORS HEREBY RESOLVES:

- 15
16
17
18
19
20
21
22
1. The County Treasury Oversight Committee is hereby established and shall consist of eight members representing the following categories:
 - a. One member or other representative of the Board of Supervisors
 - b. The County Finance Director
 - c. The County Assistant Finance Director, Treasurer/Tax Collector, representing the category of county treasurer
 - d. The County Superintendent of Schools or designee
 - e. Four members of the public appointed by the Board of Supervisors.
 2. The Committee and its members shall conduct their affairs in accordance with all applicable statutory requirements (see Government Code §§ 27130 through 27137).

23
24

APPROVED AND ADOPTED this 17 of Dec 2013, by the following vote of the Board of Supervisors, County of Mono:

25

AYES : Supervisors Fesko, Hunt, Johnston and Stump.

26

NOES : None.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ABSENT : Supervisor Alpers.

ABSTAIN : None.



**BYNG HUNT, CHAIRMAN
BOARD OF SUPERVISORS
COUNTY OF MONO**

ATTEST:



**LYNDA ROBERTS
CLERK OF THE BOARD**

APPROVED AS TO FORM:



**MARSHALL RUDOLPH
COUNTY COUNSEL**



**COUNTY OF MONO, CALIFORNIA
TREASURY OVERSIGHT COMMITTEE**

COMMITTEE MEMBERS

Janet Dutcher, CPA, CGFM.....Mono County Director of Finance
Gerald A. Frank..... Mono County Assistant Director of Finance, Treasurer- Tax Collector
Larry Johnston.....Supervisor, Mono County Board of Supervisors
Caty Ecklund.....Chief Business Officer, Mono County Office of Education
Brooke Bien.....Business Manager, Mammoth Unified School District
George R. Savage.....Retired CPA/Court Fiscal Officer
Shields RichardsonMember, Town Council, Town of Mammoth Lakes
Daniel C. Holler.....Town Manager, Town of Mammoth Lakes, *Alternate Member*
Fred Stump.....Supervisor, Mono County Board of Supervisors, *Alternate Member*

**MONO COUNTY
APPLICATION FOR APPOINTMENT
TO BOARDS/COMMISSIONS/COMMITTEES**

DATE	12/05/16
NAME	Mary (Mollie) Nugent
POSITION APPLIED FOR:	
Treasury Oversight Committee Member	
RESIDENCE ADDRESS	21 Kingsley St #11 Bridgeport CA 93517
PHONE	707-396-7102
BUSINESS ADDRESS	Box 575 Bridgeport CA 93517
PHONE	760-932-7443
OCCUPATION	School Business Manager

How did you learn of the opening? Staff referral

Please state briefly any experience of which you feel will be helpful when you serve in this appointment: 30 years experience in financial management in school districts & private business management

Other information may be submitted by resume if desired.

Summary of background and skills: Management oversight of \$9 mil. annual budget; oversight of all business/accounting functions; annual audit coordination; Chief business official to the Board of Trustees

Professional experience: see above.

Education: BS in Public Administration,
concentration in Accounting

Professional and/or community organizations: CASBD, Chamber of Commerce (former)

Personal interests and hobbies: Christian Service/volunteerism,
hiking, reading, travel

No: Have you ever been convicted of a felony, which would disqualify you from appointment? If you are appointed and cannot be bonded as required, your appointment will be revoked.

If you desire a personal interview or wish to address the Board, you may contact the Board of Supervisor's Office directly at (760) 932-5533.

Please return application to: Clerk of the Board
County of Mono
P. O. Box 715
Bridgeport, CA 93517

M. August
Signature

12/5/16
Date



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Appointments in Lieu of Election

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Appointment of Directors of Special Districts in Lieu of Election. The following Special District has two vacancies to be filled: Chalfant Valley Fire Protection/Community Services District. This Special District has submitted names for appointment/reappointment, as outlined in staff report. These terms will expire on 11/30/2020. The Board of Supervisors is the governing body under Elections Code Section 10515 to make these appointments.

RECOMMENDED ACTION:

Make appointments to Chalfant Valley Fire/Community Services District, as recommended, to fill special district board vacancies.

FISCAL IMPACT:

None.

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Chalfant Fire Staff Report](#)

History

Time	Who	Approval
1/11/2017 6:03 PM	County Administrative Office	Yes
1/10/2017 2:54 PM	County Counsel	Yes
1/9/2017 8:04 AM	Finance	Yes



Larry Johnston~District One Fred Stump~ District Two Tim Alpers ~ District Three
Tim Fesko ~ District Four Stacy Corless ~ District Five

BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517

(760) 932-5538 • FAX (760) 932-5531

Shannon Kendall, Acting Clerk of the Board

To: Honorable Board of Supervisors
From: Shannon Kendall, Acting Clerk/Recorder/Registrar of Voters
Date: January 17, 2017

Subject:

Appointments in lieu of election to Mono County Special District

Discussion:

The following special district has two vacancies that need to be filled and have submitted the following names for appointment/reappointment. These terms will expire 11/30/2020:

Chalfant Valley Fire Protection and Community Services District	2 vacancies	Christina Rockwell Bonnie Swain
--	-------------	------------------------------------

This situation is governed by Elections Code section §10515 and by Board Resolution R12-64, which provide for the Board of Supervisors to appoint a qualified person to the district board. Per that resolution, if the district board recommends a qualified person for such an appointment, then that recommendation is to be brought to the Board of Supervisors for consideration.

Recommendation:

Make appointments, as recommended above, to fill various special district board vacancies.

Fiscal Impact:

None.



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

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: CDD

TIME REQUIRED

SUBJECT Antelope Valley RPAC Bylaws
Ratification

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

The Antelope Valley Regional Planning Advisory Committee (AVRPAC) bylaws have been amended to conform to Board of Supervisor's RPAC Purpose and Procedures.

RECOMMENDED ACTION:

Ratify the revised AVRPAC bylaws.

FISCAL IMPACT:

None.

CONTACT NAME: Gerry Le Francois

PHONE/EMAIL: 924.1810 / glefrancois@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
staff report
Bylaws

History

Time

Who

Approval

1/12/2017 11:42 AM	County Administrative Office	Yes
1/9/2017 9:49 AM	County Counsel	Yes
1/8/2017 2:51 PM	Finance	Yes

Mono County Community Development Department

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

Planning Division

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

January 17, 2017

To: Mono County Board of Supervisors
From: Gerry Le Francois, Principal Planner
Subject: Amend the Antelope Valley Regional Planning Advisory Committee (AVRPAC) bylaws

Action Requested

Ratify the recent amendments to the AVRPAC bylaws.

Fiscal/Mandates Impact

No fiscal impacts are expected.

Current Fiscal Year Budget Projections

No impact is expected on current fiscal year budget projections.

Discussion

At its November and December meetings, the AVRPAC discussed revisions and recommended changes to the existing bylaws to clarify compliance with Board of Supervisors purpose and procedures for Regional Planning Advisory Committees. The attachment is in legislative format for your review and consideration.

If you have any questions regarding this item, please contact Gerry Le Francois at 924.1810 or glefrancois@mono.ca.gov

BYLAWS OF THE

ANTELOPE VALLEY REGIONAL PLANNING ADVISORY COMMITTEE

The Antelope Valley Regional Planning Advisory Committee is a body of citizens from Antelope Valley, appointed by the Mono County Board of Supervisors, to provide the Board with input from the Community on matters as outlined in the Revised Statement of Purpose and Procedures updated February 2016.

PURPOSE:

As adopted by Mono County Board of Supervisors, February 2016, and made a part hereto:

MEETING RULES & PROCEDURES:

1. Meetings will be conducted in compliance with the Brown Act.
2. Meetings ~~will~~ may be conducted in accordance with Roberts Rules of Order. The Chair has the discretionary power on the degree of formality exercised.
3. Meetings will be held on the First Thursday of each month, or as needed.
4. Special Meetings may be called by the Chair or a majority vote of the membership.
5. To revise, amend or change any of these Rules & Procedures, requires a 2/3 majority vote of the membership voting at two (2) consecutive meetings.

OFFICERS:

Officers shall consist of:

1. Chairperson
2. Vice-Chairperson
3. Secretary

ELECTIONS:

Elections will be held at the regular meeting in January of each year. Vote will be decided by a simple majority of the membership.

MEMBERSHIP:

The AVRPA shall consist of fifteen (15) members with staggered four year terms. Membership is open to all residents, business operators and landowners in the community.

To be eligible to make application, applicant must:

1. Apply to local Supervisor, who may recommend applicant to the Board.
2. If approved by the Board of Supervisors, applicant then becomes a member.
3. An RPAC member can be removed only by recommendation of the local supervisor and action by the Board of Supervisors.

ALTERNATE MEMBERSHIP:

1. The number of alternate members allowed on the waiting list for regular membership shall be limited to three (3). Alternates will be required to follow same rules as regular members regarding attendance, etc.
2. In the absence of a full complement of regular voting members, alternate members are allowed to vote on issues, based on the order of their seniority on the waiting list for regular membership. The alternate must abide by the rules applying to regular members.
3. Alternate members must meet the eligibility requirements of regular members 1- 2 above.

ATTENDANCE:

1. Members are encouraged to attend all meetings.



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

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: Board of Supervisors

TIME REQUIRED

SUBJECT Behavioral Health Advisory Board
Updated Bylaws

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

The Behavioral Health Advisory Board's Bylaws were updated and approved by the Advisory Board at their August 2016 meeting.

RECOMMENDED ACTION:

Approve the updated Behavioral Health Advisory Board Bylaws.

FISCAL IMPACT:

None.

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Bylaws Update

History

Time

Who

Approval

1/12/2017 6:34 AM	County Administrative Office	Yes
1/10/2017 2:33 PM	County Counsel	Yes
1/11/2017 1:30 PM	Finance	Yes



**MONO COUNTY BEHAVIORAL HEALTH ADVISORY
BOARD**

COUNTY OF MONO

**P.O. Box 2619, Mammoth Lakes, CA 93546 PHONE: 760-
924-1740 FAX: 760-924-1741**

To: Board of Supervisors

From: Supervisor Stacy Corless, Behavioral Health Advisory Board

Subject: Revised Behavioral Health Advisory Board Bylaws

Recommended Action:

Approve updated Behavioral Health Advisory Board Bylaws. The bylaws were updated and approved by the Advisory Board at their August 2016 meeting. The new bylaws reflect changes in California's Welfare and Institutions Code since the last bylaws update, and have been reviewed by County Counsel. The revised bylaws are included for review.

Fiscal Impact:

Unknown.

Strategic Plan Alignment: The role of the Behavioral Health Advisory Board to inform and support the work of the Behavioral Health Department and programs funded by the Mental Health Services Act falls under the 2016-17 Focus Area of "Public Safety" and the Strategic Direction of "Supporting Healthy People in Healthy Communities."



MONO COUNTY BEHAVIORAL HEALTH ADVISORY BOARD

COUNTY OF MONO

**P.O. Box 2619, Mammoth Lakes, CA 93546 PHONE: 760-924-1740 FAX:
760-924-1741**

MONO COUNTY BEHAVIORAL HEALTH ADVISORY BOARD

BYLAWS

Article I

Function and Responsibility

The Mono County Behavioral Health Advisory Board (hereinafter "the Board") was created by Resolution 88-76 of the Mono County Board of Supervisors. The authority of the Board comes from the Bronzan-McCorquodale Act (Welfare and Institutions Code Section 5604), Health and Safety Code Sections 11964 and 11806, and Resolution 88-76 of the Board of Supervisors.

The function of the Board is advisory to the Mono County Board of Supervisors and to the Director of the Behavioral Health Department, whose duties require consultation with the Board. The Board provides liaison between the community and staff and helps distribute information to the public. The Board advises and evaluates the various functions and policies of the Behavioral Health Department that are under the direction of the Behavioral Health Director and jurisdiction of the Mono County Board of Supervisors.

A. The Board shall do all of the following:

1. Review and evaluate the community's mental health needs and alcohol and drug problems and the services and facilities organized to address these needs and problems.
2. Review any County agreements entered into pursuant to Welfare and Institutions Code (hereinafter "WIC") Section 5650.
3. Advise the Mono County Board of Supervisors and the local Behavioral Health Director as to any aspect of departmental programs.
4. Review and approve the procedures used to ensure citizen and professional involvement at all stages of the planning process.

- F. If it is not possible to secure membership as specified from among persons who reside in the County, the Mono County Board of Supervisors may substitute representatives of the public interest in mental health who are not full-time or part-time employees of the County mental health service, the State Department of Health Care Services, or on the staff of, or a paid member of the governing body of, a Bronzan-McCorquodale contract agency.
- G. All resignations from the Board shall be submitted in writing to the Board Chairperson or to an officer who will forward it to the Board of Supervisors. The resigning member should provide as much advance notice as possible.
- H. A member whose term is expiring should notify the Board at least ninety (90) days before the end of his/her term whether or not he/she wishes to continue on the Board. At the next meeting the Board will review the resignation or reapplication and the Board of Supervisors will be requested to advertise the vacancy.
- I. Any member of the Board may be removed by the Board of Supervisors whenever in its judgment the interests of the Advisory Board would be best served thereby.
- J. Resignation from the Board must be in writing and received by the Clerk of the Board of Supervisors. A Board member shall be recommended for removal for excess absences from the Board if she/he has three unexcused absences from Board meetings in a year. A Board member may be recommended for removal for other reasons by a three-fourths vote of the remaining Board members.
- K. When a vacancy on the Board exists, the Board may recommend replacements to the Board of Supervisors. Replacement recommendations for new members may be received from present Board members by the Secretary two weeks in advance of a Board meeting. These recommendations shall be sent out to Board members with the regular Board meeting announcement, to be voted on at the next Board meeting. These vacancies will be filled only to the end of the vacant membership term.

Article III

Mission Statement

The mission of the Board is to support individuals by promoting recovery, self-determination, and wellness in all aspects of life.

Article IV

Meetings

- A. The Board is governed by Government Code Section 54950 et seq., known as the Brown Act. All meetings shall be open and public, and all persons shall be permitted to attend any meeting, except as otherwise provided in Gov. Code Section 54950 et seq.
- B. Regular meetings of the Board will be held every other month at the offices of Mono County Behavioral Health Department located in Mammoth Lakes. A meetings schedule

the names of those present or represented at the meeting, and the proceedings thereof. The Secretary shall keep, or cause to keep, these bylaws and a list of all members of this Board their names and addresses, when appointed and when terminated. It shall be the duty of the Secretary to give, or cause to give, public notice regarding meetings as required by law. The Secretary may be required to perform other duties as may from time to time be assigned by the Board or prescribed by law or these bylaws.

Article VI

Committees

- A. The Board may establish an Executive Committee consisting of the Chairperson, the Secretary, and a member of the Board of Supervisors. If the Chairperson and the Secretary are both unavailable, then the Vice Chair may serve as an alternate for that meeting.
- B. The Chairperson may appoint special purpose committees as necessary. Members of a special purpose committee may include the general public who are not members of the Board.
- c. The Chairperson may also appoint an Ad Hoc Bylaw Committee to review the Bylaws and to make recommendations to the Board.
- D. Committee meetings are generally subject to the Brown Act.

Article VII

Non-Discrimination

The Board shall not discriminate in any of its actions on the basis of: race, religion, gender, age, disability, medical condition, sexual orientation, gender identity, national origin, ethnicity or any other form of discrimination prohibited by Federal and State laws.

Article VIII


Bylaw Amendments


The foregoing bylaws were developed by the Board and approved by the Board of Supervisors pursuant to Welfare and Institutions Code section 5604.5. Any proposed amendments to the bylaws that the Board may develop from time to time shall similarly be approved by the Board of Supervisors.


Adopted by the Mono County Behavioral Health Advisory Board this 8th day of August, 2016.


By:


Reviewed and adopted by
Board Members:

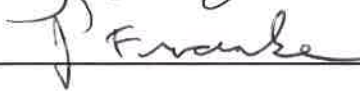












Reviewed and adopted by:

Chair, Mono County Board of Supervisors

Date: _____



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Mono County Fisheries Commission

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Correspondence dated December, 2016 from Gaye Mueller, Chairperson of the Mono County Fisheries Commission, regarding concerns about the wild trout populations in the Eastern Sierra and in support of the Slinkard Creek Project.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Shannon Kendall

PHONE/EMAIL: x5533 / skendall@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[MCFC Letter](#)

History

Time	Who	Approval
1/12/2017 6:10 AM	County Administrative Office	Yes
1/6/2017 2:19 PM	County Counsel	Yes

1/8/2017 2:28 PM

Finance

Yes

TO: Bureau of Land Management, California Dept. of Fish and Wildlife, Fish & Game Commission, Mono County Board of Supervisors

Dear Sirs,

December, 2016

The Mono County Fisheries Commission (MCFC) is concerned about our wild trout populations in the Eastern Sierra especially considering the introduction of triploid stocked Rainbow trout by CDFW. We are supportive of seeing Lahoutan Cutthroat Trout (LCT) being populated into Lower Slinkard Creek in the Walker Basin.

The current strategy in the Walker Basin has been to secure and maintain the existing headwater populations of LCT and to expand the LCT habitat specifically on Lower Slinkard Creek. Since 2003, a series of fires resulted in 1.25 miles of brook trout occupation and since. CDFW has attempted to obtain funding and crews to remove the remaining brook trout from Lower Slinkard Creek. Crews have attempted to remove the brook trout with blasting and electroshocking, spending well over \$100,000 and the project is nowhere near complete. Approximately 3 miles of stream need to have brook trout removed as well as re-surveys of previously treated streams.

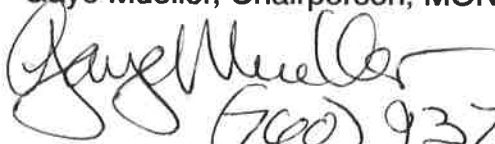
CDFW has collaborated to try other methods of eradication of the brook trout in the past decade and feels the most cost effective solution is to treat the waters with rotenone. Through the mid-1990's, active management using rotenone has restored four headwater population. Slinkard Creek, which flows through the CDFW Little Antelope Wildlife Area and BLM lands, was the first water to be treated with rotenone in the Walker Basin for LCT, but due to the presence of an effective barrier on State land, only one mile of stream was treated.

Mono County Fisheries Commission is requesting that BLM and CDFW allow the use of rotenone to restore a native population of LCT in Lower Slinkard Creek. The treatment would be timed for late Fall when water flows are lower with an attempt to conduct 2 treatments in the same season. Detoxification with potassium permanganate will occur but the detoxified water will not reach the West Walker River, as most of the whole of Slinkard Creek is diverted into agricultural ditches. Many LCT currently in the lower section of Slinkard Creek will be removed prior to treatment.

MCFC Is committed to seeing the sustainability of our LCT population. We have funded a study by Trout Unlimited and CDFW to analyze the spawning of the spring LCT in Rush Creek. Working with TU and Cal Trout, we hope to continue this study to the spawning streams in McGee Creek. And we are watching the development of a private LCT Hatchery in Smith Valley, Nevada.

Please consider our request to use rotenone to remove brook trout from wild trout LCT waters of Lower Slinkard Creek as we feel CDFW's biologists have devoted decades of study on the most effective way to sustain wild LCT populations.

Gaye Mueller, Chairperson, MONO COUNTY FISHERIES COMMISSION



(760) 937-2942



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

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: Clerk of the Board

TIME REQUIRED

SUBJECT Letter from CA Water Boards

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

Letter dated January 3, 2017 to Louis Molina of the Mono County Health Department regarding drinking water. The Board was cc'd on this correspondence.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME: Helen Nunn

PHONE/EMAIL: x5534 / hnunn@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p> Water letter</p>

History

Time	Who	Approval
1/11/2017 2:47 PM	County Administrative Office	Yes
1/11/2017 2:05 PM	County Counsel	Yes

1/11/2017 3:29 PM

Finance

Yes

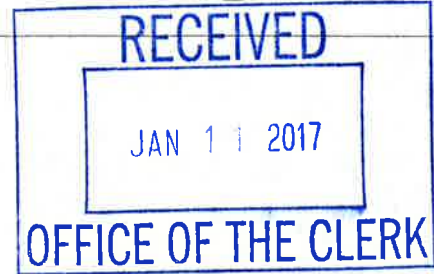


EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water



January 3, 2017

Mr. Louis Molina, Director
Mono County Environmental Health Department
P.O. Box 3329
Mammoth Lakes, CA 93546

Dear Mr. Molina:

Pursuant to Health and Safety Code, section 116271 (i), on July 1, 2014, the State Water Resources Control Board (hereinafter "State Board" or "Board") assumed the rights, obligations, liabilities and duties of the State Department of Public Health with respect to the Local Primacy Delegation Agreement (hereinafter "Agreement") entered into by the County of **Mono** (hereinafter "County") and the State Department of Public Health for purposes of administering the California Safe Drinking Water Act. In accordance with section 4.01 of the Agreement, the State Board hereby amends the Agreement as further described below (hereinafter "Amendments"). Unless otherwise noted, all Amendments are effective as of **April 1, 2017**. The State Board has delegated to the Deputy Director for the Division of Drinking Water (Division) the authority to administer the local primacy delegation program for small water systems. (See State Board Resolution No. 2014-0029.)

LPA Delegation Agreement Amendments

I. Renaming ARTICLE II. TERMS OF DELEGATION to "ARTICLE II. LPA PROGRAM REQUIREMENTS."

II. Amending Section 2.01 by:

A. Amending Section 2.01 (a) to read: Issuance. The County shall cause the LPA to issue and maintain a valid drinking water permit ("Permit") for each public water system within the County's jurisdiction for which the State Board concurs that the permit may be issued as provided for in Health & Safety Code, section 116540 (b) (as amended by SB 1263 (2016)). The County shall cause the LPA to submit to the State Board a copy of each permit application for a new public water system and each technical report required by

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

Health & Safety Code, section 116527. The County shall prohibit the LPA from issuing a Permit to any public water system unless it has received written concurrence from the State Board to issue the Permit. The Permit must be issued in conformity with and include all terms and conditions set forth in the Safe Drinking Water Act and the Permit Manual on the Division's FTP website (<https://ftp.waterboards.ca.gov/WebInterface/login.html>), and on any successor website, (hereinafter FTP website). The State Board shall notify the County within three (3) business days of making any change to any requirement on the FTP website that is referenced in the Agreement or these Amendments with which the County is required to comply.

