Town Council Agenda

Wednesday, August 2, 2023, 4:00 p.m.
437 Old Mammoth Road, Suite Z, Mammoth Lakes

Members of the Town Council:

Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, Councilmember Amanda Rice

NOTE: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Clerk at (760) 965-3602. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 13.102-35.104 ADA Title II)

NOTE: Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public inspection in the Town Offices located at 437 Old Mammoth Road, Suite 230 during normal business hours. Such documents are also available on the Town of Mammoth Lakes website at www.townofmammothlakes.ca.gov subject to staff's ability to post the documents before the meeting.

NOTE: You may attend the Town Council meetings in person or watch them on the Town of Mammoth Lakes' website at www.townofmammothlakes.ca.gov , on the local government cable channel 18, or via Zoom. Public comments can be submitted to the Town Clerk at clerk@townofmammothlakes.ca.gov. before and during the meeting, or may be made in person or via Zoom.

NOTE: All comments will be limited to a speaking time of five minutes.

ZOOM INFORMATION

Join from a PC, Mac, iPad, iPhone, or Android device:
Please type in or cut and paste in this URL to join. https://monocounty.zoom.us/s/92958002088
Or join by phone:
Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799 or +1 646 876 9923
Webinar ID: 929 5800 2088
International numbers available: https://monocounty.zoom.us/u/acobwlnMsm

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1. CALL TO ORDER AND ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENTS

The Public Comment portion of the agenda provides the public with an opportunity to address the Town Council on matters not otherwise listed on the agenda. Under California law the Town Council is prohibited from generally discussing or taking action on items not included in the agenda; however, the Town Council may briefly respond to comments or questions from members of the public. Therefore, the Town Council will listen to all public comment, but will not generally discuss the matter or take action on it. Requests for service from the Town may also be made at the Town offices during regular business hours. Members of the public desiring to speak on a matter appearing on the agenda should ask the Mayor for the opportunity to be heard when the item comes up for Council consideration.

4. ADDITIONS TO THE AGENDA

Opportunity to add urgency items pursuant to Government Code Section 54954.2(b)2, if necessary.

5. REPORTS FROM COMMISSIONS AND/OR DEPARTMENTS (AS NEEDED)

5.1 Did you Know? E-bike Safety.

6. INTRODUCTIONS

6.1 Introduce new Airport Maintenance Coordinator Shane Holte.

7. CONSENT AGENDA

7.1 Approve the minutes of the special meeting of July 12, 2023.

7.2 Approve the minutes of the regular meeting of July 19, 2023.

7.3 Approve Appointment of Senior Planner Kim Cooke to the Mono County Collaborative Planning Team (CPT).

7.4 Accept Check Register 7/21/23 in the amount of $1,845,691.59. Accept Check Register 7/25/23 in the amount of $11,887.68.

8. PUBLIC HEARINGS

Public Hearing Procedure.

The Mayor will open the public hearing and then: Statement and presentation by staff. Statement and presentation by property owner or appellant. Questions from the Town Council. Call for testimony. Rebuttal to previous testimony by property owner or appellant. Close the public hearing, terminating public testimony. The Town Council will deliberate the matter and arrive at a decision.

8.1 Transit CFD No. 2013-3 Annexation No. 8.

9. POLICY MATTERS

9.1 Appeal of Notice of Determination for illegal advertisement for rental at 1629 Majestic Pines, Unit 69.

9.2 Approve Agreement with the Southern California Toyota Dealers Association and the Town of Mammoth Lakes for the Sponsorship of the Zamboni ice-resurfacer machine operating at LA Kings Ice at Mammoth Lakes.

9.3 Fourth Quarter Fiscal Year 22-23 Budget Review and Adoption of Resolution Amending Fiscal Year 22-23 Budget.

9.4 Determination that emergency work authorized by Resolutions 23-29 and 23-54 continues to be necessary for public welfare and safety.

9.5 Approve Town Participation in the Eastern Sierra Sustainable Recreation Partnership (ESSRP) Memorandum of Understanding (MOU) and authorize the Town Manager to sign the MOU.

10. COUNCILMEMBER REPORTS

Informational reports from Councilmember representatives on committees, commissions, and organizations; general reports on Councilmember activities

11. CLOSED SESSION

11.1 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (One case)

11.2 Pursuant to Government Code Section 54957.6.(a), Conference with Labor Negotiators, the Council will meet with its representatives, Town Manager Daniel C. Holler, Administrative Services/Finance Director Rob Patterson, and HR Manager Amanda Pelham

with respect to the following Employee Organizations: Mammoth Lakes Police Officers Association and the Mammoth Lakes Sergeants Association.

12. ANNOUNCEMENT OF ACTION TAKEN AFTER CLOSED SESSION

13. ADJOURNMENT

The Town Council will adjourn to a regular meeting to be held on Wednesday, August 16, 2023 at 4:00 p.m.

Mammoth Lakes Town Council
Agenda Action Sheet

Title: Did you Know? E-bike Safety

Council Meeting Date: 8/2/2023

Prepared by: Pam Kobylarz, Assistant to the Town Manager

Recommended Motion: Information only.

Summary: Each month the Town publishes a "Did you Know?" piece that highlights aspects of the Town's programs and services that the public may not be familiar with. This month's piece focused on E-bike rules and safety. It was published in The Sheet, the Mammoth Times, and el Sol on the weekend of July 21, as well as being posted on the Town's social media and website.

Mammoth Lakes
CALIFORNIA

DID YOU KNOW?



Did you know that e-bikes are a great way to explore the Mammoth Lakes area?

E-bike use is exploding and being a knowledgeable and respectful rider is more important than ever!

- In order to be classified as an e-bike, the bike must have pedals. Pedal-less electric bikes are not considered e-bikes and are classified as electric motorcycles.
- All classes (1, 2, and 3) of e-bikes are all allowed on the paved multi-use pathways (MUPs).
- E-bikes are permitted on all streets, roads, off highway vehicle (OHV) routes, and soft surface trails within the Mammoth Mountain Bike Park.
- E-bikes are **NOT** permitted on soft-surface non-motorized trails outside of the Mammoth Mountain Bike Park.
- All bicycle riders are required to wear a helmet and follow the same laws as cars when riding on streets and roads.
- Unless modified to be street legal in conjunction with a motorcycle license, pedal-less electric bikes are only permitted on OHV routes and are **NOT** permitted on any town roads, sidewalks, or MUPs.
- **The speed limit on the multi-use pathways is 15 mph, yield to foot traffic, be respectful of others, and watch your speed!**



¿SABÍAS QUE?

¿Sabías que las bicicletas eléctricas son una gran manera de explorar la zona de Mammoth Lakes?

¡El uso de las bicicletas eléctricas está aumentando y ser un ciclista bien informando y respetuoso es más importante!

- Para ser clasificada como una bicicleta eléctrica, la bicicleta debe tener pedales. Las bicicletas eléctricas sin pedal no se consideran bicicletas eléctricas y se clasifican como motocicletas eléctricas.
- Toda clase (1,2, y 3) de bicicletas electronicas son permitidas en el pavimento de caminos de multi-uso (Multi-use Pathways - MUPs).
- Las bicicletas electronicas son permitidas en todas las calles, carreteras, rutas para vehículo todoterreno, caminos de superficie blandas dentro del parque de bicicletas de Mammoth Mountain.
- Las bicicletas electronicas **NO** son permitidas caminos de superficie blandas y caminos no motorizados fuera del parque de Mammoth Mountain.
- Es requerido de que todos los ciclistas tengan puesto su casco y que siguan las mismas leyes de los carros cuando esten en las calles y carreteras.
- A menos que las becicletas electronicas sin pedales esten modificadas para ser legal en la carretara y en conjunto con una licencia para condusir motocicletas, solo estan permitidas en las rutas para vehículos todoterreno y **NO** estan permitidas en las calles, banquetas, o MUPs del Pueblo.
- **El límite de velocidad en las vías de uso múltiple es 15 mph, cede al tráfico peatonal, sea respetuoso con los demás y vigile su velocidad.**

Town Council of Mammoth Lakes

Minutes of Special Meeting

July 12, 2023, 4:00 p.m.
437 Old Mammoth Road, Suite Z, Mammoth Lakes

Members Present: Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, Councilmember Amanda Rice

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1. CALL TO ORDER AND ROLL CALL

The Mayor called the meeting to order at 4:00 p.m.in the Council Chamber, 437 Old Mammoth Road, Suite Z, Mammoth Lakes.

2. PLEDGE OF ALLEGIANCE

Mayor Wentworth led the flag salute.

3. PUBLIC COMMENTS

There were no public comments given at this time.

4. ADDITIONS TO THE AGENDA

There were no additions to the agenda.

5. REPORTS FROM COMMISSIONS AND/OR DEPARTMENTS (AS NEEDED)

Office of Outdoor Recreation Manager Lawson Reif gave an update regarding the Lakes Basin, Reds Meadow, and the Mammoth Donut Project. There was discussion among members of Council and staff.

5.1 July 2023 Public Works Engineering CIP Update.

There was discussion among members of Council and staff regarding the CIP Update.

6. COUNCIL PRESENTATIONS

6.1 Proclamation of the Town Council of the Town of Mammoth Lakes, State of California, declaring July 2023 as Park and Recreation Month.

Parks and Recreation Director Stuart Brown spoke in support of the proposed proclamation. Mayor Wentworth read a portion of the proposed proclamation.

Moved by Mayor Pro Tem Bill Sauser
Seconded by Councilmember Amanda Rice

Adopt the Proclamation declaring July as Park and Recreation Month in the Town of Mammoth Lakes.

For (4): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, and Councilmember Amanda Rice

Absent (1): Councilmember Sarah Rea

Carried (4 to 0)

7. CONSENT AGENDA

Councilmember Bubser requested that Agenda Item 7.4 be removed from the consent agenda for separate discussion.

Moved by Mayor Pro Tem Bill Sauser
Seconded by Councilmember Chris Bubser

Approve the Consent Agenda.

For (4): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, and Councilmember Amanda Rice

Absent (1): Councilmember Sarah Rea

Carried (4 to 0)

7.1 Approve the minutes of the special meeting of June 14, 2023.

7.2 Approve the minutes of the regular meeting of June 21, 2023.

7.3 Accept the Amended Mammoth Creek HOA CC&R's.

7.4 Town Council review and acceptance of the 2022 Community Indicators Report.

This item was removed from the consent agenda for separate discussion.

Community and Economic Development Director Sandra Moberly outlined the origin and purpose of the Report. There was discussion among members of Council and staff.

Moved by Councilmember Chris Bubser
Seconded by Councilmember Amanda Rice

Review and accept the 2022 Community Indicators Report.

For (4): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, and Councilmember Amanda Rice

Absent (1): Councilmember Sarah Rea

Carried (4 to 0)

7.5 Accept Check Register 6/15/2023 in the amount of $847,038.31.
Accept Check Register 6/21/2023 in the amount of $121,037.64.
Accept Check Register 6/23/2023 in the amount of $163,625.00.

8. POLICY MATTERS

8.1 AB 481 Military Equipment Use Policy.

Town Attorney Andrew Morris and Interim Police Chief Dan Casabian outlined the information in the staff report. There was discussion among members of Council and staff.

Moved by Mayor Pro Tem Bill Sauser
Seconded by Councilmember Amanda Rice

Waive the reading and introduce by title only the ordinance renewing the Military Equipment Use Policy pursuant to Government Code Section 7071 (AB 481).

For (4): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, and Councilmember Amanda Rice

Absent (1): Councilmember Sarah Rea

Carried (4 to 0)

8.2 Waive the reading and introduce by title only the ordinance adopting Municipal Code Chapter 8.15, Foodware and Food Packaging.

Assistant to the Town Manager Pam Kobylarz outlined the information in the staff report. There was discussion among members of Council and staff.

Moved by Councilmember Amanda Rice
Seconded by Councilmember Chris Bubser

Waive the reading and introduce by title only the ordinance adopting Municipal Code Chapter 8.15, Foodware and Food Packaging.

For (4): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, and Councilmember Amanda Rice

Absent (1): Councilmember Sarah Rea

Carried (4 to 0)

8.3 Schedule a Town Council Community Housing Solutions Workshop.

Town Manager Daniel C. Holler outlined the information in the staff report. There was discussion among members of Council and staff.

CONSENSUS:

Confirm July 27, 2023 at 5:00 p.m. at the Westin to host an evening Town Council – Community Housing Solutions Workshop.

8.4 Legislative Update and Council Direction on Pending Bills in the State Legislature.

Town Manager Daniel C. Holler outlined the information in the staff report. There was discussion among members of Council and staff.

Councilmember Rea arrived at 5:02 p.m.

8.5 Eastern Sierra Comprehensive Economic Development Strategy (CEDS) Draft Review and Finalization Process.

Community and Economic Development Director Sandra Moberly outlined the information in the staff report. There was discussion among members of Council and staff.

8.6 Resolution finding emergency circumstances to justify the award of an emergency contract to repair storm damaged Town infrastructure at the Mammoth Yosemite Airport.

Town Manager Daniel C. Holler outlined the information in the staff report. There was discussion among members of Council and staff.

Moved by Mayor Pro Tem Bill Sauser
Seconded by Councilmember Chris Bubser

Approve the Resolution finding the emergency circumstances to justify awarding a contract for Town infrastructure damaged by extreme weather including fencing and related items at Mammoth Yosemite Airport without competitive bidding.

For (5): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Carried (5 to 0)

8.7 Emergency Declaration Update and approval of necessity to continue emergency contract work as provided for in Resolution 23-29.

Town Manager Daniel C. Holler outlined the information in the staff report.

Moved by Councilmember Chris Bubser
Seconded by Mayor Pro Tem Bill Sauser

Make the finding that existing damages to Town facilities and infrastructure resulting from the extreme winter weather are such that the emergency work provided for in Resolution 23-29 is still necessary.

For (5): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Carried (5 to 0)

9. COUNCILMEMBER REPORTS

Councilmember Bubser announced upcoming community meeting dates regarding the Donut Project.

Mayor Pro Tem Sauser reported that the Fourth of July fireworks at Crowley were spectacular. He attended the Mammoth Lakes Tourism Board meeting.

Mayor Wentworth attended the ESCOG Towns to Trails Kickoff meeting, the ICARP Technical Advisory Council meeting, the Fourth of July Parade, the Great Basin Unified Air Pollution Control District meeting, the Eastern Sierra Climate and Communities Resilience Project (ESCCRP) meeting, and met with Senator Alvarado-Gil's Office.

10. CLOSED SESSION

At 5:45 p.m. the Mayor announced that the Council would be entering into closed session for the purposes as stated in the agenda.

10.1 Pursuant to Government Code Section 54956.8, the Town Council will hold a conference with its representatives in regard to property negotiations pertaining to:

Property: 379 South Landing Road, Crowley Lake (APN: 060-210-031-000)

Agency Negotiators: Daniel C. Holler, Sandra Moberly, and Rob Patterson

Negotiating Parties: Town of Mammoth Lakes and Property Owner, Crowley Lake Estates LP

Under Negotiation: Sales price and terms of payment for the purchase of the property

10.2 CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Paragraph 1 of subdivision (d) of Section 54956.9) Name of case: Main Street Taxpayer Association v. Town of Mammoth Lakes (Case No. : 23UCM82)

10.3 CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Paragraph 1 of subdivision (d) of Section 54956.9) Name of case: Main Street Taxpayer Association v. Town of Mammoth Lakes Case No. 23UCM12)

11. ANNOUNCEMENT OF ACTION TAKEN AFTER CLOSED SESSION

The Council reconvened from closed session at 6:05 p.m. and announced that there was no reportable action taken.

12. ADJOURNMENT

The Council adjourned the meeting at 6:05 p.m.

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Jamie Gray, Town Clerk

Town Council of Mammoth Lakes

Minutes of Regular Meeting

July 19, 2023, 4:00 p.m.
437 Old Mammoth Road, Suite Z, Mammoth Lakes

Members Present: Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, Councilmember Amanda Rice

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1. CALL TO ORDER AND ROLL CALL

The Mayor called the meeting to order at 4:00 p.m. in the Council Chamber, 437 Old Mammoth Road, Suite Z, Mammoth Lakes.

2. PLEDGE OF ALLEGIANCE

Caroline Britton led the flag salute.

3. PUBLIC COMMENTS

Ben Comfort spoke in support of a community bike park and said that he was part of the bike park working group which was started with the Parks and Recreation Commission.

4. ADDITIONS TO THE AGENDA

There were no additions to the agenda.

5. REPORTS FROM COMMISSIONS AND/OR DEPARTMENTS (AS NEEDED)

Community and Economic Development Director Sandra Moberly announced that the Town was awarded $500,000 today in Community Development Block Grant (CDBG) funds for down payment assistance.

Councilmember Rea joined the meeting at 4:05 p.m.

Town Manager Daniel C. Holler gave an update regarding the opening of Reds Meadow. There was discussion among members of Council and staff.

5.1 Mammoth Main Base Redevelopment Project Update (Mammoth Mountain Main Lodge).

Community and Economic Development Director Sandra Moberly outlined the information in the staff report. There was discussion among members of Council and staff.

6. INTRODUCTION

6.1 Introduce new Public Works Maintenance Worker Arturo Lemus.

Public Works Supervisor Pat Vargas introduced Mr. Lemus to the Council and the community.

7. COUNCIL PRESENTATIONS

7.1 Recognition of outgoing Community and Economic Development Director Sandra Moberly.

Town Manager Daniel C. Holler and Town Attorney Andrew Morris thanked Ms. Moberly for her years of service. There was discussion among members of Council and staff.

8. PUBLIC PRESENTATION

8.1 Presentation from Mammoth Hospital CEO Tom Parker.

Mammoth Hospital Chief Executive Officer Tom Parker outlined the information in the Mammoth Hospital Building the Future PowerPoint presentation. There was discussion among members of Council and Mr. Parker.

9. CONSENT AGENDA

Moved by Mayor Pro Tem Bill Sauser
Seconded by Councilmember Amanda Rice

Approve the Consent Agenda.

For (5): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Carried (5 to 0)

9.1 Waive the reading and adopt by title only the ordinance renewing the Military Equipment Use Policy pursuant to Government Code Section 7071 (AB 481).

9.2 Waive the reading and adopt by title only the ordinance adopting Municipal Code Chapter 8.15, Foodware and Food Packaging.

9.3 Adopt a resolution authorizing the submittal of a Prohousing Designation Program application to the California Department of Housing and Community Development (HCD) and authorizing the Town Manager to execute all documents deemed necessary or appropriate.

9.4 Adopt the Resolution ordering the levy and collection of assessment within the Community Facilities District No. 2004-1 (Fractional) Mello Roos District.

9.5 Adopt the Resolution ordering the levy and collection of assessment within the Community Facilities District No. 2005-1 (In Lieu DIF) for Fiscal Year 2023/24.

9.6 Adopt the Resolution ordering the levy and collection of assessment within the Community Facilities District No. 2013-3 (Transit Services) for fiscal year 2023/24.

9.7 Minaret Road Closure and Parking Fee Program for the 27th Annual Mammoth Festival of Beers & Bluesapalooza.

9.8 Accept Check Register 7/6/23 in the amount of $297,285.59. Accept Check Register 7/13/23 in the amount of $1,266,913.11.

10. PUBLIC HEARINGS

10.1 Conduct the public hearing and adopt the Resolution ordering the levy and collection of assessments within Assessment District 93-1 (Juniper Ridge).

The Mayor opened the public hearing at 4:50 p.m.

Public Works Director Haislip Hayes outlined the information in the staff report.

With no members of the public coming forward to speak, the Mayor closed the public hearing at 4:51 p.m.

Moved by Mayor John Wentworth
Seconded by Mayor Pro Tem Bill Sauser

Adopt the Resolution ordering the levy and collection of assessments within Assessment District 93-1 (Juniper Ridge) for the Fiscal Year 2023/24.

For (5): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Carried (5 to 0)

10.2 Conduct the public hearing and adopt the Resolution ordering the levy and collection of assessments within Assessment District 93-4, Zone 1 (The Bluffs) – Maintenance District No.1.

The Mayor opened the public hearing at 4:52 p.m.

Public Works Director Haislip Hayes outlined the information in the staff report.

With no members of the public coming forward to speak, the Mayor closed the public hearing at 4:53 p.m.

Moved by Mayor John Wentworth
Seconded by Mayor Pro Tem Bill Sauser

Adopt the attached Resolution ordering the levy and collection of assessments within the Bluffs Assessment District No 93-4, Zone 1 for the Fiscal Year 2023/24.

For (5): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Carried (5 to 0)

10.3 Conduct the public hearing and adopt the Resolution ordering the levy and collection of assessments within the special maintenance district Old Mammoth Road Benefit Assessment District No. 2002-1.

The Mayor opened the public hearing at 4:53 p.m.

Councilmember Rice recused herself due to the proximity of her residence to the Old Mammoth Road Benefit Assessment District No 2002-1 and left the meeting at 4:53 p.m.

Public Works Director Haislip Hayes outlined the information in the staff report. There was discussion among members of Council and staff.

With no members of the public coming forward to speak, the Mayor closed the public hearing at 4:55 p.m.

Councilmember Rice returned to the meeting at 4:55 p.m.

Moved by Mayor John Wentworth
Seconded by Mayor Pro Tem Bill Sauser

Adopt the attached Resolution ordering the levy and collection of assessments within the Old Mammoth Road Benefit Assessment District No. 2002-1 for the Fiscal Year 2023/24.

For (4): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, and Councilmember Sarah Rea

Abstain (1): Councilmember Amanda Rice

Carried (4 to 0)

10.4 Conduct the public hearing and adopt the Resolution ordering the levy and collection of assessments within the special maintenance district North Village Benefit Assessment District No. 2002-2, Zone 1.

The Mayor opened the public hearing at 4:56 p.m.

Public Works Director Haislip Hayes outlined the information in the staff report.

With no members of the public coming forward to speak, the Mayor closed the public hearing at 4:58 p.m.

Moved by Mayor John Wentworth
Seconded by Councilmember Chris Bubser

Adopt the attached resolution ordering the levy and collection of assessments within special maintenance district North Village Benefit Assessment District No. 2002-02, Zone 1 for the Fiscal Year 2023/24.

For (5): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Carried (5 to 0)

10.5 Conduct the public hearing and adopt the Resolution ordering the levy and collection of assessments within Benefit Assessment District No. 2014-1 (Mammoth View).

The Mayor opened the public hearing at 4:58 p.m.

Public Works Director Haislip Hayes outlined the information in the staff report. There was discussion among members of Council and staff.

With no members of the public coming forward to speak, the Mayor closed the public hearing at 5:00 p.m.

Moved by Mayor John Wentworth
Seconded by Councilmember Amanda Rice

Adopt the attached Resolution ordering the levy and collection of assessments within the Mammoth View Benefit Assessment District No. 2014-1 for the Fiscal Year 2023/24.

For (5): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Carried (5 to 0)

11. POLICY MATTERS

11.1 Approve the Town of Mammoth Lakes FY23-24 5-Year Capital Improvement Plan (CIP).

Public Works Director Haislip Hayes outlined the information in the staff report. There was discussion among members of Council and staff.

Moved by Mayor Pro Tem Bill Sauser
Seconded by Councilmember Amanda Rice

Approve the 5-year Capital Improvement Plan as presented.

For (5): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Carried (5 to 0)

11.2 Approval of three-year Services Agreement with Mammoth Lakes Trails and Public Access (MLTPA) beginning in Fiscal Year 23-24.

Mayor Wentworth recused himself from this item and noted that he had no financial interest in this item or Mammoth Lakes Trails and Public Access (MLTPA).

Town Manager Daniel C. Holler outlined the information in the staff report. There was discussion among members of Council and staff.

PUBLIC COMMENT:

MLTPA Project Management Specialist Kristy Williams introduced Operations Manager Jennifer Crittenden and Board Member Alistair Veitch and said that she would be happy to address any questions the Council may have on this item.

Moved by Councilmember Chris Bubser
Seconded by Councilmember Sarah Rea

Approve and authorize the Town Manager to sign a three-year services agreement with Mammoth Lakes Trails and Public Access (MLTPA) beginning in FY23-24 to provide Office of Outdoor Recreation and Mammoth Lakes Trail System support, subject to final legal review.

For (4): Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Abstain (1): Mayor John Wentworth

Carried (4 to 0)

The Mayor Pro Tem called a recess at 5:25 p.m. and the Council reconvened at 5:35 p.m.

11.3 Multi-Agency Cost Share Agreement for Emergency Response to 2023 Winter Storms.

Town Manager Daniel C. Holler outlined the information in the staff report. There was discussion among members of Council and staff.

Moved by Mayor Pro Tem Bill Sauser
Seconded by Councilmember Chris Bubser

Approve Multi-Agency Cost Share Agreement for Emergency Response to 2023 Winter Storms Subject to the Approval of all of the Agencies and Authorize the Town Manager to Sign the Final Agreement.

For (5): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Carried (5 to 0)

11.4 Selection of Executive Search Firm to Assist the Council in the future hiring of a new Town Manager.

Town Manager Daniel C. Holler outlined the information in the staff report. There was discussion among members of Council and staff.

Moved by Councilmember Chris Bubser
Seconded by Mayor John Wentworth

Appoint Mayor Pro Tem Sauser and Councilmember Rice to an Ad Hoc Committee to review executive search firms to assist in the selection process of a future new Town Manager.

For (5): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Carried (5 to 0)

11.5 Determine that Emergency Work Authorized by Resolutions 23-29 and 23-54 continues to be necessary for public welfare and safety.

Town Manager Daniel C. Holler outlined the information in the staff report. There was discussion among members of Council and staff.

Moved by Mayor Pro Tem Bill Sauser
Seconded by Councilmember Chris Bubser

Determine that the emergency repair work authorized by Resolutions 23-29 and 23-54 continues to be necessary for public welfare and safety.

For (5): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Carried (5 to 0)

11.6 Resolution Terminating the Town of Mammoth Lakes Declared Local Emergency.

Town Manager Daniel C. Holler outlined the information in the staff report. There was discussion among members of Council and staff.

Moved by Councilmember Amanda Rice
Seconded by Councilmember Chris Bubser

Adopt the Resolution Terminating the Existence of a Local Emergency in the Town of Mammoth Lakes.

