



**EASTERN SIERRA COUNCIL OF GOVERNMENTS (ESCOG)
Joint Powers Authority**

SPECIAL MEETING AGENDA

Friday, May 15, 2020

8:30 a.m.

*NOTE: This will be a Zoom meeting and will be conducted pursuant to the provisions of the Governor's Executive Order which suspends certain requirements of the Ralph M. Brown Act. It is strongly encouraged that you watch this meeting on the Town of Mammoth Lakes' (TOML) website at www.townofmammothlakes.ca.gov or on TOML's local government cable channel 18. **Public comments can be submitted to the TOML Assistant Clerk at aplaisted@townofmammothlakes.ca.gov before and during the meeting.***

Board Members

Mono County Supervisor
Stacy Corless –Chair

Mono County Supervisor
Bob Gardner

Town of Mammoth Lakes Councilmember
Lynda Salcido

Town of Mammoth Lakes Councilmember
John Wentworth

Inyo County Supervisor
Jeff Griffiths

Inyo County Supervisor
Dan Totheroh

City of Bishop Councilmember
Jim Ellis

City of Bishop Councilmember
Karen Schwartz – Vice Chair

NOTICE TO THE PUBLIC

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 760-965-3615. Notification 48 hours prior to the meeting will enable the City of Bishop or Town of Mammoth Lakes to make reasonable arrangements to ensure accessibility to this meeting. (See 42 USCS 12132, 28CFR 35.130)

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**

4. **Public Comment** – Notice to the Public: This time is set aside to receive public comment on matters not calendared on the agenda. When recognized by the Chair, please state your name and address for the record and please limit your comments to three minutes. Under California law the Eastern Sierra Council of Governments Board is prohibited from generally discussing or taking action on items not included in the agenda; however, the Eastern Sierra Council of Governments Board may briefly respond to comments or questions from members of the public. Therefore, the Eastern Sierra Council of Governments Board will listen to all public comment but will not generally discuss the matter or take action on it.
5. **Approve the Minutes of the February 14, 2020 special meeting of the ESCOG JPA.**
6. **Approve Legal Services Agreement between Eastern Sierra Council of Governments Joint Powers Authority and the County of Inyo. Legal Services to be provided through Inyo County’s County Counsel’s Office at an estimated cost of eight hundred and thirty-three dollars (\$833) per month.**
7. **Discussion and possible adoption of the ESCOG JPA Draft Bylaws.**
8. **Discussion and staff direction regarding the adoption of the resolution announcing the intent to adopt an initial Conflict of Interest Code for the ESCOG JPA.**
9. **Discussion and possible adoption of the ESCOG JPA Fiscal Year 2019/20 Budget.**
10. **Discussion and possible adoption of the ESCOG JPA Fiscal Year 2020/21 Budget.**
11. **Discussion and Direction (action) on COVID-19 regional impacts and response include decisions and actions by other public land managers and state commissions or agencies.**
12. **Board Member Reports on Local, Regional, State and Federal matters related to ESCOG JPA interests.**
13. **Adjournment**



**EASTERN SIERRA COUNCIL OF GOVERNMENTS (ESCOG)
Joint Powers Authority**

SPECIAL MEETING MINUTES

**Friday, February 14, 2020
8:30 a.m.**

**Mammoth Lakes Council Chamber
437 Old Mammoth Road, Suite Z
Mammoth Lakes, CA**

Board Members

Mono County Supervisor
Stacy Corless – Vice Chair

Mono County Supervisor
Bob Gardner

Town of Mammoth Lakes Councilmember
Lynda Salcido

Town of Mammoth Lakes Councilmember
John Wentworth

Inyo County Supervisor
Jeff Griffiths - Chair

Inyo County Supervisor
Dan Totheroh

City of Bishop Councilmember
Jim Ellis

City of Bishop Councilmember
Karen Schwartz

NOTICE TO THE PUBLIC

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NOTE: Comments for all agenda items are limited to a speaking time of three minutes.

1. Call to Order

Chair Jeff Griffiths called the meeting to order at 8:36 a.m.

2. Pledge of Allegiance

The Pledge of Allegiance was led by Inyo County Counsel Marshall Rudolph.

3. Roll Call

Chair Jeff Griffiths, Vice Chair Stacy Corless and Board Members Bob Gardner, John Wentworth, Dan Tothoroh, Jim Ellis and Karen Schwartz were present. Board Member Lynda Salcido was absent.

- 4. Public Comment – Notice to the Public:** This time is set aside to receive public comment on matters not calendared on the agenda. When recognized by the Chair, please state your name and address for the record and please limit your comments to three minutes. Under California law the Eastern Sierra Council of Governments Board is prohibited from generally discussing or taking action on items not included in the agenda; however, the Eastern Sierra Council of Governments Board may briefly respond to comments or questions from members of the public. Therefore, the Eastern Sierra Council of Governments Board will listen to all public comment but will not generally discuss the matter or take action on it.

New City of Bishop City Administrator Ron Phillips introduced himself via teleconference.

5. Approve the Minutes of the December 13, 2019 regular meeting (of the ESCOG).

It was moved by Board Member Karen Schwartz, seconded by Board Member Bob Gardner, with Board Member Lynda Salcido absent, and carried by a 7-0 voice vote to approve the minutes of the December 13, 2019 regular meeting.

6. Discussion and possible action on elect new officers for the position of Chair, Vice Chair and Secretary for ESCOG -JPA.

Town of Mammoth Lakes Town Manager Dan Holler reported that this meeting had been set up as a Special Meeting since the ESCOG JPA was a new entity and a regular meeting schedule had not been set yet. Mr. Holler discussed the prior process used to elect the Chair and Vice Chair and discussed the process of appointing officers under the newly form JPA. He said that the duties of the Secretary would need to be determined prior to filling that position, whether that role was to be held by a Board Member or staff person. He recommended that the duties of the Secretary be spelled out in the new bylaws prior to appointment. Mr. Holler outlined the information in the staff report.

Board Member Bob Gardner nominated Chair Jeff Griffiths as the Chair of the ESCOG JPA. Mr. Griffiths declined the nomination. Mr. Gardner nominated Vice Chair Stacy Corless as the Chair.

Board Member John Wentworth nominated Board Member Karen Schwartz as Vice Chair.

It was moved by Board Member Dan Totheroh, seconded by Board Member Bob Gardner, with Board Member Lynda Salcido absent, and carried by a 7-0 voice vote to appoint Vice Chair Stacy Corless as the Chair of the ESCOG JPA.

It was moved by Board Member John Wentworth and seconded by Chair Jeff Griffiths, with Board Member Lynda Salcido absent, and carried by a 7-0 voice vote to appoint Board Member Karen Schwartz as the Vice Chair of the ESCOG JPA.