B. Deleting Section 2.01 (d).

III. Amending Section 2.04 (e) to read:

Monitoring and Review. Establish and maintain a system to ensure that each public water system under its jurisdiction: (A) Is in compliance with all applicable requirements of California Code of Regulations, Title 22; and (B) Submits all required water quality data electronically to the Board. The County shall be deemed to be in compliance with requirement (A) with regard to any public water system that is out of compliance so long as the County is taking appropriate and timely enforcement action as provided for in Section 2.07.

IV. Amending Section 2.05 by deleting the existing introductory paragraph and subparagraphs (a) through (e), and adding the following subparagraphs:

- (a). The County shall cause the LPA to comply with the Board's instructions on the FTP website regarding issuance of unsafe water alerts, including, but not limited to, notifying the agencies identified in the document.
- (b). The County shall cause the LPA to use: (1) SDWIS-State to report to the Division on or before 30 days after the last day of each calendar quarter each of those data elements in SDWIS-State that are being implemented by the Division; (2) SDWIS -State to report to the Division any additional data element within 90 days of being notified that the Division has implemented the additional element; and (3) any database that is a successor to SDWIS-State within 90 days of being notified that the Division has implemented the successor database as directed by the Board. The County shall cause the LPA to comply with all guidance on the Division's FTP SDWIS website (hereinafter "FTP- SDWIS website") relating to SDWIS-State data entry procedures and compliance management rules.
- (c). The County shall cause the LPA to submit to the Board's Division of Information Technology an electronic PDF copy of each citation and each order issued by the LPA within 30 days of issuance and shall use the file naming convention and submission procedures that are provided on the FTP website.
- (d). The County shall cause the LPA to submit to the Board an electronic copy of each pleading initiating a civil or criminal action that the County has filed or referred for filing against a public water system within 30 days of the later of the date of filing of the pleading or the date of receipt by the County of the pleading.
- (e). The County shall cause the LPA to submit to the Board a written list of issued, amended, or renewed domestic water supply permits for each public water system under

the LPA regulatory jurisdiction electronically no later than 30 days after the last day of each calendar quarter. The list shall be in the format specified on the FTP website.

(f). The County shall cause the LPA to comply with all requests from the Board to issue an amended permit to public water systems regardless of whether the public water system submitted an application for an amended permit, provided that the Board has determined that the amended permit is necessary to protect public health.

(g). The County shall cause the LPA to make all reasonable effort to provide to the Board any communications it receives, including, but not limited to, reports of oral communications, relating to matters under the Board's authority that are not delegated to the LPA.

(h). The County shall cause the LPA to provide to the Board within five (5) business days all petitions for reconsideration as described in Health and Safety Code section 116701 that the LPA receives from public water systems, and shall not take any other action with regard to any petition for reconsideration.

V. Amending Section 2.06 to read:

Unless otherwise directed by the Board, the County shall cause the LPA to: (a) by March 1 of each calendar year, direct all public water systems under its jurisdiction to submit by April 1 of each calendar year to the DRINC website an electronic annual report (hereinafter "EAR"); (b) by June 1 of each calendar year review each EAR and, if complete, accept such EAR; (c) by June 15 of each calendar year notify each public water system that failed to submit a timely, complete EAR that the water system must submit a complete EAR by July 1; and (d) by July 15, issue a citation or compliance order to each public water system that has not submitted a complete EAR. The LPA shall comply with the FTP website's EAR guidance documents.

VI. Amending Section 2.07 to read:

The County shall cause the LPA to take appropriate and timely enforcement action against small public water systems in accordance with California Code of Regulations, Title 22, section 64258 and consistent with the Division's Staff Guide to Compliance and Enforcement on the Division's Enforcement webpage (<http://drinc.ca.gov/tgs/Login.aspx?ReturnUrl=Contact.aspx>).

VII. Renaming ARTICLE III. LPA PROGRAM REQUIREMENTS to "ARTICLE III. LPA MANAGEMENT REQUIREMENTS."

VIII. Amending Section 3.01 to read:

The County shall cause the LPA to submit as a part of its Annual Work Plan pursuant to section 2.02: 1) the proposed staffing level for the fiscal year; and 2) justification that will demonstrate the proposed staffing level will meet the requirements of the Agreement.

IX. Amending Section 3.04 to read:

The County shall cause the LPA to establish and maintain a time accounting system that provides an accurate record of all time spent by each LPA staff person in performing

public water system activities. Each entry in the time accounting system must include the following: date, staff identification, activity name/code, hours spent on activity.

The County shall notify the Division of Drinking Water no later than **10 working business days upon receipt** of this letter, stating whether the County accepts the terms and conditions of the Amendments and will implement all Amendments beginning on the effective date stated above. Failure to submit a timely notification may result in the State Board taking action to initiate a revocation of the Mono County Local Primacy Delegation Agreement.

If you have any questions or concerns, please contact Wendy Killou at (916) 449-5158 or by email at wendy.killou@waterboards.ca.gov.

Sincerely,



Darrin Polhemus, Deputy Director
Division of Drinking Water

cc: Mono County Board of Supervisors
P.O. Box 715
Bridgeport, CA 93517

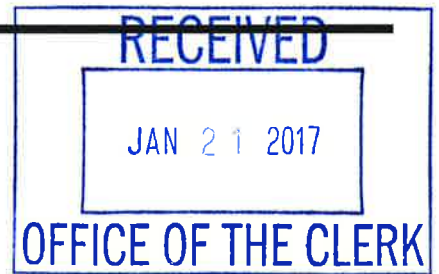
Richard Johnson, MD, MPH
Mono County Health Officer
P.O. Box 3329
Mammoth Lakes, CA 93546

SWRCB-DDW-San Bernardino District Engineer
464 W. 4th Street, Room 437
San Bernardino, CA 92401

ECM

Shannon Kendall

From: Leslie Chapman
Sent: Thursday, January 12, 2017 12:01 PM
To: Shannon Kendall
Subject: FW: Please consider Sanctuary Status for Mono County



From: [Ryan Carle](#)
Sent: Thursday, January 12, 2017 9:21 AM
To: [Bob Gardner](#)
Subject: Please consider Sanctuary Status for Mono County

Dear Supervisor Gardner,

I am writing to encourage Mono County to join the over 80 other counties and cities in California that have declared “sanctuary status” for undocumented immigrants by vowing to not dedicate local law enforcement efforts or funding to cooperation with federal immigration enforcement.

As I’m sure you’re aware, our president-elect has vowed to deport millions of undocumented immigrants—something that would be impossible, inhumane, and devastating for our economy and the social fabric of our Mono County communities. According to the 2010 U.S. Census, 26.5% of the population of Mono County identified as Latino or Hispanic. Many of these people are immigrants—some are documented, some are not. They work all manner of jobs in Mono County, supporting our economy greatly. They are engaged and valued members of our communities. Many of Mono County’s Latino families are of mixed documented and undocumented status, such that deportation of some family members but not others would tear their families apart.

The wholesale deportation that Trump is proposing would also negatively impact our county’s tourism-based economy by taking away a large number of people working in service and other jobs. Local police collaboration with federal immigration agents destroys trust between community members and local law enforcement, making it less likely that crimes go reported or that people call 911 when they really need help. Finally, Sanctuary status makes sense because our county law enforcement are already stretched thin in terms of resources and personnel in Mono County, and it is not their directive or job to enforce federal immigration law.

Local governments, such as the Mono County Board of Supervisors, are a critical first defense against extreme policies coming out of Washington DC. According to a Department of Homeland Security “Declined Detainer Outcome Report” from 2014, 48 of California’s 58 counties (83%) already have resolutions stating they are Sanctuary counties. Why isn’t Mono County one of them?

On January 10th, 2017, Santa Cruz County passed a resolution affirming their status as a Sanctuary County. I have included their resolution below as a great example of what Mono County could do. Please consider adopting a similar resolution for Mono County, for the sake of our communities.

Thanks very much
Ryan Carle
370 Peeler Lake Drive,
Lee Vining

RESOLUTION TO MAINTAIN TRUST AND SAFETY FOR LOCAL IMMIGRANTS

WHEREAS, many Santa Cruz County residents have deep concerns about the potential policies and actions of the President-Elect; and

WHEREAS, many immigrants are particularly fearful in the wake of the election; and

WHEREAS, it is important to make it clear that we are one community in Santa Cruz County and all of our children, mothers, fathers, sisters and brothers, regardless of immigration status, contribute to the social and economic fabric of this community; and

WHEREAS, it is important for our Board to make a statement of support to the immigrant community and for

the County to be a place of sanctuary for immigrants who live and work in our community; and
WHEREAS, a relationship of trust between California's immigrant residents and our local agencies, including law enforcement, schools, and hospitals, is essential to carrying out basic local functions; and
WHEREAS, that trust is threatened when local agencies are involved in immigration enforcement; and
WHEREAS, a strong community is one that includes people of all backgrounds and invests in all of its people;
and

WHEREAS, Santa Cruz County will be a model for a more just and equitable society for everyone.

NOW, THEREFORE, BE IT RESOLVED BY THE SANTA CRUZ COUNTY BOARD OF SUPERVISORS:

1. Santa Cruz County hereby declares itself a place of sanctuary in that no County resources may be used to assist in the enforcement of Federal immigration law or to gather or disseminate information regarding the immigration status of individuals or any other such personal information unless such assistance is required by Federal or State statute, regulation, or court decision.
2. The Santa Cruz County Board of Supervisors commends the Sheriff for not entangling his department with federal immigration policies and for building trust with all the communities his department serves.
3. The Santa Cruz County Board of Supervisors directs County departments to review their confidentiality policies in order to ensure that eligible individuals are not deterred from seeking services or engaging with County services based on immigration status.

Top of Form

Bottom of Form



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: County Counsel

TIME REQUIRED 1 hour (30 minute presentation; 30 minute discussion)

PERSONS APPEARING BEFORE THE BOARD Stacey Simon

SUBJECT Workshop: Implementation of Sustainable Groundwater Management Act

AGENDA DESCRIPTION:

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

Presentation by County Counsel Stacey Simon regarding implementation of Sustainable Groundwater Management Act (SGMA), including discussion of SGMA requirements as applied to Mono County; of Mono County's options regarding designation of one or more Groundwater Sustainability Agencies within the Owens Valley Groundwater Basin; and related issues.

RECOMMENDED ACTION:

Hear presentation; consider and discuss potential options available to Mono County under SGMA. Provide any desired direction to staff.

FISCAL IMPACT:

Fiscal impact is uncertain at this time. Fiscal impact may vary significantly depending on option(s) ultimately selected by Mono County, as well as by requirements imposed by state agencies and other external factors.

CONTACT NAME: Stacey Simon

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

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Staff Report](#)

[Owens Valley Groundwater Basin Map](#)

[Additional Map](#)

History

Time	Who	Approval
1/4/2017 6:43 PM	County Administrative Office	Yes
1/5/2017 9:35 AM	County Counsel	Yes
1/5/2017 9:05 AM	Finance	Yes

County Counsel
Stacey Simon

Assistant County Counsel
Christian E. Milovich

Deputy County Counsels
Stephen M. Kerins
Anne M. Larsen

**OFFICE OF THE
COUNTY COUNSEL**

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

Telephone
760-924-1700

Facsimile
760-924-1701

Paralegal
Jenny Senior

To: The Honorable Board of Supervisors
From: Steve Kerins, Deputy County Counsel
Date: January 10, 2017
Re: Workshop re: Implementation of Sustainable Groundwater Management Act

Recommended Action

Hear presentation regarding implementation of Sustainable Groundwater Management Act ("SGMA"), including discussion of SGMA requirements as applied to Mono County; of Mono County's options regarding designation of one or more Groundwater Sustainability Agencies ("GSAs") within the Owens Valley Groundwater Basin; and related issues. Provide any desired direction to staff.

Strategic Plan Focus Area(s) Met

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

Fiscal Impact

Fiscal impact is uncertain at this time. Fiscal impact may vary significantly depending on option(s) ultimately selected by Mono County, as well as by requirements imposed by state agencies and other external factors.

Discussion

Local agencies throughout California are now working to comply with the Sustainable Groundwater Management Act ("SGMA", California *Water Code* section 10720 *et seq.*), a recent state law imposing significant new requirements for groundwater management. Today's workshop is intended to provide a refresher on certain specific SGMA requirements, with an emphasis on Mono

County's options regarding the critical next step of Groundwater Sustainability Agency ("GSA") formation. Following today's workshop, if your Board is interested in exploring the possibility of the County becoming a GSA for certain areas within its jurisdiction, a public hearing must be scheduled for that purpose. Given time constraints, we have tentatively reserved time for such a hearing during your Board's regular meeting on February 7, 2017.

A. Background

The California Department of Water Resources ("DWR") has ranked hundreds of groundwater basins throughout the state as high-, medium-, low-, or very low-priority, using criteria found in section 10933 of the *Water Code*. (See *Water Code* §§ 10933; 10722.4.) Under SGMA, basins ranked high- and medium-priority must be managed by GSAs under Groundwater Sustainability Plans ("GSPs") on a phased timetable. (See *e.g. Water Code* § 10720.7.)

Although there are several groundwater basins lying wholly or partly in Mono County, only the Owens Valley Groundwater Basin has been ranked as medium-priority by DWR. There are no high-priority basins in Mono County. The Owens Valley Groundwater Basin is a long, thin groundwater basin situated primarily in Inyo County. (See attached map.) It extends into Mono County in two locations. First, the Owens Valley basin extends north of the Inyo County line at Laws into the Tri-Valley area, and continues generally along Route 6 to the Nevada border. (DWR has decided to add Fish Slough to the Owens Valley basin, which also falls in this general area.) Second, a lobe of the Owens Valley basin extends north of the Inyo County line into the Swall Meadows area of Mono County.

As your Board will recall, Mono County, along with the Tri-Valley Groundwater Management District ("TVGMD") (a special district with jurisdiction over groundwater issues in most of the Tri-Valley portion of the Owens Valley basin), supported a request filed by Inyo County to subdivide the Owens Valley basin into two formal subbasins. DWR denied that request, while also adding Fish Slough to the Owens Valley basin as noted above.

Your Board should also be aware of an additional complicating factor: the Owens Valley Groundwater Basin is partially adjudicated, meaning that a portion of the basin (in Inyo County) is already subject to a degree of court-ordered management as a result of the Long Term Water Agreement between Inyo County and the City of Los Angeles. (See *Water Code* § 10720.8, subd. (c); see also <http://www.inyowater.org/documents/governing-documents/water-agreement/>.) The operation of the Long Term Water Agreement, and its corresponding recognition under SGMA, may affect the management of the Owens Valley basin under any GSP or GSPs ultimately adopted.

B. Groundwater Sustainability Agencies: Options for the Owens Valley

SGMA contemplates that a GSA, or a combination of GSAs, will manage each high- and medium-priority basin in California. With respect to the Owens Valley Groundwater Basin, and as your Board may know, the Inyo County Board of Supervisors has already held a public meeting to discuss the possibility that Inyo County will designate itself a GSA for those portions of the basin within its jurisdiction. In addition, formal meetings of potentially interested stakeholders will begin to take place shortly.

The general rule under SGMA is that “any local agency or combination of local agencies overlying a groundwater basin may decide to become a groundwater sustainability agency for that basin.” (*See Water Code* § 10723, subd. (a).) In most cases, a county will be a default GSA for any area within a high- or medium-priority basin not within the management area of another GSA. (*See ibid.* § 10724.) But, the statute also designates the TVGMD as “the exclusive local agenc[y]” within its statutory boundaries with powers to comply with SGMA. (*See id.* § 10723, subd. (c)(1)(I).) (That is, if the TVGMD chooses to become a GSA within its boundaries, no other agency, including Mono County, may so choose.) **As of this writing, the TVGMD is planning to hold a public hearing on Wednesday, January 18, 2017 at 7:00 p.m. at the Chalfant Community Center to determine whether it will choose to become a GSA.**

If the TVGMD chooses to become a GSA within its jurisdiction, then Mono County will be left as the default GSA for 1) a small “fringe” of the Owens Valley basin in the Tri-Valley area, but outside of the TVGMD’s boundaries; and 2) the portion of the Owens Valley basin described above that extends into Swall Meadows.

1. GSA Criteria

For each medium- and high-priority basin, SGMA requires that one or more GSAs be formed by June 30, 2017. Individually or collectively, GSAs must be in place for the entire area of the basin (as defined by DWR). If this requirement has not been met for the Owens Valley Groundwater Basin by June 30, then the state may take steps to designate the basin as a “probationary basin”, which would in turn set the stage for further state intervention. (*See e.g. Water Code* § 10735.2, subd. (a)(1).)

Any “local agency” (defined to mean “a local public agency that has water supply, water management, or land use responsibilities within a groundwater basin”) can choose to become a GSA, either on its own or in combination with

one or more other local agencies through a joint powers agreement or memorandum of agreement. (See *Water Code* §§ 10721; 10723.6, subd. (a).)¹

2. Implications and Recommendations for Mono County

While a local agency could conceivably choose to become a GSA for an entire basin – including areas beyond its boundaries – DWR has taken the position that SGMA does not include a provision for such an agency to impose fees and regulatory requirements outside of its jurisdictional area. For areas of the Owens Valley Groundwater Basin within Mono County but outside of the TVGMD’s boundaries, this means that Mono County’s effective choices at this juncture would seem to be either 1) to form a GSA, either on its own for its portion of the Owens Valley basin, or in conjunction with one or more other local agencies; or 2) to opt out of the process entirely, which would likely result in assumption of regulatory authority by the state.

At present, and based on preliminary input from other local agencies whose jurisdiction includes a portion of the Owens Valley Groundwater Basin, we recommend that the County proceed to a hearing to determine whether it will become a GSA with respect to those portions of the basin within Mono County but outside the TVGMD’s boundaries. We note that Inyo County has already taken the lead in coordinating with local agencies with jurisdiction in the basin, and our office expects to continue to coordinate with Inyo County, the TVGMD², and other stakeholders closely to harmonize the GSA formation process (and then, as applicable, to coordinate the preparation of one GSP or coordinated GSPs for the basin.

C. Next Steps

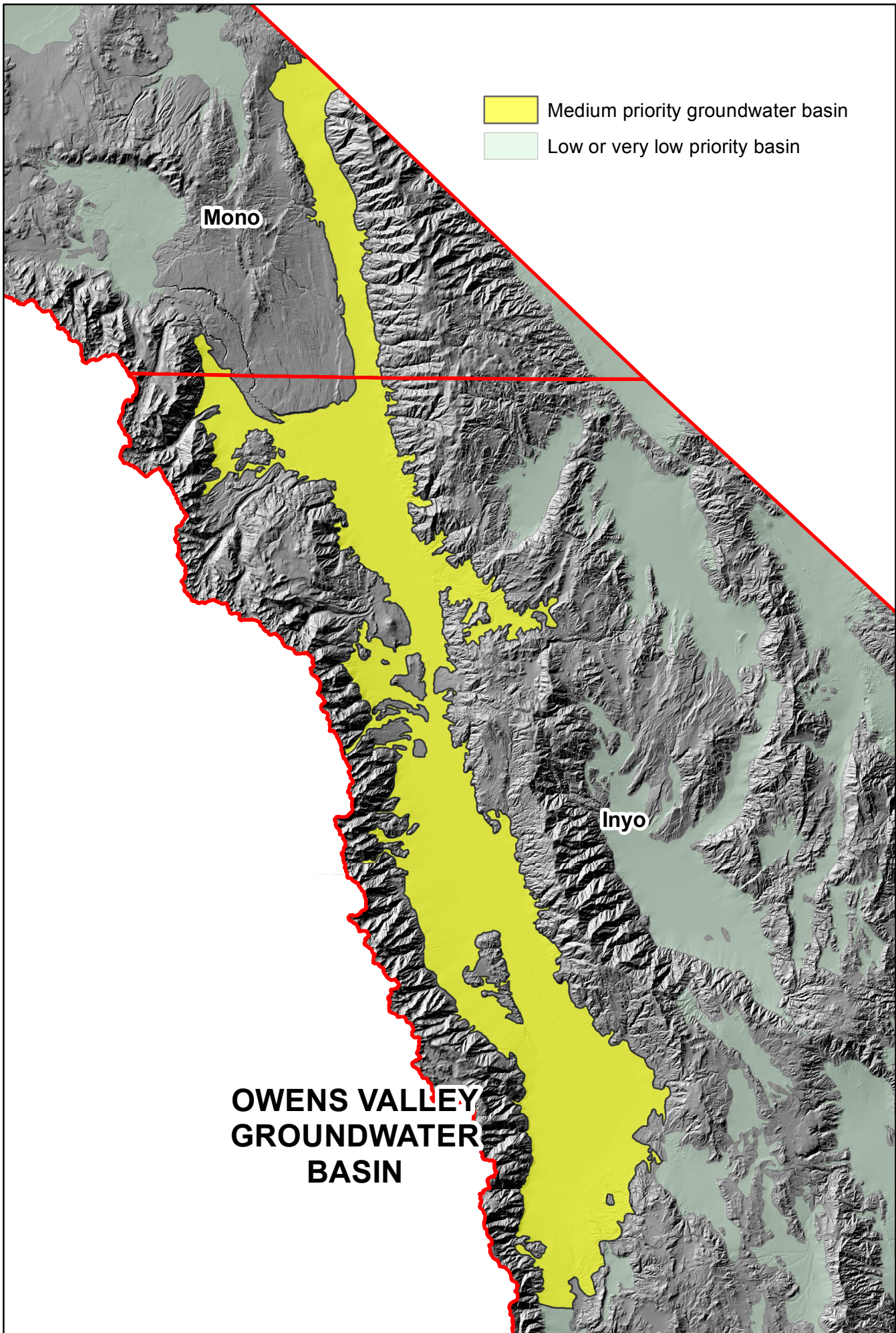
If Mono County chooses to consider becoming a GSA, the next step will be to advertise and conduct a public hearing for that purpose. Due to time constraints imposed by SGMA (including a 90-day waiting period per *Water Code* section 10723.8, subdivision (c), once a notice is filed with DWR), we have reserved time during your Board’s regular meeting on February 7 for a hearing. If your Board authorizes us to proceed, we will cause the required notice of hearing to be published, and we will also begin identifying additional stakeholders and compiling the information that must be submitted to DWR in the event your Board opts for the County to become a GSA.