For (5): Mayor John Wentworth, Mayor Pro Tem Bill Sauser, Councilmember Chris Bubser, Councilmember Sarah Rea, and Councilmember Amanda Rice

Carried (5 to 0)

12. COUNCILMEMBER REPORTS

Mayor Pro Tem Sauser attended the Mammoth Lakes Tourism (MLT) Board meeting. He said that he wanted to recognize the Police Department for a

textbook felony stop that he recently had the opportunity to watch which was handled very professionally.

Councilmember Bubser attended the Eastern Sierra Transit Authority Board meeting.

Mayor Wentworth reported that the Eastern Sierra Sustainable Recreation Partnership (ESSRP) met recently and had discussed the Statewide effort that Visit California was working on related to tourism planning.

13. CLOSED SESSION

This item was taken out of order.

Town Attorney Andrew Morris reported that it was not necessary to hold closed session.

13.1 CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Paragraph 1 of subdivision (d) of Section 54956.9) Name of case: Main Street Taxpayer Association v. Town of Mammoth Lakes (Case No. : 23UCM82)

13.2 CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Paragraph 1 of subdivision (d) of Section 54956.9) Name of case: Main Street Taxpayer Association v. Town of Mammoth Lakes (Case No. 23UCM12)

14. ANNOUNCEMENT OF ACTION TAKEN AFTER CLOSED SESSION

15. ADJOURNMENT

The Town Council will adjourn to a regular meeting to be held on Wednesday, August 2, 2023 at 4:00 p.m.

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Jamie Gray, Town Clerk

Mammoth Lakes Town Council
Agenda Action Sheet

Title: Approve Appointment of Senior Planner Kim Cooke to the Mono County Collaborative Planning Team (CPT).

Council Meeting Date: 8/2/2023

Prepared by: Daniel C. Holler, Town Manager

Recommended Motion: Approve Appointment of Senior Planner Kim Cooke to the Mono County Collaborative Planning Team (CPT).

Summary:
The Town Council appointed Community and Economic Development Director Sandra Moberly as the primary Town representative to the Mono County Collaborative Planning Team (CPT). Councilmember Rice serves as an alternate. With the resignation of Mrs. Moberly from the Town, staff is recommending Senior Planner Kim Cooke be appointed to the CPT.

Report Criteria:
Report type: Invoice detail
Check.Type = {<>} "Adjustment"

Check Issue Date	Check Nu	Invoice Number	Vendor Nu	Payee	Invoice GL Account	Description	Amount	GL Period
ALPINE PAINT								
07/21/2023	72123100	M0241792	5517	ALPINE PAINT	858-436-42007	PAINT/SUPPLIES	187.09	07/23
07/21/2023	72123100	M0242662	5517	ALPINE PAINT	858-436-42007	PAINT/SUPPLIES	182.49	07/23
Total ALPINE PAINT:							369.58	
AMERIGAS								
07/21/2023	108778	3152107754/20	6982	AMERIGAS	100-416-43404	06/23-TOWN Y	13.22	07/23
07/21/2023	108778	3152107757/20	6982	AMERIGAS	100-416-43404	06/23-TOWN (S1)	13.22	07/23
07/21/2023	108778	3152107759/20	6982	AMERIGAS	100-416-43404	06/23-TOWN (T)	31.69	07/23
07/21/2023	108778	3152107761/20	6982	AMERIGAS	100-416-43404	06/23-TOWN (U)	35.18	07/23
07/21/2023	108778	3152107763/20	6982	AMERIGAS	100-416-43404	06/23-TOWN (T)	13.22	07/23
07/21/2023	108778	3152107765/20	6982	AMERIGAS	100-416-43404	06/23-SUITE Z	18.69	07/23
Total AMERIGAS:							125.22	
ARCHIVESOCIAL								
07/21/2023	108779	27908	18449	ARCHIVESOCIAL	100-418-45050	ARCHIVE SUBSCRIPTI	5,990.00	07/23
Total ARCHIVESOCIAL:							5,990.00	
ASCENT ENVIRONMENTAL, INC.								
07/21/2023	72123101	20210079.01-2	19114	ASCENT ENVIRONME	100-440-43031	JUNE 2023-MAIN LOD	13,025.48	07/23
Total ASCENT ENVIRONMENTAL, INC.:							13,025.48	
BOBROFF, NOLAN								
07/21/2023	108780	09/16-09/19/23	10443	BOBROFF, NOLAN	100-440-43150	PER DIEM	213.00	07/23
Total BOBROFF, NOLAN:							213.00	
BRADY INDUSTRIES OF CALIFORNIA								
07/21/2023	72123102	8155963	8686	BRADY INDUSTRIES O	100-438-45080	MAINT SUPPLIES	1,438.85	07/23
Total BRADY INDUSTRIES OF CALIFORNIA:							1,438.85	
BRUCE MACKAY PUMP & WELL SERVICE, INC.								
07/21/2023	108781	72865A	19002	BRUCE MACKAY PUM	220-471-43031	03/23-SVCS	3,733.63	07/23
Total BRUCE MACKAY PUMP & WELL SERVICE, INC.:							3,733.63	
BUSWEST								
07/21/2023	108782	XA410043190:	7396	BUSWEST	910-000-13003	PARTS	73.25	07/23
Total BUSWEST:							73.25	
CALIFORNIA DEPARTMENT OF TAX AND FEE ADM								
07/21/2023	108783	APRIL-JUNE 2	4099	CALIFORNIA DEPART	910-000-13001	UNDERGROUND STO	537.00	07/23
Total CALIFORNIA DEPARTMENT OF TAX AND FEE ADM:							537.00	
CALIFORNIA JOINT POWERS INSURANCE AUTHOR								
07/21/2023	72123103	PRIM02181	7431	CALIFORNIA JOINT PO	100-416-43106	WORKERS' COMP	1,051,502.00	07/23

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Total CALIFORNIA JOINT POWERS INSURANCE AUTHOR:							1,051,502.00	
CASELLE INC.								
07/21/2023	108784	126069	10606	CASELLE INC.	100-418-45050	AUG 2023	3,445.00	07/23
Total CASELLE INC.:							3,445.00	
CASHMAN EQUIPMENT CO.								
07/21/2023	108785	INPS3823354	49	CASHMAN EQUIPMEN	910-000-13003	PARTS	284.63	07/23
Total CASHMAN EQUIPMENT CO.:							284.63	
CHAMBER MUSIC UNBOUND								
07/21/2023	108786	FY 2023/24	6886	CHAMBER MUSIC UNB	217-513-43031	MEASURE U AWARD	32,000.00	07/23
Total CHAMBER MUSIC UNBOUND:							32,000.00	
CHUCK VILLAR CONSTRUCTION INC.								
07/21/2023	72123104	27104	7277	CHUCK VILLAR CONS	210-450-43031	SNOW STORAGE SITE	16,000.00	07/23
Total CHUCK VILLAR CONSTRUCTION INC.:							16,000.00	
COOKE, KIM								
07/21/2023	108787	09/16-09/19/23	18129	COOKE, KIM	100-440-43150	PER DIEM	213.00	07/23
Total COOKE, KIM:							213.00	
DEAN'S PLUMBING & HEATING, INC.								
07/21/2023	108788	1-55109-1	2410	DEAN'S PLUMBING &	100-464-43031	06/23-SVCS	1,186.30	07/23
07/21/2023	108788	I-55139-1	2410	DEAN'S PLUMBING &	100-420-43031	06/23-SVCS	430.00	07/23
Total DEAN'S PLUMBING & HEATING, INC.:							1,616.30	
DIY HOME CENTER								
07/21/2023	108789	103949	5476	DIY HOME CENTER	210-456-42007	MAINT SUPPLIES	13.57	07/23
07/21/2023	108789	104143	5476	DIY HOME CENTER	100-420-42002	MAINT SUPPLIES	14.52	07/23
07/21/2023	108789	104290	5476	DIY HOME CENTER	210-450-42007	MAINT SUPPLIES	27.13	07/23
07/21/2023	108789	104417	5476	DIY HOME CENTER	210-450-42022	MAINT SUPPLIES	6.78	07/23
07/21/2023	108789	104420	5476	DIY HOME CENTER	100-438-45080	MAINT SUPPLIES	4.14	07/23
07/21/2023	108789	104803	5476	DIY HOME CENTER	100-420-42002	MAINT SUPPLIES	3.38	07/23
Total DIY HOME CENTER:							69.52	
EASTERN SIERRA ARTS ALLIANCE								
07/21/2023	108790	FY 2023/24	18928	EASTERN SIERRA ART	217-513-43031	MEASURE U FUNDING	40,000.00	07/23
Total EASTERN SIERRA ARTS ALLIANCE:							40,000.00	
EASTERN SIERRA AVALANCHE CENTER								
07/21/2023	108791	FY 2023/24	18198	EASTERN SIERRA AVA	217-513-43031	MEASURE U FUNDING	9,500.00	07/23
Total EASTERN SIERRA AVALANCHE CENTER:							9,500.00	
EASTERN SIERRA COMMUNITY CHORUS								
07/21/2023	108792	FY 2023/24	19382	EASTERN SIERRA CO	217-513-43031	MEASURE U FUNDING	4,300.00	07/23

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Total EASTERN SIERRA COMMUNITY CHORUS:							4,300.00	
EASTERN SIERRA ENGINEERING, PC.								
07/21/2023	72123105	230606	18740	EASTERN SIERRA EN	300-531-43031	FUEL ISLAND UPGRAD	14,942.50	07/23
Total EASTERN SIERRA ENGINEERING, PC.:							14,942.50	
ESTA								
07/21/2023	108793	230605-03	7884	ESTA	100-475-43031	05/23-ROUTE HRS	56,892.48	07/23
07/21/2023	108793	230711-02	7884	ESTA	100-475-43031	ESTA UTILITIES	2,499.98	07/23
Total ESTA:							59,392.46	
FEDERAL SIGNAL CORPORATION								
07/21/2023	72123106	8311655	3963	FEDERAL SIGNAL COR	910-000-13003	PARTS	1,174.21	07/23
Total FEDERAL SIGNAL CORPORATION:							1,174.21	
FRIENDS OF THE INYO								
07/21/2023	108794	FY 23/24	8456	FRIENDS OF THE INY	217-513-43031	MEASURE U FUNDING	11,000.00	07/23
Total FRIENDS OF THE INYO:							11,000.00	
GRAY, JAMIE								
07/21/2023	72123107	08/29-09/01/23	6839	GRAY, JAMIE	100-414-43150	PER DIEM	118.00	07/23
Total GRAY, JAMIE:							118.00	
H.D. INDUSTRIES, INC.								
07/21/2023	108795	33640	5882	H.D. INDUSTRIES, INC.	910-000-13003	HARD SURFACE SCRE	5,022.22	07/23
Total H.D. INDUSTRIES, INC.:							5,022.22	
HASELBAUER, GRETCHEN								
07/21/2023	108796	06/16-06/19/23	19358	HASELBAUER, GRETC	100-467-43150	LODGING	404.64	07/23
Total HASELBAUER, GRETCHEN:							404.64	
HIGH COUNTRY LUMBER								
07/21/2023	108797	22799	830	HIGH COUNTRY LUMB	220-471-42007	MAINT SUPPLIES	35.22	07/23
07/21/2023	108797	463239	830	HIGH COUNTRY LUMB	210-450-42007	MAINT SUPPLIES	491.14	07/23
Total HIGH COUNTRY LUMBER:							526.36	
HORIZON CALIFORNIA PUBLICATIONS, INC.								
07/21/2023	72123108	70296	6100	HORIZON CALIFORNIA	100-416-44220	TOWN CLEAN UP	500.00	07/23
Total HORIZON CALIFORNIA PUBLICATIONS, INC.:							500.00	
HOUSEMAN, TESS								
07/21/2023	108798	SCE	19296	HOUSEMAN, TESS	100-000-31610	RENT	698.85	07/23
07/21/2023	108798	09/16-09/19/23	19296	HOUSEMAN, TESS	100-440-43150	PER DIEM	213.00	07/23
Total HOUSEMAN, TESS:							911.85	
JIM CHARLON FORD, INC.								
07/21/2023	108799	61995	19138	JIM CHARLON FORD, I	910-000-13003	PARTS	64.00	07/23

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Total JIM CHARLON FORD, INC.:							64.00	
KIMBALL-MIDWEST								
07/21/2023	108800	101199517	4812	KIMBALL-MIDWEST	210-454-46200	PARTS	2,050.94	07/23
Total KIMBALL-MIDWEST:							2,050.94	
LUMA CURVE AIRFIELD SIGNS								
07/21/2023	108801	59396	18722	LUMA CURVE AIRFIEL	220-471-42007	PANELS	11,117.42	07/23
Total LUMA CURVE AIRFIELD SIGNS:							11,117.42	
MAMMOTH BUSINESS ESSENTIALS								
07/21/2023	108802	9784	18730	MAMMOTH BUSINESS	100-420-42005	SHIPPING CHGS	66.02	07/23
Total MAMMOTH BUSINESS ESSENTIALS:							66.02	
MAMMOTH DISPOSAL, INC.								
07/21/2023	108803	1223895U014	94	MAMMOTH DISPOSAL,	205-490-43404	06/23-C CTR	328.00	07/23
07/21/2023	108803	1223945U014	94	MAMMOTH DISPOSAL,	100-460-43031	06/23-LAKE MARY BIK	140.30	07/23
Total MAMMOTH DISPOSAL, INC.:							468.30	
MAMMOTH LAKES CREATIVE								
07/21/2023	72123109	1340	18437	MAMMOTH LAKES CR	100-442-43130	DESIGN FLYER	525.00	07/23
07/21/2023	72123109	1342	18437	MAMMOTH LAKES CR	100-413-43130	TOWN ADVERT	2,872.81	07/23
Total MAMMOTH LAKES CREATIVE:							3,397.81	
MAMMOTH LAKES TOURISM-TBID								
07/21/2023	72123110	TBID PASS TH	8858	MAMMOTH LAKES TO	218-480-49020	THROUGH 06/30/23	346,509.92	07/23
Total MAMMOTH LAKES TOURISM-TBID:							346,509.92	
McCONNELL, DAN								
07/21/2023	108804	FY 2023/34	19216	McCONNELL, DAN	217-513-43031	MEASURE U FUNDING	7,000.00	07/23
Total McCONNELL, DAN:							7,000.00	
MEYERS/NAVE								
07/21/2023	72123111	206258	19007	MEYERS/NAVE	100-412-43031	MAY 2023	638.00	07/23
Total MEYERS/NAVE:							638.00	
MICHAEL BAKER INTERNATIONAL								
07/21/2023	72123112	1184280	18064	MICHAEL BAKER INTE	300-531-43031	MACC 06/23-07/02/23-S	3,950.00	07/23
Total MICHAEL BAKER INTERNATIONAL:							3,950.00	
MISSION LINEN SUPPLY, INC								
07/21/2023	108805	519579347	6482	MISSION LINEN SUPPL	210-454-42006	UNIFORM	119.44	07/23
07/21/2023	108805	519621966	6482	MISSION LINEN SUPPL	210-450-42006	UNIFORM	57.78	07/23
07/21/2023	108805	519621967	6482	MISSION LINEN SUPPL	210-454-42006	UNIFORM	119.44	07/23
Total MISSION LINEN SUPPLY, INC:							296.66	

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MODEL1 COMMERCIAL VEHICLES, INC.								
07/21/2023	108806	XA128011358:	19359	MODEL1 COMMERCIA	910-000-13003	PARTS	3,171.90	07/23
Total MODEL1 COMMERCIAL VEHICLES, INC.:							3,171.90	
MONO ARTS COUNCIL								
07/21/2023	108807	FY 2023/24	8370	MONO ARTS COUNCIL	217-513-43031	MEASURE U FUNDING	34,000.00	07/23
07/21/2023	108807	FY 23/24	8370	MONO ARTS COUNCIL	217-513-43031	MEASURE U FUNDING	15,000.00	07/23
Total MONO ARTS COUNCIL:							49,000.00	
MONO COUNTY HEALTH DEPT.								
07/21/2023	108808	IN0016297	2922	MONO COUNTY HEAL	100-434-43031	WHITMORE BALLFIEL	405.00	07/23
07/21/2023	108808	IN0016471	2922	MONO COUNTY HEAL	100-434-43031	WHITMORE POOL	474.00	07/23
07/21/2023	108808	IN0016484	2922	MONO COUNTY HEAL	100-438-43031	SDY RST CONCESSIO	218.00	07/23
Total MONO COUNTY HEALTH DEPT.:							1,097.00	
MONO COUNTY INFORMATION TECHNOLOGY								
07/21/2023	108809	IT-TOML-22/23	10069	MONO COUNTY INFOR	100-418-43033	IT SVCS 04/01-06/30/23	62,500.00	07/23
Total MONO COUNTY INFORMATION TECHNOLOGY:							62,500.00	
NBS GOVERNMENT FINANCE GROUP								
07/21/2023	72123113	202305-1926	5991	NBS GOVERNMENT FI	858-438-43031	MGMT SVCS, CFD 200	417.60	07/23
07/21/2023	72123113	202306-2205	5991	NBS GOVERNMENT FI	852-450-43031	AD 93-4 ZONE 1	1,661.18	07/23
07/21/2023	72123113	202307-2454	5991	NBS GOVERNMENT FI	860-475-43031	TRANSIT CFD ANNEX	3,533.36	07/23
Total NBS GOVERNMENT FINANCE GROUP:							5,612.14	
NEVADA OVERHEAD DOOR CO. INC.								
07/21/2023	108810	90975	18221	NEVADA OVERHEAD D	210-456-43031	PARTS	5,162.00	07/23
Total NEVADA OVERHEAD DOOR CO. INC.:							5,162.00	
PELHAM, AMANDA								
07/21/2023	72123114	08/29-09/01/23	18144	PELHAM, AMANDA	100-417-43150	PER DIEM	118.00	07/23
Total PELHAM, AMANDA:							118.00	
PUBLIC RISK INNOVATION, SOLUTIONS & MGMT								
07/21/2023	108812	24400206	19159	PUBLIC RISK INNOVAT	100-417-43140	JULY 2023-JUNE 2024	150.00	07/23
Total PUBLIC RISK INNOVATION, SOLUTIONS & MGMT:							150.00	
RIMS - SUN RIDGE SYSTEMS, INC.								
07/21/2023	108813	7649	6513	RIMS - SUN RIDGE SY	100-420-43031	RIMS ANNUAL SUPPO	9,360.00	07/23
Total RIMS - SUN RIDGE SYSTEMS, INC.:							9,360.00	
SAMBASAFETY								
07/21/2023	108814	INV01163971	18151	SAMBASAFETY	100-417-43140	JUNE 2023	242.99	07/23
Total SAMBASAFETY:							242.99	
SIERRA CLASSIC THEATER								
07/21/2023	108815	FY 2023/24	7014	SIERRA CLASSIC THE	217-513-43031	MEASURE U FUNDING	10,000.00	07/23

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Total SIERRA CLASSIC THEATER:							10,000.00	
SILVER STATE INTERNATIONAL TRUCKS								
07/21/2023	72123115	X201116185:01	35	SILVER STATE INTERN	910-000-13003	PARTS	181.44	07/23
07/21/2023	72123115	X201116290:01	35	SILVER STATE INTERN	910-000-13003	PARTS	618.44	07/23
07/21/2023	72123115	X201116303:01	35	SILVER STATE INTERN	910-000-13003	PARTS	263.58	07/23
Total SILVER STATE INTERNATIONAL TRUCKS:							1,063.46	
SINTRA GROUP								
07/21/2023	108816	2023150A	10823	SINTRA GROUP	100-420-43031	BACKGROUND INVES	2,523.75	07/23
Total SINTRA GROUP:							2,523.75	
SOUTHERN CALIF EDISON								
07/21/2023	108817	06/23-0246	145	SOUTHERN CALIF EDI	100-464-43404	06/23-TAVERN RD A3	65.17	07/23
07/21/2023	108817	06/23-4416	145	SOUTHERN CALIF EDI	210-450-43404	06/23-PWM	146.00	07/23
07/21/2023	108817	06/23-4494	145	SOUTHERN CALIF EDI	210-450-43404	06/23-PWM	3,962.47	07/23
07/21/2023	108817	06/23-5720	145	SOUTHERN CALIF EDI	220-471-43404	06/23-AIRPORT	20.21	07/23
07/21/2023	108817	06/23-7029	145	SOUTHERN CALIF EDI	100-438-43404	06/23-CRK RST	220.20	07/23
07/21/2023	108817	06/23-7919	145	SOUTHERN CALIF EDI	100-416-43404	06/23-TOWN REC	129.69	07/23
07/21/2023	108817	06/23-8520	145	SOUTHERN CALIF EDI	210-450-43404	06/23-PARK & RIDE	110.82	07/23
07/21/2023	108817	06/23-9837	145	SOUTHERN CALIF EDI	100-464-43404	06/23-SIERRA MANOR	495.99	07/23
Total SOUTHERN CALIF EDISON:							5,150.55	
STEVE'S AUTO & TRUCK PARTS								
07/21/2023	108818	057300	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	15.95	07/23
07/21/2023	108818	057550	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	741.65	07/23
07/21/2023	108818	057777	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	213.81	07/23
07/21/2023	108818	058670	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	44.02	07/23
07/21/2023	108818	058884	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	8.17	07/23
07/21/2023	108818	058932	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	51.36	07/23
07/21/2023	108818	058964	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	11.51	07/23
07/21/2023	108818	059482	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	5.00	07/23
07/21/2023	108818	059795	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	45.13	07/23
07/21/2023	108818	067398	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	253.23	07/23
07/21/2023	108818	068669	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	86.73	07/23
07/21/2023	108818	070574	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	5.92	07/23
07/21/2023	108818	071071	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	150.32	07/23
07/21/2023	108818	071178	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	40.97	07/23
07/21/2023	108818	074070	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	68.82	07/23
07/21/2023	108818	569988	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	75.71	07/23
07/21/2023	108818	075039	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	22.21-	07/23
07/21/2023	108818	075182	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	283.30	07/23
07/21/2023	108818	076362	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	92.51	07/23
07/21/2023	108818	077520	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	353.25	07/23
07/21/2023	108818	077523	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	66.23-	07/23
07/21/2023	108818	079814	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	80.49-	07/23
07/21/2023	108818	080248	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	5.89	07/23
07/21/2023	108818	084206	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	250.64	07/23
07/21/2023	108818	084991	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	16.38	07/23
07/21/2023	108818	085124	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	376.90	07/23
07/21/2023	108818	085182	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	12.95	07/23
07/21/2023	108818	085184	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	16.38-	07/23
07/21/2023	108818	085189	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	268.30	07/23
07/21/2023	108818	085190	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	67.39	07/23

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07/21/2023	108818	085249	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	33.65	07/23
07/21/2023	108818	085450	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	36.95	07/23
07/21/2023	108818	085534	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	23.68	07/23
07/21/2023	108818	085545	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	734.81	07/23
07/21/2023	108818	085598	1221	STEVE'S AUTO & TRU	910-000-13003	085598	155.16-	07/23
07/21/2023	108818	085625	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	13.79	07/23
07/21/2023	108818	085842	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	38.20	07/23
07/21/2023	108818	085843	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	76.39	07/23
07/21/2023	108818	085956	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	204.34	07/23
07/21/2023	108818	585058	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	9.27	07/23
07/21/2023	108818	087303	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	14.27	07/23
07/21/2023	108818	087615	1221	STEVE'S AUTO & TRU	910-000-13003	PARTS	9.26	07/23
Total STEVE'S AUTO & TRUCK PARTS:							4,399.95	
THOMAS PETROLEUM, LLC								
07/21/2023	108819	314788A-IN	7891	THOMAS PETROLEUM	910-000-13001	GASOLINE	19,669.49	07/23
07/21/2023	108819	314788B-IN	7891	THOMAS PETROLEUM	910-000-13001	DIESEL	11,247.55	07/23
Total THOMAS PETROLEUM, LLC:							30,917.04	
TRANSUNION RISK & ALTERNATIVE								
07/21/2023	108820	45851-202306-	10413	TRANSUNION RISK &	100-420-43031	CREDIT CHECK	75.00	07/23
Total TRANSUNION RISK & ALTERNATIVE:							75.00	
TROY, SHAUN								
07/21/2023	72123116	RENT DEPOSI	19314	TROY, SHAUN	100-000-31610	JULY 2023-RENT	934.61	07/23
Total TROY, SHAUN:							934.61	
XEROX CORPORATION								
07/21/2023	108822	019089938	234	XEROX CORPORATIO	100-420-46010	MAY 2023	225.43	07/23
Total XEROX CORPORATION:							225.43	
Grand Totals:							1,845,691.59	

Signature: SANDRA MOBERLY Date 7/21/2023

Signature: STUART BROWN Date 7/21/2023

Signature: STEPHANIE TRUJILLO Date 7/21/23

Report Criteria:
Report type: Invoice detail
Check.Type = {<>} "Adjustment"

Report Criteria:
Report type: Invoice detail
Check.Type = {<>} "Adjustment"

Check Issue Date	Check Nu	Invoice Number	Vendor Nu	Payee	Invoice GL Account	Description	Amount	GL Period
CALIFORNIA DEPT. OF TAX & FEE ADMIN.								
07/25/2023	108823	APRIL-JUNE 2	144	CALIFORNIA DEPT. OF	910-000-13001	DGMT 57-425410	7,490.00	07/23
Total CALIFORNIA DEPT. OF TAX & FEE ADMIN.:							7,490.00	
CALIFORNIA DEPT. OF TAX AND FEE ADMIN.								
07/25/2023	108824	APRIL-JUNE 2	3156	CALIFORNIA DEPT. OF	910-000-20010	SALES TAX LIABILITY	1,574.00	07/23
Total CALIFORNIA DEPT. OF TAX AND FEE ADMIN.:							1,574.00	
PETTY CASH								
07/25/2023	108825	FY 22/23	351	PETTY CASH	100-432-43164	BISHOP POOL ADMISS	414.68	07/23
Total PETTY CASH:							414.68	
TANAKA, RYAN								
07/25/2023	72523100	07/25-07/28/20	19149	TANAKA, RYAN	100-420-43150	07/25-28/2023	224.00	07/23
Total TANAKA, RYAN:							224.00	
WEST, MATTHEW								
07/25/2023	72523101	07/23-09/01/23	18629	WEST, MATTHEW	100-420-43150	PER DIEM	2,185.00	07/23
Total WEST, MATTHEW:							2,185.00	
Grand Totals:							11,887.68	

Signature: ROB PATTERSON Robert Patterson Date 7/25/2023

Signature: JAMIE GRAY Jamie Gray Date 7/25/23

Signature: STEPHANIE TRUJILLO Stephanie Trujillo Date 7/25/23

TOWN COUNCIL STAFF REPORT

Title: Transit CFD No. 2013-3 Annexation No. 8

Meeting Date: August 2, 2023

Prepared by: Amy Callanan, PE, Engineering Manager

RECOMMENDATION:

Adopt the attached two resolutions annexing property into the Community Facilities District No. 2013-3 (Transit CFD) and declaring the results of the landowner election. Waive the first reading and introduce by title only the ordinance authorizing the levy of special taxes in Community Facilities District No. 2013-3.