7. Discussion on update regarding the filing of the needed Joint Powers Agreement Establishing the Eastern Sierra Council of Governments as a separate Legal Entity from its Member Agencies.

Town Manager Dan Holler outlined the information in the staff report.

There was discussion between Mr. Holler and members of the Board.

8. Discussion and possible action on the establishment of Ad Hoc Committees to review and bring recommendations back to the full ESCOG - JPA Board on matters related to the administration and operations to include at least the following: Bylaws; Budget – FY19-20; Financial Processes and member commitments and Fiscal Agent Agreement, Legal Representation, ESCOG-JPA Insurance; Conflict of Interest Code; and Executive Director Term, Selection, and Duties.

Town Manager Dan Holler outlined the information in the staff report.

SPEAKING FROM THE FLOOR:

Inyo County Counsel Marshall Rudolph discussed how the legal counsel for the ESCOG JPA would be structured. Mr. Rudolph said that there would be a team approach between all of the member agencies. He said that his office would be happy to take the lead if necessary, however, he would need to make sure that Inyo County Board of Supervisors were comfortable with that and reported that he had added that topic to their next agenda. Mr. Rudolph asked the members of the Board if they would like his firm to take the lead, and said if so, he would put together a legal services agreement. If the Inyo County Supervisors did not approve of his office taking the lead, he suggested the possibility of the Jones and Mayer Law Firm doing so. He said that if his office did take the lead, he would likely transition the duties of lead counsel for the JPA to one of his deputies or assistants.

There was discussion between Mr. Rudolph, Mr. Holler and members of the Board.

It was moved by Board Member John Wentworth, seconded by Board Member Jim Ellis, with Board Member Lynda Salcido absent, and carried by a 7-0 voice vote to appoint Board Members Bob Gardner and Dan Totheroh, and Vice Chair Karen Schwartz to the Administrative Ad Hoc Committee to work on the Budget for Fiscal Years 2019/20 and 2020/21; Creation of Bylaws; Development of a Conflict of Interest Code; ESCOG-JPA Insurance; and Financial Processes and member commitments and a Fiscal Agent Agreement.

It was moved by Board Member John Wentworth, seconded by Board Member Dan Totheroh, with Board Member Lynda Salcido absent, and carried by a 7-0-voice vote to appoint Board Members Jim Ellis and John Wentworth, and Chair Stacy Corless to an Ad Hoc Committee with the purpose of determining the term and duties for the position of Executive Director and selection of potential candidates.

9. Discussion with Mono County Finance Director, Janet Dutcher regarding the ESCOG fiscal services and processes provided by Mono County Department of Finance.

Mono County Finance Director Janet Dutcher outlined the information in her staff report.

Town of Mammoth Lakes Town Manager Dan Holler reported that the staff recommendation was for Ms. Dutcher to invoice each of the member agencies for the entire \$16,500 upfront based on the draft budget for the start up costs of the ESCOG JPA.

The Board gave direction for each of the member agencies to pay \$16,500 upon receipt of the invoice.

Ms. Dutcher stated that it was important to determine who would be authorized to approve invoices for payment. She said that the Board could authorize the Chair to approve payments or agendize those items for approval by the Board in lieu of an Executive Director.

Mr. Holler recommended that Vice Chair Karen Schwartz approve payments until the Ad Hoc Administrative Committee sets a policy, rather than Chair Stacy Corless since Ms. Corless had a seat on the Mono County Board.

There was consensus by the Board that the Administrative Ad Hoc Committee would determine who would be responsible for authorizing payments on behalf of the ESCOG JPA.

There was discussion between Ms. Dutcher, Mr. Holler, and members of the Board.

The Board went into recess at 9:32 a.m.

The Board reconvened at 9:36 a.m.

10. Update on the Eastern Sierra Sustainable Recreation Partnership (ESSRP) including Partnership Meetings on January 6th and February 3rd, and establishment of liaison between the ESCOG and ESSRP to review future opportunities.

Board Member John Wentworth outlined the information in the packet regarding the ESSRP and gave an update on the recent Sustainable Recreation Partnership meetings that had taken place. Mr. Wentworth announced that Mammoth Lakes Trails and Public Access (MLTPA) and the Inyo National Forest had been working with Quantified Ventures on an application for the Innovative Finance for National Forests Grant which would be submitted on February 17, 2020. If awarded, the funds would be used for a business plan for campgrounds in Inyo County, Mono County and the Inyo National Forest. He reported that Inyo National Forest Supervisor Tammy Randall Parker had announced a partnership with the Los Angeles Department of Water and Power (LADWP) for a pilot program. He spoke about the National Parks Service's (NPS) participation in the ESSRP meetings and the Rivers, Trails and Conservations Assistance (RTCA) program. He said that he thought the ESSRP and the ESCOG JPA needed to work together at some point. He said that the next ESSRP meeting would be on March 2nd in Bishop, followed by a meeting on April 6th in Mammoth.

There was discussion among members of the Board.

11. Update on the Prop 68/Sierra Nevada Conservancy's "Sustainable Recreation and Tourism" Grant, administered by the Town of Mammoth Lakes on behalf of the regional partners

Board Member John Wentworth gave an update on the Sierra Nevada Conservancy (SNC) grant. Mr. Wentworth said there was a meeting scheduled next week with the Visitor Connection Working Group to start development of the Visitor Connection package which would include a series of recommendations for visitors regarding the Eastern Sierra. He gave an update on the TOML Climate Adaptation and Resilience Assessment and spoke about doing a Natural Asset Assessment. He reported that the next ESSRP Gateway Community Public Workshop would be on March 26th in Mammoth. He spoke about the USDA Rural Development Rural Business Development Grant (RBDG).

SPEAKING FROM THE FLOOR:

Inyo County Assistant County Administrator Leslie Chapman reported that she had reviewed the grant to consider which project might be eligible for it. Ms Chapman said that she was unsure if any of the projects she reviewed would be eligible by the time the grant application was due, but said it was possible that certain events could be eligible. She said she had hoped for money for the Small Business Center, but said that it would not be ready in time.

There was discussion between Ms. Chapman and members of the Board.

12. Update on Bishop Eastern Sierra Regional Airport (BIH) Air Service.

Inyo County Assistant County Administrator Leslie Chapman gave an update on Bishop Eastern Sierra Regional Airport Air Service. Ms. Chapman reported that the National Environmental Policy Act (NEPA) review was in process with the Federal Aviation Association (FAA) as the lead agency and said that Inyo County was the lead for the California Environmental Protection Act (CEQA) process. She said that both of the public scoping meetings were well attended. Ms. Chapman said that the next step was to review the comments gathered at the meetings and finalize the scope and review everything with the FAA, after that the analysis would begin. She reported that she was looking at next fall for the airport to receive Part 139 Certification. She said that there were a couple of outstanding issues, however, resolution of the issues was going well, and that they were considering options such as used trucks, rental vehicles and funding from the FAA. She reported that the FAA would do an inspection when construction had been completed followed by a final inspection in the fall.

