



# AGENDA

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

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

MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

### Regular Meeting December 10, 2019

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#### TELECONFERENCE LOCATIONS:

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

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

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

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

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

9:00 AM Call meeting to Order

Pledge of Allegiance

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

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

and number of persons wishing to address the Board.)

**2. RECOGNITIONS - NONE**

**3. COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments

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

**4. DEPARTMENT/COMMISSION REPORTS**

**5. CONSENT AGENDA**

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

**A. Board Minutes**

Departments: Clerk of the Board

Approval of the minutes of the regular Board of Supervisors meeting on October 15, 2019.

**Recommended Action:** Approve the minutes of the regular Board of Supervisors meeting on October 15, 2019.

**Fiscal Impact:** None.

**B. Board Minutes**

Departments: Clerk of the Board

Approval of the minutes of the regular Board of Supervisors meeting on November 5, 2019.

**Recommended Action:** Approve the minutes of the regular Board of Supervisors meeting on November 5, 2019.

**Fiscal Impact:** None.

**C. USGS Joint Funding Agreement FY2020**

Departments: Community Development

Proposed contract with ORMAT requiring reimbursement of Mono County for the cost of a Unites States Geological Survey (USGS) Joint Funding Agreement (JFA) for hydrologic well monitoring program in FY 2020

**Recommended Action:** Authorize the Community Development Director to sign the USGS JFA 20ZGFA60095610 and the 2018 agreement with ORMAT to fund the Long Valley hydrologic monitoring program for fiscal year 2020.

**Fiscal Impact:** None. The proposed agreement commits Ormat to fund the \$134,163 USGS well monitoring program for fiscal year 2020.

**D. Proposed Ordinance Amending Chapter 15.40 of the Mono County Code Enacting Updated Housing Mitigation Requirements**

Departments: CDD, Finance

Proposed Ordinance Amending Chapter 15.40 of the Mono County Code Enacting Updated Housing Mitigation Requirements

**Recommended Action:** Adopt proposed ordinance ORD19-\_\_\_, Amending Chapter 15.40 of the Mono County Code Enacting Updated Housing Mitigation Requirements and Direct staff to file a notice of exemption under the California Environmental Quality Act for the ordinance.

**Fiscal Impact:** An adopted HMO would create new revenue for housing programs.

**E. Housing Mitigation Ordinance Suspension**

Departments: Community Development

(Wendy Sugimura) - Adoption of a proposed ordinance to continue the suspension of the current Housing Mitigation Ordinance until the new ordinance and fees take effect (February 9, 2020).

**Recommended Action:** Adopt proposed ordinance ORD19-\_\_\_, Amending chapter 15.40.170 of the Mono County Code, extending the temporary suspension of all housing mitigation requirements until Feb. 9, 2020.

**Fiscal Impact:** None. The Housing Mitigation Ordinance has been suspended since 2011.

**F. Letter of Support of Lee Vining PUD to Inyo National Forest**

Departments: Clerk of the Board

A letter to the Inyo National Forest Mammoth Ranger District in support of the Lee Vining Public Utility District's (PUD) special use permit request to install and operate a test well for a groundwater characterization study.

**Recommended Action:** Approve letter and authorize Chair Peters to sign.

**Fiscal Impact:** None.

**G. Monthly Treasury Transaction Report**

Departments: Finance

Treasury Transaction Report for the month ending 10/31/2019.

**Recommended Action:** Approve the Treasury Transaction Report for the month

ending 10/31/2019.

**Fiscal Impact:** None

**6. CORRESPONDENCE RECEIVED**

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

**A. CSA 1 Community Survey Results Review**

The CSA 1 Board recently completed a community survey about improvements the CSA Service Area residents would like to see. The attached is an informal review of the results.

**7. REGULAR AGENDA - MORNING**

**A. Resolution in Support of Restoring the Ranger / Peace Officer Position at Mono Lake Tufa State Natural Reserve**

Departments: Board of Supervisors

20 minutes (15 minute presentation, 5 minute discussion)

(Janet Carle, Dave Marquart, Dave Carle) - Concerned members of the community, led by retired staff of the Mono Lake Tufa State Natural Reserve, feel the time has come for the restoration of the full-time permanent State Park Ranger/Peace Officer position at the Mono Lake Tufa State Natural Reserve, which has been vacant since 2012 and was eliminated in 2013, in light of a better fiscal situation for California with the passage of SB1.

**Recommended Action:** Approve Resolution R19-\_\_\_, In Support of restoring the Ranger / Peace Officer position at the Mono Lake Tufa State Natural Reserve.

**Fiscal Impact:** None.

**B. Housing Mitigation Fee Adoption**

Departments: CDD, Finance

PUBLIC HEARING: 9:30 AM (15 minutes)

(Wendy Sugimura) - Proposed resolution establishing in-lieu fees for the Housing Mitigation Ordinance based on inclusionary requirements and a completed nexus study.

**Recommended Action:** 1. Conduct a public hearing on the proposed housing mitigation fees and direct staff to make any desired modifications; and 2. Approve proposed resolution R19-\_\_\_, adopting fees pursuant to Title 15 Chapter 15.40 of the Mono County Code and specifying that the fees collected pursuant to Chapter 15.40 will be held in a designated fund for housing mitigation uses.

**Fiscal Impact:** An adopted fee schedule to correspond to the adopted Housing Mitigation Ordinance would create new revenue restricted for housing programs.

**C. Workforce Health and Well-Being Project: Review, Results and Recommendations**

Departments: Board of Supervisors and CAO

2.5 hours

(Beth Cohen) - Presentation by Beth Cohen, PhD, of Organizational Mind Group, PC., on her assessment, analyses, and recommendations to address County's organizational functioning and employee health and well-being. Presentation of results, outcomes, and recommendations.

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

**Fiscal Impact:** None.

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

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

**9. CLOSED SESSION**

**A. Closed Session - Human Resources**

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

**B. Closed Session - Public Employment**

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

**10. REGULAR AGENDA - AFTERNOON**

**A. General Plan Amendment (GPA) 19-04 Annual Cleanup**

Departments: Community Development - Planning

PUBLIC HEARING: 1:00 PM (15 minutes)

(Kelly Karl) - Public hearing regarding proposed General Plan Amendment 19-04 (GPA 19-04) that proposes minor technical changes to the Land Use Element and the Conservation/Open Space Element based on Board direction and as part of the annual cleanup of the General Plan.

**Recommended Action:** 1. Conduct public hearing on GPA 19-04 and the associated Addendum to the General Plan Environmental Impact Report, receive any additional public comments, deliberate the project and make any desired modifications. 2. Introduce, read title, and waive further reading of proposed Ordinance 19-\_\_ making the required findings, certifying the Addendum and adopting General Plan Amendment 19-04. 3. Provide any additional direction to staff.

**Fiscal Impact:** No fiscal impact expected from the minor technical changes to the General Plan.

**B. Countywide Generator Infrastructure and Needs**

Departments: Public Works

45 minutes (15 minute presentation; 30 minute discussion)

(Joe Blanchard) - Presentation by Joe Blanchard regarding the County's generator infrastructure, and needs for the future.

**Recommended Action:** Receive presentation on the County's current generator infrastructure and emerging considerations relating to the Public Safety Power Shutoff (PSPS) program. Increase budget to Capital Improvement Projects Fund by \$47,500 to cover upgrades and installations of critical generator infrastructure funded by the FY 2019 PSPS Resiliency Allocation from Cal OES. Requires a 4/5 vote.

**Fiscal Impact:** \$47,500 increase in appropriations for the CIP (\$25,000 for the Jail, \$12,000 for Bridgeport Annex I & II, \$8,000 for Bridgeport Probation, \$2,500 for Medic 1 in Bridgeport. Recommendation is to fund this increase with a portion of the County's \$153,512 FY 2019 PSPS Resiliency Allocation, leaving \$106,012 to spend by October 31, 2022.

**C. County Avalanche Forecasting Program**

Departments: Public Works

10 minutes

(Tony Dublino, Public Works Director) - A discussion of the County Avalanche Forecasting program. Please see staff report for more detail.

**Recommended Action:** Discuss the scope and need for contract avalanche forecasting services within Mono County. Provide direction to staff.

**Fiscal Impact:** Unknown, pending Board direction.

**11. BOARD MEMBER REPORTS**

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

**ADJOURN**



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 10, 2019

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT** Board Minutes

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Approval of the minutes of the regular Board of Supervisors meeting on October 15, 2019.

**RECOMMENDED ACTION:**

Approve the minutes of the regular Board of Supervisors meeting on October 15, 2019.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** S. Dedman

**PHONE/EMAIL:** x5538 / sdedman@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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<a href="#">10-15-19 DRAFT Minutes</a>

**History**

Time	Who	Approval
11/25/2019 12:37 PM	County Administrative Office	Yes
12/5/2019 10:53 AM	County Counsel	Yes
12/2/2019 9:31 AM	Finance	Yes





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

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

MEETING LOCATION Mammoth Lakes Suite Z, 437 Old Mammoth Rd, Suite Z, Mammoth Lakes, CA 93546

**Regular Meeting  
October 15, 2019**

<b>Flash Drive</b>	<b>Portable Recorder</b>
<b>Minute Orders</b>	<b>M19-233 – M19-234</b>
<b>Resolutions</b>	<b>R19-75</b>
<b>Ordinance</b>	<b>ORD19-07 Not Used</b>

9:02 AM Meeting called to Order by Chair Peters.

*Supervisors Present: Corless, Gardner, Kreitz, Peters, and Stump.  
Supervisors Absent: None.*

The Mono County Board of Supervisors stream most of their meetings live on the internet and archives them afterward. To search for a meeting from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>.

Pledge of Allegiance led by Supervisor Corless.

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

**Kristen Reese, Mono Arts Council Executive Director:**

- Invited the Board to the launch of "Arts Now Mono County," which informs the public about the importance of arts education in Mono county.

**2. RECOGNITIONS**

**A. Employee Service Award Ceremony**

Departments: CAO

(Steve Barwick, CAO) - Presentation by the Board of Supervisors, Steve Barwick, and Managers to Mono County employees, celebrating years of

**Note:**

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service to the County.

**Action:** Present awards, gratitude and congratulations to employees who have earned awards for years of service and dedication to the County.

**Steve Barwick, CAO:**

- Introduced item. Recognized the following employees:

Behavioral Health

Richard Bonneua  
Lourdes Gonzalez  
Laura Cruz  
Salvador Montanez

Community Development

James Shoffner  
Nicholas Criss

Emergency Medical Services

Fletcher Buccowich  
Kyle Rose  
Sean Macedonio

Public Health

Christopher Babula  
Luz Mijares-Wilson

Finance

Megan Muhaffy

Information Technology

Andy Liu

Public Works

David Campbell  
William Van Kampen  
Joel Erickson  
Paul Roten

Social Services

Cathleen Young  
Yvon Guzman-Rangel  
Rose Martin  
Alecxis Cannon

### 3. COUNTY ADMINISTRATIVE OFFICE

CAO Report regarding Board Assignments

**Steve Barwick, CAO:**

- Heading to a conference for California Association of County Executives.
- Last week, continuing to dive into landfill and solid waste, and housing operations.

**Note:**

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#### 4. DEPARTMENT/COMMISSION REPORTS

**Stacey Simon, County Counsel:**

- Close to closing escrow on the sale of the Davison House.
- There was a glitch with the registration of Silver State with the state of California.

**Janet Dutcher:**

- Auditors will be in county on October 28. The programs they will audit: HOME, CDBG, Alcohol and Drug, and Victim Witness.
- Agenda item: Fiscal 2019 update in November.
- December: Workshop for resources, raising revenue, and walk through the cost plan.

**Robin Roberts:**

- Last Wednesday, people from the Harm Reduction Coalition came to the County to do a Harm Reduction 101, 50 people attended..

#### 5. CONSENT AGENDA

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

##### A. Mono Arts Council - California Arts Council's State-Local Partnership Program

Departments: Board of Supervisors

The State-Local Partnership Program (SLPP) provides general operating support and technical assistance for county-designated local arts agencies. The purpose of the SLPP is to foster cultural development on the local level through a partnership between the State and the counties of California.

**Action:** Approve resolution R19-75, Designating Mono Arts Council as the local partner for the California Arts Council's State-Local Partnership Program (SLPP) and supporting Mono Council for the Art's Council's 2020-2022 grant application.

**Corless moved; Gardner seconded**

**Vote: 5 yes; 0 no**

**R19-75**

#### 6. CORRESPONDENCE RECEIVED

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

##### A. Letter from Twin Lakes Resort

Departments: Clerk of the Board

Correspondence received from Twin Lakes Resort regarding flavored tobacco

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sales in Mono County.

## **B. Resolutions from MCOE and MUSD**

Departments: Clerk of the Board

Resolutions received from the Mono County Office of Education and the Mammoth Unified School District regarding the sale of flavored tobacco.

## **C. Letter from R. Scot and Katherine Buell**

Departments: Clerk of the Board

Letter received from R. Scot and Katherine Buell regarding power poles in the Antelope Valley.

### **Katie Buell:**

- She is requesting an explanation for how power poles were approved to be installed in the Antelope Valley in regards to the general plan.

### **Wendy Sugimura:**

- Has not had an opportunity to research the issue. Suggest when individual project concerns come up, people should contact the Community Development office directly.
- Workshop at the Antelope Valley RPAC.

Moved to item 7e.

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

### **A. PSPS Action Items Workshop**

Departments: Information Technology / Sheriff

(Nate Greenberg, Ingrid Braun) - This item will be a workshop in which staff works collaboratively with the Board of Supervisors and public to develop and prioritize a list of tasks related to work being done by the County to address the impacts of Public Safety Power Shutoffs.

**Action:** None.

### **Nate Greenberg, IT Director:**

- Went through presentation (available in additional documents).

### **Supervisor Corless:**

- Would like to bring back a specific item about advocacy, engaging the CPUC.

*Break: 10:41 AM*

*Reconvene: 10:52 AM*

### **B. Workshop on Mono County Code Chapter 7.92 Pertaining to the County's Smoking and Tobacco Policy**

Departments: Public Health

(Sandra Pearce) - Workshop on Mono County Code Chapter 7.92 Pertaining to

### **Note:**

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the County's Smoking and Tobacco Policy

**Action:** Make no changes to the current ordinance. Mono County Code (MCC) Chapter 7.92.070 (E) shall sunset and menthol cigarettes and flavored cigars, little cigars, cigarillos, snuff and chewing tobacco will be banned. Retailers will no longer be able to order any new flavored tobacco products effective 11/1/19 but could sell the remainder of their inventory.

**Dr. Thomas Boo, County Health Officer:**

- Went through presentation (available in additional documents).

**Sandra Pearce, Public Health Director:**

- Handed out letter from April 2018 (available in additional documents) that went out to tobacco retailers. Sent out with original amendment.

Letter from Debie Bush (available in additional documents).

### **C. Proposed Senate Bill 2 Application for Funds Targeted at Increased Housing Production**

Departments: Community Development

(Bentley Regehr) - Presentation by Bentley Regehr regarding Senate Bill 2, the Building Homes and Jobs Act, planning grant application.

**Action:** Approve the proposed SB-2 application to fund a) prescriptive designs for accessory dwelling units and b) an update to the County's greenhouse gas emissions data and creation of a CEQA streamlining checklist.

**Kreitz moved; Gardner seconded**

**Vote: 5 yes; 0 no**

**M19-234**

**Bentley Regehr, Planning Analyst:**

- Introduced item.

Moved to Item 8.

### **D. Housing Mitigation Ordinance (HMO) Workshop**

Departments: Community Development / Finance

(Wendy Sugimura, Megan Mahaffey) - Presentation regarding updating the Housing Mitigation Ordinance.

**Action:** None.

**Wendy Sugimura:**

- Introduced item.
- Would like to bring back an ordinance to the second meeting of November.

Megan

- Went through presentation.

**Note:**

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Board consensus to have a Housing Mitigation Ordinance item.

Moved to Board Reports.

#### **E. Contribution to Mammoth Lakes Basin Fuels Reduction Project**

Departments: Board of Supervisors

(Dave Easterby and Betty Hylton, Mammoth Lakes Fire Safe Council) - Proposed payment of \$30,425 to the Mammoth Lakes Fire Safe Council in support of the Lakes Basin Fuel Reduction Project.

**Action:** Approve County payment of \$30,425 to the Mammoth Lakes Fire Safe Council in support of the Lakes Basin Fuel Reduction Project and direct staff to take necessary steps to finalize payment agreement, and return to the Board on the first meeting of November 2019 for necessary approvals, for the appropriation and transfer of said funds.

**Kreitz moved; Corless seconded**

**Vote: 5 yes; 0 no**

**M19-233**

**Dave Easterby:**

- Introduced item.

**Stacey Simon:**

- Have a letter and an agreement ready to be approved (available in additional documents).

**Janet Dutcher:**

- Will approve from contingencies, hoping that savings can be found from departments.
- Will have an approval item on the first meeting of November.

Moved to item 7a.

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

No one spoke.

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

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

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

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Association (SO Mgmt). Unrepresented employees: All.

## **B. Closed Session - Existing Litigation**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: County of Mono v. Amerisourcebergen Drug Corp. Cardinal Health, McKesson Corporation, Purdue Pharma L.P., Purdue Pharma, Inc, The Purdue Frederick Co., Inc. et al., U.S. Dist. Court for Eastern California, Case No. 2:18-cv-00149-MCE-KJN.

## **C. Closed Session - Public Employment**

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

## **D. Closed Session - Public Employment**

PUBLIC EMPLOYEE DISCIPLINE, DISMISSAL, RELEASE. Government Code section 54957.

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

*Reconvene: 1:02 PM*

Nothing to report out of Closed Session.

Moved to item 7d.

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

No one spoke.

## **11. BOARD MEMBER REPORTS**

### **Supervisor Corless:**

- 10/10: Public Lands Steering Committee
- 10/11: Eastern Sierra Council of Governments
- 10/14: Met with TOML Mayor Sauser, Forest Management Task Force—discussion of Cal Fire grant opportunity
- This week: RCRC Executive Committee, Meeting with Asm Bigelow and Sen Borgeas' staff, Sustainable Recreation & Tourism Project meeting Thursday, Oct 17

### **Supervisor Gardner:**

- Last Wednesday I participated in a NACO Public Lands Steering Committee conference call. Subjects covered included the status of Federal budget appropriations legislation, the Payment in Lieu of Taxes program, the Secure Rural Schools program, and the Waters of the US regulation. Information on all these issues is available on the NACO

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website.

- On Friday Oct. 11 I attended a meeting of the Eastern Sierra Council of Governments in Mammoth. The Council approved a revised Joint Powers Agreement establishing the ESCOG as a separate legal entity. This agreement will now be considered for approval by the four ESCOG member boards. The Council also heard an update on the status of the Bishop airport (commercial service still set for next November 2020) and updates on the Eastern Sierra Sustainable Recreation Partnership.
- Also, on Friday the 11<sup>th</sup> I attended a meeting of the Eastern Sierra Transit Authority Board (also a JPA) in Mammoth. Other than the regular monthly operations and financial reports, the Board approved purchase of a trolley bus for Mammoth, adopted moving forward with an Other Post Benefits Trust (OPEB) Trust, and approved its service review for the next six months. A part of that review included terminating the June Lake/Mammoth Winter Shuttle. That shuttle had low ridership, was difficult to support given ESTA's driver shortage, and was primarily an employee shuttle.
- Last night I attended a meeting of the Mono Basin Fire Safe Council. This group continues to work on getting more fire prevention and other initiatives organized for their region.

**Supervisor Kreitz:**

- I attended the NACo RICC at the Rural Action Caucus meeting in Lake Placid, NY. Besides discussing housing in broad terms during the RICC portion of the event, we learned about and discussed challenges to providing an accurate count of our rural counties during the 2020 Census. Concerns were largely around diminishing the concerns of undocumented residents to participate and reaching our community members that only get their mail by Post Office Box, since the U.S. Census won't mail to them. The other primary topic of discussion was broadband service in rural America, and how it is directly linked to participating in the 2020 Census. Guest speaker, Lauren Lyon, from SpaceX Starlink shared with us the exciting forthcoming (2020) broadband via Starlink, which is focusing on rural America, where Starlink works best.

**Supervisor Peters:**

- 9<sup>th</sup> Sonoma CSAC Regional
- Revenue Sources State and Federal Programs
- 12<sup>th</sup> Ducks Unlimited
- New Roof on Mono County Museum in Bridgeport
- **Upcoming:**
- CSAC State Homelessness Taskforce 4<sup>th</sup>

**Supervisor Stump:**

- 9-23 : Tri Valley Water Commission
- 10-7 : LTC - Already reported on by Supervisors Kreitz and Peters
- 10-10 : Owens Valley Groundwater Authority - Thank you to County Counsel Simon for attending - Still no notification from DWR about the Basin rating. That Board has requested that the Boards of every member entity discuss and provide guidance to their OVGA representative on whether each entity wants to continue as a member of the OVGA should the final rating be low. We will need to discuss this further. If the basin remains medium as it was originally then all parties are in. Invoices for last fiscal year are going to be sent for payment as the OVGA is has to maintain it's cash flow capability. The funds for Mono, Tri Valley and Wheeler Crest are already set aside.
- 10-11 : Attended the Karlie Guse one year press conference in Chalfant. Thanks to both the SO and the FBI for their continued efforts.
- 10-11 : Met with Shane Saulke - Tribal Chair of the Benton Tribe. SCE power shutoffs, housing, and senior services were the topics of conversation.

**Note:**

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- Thank you to the Board for covering behind me at the last meeting.

**ADJOURNED at 3:18 PM**

**ATTEST**

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**JOHN PETERS  
CHAIR OF THE BOARD**

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**SCHEEREEN DEDMAN  
SENIOR DEPUTY CLERK**



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** December 10, 2019

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT** Board Minutes

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### AGENDA DESCRIPTION:

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

Approval of the minutes of the regular Board of Supervisors meeting on November 5, 2019.

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### RECOMMENDED ACTION:

Approve the minutes of the regular Board of Supervisors meeting on November 5, 2019.

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### FISCAL IMPACT:

None.

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### CONTACT NAME:

PHONE/EMAIL: /

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### SEND COPIES TO:

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### MINUTE ORDER REQUESTED:

YES  NO

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### ATTACHMENTS:

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[11-5-19 DRAFT Minutes](#)

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### History

Time	Who	Approval
11/25/2019 12:37 PM	County Administrative Office	Yes
12/5/2019 11:27 AM	County Counsel	Yes
12/2/2019 9:31 AM	Finance	Yes



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

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

MEETING LOCATION Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

**Regular Meeting  
November 5, 2019**

<b>Flash Drive</b>	<b>Portable Recorder</b>
<b>Minute Orders</b>	<b>M19-235 – M19-243</b>
<b>Resolutions</b>	<b>R19-76 – R19-78</b>
<b>Ordinance</b>	<b>ORD19-07</b>

9:05 AM Meeting called to Order by Chair Peters.

*Supervisors Present: Corless, Gardner, Kreitz (Teleconference), Peters, and Stump (Teleconference).*

*Supervisors Absent: None.*

All voted held by rollcall.

The Mono County Board of Supervisors stream most of their meetings live on the internet and archives them afterward. To search for a meeting from June 2, 2015 forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>.

Pledge of Allegiance led by Chief Curti.

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

**Chief Mike Curti, Antelope Valley Fire:**

- 10/23 fire in Sonoma County, Kincadee fire. Mono County was asked for mutual aid assistance, task force put together to assist.

**2. RECOGNITIONS - NONE**

**3. COUNTY ADMINISTRATIVE OFFICE**

CAO Report regarding Board Assignments  
Steve Barwick, CAO:

**Note:**

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

- Received parcel analysis from Kevin Carunchio.
- Received from Grant from State of California for around \$153,000 related to Public Safety Power Shutoff events; Possibly more funds coming from the state and SCE.
- Has been spending time meeting with lots of departments.
- Tour of District 2 with Supervisor Stump.

#### 4. DEPARTMENT/COMMISSION REPORTS

**Louis Molina, Environmental Health:**

- Letter of recognition of Jill Kearney.

**Cathy Young, Social Services:**

- Last week, had emergency shelter fundamentals training in Lee Vining; had 19 local participants.
- 8 participants are interested in starting a Community Emergency Response Team (CERT) in Lee Vining.

**Robin Roberts, Behavioral Health Director:**

- Restructure in her department, thanked Janet for her help.
- People know how to contact her during a tragedy.

**Stacey Simon, County Counsel:**

- Formally announced the sale of Davison house.

**Wendy Sugimura, Community Development Director:**

- Provided update of the planning activity in the Community Development Department.

#### 5. CONSENT AGENDA

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

##### A. Board Minutes

Departments: Clerk of the Board

Approval of the minutes of the regular Board of Supervisors meeting on October 1, 2019.

**Action:** Approve the minutes of the regular Board of Supervisors meeting on October 1, 2019.

**Corless moved; Gardner seconded**

**Vote: 5 yes; 0 no**

**M19-235**

##### B. Board Minutes

Departments: Clerk of the Board

Approval of the minutes of the regular Board of Supervisors meeting on October 8, 2019.

**Note:**

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

**Action:** Approve the minutes of the regular Board of Supervisors meeting on October 8, 2019.

**Gardner moved; Kreitz seconded**

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

**M19-236**

**Supervisor Stump:**

- Recused himself, as he was absent from this meeting.