The Town has received petitions from developers requesting the Town Council complete proceedings to annex the developers' properties into the Mello-Roos Community Facilities District (CFD) 2013-3. The petition requests the Town finance services and improvements with a special tax levied against properties included in the District that allow transient occupancies. The properties include the Sierra Nevada Resort and Mammoth Creek Inn projects, which are anticipated to develop into 30 additional hotel rooms and 12 condo units in total. The annexation map has been recorded with Mono County as shown in Attachment 6. Town Council has previously adopted a resolution declaring its intention to annex the properties into the CFD and authorizing the levy of special taxes and setting the time and date for this public hearing. Properties are not subject to the tax until an occupancy permit for a qualified residential property has been issued.

Today's annexation process involves:

- a public hearing to consider adoption of a resolution of annexation;
- special election of landowners. A minimum of 2/3 of votes in favor of annexation are required in order for annexation to proceed;
- adoption of a resolution declaring the election results; and
- introduction of an ordinance levying of special taxes.

ATTACHMENTS:

1. Order of Proceedings for Hearing and Subsequent Actions
2. Resolution Annexing Properties
3. Resolution Declaring Results of Landowner Election
4. Annexation Ordinance
5. Amendment No. 8 to Notice of Special Tax Lien
6. Annexation No. 8 Boundary Map

TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
ANNEXATION NO. 8

ORDER OF PROCEEDINGS FOR HEARING AND SUBSEQUENT ACTIONS

The Mayor makes the following opening remarks:

"This is the time and place for the public hearing for the Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services) Annexation No. 8. The hearing is to inquire into the annexation of property into the District and the levy of special taxes for Town-wide transit services within or adjacent to the District. Before I formally open the hearing, are there any property owners or registered voters in the District or territory to be annexed who wish to file written protests? If so, they must be filed with the Town Clerk now."

[Pause to see if there are any written protests.]

"The hearing is now open. We will first have presentations by staff about the annexation of territory to the District. After that, we will receive comments and questions and any oral protests from any interested persons. When all comments have been received the hearing will be closed."

Staff makes presentations.

Mayor asks for comments, questions and protests from audience.

When no more comments, Mayor closes the public hearing and says:

"The hearing is closed. We may now consider and adopt the Resolution Authorizing the Annexation of Territory into a Community Facilities District, Authorizing the Levy of a Special Tax, and Submitting the Levy of a Special Tax to Qualified Electors."

Mayor asks for comments, and questions from Council.

Council considers a motion to ADOPT:

1. **A Resolution of the Town Council of the Town of Mammoth Lakes, State of California, Authorizing the Annexation of Territory into a Community Facilities District, Authorizing the Levy of a Special Tax, and Submitting the Levy of Special Tax to Qualified Electors.**

   (Council Votes to adopt resolution)***

Mayor then says:

"Will the Clerk please announce the result of the property owner vote?"

Clerk announces result and completes the* Canvass (attached to the Resolution below*).

Mayor then says:

"The record shows that at least 2/3rds of the property owner votes are in favor of the annexation of territory and levy of the special tax. We may now proceed with the final actions for the annexation of territory to the District."

Council considers a motion to ADOPT:

1. **A Resolution of the Town Council of the Town of Mammoth Lakes, State of California, Declaring Results of a Special Annexation Landowner Election, Determining Validity of Prior Proceedings, and Directing the Recording of the Eighth Amendment to Notice Special Tax Lien.**

   (Council Votes to adopt resolution)***

Council considers a motion to WAIVE FIRST READING AND INTRODUCE BY TITLE ONLY:

2. **An Ordinance of the Town Council of the Town of Mammoth Lakes, State of California, Authorizing the Levy of Special Taxes in a Community Facilities District, Including Certain Annexation Territory.**

   (Council Votes to introduce ordinance)***

END OF ITEM

RESOLUTION NO. 23-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, AUTHORIZING THE ANNEXATION OF TERRITORY INTO A COMMUNITY FACILITIES DISTRICT, AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING THE LEVY OF SPECIAL TAX TO QUALIFIED ELECTORS

TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
ANNEXATION NO. 8

WHEREAS, under the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the "Act"), the Town Council of the Town of Mammoth Lakes (the "Town") previously conducted proceedings to establish the Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services) (the "District"), and

WHEREAS, this Town Council on June 21, 2023, adopted its Resolution No. 23-44 entitled "A Resolution of the Town Council of the Town of Mammoth Lakes, State of California, Declaring its Intention to Annex Territory into a Community Facilities District and to Authorize the Levy of Special Taxes" (the "Resolution of Intention") stating its intention to annex the territory to the District pursuant to the Act; and

WHEREAS, a copy of the Resolution of Intention, incorporating a description and map of the proposed boundaries of the territory to be annexed to the District and stating the services to be funded by the District and the rate and method of apportionment of the special tax to be levied within the District to pay for the services is on file with the Town Clerk and the provisions thereof are fully incorporated herein by this reference as if fully set forth herein; and

WHEREAS, on the date hereof, this Town Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed annexation of territory to the District; and

WHEREAS, at the hearing all interested persons desiring to be heard on all matters pertaining to the annexation of territory to the District and the levy of special taxes within the area proposed to be annexed were heard and a full and fair hearing was held; and

WHEREAS, prior to the closing of the hearing, no written or oral protests had been made against the proposed annexation of territory to the District by (i) any registered voter residing in the existing District, or (ii) any registered voter residing in the territory proposed to be annexed to the District, or (iii) any of the owners of land in the existing District, or (iv) any of the owners of land in the territory proposed to be annexed to the District; and

WHEREAS, Annexation Map No. 8 to the District has been filed with the County Recorder of the County of Mono, which map shows the territory to be annexed in these proceedings, and a copy of the map is on file with the Town Clerk.

NOW, THEREFORE, the Town Council of the Town of Mammoth Lakes, DOES HEREBY RESOLVE as follows:

1. The foregoing recitals are true and correct.

2. All prior proceedings taken by this Town Council with respect to the District, prior annexations, and the proposed eighth annexation of territory thereto have been duly considered and are hereby determined to be valid and in conformity with the Act, and the District has been validly established pursuant to the Act.

3. The boundaries of the territory to be annexed to the District, as set forth in the map entitled "Annexation Map No. 8 of Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services)" on file with the Town Clerk and heretofore recorded in the Mono County Recorder's Office on July 7, 2023, in Book 2 at Page 90 of Maps of Assessment and as Document No. 2023001534 and Community Facilities Districts are hereby finally approved, are incorporated herein by this reference, and shall be included within the boundaries of the District, and said territory is hereby ordered annexed to the District, subject to voter approval of the levy of the special taxes therein as hereinafter provided.

4. The provisions of the Resolution of Intention are, by this reference incorporated herein, as if fully set forth herein.

5. Pursuant to the provisions of the Act, the proposition of the levy of the special tax within the territory to be annexed to the District shall be submitted to the qualified electors of the area to be annexed to the District at an election called therefor as hereinafter provided.

6. This Town Council hereby finds that fewer than 12 persons have been registered to vote within the territory proposed to be annexed to the District for each of the 90 days preceding the close of the public hearing heretofore conducted and concluded by this Town Council for the purposes of these annexation proceedings. Accordingly, and pursuant to Section 53326 of the Act, this Town Council finds that the qualified electors for purposes of the annexation election are the landowners within the territory proposed to be annexed to the District and that the vote shall be by said landowners, each having one vote for each acre or portion thereof such landowner owns in the territory proposed to be annexed to the District.

7. This Town Council hereby calls a special election to consider the measure described in Section 5 above, which election shall be held in the meeting room of the Town Council immediately following adoption of this Resolution. The Town Clerk is hereby designated as the official to conduct said election. It is hereby acknowledged that the Town Clerk has on file the Resolution of Intention, a certified map of the proposed boundaries of the territory to be annexed to the District, and a sufficient description to allow the Town Clerk to determine the boundaries of the territory to be annexed to the District.

8. The voted ballots shall be returned to the Town Clerk no later than immediately following the adoption of this Resolution; and when the qualified electors have voted the election shall be closed.

9. Pursuant to Section 53327 of the Act, the election shall be conducted by hand-delivered ballot pursuant to the California Elections Code.

10. This Town Council acknowledges that the Town Clerk has caused to be delivered to the qualified electors of the District a ballot in the form set forth in Exhibit "A" hereto. The ballot indicated the number of votes to be voted by each landowner.

11. The ballot was accompanied by all supplies and written instructions necessary for the use and return of the ballot. The envelope to be used to return the ballot was enclosed with the ballot, had the return postage prepaid, and contained the following: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or authorized representative of the landowner entitled to vote and is the person whose name appears on the envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration pursuant to clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing board.

12. Analysis and arguments with respect to the ballot measures are hereby waived, as provided in Section 53327 of the Act.

13. The Town Clerk shall accept the ballot of the qualified electors in the Town of Mammoth Lakes Town Council meeting room upon and prior to the adoption of this Resolution, whether the ballot is personally delivered or is received by mail. The Town Clerk shall have ballots available which may be marked by the qualified electors at said location on the election day.

14. This Town Council hereby further finds that the provision of Section 53326 of the Act requiring a minimum of 90 days following the adoption of this Resolution to elapse before said special election is for the protection of the qualified electors of the territory to be annexed to the District. The ballots to be executed by the qualified electors of the area to be annexed to the District contains a waiver of any time limit pertaining to the conduct of the election and a waiver of any requirement for ballot measure analysis and arguments in connection with the election. Accordingly, this Town Council finds and determines that, to the extent that the qualified elector submits its ballot, the qualified elector will have been fully apprised of and have agreed to the shortened time for the election and waiver of ballot measure analysis and arguments and will have thereby been fully protected in these proceedings. This Town Council also finds and determines that the Town Clerk has concurred in the shortened time for the election.

15. This Resolution shall take effect upon its adoption.

APPROVED AND ADOPTED this 2nd day of August 2023.

_____
JOHN WENTWORTH, Mayor

ATTEST:

_____
JAMIE GRAY, Town Clerk

EXHIBIT A

TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
ANNEXATION NO. 8

OFFICIAL BALLOT
SPECIAL TAX ELECTION

This ballot is for a special, landowner election. You must return this ballot in the enclosed postage paid envelope to the office of the Town Clerk of the Town of Mammoth Lakes no later than the hour of 4:00 p.m. on Wednesday, August 2, 2023, either by mail or in person. The Town Clerk's office is located at 437 Old Mammoth Road, Suite 230, Town of Mammoth Lakes, California.

To vote, mark a cross (X) on the voting line after the word "YES" or after the word "NO". All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void. If you wrongly mark, tear, or deface this ballot, return it to the Town Clerk of the Town of Mammoth Lakes and obtain another.

The estimated maximum amount of money raised annually by this measure is expected to be $8,592, in 2023/24 special tax rates, upon full build out of the territory to be annexed to the District, based on the rate and duration of the special tax and subject to the tax escalation factor, as set forth in the rate and method of apportionment of special taxes for the District.

> **BALLOT MEASURE**: Shall the Town of Mammoth Lakes, by and for its Community Facilities District No. 2013-3 (Transit Services) (the "District"), be authorized to levy special taxes within the territory annexed to the District pursuant to and as described in the Resolution of Intention to Annex Territory, adopted by the Town Council of the Town of Mammoth Lakes on June 21, 2023, and shall the annual appropriations limit of the District be increased by the amount of $8,592?
>
> Yes: _____
>
> No: _____

By execution in the space provided below, you also confirm your written waiver of any time limit pertaining to the conduct of the election and any requirement for notice of election and analysis and arguments with respect to the ballot measure, as such waivers are described and permitted by Section 53326(a) and 53327(b) of the California Government Code.

Number of Votes: 8

Property Owner: _____

By: _____

RESOLUTION NO. 23-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ANNEXATION LANDOWNER ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING THE RECORDING OF THE EIGHTH AMENDMENT TO NOTICE OF SPECIAL TAX LIEN

TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
ANNEXATION NO. 8

WHEREAS, under the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the "Act"), the Town Council of the Town of Mammoth Lakes (the "Town") previously conducted proceedings to establish the Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services) (the "District"), and

WHEREAS, in proceedings conducted by this Town Council pursuant to the Act, this Town Council has adopted a Resolution entitled "A Resolution of the Town Council of the Town of Mammoth Lakes, State of California, Authorizing the Annexation of Territory into a Community Facilities District, Authorizing the Levy of a Special Tax, and Submitting the Levy of Special Tax to Qualified Electors" (the "Resolution of Annexation"), which called for a special election of the qualified landowner electors in the territory of land proposed to be annexed to the District; and

WHEREAS, pursuant to the terms of the Resolution of Annexation, which is by this reference incorporated herein, the special election has been held and the Town Clerk has on file a Canvass and Statement of Results of Election, (the "Canvass") a copy of which is attached hereto as Exhibit A; and

WHEREAS, this Town Council has been informed of the Canvass, finds it appropriate, and wishes to complete its proceedings for the annexation of territory into the District.

NOW, THEREFORE, the Town Council of the Town of Mammoth Lakes, DOES HEREBY RESOLVE as follows:

1. The foregoing recitals are true and correct.

2. The issue presented at the special election was the levy of a special tax within the territory annexed to the District, to be levied in accordance with the formula heretofore approved by this Town Council, all as described in Resolution No. 23-44, entitled "A Resolution of the Town Council of the Town of Mammoth Lakes, State of California, Declaring its Intention to Annex Territory into a Community Facilities District and to Authorize the Levy of Special Taxes" adopted by this Town Council on June 21, 2023.

3. Pursuant to the Canvass on file with the Town Clerk, the issue presented at the special election was approved by the landowners of the territory annexed to the District by more than two-thirds (2/3) of the votes cast at the special election.

4. Pursuant to the voter approval, the annexed territory is hereby declared to be fully annexed to and part of the District and this Town Council may levy special taxes therein as heretofore provided in these proceedings.

5. It is hereby found that all prior proceedings and actions taken by this Town Council with respect to the District, the prior annexations, and the territory annexed thereto were valid and in conformity with the Act.

6. Within 15 days of the date of adoption hereof, the Town Clerk shall execute and cause to be recorded in the office of the County Recorder of the County of Mono, an Eighth Amendment to Notice of Special Tax Lien, as required by Section 3117.5 of the California Streets and Highways Code.

7. This Resolution shall take effect upon its adoption.

APPROVED AND ADOPTED this 2nd day of August 2023.

_____
JOHN WENTWORTH, Mayor

ATTEST:

_____
JAMIE GRAY, Town Clerk

EXHIBIT A
TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
ANNEXATION NO. 8

CANVASS AND STATEMENT OF RESULT OF ELECTION

I hereby certify that on August 2, 2023, I canvassed the returns of the election held on August 2, 2023, in the Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services), Annexation No. 8 of the Town of Mammoth Lakes and the total number of ballots cast in such election and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true and correct:

	Qualified Landowner Votes	**Votes Cast**	**Votes YES**	**Votes NO**
Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services), Annexation No. 8 Special Tax Election, August 2, 2023	8	_____	_____	_____

BALLOT MEASURE: Shall the Town of Mammoth Lakes, by and for its Community Facilities District No. 2013-3 (Transit Services) (the "District"), be authorized to levy special taxes within the territory annexed to the District pursuant to and as described in the Resolution of Intention to Annex Territory, adopted by the Town Council of the Town of Mammoth Lakes on June 21, 2023, and shall the annual appropriations limit of the District be increased by the amount of $8,592?

Yes: _____

No: _____

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND on August 2, 2023.

By: _____
Town Clerk
Town of Mammoth Lakes

ORDINANCE NO. 23-

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY

TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
ANNEXATION NO. 8

WHEREAS, the Town of Mammoth Lakes (the "Town") has conducted proceedings pursuant to the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following, California Government Code; hereafter referred to as the "Act") to establish the Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services) (the "District") for the purpose of financing the costs of the services and maintenance related to the Town-wide transit system, and related appurtenances (the "Services) as provided in the Act; and

WHEREAS, the rate and method of apportionment of special tax for the District (the "Rate and Method") is set forth in Exhibit B to the Town Council Resolution 13-20 entitled "A Resolution of the Town Council of the Town of Mammoth Lakes, California, Establishing the Formation of a Community Facilities District" (the "Resolution of Formation"), which was adopted on April 17, 2013; and

WHEREAS, the Town has conducted proceedings to annex territory into the District and, with respect to the proceedings, following an election of the qualified electors in the territory proposed for annexation (the "Annexation Territory"), the Town Council, on August 2, 2023, adopted a Resolution entitled "A Resolution of the Town Council of the Town of Mammoth Lakes, State of California, Declaring the Results of Special Annexation Landowner Election, Determining Validity of Prior Proceedings, and Directing the Recording of the Eighth Amendment to Notice of Special Tax Lien."

NOW, THEREFORE, the Town Council of the Town of Mammoth Lakes, DOES HEREBY ORDAIN as follows:

1. The foregoing recitals are true and correct.

2. By the passage of this Ordinance, the Town Council hereby authorizes and levies the special tax within the District, including the Annexation Territory, pursuant to the Act, at the rate and in accordance with the rate and method of apportionment of special tax set forth in the Resolution of Formation, which rate and method is by this reference incorporated herein. The special tax has previously been levied in the original territory of the District beginning in fiscal year 2013-14 pursuant to Ordinance No. 13-04 passed and adopted by the Town Council on May 1, 2013, and the special tax is hereby levied commencing in fiscal year 2023/24 in the District, including the Annexation Territory, and in each fiscal year thereafter to pay for the Services for the District and all costs of administering the District.

1. The Town's Finance Director, designee, employee, or consultant of the Town is hereby authorized and directed each fiscal year to determine the specific special tax to be levied for the next ensuing fiscal year for each parcel of real property within the District, including the Annexation Territory, in the manner and as provided in the Resolution of Formation.

2. Exemptions from the levy of the special tax shall be as provided in the Resolution of Formation and the applicable provisions of the Act. In no event shall the special tax be levied on any parcel within the District in excess of the maximum special tax specified in the Resolution of Formation.

3. All of the collections of the special tax shall be used as provided in the Act and in the Resolution of Formation, including, but not limited to, the payment of the costs of the Services, the payment of the costs of the Town in administering the District, and the costs of collecting and administering the special tax.

4. The special tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall have the same lien priority and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes; provided, however, that the Town Council may provide for other appropriate methods of collection by resolution(s) of the Town Council. The Finance Director of the Town is hereby authorized and directed to provide all necessary information to the auditor/tax collector of the County of Mono in order to effect proper billing and collection of the Special Tax, so that the Special Tax shall be included on the secured property tax roll of the County of Mono for fiscal year 2023/24 and for each fiscal year thereafter until no longer required to pay for the Services or until otherwise terminated by the Town.

5. If for any reason any portion of this ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the District, including the Annexation Territory, by a court of competent jurisdiction, the balance of this ordinance and the application of the special tax to the remaining parcels within the District, including the Annexation Territory, shall not be affected.

6. The Mayor shall sign this Ordinance and the Town Clerk shall cause the same to be published immediately after its passage at least once in a newspaper of general circulation for the Town.

7. This Ordinance takes effect upon its adoption.

INTRODUCED and first read on the 2nd day of August 2023; and PASSED AND ADOPTED this 16th day of August 2023.

_____
JOHN WENTWORTH, Mayor

ATTEST:

_____
JAMIE GRAY, Town Clerk

RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:

Town Clerk
Town of Mammoth Lakes
437 Old Mammoth Road, Suite 230
Town of Mammoth Lakes, CA 93546

EIGHTH AMENDMENT TO
NOTICE OF SPECIAL TAX LIEN

Town of Mammoth Lakes
Community Facilities District No. 2013-3
(Transit Services)
Annexation No. 8

Pursuant to the requirements of Section 3114.5 of the California Streets and Highways Code and Section 53328.3 of the California Government Code, the undersigned Town Clerk of the Town of Mammoth Lakes (the "Town"), County of Mono, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the Town Council of the Town, on the property described herein. The special tax secured by this lien is authorized to be levied for the purpose of paying the costs of services described in, and said special tax is to be levied according to the rate and method of apportionment set forth in, that certain Notice of Special Tax Lien heretofore recorded in the Office of the County Recorder of the County of Mono, State of California on May 6, 2013, at the hour of 4:20 o'clock p.m. as Document No. 2013002538, to which recorded Notice of Special Tax Lien reference is hereby made and the provisions of which are hereby incorporated herein in full by this reference.

This Eighth Amendment to Notice of Special Tax Lien amends the Notice of Special Tax Lien to add to the territory of the Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services) the lands set forth in that certain "Annexation Map No. 8 of the Town of Mammoth Lakes Community Facilities District No. 2013-3 (Transit Services), County of Mono, State of California," heretofore recorded on July 7, 2023, in Book 2 at Page 90 of Maps of Assessment and as Document No. 2023001534 and Community Facilities Districts in the office of the County Recorder of the County of Mono, State of California.

The assessor's parcel numbers of all parcels or any portion thereof which are included in this Eighth Amendment to Notice of Special Tax Lien, together with the names of the owners thereof, as they appear on the latest secured assessment roll as of the date of recording hereof or as are otherwise known to the Town are as set forth in Exhibit A hereto and hereby made a part hereof.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the Finance Director of the Town of Mammoth Lakes, 437 Old Mammoth Road, Mammoth Lakes, California 93546; telephone number (760) 965-3660.

Dated: As of _____, 2023

By: _____

Jamie Gray, Town Clerk
Town of Mammoth Lakes

EXHIBIT A

TOWN OF MAMMOTH LAKES
COMMUNITY FACILITIES DISTRICT NO. 2013-3
(TRANSIT SERVICES)
ANNEXATION NO. 8

ASSESSOR'S PARCEL NUMBERS AND OWNERS OF LAND WITHIN DISTRICT

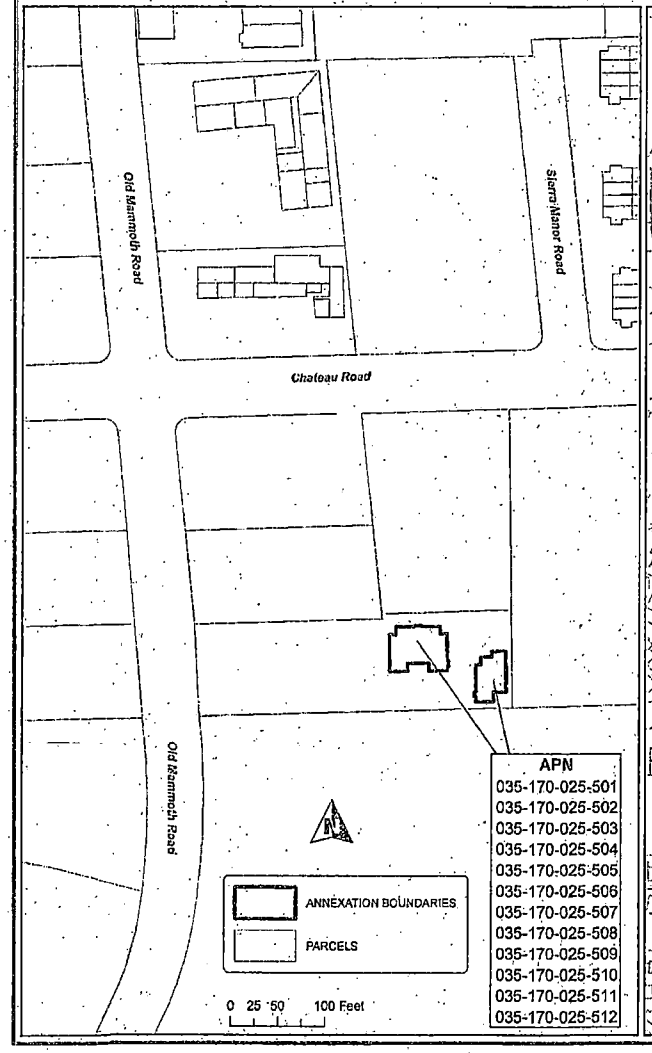
Assessor's Parcel Numbers	Name of Property Owner	Use
035-170-025-501	MAMMOTH HOTEL ASSO LLC	1 Qualified Residential Property dwelling unit
035-170-025-502	MAMMOTH HOTEL ASSO LLC	1 Qualified Residential Property dwelling unit
035-170-025-503	MAMMOTH HOTEL ASSO LLC	1 Qualified Residential Property dwelling unit
035-170-025-504	MAMMOTH HOTEL ASSO LLC	1 Qualified Residential Property dwelling unit
035-170-025-505	MAMMOTH HOTEL ASSO LLC	1 Qualified Residential Property dwelling unit
035-170-025-506	MAMMOTH HOTEL ASSO LLC	1 Qualified Residential Property dwelling unit
035-170-025-507	MAMMOTH HOTEL ASSO LLC	1 Qualified Residential Property dwelling unit
035-170-025-508	MAMMOTH HOTEL ASSO LLC	1 Qualified Residential Property dwelling unit
035-170-025-509	MAMMOTH HOTEL ASSO LLC	1 Qualified Residential Property dwelling unit
035-170-025-510	MAMMOTH HOTEL ASSO LLC	1 Qualified Residential Property dwelling unit
035-170-025-511	MAMMOTH HOTEL ASSO LLC	1 Qualified Residential Property dwelling unit
035-170-025-512	MAMMOTH HOTEL ASSO LLC	1 Qualified Residential Property dwelling unit
035-230-005-000	WH SN MAMMOTH LLC	30 Qualified Residential Property transient rental rooms
035-230-006-000	WH SN MAMMOTH LLC	
035-230-007-000	WH SN MAMMOTH LLC	

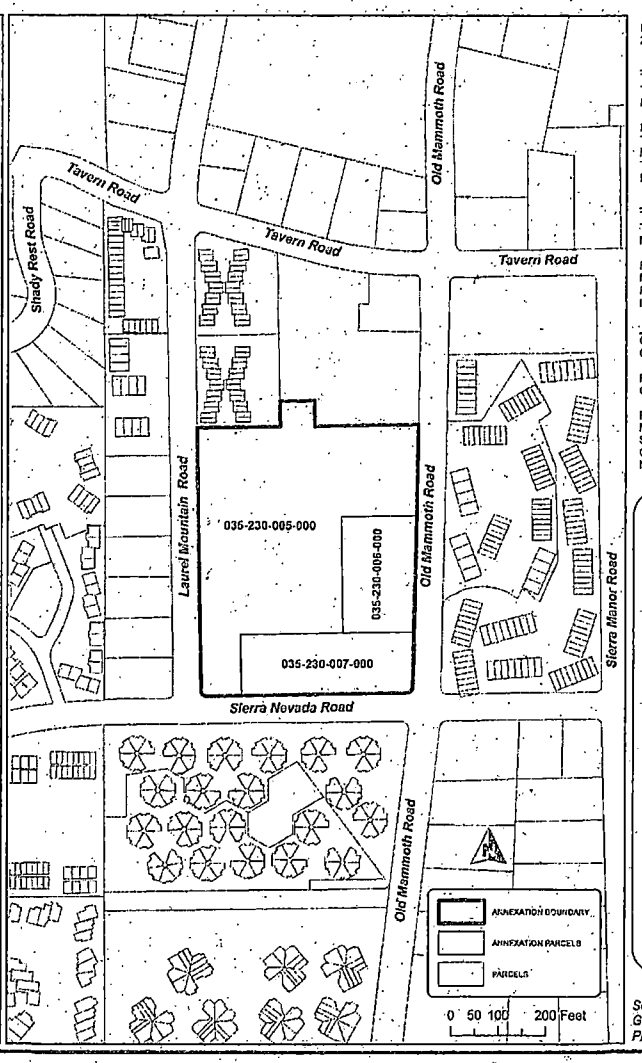
Book 2 Page 90

Sheet 1 of 1

ANNEXATION MAP NO. 8 OF TOWN OF MAMMOTH LAKES COMMUNITY FACILITIES DISTRICT NO. 2013-3 (TRANSIT SERVICES)

TOWN OF MAMMOTH LAKES
COUNTY OF MONO
STATE OF CALIFORNIA





FILED IN THE OFFICE OF THE TOWN CLERK OF THE TOWN OF MAMMOTH LAKES THIS 22nd DAY OF June 2023.