Board Member John Wentworth said that the Local Transportation Commission (LTC) was working on potential transportation issues moving visitors from BIH to Mammoth, Mt. Whitney and Death Valley, in addition to other recreation destinations in the region once commercial flights were landing at BIH. Mr. Wentworth suggested joint meetings between the ESCOG and the LTC.

Board Member Jeff Griffiths reported that there was a lot of interest from private companies with regard to assisting with transportation.

Board Member Jim Ellis recommended a Public Service Announcement regarding transportation for potential providers.

There was discussion between Ms. Chapman and members of the Board.

13. Discussion regarding Grant Opportunities, including Innovative Finance for National Forest grant application “Inyo Forest Campgrounds” and USDA Rural Development Rural Business Development Grants (RBDG)

This item was combined with item #11.

14. Update on housing activities from all member agencies.

Board Member Jeff Griffiths reported that the Silver Peaks project was moving forward with the eighty-two units and said that the escrow period had been extended and should close in the next couple of months. Mr. Griffiths reported that Inyo County was considering mixed use zoning as well as a revolving loan program for rehabilitation of vacant homes to be used as rental properties.

Board Member John Wentworth reported that the Town of Mammoth Lakes' primary focus was The Parcel. Mr. Wentworth said that the RFP for a Developer had gone out and there should be a determination within the next week or two as to who would be selected. He said that the project needed to go through the CEQA process which would take nine to twelve months to complete and projected a move in date no earlier than 2022. Mr. Wentworth said that financing was being worked on and said that Transient Occupancy Tax (TOT) revenue of about \$7.5-9 million was set aside for the first phase. He added that the Town Council was considering adding a special tax measure on the November ballot for a 1% TOT increase to be used solely for housing. He spoke about mobility issues and reducing Vehicle Miles Traveled (VMTs). Mr. Wentworth said that it was imperative to increase housing for the local workforce in order to keep the Town functioning. He spoke about concerns around Mammoth Lakes Tourism's (MLT) marketing and Alterra's long-term commitment to the Tourism Business Improvement District (TBID).

Vice Chair Karen Schwartz reported that applications for an RFP for a consultant to assist the City of Bishop with their general plan and converting some commercial properties into mixed use were coming in. Ms. Schwartz said that their Planning Department had recently approved a conditional use permit for a private investor to convert a local office building into residential units. She said the City was trying to convert empty spaces into residential units. She reported that a JPA was recently formed between the City of Bishop and Rural Fire Protection District.

Board Member Jim Ellis spoke about building up rather than out in Bishop. Mr. Ellis reported that the Kingston Development was moving forward with eleven to twelve units. He said that there had been a lot of public outreach with regard to affordable housing needs and said that the League of California Cities was focused on housing and had estimated that the cost to build in California was approximately \$500 per square foot.

Board Member Bob Gardner reported that Mono County was moving forward with plans to hire a Housing Coordinator. Mr. Gardner said that there was a project in the Walker Coleville area that would provide a few units. He said that the Lee Vining Tioga Inn project which would create one hundred units was in process. He reported that the Mono Basin Regional Planning Advisory Committee had established a subcommittee on housing and was pursuing opportunities for smaller projects, in particular, an old school property for ten to twelve units. Mr. Gardner said that June Lake had two projects in the planning process which would total fifteen to twenty units; the expansion of the June Lake Brewery and the development up the street from the Brewery. He reported that the Davison House project in Mammoth was being worked on and a transitional unit had been established by Inyo Mono Advocates for Community Action (IMACA) in the fall in June Lake. He reported that he and Mono County Supervisor Jennifer Kreitz had attended a seminar regarding the policy side of homelessness issues for renters.

Chair Stacy Corless reported that the housing project in the Walker area that Mr. Gardner spoke about was through Mono County Behavioral Health (MCBH) for permanent supportive housing. Ms. Corless added that MCBH was working on a thirty unit housing project in Mammoth which would include permanent supportive housing. She said that the developer on the thirty unit project had also responded to the Town's RFP for The Parcel.

SPEAKING FROM THE FLOOR:

Mono County Finance Director Janet Dutcher announced that Mono County had been awarded the Whole Person Care Grant in the amount \$450,000. Ms. Dutcher said that they had five years to spend the funds and that there was more money to come. She said that the funds were meant to take care of community members that were at-risk of becoming homeless. Ms. Dutcher said that the Mono County award had three program objectives; fund a countywide Housing Coordinator position, develop Gap funding subsidies, and invest in infrastructure.

There was discussion among members of the Board.

15. Member Reports

Board Member Jim Ellis said that it was good to be back, and said he was glad to see that the JPA had moved forward.

Board Member Dan Totheroh spoke about a potential vaping ban in Inyo County. Mr. Totheroh reported that Inyo County had altered their short-term rental process and would no longer allow non-hosted short-term rentals. He said that the penalties for renting without a short-term permit had been increased significantly and included charges for every day rented and/or advertised without a permit.

Board Member Bob Gardner gave an update on a cannabis cultivation permit in the Walker Coleville area.

Vice Chair Karen Schwartz spoke about potential rezoning in the City of Bishop. Ms. Schwartz reported that the California Superior Court had a renewed interest in purchasing a piece of property across from the high school to build a new superior court.

Board Member Jeff Griffiths said that with development of the Bishop Airport there would need to be a new location for the annual fireworks display and reported that it had been decided that the Tri-County Fairgrounds would work and would allow for a bigger display. Mr. Griffiths reported that Inyo County was close to breaking ground on their consolidated office building. He said that the County had issued close to thirty cannabis permits in South County. Mr. Griffiths reported that he was on the Executive Board of the California State Association of Counties (CSAC) Homelessness Action Team. He said that he had a discussion with one of the representatives from Go-Biz regarding Regions Rising Together and the need for a regional approach to finding the industries of the future and investing in them.

Board Member John Wentworth reported that the Town was working on land conveyance issues and could possibly package those with other communities in the region. Mr. Wentworth said that TOT was strong in Mammoth even with this season's light snowfall. He said that due to IKON Pass Blackout dates, holidays had not been as crowded, however, business on the weekends before and after the holidays had increased. He spoke about mobility studies and the Walk Bike Ride Program and said that the Regional Transit Plan recently approved by Mono County had deficits around air service and airports and said that the language in the contract was out of date and would be updated. Mr. Wentworth said that The Parcel units were being looked at as primarily rentals, not for home ownership. He reported that the Town had passed a vaping/tobacco ordinance consistent with Mono County's ordinance. He announced that he had been reappointed to the Integrated Climate Adaptation and Resiliency Program (ICARP) through the Office of Planning and Research (OPR) and spoke about the goals of ICARP.

