

Mono County Local Transportation Commission

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AGENDA

December 12, 2016 – 9:00 A.M.

Town/County Conference Room, Minaret Village Mall, Mammoth Lakes
Teleconference at CAO Conference Room, Bridgeport

**Agenda sequence (see note following agenda).*

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE**
2. **PUBLIC COMMENT**
3. **MINUTES:** Approve minutes of October 3 & November 14, 2016 – **p. 1**
4. **COMMISSIONER REPORTS**
5. **ADMINISTRATION**
 - A. **Conflict-of-Interest Code:** Consider and potentially approve proposed conflict waiver regarding County Counsel's representation in connection with biennial conflict-of-interest code review. If waiver is approved, consider and potentially approve any potential amendments to Mono County Local Transportation Commission conflict-of-interest code. Authorize transmittal of any amended code to Mono County Board of Supervisors for review. Provide any desired direction to staff. (*Steve Kerins*) – **p. 8**
 - B. **Planning, Programming & Monitoring:** Approve Resolution R16-14 authorizing LTC executive director to execute PPM (Planning, Programming & Monitoring) fund transfer agreements included in the current RTIP (Regional Transportation Improvement Program) in amount of \$135,000 (*Megan Mahaffey*) – **p. 18**
 - C. **Regional Transportation Plan:** Authorize letter to state HCD (Housing & Community Development) informing of scheduled RTP (Regional Transportation Plan) update in December 2017, & provide any desired direction to staff (*Scott Burns*) – **p. 26**
6. **LOCAL TRANSPORTATION**
 - A. Reds Meadow Road status report (*Town staff*)
7. **TRANSIT**
 - A. Eastern Sierra Transit Authority (ESTA)
 1. June Lake summer shuttle service – **p. 30**
 - B. Yosemite Area Regional Transportation System (YARTS)
8. **CALTRANS**
 - A. Crestview Rest Area status update (*Craig Holste*) – **p. 32**
 - B. Guardrail throughout Mono County (*Craig Holste*)
 - C. Activities in Mono County & pertinent statewide information
9. **INFORMATIONAL:** No items
10. **UPCOMING AGENDA ITEMS**

More on back...

11. **ADJOURN** to January 9, 2017

***NOTE:** Although the LTC generally strives to follow the agenda sequence, it reserves the right to take any agenda item – other than a noticed public hearing – in any order, and at any time after its meeting starts. The Local Transportation Commission encourages public attendance and participation.

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the commission secretary at 760-924-1804 within 48 hours prior to the meeting in order to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).

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SPECIAL MEETING DRAFT MINUTES

October 3, 2016

COUNTY COMMISSIONERS: Tim Fesko (video), Larry Johnston, Fred Stump

TOWN COMMISSIONERS: Sandy Hogan, John Wentworth. **ABSENT:** Shields Richardson

COUNTY STAFF: Scott Burns, Garrett Higerd, Megan Mahaffey, CD Ritter

TOWN STAFF: None

CALTRANS: Ryan Dermody, Mark Heckman

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE: Vice-Chair Tim Fesko called the meeting to order by video at 9:07 a.m. and requested Commissioner Stump conduct meeting at the Town/County Conference Room, Minaret Village Mall, Mammoth Lakes, Attendees recited pledge of allegiance to the flag.

2. PUBLIC COMMENT: None

3. MINUTES

MOTION: Approve minutes of August 8, 2016, as amended: Item 5 graph 8: "Need track mounts counts, video surveillance." Include minutes from June 13, 2016, on next agenda. (*Hogan/Johnston. Ayes: 5. Absent: Richardson.*)

4. COMMISSIONER REPORTS: **Fesko:** Caltrans contractors/subcontractors doing great job on culverts, cuts/grinds through canyon. **Wentworth:** Council considering two efforts: 1) revitalizing downtown; and 2) bike/pedestrian/transit parking consultant to work on mobility issues. **Hogan:** Traveled to Pacific NW rural areas east of Cascades. Funding mechanism for rural counties different in OR. Obvious need exists to fix inequities between rural and urban. **Johnston:** Recognized Caltrans for intermittent rumble strips south of Ridgecrest on US 395. **Stump:** No report. **Caltrans:** Technical term for cuts/grinds is dig-outs. Work progressing on bigger projects in Mono. Snowed last night, so SRs 120, 89, 108 all closed, but 120 reopened this morning. Others may reopen later today. Closure for fire outside Minden reopened yesterday. Fire and snow closures.

5. LOCAL TRANSPORTATION

A. Reds Meadow Road: Scott Burns acknowledged growing commitment from Town. He met with Madera County, which seemed receptive but in deficit mode, so not big financial player. Grady Dutton invited Madera to field trip before pass closes. LTC counterpart in Madera is County Transportation Commission, which operates more on programming side. Need concurrence. In phone meeting Madera Public Works was supportive. No Mono commitments, but Town wants to play strong role.

Wentworth commented on land exchange by MMSA (Mammoth Mountain Ski Area), with artist's rendering turning SR 203 into something other than straight line, visualized as something different.

Dermody cautioned MMSA to be careful, as it could change NEPA (National Environmental Policy Act) process. Key language is economic benefit to County and Town. Disposition of road rebuilding would be affected, as it accesses national monument. Burns thought issues could be nailed down with concurrent Specific Plan, not sequential. Commit to more of a master plan. Wentworth thought technical issues such as urban growth boundary needed resolution.

Garrett Higerd stated FLAP (Federal Lands Access Program) application is due in January. He noted key items to resolve for maintenance. Town working with USFS. If larger discussion needs to occur, should be quick. Loose ends with application are not lined out.

Burns suggested pursuing match from RTIP (Regional Transportation Improvement Program). Projects programmed have fallen out, see if existing reserve could be part of match.

Wentworth suggested FLAP grant application early at next meeting. Stump wanted to invite INF engineering -- feds can't abscond from responsibilities. Technical implications for funding. Richardson, Holler, and Dutton need to be present. Johnston stated exchange area has nothing to do with FLAP grant. Hogan wanted to make sure NPS is in there, as Devils Postpile is small national monument. Is powerful regional office aware, maybe a partner?

Higerd confirmed INF and Town so far. Hogan thought NPS as full partner would have more oomph.

Burns recalled Grady Dutton convened meeting end of August, Deanna Dulen was there.

Wentworth thought it appropriate to involve NPS more.

Higerd cited tight time frame for Reds Meadow. Town is actual applicant, with support letters from Mono, Madera, USFS, etc. Town would coordinate maintenance.

Higerd noted FLAP program is structured to get liabilities off rolls, onto local government.

Ultimately close road? Burns stated INF has considered it.

Wentworth opined that if gateway communities got involved, moving into new era with federal government walking away from its obligations.

Higerd thought maybe finalize FLAP application at January meeting. Need significant match. \$10 million to upper \$29 million project with retaining walls on upper 2.5 miles for full two-lane or single with pullouts as now. Limiting factor is funds available with FLAP. Trying to fit large project into system could push all else off table, lead to smaller projects instead. High priority due to national monument, visitor numbers have been off the chart.

B. Transportation funding legislation: Garrett Higerd asked why talking about it after legislative session. Special transportation session through November. Some action after election is possible. More details end of August, CSAC commented. Frazier/Beall legislation includes 17 cent/gal tax, 37 cent to diesel excise tax, money from other sources. \$165/yr zero emission vehicles. Major step toward sustainability to maintain roads at local level. Recent letter from CSAC, League of California Cities encouraged state Assembly and Gov. Brown to take action. LTC already prepared letter of support to look for solutions, new letter does same. Cities received \$2.5 billion.