Joe Jamie Gray
TOWN CLERK
TOWN OF MAMMOTH LAKES
MONO COUNTY, CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF ANNEXATION NO. 8 TO THE TOWN OF MAMMOTH LAKES COMMUNITY FACILITIES DISTRICT NO. 2013-3 (TRANSIT SERVICES), TOWN OF MAMMOTH LAKES, COUNTY OF MONO, STATE OF CALIFORNIA, WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES AT A REGULAR MEETING THEREOF, HELD ON THE 21st DAY OF June, 2023, BY ITS RESOLUTION NO.

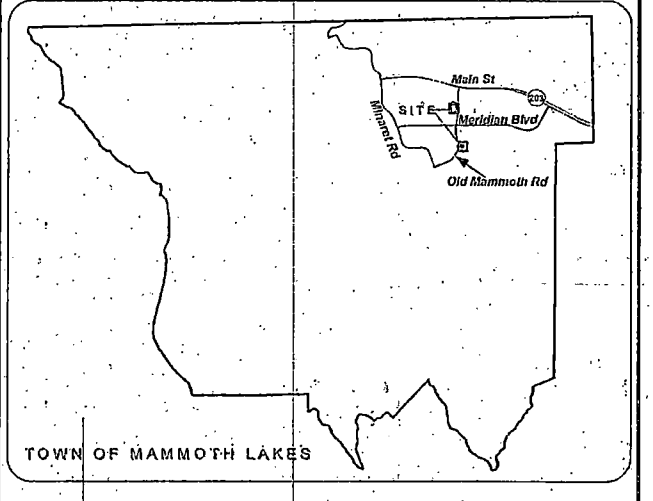
Joe Jamie Gray
TOWN CLERK
TOWN OF MAMMOTH LAKES
MONO COUNTY, CALIFORNIA

FILED THIS 7 DAY OF July 2023, AT THE HOUR OF 02:07 O'CLOCK P.M. IN BOOK 2 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 90 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONO, STATE OF CALIFORNIA.
INSTRUMENT NUMBER: 2023001534

Queenie Barnard
COUNTY RECORDER - Interim
COUNTY OF MONO, CALIFORNIA
Deputy Clerk Recorder

FOR PARTICULARS OF THE LINES AND DIMENSIONS OF ASSESSOR PARCELS, REFERENCE IS MADE TO THE MAPS OF THE ASSESSOR, COUNTY OF MONO, STATE OF CALIFORNIA.

REFERENCE IS HEREBY MADE TO THAT CERTAIN MAP ENTITLED "MAP OF PROPOSED BOUNDARIES OF TOWN OF MAMMOTH LAKES COMMUNITY FACILITIES DISTRICT NO. 2013-3, TOWN OF MAMMOTH LAKES, COUNTY OF MONO, STATE OF CALIFORNIA" FILED THE 21ST DAY OF MARCH, 2013, IN BOOK 2 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 76 IN THE OFFICE OF THE COUNTY RECORDER FOR THE COUNTY OF MONO, STATE OF CALIFORNIA, WHICH THIS ANNEXATION MAP AFFECTS.



Source: Mono County GIS
Geographic Coordinate Reference: GCS North American 1983
Projection: NAD 1983 StatePlane California III FIPS 0403 Feet

NBS

TOWN COUNCIL STAFF REPORT

Subject: Appeal of Notice of Determination at 1629 Majestic Pines Road, Unit 69

Appeal Date: August 2, 2023

Written by: Rob Patterson, Administrative Services / Finance Director

RECOMMENDATION:
Make a finding of noncompliance with the Town of Mammoth Lakes Municipal Code and uphold the Notice of Determination and judgement in the amount of $8,105.09.

BACKGROUND:
Chapter 3.12 of the Municipal Code established the Uniform Transient Occupancy Tax ordinance for the Town of Mammoth Lakes. This enforcement case is a revenue violation, meaning the operator is conducting business in an area zoned for transient rental but has not adhered to the municipal code regarding the remittance of transient occupancy tax. Enforcement of the municipal code is a primary function of the Revenue team to preserve a transparent and equitable business environment.

Additionally, the Town municipal code includes the Quality-of-Life Ordinance found in section 5.40 which regulates transient rentals and states,

Section 5.40.070 – Violations

A. A violation of any provision of this chapter, and/or the renting of any property in a zoning district that does not allow for such transient rental, or without proper land use approvals, is subject to the general penalty provisions and/or the administrative citation provisions set forth in Chapter 1.12 and Chapter 8.32 of the Municipal Code, respectively, and any other civil or administrative remedy allowed by law, provided that such violations shall be subject to a fine not exceeding one thousand five hundred dollars ($1,500) for a first violation, a fine not exceeding three thousand dollars ($3,000) for a second violation of this chapter or Chapter 3.12 within one year, and a fine not exceeding five thousand dollars ($5,000) for each additional violation of this chapter or Chapter 3.12 within one year of the first violation.

B. Notwithstanding Chapter 1.12 and subsection A of this section, the administrative fine for the operation of any transient occupancy facility without a valid business tax certificate shall be five hundred dollars for the first violation.

C. Notwithstanding subsection A of this section, the $1,500, $3,000, and $5,000 fines set forth therein shall not apply to: (i) a first time offense of failing to obtain a transient occupancy registration certificate or business tax certificate or pay a fee for either of those certificates; or (ii) violations committed in connection with the transient rental of a commercially operated hotel, motel, bed and breakfast inn, time-share property as defined by subdivision (aa) of Section

11212 of the Business and Professions Code, lodge, inn, camping site, space where camping or remaining overnight on a transient basis is permitted at a campground or recreational vehicle park, or the rental of anything that is not a "transient occupancy facility" as defined in Section 3.12.020.

D. Town staff shall establish a process for granting a hardship waiver to reduce the amount of the fine upon a showing by the responsible party that the responsible party has made a bona fide effort to comply after the first violation and that payment of the full amount of the fine would impose an undue financial burden on the responsible party.

E. Non- compliance by an operator of the requirements for registration and operation of transient rental units may result in the revocation of the business tax certificate authorizing the use, and no new business tax certificate may be issued to the same licensee for operation of a transient occupancy facility for a period of twelve months following such revocation.

Please note that the administrative citations for $1000 were issued prior to the adoption of Ordinance 22-10 which increased the fine amounts to $1,500, $3,000, and $5,000 on November 16, 2023.

ANALYSIS/DISCUSSION:

Owners of 1629 Majestic Pines Drive Unit 69, Milad Jashnieh and Zahra Bidari, were found to be revenue violators in 2019 for renting and advertising without a valid business tax certificate or transient occupancy tax certificate. Enforcement efforts commenced and were completed with a Notice of Determination paid. The business tax and TOT certificates were issued April 22, 2019. The BTC account was closed by Mr. Jashnieh September 30, 2020, via email request.

April 2020, the owners were found to have rented the unit during the Transient Rental Restriction to a non-essential worker. An audit was conducted, and a warning issued that the business tax certificate and transient occupancy certificate may be cancelled for a period of one year for additional violations of the restriction.

July 22, 2022, Town Finance staff located the property, 1629 Majestic Pines Drive, Unit 69 on a rental website and found the owner was soliciting for transient rentals (less than 31 days) without a valid business tax certificate and transient occupancy tax certificate. The transient rental activity dated back to October 2020, the following month after the closure of Mr. Jashnieh's BTC, by a host named Jade.

July 25, 2022, Staff initiated enforcement efforts with an initial administrative citation of $500 sent via first class and certified mail. Staff confirmed delivery of the initial correspondence on July 27, 2022. No response was received during the 15-day window. A Notice of Assessment and a second citation in the amount of $1000 was sent first class and certified mail on August 10, 2022. Staff confirmed delivery on August 12, 2022. Mr. Jashnieh's first response to the enforcement efforts occurred on August 16, 2022.

Initial conversations between staff and Mr. Jashnieh began on August 17, 2022. Email correspondence was sent requesting to cease advertising, cease renting, cancel future bookings and to provide revenue payout summaries for the previous three years.

Mr. Jashnieh stated that he had not rented his property at all since the closure of his BTC account. The host listed in the advertisement was "Jade." Mr. Jashnieh denied that he knew the host, Jade, and stated that he felt he was being defrauded. The next day the Airbnb advertisement with the host name, Jade was no longer visible. When staff asked how this could occur without knowing the listed host, Jade, Mr. Jashnieh was unable to provide an explanation.

Staff received a letter from Mr. Jashnieh on August 26, 2022, stating that their property has not been rented for over 3 and a half years.
Staff was able to secure screenshots of the property advertisements, interior photos, and reviews for the past 3 years of activity on the rental market. It has been confirmed the photos collected are identical from the images used when Mr. Jashnieh was conducting rentals under his BTC.

Staff responded to the letter sent by Mr. Jashnieh and requested him to provide actual revenue reports or a copy of a police report showing he's making a fraud claim. As a follow up with the Police Department, Mr. Jashnieh did contact them but made no claim as he was reminded that it's illegal to file a false report.
Mr. Jashnieh did not provide actual revenue summaries or police report by the deadline of two weeks after the request. A Notice of Determination and second $1000 administrative citation was sent via First Class and Certified mail on September 1, 2022. Delivery confirmed.

Multiple emails between staff and Mr. Jashnieh continued as he maintained that his property was not being rented. Staff conducted a site visit and verified that the unit matched the images from the advertisement. Mr. Jashnieh sent an email on September 21, 2022, requesting to appeal the Notice of Determination.

As part of the appeal procedure, a deposit in the full amount of the NOD is required until a ruling can be made. A hardship waiver was requested by Mr. Jashnieh. If this waiver was to be granted a Lien is placed on the property until a ruling is determined. Concurrently a phone conversation between Rob Patterson, staff and Mr. Jashnieh was conducted to better understand both sides of the situation. Mr. Jashnieh maintained he's not responsible for the rentals that occurred and is unwilling to provide any revenue statements or documentation to substantiate his position.

November 16, 2022, an Intent to Lien was sent via first class and certified mail for failure to provide the requested documentation or pay the Notice of Determination.

Between December 15, 2022, through January 24, 2023, multiple emails between Rob Patterson and Mr. Jashnieh were conducted and it was agreed to schedule a hearing before Town Council. Mr. Jashnieh explained he would be traveling out of the country creating challenges in scheduling the hearing.

CASE SUMMARY:
The first enforcement case with Mr. Jashnieh was initiated on April 5, 2019. The property was identified through an online listing for transient rental without a valid business tax certificate. An administrative citation for $500 was sent via First Class and Certified mail. On April 17, 2019, a

Notice of Determination was conducted using actual revenue statements for transient rentals. The NOD was paid in full April 22, 2019.

FIRST ENFORCEMENT CASE

Gross Receipts	$1,371.00
TOT	$ 178.23
TBID	$ 13.71
Penalties and Interest	$ 0
Enforcement Charges	$ 0
Total Charges	$ 191.94

July 22, 2022, Mr. Jashnieh's property was again identified as an illegal through the online data mining software for transient rentals without a valid business tax certificate or transient occupancy tax certificate. Enforcement procedures commenced and due to the lack of compliance led to a Notice of Determination and a Notice of Intent to lien the property.

SECOND ENFORCEMENT CASE

Assessed Gross Receipts	$26,559.00
TOT & TBID	$ 3,718.26
Penalties & Interest	$ 1,886.83
Administrative citations	$ 2,000.00
Enforcement charges	$ 500.00
Total Charges	$ 8,105.09

On September 21, 2022, Mr. Jashnieh exercised his right to appeal the Notice of Determination and a Town Council hearing was scheduled for August 2, 2023.

OPTIONS ANALYSIS

Option 1: Due to lack of documentation or evidence to substantiate Mr. Jashnieh's position, uphold the Notice of Determination in the amount of $8,105.09. Require a signed Settlement Agreement which states that if operator is to advertise or rent transiently, he shall obtain and maintain a business tax certificate and transient occupancy tax certificate and remit all transient occupancy taxes pursuant to the TOT Ordinance and comply in all other respects with the TOT Ordinance.

Option 2: Make alternate findings and direct town staff accordingly.

FINANCIAL CONSIDERATIONS:

The Town of Mammoth Lakes relies on transient occupancy tax for more than 60% of its General Fund, without which it would not be able to provide services such as snow removal,

recreation programming, and road maintenance. Operators of illegal transient rental properties are not only failing to contribute funds necessary for the Mammoth Lakes community to thrive but are taking away potential business from operators who are following the Town laws. To waive penalties, interest, enforcement charges, and/or administrative citations routinely would result in a significant loss of revenue and likely increase tax collection efforts and enforcement difficulties.

LEGAL CONSIDERATIONS:

The Town's Municipal Code does not authorize the Tax Collector to waive or reduce tax, penalties, interest, enforcement charges, or administrative citations that is due to the Town. The Town Council is acting in a semi-judiciary capacity and may reduce or amend the recommendation of the Tax Collector.

Mammoth Lakes Town Council
Agenda Action Sheet

Title: Approve Agreement with the Southern California Toyota Dealers Association and the Town of Mammoth Lakes for the Sponsorship of the Zamboni ice-resurfacer machine operating at LA Kings Ice at Mammoth Lakes.

Council Meeting Date: 8/2/2023

Prepared by: Stuart Brown, Parks and Recreation Director/PIO

Recommended Motion: Approve Agreement with the Southern California Toyota Dealers Association and the Town of Mammoth Lakes for the Sponsorship of the Zamboni ice-resurfacer machine operating at LA Kings Ice at Mammoth Lakes.

Summary: In February 2022, the Town took possession of a new lithium-ion Zamboni 552AC ice resurfacing machine funded from the Clean Air Projects Program. Ice resurfacers are an integral part of the game of hockey and winter ice sports offering broad visibility to thousands of fans, skaters, and ice enthusiasts. They are a great way to highlight a sponsor's brand with creative, distinctive, and impactful designs and as such, provide a unique and compelling sponsorship opportunity. The image below is a Toyota branded Zamboni ice resurfacer at Crypto.com arena.

Establishing a valued, long-term, mutually beneficial partnership with a local business was important to the Town and we believe this partnership with Perry Motors – a local business serving the Eastern Sierra since 1947, will add value to the community and our many visitors realizing significant benefit for the many programs and activities scheduled to take place at LA Kings Ice at Mammoth Lakes.

Summary details of the Agreement with the Southern California Toyota Dealers Association (SCTDA) and the Town for the Sponsorship of the Zamboni ice-resurfacer machine operating at LA Kings Ice at Mammoth Lakes within the Community Recreation Center are listed below.

- 3-year term, commencing November 1, 2023.
- $5,000/year + 50% one-time cost to "wrap" the Zamboni.
- Benefits include:
  1) One vehicle activation event per year at the CRC,
  2) One Dasherboard displayed year-round at the CRC,
  3) Toyota and Perry Motors logo and website link featured on www.LAKingsiceatmammothlakes.com website, and
  4) Promotion of Toyota/Perry Motors branded Zamboni on NEW @LAKingsiceMammothLakes social media platforms (Facebook/Instagram) and print material (brochure).
- Town is able to display the Toyota/Perry Motors branded Zamboni in photographs, videos and other media during the term of this Agreement.
- SCTDA and Perry Motors are the exclusive vehicle manufacturer/car dealership for the term of the Agreement.

TOWN COUNCIL STAFF REPORT

Title: Approve Agreement with the Southern California Toyota Dealers Association and the Town of Mammoth Lakes for the Sponsorship of the Zamboni ice-resurfacer machine operating at LA Kings Ice at Mammoth Lakes.

Meeting Date: August 2, 2023

Prepared by: Stuart Brown, Parks and Recreation Director

RECOMMENDATION:

Approve the Agreement with the Southern California Toyota Dealers Association and the Town of Mammoth Lakes for the Sponsorship of the Zamboni ice-resurfacer machine operating at LA Kings Ice at Mammoth Lakes within the Community Recreation Center.

BACKGROUND:

On February 17, 2021, Town Council awarded the contract to build the new Community Recreation Center (CRC) at Mammoth Creek Park West to the lowest responsive bidder, Hamel Contracting Inc. The goal of the CRC is to create a recreation destination that encompasses a wide variety of complementary, high-quality, and affordable recreation activities all in one convenient location.

The CRC is the major recreation amenity at Mammoth Creek Park that includes four complementary components: the CRC (Mammoth RecZone / LA Kings Ice at Mammoth Lakes), the natural play area, a 7,700 sq. ft. inclusive National Demonstration Site playground, and a new mobility hub.

The Community Recreation Center (CRC) will be a Sprung Performance Arena enclosing an Olympic size ice rink that will operate in the winter, and in the summer months, the Olympic size rink will be transformed into a fully programmable and multi-use 20,000 square foot RecZone, serving as the base camp for the expanding Parks and Recreation Department summer camps and programs, delivering all recreation, all the time!

On October 5, 2022, Town Council approved a 3-year Facility Branding and Use Agreement with the LA Kings and a 3-year Consulting Agreement with JV Ice PV, LLC (ASEC) to provide year-round technical and operational consulting services for the Facility. A negotiated contract deliverable was included in the Agreement to provide the Town with expertise to assist in negotiations of service contracts, including but not limited to, special events, youth, junior and adult hockey programs, figure skating and curling clubs, concessions, equipment vendors and LA Kings sponsors and supporters.

A major sponsor of the LA Kings and title sponsor of the Toyota Sports Performance Center – the practice facility for the Los Angeles Kings, is the Southern California Toyota Dealers Association (SCTDA). As a result of this valued partnership with the LA Kings, Town staff were able to leverage this long-standing partnership to secure a 3-year Agreement with the SCTDA for the sponsorship of the Zamboni ice-resurfacer machine

operating at LA Kings Ice at Mammoth Lakes within the Town of Mammoth Lakes Community Recreation Center (CRC).

ANALYSIS:

In February 2022, the Town took possession of a new lithium-ion Zamboni 552AC ice resurfacing machine funded from the Clean Air Projects Program. The Zamboni operated last winter at the outdoor Mammoth Ice Rink, but it was purchased specifically for indoor operations at the new LA Kings Ice at Mammoth Lakes operating within the Community Recreation Center.

Ice resurfacers are an integral part of the game of hockey and winter ice sports offering broad visibility to thousands of fans, skaters, and ice enthusiasts. They are a great way to highlight a sponsor's brand with creative, distinctive, and impactful designs and as such, provide a unique and compelling sponsorship opportunity. The image below is a Toyota branded Zamboni ice resurfacer at Crypto.com arena.



The Town's Parks and Recreation Department actively seeks sponsorships for its events, programs, parks, and valued amenities from individuals, foundations, corporations, non-profit organizations, service clubs, and other entities. The purpose of such sponsorship is to increase the department's ability to maintain facilities, deliver services to the community and/or provide enhanced levels of service beyond the core levels funded from the Town's general fund. This Sponsorship Agreement is consistent with the intent, guiding principles and category of sponsorship as stated in the Parks and Recreation Department Sponsorship Policy, approved by Town Council on June 16, 2021.

Establishing a valued, long-term, mutually beneficial partnership with a local business was important to the Town and we believe this partnership with Perry Motors – a local business serving the Eastern Sierra since 1947, will add value to the community and our many visitors realizing significant benefit for the many programs and activities scheduled to take place at LA Kings Ice at Mammoth Lakes.

Summary details of the Agreement with the Southern California Toyota Dealers Association (SCTDA) and the Town for the Sponsorship of the Zamboni ice-resurfacer machine operating at LA Kings Ice at Mammoth Lakes within the Community Recreation Center are listed below.

- 3-year term, commencing November 1, 2023.
- $5,000/year + 50% one-time cost to "wrap" the Zamboni.
- Benefits include:
  1) One vehicle activation event per year at the CRC,
  2) One Dasherboard displayed year-round at the CRC,
  3) Toyota and Perry Motors logo and website link featured on www.LAKingsiceatmammothlakes.com website, and
  4) Promotion of Toyota/Perry Motors branded Zamboni on NEW @LAKingsiceMammothLakes social media platforms (Facebook/Instagram) and print material (brochure).
- Town is able to display the Toyota/Perry Motors branded Zamboni in photographs, videos and other media during the term of this Agreement.
- SCTDA and Perry Motors are the exclusive vehicle manufacturer/car dealership for the term of the Agreement.

Below is a second example of a Toyota branded Zamboni ice resurfacer.



ATTACHMENT:

A. Letter Agreement with the Southern California Toyota Dealers Association and the Town of Mammoth Lakes for the Sponsorship of the Zamboni ice-resurfacer machine operating at LA Kings Ice at Mammoth Lakes.

Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, CA, 93546
(760) 965-3600
www.townofmammothlakes.ca.gov

August 2, 2023

Southern California Toyota Dealers Association
Represented by Davis Elen
Attn: Miranda Collins Lahr, Account Supervisor
865 South Figueroa Street,
Los Angeles, California 90017

Re: Letter Agreement with the Southern California Toyota Dealers Association and the Town of Mammoth Lakes for the Sponsorship of the Zamboni ice-resurfacer machine operating at LA Kings Ice at Mammoth Lakes.

Dear Miranda,

PARTIES: This letter shall be our agreement ("Letter Agreement") between the Southern California Toyota Dealers Association ("SCTDA"), represented by the Davis Elen Agency with a primary place of business at 865 South Figueroa Street, Los Angeles, California 90017 ("Toyota") and the Town of Mammoth Lakes, P.O. Box 1609 Mammoth Lakes, CA 93546 ("Town") for the sponsorship of the Zamboni ice-resurfacer machine operating at LA Kings Ice at Mammoth Lakes within the Town of Mammoth Lakes Community Recreation Center ("CRC").

RECITALS:

WHEREAS, SCTDA desires to promote the Toyota brand and the local Toyota dealership known as "Perry Motors" to residents and visitors of Mammoth Lakes; and

WHEREAS, Town is the owner and operator of the facility known as LA Kings Ice at Mammoth Lakes at the CRC and the Zamboni ice resurfacer machine located in Mammoth Lakes, California; and

WHEREAS, SCTDA desires to promote Toyota and its products by placing its name, logo and other marks on the Town-owned Zamboni ice resurfacer machine that will operate at LA Kings Ice at Mammoth Lakes within the CRC to the public; and

WHEREAS, it is the policy of the Town's Parks and Recreation Department to seek sponsorships for its events, programs, parks, and valued amenities from individuals, foundations, corporations, non-profit organizations, service clubs, and other entities. The purpose of such sponsorship is to increase the department's ability to maintain facilities, deliver services to the community and/or provide enhanced levels of service beyond the core levels funded from the Town's general fund; and

WHEREAS, This Sponsorship Agreement is consistent with the intent, guiding principles and category of sponsorship as stated in the Parks and Recreation Department Sponsorship Policy, approved by Town Council on June 16, 2021;

NOW, THEREFORE, for good and valuable consideration of which is hereby acknowledged by both Parties, the Parties agree to as follows:

1. ***TERM:*** The term ("Term") of this Agreement shall commence on November 1, 2023 and shall continue for a period of three (3) consecutive years until October 31, 2026. As additional consideration for Toyota's sponsorship fee, Town hereby grants Toyota a right of first negotiation and a right of first refusal to extend the Term at a negotiated fee prior to the expiration of the Term or for a ninety (90) day period immediately following the expiration of the Term.