¹ A water corporation regulated by the Public Utilities Commission or a mutual water company may also elect to participate in a GSA through a legal agreement with one or more local government agencies. (See *Water Code* § 10723.6, subd. (b).)

² As your Board knows, our office is also concurrently representing the TVGMD with respect to SGMA issues in the Owens Valley Groundwater Basin.

I look forward to speaking with your Board and answering any questions at your January 10 meeting. If you have any questions on this matter prior to your meeting, please call me at (760) 924-1712.

Attachment: Map of Owens Valley Groundwater Basin
(For illustration only - note that Fish Slough has since been added within OVGB boundaries)

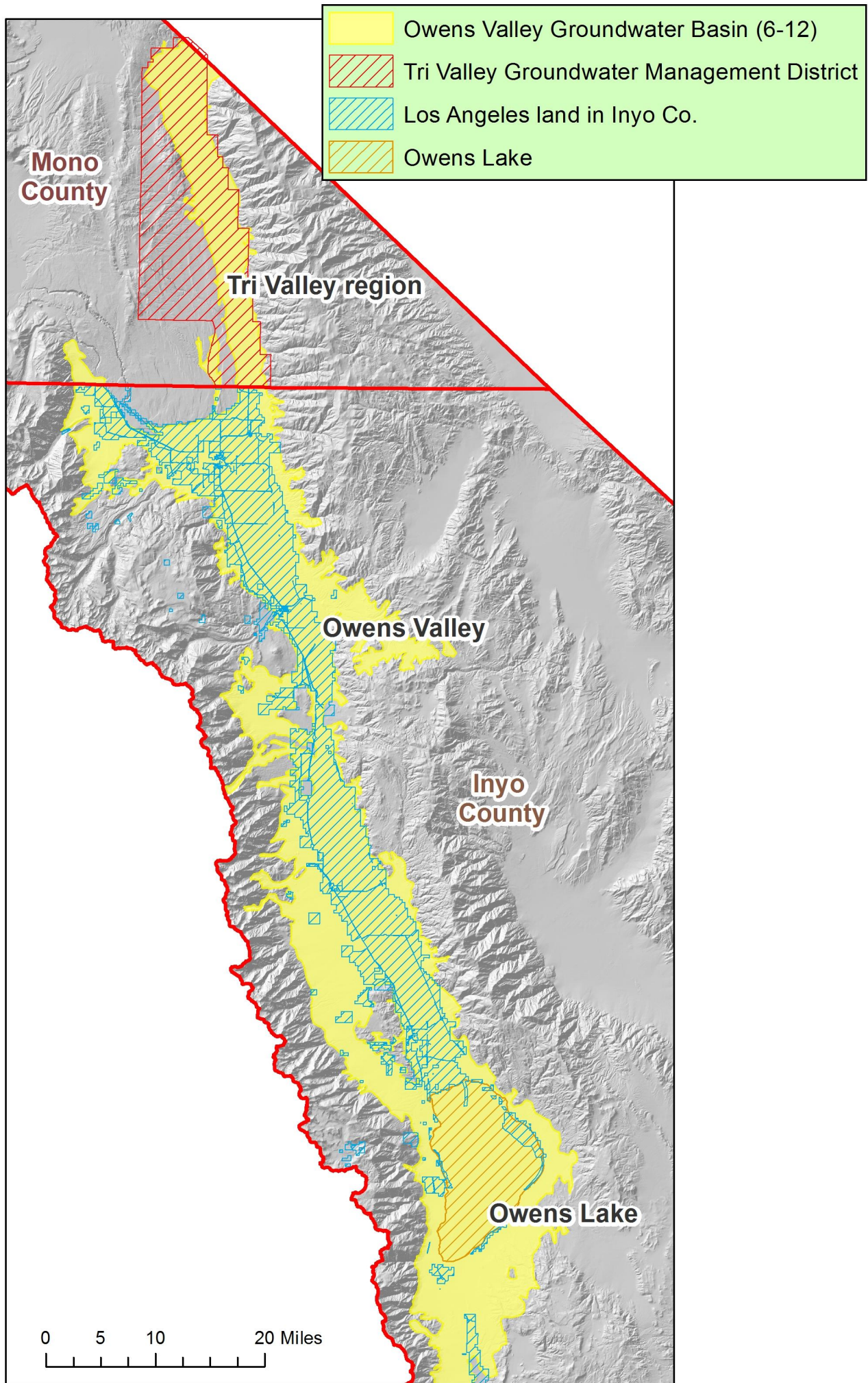


- Medium priority groundwater basin
- Low or very low priority basin

Mono

Inyo

**OWENS VALLEY
GROUNDWATER
BASIN**





OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: CAO

TIME REQUIRED 40 minutes (10 minute presentation;
30 minute discussion) **PERSONS APPEARING** Leslie Chapman

SUBJECT Resolution Restoring Three Positions
to the County Administration Office **BEFORE THE BOARD**

AGENDA DESCRIPTION:

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

1. Proposed resolution to modify the Personnel Allocation List and restore three positions to the County Administrator's office. 2. Budget amendment to allocate contingencies or Economic Stabilization funds for two of the positions.

RECOMMENDED ACTION:

1. Adopt proposed resolution #R17-___, Authorizing the County Administrative Officer to add three positions to the Personnel Allocation List: Assistant County Administrative Officer, Deputy CAO – Director of Communications and Human Resources Generalist. 2. Approve budget amendment to use contingencies and/or economic stabilization funds to fund the Assistant County Administrator and the Human Resources Generalist positions. (4/5 vote required.) 3. Delay funding and recruitment for the Deputy Director of Communications until next fiscal year to ensure that adequate funding is available.

FISCAL IMPACT:

Assistant County Administrative Officer - \$60,144 including benefits for the remainder of the 2016-17 fiscal year, and \$180,433 for a full year; **Human Resources Specialist** - \$35,562 including benefits for the remainder of the 2016-17 fiscal year, and \$106,689 for a full year; **Deputy CAO – Communications Director** - \$0 including benefits for the remainder of the 2016-17 fiscal year, and \$139,951 for a full year. If the Assistant CAO and the HR Generalist are funded, a total of \$95,706 will need to be appropriated from contingencies or economic stabilization funds.

CONTACT NAME: Leslie Chapman

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

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Exhibit A
Resolution

History

Time	Who	Approval
12/29/2016 6:21 PM	County Administrative Office	Yes
1/4/2017 12:57 PM	County Counsel	Yes
1/4/2017 6:08 PM	Finance	Yes



COUNTY OF MONO

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

Leslie L. Chapman
County Administrative Officer

January 10, 2017

To: Honorable Board of Supervisors

From: Leslie Chapman

Subject: Proposal to restore positions to the County Administrative Office

Recommendation:

1. Approve resolution to add three positions to the Personnel Allocation List: Assistant County Administrative Officer, Deputy CAO – Director of Communications and Human Resources Generalist.
2. Approve budget amendment to use contingencies and/or economic stabilization funds to fund the Assistant County Administrator and the Human Resources Generalist positions.
3. Delay funding and recruitment for the Deputy Director of Communications until next fiscal year to ensure that funding is available.

Strategic Alignment:

For Mono County to achieve its vision of, “Outstanding Community Services, Quality Life Beyond Compare”, and its mission, “To support all our communities by providing superior services while protecting our unique rural environment,” first we need a robust administrative department to oversee and support our departmental managers and staff in achieving, measuring and communicating their strategic goals. This department sets the tone for all County operations. We will also achieve our overarching principle of collaborative solutions by adding resources to do more outreach with communities, other governments, non-governmental organizations and legislative bodies. With adequate staffing and resources, we will achieve the Best Mono possible by providing leadership, support, guidance and collaboration needed to execute the Board’s vision and mission.

Discussion and History:

The Mono County Administrative Office is responsible for an extensive list and a wide variety of duties. The long list is included in the Mono County Code and is attached hereto as Exhibit A.

In addition to carrying out the policy direction of your Board, the CAO is responsible for the successful operation of the County and oversees 14 non-elected department heads that report directly to her. Our department heads are highly competent and don’t require much supervision, but the CAO must be available for support, problem solving and ensuring that the proper resources are available, within the constraints of government financing, to carry out the County’s mission. Additionally, administration is

responsible for all Human Resource functions including recruiting, employee relations, discipline, and more. Risk Management is another service provided by administration and it is amazing how busy that division is reporting and investigating car accidents and workers' comp claims, ensuring staff has proper equipment to avoid injuries, training on safety practices, investigating complaints and claims and mitigating threatened litigation.

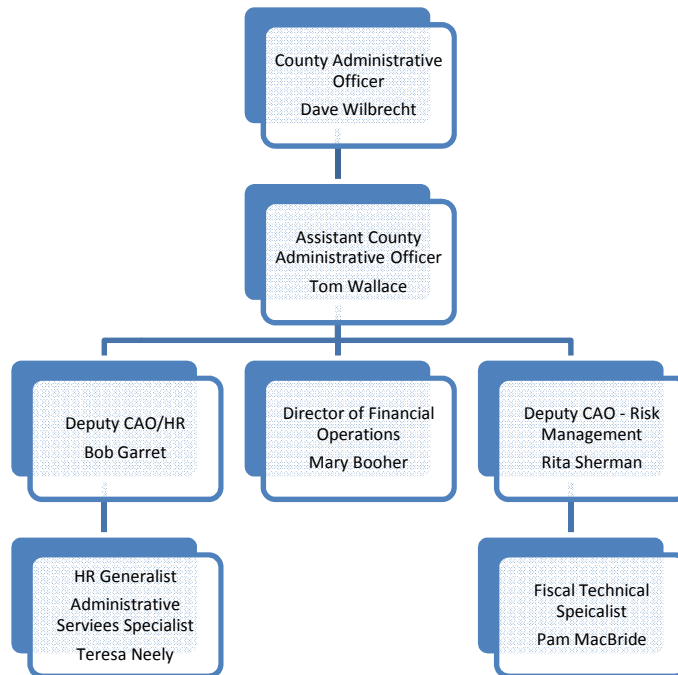
While all projects are a collaboration of various departments and outside agencies, administration provides leadership and support while monitoring progress. Some examples of on-going projects include, strategic plan development and implementation, researching options to assist your Board in choosing the best solution for South County Offices, Bridgeport jail upgrade, Davidson House transitional housing, Bridgeport clinic and inmate medical services solutions, collective bargaining for six employee unions, Innoprise software implementation, EMS task force solutions, Inland Counties Emergency Medical Association liaison to represent needs of our small county and its fire districts, Development of an All Hazards Incident Management Team development, leadership support, training and provision of management and support for a multi-county salary survey. These are highlights and the list goes on.

There is much more that can and should be accomplished by administration, but staffing constraints make it difficult. Some examples include better service to departments in both management and HR services, more one-on-one time with individual Supervisors, and department heads, more face time with other community, government and non-government organization leaders and much more community outreach to explore opportunities for collaboration, CAO staff training and networking with other officials in similar counties, legislative monitoring and providing lobbying support for your Board, communication and transparency improvements through all media and communications starting with increased website and social network activity to name a few.

Considering that one year ago, the County Administrator's office only had one fiscal services specialist and an Interim CAO who also served the County as the Public Health Director and Director of Emergency Services, we have made much progress. Now it is time to take the office to the next level and after a year of observation and planning along with considering the history of the office, my recommendation is to restore two positions and replace the Director of Financial Operations with a Deputy CAO - Director of Communication. An Assistant CAO would provide extra capacity for high level projects along with better supervision, community outreach and generally advancing the County's strategic direction. The HR Generalist is critical to provide support to the HR Director, staff and new recruits. The Director of Communication is essential in today's environment where the public and media demand instant and complete communication and transparency. Having someone to coordinate communications between the County, the Public, other agencies and our legislators along with improving our internal communications and spearheading some essential teambuilding will greatly enhance the achievement of our strategic directions. More detailed descriptions of the vision for each position are detailed below.

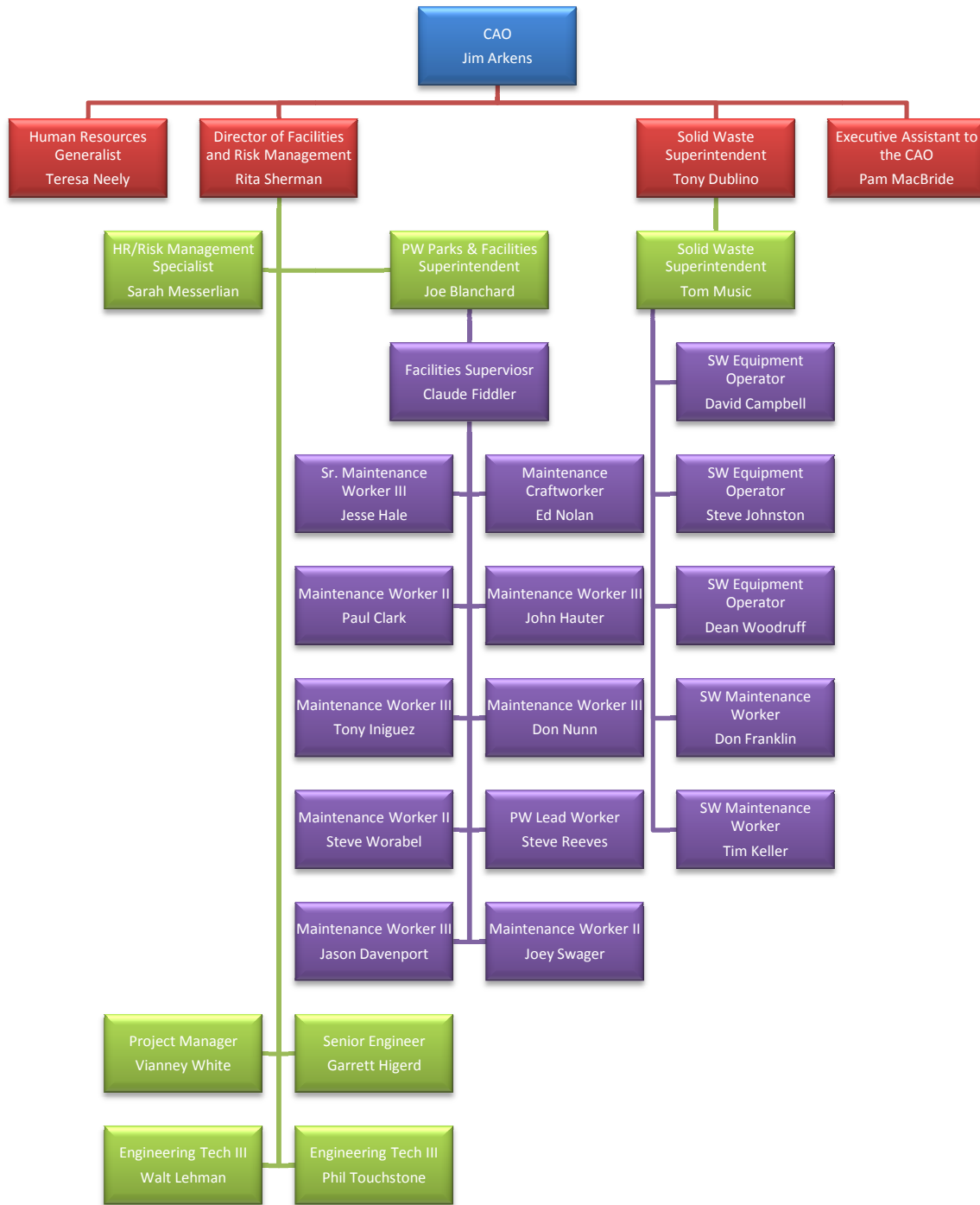
The following section will provide your Board with some historical perspective and points of reference that might be useful in your decision process.

Today your Board is being asked to consider restoring staffing in the County Administrator's Office to the level it was at in 2008-2009 under the leadership of Dave Wilbrecht, when it looked like this:

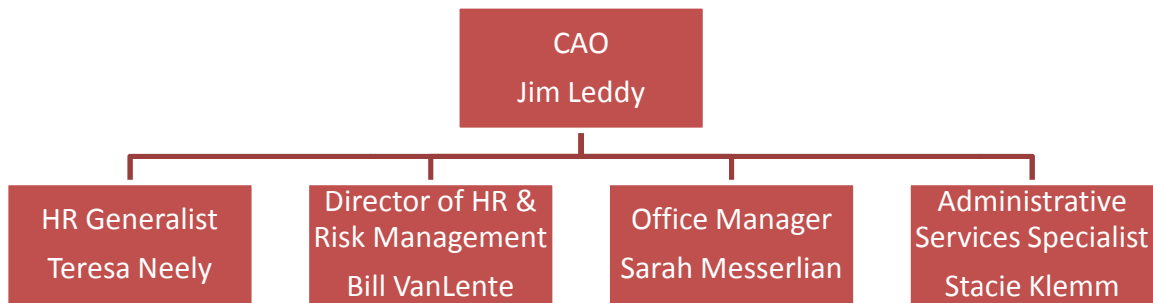


The structure that the staff is proposing today includes one additional Fiscal Technical Specialist that staff will eventually propose to convert to a roving fiscal person to service small departments that are constantly challenged to provide program services while using a program person to perform fiscal duties which is inefficient and detracts from the mission. Departments that would benefit from these services are Economic Development, District Attorney, County Counsel, Emergency Medical Services and there may be more. Oversight for this position would reside with the Finance Director. This issue is not being addressed as an action item today, but will be brought to your board as a separate agenda item after the dust settles in the CAO's office.

Then under Jim Arkens, the department grew exponentially and the organizational chart looked like this:



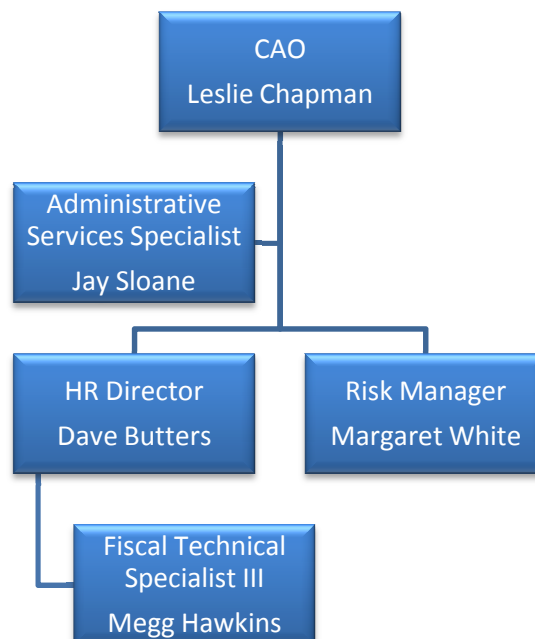
After Mr. Arkens left, Public Works resumed control of Facilities and Solid Waste. Consequently, in 2013 when Jim Leddy took over the CAO's Office, the structure had been diminished, but the recession was in full swing and there wasn't enough money available to restore key positions, positions were consolidated and the County survived with what it had, but it did not thrive. The structure looked like this:



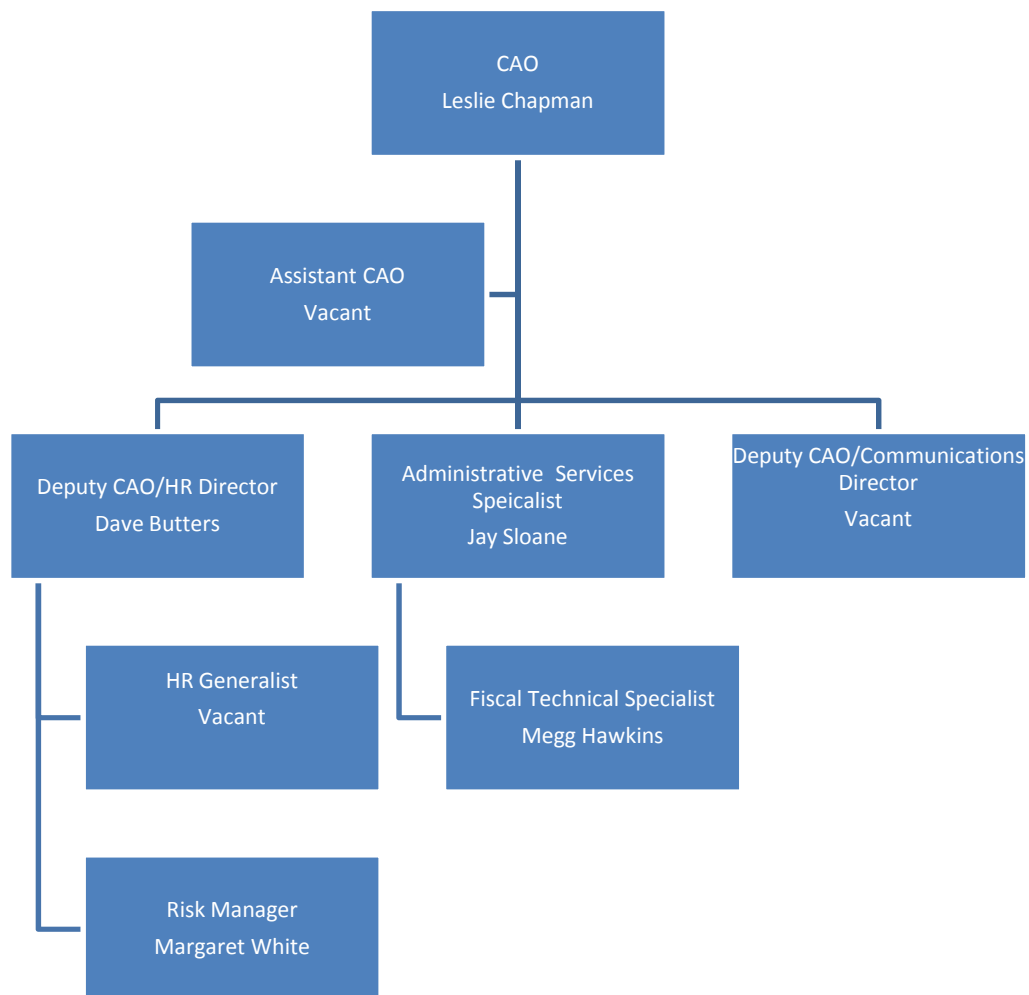
These were difficult times for the County, finances remained bad, staff burnt out, became disgruntled and moved on. By the time I became CAO in November of 2015, the office looked like this:



Many thanks to Megg Hawkins for sticking it out and to Lynda Salcido for stepping up and providing much needed leadership! The good news is that I had the opportunity to build my team from the ground up. Some positions have been replaced and now the department looks like this:



Now, a year later, there has been time to contemplate needs, compare Mono County Administration to other counties and make a thoughtful, calculated decision about how to staff the office for optimal leadership and performance in carrying out your Board's policies and strategic vision. Additional staff is also needed to provide leadership and support services to meet and exceed the needs and expectations of administration's customers including your Board, internal departments, constituents, the media and our Mono County community. Consequently, staff is proposing the following structure which adds an Assistant County Administrative Officer, an HR Generalist and a Deputy CAO – Communications Director. This structure is almost identical to the 2008/2009 model under Dave Wilbrecht. The main difference is that it includes the Fiscal Technical Specialist that was mentioned earlier and staff is proposing to replace the Director of Financial Operations with the Deputy CAO – Communications Director to meet the changing demands of our constituents who demand information and transparency. The proposed structure looks like this:



Brief descriptions of the proposed positions and the related duties are described below.