Johnston noted BOS took action. No inflation build-in, no indexing. Dermody noted last tax increase in 1993.

Legislation tied into cap/trade? Higerd replied yes, funding source from unallocated cap/trade funds. Board of Equalization could reset annually to match.

Stump asked about payment of CTC funding taken during economic downturn, restoration of gas tax otherwise diverted to other projects. Behind scenes money was taken for unknown purchases, maybe pet projects. Legislation on storage tax by gas stations for privilege of storing fuel to sell? Would be passed on to consumer. Higerd thought CTC was keeping promises, protecting revenues: \$706 million.

Johnston noted LTC officially supported fix. Fingers crossed that will actually do something.

Higerd mentioned "lame duck" session after election. Stump thought maybe do something then. Fesko noted gas stations pay lots of fees. Keep eye on legislation.

6. TRANSIT

A. Eastern

Sierra Transit Authority (ESTA)

1. **Resolution R16-13:** Jill Batchelder described Proposition 1B as funding for safety projects. Fifteen-passenger and 20-passenger vehicles would replace aging fleet in Mammoth Lakes area. Residual funding allocated to various agencies.

Wentworth suggested an electric bus. Batchelder indicated no money for infrastructure for electric vehicles (charging stations).

Batchelder noted that Town takes away two hours from local Dial-A-Ride service. Wentworth thought policy might tie dollars to use.

MOTION: Adopt Resolution R16-13 approving PTMISEA FY 2014-15 & residual funding for purchase of rolling stock. (*Hogan/Wentworth. Ayes: 5-0. Absent: Richardson.*)

2. **June Lake Shuttle recap:** Summer ridership was disappointing despite extensive publicity.

3. **Mammoth area transit ridership:** Summer ridership set records, exceeding prior year by 5%. Passenger trips per hour increased by 10% overall in 2016. Reds Meadow service operated seven fewer days in 2016, yet exceeded 2015 by 7,680 passenger trips.

B. Yosemite Area Regional Transportation System (YARTS): Scott Burns said eastside summer service discontinued. Saw 44.5% increase in August. Top-level management changes did not affect too much. Yosemite visitation up 37% first six months, broke records. Construction under way in Yosemite Valley does not affect YARTS. Whittington of YARTS and Helm of ESTA serve on 5311 panel.

Batchelder noted expanded service to five days/week was awarded but Caltrans said future funding unlikely, so did not recommend expanded service.

Next ACA (Authority Advisory Committee) and YARTS meeting Oct. 19.

Batchelder stated McDonald's corporate would no longer permit bus stop, but gave OK to continue during search for new stop with amenities. Village, Black Velvet, and Vons have pros and cons.

Stump stated two Town reps thought it was not an issue, but maybe Council needs to discuss.

Easement for stops? Batchelder approved by contract with corporate real estate department. Understands McDonald's property is for sale. Launch two-week public awareness campaign before stop is moved. Could still make courtesy stop for a while. Stump noted shelter could be moved elsewhere.

--- Break: 10:35-10:45 ---

7. QUARTERLY REPORTS

A. Town of Mammoth Lakes: Ribbon cutting for Lake George bike path. Airport fence issue: Dermody stated fence is in Caltrans ROW, so need to issue permit. Town could need something more significant. Zeroed in on five top spots in Mono County. Study focuses on hot spot.

Hogan wanted to make sure all players would be at table, working together. Trouble visualizing what fence will look like. Set some priorities to go for grants. Get willows out of Mammoth Creek. Maintain what have. If Town has lead, involve others to make sense out of how to proceed. Do same type as Reds Meadow Road. Can't do it piecemeal.

Johnston thought Town could avoid permit from Caltrans by putting on its own property. Chain-link fence within fence would not trap wildlife between road and fence. He stated no planes hit deer, but cars hit deer all the time. Fence was approved because FAA required it. Wentworth cited environmental concerns. Hogan thought fence should be on both sides of highway. Higerd stated airport engineer could work with FAA on alternative designs. Stump wanted to understand full scope of FAA requirements for fence.

Johnston stated that excluding deer from that section of highway would require only one overcrossing.

Hogan: Need joint CEQA/NEPA. What has LADWP done?

Dermody stated Town completed environmental studies, USFS is separate.

Hogan wanted to visualize various land owner portions – Mount Morrison cemetery, industrial park, Hot Creek pieces. Get people working together.

Dermody stated CPT (Collaborative Planning Team) will have presentation Oct. 27 with lots more agency players.

B. Mono County: Garrett Higerd noted preventative maintenance, borrowed from Caltrans efforts, Washoe County. Airport Road: \$1.25 million project for 2010-21. Free-range area attracts cattle, chickens. Check with USFS on grazing policies. Coordinate timing.

Higerd noted grant to analyze safety needs: striping, signage, guard rails, pedestrian/bike crossing. Hire consultant.

Wentworth stated closing roads was huge benefit to cyclists at Gran Fondo event.

Higerd reported Stock Drive project under way, mostly complete this week.

Johnston wanted to adopt guard rail type for Mono County. Opportunity to make unique, more park-like. Establish long-term policy. Wentworth recalled glistening guard rail showed up at Lake George, so was painted, but better to set aesthetic standards. Generate income to pay for stuff.

Burns mentioned Le Francois was at June Lake Down Canyon trail today. Success of Gull Lake trail is due to volunteer efforts. Look at tight project that could actually program in RTIP (Regional Transportation Improvement Program). USFS wants consensus.

Bridges: Need to spend time/energy/work to update overall analysis. Functionally obsolete bridges: old, using materials no longer in service today. Bridge investment credit program would allow credit for maintenance with our funds, get match credit for larger bridge project later. Do smaller projects without

expense of federal grants and NEPA action. Bank credits for future replacement involving federal grants, NEPA. Use money from road funds to start building credits to later cash in.

Wentworth suggested infrastructure reinvestment after election.

C. Caltrans: Dermody indicated Walker Canyon CAPM (Capital Preventive Maintenance) has been removed from Caltrans program. Pavement in good shape compared to statewide, so Sacramento removed project.

“Midwest” guard rail is standard guard rail with Matina stain applied by Hudson sprayer. Higerd cited Convict Lake bridge as an example.

Dermody noted savings statewide on ROW (right of way) funds. The CTC (California Transportation Commission) had extra money, so Freeman Gulch segment 1 may go to construction next year. SR 14 from 395/14 split past SR 178 intersection is segment one, but stops short of Lake Isabella segment. Olancha/Cartago final environmental document at end of October. Construction depends on STIP. On track, moving forward.

Johnston appreciated shoulder-widening projects. Dermody cited lots of environmental constraints. BP culverts done next week.

8. CALTRANS

A. Activities in Mono County & pertinent statewide information: Dermody noted Brent Green attended town-hall meeting in Bakersfield hosted by Kern COG (Council of Governments), invited CTC (California Transportation Commission) to come to Eastern Sierra. The CTC will visit Mammoth Lakes Sept. 13-14, 2017. Showcased partnership, field trip to recently completed projects. Cedrik Zemitis retired, replaced by Dennee Alcalá. Meeting with USFS twice/year, found 100 dead hazard trees on highways 158, 203, 395 to remove. Caltrans does not own wood, USFS does.

Wentworth reported trails coordinator felled and hacked up 200 trees to donate to IMACA (Inyo Mono Advocates for Community Action). On private property, get into work flow. Dermody will check Caltrans property as well.

