



AGENDA

BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

Mammoth Lakes CAO Conference Room, 3rd Floor Sierra Center Mall, 452 Old Mammoth Road, Mammoth Lakes, California, 93546

Special Meeting February 24, 2020

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), and in the County Offices located in Minaret Mall, 2nd Floor (437 Old Mammoth Road, Mammoth Lakes CA 93546). Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB:** You can view the upcoming agenda at <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>.

9:30 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. AGENDA ITEMS

A. Comment Letter - Density Bonus Regulations within the Town of Mammoth Lakes

Departments: Board of Supervisors

30 minutes (10 minute presentation, 20 minute discussion)

The Town of Mammoth Lakes is considering updating its zoning regulations to expand the availability of density bonuses for qualified affordable housing projects. The Town's proposal would encourage small-scale, dispersed housing

development and contribute to the preservation of neighborhood and residential character while expanding the availability of affordable housing. The proposed letter conveys the Board of Supervisors' support for the Town's proposal.

Recommended Action: Consider and potentially approve letter as drafted or as revised by the Board. Provide any desired direction to staff.

Fiscal Impact: None.

B. Civic Center Update

20 minutes

(Tony Dublino, Director of Public Works; Nate Greenberg, IT Director) - Weekly update on the County's Civic Center project at 1290 Tavern Road, and efforts to transition from other Mammoth locations into the Civic Center as of June 1, 2020.

Recommended Action: None; Informational only.

Fiscal Impact: None.

C. Board Reports

Departments: Board of Supervisors

10 minutes

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

Recommended Action: None, informational only.

Fiscal Impact: None.

D. Closed Session - Real Property Negotiations

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: 452 Old Mammoth Road, Mammoth Lakes. Agency negotiators: Dave Wilbrecht and Shields Richardson. Negotiating parties: Mono County and 452 OM RD., Investors, LLC. Under negotiation: Price and terms of lease.

E. Fourth Amendment to Sierra Center Mall Lease

Departments: County Administrative Office / County Counsel

County Administrative Office, County Counsel's Office

(Steve Barwick, Dave Wilbrecht, Stacey Simon, Jason Canger) - Execution or Ratification of Fourth Amendment to Lease at Sierra Center Mall for County Office Space.

Recommended Action: Authorize Chair of the Board of Supervisors to execute or

ratify Fourth Amendment to Lease at Sierra Center Mall.

Fiscal Impact: The lease amount is \$15,000 per month in addition to current rent and current common area maintenance (CAM) charge. There is enough budget in the Civic Center Project for FY 2019-20 to cover the additional rent. Some portion of the increase may be chargeable against federal and state programs operated by Social Services and Behavioral Health. Both Departments have enough budget to cover any share of the increase.

F. 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 et al. v. City of Los Angeles et al. (Alameda Superior Court Case No. RG18923377).

G. Closed Session - Public Employment

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

ADJOURN



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

SPECIAL MEETING AGENDA REQUEST

Print

MEETING DATE	February 24, 2020	DEPARTMENT
ADDITIONAL DEPARTMENTS		
TIME REQUIRED	30 minutes (10 minute presentation, 20 minute discussion)	PERSONS APPEARING BEFORE THE BOARD
SUBJECT	Comment Letter - Density Bonus Regulations within the Town of Mammoth Lakes	

AGENDA DESCRIPTION:

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

The Town of Mammoth Lakes is considering updating its zoning regulations to expand the availability of density bonuses for qualified affordable housing projects. The Town's proposal would encourage small-scale, dispersed housing development and contribute to the preservation of neighborhood and residential character while expanding the availability of affordable housing. The proposed letter conveys the Board of Supervisors' support for the Town's proposal.

RECOMMENDED ACTION:

Consider and potentially approve letter as drafted or as revised by the Board. Provide any desired direction to staff.

FISCAL IMPACT:

None.

CONTACT NAME: Stacey Simon

PHONE/EMAIL: x1704 / ssimon@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> BOS proposed letter to Town Council
<input type="checkbox"/> Density Bonus Program Policy

History

Time	Who	Approval
2/21/2020 11:20 AM	County Administrative Office	Yes
2/21/2020 10:11 AM	County Counsel	Yes
2/21/2020 2:16 PM	Finance	Yes



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

BOARD OF SUPERVISORS COUNTY OF MONO

P.O. BOX 715, BRIDGEPORT, CALIFORNIA 93517

(760) 932-5533 • FAX (760) 932-5531

Shannon Kendall, Clerk of the Board

February 24, 2020

Re: Revisions to the Town Density Program including General Plan Amendment 19-002 and Zoning code Amendment 19-002

Dear Mammoth Lakes Town Council:

On behalf of the Mono County Board of Supervisors, please accept this letter of support for updating and amending the Town Density Bonus Program. Ensuring an adequate number of homes affordable to the workforce of Mono County is a top priority of our Board. We commend you for your attention to this policy in an effort to enhance its viability and utilization.

Moving away from the State Density Bonus policy requirement of a base density of five units to a base density of three as in the proposed amended local density bonus policy will allow smaller infill sites to add density necessary to make the development of affordable housing feasible. Additionally, the allowance of some percentage of the units to be market rate further extends the development feasibility, one of the top barriers to the production of affordable housing.

Mammoth Lakes is largely dependent on the nightly bed tax (Transient Occupancy Tax or TOT) for its general fund, yet many of our mutual constituents have cited the conversion of existing housing stock to nightly rental as a cause of the growing scarcity of long-term rental housing. Mono County supports the proposed policy's prohibition of nightly rental in exchanged for additional density as reasonable and appropriate.

Mono County is proud to share in the effort of deed restriction preservation within the Town via the County's Revolving Loan Fund (RLF). It is the Board of Supervisors' expressed interest that this effort is continued with this new amended policy for regular and ongoing monitoring of all housing created as a result of its implementation.

Lastly, while local control is generally a shared value between the Town and the County, we cautiously advise you of the historic pit-falls of a use-permit requirements for affordable housing production. Perhaps some compromise on when a use-permit is required within this amended policy should be entertained in an effort to more expeditiously reach the goals of affordable housing.

In conclusion, we thank you for your consideration of our comments as you amend the Town's local density bonus policy. The Mono County Board and staff look forward to working with you and Town staff on addressing the affordable housing needs of our constituents now and in the future.

In community,

Stacy Corless, Chairperson
Mono County Board of Supervisors



Mammoth Lakes Workforce Housing Town Density Bonus Program Policy

1. Purpose and Scope

The purpose of this policy is to establish procedures for the implementation of the Town Density Bonus Program in accordance with Municipal Code Chapter 17.138. The policy shall be adopted by Town Council resolution and shall only be changed or modified by a subsequent resolution adopted by the Town Council.