Assistant County Administrative Officer will assist the CAO in making major financial, administrative and policy recommendations to the Board of Supervisors as well as conducting or directing special projects and the analysis of public policy issues that are complex, difficult and are often of a sensitive nature.

This person will be expected to take the lead in supervising and coordinating large County projects including serving as a liaison, coordinating resources and ensuring that all departments and outside agencies are working together in a collaborative and complimentary fashion that turns the project vision into reality.

This person will provide support and oversight of various department heads as assigned. He or she will be integrally involved in the development and implementation of the Mono County Strategic Plan. This includes assisting departmental managers in the development of strategic goals and performance measurements as they relate to the County's Board adopted strategic directions and focus areas.

Human Resources Generalist will work closely with the HR Director and be responsible for performing HR-related duties in a confidential and professional manner. This person will provide administrative support for the Human Resources Director including outreach recruitment efforts, reviewing applications, setting up interviews, developing tests such as written competency exams and oral interview questions, as well as managing the communication process with candidates. As part of the onboarding process, will assist in developing and delivering orientation materials to new hires. Will also be responsible for entering personnel changes into HR system to effect changes to payroll, support compensation and benefit surveys by gathering, organizing and analyzing data. Will become familiar with County processes and general policies to provide another point of contact for employees seeking information in these areas. Provide other support functions as directed by the HR Director.

Additionally, this person will provide support for Risk Management as needed by assisting in organizing staff training and providing general administrative support.

Deputy CAO – Director of Communications will be responsible for managing and directing the county's internal and external communications. He or she will serve as the key spokesperson and media contact for the County. This person will be responsible for creating and executing communication strategies including building external relationships with all forms of media and with the County's constituencies.

Additionally, the Communications Director will play an integral role in developing and implementing best practices for high functioning leadership teams including team building, understanding leadership styles, developing good communication habits, skills assessments, dealing with difficult personalities and creating an environment of team engagement.

Examples of additional responsibilities will include: developing, implementing and evaluating the annual communications plan; generation of online content that engages constituents and partner agencies and leads to measurable action – decide who, where and when to disseminate; develop and manage a world class webpage – ensure that new and consistent information (article links, stories and events) is posted regularly; manage development, distribution and maintenance of all print and electronic collateral including news releases, regular and timely Facebook and Twitter postings; and managing all media contacts.

Fiscal Impact:

Assistant County Administrative Officer - \$60,144 including benefits for the remainder of the 2016-17 fiscal year, and \$180,433 for a full year.

Human Resources Specialist - \$35,562 including benefits for the remainder of the 2016-17 fiscal year, and \$106,689 for a full year.

Deputy CAO – Communications Director - \$0 including benefits for the remainder of the 2016-17 fiscal year, and \$139,951 for a full year.

If the Assistant CAO and the HR Generalist are funded, a total of \$95,706 will need to be appropriated from contingencies or economic stabilization funds.

EXHIBIT A
MONO COUNTY CODE – COUNTY ADMINISTRATOR

Chapter 2.84 - COUNTY ADMINISTRATOR

Sections:

2.84.010 - Purpose.

It is the intent of the board of supervisors, in adopting this chapter, to create the Mono County administrative office and to provide Mono County government with a county administrator who, under the direction of the board of supervisors, shall provide effective centralized administration for Mono County government, and to define the duties, responsibilities, authority, and qualifications thereof.

(Ord. 83-514 § 1, 1983.)

2.84.020 - County administrative office, county administrator.

There shall be in the county of Mono a county administrative office, under a county administrative officer (CAO), who shall be appointed by and serve at the pleasure of the board of supervisors or on such other contractual terms as may be agreed upon by the parties.

(Ord. 83-514 § 2, 1983.)

2.84.030 - Appointment and removal—Residence.

The county administrator shall:

- A. Be chosen upon the basis of knowledge and skills in public administration, demonstrated administrative ability, and knowledge of public budgeting, personnel, finance, and organization. This requirement may normally be met by a combination of education and experience equal to a master's degree plus five or more years experience in a highly responsible administrative or supervisory position in a public agency;
- B. Be appointed by, and serve at the pleasure of the board of supervisors, and may be removed from office by majority vote of the board of supervisors upon ninety days' written notice of such removal. The board may also relieve the county administrator of his duties during said period;
- C. Maintain residence within the county during his tenure in office, but he need not be a resident of the county at the time of appointment.

(Ord. 83-514 § 3, 1983.)

2.84.040 - Salary and benefits.

The salary of the county administrator shall be established by the board of supervisors and be paid by the auditor-controller in the same manner as the salaries of the other county employees are paid. Mileage allowance in an amount adopted by the board of supervisors, all actual and necessary budgeted expenses for conducting county business, dues and expenses to participate in state and national

professional organizations of benefit to the county, and all other benefits conferred upon county management employees shall be granted to the county administrator.

(Ord. 83-514-A § 1, 1983; Ord. 83-514 § 4, 1983.)

2.84.050 - Administrative powers and duties.

The county administrator shall be the chief administrative officer of the county and shall be responsible to the board of supervisors for the proper and efficient administration of all county offices, departments, institutions, and special districts under the jurisdiction of the board of supervisors. To this end, the county administrator shall have those powers and duties set forth in this chapter and as reasonably implied therefrom, and shall be authorized to assign or delegate the administration of these duties to any department or person under the board's control, subject to the limitations imposed by law.

The board of supervisors and its members have delegated administrative responsibilities over county governmental activities to the county administrator and shall, except for the purposes of normal inquiry, not intervene or detract from this delegation.

(Ord. 83-514 § 5, 1983.)

2.84.060 - General administration.

The county administrator shall:

- A. Administer and enforce policies established by the board of supervisors; promulgate rules and regulations as necessary to implement board policies;
- B. Refer policy matters and other matters beyond his authority to resolve to the board of supervisors for determination, direction, or authorization;
- C. Represent the board of supervisors in the county's intergovernmental relationships, including legislative matters, in accordance with board policies and instructions; when directed, represent the board in dealing with individuals or groups, concerned with county affairs;
- D. Attend all meetings of the board of supervisors, except when excused; when directed, attend meetings of commissions and committees established by the board of supervisors;
- E. Supervise the board clerks and assist, on behalf of the board of supervisors, the preparation of the agendas for regular and special board meetings; to prepare administrative practices agendas; evaluate departmental and other requests to determine if such requests should be submitted to the board, and make recommendations to the board on all agenda items; propose necessary revisions of the county code in conjunction with the county counsel; make weekly reports to the board on county matters;
- F. Implement the board of supervisors' legislative advocacy program, including the initiation of legislation approved by the board of supervisors that will benefit the county and county government; the analysis of proposed state and federal legislation; make recommendations to the board of supervisors for positions on proposed legislation; and review all department head requests involving legislative activities;
- G. In conjunction with the county counsel and other relevant county officers and employees, to negotiate and/or supervise the negotiation of all county contractual agreements, including, but not limited to all agreements between the county and any third party to acquire, buy, sell, borrow, loan, encumber, or hypothecate real or personal property and all collective bargaining agreements with county employee representative bargaining units. Further, to execute on behalf of the board of supervisors, subject to the limitations and procedures established by state law and the board of supervisors, all county agreements and to administer and enforce said agreements on behalf of the county;

- H. In conjunction with the auditor-controller, maintain or supervise the maintenance of inventories of all the county's real and personal property, and undertake activities to prevent the misuse, loss, theft, or damage of county property;
- I. Conduct continuous research in administrative practices so as to bring about greater efficiency and economy in county government; develop and recommend to the board of supervisors long-range plans to improve county operations and to prepare for future county growth and development;
- J. In periods of extreme emergency, when there is not sufficient opportunity for the board of supervisors to meet and act, act in conjunction with the director of emergency services to take steps reasonably necessary to meet such emergencies.

(Ord. 83-514 § 6, 1983.)

2.84.070 - Budgetary matters.

The county administrator shall:

- A. Develop budget instructions and policies, revenue estimates, and departmental budget targets to guide departments in budget preparation;
- B. Recommend to the board of supervisors an annual county operating budget based upon long-range plans for acquiring, constructing, or improving buildings, roads, and other county facilities; make recommendations to the board on the acquisition and disposition of real property, except for county roads, easements, and right-of-ways, which shall be the responsibility of the public works director;
- C. Establish a control system or systems to assure that the various county departments and other agencies under the jurisdiction of the board of supervisors are operating within their respective budgets; make recommendations to the board regarding requests for unforeseen and unbudgeted expenditures; approve fund transfers and budget revisions within appropriations, including additional fixed assets in accordance with Government Code Section 29125, and make recommendations to the board of supervisors for fund transfer requests which require board action under state law; establish policies for acquiring additional or replacement fixed assets;
- D. The county administrator may establish a budgetary allotment system and such other expenditure controls which are necessary or desirable, and may authorize department heads to approve fund transfers except those requiring approval of the board of supervisors under state law;
- E. Keep the board informed of the financial status of the county and of other matters of major significance which affect the county.

(Ord. 83-514 § 7, 1983.)

2.84.080 - Departmental supervision—Appointment—Removal.

The county administrator shall:

- A. Supervise the performance of county departments, within the limitations established by state law or the board of supervisors, by directing the establishment of standards, goals, and objectives for quality and quantity of departmental performance and the measure of the performance of individual departments against those standards and goals; assign projects and scrutinize departmental expenditures to assure that they are necessary and proper;

- B. Evaluate all proposed departmental programs and recommend those to the board of supervisors that he feels should be approved or modified; periodically evaluate existing departmental programs and recommend changes to the board where they are indicated;
- C. Evaluate departmental organization on a continuous basis; subject to the limitations of state law or the directives of the board of supervisors, initiate changes in interdepartmental organization, structure, duties, or responsibilities when warranted, including authorizing the transfer of equipment between departments; assign space to county departments in county facilities, and authorize budgeted out-of-county travel and in-county business expense in accordance with rules and regulations prepared, based upon policies established by the board; recommend to the board of supervisors the transfer of positions between departments and the consolidation or combining of county offices, departments, positions or units;
- D. Evaluate department head performance, under the direction of the board of supervisors, and recommend compensation in accordance with demonstrated performance; confer with department heads as necessary to discuss any shortcomings noted and to suggest remedial action;
- E. Unless otherwise specified by this code or prohibited by state law, the county administrator shall possess the authority to appoint, discipline, transfer, and dismiss all nonelected department heads in accordance with any applicable procedures provided by state or federal law or by any personnel ordinances, resolutions, handbooks, or memoranda of understanding (MOUs) duly adopted by the board of supervisors. In any cases where final action by the board of supervisors is mandated by applicable state law, actions by the county administrator shall not be effective unless and until ratified by the board of supervisors.
- F. When necessary or upon a department's request, assist department head in solving problems which inhibit efficient operation within a department or create friction between departments; and be responsible to the board of supervisors for ensuring that coordination exists between and among the various county departments and offices, both elective and appointive;
- G. Provide, under the direction of the board of supervisors, management training and develop leadership qualities among department heads to build a county management team that can plan for and meet future challenges, and in order to facilitate improved communication between the board of supervisors, the county administrator, and departments, the county administrative officer shall create a management advisory panel. The management advisory panel shall consist of all appointive and elective department heads and others deemed necessary or appropriate by the board of supervisors, subject to approval by the board of supervisors. Through periodic meetings and discussions, it may provide input to the county administrator and the board regarding matters of general policy.

(Ord. 99-13 § 2, 1999; Ord. 83-514 § 8, 1983.)

2.84.090 - Employment policies and practices.

The county administrator shall:

- A. Review all requests to fill permanent and limited-term personnel positions to assure that the position is required and that salary funds are available; authorize advanced step recruitment upon recommendations by department heads authorize and control the use of extra help and payment for overtime within available funds;
- B. Be responsible for orientation and training of new county supervisors, members of boards, commissions and committees, and new department heads;
- C. Supervise the administration of employee relations, classifications, recruitment and selection, affirmative action and management, employee training, personnel policies and procedures, and other performance programs.

(Ord. 83-514 § 9, 1983.)

2.84.100 - General services.

The county administrator shall be responsible for, and exercise supervision and control over, services provided to county departments as follows:

- A. Direct the purchasing of supplies, materials, and equipment through the procedures established by the board of supervisors;
- B. Exercise general supervision over all public buildings and property, whether leased or owned by the county, and such other public lands and facilities under the control and jurisdiction of the board of supervisors;
- C. Through the public works department and the parks and facilities department, supervise building construction, alterations, maintenance, and the utilization of county vehicles;
- D. Supervise county branch offices and operations;
- E. Supervise all support services, such as duplication, central services, communications, and other ancillary services.

(Ord. 83-514 § 10, 1983.)

2.84.110 - Appearance in small claims court.

The county administrator, or the administrator's designee, is authorized to appear in small claims court on behalf of the county.

(Ord. 07-07 § 2, 2007.)



RESOLUTION NO. R16-

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
AUTHORIZING THE COUNTY ADMINISTRATIVE OFFICER TO AMEND THE COUNTY
OF MONO LIST OF ALLOCATED POSITIONS TO REFLECT THE ADDITION OF AN
ASSISTANT COUNTY ADMINISTRATOR, A HUMAN RESOURCES GENERALIST, AND A
DEPUTY COUNTY ADMINISTRATIVE OFFICER/DIRECTOR OF COMMUNICAITONS
IN THE COUNTY ADMINISTRATIVE OFFICE DEPARTMENT**

WHEREAS, the County of Mono maintains a list, of County job classifications, the pay ranges or rates for those job classifications, and the number of positions allocated by the Board of Supervisors for each of those job classifications on its List of Allocated Positions (or "Allocation List"); and

WHEREAS, the Allocation List identifies approved vacancies for recruitment and selection by Human Resources; determines and recognizes implementation of collective bargaining agreements related to job classifications and pay rates; and

WHEREAS, the County seeks to provide public services in the most efficient and economical manner reasonably possible, which at times requires the modification of job classifications on the Allocation List; and

WHEREAS, it is currently necessary to amend the Allocation List as part of maintaining proper accountability for hiring employees to perform public services; and

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

1. The County Administrative Officer is authorized to amend the County of Mono List of Allocated Positions to reflect the following changes:

Increase the allocation of one Assistant County Administrator in the Department of County Administration by 1_(new total of 1) (salary of \$10,000/month).

Increase the allocation of one Human Resources Generalist in the Department of County Administration by 1_(new total of 1) (salary range of \$4,535 - \$5,531/month).

Increase the allocation of one Deputy County Administrator/Director of Communications in the Department of County Administration by 1_(new total of 1) (salary of \$7,000/month).

//

1 PASSED AND ADOPTED this 20th day of December, 2016, by the following

2 Vote:

3 AYES :
4 NOES :
5 ABSTAIN :
6 ABSENT :

7 ATTEST: _____
8 Clerk of the Board

_____ Fred Stump, Chair
Board of Supervisors

9
10 APPROVED AS TO FORM:

11

12 _____
13 COUNTY COUNSEL

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28



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

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: County Counsel, Finance

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

SUBJECT 2% Cost of Living Adjustment for County Administrative Officer

AGENDA DESCRIPTION:

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

Proposed resolution adjusting base compensation for County Administrative Officer to provide 2% COLA.

RECOMMENDED ACTION:

1. Orally report fiscal impact. 2. Adopt proposed resolution R17-_____, establishing and adjusting the 2017 base compensation for the County Administrative Officer to implement the same 2% cost of living adjustment provided to other county employees. Provide any desired direction to staff.

FISCAL IMPACT:

The additional cost for this position for the remainder of FY 2016-2017 (Jan 1 – June 30) is \$2,268 of which \$1,600 is salary, \$382 is the employer portion of PERS, and \$286 is the cost of benefits. Total additional cost for a full fiscal year would be \$4,535 of which \$3,200 is annual salary, \$764 is the employer portion of PERS and \$571 is the cost of benefits. The cost of this increase is included in the FY 2016-2017 adopted budget.

CONTACT NAME: Stacey Simon

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

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff report
Resolution

History

Time	Who	Approval
1/4/2017 5:06 PM	County Administrative Office	Yes
1/4/2017 12:37 PM	County Counsel	Yes
1/4/2017 6:33 AM	Finance	Yes

County Counsel
Stacey Simon

Assistant County Counsel
Christian E. Milovich

Deputies
Stephen M. Kerins
Anne M. Larsen

**OFFICE OF THE
COUNTY COUNSEL**

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

Telephone
760-924-1700
Facsimile
760-924-1701

Paralegal
Jenny Senior

To: Board of Supervisors

From: Stacey Simon

Date: January 17, 2017

Re: 2% COLA for County Administrative Officer

Recommended Action

Adopt proposed resolution and provide direction to staff.

Strategic Focus Area

Mono Best Place to Work

Discussion

Members of employee bargaining units received a 2% cost of living adjustment (COLA) on January 1, 2017, pursuant to the Memoranda of Understanding applicable to each unit. This increase ended a seven-year pay freeze for bargaining unit members.

The County's contracts with unrepresented at-will employees provide for reconsideration of salaries when represented employees receive pay increases. Accordingly, on December 13, 2016, your Board approved a 2% COLA for at-will employees - with the exception of the County Administrative Officer (CAO), who had brought the item forward on behalf of others.

Like other at-will positions, the CAO position has not experienced a salary increase for eight years (since 2009). In addition, the salary for the CAO position has been reduced by nearly \$28,000 since that time. Accordingly, to preserve parity for employees across the County and provide the CAO with the same COLA provided to other employees, it is respectfully requested that your Board approve a 2% cost of living adjustment for the CAO position.

Fiscal Impact

The additional cost for this position for the remainder of FY 2016-2017 (Jan 1 - June 30) is \$2,268 of which \$1,600 is salary, \$382 is the employer portion of PERS,

and \$286 is the cost of benefits. Total additional cost for a full fiscal year would be \$4,535 of which \$3,200 is annual salary, \$764 is the employer portion of PERS and \$571 is the cost of benefits. The cost of this increase is included in the FY 2016-2017 adopted budget.

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



RESOLUTION NO. R17-__

**A RESOLUTION OF THE MONO COUNTY
BOARD OF SUPERVISORS ESTABLISHING AND
ADJUSTING THE 2017 BASE COMPENSATION FOR
THE COUNTY ADMINISTRATIVE OFFICER TO
IMPLEMENT THE SAME 2% COST OF LIVING ADJUSTMENT
PROVIDED TO OTHER COUNTY EMPLOYEES**

WHEREAS, Section 25300 of the Government Code authorizes the Board of Supervisors to prescribe the compensation, appointment, and conditions of employment of County employees; and

WHEREAS, effective January 1, 2017, all County employees who are members of employee bargaining units received a 2% cost of living adjustment (COLA) to their salaries pursuant to the Memoranda of Understanding applicable to each unit; and

WHEREAS, on December 13, 2016, the Board of Supervisors adopted Resolution R16-91, which adjusted the base compensation of unrepresented employees, excluding the County Administrative Officer (CAO), to provide the same 2% cost of living adjustment provided to represented employees; and

WHEREAS, the CAO's salary has not been increased since 2009 (and, in fact, has been decreased since that time); and

WHEREAS, the Board of Supervisors now wishes to implement that same two percent COLA for the County Administrative Officer as provided to all other employees;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO as follows:

SECTION ONE: Effective January 1, 2017, the compensation of the County Administrative Officer shall be increased by two percent (2%) as follows:

Current Monthly Salary:	\$13,333.00
New Monthly Salary:	\$13,600.00

1 **SECTION TWO:** The Director of Finance is authorized and directed to take such steps
2 as may be necessary to adjust the affected salary in accordance with this Resolution.

3 **PASSED, APPROVED and ADOPTED** this _____ day of _____, 2017,
4 by the following vote, to wit:

5 **AYES:**
6 **NOES:**
7 **ABSENT:**
8 **ABSTAIN:**

9 _____
10 Stacy Corless, Chair
11 Mono County Board of Supervisors

12 **ATTEST:**

13 **APPROVED AS TO FORM:**

14 _____
15 Clerk of the Board

16 _____
17 County Counsel



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

TIME REQUIRED

SUBJECT Closed Session - Real Property
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 REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: Sierra Center Mall, Mammoth Lakes. Agency negotiators: Leslie Chapman, Janet Dutcher, Tony Dublino, Stacey Simon. Negotiating parties: Mono County and Highmark Mammoth Investments, LLC. Under negotiation: Price and terms of payment.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time

Who

Approval



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

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

TIME REQUIRED

SUBJECT Closed Session--Human Resources

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

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

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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

History

Time

Who

Approval



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

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

TIME REQUIRED

SUBJECT Closed Session - Initiation of
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. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9. Number of potential cases: One.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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

History

Time

Who

Approval



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

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

TIME REQUIRED

SUBJECT Closed Session - Public Employment

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

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

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
No Attachments Available

History

Time	Who	Approval
1/11/2017 4:59 PM	County Administrative Office	Yes
1/10/2017 2:10 PM	County Counsel	Yes
1/11/2017 1:30 PM	Finance	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

TIME REQUIRED

SUBJECT Closed Session - Public Employment

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

PUBLIC EMPLOYMENT. Government Code section 54957. Title: County Clerk/Recorder.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
No Attachments Available

History

Time	Who	Approval
1/12/2017 5:49 AM	County Administrative Office	Yes
1/10/2017 2:54 PM	County Counsel	Yes
1/11/2017 1:31 PM	Finance	Yes

1/11/2017 1:30 PM

Finance

Yes



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: Finance

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

SUBJECT HOME Investment Partnership Program

AGENDA DESCRIPTION:

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

Approve Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development Department for funding under the Home Investment Partnerships Program (HOME) and if selected the execution of a Standard Agreement and amendments thereto and of any related documents necessary to participate in the HOME Investment Partnerships Program to fund the Mono County First Time Homebuyer Program.