**C. Approve Transfer from General Fund Contingency for Mammoth Lakes Fire Safe Council**

Departments: Finance

Approve transfer from General Fund (GF) Contingency account in the amount of \$30,425 to satisfy Mono County's funding gap commitment to Mammoth Lakes Fire Safe Council (MLFSC) in support of the Lakes Basin Fuel Reduction Project (requires 4/5ths approval of the Board).

**Action:** Approve transfer of \$30,425 from GF Contingency to GF Contributions and Transfers.

**Corless moved; Gardner seconded**

**Vote: 5 yes; 0 no**

**M19-237**

**D. Performance Contract between California Department of Healthcare Services and Mono County Behavioral Health**

Departments: Behavioral Health

Amended Performance Contract with California Department of Healthcare Services (DHCS) adjusting performance standards.

**Action:** Approve and authorize Director of Behavioral Health Robin Roberts to sign amended Performance Contract.

**Corless moved; Gardner seconded**

**Vote: 5 yes; 0 no**

**M19-238**

**E. Voting System Replacement Grant**

Departments: Elections

The Secretary of State is offering a Voting System Replacement Grant Amendment with state funds to reimburse the county for voting system replacement activities. This grant is an amendment of a previously approved grant, for an additional available amount of \$122,036.30.

**Action:** 1. Approve and authorize the Mono County Clerk-Recorder-Registrar

**Note:**

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

to sign Agreement #18G30126 AMDT. #01 (Voting System Replacement) with the California Secretary of State for receipt of up to \$116,000 to be used to offset the cost of election equipment and \$6,036.30 to be used to offset costs of election management system replacement. 2. Increase appropriations by \$122,036.30, offset by grant revenues of \$122,036.30.

**Corless moved; Gardner seconded**

**Vote: 5 yes; 0 no**

**M19-239**

#### **F. Approved Increase in Appropriations to the Lone Pine Interagency Visitor's Center**

Departments: Finance

The Eastern Sierra Visitor Center in Lone Pine, CA is a multi-partner funded center, which includes Mono County. Mono County contributed \$5,000 Funds are provided to it every year. This item is a request for a one-time additional payment to the center in order to extend its operating hours through the end of November.

**Action:** Approve increase of \$2,400 in Geothermal Royalties Fund to make a one-time payment to the Interagency Visitor's Center in Lone Pine for extending the center's operating hours through the end of November 2019 (requires 4/5ths vote).

**Supervisor Gardner:**

- Correction: The increase is for the Mono Basin Interagency Center so it can stay open through December 2.
- This is an example of the County stepping up when the Forest is unable to do so.

**Stacey Simon:**

- Would like to reschedule the item to next week to put on the agenda correctly.

#### **G. Monthly Treasury Transaction Report**

Departments: Finance

Treasury Transaction Report for the month ending 9/30/2019.

**Action:** Approve the Treasury Transaction Report for the month ending 9/30/2019.

**Corless moved; Gardner seconded**

**Vote: 5 yes; 0 no**

**M19-240**

#### **H. Quarterly Investment Report**

Departments: Finance

**Note:**

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

Investment Report for the Quarter ending 9/30/2019.

**Action:** Approve the Investment Report for the Quarter ending 9/30/2019.

**Corless moved; Gardner seconded**

**Vote: 5 yes; 0 no**

**M19-241**

**I. Amendment to the Voting System Agreement with Dominion Voting Systems**

Departments: Elections

An amendment to an existing agreement with Dominion Voting Systems, Inc. to update the scope of purchase under the original agreement to include the ImageCast Remote UOCAVA/RAVBM (Uniformed and Overseas Citizens Absentee Voting Act/Remote Access Vote-By-Mail System).

**Action:** Approve County entry into proposed Agreement and First Amendment to the Voting System Agreement by and between Dominion Voting Systems, Inc and Mono County, and authorize County Administrative Officer to execute said contract on behalf of the County.

**Corless moved; Gardner seconded**

**Vote: 5 yes; 0 no**

**M19-242**

**6. CORRESPONDENCE RECEIVED**

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

*The Board acknowledged receipt of the correspondence.*

**A. Inyo - Mono 4-H Road Runner Newsletter Fall 2019**

The Inyo-Mono 4-H Road Runner Newsletter for Fall 2019.

**B. Temporary Urgency Change (TPUC) of Licenses for LADWP**

Two documents that were shared with the Board of Supervisors regarding Rush, Lee Vining, Parker, and Walker Creeks: Notice of Petitions for Renewal of Temporary Urgency Change for Licenses 10191 and 10192 (Applications 8042 and 8043) of the City of Los Angeles, Department of Water and Power (LADWP); Order Approving Petitions for Renewal of Temporary Urgency Change of Licenses 10191 and 10192 (Applications 8042 and 8043) of the City of Los Angeles, Department of Water and Power

**Note:**

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

**C. Application for Alcoholic Beverage License - Mammoth Brewing Company**

An application to the State of California Department of Alcoholic Beverage Control for Alcoholic Beverage License by Mammoth Beers, LLC, doing business as Mammoth Brewing Company, in Mammoth Lakes, CA.

**D. FERC Environmental Inspection Follow-Up Items**

A letter from the Federal Energy Regulatory Commission (FERC) to Wayne Allen, Principal Manager of Southern California Edison (SCE) in response to his May 29, June 12, and August 21, 2019 letters regarding the status of various follow-up items from the Commission's August 20-22, 2018 environmental inspection of the Lee Vining, Lundy, and Bishop Creek Projects.

**E. Inyo National Forest Record of Decision Notice**

A letter stating that the signed Record of Decision for the Inyo National Forest land management plan and associated final environmental impact statement is now available on the Forest's public website:

<https://www.fs.usda.gov/main/inyo/landmanagement/planning>.

**Supervisor Gardner:**

- This is the end of a long process. Some of the outcomes are excellent. The plan will become a useful document for the County to use.

**7. REGULAR AGENDA - MORNING**

**A. CalTrout Presentation**

Departments: Board of Supervisors

(Lia Webb, Project Manager) - Presentation from CalTrout on the June Mountain Fuels Reduction project, a restoration project to remove dying trees across 518 acres of National Forest System lands over five years. CalTrout is pursuing additional funding to accomplish this, and intends to leverage funds to implement further scientific research to measure long-term ecosystem changes and determine best alternatives for biomass utilization.

**Action:** None.

**Eric Huber and Lia Webb, CalTrout:**

- Went through presentation (available in additional documents).

**B. Public Hearing: General Plan Amendment (GPA) 19-03 Housing Element Update Adoption**

Departments: Community Development

(Bentley Regehr) - Adoption of the 2019-2027 Mono County Housing Element, with final edits from the California Department of Housing and Community Development (HCD).

**Note:**

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**Action:** Approve Resolution 19-76, Making the required findings, certifying the Addendum, and adopting General Plan Amendment 19-03.

**Gardner moved; Kreitz seconded**

**Vote: 5 yes; 0 no**

**R19-76**

**Bentley Regehr, Planning Analyst:**

- Introduced item.

*Public Hearing Opened: 10:07 AM*

*Public Hearing Closed: 10:10 AM*

*Break: 10:11 AM*

*Reconvene: 10:23 AM*

**C. Tourism Business Improvement District (TBID) Workshop**

Departments: Economic Development

(Nichole Farley, Civitas) - Presentation by Nichole Farley, Director of Business Development and Client Engagement with Civitas regarding the Tourism Business Improvement District program and parameters.

**Action:** None.

**Alicia Vennos, Economic Development Director:**

- Introduced Nichole Farley.
- Directly involved with formation districts throughout California.

**Nichole Farley**

- Went through presentation.

Board consensus – this is not the revenue-generating approach that they want to take. Not interested in moving forward with a marketing of Mono County approach. Would like County Counsel to research the legal parameters.

Next step – feasibility of a tourism district in the community. Speak with businesses, build support, inquire what their needs are. Return in four months.

**D. Employment Agreement with Sarah Gillespie**

Departments: District Attorney

(Tim Kendall, District Attorney) - Employment agreement with Sarah Gillespie for the position of Operations and Programming Supervisor.

**Action:** Approve Resolution R19-77, Approving an employment agreement with Sarah Gillespie for the position of Mono County Operations and Programming Supervisor.

**Fiscal Impact:** The proposed salary is \$79,169. If filled, the remaining FY 2019-2020 is \$59,378 which \$50,378 is funded by the Victim/Witness Grant and \$9,000 to be funded by the District Attorney's CalMet Budget. Additional

**Note:**

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PER's contribution is \$7,512 per year. Remaining FY 2019-2020 PER's increase of \$5,634 will be funded by the District Attorney's CalMet Budget.

There is no General Fund Impact.

**Stump moved; Corless seconded**

**Vote: 5 yes; 0 no**

**R19-77**

**Tim Kendall, District Attorney:**

- Introduced item. Funding should be stable through the contract.

Fiscal impact read into record by Chair Peters.

## **E. Employment Agreement with Kevin Julian**

Departments: Public Works

(Tony Dublino, Director of Public Works) - Proposed resolution approving a contract with Kevin Julian as Road Operations Superintendent, and prescribing the compensation, appointment and conditions of said employment.

**Action:** Announce Fiscal Impact. Approve Resolution #R19-\_\_\_, Approving a contract with Kevin Julian as Road Operations Superintendent, and prescribing the compensation, appointment and conditions of said employment. Authorize the Board Chair to execute said contract on behalf of the County.

**Fiscal Impact:** Total Cost of position for remainder of FY 19/20 is \$101,021, of which \$66,696 is salary and \$34,325 is benefits. Total cost for a full year is \$151,501 of which \$100,044 is salary and \$51,457 is benefits. The position has been budgeted in the 19/20 Fiscal Year, although at a lower annual salary of \$83,044. The position has been vacant for 4 months, which will make up the difference.

**Corless moved; Kreitz seconded**

**Vote: 5 yes; 0 no**

**R19-78**

**Tony Dublino, Public Works Director:**

- Introduced item and Kevin Julian.

Fiscal impact read into record by Chair Peters.

## **F. Civic Center Update**

Departments: Public Works

(Tony Dublino, Director of Public Works) - Update on the County's Civic Center project at 96 Thompson Way.

**Action:** None.

Tony Dublino:

- Provided update.

**Note:**

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

## **G. Request for Waiver of Encroachment Permit Fees**

Departments: Public Works

(Tony Dublino, Director of Public Works) - Request for waiver of encroachment permit fee for manufactured home at 2125 Eastside Lane in Coleville, providing safe and compliant housing for a Benton tribal member to replace substandard housing previously located on property.

**Action:** Approve waiver of Encroachment Permit fee of \$528.

**Stump moved; Kreitz seconded**

**Vote: 5 yes; 0 no**

**M19-243**

**Tony Dublino:**

- Introduced item.

**Stacey Simon:**

- Gift of public funds doctrine. – Prohibits what does not have a public purpose. Tony has laid out what he views to be the public purpose.

## **H. Participation in CPUC Proceedings Regarding Public Safety Power Outages**

Departments: County Counsel

(Stacey Simon) - Opportunities for participation in California Public Utility Commission (CPUC) rulemaking proceedings related to electrical de-energization (PSPS).

**Action:** Presentation regarding County's options for participation in ongoing rulemaking of the California Public Utilities Commission (CPUC) related to electrical de-energization (PSPS) in California and/or in related processes. Potential options are included in the staff report.

**Stacey Simon:**

- Handed out the RCRC Comments on De-energization (available in additional document).
- Introduced item.
- Board consensus: Participate in the CPUC rulemaking through the California State Association of Counties (CSAC) and RCRC (Rural County Representatives of California). Direct staff to provide County input to CSAC's outside legal counsel for inclusion in CSAC's comments and advocacy related to the rulemaking or in other venues;
- Direct staff to provide comments to the CPUC as a non-party to the rulemaking and to participate in other venues as appropriate;
- Rely on the participation of other local government entities with interests similar to Mono County's to provide input and advocate for outcomes that address Mono County's issues. Monitor those activities to ensure the County's interests and issues are addressed.

**Note:**

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

No one spoke.

**9. CLOSED SESSION at 12:55 PM**

**A. Closed Session - Human Resources**

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

**B. Closed Session - Existing Litigation**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.  
Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: *County of Mono and Sierra Club v. City of Los Angeles, et al.* (Alameda Superior Court Case no.: RG18923377)

**C. Closed Session - Existing Litigation**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.  
Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Michael Hallum v. Mono County (Mono County Superior Court Case No. CV170086).

**D. Closed Session - Public Employment**

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

**E. 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.

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

*Reconvene: 2:03 PM*

**Note:**

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

Nothing to report out of Closed Session.

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

No one spoke.

## 11. REGULAR AGENDA - AFTERNOON

### A. Public Hearing: Proposed Ordinance Extending the Temporary Moratorium on Industrial Hemp Cultivation within the Unincorporated Areas of Mono County

Departments: Community Development - Planning

(Michael Draper) - Public hearing pursuant to Government Code section 65858(a) regarding adoption of proposed urgency ordinance extending the temporary moratorium prohibiting cultivation of industrial hemp within the unincorporated areas of Mono County.

**Action:** Adopt proposed ordinance No. ORD19-07, extending the temporary moratorium prohibiting cultivation of industrial hemp in the unincorporated areas of Mono County established by Mono County Ordinance No. ORD18-14. Ordinance will be effective immediately.

**Gardner moved; Kreitz seconded**

**Vote: 5 yes; 0 no**

#### **ORD19-07**

**Michael Draper**

- Introduced the item.

**Nate Reade, Agricultural Commissioner:**

- Explained what Inyo county does.

*Public Hearing Opened: 2:13 PM*

*Public Hearing Closed: 2:14 PM*

## 12. BOARD MEMBER REPORTS

**Supervisor Corless:**

- Request to close the meeting in memory and honor of Hugo Hernandez, Mono County IT department team member, who passed away at his home in June Lake on October 15. Asks to keep Hugo's family and friends in our thoughts and hearts during this difficult time, as well as his co-workers. He was a valuable member of our team and will be truly missed.
- 10/16—RCRC Executive Committee and Golden State Natural Resources Committee meeting in Sacramento, also met with legislative staff from Senator Borgeas' and Asm. Bigelow's offices regarding Mono County's PSPS experiences
- 10/17—Eastern Sierra Sustainable Tourism & Recreation stakeholder meeting in

**Note:**

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Bishop: great participation with nearly 100 people from many Eastern Sierra communities, Alpine County to Lone Pine. Also participated in some planning calls/meetings for ESSRP.

- 10/18—California Local Behavioral Health Boards and Commissions meeting
- 10/21—Behavioral Health Advisory Board meeting—still looking for new members
- 10/29-30: NACo Western Interstate Region Board of Directors meeting in Mariposa, hosted by Mariposa county supervisor Kevin Cann who is the president of WIR this year. Priority issue discussion; BLM acting director William Perry Pendley presentation; need for legislation to address US Forest Service infrastructure and deferred maintenance backlog.
- Southern Sierra Leadership Forum—group including Yosemite, Sequoia-Kings, Inyo/Sierra/Stanislaus/Sequoia national forests, convened by Sierra Nevada Conservancy looking at public lands management across agencies.
- 10/31: Collaborative Planning Team meeting—discussion of wildlife crossing project and need for funding to get it off the ground.
- 11/4: Attended last Mammoth Lakes Housing for last time as a board member—enjoyed serving on the board and appreciate all that the MLH board and staff do.

**Supervisor Gardner:**

- No report.

**Supervisor Kreitz:**

- On October 15th, I attended the Mono County Democratic Committee meeting fundraising event
- On October 16th, I met with Chris Bubser, US Congressional Candidate for District 8, later that day I attended the Census 2020 Committee meeting. A representative from Evangelists Community Relations, Thomas came to the meeting. He is going to look into the concern around getting participation from Mammoth Lakes given the USPS exclusive use of Post Office Boxes and the US Census's deflation that they won't mail to Post Office Boxes.
- On Monday, October 22, I attended the MLH Governance Committee Meeting and then donated blood.
- On October 23, I attended the initial Mono County Substance Use Task Force/Coalition meeting.
- On October 24, I attended the Yosemite Gateway Partners Housing Summit meeting along with Assessor Barry Beck. I gave a presentation to the group on some of the Mammoth Lakes and Mono County successes in addressing affordable workforce housing.
- October 31, I attended the NACo Rural Impact County Challenge call where we received a presentation on Housing Trust Funds.

**Supervisor Peters:**

- 17<sup>th</sup> Phil Kiddoo
- 23<sup>rd</sup> Barwick/Corless
- 29<sup>th</sup> Tourism Commission
- 4<sup>th</sup> Homelessness Workshop CSAC LOC
- HEAP(Home Energy Assistance Program) HHAP(Homeless housing Assistance Program)
- Land Use GP amendments

**Note:**

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

- PIT Count Drills
- What is best possible creation of housing paths.
- AV Road Projects
- Don Nunn Museum Work Roof Replacement
- AV Fire Department
- **Upcoming:**
- Fisheries Commission
- Great Basin Air Quality Control Board
- IMACA AV RPAC
- Veterans Day 11<sup>th</sup> Mammoth Fire Station 1 Mammoth lakes Foundation

#### **Supervisor Stump:**

- 10-22 - Attended the CSA 1 meeting - TV service discontinuation is proceeding along with County Site cleanup - That Board, and the rest of the Crowley Community, are very pleased with the CSA 1 funded improvements at the Crowley Community Center.
- 10=23 - CAO Barwick and I took a tour of District 2 - Thank you to Steve not just for his time but his interest.
- 10-23 - Attended the Tri Valley Water Commission meeting - Thar Board discussed what action it plans to take if the final DWR Water Basin is confirmed as low. The discussion included whether or not to continue as a member of the Owens Valley Groundwater Authority. The Mono Board will have a similar discussion on 11-12.
- 10-24 - Spent a couple of hours meeting with one of the candidates running to replace me.
- 10-28 - Received update from staff on the status of the "graffiti house". Looking forward to the discussion of that ordinance to see if faster abatement of graffiti can be achieved.
- There was an apparent arson, appears to be children playing with fire, at the bathroom building next to the Crowley ball field. Caused damage to the drinking fountains but could have been worse. SO took a report. Fountains had been shut down for the winter.
- I am requesting an agenda item to discuss continuing the avalanche program. Staff does not think it necessary but I disagree. The Board established the program and if a majority of Board members no longer think it necessary the so be it. Discussion cannot happen without an item on a agenda. Discussion should also include what to do with the remote weather station that the County was going to install at the McGee County lease site.
- I was in the Reno area last week and took the opportunity to tour the new business development east of Reno. The area is over 100,000 acres and already includes Tesla Battery production. There is a completed four lane highway connecting to development with both Hwys 80 and 50. Connections to get Hwys 95 and 6 are at close to the Hwy 50 junction. Mono County traffic will only increase as the business area develops.
- Also looked at how the Washoe County Government Center accommodates both a drop off area and a bus stop to support ease of access for residents. Hope our new building will do the same.
- 11-4 - Attended the Wheeler Crest Fire Safe Council meeting. Fire Safety, SCE activities included, on the agenda.

**ADJOURNED in honor of Hugo Hernandez at 2:44 PM**

**Note:**

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

**ATTEST**

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**JOHN PETERS  
CHAIR OF THE BOARD**

---

**SCHEEREEN DEDMAN  
SENIOR DEPUTY CLERK**





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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    December 10, 2019

**Departments: Community Development**

**TIME REQUIRED**

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**SUBJECT**                    USGS Joint Funding Agreement  
FY2020

**AGENDA DESCRIPTION:**

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

Proposed contract with ORMAT requiring reimbursement of Mono County for the cost of a Unites States Geological Survey (USGS) Joint Funding Agreement (JFA) for hydrologic well monitoring program in FY 2020

**RECOMMENDED ACTION:**

Authorize the Community Development Director to sign the USGS JFA 20ZGFA60095610 and the 2018 agreement with ORMAT to fund the Long Valley hydrologic monitoring program for fiscal year 2020.

**FISCAL IMPACT:**

None. The proposed agreement commits Ormat to fund the \$134,163 USGS well monitoring program for fiscal year 2020.

**CONTACT NAME:** Nicholas Criss

**PHONE/EMAIL:** 7609141419 / nickcriss@hotmail.com

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Staff Report</a>
<a href="#">ORMAT 2019 Funding Contract</a>
<a href="#">Joint Funding Agreement FY2020</a>

**History**

Time	Who	Approval
11/21/2019 3:09 PM	County Administrative Office	Yes

11/22/2019 1:00 PM

County Counsel

Yes

12/2/2019 9:06 AM

Finance

Yes

# Mono County Community Development Department

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

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

December 10, 2019

**To:** Board of Supervisors

**From:** Nick Criss, Code Enforcement Officer  
Wendy Sugimura, Director

**Re:** LONG VALLEY HYDROLOGIC MONITORING FUNDING AGREEMENTS

## **Recommendation**

Authorize Community Development Director to sign the United States Geological Survey (USGS) Joint Funding Agreement (JFA) 20ZGFA60095610 and the 2020 agreement with ORMAT to fund the Long Valley hydrologic monitoring program for fiscal year 2020.

## **Fiscal Impact**

None. The proposed agreement commits Ormat to fund the \$134,163 USGS well monitoring program for fiscal year 2020.

## **Discussion**

Use Permits for the existing geothermal plant and approved replacement plant require that the operator (Ormat) fund the Hydrologic Resource Monitoring Program to monitor baseline conditions and detect changes in the existing hydrothermal reservoir pressures and shallow water aquifer levels. Via a joint funding agreement with Mono County, with a companion agreement obligating funding by Ormat, the USGS has been primarily responsible for implementation of the monitoring plan. The proposed agreements continue the required monitoring program, with all costs borne by Ormat.

## **Attachments**

- Ormat 2020 Agreement
- USGS Joint Funding Agreement 20ZGFA60095610

**AGREEMENT BETWEEN THE COUNTY OF MONO  
AND ORMAT NEVADA, INC. PROVIDING FOR THE REIMBURSEMENT  
OF COSTS FOR COMPLYING WITH THE LONG VALLEY HYDROLOGIC  
ADVISORY COMMITTEE MONITORING PROGRAM FOR FISCAL YEAR 2020**

**THIS AGREEMENT** is made and entered into between the County of Mono, a political subdivision of the State of California ("County"), and Ormat Nevada, Inc., a corporation organized under the laws of Delaware ("Ormat").

**WHEREAS**, conditions of approval D.9 and D.11 of Mono County Use Permit OIE-02-86 for the Mammoth Pacific (MP) II power plant require that the owner, currently Ormat, participate in the monitoring plan ("Program") of the Long Valley Hydrologic Advisory Committee ("LVHAC") and fund the costs associated with implementation of the Program; and

**WHEREAS**, in September 2020, the U.S. Geological Survey ("USGS") has provided County with a joint funding agreement for the period of November 1, 2019 through October 31, 2020 (U.S. Department of the Interior, USGS Agreement No. 20ZGJFA60095610, attached hereto as Exhibit A and incorporated herein by this reference) for data collection associated with hydrologic monitoring ("2019-2020 Funding Agreement"); and

**WHEREAS**, the County and Ormat wish to set forth their mutual agreement regarding the reimbursement of County by Ormat for costs charged to County pursuant to the 2019-2020 Funding Agreement;

**NOW, THEREFORE**, in consideration of the mutual benefits, promises, covenants, terms, and conditions hereinafter contained, County and Ormat agree as follows:

1. County agrees to make payment to USGS in accordance with the terms of the 2019-2020 Funding Agreement, including any modifications to the 2019-2020 Funding Agreement made in accordance with paragraph 2(d) thereof; provided, however, that County shall not agree to an increased payment pursuant to paragraph 2(d) without written consent of Ormat.

2. Ormat agrees to reimburse County, within thirty (30) business days of receipt of a detailed written invoice or request as set forth below, the total amount expended by County under Paragraph 1.

A. Written invoices or requests for reimbursement by County shall be emailed to Ormat as follows:

Ormat Nevada, Inc.

Attn: Cheryl Eanes, Compliance Specialist

P.O. Box 1584  
Mammoth Lakes, CA 93546  
[ceanes@ormat.com](mailto:ceanes@ormat.com)

B. Reimbursement shall be sent by Ormat to County as follows:

Mono County Community Development Department  
Attn: Megan Mahaffey  
P.O. Box 347  
Mammoth Lakes, CA 93546

3. **Term.** The term of this Agreement shall be coterminous with the term of the 2019-2020 Funding Agreement, including any extensions thereto agreed to by County and USGS.

4. **Amendments.** No alteration or variation in the terms of this Agreement shall be valid or binding unless made in writing and signed by the parties hereto.

5. **Hold harmless.** Ormat shall defend, indemnify, and hold harmless County, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from or in connection with, the performance of this Agreement, or the 2019-2020 Funding Agreement, by Ormat, USGS, or their agents, officers, or employees. This obligation applies to any actual or alleged personal injury, death, damage or destruction to tangible or intangible property, including the loss of use, caused or alleged to be caused in whole or in part by any act or omission of Ormat, USGS, or their agents, employees, suppliers, or anyone directly or indirectly employed by any of them, or anyone for whose acts or omissions any of them may be liable.