SPEAKING FROM THE FLOOR:

Town of Mammoth Lakes Manager Dan Holler said that the land conveyance would take at least a two-year cycle to get through Congress.

Chair Stacy Corless introduced Mono County Chief Administrative Officer Steve Barwick. Ms. Corless gave an update on the new Mono County Civic Center and said it should be completed by June 1st. She said that staff may need interim office space between March 31st and the June 1st move in date. She announced that all four of the marketing tourism agencies in the region were awarded the 2020 Visit California's Poppy Award for Cooperative Marketing. She spoke about the upcoming Town and County Joint Workshop scheduled on February 18th in Mammoth. Ms. Corless said that she had engaged with the Sierra Nevada Conservancy (SNC) to look at increasing the region's capacity to take on forest and watershed health projects. Ms. Corless said that the local lead agency, Inyo-Mono Integrated Regional Water Management Program (IRWM), had received funding through SNC for capacity building. She discussed the desire in the region to create a Fire Safe Council. Ms. Corless reported that there was a SNC Project in the Mammoth Lakes Basin treating about one hundred acres and also a preplanning effort for a landscape project of 50,000 acres. She said that she thought this was a project that the ESCOG JPA should get involved in. Ms. Corless said that Plumas Corporation was applying for the preplanning grant for the landscape project and noted that Mono County resident and Plumas Corporation Project Manager Janet Hatfield would take the lead.

SPEAKING FROM THE FLOOR:

Mono County Chief Administrative Officer Steve Barwick gave a brief background about himself and said that he was happy to be in Mono County. Mr. Barwick reported that Bob Laughton would be the new Mono County Assistant Chief Administrative Officer.

There was discussion among members of the Board.

16. Discussion and action on establishing a regular meeting schedule, time and place(s) for ESCOG-JPA and/or next meeting and Call for Agenda Items

This item was taken out of order.

There was discussion between Town of Mammoth Lakes Town Manager Dan Holler and members of the Board.

It was moved by Board Member Bob Gardner, seconded by Board Member John Wentworth, with Board Member Lynda Salcido absent, and carried by 7-0 voice vote to adopt the meeting schedule that was selected prior to the ESCOG filing as a JPA.

17. Adjournment

The meeting was adjourned at 10:53 a.m. to the next regular meeting on April 10, 2020 at 8:30 a.m. in the Bishop City Council Chambers.

DRAFT



Town of Mammoth Lakes

Town Manager's Office

437 Old Mammoth RD, Suite 230

P.O. Box 1609 Mammoth Lakes, CA 93546

Phone (760) 965-3601, Fax 934-7493

www.townofmammothlakes.ca.gov

May 13, 2020

To: ESCOG Board

From: Dan Holler, Town Manager

Re: Proposed agreement between ESCOG JPA and Inyo County for Legal Services

Background

The ESCOG Board approved the use of Inyo County's offer to provide legal services through County Counsel's Office. Marshall Rudolph from Inyo County as been engaged in providing legal services and advice over the past several months to ESCOG as the new JPA was being formed. This included preparing the Conflict of Interest Code and finalizing draft Bylaws.

The proposed agreement will formalize the work provide by Mr. Rudolph and other staff in the Inyo County Counsel's Office. The agreement is proposed to be effective April 1, 2020. This reflects time spent in preparing the above noted documents and providing other advice. The services are proposed on a fixed retainer basis of \$833.00 per month. This does not include any litigation related costs should such actions result in additional legal fees being incurred by ESCOG. The agreement is to be reviewed annually by the Executive Director or ESCOG members as designated by the Board to consider changes in rate and services.

Recommendations

ESCOG Board to approve the legal services agreement between the ESCOG JPA and Inyo County for Legal Services

**AGREEMENT REGARDING LEGAL SERVICES TO BE
PROVIDED BY THE INYO COUNTY COUNSEL'S OFFICE
TO THE EASTERN SIERRA COUNCIL OF GOVERNMENTS
JOINT POWERS AUTHORITY (ESCOG)**

This Agreement is entered into by and between the Eastern Sierra Council of Governments Joint Powers Authority ("ESCOG") and the County of Inyo, a political subdivision of the State of California (sometimes referred to herein as "the County").

Recitals:

- A. State law authorizes ESCOG to contract for legal services.
- B. Under Government Code section 26520, which is made applicable to county counsels by Government Code section 26529, a county counsel is authorized to provide legal services to local public entities, and to charge a fee for such services.
- C. ESCOG wishes to retain legal services from Inyo County through its County Counsel's Office (as an independent contractor). The County is willing to provide such services on the terms and conditions set forth below.

Terms and Conditions:

The parties hereto agree as follows:

1. Inyo County shall provide services to ESCOG through the Inyo County Counsel's Office (hereinafter referred to as "the County Counsel"), when and if requested by ESCOG. ESCOG shall be deemed a client of the County Counsel for purposes of this Agreement. Individual attorneys employed by the County in the County Counsels' Office shall at all times remain employees of the County and not employees of ESCOG. All legal services provided shall be through the County as an independent contractor.
2. As compensation for any and all routine legal services provided under this Agreement, and any expenses associated therewith, ESCOG shall initially pay the County a flat fee of \$833.00 per month regardless of the actual amount of services provided, which is based on the parties' good-faith estimate of the County's average monthly costs of providing such services over a typical 12-month period. Routine legal services include "general counsel" services such as legal advice, document review/drafting, participation in negotiations, and attendance at ESCOG Board meetings; they do not include litigation, arbitrations, administrative proceedings to which ESCOG is a party, and hearings related to personnel matters. Non-routine legal

services would be provided only upon mutual agreement of the ESCOG and the County Counsel's office and would be charged on an hourly basis using the then-current billing rate for Inyo County Counsel services (\$151 per hour as of the date of this Agreement) plus reimbursement of incidental costs and expenses. On or before July 1, 2021, and every July 1st thereafter, the County Counsel and the ESCOG Executive Director shall review and discuss whether an adjustment to said monthly compensation may be appropriate. Any agreed-upon adjustments shall be memorialized in writing and incorporated into this Agreement by this reference. Invoices for services shall be sent to ESCOG in care of its Executive Director or such other individual as ESCOG may designate from time to time, on a quarterly basis, or at such other intervals as may be mutually agreeable to the parties. Invoices shall contain descriptions of work performed and time spent. ESCOG shall pay invoices within 30 days of receipt.