Sonora Pass: Three trucks were stuck in one week. Can't prevent, but will issue citations.

Dermody noted Caltrans's commitment to CMS (changeable message signs) during deer migration.

9. INFORMATIONAL

A. Vibrant Communities & Landscapes: A Vision for California in 2050: Scott Burns noted State has focused on land use, regional planning, outdoor recreation, and climate change in policy documents.

Stump suggested sending Mono's General Plan, which contains all our elements already being addressed. Here's what we've done, coincides with your targets. Consider some of adopted specifics.

Wentworth cited challenges of rural counties with significant federal land. Factor into conversations for cooperative relationships so overall objectives can be realized. Incorporate component so rurals don't get left out.

Burns noted Housing Element every eight years, not four. Maybe re-adopt RTP in 2017-18. Get funding for RTP, but not Housing Element.

Johnston cited Fresno as good/bad planning, with sprawl, auto-centric, and interspersed farm land.

B. Airport fence letters to USFS: No comments.

10. UPCOMING AGENDA ITEMS: 1) Reds Meadow Road, invite regional contacts for NPS/INF to meeting; 2) June 13 minutes; 3) guard rail treatment.

11. ADJOURN at 11:52 a.m. to November 14, 2016.

Prepared by CD Ritter, LTC secretary

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DRAFT MINUTES

November 14, 2016

COUNTY COMMISSIONERS: Larry Johnston, Fred Stump. **ABSENT:** Tim Fesko

TOWN COMMISSIONERS: Dan Holler for Sandy Hogan, Shields Richardson, John Wentworth

COUNTY STAFF: Scott Burns, Garrett Higerd, Megan Mahaffey, CD Ritter

TOWN STAFF: Haislip Hayes

CALTRANS: Ryan Dermody, Mark Heckman

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chair Shields Richardson called the meeting to order at 9:05 a.m. at the Town/County Conference Room, Minaret Village Mall, Mammoth Lakes, Attendees recited pledge of allegiance to the flag.

2. PUBLIC COMMENT: Haislip Hayes introduced the Town's "Walk, Bike, Ride" action plan, announcing meetings Dec. 5 and Dec. 8.

3. MINUTES

MOTION: Adopt minutes of June 13, 2016. (Johnston/Stump. Ayes: 4. Abstain due to absence: Holler.)

MOTION: Continue minutes of Oct. 3, 2016, to Dec. 12, 2016. (Ayes: 5-0. Absent: Fesko.)

1. COMMISSIONER REPORTS: **Stump:** Mentioned Mono County Honors Veterans sign, noting people honor vets, such as well-attended Mammoth ceremony. **Wentworth:** Posed election questions about infrastructure investment. Assumed interesting development on federal level, encouraged vigilance. Will visit DC over Thanksgiving. **Johnston:** Commended Caltrans on deer warning signs, Sonora Pass opened early, not Tioga despite very little snow. Town upgraded original schools bike path. **Richardson:** None.

2. TRANSIT

A. Eastern Sierra Transit Authority (ESTA): Scott Burns had no report on ESTA. Stump noted shelter removed from McDonald's, will go to Vons. Helm arrived: Will meet with June Lake CAC (Citizens Advisory Committee), report results. Trolley will replace Gray Line, with evening service to Juniper Springs.

B. Yosemite Area Regional Transportation System (YARTS): Pursuing electronic ticket sales with immediate response. Sacramento Dec. 8 for funding outreach. Funding from 5311 is being reduced. Hotel-focus marketing. Supervisor-elect Bob Gardner named new YARTS representative.

Wentworth suggested integrating with Town's Walk, Bike, Ride program.

3. CALTRANS

A. Deer migration: Ryan Dermody indicated [mobile] deer signs usually are removed mid-November, but will check with Tim Taylor of CDFW (California Department of Fish & Wildlife). Caltrans has been tracking sign effectiveness. Johnston declared signs force cyclists to ride in traffic lane. Dermody acknowledged, and also noted CPT (Collaborative Planning Team) subcommittee will look at funding.

B. Activities in Mono County & pertinent statewide information: Mark Heckman, who replaced Dennee Alcala, is now transportation planning branch manager. Freeman Gulch segment one was approved by CTC (California Transportation Commission), construction to begin May 2017. Get projects on shelf in case future funding falls out of sky. Olancho/Cartago environmental document out in May. Had draft, responding to comments.

4. LOCAL TRANSPORTATION

A. RSTP (Regional Surface Transportation Program): Megan Mahaffey noted projects ineligible. Listed four projects on staff report: Town's Berner Street lighting & Main Street pedestrian improvement, June Lake's N. Shore Drive preventive maintenance & Trails Project Initiation.

How far with \$129,294? Mahaffey cited gap funding. Indirect costs not eligible, no overhead.

Why not use PPM (Planning, Programming & Monitoring) funds? Mahaffey noted PPM is set up by priorities.

Projects need updating? Hayes cited Berner, Forest Trail, and Minaret Road need street lighting.

Johnston recalled Meridian Boulevard was patched a few years ago, effective. Given state of STIP, Airport Road project is many years out. Patching big cracks a potential project?

Higerd stated it would be eligible use, but scheduled for 2020-21. Town's building new terminal building, heavy construction would negatively impact road. Maybe another airport band-aid, but reconstruct. Wants to support Town, not leave something incomplete for later. North Shore Drive needs preventive maintenance.

Johnston complained Airport Road is not being fixed. Wentworth cited limited funding, community angst about Berner – get it done/complete. Look at roundabout. Stump wanted airport on list, with some cracks worse than others.

Mahaffey indicated pavement management system will come to LTC annually. Prevent future maintenance costs.

MOTION: Authorize recommended action on Mammoth's Berner Street lighting and Main Street pedestrian improvement and June Lake's N. Shore Drive preventive maintenance and Trails Project Initiation + Airport Road. (*Stump/Wentworth. Ayes: 5-0. Absent: Fesko.*)

B. Pavement management system: Garrett Higerd presented PowerPoint on Mono County road system. How to collect and analyze data with PASER (Pavement Surface Evaluation and Rating) system. Mono has 684 mi of roads, 186 mi paved. PMS targets paved roads. In perfect condition, worth \$250 million. Need to invest \$60 million to get to that level. Windfall in 2015 was Rock Creek, Convict, June Lake Streets, in 2014, Chalfant. Crack seal cold mix investment very low. Roads break down from climate conditions and blazing sun, and asphalt condition decays over time. Oils evaporate as pavement ages. Restore oils on surface to prevent water from getting into asphalt.

Collect data every two years, see how roads hold up. PASER rates 1-10 scale. Windshield survey of cracks. Have used Street Saver system in past. Environmental and energy skyrocket when condition is poor. Actions include slurry and microsurfacing, chip seals/overlay. Caltrans excels at this. Surface rough for cyclists, but chip seal resists reflective cracking.

Grind/pave: Most Mono roads don't have engineered base coat under asphalt. Recycling asphalt in place reduces cost. Full-depth restoration is needed when base has failed.

Snow removal priority: No traffic data for all Mono roads, but low. Classifications 1-5. Bus routes, schools first.

Federal classifications vary. Rural major collectors eligible for federal funding. Comply with NEPA. If non-federal, don't need NEPA. Airport Road now eligible for federal funding.

Average PASER rating now is 6.5, which is good. If do nothing, numbers will decay, quality go down. Make decay curve more realistic. Get better data.