2. ***COMPENSATION:*** In consideration for all rights and benefits described herein, SCTDA shall pay to Town, the sum of $17,850 payable in the following installments on the corresponding dates:

    - November 1, 2023: $7,850 (50% wrap expense plus annual sponsorship value)
    - November 1, 2024: $5,000
    - November 1, 2025: $5,000

    A. Conditions: The Parties acknowledge that the foregoing payments are contingent upon the completion of the construction of LA Kings Ice at Mammoth Lakes (Rink) and the continuous operation of the Rink throughout the Term (as defined above). If for whatever reason, the Rink is not open by the start of the Term or due to unforeseen circumstances outside of the Town's control, the Town will add the number of days that the Rink was not open from November 1, 2023 to the end of the Term (October 31, 2026). The Rink is scheduled to operate annually from approximately October – April.

    B. Installation and Design of the Zamboni Wrap: In consideration of the professionally designed and custom branded wrap of the Zamboni 552AC ice-resurfacer machine operating at LA Kings Ice at Mammoth Lakes, SCTDA shall pay a one-time fee of $2,850 representing 50% of the total cost of the wrap. This fee shall be paid with the annual sponsorship fee of $5,000 on November 1, 2023, as noted above. SCTDA shall also design and provide high resolution pictures/files as well as high resolution logos in a PDF or TIFF file format for the Zamboni wrap no later than August 31, 2023 to Big City Print, Inc. for the installation of the wrap. This date may be amended through mutual written agreement of Town and SCTDA, which shall not require a formal amendment of this Agreement. The design of the Zamboni wrap must be approved by the Town prior to distribution to Big City Print, Inc.

    C. Benefits: Town will provide to Toyota for the duration of the Term, the following benefits:
        I. One (1) vehicle activation event per year at the CRC for an agreed upon period of time.
        II. One (1) Dasherboard displayed year-round at the CRC at a location determined by the Town.
        III. Toyota and Perry Motors logo and website link featured on NEW www.LAKingsiceatmammothlakes.com website.
        IV. Promotion of Toyota/Perry Motors branded Zamboni on NEW @LAKingsiceMammothLakes social media platforms (facebook/Instagram) and regionally distributed rack card (10,000).

LICENSE: In order to permit the Town to deliver the benefits promised herein, SCTDA hereby grants Town a revocable, royalty-free, non-exclusive, non-transferable license to display the Toyota/Perry Motors branded Zamboni, in photographs, videos and other media during the term of this Agreement.

EXCLUSIVITY: In good faith and in consideration of this Agreement, Town shall not grant or execute a promotional, branding or advertising agreement for LA Kings Ice at Mammoth Lakes or the CRC with any other vehicle manufacturer or car dealership for the Term of this Agreement.

GOVERNING LAW; VENUE; GOVERNMENT CODE CLAIM COMPLIANCE; ATTORNEY'S FEES: This Letter Agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this Letter Agreement, the action shall be brought in a state or federal court situated in Mono County, California. If either party commences an action against the other party, either legal, administrative, or otherwise, arising out of or in connection with this Letter Agreement, the prevailing party shall be entitled to recover all reasonable fees and costs incurred, including reasonable attorneys' fees, as determined by the court.

ASSIGNMENT; AMENDMENT: This Letter Agreement may not be modified or altered except in writing signed by both parties. Except to the extent expressly provided for in the termination paragraph, there are no intended third-party beneficiaries of any right or obligation of the Parties.

AUTHORITY OF SIGNATORIES: The undersigned signatories represent and warrant that they have the authority to enter into this Letter Agreement and bind the respective Parties to the terms hereof.

ENTIRE AGREEMENT; CONSTRUCTION & CAPTIONS: This is an integrated Letter Agreement representing the entire understanding of the parties as to those matters contained herein and supersedes and cancels any prior oral or written understanding or representations with respect to matters covered hereunder. Since the Parties or their agents have participated fully in the preparation of this Letter Agreement, the language of this Letter Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. The captions of the various paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content or intent of this Letter Agreement.

[signatures on following page]

If you agree with the terms of this Letter Agreement, please indicate by signing and dating where indicated below.

TOWN OF MAMMOTH LAKES

Approved by:

_____
Daniel C. Holler
Town Manager

Attest:

_____
Jamie Gray
Town Clerk

TOYOTA

Reviewed and Accepted by the Southern California Toyota Dealers Association, Represented by Davis Elen:

_____
Miranda Collins Lahr, Account Supervisor

_____
Date

_____
Davis Elen Executive

_____
Date

TOWN COUNCIL STAFF REPORT

Title: Fourth Quarter Fiscal Year 22-23 Budget Review.

Meeting Date: August 2, 2023

Prepared by: Rob Patterson, Administrative Services / Finance Director

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RECOMMENDATION:

Receive the fourth quarter Fiscal Year 22-23 Budget Report and adopt the proposed resolution amending the Fiscal Year 22-23 budget as recommended in Attachment A and B – Budget Adjustments.

BACKGROUND:

Proper administration of any fiscal budget requires regular scheduled review of performance. The Town of Mammoth Lakes has committed to providing Town Council with the opportunity to review our financial performance at the close of each quarter. The report reflects the fourth quarter performance and other specific events, which have affected our results. The purpose of this report and related requests are to clean up budget issues for a more seamless operation of the Town. Review and frequent adjustment are a critical part of any budget that is highly variable and fiscally conservative.

This fiscal year financial performance reflected the extremes experienced from this winter. We set records in TOT revenue in 8 of the 12 months with total TOT revenue just shy of $29.5M for the year. We also set equally high marks with expenditures related to snow removal and our disaster response. As a community we are blessed to have the financial position to weather the challenges this winter brought to our community. As you will see below, much of our emergency response was funded by our visitation-based economy. This fourth quarter review will provide updates and funding to cover our expenses and allow for one-time contributions to our capital improvement programs and community initiatives.

ANALYSIS/DISCUSSION:

The primary focus of this review is the General Fund, Gas Tax, and Airport Operations. These funds have the broadest group of revenues and expenditures and often have interdependency on the General Fund for operational support.

The budget process for FY22-23 was a continued growth of the strong performance the Town enjoyed exiting the challenges faced during the pandemic. The desire for travel and leisure remains high, driving up demand and overall pricing. These high average daily rates (ADR) contribute to Transient Occupancy Tax (TOT) that far exceeds normal visitation increases. In addition to the strong returns for lodging, the region experienced a successful summer / fall season free of smoke and other impacts that have been common for the last several years. Snowfall was early again this year and continued with a series of significant storms that lasted into late January delivering one

of the best starts to winter in many years. Then in late February and into March, the relentless snow fall and record-breaking winter resulted in a declared emergency for snow loads and winter impacts. The entire region was affected by the volume of snowfall. The Town relied on hard work and support from our State and Federal partners to address community needs during the disaster. As the danger of over loaded structures and propane problems continued into spring, the Town did not have a traditional spring thaw and transition of seasons. Winter was upon us through May with delay in transition to summer activities and broad opening of the region. This winter was enormous and the impacts to our community were immediate and severe. Much of the expenses incurred this year are in response to the winter or recovery from it.

This staff report will discuss both increased revenue and expenditure details realized for FY22-23. The numbers below are pre-audit financial results and only the largest adjustments are reflected. The final review will occur in October with the Fund Balance presentation where staff anticipates additional funds will be available for allocation.

Transient Occupancy Tax

The primary revenue driver for the General Fund is Transient Occupancy Tax (TOT). As mentioned in the previous section, winter visitation was very strong. The amount of TOT collected is a factor of both visitation and the nightly rates charged by our lodging facilities. Based on the performance of TOT, there is a significant increase in nightly rates this fiscal year, with a steady pace of visitation, resulting in strong TOT performance. The chart below shows how the actual TOT revenue was received for the fiscal year. During the 2nd quarter budget presentation, Staff increased the TOT budget by $4.0M to $20.0M for the year. This quarter will realize an additional $9.4M for TOT revenue.

Transient Occupancy Tax

Revenue Budget Distribution

Month	Budget Distribution		Actual	Variance
July	9.3%	$ 1,490,000	$ 2,237,227	$ 747,227
August	8.2%	$ 1,315,000	$ 1,762,533	$ 447,533
September	5.5%	$ 880,000	$ 1,235,431	$ 355,431
October	3.3%	$ 520,000	$ 901,599	$ 381,599
November	3.1%	$ 495,000	$ 1,359,639	$ 864,639
December	13.2%	$ 2,105,000	$ 4,437,213	$ 2,332,213
January	14.7%	$ 2,350,000	$ 4,894,122	$ 2,544,122
February	13.1%	$ 2,100,000	$ 4,119,721	$ 2,019,721
March	12.4%	$ 1,990,000	$ 3,237,433	$ 1,247,433
April	8.1%	$ 1,300,000	$ 2,775,931	$ 1,475,931
May	3.7%	$ 585,000	$ 1,290,246	$ 705,246
June	5.4%	$ 870,000	$ 1,241,231	$ 371,231
		$ 16,000,000	$ 29,492,326	$ 13,492,326

Initial Budget	$ 16,000,000
2nd Quarter Budget Amendment	$ 4,000,000
Current Budget	$ 20,000,000
Estimated variance to Budget	$ 9,492,326
Quarter 4 Recommend TOT Increase	**$ 9,400,000**

Note: Shading denotes a record for that month.

In addition to Transient Occupancy Tax, revenue violations and penalty and interest accounts are far above normal revenue due to the significant enforcement work done during FY22-23. The chart below reflects results of the enforcement effort, combined revenue violations, penalties and interest are $310,300 over budget for the year. Below is a recap of all TOT related accounts:

Transient Occupancy Tax
Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
TOT: CURRENT YEAR	$ 20,000,000	$ 9,400,000	$ 29,400,000
TOT: AUDIT	$ -	$ 16,000	$ 16,000
TOT: AUDIT PEN. & INT.	$ -	$ 11,000	$ 11,000
TOT: CERTIFICATES	$ 7,000	$ 2,000	$ 9,000
TOT: PENALTIES & INTEREST	$ 100,000	$ 147,000	$ 247,000
TOT: REVENUE VIOLATIONS	$ 100,000	$ 97,000	$ 197,000
TOT: REV VIOL PEN & INTEREST	$ 50,000	$ 42,000	$ 92,000
TOT: ZONING VIOLATIONS	$ 15,000	$ 3,000	$ 18,000
TOT: ZONING VIOL PEN & INTERES	$ 15,000	$ (7,700)	$ 7,300
Total Transient Occupancy Tax Adjustments		**$ 9,710,300**	
TOT Tax Amount		**$ 9,400,000**	
TOT Enforcement Related Activity		**$ 310,300**	

Reserve Accounts

The recommended increase to Transient Occupancy Tax revenue will result in additional contributions to reserve accounts for Tourism, Housing, and Transit based on Council direction and political commitments. Based on the fourth quarter recommendation of $9,400,000, the following adjustments will be made to reserve accounts, rounded to the nearest $100.

Reserve Components	Amount
Tourism Reserve- 2.35 Points or 18.0769% of TOT	**$ 1,699,200**
Transit Reserve - .85 Points or 6.5385% of TOT	**$ 614,600**
Housing Reserve - .85 Points or 6.5385% of TOT	**$ 614,600**
	$ 2,928,400

Note: These Reserve amounts reflect $9,400,000 in TOT realized in 4th quarter

Property Tax

This revenue stream has continued growth into FY22-23 before a taper off of transactions with increased interest rates. The budget is conservative and many of the elements have increases for the 4th quarter. The details below outline changes in the revenue. For the first time in several years, ERAF Excess will not be distributed to the Town for FY22-23. In total, property tax increased $305,700 for the year.

Property Tax
Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
PROPERTY TAX SECURED	$ 3,210,000	$ 25,000	$ 3,235,000
PROPERTY TAX UNSECURED	$ 190,000	$ 20,000	$ 210,000
PRIOR SECURED & ESCAPES	$ 30,000	$ (5,300)	$ 24,700
PRIOR UNSECURED PROPERTY	$ -	$ -	$ -
DOCUMENTARY TRANSFER TAX	$ 175,000	$ 6,000	$ 181,000
CURRENT SUPPLEMENTAL TAX	$ 50,000	$ 50,000	$ 100,000
HOMEOWNERS EXEMPTION	$ 50,000	$ 40,000	$ 90,000
PROPERTY TAX-IN LIEU VLF	$ 875,000	$ 240,000	$ 1,115,000
ERAF EXCESS	$ 70,000	$ (70,000)	$ -
Total Property Tax Adjustments		**$ 305,700**	

Sales Tax

This revenue stream is directly tied to visitation and therefore had a strong year, exceeding expectations by $500,000 for FY22-23. Since this is directly tied to the cost of goods, the current increase in inflation served to increase the gross sales and therefor sales tax collected. In future years, we may see the reverse effect as efforts to control inflation may reduce both prices and visitation. Staff will remain conservative in the estimated growth of this revenue stream.

Sales Tax
Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
SALES TAX	$ 2,700,000	$ 500,000	$ 3,200,000
Total Sales Tax Adjustments		**$ 500,000**	

Business Tax

The revenue stream includes both business and cannabis tax collected along with any application fees, late fees, or collection efforts. This year the Town increased Business Tax amounts on short -term rental business renewals as the cost of monitoring and administration increased. This fee increase is the majority of the increase reflected in the numbers below. In general, the combined revenue items exceeded budget by $93,075 as illustrated below.

Business Tax
Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
BUSINESS TAX	$ 310,000	$ 80,000	$ 390,000
CANNABIS TAX	$ 130,000	$ (13,000)	$ 117,000
BUS TAX PENALTIES & INTEREST	$ 14,000	$ 8,100	$ 22,100
BUSINESS LIC APPLICATION FEE	$ 12,000	$ 4,100	$ 16,100
BUSINESS LIC RENEWAL FEE	$ 20,000	$ 13,875	$ 33,875
Total Business Tax Adjustments		**$ 93,075**	

Franchise Fee

The Town receives franchise fees for Solid Waste, Electricity, Gas, and Cable. This revenue stream has been difficult to budget in the last few years due to changes in agreements, both rate and allowable items. This revenue is also affected by visitation and has reflected the strong visitation.

The reduction in solid waste is a result of the tipping fee coverage ($77,500) as the Benton Crossing facility closed at the end of December 2022. In total, franchise fees increased $79,700 combined in these three categories as illustrated below.

Franchise Fees
Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
FRANCHISE FEE: SOLID WASTE	$ 315,000	$ (70,000)	$ 245,000
FRANCHISE FEE: ELECTRICITY	$ 230,000	$ 95,800	$ 325,800
FRANCHISE FEE: GAS	$ 125,000	$ 56,400	$ 181,400
FRANCHISE FEE: CABLE	$ 230,000	$ (2,500)	$ 227,500
Total Franchise Fee Adjustments		**$ 79,700**	

Interest on Investments

The Town invests most of the cash balances in either Local Agency Investment Fund (LAIF) or California Asset Management Program (CAMP). Both of these are specific investments for municipal organizations, providing both security and liquidity needed for local government. The Town invests $40 million in CAMP which has returns close to 5% and approximately $15 million in LAIF with an interest rate of 3.5%. The Town does not depend on the revenue provided by interest in the normal operating budget therefore not much is attributed to this revenue stream on an annual basis. This quarter the Town will realize $655,000 in additional revenue from interest. Since the Town allocates interest to the specific fund where the cash balance exists, there will be additional interest realized in other funds. The increase illustrated below is specific to the General Fund. The Town also invests the balance in Reserve for Economic Uncertainty (REU) in the Mono County Investment Pool. All proceeds from this interest are allocated into the REU to keep this reserve funded to policy.

Interest on Investments
Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
INTEREST ON INVESTMENTS	$ 215,000	$ 575,000	$ 790,000
INTEREST FROM COUNTY	$ 20,000	$ 80,000	$ 100,000
Total Interest on Investments Adjustments		**$ 655,000**	

The following charts illustrate the changes in revenue for sections that are usually included in the general category of Other Revenue. Key items to highlight are the building permits +$118,000 from the larger projects and damage recovery work being completed. Planning and Zoning Applications +$280,000 has a corresponding expense as most of the work is pass through contract work for the Town. Finally, the grant funding for Tobacco has increased restrictions, limited to specific time on campus providing presentations specific to tobacco use. In prior years the Town would receive funding for our school resource officer and all activity they worked on campus. The Town still expects to bill to this grant but likely in FY23-24.

Other Revenue
Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
BUILDING PERMITS	$ 760,000	$ 118,000	$ 878,000
CHARGES FOR SERVICES	$ 198,990	$ (15,000)	$ 183,990
CREDIT CARD SERVICE FEE	$ 16,000	$ 7,300	$ 23,300
FACILITY RENTAL	$ 165,000	$ 69,000	$ 234,000
P&R FACILITY RENTAL	$ -	$ 13,000	$ 13,000
PLANNING & ZONING APPLICATIONS	$ 120,000	$ 280,000	$ 400,000
MASTER PLAN FEES	$ 25,000	$ 24,500	$ 49,500
ENGINEERING FEES	$ 20,000	$ 7,600	$ 27,600
FOREST SERVICE CONTRACT	$ 9,000	$ (9,000)	$ -
TRANSIT FEE	$ 125,000	$ 5,000	$ 130,000
RECREATION PROGRAM FEES	$ 160,000	$ 18,500	$ 178,500
WHITMORE MASTER	$ 18,000	$ 10,000	$ 28,000
EDISON MASTER	$ -	$ 4,500	$ 4,500
WHITMORE POOL REIMB	$ 100,000	$ 26,600	$ 126,600
MUNICIPAL COURT FINES	$ 8,000	$ 3,800	$ 11,800
PARKING CITATIONS	$ 25,000	$ 16,200	$ 41,200
CIVIL PENALTIES:MUNICIPAL CODE	$ 50,000	$ 30,000	$ 80,000
TOBACCO GRANT	$ 103,800	$ (103,800)	$ -
COPS - FED	$ 25,000	$ (25,000)	$ -
STATE GRANTS: MISC	$ -	$ 15,000	$ 15,000
COPS-OPTION PUBLIC SAFETY	$ 100,000	$ 16,600	$ 116,600
REFUNDS AND REBATES	$ 30,000	$ 25,400	$ 55,400
PARTICIPANT REIMBURSEMENT	$ -	$ 21,000	$ 21,000
OTHER REVENUE	$ -	$ 15,000	$ 15,000
Total Other Revenue Adjustments		**$ 574,200**	

The combined increase to General Fund revenue is $11,917,975 for the fourth quarter budget review.

Revenue Summary - 4th Qtr

Account group	Amount
Property Tax	**$ 305,700**
Sales Tax	**$ 500,000**
Transient Occupancy Tax	**$ 9,710,300**
Business Tax	**$ 93,075**
Franchise Fees	**$ 79,700**
Interest	**$ 655,000**
Other revenue	**$ 574,200**
General Fund Revenue Adjustments	**$ 11,917,975**

Emergency Response - Expenditures

The Town accounting systems track the emergency response expenses separately from normal Town operations. This was done to track the extent of support provided as well as provide

adequate reporting to seek reimbursement from FEMA. The Town spent $1,940,000 in response to the disaster in several categories, mainly in support of emergency repairs and community support. As you will see in the staff recommendations and capital projects, there are many more expense related to disaster recovery and facility repairs. Those expenses, while listed in the "one-time" expenditure section of this report, will be included in any FEMA disaster recovery expense. The true impact of this winter and expense to the Town will be unknown for several years. However, our approach to fully fund the impacts and seek reimbursement means we will not see additional expenses but only recovery of Town funds in the future.

Emergency Response	Partner / Contractor		Amount
Emergency Road Repairs	Black Gold Asphalt Inc.	$	600,000
Snow Pit Fees - CalOES Trucking	Chuck Villar	$	455,000
Emergency Responder Meals and Lodging	Cal Fire / CalOES	$	250,000
Emergency Shoveling Grant Match	Mammoth Mountain Community Foundation	$	200,000
Business Assist Grants	Town Businesses - Excessive Snow Removal Expenses	$	197,000
Labor - Temp and Overtime	Town Staff	$	134,000
Displaced Family Assistance	Mammoth Lakes Housing	$	50,000
Debris Clean Up (Propane Explosions)	Christian Hansen Construction	$	34,000
Misc Expense		$	20,000
		$	1,940,000

General Fund - Expenditures

The fourth quarter budget review is where fine tuning of the budget occurs. In addition to fine tuning, it is also the quarter most of the normal, non-seasonal adjustments present themselves. An analysis of the General Fund expenditures does show trends in cost for the Town and are largely predictable and understandable given the impact of the winter. While the total expenditure is only $78,600 there are several adjustments, both increases and decreases to arrive at that total additional expense. The analysis and review must be completed in order to determine if funds are necessary for larger gaps. This is an extensive amount of detail but important to understand the volume of review and adjustments that are made during the quarterly budget review.

TOWN COUNCIL

Item	Current Budget	Requested Change	Amended Budget
TEMPORARY WAGES	44,739.45	$ 8,800	$ 53,539.45
HEALTH INS PREMIUMS	112,827.10	$ 19,900	$ 132,727.10
TRAINING, ED, CONF & MTGS	25,000.00	$ (19,100)	$ 5,900.00
	TOTAL TOWN COUNCIL	$ 9,600	

LEGAL SERVICES

Item	Current Budget	Requested Change	Amended Budget
CONTRACTUAL SERVICES	190,000.00	$ 6,800	$ 196,800.00
	TOTAL LEGAL SERVICES	$ 6,800	

FINANCE

Item	Current Budget	Requested Change	Amended Budget
REGULAR SALARIES	600,714.16	$ 17,200	$ 617,914.16
TEMPORARY WAGES	27,808.05	$ 700	$ 28,508.05
OVERTIME WAGES	2,500.00	$ 5,400	$ 7,900.00
COMPREHENSIVE LEAVE	26,682.04	$ (26,700)	$ (17.96)
HEALTH INS PREMIUMS	251,399.94	$ (16,700)	$ 234,699.94
PERS (RETIREMENT)	203,059.99	$ 5,800	$ 208,859.99
UNIFORMS & PERSONAL EQUIP	1,317.00	$ (900)	$ 417.00
SPECIAL OPERATIONAL	300.00	$ 400	$ 700.00
CONTRACTUAL SERVICES	94,000.00	$ 10,300	$ 104,300.00
ENFORCEMENT	0.00	$ 1,100	$ 1,100.00
AUDIT SERVICES	65,000.00	$ (2,300)	$ 62,700.00
MEM'SHIPS, DUES, SUBSCR, PUBLI	300.00	$ (100)	$ 200.00
ADVERTISING & LEGAL NOTICES	2,500.00	$ (300)	$ 2,200.00
TRAINING, ED, CONF & MTGS	5,000.00	$ (1,300)	$ 3,700.00
SB 1559 TAX ADMIN FEE	82,000.00	$ (8,500)	$ 73,500.00
	TOTAL FINANCE	$ (15,900)	

GENERAL SERVICES

Item	Current Budget	Requested Change	Amended Budget
PERS (RETIREMENT)	0.00	$ -	$ -
OFFICE SUPPLIES	23,000.00	$ (9,100)	$ 13,900.00
POSTAL SUPPLIES & POSTAGE	17,500.00	$ (3,400)	$ 14,100.00
SPECIAL OPERATIONAL	17,500.00	$ (10,900)	$ 6,600.00
CREDIT CARD FEES	30,000.00	$ 14,800	$ 44,800.00
CONTINGENCY	75,000.00	$ (75,000)	$ -
PUBLIC UTILITIES	60,000.00	$ (9,700)	$ 50,300.00
FACILITY LEASE	495,000.00	$ (49,600)	$ 445,400.00
EQUIPMENT LEASE	39,000.00	$ 5,100	$ 44,100.00
	TOTAL GENERAL SERVICES	$ (137,800)	

HUMAN RESOURCES

Item	Current Budget	Requested Change	Amended Budget
REGULAR SALARIES	169,612.38	$ 5,900	$ 175,512.38
OVERTIME WAGES	0.00	$ 1,900	$ 1,900.00
COMPREHENSIVE LEAVE	12,597.00	$ (12,600)	$ (3.00)
HEALTH INS PREMIUMS	58,432.99	$ (4,700)	$ 53,732.99
PERS (RETIREMENT)	57,698.23	$ 3,200	$ 60,898.23
MEM'SHIPS, DUES, SUBSCR, PUBLI	2,000.00	$ (2,000)	$ -
RECRUITING & OTHER HR	20,000.00	$ (5,000)	$ 15,000.00
TRAINING, ED, CONF & MTGS	5,000.00	$ 300	$ 5,300.00
TOTAL HUMAN RESOURCES		$ (13,000)	

POLICE SERVICES

Item	Current Budget	Requested Change	Amended Budget
REGULAR SALARIES	1,984,199.26	$ 73,600	$ 2,057,799.26
TEMPORARY WAGES	37,734.00	$ (21,300)	$ 16,434.00
OVERTIME WAGES	175,000.00	$ 23,900	$ 198,900.00
POLICE HOLIDAY PAY	91,273.00	$ 4,600	$ 95,873.00
COMPREHENSIVE LEAVE	90,519.57	$ (90,500)	$ 19.57
HEALTH INS PREMIUMS	465,690.13	$ (73,300)	$ 392,390.13
UNEMPLOYMENT ASSESSMENT	5,000.00	$ (5,000)	$ -
ICMA VANTAGECARE	62,000.00	$ (8,000)	$ 54,000.00
PERS (RETIREMENT)	1,086,721.00	$ 14,300	$ 1,101,021.00
PARS (RETIREMENT ENHANCED)	15,000.00	$ (13,600)	$ 1,400.00
PARS (PART TIME RETIREMENT)	1,451.04	$ (1,300)	$ 151.04
UNIFORMS & PERSONAL EQUIP	20,000.00	$ (1,300)	$ 18,700.00
MAINTENANCE SUPPLIES	5,000.00	$ (2,400)	$ 2,600.00
SPECIAL OPERATIONAL	20,000.00	$ (14,900)	$ 5,100.00
CONTRACTUAL SERVICES	80,000.00	$ 134,300	$ 214,300.00
GARAGE VEHICLE SERVICE	95,000.00	$ (36,800)	$ 58,200.00
MEM'SHIPS, DUES, SUBSCR, PUBLI	4,000.00	$ 1,200	$ 5,200.00
PRINTING & REPRODUCTION	7,500.00	$ (4,400)	$ 3,100.00
ADVERTISING & LEGAL NOTICES	2,000.00	$ (1,500)	$ 500.00
DOJ FINGERPRINT LIVE	12,000.00	$ (4,200)	$ 7,800.00
COMMUNICATION EQUIP MAINT	7,500.00	$ (6,900)	$ 600.00
EQUIPMENT LEASE	5,000.00	$ (3,100)	$ 1,900.00
MACHINERY & EQUIP - NON CAP	0.00	$ 16,200	$ 16,200.00
COMMUNIC EQUIP - NON CAP	5,000.00	$ (4,100)	$ 900.00
OFFICE EQUIP & FURNITURE	7,500.00	$ (3,300)	$ 4,200.00
TOTAL POLICE SERVICES		$ (27,800)	