RECOMMENDED ACTION:

Approve Resolution 17-__ authorizing the submittal of an application to the California State Department of Housing and Community Development Department for funding under the Home Investment Partnerships Program (HOME) and if selected the execution of a Standard Agreement and amendments thereto and of any related documents necessary to participate in the HOME Investment Partnerships Program to fund the Mono County First Time Homebuyer Program.

FISCAL IMPACT:

The HOME application is for up to an additional \$1,000,000 to provide continued funding for the Mono County First Time Homebuyer Program. The current Mono County HOME loan portfolio consists of five loans for total valuation of \$660,227 ranging from \$77,700 – \$165,352. These five loans have leveraged \$782,443 in private funding for a total of \$1.459 million in real estate investment in unincorporated Mono County.

CONTACT NAME: Megan Mahaffey or Janet Dutcher

PHONE/EMAIL: 760-924-1836 or 760-932-5494 / mmahaffey@mono.ca.gov, jdutcher@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Resolution

History

Time	Who	Approval
1/4/2017 5:49 PM	County Administrative Office	Yes
1/6/2017 2:31 PM	County Counsel	Yes
1/9/2017 8:04 AM	Finance	Yes



DEPARTMENT OF FINANCE AUDITOR-CONTROLLER COUNTY OF MONO

Stephanie M. Butters
Assistant Finance Director
Auditor-Controller

Janet Dutcher, CPA, CGFM
Director of Finance

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

Date: January 17, 2017

To: Honorable Board of Supervisors

From: Jennifer Halferty - Mammoth Lakes Housing
Megan Mahaffey - Mono County Department of Finance
Janet Dutcher - Mono County Department of Finance

Re: Home Investment Partnerships Program Notice of Funding Availability 2016

Recommended Action: Approve Resolution R17-__ authorizing the submittal of an application to the California State Department of Housing and Community Development Department for funding under the Home Investment Partnerships Program (HOME) and if selected the execution of a Standard Agreement and amendments thereto and of any related documents necessary to participate in the HOME Investment Partnerships Program to fund the Mono County First Time Homebuyer Program.

Fiscal Impact: The HOME application is for up to an additional \$1,000,000 to provide continued funding for the Mono County First Time Homebuyer Program. The current Mono County HOME loan portfolio consists of five loans for total valuation of \$660,227 ranging from \$77,700 – \$165,352. These five loans have leveraged \$782,443 in private funding for a total of \$1.459 million in real estate investment in unincorporated Mono County.

Strategic Plan: The HOME program moves Mono County towards the strategic direction of understanding and addressing community needs. The Mono County First Time Homebuyer Program provides gap financing for income qualified households to purchase their first home. The First Time Homebuyer Program contributes to achieving an increased economic base by providing a way for residents to afford to purchase homes in Mono County. All of the Mono County HOME Program recipients work in various industries throughout the County, thereby contributing to the greater economic success of the region.

Background: Mono County applied for and was awarded a HOME grant in response to the 2013 HOME Notice of Funding Availability (NOFA) for the First Time Homebuyer Program in the amount of \$700,000. Prior to 2013, Mono County was awarded a HOME grant in response to the 2009 NOFA in amount of \$800,000 and 2006 NOFA in amount of \$800,000. The Mono County First Time Homebuyer Program is currently operated under the 2013 award. No homes have been lost to foreclosure.

Discussion:

The First Time Homebuyer Program operated and administered through the current award has allowed for two home purchases in Mono County, one home located in Crowley Lake and one home located in June Lake. There is another homebuyer with pre-approval for a home purchase. The current HOME award was set to expire at the end of January 2017, but we were recently verbally informed that the County's 18-month extension request will be granted. This will allow the pre-approved and other interested households more time to utilize the exiting award. Applying for the 2016 NOFA affords Mono County the opportunity to continue this strategically important program beyond when the current funding dollars are expended.



R17-__

**RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE
CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT FOR FUNDING UNDER THE HOME INVESTMENT
PARTNERSHIPS PROGRAM; AND IF SELECTED, THE EXECUTION OF A
STANDARD AGREEMENT, ANY AMENDMENTS THERETO, AND OF ANY
RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE HOME
INVESTMENT PARTNERSHIPS PROGRAM**

WHEREAS, the California Department of Housing and Community Development (the “Department”) is authorized to allocate HOME Investment Partnerships Program (“HOME”) funds made available from the US Department of Housing and Urban Development (“HUD”). HOME funds are to be used for the purposes set forth in Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, in federal implementing regulations as set forth in Title 24 of the Code of Federal Regulations, part 92, and in Title 25 of the California Code of Regulations commencing with section 8200; and

WHEREAS, on December 6, 2016, the Department issued a 2016 Notice of Funding Availability announcing the availability of funds under the HOME Program (the “NOFA”); and

WHEREAS, in response to the 2016 NOFA, The County of Mono, a Subdivision of the State of California (the “Applicant”) wishes to apply to the Department for, and receive an allocation of, HOME funds;

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

SECTION ONE: In response to the 2016 NOFA, the Applicant shall submit an application to the Department to participate in the HOME program and for an allocation of funds not to exceed One Million dollars (\$1,000,000) for the following activities and/or programs to be located in the jurisdictional boundaries of the County of Mono: First-Time Homebuyer Program, including Homebuyer Acquisition only.

SECTION TWO: If the application for funding is approved, then the Applicant hereby agrees to use the HOME funds for eligible activities in the manner presented in its application as approved by the Department in accordance with the statutes and regulations cited above. The Applicant may also execute a standard agreement, any amendments thereto, and any and all other

1 documents or instruments necessary or required by the Department of HUD for the participation
2 in the HOME program (collectively, the required documents).

3 **SECTION THREE:** The applicant authorizes the County Finance Director or his/her
4 designee(s) to execute, in the name of the applicant, the required documents.

5 **PASSED, APPROVED and ADOPTED** this 17th day of January, 2017, by the
6 following vote, to wit:

7 **AYES:**
8 **NOES:**
9 **ABSENT:**
10 **ABSTAIN:**

11 _____
12 Stacy Corless, Chair
13 Mono County Board of Supervisors

14 **ATTEST:**

15 **APPROVED AS TO FORM:**

16 _____
17 Clerk of the Board

18 _____
19 County Counsel



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: Social Services

TIME REQUIRED 15 minutes (5 minute presentation;
10 minute discussion)

PERSONS APPEARING BEFORE THE BOARD Kathryn Peterson

SUBJECT Reclassification of Social Services Employees to Align with State Analysis

AGENDA DESCRIPTION:

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

Reclassification of Eligibility Workers and Integrated Caseworkers to conform to Job Analysis/Worker Classification Study performed by the CPS HR Consulting (Merit System Services).

RECOMMENDED ACTION:

Adopt Resolution R17-__ authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to add three Eligibility Specialist Trainee/I/II, one Eligibility Specialist III, one Eligibility Specialist Supervisor, three Integrated Caseworker I/II, one Integrated Caseworker III, one Supervising Caseworker and delete three Eligibility Worker I/II, one Eligibility Worker III, one Eligibility Worker Supervisor, one Integrated Caseworker I/II, one Integrated Caseworker III, and one Supervising Integrated Caseworker

FISCAL IMPACT:

The additional cost for these fully staffed position reclassifications for the remainder of FY 2016- 2017 (January to June 2017) is approximately \$23,561 of which \$17,838 is salary and \$5,723 is the cost of the benefits. Total additional cost for a full fiscal year (2016-2017) would be \$47,123 of which \$35,676 is annual salary and \$11,447 is the cost of benefits. The funds for these additional costs will require a midyear budget amendment. There is no cost to the Mono County General Fund for the proposed increase; the cost for this position this year and in subsequent fiscal years is paid for with Social Services funds.

CONTACT NAME: Kathryn Peterson

PHONE/EMAIL: 760-924-1763 / kpeterson@mono.ca.gov

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

SEND COPIES TO:
Kathy Peterson

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Resolution
A - Eligibility Worker Classification Study
B - Proposed Salary Structure
C - Mono DSS Org Chart

History

Time	Who	Approval
1/11/2017 2:50 PM	County Administrative Office	Yes
1/10/2017 3:03 PM	County Counsel	Yes
1/9/2017 11:44 AM	Finance	Yes



KATHRYN PETERSON, MPH
Director

BRIDGEPORT OFFICE
(760) 932-5600
FAX (760) 932-5287

MAMMOTH LAKES OFFICE
(760) 924-1770
FAX (760) 924-5431



To: Mono County Board of Supervisors

From: Kathy Peterson, Social Services Director

Date: January 10, 2017

Re: Reclassification of Eligibility Workers and Integrated Caseworkers to conform to Job Analysis/Worker Classification Study performed by CPS HR Consulting (Merit System Services).

Recommended Action:

Adopt Resolution R17-__ authorizing the County Administrative Officer to amend the County of Mono list of allocated positions to add three Eligibility Specialist Trainee/I/II, one Eligibility Specialist III one Eligibility Specialist Supervisor, three Integrated Caseworker I/II, one Integrated Caseworker III, one Supervising Caseworker and delete three Eligibility Worker I/II, one Eligibility Worker III, one Eligibility Worker Supervisor, one Integrated Caseworker I/II, one Integrated Caseworker III, and one Supervising Integrated Caseworker.

Fiscal Impact:

The additional cost for these fully staffed position reclassifications for the remainder of FY 2016- 2017 (January to June 2017) is approximately \$23,561 of which \$17,838 is salary and \$5,723 is the cost of the benefits. Total additional cost for a full fiscal year (2016-2017) would be \$47,123 of which \$35,676 is annual salary and \$11,447 is the cost of benefits. The funds for these additional costs will require a midyear budget amendment. There is no cost to the Mono County General Fund for the proposed increase; the cost for this position this year and in subsequent fiscal years is paid for with Social Services funds.

Discussion:

Background

The California Department of Human Resources (CalHR) is charged with the responsibility of ensuring that counties that receive federal funds for programs within their Social Services departments adhere to the federal merit personnel system principles. CalHR contracts with CPS HR Consulting to provide recruitment, selection and classification services that meet the federal and state mandates. The Mono County Departments of Social

Services and Human Resources work together with CPS HR for the recruitment and selection of candidates, and classification of positions, within the Department of Social Services.

Eligibility Classification Study

Periodically, CPS HR Consulting (CPS) conducts Job Analysis/Classification Studies to ensure an accurate and up-to-date statewide job classification system. CPS began working in 2014 to gather numerous data regarding the impact the Affordable Care Act and Healthcare Reform has had on the Eligibility Worker classifications within California. The overall purpose of the study was to identify changes in classification. Attached to this Staff Report is the Final Eligibility Worker Classification Study Report, which includes a detailed discussion of the data gathering methodologies utilized by CPS, and the resulting recommendations.

All counties are expected to adopt the new classification specifications, as detailed by CPS. Changing the Eligibility Worker title to Eligibility Specialist and using the new Eligibility Specialist Trainee Classification are optional, however our Mono County staff recommend adopting both changes.

Increase to Minimum Qualifications patterns

The changes in the minimum qualifications (MQs) reflect the changes in the job based on the data gathered during the study process. CPS found that the scope and complexity of the job duties have increased the knowledge, skills and abilities needed to successfully perform all the functions of the position. Approximately one additional year of experience is needed. The new classification levels more accurately reflect the changing duties and responsibilities, amount of time it takes for staff to become fully competent, the level of KSAs required, and the length of training.

Compensation Recommendations

Although CPS does not have any purview over compensation, they anticipate that the changes to the EW classifications and increased minimum qualifications warrant a compensation adjustment. CPS recommends that counties work with their County Human Resources Departments to review compensation for these classifications, given the revised duties, KSAs, and minimum qualifications.

Accordingly, I met with Human Resources Director Dave Butters and we propose the following:

1. Change the title of Eligibility Worker to Eligibility Specialist to better represent the purpose and nature of the job.
2. Establish an additional job classification structure titled Eligibility Specialist Trainee to reflect the additional time, training, and experience needed prior to appointment to the journey-level position (Eligibility Specialist I).
3. Classify the Eligibility Specialist Trainee at the salary level of the current Eligibility Worker I. The Eligibility Specialist Trainee has the same Minimum Qualification pattern as the former Eligibility Worker I.
 - a. Reclassify the Eligibility Specialist I, II, III, and Supervisor positions to maintain the same salary classification relationship as currently exists in regard to the entry level position. See attached chart for detail.

- b. Reclassify the Integrated Caseworker positions to keep the same relationship in regard to salary as currently exists between Eligibility Worker and Integrated Caseworker (ICW). ICWs perform all the duties and functions of the Eligibility Specialist, plus full scope employability services and case management under the CalWORKs Welfare to Work Program and the Workforce Innovation and Opportunity Act programs. Refer to attached chart for detail.

The proposed reclassification and job titling underwent review by CAO Chapman; Finance Director Dutcher; and Payroll & Benefits Manager Stacey Westerlund for accuracy and appropriateness in relationship to the existing salary structure.

Strategic Focus Area – Mono Best Place to Work

This action will ensure accurate and up-to-date classification of eligibility positions within the Department of Social Services, thereby increasing the County's ability to hire and retain the best staff.

Please don't hesitate to call me at 760/924-1763 if you have any questions. Thank you.



RESOLUTION NO. R17-

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
AUTHORIZING THE COUNTY ADMINISTRATIVE OFFICER TO AMEND THE COUNTY
OF MONO LIST OF ALLOCATED POSITIONS TO ADD THREE ELIGIBILITY
SPECIALIST TRAINEE/I/II, ONE ELIGIBILITY SPECIALIST III, ONE ELIGIBILITY
SPECIALIST SUPERVISOR, THREE INTEGRATED CASEWORKER I/II, ONE
INTEGRATED CASEWORKER III, ONE SUPERVISING CASEWORKER AND
DELETE THREE ELIGIBILITY WORKER I/II, ONE ELGIBILITY WORKER III,
ONE ELIGIBILITY WORKER SUPERVISOR, ONE INTEGRATED CASEWORKER I/II,
ONE INTEGRATED CASEWORKER III, AND
ONE SUPERVISING INTEGRATED CASEWORKER**

WHEREAS, the County of Mono maintains a list, of County job classifications, the pay ranges or rates for those job classifications, and the number of positions allocated by the Board of Supervisors for each of those job classifications on its List of Allocated Positions (or "Allocation List"); and

WHEREAS, the Allocation List identifies approved vacancies for recruitment and selection by Human Resources and implements collective bargaining agreements related to job classifications and pay rates; and

WHEREAS, the County seeks to provide public services in the most efficient and economical manner possible, which at times requires the modification of job classifications on the Allocation List; and

WHEREAS, it is currently necessary to amend the Allocation List as part of maintaining proper accountability for hiring employees to perform public services;

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

The County Administrative Officer shall be authorized to amend the County of Mono List of Allocated Positions to reflect the following changes:

Increase the allocation of full-time permanent Eligibility Specialist Trainee (EST) /Eligibility Specialist I (ESI)/Eligibility Specialist II (ESII) in the Department of Social Services by 3 (new total of 3) (EST salary range 51 of \$2,908 - \$3,534; ESI salary range 55 of \$3,210 - \$3,903; ESII salary range 59 of \$3,542 - \$4,305).

Increase the allocation of full-time permanent Eligibility Specialist III (ESIII) in the Department of Social Services by 1 (new total of 1) (salary range 63 of \$3,910 - \$4,753).

Increase the allocation of full-time permanent Eligibility Specialist Supervisor (ESS) in the Department of Social Services by 1 (new total of 1) (salary range 67 of \$4,316 - \$5,247).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Increase the allocation of full-time permanent Integrated Caseworker I (ICWI)/Integrated Caseworker II (ICWII) in the Department of Social Services by 3 (new total of 3) (ICWI salary range 60 of \$3,631 - \$4,414; ICWII salary range 64 of \$4,008 - \$4,871).

Increase the allocation of full-time permanent Integrated Caseworker III (ICWIII) in the Department of Social Services by 1 (new total of 1) (salary range 68 of \$4,424 - \$5,377).

Increase the allocation of full-time permanent Supervising Integrated Caseworker (SICW) in the Department of Social Services by 1 (new total of 1) (salary range 72 of \$4,883 - \$5,935).

Decrease the allocation of full-time permanent Eligibility Worker I (EWI)/Eligibility Worker II (EWII) in the Department of Social Services by 3 (new total of 0) (EWI salary range 51 of \$2,908 - \$3,534; EWII salary range 55 of \$3,210 - \$3,903).

Decrease the allocation of full-time permanent Eligibility Worker III (EWIII) in the Department of Social Services by 1 (new total of 0) (salary range 59 of \$3,542 - \$4,305).

Decrease the allocation of full-time permanent Eligibility Worker Supervisor (EWS) in the Department of Social Services by 1 (new total of 0) (salary range 63 of \$3,910 - \$4,753).

Decrease the allocation of full-time permanent Integrated Caseworker I (ICWI)/Integrated Caseworker II (ICWII) in the Department of Social Services by 3 (new total of 0) (ICWI salary range 56 of \$3,290 - \$3,999; ICWII salary range 60 of \$3,631 - \$4,414).

Decrease the allocation of full-time permanent Integrated Caseworker III (ICWIII) in the Department of Social Services by 1 (new total of 0) (salary range 64 of \$4,008 - \$4,871).

Decrease the allocation of full-time permanent Supervising Integrated Caseworker (SICW) in the Department of Social Services by 1 (new total of 0) (salary range 67 of \$4,316 - \$5,247).

PASSED AND ADOPTED this 17th day of January, 2017, by the following

Vote:

AYES :
NOES :
ABSTAIN :
ABSENT :

ATTEST: _____
Clerk of the Board

Stacy Corless, Chair
Board of Supervisors

APPROVED AS TO FORM:

COUNTY COUNSEL

Eligibility Worker Classification Study Report

July 7, 2016

SUBMITTED BY:


Merit
SYSTEM SERVICES

241 Lathrop Way
Sacramento, CA 95815
t: 916-263-3614 f: 916-648-1211
www.mss.ca.gov



Table of Contents

Section I – Background	3
Section II – Overview/Status of Study Tasks.....	3
Section III – Classification Concepts Relevant to the Study	5
GENERAL GUIDELINES AND DEFINITIONS	5
Summary of Findings.....	10
County Structure Changes	10
Impact of ACA	10
Changes to the Eligibility Function	11
Recommendations	12
Titling.....	12
Classification Structure Options	12
Increase to Minimum Qualifications patterns.....	15
Compensation Recommendations	15
Next Steps.....	15
Appendix A: Classification Specifications.....	17

\

Section I – Background

The Eligibility Worker (EW) classification series (EW I, II, III, and Supervisor) was scheduled for a Job Analysis/Classification Study in 2013; however, at the request of county welfare directors, the scheduled study was postponed due to the pending implementation of the Affordable Care Act (ACA) and the unknown impact of Health Care Reform on the EW classification series.

CPS HR Consulting (CPS) has been working since 2014 to gather numerous data regarding the impact the ACA has had on the EW classifications within California; specifically, within the Interagency Agency Merit System (IMS) counties. Listed below and on the following pages are the data gathering methodologies utilized by CPS, and next steps.

Section II – Overview/Status of Study Tasks

1. September 17, 2014 – All IMS directors were notified of the initiation of the EW job analysis process. They were asked to provide staff to attend one of three focus groups to discuss changes in the EW job.
2. October 3, 2014 – A brief electronic survey was sent to IMS directors to collect preliminary information about the types of changes observed in the EW job due to the ACA. Results were used to structure the focus group agenda.
3. The focus groups listed below were facilitated by MSS staff:
 - n October 14, 2014 – Merced County
 - Participants included Merced, Madera, Monterey, Tuolumne, Riverside, San Joaquin, and Stanislaus counties.
 - n October 28, 2014 – El Dorado County
 - Participants included El Dorado, Imperial, Lake, Mariposa, Napa, Riverside, Sonoma, and Ventura counties.
 - n October 31, 2014 – Tehama County
 - Participants included Tehama, Calaveras, Del Norte, Glenn, Humboldt, Modoc, Mendocino, Siskiyou, and Trinity counties.

4. **March 2015 – CPS developed an automated job analysis questionnaire (JAQ). Participation was requested by all IMS counties, and 598 completed JAQs were received:**

n EW I- 135

n EW III-124

n EW II- 263

n EW Supervisor- 76

5. **June 29, 2015 – CPS conducted a subject-matter-expert (SME) panel with six counties (Glenn, Humboldt, Merced, Monterey, Tehama, and Tuolumne) to discuss the eligibility tasks and knowledge, skills, and abilities (KSA) data collected from the automated JAQ. The panel was represented by:**

n **Thirty – two participants (10 EW IIs, 7 EW IIIs, 13 EW Supervisors, and 2 Program Managers).**

6. **August 2015 – CPS conducted a follow-up supplemental survey to gather clarification on twenty-two tasks and KSA statements.**

7. **September 2015 – January 2016 – CPS finalized job analysis data and began working on new written testing items.**

8. **November and December 2015 – CPS staff conducted telephone meetings with staff identified by the counties. The meetings were with all counties that use the EW classifications (or comparable classification titles) with the exception of Alpine, Inyo, and Lassen counties, which use the Integrated Case Worker (ICW) classifications in lieu of the EW classification series. These three counties were not included in the meetings.**

n **The purpose of the meetings was to discuss three preliminary classification options given the differences in several delivery structures and collect ideas regarding additional options.**

- **Option 1 - Keep the classification structure (Levels I, II III, and Supervisor) as is and update the classification specifications consistent with the changes in the duties and responsibilities, as well as the KSAs.**
- **Option 2 - Develop a new classification level (EW trainee or EW IV).**
- **Option 3 - Create a parallel eligibility classification series for staff specifically assigned to Medi-Cal and ACA related cases.**

9. **February and March 2016 – CPS researched the classification structure, titles and minimum qualification patterns of Approved Local Merit System (ALMS) counties for comparison. IMS counties were contacted regarding the level of training needed for new EWs.**

10. April 2016 – CPS prepared a draft classification summary report which included recommended changes to the classification series and crosswalks to compare old and revised classifications. The draft classification summary report was sent to IMS counties for review with a survey on titles and preferred structures.
11. May 2016 – CPS developed revised classification specifications for review by counties. The existing classification specifications were created in 1976 and last revised in 2003. The proposed revised classification specifications were sent to counties for review and comment. Work continued on test development.
12. June 2016 – MSS finalized classification report and class specs.