7. **Notice.** Any notice, communication, amendments, additions or deletions to this Agreement, including change of address of any party during the term of this Agreement, which Applicant or County shall be required to make, or may desire to make, shall be in writing and may be personally served, or sent by prepaid first-class mail to the respective parties as follows:

**If to County:**

Mono County Community Development  
Department  
Attn: Wendy Sugimura, Director  
P.O. Box 347  
Mammoth Lakes, CA 93546

**If to Ormat:**

Ormat Nevada, Inc.  
Attn: Steve Henrickson, Business  
Development Manager  
6225 Neil Road  
Reno, NV 89511

8. **Entire Agreement.** This Agreement contains the entire agreement of the parties hereto, and no representations, inducements, promises, or agreements otherwise between the parties not embodied herein or incorporated herein by reference, shall be of any force or effect. Further, no term or provision hereof may be changed, waived, discharged, or terminated, unless executed in writing by the parties hereto.

9. **Counterparts.** This Agreement may be executed in two (2) or more counterparts (including electronic transmission), each of which shall constitute an original, and all of which take together shall constitute one and the same instrument.

IN WITNESS THEREOF, County and Ormat have executed this Agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

COUNTY OF MONO

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

ORMAT NEVADA INC.

By:  \_\_\_\_\_

Print Name: Edward Pozek

Date: 11/19/19

APPROVED AS TO FORM:

\_\_\_\_\_  
Mono County Counsel's Office

APPROVED BY RISK MANAGEMENT:

\_\_\_\_\_  
Mono County Risk Manager

**EXHIBIT A**

**USGS AGREEMENT NO. 19WSCA600095610**

See Attached



# United States Department of the Interior

U.S. GEOLOGICAL SURVEY  
California Water Science Center  
6000 J Street, Placer Hall  
Sacramento, CA 95819  
Phone: (916) 278-3000 Fax: (916) 278-3070  
<http://water.wr.usgs.gov>

September 3, 2019

Mrs. Wendy Sugimura, Director  
Mono County Community Development Department  
Post Office Box 347  
Mammoth Lakes, California 93546

Dear Mrs. Sugimura:

This letter confirms discussions between our respective staffs, concerning the cooperative water resources program between Mono County Community Development Department (Mono County) and the U.S. Geological Survey (USGS), during the period November 1, 2019 to October 31, 2020.

A brief description of the proposed program for this period follows:

## **Baseline Hydrologic Data Collection Program**

### **I. Surface water discharge and water-quality measurements**

- A. Discharge measurements will be made and water samples collected quarterly at two sites on Mammoth Creek (stations 10265130 and 10265143). Annual (April) water samples will be analyzed for major ions, nutrients, arsenic, boron, fluoride, and lithium. Field measurements of water temperature, specific conductance, pH, and alkalinity will be made at the time of sampling. Quarterly (January, April, July, and October) water samples will be analyzed for dissolved chloride and boron concentrations; field measurements of water temperature and specific conductance will be made.
- B. Discharge measurements will be made quarterly at Hot Creek above Gorge Geysers (HCA) near Mammoth Lakes for the purpose of estimating thermal spring discharge in Hot Creek Gorge.
- C. Continuous stage will be recorded at the Hot Creek flume (HCF) near Mammoth Lakes. Stage will be used to compute daily mean flow rates. Discharge ratings will be confirmed by making quarterly current meter measurements as required.
- D. Water quality samples will be collected quarterly at stations 10265147 (HCA) and 10265150 (HCF). The samples will be analyzed for dissolved chloride and boron concentrations and the data will be used to estimate thermal spring discharge in Hot Creek Gorge.



**II. Spring flow and water-quality measurements**

- A. Continuous stage and water temperature measurements will be recorded at the Fish Hatchery Spring groups, AB, CD, and H-2, 3. Stage will be used to compute daily mean flow rates. Discharge ratings will be confirmed by making current meter measurements as required. Water samples will be collected annually (January) at spring groups AB, CD, and H-2, 3, these will be analyzed for major ions, nutrients, arsenic, boron, fluoride, and lithium. Field measurements of water temperature, specific conductance, pH, and alkalinity will be made at the time of sampling. Quarterly (January, April, July, and October) water samples will be collected at AB and CD - these samples will be analyzed for dissolved chloride and boron and field measurements of specific conductance and water temperature will be made.
- B. Water samples from a thermal spring in Hot Creek gorge will be collected and analyzed quarterly for dissolved boron, chloride, water temperature, and specific conductance.

**III. Ground-water levels**

- A. Quarterly ground-water level measurements will be made in four wells CH10B (373930118491602), LV-19 (373754118501701), SC-1 (373745118554401), SC-2 (373745118554402), to calibrate the water-level transducers. Daily values (median) of water level depth below land surface will be computed from hourly data (LV-19, SC-1, and SC-2) and twenty minute data (CH10B).

**IV. Precipitation data**

Daily precipitation records provided by the Desert Research Institute for a site near the Mammoth Ranger Station in Mammoth Lakes will be tabulated for monthly and annual totals.

**V. Methods**

Field data collection will be carried out following the methods outlined in the USGS Techniques of Water Resources Investigation Series and USGS National Field Manual. Laboratory analyses of water samples will be done at the USGS National Water Quality Laboratory in Denver, Colorado.

**VI. Reporting**

Biannual data summaries, of the above described data, will be provided to the Long Valley Hydrologic Advisory Committee (LVHAC). All data collected under this agreement will be entered into the USGS National Water Information System (NWIS) database, where it is publicly available.

**Mrs. Wendy Sugimura, Director – Mono County Community Development Department**

**VII. Meetings**

Jim Howle, of our staff, will attend up to two meetings of the LVHAC and be available to discuss the hydrologic data related to the above described monitoring program.

The proposed funding for this agreement is \$144,990. Of this total cost Mono County will contribute \$134,163. and, subject to the availability of cooperative matching funds, the USGS will contribute \$10,827.

Please note that the FY20 total funding has increased over the previous year by approximately \$18,625. The increased funding was due to required upgrades of the data collection platforms at the five Fish Hatchery monitoring sites and staffing changes at the USGS Truckee Field Office. The equipment upgrade at the Fish Hatchery monitoring sites is a one time cost and the new equipment should be servicable for many years to come.

Enclosed are two originals of Joint Funding Agreement (JFA) 20ZGJFA60095610, signed by our agency, for your approval. If you are in agreement with this proposed program, please return one fully executed JFA to our office. Work performed with funds from this agreement will be conducted on a fixed-price basis. Billing for this agreement will be rendered quarterly.

The USGS is required to have an agreement in place prior to any work being performed on a project. We request that a fully executed JFA be returned prior to October 15, 2019.

If you have any questions concerning this program, please contact Jim Howle, in our Truckee field office, at (530) 587-0910 x2017. If you have any administrative questions, please contact Irene Rios, in our San Diego Office, at (619) 225-6156.

Sincerely,



Eric G. Reichard  
Director, USGS California Water Science Center

Enclosures

cc: Jim Howle, USGS CAWSC

Form 9-1366  
(May 2018)

**U.S. DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY**

**JOINT FUNDING AGREEMENT**

FOR

WATER RESOURCES INVESTIGATIONS

Customer #: 600000956  
 Agreement #: 20ZGJFA60095610  
 Project #: ZG009GE  
 TIN #: 95-6005661  
 Fixed Cost Agreement YES

**THIS AGREEMENT is entered into as of the, 3rd day of September, 2019 by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the Mono County Community Development Department (MCCDD), party of the second part.**

1. The parties hereto agree that subject to availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation Baseline Hydrologic Data Collection Program near Mammoth Lakes, California herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50; and 43 USC 50b.
2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) includes In-Kind Services in the amount of \$0.00
  - (a) by the party of the first part during the period
 

Amount	Date	to	Date
\$10,827.00	November 1, 2019		October 31, 2020
  - (b) by the party of the second part during the period
 


Amount	Date	to	Date
\$134,163.00	November 1, 2019		October 31, 2020

USGS DUNs is 1761-38857. The amounts in 2(a) and 2(b) above are for the Federal Fiscal Year 2020 (FFY20) of this agreement only.
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: \$0.00
 

Description of the USGS regional/national program:  
No additional contribution
- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.
3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.
4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.
5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.
6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

**9-1366 (Continuation)** Customer #: 600000956 Agreement #: 20ZGJFA60095610

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.
8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties.  
The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www2.usgs.gov/fsp/>).
9. Billing for this agreement will be rendered.  
Quarterly  
Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

<b>U.S. Geological Survey United States Department of the Interior</b>		Mono County Community Development Department	
<u>USGS Point of Contact</u>		<u>Customer Point of Contact</u>	
Name: Irene A. Rios, Budget Analyst	Name: Ms, Wendy Sugimura, Director		
Address: U.S. Geological Survey, CA WSC 4165 Spruance Rd., Suite 200 San Diego, CA 92101	Address: Mono County Community Development Department 437 Old Mammoth Rd., PO Box 2415 Mammoth Lakes, CA 83546		
Telephone: 619-225-6156	Telephone: 760-924-1800		
Email: iaros@usgs.gov	Email:		
<b><u>Signatures and Date</u></b>			
Signature: 	Date: 9-6-19	Signature: _____	Date: _____
Name: Eric G. Reichard	Name: Wendy Sugimura		
Title: Director, USGS CA Water Science Center	Title: Director, Mono County CDD		

Form 9-1366  
(May 2018)

**U.S. DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY**

Customer #: 600000956  
Agreement #: 20ZGJFA60095610  
Project #: ZG009GE  
TIN #: 95-6005661  
Fixed Cost Agreement YES

**JOINT FUNDING AGREEMENT**

FOR  
WATER RESOURCES INVESTIGATIONS

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  - (a) by the party of the first part during the period
 

Amount	Date	to	Date
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- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.
3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.
4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.
5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.
6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

9-1366 (Continuation) Customer #: 600000956 Agreement #: 20ZGJFA60095610

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The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www2.usgs.gov/fsp/>).
- 9. Billing for this agreement will be rendered.  
Quarterly  
Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

<p align="center"><b>U.S. Geological Survey United States Department of the Interior</b></p> <p align="center"><u>USGS Point of Contact</u></p> <p>Name: Irene A. Rios, Budget Analyst Address: U.S. Geological Survey, CA WSC 4165 Spruance Rd., Suite 200 San Diego, CA 92101</p> <p>Telephone: 619-225-6156 Email: iaros@usgs.gov</p>	<p align="center">Mono County Community Development Department</p> <p align="center"><u>Customer Point of Contact</u></p> <p>Name: Ms, Wendy Sugimura, Director Address: Mono County Community Development Department 437 Old Mammoth Rd., PO Box 2415 Mammoth Lakes, CA 83546</p> <p>Telephone: 760-924-1800 Email:</p>
<b><u>Signatures and Date</u></b>	
Signature: 	Date: <u>9-6-19</u>
Name: Eric G. Reichard	Name: Wendy Sugimura
Title: Director, USGS CA Water Science Center	Title: Director, Mono County CDD



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** December 10, 2019

**Departments: CDD, Finance**

**TIME REQUIRED**

**SUBJECT** Proposed Ordinance Amending  
Chapter 15.40 of the Mono County  
Code Enacting Updated Housing  
Mitigation Requirements

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

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### AGENDA DESCRIPTION:

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

Proposed Ordinance Amending Chapter 15.40 of the Mono County Code Enacting Updated Housing Mitigation Requirements

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### RECOMMENDED ACTION:

Adopt proposed ordinance ORD19-\_\_, Amending Chapter 15.40 of the Mono County Code Enacting Updated Housing Mitigation Requirements and Direct staff to file a notice of exemption under the California Environmental Quality Act for the ordinance.

---

### FISCAL IMPACT:

An adopted HMO would create new revenue for housing programs.

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**CONTACT NAME:** Wendy Sugimura

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

---

### SEND COPIES TO:

Megan Mahaffey

---

### MINUTE ORDER REQUESTED:

YES  NO

---

### ATTACHMENTS:

Click to download

[Staff Report](#)

[Ordinance with MCC Chapter 15.40](#)

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History

<b>Time</b>	<b>Who</b>	<b>Approval</b>
11/26/2019 2:47 PM	County Administrative Office	Yes
11/22/2019 2:05 PM	County Counsel	Yes
11/22/2019 10:44 AM	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](http://www.monocounty.ca.gov)

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

Dec. 10, 2019

**To:** The Honorable Board of Supervisors

**From:** Wendy Sugimura, Director  
Megan Mahaffey, Accountant  
Bentley Regehr, Planning Analyst

**Re:** Proposed Ordinance Amending Chapter 15.40 of the Mono County Code Enacting Updated Housing Mitigation Requirements

## **RECOMMENDATION**

Adopt proposed ordinance No. ORD19-\_\_\_, An Ordinance of the Mono County Board of Supervisors Amending Chapter 15.40 of the Mono County Code Enacting Updated Housing Mitigation Requirements. Direct staff to file a notice of exemption under the California Environmental Quality Act (CEQA) for the ordinance.

## **FISCAL IMPACT**

An adopted HMO would create new revenue for housing programs.

## **CEQA**

The Ordinance is exempt pursuant to Section 15061(b)(3) because there is no possibility that this ordinance will have a significant effect on the environment, and no associated funds will be expended on any specific development project prior to the completion of any required environmental review (Section 15378(b)(4)).

## **DESCRIPTION**

The proposed ordinance amending Chapter 15.40 of the Mono County code came before the Board on November 19, 2019, at which time modifications were made and an opportunity for public input was available. Today the Chapter is presented for final adoption.

Please contact Wendy Sugimura at 760-924-1814 or [wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov) with questions.

## **ATTACHMENTS**

1. Ordinance with attachments: Chapter 15.40



ORDINANCE NO. ORD19-\_\_

**AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS  
AMENDING CHAPTER 15.40 OF THE MONO COUNTY CODE ENACTING UPDATED  
HOUSING MITIGATION REQUIREMENTS**

**WHEREAS**, the Board of Supervisors finds that the County of Mono has a shortage of housing that is affordable to many residents who work and reside in Mono County; and

**WHEREAS**, requiring developers of land to mitigate the impact of development projects on the availability of workforce and affordable housing and address the housing shortage, either directly or through the payment of fees, is reasonable and necessary to offset the impact of the development which has resulted in a decrease of land available for workforce housing and for persons with low and moderate levels of income, a demonstrative increase in the price of housing and an increase in the need for workers within the county; and

**WHEREAS**, the applied mitigation requirements will not result in a negative impact on the overall development of housing or impose a barrier that will prevent persons with lower and moderate levels of income from renting or purchasing housing; and

**WHEREAS**, the proposed exemptions will limit barriers to providing housing to the workforce; and

**WHEREAS**, This Ordinance, including Exhibit A hereto, has been reviewed for compliance with the California Environmental Quality Act (CEQA), and the CEQA guidelines, and the County's environmental procedures, and has been found to be exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines, because the Board of Supervisors hereby finds with certainty that there is no possibility the passage of this Ordinance amending the Housing Mitigation Ordinance will have a significant effect on the environment; and furthermore, that no associated funds will be expended on any specific development project prior to the completion of any required environmental review for such specified development (see Section 15378(b)(4) of the CEQA Guidelines).

**NOW, THEREFORE, BE IT ORDAINED** that the Mono County Board of Supervisors hereby finds as follows:

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**SECTION ONE:** That Chapter 15.40 of the Mono County Code entitled “Housing Mitigation Requirements” is amended in its entirety to read as set forth in Exhibit A attached hereto and incorporated herein by this reference.

**SECTION TWO:** This ordinance shall become effective 60 days from the date of its adoption and final passage. The Clerk of the Board of Supervisors shall post this ordinance and also publish the ordinance in the manner prescribed by Government Code section 25124 no later than 15 days after the date of this ordinance’s adoption and final passage. If the Clerk fails to publish this ordinance within said 15-day period, then the ordinance shall not take effect until 60 days after the date of publication.

**APPROVED AND ADOPTED** this 10<sup>th</sup> day of December 2019, by the following vote:

- AYES :**
- NOES :**
- ABSENT :**
- ABSTAIN :**

\_\_\_\_\_  
John Peters, Chair

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

**APPROVED AS TO FORM:**  
  
\_\_\_\_\_  
County Counsel

**Exhibit A**

**Mono County Code Chapter 15.40  
Housing Mitigation Requirements**

**Sections:**

<b>15.40.010</b>	<b>Purpose/Findings</b>
<b>15.40.020</b>	<b>Definitions</b>
<b>15.40.030</b>	<b>Housing Fund</b>
<b>15.40.040</b>	<b>Fees and Requirements for Non-Residential and Residential Development Projects</b>
<b>15.40.050</b>	<b>Developer Incentives</b>
<b>15.40.060</b>	<b>Exemptions</b>
<b>15.40.070</b>	<b>Alternatives and Procedure</b>
<b>15.40.080</b>	<b>Occupancy and Availability of Affordable Units</b>
<b>15.40.090</b>	<b>Serial or Sequential Development Prohibited</b>
<b>15.40.100</b>	<b>Enforcement</b>
<b>15.40.110</b>	<b>Annual Review</b>
<b>15.40.120</b>	<b>Appeal, Waiver and Adjustment</b>
<b>15.40.130</b>	<b>Severability</b>

**15.40.010 Purpose/Findings**

The County of Mono (“County”) has a shortage of housing that is affordable to many citizens who work and reside in Mono County. The cost of housing has risen sharply over the past several years due to the cost of housing in the County’s resort communities, the increase in second-home residences throughout the County, the growth of the vacation rental industry, the scarce and limited amount of private land within the County available for residential development, and the overall increase in the cost of housing throughout the State of California. Wages for workers residing in Mono County have not kept pace with the increase in housing costs. As a result, employees in the lower, moderate, and even upper-moderate income ranges cannot afford to reside in proximity to work centers, have been forced to move greater distances from their places of employment, or have moved from the area entirely. This has decreased the pool of workers necessary to meet the needs of businesses and communities within Mono County. It has also increased commuting time to places of employment and contributes to substandard living conditions for workers and their families that earn low and moderate incomes.

Requiring developers of land to mitigate the impact of development projects on the availability of workforce and affordable housing and contribute to addressing the housing shortage in Mono County, either directly or through the payment of fees, dedication of land, or similar means, is reasonable and necessary to offset the impact of the development and address identified housing shortages, which has resulted in a decrease of land available for workforce housing and for persons earning low and moderate incomes, a demonstrative increase in the price of housing, and an increase in the need for workers within the County. Expecting new employers to contribute to the creation and preservation of affordable housing is likewise reasonable. Despite the availability of State and County incentives, there has been little or no market development of residential housing affordable to households earning very low, low, moderate, and even upper-moderate income levels and no other reasonable means to meet this need for workforce and affordable housing are available.

A requirement that new development mitigate these impacts and shortages through the provision of affordable housing units, the payment of fees, or similar means, is reasonable and necessary to improve the health, safety and general welfare of the citizens of Mono County. These requirements will not result in a negative impact on the overall development of housing or impose a barrier that will prevent persons with lower and moderate levels of income from purchasing housing.

## 15.40.020 Definitions

For the purposes of this Chapter the following definitions shall apply:

- A. **Accessory Dwelling Unit (ADU)** means residential occupancy of a Dwelling Unit located on the same parcel as the main residential unit. An ADU provides complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel on which the main residential unit is situated. An ADU shall meet the minimum regulations for an efficiency dwelling unit in the California Building Code. An ADU shall meet the requirements of Chapter 16 of the Mono County General Plan Land Use Element; in the event of conflict between state law and Chapter 16, state law supersedes.
- B. **Affordable Unit** means a Dwelling Unit which is required to be built, sold, and/or restricted pursuant to the requirements under this Chapter.
- C. **Area Median Income (AMI)** means the median income, adjusted for family size, applicable to Mono County as published annually pursuant to Title 25 of the California Code of Regulations, Section 6932 (or its successor provision), as determined periodically by HUD and updated on an annual basis.
- D. **Deed Restrictions** are private agreements that restrict the use of the real estate in some way and are listed in the deed. The restrictions travel with the deed, and generally cannot be removed by new owners.
- E. **Developer** means a person or entity who applies for a permit or other approval for the construction, placement, or creation of residential or non-residential development, including the subdivision of land.
- F. **(Residential) Dwelling Unit** means any structure or portion thereof designed or used as a residence or sleeping quarters of a household, including a caretaker unit.
- G. **Full-Time Equivalent Employee (FTEE)** means a full-time employee or combination of part-time employees whose work constitutes a total of 2,080 hours of annual employment generated by residential and non-residential development. In general, a full-time employee employed for an entire year equals one FTEE, a full-time employee employed on a seasonal basis equals one-half FTEE, and a part-time employee employed on an annual basis equals one-half FTEE. When an “employee generation calculation” results in seasonal or part-time employees, those employees shall be combined to form FTEEs.
- H. **Household** means one or more individuals who occupy one Dwelling Unit, whether related by blood or marriage.
- I. **Housing Fund** means the Mono County Affordable Housing Fund established pursuant to this Chapter.
- J. **Housing Mitigation Fee** means any fee established pursuant to this Chapter.
- K. **HUD** means the United States Department of Housing and Urban Development.
- L. **Housing Mitigation Agreement** means an agreement between the County of Mono and a Developer governing how the Developer shall comply with this Chapter.
- M. **Inclusionary Unit** means an Affordable Unit required by this Chapter to satisfy a development project’s housing mitigation requirement(s).
- N. **Market-Rate Unit** means a Dwelling Unit in a Residential Development Project that is not an Affordable Unit.
- O. **Multi-Family Residential Development Project** means a project consisting of two or more Dwelling Units within a single building and may include multiple buildings on a site or parcel. Typical examples include apartments, condominiums and townhomes.

- P. **Non-Residential Development Project** means a project for the construction, addition, subdivision of land, or placement of a structure which is for a non-residential use and which is proposed to be developed within the following General Plan land use designations: commercial, commercial lodging, service commercial, industrial park, industrial, rural resort, including that portion of any development within a mixed use or combined use designation (e.g. specific plan) which includes the construction, addition, or placement of a structure for non-residential use.
- Q. **Primary Residence** means the main home where one voluntarily establishes oneself and family, not merely for a special or limited purpose, but with a present intention of making it one's true, fixed, permanent home and principal establishment. A principal residence may be declared through voter registration, tax return, or other legal documents.
- R. **Residential Development Project** means a project for the construction or placement of any Residential Dwelling Unit in a permanent location, or the subdivision of land which is planned, designed, or used for the development of residential Dwelling Units within the following General Plan land use designations: rural residential, estate residential, Single-Family Residential, Multi-Family Residential, or any other area where residential Dwelling Units may be developed.
- S. **Single-Family Residential Property or Unit** means a property which serves the primary purpose of providing a permanent Dwelling Unit to a single family.
- T. **Sleeping Area** means any bedroom, loft, or other space that can be equipped with beds, foldout sofas, or other similar sleeping furniture.

**15.40.030 Housing Fund**

- A. There is hereby established the Mono County Affordable Housing Fund ("Housing Fund"). Any and all fees collected pursuant to this Chapter (and established via resolution), together with any other funds received by grant or otherwise for the purpose of furthering the development and preservation of affordable housing within the County of Mono, shall be deposited into the Housing Fund.
- B. The Housing Fund shall be administered by the Mono County Board of Supervisors, or designee appointed by resolution, to implement housing programs with a focus on those identified as priorities, as well as other programs that meet housing needs through acquisition, rehabilitation, preservation, or subsidy, and subject to the provisions of this Chapter.

**15.40.040 Fees and Requirements for Non-Residential and Residential Development Projects**

- A. Affordable Housing Mitigation requirements and fees shall be imposed on Developers of Non-Residential Development Projects, Residential Development Projects, and Single-Family Residential Units based on in-lieu fee and/or Inclusionary Unit policies resulting from completed nexus studies that quantify the impacts of development on affordable housing. The policy establishing requirements and fees shall be adopted by resolution of the Board of Supervisors and reviewed on a periodic basis as needed.
- B. For Non-Residential Development Projects, the development of an Affordable Unit is the preferred mitigation alternative. However, if a non-residential Developer can demonstrate that on- or off-site construction is not feasible and/or would not provide housing units that would adequately meet workforce needs, an alternative Housing Mitigation Agreement may be approved pursuant to section 15.40.070 and may include payment into the Housing Fund in-lieu fees (established by resolution pursuant to this Chapter) to satisfy the mitigation obligation.
- C. For Residential Development Projects, the development of a unit on-site (an Inclusionary Unit) is the preferred mitigation alternative. The size, design, and location of Inclusionary Units shall be consistent with the Mono County General Plan, applicable specific plans, and all other applicable county ordinances, regulations, and building standards. The construction of the on-site units shall be located within the same subdivision and within the boundaries of the project, shall be compatible in exterior appearance with the market-rate units being developed in the project, and shall be dispersed throughout the residential development to the extent feasible pursuant to the corresponding Housing Mitigation Agreement (see 15.40.070). The Affordable Units must contain a similar number of bedrooms as

the market-rate units but may be smaller than market-rate units pursuant to the corresponding Housing Mitigation Agreement. The interior amenities within the Affordable Unit may differ from the interior amenities in a market-rate unit, and may be required to include EPA II wood stoves, energy efficient amenities, and other cost-efficient amenities as provided for in the corresponding Housing Mitigation Agreement (see 15.40.070). The on-site units must be built at the same time as market-rate units and a certificate of occupancy will not be issued to any market-rate unit until any Affordable Unit is completed and issued a certificate of occupancy.