RECREATION PROGRAMS

Item	Current Budget	Requested Change	Amended Budget
REGULAR SALARIES	312,587.34	$ 33,000	$ 345,587.34
TEMPORARY WAGES	128,356.68	$ (49,600)	$ 78,756.68
OVERTIME WAGES	6,000.00	$ (2,300)	$ 3,700.00
COMPREHENSIVE LEAVE	26,677.27	$ (26,700)	$ (22.73)
HEALTH INS PREMIUMS	91,004.25	$ (10,300)	$ 80,704.25
UNEMPLOYMENT ASSESSMENT	0.00	$ 3,200	$ 3,200.00
PERS (RETIREMENT)	117,724.94	$ 3,000	$ 120,724.94
AMENITIES ENHANCEMENT PROG	5,000.00	$ (5,000)	$ -
CONTRACTUAL SERVICES	30,000.00	$ (5,900)	$ 24,100.00
PRINTING & REPRODUCTION	3,000.00	$ (3,000)	$ -
EXCURSIONS & FIELD TRIPS	3,000.00	$ (2,000)	$ 1,000.00
FIREWORKS DISPLAY	35,000.00	$ (16,600)	$ 18,400.00
TOTAL RECREATION PROGRAMS		$ (82,200)	

WHITMORE POOL & REC AREA

Item	Current Budget	Requested Change	Amended Budget
REGULAR SALARIES	78,020.62	$ 9,800	$ 87,820.62
TEMPORARY WAGES	93,430.88	$ (5,000)	$ 88,430.88
OVERTIME WAGES	1,000.00	$ 2,000	$ 3,000.00
COMPREHENSIVE LEAVE	5,051.49	$ (5,100)	$ (48.51)
HEALTH INS PREMIUMS	30,583.10	$ (11,000)	$ 19,583.10
UNEMPLOYMENT ASSESSMENT	0.00	$ 1,400	$ 1,400.00
PERS (RETIREMENT)	27,237.29	$ 2,300	$ 29,537.29
UNIFORMS & PERSONAL EQUIP	2,500.00	$ (1,500)	$ 1,000.00
MAINTENANCE SUPPLIES	3,500.00	$ 5,100	$ 8,600.00
RECREATION SUPPLIES	3,000.00	$ (1,200)	$ 1,800.00
CONTRACTUAL SERVICES	8,000.00	$ (4,600)	$ 3,400.00
GARAGE VEHICLE SERVICE	22,000.00	$ (13,500)	$ 8,500.00
ADVERTISING & LEGAL NOTICES	1,000.00	$ (1,300)	$ (300.00)
TRAINING, ED, CONF & MTGS	4,000.00	$ (4,000)	$ -
PUBLIC UTILITIES	40,000.00	$ 5,600	$ 45,600.00
TAXES & FEES	2,000.00	$ (1,900)	$ 100.00
FACILITY LEASE	750.00	$ 2,000	$ 2,750.00
PARK GROUNDS & BLDGS MAINT	15,500.00	$ (4,000)	$ 11,500.00
TOTAL WHITMORE POOL & REC AREA		$ (24,900)	

PARKS, BLDGS & TRAILS MAINT

Item	Current Budget	Requested Change	Amended Budget
REGULAR SALARIES	225,097.97	$ 11,300	$ 236,397.97
TEMPORARY WAGES	63,849.99	$ (42,400)	$ 21,449.99
OVERTIME WAGES	10,000.00	$ 18,100	$ 28,100.00
COMPREHENSIVE LEAVE	16,387.77	$ (16,400)	$ (12.23)
UNEMPLOYMENT ASSESSMENT	5,000.00	$ (5,000)	$ -
PERS (RETIREMENT)	84,775.41	$ 3,800	$ 88,575.41
MISC SUPPLIES	5,000.00	$ (5,000)	$ -
MAINTENANCE SUPPLIES	15,000.00	$ (5,900)	$ 9,100.00
CONTRACTUAL SERVICES	15,000.00	$ (13,300)	$ 1,700.00
GARAGE VEHICLE SERVICE	58,000.00	$ (32,400)	$ 25,600.00
PUBLIC UTILITIES	80,000.00	$ (18,600)	$ 61,400.00
PARK GROUNDS & BLDGS MAINT	16,000.00	$ (1,900)	$ 14,100.00
TOTAL PARKS, BLDGS & TRAILS MAINT		$ (107,700)	

PLANNING DIVISION

Item	Current Budget	Requested Change	Amended Budget
REGULAR SALARIES	440,343.94	$ 47,200	$ 487,543.94
TEMPORARY WAGES	29,084.68	$ (23,500)	$ 5,584.68
COMPREHENSIVE LEAVE	25,132.73	$ (25,100)	$ 32.73
HEALTH INS PREMIUMS	149,625.00	$ (27,100)	$ 122,525.00
PERS (RETIREMENT)	158,364.78	$ 1,900	$ 160,264.78
UNIFORMS & PERSONAL EQUIP	1,000.00	$ (1,000)	$ -
CONTRACTUAL SERVICES	155,000.00	$ 291,700	$ 446,700.00
MEM'SHIPS, DUES, SUBSCR, PUBLI	3,000.00	$ (1,600)	$ 1,400.00
ADVERTISING & LEGAL NOTICES	3,000.00	$ (1,000)	$ 2,000.00
TOTAL PLANNING DIVISION		$ 261,500	

BUILDING DIVISION

Item	Current Budget	Requested Change	Amended Budget
REGULAR SALARIES	310,254.10	$ 20,200	$ 330,454.10
COMPREHENSIVE LEAVE	15,025.68	$ (15,000)	$ 25.68
HEALTH INS PREMIUMS	137,658.58	$ (8,600)	$ 129,058.58
PERS (RETIREMENT)	115,174.59	$ (3,100)	$ 112,074.59
MISC SUPPLIES	2,000.00	$ (1,100)	$ 900.00
ADVERTISING & LEGAL NOTICES	3,000.00	$ (3,000)	$ -
TRAINING, ED, CONF & MTGS	8,000.00	$ (4,100)	$ 3,900.00
TOTAL BUILDING DIVI		$ (14,700)	

CODE COMPLIANCE

Item	Current Budget	Requested Change	Amended Budget
COMPREHENSIVE LEAVE	1,402.68	$ (1,400)	$ 2.68
HEALTH INS PREMIUMS	31,497.84	$ (2,100)	$ 29,397.84
PERS (RETIREMENT)	20,808.25	$ 1,100	$ 21,908.25
TRAINING, ED, CONF & MTGS	3,100.00	$ (3,100)	$ -
TOTAL CODE COMPLIANCE		$ (5,500)	

SNOW REMOVAL

Item	Current Budget	Requested Change	Amended Budget
CONTRACTUAL SERVICES	0.00	$ 257,400	$ 257,400.00
TOTAL SNOW REMOVAL		$ 257,400	

ENG, PUBLIC WORKS & ADMIN

Item	Current Budget	Requested Change	Amended Budget
REGULAR SALARIES	468,071.89	$ 4,800	$ 472,871.89
TEMPORARY WAGES	0.00	$ 6,300	$ 6,300.00
OVERTIME WAGES	0.00	$ 3,400	$ 3,400.00
COMPREHENSIVE LEAVE	29,462.26	$ (29,500)	$ (37.74)
PERS (RETIREMENT)	166,384.49	$ 11,400	$ 177,784.49
UNIFORMS & PERSONAL EQUIP	2,500.00	$ 1,600	$ 4,100.00
CONTRACTUAL SERVICES	80,000.00	$ (43,300)	$ 36,700.00
TRAINING, ED, CONF & MTGS	2,000.00	$ 1,900	$ 3,900.00
TOTAL ENG, PUBLIC WORKS & ADMIN		$ (43,400)	

FACILITIES MAINTENANCE

Item	Current Budget	Requested Change	Amended Budget
REGULAR SALARIES	48,658.66	$ (20,000)	$ 28,658.66
TEMPORARY WAGES	15,169.52	$ (13,800)	$ 1,369.52
HEALTH INS PREMIUMS	13,957.85	$ 3,800	$ 17,757.85
PERS (RETIREMENT)	15,495.33	$ (1,400)	$ 14,095.33
MISC SUPPLIES	0.00	$ 1,700	$ 1,700.00
MAINTENANCE SUPPLIES	6,000.00	$ (3,100)	$ 2,900.00
CONTRACTUAL SERVICES	15,000.00	$ 2,600	$ 17,600.00
PUBLIC UTILITIES	12,000.00	$ 30,800	$ 42,800.00
TAXES & FEES	500.00	$ 15,600	$ 16,100.00
TOTAL FACILITIES MAINTENANCE		$ 16,200	

4th Quarter Budget Review

General Fund - Revenue

Account group		Amount
Property Tax	$	305,700
Sales Tax	$	500,000
Transient Occupancy Tax	$	9,710,300
Business Tax	$	93,075
Franchise Fees	$	79,700
Interest	$	655,000
Other revenue	$	574,200
Total Revenue	**$**	**11,917,975**

Emergency Response - Expenditures

Item		Amount
Emergency Road Repairs	$	600,000
Snow Pit Fees - CalOES Trucking	$	455,000
Emergency Responder Meals and Lodging	$	250,000
Emergency Shoveling Grant Match	$	200,000
Business Assist Grants	$	197,000
Labor - Temp and Overtime	$	134,000
Displaced Family Assistance	$	50,000
Debris Clean Up	$	34,000
Misc. Expense	$	20,000
Total Emergency Response	**$**	**1,940,000**

General Fund - Expenditures

Department		Amount
100-410 - Town Council	$	9,600
100-412 - Legal Services	$	6,800
100-415 - Finance	$	(15,900)
100-416 - General Services	$	(137,800)
100-417 - Human Resources	$	(13,000)
100-420 - Police	$	(27,800)
100-432 - Recreation Programs	$	(82,200)
100-434 - Whitmore Pool & Recreation Area	$	(24,900)
100-438 - Parks, Buildings & Trails Maintenance	$	(107,700)
100-440 - Planning Division	$	261,500
100-442 - Building Division	$	(14,700)
100-444 - Code Compliance	$	(5,500)
100-452 - Snow Removal	$	257,400
100-460 - Engineering	$	(43,400)
100-464 - Facilities	$	16,200
Total Expenditures	**$**	**78,600**

General Fund Revenue over Expenditures	**$**	**9,899,375**

Gas Tax - Fund 210

Gas Tax is one of the larger funds that supports road maintenance & rehabilitation and snow removal. The budgets for snow removal are based on a typical year of precipitation and removal efforts. The effort required in FY22-23 to maintain vehicle travel lanes was as record setting as the snow received. Staff did anticipate this during the last budget review during the second quarter and placed some additional funding in certain areas. Our fleet services team has completed the garage billing for the year which includes the cost of operations, such as fuel and vehicle maintenance which has illustrated the impact of operations. Since any revenue shortfall in this fund is supported by General Fund, staff is requesting $1,317,285 of General Fund revenue to backfill these additional expenditures and some revenue shortfall for the year. The charts below contain detail analysis of this activity.

Gas Tax Revenue

Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
CHARGES FOR SERVICES	$ 10,000	$ 44,700	$ 54,700
STATE GAS TAX 2103	$ 72,997	$ (18,300)	$ 54,697
STATE GAS TAX 2105	$ 47,327	$ (9,000)	$ 38,327
STATE GAS TAX 2106	$ 58,018	$ (4,000)	$ 54,018
STATE GAS TAX 2107	$ 50,000	$ 2,000	$ 52,000
STATE GAS TAX 2107 SNOW	$ 1,750,000	$ (254,000)	$ 1,496,000
STATE GAS TAX RMRA (SB-1)	$ 187,691	$ (40,000)	$ 147,691
INTEREST ON INVESTMENTS	$ -	$ 90,000	$ 90,000
	Gas Tax Revenue	**$ (188,600)**	

Gas Tax Expenditures

SNOW REMOVAL

Item	Current Budget	Requested Change	Amended Budget
OVERTIME WAGES	125,000	$ 163,000	$ 288,000
SPECIAL OPERATIONAL	3,000	$ 25,000	$ 28,000
CONTRACTUAL SERVICES	200,000	$ 570,000	$ 770,000
PUBLIC UTILITIES	45,000	$ 37,000	$ 82,000
TOTAL SNOW REMOVAL		$ 795,000	

SUMMER EQUIP GARAGE

Item	Current Budget	Requested Change	Amended Budget
GASOLINE & DIESEL	60,000	$ 204,250	$ 264,250
VEHICLE MAINTENANCE PARTS	40,000	$ 50,000	$ 90,000
GARAGE VEHICLE SERVICE	80,000	$ 20,000	$ 100,000
TOTAL SUMMER EQUIP GARAGE		$ 274,250	

WINTER EQUIP GARAGE

Item	Current Budget	Requested Change	Amended Budget
GASOLINE & DIESEL	90,000	$ 111,100	$ 201,100
VEHICLE MAINTENANCE PARTS	370,000	$ 57,000	$ 427,000
GARAGE VEHICLE SERVICE	160,000	$ (144,665)	$ 15,335
TOTAL WINTER EQUIP GARAGE		$ 23,435	

GARAGE OPERATIONS

Item	Current Budget	Requested Change	Amended Budget
PUBLIC UTILITIES	70,000	$ 36,000	$ 106,000
TOTAL GARAGE OPERATIONS		$ 36,000	

Summary

Revenue

Item	Amount
Fees and Charges	$ 44,700
Gas Tax	$ (323,300)
Interst	$ 90,000
	$ (188,600)

Expenditures

Department	Amount
Snow Removal	$ 795,000
Summer Equipment Garage	$ 274,250
Winter Equipment Garage	$ 23,435
Garage Operations	$ 36,000
	$ 1,128,685

Additional General Fund transfer required for Gas Tax $ 1,317,285

Airport - Fund 220

The Airport continues to work on expansion of charter service and other expansion opportunities after the commercial service was moved to Bishop in December of 2021. Town staff is working with Mammoth Lakes Tourism (MLT) to make modifications to the frequency of flights locations to fine tune the program. To date these adjustments have been successful in growing the existing program. The review below includes a review of revenue which is higher than expected due to these efforts and winter visitation. Facility rental increase was from the use of Airport land as a staging area for the Parcel work. This was unanticipated for FY22-23 but is built into future expectations. Total revenue exceeded budget by $106,150. There were also adjustments made to the expenditures for Airport Operations ($110,775) and Airport Capital Projects ($58,750), details included below:

Airport Operations Revenue
Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
FACILITY RENTAL	$ 2,400	$ 24,500	$ 26,900
CAR RENTAL FEE	$ 45,000	$ 41,500	$ 86,500
FUEL FLOWAGE FEE	$ 22,000	$ 4,250	$ 26,250
NON-AVIATION FUEL	$ 5,000	$ 8,100	$ 13,100
INTEREST ON INVESTMENTS	$ 4,000	$ 22,500	$ 26,500
REFUNDS AND REBATES	$ -	$ 1,900	$ 1,900
OTHER REVENUE	$ 10,000	$ 3,400	$ 13,400
Airport Operations Revenue		**$ 106,150**	

Airport Expense

AIRPORT ADMIN & OPS

Item	Current Budget	Requested Change	Amended Budget
REGULAR SALARIES	372,756	$ 50,500	$ 423,256
OVERTIME WAGES	0	$ 27,475	$ 27,475
HEALTH INS PREMIUMS	148,519	$ (18,000)	$ 130,519
MAINTENANCE SUPPLIES	160,000	$ (10,000)	$ 150,000
GASOLINE & DIESEL	40,000	$ 25,000	$ 65,000
VEHICLE MAINTENANCE PART	25,000	$ 16,250	$ 41,250
GARAGE VEHICLE SERVICE	45,000	$ (36,000)	$ 9,000
TRAINING, ED, CONF & MTGS	9,500	$ 10,250	$ 19,750
PUBLIC UTILITIES	65,000	$ 31,000	$ 96,000
MACHINERY & EQUIP - NON C	0	$ 14,300	$ 14,300
TOTAL AIRPORT ADMIN & OPS		$ 110,775	

CAPITAL PROJECTS - OTHER

Item	Current Budget	Requested Change	Amended Budget
CONTRACTUAL SERVICES	491,000	$ 58,750	$ 549,750
TOTAL CAPITAL PROJECTS - OTHER		$ 58,750	

Summary

Revenue

Item		Amount
Airport Services Fees & Charges	$	78,350
Interst	$	22,500
Other Revenue	$	5,300
	$	106,150

Expenditures

Department		Amount
Airport Operations	$	110,775
Airport Capital Projects	$	58,750
	$	169,525

Additional General Fund transfer required for Airport	$	63,375

Staff Recommendations

Part of the quarterly budget review is to engage any unallocated revenue as quickly as possible into projects for the community. The success of our budget model is to provide one-time funding for capital projects or important initiatives. The list below is a recommendation from staff on where to allocate funds based on highest priority. In some cases, capital projects or initiatives may have multiple revenue streams recommended. The report below is focused on the impacts of General Fund followed by specific details for reserve accounts and finally a summary of those combined efforts to easily follow total impact recommended for each project or initiative. The Town has a good practice of utilizing unallocated revenue and designated reserves to engage community needs in a strategic, prioritized process. Staff has included a brief on each of the suggested allocations listed in the summary below:

Staff Recommendations - General Fund

One Time Requests		Amount	Notes
Town Facility Damage			
Disaster Response	$	300,000	Estimate of non reimbursable costs and After Action Report
Emergency Infrastrucure Repair	$	480,000	Town Facilities, Fence, Curbs & Gutter, Sidewalks, Signage
Facility Damage and Maintenance	$	400,000	Estimate
Airport Fencing	$	247,250	
Welcome Center and Tourism Office	$	100,000	Building Repairs
Pickleball Facility - paint and restroom	$	60,000	
Pickleball Facility - Fence Repair	$	20,000	
3 Playground slides	$	20,000	
Total Emergency Impacts	**$**	**1,627,250**	
Capital Projects			
Future Capital	$	1,000,000	Undesignated project funding
Town Funds to match TBID Project	$	500,000	Project not yet identified approximately $300k in TBID funding from FY23-24
Mammoth Creek Park	$	500,000	Amphitheater stage, irrigation and repair the damage from construction.
Traffic Light replacement	$	475,000	OMR/Meridian and Canyon/Lake Mary Rd with 20% contingency
Housing NOW! Initiative	$	400,000	Partnership with Housing and Tourism Reserve
Public Restrooms at Park & Ride Lot	$	250,000	Partnership with Tourism Reserve
Town Offices - Design	$	300,000	
Airport Equipment	$	50,000	
Fleet Shelving Project	$	35,000	
Total Capital Projects	**$**	**3,510,000**	
Contract Commitments			
TOT Employee Bonus	$	274,900	TOT payments - Contract Commitments
One time - employee bonus	$	194,000	Employe Contract Elements
Total - Contract Commitments	**$**	**468,900**	
Total Staff Recommendations	**$**	**5,606,150**	

Town Facility Damage

Staff has been working to identify damage to Town facilities from last winter's storms. The initial response included approval of three resolutions authorizing immediate work for public safety. This includes road repairs, airport fencing, and a mix of infrastructure as noted above. The road work was completed. Other work is ongoing. There is additional damage that will need to be addressed and staff is working on cataloging the needs and will prepare a formal bid for the work, with a rough estimate of $400,000. A few specific facilities are also noted that need repairs. The funding levels are estimates, and much of the work will need to go through a bid process.

Future Capital – Fund 990

The recommendation to allocate $1,000,000 to Fund 990 is funding set aside for additional unknown repair costs as noted above and a contingency for other projects. The fund is used meet new opportunities and address unforeseen needs (i.e., a grant match, or items such as air conditioning repairs for Town Offices). Several capital projects are proceeding this summer, and given the current bidding climate and some unknowns, additional funding may be necessary.

Tourism Project – TBID Matching Funds

The approval of the Tourism Business Improvement District Plan (TBID) included the allocation of funds to assist in addressing needs of visitors that will provide benefits to the businesses that are paying the TBID assessments. Due to the nature of the projects and the potential for identifying projects that may be limited in TBID funding support, this allocation of $500,000 will allow the

Town to assist or directly fund projects. The renewed TBID is effective September 1, 2023. The availability of TBID revenues will follow.

Mammoth Creek Park
The lawn area at Mammoth Creek Park will need to be restored. The plan includes placing engineered wood fiber around the existing boulders, replacement of irrigation systems, new lawn, a pavilion/stage component, and related amenities. The work has not been fully scoped, and the recommendation is to set aside $500,000.

Traffic Signals Upgrade
The traffic signals at Old Mammoth Road and Minaret, and Canyon Boulevard and Lake Mary Road need to be rewired, new controller cabinets installed, new pedestrian controls and all of the lights updated to meet current standards. This maintenance work is planned for this year with a budget allocation of $475,000.

Housing NOW! Initiative
Staff is recommending continued funding for the Housing Now! Initiative of $400,000 from Town resources and allocations from Tourism and Housing identified reserves of $1.1 million, as noted below. The total allocation of $1.5 million will continue to be leveraged to increase community housing.

Public Restrooms – Park & Ride Lot
Staff is recommending the allocation from Town resources of $250,000 and $250,000 from the Tourism reserve to fund the placement of a public restroom at the Old Mammoth Road/Tavern Road Park and Ride Lot. The project has not been scoped, and the support infrastructure costs are unknown. The restroom will address comments received from several businesses stating the need for additional public restrooms outside of their businesses.

Town Office - Design
Staff is continuing to prepare preliminary plans for a new Town Office building. We have submitted for grants and are waiting to see if we will be awarded funding. The process has added additional design work, with options being considered. The allocation of $300,000 will continue to support this work. The current timeline is looking at fall 2026 for project completion, pending final design, scope and funding.

Airport Equipment
The Airport is in need of equipment to support daily operations, in particular a forklift and mowing deck. Staff will attempt to locate good quality used equipment to fit the needs. Staff is recommending $50,000 to support the acquisition of this equipment.

Fleet Shelving Project
Fleet Maintenance is going through a modernization of operating systems including inventory control. To enhance efficiencies of current inventory storage areas new shelving is required, therefore the request of $35,000.

Employee Contract Commitments
The Town has contracts with the employee associations as well as the executive staff. The most recent agreement, negotiated for July 1, 2023, included a bonus, or one-time payout for all employees in that classification as of July 1, 2023. The payout totals $194,000 across General Employee, Public Works, and Management Employee associations as well as Executive Staff. The contracts for these groups also continue the existing TOT bonus payout. This bonus is calculated based on a percentage of collected TOT, after all committed allocations. This bonus is capped at $4,000 per year. The total payout for this bonus is $274,900 for FY22-23.

The chart below is a continuation of the previous review of General Fund revenue to expenditures, including emergency response. The total available after those elements was $9,899,375. The allocation of additional transfer for operational needs, Gas Tax and Airport, along with reserve commitments and staff recommendations is summarized below:

General Fund Revenue over Expenditures	**$**	**9,899,375**
General Fund Transfers - Operational Support		
Gas Tax Transfer	$	1,317,285
Airport Transfer	$	63,375
Total Transfer	**$**	**1,380,660**
Political Commitments		
Tourism	$	1,699,200
Transit	$	614,600
Housing	$	614,600
Total Reserve Funding	**$**	**2,928,400**
General Fund - Undesignated (Available)	**$**	**5,590,315**
Staff Recommendations (General Fund)	**$**	**5,606,150**
General Fund Change in Fund Balance	**$**	**(15,835)**

Tourism Reserve
The tourism reserve was established to provide funding for tourism expenditures and is based on the normal allocation of TOT for tourism which is 2.35 points or 18.08% of TOT collected. This is considered a political commitment established by the Town Council to ensure tourism related activities, and more recently housing activities have a stable funding source. The allocation from the excess TOT was $1,699,200 for the 4th quarter. Staff has recommended $600,000 be allocated to Housing Now! to continue the Town Council commitments to use marketing funds to assist the Town housing programs. There are two marketing related expenses Staff is recommending, supporting air subsidy ($300,000) and event funding ($200,000) for the Spartan Race in the Fall. This year with the renewal of TBID, there was renewed interest in utilizing marketing funds to support both visitor and community experience. As these funds will be accumulated through TBID collection in FY23-24, they will not be available for current capital projects. To that end, staff is recommending a couple of projects receive Tourism reserve funding to start the "Tourism related"

capital improvement projects. The identified projects include public restrooms at the park and ride lot ($250,000) and sidewalk updates on Canyon Blvd. ($200,000).

Tourism Reserve (Available Funds)	$	1,699,200
Recommended Allocations		
Housing NOW! Initiative	$	600,000
Air Service Subsidy	$	300,000
Public Restrooms at Park & Ride Lot	$	250,000
Spartan Race Funding	$	200,000
Sidewalk Improvements - Canyon Blvd	$	200,000
Recommendations for Tourism Reserve	**$**	**1,550,000**
Unallocated Tourism Reserve (4th Qtr.)	**$**	**149,200**

Housing Reserve

The housing reserve was established to provide funding for housing expenditures and is based on the normal allocation of TOT for housing which is .85 points or 6.54% of TOT collected. This is considered a political commitment established by the Town Council to ensure housing activities have a stable funding source. The allocation from the excess TOT was $614,600 for the 4th quarter. Staff has recommended $500,000 be allocated to the Housing Now! programs.

Housing Reserve (Available Funds)	$	614,600
Recommended Allocations		
Housing NOW! Initiative	$	500,000
Recommendations for Housing Reserve	**$**	**500,000**
Unallocated Housing Reserve (4th Qtr.)	**$**	**114,600**

Transit Reserve

The transit reserve was established to provide funding for transit expenditures and is based on the normal allocation of TOT for transit which is .85 points or 6.54% of TOT collected. This is considered a political commitment established by the Town Council to ensure transit activities have a stable funding source. The allocation from the excess TOT was $614,600 for the 4th quarter. Staff is recommending these funds support a capital project on Canyon Blvd to provide a bus shelter near the new Limelight constructions site. This project is in conjunction with the sidewalk improvements listed under Tourism reserve.