Section III – Classification Concepts Relevant to the Study

An accurate and up-to-date classification system provides an organization with the necessary tools to make administrative, fiscal control, and human resources decisions. Further, accurate, current, and ADA-compliant classification specifications provide the fundamental and essential building blocks for successfully administering recruitment, performance management, compensation, and succession planning programs. In addition to providing the basis for these types of human resources management and process decisions, position classification can also effectively support systems of administrative and fiscal control. Identifying positions based on a well-defined and orderly classification system supports organizational planning, budget analysis and preparation, and various other administrative functions.

The classification analysis as applied to the eligibility positions relies upon sound principles of job evaluation. Using these principles, CPS has developed a classification structure that is designed to reflect distinct differences in the levels and types of work being performed based on established classification factors and concepts.

This section of the report presents the conceptual framework for the methods used by CPS in developing a classification plan for eligibility related positions. To facilitate review, this section is organized as follows:

- n General Guidelines and Definitions
- n Nature of the Work
- n Classification Job Family Levels

GENERAL GUIDELINES AND DEFINITIONS

While CPS did not conduct an individual analysis of each position encompassed in this study through the use of individual position description questionnaires or interviews; the data

gathering tasks described in the Background section of this report provided detailed information regarding the nature of the work associated with each classification and how it has changed, the tasks currently performed, the knowledge and abilities needed to perform those tasks, as well as other relevant classification information. There are some general classification guidelines, concepts, and definitions that are relevant to this project. Although not all classification guidelines and concepts have been used in this report, we present below those, which have, and how the guideline or concept is relevant to the project.

Standard Allocation Factors

In order to develop classification recommendations, positions in each classification are first analyzed based on the nature of work performed. Nature of work refers to the occupation, profession, or subject-matter field in which positions fall. Positions that perform work of a similar nature are considered to be in the same “job family”. Within each job family, the level of the position is then determined by evaluating it against the following factors:

- **Decision Making** - This consists of (i) the decision-making responsibility and degree of independence or latitude that is inherent in the position and (ii) the impact of the decisions.
- **Scope and Complexity** - This defines the breadth and difficulty of the assigned function or program responsibility inherent in the classification.
- **Contact with Others Required by the Job** - This measures (i) the types of contacts and (ii) the purpose of the contacts.
- **Supervision Received and Exercised** - This describes the level of supervision received from others and the nature of supervision provided to other workers. It relates to the independence of action inherent in a position.
- **Knowledge, Skills, and Abilities** - This defines the knowledge, skills, and abilities necessary to perform assigned responsibilities. This general guideline facilitates the creation of a shared understanding of how common allocation factors have been used throughout the analysis to identify whether (i) there should be multiple levels within the classification series, (ii) sufficient differences exist in the levels of the classification series to justify the multiple levels, and (iii) actual position allocation (although position allocation was not a part of this study process).

Whole-Job Analysis

For purposes of this study, CPS used a whole-job analysis approach. This approach compares jobs with one another on the basis of an overall evaluation of difficulty or performance. The entire position, including the skills required, the decision-making authority, the scope, the magnitude of work, and the accountability for results, is compared as a whole to other

positions. Whole job methodology is a commonly used best practice when evaluating the composition of a classification structure to determine, based upon the data received, what types of work exist within the organization and what classifications would meet those current and future needs.

Point in Time Analysis

A classification study primarily captures the essential nature of positions at a single point in time. Therefore, recommendations cannot be based upon all possible future changes, particularly in a rapidly changing environment where organizational needs, technologies, and skill requirements are continuously evolving.

- Overall, the proposed classification structure, the levels of work, and the functional areas identified should provide a strong foundation for future classification needs in the functional areas covered by the study. CPS has, to the extent possible, recommended classification options based on operational necessities and service delivery model changes; other additions or deletions from the plan may take place in the future.

Preponderant Duties

Classification studies often find that positions are assigned a wide range of duties and that incumbents have various levels of responsibility at any one time; therefore, the positions must be analyzed based on their preponderant duties. Preponderance is a measure of importance, and the most preponderant duties of a position are those that support the primary purpose of the position. Sometimes the most time-consuming duties of a position are preponderant; however, consideration must sometimes be given to the responsibility and complexity of certain duties that do not occupy the majority of the incumbent's time. Overall, the determination of preponderance is a judgment call based on a consistent set of factors.

- This general guideline is relevant because the purpose of the focus group sessions was to identify key duties and responsibilities assigned to the Eligibility Worker series. By asking the same structured questions of counties representing the diverse range of services, the outcome of the focus group sessions provided some common duties and responsibilities which are preponderant to the classifications.

CPS is aware that incumbents in the Eligibility Worker classifications may perform different functions based on county needs and assignments. Not all workers perform every duty listed in this report. ACA has affected some positions more than others, depending on the programs assigned. However, the majority of EWs perform similar duties.

Level and Not Volume of Work

Position classification is a reflection of the level of work performed by an employee and is generally independent of volume. For example, if one employee processes double the work of another, yet the percentages of time spent on those tasks and other duties are comparable, a single classification should be appropriate for both positions. In fact, study questionnaires do not ask for, and the consultants do not consider, the relative productivity of employees when evaluating positions. Likewise, classifications are not distinguished by the amount of time spent by incumbents on tasks or the volume of work assigned to positions since problems of excessive workload are properly solved by redistributing work or adding employees, not by creating new classifications.

- This guideline is relevant because there is often confusion over work volume, which can be a performance related or staffing issue, and cannot be addressed in any classification process.

Classification of the Position, Not the Employee

Position classifications should be consistent regardless of who holds the position. As such, a classification study process classifies positions, not individual employees. Furthermore, classification does not consider the capabilities of individual employees or the efficiency and effectiveness of an incumbent. It is not a measure of how well an individual employee performs, but of the actual duties assigned to the employee. Thus, classification is not a tool to reward individual achievement, nor should classifications be created simply to reward length of service.

- Employees, supervisors, and managers often view job content through employee performance characteristics which are unrelated to the classification concept of evaluating the work which the organization has determined should be assigned to a specific position, irrespective of how well an employee performs that work.

Position Versus Classification

Position and classification are two words that are often thought of as interchangeable, but in fact, have very different meanings. In a position plan, a position is an assigned group of duties and responsibilities performed by one person. Sometimes the word “job” is appropriately used in the place of position.

In contrast, a classification may contain only one position, or may consist of a number of positions. When there are several positions assigned to one classification, it means that the same title is appropriate for each position because the scope, level, duties, and responsibilities of each position assigned to the classification are sufficiently similar (but not necessarily identical); the same core knowledge, skills, and other requirements are appropriate for all positions, and the same salary range is equitable for all positions.

Classification Versus Allocation

Classification is the process of identifying and describing the various kinds of work in an organization and grouping similar positions together based on job family, classification series, and classification distinctions. Allocation is more specifically tied to the placement and/or budgeting of positions within an organization. Thus, agencies may allocate a position within an organization based on the results of the classification analysis for that position.

- The purpose of this study was to identify changes in classifications, and not to allocate positions.

Classification Job Family Levels

Within each classification series, there may be a classification at every level or only at selected levels. The levels within a job family reflect the organization and should be tailored to that organization's needs and priorities. The categories recommended are described as follows:

Trainee level classifications are designed to provide an on-the-job training opportunity to an employee who has no directly related work experience or education. Positions at this level receive close supervision and work is checked frequently. This is an optional class – depending on the structure of each county.

Entry-level classifications are designed to provide an on-the-job training opportunity to an employee who has limited or no directly related work experience and is not yet performing the full range of work assigned to the journey-level class. In some cases positions which are limited in scope and/or performing more basic duties may be permanently allocated to the entry-level. The designation of “I” is used for this level, e.g. Eligibility Specialist I.

Journey-level classifications recognize positions that perform the full range of tasks typically assigned to positions in the job family. A journey-level position requires incumbents to be fully competent in performing assigned duties. The designation of “II” is used for this level, e.g. Eligibility Specialist II.

Advanced journey-level classifications describe positions with specialized and/or complex duties beyond the journey-level of the series. Incumbents may also serve as a lead. Leads are typically responsible for providing lead supervision to a group of at least three lower level staff while performing the day-to-day work themselves. The designation of “III” is used for this level, e.g. Eligibility Specialists III.

Supervisor-level classifications describe full, first-line supervisory positions that plan, assign, supervise, and formally review the work of subordinates; assist in program development and management; and assume responsibility for a variety of personnel actions in such areas as performance evaluation, training, selection, transfers, approval of leave, and recommending disciplinary measures. Supervisors may also assist in

budget development and administration. Most “working” supervisors also spend a substantial portion of their time performing the more difficult and complex work of the section or unit. The designation of “Supervisor” has been used for this level classification, e.g. Eligibility Supervisor.

Within most job families, other levels exist above the Supervisor; however, management positions were not included in the scope of this study.

Summary of Findings

County Structure Changes

CPS recognizes that all counties utilize the current classification structure differently. Of the 27 IMS counties, 24 counties use the EW series, and three use ICWs only. Some counties use the current structure, but use their own county classification titles; and the IMS counties vary in size from seven employees to more than 700 employees; therefore, each county is using a different organizational structure and service delivery model. There is also a great deal of diversity in EW assignments between counties:

- n Some counties divide EW assignments into intake/continuing.
- n Some EWs have specialized assignments.
- n Some EWs are assigned to work on either single programs, multiple programs, or anything that comes their way.
- n Three counties operate as either task based (where the EW is responsible for a specialized task performed across a large number of shared cases), eight counties are caseload based (where the EW is assigned a caseload and works all tasks for those cases), and 13 counties operate with a combination of tasks and caseloads.

Impact of ACA

The changes brought about by the ACA have affected most EWs, however, due to the current structure at some counties where staff is assigned to individual programs; some EWs are working on programs that have not been impacted.

The “No Wrong Door” approach to service delivery means that the majority of EWs must now know all programs, whereas in the past, less experienced/capable workers could work in less complex programs, and the more experienced/capable workers could specialize in the more complex programs.

The lines between intake and continuing work have blurred because of the multiple approval steps through state and federal systems, and the opportunity for customers to change their benefit choices (within Covered California). Intake becomes a longer, more convoluted process.

As a result, depending on the county, EWs must be able to perform both intake and continuing tasks. In fact, trends have shown that several counties are moving away from caseload assignments and more toward task or team based assignments.

Some of the IMS counties have call centers for Eligibility and/or call centers for Covered California. Therefore, the “one size fits most” MSS class structure is no longer working for all of the IMS counties.

The data gathering tasks, noted in the Background section of this report, have confirmed that the way in which eligibility determination is conducted has changed. Such change has impacted the classification and may have subsequent implications on the classification specifications and compensation.

Changes to the Eligibility Function

Provided below is a summary of the specific areas that have changed with supporting examples:

- n **Scope of work and span-of-control** – In addition to the changing demographics of the customers, the way customers apply for public assistance has also changed. As noted, customers now represent various socio-economic backgrounds and can apply via telephone, online, by mail, and/or in person. Frequently, customers apply via multiple sources, and depending on the changes initiated or reported, this may require multiple responses by the EW. EW assignments may now require:
 - Assisting customers in determining the best health plan benefit to choose and increased review of cases given the ACA.
 - Complex troubleshooting. The requirement for EWs to troubleshoot is not new; however, the complexity of troubleshooting has increased. The troubleshooting has more to do with interfacing of the multiple programs. Tasks completed for one program can favorably or negatively impact the qualifications of another. As stated, a significant part of the increase in troubleshooting has to do with customers being able to apply on their own in multiple ways, often causing discrepancies that the worker needs to resolve.
 - Knowledge in systems, health care programs and tiers, tax filing status, and income has become a regular and recurring part of the job.
- n **Decision making and judgement** – EWs at all levels, but more so, the journey through supervisor levels, work within established procedures using resources (regulations, guidelines, etc.) that are frequently changing, vague, and/or conflicting. In addition, multiple steps are required to bring most tasks to resolution. This appears to have magnified given the changes resulting from the ACA.

- n **Consequence of error** – Although the IMS counties have several processes, procedures, and quality control initiatives in place to detect an error or mitigate the possibility of an error being made, the multiple steps, systems, etc., make it difficult to ensure an error will not negatively impact customers.

The additional EW duties required by the ACA include determining household composition based on tax filing status, enrolling customers in insurance programs offered through Covered California, determining advanced premium tax credits for private health insurance, explaining insurance plans and tax implications to customers, the implementation of a “No Wrong Door” policy, and added referrals from California Healthcare Eligibility, Enrollment, and Retention System. Therefore, due to the addition of these duties, the complexity, knowledge, and consequence of error of the EW function has increased.

Recommendations

Titling

During the discussion with IMS counties, several counties suggested that the title of “Eligibility Worker” was outdated and no longer consistent with the purpose and nature of the job. Generally, counties felt the “Worker” portion of the title should be changed. CPS collected survey responses. 20 of 24 counties who use the EW classification responded to the survey. 13 counties preferred the new title of Eligibility Specialist for the series. Six counties wanted to keep the title of Eligibility Worker and one county wanted to use their existing county title of Family Services Representative.

CPS will adopt the new title of Eligibility Specialist, but counties can continue to use their existing titles as their working title, if they prefer.

Classification Structure Options

Recognizing that the existing classification structure may not meet the needs of all IMS counties, CPS recommends establishing an additional classification structure. Many counties expressed concerns about the changing duties and responsibilities, amount of time it takes for staff to become fully competent, the level of KSAs required, and the length of training. Therefore, CPS has developed the trainee level to allow employees additional time, training, and experience prior to appointment to the journey-level, which requires employees to function under general supervision performing the full scope of work. This new structure would provide counties with two classification structure options to choose from and create minimal implementation disruptions. The same classification specification will be used for both structures.

n Option 1 – Existing classification structure

- Eligibility Specialist I
- Eligibility Specialist II
- Eligibility Specialist III
- Eligibility Supervisor

n Option 2 – new classification structure

- Eligibility Specialist Trainee
- Eligibility Specialist I
- Eligibility Specialist II
- Eligibility Specialist III
- Eligibility Supervisor

Here are the recommended levels:

Eligibility Specialist Trainee (optional level)

The Eligibility Specialist Trainee is considered the trainee-level classification in the Eligibility Specialist (ES) series. Incumbents work under close supervision and receive classroom instruction/training prior to being placed into a work unit. During the training program, new employees are taught multiple public assistance program concepts, rules, and regulations as well as how to operate the automated systems. While in training, all work is reviewed for quality and quantity. Once Specialists have completed the training, they are assigned cases or task based specialized assignments. Eligibility Specialist Trainees determine public assistance eligibility with the review of a lead specialist or supervisor prior to authorizing an eligibility determination. After one year of successful employment, Eligibility Specialist Trainee incumbents are expected to promote from the trainee classification to the entry-level Eligibility Specialist I.

Eligibility Specialist I

The Eligibility Specialist I is considered the entry-level classification in the Eligibility Specialist (ES) series. Incumbents work under close supervision. Eligibility Specialist I's determine public assistance eligibility. Incumbents may still need assistance from lead specialists or supervisors for more complex cases, but the majority of cases and/or tasks are performed independently. Lead specialists and supervisors monitor the error rate of the new Eligibility Specialists and continue to provide additional training and guidance regarding assigned programs. Much of the training received after the classroom is on the job training, unit training, and one-on-one training with a lead specialist and supervisor. After one year of successful employment,

Eligibility Specialist I incumbents are expected to promote from the entry classification to the full journey-level Eligibility Specialist II, unless positions are allocated at the entry level.

Eligibility Specialist II

The Eligibility Specialist II is considered the journey (full working) level classification in the Eligibility Specialist series. The main function of this level is to determine initial and/or continuing eligibility for multiple programs including CalFresh, CalWORKs, General Assistance, Medi-Cal, and Covered California. Incumbents interview clients and gather and evaluate information to determine eligibility for public assistance programs. Incumbents in this classification explain complex rules and regulations to clients and go over Rights and Responsibilities to help clients understand the legal obligations when participating in government funded programs. The class of Eligibility Specialist II is distinguished from the Eligibility Specialist I by the degree of supervision received and the higher degree of working knowledge required regarding program rules and regulations.

Eligibility Specialist III

The Eligibility Specialist III is considered the advanced journey-level classification and subject matter expert in the Eligibility Specialist series. Eligibility Specialist IIIs are responsible for providing lead technical support, training, and direct oversight to less experienced Eligibility Specialists (ES Trainee/I/II) and/or carrying specialized caseloads not typically assigned to journey-level specialists. ES IIIs provide comprehensive guidance and direction regarding eligibility determination and assist with troubleshooting difficult and complex cases and correcting conflicting system entries; review the work of ESs engaged in eligibility determination to ensure accurate eligibility determinations are made and provide coaching and mentoring to staff; conduct case reviews prior to Fair Hearings; conduct Quality Appraisal/Quality Control reviews; and are responsible for developing training materials, procedures, and guidelines related to program changes and/or updates, case processing, case management, and interviewing techniques. ES IIIs may act for the Eligibility Supervisor during periods of absence.

Other less time intensive duties performed by the ES IIIs may include acting as a liaison to other units, departments, or agencies when needed to gather additional information in making eligibility determinations; facilitating General Assistance Orientations; backing up other ESs in times of absence or vacancy; and helping to de-escalate upset or volatile client situations.

Eligibility Supervisor

The Eligibility Supervisor is the first line supervisor over the Eligibility Specialist class series. The main function of this level is to provide supervisory, administrative, and technical support to an eligibility work unit engaged in determining initial and continuing eligibility for multiple public assistance programs. Incumbents are responsible for planning and scheduling work assignments and ensuring adequate coverage and equitable caseloads among staff members,

identifying staff training needs, and conducting performance evaluations. Incumbents analyze cases to ensure accuracy of decisions and timeliness of processing. Eligibility Supervisors assist with difficult program cases and make final processing decisions in relation to such cases.

In addition to supporting the experienced specialists with ongoing training and guidance in the more technical and complex aspects of eligibility, a great deal of time and effort is spent on developing new eligibility specialists to become proficient in determining eligibility for multiple public assistance programs and developing good caseload and time management skills.

The supervisors are responsible for communicating and supporting the implementation of new programs and business processes to the work team, and therefore, must stay abreast of all federal, state, and county level changes involving Eligibility programs.

Increase to Minimum Qualifications patterns

The changes in the minimum qualifications (MQs) reflect the changes in the job based on the data gathered during this process. The scope and complexity of the job duties have increased the knowledge, skills and abilities needed to successfully perform all the functions of the position. Approximately one additional year of experience is needed. We believe these changes will help to provide counties with the most qualified candidates for the job. The Eligibility Specialist Trainee has the same MQ pattern as the former EW I.

Compensation Recommendations

Although CPS does not have any purview over compensation, we certainly anticipate that the changes to the EW classifications and increased minimum qualifications warrant a compensation adjustment. CPS recommends that counties work with their County Human Resources Departments to review compensation for these classifications, given the revised duties, KSAs, and minimum qualifications.

Next Steps

CPS will start working with each county to implement the revised or new classification structure. We understand that implementing the new classification specifications may be a meet and confer issue that will delay counties in adopting these new classifications. We understand that any change to compensation has budget implications. While we are sensitive to county budget issues, the changes in the minimum qualifications reflect the changes in the job based on the data gathered during this process. The scope and complexity of the job duties have increased the knowledge, skills and abilities needed to successfully perform all the functions of the position. We believe these changes will help to provide you with the most qualified candidates for the job.

You will continue to use the current Eligibility Worker classification while your county is going through the process to adopt the new classification and title. Since each county process is different, the duration for implementation will vary. Your assigned consultant will be in contact with you periodically to see where you are in the process.

Additionally, we will be reaching out to counties to review the new Eligibility Specialist exam during the pilot test phase.

If you have, any questions or concerns, please feel free to contact your assigned consultant or Karen Rodriguez, Senior Consultant, via email at krodriguez@cpshr.us or by phone at (916) 471-3348.

Appendix A: Classification Specifications

The following classification specifications have been revised and are ready to be adopted by your county.