- D. Compliance with this section may be accomplished by the Developer alone or in combination with others, including without limitation, the Mono County Housing Authority or a nonprofit housing corporation.

#### **15.40.050 Developer Incentives**

- A. A Developer may apply for incentives from the County to assist in meeting the requirements of this Chapter. The granting of any incentive(s) by the County to a Developer is discretionary and nothing in this Chapter shall be construed to establish, directly or through implication, a right of a Developer to receive any assistance or incentive from the County. In granting incentives, the County may require the Developer to demonstrate exceptional circumstances that necessitate assistance from the County, as well as provide documentation showing how such incentives will increase the feasibility of providing affordable housing. The following incentives will be considered by the County:

- i. Density Bonus. A density bonus incentive pursuant to the California Density Bonus Law (found in California Government Code Sections 65915 – 65918 and as may be amended or replaced from time to time) will be provided for any project that meets the statutory criteria. The County may consider an additional density bonus upon request by the Developer when such request can be accommodated within the parameters of the Mono County General Plan or any applicable specific plan or County ordinance.
- ii. Fee Waiver or Deferral. The payment of County fees required under this Chapter may be deferred until the certificate of occupancy is issued. Further, a Developer may apply for a fee reduction or waiver when the Developer proposes to substantially exceed the requirements of this Chapter. A Developer of a Residential Development Project who builds Affordable Units in amounts that exceed the requirements of this Chapter may apply for a waiver of assessments for any applicable County maintained road maintenance and snow removal services that would otherwise be required.
- iii. Reduced Site Development Standards. A Developer may propose, and the County may consider, a reduction in site development standards including a reduction in setback, lot coverage, and square footage requirements; a reduction in parking requirements; a modification of the requirement that all utility lines must be placed underground; and reduction of open space requirements. To be eligible for such reduced development standards, the Developer must provide substantial evidence that the reductions are necessary to allow the Developer to meet or exceed the requirements of this Chapter, that the reduced requirements will meet all applicable health, safety, snow storage and drainage requirements, and will further the purpose of this Chapter.

#### **15.40.060 Exemptions**

The following list of projects are exempt from the provisions of this Chapter. Modification(s) made to any previously exempted project which renders the project ineligible for the exemption shall automatically trigger the application of the requirements and payment of the fees in place at the time the modifications are made. Similarly, if an exempted project falls out of compliance with the conditions of the exemption, the County shall initiate any appropriate enforcement action, including but not limited to, enforcing payment of the fees and compliance with the requirements in place at the time of the enforcement action.

- A. Residential development for agriculture workers, including cannabis cultivators, e.g., farm labor housing.
- B. Mobile Home Park development.

- C. Any building that is replaced or repaired as a result of fire or other catastrophic damage or loss so long as the square footage is not increased by more than 500 square feet.
- D. Any project that is being developed as an affordable housing project as defined by state law and deed restricted as such.
- E. Any project that is being developed to meet other community housing needs, such as transitional housing or homeless shelters, and is deed restricted as such or governed by some other regulatory agreement ensuring the use.
- F. A Multi-Family Residential Development project consisting of the development of fewer than thirty units (30) in duplexes, triplexes or other forms of Multi-Family Residential Development Projects not developed as a condominium or planned development project where, with the exception of one owner-occupied or on-site manager unit, all units will be leased as long-term rental units and where short-term rentals, as defined in the Mono County General Plan and Mono County Code, will be prohibited. To qualify for this exemption, the project's planning permit must contain conditions to prevent the conversion to condominiums and prohibit short-term rentals and a deed restriction must be recorded against the property to inform future owners of the restrictions. If a planning permit is necessary to document the conditions in this exemption, a Director Review (DR) permit shall be processed and the permit fee shall be waived. If a planning permit is necessary for any reason other than, or in addition to, those strictly pertaining to this exemption, no fee waiver shall be granted, the applicant shall be subject to all applicable permit processes and fees, and the provisions of this exemption shall be included in the permit conditions along with all other applicable conditions.
- G. A Multi-Family Residential Development project consisting of the development of fewer than thirty (30) units in duplexes, triplexes or other forms of Multi-Family Residential Development Projects where units are owned as Primary Residences and where short-term rentals are prohibited. The project's planning permit must contain conditions requiring the units to be Primary Residences and prohibiting short-term rentals, and a deed restriction must be recorded against the property to inform future owners of the restrictions. If a planning permit is necessary to document the conditions in this exemption, a Director Review (DR) permit shall be processed and the permit fee shall be waived. If a planning permit is necessary for any reason other than, or in addition to, those strictly pertaining to this exemption, no fee waiver shall be granted, the applicant shall be subject to all applicable permit processes and fees, and the provisions of this exemption shall be included in the permit conditions along with all other applicable conditions.
- H. Single-Family Residential (SFR) Units less than 2,000 square feet in size.
- I. Single-Family Residential (SFR) Units prohibiting short-term rentals. If a planning permit is necessary to document the condition in this exemption, a Director Review (DR) permit shall be processed and the permit fee shall be waived. If a planning permit is necessary for any reason other than, or in addition to, those strictly pertaining to this exemption, including pursuant to Chapter 16 of the Mono County General Plan, no fee waiver shall be granted, the applicant shall be subject to all applicable permit processes and fees, and the provisions of this exemption shall be included in the permit conditions along with all other applicable conditions.
- J. Single-Family Residential (SFR) Units where the unit is a Primary Residence and the owner (or approved tenant pursuant to section 15.40.080(b)(4)) qualifies as moderate- or below-income according to HUD affordable housing guidelines.
- K. Single-Family Residential (SFR) Units that deed restrict future sales to moderate- or below-income levels.
- L. Single-Family Residential (SFR) Units within a subdivision that previously met the requirements of this Chapter during the planning process.
- M. Accessory Dwelling Units (ADUs) meeting the requirements of state law and General Plan Land Use Element Chapter 16.

**15.40.070 Alternatives & Procedure**



- A. The County will consider and may approve alternative mitigation proposals through a Housing Mitigation Agreement in circumstances where it can be demonstrated by the Developer that the alternative proposal meets the purpose of this Chapter and provides a greater housing benefit to the community than would otherwise be attained through the building of Affordable Dwelling Units or the payment of in lieu fees in accordance with this Chapter. Developers may submit an alternative plan with the designated processing fee to the Community Development Department. Initial approval of such an alternative proposal as a Housing Mitigation Agreement will be made by the Community Development Department and thereafter approved by the Planning Commission and will be subject to final review and approval by the Board of Supervisors. Alternatives that will be considered include, but are not limited to, land dedication, off-site housing, conversion of existing housing, and payment of in lieu fees.
- B. Housing Mitigation Agreement. In the case of alternative proposals, the Developer, the holder of any deed of trust or other lien holder on the property, and the Community Development Director or his or her designee shall execute a Housing Mitigation Agreement prior to the recordation of the parcel map or subdivision map in the case of subdivisions, or prior to approval of a Director Review or Use permit, or prior to the issuance of building permits in the case of all other development. The Developer's entry into the Housing Mitigation Agreement shall be a condition of approval for any tentative parcel or final map, Director Review or Use permit, or building permit. The executed Housing Mitigation Agreement shall be recorded with the County Clerk/Recorder at the time of the recording of any final or parcel map or at the time of the issuance of any building permit. The Housing Mitigation Agreement shall include, but not be limited to, the following:
- i. A complete description of the development project;
  - ii. The specific method of compliance with the requirements of this Chapter;
  - iii. Any such matters as may be determined appropriate by the Developer and/or the County.

#### **15.40.080 Occupancy and Availability of Affordable Units**

- a. The occupancy and continuing availability of Inclusionary Units as required by the resolution establishing fees and requirements shall be provided for in the following manner:
- b. For Sale Affordable Inclusionary Units. Inclusionary Units designated for sale shall be subject to the following conditions and restrictions:
  - i. Eligible Participants. Affordable Units shall only be available for purchase by residents intending to use the unit as a Primary Residence and who qualify as moderate- or below-income according to HUD affordable housing guidelines.
  - ii. Restrictions on Use and Resale. The Affordable Units shall be subject to deed restrictions memorializing and preserving the required provisions herein and to the conditions of any planning permits approved for the project and property.
  - iii. Sales Price and Transfer. The maximum purchase price shall be set by the applicable HUD affordable housing guidelines for moderate- and below-income housing.
  - iv. Restriction on Use of Unit. The Affordable Unit must be occupied by the owner of the unit as their Primary Residence and may not be leased or rented without a written determination by the Community Development Director or designee; or, if the unit is administered by the Mono County Housing Authority, by that entity, that the proposed tenant qualifies as moderate- or below-income and that rents charged conform to applicable HUD affordable housing guidelines for the tenant's income level. In units where short-term rentals are prohibited, no rentals for 30 days or less may occur under any circumstances.

- v. Term of Restrictions. The restrictions set forth in this section shall remain in effect in perpetuity. If a circumstance arises in the future where these restrictions are removed or not followed, the fees and requirements of this Chapter in place at the time shall be applied.
- vi. Covenants, Conditions, and Restrictions. Any Covenants, Conditions, and Restrictions (CC&Rs) associated with or required for approval of any subdivision subject to this Chapter shall include all of the requirements of this Chapter and shall be recorded with the County Clerk/Recorder. Additional conditions that may be required include provisions that the owner of an Affordable Unit must pay all property taxes in a timely manner, may not refinance the unit without the express written approval of the Community Development Director and, in the case where a deed of trust is made subordinate to the CC&Rs, that the owner must maintain the property in good condition, and comply with all local land use requirements. In addition to any other enforcement remedies, the CC&Rs shall designate and authorize the County to enforce any County-imposed conditions at the County's sole discretion.

#### **15.40.090 Serial or Sequential Development Prohibited**

Developers may not avoid the requirements of this Chapter by developing projects in a serial or sequential manner. Development of any property owned by a Developer or his or her successor in interest that is contiguous to any other development subject to this Chapter shall be deemed to be one single project for the purposes of this Chapter when the subsequent development occurs within ten (10) years of any prior development and when the combined development becomes subject to the requirements of this Chapter.

#### **15.40.100 Enforcement.**

A. The Community Development Department/Mono County Housing Authority shall be responsible for monitoring and enforcing the provisions of this Chapter. Any violation of this Chapter may be enforced in any manner permissible by law including, but not limited to, pursuant to Section 1.04.060 and Chapter 1.12 of the Mono County Code.

B. Owners and occupants of property subject to the restrictions and requirements of this Chapter shall permit County employees to inspect the property upon two business days advance written notice. Owners of property subject to the restrictions pursuant to this Chapter shall retain all records related to compliance with the obligations and restrictions of this Chapter, the Housing Mitigation Agreement and/or the CC&Rs for a period not less than five years, and shall make such records available to County employees for inspection and copying upon five business days advance written notice.

#### **15.40.110 Annual Review**

The provisions of this Chapter, the Affordable Housing Guidelines, and any resolutions adopted to further the purposes of this Chapter shall be reviewed annually by the Mono County Board of Supervisors, Mono County Housing Authority and the Community Development Director or his or her designee. An annual report and accounting shall be provided to the Board of Supervisors by the Community Development Department evaluating the policies set forth in this Chapter and their effects.

#### **15.40.120 Appeal, Waiver, and Adjustment**

A Developer of any project subject to the requirements of this Chapter may appeal to the Board of Supervisors for a reduction, waiver, or adjustment of any of the provisions or requirements contained in this Chapter. Any such appeal shall be based upon the misapplication or misinterpretation of this Chapter as applied to the project or violation of law. The Board of Supervisors, in its sole discretion, may adjust or waive any provision or requirement imposed by this Chapter based on good cause shown by substantial evidence in the record.

Any appeal must be in writing and filed with the County Clerk/Recorder and served on the Community Development Director not later than ten (10) days before the first public hearing on any discretionary approval or permit for the development, or if no discretionary permit is required, or if the action complained of occurs after the first public hearing on such permit or approval, then the appeal shall be filed within ten (10) days after payment of the fees objected to. The appeal shall set forth in detail the factual and legal basis for the claim of waiver, reduction, or adjustment. The

Board of Supervisors shall consider the appeal within sixty (60) days after the filing of the appeal. The appellant shall bear the burden of producing substantial evidence to support the appeal, which shall include providing comparable technical information to support appellant's position. The decision of the Board of Supervisors shall be final.

**15.40.130 Severability**

The provisions of this Chapter are intended to be severable, and in the event any provision or requirement provided for under this Chapter is determined to be invalid or unenforceable, the remainder of the Chapter shall remain in effect.



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 10, 2019

**Departments: Community Development**

**TIME REQUIRED**

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

Wendy Sugimura

**SUBJECT** Housing Mitigation Ordinance  
Suspension

**AGENDA DESCRIPTION:**

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

Adoption of a proposed ordinance to continue the suspension of the current Housing Mitigation Ordinance until the new ordinance and fees take effect (February 9, 2020).

**RECOMMENDED ACTION:**

Adopt proposed ordinance ORD19-\_\_, Amending chapter 15.40.170 of the Mono County Code, extending the temporary suspension of all housing mitigation requirements until Feb. 9, 2020.

**FISCAL IMPACT:**

None. The Housing Mitigation Ordinance has been suspended since 2011.

**CONTACT NAME:** Wendy Sugimura

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

**SEND COPIES TO:**

Megan Mahaffey

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">staff report</a>
<a href="#">Ordinance - HMO Suspension</a>

**History**

Time	Who	Approval
11/25/2019 12:47 PM	County Administrative Office	Yes

11/22/2019 1:55 PM

County Counsel

Yes

11/22/2019 10:23 AM

Finance

Yes

# Mono County Community Development Department

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

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

December 10, 2019

**TO:** Honorable Board of Supervisors

**FROM:** Wendy Sugimura, Director  
Megan Mahaffey, Accountant  
Bentley Regehr, Planning Analyst

**RE:** Housing Mitigation Ordinance Suspension Second Reading

## **RECOMMENDATION**

1. Adopt proposed ordinance extending the current suspension of the Mono County Housing Mitigation Ordinance until February 9, 2020.

## **FISCAL IMPACT**

No impact. The HMO has been suspended since 2011.

## **BACKGROUND**

The Housing Mitigation Ordinance (HMO) has been suspended since 2011 and the current suspension expires December 31, 2019. The Board of Supervisors approved the first reading of a new Housing Mitigation Ordinance on November 19, 2019, is considering the second reading on Dec. 10, and provided direction to adopt a fee schedule by Resolution on Dec. 10. If adopted, the ordinance and fees would go into place on February 10, 2020, requiring a continued suspension of the current HMO until Feb. 9.

## **DISCUSSION**

The proposed ordinance suspending the HMO until Feb. 9, 2020, was introduced to the Board at the November 19, 2019, meeting and approved. Approval of this second reading adopts the ordinance and enacts the 30-day clock for the ordinance to become effective.

## **ATTACHMENTS**

- ORD19-\_\_ Amending Chapter 15.40.170 of the Mono County Code, Extending the Temporary Suspension of all Housing Mitigation Requirements



ORDINANCE NO. ORD19-\_\_\_

**AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS  
AMENDING CHAPTER 15.40.170 OF THE MONO COUNTY CODE, EXTENDING THE  
TEMPORARY SUSPENSION OF ALL HOUSING MITIGATION REQUIREMENTS**

**WHEREAS**, the County previously enacted a temporary suspension of certain housing mitigation requirements on development projects, as codified in Chapter 15.40 of the Mono County Code, which will expire on December 31, 2019, if not extended; and

**WHEREAS**, the Board wishes to continue that suspension until February 9, 2020.

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

**SECTION ONE:** Section 15.40.170 of the Mono County Code is hereby amended to read as follows:

**“15.40.170 Temporary suspension of requirements.**

All housing mitigation requirements set forth in Chapter 15.40 shall be suspended in their entirety, and be of no force or effect, during the period from December 31, 2019, through February 9, 2020.”

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

**PASSED, APPROVED and ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2019, by the following vote,  
to wit:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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

ATTEST:

APPROVED AS TO FORM:

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

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



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 10, 2019

**Departments: Clerk of the Board**

**TIME REQUIRED**

**SUBJECT** Letter of Support of Lee Vining PUD  
to Inyo National Forest

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

A letter to the Inyo National Forest Mammoth Ranger District in support of the Lee Vining Public Utility District's (PUD) special use permit request to install and operate a test well for a groundwater characterization study.

**RECOMMENDED ACTION:**

Approve letter and authorize Chair Peters to sign.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Scheereen Dedman

**PHONE/EMAIL:** x5538 / sdedman@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

Time	Who	Approval
11/21/2019 3:10 PM	County Administrative Office	Yes
11/22/2019 12:50 PM	County Counsel	Yes
11/22/2019 10:23 AM	Finance	Yes





Jennifer Kreitz ~ District One    Fred Stump ~ District Two    Bob Gardner ~ District Three  
John Peters ~ District Four    Stacy Corless ~ District Five

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## BOARD OF SUPERVISORS COUNTY OF MONO

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P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517  
(760) 932-5533 • FAX (760) 932-5531  
*Shannon Kendall, Clerk of the Board*

December 10, 2019

Inyo National Forest  
Mammoth Ranger District  
ATTN: Sheila Irons  
PO Box 148  
Mammoth Lake, California 93546  
VIA EMAIL [Sheila.irons@usada.gov](mailto:Sheila.irons@usada.gov)

**RE: Support for Proposed Authorization of Test Well for Lee Vining Public Utility District**

Dear Ms. Irons,

Please accept this letter as support for the efficient processing, review, and authorization of the Special Use Permit application submitted by the Lee Vining Public Utility District (PUD) for the installation and operation of a test well to conduct a groundwater characterization study. This proposed groundwater characterization study will inform the Lee Vining PUD if an adequate groundwater resource exists at the proposed location to justify future application for the development of a municipal supply well.

As noted in the Forest Scoping letter of October 30, 2019, the proposed project has been designed to “minimize new ground disturbance and visual impacts.” We support these thoughtful design measures while noting the importance of sustaining the aesthetic, biological, recreational and cultural integrity of the Highway 120 – Tioga Pass corridor.

In addition to serving the residents and businesses of Lee Vining for over half a century, the Lee Vining Public Utility District also supports vital County, State and Federal infrastructure – e.g. the Lee Vining Elementary and High schools, County-run Lee Vining and Mono Lake Indian and Lee Vining Community Center, Gus Hess and Mono Lake Historical Society Park and Museum, Mono Basin National Forest Scenic Area Visitors Center.

The Mono County Board of Supervisors commends the Lee Vining Public Utility District for adopting a thoughtful approach to ensuring a dependable and sustainable supply of municipal water for its customers, and we thank the Inyo National Forest for working collaboratively with our local communities. Please keep our Board informed of your progress on moving this important local project forward.

Thank you,

Supervisor John Peters  
Chair



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 10, 2019

**Departments: Finance**

**TIME REQUIRED**

**SUBJECT** Monthly Treasury Transaction Report

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

**AGENDA DESCRIPTION:**

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

Treasury Transaction Report for the month ending 10/31/2019.

**RECOMMENDED ACTION:**

Approve the Treasury Transaction Report for the month ending 10/31/2019.

**FISCAL IMPACT:**

None

**CONTACT NAME:** Gerald Frank

**PHONE/EMAIL:** 7609325483 / gfrank@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Treasury Transaction Report for the month ending 10/31/2019</a>

**History**

Time	Who	Approval
11/26/2019 2:44 PM	County Administrative Office	Yes
12/3/2019 12:23 PM	County Counsel	Yes
11/22/2019 1:46 PM	Finance	Yes



## Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2019, End Date: 10/31/2019

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
<b>Buy Transactions</b>									
Buy	10/1/2019	798189PW0	250,000.00	San Jose Evergreen Community College Dist 1.908 8/	100.00	250,000.00	0.00	1.91	250,000.00
Buy	10/8/2019	586840NA4	500,000.00	Menlo Park City School Dist 1.928 7/1/2024	100.00	500,000.00	0.00	1.93	500,000.00
Buy	10/8/2019	33651FAD1	249,000.00	First Source Federal Credit Union 1.95 3/26/2021	100.00	249,000.00	0.00	1.95	249,000.00
Buy	10/9/2019	777526MP6	350,000.00	Rosemead School District 2.042 8/1/2024	100.00	350,000.00	0.00	2.04	350,000.00
Buy	10/11/2019	910160AR1	249,000.00	United Credit Union 1.9 1/11/2021	100.00	249,000.00	0.00	1.90	249,000.00
Buy	10/16/2019	452641JN4	500,000.00	Imperial Community College District 2.024 8/1/2023	100.00	500,000.00	0.00	2.02	500,000.00
Buy	10/18/2019	3133EK3B0	1,000,000.00	FFCB 1.5 10/16/2024	99.08	990,760.00	83.33	1.69	990,843.33
Buy	10/18/2019	00257TBJ4	249,000.00	Abacus Federal Savings Bank 1.75 10/18/2024	100.00	249,000.00	0.00	1.75	249,000.00
Buy	10/18/2019	48836LAF9	249,000.00	Kemba Financial Credit Union 1.75 10/18/2024	100.00	249,000.00	0.00	1.75	249,000.00
Buy	10/18/2019	202291AG5	247,000.00	Commercial Savings Bank 1.8 10/18/2024	100.00	247,000.00	0.00	1.80	247,000.00
Buy	10/24/2019	06406RAL1	500,000.00	Bank of New York Mellon 2.1 10/24/2024	99.98	499,880.00	0.00	2.11	499,880.00
Buy	10/25/2019	063907AA7	249,000.00	Bank of Botetourt 1.75 10/25/2024	100.00	249,000.00	0.00	1.75	249,000.00
<b>Subtotal</b>			<b>4,592,000.00</b>			<b>4,582,640.00</b>	<b>83.33</b>		<b>4,582,723.33</b>
Deposit	10/10/2019	LAIF6000Q	2,000,000.00	Local Agency Investment Fund LGIP	100.00	2,000,000.00	0.00	0.00	2,000,000.00
Deposit	10/15/2019	LAIF6000Q	89,284.05	Local Agency Investment Fund LGIP	100.00	89,284.05	0.00	0.00	89,284.05
Deposit	10/30/2019	LAIF6000Q	2,000,000.00	Local Agency Investment Fund LGIP	100.00	2,000,000.00	0.00	0.00	2,000,000.00
Deposit	10/31/2019	OAKVALLEY0670	10,192.35	Oak Valley Bank Cash	100.00	10,192.35	0.00	0.00	10,192.35
Deposit	10/31/2019	OAKVALLEY0670	19,611,886.62	Oak Valley Bank Cash	100.00	19,611,886.62	0.00	0.00	19,611,886.62
<b>Subtotal</b>			<b>23,711,363.02</b>			<b>23,711,363.02</b>	<b>0.00</b>		<b>23,711,363.02</b>
<b>Total Buy Transactions</b>			<b>28,303,363.02</b>			<b>28,294,003.02</b>	<b>83.33</b>		<b>28,294,086.35</b>
<b>Interest/Dividends</b>									
Interest	10/1/2019	84485EAE7	0.00	Southwest Financial Federal CU 3.15 2/26/2021		0.00	644.67	0.00	644.67
Interest	10/1/2019	299547AQ2	0.00	Evansville Teachers Federal Credit Union 2.6 6/12/		0.00	532.11	0.00	532.11
Interest	10/1/2019	369674AX4	0.00	GE Credit Union 3 8/31/2020		0.00	613.97	0.00	613.97
Interest	10/1/2019	13063DAD0	0.00	California State GO UNLTD 2.367 4/1/2022		0.00	5,917.50	0.00	5,917.50



## Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2019, End Date: 10/31/2019