2. Definitions

Affordability Level Category. The categories used in the Eligibility Points Schedule for the Town Density Bonus. These categories establish the occupancy requirements and the affordability levels for the Deed Restrictions and shall be defined as follows:

- a) **Low-Income Household.** A Qualified Household occupied by a Qualified Resident as his or her Principal Place of Residence and whose annual household income does not exceed 80 percent of the Area Median Income (AMI) for Mono County, adjusted for household size, as published and periodically updated by the California Department of Housing and Community Development (HCD) pursuant to Sections 50079.5 and 50052.5 of the California Health and Safety Code.¹
- b) **Moderate-Income Household.** A Qualified Household occupied by a Qualified Resident as his or her Principal Place of Residence and whose annual household income does not exceed 120 percent of the Area Median Income (AMI) for Mono County, adjusted for household size, as published and periodically updated by the California Department of Housing and Community Development (HCD) pursuant to Sections 50079.5 and 50052.5 of the California Health and Safety Code.¹
- c) **Middle-Income Household.** A Qualified Household occupied by a Qualified Resident as his or her Principal Place of Residence and whose annual household income does not exceed 150 percent of the Area Median Income (AMI) for Mono County, adjusted for household size, as published and periodically updated by the California Department of Housing and Community Development (HCD) pursuant to Sections 50079.5 and 50052.5 of the California Health and Safety Code.¹
- d) **Occupancy-Restricted Household.** A Qualified Household occupied by a Qualified Resident as his or her Principal Place of Residence.

Base Density Units. The number of units that are equal to the maximum allowable density under the applicable zone.

Deed Restriction. A recorded contract entered into between the Town, or its designee, and the owner or purchaser of real property identifying the conditions of occupancy and resale.

Density Bonus Units. Those units that exceed the maximum allowable density under the applicable zone.

¹ The income limits are posted by HCD here: <https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml>

Developer. The owner of real Property that is the subject of the project and any successor(s) in interest to Developer, as the fee title owner of the Property.

Eligibility Points Schedule for the Town Density Bonus. The schedule establishing the percentage of Base Density Units that are required to be Deed Restricted to a specific Affordability Level Category to qualify for the necessary amount of Eligibility Points for the desired density bonus.

Eligibility Points. The number of points, calculated pursuant to the formula in Municipal Code Section 17.138.040.A, required to be earned by an applicant for a Workforce Housing project to establish eligibility for a Town Density Bonus. Eligibility Points are earned through the provision of Workforce Housing Units at an affordability level consistent with those specified in the Affordability Level Categories.

Principal Place of Residence. The dwelling in which one's habitation is fixed and to which a person, whenever he or she is absent, has a present intention of returning after an absence therefrom. In determining what is a principal place of residence, the Town and Developer may consider, without limitation: location of business pursuits; employment and income sources; residence for tax purposes; residence of parents, spouse, and children, if any; location of personal property; motor vehicle registration; and voter registration.

Property. The real property that is the subject of the project.

Qualified Household. One (1) Qualified Resident or group of persons that contains at least one (1) Qualified Resident (who must sign the Unit lease as a tenant). A Qualified Household may have occupants that are not Qualified Residents (and who may also sign the Unit lease as tenants) as long as at least one (1) occupant who has signed the lease is a Qualified Resident.

Qualified Resident. A person that is any of the following:

- a) A natural person who works an average of 30 hours or more per week at a business located within the boundaries of Mono or Inyo County that holds a valid and current business license, or pays sales taxes, or is otherwise generally recognized as a legitimate business, or has a bona fide job offer from a business located within the boundaries of Mono or Inyo County. For example if a person worked 60 hours per week for one half of the year at such a business within the boundaries of Mono or Inyo County, and worked elsewhere for the other half of the year, such person would constitute a Qualified Resident.
- b) A natural person who at the time of application for a Unit lives within the boundaries of Mono or Inyo County.

Town Density Bonus Program Policy. The policy adopted by Town Council resolution implementing the Town Density Bonus Program.

Town Density Bonus. A density increase for eligible multi-family residential projects over the otherwise maximum allowable residential density under the applicable zone and designation of the Land Use Element in accordance with the provisions of Chapter 17.138 (Town Density Bonus Program).

Unit. Each of the residential units constructed within a project on the Property.

Workforce Housing Agreement. A legally binding agreement between a Developer and the Town to ensure the continued protection of the workforce housing units required by Chapter 17.138 persists and the units are maintained in accordance with Chapter 17.138.

Workforce Housing Ownership Unit. A Unit within a Property that will be occupied by an owner who is a Qualified Resident.

Workforce Housing Rental Unit. A unit within a Property that will be occupied by a tenant who is a Qualified Resident.

Workforce Housing. Housing that is restricted for rent or purchase by individuals and households working in the community of Mammoth Lakes. Workforce Housing is Affordable Housing for workers.

3. Review Period

The Town Density Bonus Program shall be reviewed one (1) year from the date of adoption of the Ordinance establishing Municipal Code Chapter 17.138 (Town Density Bonus Program). The review shall be completed by the Town Council and shall consider the impacts of the program and examine the cumulative impacts on the Town’s housing supply.

4. Determination of Bonus

Projects will earn points through the provision of deed restricted workforce housing units and the amount of points required for the desired density bonus is based on the size of the density bonus requested. The larger the density bonus request (up to a maximum of twice the allowed density), the more workforce housing that a project must provide to receive the bonus.

See Attachment 1 for a comprehensive view of the Town Density Bonus calculation process.

A) Determination of Base Site Density and Maximum Site Density

- i. To determinate the base site density, multiply the gross lot area for the Property by the underlying base density for the zone in which the Property is located.
 - a. Pursuant to Municipal Code Section 17.138.030.C.3, base site density calculations that result in a fraction or decimal shall be rounded up if the fraction or decimal exceeds 66 percent of a unit and shall be rounded down if the fraction or decimal is 66 percent or less.
 - b. Base site density shall be rounded either up or down based on the size of the fraction or decimal prior to the determination of the maximum number of density units that a project is eligible for.
- ii. To determine the maximum site density allowed, multiply the rounded base site density established in the prior step by 2, thereby establishing the double-density maximum.

Base Density Calculation Example:	
Example Project: A multi-family project located on a 0.33-acre parcel in the RMF-1 zone, which has a base density of 12 units/acre.	
Base Site Density:	0.33 acres x 12 units/acre = 3.96 units which rounds up to 4 units <i>(rounds up since the decimal exceeds 0.66)</i>
Maximum Site Density:	4 units x 2 = 8 units

B) Eligibility Point Required

The number of Eligibility Points required, up to a maximum of 100, for the desired density bonus is calculated according to the following formula. If the Eligibility Points calculation results in a number that is not a factor of five, the number of points required shall be rounded up to the next multiple of five.

$$\frac{\text{Bonus Requested}}{\text{Bonus Increment}} \times 100 = \text{Points Required}$$

(rounded up to the next multiple of five if the calculation results in a number that is not a factor of five)

Bonus Requested: The amount of residential density requested for the project above the maximum base site density (i.e., the maximum base site density subtracted from the total number of units requested).

Bonus Increment: The difference between the maximum density with the bonus allowed and the maximum base site density (i.e., the maximum base site density subtracted from the maximum site density with the bonus).