- n Eligibility Specialist Trainee (optional)
- n Eligibility Specialist I
- n Eligibility Specialist II
- n Eligibility Specialist III
- n Eligibility Supervisor

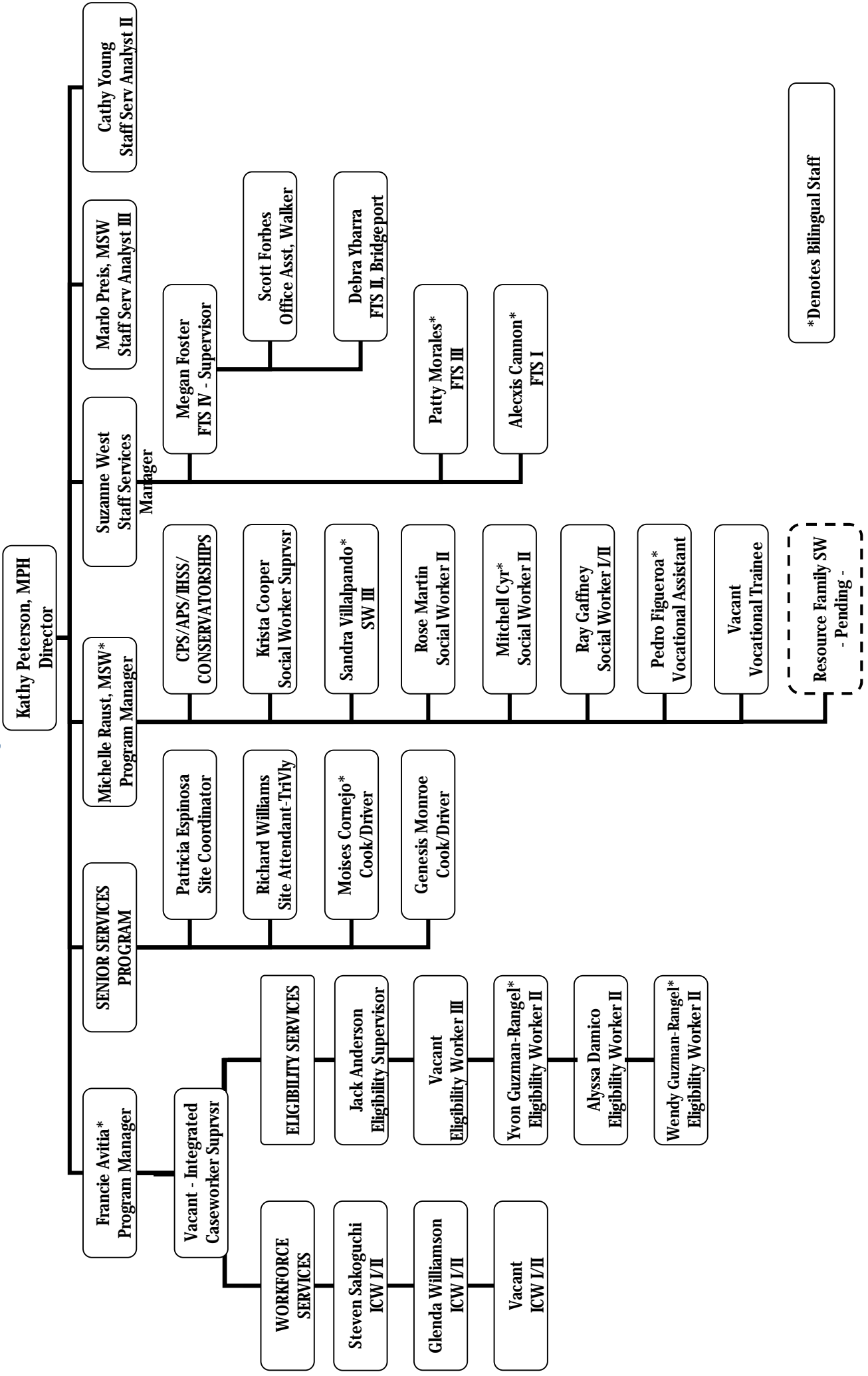
**Proposed Transition from Eligibility Worker to Eligibility Specialist
(to include Integrated Caseworkers)**

Monthly salary equivalent - rounded to the nearest \$

Range	CURRENT	Monthly		Range	PROPOSED	Monthly
51	Eligibility Worker I	\$ 2,908.00	→	51	Eligibility Specialist Trainee	\$ 2,908.00
55	Eligibility Worker II	\$ 3,210.00	→	55	Eligibility Specialist I	\$ 3,210.00
59	Eligibility Worker III	\$ 3,542.00	→	59	Eligibility Specialist II	\$ 3,542.00
				63	Eligibility Specialist III	\$ 3,910.00
63	Eligibility Worker Suprvsr	\$ 3,910.00	→	67	Eligibility Specialist Suprvsr	\$ 4,316.00
56	Integrated Caseworker I	\$ 3,290.00	→	60	Integrated Caseworker I	\$ 3,631.00
60	Integrated Caseworker II	\$ 3,631.00	→	64	Integrated Caseworker II	\$ 4,008.00
64	Integrated Caseworker III	\$ 4,008.00	→	68	Integrated Caseworker III	\$ 4,424.00
	Supervising ICW	allocated, not filled	→	72	Supervising Integrated Caseworker	\$ 4,883.00

Note: See accompanying study titled, *Eligibility Classification Study Report*, July 7, 2106, Merit System Services.

Mono County Social Services



*Denotes Bilingual Staff



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: Public Works - Road

TIME REQUIRED 20 minutes (5 minute presentation;
15 minute discussion)

PERSONS APPEARING BEFORE THE BOARD Jeff Walters

SUBJECT Public Works Restructure - Road

AGENDA DESCRIPTION:

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

Restructure to restore parity in the Public Works Superintendent positions. The proposed restructure would establish parity between the Supervisor and Superintendent positions within Public Works.

RECOMMENDED ACTION:

Adopt proposed resolution R17-_____, Authorizing the County Administrative Officer to amend the County List of Allocated Positions to Eliminate one Road Operations Supervisor and to Add one Road Operations Superintendent in the Public Works Department. Provide any desired direction to staff.

FISCAL IMPACT:

Annual cost of restoring parity is \$87,732 for salaries and \$57,780 for benefits, for a total increase of \$27,348, to be paid out of Road Fund.

CONTACT NAME: Jeff Walters

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

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Staff Report](#)

[Resolution](#)

History

Time	Who	Approval
12/29/2016 6:18 AM	County Administrative Office	Yes
1/12/2017 12:05 PM	County Counsel	Yes
1/12/2017 11:17 AM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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

Date: January 17, 2017
To: Honorable Chair and Members of the Board of Supervisors
From: Jeff Walters, Public Works Director / Director of Road Operations and Fleet Services
Subject: Proposed Restructure in Public Works – Road

Recommended Action:

Authorize the restructure of Public Works and adopt Resolution R17-___ modifying the Mono County Allocation list as indicated. Provide any desired direction to staff.

Fiscal Impact:

Road Operations Superintendent - \$72,756 including benefits for the remainder of the 2016-17 fiscal year, and \$145,512 for a full year out of the Road fund. Due to several vacancies this year in the Road division, sufficient funds are available this fiscal year. The proposed change in salary would result in an increase of approximately \$27,348 per year in additional salary and benefits.

JOB TITLE	SALARY (MONTHLY)		BENEFITS (MONTHLY)		TOTAL COMPENSATION (ANNUAL)		
	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	CHANGE
Road Operations Supervisor	\$6,171.00	\$0.00	\$3,676.00	\$0.00	\$118,164.00	\$0.00	-\$118,164.00
Road Operations Superintendent	\$0.00	\$7,311.00	\$0.00	\$4,815.00	\$0.00	\$145,512.00	\$145,512.00
Totals	\$6,171.00	\$7,311.00*	\$3,676.00	\$4,815.00	\$118,164.00	\$145,512.00	\$27,348.00

*includes 2% COLA

Strategic Plan Alignment:

2016 – 2017 Focus Areas

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

Discussion:

There are currently three Superintendents and one Supervisor overseeing four divisions in Public Works. The Fleet Services Superintendent has a staff of 5 to 6; the Parks and Facilities Superintendent has a staff of 13; the Solid Waste Superintendent/Environmental Services Manager has a staff of 7; and the Road Operations Supervisor has a staff of 20 during the winter and 17 during the summer months.

Due to this situation, there is current inequity within Public Works. The current Road Operations Supervisor oversees up to twenty staff, far more than any other supervisor or superintendent in Public Works. The existing salary is also significantly less when compared to other supervisory personnel.

Title	Number of Staff	Salary / Year
Road Operations Supervisor	17 - 20	\$74,052
Fleet Services Superintendent	5 - 6	\$85,812
Facilities Superintendent	13	\$94,572
Solid Waste Superintendent	7	\$68,712*

*based on a 32-hour week

The current organizational chart of these four divisions in Public Works looks like this:

Attachments (1) Resolution



RESOLUTION NO. R17-

A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE COUNTY ADMINISTRATIVE OFFICER TO AMEND THE COUNTY LIST OF ALLOCATED POSITIONS TO ELIMINATE ONE ROAD OPERATIONS SUPERVISOR AND TO ADD ONE ROAD OPERATIONS SUPERINTENDENT IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the County of Mono maintains a list, of County job classifications, the pay ranges or rates for those job classifications, and the number of positions allocated by the Board of Supervisors for each of those job classifications on its List of Allocated Positions (or "Allocation List"); and

WHEREAS, the Allocation List identifies approved vacancies for recruitment and selection by Human Resources and implements collective bargaining agreements related to job classifications and pay rates; and

WHEREAS, the County seeks to provide public services in the most efficient and economical manner possible, which at times requires the modification of job classifications on the Allocation List; and

WHEREAS, it is currently necessary to amend the Allocation List as part of maintaining proper accountability for hiring employees to perform public services;

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

Increase the allocation of full-time Road Operations Superintendents in the Department of Public Works by one (salary range \$6,730 - \$8,181)

Decrease the allocation of full-time Road Operations Supervisors in the Department of Public Works by one (salary range \$5,005 - \$6,084).

PASSED, APPROVED AND ADOPTED this 17th day of January, 2017, by the following vote of the Board of Supervisors, County of Mono:

AYES :

NOES :

ABSENT :

ABSTAIN :

Chair
Mono County Board of Supervisors

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTEST:

Approved as to Form:

Clerk of the Board

Stacey Simon
County Counsel



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: Public Works, Sheriff, CAO, Finance

TIME REQUIRED 30 minutes (5 minute presentation,
25 minute discussion)

PERSONS APPEARING BEFORE THE BOARD Garrett Higerd

SUBJECT Update on Status of Jail
Renovation/Replacement Project

AGENDA DESCRIPTION:

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

Update on status of efforts to secure site adjacent to existing jail facility for construction of jail annex and on issues related to the preparation of a grant proposal for funds to construct that annex or, alternatively, to construct a new facility on the site of the old County hospital on Twin Lakes Road.

RECOMMENDED ACTION:

Hear staff report. Provide any desired direction to staff.

FISCAL IMPACT:

The fiscal impact associated with today's discussion is the cost to prepare and submit an application for SB 844 funding, is largely included in an existing contract with Nacht and Lewis to provide jail architecture services not to exceed \$111,735. Additional costs are anticipated to be \$12,510 for updated jail population projections and no more than \$20,976 for Mike Booher consulting, plus staff time. The fiscal impact of completing the project will be refined as part of the complete funding application and will be presented to your board along with financing options before the application is submitted to the Board of State and Community Corrections (BSCC).

CONTACT NAME: Garrett Higerd

PHONE/EMAIL: 760-924-1802 / ghigerd@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

History

Time	Who	Approval
1/12/2017 11:41 AM	County Administrative Office	Yes
1/12/2017 10:12 AM	County Counsel	Yes
1/12/2017 10:10 AM	Finance	Yes



MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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

Date: January 17, 2017
To: Honorable Chair and Members of the Board of Supervisors
From: Garrett Higerd, County Engineer
Re: SB 844 Jail Project Proposal Update

Recommended Action

Receive update on status of efforts to secure site adjacent to existing jail facility for construction of jail annex and on issues related to the preparation of a grant proposal for funds to construct that annex or, alternatively, to construct a new facility on the site of the old County hospital on Twin Lakes Road. Provide direction to staff.

Fiscal Impact:

The fiscal impact associated with today's discussion is the cost to prepare and submit an application for SB 844 funding, is largely included in an existing contract with Nacht and Lewis to provide jail architecture services not to exceed \$111,735. Additional costs are anticipated to be \$12,510 for updated jail population projections and no more than \$20,976 for Mike Booher consulting, plus staff time.

The fiscal impact of completing the project will be refined as part of the complete funding application and will be presented to your board along with financing options before the application is submitted to the Board of State and Community Corrections (BSCC).

Background:

On January 3, 2017, the following project alternatives were discussed for completion of a Senate Bill 844 funding application:

- (1) Construct new facility at site of old Mono County Hospital on Twin Lakes Road; or
- (2) Construct jail annex at site of Frontier warehouse adjacent to existing jail.

The Board of Supervisors provided direction to, "pursue option (2) Construction of jail annex at site of Frontier warehouse adjacent to existing jail as discussed. However, if it is determined that the Frontier site is not available, or not available in a reasonable amount of time which will allow for the grant application to be filed on time, then pursue option (1) Construction of new facility at site of old Mono County Hospital on Twin Lakes Road".

Since then, Public Works has contacted the appropriate staff at Frontier and they have vetted our request to purchase 4,500 square feet of land adjacent to the existing jail with their Real Estate Team. Their consensus is that they are not interested in selling because the garage/warehouse facility is the only location the local working group has to store materials

where they are protected from the elements. It is also beneficial to them because it is directly adjacent to their primary Bridgeport switching station. Therefore, Frontier is not willing to work with the County to transfer ownership of the site. Accordingly, staff has begun preparation of a complete application for option (1) that will be brought back to the Board for consideration on February 21, 2017.

Now that only one of the identified alternatives is feasible, I would like to clarify the following points that affect the potential fiscal impact:

- Small counties with populations less than 200,000 are eligible to waive 100% of the match. Consequently, only items specifically excluded (named below) and costs over \$25 million will be out-of-pocket for the County.
- The estimates are very preliminary based on the consultant's prior experience with jails our size. They have not been refined for Mono County, and we will be working with the consultants to try to reduce the cost to get closer to \$25 million.
- We will be looking to save money by using County resources for things like project management, CEQA and other demolition and construction whenever legal and feasible thereby reducing the County obligation.
- There are some costs such as the State Fire Marshall fees and the utility hookups that are not reimbursable, but other costs incurred after the funding is approved, up to \$25 million are eligible for reimbursement.
- The portion of the local match that exceeds the eligible in-kind match, can come from an investment pool loan or bank line of credit having a five-year term, payable semi-annually at as low as 2.25% interest per year. Annual loan payments on a \$1,000,000 to \$2,000,000 loan (ranging from \$220,000 to \$426,000, depending on the amount borrowed) could be funded through a combination of budgetary expenditure savings, expenditure deferrals and if necessary, temporary expenditure reductions.
- The funds are scheduled to be awarded in November, which is the 2017-18 fiscal year and all project County costs will be included in that budget and any ongoing, related debt service will be included in future budgets.

Please contact me at 924-1802 if you have any questions regarding this item.

Respectfully submitted,



Garrett Higerd
County Engineer



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

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: County Counsel, Public Works, Sheriff, Finance, CAO

TIME REQUIRED 10 minutes (5 minutes presentation, 5 minutes discussion) **PERSONS APPEARING BEFORE THE BOARD** Stacey Simon and Garrett Higerd

SUBJECT Resolution for Exception to 180-day Wait Period under PERS Laws

AGENDA DESCRIPTION:

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

Proposed resolution certifying critical need for appointment of Mono County retiree Mike Booher to part-time, limited term, non-benefitted position of Jail Operations/Needs Specialist.

RECOMMENDED ACTION:

Adopt proposed resolution providing necessary certifications for exception to the 180-day wait period under Government Code sections 7522.56 & 21224 for the limited term, part-time employment of PERS retiree Glenn Michael Booher as Jail Operations/Needs Specialist. Provide any desired direction to staff.

FISCAL IMPACT:

Up to \$20,976 to be funded from the remaining unencumbered balance budgeted for the Jail project in fund 190, Capital Improvement Projects.

CONTACT NAME: Stacey Simon

PHONE/EMAIL: 924-1704 / ssimon@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Staff report
<input type="checkbox"/> Resolution
<input type="checkbox"/> Exhibit A - offer letter

History

Time	Who	Approval
1/12/2017 6:33 AM	County Administrative Office	Yes
1/11/2017 4:38 PM	County Counsel	Yes
1/12/2017 8:19 AM	Finance	Yes

County Counsel
Stacey Simon

Assistant County Counsel
Christian E. Milovich

Deputies
Stephen M. Kerins
Anne M. Larsen

**OFFICE OF THE
COUNTY COUNSEL**

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

Telephone
760-924-1700

Facsimile
760-924-1701

Paralegal
Jenny Senior

To: Board of Supervisors

From: Stacey Simon

Date: January 17, 2017

Re: Resolution authorizing appointment to fill critically-needed position

Recommended Action

Adopt resolution making required certifications for an exception to the 180-day wait period under Government Code sections 7522.56 and 21224 to allow the limited term, part-time employment of PERS retiree Mike Booher as Jail Operations/Needs Specialist, as necessary to fill a critically needed position before the 180-day wait-period has passed.

Focus Area(s) Met

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

Fiscal Impact

Up to \$20,976 to be funded from the remaining unencumbered balance budgeted for this project in fund 190, Capital Improvement Projects.

Discussion

The Board has directed staff to apply for funds made available through SB 844 for jail upgrades which are necessary to comply with current state and federal laws. The deadline for application is February 28, 2017. This is an aggressive timeline for a process that requires significant planning, analysis and decision making. Mike Booher worked in the Mono County jail (most recently as Jail Lieutenant) for twenty-six years, and is the person which the single greatest knowledge of jail operations and needs. Unfortunately, Mr. Booher retired from County service on December 30, 2016.

The proposed resolution would make the certifications required by PERS to bring Mr. Booher back (without the standard 180-day wait period) as a temporary, part-time, unbenefited employee for the purpose of assisting Public Works to develop the necessary information for the County's SB 844 application.

Mr. Booher would be authorized to work up to 500 hours between January 18, 2017 and June 30, 2017 (although it is believed that significantly fewer hours will be required and that workload will significantly decline following submission of the completed application on February 28). Accordingly, at an hourly rate of \$38.97 the maximum cost to the County is \$20,976.

If you have any questions on this matter prior to your meeting, please call me at 924-1704 or 932-5417 or Garrett Higerd at 760-924-1802.



COUNTY OF MONO

P.O. BOX 696, BRIDGEPORT, CALIFORNIA 93517
(760) 932-5414 • FAX (760) 932-5411

Exhibit "A"

Leslie Chapman
County Administrative Officer

January 17, 2017

Glenn Michael "Mike" Booher
P.O. Box 234
Bridgeport, CA 93517

Mr. Booher:

Congratulations. You have been selected as the successful candidate for the Temporary Part-Time, un-benefited position of Jail Operations/Needs Specialist in the Mono County Department of Public Works. This appointment is made pursuant to Mono County Personnel System Section 170.F.7. The terms and conditions of this employment are attached hereto.

We would like to schedule your start date on January 18, 2017. The end date for the position is June 30, 2017.

You may be expected to travel throughout the County; your work location(s) and schedule will be discussed with Garrett Higerd, County Engineer. Your starting salary will be \$38.97 per hour, with a maximum hour limit of 500.

You are required to report to Human Resources, 74 North School Street, Bridgeport, on or before January 18, 2017, to complete some check-in paperwork. At that time, you **MUST** bring proof of identify and proof that you are eligible to work in the United States; in addition, your current Driver's license and social security card is required for payroll purposes. In order to complete the initial employee check-in, please bring the following documents:

1. Original Social Security Card and original valid Driver's license
2. Signed offer of employment
3. Completed physical forms

Please provide your signature below to verify you have been provided with a copy of this Offer of Employment and understand and agree with its contents. In addition, your signature affirms that you can perform the essential functions of the position with or without accommodation. Please inform Mono County if any accommodation is necessary for your job success. Please also indicate your desired start date along with your signature accepting employment.

Sincerely,

Leslie Chapman
County Administrative Officer

Mike Booher

Date

Cc: Garrett Higerd

**TERMS & CONDITIONS OF GLENN MICHAEL "MIKE" BOOHER'S
TEMPORARY PART-TIME EMPLOYMENT WITH MONO COUNTY**

I. RECITALS

The County wishes to employ Glenn Michael "Mike" Booher as Jail Operations/Needs Specialist in the Department of Public Works. This shall be a "Temporary Part-Time Appointment" pursuant to the terms and conditions set forth below. Mike Booher wishes to accept employment with the County on said terms and conditions.

II. TERMS & CONDITIONS

1. The term of Mike Booher's employment is from January 18, 2017, until June 30, 2017, unless earlier terminated by either party in accordance with the terms below. This appointment shall be in accordance with Sections 140 and 170 of the Mono County Personnel System.
2. Commencing January 18, 2017, Mr. Booher shall be employed by Mono County as Jail Operations/Needs Specialist, as a "Temporary Part-Time Appointment" as that term is defined in Section 170.F.7 of the Mono County Personnel System, serving at the will and pleasure of the Director of Public Works. Mr. Booher accepts such employment. The Director of Public Works shall be deemed the "appointing authority" for all purposes with respect to Mr. Booher's employment.
3. During the term of this employment, Mr. Booher shall furnish Jail Operations/Needs Specialist services at the discretion of the County Engineer. The total number of hours of services provided shall not exceed 500 hours between January 18, 2017 and June 30, 2017. The County Engineer shall be responsible for the actual days and hours of work scheduling.
4. During the course of this employment, Mr. Booher's compensation shall be \$38.97 per hour for each hour of service provided. The \$38.97 hourly compensation shall encompass the full wages and benefits paid to Mr. Booher under the terms and conditions of this employment. There shall be no other increases in Mr. Booher's compensation during the course of this employment unless authorized by the County Administrative Officer. Any such increase is at the sole discretion of the County.
5. Consistent with Mono County Personnel System Section 170.F.7, Mr. Booher shall not be entitled to benefits provided by the County to other employees. Additionally, Mr. Booher shall receive no days of vacation leave, merit leave, holidays, or other similar benefit during the term of this agreement, except as required by law.
6. Consistent with the "at will" nature of Mr. Booher's employment, the Director of Public Works may terminate Mr. Booher's employment at any time during the term of his/her employment, without cause. Mr. Booher understands and acknowledges that as an "at will" employee, he will not have permanent status nor will his employment be governed

by the County Personnel System (or Mono County Code Chapter 2.68) except to the extent that System is ever modified to apply expressly to at-will employees. Among other things, he will have no property interest in his 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 sole discretion, take during Mr. Booher 's employment.

7. Mr. Booher shall not be entitled to any severance pay upon separation from employment with the County, regardless of the reason for said separation. Mr. Booher shall also not be entitled to any severance pay in the event he becomes unable to perform the essential functions of his/her position (with or without reasonable accommodations) and his employment is duly terminated for such non-disciplinary reasons.
8. Mr. Booher may resign his employment with the County at any time. The resignation shall be deemed effective when tendered, and his/her employment shall automatically terminate on that same date, unless otherwise mutually agreed to in writing by the parties. Mr. Booher shall not be entitled to any severance pay or additional compensation of any kind after the effective date of such resignation.