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	10/1/2019	91435LAB3	0.00	University of Iowa Community Credit Union 3 4/28/2		0.00	604.11	0.00	604.11
Interest	10/1/2019	696624CC7	0.00	Palm Desert CA Redev 2.25 10/1/2020		0.00	2,812.50	0.00	2,812.50
Interest	10/1/2019	499724AD4	0.00	Knox TVA Employee Credit Union 3.25 8/30/2023		0.00	654.45	0.00	654.45
Interest	10/1/2019	911312BK1	0.00	United Parcel Service 2.5 4/1/2023-23		0.00	6,250.00	0.00	6,250.00
Interest	10/1/2019	13063DLZ9	0.00	State of California 3 4/1/2024		0.00	7,375.00	0.00	7,375.00
Interest	10/2/2019	3133EJD48	0.00	FFCB 3.05 10/2/2023		0.00	15,250.00	0.00	15,250.00
Interest	10/3/2019	9497486Z5	0.00	WELLS FARGO BK NA SIOUXFALLS SD 1.6 8/3/2021		0.00	322.19	0.00	322.19
Interest	10/5/2019	14042RCQ2	0.00	CAPITAL ONE, NATIONAL ASSOCIATION 1.7 10/5/2021		0.00	2,088.21	0.00	2,088.21
Interest	10/5/2019	3135G0T78	0.00	FNMA 2 10/5/2022		0.00	10,000.00	0.00	10,000.00
Interest	10/5/2019	31926GAL4	0.00	First Bank of Greenwich 3 11/8/2020		0.00	606.58	0.00	606.58
Interest	10/5/2019	32117BCX4	0.00	First National Bank Dama 2.8 5/5/2023		0.00	573.04	0.00	573.04
Interest	10/5/2019	981571CE0	0.00	Worlds Foremost Bk Sidney NE 1.75 5/5/2021		0.00	287.67	0.00	287.67
Interest	10/7/2019	3135G0Q89	0.00	FNMA 1.375 10/7/2021		0.00	6,875.00	0.00	6,875.00
Interest	10/9/2019	59452WAE8	0.00	Michigan Legacy Credit Union 3.45 11/9/2023		0.00	706.07	0.00	706.07
Interest	10/10/2019	7954502D6	0.00	Sallie Mae Bank/Salt Lake 2.75 4/10/2024		0.00	3,377.98	0.00	3,377.98
Interest	10/10/2019	25460FCF1	0.00	Direct Federal Credit Union 3.5 9/11/2023		0.00	716.30	0.00	716.30
Interest	10/10/2019	59013JZP7	0.00	Merrick Bank 2.05 8/10/2022		0.00	412.81	0.00	412.81
Interest	10/10/2019	58404DAP6	0.00	MEDALLION BANK 2.15 10/11/2022		0.00	2,640.97	0.00	2,640.97
Interest	10/11/2019	3133EJKN8	0.00	FFCB 2.7 4/11/2023		0.00	13,500.00	0.00	13,500.00
Interest	10/11/2019	20033APV2	0.00	COMENITY CAP BK SALT LAKE CITY UTAH 1.6 4/12/2021		0.00	322.19	0.00	322.19
Interest	10/12/2019	856487AM5	0.00	State Bank of Reeseville 2.6 4/12/2024		0.00	532.11	0.00	532.11
Interest	10/13/2019	66736ABP3	0.00	Northwest Bank 2.95 2/13/2024		0.00	603.74	0.00	603.74
Interest	10/13/2019	69417ACG2	0.00	Pacific Crest Savings Bank 2.85 3/13/2024		0.00	583.27	0.00	583.27
Interest	10/13/2019	15721UDA4	0.00	CF Bank 2 8/13/2024		0.00	409.32	0.00	409.32
Interest	10/13/2019	25665QAX3	0.00	Dollar BK Fed Savings BK 2.9 4/13/2023		0.00	3,562.23	0.00	3,562.23
Interest	10/14/2019	88563LAG2	0.00	Three Rivers Federal Credit Union 2.8 11/14/2019		0.00	573.04	0.00	573.04



## Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2019, End Date: 10/31/2019

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	10/14/2019	45581EAR2	0.00	Industrial and Commercial Bank of China USA, NA 2.		0.00	533.63	0.00	533.63
Interest	10/15/2019	20143PDV9	0.00	Commercial Bank Harrogate 3.4 11/15/2023		0.00	695.84	0.00	695.84
Interest	10/15/2019	55266CQE9	0.00	MB FINANCIAL BANK, NATIONAL ASSN 1.8 1/15/2021		0.00	362.47	0.00	362.47
Interest	10/15/2019	061785DY4	0.00	Bank of Deerfield 2.85 2/15/2024		0.00	583.27	0.00	583.27
Interest	10/15/2019	30257JAM7	0.00	FNB Bank Inc/Romney 3 1/16/2024		0.00	613.97	0.00	613.97
Interest	10/15/2019	62384RAF3	0.00	Mountain America Federal Credit Union 3 3/27/2023		0.00	604.11	0.00	604.11
Interest	10/16/2019	740367HP5	0.00	Preferred Bank LA Calif 2 8/16/2024		0.00	409.32	0.00	409.32
Interest	10/16/2019	33640VCF3	0.00	First Service Bank 3.3 5/16/2023		0.00	675.37	0.00	675.37
Interest	10/17/2019	855736DA9	0.00	STATE BK & TR CO DEFIANCE OHIO 1.6 2/17/2021		0.00	322.19	0.00	322.19
Interest	10/17/2019	219240BY3	0.00	Cornerstone Community Bank 2.6 5/17/2024		0.00	532.11	0.00	532.11
Interest	10/17/2019	50116CBE8	0.00	KS Statebank Manhattan KS 2.1 5/17/2022		0.00	422.88	0.00	422.88
Interest	10/18/2019	08173QBX3	0.00	BENEFICIAL BANK 2.15 10/18/2022		0.00	2,640.97	0.00	2,640.97
Interest	10/18/2019	92937CGB8	0.00	WEX BANK 2 10/19/2020		0.00	2,456.71	0.00	2,456.71
Interest	10/18/2019	3133EGLD5	0.00	FFCB 1.18 10/18/2019-16		0.00	5,900.00	0.00	5,900.00
Interest	10/18/2019	22766ABN4	0.00	Crossfirst Bank 2.05 8/18/2022		0.00	412.81	0.00	412.81
Interest	10/18/2019	59161YAA4	0.00	Metro Credit Union 2.95 7/17/2020		0.00	603.74	0.00	603.74
Interest	10/19/2019	909557HX1	0.00	United Bankers Bank 3 9/21/2020		0.00	613.97	0.00	613.97
Interest	10/19/2019	560507AJ4	0.00	Maine Savings Federal Credit Union 3.3 5/19/2023		0.00	675.37	0.00	675.37
Interest	10/19/2019	310567AB8	0.00	Farmers State Bank 2.35 9/19/2022		0.00	473.22	0.00	473.22
Interest	10/19/2019	474067AQ8	0.00	Jefferson Financial Credit Union 3.35 10/19/2023		0.00	4,114.99	0.00	4,114.99
Interest	10/20/2019	50625LAK9	0.00	Lafayette Federal Credit Union 3.5 11/20/2023		0.00	716.30	0.00	716.30
Interest	10/20/2019	32112UCW9	0.00	First National Bank of McGregor 2.85 2/21/2024		0.00	583.27	0.00	583.27
Interest	10/21/2019	49254FAC0	0.00	Keesler Federal Credit Union 3.1 12/21/2020		0.00	634.44	0.00	634.44
Interest	10/21/2019	3133EGNF8	0.00	FFCB 1.3 4/21/2020-16		0.00	6,500.00	0.00	6,500.00
Interest	10/22/2019	061803AH5	0.00	Bank of Delight 2.85 2/22/2024		0.00	583.27	0.00	583.27



## Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2019, End Date: 10/31/2019

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	10/22/2019	38148JRS2	0.00	GOLDMAN SACHS BK USA NEW YORK 1.9 4/22/2020		0.00	2,333.88	0.00	2,333.88
Interest	10/22/2019	90352RAC9	0.00	USAlliance Federal Credit Union 3 8/20/2021		0.00	604.11	0.00	604.11
Interest	10/22/2019	92535LCC6	0.00	Verus Bank of Commerce 2.8 2/22/2024		0.00	573.04	0.00	573.04
Interest	10/23/2019	938828BJ8	0.00	Washington Federal Bank 2.05 8/23/2024		0.00	419.55	0.00	419.55
Interest	10/23/2019	33766LAJ7	0.00	Firstier Bank 1.95 8/23/2024		0.00	399.08	0.00	399.08
Interest	10/24/2019	03753XBD1	0.00	Apex Bank 3.1 8/24/2023		0.00	624.25	0.00	624.25
Interest	10/24/2019	90348JEV8	0.00	UBS Bank USA 3.45 10/24/2023		0.00	706.07	0.00	706.07
Interest	10/25/2019	22230PBY5	0.00	Country Bank New York 3 1/25/2024		0.00	613.97	0.00	613.97
Interest	10/25/2019	330459BY3	0.00	FNB BANK INC 2 2/25/2022		0.00	402.74	0.00	402.74
Interest	10/25/2019	966594BD4	0.00	Whitney Bank 1.75 10/25/2019		0.00	2,149.62	0.00	2,149.62
Interest	10/26/2019	32065TAZ4	0.00	First Kentucky Bank Inc 2.55 4/26/2024		0.00	521.88	0.00	521.88
Interest	10/26/2019	56065GAG3	0.00	Mainstreet Bank 2.6 4/26/2024		0.00	532.11	0.00	532.11
Interest	10/27/2019	3134GBKY7	0.00	FHLMC 2.125 4/27/2022-17		0.00	10,625.00	0.00	10,625.00
Interest	10/27/2019	3130AB6Q4	0.00	FHLB 2.08 4/27/2022-18		0.00	10,400.00	0.00	10,400.00
Interest	10/27/2019	39115UBE2	0.00	Great Plains Bank 2.8 2/27/2024		0.00	573.04	0.00	573.04
Interest	10/28/2019	080515CH0	0.00	Belmont Savings Bank 2.7 2/28/2023		0.00	543.70	0.00	543.70
Interest	10/28/2019	06406RAG2	0.00	Bank of New York Mellon 3.5 4/28/2023		0.00	8,750.00	0.00	8,750.00
Interest	10/28/2019	3136G4EV1	0.00	FNMA 1.625 10/28/2021-17		0.00	8,125.00	0.00	8,125.00
Interest	10/28/2019	57116AMW5	0.00	MARLIN BUSINESS BANK 1.4 10/28/2020		0.00	1,719.70	0.00	1,719.70
Interest	10/28/2019	59828PCA6	0.00	Midwest Bank of West IL 3.3 8/29/2022		0.00	675.37	0.00	675.37
Interest	10/28/2019	3136G4EU3	0.00	FNMA 1.6 10/28/2021-17		0.00	8,000.00	0.00	8,000.00
Interest	10/29/2019	72247PAC0	0.00	Pine Bluff Cotton Belt FCU 2.8 8/31/2020		0.00	563.84	0.00	563.84
Interest	10/29/2019	01748DAX4	0.00	ALLEGIANCE BK TEX HOUSTON 2.15 9/29/2022		0.00	432.95	0.00	432.95
Interest	10/29/2019	02587DXK9	0.00	AMERICAN EXPRESS CENTURION BK 1.85 4/29/2020		0.00	2,272.46	0.00	2,272.46
Interest	10/31/2019	710571DS6	0.00	Peoples Bank Newton NC 2 7/31/2024		0.00	422.96	0.00	422.96
Interest	10/31/2019	17286TAC9	0.00	Citadel Federal Credit Union 3 10/30/2020		0.00	613.97	0.00	613.97
Interest	10/31/2019	29278TCP3	0.00	Enerbank USA 3.2 8/30/2023		0.00	644.38	0.00	644.38
Interest	10/31/2019	67054NAM5	0.00	Numerica Credit Union 3.4 10/31/2023		0.00	719.03	0.00	719.03



## Mono County Transaction Summary by Action Investment Portfolio

Begin Date: 9/30/2019, End Date: 10/31/2019

Action	Settlement Date	CUSIP	Face Amount / Shares	Description	Purchase Price	Principal	Interest / Dividends	YTM @ Cost	Total
Interest	10/31/2019	06426KAM0	0.00	Bank of New England 3.2 7/31/2023		0.00	671.30	0.00	671.30
Interest	10/31/2019	812541AA8	0.00	Seasons Federal Credit Union 3 10/30/2020		0.00	613.97	0.00	613.97
Interest	10/31/2019	OAKVALLEY0670	0.00	Oak Valley Bank Cash		0.00	10,192.35	0.00	10,192.35
<b>Subtotal</b>			<b>0.00</b>			<b>0.00</b>	<b>198,450.57</b>		<b>198,450.57</b>
<b>Total Interest/Dividends</b>			<b>0.00</b>			<b>0.00</b>	<b>198,450.57</b>		<b>198,450.57</b>
<b>Sell Transactions</b>									
Matured	10/18/2019	3133EGLD5	1,000,000.00	FFCB 1.18 10/18/2019-16	0.00	1,000,000.00	0.00	0.00	1,000,000.00
Matured	10/25/2019	966594BD4	245,000.00	Whitney Bank 1.75 10/25/2019	0.00	245,000.00	0.00	0.00	245,000.00
<b>Subtotal</b>			<b>1,245,000.00</b>			<b>1,245,000.00</b>	<b>0.00</b>		<b>1,245,000.00</b>
Withdraw	10/2/2019	CAMP60481	59,000.64	California Asset Management Program LGIP	0.00	59,000.64	0.00	0.00	59,000.64
Withdraw	10/31/2019	OAKVALLEY0670	19,311,997.92	Oak Valley Bank Cash	0.00	19,311,997.92	0.00	0.00	19,311,997.92
<b>Subtotal</b>			<b>19,370,998.56</b>			<b>19,370,998.56</b>	<b>0.00</b>		<b>19,370,998.56</b>
<b>Total Sell Transactions</b>			<b>20,615,998.56</b>			<b>20,615,998.56</b>	<b>0.00</b>		<b>20,615,998.56</b>



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** December 10, 2019

**TIME REQUIRED**

**SUBJECT** CSA 1 Community Survey Results  
Review

**PERSONS  
APPEARING  
BEFORE THE  
BOARD**

### AGENDA DESCRIPTION:

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

The CSA 1 Board recently completed a community survey about improvements the CSA Service Area residents would like to see. The attached is an informal review of the results.

### RECOMMENDED ACTION:

### FISCAL IMPACT:

### CONTACT NAME:

PHONE/EMAIL: /

### SEND COPIES TO:

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

Click to download

[CSA1 Survey Analysis](#)

#### History

Time	Who	Approval
12/4/2019 4:01 PM	County Administrative Office	Yes
12/3/2019 12:23 PM	County Counsel	Yes
12/4/2019 2:35 PM	Finance	Yes



## 2019 COMMUNITY SURVEY – COMMENTS

I would like to see the library located by Community Center sooner rather than later. It would also be nice to provide an outdoor reading-relaxing place (passive park).

Too lot in the space adjacent to community center. Playground near library is further than most families near comm center will walk. Possibly improve existing trails through meadow adjacent to skate park. Thank you for your efforts.

I plan to attend a meeting, but in the meantime here are 2 thoughts from me: 1. Let's revisit the WELCOME Sign idea for the main entrance to Crowley. 2. Can we discuss better ideas for recycling at the Skate Park? It's a long walk over to the recycling and I find MANY bottles and cans in the TRASH (yes, I've become a dumpster diver!). Thanks!

Dirt lot. Pump track, Coffee shop, Cafe :). New Idea, more fun play equipment at the park

Additional park equipment

Dirt jump / pump track for all skill levels to be built on the interim space next to the community center.

How about a simple playground nearby, or make public the church playground. Or a splash park in summer.

Would love to have some more seating and definitely some shade at the Crowley Skate Park, maybe something like they have at Mammoth Creek Park to cover the majority of the skating and seating area.

CSA 1. Thanks for helping to improve our communities (adults & kids). Keep up the good work

New idea: hire local youth to work on county projects: landscaping, trails, medians, etc. Start small, half day program for 4-6 weeks. Future library lot could make a good chipping zone for residents to pick up wood chips and mulch for garden use at home. Or, plant some grass and more trees and add more boulders and small play structure.

There is nothing wrong with the existing library. No one goes to the library other than to poach wi-fi. We all know that. The physical usage numbers would justify that. Public wi-fi access from the community center is perfectly adequate. Tennis courts, laughable. No way. Trails. Yes. Simple. Relatively inexpensive. Minimal maintenance. Popular usage. Simple decision.

Move the swings to the middle of the playground not the bottom, shade at the ball field would be better than the comm ctr to encourage group to play and eat at ball field. , REPAVE OUR ROADS IN SIERRA SPRINGS

Wider variety of community classes. Also later classes or weekend classes for those who work

Love the wellness classes. It is a good way to build a sense of community. Would be great to have more craft classes and a Tai Chi class too.

trails connecting the community sounds AWESOME! Please do this. Moving the library is a great idea too! We would utilize it so much more if we could walk to it, and have it set back, not on a busy street.

Move the library, and straighten out the entrance. It goes right by where the kids are playing.

Water fountain at the Crowley lake Park Bike path from across fire station down to McGee Creek that is off the highway. Maybe on the fire road area-

A bmx/mtb pump track and a jump line. The park has a perfect spot on the east side only need about 10-15 from the fence to build small and med/lg sized dirt jump lines. It would be a perfect addition to our community.

Dog park!

Library! As soon as possible! Would be SO wonderful to have it right here. Maybe with a little grass outside to have a snack after playing at skate park: )

Small temporary park for library footprint. Thanks!

Landscape with picnic tables and shade the area set aside for the Library. Finish all landscaping on Community Center property top priority before beginning new projects.

Keep up the good work!

When improving or replacing tennis courts, include court markings for pickleball.

I see a lot of people walking along South Landing Road and Crowley Lake Drive, but there is not enough room for the walkers when cars come by. Building proper sidewalks along one side of each road would make walking much safer.

A pump Tack in the dirt lot Dirt Jumps

Please stop trying to turn us into Mammoth. We moved here and live here to get away from all that. We do not want to be Mammoth!

I assum multi use tennis courts would include pickle ball and basketball hoop

Need to enforce the leash law and start to fine those that do not use leashes or do not clean up their dog poop!

Plant Trees in Crowley Campground and provide water.

downhill/bmx/mountain bike trails!

The creation of additional mountain bike trails is an outstanding idea!

Mountain bike trails would be amazing!!

Thank you for your efforts!

We would like to see Enforcement of leash laws. Loose dogs are a real nuisance! The streets are lined with copious amounts of feces everywhere, and we are constantly fending off loose dogs when we are walking our on-leash dogs. Thank you.

Establish potable water for residents to reduce fighting over wells and creek water.

More hiking/mountain biking trails should be a priority for such an outdoors oriented community. The skate park is a terrific plan for kids. Fully support work on the Community Center as well for community activities.



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 10, 2019

**Departments: Board of Supervisors**

**TIME REQUIRED** 20 minutes (15 minute presentation, 5 minute discussion)

**PERSONS APPEARING BEFORE THE BOARD**

Janet Carle, Dave Marquart, Dave Carle

**SUBJECT** Resolution in Support of Restoring the Ranger / Peace Officer Position at Mono Lake Tufa State Natural Reserve

**AGENDA DESCRIPTION:**

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

Concerned members of the community, led by retired staff of the Mono Lake Tufa State Natural Reserve, feel the time has come for the restoration of the full-time permanent State Park Ranger/Peace Officer position at the Mono Lake Tufa State Natural Reserve, which has been vacant since 2012 and was eliminated in 2013, in light of a better fiscal situation for California with the passage of SB1.

**RECOMMENDED ACTION:**

Approve Resolution R19-\_\_\_, In Support of restoring the Ranger / Peace Officer position at the Mono Lake Tufa State Natural Reserve.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Scheereen Dedman

**PHONE/EMAIL:** 7609325538 / sdedman@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<a href="#">Staff Report</a>
<a href="#">Resolution</a>
<a href="#">Letter to Gov. Newsom</a>
<a href="#">California State Parks Assoc. Resolution</a>

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
12/4/2019 4:13 PM	County Administrative Office	Yes
12/3/2019 12:25 PM	County Counsel	Yes
12/2/2019 9:31 AM	Finance	Yes

Dec. 10, 2019

TO: Honorable Mono County Supervisors

FROM: Dave Marquart, Dave Carle, Janet Carle:  
*Retired State Parks staff at Mono Lake Tufa State Natural Reserve*

SPONSORING SUPERVISOR: Bob Gardner, District 3

SUBJECT: Request for a Supervisors Resolution in support of restoration of the full-time permanent State Park Ranger/Peace Officer position at the Mono Lake Tufa State Natural Reserve, which was eliminated in 2013, and unfilled since 2012.

FISCAL IMPACT: NONE

DISCUSSION: Concerned members of the community, led by retired staff of the Mono Lake Tufa State Natural Reserve, feel the time has come for the restoration of the full-time permanent State Park Ranger/Peace Officer position at the Mono Lake Tufa State Natural Reserve, which has been vacant since 2012 and was eliminated in 2013, in light of a better fiscal situation for California with the passage of SB1. The California State Park Rangers Association, the Mono Lake Committee and the Friends of the Inyo have all offered support, and more stakeholders are being contacted. **See the attached proposed resolution for complete details.** The basic problem is this: there are more visitors and more resource issues than ever before. The spectacular landscape and ecosystem of Mono Lake deserves all the stewardship protection possible. A healthy Mono Lake is critical to the economy of Mono County. One part-time Interpreter position is not enough. We need our full-time Ranger back!

REQUESTED ACTION: Approve resolution.

TIME REQUESTED: 20 MIN., Prefer in the morning early in agenda if possible.

PRESENTER: Dave Marquart

ATTACHED for Supervisors' Packet: *Proposed County Resolution , CSPRA approved resolution, cover letter to the Governor. from retired staff*



R19-\_\_

**A RESOLUTION OF THE MONO COUNTY  
BOARD OF SUPERVISORS IN SUPPORT OF RESTORING THE RANGER / PEACE  
OFFICER POSITION AT THE MONO LAKE TUFA STATE NATURAL RESERVE**

**WHEREAS**, The Mono Lake Tufa State Natural Reserve was created in 1981 to protect the unique resources of Mono Lake in Mono County;

**WHEREAS**, A full-time State Park Ranger/Peace Officer, a seasonal ranger and two seasonal aide positions comprised the original Reserve staff . They patrolled 17,000 lakeshore acres plus 45,000 acres of lake surface, installed signs and displays, collaborated with the BLM, U.S. Forest Service, and Mono Lake Committee, and established a relationship with Mono County schools and the community;

**WHEREAS**, Staffing of the Reserve has gradually been reduced over the years. The full-time Ranger/Peace Officer position was last filled by Jim Pence in 2012. The position was “swept” (eliminated) from the Sierra District in 2013;

**WHEREAS**, The Park Interpreter position, filled until June 2019 by Dave Marquart, has since provided a presence at the Reserve, with a seasonal aide in the summers. While handling public outreach, basic management duties and education, Interpreters do not have Peace Officer powers. The closest State Park Rangers are at Bodie with a one-hour response time. The closest Forest Service Law Enforcement Officer is based in Mammoth. Mono County Sheriff Officers are the only other enforcement responders available;

**WHEREAS**, The Mono Lake Tufa State Natural reserve is one of the largest State park units in California with unique resources to protect: the world-famous tufa towers, the lake itself (home to unique species that feed millions of migratory birds) nesting birds, fragile sand dunes, and scenic landscapes. The Reserve is an international treasure deserving of the highest level of protection. It is also an economic engine for Mono County, attracting visitors from all over the world;

**WHEREAS**, the lack of an enforcement presence has complicated trespass incidents, allowed off-road vehicle incursions, major damage to tufa towers, weekly violations by boaters of protected osprey nests, and a feral horse herd incursion onto sensitive Reserve wetlands. Visitor safety is compromised without boat patrol ability, requiring the Mono County Sheriff and Search and Rescue personnel to respond to incidents on the lake;

1           **WHEREAS**, The Mono Basin, at the doorstep to Yosemite National Park, is at an  
2 international crossroads. Annual visitation to the Reserve has grown steadily to more than  
3 315,000 in 2018, with more dispersed camping resulting in resource damage and illegal  
4 campfires, more boating, more camping on the islands, more social media postings about remote  
5 locations to visit, more sophisticated off-road vehicles leading to more violations. There is a  
6 critical need for a year-round enforcement and stewardship presence in the Reserve. The passage  
7 of SB1, finally providing a dedicated funding source for Parks, makes this possible;

8           **WHEREAS**, The Supervisors of Mono County urge the California Department of Parks  
9 and Recreation to restore the staffing of a Ranger/Peace Officer as soon as possible.

10           **NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF**  
11 **MONO RESOLVES** that supporting the restoration of the full-time permanent Ranger/Peace  
12 Officer position at the Mono Lake Tufa State Natural Reserve as part of an effort to bring  
13 staffing back to the level that fosters proper stewardship of a world-class resource and a marquee  
14 tourist destination of Mono County.

15           **PASSED, APPROVED and ADOPTED** this 10<sup>th</sup> day of December, 2019, by the  
16 following vote, to wit:

17 **AYES:**

18 **NOES:**

19 **ABSENT:**

20 **ABSTAIN:**

21  
22  
23 \_\_\_\_\_  
24 John Peters, Chair  
25 Mono County Board of Supervisors

26 **ATTEST:**

27 **APPROVED AS TO FORM:**

28  
29 \_\_\_\_\_  
30 Clerk of the Board

31  
32 \_\_\_\_\_  
33 County Counsel

Governor Gavin Newsom  
1303 10th Street, Suite 1173  
Sacramento, CA 95814

November 6, 2019

Dear Governor Newsom,

**PLEASE RESTORE THE STATE PARK RANGER POSITION AT MONO LAKE!**

As the first state park rangers assigned to the Mono Lake Tufa State Natural Reserve in 1982, we inventoried and photographed intricately beautiful sand tufa formations and continued to closely monitor their condition for decades. The sand tufas withstood weather and time, but someone went on a rampage in early 2019. No fresh tracks were found, so the damage probably occurred weeks before we discovered it on March 17, while on a hike (the Carles have been retired since 2000 and 2003). This area at Mono Lake used to be patrolled regularly, but the ranger position has not been filled since 2012 and was officially "swept" off the books in 2013. A ranger from Bodie State Historic Park eventually completed a report on the tufa destruction.