Pavement preservation of \$3 million/year would stabilize PASER rating. If took worst first, focused all money there, good roads would decay. Need more money for preventive maintenance.

Higerd recommended keeping highest PASER rating possible. Need more funding for pavement preservation projects.

Johnston suggested looking at paved mileages. Maybe low-use streets could revert to gravel. Do it as a plan, non-paved.

Wentworth suggested getting projects ready for federal criteria.

Stump noted three districts impacted by this report. Other two districts not get emails. Find at least one road that not appropriate to turn into gravel; e.g., McGee Creek. Every STIP cycle need ongoing requests.

Higerd cited proven sweet spot on roads with significant value from slurry seal. Prepare list of what to go after first. Economies of scale: More treatments with one contract. Get wholesale treatment, buy in bulk, see how it goes.

Holler noted no big dollars for maintenance vs. reconstruction. Keep falling farther behind.

--- Break: 10:40-10:45 ---

C. Reds Meadow Road: Planning & Environmental Linkages (PEL). Need to overcome issue of right source of funding. Nine alternatives proposed, evaluating against screening criteria. Involved stakeholders in meeting. Upper 2.5 mi from Vista to hairpin curve, 6.8 mi Agnew Meadows to Rainbow Falls trailhead. Different approaches to the segments.

Large project? Regelbrugge cited \$50 million, but only small pots like \$4 million. Region 5 gets \$1.5 million/year.

Critical portion is upper? *Yes. If only get \$10 million not \$30 mil, pullouts could become driving lanes.*

Why no bike lane on one-lane road? Maybe call it a shoulder. Or maybe exemption like parking on extended pavement at upper Whitney Portal Road. The FHWA contract is 15% design for upper.

Funding: \$415,000 to date for PEL, field studies.

Hayes indicated FLAP (Federal Lands Access Program) administration noted road transfer, lots of additional agreements. Evaluate long-term 25-year cost implications of taking over road. Will submit application in January (due in March).

Stump agreed with upper 2.5 mi, or suggested applying for whole thing.

Hayes stated if Town took over road, would want it in best possible shape. Fall under Complete Street, multi-modal. Johnston wondered why Town would take over street that's federal, in different county. Hayes cited regional significance, multiple partners. Most feasible way to get road accessible.

Why apply for FLAP if pot of money from feds exists?

Regelbrugge stated our region gets \$2 million/year for California's 18 NFs (National Forests). Couldn't even fund smallest of any alternatives without combining multiple years of funding into single project. FLAP has great funding available, successful projects. FHWA (Federal Highway Administration) wants to benefit local communities, put in road, let somebody else maintain. Madera County would not benefit as much as Mono County and Mammoth Lakes. Important in tourism-based economy. How to repair when close to absolute failure?

Has Madera been approached? Regelbrugge stated Madera is not interested, can't get here from there, not on its radar.

Holler stated Town had dollars to rebuild, not money to maintain. Discussion became how valuable is access to DEPO (Devils Postpile National Monument), John Muir Trail, and Agnew Meadows. Worst case is no access. Not want to take risk. Detriment to town. FLAP most viable for reconstruction, then figure out how to maintain. USFS sees as priority, NEPA/CEQA.

Does NPS have money? Holler cited competition with visitation to Yosemite.

Regelbrugge noted road is outside DEPO, hard to invest. Stump indicated DEPO is small, but unique. Not factor in evaluation of funding. Visitor days comparable for size. Regelbrugge suggested inviting NPS.

Wentworth, a la Hogan, suggested regional office of Department of Interior, talk with congressional officials about local communities willing to take part. Business has been increasing exponentially.

Holler suggested matching NPS/USFS dollars. Hayes thought LTC and Town Council could pull together. Higerd stated FLAP requires 11.7% match. Competitive application would need solution. Wentworth reminded that federal staff can't advocate.

Le Francois noted STIP has future liabilities for \$11 million. Olancha/Cartago at \$9 million got defunded. STIP involves how much, timing. State controls when/how use that money.

5. INFORMATIONAL

A. Streets & Roads Needs Assessment

6. **UPCOMING AGENDA ITEMS:** 1) Updates; 2) Reds Meadow Road; 3) Guard rail design.

7. **ADJOURN** at 11:30 a.m. to December 12, 2016.

Prepared by CD Ritter, LTC secretary

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Stacey Simon

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Jenny Senior

To: Mono County Local Transportation Commission

From: Steve Kerins, Deputy County Counsel

Date: December 12, 2016

Re: Conflict-of-Interest Code Amendment

Recommended Action

Consider and potentially approve proposed conflict waiver regarding County Counsel's representation in connection with biennial conflict-of-interest code review. If waiver is approved, consider and potentially approve any potential amendments to Mono County Local Transportation Commission conflict-of-interest code. Authorize transmittal of any amended code to Mono County Board of Supervisors for review. Provide any desired direction to staff.

Fiscal Impact

No direct fiscal impact.

Discussion

As the members of your Commission may know, the Political Reform Act requires that every local government agency adopt and promulgate a conflict-of-interest code. (*See Gov. Code* § 87300.) Agencies must review their codes for potential amendment at least every two years (or more frequently, if changed circumstances warrant). (*See e.g. ibid.* § 87306.5.) Any amendment to an agency's code is subject to review by the agency's code reviewing body. (*See e.g. id.* §§ 87303, 87306.) The Local Transportation Commission's code reviewing body is the Mono County Board of Supervisors. (*See id.* § 82011, subd. (b).)

A. Conflict Waiver

The Office of the County Counsel is assisting the Mono County Board of Supervisors in connection with its function as code reviewing body. Nonetheless,

the Board of Supervisors has approved a conflict waiver for our office, which will allow the attorneys in this office to assist any interested local government agencies in amending their conflict-of-interest codes as needed. We had requested this conflict waiver because the Board of Supervisors, as code reviewing body, may ultimately take enforcement action against an agency in the unlikely event that one of the agencies under its jurisdiction were unable to develop a satisfactory code. (*See e.g. Gov. Code* § 87303, subd. (c); *ibid.* §§ 87304, 87305 [remedies and enforcement mechanisms available to the code reviewing body].)

The California Rules of Professional Conduct (“RPC”) (the primary set of rules governing the conduct of lawyers engaged in the practice of law in California) provide that:

[a] member [of the State Bar of California] shall not, without the informed written consent of each client:

- (1) Accept representation of more than one client in a matter in which the interests of the clients potentially conflict; or
- (2) Accept or continue representation of more than one client in a matter in which the interests of the clients actually conflict; or
- (3) Represent a client in a matter and at the same time in a separate matter accept as a client a person or entity whose interest in the first matter is adverse to the client in the first matter.

(RPC 3-310(C).) “Informed written consent” is defined to mean “the client’s... written agreement to the representation following disclosure.” “Disclosure”, in turn, is defined to mean “informing the client... of the relevant circumstances and of the actual and reasonably foreseeable adverse consequences to the client...” (RPC 3-310.)¹

Presently, we do not perceive a conflict of interest in connection with our office’s assistance of the Commission in this matter, as it is in both the Commission’s and the Board of Supervisors’ interest that the Commission’s conflict code remain in compliance. Nonetheless, in an abundance of caution, we will request a waiver

¹ To the extent that separate “disclosure” is also required for legal, business, financial, professional, and personal relationships of individual attorneys, we also note that the attorneys in our office are, obviously, employees of the County of Mono, and in the typical case we operate under the supervisory authority of the Board of Supervisors. (*See* RPC 3-310(B).)

from your Commission similar to that which we received from the Board, so that we may proceed to advise your Commission in connection with its code.²

B. Conflict-of-Interest Code

Staff's research indicates that the Commission's current conflict-of-interest code was enacted via the Commission's Resolution number 98-10. A copy of that code is also enclosed as an exhibit to this report. At your December 12 meeting, I hope briefly to discuss the current code; requirements for local agency conflict-of-interest codes under the Political Reform Act; and any amendments that your Commission wishes to make in connection with the 2016 biennial code review process.