Town Density Bonus Project Example:	
The multi-family project located on a 0.33-acre parcel in the RMF-1 zone proposes to build 6 units, which exceeds the maximum base density of 12 units/acre (<i>4 units/acre is an equivalent density on a 0.33 acres site</i>) by 2 units. To grant the density bonus of 2 units, the project would need to generate 50 points (see calculations below).	
Project:	6-unit multi-family development
Site Density:	12 units/acre; up to 24 units/acre w/ a double-density bonus (<i>4 units/acre is an equivalent density for a 0.33 acre site</i>)
Bonus Requested:	(Units Requested less “Base” Site Density) = 6 – 4 = 2
Bonus Increment:	(“Maximum” Site Density less “Base” Site Density) = 8 – 4 = 4
Eligibility Points Required:	(Bonus Requested ÷ Bonus Increment) x 100 = (2 ÷ 4) x 100 = 50 Points (<i>rounded up to the next multiple of five if the calculation results in a number that is not a factor of five</i>)

C) Application of Eligibility Points

All of the Eligibility Point requirements shall be fulfilled by deed restricting to workforce housing a percentage of the base density units that is proportional to the density bonus requested. Proportionality shall be determined by the percentages in Table 1 - Eligibility Points Schedule for the Town Density Bonus, as they may be adjusted from time to time by the Town Council. The percentages required for each Affordability Level Category column correspond to the Eligibility Points row in Table 1 - Eligibility Points Schedule for the Town Density Bonus.

Project proponents have the option to select which affordability level the units are restricted to; however, the percentage of units required to be deed restricted shall increase as the affordability level decreases.

Pursuant to Municipal Code Section 17.138.030.C.4, if the calculation for the required number of base density units that need to be restricted to qualify for the desired density bonus results in a fractional number, the required number of deed restricted units shall be rounded up to the next higher whole number.

Town Density Bonus Project Example:	
The Developer of the example project could earn the 50 Eligibility Points needed for the two (2) additional units by deed restricting the applicable percentage of base density units for any one affordability level (Refer to Table 1 for the required percentages).	
To earn 50 Eligibility Points, refer to “50 Points” row in Table 1 and then to the corresponding Affordability Level Category and then multiply the specified percentage by the Base Site Density to determine the required number of units to be restricted:	
Low-Income Household:	30% x 4 units = 1.2 units which rounds up to 2 units
Moderate-Income Household:	40% x 4 units = 1.6 units which rounds up to 2 units
Middle-Income Household:	50% x 4 units = 2 units
Occupancy-Restricted Household:	60% x 4 units = 2.4 units which rounds up to 3 units

TABLE 1: ELIGIBILITY POINTS SCHEDULE FOR THE TOWN DENSITY BONUS

Points Awarded		AFFORDABILITY LEVEL CATEGORY			
		Low-Income (41% - 80%)	Moderate-Income (81% - 120%)	Middle-Income (121% - 150%)	Occupancy Restricted (No Income Limits)
ELIGIBILITY POINTS	5	7.5%	17.5%	27.5%	37.5%
	10	10.0%	20.0%	30.0%	40.0%
	15	12.5%	22.5%	32.5%	42.5%
	20	15.0%	25.0%	35.0%	45.0%
	25	17.5%	27.5%	37.5%	47.5%
	30	20.0%	30.0%	40.0%	50.0%
	35	22.5%	32.5%	42.5%	52.5%
	40	25.0%	35.0%	45.0%	55.0%
	45	27.5%	37.5%	47.5%	57.5%
	50	30.0%	40.0%	50.0%	60.0%
	55	32.5%	42.5%	52.5%	62.5%
	60	35.0%	45.0%	55.0%	65.0%
	65	37.5%	47.5%	57.5%	67.5%
	70	40.0%	50.0%	50.0%	70.0%
	75	42.5%	52.5%	62.5%	72.5%
	80	45.0%	55.0%	65.0%	75.0%
	85	47.5%	57.5%	67.5%	77.5%
	90	50.0%	60.0%	70.0%	80.0%
	95	52.5%	62.5%	72.5%	82.5%
	100	55.0%	65.0%	75.0%	85.0%

5. Granting of the Density Bonus

For a project to be granted a Town Density Bonus in accordance with the Town Density Bonus Program, the Developer shall enter into a Workforce Housing Agreement that is consistent with the terms outlined in Municipal Code Section 17.138.090. The Agreement shall include, amongst the other required contents, the required number of units to be restricted, the affordability level to which the units will be restricted to, and the term for which the units will be restricted. The Agreement shall be recorded against the Property prior to the recordation of the final map or issuance of the building permit for the designated Units.

[INSERT CALCULATION PROCESS SHEET]

GENERAL PLAN AMENDMENTS

(shown below in and underline for added text)

General Plan Policy L.2.D.

Encourage the development of workforce housing by offering a Town Density Bonus Program, in addition to the State density bonus program, that is flexible and adaptive and allows multi-family residential projects to construct up to twice the base density identified for the designation in which the project is located. Projects will be eligible to receive proportionately greater density bonuses, up to a maximum of twice the base density, in exchange for deed restricting a greater percentage of the base density units. Density bonuses granted pursuant to this policy are mutually exclusive of density bonuses granted pursuant to the State Density Bonus Program (i.e., a developer can elect to utilize either the Town density bonus or the State density bonus, but not both).

Action L.2.D.1: Amend the Zoning Code to implement the Town density bonus program and adopt a Town Density Bonus Program policy by Town Council resolution.

General Plan Policy H.1.C.

Allow for density bonuses for projects that provide deed-restricted workforce housing in accordance with State density bonus law and/or the Town density bonus programs. Projects that have applied for and received State, Town, or other housing-related density bonuses shall not be permitted to subsequently move or transfer qualifying units off-site.

ZONING CODE AMENDMENTS

17.136.050 – On-Site Provision of Units

- D. Calculation of Project Density. On-site housing units provided pursuant to this Section shall not count towards the calculation of total project density (i.e., rooms per acre or units per acre) if all of the following conditions apply:
1. The project fully satisfies its housing mitigation requirements on-site by providing on-site housing units consistent with the target AMI established by Council resolution;
 2. The project is located in the Downtown, Old Mammoth Road, Mixed Lodging/Residential, or Residential Multi-Family 2 zones, or in an area subject to a specific plan or master plan that permits such an exclusion;
 3. The applicable Floor Area Ratio (FAR) limit is not exceeded;
 4. The project has not applied for or received a State or Town housing density bonus pursuant to Chapter 17.138 or Chapter 17.140; and
 5. Findings can be made in conjunction with project approval that the total project density or intensity, considering all uses, would meet all applicable design and development standards of the Municipal Code, would not result in significant and unavoidable environmental impacts, and would be compatible with surrounding uses.

In all other cases, total project density, inclusive of provided on-site housing units, shall not exceed the maximum density for the zone in which the project is located, except as permitted by the provisions of Chapter 17.138 (Town Density Bonus Program) or Chapter 17.140 (Affordable Housing Density Bonuses and Incentives - State Density Bonus Program).

Chapter 17.138 – Town Density Bonus Program [NEW CHAPTER]

17.138.010 - Purpose of Chapter

- A. Increase the supply of housing available to the workforce and encourage the development of units that are restricted to a range of affordability levels for persons working and living in the region;
- B. Promote the Town's goal to add to, and preserve, the existing stock of workforce housing units within the town; and
- C. Maintain the physical condition and deed restriction of units produced through the provisions of this Chapter over time.

17.138.020 - Applicability

- A. **Project Types.** The following types of development projects shall be eligible for the Town Density Bonus Program:
 1. New multi-family residential projects that are located within a zoning district that allows Multi-Family Residential uses and have a base density of two or more dwelling units, regardless of the type of dwelling unit proposed (e.g., apartments, condominiums, etc.).
 2. Rehabilitation or additions to existing multi-family residential structures that are located within a zoning district that allows Multi-Family Residential uses and results in a net

increase to the number of available residential units. Rehabilitation and addition projects shall be subject to the following:

- a. Any existing deed restricted units that are demolished as part of the project rehabilitation or addition shall be replaced with an equivalent deed restricted unit and the replacement unit shall remain subject to the existing deed restriction.
 - b. An existing apartment complex that is proposed to be converted to condominiums as part of a project pursuant to this Chapter shall comply with Section 17.52.110 (Condominium Conversions).
- B. **State Density Bonus Not Available.** If a developer chooses to request density bonuses pursuant to the provisions of this Chapter, density bonuses granted pursuant to the State Density Bonus requirements described in Chapter 17.140 are not available.
- C. **Housing Mitigation Requirements.** Multi-family residential projects that receive a density bonus pursuant to this Chapter shall be required to mitigate their housing impacts for the non-deed restricted units in a manner consistent with the housing mitigation options identified in Chapter 17.136 (Housing), unless the units are otherwise exempt pursuant to Section 17.136.100.

17.138.030 – Administration and General Requirements

- A. **Administrative Responsibility.** The requirements and procedures of this Chapter shall be administered by the Department. The Council shall, by resolution, adopt a Town Density Bonus Program policy that: (1) establishes the percentages used in the “Eligibility Points Schedule for the Town Density Bonus”; (2) establishes the affordability levels and the eligibility requirements for each affordability level used in the “Eligibility Points Schedule for the Town Density Bonus;” (3) establishes the time frame for the periodic review of the Town Density Bonus Program required by Section 17.138.030.B; and (4) establishes the ownership unit and rental unit occupancy restrictions for the workforce housing units. The policy may be changed or modified only by resolution of the Council.
- B. **Periodic Review.** The Town Density Bonus Program shall be subject to periodic review by the Council to consider the impacts of the program and examine the cumulative impacts on the Town’s housing supply.
- C. **Calculations.** The following apply to the calculations used in the Town Density Bonus Program:
1. **Unit Types.** When used in this Chapter, “Base Density Units” are the number of units that are equal to the maximum allowable density under the applicable zone and “Density Bonus Units” are those units that exceed the maximum allowable density under the applicable zone.
 2. **Parcel Size.** The parcel size used in the calculation of the base density shall be verified by staff by a review of a record of survey or review of the recorded deed.
 3. **Base Density Calculation.** When the base density calculations result in a fraction or decimal (acreage multiplied by allowed density does not result in a whole number) and the fraction or decimal exceeds 66 percent of a unit, it shall be rounded up to the next higher whole number. When the fraction or decimal is 66 percent or less, it shall be rounded down to the next lower whole number. The base density shall be rounded either up or down based on the calculations described above prior to the determination of the maximum number of density bonus units that a project is eligible for.

4. **Deed Restricted Units Calculation.** If the calculation for the required number of base density units that need to be restricted to qualify for the desired density bonus results in a fractional number, the required number of deed restricted units shall be rounded up to the next higher whole number.

D. Permit Requirements

1. A request for a density bonus, as described in this Chapter, shall require use permit approval in compliance with Chapter 17.68 (Use Permits). The use permit requirement does not apply to multi-family residential projects that meet all of the eligibility criteria for the Streamlined Ministerial Approval Process authorized by Government Code Section 65913.4 and are instead subject to the Streamlined Multi-Family Review Process established by the Department in compliance with Government Code Section 65913.4.
2. All multi-family residential projects of three units or more, inclusive of the base density units and the density bonus units, are subject to the design review requirements specified in Chapter 17.88 (Design Review).
3. All multi-family residential projects are subject to the development and operational standards for multi-family residential projects specified in Section 17.52.210 (Multi-Family Residential Projects).
4. The granting of a density bonus and incentives or concessions pursuant to this Chapter shall not be interpreted, in and of itself, to require a General Plan amendment, Zoning Map amendment, Zoning Code amendment, or other discretionary approval.

E. Application Requirements

1. **Application Filing.** The applicant shall file with the Department the use permit application for a density bonus and other incentives or concessions in compliance with this Chapter either before, or concurrent with, other required discretionary project approvals (i.e., tentative map, design review, variance, etc.).
2. **Application Contents.** An application shall include all of the following information in addition to the standard use permit requirements:
 - a. A detailed development plan and description of the proposed project, including, but not limited to, information on the number, type, size, tenure, number of bedrooms, and proposed deed restriction level for each and every unit within the development.
 - b. The type of density bonus incentive or concession requested, of those listed in Section 17.138.050.A, and an explanation as to why the incentive or concession is the minimum departure from the requirements of the Zoning Code necessary to make the project feasible.
 - c. If more than one incentive or concession is requested in compliance with Section 17.138.050.B, the type of additional incentive or concession requested, of those listed in Section 17.138.050.A, together with a statement as to why the project is eligible for the additional incentives or concessions. Eligibility for the additional incentive or concession may be shown by establishing that the project will either: (1) provide a greater number of deed restricted units than otherwise required; (2) provide a greater or longer term

deed restriction than otherwise required; or (3) meet other applicable Housing Element goals or policies.

- d. Any alternative incentive or concession being requested in compliance with Section 17.138.050.C, together with a statement as to why the alternative incentive or concession is necessary. The request shall demonstrate that due to the particular characteristics of the project site, the alternative incentive or concession is necessary to make the project feasible;
- e. A snow storage management plan if requesting a reduction in the required snow storage areas in compliance with Section 17.138.050.D;
- f. Evidence of the parcel size to allow for the determination of the base density; and
- g. Any other information deemed necessary by the Director to allow a complete evaluation of the application.

- F. **Livability Standards.** Units built under the Town’s Density Bonus Program shall meet the minimum Amenity and Design Standards, as adopted by Council resolution, as it may be amended from time to time.
- G. **Transient Rentals Prohibited.** Transient rentals (i.e., rental of a unit for a term of 30 days or less) shall be prohibited for all units within a project that receives a density bonus pursuant to this Chapter. This prohibition is inclusive of the base density units and the density bonus units.

17.138.040 - Town Density Bonus

The amount of a residential density bonus a project is eligible for shall be determined in accordance with this Section. The foundation of the Town Density Bonus Program is that projects will earn points through the provision of deed restricted workforce housing units and the amount of points required for the desired density bonus is based on the size of the density bonus requested. The larger the density bonus request (up to a maximum of twice the allowed density), the more workforce housing that a project must provide to receive the bonus.

- A. **Determination of Bonuses.** Projects identified as eligible project types in Section 17.138.020.A shall be eligible for a residential density bonus, up to a maximum of twice the allowed density, in accordance with the following procedures.
 - 1. **Eligibility Points Required.** The number of Eligibility Points required, up to a maximum of 100, for the desired density bonus is calculated according to the following formula. If the Eligibility Points calculation results in a number that is not a factor of five, the number of points required shall be rounded up to the next multiple of five.

$$\frac{\text{Bonus Requested}}{\text{Bonus Increment}} \times 100 = \text{Points Required}$$

(rounded up to the next multiple of five if the calculation results in a number that is not a factor of five)

For example, a project with a base site density of 4 units that wants to build a 6-unit project would be required to generate 50 points to obtain the 2-unit density bonus.

$$\frac{(6 - 4)}{(8 - 4)} \times 100 = 50 \text{ Points}$$

Variables used in the Eligibility Points calculation:

- a. Bonus Requested: The amount of residential density requested for the project above the maximum base site density (i.e., the maximum base site density subtracted from the total number of units requested).
 - b. Bonus Increment: The difference between the maximum density with the bonus allowed and the maximum base site density (i.e., the maximum base site density subtracted from the maximum site density with the bonus).
2. **Application of the Eligibility Points.** All of the Eligibility Point requirements shall be fulfilled by deed restricting to workforce housing a percentage of the base density units that is proportional to the density bonus requested. The required percentages that correspond to the Eligibility Points for each affordability level shall be established in the “Eligibility Points Schedule for the Town Density Bonus” adopted by Council resolution in the Town Density Bonus Program policy.

Project proponents have the option to select which affordability level the units are restricted to; however, the percentage of units required to be deed restricted shall increase as the affordability level decreases.

For example, to generate the 50 points required for the desired density bonus from the above example, the project would be required to deed restrict the percentage of base density units specified in one of the Affordability Level columns to the right of the “50” Eligibility Points Awarded row in the “Eligibility Points Schedule for the Town Density Bonus” adopted by Council resolution in the Town Density Bonus Program policy.

- B. **Income Level Categories.** The affordability level categories used in the “Eligibility Points Schedule for the Town Density Bonus” shall be established by Council resolution and be periodically reviewed and updated. The affordability level categories can range from “Low Income Households” (i.e., households earning 80% or below of the AMI) to “Occupant Restricted Households” (i.e., required to be their principal place of residence and be employed in either Mono or Inyo County, or be retired). Additional affordability levels that are in between “Low Income Households” and “Occupant Restricted Households” may be established by the Council. The eligibility requirements for each affordability level shall be established by Council resolution in the Town Density Bonus Program policy, as it may be amended from time to time.

17.138.050 - Incentives and Concessions

- A. **Allowed Incentives and Concessions.** Multi-family residential projects that receive a density bonus pursuant to this Chapter shall be eligible to receive one of the following incentives or concessions:
1. An increase in the allowable lot coverage;
 2. Up to a 20% reduction in setbacks;
 3. Up to a 25% reduction of the required number of guest-parking spaces;
 4. Up to a 10% increase in the maximum permitted structure height;

5. A reduction or elimination of one of the multi-family residential development and operational standards specified in Section 17.52.210 (Multi-Family Residential Projects); or
 6. Approval of mixed-use zoning not otherwise allowed by this Zoning Code in conjunction with the housing development if non-residential land uses will reduce the cost of the housing development, and the non-residential land uses are compatible with the housing project and the existing or planned development in the area where the project will be located.
- B. **Additional Incentives or Concessions.** The review authority may grant two or more incentives or concessions under this Subsection if the applicant demonstrates that the project will either: (1) provide a greater number of deed restricted units than otherwise required; (2) provide a greater or longer term deed restriction than otherwise required; or (3) meet other applicable Housing Element goals or policies.
- C. **Alternative Incentives or Concessions.** An applicant eligible for an incentive or concession under this Subsection may submit a request for an incentive or concession different than those specified above if the incentive or concession will result in identifiable, financially sufficient, and actual cost reductions, subject to review and approval by the review authority.
- D. **Snow storage.** Multi-family residential projects that receive a density bonus pursuant to this Chapter shall be eligible for a reduction of the required snow storage areas if the property owner commits to haul on-site snow from the property to an approved off-site snow storage area in accordance with Section 17.36.110.B.3.a, as it may be amended from time to time, provided that the interim snow storage areas do not interfere with any the required parking areas. The burden of the costs for the hauling of on-site snow to an off-site location shall not be passed onto the deed restricted units. The allowance for snow hauling shall not be considered to be an incentive or concession for the purposes of this Subsection.

17.138.060 - Findings and Conditions of Approval

- A. **Required Findings.** In addition to the use permit findings required by Section 17.68.050, a use permit for a project receiving a Town density bonus pursuant to this Chapter shall be approved only if all of the following additional findings can be made:
1. The proposed project will generate a sufficient number of Eligibility Points required for the bonus amount requested.
 2. The proposed project is compatible with the surrounding neighborhood with regards to building scale, form, materials, and street orientation.
 3. The incentive or concession is required in order to make the project feasible and the incentive or concession requested is the minimum departure from the requirements of this Zoning Code necessary to make the housing project feasible.
- B. **Required Conditions of Approval.** In addition to any other required conditions of approval, all of the following conditions shall apply to all use permits that are granted for a project receiving a Town density bonus pursuant to this Chapter:
1. Before a certificate of occupancy is issued for a project, the applicant shall certify to the Director that the Eligibility Points upon which the project's residential density bonus was based have been achieved. To satisfy this condition, evidence shall be provided that a Workforce Housing Agreement that is consistent with Section 17.138.090 has been

recorded against the property and that the required number of deed restrictions at the agreed upon affordability level have been recorded against the property. The Town shall be named as a party in the Workforce Housing Agreement and all subsequent deed restrictions.

2. Before a certificate of occupancy is issued for a project, the applicant shall provide evidence to the Town that transient rentals are prohibited for all units within the development. Evidence shall consist of a deed and/or use restriction prohibiting transient rentals that has been recorded against all units within the development.
3. The total number of deed restricted units required for the density bonus shall not be reduced or otherwise eliminated without the approval of the review authority. To grant such approval, the review authority must find that there is a corresponding reduction in density.

17.138.070 – Ownership Unit Occupancy and Long-Term Restrictions

Each workforce housing ownership unit that qualified the project for a density bonus and other incentives and/or concessions pursuant to this Chapter shall comply with all of the requirements of this Section.

A. Ownership Unit Occupancy Requirements.

1. **Eligibility Requirements.** Except as provided in Section 17.138.070.A.1.c, a workforce housing ownership unit shall be sold, and to the extent required by Subsection C, resold, only to a household certified by the Town, or its designee, as meeting the eligibility requirements designated by the terms of the project approval, and which also comply with all of the following requirements:
 - a. The purchaser shall be a Qualified Household, as that term is defined in the Town Density Bonus Program policy.
 - b. The purchaser shall be a Qualified Resident, as that term is defined in the Town Density Bonus Program policy and shall occupy the unit as his or her principal place of residence and may not rent the unit in its entirety to another party, except as provided in Section 17.138.080.A.1.c.
 - c. In the event that the purchaser no longer resides in the unit as their principal place of residence or the unit is owned as an investment property for rental purposes, the workforce housing ownership unit shall then be considered to be a workforce housing rental unit and be subject to the requirements specified in Section 17.138.080. Transition from an ownership unit to a rental unit shall require prior approval from the Town, or its designee.
2. **Buyer Certification and Selection.** Workforce housing units shall be sold, and to the extent required by Subsection C, resold, only to households certified by the Town, or its designee, as satisfying the eligibility requirements specified in Section 17.138.070.A.1, above, and in compliance with all of the following requirements:
 - a. Initial buyers eligible to purchase workforce housing units shall be selected by the Developer, as that term is defined in the Town Density Bonus Program policy, in compliance with a marketing plan approved, in advance, by the Town, or its designee. Developer shall use commercially reasonable efforts to market the units to Qualified Residents, as that term is defined by the Town

Density Bonus Program policy. Prior to initial marketing of the units, Developer shall provide the Town copies of its marketing and outreach plan which the Town shall approve or disapprove within thirty (30) days of receipt. Subsequent buyers shall be verified by the Town, or its designee, that they are in compliance with the approved marketing plan and the Town Density Bonus Program policy.

b. The marketing plan shall identify and detail the process to be used for the marketing and sale of the workforce housing units to Qualified Households, as that term is defined in the Town Density Bonus Program policy.

3. **Preferences.** Preferences in the sale of workforce housing units shall be given first to persons currently employed in either Mono or Inyo County that meet the Qualified Resident criteria specified in the Town Density Bonus Program policy, and then to current Mono or Inyo County residents, to the extent allowed by law.

B. **Ownership Units – Sales Price Restrictions.** Workforce housing ownership units that are restricted to a specific affordability level in the terms of the project approval shall be offered at sales prices that are considered affordable to the specified affordability level, as those affordability levels are defined in the Town Density Bonus Program policy. The Town, or its designee, shall establish the maximum sales prices for each of these income categories based upon the income limits that the California Department of Housing and Community Development (HCD) issues annually for Mono County.

C. **Workforce Housing Agreement Required.**

1. The Town shall record a Workforce Housing Agreement consistent with the terms in Section 17.138.090 with the Qualified Resident, as that term is defined in the Town Density Bonus Program policy, concurrently with the recording of each grant deed transferring title to a workforce housing unit subject to this Section to a Qualified Household, as that term is defined in the Town Density Bonus Program policy. The Workforce Housing Agreement shall provide the Town, for the term specified in Subparagraph D.5, below, with a first right to purchase the unit upon resale.

2. The Workforce Housing Agreement shall permit the Town to assign its rights to purchase the units under that Agreement to a Qualified Household, as that term is defined in the Town Density Bonus Program policy, to purchase the unit.

3. In all cases where the Town exercises its rights to purchase the units, the units shall be conveyed to, or purchased by, a Qualified Household, as that term is defined in the Town Density Bonus Program policy, in compliance with the designation of the unit in the project approvals and as determined by the Town in compliance with the Town Density Bonus Program policy.

4. The Workforce Housing Agreement for each unit shall reserve the unit for purchase by the Town or its assignee and for resale only to Qualified Households, as that term is defined by Town Density Bonus Program policy and the project approvals, for a minimum of 55 years, or for a longer period if required by the project approvals. A new term shall commence on the recording date of each new Workforce Housing Agreement recorded concurrently with a grant deed transferring title of the designated unit to a Qualified Household, as that term is defined in the Town Density Bonus Program policy.

- D. **Administrative Fees.** The Town, or its designee, may collect an administrative fee, as the Town may establish from time to time, at close of escrow of the sale and resale of each workforce housing ownership unit, to recover the costs of its obligations under this Section.

17.138.080 – Rental Unit Occupancy and Long-Term Restrictions

Each workforce housing rental unit that qualified the project for a density bonus and other incentives and/or concessions pursuant to this Chapter shall comply with all of the requirements of this Section.

A. Rental Unit – Occupancy Requirements.

1. **Eligibility Requirements.** A workforce housing rental unit shall be rented only to a household certified by the Town, or its designee, as meeting the eligibility requirements designated by the terms of the project approval, and which also comply with all of the following requirements:
 - a. The unit shall be rented by a Qualified Household, as that term is defined in the Town Density Bonus Program policy.
 - b. At least one (1) occupant of the unit shall be a Qualified Resident, as that term is defined in the Town Density Bonus Program policy, and shall occupy the unit as his or her principal place of residence.
 - c. If the workforce housing rental unit is restricted to a specific affordability level in the terms of the project approvals, the annual household income, adjusted for household size, shall be required to be equal to or less than the income limits established in the Town Density Bonus Program policy for the applicable affordability level.
2. **Tenant Certification and Selection.** Workforce housing rental units shall be rented only to households certified by the Town, or its designee, as satisfying the eligibility requirements specified in Section 17.138.080.A.1, above. Developer, as that term is defined in the Town Density Bonus Program policy, shall use commercially reasonable efforts to market the units to Qualified Residents, as that term is defined in the Town Density Bonus Program policy. Prior to initial marketing of the units, Developer shall provide the Town copies of its marketing and outreach plan which the Town shall approve or disapprove within thirty (30) days of receipt. The marketing plan shall identify and detail the process to be used for the marketing of the workforce housing rental units to Qualified Residents, as that term is defined in the Town Density Bonus Program policy.
3. **Preferences.** Preference in the rental of workforce housing units shall be given first to persons currently employed in either Mono or Inyo County that meet the Qualified Resident criteria specified in the Town Density Bonus Program policy, and then to current Mono or Inyo County residents, to the extent allowed by law.

- B. **Workforce Housing Rental Unit Restrictions.** Each workforce housing rental unit that is restricted to a specific affordability level in the terms of the project approval shall be offered at a rent level that is considered affordable to the specified affordability level as defined in the Town Density Bonus Program policy. The maximum rental rates shall be established annually by the Town, or its designee, based upon the income limits that the California Department of Housing and Community Development (HCD) issues annually for Mono County. A utility allowance will be deducted from the maximum affordable rent so that the monthly housing

costs (rent plus tenant-paid utilities) do not exceed thirty percent of the area median income for the specified affordability level, as established by HCD, adjusted for assumed household size.

- C. **Term of Rental Restrictions.** Each required workforce housing unit shall be reserved for Qualified Households, as that term is defined in the Town Density Bonus Program policy, for a minimum of 55 years, or for a longer period if required by the project approvals. The rental restriction term shall commence on the date of issuance of the certificate of occupancy for the workforce housing unit.
- D. **Rental Unit Monitoring.** The Town, or its designee, shall monitor the rental of workforce housing units for compliance with the Workforce Housing Agreement and the provisions of this Chapter. On an annual basis, the Town, or its designee, may collect a monitoring fee, as the Town may establish from time to time, for the monitoring of each rental unit subject to the Workforce Housing Agreement, to recover the costs of its obligations under this Section.

17.138.090 – Workforce Housing Agreement

- A. **Agreement Required.** The obligations assumed by an applicant or property owner in exchange for the density bonus in compliance with this Chapter shall be secured by a recorded Workforce Housing Agreement executed by the property owner and the Town, and recorded before the recordation of a final map or issuance of the first building permit for the designated dwelling units, whichever occurs first. The agreement shall be in a form approved by the Department and Town Attorney and shall be consistent with any construction or mortgage financing assistance program, mortgage insurance program, rental subsidy program, or other similar grant program requirements or terms. The agreement shall be binding on all future owners, developers, and/or successors-in-interest for the specified term.
- B. **Agreement Contents.** A Workforce Housing Agreement shall contain provisions that implement all requirements of this Chapter, as applicable to the specific project. The agreement shall also include the following provisions, and/or any additional requirements required by the review authority.
 - 1. **Occupancy Standards.** The agreement shall include provisions that specify:
 - a. If restricted to a specific affordability level, the income eligibility criteria for defining housing unit affordability;
 - b. If restricted to a specific affordability level, the actual affordable sales prices or rents for affordable units, as determined by the Town, or its designee, in accordance with this Chapter. The agreement shall also provide that the Town may from time to time revise the sales prices and rent limits in response to changes in income limits, monthly housing costs, and the real estate market. Monthly housing costs for workforce housing ownership units shall include mortgage payments, property taxes, homeowners insurance and, as applicable, homeowner’s association dues and primate mortgage insurance. Monthly housing costs for workforce housing rental units shall include the rent plus any tenant-paid utilities;
 - c. Criteria for the certification and selection of buyers or renters, as applicable.
 - 2. **Sale, Resale, and Rental Restrictions.** The agreement shall include provisions that specify:

- a. A guarantee of sale or rent to Qualified Households, as that term is defined by the Town Density Bonus Program policy, and continued availability of all units designated as workforce housing units for a minimum of 55 years, or for a longer term if required by the project approvals.
 - b. For units that will be workforce housing ownership units, a provision restricting the sale of the workforce housing ownership unit to Qualified Households, as that term is defined by the Town Density Bonus Program policy.
 - c. For units that will be purchased as investment properties for rental purposes, a provision restricting the rental of the unit to Qualified Households, as that term is defined by the Town Density Bonus Program policy; and
 - d. A provision that the sale of a dwelling designated as a Workforce Housing Unit shall include an assignable Workforce Housing Agreement granting the Town, or its designee, the first right of refusal to purchase the unit at the time of subsequent sale as specified in the Town Density Bonus Program policy.
3. **Fees.** The agreement shall include a provision that the Town, or its designee, receive all applicable fees as may be established by Resolution of the Council from time to time, including, but not limited to, monitoring fees for rental units and administrative fees at sale and resale of ownership units subject to this Chapter.
 4. **Enforcement and Recovery of Costs.** The agreement shall include a provision that provides for enforcement of the agreement by the Town and that entitles the Town to recover reasonable attorney's fees (including Town Attorney fees), investigation and litigation expenses, and any related staff costs associated with enforcing the Agreement.

Chapter 17.140 – Affordable Housing Density Bonuses and Incentives - State Density Bonus Program

17.140.010 – Purpose of Chapter

As required by State law, this chapter offers density bonuses and incentives or concessions for the development of housing that is affordable to the types of households and qualifying residents identified in Section 17.140.020 (Eligibility for Bonus, Incentives, or Concessions), below. This Chapter is intended to implement the requirements of Government Code Section 65915 et seq., or as may be amended, and the Housing Element of the General Plan. The bonuses for affordable housing in this Chapter are distinguished from, and are mutually exclusive of, other density bonuses available to projects that provide workforce housing pursuant to the Town density bonus program described in Chapter 17.138. Developers may apply for a density bonus and other incentives, if eligible, pursuant to either Chapter 17.138 or this Chapter, but not both.

Chapter 17.148 – Definitions

Affordable Housing Concession or Incentive. A development incentive or concession that shall be provided to a qualifying development in accordance with Chapter 17.138 or Chapter 17.140 and State Housing Density Bonus law (Government Code 65915 et. seq.).

Affordable Housing Density Bonus – State Density Bonus. A density increase over the otherwise maximum allowable residential density under the applicable zone and designation of the Land Use Element of the General Plan as of the date of the application by the applicant to the Town, as allowed under Government Code 65915 or Article IV (Affordable and Workforce Housing).

Town Density Bonus. A density increase for eligible multi-family residential projects over the otherwise maximum allowable residential density under the applicable zone and designation of the Land Use Element in accordance with the provisions of Chapter 17.138 (Town Density Bonus Program).



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

SPECIAL MEETING AGENDA REQUEST

Print

MEETING DATE February 24, 2020

DEPARTMENT

ADDITIONAL DEPARTMENTS

TIME REQUIRED 20 minutes

PERSONS APPEARING BEFORE THE BOARD

Tony Dublino, Director of Public Works; Nate Greenberg, IT Director

SUBJECT Civic Center Update

AGENDA DESCRIPTION:

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

Weekly update on the County's Civic Center project at 1290 Tavern Road, and efforts to transition from other Mammoth locations into the Civic Center as of June 1, 2020.

RECOMMENDED ACTION:

None; Informational only.

FISCAL IMPACT:

None.

CONTACT NAME: Tony Dublino

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

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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Staff Report

History

Time

Who

Approval

2/21/2020 2:34 PM	County Administrative Office	Yes
2/21/2020 2:34 PM	County Counsel	Yes
2/21/2020 2:35 PM	Finance	Yes



MONO COUNTY

DEPARTMENT OF PUBLIC WORKS

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

Date: February 18, 2020
To: Honorable Chair and Members of the Board of Supervisors
From: Tony Dublino, Director of Public Works
Subject: Mono County Civic Center – Weekly Update

The following information is intended to inform the Board and the public about the current status of the Civic Center project.

Current Status

Construction—Exterior

The building's upper roof is complete. Final trim and roofing on the lower canopies is scheduled for early April.

The final window frames and glazing in the lobby are being placed. One window panel will remain unfinished to provide access for the elevator delivery.

Construction—Interior

Most of the first floor is painted at this time. This week, crews will be placing acoustic tiles and HVAC registers in the ceilings. Installation of doors, flooring, and finish will follow.

The second floor currently has all mechanical systems roughed in with drywall and insulation complete. Crews are now finishing drywall, and painting across the floor.

Both staircases are installed, with finishing welding on the railings being performed. The treads for the lobby staircase will be installed once construction activities have slowed. The east staircase is fully functional.

The electrical room is near complete, with inspections having occurred on the various panels and main switch gear on Friday of last week. Arrangements for permanent power are now being scheduled by SCE.

Construction—Site

The HVAC units are now in place in the mechanical yard, with hookups being performed and tested in the coming weeks. HVAC system will be complete and ready for commissioning March 6th.

The generator is now in place, with hookups to the building underway. The permanent propane connection is still weeks away, so temporary fuel options are being explored to facilitate testing of the unit and connections.

Interagency Coordination

An Agreement regarding funding and maintenance of some of the site improvements is being discussed between CAO Barwick and Town Manager Holler at this time.

Design

The only remaining design work is for the roof snow rails, and the landscaping plan. Both are in process and staff expects to see drafts soon.

Budget and Estimate

The County expects to receive change orders relating to some last-minute changes and adjustments to the building's interior. These changes are expected to increase the project budget in the range of \$25,000.

Schedule

The project is on track with the recently revised schedule. County staff expects to prepare the building for occupancy (moving in furnishings and equipment) during the month of May, with full occupancy and services beginning on Monday, June 1.

Transition Team and Contingency Plans

The transition team remains primarily focused on the surrender of the Sierra Center Mall premises prior to the expiration of our lease. Though several unknown variables are making the exact timing of the move difficult still, the expectation is to have all services currently housed in Sierra Center Mall relocated to the Civic Center by June 1, 2020.

In support of this, Dave Wilbrecht and Nate Greenberg continue to coordinate with Reno Business Interiors around individual department space design, associated furniture needs, and the overall coordination and scheduling of the move.

If you have any questions regarding this item, please contact Tony Dublino at tdublino@mono.ca.gov (760) 932-5459.

Respectfully submitted,



Tony Dublino / Director of Public Works



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

SPECIAL MEETING AGENDA REQUEST

Print

MEETING DATE	February 24, 2020	DEPARTMENT	
ADDITIONAL DEPARTMENTS			
TIME REQUIRED	10 minutes	PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Board Reports		

AGENDA DESCRIPTION:

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

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

RECOMMENDED ACTION:

None, informational only.

FISCAL IMPACT:

None.

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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History

Time	Who	Approval
2/21/2020 11:19 AM	County Administrative Office	Yes

2/21/2020 9:59 AM

County Counsel

Yes

2/21/2020 2:16 PM

Finance

Yes



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

SPECIAL MEETING AGENDA REQUEST

Print

MEETING DATE	February 24, 2020	DEPARTMENT	
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Closed Session - Real Property Negotiations		

AGENDA DESCRIPTION:

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

CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code section 54956.8. Property: 452 Old Mammoth Road, Mammoth Lakes. Agency negotiators: Dave Wilbrecht and Shields Richardson. Negotiating parties: Mono County and 452 OM RD., Investors, LLC. Under negotiation: Price and terms of lease.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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History

Time	Who	Approval
2/21/2020 11:20 AM	County Administrative Office	Yes

2/21/2020 10:00 AM

County Counsel

Yes

2/21/2020 2:16 PM

Finance

Yes



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

SPECIAL MEETING AGENDA REQUEST

Print

MEETING DATE	February 24, 2020	DEPARTMENT	
ADDITIONAL DEPARTMENTS			
TIME REQUIRED	County Administrative Office, County Counsel's Office	PERSONS APPEARING BEFORE THE BOARD	Steve Barwick, Dave Wilbrecht, Stacey Simon, Jason Canger
SUBJECT	Fourth Amendment to Sierra Center Mall Lease		

AGENDA DESCRIPTION:

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

Execution or Ratification of Fourth Amendment to Lease at Sierra Center Mall for County Office Space.

RECOMMENDED ACTION:

Authorize Chair of the Board of Supervisors to execute or ratify Fourth Amendment to Lease at Sierra Center Mall.

FISCAL IMPACT:

The lease amount is \$15,000 per month in addition to current rent and current common area maintenance (CAM) charge. There is enough budget in the Civic Center Project for FY 2019-20 to cover the additional rent. Some portion of the increase may be chargeable against federal and state programs operated by Social Services and Behavioral Health. Both Departments have enough budget to cover any share of the increase.

CONTACT NAME: Jason Canger

PHONE/EMAIL: (760) 924-1712 / jcanger@mono.ca.gov

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p> Staff Report - Fourth Amendment to SCM Lease</p>

History

Time	Who	Approval
2/21/2020 11:20 AM	County Administrative Office	Yes
2/21/2020 11:04 AM	County Counsel	Yes
2/21/2020 2:16 PM	Finance	Yes

County Counsel
Stacey Simon

Assistant County Counsels
Anne M. Larsen
Christian E. Milovich

Deputy County Counsel
Jason Canger

OFFICE OF THE
COUNTY COUNSEL

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

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

Paralegal
Jenny Lucas

TO: Mono County Board of Supervisors
FROM: Jason Canger, Deputy County Counsel
DATE: February 24, 2020
RE: STAFF REPORT – Fourth Amendment to Sierra Center Mall Lease

Description

Proposed fourth amendment to lease with 452 OM RD Investors, LLC, to extend the term of the County's lease of office space at the Sierra Center Mall through May 31, 2020.

Recommended Action

Authorize the Chair of the Board of Supervisors to execute or ratify fourth amendment to lease with 452 OM RD Investors, LLC, to extend the term of the County's lease of office space at the Sierra Center Mall through May 31, 2020. Provide any desired direction to staff.

Fiscal Impact

The lease amount is \$15,000 per month in addition to current rent and current charges for common area maintenance (CAM) fees. There is enough budget in the Civic Center Project for FY 2019-20 to cover the additional rent. Some portion of the increase may be chargeable against federal and state programs operated by Social Services and Behavioral Health. Both Departments have enough budget to cover any share of the increase.

Discussion

The County leases office space for several departments at the Sierra Center Mall. The term of that lease, between the County and 452 OM RD Investors, LLC, expires on March 31, 2020. However, construction of the Mono County Civic Center will not be complete until sometime after March 31, most likely near the beginning of May 2020. In order to address this gap, the County began discussing the Sierra Center Mall owners the possibility of extending the County's lease and also identifying other temporary office space in the Mammoth Lakes area that county staff might move temporarily to until the Civic Center is complete and ready for occupancy.

Over the past couple weeks, discussion between the County and the Sierra Center Mall owners has progressed. Currently, there is tentative agreement between the parties that any extension of the County's lease will be for an additional two months (April and May 2020) and

Mono County Board of Supervisors

RE: STAFF REPORT – Fourth Amendment to Sierra Center Mall Lease

February 24, 2020

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cost \$15,000.00 per month in addition to the County's current rent and charges for common area maintenance (CAM). To date, the County and the Sierra Center Mall owners have exchanged drafts of the lease amendment, each of which continues to include the above basic extended term and rent amount. The different drafts each include additions/deletions and other smaller points that the County wishes to see included/omitted and addressed as well as additions/deletions and other points that the Sierra Center Mall owners wish to see included/omitted and addressed. However, to date, the parties have generally agreed, and continue to agree, that any Fourth Amendment should include the basic terms/conditions discussed above, i.e., a two-month extension period at a cost of \$15,000 per month in addition to current rent and current charges for CAM fees.

As of the drafting of this staff report, however, the parties have not agreed to the terms/conditions to be included in a final Fourth Amendment. Review and drafting of any amendment have been delayed over the past week by the existing schedule of the attorney representing the Sierra Center Mall owners. The last amendment shared between the parties was drafted by the County and shared with the Sierra Center Mall owners on Monday, February 18. Over the past week, staff has continued to discuss and make progress on amendment terms/conditions with the Sierra Center Mall owners. At this time, however, staff does not have a new or revised amendment to share with the Board and anticipates that that new or revised draft amendment may contain new or revised terms/conditions. Accordingly, no draft Fourth Amendment is being attached to this agenda item or staff report. Staff will "walk on" and present any new or revised draft Fourth Amendment to the Board at its February 24 meeting for consideration if any such amendment is finalized over the weekend.



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

SPECIAL MEETING AGENDA REQUEST

Print

MEETING DATE	February 24, 2020	DEPARTMENT	
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Closed Session - Existing Litigation		

AGENDA DESCRIPTION:

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

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

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

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

History

Time

Who

Approval



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

SPECIAL MEETING AGENDA REQUEST

Print

MEETING DATE	February 24, 2020	DEPARTMENT	
ADDITIONAL DEPARTMENTS			
TIME REQUIRED		PERSONS APPEARING BEFORE THE BOARD	
SUBJECT	Closed Session - Public Employment		

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: /

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

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