The attached resolution recently adopted by the California State Park Rangers Association (see [www.cspra.com](http://www.cspra.com)) explains the background on this staffing void at Mono Lake. The sand tufa incident is just one of many problems that worsened after the ranger position was temporarily dropped due to budget cuts. There has since been an expensive trespass lawsuit, reports of drone violations, many off-road incursions, illegal camping, wildfires, and resource damage. The recent retirement of Interpreter Dave

Marquart, after 37 seasons at Mono Lake, with his experience, connections, and institutional memory, was another major loss to the Reserve (though that Interpreter I position remains active at the unit).

Due to SB 1, the State Park System is today in a better financial condition. The mandate to properly manage and protect the Mono Lake Tufa State Natural Reserve requires restoration of the full-time State Park Peace Officer/Ranger position. A knowledgeable, year-round Ranger presence is critical to law enforcement, resource stewardship, and fostering many partnerships that help the park system manage Mono Lake's spectacular and unique biodiversity in the face of increasing visitation pressures.

The Mono Lake Tufa State Natural Reserve is a jewel of the State Park System. The lake's story of renewal and hope inspires visitors from all over the world. Please bring back our State Park Ranger position at Mono Lake. It is time. This is the right thing to do.

Sincerely,

Janet Carle  
State Park Ranger (retired)  
at Mono Lake 1982-2003  
[jcarle@qnet.com](mailto:jcarle@qnet.com)  
PO Box 39, Lee Vining, CA 93541 760 709-1162  
93541

David Carle  
State Park Ranger (retired)  
at Mono Lake 1982-2000  
[carle@qnet.com](mailto:carle@qnet.com)

David Marquart  
Interpreter (retired)  
at Mono Lake 1982-2019  
[marquart.dave@gmail.com](mailto:marquart.dave@gmail.com)  
PO Box 274, Lee Vining, CA

cc: Wade Crowfoot, California Natural Resources Secretary; Lisa Mangat, Director - California State Parks; Matt Green, Sierra District State Parks Superintendent; Mike Lynch, CSPRA President





*California State Park Rangers Association*  
Annual General Executive Council Resolution

**Re-Instatement of Ranger/Peace Officer Position**  
*Mono Lake Tufa State Natural Reserve*

WHEREAS, The Mono Lake Tufa State Reserve was created by the California legislature in 1981 to protect the unique and threatened resources of the Mono Basin

WHEREAS, A full-time State Park Peace Officer/Ranger, a seasonal PI Ranger and 2 Park Aide positions were the original staffing for the Reserve. These positions created a management program, installed visitor services infrastructure, patrolled the lake and shoreline of 17,000 acres plus 45,100 acres of lake surface, and fostered collaboration with the BLM, the US Forest Service, the Mono Lake Committee, and the community.

WHEREAS, Staffing of the Reserve has gradually been reduced over the years for budget reasons. The full-time Ranger/Peace Officer position was last filled by Jim Pence in 2012. The position was "swept" from the Sierra District in approximately 2013. The Park Interpreter I position, filled until June 2019 by Dave Marquart, has been the primary management presence at the Reserve, augmented by a seasonal Park Interpretive Specialist position in the summers. A settlement with the Mono Lake Committee who questioned the loss of the full-time Ranger/Peace Officer position, somewhat enhanced the funding for the Interpretive I position. This position, while critical to public outreach, basic management duties and education at the Reserve, does not have any Peace Officer powers. The closest enforcement presence is by Rangers assigned to Bodie State Park, with a response time of approximately one hour, assuming they are immediately available. Calling in staff from another, distant, park unit sacrifices the knowledgeable presence of a ranger assigned to the Reserve, year around.

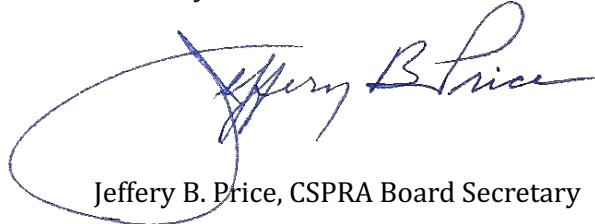
WHEREAS, The Mono Lake Tufa State Natural Reserve is one of the largest state park units in California, covering the entire surface of Mono Lake, plus a significant portion of the surrounding lakeshore. There are major unique resources to protect, the world-famous tufa towers, the delicate sand tufa, the lake water itself (home to unique species that feed millions of migratory birds), nesting birds, fragile dune environments, and world-class scenic landscapes. The Mono Lake Tufa State Natural Reserve is an international treasure deserving of the highest level of protection possible by the Department of Parks and Recreation.

WHEREAS, The existing staff and an active corps of 80 volunteers have done their best to steward the Reserve since 2012. However, the lack of an enforcement presence has led to many problems. A trespass incident below Tioga Lodge led to a legal situation that cost the State thousands of dollars. Major damage was done to the Navy Beach sand tufa in 2019. Off road vehicle incursion is a continuing problem. A feral horse herd is decimating the Warm Springs/Simon Springs area. The tufa formations continue to be damaged and carried off by visitors due to minimal presence in the most visited tufa areas. Legal closures around offshore osprey nests are violated on a near-daily basis. Visitor safety is compromised without boat patrol ability and a long response time by Mono County for rescues on the lake.

WHEREAS, The Mono Basin, being at the doorstep to Yosemite National Park, is an international crossroads. Annual visitation has grown steadily through the years, to more than 315,000 in 2018. Visitor pressure keeps increasing in many ways -- more dispersed camping, more boating, more camping on the islands, more internet information about remote locations, more sophisticated off-road vehicles in more places, leading to more violations and a critical need for a year-round enforcement and stewardship presence in the Reserve. As the climate crisis accelerates, even more visitors will seek refuge in the cooler temperatures of the Mono Basin. Now more than ever, more staff is needed and the passage of SB1, finally providing a dedicated funding source, makes this possible.

THEREFORE, BE IT RESOLVED, The California State Park Ranger Association supports restoring the full-time permanent Ranger/Peace Officer position at the Mono Lake Tufa State Natural Reserve as part of an effort to bring staff levels back to the level that fostered proper stewardship of a world-class resource and a jewel of the State Park system. CSPRA urges the Department of Parks and Recreation to restore staffing as soon as possible.

*Passed by unanimous vote October 23, 2019 and recorded by,*



Jeffery B. Price, CSPRA Board Secretary

*Approved by,*



M.G. Lynch, CSPRA President



November 20, 2019

Governor Gavin Newsom  
1303 10<sup>th</sup> Street, Suite 1173  
Sacramento, CA 95814

Re: Mono Lake Tufa State Natural Reserve Ranger

Dear Governor Newsom,

Friends of the Inyo is writing today to express our support for reinstating the permanent State Park Ranger position at Mono Lake Tufa State Natural Reserve. Friends of the Inyo is a three decade old public lands advocacy group working in Mono and Inyo Counties to ensure the public lands of the Eastern Sierra exist in an intact, healthy natural state for people and wildlife through preservation, stewardship, exploration, and education. We work closely with the Mono Lake Committee to ensure the protection of Mono Lake and the public lands surrounding it. Non-profit partnership support and advocacy of adequate funding of the federal and state agencies that oversee our public lands is a critical part of our work. Our membership represents a collective voice of over 1,000 residents of California.

The extensive and delicate tufa formations for which the park is named are under threat from increased visitation and the absence of regular monitoring and law enforcement that previously ensured the protection of these ancient geological formations. The most recent destruction of sand tufa towers occurred sometime this spring and was discovered by recreating retired park rangers. Since there is no ranger for the Tufa Reserve the task of filing a report fell on the limited capacity of the Bodie State Park ranger. In fact the Bodie rangers are de facto law enforcement for the Reserve, which takes away valuable time and critical resources in their own park unit and poses challenges with response times. The tufa damage is only one recent example of many resource damage incidents, including motorized vehicle incursions, drone violations, illegal camping and campfires. The capacity constraints of the Inyo National Forest who manages the surrounding public land adjacent to the Reserve further emphasizes the need for State Park ranger presence.

For decades rangers regularly patrolled the most vulnerable and visited parts of the Reserve but in 2013 the position was officially eliminated due to lack of funding. There was a shared understanding that this position would be brought back once state funding was more stable. The passage of SB1 brings additional funds to the State Parks System. Now that implementation of SB1 is underway the issue of reinstating the Tufa Reserve Ranger position should be carefully considered. The State Park System's mandate to properly manage and protect the Tufa Reserve requires a full-time, year-round State Park Peace Officer/Ranger position. The position not only offers critical law enforcement presence but also fills the role of coordinating partnerships and volunteer programs that help fulfill the State Park System's mandates. Friends of the Inyo has a rich history of partner stewardship work in the Mono Basin. Past work has included restoration of illegal motorized routes, trail maintenance and volunteer clean up days. Friends of the Inyo is interested in supporting the state park by leveraging resources to get critical work done on the ground within the Reserve. By investing in a dedicated staffer to facilitate this work, State Parks will receive a return on their investment through the many individuals and groups who work collectively to steward Mono Lake and it's surrounding ecosystem.

Thank you for your consideration and attention in addressing this important issue affecting one of California's largest and most visited state park units.

Sincerely,

A handwritten signature in cursive script that reads "Jora Fogg". The signature is written in dark ink and is positioned below the word "Sincerely,".

Jora Fogg  
Policy Director  
Friends of the Inyo



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 10, 2019

**Departments: CDD, Finance**

**TIME REQUIRED** PUBLIC HEARING: 9:30 AM (15 minutes)

**PERSONS APPEARING BEFORE THE BOARD** Wendy Sugimura

**SUBJECT** Housing Mitigation Fee Adoption

**AGENDA DESCRIPTION:**

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

Proposed resolution establishing in-lieu fees for the Housing Mitigation Ordinance based on inclusionary requirements and a completed nexus study.

**RECOMMENDED ACTION:**

1. Conduct a public hearing on the proposed housing mitigation fees and direct staff to make any desired modifications; and
2. Approve proposed resolution R19-\_\_\_, adopting fees pursuant to Title 15 Chapter 15.40 of the Mono County Code and specifying that the fees collected pursuant to Chapter 15.40 will be held in a designated fund for housing mitigation uses.

**FISCAL IMPACT:**

An adopted fee schedule to correspond to the adopted Housing Mitigation Ordinance would create new revenue restricted for housing programs.

**CONTACT NAME:** Wendy Sugimura

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

**SEND COPIES TO:**

Megan Mahaffey

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

Click to download
<input type="checkbox"/> <a href="#">Staff Report</a>
<input type="checkbox"/> <a href="#">Housing Fee Resolution</a>
<input type="checkbox"/> <a href="#">Public Hearing Notice</a>

History

<b>Time</b>	<b>Who</b>	<b>Approval</b>
11/25/2019 12:45 PM	County Administrative Office	Yes
12/6/2019 12:16 PM	County Counsel	Yes
12/4/2019 2:35 PM	Finance	Yes

# Mono County Community Development Department

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

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

Dec. 10, 2019

**To:** The Honorable Board of Supervisors

**From:** Wendy Sugimura, Director  
Megan Mahaffey, Accountant  
Bentley Regehr, Planning Analyst

**Re:** Public Hearing: Proposed Fee Schedule corresponding to Chapter 15.40 of the Mono County Code Enacting Updated Housing Mitigation Requirements

## RECOMMENDATION

1. Conduct a public hearing on the proposed housing mitigation fees and direct staff to make any desired modifications; and
2. Approve proposed resolution R19-\_\_\_\_, adopting fees pursuant to Title 15 Chapter 15.40 of the Mono County Code and specifying that the mitigation fees collected pursuant to Chapter 15.40 will be held in a designated fund for Housing mitigation uses.

## FISCAL IMPACT

An adopted fee schedule to correspond to the adopted Housing Mitigation Ordinance would create new revenue for housing programs.

## CEQA

The adoption of the fee resolution is not a project under California Environmental Quality Act guidelines found in Title 14 of the California Code of Regulations at Section 15378(b)(4). The County will not expend any of these associated fees on a development project prior to the completion of any required environmental review.

## BACKGROUND

At the November 19, 2019, meeting, the Board of Supervisors review proposed in-lieu fees for the Housing Mitigation Ordinance and directed a 5% inclusionary requirement for single-family residential developments and 3.33% inclusionary requirement for multi-family residential developments. Exhibit A of the Resolution provides fee level details based on these inclusionary requirements, which also includes fees for storage and warehouses, commercial, industrial/service commercial, and visitor accommodations. The Resolution also includes the policy, as amended by the Board on Nov. 19, that underlies the fee structure, provides for an adjustment of fees based on the Construction Price Index on March 1 of every year, and provides for the Board to periodically revisit the fee structure as needed. The resolution shall be effective 60 days from the date of its adoption and final passage.

## DISCUSSION

In finalizing the fee structure, a question was raised about the definition of "room" for the Visitor Accommodations fee and whether short-term rentals are included in the Visitor Accommodation category. The language provided by the consultant appears to primarily contemplate a traditional single-room unit with a bathroom, but other configurations exist such as suites, time shares, and condo-hotels. The following fee concepts seemed applicable to the situation:

- **Per "unit" fee:** Each unit, defined as the space being accessed using a single security device (e.g. room key or access code issued by the lodging business) regardless of the configuration

or size of that space, would be charged the fee (\$2,000). The drawback is that an economy motel room is charged the same fee as a spacious luxury condo-hotel.

- **Per “sleeping quarter” fee:** Each room intended for guests to sleep in would be charged a fee; for example, a two-bedroom suite would be charged \$4,000. The drawback is that whether a room is intended for sleeping is based on furniture choices which are easily changed and are not related to building or planning requirements or permits, and therefore cannot realistically be enforced or monitored. Furniture could be changed as soon as an inspection is completed, and a sofa bed could be placed in a room not typically considered a sleeping area, such as a kitchen.
- **Per square foot fee:** The \$2,000 fee was based on \$4/square foot (sf) assuming a 500-sf room. Rather than making assumptions about the size and configuration of the visitor accommodation, the per square foot fee could be charged for all conditioned space and the applicant has the freedom to choose the configuration of that space. This fee structure maintains equity between economy motel rooms and spacious multi-room units and eliminates the administrative challenge of verifying and monitoring “sleeping quarters.”

The recommendation is to apply the per-square-foot fee to Visitor Accommodations including, but not limited to, hotels, motels, condo-hotels, and time shares (as applicable).

If the Visitor Accommodation category was intended to cover short-term rentals, separate language is necessary because these are typically the conversion of existing structures and so the trigger for the fee is different. Charging the fee for conversion of a residential unit to a short-term rental is justifiable because the change from a residential use to a nightly rental use impacts the need for affordable housing. The recommendation is to charge the per-square-foot fee (\$4/sf) for conditioned space dedicated primarily to the use of the renter. For example, a bathroom and/or kitchen shared with the permanent residents of the house would not be included in the square footage used to calculate the fee. The fee shall apply at the building permit stage for new construction, or when a Director Review or Use Permit is granted. If no permits are required, the fee shall be applied at the time the business license is approved.

The modifications based on the above recommendations are represented in redline format in Exhibit A of the resolution.

Please contact Wendy Sugimura at 760-924-1814 or [wsugimura@mono.ca.gov](mailto:wsugimura@mono.ca.gov) with questions.

## **ATTACHMENTS**

1. Resolution: R19-\_\_ with Exhibit A Fee Schedule
2. Public Hearing Notice





RESOLUTION R19-\_\_

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS ADOPTING FEES PURSUANT TO TITLE 15 CHAPTER 15.40 OF THE MONO COUNTY CODE AND SPECIFYING THAT THE FEES COLLECTED PURSUANT TO CHAPTER 15.40 WILL BE HELD IN A DESIGNATED FUND FOR HOUSING MITIGATION USES**

**WHEREAS**, pursuant to its authority to regulate the use of land under its broad police power, the County of Mono is authorized to impose inclusionary requirements or to charge a fee to address affordable housing (“in-lieu fees”); and

**WHEREAS**, courts have found that the purpose of in-lieu fees is not to defray costs of increased demand on public services, but rather to combat the overall lack of affordable housing; and

**WHEREAS**, in as much as the courts have held that this type of fee is not for the purpose of mitigating the adverse impact of new development but rather to enhance the public welfare by promoting the use of available land for the development of housing that would be available to low- and moderate-income households, these fees are not subject to the Mitigation Fee Act; and

**WHEREAS**, notwithstanding the above, the in-lieu fees recommended by this resolution do not exceed the actual affordable housing impacts attributable to the development projects on which the fee is imposed, as determined by a nexus study, which was prepared in 2018, by Economic Planning Systems (“Nexus Study”); and

**WHEREAS**, the Nexus Study employed widely used, appropriate methodology to determine the maximum amount needed to fully mitigate the burdens created by residential and non-residential development on the need for affordable housing; and

**WHEREAS**, the completed Nexus Study found that fees from \$16.50-\$21.43 per square foot for residential development, \$26.40 per square foot for storage and warehouse development, \$71.30 for commercial development, \$8.60 for industrial/service commercial development and \$94.74 for visitor accommodation development were warranted to offset impacts from new development; and

**WHEREAS**, to ensure that development projects remain economically feasible, the recommended inclusionary requirements and fees as shown in the attached Exhibit A are lower than the maximum amount needed to fully mitigate the burdens created by new development on the need for affordable housing as determined in the Nexus Study; and

**WHEREAS**, this Resolution is intended to implement the language found in Chapter 15.40 of the Mono County Code and that language is hereby incorporated in its entirety by this reference; and

1           **WHEREAS**, State legislation (Assembly Bill 1505), reverses the *Palmer* decision and thereby  
2 allows jurisdictions to require inclusionary units (and in-lieu fees) in rental residential development  
3 projects; and

4           **WHEREAS**, the proposed in-lieu fee structure reflects the following policy of the Mono County  
5 Board of Supervisors:

- 6           • Requiring market-rate development projects to bear the full financial burden of their  
7 impact on affordable housing is economically unviable. Instead, a lesser percentage of  
8 that burden shall be required, and an adjustment mechanism shall be applied to reflect  
9 market changes.
- 10          • Compact, higher density development within existing communities and where  
11 infrastructure is available, consistent with General Plan policies and regulations, is  
12 favored over single-family subdivisions that tend to contribute to less compact and lower  
13 density development patterns.

14           **WHEREAS**, the County will not expend any associated fees collected pursuant to its Housing  
15 Mitigation Ordinance (Chapter 15.40 of the Mono County Code) or this Resolution on a development  
16 prior to the completion of any required environmental review for such specific development, thus the  
17 adoption of this resolution is not a project under the California Environmental Quality Act guidelines  
18 found in Title 14 of the California Code of Regulations at Section 15378(b)(4); and

19           **WHEREAS**, notice of the time and place of the meeting at which this resolution is proposed for  
20 adoption, including a general explanation of the matter to be considered, and a statement inclusive of the  
21 data required by the applicable statute, was published and made available to the public; and

22           **WHEREAS**, notice of the hearing on the proposed fees was published twice in a newspaper of  
23 general circulation; and

24           **WHEREAS**, a duly and properly noticed public hearing was conducted by the Mono County  
25 Board of Supervisors on December 10, 2019.

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

28           **SECTION ONE:** That the declarations set forth above are hereby adopted as findings of the  
29 Board.

30           **SECTION TWO:** Mono County hereby establishes a 5% inclusionary requirement for single-  
31 family residential developments and 3.33% inclusionary requirement for multi-family residential  
32 developments, as set forth in Exhibit A attached hereto and incorporated herein by reference.

**SECTION THREE:** Effective March 1, 2021, and each March 1 thereafter that this Resolution  
remains in effect, the fee schedule shall be adjusted based on the Construction Price Index for New  
Single-Family Houses Under Construction for the preceding twelve-month period ending January 31<sup>st</sup> and  
revisited periodically by the Board of Supervisors as needed.

**SECTION FOUR:** This resolution shall become effective 60 days from the date of its adoption  
and final passage.

1 **PASSED, APPROVED** and **ADOPTED** this \_\_\_\_\_ day of December 2019, by the  
2 following vote, to wit:

3 **AYES:**

4 **NOES:**

5 **ABSENT:**

6 **ABSTAIN:**  
7  
8

9 \_\_\_\_\_  
10 John Peter, Chair

11 **ATTEST:**

**APPROVED AS TO FORM:**

12  
13 \_\_\_\_\_  
14 Clerk of the Board

\_\_\_\_\_

1 **EXHIBIT A**  
2 **TO RESOLUTION DECLARING FEE SCHEDULE BASED ON IN-LIEU FEE POLICY**  
3 **OF A 5% INCLUSIONARY REQUIREMENT FOR SINGLE-FAMILY DEVELOPMENT**  
4 **PROJECTS AND A 3.33% INCLUSIONARY REQUIREMENT FOR MULTI-FAMILY**  
5 **DEVELOPMENTS AND INDIVIDUAL SINGLE-FAMILY AND ACCESSORY**  
6 **DWELLING UNITS**

7 Residential fees apply only to conditioned space and are based on inclusionary requirements and in-lieu  
8 fees:

- 9 a. Single-family residential: 5% inclusionary requirement for single-family residential development  
10 projects consisting of multiple lots, multiple detached units on individual lots, subdivisions, or  
11 other residential developments that do not qualify under section b below, meaning one unit  
12 affordable to low- to moderate-income levels is required to be built for every 20 market-rate  
13 parcels or units. A fee shall be paid for any fractional parcel or unit equal to the fractional cost to  
14 subsidize construction of a 1200-sf unit for a low- to moderate-income household. Therefore, the  
15 in-lieu fee is set at \$4,700 per market rate lot where parcels are being subdivided or \$3.91 per  
16 square foot where units are being built.
- 17 b. Multi-family residential projects: 3.33% inclusionary requirement for multi-family residential  
18 development projects consisting of multiple attached units whether on a single parcel under one  
19 ownership or condominiumized for individual sale, meaning one unit affordable to low-income  
20 levels is required to be built for every 30 market-rate units. A fee shall be paid for any fractional  
21 unit equal to the fractional cost to subsidize construction of a 1200-sf unit for a low-income  
22 household. Therefore, the in-lieu fee is set at \$3.90 per square foot which is based on a fee of  
23 \$4,653 per market rate unit.

24 Commercial Linkage Fees are calculated based on gross square footage, except Visitor Accommodations:

- 25 • Storage and Warehouses: \$0.50/sq.ft.
- 26 • Commercial: \$1.00/sq.ft.
- 27 • Industrial/Service Commercial: \$0.50/sq.ft.
- 28 • Visitor Accommodations including, but not limited to, hotels, motels, condo-hotels, and time  
29 shares (as applicable): \$4/sq.ft.
- 30 • Short-term Rentals (STRs), including any new unit constructed as a STR or existing units  
31 converted into a STR: \$4/sq.ft. for conditioned space dedicated primarily for the use of the renter,  
32 which fee will apply at the time the building permit, Director Review or Use Permit, or business  
license (if no permit is required), is granted.

**ALL FEES ARE SUBJECT TO EXEMPTIONS APPROVED AND ADOPTED PURSUANT TO  
ORDINANCE 19-\_\_ AND TITLE 15 CHAPTER 15.40 OF THE MONO COUNTY CODE**

# MONO COUNTY

## COMMUNITY DEVELOPMENT

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

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

Date: November 13, 2019

To: The Sheet

From: Wendy Sugimura

Re: Legal Notice for two publications, **November 23 & November 30**

Invoice: Cara Isaac, PO Box 347, Mammoth Lakes, CA 93546

### NOTICE OF PUBLIC HEARING

Notice is hereby given pursuant to Government Code Sections 66018, that at the regular meeting of the Mono County Board of Supervisors to be held in the Board Chambers, 2<sup>nd</sup> Floor, County Courthouse, at 278 Main St., Bridgeport, CA 93517, on Tuesday, December 10, 2019, at 9:30 AM or as soon thereafter as the matter may be heard, the Board of Supervisors will conduct a public hearing, at which oral and written presentations may be made, regarding a proposed resolution imposing housing mitigation fees that shall be deposited into the Housing Trust Fund for the purposes of implementing housing programs with a focus on those identified as priorities, as well as other programs that meet housing needs through acquisition, rehabilitation, preservation, or subsidy and subject to the provisions of Mono County Code (MCC) Chapter 15.40, Housing Mitigation Requirements. MCC Chapter 15.40 has been suspended since 2011. Fee and nexus studies supporting the proposed fees are available at

<https://www.monocounty.ca.gov/planning/page/hmo-nexus-fee-studies>. Project materials are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes. For more information call 760.924.1800. INTERESTED PERSONS may appear before the Board to present testimony or, prior to or at the hearing, file written correspondence with: Clerk of the Board of Supervisors, PO Box 715, Bridgeport, CA 93517.

Department	Name of Fee	Proposed Fee	Current Fee
Community Development	Single-Family Residential	\$4,700/market-rate lot or \$3.91/square foot (sf)	Suspended
	Multi-Family Residential	\$3.90/sf	
	Storage and Warehouse	\$0.50/sf	
	Commercial	\$1.00/sf	
	Industrial/Service Commercial	\$0.50/sf	
	Visitor Accommodations	\$2,000/room	

###



OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** December 10, 2019

**Departments: Board of Supervisors and CAO**

**TIME REQUIRED** 2.5 hours

**PERSONS** Beth Cohen

**SUBJECT** Workforce Health and Well-Being  
Project: Review, Results and  
Recommendations

**APPEARING  
BEFORE THE  
BOARD**

### AGENDA DESCRIPTION:

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

Presentation by Beth Cohen, PhD, of Organizational Mind Group, PC., on her assessment, analyses, and recommendations to address County's organizational functioning and employee health and well-being. Presentation of results, outcomes, and recommendations.