Transit Reserve (Available Funds)	$	614,600
Recommended Allocations		
Bus Shelter - Canyon Blvd	$	400,000
Recommendations for Transit Reserve	**$**	**400,000**
Unallocated Transit Reserve (4th Qtr.)	**$**	**214,600**

Recap of Projects funded from Recommendations

Capital Projects

Project		Amount	Funding Sources
Housing NOW! Initiative	$	1,500,000	Tourism & Housing Reserves, General Fund
Future Capital Project Funding	$	1,000,000	General Fund
Bus Shelter & Sidewalk Improvements	$	600,000	Transit & Tourism Reserves
Town Funds to match TBID Project	$	500,000	General Fund
Mammoth Creek Park	$	500,000	General Fund
Public Restrooms at Park & Ride Lot	$	500,000	Tourism Reserve, General Fund
Traffic Light replacement	$	475,000	General Fund
Town Office - Design	$	300,000	General Fund
Airport Equipment	$	50,000	General Fund
Fleet Shelving Project	$	35,000	General Fund
	$	5,460,000	

The recommendations listed above will serve to further our existing capital improvement programs as well as community initiatives. While the identified revenue for General Fund is fully exhausted, showing a use of fund balance of $15,835, staff is comfortable there will be additional expense savings identified during the year end process sufficient to cover this deficit. The allocations of reserve, tourism, housing, and transit, also leaves some unallocated reserve for future needs, even from funds allocated during fourth quarter. These reserves also have allocated funds from the second quarter as well as previous reserve balance that are available. A comprehensive review of these reserve balances will be completed with the Fund Balance presentation in October 2023.

OPTIONS ANALYSIS

Option 1: Receive the fourth quarter Fiscal Year 22-23 Budget Report and adopt the proposed resolution amending the Fiscal Year 22-23 budget as recommended in Attachment A – Budget Adjustments.

Option 2: Provide staff with alternate direction on the proposed budget amendments.

FY22-23 Budget Presentation

Fourth Quarter Update

Rob Patterson

Administrative Services / Finance Director

August 2, 2023

Mammoth Lakes™
CALIFORNIA

Transient Occupancy Tax

Transient Occupancy Tax

Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
TOT: CURRENT YEAR	$ 20,000,000	$ 9,400,000	$ 29,400,000
TOT: AUDIT	$ -	$ 16,000	$ 16,000
TOT: AUDIT PEN. & INT.	$ -	$ 11,000	$ 11,000
TOT: CERTIFICATES	$ 7,000	$ 2,000	$ 9,000
TOT: PENALTIES & INTEREST	$ 100,000	$ 147,000	$ 247,000
TOT: REVENUE VIOLATIONS	$ 100,000	$ 97,000	$ 197,000
TOT: REV VIOL PEN & INTEREST	$ 50,000	$ 42,000	$ 92,000
TOT: ZONING VIOLATIONS	$ 15,000	$ 3,000	$ 18,000
TOT: ZONING VIOL PEN & INTERES	$ 15,000	$ (7,700)	$ 7,300
Total Transient Occupancy Tax Adjustments		**$ 9,710,300**	
TOT Tax Amount		**$ 9,400,000**	
TOT Enforcement Related Activity		**$ 310,300**	

Reserve Components	Amount
Tourism Reserve- 2.35 Points or 18.0769% of TOT	$ 1,699,200
Transit Reserve - .85 Points or 6.5385% of TOT	$ 614,600
Housing Reserve - .85 Points or 6.5385% of TOT	$ 614,600
	$ 2,928,400

Note: These Reserve amounts reflect $9,400,000 in TOT realized in 4th quarter

Mammoth Lakes CALIFORNIA

General Fund - Revenue

Property Tax

Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
PROPERTY TAX SECURED	$ 3,210,000	$ 25,000	$ 3,235,000
PROPERTY TAX UNSECURED	$ 190,000	$ 20,000	$ 210,000
PRIOR SECURED & ESCAPES	$ 30,000	$ (5,300)	$ 24,700
PRIOR UNSECURED PROPERTY	$ -	$ -	$ -
DOCUMENTARY TRANSFER TAX	$ 175,000	$ 6,000	$ 181,000
CURRENT SUPPLEMENTAL TAX	$ 50,000	$ 50,000	$ 100,000
HOMEOWNERS EXEMPTION	$ 50,000	$ 40,000	$ 90,000
PROPERTY TAX-IN LIEU VLF	$ 875,000	$ 240,000	$ 1,115,000
ERAF EXCESS	$ 70,000	$ (70,000)	$ -
Total Property Tax Adjustments		**$ 305,700**	

Sales Tax

Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
SALES TAX	$ 2,700,000	$ 500,000	$ 3,200,000
Total Sales Tax Adjustments		**$ 500,000**	

Mammoth Lakes CALIFORNIA

General Fund - Revenue

Business Tax

Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
BUSINESS TAX	$ 310,000	$ 80,000	$ 390,000
CANNABIS TAX	$ 130,000	$ (13,000)	$ 117,000
BUS TAX PENALTIES & INTEREST	$ 14,000	$ 8,100	$ 22,100
BUSINESS LIC APPLICATION FEE	$ 12,000	$ 4,100	$ 16,100
BUSINESS LIC RENEWAL FEE	$ 20,000	$ 13,875	$ 33,875
Total Business Tax Adjustments		**$ 93,075**	

Franchise Fees

Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
FRANCHISE FEE: SOLID WASTE	$ 315,000	$ (70,000)	$ 245,000
FRANCHISE FEE: ELECTRICITY	$ 230,000	$ 95,800	$ 325,800
FRANCHISE FEE: GAS	$ 125,000	$ 56,400	$ 181,400
FRANCHISE FEE: CABLE	$ 230,000	$ (2,500)	$ 227,500
Total Franchise Fee Adjustments		**$ 79,700**	

Interest on Investments

Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
INTEREST ON INVESTMENTS	$ 215,000	$ 575,000	$ 790,000
INTEREST FROM COUNTY	$ 20,000	$ 80,000	$ 100,000
Total Interest on Investments Adjustments		**$ 655,000**	

Mammoth Lakes CALIFORNIA

General Fund - Revenue

Other Revenue

Through June 30, 2023

Item	Current Budget	Requested Change	Amended Budget
BUILDING PERMITS	$ 760,000	$ 118,000	$ 878,000
CHARGES FOR SERVICES	$ 198,990	$ (15,000)	$ 183,990
CREDIT CARD SERVICE FEE	$ 16,000	$ 7,300	$ 23,300
FACILITY RENTAL	$ 165,000	$ 69,000	$ 234,000
P&R FACILITY RENTAL	$ -	$ 13,000	$ 13,000
PLANNING & ZONING APPLICATIONS	$ 120,000	$ 280,000	$ 400,000
MASTER PLAN FEES	$ 25,000	$ 24,500	$ 49,500
ENGINEERING FEES	$ 20,000	$ 7,600	$ 27,600
FOREST SERVICE CONTRACT	$ 9,000	$ (9,000)	$ -
TRANSIT FEE	$ 125,000	$ 5,000	$ 130,000
RECREATION PROGRAM FEES	$ 160,000	$ 18,500	$ 178,500
WHITMORE MASTER	$ 18,000	$ 10,000	$ 28,000
EDISON MASTER	$ -	$ 4,500	$ 4,500
WHITMORE POOL REIMB	$ 100,000	$ 26,600	$ 126,600
MUNICIPAL COURT FINES	$ 8,000	$ 3,800	$ 11,800
PARKING CITATIONS	$ 25,000	$ 16,200	$ 41,200
CIVIL PENALTIES:MUNICIPAL CODE	$ 50,000	$ 30,000	$ 80,000
TOBACCO GRANT	$ 103,800	$ (103,800)	$ -
COPS - FED	$ 25,000	$ (25,000)	$ -
STATE GRANTS: MISC	$ -	$ 15,000	$ 15,000
COPS-OPTION PUBLIC SAFETY	$ 100,000	$ 16,600	$ 116,600
REFUNDS AND REBATES	$ 30,000	$ 25,400	$ 55,400
PARTICIPANT REIMBURSEMENT	$ -	$ 21,000	$ 21,000
OTHER REVENUE	$ -	$ 15,000	$ 15,000
Total Other Revenue Adjustments		**$ 574,200**	

Mammoth Lakes CALIFORNIA

General Fund - Revenue

Revenue Summary - 4th Qtr

Account group		Amount
Property Tax	$	305,700
Sales Tax	$	500,000
Transient Occupancy Tax	$	9,710,300
Business Tax	$	93,075
Franchise Fees	$	79,700
Interest	$	655,000
Other revenue	$	574,200
General Fund Revenue Adjustments	$	11,917,975

Mammoth Lakes CALIFORNIA

General Fund - Expenditure

Emergency Response	Partner / Contractor		Amount
Emergency Road Repairs	Black Gold Asphalt Inc.	$	600,000
Snow Pit Fees - CalOES Trucking	Chuck Villar	$	455,000
Emergency Responder Meals and Lodging	Cal Fire / CalOES	$	250,000
Emergency Shoveling Grant Match	Mammoth Mountain Community Foundation	$	200,000
Business Assist Grants	Town Businesses - Excessive Snow Removal Expenses	$	197,000
Labor - Temp and Overtime	Town Staff	$	134,000
Displaced Family Assistance	Mammoth Lakes Housing	$	50,000
Debris Clean Up (Propane Explosions)	Christian Hansen Construction	$	34,000
Misc Expense		$	20,000
		$	1,940,000

Expense Summary - 4th Qtr

Department		Amount
Description		**Amount**
Town Council	$	9,600
Legal Services	$	6,800
Finance	$	(15,900)
General Services	$	(137,800)
Human Resources	$	(13,000)
Police	$	(27,800)
Recreation Programs	$	(82,200)
Whitmore Pool & Recreation Area	$	(24,900)
Parks, Buildings & Trails Maintenance	$	(107,700)
Planning Division	$	261,500
Building Division	$	(14,700)
Code Compliance	$	(5,500)
Snow Removal	$	257,400
Engineering	$	(43,400)
FACILITIES MAINTENANCE	$	16,200
General Fund Expenditure Adjustments	$	78,600

Mammoth Lakes CALIFORNIA

General Fund – Summary

General Fund - Revenue

Account group		Amount
Property Tax	$	305,700
Sales Tax	$	500,000
Transient Occupancy Tax	$	9,710,300
Business Tax	$	93,075
Franchise Fees	$	79,700
Interest	$	655,000
Other revenue	$	574,200
Total Revenue	**$**	**11,917,975**

General Fund - Expenditures

Department		Amount
100-410 - Town Council	$	9,600
100-412 - Legal Services	$	6,800
100-415 - Finance	$	(15,900)
100-416 - General Services	$	(137,800)
100-417 - Human Resources	$	(13,000)
100-420 - Police	$	(27,800)
100-432 - Recreation Programs	$	(82,200)
100-434 - Whitmore Pool & Recreation Area	$	(24,900)
100-438 - Parks, Buildings & Trails Maintenance	$	(107,700)
100-440 - Planning Division	$	261,500
100-442 - Building Division	$	(14,700)
100-444 - Code Compliance	$	(5,500)
100-452 - Snow Removal	$	257,400
100-460 - Engineering	$	(43,400)
100-464 - Facilities	$	16,200
Total Expenditures	**$**	**78,600**

General Fund Revenue over Expenditures	**$**	**11,839,375**

Mammoth Lakes CALIFORNIA

Fund 210 – Gas Tax – Summary

Summary

Revenue

Item		Amount
Fees and Charges	$	44,700
Gas Tax	$	(323,300)
Interst	$	90,000
	$	(188,600)

Expenditures

Department		Amount
Snow Removal	$	795,000
Summer Equipment Garage	$	274,250
Winter Equipment Garage	$	23,435
Garage Operations	$	36,000
	$	1,128,685

Additional General Fund transfer required for Gas Tax	$	1,317,285

Mammoth Lakes CALIFORNIA

Fund 220 – Airport Operations – Summary

Summary

Revenue

Item		Amount
Airport Services Fees & Charges	$	78,350
Interst	$	22,500
Other Revenue	$	5,300
	$	106,150

Expenditures

Department		Amount
Airport Operations	$	110,775
Airport Capital Projects	$	58,750
	$	169,525

Additional General Fund transfer required for Airport	$	63,375

Mammoth Lakes CALIFORNIA

General Fund – Staff Recommendations

Staff Recommendations - General Fund

One Time Requests		Amount	Notes
Town Facility Damage			
Disaster Response	$	300,000	Estimate of non reimbursable costs and After Action Report
Emergency Infrastrucure Repair	$	480,000	Town Facilities, Fence, Curbs & Gutter, Sidewalks, Signage
Facility Damage and Maintenance	$	400,000	Estimate
Airport Fencing	$	247,250	
Welcome Center and Tourism Office	$	100,000	Building Repairs
Pickleball Facility - paint and restroom	$	60,000	
Pickleball Facility - Fence Repair	$	20,000	
3 Playground slides	$	20,000	
Total Emergency Impacts	**$**	**1,627,250**	
Capital Projects			
Future Capital	$	1,000,000	Undesignated project funding
Town Funds to match TBID Project	$	500,000	Project not yet identified approximately $300k in TBID funding from FY23-24
Mammoth Creek Park	$	500,000	Amphitheater stage, irrigation and repair the damage from construction.
Traffic Light replacement	$	475,000	OMR/Meridian and Canyon/Lake Mary Rd with 20% contingency
Housing NOW! Initiative	$	400,000	Partnership with Housing and Tourism Reserve
Public Restrooms at Park & Ride Lot	$	250,000	Partnership with Tourism Reserve
Town Offices - Design	$	300,000	
Airport Equipment	$	50,000	
Fleet Shelving Project	$	35,000	
Total Capital Projects	**$**	**3,510,000**	
Contract Commitments			
TOT Employee Bonus	$	274,900	TOT payments - Contract Commitments
One time - employee bonus	$	194,000	Employe Contract Elements
Total - Contract Commitments	**$**	**468,900**	
Total Staff Recommendations	**$**	**5,606,150**	

Mammoth Lakes CALIFORNIA

General Fund Recap

Emergency Response - Expenditures

Item		Amount
Emergency Road Repairs	$	600,000
Snow Pit Fees - CalOES Trucking	$	455,000
Emergency Responder Meals and Lodging	$	250,000
Emergency Shoveling Grant Match	$	200,000
Business Assist Grants	$	197,000
Labor - Temp and Overtime	$	134,000
Displaced Family Assistance	$	50,000
Debris Clean Up	$	34,000
Misc. Expense	$	20,000
Total Emergency Response	**$**	**1,940,000**

General Fund Transfers - Operational Support

Gas Tax Transfer	$	1,317,285
Airport Transfer	$	63,375
Total Transfer	**$**	**1,380,660**

Political Commitments

Tourism	$	1,699,200
Transit	$	614,600
Housing	$	614,600
Total Reserve Funding	**$**	**2,928,400**

General Fund - Undesignated (Available)	**$**	**5,590,315**
Staff Recommendations (General Fund)	**$**	**5,606,150**
General Fund Change in Fund Balance	**$**	**(15,835)**

Mammoth Lakes CALIFORNIA

Reserve Funding Recommendations

Tourism Reserve (Available Funds)	$	1,699,200
Recommended Allocations		
Housing NOW! Initiative	$	600,000
Air Service Subsidy	$	300,000
Public Restrooms at Park & Ride Lot	$	250,000
Spartan Race Funding	$	200,000
Sidewalk Improvements - Canyon Blvd	$	200,000
Recommendations for Tourism Reserve	**$**	**1,550,000**
Unallocated Tourism Reserve (4th Qtr.)	**$**	**149,200**
Housing Reserve (Available Funds)	$	614,600
Recommended Allocations		
Housing NOW! Initiative	$	500,000
Recommendations for Housing Reserve	**$**	**500,000**
Unallocated Housing Reserve (4th Qtr.)	**$**	**114,600**
Transit Reserve (Available Funds)	$	614,600
Recommended Allocations		
Bus Shelter - Canyon Blvd	$	400,000
Recommendations for Transit Reserve	**$**	**400,000**
Unallocated Transit Reserve (4th Qtr.)	**$**	**214,600**

Mammoth Lakes CALIFORNIA

Capital Project Recap

Recap of Projects funded from Recommendations

Capital Projects

Project		Amount	Funding Sources
Housing NOW! Initiative	$	1,500,000	Tourism & Housing Reserves, General Fund
Future Capital Project Funding	$	1,000,000	General Fund
Bus Shelter & Sidewalk Improvements	$	600,000	Transit & Tourism Reserves
Town Funds to match TBID Project	$	500,000	General Fund
Mammoth Creek Park	$	500,000	General Fund
Public Restrooms at Park & Ride Lot	$	500,000	Tourism Reserve, General Fund
Traffic Light replacement	$	475,000	General Fund
Town Office - Design	$	300,000	General Fund
Airport Equipment	$	50,000	General Fund
Fleet Shelving Project	$	35,000	General Fund
	$	5,460,000	

Mammoth Lakes CALIFORNIA

RESOLUTION NO. 23-

RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA,
ACCEPTING THE MID-YEAR UPDATE AND AMENDING THE
FISCAL YEAR 2022-23 BUDGET

WHEREAS, the Town Council has adopted a Fiscal Year 2022-23 Budget; and

WHEREAS, the Town Council wishes to make modifications to that Budget as necessary to the efficient administration of the Town; and

WHEREAS, the Town Council received an update from the Administrative Services/Finance Director at the August 2nd Town Council meeting regarding the current year financial results through the 4th quarter ending June 2023; and

WHEREAS, the Town Council provided direction to modify revenues and expenses in various funds and departments.

NOW, THEREFORE, BE IT RESOLVED that the Administrative Services/Finance Director is hereby directed to make the following modifications to the FY2022-23 budget, as provided for in Attachments A and B.

APPROVED AND ADOPTED THIS 2nd day of August 2023

_____
JOHN WENTWORTH, Mayor

ATTEST:

_____
JAMIE GRAY, Town Clerk

BUDGET TRANSFER
FY 22/23 - 4th QTR BUDGET AMENDMENT

Date of Request: 8/2/2023

Requested By: Rob Patterson
Department: Finance

	Account Name	Fund-Dept-Account	Activity	CR Revenue Increase	DR Revenue Decrease	DR Expense Increase	CR Expense Decrease
1	PROPERTY TAX SECURED	100-000-30202	-	25,000			
2	PROPERTY TAX UNSECURED	100-000-30204	-	20,000			
3	PRIOR SECURED & ESCAPES	100-000-30210	-		5,300		
4	DOCUMENTARY TRANSFER TAX	100-000-30230	-	6,000			
5	CURRENT SUPPLEMENTAL TAX	100-000-30234	-	50,000			
6	HOMEOWNERS EXEMPTION	100-000-30250	-	40,000			
7	PROPERTY TAX-IN LIEU VLF	100-000-30260	-	240,000			
8	ERAF EXCESS	100-000-30270	-		70,000		
9	SALES TAX	100-000-30402	-	500,000			
10	TOT: CURRENT YEAR	100-000-30604	-	9,400,000			
11	TOT: AUDIT	100-000-30606	-	16,000			
12	TOT: AUDIT PEN. & INT.	100-000-30608	-	11,000			
13	TOT: CERTIFICATES	100-000-30640	-	2,000			
14	TOT: PENALTIES & INTEREST	100-000-30644	-	147,000			
15	TOT: REVENUE VIOLATIONS	100-000-30660	-	97,000			
16	TOT: REV VIOL PEN & INTEREST	100-000-30661	-	42,000			
17	TOT: ZONING VIOLATIONS	100-000-30670	-	3,000			
18	TOT: ZONING VIOL PEN & INTERES	100-000-30671	-		7,700		
19	BUSINESS TAX	100-000-30802	-	80,000			
20	CANNABIS TAX	100-000-30803	-		13,000		
21	BUS TAX PENALTIES & INTEREST	100-000-30810	-	8,100			
22	BUSINESS LIC APPLICATION FEE	100-000-30830	-	4,100			
23	BUSINESS LIC RENEWAL FEE	100-000-30840	-	13,875			
24	FRANCHISE FEE: SOLID WASTE	100-000-31204	-		70,000		
25	FRANCHISE FEE: ELECTRICITY	100-000-31206	-	95,800			
26	FRANCHISE FEE: GAS	100-000-31208	-	56,400			
27	FRANCHISE FEE: CABLE	100-000-31210	-		2,500		
28	BUILDING PERMITS	100-000-31420	-	118,000			
29	CHARGES FOR SERVICES	100-000-31602	-		15,000		
30	CREDIT CARD SERVICE FEE	100-000-31606	-	7,300			
31	FACILITY RENTAL	100-000-31610	-	69,000			
32	P&R FACILITY RENTAL	100-000-31615	-	13,000			
33	PLANNING & ZONING APPLICATIONS	100-000-31624	-	280,000			
34	MASTER PLAN FEES	100-000-31626	-	24,500			
35	ENGINEERING FEES	100-000-31630	-	7,600			
36	FOREST SERVICE CONTRACT	100-000-31640	-		9,000		
37	TRANSIT FEE	100-000-31652	-	5,000			
38	RECREATION PROGRAM FEES	100-000-31664	-	18,500			
39	WHITMORE MASTER	100-000-31670	-	10,000			
40	EDISON MASTER	100-000-31671	-	4,500			
41	WHITMORE POOL REIMB	100-000-31672	-	26,600			
42	MUNICIPAL COURT FINES	100-000-32810	-	3,800			
43	PARKING CITATIONS	100-000-32820	-	16,200			
44	CIVIL PENALTIES:MUNICIPAL CODE	100-000-32860	-	30,000			
45	TOBACCO GRANT	100-000-36005	-		103,800		
46	COPS - FED	100-000-34230	-		25,000		
47	STATE GRANTS: MISC	100-000-35210	-	15,000			
48	COPS-OPTION PUBLIC SAFETY	100-000-35220	-	16,600			
49	REFUNDS AND REBATES	100-000-37100	-	25,400			
50	PARTICIPANT REIMBURSEMENT	100-000-37104	-	21,000			
51	OTHER REVENUE	100-000-37300	-	15,000			
	EMERGENCY RESPONSE						
52	TEMPORARY WAGES	100-405-40111	-			5,700	
53	OVERTIME WAGES	100-405-40113	-			128,200	
54	OFFICE SUPPLIES	100-405-42002	-			100	
55	MAINTENANCE SUPPLIES	100-405-42007	-			6,400	
56	SPECIAL OPERATIONAL	100-405-42030	-			292,200	
57	CONTRACTUAL SERVICES	100-405-43031	-			1,505,700	
58	ADVERTISING & LEGAL NOTICES	100-405-43130	-			1,300	
	TOWN COUNCIL						
59	TEMPORARY WAGES	100-410-40111	-			8,800	
60	HEALTH INS PREMIUMS	100-410-41002	-			19,900	
61	TRAINING, ED, CONF & MTGS	100-410-43150	-				19,100

	Account Name	Fund-Dept-Account	Activity	CR Revenue Increase	DR Revenue Decrease	DR Expense Increase	CR Expense Decrease
	LEGAL SERVICES						
62	CONTRACTUAL SERVICES	100-412-43031	-			6,800	
	FINANCE						
63	REGULAR SALARIES	100-415-40000	-			17,200	
64	TEMPORARY WAGES	100-415-40111	-			700	
65	OVERTIME WAGES	100-415-40113	-			5,400	
66	COMPREHENSIVE LEAVE	100-415-40130	-				26,700
67	HEALTH INS PREMIUMS	100-415-41002	-				16,700
68	PERS (RETIREMENT)	100-415-41020	-			5,800	
69	UNIFORMS & PERSONAL EQUIP	100-415-42006	-				900
70	SPECIAL OPERATIONAL	100-415-42030	-			400	
71	CONTRACTUAL SERVICES	100-415-43031	-			10,300	
72	ENFORCEMENT	100-415-43032	-			1,100	
73	AUDIT SERVICES	100-415-43100	-				2,300
74	MEM'SHIPS, DUES, SUBSCR, PUBLI	100-415-43110	-				100
75	ADVERTISING & LEGAL NOTICES	100-415-43130	-				300
76	TRAINING, ED, CONF & MTGS	100-415-43150	-				1,300
77	SB 1559 TAX ADMIN FEE	100-415-43422	-				8,500
	GENERAL SERVICES						
78	OFFICE SUPPLIES	100-416-42002	-				9,100
79	POSTAL SUPPLIES & POSTAGE	100-416-42005	-				3,400
80	SPECIAL OPERATIONAL	100-416-42030	-				10,900
81	CREDIT CARD FEES	100-416-43114	-			14,800	
82	CONTINGENCY	100-416-43180	-				75,000
83	PUBLIC UTILITIES	100-416-43404	-				9,700
84	FACILITY LEASE	100-416-45010	-				49,600
85	EQUIPMENT LEASE	100-416-46010	-			5,100	
	HUMAN RESOURCES						
86	REGULAR SALARIES	100-417-40000	-			5,900	
87	OVERTIME WAGES	100-417-40113	-			1,900	
88	COMPREHENSIVE LEAVE	100-417-40130	-				12,600
89	HEALTH INS PREMIUMS	100-417-41002	-				4,700
90	PERS (RETIREMENT)	100-417-41020	-			3,200	
91	MEM'SHIPS, DUES, SUBSCR, PUBLI	100-417-43110	-				2,000
92	RECRUITING & OTHER HR	100-417-43140	-				5,000
93	TRAINING, ED, CONF & MTGS	100-417-43150	-			300	
	POLICE SERVICES						
94	REGULAR SALARIES	100-420-40000	-			73,600	
95	TEMPORARY WAGES	100-420-40111	-				21,300
96	OVERTIME WAGES	100-420-40113	-			23,900	
97	POLICE HOLIDAY PAY	100-420-40115	-			4,600	
98	COMPREHENSIVE LEAVE	100-420-40130	-				90,500
99	HEALTH INS PREMIUMS	100-420-41002	-				73,300
100	UNEMPLOYMENT ASSESSMENT	100-420-41016	-				5,000
101	ICMA VANTAGECARE	100-420-41018	-				8,000
102	PERS (RETIREMENT)	100-420-41020	-			14,300	
103	PARS (RETIREMENT ENHANCED)	100-420-41024	-				13,600
104	PARS (PART TIME RETIREMENT)	100-420-41028	-				1,300
105	UNIFORMS & PERSONAL EQUIP	100-420-42006	-				1,300
106	MAINTENANCE SUPPLIES	100-420-42007	-				2,400
107	SPECIAL OPERATIONAL	100-420-42030	-				14,900
108	CONTRACTUAL SERVICES	100-420-43031	-			134,300	
109	GARAGE VEHICLE SERVICE	100-420-43060	-				36,800
110	MEM'SHIPS, DUES, SUBSCR, PUBLI	100-420-43110	-			1,200	
111	PRINTING & REPRODUCTION	100-420-43120	-				4,400
112	ADVERTISING & LEGAL NOTICES	100-420-43130	-				1,500
113	DOJ FINGERPRINT LIVE	100-420-43156	-				4,200
114	COMMUNICATION EQUIP MAINT	100-420-45400	-				6,900
115	EQUIPMENT LEASE	100-420-46010	-				3,100
116	MACHINERY & EQUIP - NON CAP	100-420-46200	-			16,200	
117	COMMUNIC EQUIP - NON CAP	100-420-46300	-				4,100
118	OFFICE EQUIP & FURNITURE	100-420-46440	-				3,300
	RECREATION PROGRAMS						
119	REGULAR SALARIES	100-432-40000	-			33,000	
120	TEMPORARY WAGES	100-432-40111	-				49,600
121	OVERTIME WAGES	100-432-40113	-				2,300
122	COMPREHENSIVE LEAVE	100-432-40130	-				26,700
123	HEALTH INS PREMIUMS	100-432-41002	-				10,300
124	UNEMPLOYMENT ASSESSMENT	100-432-41016	-			3,200	
125	PERS (RETIREMENT)	100-432-41020	-			3,000	