3. The County Counsel's Office shall notify the parties hereto of any actual or potential conflicts of interest that may arise between them as respective clients of the County Counsel's office, and the County Counsel shall endeavor to avoid providing any services under this Agreement that would create a conflict. Nevertheless, in the event that a conflict does arise between the County (or any of its boards, commissions, officers or employees) on the one hand and ESCOG on the other hand, or if for any reason the County Counsel's office declines to or resigns from providing services to ESCOG, then ESCOG agrees that the County Counsel's Office may thereafter continue to act as legal counsel for the County and that the County Counsel's Office shall not be disqualified from representing or otherwise carrying out any of its powers and duties on behalf of the County.

4. This Agreement shall remain in full force and effect until terminated by any party, without cause, by supplying 30 days' written notice of termination to the other party. Either party may also terminate this agreement at any time for cause, through oral or written notice to the other party (effective immediately).

5. ESCOG acknowledges that it has been or has had the opportunity to be represented by separate legal counsel with respect to the negotiation and preparation of this Agreement or has knowingly waived its right to do so, and that it is fully aware of the contents of this Agreement and of its legal effect. Thus, any ambiguities in this Agreement shall not be resolved in favor of or against either party. ESCOG specifically acknowledges that the County Counsel has only represented the County with respect to the negotiation and preparation of this Agreement and that ESCOG has consented to such representation and has knowingly and voluntarily waived any actual or potential conflict associated with such representation.

6. This Agreement contains the entire agreement of the parties, 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 the same be in writing executed by the parties hereto.

Execution:

This Agreement shall be deemed entered into as of April 1, 2020, regardless of when actually approved or executed by the parties hereto.

EASTERN SIERRA COUNCIL OF
GOVERNMENTS, a joint powers authority

COUNTY OF INYO, a political
subdivision of the State of California

By: _____
Stacy Corless, Chair
ESCOG Board of Directors

By: _____
Matt Kingsley, Chair
County Board of Supervisors



Town of Mammoth Lakes

Town Manager's Office

437 Old Mammoth RD, Suite 230

P.O. Box 1609 Mammoth Lakes, CA 93546

Phone (760) 965-3601, Fax 934-7493

www.townofmammothlakes.ca.gov

May 13, 2020

To: ESCOG Board

From: Dan Holler, Town Manager

Re: Proposed ESCOG Bylaws

Background

One of the organizational requirements for the new ESCOG JPA is to adopt Bylaws. A draft set was prepared and is attached. The Board is requested to review, provide comments, minor edits and adopt the Bylaws. Adoption of the Bylaws will allow the Board to proceed under the rules as provided. The Bylaws may be amended in the future as desired by the ESCOG Board.

Recommendations

ESCOG Board to provide any edits and adopt Bylaws

Bylaws
Of
The Eastern Sierra Council of Government Agencies (ESCOG)

ARTICLE I
MEETINGS

Section 1: Regular Meetings.

The Eastern Sierra Council of Governments (ESCOG) shall hold regular quarterly meetings. The time and place of such meetings shall be set by the ESCOG in accordance with the requirements of the Ralph M. Brown Act (Government Code §§ 54950 et seq.) (the "Brown Act").

Section 2: Special Meetings.

Special meetings may be called by the Chair at his or her discretion, or by the Chair upon request by a Director, in accordance with the requirements of the Brown Act.

Section 3: Cancellation of Meetings.

The Chair may cancel any regular or special meeting, unless there is an objection by a Director. The Chair, or any Director, may cancel a meeting for lack of a quorum.

Section 4: Notice and Conduct of Meetings.

All meetings shall be noticed and conducted in accordance with the requirements of the Brown Act.

ARTICLE II
OFFICERS

Section 1. Chair

The Directors shall elect from among them a Chair. The Chair shall be elected annually at the first regular meeting of each fiscal year.

Section 2: Vice-Chair

The Directors shall elect from among them a Vice-Chair. The Vice-Chair shall be elected annually at the first regular meeting of each fiscal year. The Vice-Chair shall act in the place of and have all of the powers and duties of the Chair in the Chair's absence.

Section 3: Secretary

The Secretary shall prepare an agenda and take minutes of all meetings of the ESCOG, maintain a public record of the ESCOG's meetings, transactions and business. The Secretary may be a regular paid employee of a Member Agency or an outside individual or firm as determined by the ESCOG.

Section 4: Executive Director

The ESCOG may employ an Executive Director to serve at the pleasure of the ESCOG. Such Executive Director may be a regular paid employee of any Member Agency or an outside individual or firm as determined by the ESCOG.

ARTICLE III
COMMITTEES

Section 1: Committees

The Directors may establish such technical and/or advisory committees as determined to be necessary or desirable to serve the needs and accomplish the purposes of the ESCOG.

Section 2: Committee Meetings.

Standing or ad hoc committee meetings may be called by the committee chair.

ARTICLE IV
AMENDMENTS

These Bylaws may be amended by a majority vote of the Directors at any regular meeting provided that notice of the proposed amendment has been submitted in writing by the Secretary to the Directors at least fifteen (15) calendar days prior to the meeting at which the amendment is proposed to be considered.

ADOPTED this _____ day of _____, 2020.

Stacy Corless, Chair
Eastern Sierra Council of Governments

ATTEST:

Secretary



Town of Mammoth Lakes

Town Manager's Office

437 Old Mammoth RD, Suite 230

P.O. Box 1609 Mammoth Lakes, CA 93546

Phone (760) 965-3601, Fax 934-7493

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May 13, 2020

To: ESCOG Board

From: Dan Holler, Town Manager

Re: Proposed ESCOG Conflict of Interest Code

Background

The proposed Conflict of Interest Code is required to be adopted through a specified process. A copy of the Code is attached for Board review and considerations.

This Board will need to adopt a resolution providing for a mandatory 45-day comment period. The comment period would run from May 16th to June 30th.

Attached is the applicable FPPC regulation that describes the code adoption process. Part of that process involves posting a notice regarding the proposed code and comment period on the agency's website. A draft notice is attached.

The Code contains a few blanks to fill in based on direction from the Board. We will post that after the ESCOG meeting along with a copy of the proposed code. The ESCOG Board does not need to approve the notice; we can just take care of it as staff.

After the comment period ends, ESCOG can adopt the code. It must do so no later than July 7th, which is six months after the date that the ESCOG entity was arguably created. June 30th is a Tuesday, so conceivably the ESCOG Board could meet to adopt the code later that same week. Staff is requesting that ESCOG set a meeting date for this purpose.

Staff will then send the code to the FPPC, which is the code-reviewing body for the conflict of interest codes of multi-county agencies such as ESCOG. The FPPC will hopefully approve the code.