### RECOMMENDED ACTION:

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

### FISCAL IMPACT:

None.

**CONTACT NAME:** Stacey Simon

**PHONE/EMAIL:** x1804 / ssimon@mono.ca.gov

### SEND COPIES TO:

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

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

### History

Time	Who	Approval
12/4/2019 4:26 PM	County Administrative Office	Yes
12/5/2019 11:31 AM	County Counsel	Yes

12/4/2019 2:36 PM

Finance

Yes

Beth A. Cohen, PhD  
Organizational Mind Group, PC

organizationalmindgroup.com  
workaches.com



## Workforce Health and Well-Being Project: Review, Results & Recommendations

### 2019 Assessment Summary

Presented by Beth Cohen, PhD  
Organizational Mind Group, PC



Tuesday, December 9, 2019, 9:30 AM

Mono County Board of Supervisors Meeting

Board Chambers, 2<sup>nd</sup> Floor, County Courthouse

278 Main St., Bridgeport, CA. 93517

### TOPICS ADDRESSED

- ⌘ Scope of Health & Well-Being Project
- ⌘ Assessment Fundamentals
- ⌘ Goals of Assessment
- ⌘ Interactive Discussion of Results
- ⌘ Neuroscience Perspectives on Findings
- ⌘ Organizational & Individual Impacts
- ⌘ Key Recommendations





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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    December 10, 2019

**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): Steve Barwick, Stacey Simon, Dave Butters, Janet Dutcher, and Anne Larsen. Employee Organization(s): Mono County Sheriff's Officers Association (aka Deputy Sheriff's Association), Local 39 - majority representative of Mono County Public Employees (MCPE) and Deputy Probation Officers Unit (DPOU), Mono County Paramedic Rescue Association (PARA), Mono County Public Safety Officers Association (PSO), and Mono County Sheriff Department's Management Association (SO Mgmt). Unrepresented employees: All.

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

**Time**

**Who**

**Approval**



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE**    December 10, 2019

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

**RECOMMENDED ACTION:**

**FISCAL IMPACT:**

**CONTACT NAME:**

**PHONE/EMAIL:** /

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

Time

Who

Approval



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 10, 2019

**Departments: Community Development - Planning**

**TIME REQUIRED** PUBLIC HEARING: 1:00 PM (15 minutes) **PERSONS APPEARING BEFORE THE BOARD** Kelly Karl

**SUBJECT** General Plan Amendment (GPA) 19-04 Annual Cleanup

**AGENDA DESCRIPTION:**

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

Public hearing regarding proposed General Plan Amendment 19-04 (GPA 19-04) that proposes minor technical changes to the Land Use Element and the Conservation/Open Space Element based on Board direction and as part of the annual cleanup of the General Plan.

**RECOMMENDED ACTION:**

1. Conduct public hearing on GPA 19-04 and the associated Addendum to the General Plan Environmental Impact Report, receive any additional public comments, deliberate the project and make any desired modifications. 2. Introduce, read title, and waive further reading of proposed Ordinance 19-\_\_ making the required findings, certifying the Addendum and adopting General Plan Amendment 19-04. 3. Provide any additional direction to staff.

**FISCAL IMPACT:**

No fiscal impact expected from the minor technical changes to the General Plan.

**CONTACT NAME:** Kelly Karl

**PHONE/EMAIL:** 7609241809 / kkarl@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

<b>Click to download</b>
<input type="checkbox"/> <a href="#">0 GPA 19-04 Staff Report</a>
<input type="checkbox"/> <a href="#">1 GPA 19-04 Adopting Ordinance</a>
<input type="checkbox"/> <a href="#">2 Exhibit A to Ordinance - GPA 19-04 redline</a>
<input type="checkbox"/> <a href="#">3 GPA 19-04 Addendum</a>
<input type="checkbox"/> <a href="#">4 GPA 19-04 Planning Commission Resolution</a>

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
11/25/2019 12:48 PM	County Administrative Office	Yes
12/5/2019 2:04 PM	County Counsel	Yes
12/2/2019 9:02 AM	Finance	Yes

# Mono County Community Development Department

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

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

December 10, 2019

**TO:** Honorable Board of Supervisors

**FROM:** Kelly Karl – Assistant Planner

**RE:** General Plan Amendment 19-04 (GPA 19-04) Annual Cleanup

## **RECOMMENDATION**

1. Conduct a public hearing on GPA 19-04, the associated Addendum to the General Plan Environmental Impact Report, and receive any additional public comments; deliberate the project and additional public comments, and make any desired modifications; and
2. Introduce, read title, and waive further reading of proposed Ordinance 19-\_\_ making the required findings, certifying the Addendum, and adopting General Plan Amendment 19-04.
3. Provide any additional staff direction

## **FISCAL IMPACT**

No fiscal impact expected from the minor technical changes to the General Plan.

## **ENVIRONMENTAL ANALYSIS**

An addendum (Attachment 3) to the Mono County 2015 General Plan Final Environmental Impact Report (EIR) was prepared for this project under CEQA §15164(a), which states an addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in §155162 calling for the preparation of a subsequent EIR have occurred. The addendum analyzes whether any of the conditions calling for a subsequent EIR have occurred and concludes they have not.

## **BACKGROUND**

General Plan Amendment (GPA) 19-04 proposes modifications to the Land Use Element and Conservation/Open Space Element. The proposed GPA corrects existing inconsistencies in both Countywide and June Lake Area land use policies due to terminology changes in short-term rental regulations that were adopted earlier this year, addresses direction from the Board to eliminate MFR-L from the list of residential land use designations in Chapter 25 – Short-Term Rentals, provides minor clarifications, and corrects typographical errors.

The proposed amendment was presented to the Regional Planning Advisory Committees, including Antelope Valley, Bridgeport, Mono Basin, and June Lake. No opposition was expressed.

## **DISCUSSION**

The amendment proposes minor technical changes as part of the annual cleanup of the General Plan for consideration by the Board of Supervisors. The adopting ordinance is included as Attachment 1, and the complete redline text of the proposed General Plan Amendments are included in Exhibit A to

the Ordinance (Attachment 2). The following is a summary of the proposed technical corrections and clarifications to the Land Use Element and Conservation/Open Space Element:

#### Countywide Land Use Policies

- Eliminate Type I, Type II, & Type III terminology and replace with Owner-Occupied or Not Owner-Occupied.

#### June Lake Area Land Use Policies

- Eliminate Type I, Type II, & Type III terminology and replace with Owner-Occupied or Not Owner-Occupied.

#### Chapter 25 – Short-Term Rentals

- Eliminate MFR-L from the list of residential land use designations in Chapter 25 – Short-Term Rentals.

#### Residential Land Use Designations

- Require that small-scale agriculture uses be subject to a primary residential use in all residential land use designations.

#### Commercial Lodging

- Clarify transient rental uses permitted in Commercial Lodging land use designations.

#### Multi-Family Residential

- Eliminate short-term rentals from MFR-L only Uses Permitted Subject to Use Permit.
- Exclude three complexes on Commercial Lodging designations (Aspen Meadows, Hideaway Down Canyon, & Birch Creek) that were erroneously included as part of the MFR complexes list allowing transient rentals.

#### Chapter 4 - General

- Update typographical errors to setback standards in Table 04.120 Minimum Yards;
- Add the Mixed Use (MU) designation to the list of designations that outright allow the placement of manufactured homes in conventional SFR, which was previously subject to a Director Review permit; and
- Add a new policy defining “inactive projects.”

#### Conservation/Open Space Element: Cultural Resources

- Add a technical change to the Cultural Resources section in accordance with California Code of Regulations §15064.5(e), which is incorporated by reference, requiring work be stopped and standard mitigation measures implemented if archaeological artifacts are discovered during grading, earthwork and site disturbance activities.

The Planning Commission reviewed the proposed General Plan Amendment at their November 21, 2019, meeting and made edits to the not-owner occupied / owner occupied language in the June Lake Area policies and clarified Commercial Lodging land use designation language that projects containing four or more units such as condominiums, cooperatives, townhome, cluster developments, etc. are subject to a use permit. The Planning Commission adopted Resolution 19-04 recommending the Board of Supervisors adopt General Plan 19-04 as modified and certify the Addendum (Attachment 4).

This staff report has been reviewed by the Community Development Director.

**ATTACHMENTS**

1. Ordinance 19-\_\_
2. Ordinance Exhibit A: Proposed General Plan Amendment 19-04 – redline version
3. GPA 19-04 Addendum
4. Planning Commission Resolution 19-04
5. Public Hearing Notice



ORD19-\_\_

**AN ORDINANCE OF THE MONO COUNTY BOARD OF SUPERVISORS  
ADOPTING GENERAL PLAN AMENDMENT (GPA) 19-04 – ANNUAL CLEANUP, IN  
COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(CEQA)**

**WHEREAS**, as an outcome of the annual General Plan review, several adjustments to the Land Use Element and Conservation/Open Space Element of the General Plan are proposed to make technical corrections, minor additions, and respond to changes in State law; and

**WHEREAS**, a General Plan Amendment was adopted in February 2019 revising short-term rental regulations and changing the terminology used; and

**WHEREAS**, the Community Development Department conducted public outreach via the Regional Planning Advisory Committees, including Antelope Valley, Bridgeport, Mono Basin, and June Lake to receive public input and community feedback on proposed amendment; and

**WHEREAS**, in accordance with the California Environmental Quality Act and CEQA Guidelines Section 15164, a 2019 Addendum to the final Environmental Impact Report for the 2015 Regional Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance Updates, and Repeal of the Conway Ranch Specific Plan was certified on December 8, 2015; and

**WHEREAS**, an Addendum to the 2015 Regional Transportation Plan (RTP)/General Plan Update Environmental Impact Report (EIR) was prepared for GPA 19-04; and

**WHEREAS**, on November 21, 2019, the Planning Commission held a duly noticed public hearing regarding GPA 19-04 – Annual Cleanup; and

**WHEREAS**, having reviewed and considered all the information and evidence presented to it, including public testimony, written comments, staff reports and presentations, the Planning Commission recommends that the Board of Supervisors make required findings, adopt GPA 19-04 amending text in the General Plan Land Use Element and Conservation/Open Space Element, and certify the accompanying Addendum.

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

**SECTION ONE:** The Board of Supervisors certifies the Addendum for GPA 19-04: Annual Cleanup.



1 **SECTION TWO:** The Board of Supervisors finds that the General Plan Amendment, including  
2 all text changes to the Land Use Element and Conservation/Open Space Element of the Mono  
3 County General Plan, which are attached hereto as Exhibit A and incorporated herein by  
4 reference, is consistent with the General Plan and any applicable area plans, is reasonable and  
5 beneficial at this time, and will not have a substantial adverse effect on surrounding properties.

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

12 **PASSED AND ADOPTED** this 10<sup>th</sup> day of December 2019, by the following vote:

13 AYES:

14 NOES:

15 ABSENT:

16 ABSTAIN:

17 \_\_\_\_\_  
18 John Peters, Chair

19 Attest:

20 Approved as to form:

21 \_\_\_\_\_  
22 Clerk of the Board

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

## Exhibit A

**Legend:**

Red = Proposed Edits

Blue = PC Edits

## LAND USE ELEMENT UPDATES

### 1. COUNTYWIDE LAND USE POLICIES

**Policy 1.M.1.** Approvals of Owner-Occupied and Not Owner-Occupied short-term rental operations shall be specific to the property owner and non-transferrable. Sale or transfer of the property renders the approval to operate the rental null and void.

**Action 1.M.1.a.** The following permits are required to operate Owner-Occupied and Not Owner-Occupied short-term rentals: 1) a Use Permit pursuant to Chapter 25, and 2) a Short-Term Rental (STR) Activity Permit pursuant to Mono County Code Section 5.65. The STR Activity Permit shall be specific to the property owner and non-transferrable.

### 2. JUNE LAKE AREA LAND USE POLICIES

**Policy 13.M.1.** Short-term rentals are subject to Chapter 25 of the General Plan Land Use Element and Mono County Code Chapter 5.65, with the following specifications based on the context of individual neighborhoods (see General Plan map), which vary in character.

**Action 13.M.1.a.** Not Owner-Occupied short-term rentals are prohibited throughout June Lake in residential land use designations (e.g., SFR, ER, RR, MFR-L or RMH) **except in specified locations (see below).**

**Action 13.M.1.b.** ~~Not~~ Owner-Occupied short-term rentals, which are specific to the owner/non-transferrable (pursuant to Mono County Code Chapter 5.65), may be permitted in specific locations (see below).

**Action 13.M.1.bc.** Prohibit Owner-Occupied and Not Owner-Occupied rentals in the Williams Tract and Petersen Tract.

**Action 13.M.1.ed.** Defer short-term rental housing decisions for the Highlands to the appropriate tract map and specific plan procedures.

**Action 13.M.1.de.** No public input was received from the Dream Mountain neighborhood, and therefore short-term rentals may be permitted subject to the countywide discretionary permit(s) for short-term rentals.

**Action 13.M.1.ef.** In the Clark Tract, Owner-Occupied and Not Owner-Occupied rentals may be permitted year-round on Nevada Street/Silver Meadow subject to the discretionary permit(s) for short-term rentals and June Lake Area Plan policies. In the rest of the Clark Tract, only Owner-Occupied rentals may be permitted subject to the discretionary permit(s) for short-term rentals, June Lake Area Plan policies, and the following additional requirements: summer only (April 16 through October 31), the number of approvals shall be limited to eight parcels total (3% of existing parcels) including existing Transient Rental Overlay Districts (TRODs), and Not Owner-Occupied rentals are prohibited. See MCC Chapter 5.65 for other operational requirements specific to the Clark Tract.

**Action 13.M.1.fg.** In the South 158 neighborhood, Not Owner- Occupied rentals are prohibited. The CAC was evenly split on Owner-Occupied rentals, and therefore

## Exhibit A

Owner-Occupied rentals may be permitted subject to discretionary permit(s) for short-term rentals and June Lake Area Plan policies.

**Action 13.M.1.gh.** Owner-Occupied and Not Owner-Occupied rentals may be permitted in the Leonard Avenue neighborhood subject to discretionary permit(s) for short-term rentals and June Lake Area Plan policies.

**Action 13.M.1.hi.** The Rodeo Grounds development could potentially be an appropriate location for short-term rentals, and the opportunity should be explored.

### 3. CHAPTER 25 – SHORT-TERM RENTALS

#### 25.015 General Requirements and Applicability.

- A. This chapter applies to short-term rental in any single-family unit with a land use designation(s) of SFR, ER, RR, or RMH in all communities except June Lake. In June Lake, this chapter applies only to SFR designations; short-term rentals in other residential land use designations in June Lake are not permitted.

### 4. RESIDENTIAL LAND USE DESIGNATIONS:

- **ADD THE UPDATE BELOW FOR SMALL-SCALE AGRICULTURE TO ALL RESIDENTIAL LAND USE DESIGNATIONS, REQUIRING THAT SMALL-SCALE AGRICULTURE USES BE SUBJECT TO A PRIMARY RESIDENTIAL USE.**

#### **Estate Residential (ER)**

**INTENT: The “ER” designation is intended to permit large-lot, single-family dwelling units with ancillary rural uses in areas adjacent to developed communities. Small-scale agriculture is permitted.**

#### **PERMITTED USES**

- Single-family dwelling
- Small-scale agriculture<sup>1</sup>
- Accessory buildings and uses<sup>1</sup>
- Manufactured home used as a single-family dwelling<sup>2</sup>
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Accessory Dwelling Unit (as prescribed in Chapter 16, Development Standards – Accessory Dwelling Unit)
- Transitional and Supportive Housing<sup>5</sup>
- Outdoor cultivation of a maximum of six mature and 12 immature cannabis plants under the Compassionate Use Act.

#### **NOTES**

1. Accessory buildings, small-scale agriculture, and uses customarily incidental to any of the permitted uses are permitted only when located on the same lot and constructed simultaneously with or subsequent to the main building

## Exhibit A

### 5. COMMERCIAL LODGING, MODERATE (CL-M) & HIGH (CL-H)

#### Commercial Lodging, Moderate (CL-M) and High (CL-H)

**INTENT:** The “CL-M” designation is intended to provide commercial lodging units for short-term occupation in or near residential uses.

The “CL-H” designation is intended to provide short-term commercial lodging units in close proximity to commercial/recreational centers.

#### PERMITTED USES

- Single-family dwelling (manufactured homes are not permitted)
- Duplexes and triplexes
- Accessory buildings and uses<sup>1</sup>
- Animals and pets (see Animal Standards Section 04.270)
- Home occupations (see Home Occupation regulations, Section 04.290)
- Transitional and Supportive Housing<sup>5</sup>
- Outdoor cultivation of a maximum of six mature and 12 immature cannabis plants under the Compassionate Use Act
- Transient rentals (rentals for fewer than 30 consecutive days) in [condominium developments](#) where units are under individual ownership

#### USES PERMITTED SUBJECT TO DIRECTOR REVIEW (Director Review Processing, Ch.

31)

- Transient rentals (rentals for fewer than 30 consecutive days) in single-family residential units, including accessory dwelling units, and multi-family units under single ownership of up to three dwelling units

#### USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

- Mobile-home parks (see Dev. Standards –Mobile-home and RV Parks, Ch. 17)
- Recreational-vehicle parks (see Ch. 17)
- [Projects containing four or more units such as](#) [condominiums](#), cooperatives, townhomes, cluster developments, [and/or](#) apartments
- Hotels, motels, lodges, bed-and-breakfast establishments, cabins and other uses found to be similar by the Commission. Ancillary uses such as limited dining, lounges and convenience retail, provided the ancillary use does not occupy more than 25% of the project's habitable space
- Transient rentals (fewer than 30 consecutive days) in multi-family units under single ownership of four or more dwelling units
- Conversion of five or more apartment units into transient rentals
- Conversion of existing habitable space into ancillary uses
- Parking lots and parking structures other than required off-street parking
- Construction of an accessory building prior to construction of the main building

## Exhibit A

### 6. MULTI-FAMILY RESIDENTIAL, LOW (MFR-L), MODERATE (MFR-M), HIGH (MFR-H)

#### Multi-Family Residential, Low (MFR-L), Moderate (MFR-M), High (MFR-H)

**INTENT:** The “MFR-L” designation is intended to provide for low-density multifamily residential development, such as duplexes and triplexes.

The “MFR-M” designation is intended to encourage long-term multifamily housing by allowing for higher population densities and by not allowing commercial lodging facilities; i.e., hotels, motels.

The “MFR-H” designation is intended to encourage multifamily units by allowing for higher population densities and to provide for commercial lodging facilities; i.e., hotels, motels.

#### USES PERMITTED SUBJECT TO USE PERMIT (Use Permit Processing, Ch. 32)

##### MFR-L, MFR-M and MFR-H

- Art galleries
- Quasi-public buildings and uses
- Public utility buildings and structures, not including service yards
- Country clubs and golf courses
- Condominiums, cooperatives, townhomes, cluster developments, apartments containing four or more units
- Parking lots and parking structures

##### MFR-H only

- Mobile-home parks (see Dev. Standards – Mobile Homes and RV Parks, Ch. 17)
- Recreational-vehicle parks (see Ch. 17)
- Social care facilities and related integrated professional offices
- Parking lots and parking structures when abutting a commercial district
- Hotels, motels, bed-and-breakfast establishments and dorms
- Transient rentals (fewer than 30 consecutive days)
- Manufactured housing subdivision (see Ch. 18)

Transient rentals (fewer than 30 consecutive days) are prohibited in MFR-L and MFR-M, except in the following complexes: Interlaken, Edgewater, Sierra Suns, or in complexes where transient use is not specifically addressed in the use permit and/or parcel map of an existing development and can be demonstrated as a non-conforming use prior to the adoption date of this General Plan Amendment.

### 7. CHAPTER 04 – GENERAL, TABLE 04.120: MINIMUM YARDS

LUD	Front	Rear	Side
SFR <1 acre	20'	10'	10'
SFR >1 acre	30'	30'	30'
ER <1 acre	50'	10'	10'

## Exhibit A

ER >1 acre	50'	30'	30'
RR <1 acre	50'	10'	10'
RR >1 acre	50'	30'	30'
RU	30'	30'	30'
RMH <1 acre	20'	10'	10'
RMH >1 acre	30'	30'	30'
MFR <1 acre	20'	10'	10'
MFR >1 acre	30'	30'	30'
MU <1 acre	10'	5'	10'
MU >1 acre	30'	30'	30'
CL	10'	5'	0'
C	10'	5'	0'
SC	10'	5'	0'
IP	20'	10'	10'
RM	50'	30'	30'
AG	50'	50'	50'
NHP	30'	30'	30'
OS	50'	30'	30'

### **04.280 Placement of manufactured homes in conventional SFR areas.**

These standards permit the placement of manufactured, factory-built or modular housing in all areas designated for conventional single-family residential dwellings: SFR, ER, RR, MFR-L, MU, RU, RM, AG and OS.

### **04.360 Inactive Projects.**

An inactive project is one where the project applicant has not submitted the information and/or documents requested in the most recent County correspondence within 180 days. County staff shall provide written notification of “inactive status” to the project applicant 180 days following the last correspondence. Project applicants shall have 30 days from the date of that notice to submit the information and/or documents requested. If the County does not receive a complete response within 30 days, the project will be deemed withdrawn and all application materials and a final invoice will be mailed to the applicant.

*\*Planning Commission recommended adding this policy to discretionary permit applications to notify future applicants of this new policy.*

## **CONSERVATION/OPEN SPACE ELEMENT UPDATES**

### **1. CULTURAL RESOURCES**

**Action 22.C.1.f.** Project grading, earthwork, and site disturbance in general shall be subject to the following standard mitigation measures if archeological evidence is encountered:

## **Exhibit A**

- a. Work shall be stopped and appropriate agencies will be notified if archaeological evidence is encountered during earthwork activities. A qualified consultant shall be hired and an appropriate report shall be filed with the County Planning Division which identifies acceptable site mitigation measures. If the archaeological evidence is determined to be of Native American heritage, local tribes shall be contacted and, if requested by the tribe(s), the developer shall pay a tribal cultural monitor to be on site until earthwork and site disturbance is complete.
- b. California Code of Regulations §15064.5(e) shall be followed in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery.

# **2019 Mono County General Plan Cleanup**

## **Environmental Impact Report (EIR) Addendum**

**November 2019**

**Mono County Community Development Department**



## I. INTRODUCTION

The proposed project is General Plan Amendment (GPA) 19-04, which consists of minor technical changes and additions to the Land Use Element and Conservation/Open Space Element. An addendum to the Mono County General Plan Final Environmental Impact Report (SCH# 2014061029) is proposed for this project as allowed by Section 15164 (a) of the CEQA Guidelines:

- "(a) The Lead Agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

Section 15164 (a) of the CEQA Guidelines allows a lead agency to prepare an addendum to an EIR if only minor technical changes or additions are necessary or none of the conditions in Section 15162 calling for the preparation of a subsequent EIR have occurred. Section 15162 of the CEQA Guidelines require the preparation of a subsequent EIR for a project when an EIR has been certified for that project when the lead agency determines, on the basis of substantial evidence in the record, that one or more of the following has occurred:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.



## II. PROJECT DESCRIPTION

General Plan Amendment (GPA) 19-04 proposes modifications to the Land Use Element and Conservation/Open Space Element. The proposed GPA corrects existing inconsistencies in both Countywide and June Lake Area land use policies due to terminology changes in short-term rental regulations that were adopted earlier this year, addresses direction from the Board to eliminate MFR-L from the list of residential land use designations in Chapter 25 – Short-Term Rentals, provides minor clarifications, and corrects typographical errors. The proposed modifications are summarized below:

### Countywide Land Use Policies

- Eliminate Type I, Type II, & Type III terminology and replace with Owner-Occupied or Not Owner-Occupied.

### June Lake Area Land Use Policies

- Eliminate Type I, Type II, & Type III terminology and replace with Owner-Occupied or Not Owner-Occupied.

### Chapter 25

- Eliminate MFR-L from the list of residential land use designations in Chapter 25 – Short-Term Rentals.

### Residential Land Use Designations

- Require that small-scale agriculture uses be subject to a primary residential use in all residential land use designations.

### Commercial Lodging

- Clarify transient rental uses permitted in Commercial Lodging land use designations.

### Multi-Family Residential

- Eliminate short-term rentals from MFR-L only Uses Permitted Subject to Use Permit.
- Exclude three complexes on Commercial Lodging designations (Aspen meadows, Hideaway Down Canyon, & Birch Creek) that were erroneously included as part of the MFR complexes list allowing transient rentals.

### Chapter 4 - General

- Update typographical errors to setback standards in Table 04.120 Minimum Yards;
- Add the Mixed Use (MU) designation to the list of designations that outright allow the placement of manufactured homes in conventional SFR, which was previously subject to a Director Review permit;<sup>1</sup> and
- Add a new policy defining “inactive projects.”

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<sup>1</sup> Uses processed under a Director Review permit must be exempt from CEQA and not be controversial or environmentally sensitive. If the use is not exempt, or is controversial or environmentally sensitive, the project would be subject to a use permit.