If you have any questions on this matter prior to your meeting, please call me at (760) 924-1712.

Enclosures: Proposed Conflict-of-Interest Waiver
 Local Transportation Commission Conflict-of-Interest Code, Res. No. 98-10

² Your Commission should also be aware that remedies for conflicts of interest include potential disqualification of counsel. We note, however, that we find the likelihood of such an outcome to be very low in connection with the biennial code review.

**Waiver of Actual and/or Potential Conflict of Interest
(Cal. R. Prof. Conduct, Rule 3-310)**

The members of the Mono County Local Transportation Commission (“Commission”) have read the December 12, 2016 staff report written by Stephen M. Kerins, Deputy County Counsel for the County of Mono, regarding the potential for conflicts of interest in the Office of the County Counsel’s representation of both the Commission and the Mono County Board of Supervisors (“Board”) in connection with the biennial conflict-of-interest code review under the Political Reform Act. The Commission understands the contents of that staff report.

The undersigned has been duly authorized by the Commission to sign this waiver. By that signature on this waiver, and mindful of the issues raised in the above-referenced December 12 staff report, the Commission fully and freely waives any potential conflict of interest in allowing the Office of the Mono County Counsel to represent the Commission in addition to the Board in connection with the biennial conflict-of-interest code review process under the Political Reform Act. Such representation may include providing any desired assistance to the Commission in preparing and finalizing any amendment to its conflict-of-interest code for the Board’s review.

The signature below constitutes the Board’s “informed written consent” within the meaning of California Rules of Professional Conduct, Rule 3-310.

Shields Richardson
Chair, Mono County Local Transportation
Commission

OFFICE OF THE CLERK OF THE BOARD OF SUPERVISORS

REQUEST TO HOLD PLACE ON CONSENT February 9, 1999 MEETING
AGENDA AT _____

DEPARTMENT County Counsel

SUBJECT Conflict of interest code

IF THE ABOVE ITEM REQUIRES ADOPTION OF A MINUTE ORDER OR APPROVAL OR ADOPTION OF ANY DOCUMENT (CONTRACT, AGREEMENT, RESOLUTION, ORDINANCE) PLEASE REVIEW WITH COUNTY COUNSEL FOR APPROVAL AS TO FORM. INDICATE DISTRIBUTION OF DOCUMENT BELOW.

NUMBER OF COPIES _____ NUMBER OF COPIES CERTIFIED _____

NAMES, TITLE, ADDRESS OF PERSONS TO RECEIVE COPIES

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE CLERK OF THE BOARD PRIOR TO 12 NOON ON THE WEDNESDAY PRECEDING THE TUESDAY BOARD MEETING.

Me PLEASE STATE THE RECOMMENDED ACTION IN DETAIL IN SPACES BELOW AND ATTACH STAFF REPORTS AS NEEDED.

Approve Mono County Local Transportation Commission's conflict of interest code and direct Clerk of the Board to notify the Commission of the Board's action.

COUNTY ADMIN. OFFICE
Date: 2/2/99
Approved: W. Mayer
No Recommendation

AGENDA ITEM #

#4a

OFFICE OF THE COUNTY COUNSEL*Mono County*

South County Offices

P.O. BOX 3329 • MAMMOTH LAKES • CALIFORNIA • 93546

(760) 924-5450 • (760) 924-5458 (FAX)

Marshall S. Rudolph
County Counsel

TO: Board of Supervisors

FROM:  Marshall Rudolph

RE: Local Transportation Commission (LTC) conflict-of-interest code

DATE: February 2, 1999

As you may recall, all local government agencies are required by state law to adopt their own conflict-of-interest codes and to review such codes once every two years. Such codes and amendments thereto are not effective, however, until duly approved by the "code-reviewing body." The Board of Supervisors is the code-reviewing body for the conflict-of-interest codes of all agencies in the county other than the Town of Mammoth Lakes.

I drafted the LTC's conflict of interest code and, accordingly, have ensured that it complies with statutory requirements. Accordingly, I recommend Board approval.

Encl.

RESOLUTION NO. 98-10

**RESOLUTION OF THE MONO COUNTY
LOCAL TRANSPORTATION COMMISSION
ADOPTING A NEW CONFLICT OF INTEREST CODE**

WHEREAS, pursuant to Government Code, Section 87306.5, the Mono County Local Transportation Commission has reviewed its Conflict of Interest Code and finds that some revisions are necessary; and

WHEREAS, the most expedient way to accomplish the necessary revisions is to adopt a new Conflict of Interest Code;

NOW, THEREFORE, BE IT RESOLVED by the Mono County Local Transportation Commission that the Conflict of Interest Code attached hereto and incorporated herein by this reference is hereby adopted as the Conflict of Interest Code for the Commission and said Code shall supersede any other Conflict of Interest Codes previously adopted by the Commission.

PASSED AND ADOPTED this 14th day of December, 1998 by the following vote:

AYES	:	Ronci, Cage, Eastman, Farnetti, Rowan, Wood
NOES	:	None
ABSTAIN	:	None
ABSENT	:	Inwood

ATTEST: *Patricia Mott*
PATRICIA MOTT, Secretary

Joann Ronci
JOANN RONCI, Chair

APPROVED AS TO FORM:

Marshall Rudolph
MARSHALL RUDOLPH
Legal Counsel

**CONFLICT OF INTEREST CODE
OF THE MONO COUNTY
LOCAL TRANSPORTATION COMMISSION**

SECTION 1: Conflict of Interest Code - Adopted.

The Political Reform Act, Government Code Sections 81000 *et seq.*, requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Reg. Section 18730, which contains the terms of a standard Conflict of Interest Code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs., Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A in which officials and employees are designated and Appendix B in which disclosure categories are set forth, constitute the Conflict of Interest Code of the Mono County Local Transportation Commission, which is considered the "agency" within the purview of this Code. The Conflict of Interest Code of the Mono County Local Transportation Commission so adopted supersedes any Conflict of Interest Code of the Commission previously in effect.

SECTION 2: Statements of Economic Interest; Filing Officer.

Designated employees shall file Statements of Economic Interests with the Secretary of the Mono County Local Transportation Commission, who shall be and perform the duties of Filing Officer for the Commission.

APPENDIX "A"

LIST OF DESIGNATED EMPLOYEES

<u>JOB TITLE</u>	<u>DISCLOSURE CATEGORY</u>
Commissioner	1
Staff Advisors	1
Legal Counsel	1
Consultant	1*

*Commission Legal Counsel may determine in writing that a particular consultant, although a "designated employee," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this Appendix. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. Commission Legal Counsel's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

JOB TITLE DEFINITIONS:

"Commissioner" means a member of the Local Transportation Commission.

"Staff Advisor" means any employee of Mono County, the Town of Mammoth Lakes, or other governmental agency, who acts as staff to the Commission and who makes or participates in the making of Commission decisions.

"Legal Counsel" means the Mono County Counsel and/or such other legal counsel as the Commission may choose to utilize.