Recommendations

- 1) ESCOG Board to provide final edits to the proposed Conflict of Interest Code.
- 2) ESCOG Board to adopt a resolution providing for the mandatory 45-day comment period for the proposed Conflict of Interest Code.
- 3) ESCOG Board to set a meeting date for the final adoption of the Conflict of Interest Code

Barclays Official California Code of Regulations Currentness
Title 2. Administration
Division 6. Fair Political Practices Commission
Chapter 7. Conflicts of Interest
Article 3. Conflict of Interest Codes (Refs & Annos)

2 CCR § 18750

§ 18750. State and Multi-County Agencies: Adopting or Amending Conflict of Interest Code.

(a) Adoptions and Substantive Code Amendments. Any state agency or any local agency with jurisdiction in more than one county, other than judicial branch agencies, adopting or substantively amending a conflict of interest code must:

(1) Drafting Requirements. Prepare a draft code or code amendment with all required provisions as specified in Section 87302. An agency may fulfill these requirements by preparing a draft code or code amendment that meets all of the following criteria:

(A) References the Act and incorporates by reference the terms of a standard conflict of interest code provided in Regulation 18730.

(B) Identifies the location for filing statements of economic interests and states that the statements are available for public inspection and reproduction.

(C) Lists each designated position and its assigned disclosure category. The agency must designate each position that makes or participates in making a governmental decision as defined in Regulation 18704(a) and (b).

(D) Lists each disclosure category identifying the types of interests disclosable for each designated position assigned to the category. The disclosure category assigned to any designated position should include only those interests that the designated position may foreseeably affect in making or participating in making decisions within the scope of the position's assigned duties.

(2) Preliminary Review. Any agency proposing a code or code amendment should, but is not required to, seek the preliminary review of the draft by Commission staff prior to preparing notice of the proposed code or code amendment and establishing a 45-day public comment period. During preliminary review, Commission staff can assist the agency in identifying designated positions, tailoring disclosure categories, and answering questions regarding the agency's notice. Preliminary review may expedite the Commission's final approval and allows the Commission to notice the Commission's consideration of the code or code amendment simultaneously with the agency's notice. When submitting a draft code or code amendment for preliminary review, the agency should include job descriptions or duty statements for all positions newly designated and for any position affected by a change in disclosure categories.

(3) Public Notice and Comment Period. Prepare a notice of the proposed code or code amendment and establish a 45-day public comment period.

(A) The notice of the proposed code or code amendment must:

(i) Be made publically available prior to the comment period such as by posting the notice on the agency's website.

(ii) Describe the proposed code or amendment in general terms and, if amending an existing code, include a summary of effects on the provisions of the existing code, if any.

(iii) State that copies of the proposed code or amendment are available to interested persons and indicate where the copies may be obtained.

(iv) Specify the location where written comments concerning the proposed code or amendment may be submitted and the date by which written comments must be received to be considered by the agency before it adopts or amends the code.

(v) State the time and place of any public hearing that is scheduled on the proposed code or amendment, or if a public hearing is not scheduled, include a statement that any interested person may request, no later than 15 days prior to the close of the written comment period, a public hearing.

(vi) State the name and telephone number of an agency officer to whom inquiries concerning the proposed code or amendment may be directed.

(B) For any state agency subject to the Administrative Procedure Act, the notice must also comply with the Administrative Procedure Act as required by Section 87311. In addition to the requirements above, the notice must:

(i) State that the agency has prepared a written explanation of the reasons for the any new or amended designated positions or disclosure categories.

(ii) Reference Section 87300 as authority for the adoption of the code or Section 87306 as authority for the amendment of the code.

(iii) Include a statement that the adoption of the code or code amendment will not impose a cost or savings on any state agency, or school district that is required to be reimbursed under [part 7 \(commencing with Section 17500\)](#) of Division 4 of the Government Code; will not result in any nondiscretionary cost or savings to local agencies; will not result in any cost or savings in federal funding to the state; will not impose a mandate on local agencies or school districts; and will not have any potential cost impact on private persons of businesses including small businesses.

(iv) Include a statement that the agency must determine that no alternatives considered by the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

(v) Be filed with the Office of Administrative Law in sufficient time for publication in the California Notice Register prior to the 45-day comment period.

(4) Intra-agency Notice. The agency must provide intra-agency notice to each employee affected by the proposed code or code amendment no later than the commencement of the 45-day comment period by providing a copy or electronic copy of the notice to the each affected employee or posting the notice on the agency's intranet or an employee bulletin board.

(5) Public Hearing. The agency must conduct a public hearing, if requested by any interested person at least 15 days prior to the close of the 45-day public comment period. To the extent practical, the agency must mail notice of the time, place, and date of the public hearing to each person who has filed a request for notice with the agency.

(6) Permissible Changes to Draft. Any changes to the draft code or code amendment that was made available to the public for comment can be adopted or amended without further notice if:

(A) The change is non-substantial or solely grammatical in nature.

(B) The agency is not a state agency subject to the Administrative Procedure Act and the change is substantially similar to the originally proposed code or amendment that the public and employees affected had adequate notice that the change was within the scope of the original proposal.

(C) The agency is a state agency subject to the Administrative Procedure Act and the change is sufficiently related to the originally proposed code or amendment that the public and employees affected had adequate notice that the change was within the scope of the original proposal and the full text of the changed code or amendment has been available to the public for at least 15 days prior to the date the agency adopts the code or amendment.

(7) Agency Approval. An agency may approve the code or code amendment by an action of the agency's governing board or body, president, chair, chief executive officer, or chief legal counsel. Upon agency approval after the notice and public comment period, the proposed code or amendment must be submitted to the Commission for approval under subdivision (c).

(b) Non-Substantive Code Amendments. Subdivision (a) is not applicable to non-substantive code amendments.

(1) Non-substantive amendments are limited to the following:

(A) The reclassification or renaming of previously designated positions.

(B) The deletion of abolished positions.

(C) The modification of a code provision that does not alter disclosure or disqualification for any designated position.

(2) Upon agency approval, a non-substantive amendment must be submitted to the Commission for approval pursuant to subdivision (c).

(c) Commission Approval. A proposed code or code amendment must be submitted to the Commission for approval in strikeout/underline format.

(1) The submission for a proposed code or code amendment must include:

(A) A declaration of the agency's president, chair, chief executive officer, or chief legal counsel stating that the code specifically enumerates each of the positions within the agency that make or participate in making governmental decisions, which may foreseeably have a material financial effect on any financial interest, and the agency has satisfied the requirements of this regulation.

(B) A copy of the notice of proposed code or code amendment if required under subdivision (a).