#### Conservation/Open Space Element: Cultural Resources

- Add a technical change to the Cultural Resources section in accordance with California Code of Regulations §15064.5(e), which is incorporated by reference, requiring work be stopped and standard mitigation measures implemented if archaeological artifacts are discovered during grading, earthwork and site disturbance activities.

### III. DECISION NOT TO PREPARE A SUBSEQUENT EIR

The CEQA Guidelines require the preparation of a subsequent EIR if one or more of several conditions are met; an addendum is required if none of the conditions requiring a subsequent EIR has occurred, but minor changes are necessary to the original EIR. The decision not to prepare a subsequent EIR for the adoption of the Mono County Housing Element Update was based on an analysis of the conditions requiring a subsequent EIR and the determination that none of those conditions applied to this project, i.e.:

- (1) There are no substantial changes to policies in the Land Use Element and Conservation/Open Space Element that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

*The changes and additions to policies in the Land Use Element fall into one of three categories: 1) terminology or procedure updates that have no impact on land use types or intensity, 2) typographical errors where the correct text would have been analyzed in the 2015 General Plan Update EIR, or 3) addition or elimination of short-term rental uses, which occur in existing structures and have no impacts beyond single-family residential uses which have already been analyzed in the 2015 EIR and CEQA addenda filed when these policies were originally amended. The modification to the Conservation/Open Space Element adds an additional mitigation measure for cultural resources to reduce potential impacts of future development projects.*

*Therefore, no new impacts and no increase in the severity of previously identified impacts will result from the changes.*

- (2) There are no substantial changes with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

*No revisions to the EIR are required, since the minor additions and updates to policies in the Land Use Element and the Conservation/Open Space Element do not create or increase any environmental effects.*

- (3) There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, that shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR;  
or
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR; or

*As discussed previously, the proposed additions and updates would not create any new environmental impacts or increase severity.*

- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

*The update proposes only minor technical changes and additions to the Land Use Element and the addition of a cultural resources mitigation measure to the Conservation/Open Space Element. None of the mitigation measures or alternatives previously found to not be feasible have been found to be feasible now.*

- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

*There are no mitigation measures or alternatives associated with the updated policies and programs beyond those analyzed in the EIR that would substantially reduce impacts and, as discussed previously, no new impacts have been identified.*

#### **IV. CONCLUSION**

Based on the considerations and analyses presented above and based on the provisions contained in CEQA §15164[a]) as presented in its entirety in this Addendum, it is concluded that none of the conditions calling for preparation of a subsequent EIR have occurred. The County of Mono, acting as Lead Agency, has therefore determined that an Addendum to the adopted 2015 Mono County General Plan EIR is the appropriate CEQA document for the proposed General Plan Amendment 19-02.

CEQA §15164(c-e) states that “an Addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project. A brief explanation of the decision not to prepare a subsequent EIR pursuant to §15162 shall be included in an addendum to an EIR, the lead agency’s findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.”



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5 **RESOLUTION R19-02**  
6 **A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION**  
7 **INITIATING AND RECOMMENDING THAT THE BOARD OF SUPERVISORS**  
8 **ADOPT GENERAL PLAN AMENDMENT (GPA) 19-04 – ANNUAL CLEANUP, IN**  
9 **COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

10 **WHEREAS**, as an outcome of the annual General Plan review, several adjustments to the Land  
11 Use Element and Conservation/Open Space Element of the General Plan are proposed to make technical  
12 corrections, minor additions, and respond to changes in State law; and

13 **WHEREAS**, a General Plan Amendment was adopted in February 2019 revising short-term rental  
14 regulations and changing the terminology used; and

15 **WHEREAS**, the Community Development Department conducted public outreach via the Regional  
16 Planning Advisory Committees, including Antelope Valley, Bridgeport, Mono Basin, and June Lake to  
17 receive public input and community feedback on proposed amendment; and

18 **WHEREAS**, in accordance with the California Environmental Quality Act and CEQA Guidelines  
19 Section 15164, a 2019 Addendum to the final Environmental Impact Report for the 2015 Regional  
20 Transportation Plan, General Plan, Countywide Integrated Waste Management Plan, and Noise Ordinance  
21 Updates, and Repeal of the Conway Ranch Specific Plan was certified on December 8, 2015; and

22 **WHEREAS**, an Addendum to the 2015 Regional Transportation Plan (RTP)/General Plan Update  
23 Environmental Impact Report (EIR) was prepared for GPA 19-04; and

24 **WHEREAS**, on November 21, 2019, the Planning Commission held a duly noticed public hearing  
25 regarding GPA 19-04 – Annual Cleanup; and

26 **WHEREAS**, having reviewed and considered all the information and evidence presented to it,  
27 including public testimony, written comments, staff reports and presentations, the Planning Commission  
28 recommends that the Board of Supervisors make required findings and adopt GPA 19-04 amending text in  
29 the General Plan Land Use Element and Conservation/Open Space Element.

30 **NOW, THEREFORE, THE MONO COUNTY PLANNING COMMISSION HEREBY**  
**FINDS, RESOLVES, AND RECOMMENDS AS FOLLOWS:**

**SECTION ONE:** The Planning Commission initiates General Plan Amendment 19-04.

**SECTION TWO:** The Planning Commission certifies the Addendum for GPA 19-04 Cleanup.

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**SECTION THREE:** The Planning Commission finds that the General Plan Amendment, including all text changes to the Land Use Element and Conservation/Open Space Element of the Mono County General Plan, which are attached hereto as Exhibit A and incorporated herein by reference, is consistent with the General Plan as well as all applicable area plans.

**SECTION FOUR:** The Planning Commission further finds that the proposed area plan text amendments of GPA 19-04 are consistent with the countywide General Plan.

**SECTION FOUR:** The Planning Commission recommends that the Board of Supervisors adopt GPA 19-04 and certify the Addendum.

**PASSED AND ADOPTED** this 21<sup>st</sup> day of November 2019, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

  
\_\_\_\_\_  
Scott Bush, Chair

Attest:  
  
\_\_\_\_\_  
CD Ritter, Commission Secretary

Approved as to form:  
  
\_\_\_\_\_  
Christian Milovich, Assistant County Counsel

# MONO COUNTY PLANNING COMMISSION

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

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

Date: November 21, 2019

To: The Sheet

From: CD Ritter

Re: Legal Notice for the **November 30** issue.

Format: **Please publish this General Plan Amendment as a minimum 1/8-page legal notice as required**

Invoice: Cara Isaac, PO Box 347, Mammoth Lakes, CA 93546

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## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of Supervisors will conduct a public hearing on **Dec. 10, 2019**, in the Board of Supervisors Chambers, Mono County Courthouse, Bridgeport, CA, to consider the following: **1:00 p.m. GENERAL PLAN AMENDMENT 19-04/Annual Cleanup**. The following technical changes to the Land Use Element are proposed as part of the annual General Plan update: 1) Eliminate Type I, Type II, & Type III terminology and replace with Owner-Occupied & Not Owner-Occupied in Countywide Land Use Policies and June Lake Area Land Use Policies; 2) Eliminate MFR-L from the list of residential land use designations in Chapter 25 – Short-Term Rental; 3) Require that small-scale agriculture uses be subject to a primary residential use in all residential land use designations; 4) Clarify transient rental uses permitted in Commercial Lodging land use designations; 5) In Multi-Family Residential, eliminate short-term rentals from the list of uses permitted subject to use permit for “MFR-L only” and correct list of existing nonconforming MFR complexes; 6) In Chapter 4, update typographical errors to setback standards in Table 04.120 Minimum Yards, add the Mixed Use (MU) designation to the list of designations that allow the placement of manufactured homes in conventional SFR, and add a new policy defining “inactive projects.” A technical change to the Cultural Resources section of the Conservation/Open Space Element is also proposed in accordance with California Code of Regulations §15064.5(e), which is incorporated by reference, requiring work be stopped and standard mitigation measures implemented if archaeological artifacts are discovered during grading, earthwork and site disturbance activities. The Planning Commission amended text in the June Lake Area Land Use Policies and Commercial Lodging Moderate & High. The Planning Commission adopted Resolution R19-02 making the findings as proposed and recommending that the Board of Supervisors certify the Addendum and adopt GPA 19-04 as amended. An Addendum in compliance with the California Environmental Quality Act (CEQA) is proposed for the project. Project materials are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes. INTERESTED PERSONS may appear before the Board to present testimony or, prior to or at the hearing, file written correspondence with: Clerk of the Board of Supervisors, PO Box 715, Bridgeport, CA 93517. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Clerk of the Board of Supervisors at, or prior to, the public hearing.

###





OFFICE OF THE CLERK  
OF THE BOARD OF SUPERVISORS

## REGULAR AGENDA REQUEST

Print

**MEETING DATE** December 10, 2019

**Departments: Public Works**

**TIME REQUIRED** 45 minutes (15 minute presentation;  
30 minute discussion) **PERSONS APPEARING** Joe Blanchard

**SUBJECT** Countywide Generator Infrastructure  
and Needs **BEFORE THE BOARD**

### AGENDA DESCRIPTION:

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

Presentation by Joe Blanchard regarding the County's generator infrastructure, and needs for the future.

### RECOMMENDED ACTION:

Receive presentation on the County's current generator infrastructure and emerging considerations relating to the Public Safety Power Shutoff (PSPS) program. Increase budget to Capital Improvement Projects Fund by \$47,500 to cover upgrades and installations of critical generator infrastructure funded by the FY 2019 PSPS Resiliency Allocation from Cal OES. Requires a 4/5 vote.

### FISCAL IMPACT:

\$47,500 increase in appropriations for the CIP (\$25,000 for the Jail, \$12,000 for Bridgeport Annex I & II, \$8,000 for Bridgeport Probation, \$2,500 for Medic 1 in Bridgeport. Recommendation is to fund this increase with a portion of the County's \$153,512 FY 2019 PSPS Resiliency Allocation, leaving \$106,012 to spend by October 31, 2022.

**CONTACT NAME:** Joe Blanchard

**PHONE/EMAIL:** 760.932.5443 / jblanchard@mono.ca.gov

### SEND COPIES TO:

### MINUTE ORDER REQUESTED:

YES  NO

### ATTACHMENTS:

Click to download
<input type="checkbox"/> <a href="#">Staff Report</a>
<input type="checkbox"/> <a href="#">Attachment A</a>
<input type="checkbox"/> <a href="#">Notification of Subrecipient Allocation - PSPS Resiliency Allocation</a>

History

<b>Time</b>	<b>Who</b>	<b>Approval</b>
10/31/2019 10:01 AM	County Administrative Office	Yes
11/22/2019 12:53 PM	County Counsel	Yes
11/25/2019 9:29 AM	Finance	Yes



# MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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760.932.5440 • Fax 760.932.5441 • [monopw@mono.ca.gov](mailto:monopw@mono.ca.gov) • [www.monocounty.ca.gov](http://www.monocounty.ca.gov)

**Date:** December 10, 2019

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

**From:** Joe Blanchard, Parks and Facilities Superintendent

**Re:** County Generator Capacity, Infrastructure, and Need

**Recommended Action:**

Receive Presentation on the County's current generator infrastructure and emerging considerations relating to the Public Safety Power Shutoff (PSPS) program. Increase budget to Capital Improvement Projects Fund to cover upgrades and installations of critical generator infrastructure.

**Fiscal Impact:**

If approved, \$47,500 increase in appropriations for the CIP (\$25,000 for the Jail, \$12,000 for Bridgeport Annex I & II, \$8,000 for Bridgeport Probation, \$2,500 for Medic 1 in Bridgeport.

**Background:**

The County currently has 20 generators installed throughout the County (see Attachment A). The generators have been installed over the years to power fuel systems, community centers, water systems, computer servers, as well as several phone systems.

The installation of the generators has been performed on an ad hoc basis, resulting in a variety of generator brands, capacities, fuel systems, wiring methods, and maintenance responsibilities. Each of the installed generators has required an individual maintenance program, which is performed by the Facilities Division of Public Works.

During the recent PSPS event when all power in the County was shut off, most of these 20 generators were triggered (or manually started) and provided backup power as they were designed to do. In some cases, weaknesses were exposed. A few units did not automatically start as they were designed to do. Other suffered mechanical problems that shut the generator down after a period of time. In short, the event exposed several weaknesses of the County's entire generator system all at once.

In addition to exposing weaknesses to our existing infrastructure, the likelihood of future PSPS events has generated a great deal of discussion among staff about which facilities and Departments actually have generator backup, and which facilities and Department should have it, if they do not.

Facilities staff has been working on identifying mechanical issues with the existing infrastructure and correcting those issues. In one instance (Bridgeport Jail) the recommendation is to replace the aging existing generator. It should be noted that even with the existing infrastructure and the addition of these requested generators the County will be unable to operate as normal during a power outage. It should also be mentioned that the gasoline powered non-automatic units must be manually switched and refueled frequently, requiring continual staff response.

The new Civic Center in Mammoth will include a 150 KW propane fueled generator which will include lighting, and power for identified/mandated operations. This generator will be shared with the Town of Mammoth for the Police Department as well as the Town's future office building.

Aside from ensuring the existing infrastructure is maintained and ready, there have been a handful of requests to install generators at facilities where they currently do not exist. The justification for these requests can be made by the requesting department; staff would appreciate Board input on the prioritization and funding.

The current requests are:

**Replacement of Generator at Bridgeport Jail**

60KW, Propane generator

Emergency Power for: 30 % of facility covered; 911 operations, cell doors, Refrigerator, freezer, and some emergency lighting. \*note: would be relocated to future jail.

Estimated cost for generator and install: \$25,000

Justification: generator is well beyond useful life and suffering from several significant mechanical issues.

**Annex I and Annex II**

2- 8KW, Propane generators

Emergency Power for: Tax Collector, Finance, other? This would ensure that if power outages occur on days where critical financial functions (payroll, tax collection, etc) are occurring, they would not be interrupted

Estimated cost for generators and install: \$12,000

Justification: no generator exists for these Departments in Annex I & Annex II - existing IT generator is maxed out.

**Bridgeport Probation**

8 KW, Propane

Emergency Power for the Bridgeport Probation office: would ensure normal operation during an outage.

Estimated cost for generator and install: \$8,000

Justification: no generator exists

**Bridgeport Medic 1**

5000-watt gasoline generator and transfer switch for paramedic garage.

Estimated cost for generator and install: \$2,500

Justification: generator at residence; no generator exists for garage and garage door.

**Social Services – Sierra Center Mall**

Size/need of generator, or installation scope not known at this time

Estimated cost – not known at this time

Justification: to provide continual Social Services during a power outage – possible to support fire alarm and other safety systems.

Because these needs were not identified during the budget adoption process, staff is requesting a budget amendment to appropriate additional funds to cover these installations, as approved by the Board.

Please contact me at (760) 932-5443 or by email at [jblanchard@mono.ca.gov](mailto:jblanchard@mono.ca.gov) if you have any questions regarding this matter.

Respectfully submitted,



Joe Blanchard  
Parks and Facilities Superintendent

MONO COUNTY GENERATORS

Location	Departments Served	KW	No Power	Age	Auto / Manual	Maintenace	Facility Coverage	Cost	Fuel Type
Chalfant Community Center	Community Center, Chalfant Fire Dept	50KW		2007	Manual	Bi-annual	40%	\$ 25,000	Propane
Benton Community Center	Community Center	45KW	Water	2008	Auto/manual	Bi-annual	85%	\$ 20,000	Propane
Crowley Lake Community Center	Community Center	20KW	No A/C	2010	Auto	Bi-annual	100%	\$ 16,000	Propane
Crowley Lake Park	Crowley Park, Sheriff Sub Station, Library on FD generator.	25KW	Well only	2010	Auto	Bi-annual	Well only	\$ 15,000	Propane
Lee Vining Community Center	Lee Vining Community Center, Kutzedika Tribal Offices, IMACA Preschool	55KW		2011	Auto	Bi-annual	100%	\$ 26,000	Propane
Minaret Mall	IT Servers	30KW		2013	Auto	Bi-annual	10%	\$ 15,000	Propane
Minaret Mall	Public Health, TOML Offices, Suite Z	30KW		2008	Auto	Bi-annual	60%	\$ 12,000	Propane
June Lake Community Center	Community Center, Sheriff Sub Station	45KW		2009	Auto	Bi-annual	100%	\$ 22,000	Propane
Conway Communications Site	Countywide Radio Communications	40KW		2000	Auto	Bi-annual	100%	\$ 18,000	Diesel
Bridgeport Road Shop	County Fuel System and Lighting	11KW		2014	Auto	Bi-annual	10%	\$ 8,000	Propane
Sherrifs Admin.	Heat, lites, & doors	16KW		2015	Auto	Bi-annual	45%	\$ 10,000	Propane
Memorial Hall	Memorial Hall	15KW		2006	Auto	Bi-annual	100%	\$ 8,000	Propane
Bridgeport Annex II	Servers & Phone system	30KW		2014	Auto	Bi-annual	10%	\$ 15,000	Propane
Walker Senior Center	Lighting, heat, kicthen	16KW		2014	Auto	Bi-annual	30%	\$ 10,000	Propane
Antelope Valley Community Center	Community Center	45KW		2010	Auto	Bi-annual	100%	\$ 20,000	Propane
Medic 1 Walker	Medic 1 Walker	15KW		2008	Auto	Bi-annual	100%	\$ 10,000	Propane
Lee Vining Road Shop (portable)	Lee Viing Fuel System and Emergency Lighting	7500W		2010	Manual	Bi-annual	10%	\$ 750	Gas

MONO COUNTY GENERATORS

Walker Road Shop (portable)	Walker Fuel System and Emergency Lighting	7500W		2010	Manual	Bi-annual	10%	\$ 750	Gas
Benton Road Shop (portable)	Benton Road Fuel System and emergency lighting	750W		2010	Manual	Bi-annual	10%	\$ 750	Gas
BCLF Portable	Trailer, battries	15KW		2000	Manual	Bi-annual	100%	\$ 5,000	Gas
Crowley Road portable	Fuel,lights	750w		2010	Manual	Bi-annual	10%	\$ 750	Gas

GAVIN NEWSOM  
GOVERNOR

MARK S. GHILARDUCCI  
DIRECTOR



October 25, 2019



**STEVE BARNICK**  
David Willbrecht

County Administrative Officer  
Mono County  
P.O. Box 696  
Bridgeport, CA 93517

**SUBJECT: NOTIFICATION OF SUBRECIPIENT ALLOCATION**

Fiscal Year (FY) 2019 Public Safety Power Shutoff (PSPS)  
Resiliency Allocation  
Cal OES ID#051-00000  
Period of Performance: July 1, 2019 to October 31, 2022

Dear Mr. **BARNICK** Willbrecht:

The California Governor's Office of Emergency Services (Cal OES) approved your FY 2019 PSPS allocation in the amount of \$153,512. Eligible activities under this allocation are limited to:

- Equipment
  - Generators and generator connections for essential facilities, with an emphasis on clean energy and green solutions where possible or other alternative backup power sources;
  - Generator fuel and fuel storage; and
  - Redundant emergency communications (e.g., battery-powered radios).
- Plans
  - Continuity plans;
  - Development/update of contingency plans for electrical disruptions that include considerations such as protecting individuals with access and functional needs, medical baseline and socially vulnerable populations, transportation, emergency public information, and preservation of essential functions;



3650 SCHRIEVER AVENUE, MATHER, CA 95655  
(916) 845-8506 TELEPHONE (916) 845-8511 FAX  
[www.CalOES.ca.gov](http://www.CalOES.ca.gov)



- Risk assessments for critical infrastructure and lifelines; and
- Post-event reports that identify lessons learned and corrective actions.
- Public education materials or supplies focused on individual and family preparedness for electric disruptions.
- One-time costs associated with identifying and equipping resource centers for the public to access during electrical disruptions.

The following activities are **not allowed**:

- Response costs associated with electric disruption events including any staffing or new positions, Emergency Operations Center staffing, security, law or fire response, or other overtime charges.


All activities funded with this allocation must be completed within the period of performance. Additionally, the Subrecipient is subject to the following requirements:

- As a condition of receiving funding, counties will be required to collaborate with cities within their jurisdiction to support critical infrastructure and resiliency county-wide with a particular focus on public safety, vulnerable communities and individuals with access and functional needs.
- Must ensure that they and their principals are not presently debarred, suspended, proposed for debarment, or declared ineligible.
- Must provide two reports on the expenditures of the funds. The first report is due no later than **November 30, 2020**, and the second no later than **November 30, 2022**. These reports shall identify how the funds have been used, including identifying each project or activity undertaken, local entity that undertook the project or activity, the amount of funding provided to the project or activity, and a description of each project or activity. The report shall also identify the specific outcomes achieved by each project or activity, including whether the project or activity was completed and whether it was used during PSPS events.
- Must coordinate with their city or county planning agency to ensure that the project is in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.).

- Comply with the California Public Records Act, Government Code section 6250 et seq.
- Must procure goods and services in compliance with applicable state and local laws, ordinances, rules, regulations, and policies.

**The undersigned represents that he/she is authorized to enter into this agreement for and on behalf of the Applicant.**

Subrecipient: COUNTY OF MONO

Signature of Authorized Agent: 

Printed Name of Authorized Agent: STEVE BARNWICK

Title: COUNTY ADMINISTRATIVE OFFICER Date: NOV 5, 2019

Your dated signature is required on this Notification of Subrecipient Allocation. Please sign and return to [PSPS@CalOES.ca.gov](mailto:PSPS@CalOES.ca.gov) within 20 calendar days upon receipt and keep a copy for your records. For further assistance, please email [PSPS@CalOES.ca.gov](mailto:PSPS@CalOES.ca.gov).

Sincerely,



MARK S. GHILARDUCCI  
Director



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

**REGULAR AGENDA REQUEST**

Print

**MEETING DATE** December 10, 2019

**Departments: Public Works**

**TIME REQUIRED** 10 minutes

**PERSONS APPEARING BEFORE THE BOARD** Tony Dublino, Public Works Director

**SUBJECT** County Avalanche Forecasting Program

**AGENDA DESCRIPTION:**

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

A discussion of the County Avalanche Forecasting program. Please see staff report for more detail.

**RECOMMENDED ACTION:**

Discuss the scope and need for contract avalanche forecasting services within Mono County. Provide direction to staff.

**FISCAL IMPACT:**

Unknown, pending Board direction.

**CONTACT NAME:** Tony Dublino

**PHONE/EMAIL:** 5459 / tdublino@mono.ca.gov

**SEND COPIES TO:**

**MINUTE ORDER REQUESTED:**

YES  NO

**ATTACHMENTS:**

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

**History**

Time	Who	Approval
12/6/2019 3:03 PM	County Administrative Office	Yes
12/6/2019 2:56 PM	County Counsel	Yes
12/6/2019 3:03 PM	Finance	Yes



# MONO COUNTY DEPARTMENT OF PUBLIC WORKS

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**Date:** December 10, 2019

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

**Re:** County Avalanche Forecasting Program

***Item Requested by Supervisor Stump***

**Recommended Action:**

Discuss the scope and need for avalanche forecasting services within Mono County.

**Fiscal Impact:**

Unknown, pending Board direction.

**Background:**

The County's Road Division has contracted for avalanche forecasting services for the last several years. The purpose of the contract has been to establish forecast for County roadways, in order to inform decisions about when to suspend snow removal activities due to avalanche threat. Prior to the issuance of the forecasting contract, the County provided avalanche forecasting for the roadways internally.

The contract has been put out to competitive bid on at least two occasions and has been issued to Sue Burak on both occasions. The cost of the contract has averaged around \$10,000 per year, and the scope has included standards for issuing avalanche forecasts for County Roadways, technical support for the County's (2) mountain weather stations, a requirement for one avalanche training with Public Works staff, a report to the Board of Supervisors, and a public meeting to discuss avalanche threat.

During the winters of 2017 and 2019, there was heightened awareness of avalanche risk and impacts, which translated into heightened interest in avalanches by communities and elected officials. During these times, the avalanche forecasts that the County was receiving for Roads began to be looked to as 'community' level forecasts that could/should be used to inform communities of an imminent avalanche threat.

Unfortunately, the avalanche forecasting services provided to the Road Department are not intended for public distribution (and have not been publicly distributed), nor do they cover any community areas that do not share an avalanche path with a County Road.

The forecasts are specific to the 11 avalanche paths that could impact County Roads. The forecasts do not cover avalanche paths that could impact Caltrans Roads, USFS Roads, or private properties and residences.

For a variety of unrelated reasons, Public Works has determined it is in the best interest of operations to discontinue the avalanche forecasting services contract for roads, and to return to utilizing available avalanche forecasting tools to inform decisions about road operations.

Supervisor Stump has expressed concerns that Avalanche Forecasting Services Contract is in fact a Board-directed 'Program' and the Board must weigh in as to its future. These concerns led to discussions with appropriate County staff about their thoughts on discontinuing the contract. There were no objections aside from those raised by Supervisor Stump.

In my view, the primary need for discussion today is whether the Board had intended to develop an "Avalanche Forecasting Program" in the past, managed and funded through the Department of Public Works, or if the Board was simply approving of individual contracts for services, based on the recommendation of the Public Works Department at that time. If the Board in fact wants to fund and maintain an Avalanche Forecasting Program, there must be discussion of the scope of the program, its intended use and distribution, and the Department that should manage it.

Sincerely,

Tony Dublino, Director of Public Works