"Consultant" means any individual or entity meeting the definition of consultant promulgated in regulations of the Fair Political Practices Commission.

APPENDIX "B"

LIST OF DISCLOSURE CATEGORIESDisclosure category

1

All reportable investments, income, business positions, and interests in real property

Mono County Local Transportation Commission

PO Box 347
Mammoth Lakes, CA 93546
760- 924-1800 phone, 924-1801 fax
monocounty.ca.gov

PO Box 8
Bridgeport, CA 93517
760- 932-5420 phone, 932-5431 fax

Staff Report

December 12, 2016

TO: Mono County Local Transportation Commission

FROM: Megan Mahaffey, Fiscal Analyst

SUBJECT: STIP Planning, Programming & Monitoring Program Fund Transfer Agreement

RECOMMENDATION:

Approve Resolution R16-14 authorizing Mono County Local Transportation Commission executive director to execute PPM fund transfer agreements included in the current Regional Transportation Improvement Program in amount of \$135,000.

FISCAL IMPLICATIONS:

The Planning, Programming and Monitoring (PPM) funds serve as a funding source for execution of the Mono County 2016-17 Overall Work Program.

ENVIRONMENTAL COMPLIANCE:

N/A

DISCUSSION:

The authorization of the Caltrans agreement covering funding for the STIP Planning, Programming and Monitoring Program is part of the previously approved RTIP. The approval of the resolution will authorize the Mono County Local Transportation Commission executive director or designee to execute Caltrans agreements to allow for the implementation of the Transfer Agreement for implementation as per the Mono County Overall Work Program.

ATTACHMENT:

- Resolution R16-14
- PPM Funds Transfer Agreement

DEPARTMENT OF TRANSPORTATION

Division of Local Assistance
1120 N STREET
P.O. BOX 942874, MS# 1
Sacramento, CA 94274-0001
TTY 711
(916) 654-3883
Fax (916) 654-2408



File : 09-MNO-0-MNTC
PPM17-6142(023)
2016/2017 PPM Program

October 21, 2016

Mr. Scott Burns
Executive Director
Mono County Transportation Commission
P.O. Box 8
Bridgeport, CA 93517

Attn: Mr. Gerry Le Francois

Dear Mr. Burns:

Enclosed are two original agreements covering funding for the STIP Planning, Programming & Monitoring (PPM) Program for the fiscal year 2016/2017.

Please execute both copies of this agreement and return them to the Office of Local Programs - MS1 as soon as possible. Alterations should not be made to the agreement language or funding. ATTACH YOUR LOCAL AGENCY'S CERTIFIED AUTHORIZING RESOLUTION THAT CLEARLY IDENTIFIES THE PROJECT AND THE OFFICIAL AUTHORIZED TO EXECUTE THE AGREEMENT. Also, as required in the agreement, you must attach copies of Attachment A, to your Agency's PPM Plan, which identifies and summarizes all anticipated program costs. The attachment to this letter further explains the process and requirements.

Please note that Caltrans is no longer able to pay administering agencies with a single lump sum payment. Payment information in Section I, Article 2 of the agreement has been revised to reflect that payments will be made through reimbursement of actual allowable costs incurred.

Upon receipt of the signed agreements and the Attachment A noted above, Caltrans will execute and date the agreements and return one fully executed copy to your Agency. Invoicing, as referenced in Section II, Article 3 of the agreement, would then be submitted in accordance with instructions outlined in the revised Chapter 5 (LPP) 00-02, of the Local Assistance Procedures Manual. Please note that progress invoices are sent directly to your District Local Assistance Engineer (DLAE), and not to this Office.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Hoole".

JOHN HOOLE, Chief
Office of Project Implementation - South
Division of Local Assistance

Enclosure

c: OLP AE Project Files
(09) DLAE - Forest Becket
Planning, District 09

STIP PLANNING, PROGRAMMING & MONITORING PROGRAM
FUND TRANSFER AGREEMENT

Agreement No. PPM17-6142(023)
Project No. PPM17-6142(023)

Location: 09-MNO-0-MNTC
AMS Adv ID: 0916000043
PPNO: 2003

THIS AGREEMENT, effective on June 30, 2016 is between the State of California, acting by and through The Department of Transportation, hereinafter referred to as STATE, and the Mono County Transportation Commission, a public agency, hereinafter referred to as "ADMINISTERING AGENCY."

WHEREAS, the annual California State Budget Act appropriates State Highway funds under local assistance for the State Transportation Improvement Program (STIP) Planning, Programming and Monitoring Program (PPM), and

WHEREAS, PPM is defined as the project planning, programming and monitoring activities related to development of the Regional Transportation Improvement Program and the STIP required by Government Code Section 14527, et. Seq. and for the monitoring of project implementation for projects approved in these documents, hereinafter referred to as PPM PROJECT, and

WHEREAS, the California Transportation Commission (CTC) is tasked to allocate these funds in accordance with section 14527 (h) of the California Government code:

NOW, THEREFORE, the parties agree as follows:

SECTION I

STATE AGREES:

- 1. As authorized by Section 14527(h) of the Government Code to release to the ADMINISTERING AGENCY for its PPM PROJECT an amount not to exceed \$135,000.00 from monies appropriated for the PPM Program as follows:

For Caltrans Use Only

I hereby Certify upon my own personal knowledge that budgeted funds are available for this encumbrance

Accounting Officer	Date	\$
<i>Jennie Yeo</i>	<i>9/29/16</i>	<i>135,000.00</i>

2. To make reimbursements to ADMINISTERING AGENCY as promptly as State fiscal 22 procedures will permit, but not more often than monthly in arrears, upon receipt of an original and two copies of signed invoice in the proper form of covering actual allowable costs incurred for the period of the Progress Payment Invoice.

3. When conducting an audit of the costs claimed under the provisions of this Agreement, to rely to the maximum extent possible on any prior audit of ADMINISTERING AGENCY pursuant to the provisions of State and federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to STATE when planning and conducting additional audits.

SECTION II

ADMINISTERING AGENCY AGREES:

1. To use all state funds paid hereunder only for eligible PPM PROJECT specific work activities as defined in Attachment A to this AGREEMENT.

2. To use all state funds paid hereunder only for those transportation purposes that conform to Article XIX of the California State Constitution.

3. To prepare and submit to STATE an original and two copies of signed invoice for payment.

4. To prepare a Final Project Expenditure Report including a final invoice reporting actual costs expended in accordance with Attachment A and submit that Report and invoice no later than 60 days following the completion of expenditures. These allocated PPM funds are available for expenditure until June 30, 2019. The Final Report of Expenditures must state that the PPM funds were used in conformance with Article XIX of the California State Constitution and for PPM purposes as defined in this Agreement. Three copies of this report shall be submitted to STATE.

5. COST PRINCIPLES

A) ADMINISTERING AGENCY agrees to comply with, and require all sub-recipients and project sponsors to comply with, 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards, and all applicable Federal and State laws and regulations.

B) ADMINISTERING AGENCY agrees, and will assure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., and all applicable Federal and State laws and regulations, shall be used to determine the allowability of individual PROJECT cost items.

C) Any Fund expenditures for costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, or 48 CFR, Chapter 1, Part 3, are subject to repayment by ADMINISTERING AGENCY to STATE. Should ADMINISTERING AGENCY fail to reimburse Fund moneys due STATE within 30 days of demand, or within such other period as may be agreed in writing between the Parties hereto, STATE is authorized to intercept and withhold future payments due ADMINISTERING AGENCY from STATE or any third-party source, including, but not limited to, the State Treasurer, the State Controller, and the California Transportation Commission.

A) ADMINISTERING AGENCY shall not award a non-A&E contract over \$5,000, construction contract over \$10,000, or other contracts over \$25,000 [excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e) and (f)] on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE.

B) Any subcontract or agreement entered into by ADMINISTERING AGENCY as a result of disbursing Funds received pursuant to this Agreement shall contain all of the fiscal provisions of this Agreement; and shall mandate that travel and per diem reimbursements and third-party contract reimbursements to subcontractors will be allowable as project costs only after those costs are incurred and paid for by the subcontractors.

C) In addition to the above, the preaward requirements of third party contractor/consultants with ADMINISTERING AGENCY should be consistent with Local Program Procedures as published by STATE.

7. ACCOUNTING SYSTEM

ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate Fund expenditures by line item for the PROJECT. The accounting system of ADMINISTERING AGENCY, its contractors, and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices.

8. RIGHT TO AUDIT

For the purpose of determining compliance with this Agreement and other matters connected with the performance of ADMINISTERING AGENCY's contracts with third parties, ADMINISTERING AGENCY, ADMINISTERING AGENCY'S contractors, and subcontractors, and STATE shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times for three years from the date of final payment of Funds to ADMINISTERING AGENCY. STATE, the California State Auditor, or any duly authorized representative of STATE or the United States Department of Transportation shall each have access to any books, records, and documents that are pertinent for audits, examinations, excerpts, and transactions, and ADMINISTERING AGENCY shall furnish copies thereof if requested.

9. TRAVEL AND SUBSISTENCE

Payments to ADMINISTERING AGENCY for travel and subsistence expenses of ADMINISTERING AGENCY forces and its subcontractors claimed for reimbursement or applied as local match credit shall not exceed rates authorized to be paid exempt non-represented State employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced are in excess of those authorized DPA rates, then ADMINISTERING AGENCY is responsible for the cost difference and any overpayments shall be reimbursed to STATE on demand.

IT IS MUTUALLY AGREED:

1. All obligations of STATE under the terms of this AGREEMENT are subject to the availability of the state funds encumbered under this AGREEMENT.
2. Eligible expenditures under this agreement shall be from the effective date of allocation to June 30, 2019.
3. In the event that ADMINISTERING AGENCY fails to implement or complete the PPM PROJECT commenced under this Agreement, fails to perform any of the obligations created by this agreement or fails to comply with applicable State laws and regulations, STATE reserves the right to terminate funding for the PPM PROJECT or portions thereof, upon written notice to ADMINISTERING AGENCY. An audit may be performed as provided in Section II, Article (4) of this agreement.
4. NEITHER STATE nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by ADMINISTERING AGENCY under or in connection with any work, authority or jurisdiction delegated to ADMINISTERING AGENCY under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, ADMINISTERING AGENCY shall fully defend, indemnify and save harmless the State of California, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under or in connection with any work, authority or jurisdiction delegated to ADMINISTERING AGENCY under this Agreement.
5. As a condition of acceptance of the State funds provided for under this Agreement, ADMINISTERING AGENCY will abide by all State policies and procedures pertaining to the PPM PROJECT.
6. This Agreement shall terminate on December 31, 2019.

STATE OF CALIFORNIA
Department of Transportation

MONO COUNTY TRANSPORTATION
COMMISSION

By: _____

By: _____

Office of Project Implementation, North
Division of Local Assistance

Title: _____

DATE: _____

DATE: _____

RESOLUTION R16-14
A RESOLUTION OF THE MONO COUNTY LOCAL TRANSPORTATION COMMISSION FOR
FY 2016-17, EXECUTIVE DIRECTOR TO COMPLETE AND EXECUTE ALL DOCUMENTS
FOR PLANNING, PROGRAMMING & MONITORING FUND TRANSFER AGREEMENT

WHEREAS, the Mono County Local Transportation Commission has an allocation of \$135,000 of STIP shares for the 2016-17 Fiscal Year; and

WHEREAS, the Funds Transfer Agreement requests a certified authorizing resolution that clearly identifies the project and the official authorized to execute the agreement; and

WHEREAS, the 2016-17 Planning, Programming & Monitoring Funds have been budgeted toward projects in the Mono County Local Transportation Commission Overall Work Program.

NOW, THEREFORE, BE IT RESOLVED that executive director of Mono County Local Transportation Commission be authorized to complete and execute all required documents of the STIP Planning, Programming & Monitoring Program for fiscal year 2016-17.

PASSED AND ADOPTED this 12rd day of December 2016, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

 Shields Richardson, Chair
 Mono County Local Transportation Commission

ATTEST:

 CD Ritter
 LTC Secretary

Mono County Local Transportation Commission

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

December 12, 2016

TO: Local Transportation Commission

FROM: Gerry Le Francois, Principal Planner
Scott Burns, Director

RE: REGIONAL TRANSPORTATION PLAN SCHEDULE

RECOMMENDATION

Authorize staff to notify State Housing and Community Development that the Mono County Regional Transportation Plan (RTP) is scheduled for update in December 2017, and provide any desired direction to staff.

DISCUSSION

As you may recall, in 2014 your commission authorized a change in the RTP adoption cycle from five years to four years. This action allowed both Mammoth Lakes and Mono County to convert from a five-year housing element adoption cycle to an eight-year adoption cycle, saving significant time, cost and staff effort. The ultimate intent is to align the RTP and housing element updates whereas every eight years the RTP and housing element are updated concurrently.

As the attached Memorandum from HCD indicates, HCD is recommending a December 2017 RTP update adoption date, which would establish June 30, 2019 as the next housing element adoption date, rather than the current schedule of June 2017. The Town and County planning staffs are supportive of the delayed housing element update deadline, and Caltrans District 9 has no objections to the RTP update schedule.

Since the Mono County RTP was just comprehensively updated a year ago, it is anticipated that the 2017 update will be a minor revision. The update will likely focus on integrating new directions from the California Transportation Plan and Regional Transportation Plan Guidelines, updating emergency access routes, incorporating Town Mobility Plan policies, refining project lists for Regional Transportation Improvement Plan purposes, and updating supporting resource efficiency inventories and policies.

ATTACHMENTS

- HCD memo Nov. 22, 2016
- Minute Order M14-05

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

**MEMORANDUM**

Date: November 22, 2016
TO: Transportation Planning Agency Director and Local Government Planning Director

FROM: 
Glen A. Campora, Assistant Deputy Director

SUBJECT: Notification to HCD of Estimated Date to Adopt Regional Transportation Plan

This memorandum is a courtesy reminder of a statutory requirement applicable to County Regional Transportation Planning Agencies (RTPAs) that in 2014 made an election to change their Regional Transportation Plan (RTP) update schedule from five years to four years. Government Code (GC) 65080(b)(2)(M) permits RTPA Board of Directions to make an election to change their RTP update schedule in order for local governments to change their housing element update schedule from five years to eight years.

Government Code 65588(e)(5) (attached) requires transportation planning agencies "notify the department and the Department of Transportation in writing of the estimated adoption date for its next RTP update at least 12 months prior to the estimated adoption date." HCD is required to use the RTPA's advance notification of estimated RTP adoption date to (1) establish the start/end dates for the next local government housing element update and (2) determine the regional housing need allocation (RHNA) to be distributed to all local governments to address in their next housing element update.

The Department recommends RTPAs notify HCD in writing before December 31, 2016 of the estimated date (month/day/year) to next update the RTP and either adopt an RTP amendment (major revision) or administrative modification (minor revision). A December 2017 adoption date is preferred because local governments are required to update their housing elements 18 months from the actual RTP adoption date. A December 2017 adoption date would establish a June 2019 due date for local governments to update the current housing element that will expire June 30, 2019.

Please be aware, the local government's housing element planning period is associated with the RHNA (new housing unit allocation) time period. The purpose is to ensure the element accommodates all the RHNA determined through the end date of the planning period without any "gap" (period of time without a requisite RHNA). A gap can occur when the adoption of the RTP is delayed (which delays the element start and end date) past the RTPA's estimated date HCD used to determine RHNA and the element time period. Housing law does not enable HCD to change a RHNA determination.

Please contact the Department, if you have questions or desire assistance in coordinating housing and transportation plan updates. Staff can be reached at 916.263-2911.

Attachment

Government Code

65588(e)(5)

The metropolitan planning organization or a regional transportation planning agency for a region that has an eight-year revision interval pursuant to paragraph (3) shall notify the department and the Department of Transportation in writing of the estimated adoption date for its next regional transportation plan update at least 12 months prior to the estimated adoption date. The Department of Transportation shall maintain and publish on its Internet Web site a current schedule of the estimated regional transportation plan adoption dates. The department shall maintain and publish on its Internet Web site a current schedule of the estimated and actual housing element due dates. Each council of governments shall publish on its Internet Web site the estimated and actual housing element due dates, as published by the department, for the jurisdictions within its region and shall send notice of these dates to interested parties. For purposes of determining the existing and projected need for housing within a region pursuant to Sections 65584 to 65584.08, inclusive, the date of the next scheduled revision of the housing element shall be deemed to be the estimated adoption date of the regional transportation plan update described in the notice provided to the Department of Transportation plus 18 months.

Mono County Local Transportation Commission

PO Box 347
Mammoth Lakes, CA 93546
760-924-1800 phone, 924-1801 fax
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760-932-5420 phone, 932-5431 fax
www.monocounty.ca.gov

MINUTE ORDER M14-05

At the Mono County LTC meeting on August 11, 2014, it was moved by Commissioner Stump and seconded by Commissioner Hogan to change the RTP adoption cycle from five years to four.

This action was taken following the close of the properly noticed public hearing, during which comments were accepted from the public and representatives from the Town of Mammoth Lakes and Mono County.

Ayes: Jo Bacon, Tim Fesko, Sandy Hogan, Larry Johnston, Fred Stump

Against:

Absent: Shields Richardson

Attest:



CD Ritter, LTC Secretary

cc: HCD

STAFF REPORT

Subject: June Lake Summer Shuttle Recap

Initiated by: John Helm, Executive Director, Eastern Sierra Transit

ESTA began a new seasonal service in the June Lake area this past summer. The route operated from the last weekend in June through Labor Day and was funded with excess state Local Transportation Fund revenue received the prior year. The route provided hourly frequency service between June Lake Beach and Silverlake Campground with multiple stops in between, including three stops in June Lake Village. The route was discussed with, and resoundingly endorsed by the June Lake community during Community Advisory Committee meetings last spring.

Ridership on the route during the inaugural summer of service was disappointing. A total of 405 trips were provided over the course of the 72 day operating season. This works out to an average of 5.63 trips per day, or 0.7 passenger trips per run. Two days had zero passenger trips for the entire day. The largest ridership day was July 10th, when the route provided 21 passenger trips. The season's ridership is detailed on the following page.

The route was publicized in local media (radio and television) as well as on ESTA's website. Informative posters were made for each of the bus stops which detailed the route map and stop times. A 3" by 8" route information card was produced and had delivered to businesses along the route on two different occasions during the summer. Despite these marketing efforts, the service was not well utilized and ESTA staff heard comments to the effect that "you should do more to make sure that people are aware of the route".

The continuation of the route has not been determined at this time. Many residents and businesses in the June Lake area have commented that they appreciated the service, however, they recognize that it was not well used. The low ridership numbers have been shared with the June Lake Citizens Advisory Committee. Despite the low numbers, the Committee recommended that the shuttle be operated again next summer, perhaps with a reduced operating season (July through mid-August). The Committee indicated that it might be possible for businesses in the area to provide fare revenue equivalent to the 10% minimum required by the state. Prior to, or in conjunction with the ESTA bi-annual service review for next summer's service, ESTA staff intends to forward a recommendation to the ESTA Board as to whether or not to continue the June Lake Summer Shuttle in 2017.

JUNE LAKE SHUTTLE 2016 RIDERSHIP STATISTICS				
RTE_DATE	TOTAL PASSENGER TRIPS		RTE_DATE	TOTAL PASSENGER TRIPS
6/25/2016	2		8/1/2016	4
6/26/2016	0		8/2/2016	10
6/27/2016	5		8/3/2016	2
6/28/2016	18		8/4/2016	5
6/29/2016	0		8/5/2016	8
6/30/2016	3		8/6/2016	9
7/1/2016	7		8/7/2016	2
7/2/2016	4		8/8/2016	3
7/3/2016	13		8/9/2016	7
7/4/2016	1		8/10/2016	2
7/5/2016	2		8/11/2016	5
7/6/2016	11		8/12/2016	6
7/7/2016	1		8/13/2016	10
7/8/2016	12		8/14/2016	5
7/9/2016	9		8/15/2016	2
7/10/2016	21		8/16/2016	1
7/11/2016	4		8/17/2016	3
7/12/2016	2		8/18/2016	9
7/13/2016	8		8/19/2016	1
7/14/2016	17		8/20/2016	2
7/15/2016	6		8/21/2016	3
7/16/2016	3		8/22/2016	4
7/17/2016	2		8/23/2016	4
7/18/2016	9		8/24/2016	2
7/19/2016	1		8/25/2016	1
7/20/2016	1		8/26/2016	1
7/21/2016	9		8/27/2016	7
7/22/2016	8		8/28/2016	5
7/23/2016	3		8/29/2016	14
7/24/2016	1		8/30/2016	5
7/25/2016	10		8/31/2016	4
7/26/2016	2		9/1/2016	4
7/27/2016	1		9/3/2016	18
7/28/2016	12		9/4/2016	13
7/29/2016	7		9/5/2016	1
7/30/2016	3			
7/31/2016	5			
JUN/JULY TOTAL	223		AUG/SEPT TOTAL	182
AVG./DAY	6.03		AVG./DAY	5.2
			SEASON TOTAL	405
			AVG./DAY	5.63



NEWS RELEASE

Date: Tuesday, November 29, 2016
District 9: Inyo, Mono & Eastern Kern - www.dot.ca.gov/dist9
Contact: Florene Trainor, florene_trainor@dot.ca.gov
Public Information Officer
Phone: (760) 872-0603 office, (760) 937-1553 cell

FOR IMMEDIATE RELEASE

CRESTVIEW SAFETY ROADSIDE REST AREA WINTER CLOSURE

Bishop – The California Department of Transportation (Caltrans) announces the winter closure of the Crestview Safety Roadside Rest Area effective 5:00 pm on Wednesday, November 30, 2016.

This closure is necessary due to winter weather conditions.

It is anticipated the Crestview Safety Roadside Rest Area will reopen on March 15, 2017, weather permitting.

For the latest travel conditions, please visit:
Caltrans QuickMap at <http://quickmap.dot.ca.gov/>