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE January 17, 2017

Departments: Community Development

TIME REQUIRED PUBLIC HEARING - 3:00 P.M. (30 minutes)

PERSONS APPEARING BEFORE THE BOARD Michael Draper

SUBJECT Extension of Temporary Moratorium on Commercial Cannabis Activities

AGENDA DESCRIPTION:

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

Public hearing pertaining to request for approval of interim ordinance No. 17_ of the Mono County Board of Supervisors extending the temporary moratorium prohibiting commercial medical and recreational marijuana activities, including commercial cultivation, distribution, transportation, delivery, storage, manufacturing, processing, provision or sale of cannabis products in the unincorporated area of Mono County established by Mono County Ordinance 16-11.

RECOMMENDED ACTION:

Following public hearing adopt proposed ordinance No. 17- extending the temporary moratorium prohibiting commercial medical and recreational marijuana activities, including commercial cultivation, distribution, transportation, delivery, storage, manufacturing, processing, provision or sale of cannabis products in the unincorporated area of Mono County established by Mono County Ordinance 16-11. Provide any desired direction to staff.

FISCAL IMPACT:

No impact to general fund.

CONTACT NAME: Michael Draper

PHONE/EMAIL: 760-924-1805 / mdraper@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download

[Staff Report](#)

[Attachment 1 to Staff Report \(Ordinance 16-11\)](#)

[Attachment 2 to Staff Report \(Work Plan\)](#)

[Ordinance](#)

History

Time	Who	Approval
1/11/2017 4:01 PM	County Administrative Office	Yes
1/11/2017 2:05 PM	County Counsel	Yes
1/8/2017 2:27 PM	Finance	Yes

Mono County Community Development Department

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, fax 924-1801
www.monocounty.ca.gov

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420, fax 932-5431
www.monocounty.ca.gov

January 17, 2017

To: Honorable Board of Supervisors

From: **Michael Draper, Community Development**
Christy Milovich, County Counsel
Leslie Chapman, CAO
Tim Kendall, District Attorney
Ingrid Braun, Sheriff-Coroner
Lynda Salcido, Public Health
Louis Molina, Environmental Health
Robin Roberts, Behavioral Health
Janet Dutcher, Finance
Barry Beck, Assessor
Nick Criss, Code Compliance
Alicia Vennos, Economic Development
Karin Humiston, Chief Probation Officer
Gerald Frank, Tax Collector
Kathy Peterson, Social Services
Nate Reade, Agriculture Commissioner

Re: COMMERCIAL, MEDICAL, AND RECREATIONAL MARIJUANA
MORATORIUM EXTENSION

Recommendation:

Following public hearing, adopt Ordinance No.17_ extending for 10 months and 15 days, the temporary moratorium prohibiting commercial medical and recreational marijuana activities, including commercial cultivation, distribution, transportation, delivery, storage, manufacturing, processing, provision or sale of cannabis products in the unincorporated area of Mono County established by Mono County Ordinance 16-11.

Fiscal Impact

No impact to general fund.

Background

The Board is being asked to consider an extension of the urgency moratorium adopted by the Board on December 13, 2016 (Attachment 1). The current moratorium expires January 26, 2017. An extension would continue the temporary prohibition of commercial, medical and recreational marijuana activities in the unincorporated area of Mono County, but will not affect the ability of an individual or a caretaker to engage in medical marijuana activities authorized under the Compassionate Use Act (Proposition 215) and The Medical Marijuana Program Act (SB 420)

commencing with Section 11362.7 of the California Health and Safety Code. This moratorium will also not affect an individual's right to engage in indoor cultivation of 6 or fewer plants, though outdoor cultivation will be temporarily prohibited.

Current law explicitly authorizes the County to prohibit, regulate and/or license commercial cannabis activity within its local jurisdictions, as well as, in the case of Prop 64, impose certain local sales and use taxes subject to local voter approval. At this time, however, the County does not have any regulatory or licensing scheme in place.

Discussion

The Board is being asked to approve a 10-month, 15-day (or until December 2, 2017, unless sooner terminated by this Board) extension of the current moratorium to avoid health and safety threats and preserve the ability to establish local regulations in the future, as well as preserve the status quo within the unincorporated areas of the County, while staff and decision makers analyze and consider potential modifications to the General Plan and other local regulations to address new laws.

Many departments have the potential to interact with cannabis activity, and therefore a multi-departmental Cannabis Task Force was convened on January 9, 2017. The Task Force identified potential issues within the various departments represented in an effort to scope this project, and discussed a general structure for a comprehensive work plan (Attachment 2). Information from this initial meeting will be provided at the Board meeting.

To ensure sufficient outreach, discussion, and time for research and policy/regulation development, a full 10-month, 15-day extension of the current ordinance is recommended. The work plan generally includes two phases: 1) an information gathering phase, and 2) a phase to develop policies and regulations. Both phases include outreach to decision makers, other agencies, and local communities through general and Regional Planning Advisory Committee meetings, and each outreach phase can take approximately two months. The potential for engaging a consultant or other expertise is also an option.

The Cannabis Task Force is seeking direction and input from the Board of Supervisors on the work plan and additional issues that should be considered, and whether an outright ban or prohibition is supported. The work plan currently assumes the County is seeking to regulate rather than prohibit.

Attachment

1. Interim Ordinance
2. Initial Work Plan Structure



ORDINANCE NO. ORD16- 11

**AN INTERIM ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS
ENACTING A TEMPORARY MORATORIUM PROHIBITING COMMERCIAL
MEDICAL AND RECREATIONAL MARIJUANA ACTIVITIES, INCLUDING
COMMERCIAL CULTIVATION, DISTRIBUTION, TRANSPORTATION,
DELIVERY, STORAGE, MANUFACTURING, PROCESSING,
PROVISION OR SALE OF CANNABIS PRODUCTS IN THE
UNINCORPORATED AREA OF MONO COUNTY**

WHEREAS, Government Code section 65858 authorizes the adoption of an interim ordinance as an urgency measure to prohibit any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the Board of Supervisors, planning commission or planning department is considering or studying or intends to study within a reasonable time, when necessary to protect the public safety, health, and welfare; and

WHEREAS, The Compassionate Use Act of 1996 (CUA) was approved by California voters as Proposition 215. The CUA amended the Health & Safety Code to exempt patients and their primary caregivers from criminal prosecution for possession and cultivation of marijuana, provided that the marijuana was cultivated and used for personal medical purposes, on the recommendation of a physician; and

WHEREAS, The Medical Marijuana Program Act (SB 420) took effect January 1, 2004, and added Article 2.5 (commencing with Section 11362.7) to the Health and Safety Code. SB 420 served to clarify the scope and application of the CUA by establishing California's medical marijuana program, which sets forth guidelines regarding how much medical marijuana patients may grow and possess without being subject to arrest and implements a voluntary patient identification card program and other provisions to protect patients and their caregivers; and

WHEREAS, The Medical Marijuana Regulation and Safety Act (MMRSA), consisting of three bills: AB 266, AB 243 and SB 643, went into effect on January 1, 2016. This law created a State of California Bureau of Medical Marijuana Regulation (BMMR) and provides for a dual licensing scheme for "commercial cannabis activity," related to medical marijuana, including commercial cultivation, distribution, manufacture, testing, processing, storing, transporting, delivery and sale of marijuana, also known as cannabis. The MMRSA preserved the authority of cities and counties to prohibit, regulate and/or license commercial cannabis activity within their local jurisdictions; and

1 **WHEREAS**, California Proposition 64, the California Marijuana Legalization Initiative
2 (Adult Use of Marijuana Act or AUMA), legalizes recreational use of marijuana in California, for
3 those over the age of 21 and was voted into law on November 8, 2016. AUMA provides for
4 regulatory enactment of a state licensing, regulation and enforcement scheme for recreational
5 marijuana use and allows local jurisdictions to ban or regulate recreational marijuana-related
6 business and outdoor cultivation as well as impose certain sales and use taxes, subject to local voter
7 approval. AUMA also allows local jurisdictions to regulate, but not to ban, the indoor cultivation
8 of cannabis for recreational use; and

9 **WHEREAS**, following these changes to State law, the County has received an increased
10 number of inquiries regarding commercial marijuana cultivation and related activities in the
11 unincorporated area of Mono County, which inquiries reflect a lack of understanding of the
12 continued illegality of these activities; and

13 **WHEREAS**, both MMRSA and AUMA provide that the activities authorized therein may
14 not occur until the State has enacted regulations governing their implementation; and

15 **WHEREAS**, under both MMRSA and AUMA, local governments have been given explicit
16 authority to regulate commercial medical and recreational marijuana activities (as defined below)
17 within their jurisdictions, including enacting licensing requirements, land use restrictions and/or
18 certain local sales and use taxes subject to local voter approval; and

19 **WHEREAS**, the Mono County Board of Supervisors has not had the opportunity to hear
20 adequate public comment or receive comprehensive input from local communities with regard to
21 the imposition of local land use or other regulations and/or taxes, nor to consider the effect of
22 eventual State regulations; and

23 **WHEREAS**, in order to preserve the ability to establish local regulations in the future, as
24 well as preserve the status quo within the unincorporated areas of the County and discourage illegal
25 cannabis activities, while staff and decision makers analyze and consider potential modifications to
26 the General Plan and other local regulations to address these new laws, the Board of Supervisors
27 desires to temporarily prohibit commercial medical and recreational marijuana activities within the
28 unincorporated areas of the County in accordance with Government Code section 65858;

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF
MONO FINDS AND ORDAINS THAT:**

SECTION ONE: There is a current and immediate threat to the public health, safety and
welfare as a result of newly enacted, and currently proposed, State laws within the unincorporated
areas of the County for the reasons set forth above, and additionally as follows:

- A. Mandatory State regulations governing commercial cannabis activities under MMRSA and AUMA have not yet been developed; and
- B. Commercial cannabis activities remain illegal until such regulations are in place, notwithstanding their apparent statutory authorization; and

- 1 C. There is a lack of understanding among members of the public regarding the current
2 legality of commercial cannabis activities; and
- 3 D. This lack of understanding is likely to result in an increase in illegal commercial
4 cannabis activities within the unincorporated areas of the County; and
- 5 E. Such illegal activity will require law enforcement action which has the potential to
6 endanger the health and safety not only of law enforcement officers themselves, but of
7 the public.

7 **SECTION TWO:** Commercial medical marijuana activities described in MMRSA,
8 including commercial cultivation, distribution, transportation, delivery, storage, laboratory
9 testing, manufacturing, processing, provision or sales of cannabis products within the
10 unincorporated areas of Mono County is hereby temporarily prohibited to allow for the proper
11 study and assessment of public sentiment, State regulation and County land use and regulatory
12 needs as they relate to commercial medical marijuana activities.

11 **SECTION THREE:** During the temporary prohibition created by this ordinance, staff
12 shall identify and analyze the relevant issues associated with various commercial medical
13 marijuana activities and the impact these activities would have on law enforcement and the
14 community at large, should commercial activities not be regulated at the local level, and shall
15 develop recommendations for the Board regarding possible local land use or other regulations
16 governing their implementation.

15 **SECTION FOUR:** This temporary prohibition also applies to marijuana produced for
16 recreational use, pursuant to the newly enacted AUMA.

17 **SECTION FIVE:** This temporary prohibition does not affect nor apply to those
18 individuals who are currently engaging in medical marijuana cultivation or other non-commercial
19 marijuana-related activities permissible under the Compassionate Use Act adopted in 1996 or the
20 Medical Marijuana Program Act of 2004. In other words, this prohibition does not apply to
21 marijuana activities that are currently legal under State law. This moratorium will also not affect
22 an individual's right to engage in indoor cultivation of 6 or fewer plants, though outdoor cultivation
23 will be prohibited.

21 **SECTION SIX:** This ordinance shall become effective upon adoption as an urgency
22 measure pursuant to Government Code sections 65858 and 25123 and shall remain in effect, unless
23 extended as allowed by law, for 45 calendar days. The Clerk of the Board of Supervisors shall post
24 this ordinance and also publish it or a summary thereof in the manner prescribed by Government
25 Code section 25124 no later than 15 days after the date of its adoption.

25 **PASSED, APPROVED and ADOPTED** this 13th day of December, 2016,
26 by the following vote, to wit:


26 **AYES:** Supervisors Alpers, Corless, Johnston, and Stump.

27 **NOES:** None.

28 **ABSENT:** Supervisor Fesko.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ABSTAIN: None.


Stacy Corless, Vice-Chair
Mono County Board of Supervisors

ATTEST:


Clerk of the Board

APPROVED AS TO FORM: 1


County Counsel

Mono County Cannabis Regulation Work Plan

PHASE I

TASK 1: Establish Task Force (Jan)

1.1 Formation of Advisory Committee: The Committee is formed to provide feedback on departmental needs and develop a comprehensive regulatory scheme for the County. The Committee will contain individuals from those County departments impacted by cannabis regulation, with the possibility of including cannabis industry members for expertise and outside consultants for additional advisement. Input and feedback on various key issues and policy options will be crucial in determining an agreeable ordinance.

- Agriculture Commissioner; Assessor; Behavioral Health; County Counsel; Community Development (Planning, Building, Code Compliance); Economic Development; Environmental Health; Finance (Tax collector); Behavioral Health; Public Health; Sheriff; Social Services

1.2 Determine frequency of meetings held by this group.

1.3 Generate an understanding of issues, opportunities and constraints by department.

TASK 2: Board of Supervisor #1 (Jan)

2.1 Preliminary discussion & direction; present work plan & initial issue identification

2.2 Moratorium extension

TASK 3: Community/agency Outreach #1 (Feb/Mar)

3.1 Public information released (interview published)

3.2 Outreach to RPACs #1 – identify community issues and opportunities preferences, fears, etc.

3.3 Create webpage for information

3.4 Collaborative Planning Team outreach

3.5 Outreach to any other applicable entities, such as the Town of Mammoth Lakes, City of Bishop, Eastern Sierra Council of Governments, etc.

TASK 4: Plan Commission #1 (Mar)

4.1 Present current state, plan, and discuss

TASK 5: Research (Jan-Oct)

5.1 Increase knowledge base – may include attending conferences, workshops, and contacting a consultant

5.2 Research issues and start developing an understanding of potential solutions

PHASE II

TASK 6: Develop policies and regulatory framework (Apr-July)

Attachment 2 to Staff Report (Work Plan)

6.1 Synthesize all input and work through issues: several topics/areas are anticipated to be worked out by applicable departments, then combined into a single County framework

6.2 Draft policy options and staff recommendation

6.3 Draft ordinance

6.4 Identify CEQA options, potentially conduct CEQA

TASK 7: Outreach #2 (Aug-Sept)

7.1 Outreach to RPAC's #2 – feedback on draft policies and regulations

7.2 CPT meeting (if needed)

7.3 Planning Commission or Board workshops (if needed)

7.4 Coordination with/outreach to any other applicable entities (if needed)

TASK 8: Adoption (Oct)

8.1 Planning Commission consideration and recommendation

8.2 Board of Supervisors consideration and adoption



ORDINANCE NO. ORD17-__

**AN INTERIM ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS
EXTENDING THE TEMPORARY MORATORIUM PROHIBITING COMMERCIAL
MEDICAL AND RECREATIONAL MARIJUANA ACTIVITIES, INCLUDING
COMMERCIAL CULTIVATION, DISTRIBUTION, TRANSPORTATION,
DELIVERY, STORAGE, MANUFACTURING, PROCESSING, PROVISION
OR SALE OF CANNABIS PRODUCTS IN THE UNINCORPORATED
AREA OF MONO COUNTY ESTABLISHED BY
MONO COUNTY ORDINANCE 16-11**

WHEREAS, Government Code section 65858 authorizes the adoption of an interim ordinance as an urgency measure to prohibit any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the Board of Supervisors, planning commission or planning department is considering or studying or intends to study within a reasonable time, when necessary to protect the public safety, health, and welfare; and

WHEREAS, The Compassionate Use Act of 1996 (CUA) was approved by California voters as Proposition 215. The CUA amended the Health & Safety Code to exempt patients and their primary caregivers from criminal prosecution for possession and cultivation of marijuana, provided that the marijuana was cultivated and used for personal medical purposes, on the recommendation of a physician; and

WHEREAS, The Medical Marijuana Program Act (SB 420) took effect January 1, 2004, and added Article 2.5 (commencing with Section 11362.7) to the Health and Safety Code. SB 420 served to clarify the scope and application of the CUA by establishing California's medical marijuana program, which sets forth guidelines regarding how much medical marijuana patients may grow and possess without being subject to arrest and implements a voluntary patient identification card program and other provisions to protect patients and their caregivers; and

WHEREAS, The Medical Marijuana Regulation and Safety Act (MMRSA), consisting of three bills: AB 266, AB 243 and SB 643, went into effect on January 1, 2016. This law created a State of California Bureau of Medical Marijuana Regulation (BMMR) and provides for a dual licensing scheme for "commercial cannabis activity," related to medical marijuana, including commercial cultivation, distribution, manufacture, testing, processing, storing, transporting, delivery and sale of marijuana, also known as cannabis. The MMRSA preserved the authority of cities and counties to prohibit, regulate and/or license commercial cannabis activity within their local jurisdictions; and

1 **WHEREAS**, California Proposition 64, the California Marijuana Legalization Initiative
2 (Adult Use of Marijuana Act or AUMA), legalizes recreational use of marijuana in California, for
3 those over the age of 21 and was voted into law on November 8, 2016. AUMA provides for
4 regulatory enactment of a state licensing, regulation and enforcement scheme for recreational
5 marijuana use and allows local jurisdictions to ban or regulate recreational marijuana-related
6 business and outdoor cultivation as well as impose certain sales and use taxes, subject to local voter
7 approval. AUMA also allows local jurisdictions to regulate, but not to ban, the indoor cultivation
8 of cannabis for recreational use; and

9 **WHEREAS**, following these changes to State law, the County has received an increased
10 number of inquiries regarding commercial marijuana cultivation and related activities in the
11 unincorporated area of Mono County, which inquiries reflect a lack of understanding of the
12 continued illegality of these activities; and

13 **WHEREAS**, both MMRSA and AUMA provide that the activities authorized therein may
14 not occur until the State has enacted regulations governing their implementation; and

15 **WHEREAS**, under both MMRSA and AUMA, local governments have been given explicit
16 authority to regulate commercial medical and recreational marijuana activities (as defined below)
17 within their jurisdictions, including enacting licensing requirements, land use restrictions and/or
18 certain local sales and use taxes subject to local voter approval; and

19 **WHEREAS**, the Mono County Board of Supervisors has not had the opportunity to hear
20 adequate public comment or receive comprehensive input from local communities with regard to
21 the imposition of local land use or other regulations and/or taxes, nor to consider the effect of
22 eventual State regulations; and

23 **WHEREAS**, in order to preserve the ability to establish local regulations in the future, as
24 well as preserve the status quo within the unincorporated areas of the County and discourage illegal
25 cannabis activities, while staff and decision makers analyze and consider potential modifications to
26 the General Plan and other local regulations to address these new laws, the Board of Supervisors
27 adopted interim ordinance 16-11 on December 13, 2016, temporarily prohibiting commercial
28 medical and recreational marijuana activities within the unincorporated areas of the County in
accordance with Government Code section 65858;

WHEREAS, the Board now wishes to extend the restrictions imposed by ordinance 16-11,
for the maximum amount allowed by law (10 months and 15 days, or until December 2, 2017),
unless sooner terminated by this Board or further extended as allowed by law;

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF
MONO FINDS AND ORDAINS THAT:**

SECTION ONE: There is a continuing current and immediate threat to the public health,
safety and welfare as a result of newly enacted State laws within the unincorporated areas of the
County for the reasons set forth above, and additionally as follows:

- 1 A. Mandatory State regulations governing commercial cannabis activities under
2 MMRSA and AUMA have not yet been developed or implemented; and
- 3 B. Commercial cannabis activities remain illegal until such regulations are in place,
4 notwithstanding their apparent statutory authorization; and
- 5 C. There is a lack of understanding among members of the public regarding the current
6 legality of commercial cannabis activities; and
- 7 D. This lack of understanding is likely to result in an increase in illegal commercial
8 cannabis activities within the unincorporated areas of the County; and
- 9 E. Such illegal activity will require law enforcement action which has the potential to
10 endanger the health and safety not only of law enforcement officers themselves, but of
11 the public.

12 **SECTION TWO:** The prohibition of commercial medical marijuana activities described in
13 MMRSA, including commercial cultivation, distribution, transportation, delivery, storage,
14 laboratory testing, manufacturing, processing, provision or sales of cannabis products within the
15 unincorporated areas of Mono County established by Mono County interim ordinance 16-11 is
16 hereby extended for 10 months and fifteen days (until December 2, 2017), unless earlier terminated
17 by ordinance of this Board, to allow for the proper study and assessment of public sentiment, State
18 regulation and County land use and regulatory needs as they relate to commercial medical
19 marijuana activities.

20 **SECTION THREE:** During the extended prohibition created by this ordinance, staff shall
21 identify and analyze the relevant issues associated with various commercial medical marijuana
22 activities and the impact these activities would have on law enforcement and the community at
23 large, should commercial activities not be regulated at the local level, and shall develop
24 recommendations for the Board regarding possible local land use or other regulations governing
25 their implementation.

26 **SECTION FOUR:** This extended prohibition also applies to marijuana produced for
27 recreational use, pursuant to the newly enacted AUMA.

28 **SECTION FIVE:** This extended prohibition does not affect nor apply to those individuals
who are currently engaging in medical marijuana cultivation or other non-commercial marijuana-
related activities permissible under the Compassionate Use Act adopted in 1996 or the Medical
Marijuana Program Act of 2004. In other words, this prohibition does not apply to marijuana
activities that are currently legal under State law. This moratorium will also not affect an
individual's right to engage in indoor cultivation of 6 or fewer plants, though outdoor cultivation
will be prohibited.

SECTION SIX: This ordinance shall become effective upon adoption as an urgency
measure pursuant to Government Code sections 65858 and 25123 and shall remain in effect, unless
extended as allowed by law, or earlier terminated, for ten months and fifteen days (until December
2, 2017). The Clerk of the Board of Supervisors shall post this ordinance and also publish it or a
summary thereof in the manner prescribed by Government Code section 25124 no later than 15
days after the date of its adoption.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

AYES:
NOES:
ABSENT:
ABSTAIN:

Stacy Corless, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel