



AGENDA

BOARD OF SUPERVISORS, COUNTY OF MONO STATE OF CALIFORNIA

Regular Meetings: First, Second, and Third Tuesday of each month. Location of meeting is specified below.
Teleconference Only - No Physical Location

Regular Meeting April 12, 2022

TELECONFERENCE INFORMATION

This meeting will be held via teleconferencing with members of the Board attending from separate remote locations. As authorized by AB 361, dated September 16, 2021, a local agency may use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency and local officials have recommended or imposed measures to promote social distancing or the body cannot meet safely in person and the legislative body has made such findings.

Members of the public may participate via the Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below. If you are unable to join the Zoom Webinar of the Board meeting, you may still view the live stream of the meeting by visiting
http://monocounty.granicus.com/MediaPlayer.php?publish_id=e42e610c-7f06-4b97-b1d6-739b1ff28cf8

To join the meeting by computer:

Visit <https://monocounty.zoom.us/j/81427136936>

Or visit <https://www.zoom.us/>, click on "Join A Meeting" and enter the Zoom Webinar ID 814 2713 6936 .

To provide public comment, press the "Raise Hand" button on your screen.

To join the meeting by telephone:

Dial (669) 900-6833, then enter Zoom Webinar ID 814 2713 6936.

To provide public comment, press *9 to raise your hand and *6 to mute/unmute.

NOTE: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (760) 932-5530 or bos@mono.ca.gov. 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 online at <http://monocounty.ca.gov/bos>. 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 and online.

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

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.) Please refer to the Teleconference Information section to determine how to make public comment for this meeting via Zoom.

2. RECOGNITIONS

A. Child Abuse Prevention and Sexual Assault Awareness Month

Departments: Social Services, Wild Iris, and Child Abuse Prevention Council (CAPC)

10 minutes

(Michelle Raust, Social Services; Courtney Powell-Walsh, CAPC; Caitlin Rea, Wild Iris) - Proposed resolution: To proclaim April 2022 as Child Abuse Prevention and Sexual Assault Awareness Month.

Recommended Action: Adopt proposed resolution. Provide any desired direction to staff.

Fiscal Impact: None

B. Recognizing Milestone Anniversaries of County Colleagues

Departments: CAO

30 minutes

(Robert Lawton; Various Department Heads) - Recognize those County employees who reached milestone work anniversaries (5 year increments) during the calendar year 2021. County employees reaching milestone anniversaries during 2022 will be recognized on April 19.

Recommended Action: Conduct recognition ceremony

Fiscal Impact: None.

3. COUNTY ADMINISTRATIVE OFFICER

CAO Report regarding Board Assignments

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

4. DEPARTMENT/COMMISSION REPORTS

Receive brief oral report on emerging issues and/or activities.

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. **Long Valley Hydrologic Monitoring Funding Agreements**

(Nick Criss, Code Enforcement Officer) - Joint funding agreement between Mono County and the U.S. Geological Survey (USGS) and corresponding reimbursement agreement between Mono County and Ormat Nevada, Inc. pertaining to Long Valley hydrological monitoring activities conducted by the U.S. Geological Survey (USGS) as required by various conditions of approval for Ormat geothermal operations in Long Valley.

Recommended Action: Approve, and authorize Community Development Director to sign, Joint Funding Agreement with USGS and reimbursement agreement between Ormat and Mono County to fund hydrological monitoring activities for November 1, 2021, through October 31, 2022 in a not-to-exceed amount of \$112,103.

Fiscal Impact: Minor costs for staff time, which are provided for in the Community Development Department budgets. The proposed agreement commits Ormat to fund \$112,103 in hard costs for the FY 21-22 USGS well monitoring program.

6. **CORRESPONDENCE RECEIVED - NONE**

Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

7. **REGULAR AGENDA - MORNING**

A. **COVID-19 (Coronavirus) Update**

15 minutes

(Robert C. Lawton, CAO, Bryan Wheeler, Public Health Director, Dr. Caryn Slack, Public Health Officer) - Update on Countywide response and planning related to the COVID-19 pandemic.

Recommended Action: None, informational only.

Fiscal Impact: None

B. **Budget Adjustments for Board Approval**

Departments: CAO, Finance

10 minutes

(John Craig Assistant CAO; Megan Mahaffey, Accountant III) - This item is to approve Mid-Year budget adjustments which were requested by Public Works

and the Sheriff's Department as part of the Mid-Year Budget process, but were not included in the presentation of Mid-Year adjustments on February 22, 2022. We are presenting them today because they were not presented to the Board at that time.

Recommended Action: Approve proposed budget adjustments. (4/5ths vote required)

Fiscal Impact: The adjustments to the Sheriffs General Fund budget lines and Public Works Funds 103 and 615 budget lines result in increasing the revenues of those budget units and as the increased expenditures match the increased revenues, so there is no fiscal impact.

C. Mono County Budget Policy

Departments: CAO, Finance

20 minutes

(Robert C. Lawton, CAO; John Craig, ACAO; Megan Mahaffey, Accountant III) - Review and discuss changes to current policy for 2022-2023 Budget development.

Recommended Action: Adopt revisions to Budget Policy for 2022-2023.

Fiscal Impact: None

D. Mountain View Fire Update and Review of Emergency Declarations

10 minutes

(Justin Nalder, MVF EOC Director) - Review of continuing need for Board of Supervisor's November 17, 2020, Declaration of Local Emergency of and Mono County Health Officer's November 19, 2020, Declaration of Local Health Emergency for the Mountain View Fire.

Recommended Action: Hear report from Incident Command and involved staff regarding status of Mountain View Fire response and recovery efforts. Find that there is a need to continue the local state of emergency declared on November 17, 2020 and/or the local health emergency declared on November 19, 2020 (ratified by the Board on November 24, 2020).

Fiscal Impact: Continuation of the declared emergencies supports the County's eligibility for state disaster assistance while debris efforts are still underway. Debris removal costs are eligible for reimbursement only when there is an immediate threat to public health and safety.

E. Workshop Re Mono County Code Chapter 20.10 (Open Range)

Departments: County Counsel

15 minutes

(Nate Reade, Agricultural Commissioner; Stacey Simon, County Counsel) -

Presentation by staff regarding potential updates to the recently-enacted Mono County Code Chapter 20.10 ("Open Range") to substitute maps for legal descriptions and Access Point Name (APN) and verify that lands originally designated as not primarily for grazing in 1979 and/or 1987 are appropriately excluded from open range designation.

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

Fiscal Impact: None

8. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

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.) Please refer to the Teleconference Information section to determine how to make public comment for this meeting via Zoom.

9. CLOSED SESSION

A. Closed Session - Labor Negotiations

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Janet Dutcher, John Craig, Patty Francisco, and Oliver Yee. 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 Correctional Deputy Sheriffs' Association. Unrepresented employees: All.

B. Closed Session - Public Employee Evaluation

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

C. Closed Session - Initiation of Litigation

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

THE AFTERNOON SESSION WILL RECONVENE FOLLOWING CLOSED SESSION OR, IF TIME ALLOWS, ITEMS MAY BE TAKEN UP DURING THE MORNING SESSION PRIOR TO CLOSED SESSION.

10. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

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.) Please refer to the Teleconference Information section to determine how to make public comment for this meeting via Zoom.

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 April 12, 2022

Departments: Social Services, Wild Iris, and Child Abuse Prevention Council (CAPC)

TIME REQUIRED 10 minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

Michelle Raust, Social Services;
Courtney Powell-Walsh, CAPC; Caitlin
Rea, Wild Iris

SUBJECT Child Abuse Prevention and Sexual
Assault Awareness Month

AGENDA DESCRIPTION:

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

Proposed resolution: To proclaim April 2022 as Child Abuse Prevention and Sexual Assault Awareness Month.

RECOMMENDED ACTION:

Adopt proposed resolution. Provide any desired direction to staff.

FISCAL IMPACT:

None

CONTACT NAME: Michelle Raust

PHONE/EMAIL: 760-924-1758 / mraust@mono.ca.gov

SEND COPIES TO:

Michelle Raust

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Resolution-Child Abuse Prevention Month
<input type="checkbox"/> Sexual Assault Awareness Month

History

Time	Who	Approval
3/30/2022 10:37 AM	County Counsel	Yes
3/30/2022 12:04 PM	Finance	Yes

4/8/2022 2:53 PM

County Administrative Office

Yes



R22-_____

A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS

WHEREAS, there are approximately 8 victims of child maltreatment per 1,000 children per year in the United States, according to 2020 federal data;

WHEREAS, Child Abuse Prevention Month calls attention to all children, our most vulnerable community members, and most vital resource to our community's future;

WHEREAS, early childhood trauma has a lifelong impact on physical and mental health, including healthy brain development;

WHEREAS, all children deserve to have safe, stable, nurturing homes and communities that foster healthy growth and development;

WHEREAS, child abuse and neglect can be prevented in Mono County through partnerships between community members, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community;

WHEREAS, the Child Abuse Prevention Council (CAPC) requests public support as they continue efforts to bring real hope for ending child abuse in Mono County;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES that: in recognition of the important work done by the Mono County CAPC, the Department of Social Services, and all child-serving service providers, Mono County Board of Supervisors proclaims April 2022 as Child Abuse Prevention Month.

PASSED, APPROVED and ADOPTED this 12th day of April 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bob Gardner, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Clerk of the Board

County Counsel



R22 - __

**A RESOLUTION OF THE MONO COUNTY
BOARD OF SUPERVISORS**

WHEREAS, rape, sexual assault and sexual harassment harm our community, and statistics show that 1 in 6 women and 1 in 33 men will experience attempted or completed rape during their lifetime;

WHEREAS, youth ages 12-17 are 2.3 times as likely to be victims of rape or sexual assault than adults;

WHEREAS, survivors of violence should have access to compassionate, competent services including: medical, legal, counseling, and transitional housing so that they can heal from the abuse;

WHEREAS, sexual abusers should be punished to the full extent of the law;

WHEREAS, prevention of violence is possible through education, awareness, community involvement and speaking out against harmful attitudes and actions;

WHEREAS, and it is time for all residents of Mono County to take action to create a safer environment for all and make ending sexual assault a priority;

WHEREAS, it is important to recognize the compassion and dedication of the individuals who provide services to victims of sexual assault and work to increase public understanding of this significant problem;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO RESOLVES that: in recognition of the important work done by Wild Iris and all victims' service providers, Mono County Board of Supervisors proclaims April 2022 as Sexual Assault Awareness Month.

PASSED, APPROVED and ADOPTED this 12th day of April 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bob Gardner, 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 April 12, 2022

Departments: CAO

TIME REQUIRED 30 minutes

**PERSONS
APPEARING
BEFORE THE
BOARD**

Robert Lawton; Various Department
Heads

SUBJECT Recognizing Milestone Anniversaries
of County Colleagues

AGENDA DESCRIPTION:

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

Recognize those County employees who reached milestone work anniversaries (5 year increments) during the calendar year 2021. County employees reaching milestone anniversaries during 2022 will be recognized on April 19.

RECOMMENDED ACTION:

Conduct recognition ceremony

FISCAL IMPACT:

None.

CONTACT NAME: Cheyenne Stone

PHONE/EMAIL: 760-932-5408 / cstone@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
2020 - 2021 County Employee Recognitions

History

Time	Who	Approval
4/7/2022 2:16 PM	County Counsel	Yes
4/7/2022 10:46 AM	Finance	Yes
4/8/2022 2:53 PM	County Administrative Office	Yes

Colleague Recognition



MONO
C O U N T Y
C A L I F O R N I A

Thank you for your dedicated service to
the County of M ono!

Tuesday, April 12, 2022

Board of Supervisors Meeting 9:00 A.M.

Board of Supervisors - Bob Gardner, Chair

County Administrative Officer - Bob Lawton

National County Government Month - April 12,
2022

This year's theme: Counties **THRIVE**

1. **Technology**—equipping counties to expand broadband access to ensure all residents can learn, do business, and communicate effectively.
2. **Health**—improving our overall health and well-being.
3. **Readiness**—preparing the county workforce to gain the skills they need.
4. **Infrastructure**—strengthening resilience and the backbone of our communities.
5. **Vulnerable communities**—advancing equity, strengthening the safety net, and ensuring that our residents have the help they need.
6. **Economic opportunities**—creating conditions for all of us to compete in the 21st century economy.

Department Head Introductions (3-5 minutes)

During this time, when their departments are announced, colleagues are asked to raise hands on the Zoom platform and to remain on until the next department is called.

2020/2021 Honorees

Animal Services

Malinda Huggans - 5 years

Board of Supervisors

Stacy Corless - 5 years

Behavioral Health

Debra Stewart - 20 years

Amanda Greenberg - 5 years

Sofia Flores - 5 years

Community Development

Michael Draper - 5 years

County Counsel

Anne Frievalt - 5

years

District Attorney

Christopher Callinan - 15

years

Emergency Medical Services

Aaron Rowley - 20 years

Connor Polcyn - 5 years

Heather Hensler - 5 years

Luke Lydiard - 15 years

Finance

Kimberly Bunn - 15

years

Janelle Mills - 5 years

Janet Dutcher - 5 years

Julie Rhodes - 5 years

IT/Support

Jami Jerrett - 20 years

Kirk Hartstrom - 15 years

Probation

Erin Knight - 15 years

Public Health

Amber Reigle - 15 years

Jill Kearney - 10 years

Nancy Cruz-Garcia - 10 years

Bryan Wheeler - 5 years

Public Works

Jason Small - 20 years

Jamie Morley - 15 years

John Hauter - 10 years

Moises Cornejo - 10 years

Lucio Gonzales - 5 years

Eric Eilts - 5 years

Sheriff

Magdaleno "Nino"

Hernandez - 15 years

Seth Clark - 15 years

John Pelichowski - 15

years

Alejandro Flores - 10

years

Arleen Mills - 10 years

Chad Casanova - 10 years

Krystyl Belcher - 10 years

Brent Gillespie - 5 years

Social Services

Francisca Avitia - 25

years

Patricia Morales - 15

years

Patricia Espinosa - 10

years

Pedro Figueroa - 5 years

Michelle Raust - 5 years

Krista Cooper - 5 years

Raymond Gaffney - 5 years



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

REGULAR AGENDA REQUEST

Print

MEETING DATE April 12, 2022

TIME REQUIRED

**PERSONS
APPEARING
BEFORE THE
BOARD**

Nick Criss, Code Enforcement Officer

SUBJECT Long Valley Hydrologic Monitoring
Funding Agreements

AGENDA DESCRIPTION:

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

Joint funding agreement between Mono County and the U.S. Geological Survey (USGS) and corresponding reimbursement agreement between Mono County and Ormat Nevada, Inc. pertaining to Long Valley hydrological monitoring activities conducted by the U.S. Geological Survey (USGS) as required by various conditions of approval for Ormat geothermal operations in Long Valley.

RECOMMENDED ACTION:

Approve, and authorize Community Development Director to sign, Joint Funding Agreement with USGS and reimbursement agreement between Ormat and Mono County to fund hydrological monitoring activities for November 1, 2021, through October 31, 2022 in a not-to-exceed amount of \$112,103.

FISCAL IMPACT:

Minor costs for staff time, which are provided for in the Community Development Department budgets. The proposed agreement commits Ormat to fund \$112,103 in hard costs for the FY 21-22 USGS well monitoring program.

CONTACT NAME: Nick Criss

PHONE/EMAIL: 7609241826 / ncriss@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
staff report
USGS Joint Funding Agreement
Ormat/Mono County Agreement

History

Time	Who	Approval
4/6/2022 11:55 AM	County Counsel	Yes
4/6/2022 12:54 PM	Finance	Yes
4/8/2022 2:53 PM	County Administrative Office	Yes

Mono County Community Development Department

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

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

April 12, 2022

To: Board of Supervisors
From: Nick Criss, Code Enforcement Officer
Re: LONG VALLEY HYDROLOGIC MONITORING FUNDING AGREEMENTS

Recommendation

Authorize Community Development Director to sign the United States Geological Survey (USGS) Joint Funding Agreement (JFA) 22ZGJFA60095610 and the 2022 agreement with ORMAT to fund the Long Valley hydrologic monitoring program for Fiscal Year (FY) 21-22.

Fiscal Impact

Minor costs for staff time, which are provided for in the Community Development Department budgets. The proposed agreement commits Ormat to fund \$112,103 in hard costs for the FY 21-22 USGS well monitoring program.

Discussion

A court-ordered Settlement Agreement 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.

This is an annual funding agreement approved by the Board every year for this program.

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

Attachments

- Ormat 2022 Agreement
- USGS Joint Funding Agreement 22ZGJFA60095610



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
California Water Science Center
6000 J Street, Placer Hall
Sacramento, CA 95819

November 16, 2021

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

Dear Ms. 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, 2021 to October 31, 2022.

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 quarterly 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 two wells CH10B (373930118491602), LV-19 (373754118501701), to calibrate the water-level transducers. Daily values (median) of water-level depth below land surface will be computed from hourly data (LV-19) 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.

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 \$135,060. Of this total cost Mono County will contribute \$112,103 and, subject to the availability of cooperative matching funds, the USGS will contribute \$22,957.

Enclosed is a digital version of Joint Funding Agreement (JFA) 22ZGJFA60095610, 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 via email. 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 December 16, 2021.

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
REICHARD**

Eric G. Reichard
Director, USGS California Water Science Center

Digitally signed by ERIC
REICHARD
Date: 2021.11.16 14:21:36
-08'00'

Enclosures

cc: Jim Howle, USGS CAWSC

Form 9-1366
(May 2018)

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

Customer #: 6000000956
Agreement #: 22ZGJFA60095610
Project #: ZG009GE
TIN #: 95-6005661
Fixed Cost Agreement YES

JOINT FUNDING AGREEMENT

FOR

WATER RESOURCES INVESTIGATIONS

THIS AGREEMENT is entered into as of the, 16th day of November, 2021 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 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
\$22,957.00	November 1, 2021		October 31, 2022
 - (b) by the party of the second part during the period

Amount	Date	to	Date
\$112,103.00	November 1, 2021		October 31, 2022

USGS DUNS is 1761-38857. The amounts in 2(a) and 2(b) are for the Federal Fiscal Year 2022 (FFY22)

 - (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 #: 6000000956 Agreement #: 22ZGJFA60095610

- 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.

<p>U.S. Geological Survey United States Department of the Interior <u>USGS Point of Contact</u></p>	<p>Mono County Community Development Department <u>Customer Point of Contact</u></p>
<p>Name: Irene A. Rios, Budget Analyst Address: 4165 Spruance Rd., Suite 200 San Diego, CA 92101 Telephone: 619-225-6156 Email: iaros@usgs.gov</p>	<p>Name: Ms. Wendy Sugimura, Director Address: 437 Old Mammoth Rd., P.O. Box 2415 Mammoth Lakes, CA 83546 Telephone: 760-924-1800 Email:</p>

Signatures and Date

<p>Signature: ERIC REICHARD Digitally signed by ERIC REICHARD Date: 2021.11.16 14:23:03 -08'00'</p>	<p>Date: _____ Signature: _____ Name: Ms. Wendy Sigimura Title: Director, Mono County CDD</p>
<p>Name: Eric G. Reichard, Title: Director, USGS CA Water Science Center</p>	<p>Name: Ms. Wendy Sigimura Title: Director, Mono County CDD</p>

**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 2022**

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, by letter dated November 16, 2021, the U.S. Geological Survey (“USGS”) has provided County with a joint funding agreement for the period of November 1, 2021 through October 31, 2022 (U.S. Department of the Interior, USGS Agreement No. 21ZGJFA60095610, attached hereto as Exhibit A and incorporated herein by this reference) for data collection associated with hydrologic monitoring (“2021-2022 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 2021-2022 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 2021-2022 Funding Agreement, including any modifications to the 2021-2022 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 receiving a detailed written invoice or request as set forth below, the total amount expended by County under Paragraph 1.

[CONTINUED ON NEXT PAGE]

- 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

- 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 2021-2022 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 2021-2022 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:

[CONTINUED ON NEXT PAGE]

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: Mark Hanneman, Manager
6140 Plumas Street
Reno, NV 89519

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 _____, 2022.

COUNTY OF MONO

By: _____
Print Name: _____
Title: _____
Date: _____

ORMAT NEVADA INC.

By: _____ Date: _____
Print N^o 2022.03.08
Title: Paul A. Thues 11:33:33
Date: _____ -06'00'

APPROVED AS TO FORM:

Mono County Counsel's Office

APPROVED BY RISK MANAGEMENT:

Mono County Risk Manager

EXHIBIT A

USGS AGREEMENT NO. 22ZGJFA60095610

See Attached



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
California Water Science Center
6000 J Street, Placer Hall
Sacramento, CA 95819

November 16, 2021

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

Dear Ms. 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, 2021 to October 31, 2022.

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 quarterly 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 two wells CH10B (373930118491602), LV-19 (373754118501701), to calibrate the water-level transducers. Daily values (median) of water-level depth below land surface will be computed from hourly data (LV-19) 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.

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 \$135,060. Of this total cost Mono County will contribute \$112,103 and, subject to the availability of cooperative matching funds, the USGS will contribute \$22,957.

Enclosed is a digital version of Joint Funding Agreement (JFA) 22ZGJFA60095610, 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 via email. 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 December 16, 2021.

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
REICHARD**

Eric G. Reichard
Director, USGS California Water Science Center

Digitally signed by ERIC
REICHARD
Date: 2021.11.16 14:21:36
-08'00'

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 #: 6000000956
Agreement #: 22ZGJFA60095610
Project #: ZG009GE
TIN #: 95-6005661
Fixed Cost
Agreement YES

THIS AGREEMENT is entered into as of the, 16th day of November, 2021 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 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
\$22,957.00	November 1, 2021		October 31, 2022
 - (b) by the party of the second part during the period

Amount	Date	to	Date
\$112,103.00	November 1, 2021		October 31, 2022

USGS DUNS is 1761-38857. The amounts in 2(a) and 2(b) are for the Federal Fiscal Year 2022 (FFY22)

 - (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 #: 6000000956 Agreement #: 22ZGJFA60095610

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.

<p>U.S. Geological Survey United States Department of the Interior <u>USGS Point of Contact</u></p>	<p>Mono County Community Development Department</p> <p><u>Customer Point of Contact</u></p>
<p>Name: Irene A. Rios, Budget Analyst Address: 4165 Spruance Rd., Suite 200 San Diego, CA 92101 Telephone: 619-225-6156 Email: iaros@usgs.gov</p>	<p>Name: Ms. Wendy Sugimura, Director Address: 437 Old Mammoth Rd., P.O. Box 2415 Mammoth Lakes, CA 83546 Telephone: 760-924-1800 Email:</p>

Signatures and Date

<p>Signature: ERIC REICHARD Digitally signed by ERIC REICHARD Date: 2021.11.16 14:23:03 -08'00'</p>	<p>Date: _____ Signature: _____ Date: _____</p>
<p>Name: Eric G. Reichard, Title: Director, USGS CA Water Science Center</p>	<p>Name: Ms. Wendy Sigimura Title: Director, Mono County CDD</p>



OFFICE OF THE CLERK
OF THE BOARD OF SUPERVISORS

REGULAR AGENDA REQUEST

Print

MEETING DATE April 12, 2022

TIME REQUIRED 15 minutes

SUBJECT COVID-19 (Coronavirus) Update

**PERSONS
APPEARING
BEFORE THE
BOARD**

Robert C. Lawton, CAO, Bryan
Wheeler, Public Health Director, Dr.
Caryn Slack, Public Health Officer

AGENDA DESCRIPTION:

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

Update on Countywide response and planning related to the COVID-19 pandemic.

RECOMMENDED ACTION:

None, informational only.

FISCAL IMPACT:

None

CONTACT NAME: Robert C. Lawton

PHONE/EMAIL: 760-932-5415 / rlawton@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)

No Attachments Available

History

Time	Who	Approval
3/30/2022 10:37 AM	County Counsel	Yes
3/23/2022 9:19 AM	Finance	Yes
4/8/2022 2:52 PM	County Administrative Office	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE April 12, 2022

Departments: CAO, Finance

TIME REQUIRED 10 minutes

SUBJECT Budget Adjustments for Board
Approval

**PERSONS
APPEARING
BEFORE THE
BOARD**

John Craig Assistant CAO; Megan
Mahaffey, Accountant III

AGENDA DESCRIPTION:

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

This item is to approve Mid-Year budget adjustments which were requested by Public Works and the Sheriff's Department as part of the Mid-Year Budget process, but were not included in the presentation of Mid-Year adjustments on February 22, 2022. We are presenting them today because they were not presented to the Board at that time.

RECOMMENDED ACTION:

Approve proposed budget adjustments. (4/5ths vote required)

FISCAL IMPACT:

The adjustments to the Sheriffs General Fund budget lines and Public Works Funds 103 and 615 budget lines result in increasing the revenues of those budget units and as the increased expenditures match the increased revenues, so there is no fiscal impact.

CONTACT NAME: Megan Mahaffey

PHONE/EMAIL: 760-924-1836 / mmahaffey@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Staff Report
<input type="checkbox"/> Adjustments by Budget Unit

History

Time

Who

Approval

4/7/2022 5:34 PM	County Counsel	Yes
4/8/2022 9:26 AM	Finance	Yes
4/8/2022 2:53 PM	County Administrative Office	Yes



COUNTY ADMINISTRATIVE OFFICER

COUNTY OF MONO

Robert C. Lawton
PO Box 696
Bridgeport, CA 93517-0696
(760) 932-5410
rlawton@mono.ca.gov
www.mono.ca.gov

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SHERIFF / CORONER

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Wendy Sugimura

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Scheereen Dedman

COUNTY COUNSEL

Stacey Simon, Esq.

ECONOMIC DEVELOPMENT

Alicia Vennos

EMERGENCY MEDICAL SERVICES

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FINANCE

Janet Dutcher
CPA, GCFM, MPA

INFORMATION TECHNOLOGY

Nate Greenberg

PROBATION

Karin Humiston

PUBLIC HEALTH

Bryan Wheeler

PUBLIC WORKS

Tony Dublino

SOCIAL SERVICES

Kathy Peterson

To: Board of Supervisors
From: Robert C. Lawton, County Administrative Officer
Date: April 12, 2022
Re: Budget Review & Budget Updates

Recommendation

Approve and authorize proposed FY2021-22 budget adjustments, as presented or amended (4/5th vote required).

Background

BUDGET ADJUSTMENTS

These adjustments are subsequent adjustments to the Mid-year changes authorized by the Board on February 22, 2022.

Budget Unit Name	Account Code	Account Name	FY 2020-21 Actuals	FY 2021-22 YTD	FY 2021-22 Adopted Budget	Requested Adjustment	Requested Revised Budget
Public Works							
CONWAY/MATLY RANCH PROPERTY	103-17-735-17010	Miscellaneous Revenue	0.00	1,960.44	3,870.00	25,000.00	28,870.00
CONWAY/MATLY RANCH PROPERTY	103-17-735-31400	Building/Land Maint & Repair	(2,586.30)	(2,425.05)	(8,100.00)	(25,000.00)	(33,100.00)
Mid-Year Public Works Fund 103 Adjustment						\$	-
SOLID WASTE	615-44-755-16199	Charges for Services - Interfund Transfers	19,547.29	397.64	1,000.00	100,000.00	101,000.00
SOLID WASTE	615-44-755-17010	Miscellaneous Revenue	10,171.53	5,058.90	5,000.00	100,000.00	105,000.00
SOLID WASTE	615-44-755-31400	Building/Land Maint & Repair	(14,405.68)	(5,317.36)	(5,000.00)	(5,000.00)	(10,000.00)
SOLID WASTE	615-44-755-32450	Contract Services	(458,837.10)	(208,907.72)	(450,000.00)	(65,000.00)	(515,000.00)
SOLID WASTE	615-44-755-32500	Professional & Specialized Ser	(248,198.90)	(65,133.55)	(237,500.00)	(130,000.00)	(367,500.00)
Mid-Year Public Works Fund 615 Adjustment						\$	-
Sheriff							
BOATING LAW ENFORCEMENT	100-22-445-15801	Ca Dept Of Boating & Waterways	0.00	0.00	0.00	109,850.00	109,850.00
BOATING LAW ENFORCEMENT	100-22-445-53030	Capital Equipment, \$5,000+	0.00	0.00	0.00	(109,850.00)	(109,850.00)
CTHOUSE SECURITY	100-22-455-18100	Operating Transfers In	548,180.84	308,231.02	670,023.00	22,000.00	692,023.00
CTHOUSE SECURITY	100-22-455-21120	Overtime	(1,325.08)	(26,056.34)	(20,000.00)	(22,000.00)	(42,000.00)
CTHOUSE SECURITY	100-22-455-33350	Travel & Training Expense	(11,776.63)	(6,218.74)	(4,100.00)	(2,119.00)	(6,219.00)
CTHOUSE SECURITY	100-22-455-33351	Vehicle Fuel Costs	(3,208.62)	(1,446.86)	(5,148.00)	1,119.00	(4,029.00)
CTHOUSE SECURITY	100-22-455-33360	Motor Pool Expense	(10,885.05)	(4,898.35)	(10,700.00)	1,000.00	(9,700.00)
Mid-Year Sheriff General Fund Adjustment						\$	-



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

REGULAR AGENDA REQUEST

Print

MEETING DATE April 12, 2022

Departments: CAO, Finance

TIME REQUIRED 20 minutes

SUBJECT Mono County Budget Policy

**PERSONS
APPEARING
BEFORE THE
BOARD**

Robert C. Lawton, CAO; John Craig,
ACAO; Megan Mahaffey, Accountant
III

AGENDA DESCRIPTION:

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

Review and discuss changes to current policy for 2022-2023 Budget development.

RECOMMENDED ACTION:

Adopt revisions to Budget Policy for 2022-2023.

FISCAL IMPACT:

None

CONTACT NAME: Megan Mahaffey

PHONE/EMAIL: 760-924-1836 / mmahaffey@mono.ca.gov

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
Staff Report
Budget Policy with track changes 3.22.22

History

Time	Who	Approval
4/6/2022 11:56 AM	County Counsel	Yes
4/6/2022 11:59 AM	Finance	Yes
4/8/2022 2:52 PM	County Administrative Office	Yes



COUNTY ADMINISTRATIVE OFFICER
COUNTY OF MONO
Robert C. Lawton
PO Box 696
Bridgeport, CA 93517-0696
(760) 932-5410
rlawton@mono.ca.gov
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Bryan Wheeler

PUBLIC WORKS

Tony Dublino

SOCIAL SERVICES

Kathy Peterson

Date: April 12, 2022

To: Honorable Board of Supervisors

From: Robert C. Lawton, CAO

Subject: Mono County Budget Policy

Recommended Action:

Adopt Mono County Budget Policy with revisions.

Fiscal Impact:

None.

Discussion:

The Mono County Board of Supervisors adopted the Budget Policy on April 13th 2021. This policy incorporated the Budget Policy from 2011 with the General Fund Contingency Policy. As part of the process of moving the Budget functions into the CAO's office, we have updated the policy to reflect new leadership in the CAO's office for budget development.

Robert C. Lawton
County Administrative Officer

MONO COUNTY

BUDGET POLICY

(adopted May 2011, revised April 2021, revisited April 2022)

INTRODUCTION

The most crucial policy setting action the Mono County Board of Supervisors performs every year is the adoption of a balanced budget. The budget development process takes months and requires collaboration from all its operating departments as well as the Board of Supervisors to propose an integrated spending plan that delivers public services for twelve months. The process includes an estimate of taxpayer resources available for appropriation. These revenues set the limit for required and discretionary spending that support public service delivery efforts. The budget communicates to our citizens their government's priorities for meeting community needs. Yet, budgetary decision-making must support only those efforts that are sustainable and fiscally responsible. The budget focuses all County efforts and ultimately drives employee behavior and decision making.

A budget policy is a shared understanding establishing goals aimed at allocating public resources that efficiently and effectively provide services to citizens and visitors within the County. While not all our shared goals are achievable every fiscal year, the existence of such goals serve to guide the Board of Supervisors in its decision-making. One of Mono County's Strategic Goals is to be fiscally resilient. This demonstrates the importance of financial sustainability beyond adopting a balanced budget as required by law in the County Budget Act. Instead, Mono County aims to adopt a structurally balanced budget where recurring revenues are equal to recurring spending. Once achieved, annual budget surpluses will fund reserves and one-time expenditures. Mono County's objective is to achieve and maintain explicit reserve balances equal to 25% of average General Fund spending.

The County of Mono developed its budget policy out of the experiences of the last three decades. We recognize that maintaining a conservative budget approach and prudently addressing unfunded liabilities while also ensuring the fiscal sustainability of the County's workforce and rebuilding adequate reserves are vital to sound fiscal management and achieving the Mono County Mission: to support all our communities by providing superior services while protecting our unique rural environment.

I. BALANCED BUDGET

- A. The County is required by state law to adopt a budget that is balanced. This means that total appropriations (or annual spending) cannot be more than estimated resources, which includes beginning fund balance plus anticipated revenues). This is the minimum criteria for budget adoption.
- B. The County's goal is to adopt a structurally balanced budget which means that ongoing revenues are at least equal to ongoing spending. This ensures continuation of current services despite cyclical downturns in revenue streams. The elimination of reliance on

MONO COUNTY

BUDGET POLICY

(adopted May 2011, revised April 2021, revisited April 2022)

fund balance to legally balance the budget is a key step towards achieving fiscal resilience.

II. RESERVE BALANCES

Establishing and maintaining adequate reserve balances ensures the County retains the fiscal ability to maintain essential public services when events such as cyclical economic downturns cause temporary revenue losses. Given Mono County's tourism-based economy, the recommended minimum level of reserve balances is 25% of average annual general fund spending. Additional specific reserve accounts should be established as the need for future resources arises to pay for long-term capital, facility, and infrastructure projects.

- A. Establish and maintain a general reserve balance of at least 10% of the average annual general fund expenditures. The purpose of the general reserve balance is to provide spending resources in case of emergencies, as enumerated in Government Code Section 29127 of the County Budget Act. The general reserve is to be carried forward in the budget from year to year. Except in cases of legally declared emergencies, the general reserve is established, cancelled, increased or decreased only at the time the budget is adopted.
- B. Establish and maintain an economic stabilization balance of at least 15% of the average annual general fund expenditures. The purpose of the economic stabilization balance is to provide resources to support the workforce and the delivery of essential public services during an economic downturn having a negative effect on the County's revenues.
- C. When the fiscal year budget permits, the Board will consider placing prior year unspent expenditure contingencies and any portion of the prior year fund balance in the economic stabilization reserve.
- D. As resources become available, the Board of Supervisors will establish additional reserve accounts for the purpose of accumulating funds for specific long-term purposes such as retirement of long-term debt, paying down unfunded liabilities, paying for facility improvements, and funding infrastructure replacement or expansion projects.

III. EXPENDITURE CONTINGENCY ACCOUNT

Each budget shall establish an appropriation for expenditure contingencies at a minimum level of 1% of the budgeted general fund expenditures (but not to exceed 10% of total appropriations) in each fiscal year for unanticipated expenditures. All expenditures from the contingency account are at the discretion of the CAO and Board of Supervisors. As required by State law, any transfer of contingency to another budget unit within the General Fund requires a 4/5ths vote of the Board of Supervisors. For more detail on the

MONO COUNTY

BUDGET POLICY

(adopted May 2011, revised April 2021, revisited April 2022)

expenditure contingency appropriation, please see the General Fund Contingency Appropriation Policy.

IV. GENERAL FUND CONTINGENCY APPROPRIATION POLICY

It is observed that the absence of a specific General Fund (GF) Contingency Appropriation policy contributes to over-estimating of budgeted expenditure amounts and leads to a widening gap between fiscal year budgeted appropriations and actual expenditures where budgeted appropriations at the account level exceed actual expenditures by more than five percent. It is also believed this situation artificially increases the GF structural budget deficit and impacts the Board of Supervisors (BOS) financing decisions. While the County's past budget policy requires adoption of a GF Contingency Appropriation account at a minimum level of 1% of the budgeted GF expenditures, it provides no guidance about the use of this contingency balance during the fiscal year.

This General Fund Contingency Appropriation policy is designed to provide GF departments with the framework to tighten budgetary cost controls at the account level for the purpose of achieving a structurally balanced budget. The objective is to establish and maintain a GF contingency appropriation in each year's budget to accommodate unexpected increases in expenditures, which could not have reasonably been anticipated at the time the budget was developed. It is to provide a margin of safety and a source of temporary funding to GF departments to encourage an attitude of cost control within each account. It is further intended to promote collaborative teamwork in managing the finances of the County's GF.

This section of the policy has five elements as noted below:

1. Scope
2. Compliance with applicable Government Code (GC) sections
3. Establishing the contingency appropriation
4. Use of the contingency appropriation

1. Scope

This policy applies only to the County's General Fund.

The contingency appropriation is not a contingency reserve. A contingency reserve is a budgetary provision setting aside a portion of the GF fund balance (carryover) for an identified purpose. It is not a financing source in the County's annual budget. This policy directs the creation of a contingency appropriation in the County's annual budget and equals the amount which is set aside each year to be appropriated for that year's unforeseen expenditure requirements.

MONO COUNTY

BUDGET POLICY

(adopted May 2011, revised April 2021, revisited April 2022)

2. Compliance with Applicable Government Code Sections

The County shall adhere to the County Budget Act (Act) which is referenced in GC 29000 through GC 29144, and is also included in Appendix B of the County Budget Guide (2010 Edition, Revision #1) issued by the California State Controller's Office. This policy is to be consistent with all provisions of the Act affecting appropriations for contingencies which are restated in this section. This section is provided as a summary only and not meant to be a full recitation of the County Budget Act or laws governing county budgets.

GC 29006: The adopted budget shall include, at a minimum, estimated or actual amounts by fund for ... (d) appropriations for contingencies.

GC 29084: The budget may contain an appropriation(s) for contingencies in such amounts as the BOS deems sufficient.

GC 29125: Transfers and revisions to appropriation for contingencies is made by formal action of the BOS, by a four-fifths vote.

GC 29126: For any appropriation in whole or in part that is not needed, the Board of Supervisors may cancel the unneeded appropriation and transfer the amount to appropriation for contingencies.

3. Establishing the Contingency Appropriation

Subject to BOS approval, the County will establish a GF contingency appropriation with each budget cycle using the guidelines provided in this section.

The amount of the GF contingency appropriation is targeted at a minimum of 1% but no more than 10% of budgeted GF expenditures (not including this GF contingency appropriation).

The GF contingency appropriation will be established and/or adjusted with each budget cycle, will be included as a separate department of the GF budget, and the balance left in the contingency appropriation at the end of each fiscal year will terminate and lapse as a contribution to GF carryover fund balance.

The GF contingency appropriation cannot be more than the following for each budget year:

Total GF funding sources
Less all other GF appropriations
Plus amounts available from GF unassigned fund balance.

MONO COUNTY

BUDGET POLICY

(adopted May 2011, revised April 2021, revisited April 2022)

In times of declining revenues and/or budget deficits, the BOS may temporarily eliminate or reduce the GF contingency appropriation until the fiscal crisis is resolved.

The amount of the contingency appropriation may be adjusted by 4/5ths vote of the BOS at any time during the fiscal year after the adoption of the County's final budget.

4. Use of the Contingency Appropriation

Only GF departments may request use of the contingency appropriation.

The department initiates a request for use of the contingency appropriation in either of two ways:

- By submitting an individual agenda item through the County's agenda software program which must be reviewed by the CAO, County Counsel, and the Finance Department prior to being placed on the Board's agenda. The agenda transmittal must include a statement by the department justifying the use of the contingency appropriation consistent with this policy.
- By requesting the use of the contingency appropriation, as instructed, during the mid-year (or other intra-period) budget review process. The Department must document their justification for the use of the contingency appropriation consistent with this policy.

Transfer from the contingency appropriation must be approved by the BOS with a 4/5ths vote prior to recording the requested transfer.

Use of the contingency appropriation is allowed for the following reasons and circumstances:

- Unforeseen expenditures that could not have been anticipated at the time the annual budget was adopted.
- When the department is impacted by legislative changes not known at the time of budget development and which has a negative impact on the department's expenditures (ie..increases expenditures).
- Increases in expenditures necessary to maintain current service levels.
- Economic events that increase vendor costs such as utility rate increases or an increase in a vendor's rates.
- Unanticipated operational changes.

MONO COUNTY

BUDGET POLICY

(adopted May 2011, revised April 2021, revisited April 2022)

Use of contingency should not be used to fund new expenditures of an on-going nature.

Prior to requesting use of the contingency appropriation, the department must have:

- No unanticipated revenue that has not been appropriated.
- No other appropriations within its own budget which can be reallocated to cover the budget shortfall.
- No other appropriation available in another fund that it controls that can be legally applied to cover the budget shortfall.

V. FUND BALANCES

Government Accounting Standards Board (GASB) Statement Number 54 requires the County to segregate fund balances into five basic categories. These categories are:

1. *Nonspendable fund balance* (such as inventories or prepaid expenditures) is used for amounts that are not in spendable form to segregate them in fund balance so that it cannot be appropriated.
2. *Restricted fund balance* (such as creditors, grant providers or contributors) is used for amounts restricted to specific purposes by external parties.
3. *Committed fund balance* (to cover commitments the Board of Supervisors has made) is used for amounts determined by formal action (i.e., resolution) of the Board of Supervisors to be used for a specific purpose.
4. *Assigned fund balance* (such as covering deficit fund balances) is used for amounts intended to for a specific purpose and can be established by the Board or the CAO.
5. *Unassigned fund balance* (everything not included in the other types of fund balance).

Restricted, committed, assigned, and unassigned fund balance amounts together constitute spendable fund balance and these amounts are available for appropriation and use in balancing next year's budget.

The Finance Director is responsible for segregating each fund balance by category and amount and informing the CAO and the Board of Supervisors of the amount of spendable fund balance available for use in balancing the budget for the upcoming year.

VI. STRATEGIC PLANNING

The County uses a strategic planning process for setting priorities and making budgetary decisions. This allows development, initiation, and funding of new or revised programs over a five-year period, in sync with a comprehensive planning process that establishes

MONO COUNTY

BUDGET POLICY

(adopted May 2011, revised April 2021, revisited April 2022)

the Board's priorities for satisfying long-term community needs. All new or revised services are evaluated within the framework of the five-year strategic plan. The strategic plan is updated every year to span a five-year period.

VII. FISCAL MANAGEMENT

Mono County uses fiscal management principles to ensure resiliency by:

1. Maintaining a conservative budgeting approach. This means to limit budget deficits whenever possible. Concerning revenues, it requires forecasting that is not overly optimistically but instead relies on accepted analytical methodologies such as historical trends and economic indicators as the basis for estimating revenues. Concerning expenditures, it requires limiting spending amounts based on work plans to continue delivery of existing public services.
2. Annually consider reduction of long-term debt and unfunded liabilities.
3. Establish an equitable basis for allocating internal costs to all service users.
4. Review fees periodically. Fees should be calculated to include all actual costs of providing the service, including overhead. Only the Board of Supervisors can decide to set a fee at less than its cost to provide the service. Adjust and establish new fees as needed.
5. Incorporate long-term financial planning into the budget cycle to guide financial decision-making.

Budget adjustments are allowed throughout the fiscal year . Interdepartmental budget adjustment requests of net-0-changes are allowed throughout the year with appropriate approvals (see "Appropriation Transfer Request" form).

Budget adjustments requiring Board of Supervisors approval include:

- a.) Transfers and revisions to the adopted appropriations:
 - i. If between funds, by a four fifths vote.
 - ii. If transfers from appropriation for contingencies, by four fifths vote.
 - iii. If between budget units within a fund if overall appropriations are not increased, by a majority vote
- b.) The board may designate the administrative officer or auditor to approve transfers and revisions of appropriations within a budget unit if overall appropriations of the budget unit are not increased

VIII. INFRASTRUCTURE AND FACILITIES

MONO COUNTY

BUDGET POLICY

(adopted May 2011, revised April 2021, revisited April 2022)

Consider contributions from the general fund, grants and state/federal allocations, annually or whenever available, for the improvement of county infrastructure and facilities. Incorporate plans to improve infrastructure and facilities into long-term plans and prioritize setting aside funds to pay for these projects (but also see the County Debt Policy about borrowing to pay for large projects). Work with regional partners to reduce County costs for maintaining and improving the County infrastructure and facilities which is shared with other jurisdictions.

Plan for new facilities only if operating and maintenance costs for those facilities are fully recognized and accounted for in multi-year financial plans. Provide adequate routine maintenance each year to avoid the higher cost of deferred maintenance.

VIII. NEW SERVICES

Add new services only after identifying a need (see section on strategic planning) and only when adequate resources for staffing and on-going operational funding are available in multi-year financial plans.

IX. GUIDELINES FOR OPERATIONAL EFFICIENCIES

1. Provide County services in the most cost effective and operationally efficient manner.
2. When program funding is cut or eliminated, reduce, or eliminate the program accordingly, unless otherwise mandated.
3. Provide staffing levels that consider multi-year needs, reasonable workload per employee, and minimize the possibility of layoffs or furloughs resulting from inadequate revenues.
4. For special projects or certain expertise in the short-term, utilize temporary employees (not to exceed 1,000 hours) and consultants.
5. Utilize community expertise on a voluntary basis, as appropriate.
6. Ensure that fee-supported services are staffed appropriately to render the services for which customers have paid. Minimize the use of subsidies to support continuation of such services.
7. Work through partnerships, JPA's, and regional relationships to share costs for local programs whenever possible.

MONO COUNTY

BUDGET POLICY

(adopted May 2011, revised April 2021, revisited April 2022)

X. EMPLOYEE DEVELOPMENT

Attract and retain competent employees for the County work force by compensating employees fairly (consistent with smaller rural counties), provide adequate training opportunities, ensure safe working conditions, and maintain a professional work environment. For additional policy direction, see the Compensation Philosophy Statement adopted by the Board of Supervisors.

XI. ECONOMIC DEVELOPMENT

Achieve organized, sustainable community development for the communities and citizens of Mono County through the budget process by providing an expanded and diversified economic base while preserving our scenic beauty, open space, small town charm and historical assets.

XII. BUDGET DEVELOPMENT

A. The County will develop a operating budget with constraints. The budget team estimates resources available, costs out workforce as well as non-discretionary spending. A operating budget with the above fixed costs incorporates the following elements:

1. The same staffing levels and the same allocated classifications as prior year's adopted budget.
2. A-87 charges for applicable departments.
3. Debt Service (Civic Center, Pension Obligation Bond EMS and Pension Rate Stabilization Trust)
4. General Liability Insurance and Workmen's Comp Insurance

B. Internal Service Rates (Motor Pool ISF and Technology Refresh ISF and Insurance ISF)County departments will propose budgets to the CAO's office for review requesting what they need for the following fiscal year.

The CAO will propose a Recommended Budget to the Board of Supervisors considering both resources and Strategic Planning priorities.

C. The role of department heads is to develop a fiscally responsible department budget with consideration of the priorities coming out of the Strategic Plan and consistent with past spending patterns and known revenue sources.

MONO COUNTY

BUDGET POLICY

(adopted May 2011, revised April 2021, revisited April 2022)

- D. .
- E. The role of the CAO, as the County’s chief budget officer, is to recommend a budget to the Board of Supervisors.
- F. The Board will consider the recommended budget during a workshop and provide direction to CAO and staff for changes for the Final Budget.
- G. The general budget development timeline includes:
 - 1. Establish budget calendar – January
 - 2. Develop fixed costs of budget, estimate discretionary revenues, and cost internal services and workforce amounts – February
 - 3. Strategic planning– February
 - 4. Any proposed allocation list changes are submitted for consideration and moratorium is placed on requesting staff changes until budget adoption - March
 - 5. Third quarter evaluation of Budget to Actuals takes place in April
 - 6. Departments submit their proposed budgets and meet one-on-one with the budget development team – April/May
 - 7. Budget workshop with Board to develop recommended budget – May
 - 8. Public hearing and budget adoption – by June 30



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

REGULAR AGENDA REQUEST

Print

MEETING DATE April 12, 2022

TIME REQUIRED 10 minutes

SUBJECT Mountain View Fire Update and
Review of Emergency Declarations

PERSONS APPEARING BEFORE THE BOARD Justin Nalder, MVF EOC Director

AGENDA DESCRIPTION:

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

Review of continuing need for Board of Supervisor's November 17, 2020, Declaration of Local Emergency of and Mono County Health Officer's November 19, 2020, Declaration of Local Health Emergency for the Mountain View Fire.

RECOMMENDED ACTION:

Hear report from Incident Command and involved staff regarding status of Mountain View Fire response and recovery efforts. Find that there is a need to continue the local state of emergency declared on November 17, 2020 and/or the local health emergency declared on November 19, 2020 (ratified by the Board on November 24, 2020).

FISCAL IMPACT:

Continuation of the declared emergencies supports the County's eligibility for state disaster assistance while debris efforts are still underway. Debris removal costs are eligible for reimbursement only when there is an immediate threat to public health and safety.

CONTACT NAME: Stacey Simon

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

Click to download
<input type="checkbox"/> Staff report
<input type="checkbox"/> Board Declaration of Emergency
<input type="checkbox"/> Health Officer Declaration
<input type="checkbox"/> Board Ratification of Health Emergency

History

Time	Who	Approval
3/30/2022 10:44 AM	County Counsel	Yes
4/6/2022 10:36 AM	Finance	Yes
4/8/2022 2:53 PM	County Administrative Office	Yes

County Counsel
Stacey Simon

**OFFICE OF THE
COUNTY COUNSEL**

Telephone
760-924-1700

Assistant County Counsel
Anne L. Frievault

Mono County
South County Offices
P.O. BOX 2415

Risk Manager
Jay Sloane

Deputy County Counsel
Emily Fox

MAMMOTH LAKES, CALIFORNIA 93546

Paralegal/Office Manager
Kevin Moss

To: Board of Supervisors
From: Stacey Simon
Re: Review of Emergency Declarations – Mountain View Fire

Recommended Action

Staff recommends that the Board not terminate the emergency declarations until more information is known regarding the remaining unremediated properties, despite the recently-received news from CalOES regarding the County's cost share.

Strategic Plan Focus Areas Met

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

Discussion

On November 17, 2020, a fire broke out in the Community of Walker (the “Mountain View Fire”) in the midst of a hurricane-force wind event. More than 140 structures were destroyed, including 74 homes. On that date, by emergency action, the Board of Supervisors declared a state of local emergency under the California Emergency Services Act (CESA) (Cal. Gov’t Code § 8630). On November 19, 2020, the Governor of the State of California also proclaimed a State of Emergency under CESA, and the Mono County Health Officer declared a local health emergency under Health and Safety Code § 101080, related to the presence of hazardous and toxic materials associated with fire debris. The Board of Supervisors ratified the Health Officer’s declaration on November 24, 2020.

Under the CESA, the Board must review the need for continuing the local emergency at least once every 60 days until it terminates the emergency. Under Health and Safety Code § 101080, the Board must review the need for continuing the local health emergency at least once every 30 days. Under both provisions, the Board must terminate the local emergency at the earliest possible date that conditions warrant.

This item is on the Board’s agenda for a review of the conditions necessitating the declarations of emergency as follows:

1. Declaration of Local Health Emergency

A local health emergency exists under § 101080 when an area is affected by release or escape of hazardous waste which is an imminent threat to the public health or imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin, or radioactive agent.

The bulk of hazardous waste cleanup on affected properties has been completed by CalOES, however, there remain several properties which have not been remediated. Staff will present additional information regarding the status of the remaining properties and options available to address them.

2. Declaration of Local Emergency

A local emergency exists under subdivision (c) of section 8558 of the CESA when conditions exist of disaster or of extreme peril to the safety of persons and property caused by fire, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the local government and require the combined forces of other entities to combat. Keeping the declaration of local emergency in place allows the County the option to seek to remediate the final two properties that have not been remediated and do not currently have plans for remediation while seeking reimbursement from the State under Title 19. Such reimbursement will depend on signed statements from the property owners permitting entry for the purpose of remediation. The emergency declaration maintains flexibility for the County to pursue remediation while seeking reimbursement.

Attachments:

November 17, 2020 Board Declaration

November 19, 2020 Health Officer Declaration

November 24, 2020 Board Ratification of Health Officer Declaration



R20-101

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS DECLARING
A LOCAL EMERGENCY DUE TO SEVERE WILDFIRE IN THE ANTELOPE
VALLEY AREA CAUSED BY THE MOUNTAIN VIEW FIRE**

WHEREAS, today, November 17, 2020, during a severe wind event, a fast-moving fire erupted in the Antelope Valley in Northern Mono County (the “Mountain View Fire”); and

WHEREAS, by 4:00, the fire had destroyed structures and homes and taken at least one life; evacuations are ongoing, and animals have been let free; and

WHEREAS, the Board has determined that conditions of disaster and extreme peril exist which are beyond the control of the normal protective services, personnel, equipment, and facilities within the County of Mono;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Mono, State of California, does hereby declare a state of emergency as a result of the Mountain View Fire in Northern Mono County, based on the findings stated above and other information presented to it during its meeting of today’s date.

BE IT FURTHER RESOLVED THAT consideration for a U.S. Small Business Administration Disaster Declaration for Individual Assistance and funding through the California Disaster Assistance Act, in addition to any and all recovery assistance the State of California can provide, are requested to respond to the emergency herein described, including as necessary to respond to such eligible damages resulting from the emergency which may later be discovered.

PASSED, APPROVED and ADOPTED this 17th day of November 2020, by the following vote, to wit:

AYES: Supervisors Corless, Gardner, Kreitz, Peters, and Stump.

NOES: None.

ABSENT: None.

ABSTAIN: None.