(C) A summary of any changes to the code from that originally made available to the public for any adoption or substantive code amendment, or a summary of any changes made to the last adopted code for any non-substantive code amendment.

(2) If requested, an agency must provide additional documents necessary to approve the code such as:

(A) A summary of any hearing held by the agency and written explanation of any areas of controversy and how they were resolved.

(B) Copies of all written comments made to the agency regarding the proposed code or code amendment.

(C) A written explanation of the reasons for the designations and the disclosure responsibilities of officers, employees, members, or consultants of the agency.

(D) The most current organizational chart of the agency.

(E) Job descriptions or duty statements for all designated employees.

(F) A copy of the statutory authority under which the agency was created.

(G) A copy of the last annual or similar report prepared by the agency.

(H) Copies of recent minutes of agency meetings.

(I) A description of the duties and the terms of any consultant working for the agency who is not a designated employee.

(3) The authority to review and approve the proposed code or code amendment as required by Section 87303 is delegated to the Commission's Executive Director, or his or her designee, and must be conducted in accordance with Section 87311. Any agency that objects to recommendations for revisions may request a full hearing by the Commission at which the Commission will consider all relevant matter presented to it prior to and during the hearing and will review the code as required by Section 87303.

(d) Effective Date. For state agencies subject to the Administrative Procedure Act, codes or code amendments, as approved by the Commission, must be transmitted by the agencies to the Office of Administrative Law within 30 days of Commission approval and will become effective on the thirtieth day following the date of filing with the Secretary of State. For agencies not subject to the Administrative Procedure Act, codes or code amendments, as approved by the Commission, will become effective on the thirtieth day following the date of approval.

(e) Public Access. Each agency must maintain a copy of its code, which may be maintained on the agency's website, and must make the code available for public inspection and reproduction during regular business hours commencing the effective date of the code. An agency may not impose any conditions upon persons desiring to inspect the conflict of interest code of the agency and may not require the requestor's identification. Copies must be provided at a charge not exceeding ten cents per page.

Note: Authority cited: [Section 83112, Government Code](#). Reference: [Sections 87300, 87303](#) and [87306, Government Code](#).

HISTORY

1. New section filed 3-30-76; effective thirtieth day thereafter (Register 76, No. 14).
2. Amendment of subsections (l), (m), (n) and (q) filed 7-28-76; effective thirtieth day thereafter (Register 76, No. 31).
3. Amendment of subsections (e), (g), (i), (j)(1) and (k) filed 11-2-78; effective thirtieth day thereafter (Register 78, No. 44).
4. Amendment of subsections (d) and (l) filed 4-28-82; effective thirtieth day thereafter (Register 82, No. 18).
5. Amendment filed 1-11-83; effective thirtieth day thereafter (Register 83, No. 3).
6. Amendment filed 6-22-83; effective thirtieth day thereafter (Register 83, No. 26).
7. Amendment filed 5-18-87; operative 5-18-87 (Register 87, No. 21).
8. Amendment of section heading, subsections (c)(3)(J) and (k) and new subsection (c)(3)(K) filed 11-28-88; operative 12-28-88 (Register 88, No. 52).

9. Amendment of subsections (b), (c), (k)(2), (m) and Note filed 4-21-92; operative 5-21-92 (Register 92, No. 19).

10. Amendment of subsections (a), (b), (c)(3)(H), (c)(3)(J), (c)(6), (d), (e)(1)(A), (f)(2), (g)(2) and (k) filed 10-11-2005; operative 11-10-2005 (Register 2005, No. 41).

11. Amendment of section heading and repealer and new section filed 5-19-2016; operative 6-18-2016 pursuant to title 2, CCR section 18312(e). Submitted to OAL for filing pursuant to *Fair Political Practices Commission v. Office of Administrative Law*, 3 Civil C010924, California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992 (FPPC regulations only subject to 1974 Administrative Procedure Act rulemaking requirements and not subject to procedural or substantive review by OAL) (Register 2016, No. 21).

This database is current through 3/20/20 Register 2020, No. 12

2 CCR § 18750, 2 CA ADC § 18750

End of Document

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NOTICE OF PROPOSED CONFLICT OF INTEREST CODE

AND PUBLIC COMMENT PERIOD

NOTICE IS HEREBY GIVEN that the Eastern Sierra Council of Governments (ESCOG), a newly-formed joint powers authority, intends to adopt an initial conflict of interest code in accordance with the requirements of the Political Reform Act. In general terms, the proposed code incorporates by reference a standard conflict of interest code promulgated by the Fair Political Practices Commission and set forth in 2 Cal. Code Regs. Section 18730. The code designates ESCOG “employees” who are subject to the code and disclosure categories for those employees. A copy of the proposed code is available at _____. A 45-day public comment period has been established beginning on May 16, 2020, and ending on June 30, 2020. Written comments may be submitted at the following location: _____. Comments must be received by ESCOG no later than 5:00 p.m. on June 30, 2020, in order to be considered by ESCOG prior to its adoption of the proposed code. Any interested person may request a public hearing regarding the proposed code no later than 5:00 p.m. on June 15, 2020, at the same location stated above for written comments.

RESOLUTION NO. 2020-____

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EASTERN SIERRA COUNCIL OF GOVERNMENTS ANNOUNCING
THE INTENT TO ADOPT AN INITIAL CONFLICT OF INTEREST CODE AND
ESTABLISHING A COMMENT PERIOD THEREFOR**

WHEREAS, in accordance with state law, the Board of Directors of the Eastern Sierra Council of Governments (“ESCOG”) has determined that an initial Conflict of Interest Code should be adopted at this time; and

WHEREAS, in accordance with state law, ESCOG has prepared the attached Conflict of Interest Code and Notice of Intent; and

WHEREAS, state law requires ESCOG to provide a 45-day comment period before adopting the Conflict of Interest Code;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of ESCOG that the Conflict of Interest Code attached hereto as Exhibit A and incorporated herein by this reference is hereby preliminarily adopted.

BE IT FURTHER RESOLVED, that the mandatory 45-day comment period begins on May 16, 2020, and ends June 30, 2020.

PASSED AND ADOPTED this 15th day of May, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
Secretary

Chairperson

EXHIBIT A

**CONFLICT OF INTEREST CODE
OF THE EASTERN SIERRA COUNCIL OF GOVERNMENTS**

SECTION 1: Conflict of Interest Code - Adopted.

The Political Reform Act, Government Code Section 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 Regs. 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 Eastern Sierra Council of Governments, which is considered the “agency” within the purview of this Code.

SECTION 2: Statements of Economic Interest; Filing Officer.

Designated employees shall file Statements of Economic Interests with the Assistant Clerk of the Town of Mammoth Lakes, who shall be and perform the duties of Filing Officer for the Eastern Sierra Council of Governments.