Stacy Corless, Chair
Mono County Board of Supervisors

ATTEST:

Queenie Barnard (Nov 18, 2020 12:25 PST)

Clerk of the Board

APPROVED AS TO FORM:

Stacey Simpson (Nov 18, 2020 12:40 PST)

County Counsel



MONO COUNTY HEALTH DEPARTMENT

LOCAL PUBLIC HEALTH ORDER

P.O. BOX 3329, MAMMOTH LAKES, CA 93546 • PHONE (760) 924-1830 • FAX (760) 924-1831

**EMERGENCY ORDER OF THE MONO COUNTY HEALTH OFFICER
DECLARING A LOCAL HEALTH EMERGENCY DUE TO THE
MOUNTAIN VIEW FIRE; LIMITING RE-ENTRY TO AFFECTED AREAS TO
PROTECT PUBLIC HEALTH AND SAFETY; AND PROHIBITING ENDANGERMENT
OF THE COMMUNITY THROUGH THE UNSAFE REMOVAL,
TRANSPORT, AND DISPOSAL OF FIRE DEBRIS**

WHEREAS, the Mono County Board of Supervisors proclaimed a local state of emergency on November 17, 2020, and the Governor issued a Proclamation of a State of Emergency on November 19, 2020, due to conditions of extreme peril caused by the Mountain View Fire, which destroyed 96 homes and damaged various other structures, including Mono County's solid waste transfer station, in the Walker area of Mono County; and

WHEREAS the potential for widespread toxic exposures and threats to public health and the environment exists in the aftermath of a major wildfire disaster. Debris and ash from residential structure fires contain hazardous substances and the health effects of hazardous substances releases after a wildfire are well-documented; and

WHEREAS, the combustion of building materials such as siding, roofing tiles, and insulation result in dangerous ash that may contain asbestos, heavy metals, and other hazardous materials. Wells may be contaminated and require chlorination following a period of power outages. Household hazardous waste such as paint, gasoline, cleaning products, pesticides, compressed gas cylinders, and chemicals may have been stored in homes, garages, or sheds that may have burned in the fire, also producing hazardous materials; and

WHEREAS, exposure to hazardous substances may lead to acute and chronic health effects, and may cause long-term public health and environmental impacts. Uncontrolled hazardous materials and debris pose significant threats to public health through inhalation of dust particles and contamination of drinking water supplies. Improper handling can expose workers to toxic materials, and improper transport and disposal of fire debris can spread hazardous substances throughout the community, and

WHEREAS, areas affected by the fire were evacuated by Incident Command, and reentry by residents and the public for safety reasons must be regulated until such time as hazardous materials inspection and removal is conducted; and

WHEREAS, California Health and Safety Code section 101080 authorizes the local health officer to declare a local health emergency in areas affected by release or escape of hazardous waste which is an imminent threat to the public health or imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin, or radioactive agent; and

WHEREAS, Health and Safety Code section 101040 further authorizes the Health Officer to issue orders to protect public health and safety in the context of a local emergency; and

WHEREAS, the Mono County Health Officer finds that the Mountain View Fire has created conditions hazardous to public health and safety in the form of contaminated debris from household hazardous waste/materials and structural debris, which poses a substantial threat to human health and the environment unless its removal and disposal is performed in a manner that protects the public health and safety.

NOW THEREFORE, the Mono County Health Officer **DECLARES** and **ORDERS** as follows:

1. Pursuant to California Health and Safety Code sections 101040 and 101080, a local health emergency exists in Mono County due to debris resulting from the Mountain View Fire being or containing hazardous materials and the imminent and proximate threat of release thereof, which are public health hazards and immediate threats to the public health and safety.
2. Effective immediately and continuing until it is extended, rescinded, superseded, or amended in writing by the Public Health Officer, this Order continues existing closures and prohibits re-entry into specified areas affected by the Mountain View Fire as shown in Exhibit A (“Current Evacuation Area (11/19/20)”), which is attached to this Order and incorporated by this reference, until such time as those areas can be assessed for hazards and, where necessary, remediated.
3. Upon notification by the County of Mono’s Building and Environmental Health Divisions that additional areas or premises are safe to re-enter, the Health Officer may replace Exhibit A, without otherwise modifying this Order, by posting and distributing a revised map labeled “Current Evacuation Area” with the date of such revision and a reference to this Order.
4. In coordination with local law enforcement, re-entry for the limited purpose of retrieving possessions may be allowed, provided no hazards have been identified on the property being accessed.
5. Regardless of when re-entry occurs, no cleanup activities of burned structures or other construction activities shall commence without the prior written authorization of the County

of Mono's Building and Environmental Health Divisions and in compliance with adopted cleanup standards and construction safety guidelines.

6. Pending the enactment of additional requirements to address the Mountain View Fire disaster clean up, no debris bins shall be provided to property owners for the purposes of the removal of fire debris without the authorization of the Mono County Public Health Department – Environmental Health Division.
7. Pending the enactment of additional requirements to address the Mountain View Fire disaster clean up, property owners choosing not to participate in a State Fire Debris Clearance Program, if one is established in Mono County, must register with and obtain the permission of the Mono County Public Health Department – Environmental Health Division, before beginning the removal of fire debris and conduct their private debris removal, transport, and disposal in a manner that does not endanger the community.
8. No one shall temporarily occupy or camp on private property unless and until standards for such temporary occupancy are approved by the Mono County Building and Environmental Health Divisions, (and the Board of Supervisors if required under County or State law).

IT IS FURTHER DECLARED, pursuant to California Health and Safety Code section 101080, that the local health emergency created and presented by the Mountain View Fire shall not remain in effect for a period in excess of seven (7) days unless it has been ratified by the Mono County Board of Supervisors and shall be reviewed by the Board of Supervisors at least every 14 days until the local health emergency is terminated.

IT IS SO ORDERED:

Date: November 19, 2020

Thomas Boo, MD

Dr. Tom Boo
Mono County Public Health Officer

EXHIBIT A
CURRENT EVACUATION AREA (11/19/20)

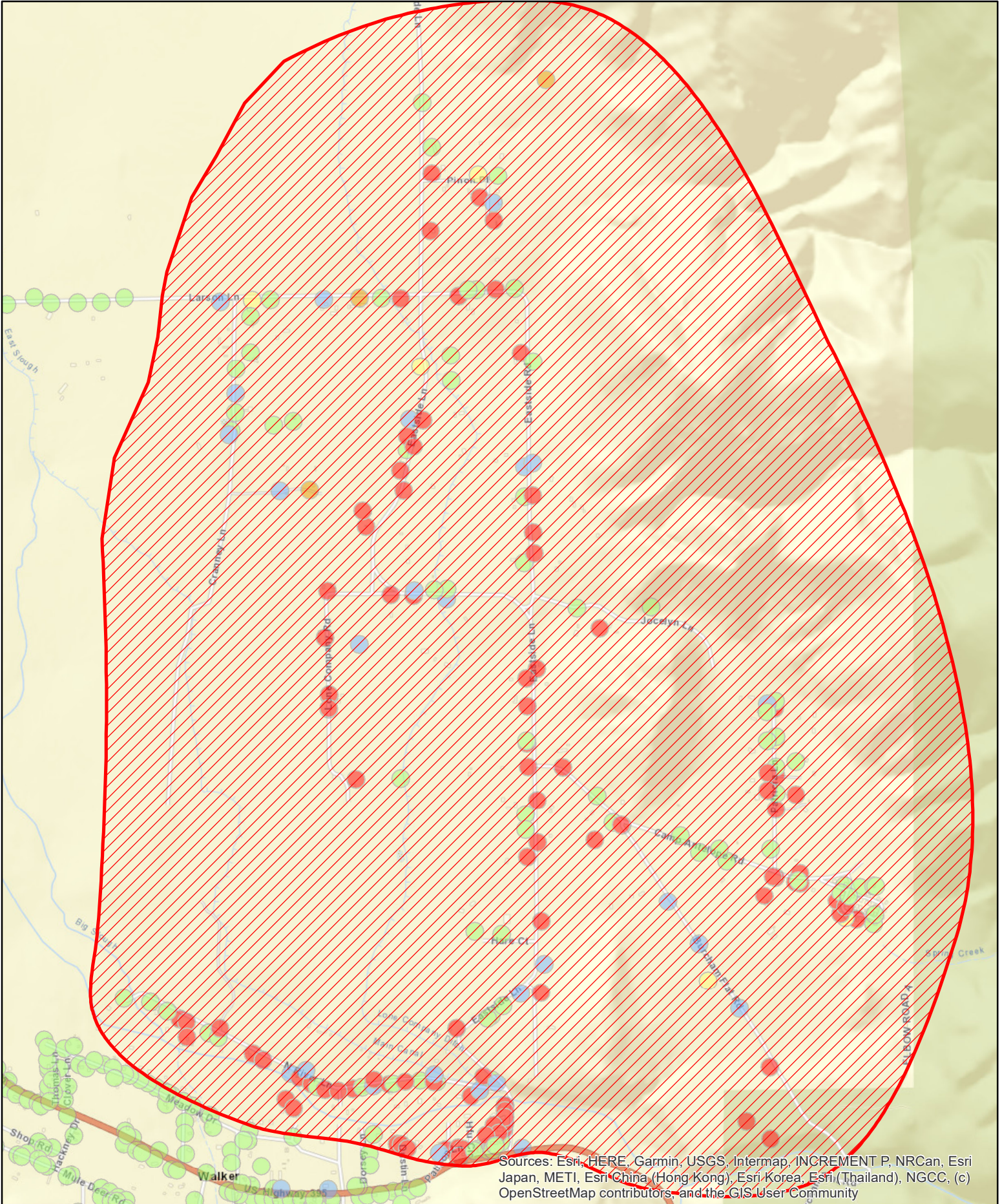


CURRENT EVACUATION AREA

As of 11/19/2020 - 10:45a

For updates visit

<https://on.mono.ca.gov/mountainviewfire>



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



R20-102

**A RESOLUTION OF THE MONO COUNTY BOARD OF SUPERVISORS
RATIFYING PROCLAMATION OF LOCAL HEALTH
DUE TO THE PRESENCE OF TOXIC AND HAZARDOUS DEBRIS
RESULTING FROM THE MOUNTAIN VIEW FIRE IN WALKER**

WHEREAS, the Local Health Officer did, on the 19th day of November, 2020, declare a local public health emergency in the County of Mono as a result of the Mountain View Fire, a fast-moving and devastating blaze which began on November 17, 2020, and burned more than 140 structures, including 74 homes which were completely destroyed and an additional 2 homes which were damaged, in the community of Walker, California; and

WHEREAS, the Health Officer declaration, which is hereby incorporated by this reference, included a restriction on re-entry into areas affected by the fire in order to protect the public from toxic and hazardous materials typically present following a fire that burns residential or commercial structures. The order also included guidance and restrictions for safe debris removal, transport and disposal; and

WHEREAS, the Mono County Building and Environmental Health Departments, with support, expertise and resources provided by the California Office of Emergency Services (CalOES), thereafter assessed the fire-damaged areas and a plan was made to allow residents to commence safely re-entering the area on November 22, 2020. The Health Officer therefore issued a revised order on that date allowing for controlled re-entry, but continuing the prior restrictions on debris removal, transport and disposal; and

WHEREAS, the continuation of these restrictions, as well as the continued assistance and resources of CalOES and others with expertise in remediating fire damage, remain necessary in order to protect public health, safety and the environment and are required for a safe and effective response to the conditions of disaster and extreme peril resulting from the Mountain View Fire, which is beyond the control of the normal protective services, personnel, equipment, and facilities within the County of Mono;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Mono, State of California, adopts the above findings and does hereby ratify the aforementioned proclamation of local health emergency and declares a continued state of local health emergency in the County which is beyond the control of the normal protective services, personnel, equipment and facilities within the County, as a result of the Mountain View Fire.

1 **BE IT FURTHER RESOLVED THAT** consideration for a U.S. Small Business
2 Administration Disaster Declaration for Individual Assistance and funding through the California
3 Disaster Assistance Act, in addition to any and all recovery assistance the State of California can
4 provide, are requested to respond to the emergency herein described, including as necessary to
5 respond to such eligible damages resulting from the emergency which may later be discovered.

6 **PASSED, APPROVED and ADOPTED** this 24th day of November, 2020, by the
7 following vote, to wit:

8 **AYES:** Supervisors Corless, Gardner, Kreitz, Peters, and Stump.

9 **NOES:** None.

10 **ABSENT:** None.

11 **ABSTAIN:** None.

12 


13 _____
14 Stacy Corless, Chair
15 Mono County Board of Supervisors

16 **ATTEST:**

17 
18 _____
19 Queenie Barnard (Nov 24, 2020 12:57 PST)

20 Clerk of the Board

21 **APPROVED AS TO FORM:**

22 
23 _____
24 Stacey Simon (Nov 24, 2020 13:14 PST)

25 County Counsel



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

REGULAR AGENDA REQUEST

Print

MEETING DATE April 12, 2022

Departments: County Counsel

TIME REQUIRED 15 minutes

SUBJECT Workshop Re Mono County Code
Chapter 20.10 (Open Range)

**PERSONS
APPEARING
BEFORE THE
BOARD**

Nate Reade, Agricultural
Commissioner; Stacey Simon, County
Counsel

AGENDA DESCRIPTION:

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

Presentation by staff regarding potential updates to the recently-enacted Mono County Code Chapter 20.10 ("Open Range") to substitute maps for legal descriptions and Access Point Name (APN) and verify that lands originally designated as not primarily for grazing in 1979 and/or 1987 are appropriately excluded from open range designation.

RECOMMENDED ACTION:

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

FISCAL IMPACT:

None

CONTACT NAME: Stacey Simon

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

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</p> <p> Staff report</p>

History

Time	Who	Approval
3/30/2022 2:01 PM	County Counsel	Yes
4/6/2022 10:43 AM	Finance	Yes
4/8/2022 2:53 PM	County Administrative Office	Yes



COUNTIES OF INYO AND MONO

AGRICULTURE • WEIGHTS & MEASURES • OWENS VALLEY MOSQUITO ABATEMENT PROGRAM • EASTERN SIERRA WEED MANAGEMENT AREA
MAMMOTH LAKES MOSQUITO ABATEMENT DISTRICT • INYO COUNTY COMMERCIAL CANNABIS PERMIT OFFICE



Date: April 12, 2022
To: Honorable Board of Supervisors
From: Nathan D. Reade, Agricultural Commissioner
Subject: Workshop - Open Range/Lands Devoted Chiefly to Grazing

Recommended Action:

Presentation by staff regarding potential updates to the recently-enacted Mono County Code Chapter 20.10 ("Open Range") to substitute maps for legal descriptions and APN numbers and verify that lands originally designated as not primarily for grazing in 1979 and/or 1987 are appropriately excluded from open range designation.

Description:

By uncodified ordinance adopted in 1979, Mono County was designated an "open range" county, meaning among other things that, unless otherwise specified, property owners wishing to exclude grazing animals from their lands bear the burden to do so. The exceptions to that rule were stated in two uncodified ordinances adopted in 1979 and 1987. Those ordinances included a legal description or APN for each of the parcels designated "not devoted chiefly to grazing" and have been continuously in effect since their adoption.

On December 21, 2022, at the request of several property owners in the Burchum Flat area, your board voted to add additional parcels to the list of lands not devoted chiefly to grazing. In effectuating that request, staff recommended that the change be made in the County Code and that the historical, and uncodified, ordinances also be included in the County Code, so that regulations applicable to open range could be consolidated in one location and therefore visible and transparent to the public. Accordingly, your board adopted new County Code Chapter 20.10 in order to add the Burchum Flat parcels as "lands not devoted chiefly to grazing" and to consolidate the other existing regulations from the 1979 and 1987 uncodified ordinances.

This effort apparently had its intended result, as following the enactment of Chapter 20.10, the County was contacted by an employee of the US Forest Service who indicated that certain parcels that were designated in the 1987 ordinance as "not devoted chiefly to grazing", (and which he noticed for the first time due to their codification in the County Code) should be excluded because they are owned by the Forest Service and/or are the subject of current grazing permits.

However, upon further investigation, it was determined that three of the four parcel numbers identified by the Forest Service no longer exist (due to subdivision or lot-line adjustment) and are in private ownership. Accordingly, it appears that there is a need to review ALL of the parcels and land descriptions from the original 1979 and 1987 ordinances to determine whether they

are accurate and, more importantly, whether such lands warrant continued exception from (or inclusion in) the designation of open range. This item will discuss these issues and look for direction from your Board on whether to further amend Chapter 20.10 to ensure its accuracy and appropriateness (including utilizing maps rather than parcel numbers).

Staff is prepared to hear public comment on this item, and comments from your Board and return at a later date with an amended ordinance or further workshop if so directed.



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

REGULAR AGENDA REQUEST

Print

MEETING DATE April 12, 2022

TIME REQUIRED

SUBJECT Closed Session - Labor Negotiations

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

CONFERENCE WITH LABOR NEGOTIATORS. Government Code Section 54957.6. Agency designated representative(s): Bob Lawton, Stacey Simon, Janet Dutcher, John Craig, Patty Francisco, and Oliver Yee. 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 Correctional Deputy Sheriffs' Association. Unrepresented employees: All.

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

<p>Click to download</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 April 12, 2022

TIME REQUIRED

SUBJECT Closed Session - Public Employee
Evaluation

**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:

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History

Time	Who	Approval
3/30/2022 10:40 AM	County Counsel	Yes
3/23/2022 9:19 AM	Finance	Yes
4/8/2022 2:52 PM	County Administrative Office	Yes



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

REGULAR AGENDA REQUEST

Print

MEETING DATE April 12, 2022

TIME REQUIRED

SUBJECT Closed Session - Initiation of
Litigation

**PERSONS
APPEARING
BEFORE THE
BOARD**

AGENDA DESCRIPTION:

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

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

RECOMMENDED ACTION:

FISCAL IMPACT:

CONTACT NAME:

PHONE/EMAIL: /

SEND COPIES TO:

MINUTE ORDER REQUESTED:

YES NO

ATTACHMENTS:

[Click to download](#)
No Attachments Available

History

Time	Who	Approval
3/30/2022 10:36 AM	County Counsel	Yes
3/23/2022 9:20 AM	Finance	Yes
4/8/2022 2:53 PM	County Administrative Office	Yes