APPENDIX “A”

LIST OF DESIGNATED EMPLOYEES

<u>JOB TITLE</u>	<u>DISCLOSURE CATEGORY</u>
Director	1
Executive Manager	1
Legal Counsel*	1
Staff Advisors**	1
Consultants***	1

* Legal Counsel means the Inyo County Counsel and/or such other legal counsel as the Eastern Sierra Council of Governments may choose to utilize.

** “Staff Advisor” means any employee of Inyo County, Mono County, the City of Bishop, the Town of Mammoth Lakes, or other governmental agency, who acts as staff to the Eastern Sierra Council of Governments and who makes or participates in the making of the Eastern Sierra Council of Governments’ decisions.

*** “Consultant” means any individual or entity meeting the definition of consultant promulgated in regulations of the Fair Political Practices Commission. The Eastern Sierra Council of Governments 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. The 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.

APPENDIX “B”

LIST OF DISCLOSURE CATEGORIES

Disclosure category

- 1 Full Disclosure: Designated employees in this category are treated as mandated/statutory filers and thus must report all reportable interests in real property within the Eastern Sierra Council of Governments’ jurisdiction, as well as reportable investments, business positions and sources of income, including gifts, loans and travel payments.
- 2 Full Disclosure Excluding Real Property Interests: Designated employees in this category must report all reportable investments, business positions and sources of income, including gifts, loans and travel payments.
- 3 Interests in Real Property: Designated employees in this category must report all reportable interests in real property within the Eastern Sierra Council of Governments’ jurisdiction.
- 4 General Contracting For Entire Council: Designated employees in this category must report all reportable investments, business positions and income, including gifts, loans and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting fees, of the type utilized by the Eastern Sierra Council of Government.



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May 13, 2020

To: ESCOG Board

From: Dan Holler, Town Manager

Re: Proposed FY19-20 and FY20-21 Budget

Background

This staff report presents proposed ESCOG budget for both FY19-20 and FY20-21. Each budget is presented as a separate agenda item for ESCOG consideration and action. The approval of the FY19-20 budget may impact the proposed FY20-21 Budget, which is separately agendaized

The budget projections for ESCOG assumed a start up transition. To prepare for this effort member agencies were invoiced for \$16,500 each for the current fiscal year. A proposed budget using this revenue stream is presented for ESCOG consideration to formalize the FY19-20 budget. Any unspent funds will be held in reserve.

With the change in operating realities for each member agency brought on by the COVID 19 pandemic a review of the previous budget estimates for FY20-21 is appropriate.

The previous budget estimate included the following line items”

Activity	FY20-21 Budget	Cost by Agency
Executive Director ¹	50,000.00	12,500.00
Clerk/Clerical ²	30,000.00	7,500.00
Legal Services ³	10,000.00	2,500.00
Fiscal Agent ⁴	2,400.00	600.00
Insurance/Other ⁵	8,000.00	2,000.00
Total	100,400.00	25,100.00
1 Assumes part-time contracted position		
2 Assumes current level of service		
3 Assumes contract with member agency		
4 Assumes contract with member agency		
5 Costs in this area are unknown		

Given the current financial challenges a review of the initial ESCOG Budget is warranted. I am assuming most of the funding provided for the current year has not been expended.

Based on the invoiced amounts and potential expenses the proposed budget for FY19-20 follows:

Draft FY19-20 Budget			
Revenues:			
Town of Mammoth Lakes	16,500		
Mono County	16,500		
Inyo County	16,500		
City of Bishop	16,500		
Total	66,000		
Revised Expenses:			
Contract Services			
Executive Dir.	-		
TOML - Clerk	20,000	(Contract with TOML)	
Legal Services	2,500	(Contract with Inyo County)	
Fiscal Agent	1,200	(Contract with Mono)	
Insurance	1,000	(Not sure on this cost)	
Contingency/Miscellaneous	800		
Reserves	41,000		
Total	66,500		

It is suggested that the ESCOG Board consider a substantial reduction in the proposed budget allocation to members for FY20-21. Each of us will be facing difficult budgetary decisions as we prepare for FY20-21. The following is offered only as a proposed budget for discussion and not a formal recommendation. It includes a very rough estimate on expenditures for FY20-21.

ESCOG will need to adopt a budget to begin the fiscal year, which may be amended as needed.

Draft FY20-21 Budget						
Revenues:						
Carryover Funds	41,000					
Town of Mammoth Lakes	10,000					
Mono County	10,000					
Inyo County	10,000					
City of Bishop	5,000					
Total	76,000					
Expenses:						
Contract Services						
Executive Dir.	25,000	Assumes \$4,160 per month for 6 months				
TOML - Clerk	20,000	Assumes Clerk servcies/records/limited web update				
Legal Services	10,000	Based on proposed contract				
Fiscal Agent	5,000	Unknown				
Insurance	10,000	Unknown				
Contingency/Miscellaneous	5,000	Unknown				
Reserves	1,000					
Total	76,000					

As agencies are preparing FY20-21 Budgets recommendations for agency budget will be necessary for budgetary purposes. If the budgets are approved, Mono County, who is serving as the fiscal agent may allocate revenues and expenses into the appropriate financial system line items.



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May 13, 2020

To: ESCOG Board

From: Dan Holler, Town Manager

Re: Discussion and Direction (action) on COVID-19 regional impacts and response include decisions and actions by other public land managers and state commissions or agencies.

Background

Inyo and Mono Counties, the Town of Mammoth Lakes and the City of Bishop are involved in separate unified commands and operating appropriate Emergency Operations Centers (EOCs). Communication between the ECOs is ongoing. All of the ESCOG member agencies are impacted by decisions from various public land managers such as United States Forest Service (USFS), Bureau of Land Management (BLM) Los Angeles Department of Water and Power (LADWP), State Parks, California Department of Fish and Wildlife (CDFW), and others.

Coordination across the region with the noted partners is important. This includes discussion with Land Managers on the opening of campgrounds, services, trails and road, fire restrictions, access and use of various developed recreational sites and dispersed camping policies to note a few areas all impacting recreational activities within the region. Coordination across the region on these matters by ESCOG member agencies would provide beneficial input to the Land Managers.

A decision on the regional opening of fishing season currently rests with the Executive Director of CDFW. Input from the regional entities is of critical importance to CDFW and the related decision. A unified position from the ESCOG members would be beneficial.

If available, staff will provide information on COVID related responses, status, and actions.

Recommendations

ESCOG Board to discuss and provide information to member agencies and any unified direction and/or recommendations for members to take back to Agency Boards and Councils for providing input on the above matters to the appropriate agencies.