	Account Name	Fund-Dept-Account	Activity	CR Revenue Increase	DR Revenue Decrease	DR Expense Increase	CR Expense Decrease
126	AMENITIES ENHANCEMENT PROGRAM	100-432-42009	-				5,000
127	CONTRACTUAL SERVICES	100-432-43031	-				5,900
128	PRINTING & REPRODUCTION	100-432-43120	-				3,000
129	EXCURSIONS & FIELD TRIPS	100-432-43164	-				2,000
130	FIREWORKS DISPLAY	100-432-44320	-				16,600
	WHITMORE POOL & REC AREA						
131	REGULAR SALARIES	100-434-40000	-			9,800	
132	TEMPORARY WAGES	100-434-40111	-				5,000
133	OVERTIME WAGES	100-434-40113	-			2,000	
134	COMPREHENSIVE LEAVE	100-434-40130	-				5,100
135	HEALTH INS PREMIUMS	100-434-41002	-				11,000
136	UNEMPLOYMENT ASSESSMENT	100-434-41016	-			1,400	
137	PERS (RETIREMENT)	100-434-41020	-			2,300	
138	UNIFORMS & PERSONAL EQUIP	100-434-42006	-				1,500
139	MAINTENANCE SUPPLIES	100-434-42007	-			5,100	
140	RECREATION SUPPLIES	100-434-42008	-				1,200
141	CONTRACTUAL SERVICES	100-434-43031	-				4,600
142	GARAGE VEHICLE SERVICE	100-434-43060	-				13,500
143	ADVERTISING & LEGAL NOTICES	100-434-43130	-				1,300
144	TRAINING, ED, CONF & MTGS	100-434-43150	-				4,000
145	PUBLIC UTILITIES	100-434-43404	-			5,600	
146	TAXES & FEES	100-434-43420	-				1,900
147	FACILITY LEASE	100-434-45010	-			2,000	
148	PARK GROUNDS & BLDGS MAINT	100-434-45080	-				4,000
	PARKS, BLDGS & TRAILS MAINT						
149	REGULAR SALARIES	100-438-40000	-			11,300	
150	TEMPORARY WAGES	100-438-40111	-				42,400
151	OVERTIME WAGES	100-438-40113	-			18,100	
152	COMPREHENSIVE LEAVE	100-438-40130	-				16,400
153	UNEMPLOYMENT ASSESSMENT	100-438-41016	-				5,000
154	PERS (RETIREMENT)	100-438-41020	-			3,800	
155	MISC SUPPLIES	100-438-42003	-				5,000
156	MAINTENANCE SUPPLIES	100-438-42007	-				5,900
157	CONTRACTUAL SERVICES	100-438-43031	-				13,300
158	GARAGE VEHICLE SERVICE	100-438-43060	-				32,400
159	PUBLIC UTILITIES	100-438-43404	-				18,600
160	PARK GROUNDS & BLDGS MAINT	100-438-45080	-				1,900
	PLANNING DIVISION						
161	REGULAR SALARIES	100-440-40000	-			47,200	
162	TEMPORARY WAGES	100-440-40111	-				23,500
163	COMPREHENSIVE LEAVE	100-440-40130	-				25,100
164	HEALTH INS PREMIUMS	100-440-41002	-				27,100
165	PERS (RETIREMENT)	100-440-41020	-			1,900	
166	UNIFORMS & PERSONAL EQUIP	100-440-42006	-				1,000
167	CONTRACTUAL SERVICES	100-440-43031	-			291,700	
168	MEM'SHIPS, DUES, SUBSCR, PUBLI	100-440-43110	-				1,600
169	ADVERTISING & LEGAL NOTICES	100-440-43130	-				1,000
	BUILDING DIVISION						
170	REGULAR SALARIES	100-442-40000	-			20,200	
171	COMPREHENSIVE LEAVE	100-442-40130	-				15,000
172	HEALTH INS PREMIUMS	100-442-41002	-				8,600
173	PERS (RETIREMENT)	100-442-41020	-				3,100
174	MISC SUPPLIES	100-442-42003	-				1,100
175	ADVERTISING & LEGAL NOTICES	100-442-43130	-				3,000
176	TRAINING, ED, CONF & MTGS	100-442-43150	-				4,100
	CODE COMPLIANCE						
177	COMPREHENSIVE LEAVE	100-444-40130	-				1,400
178	HEALTH INS PREMIUMS	100-444-41002	-				2,100
179	PERS (RETIREMENT)	100-444-41020	-			1,100	
180	TRAINING, ED, CONF & MTGS	100-444-43150	-				3,100
	SNOW REMOVAL						
181	CONTRACTUAL SERVICES	100-452-43031	-			257,400	
	ENG, PUBLIC WORKS & ADMIN						
182	REGULAR SALARIES	100-460-40000	-			4,800	
183	TEMPORARY WAGES	100-460-40111	-			6,300	
184	OVERTIME WAGES	100-460-40113	-			3,400	
185	COMPREHENSIVE LEAVE	100-460-40130	-				29,500
186	PERS (RETIREMENT)	100-460-41020	-			11,400	
187	UNIFORMS & PERSONAL EQUIP	100-460-42006	-			1,600	
188	CONTRACTUAL SERVICES	100-460-43031	-				43,300

	Account Name	Fund-Dept-Account	Activity	CR Revenue Increase	DR Revenue Decrease	DR Expense Increase	CR Expense Decrease
189	TRAINING, ED, CONF & MTGS	100-460-43150	-			1,900	
	FACILITIES MAINTENANCE						
190	REGULAR SALARIES	100-464-40000	-				20,000
191	TEMPORARY WAGES	100-464-40111	-				13,800
192	HEALTH INS PREMIUMS	100-464-41002	-			3,800	
193	PERS (RETIREMENT)	100-464-41020	-				1,400
194	MISC SUPPLIES	100-464-42003	-			1,700	
195	MAINTENANCE SUPPLIES	100-464-42007	-				3,100
196	CONTRACTUAL SERVICES	100-464-43031	-			2,600	
197	PUBLIC UTILITIES	100-464-43404	-			30,800	
198	TAXES & FEES	100-464-43420	-			15,600	
	GAS TAX - REVENUE						
199	CHARGES FOR SERVICES	210-000-31602	-	44,700			
200	STATE GAS TAX 2103	210-000-35404	-		18,300		
201	STATE GAS TAX 2105	210-000-35406	-		9,000		
202	STATE GAS TAX 2106	210-000-35408	-		4,000		
203	STATE GAS TAX 2107	210-000-35410	-	2,000			
204	STATE GAS TAX 2107 SNOW	210-000-35412	-		254,000		
205	STATE GAS TAX RMRA (SB-1)	210-000-35416	-		40,000		
206	INTEREST ON INVESTMENTS	210-000-37002	-	90,000			
	GAS TAX - SNOW REMOVAL						
207	OVERTIME WAGES	210-452-40113	-			163,000	
208	SPECIAL OPERATIONAL	210-452-42030	-			25,000	
209	CONTRACTUAL SERVICES	210-452-43031	-			570,000	
210	PUBLIC UTILITIES	210-452-43404	-			37,000	
	GAS TAX - SUMMER EQUIP GARAGE						
211	GASOLINE & DIESEL	210-454-42016	-			204,250	
212	VEHICLE MAINTENANCE PARTS	210-454-42017	-			50,000	
213	GARAGE VEHICLE SERVICE	210-454-43060	-			20,000	
	GAS TAX - WINTER EQUIP GARAGE						
214	GASOLINE & DIESEL	210-455-42016	-			111,100	
215	VEHICLE MAINTENANCE PARTS	210-455-42017	-			57,000	
216	GARAGE VEHICLE SERVICE	210-455-43060	-				144,665
	GAS TAX - GARAGE OPERATIONS						
217	PUBLIC UTILITIES	210-456-43404	-			36,000	
	AIRPORT - REVENUE						
218	FACILITY RENTAL	220-000-31610	-			24,500	
219	CAR RENTAL FEE	220-000-31806	-			41,500	
220	FUEL FLOWAGE FEE	220-000-31840	-			4,250	
221	NON-AVIATION FUEL	220-000-31842	-			8,100	
222	INTEREST ON INVESTMENTS	220-000-37002	-			22,500	
223	REFUNDS AND REBATES	220-000-37100	-			1,900	
224	OTHER REVENUE	220-000-37300	-			3,400	
	AIRPORT ADMIN & OPS						
225	REGULAR SALARIES	220-471-40000	-			50,500	
226	OVERTIME WAGES	220-471-40113	-			27,475	
227	HEALTH INS PREMIUMS	220-471-41002	-				18,000
228	MAINTENANCE SUPPLIES	220-471-42007	-				10,000
229	GASOLINE & DIESEL	220-471-42016	-			25,000	
230	VEHICLE MAINTENANCE PARTS	220-471-42017	-			16,250	
231	GARAGE VEHICLE SERVICE	220-471-43060	-				36,000
232	TRAINING, ED, CONF & MTGS	220-471-43150	-			10,250	
233	PUBLIC UTILITIES	220-471-43404	-			31,000	
234	MACHINERY & EQUIP - NON CAP	220-471-46200				14,300	
	AIRPORT CAPITAL PROJECTS - OTHER						
235	CONTRACTUAL SERVICES	220-531-43031	-			58,750	
			Totals	$ 11,720,975	$ 646,600	$ 4,732,325	$ 1,309,765
			Net Change	$	11,074,375		3,422,560

Political Commitments (Not Captured Above)

Reason for Transfer:

4th Quarter Budget Review

Reason Budget Available:

Account Name	Fund-Dept-Account	Activity	CR Revenue Increase	DR Revenue Decrease	DR Expense Increase	CR Expense Decrease

Funding Source

Various Fund Adjustments

Department Head Signature:

Town Manager or Administrative Services/Finance Director Signature:

Town Council Approval Date (if required) : Date, Item # -

Reviewed By:

Journal #: _____

Keyed By: _____

BUDGET TRANSFER
FY 22/23 - 4th QTR BUDGET AMENDMENT

Date of Request: 8/2/2023

Requested By: Rob Patterson
Department: Finance
Department: Finance

	Account Name	Fund-Dept-Account		Activity	CR Revenue Increase	DR Revenue Decrease	DR Expense Increase	CR Expense Decrease
1	Town Facility Damage	990-000-39999	-		1,627,250			
2	Future Capital	990-000-39999	-		1,000,000			
3	Town Funds to match TBID Project	990-000-39999	-		500,000			
4	Mammoth Creek Park	300-000-39999	-		500,000			
5	Traffic Light replacement	300-000-39999	-		475,000			
6	Housing NOW! Initiative	245-000-39999	-		400,000			
7	Public Restrooms at Park & Ride Lot	300-000-39999	-		250,000			
8	Town Offices - Design	300-000-39999	-		300,000			
9	Airport Equipment	220-000-39999	-		50,000			
10	Fleet Shelving Project	910-000-39999	-		35,000			
11	General Fund Transfer Out	100-599-49999	-				5,137,250	
12	TOT Employee Bonus	Multiple Wage accounts	-				274,900	
13	One time - Employee bonus	Multiple Wage accounts	-				194,000	
14	Housing NOW! Initiative	245-000-39999	-		600,000			
15	Air Service Subsidy	220-000-39999	-		300,000			
16	Public Restrooms at Park & Ride Lot	300-000-39999	-		250,000			
17	Spartan Race Funding	100-480-43031	-		200,000			
18	Sidewalk Improvements - Canyon Blvd	300-000-39999	-		200,000			
19	Tourism Reserve Transfer Out	100-480-49999	-				1,550,000	
20	Housing NOW! Initiative	245-000-39999			500,000			
21	Housing Reserve Transfer Out	100-445-49999					500,000	
22	Bus Shelter - Canyon Blvd	300-000-39999			400,000			
23	Transit Reserve Transfer Out	100-475-49999					400,000	
24								
25								
26								
27								
28								
29								
30								
31								
				Totals	$ 7,587,250	$ -	$ 8,056,150	-
				Net Change	$	7,587,250		8,056,150

Political Commitments (Not Captured Above)

Unallocated Tourism Reserve (4th Qtr.)	**$**	**149,200.00**
Unallocated Housing Reserve (4th Qtr.)	**$**	**114,600.00**
Unallocated Transit Reserve (4th Qtr.)	**$**	**214,600.00**

Reason for Transfer:

4th Quarter Budget Review

Reason Budget Available:

Funding Source

Various Fund Adjustments

Department Head Signature:

Town Manager or Administrative Services/Finance Director Signature:

Town Council Approval Date (if required) : Date, Item # -

Reviewed By: Finance Manager

Journal #: _____

Keyed By: _____

Mammoth Lakes Town Council
Agenda Action Sheet

Title: Determination that emergency work authorized by Resolutions 23-29 and 23-54 continues to be necessary for public welfare and safety.

Council Meeting Date: 8/2/2023

Prepared by: Daniel C. Holler, Town Manager

Recommended Motion: Council determines and finds that the emergency work authorized by Resolutions 23-29 and 23-54 continues to be necessary for public welfare and safety.

Summary:
Town facilities and infrastructure impacted by the extreme winter weather are still in a state of disrepair impacting the welfare and safety of the community. Damage to sidewalks, drainages, fencing, signage, and facilities is substantial. Staff has found additional damage to curbs and gutters, drain inlets, signage, fencing, facilities, ADA detectable surfaces, and sidewalks and repairs are necessary for public welfare and safety. On May 17, 2023, the Council adopted Resolution 23-29 authorizing the emergency repair of these damages and the procurement of the necessary equipment, services, and supplies for the repair, without a competitive bidding process. On July 12, 2023, the Council adopted Resolution 23-54 authorizing the emergency repair of these damages and the procurement of the necessary equipment, services, and supplies for the repair, without a competitive bidding process due to damages at the Mammoth Yosemite Airport. The need for the work authorized by these two resolutions continues to be necessary to provide for public welfare and safety. A copy of the resolutions is attached for Council information.

RESOLUTION 23-29

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, FINDING THAT EMERGENCY CIRCUMSTANCES JUSTIFY AWARDING A CONTRACT FOR TOWN INFRASTRUCTURE AND FACILITIES DAMAGED BY EXTREME WEATHER INCLUDING FENCING, PARKS, REGULATORY, STREET AND WAY FINDING SIGNAGE, SIDEWALK, CURB, GUTTER, DRAINAGE INLETS, ADA REQUIRED DETECTABLE WARNING SURFACES AND RELATED ITEMS WITHOUT COMPETITIVE BIDDING

WHEREAS, California law generally requires the Town to award contracts for "public projects" in excess of $1,000 to the lowest bidder after the completion of a competitive bidding process; and

WHEREAS, Public Contract Code Section 20168 provides that in case of emergency the Town Council may pass a resolution by a four-fifths vote declaring that the public interest and necessity demand the immediate expenditure of Town funds to safeguard life, health, or property, and that if such a resolution is adopted the Town may expend any sum required in the emergency without complying with competitive bidding requirements; and

WHEREAS, Public Contract Code Section 22050 authorizes the Town Council, with a four-fifths vote, to "repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts" if the Town Council finds, based upon substantial evidence, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency; and

WHEREAS, Mammoth Lakes has experienced extreme weather conditions during the winter of 2022-2023, with historic accumulations of snow, leading the Town Manager to proclaim a state of emergency on March 3, 2023, which proclamation was ratified by the Town Council on March 7, 2023, with a renewed state of emergency declared by the Town Manager on March 27, 2023 and ratified by proclamation of the Town Council on March 31, 2023; and

WHEREAS, the extreme weather conditions, response and snow accumulations have caused significant damage to Town facilities and infrastructure including damage to fencing, curbs, gutters, drain inlets, roads, ADA required Detectable Warning Surfaces, street signs, wayfinding signs, warning signs and regulatory signage; and

WHEREAS, the Town Council finds that as a result of the weather-caused damage to Town facilities and infrastructure and pursuant to Public Contract Code Section 20168 the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, safety, and property in the Town of Mammoth Lakes; and

WHEREAS, the Town Council finds that based on substantial evidence, including without limitation the staff report presented to the Town Council on May 17, 2023, pursuant to Public Contract Code Section 22050, the emergency will not permit a delay resulting from a competitive solicitation for bids, and that responding to the emergency requires repair of public facilities and infrastructure, other directly related and immediate actions, and procurement of the necessary equipment, services, and supplies for those purposes, without a competitive bidding process.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Mammoth Lakes as follows:

Section 1. The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. The Town Council hereby directs and authorizes the Town Manager and Public Works Director to contract for repairs to Town facilities and infrastructure damaged by the winter of 2022-2023, to take any directly related action, and to procure the necessary equipment, services, and supplies for the repairs, without a competitive bidding process.

Section 3. Pursuant to Public Contract Code Section 22050, the Town Council shall review the emergency action authorized by this resolution at its next regular meeting and at each regular meeting thereafter until the emergency repair work is complete, to determine, by a four-fifths vote, that there is a need to continue the action.

Section 4. The Town Clerk shall certify as to the adoption of this resolution.

APPROVED AND ADOPTED this 17th day of May 2023.

JOHN WENTWORTH, Mayor

ATTEST:

JAMIE GRAY, Town Clerk

STATE OF CALIFORNIA)
COUNTY OF MONO) ss.
TOWN OF MAMMOTH LAKES)

I, JAMIE GRAY, Town Clerk of the Town of Mammoth Lakes, DO HEREBY CERTIFY under penalty of perjury that the foregoing is a true and correct copy of Resolution No. 23-29 adopted by the Town Council of the Town of Mammoth Lakes, California, at a meeting thereof held on the 17th day of May 2023, by the following vote:

AYES:	Councilmembers Bubser, Rea, Rice, Mayor Pro Tem Sauser, and Mayor Wentworth
NOES:	None
ABSENT:	None
ABSTAIN:	None
DISQUALIFICATION:	None

JAMIE GRAY, Town Clerk

RESOLUTION 23-54

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, FINDING THAT EMERGENCY CIRCUMSTANCES JUSTIFY AWARDING A CONTRACT FOR TOWN INFRASTRUCTURE DAMAGED BY EXTREME WEATHER INCLUDING FENCING AND RELATED ITEMS AT THE MAMMOTH YOSEMITE AIRPORT WITHOUT COMPETITIVE BIDDING

WHEREAS, California law generally requires the Town to award contracts for "public projects" in excess of $1,000 to the lowest bidder after the completion of a competitive bidding process; and

WHEREAS, Public Contract Code Section 20168 provides that in case of emergency the Town Council may pass a resolution by a four-fifths vote declaring that the public interest and necessity demand the immediate expenditures of Town funds to safeguard life, health, or property, and that if such a resolution is adopted the Town may expend any sum required in the emergency without complying with competitive bidding requirements; and

WHEREAS, Public Contract Code Section 22050 authorizes the Town Council, with a four-fifths vote, to "repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts" if the Town Council finds, based upon substantial evidence, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency; and

WHEREAS, Mammoth Lakes has experienced extreme weather conditions during the winter of 2022-2023, with historic accumulations of snow, leading the Town Manager to proclaim a state of emergency on March 3, 2023, which proclamation was ratified by the Town Council on March 7, 2023, with a renewed state of emergency declared by the Town Manager on March 27, 2023, and ratified by resolution of the Town Council on March 31, 2023; and

WHEREAS, the extreme weather conditions, response and snow accumulations have caused significant damage to the Town infrastructure including damage to the fence surrounding the Mammoth Yosemite Airport (Airport); and

WHEREAS, the Town Council finds that as a result of the weather-caused damage to Town infrastructure and pursuant to Public Contract Code Section 20168 the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, safety, and property in the Town of Mammoth Lakes; and

WHEREAS, the Town Council finds that based on substantial evidence, including without limitation the staff report presented to the Town Council on July 12, 2023, pursuant to Public Contract Code Section 22050, the emergency will not permit a delay resulting from a competitive solicitation for bids, and that responding to the emergency requires repair of public infrastructure, other directly related and immediate actions, and procurement of the necessary equipment, services and supplies for those purposes, without a competitive bidding process.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Mammoth Lakes as follows:

Section 1. The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. The Town Council hereby directs and authorizes the Town Manager to contract for repairs to Town infrastructure damaged by the winter of 2022-2023 at the Airport, to take any directly related action, and to procure the necessary equipment, services, and supplies for the repair, without a competitive bidding process.

Section 3. Pursuant to Public Contract Code Section 22050, the Town Council shall review the emergency action authorized by this resolution at its next regular meeting and at each regular meeting thereafter until the emergency repair work is complete, to determine, by a four-fifths vote, that there is a need to continue the action.

Section 4. The Town Manager and Finance Director are authorized to amend the FY23-24 Budget in the amount of two hundred and fifteen thousand dollars ($215,000) plus up to a 20% contingency amount to fund the emergency work utilizing resources in Fund 990.

Section 5. The Town Clerk shall certify as to the adoption of this resolution.

APPROVD AND ADOPTED this 12th day of July 2023.

JOHN WENTWORTH, Mayor

ATTEST:

JAMIE GRAY, Town Clerk

STATE OF CALIFORNIA)
COUNTY OF MONO) ss.
TOWN OF MAMMOTH LAKES)

I, JAMIE GRAY, Town Clerk of the Town of Mammoth Lakes, DO HEREBY CERTIFY under penalty of perjury that the foregoing is a true and correct copy of Resolution No. 23-54 adopted by the Town Council of the Town of Mammoth Lakes, California, at a meeting thereof held on the 12th day of July 2023, by the following vote:

AYES:	Councilmembers Bubser, Rea, Rice, Mayor Pro Tem Sauser, and Mayor Wentworth
NOES:	None
ABSENT:	None
ABSTAIN:	None
DISQUALIFICATION:	None

JAMIE GRAY, Town Clerk

Mammoth Lakes Town Council
Agenda Action Sheet

Title: Approve Town Participation in the Eastern Sierra Sustainable Recreation Partnership (ESSRP) Memorandum of Understanding (MOU) and authorize the Town Manager to sign the MOU.

Council Meeting Date: 8/2/2023

Prepared by: Daniel C. Holler, Town of Mammoth Lakes

Recommended Motion: Approve Town Participation in the Eastern Sierra Sustainable Recreation Partnership (ESSRP) Memorandum of Understanding (MOU) and authorize the Town Manager to sign the MOU.

Summary:
The proposed memorandum of understanding (MOU) provides a collaborative forum for the participants of the Eastern Sierra Sustainable Recreation Partnership (ESSRP) to share information and to collaborate across jurisdictions on sustainable outdoor recreation issues and opportunities of interest to the Eastern Sierra Region. The ESSRP has been meeting monthly since 2018, convened and facilitated by the Mammoth Lakes Trails and Public Access Foundation (MLTPA), and the ESSRP. A copy of the MOU is attached.

The rationale for the MOU is to expand ESSRP membership, allowing for the inclusion of additional agencies, tribes, and organizations as compared to the initial ESSRP agreement, the 2018 USFS Non-Funded Challenge Cost Share Agreement between Mono County, the Town of Mammoth Lakes, Inyo National Forest, and Humboldt-Toiyabe National Forest, which will expire shortly. The Town of Mammoth Lakes was one of the original signatories to the USFS Non-Funded Challenge Cost Share Agreement and has played an important role in maintaining the ongoing viability and relevance of the ESSRP. Participation in the MOU does not require any financial commitment from the Town. The ESSRP is not a policy body and does not have the authority to require agency commitments, other than a commitment to participate in regular meetings as time allows. The Town Manager has been the primary representative, with recent participation form the Office of Outdoor Recreation Manager. Staff is not recommending any formal appointment of Council Member(s) as the structure of the ESSRP was designed to not be a formal public body.

The Eastern Sierra Council of Governments (ESCOG) recently signed onto the MOU on June 15, 2023, and in the fall of 2022, ESSRP participants from six units of the National Park Service expressed their willingness to sign on as well. The ESSRP MOU has been informed by comments from the National Park Service, Alpine County, BLM, ESCOG, and others.

ESSRP MOU

THIS MEMORANDUM OF UNDERSTANDING (MOU) is made and entered into by and between the PARTIES who have executed this MOU. Each entity who executes this MOU as shown in Attachment A is a "PARTY" to this MOU and all such entities are considered "PARTIES" to this MOU.

BACKGROUND

A. The Eastern Sierra Sustainable Recreation Partnership (ESSRP) is a unique partnership formed to encourage collaboration among local Eastern Sierra governments, state agencies, federal agencies, other public entities and sovereign tribes. Current and potential future participants in the ESSRP include but are not limited to: the City of Bishop and the Town of Mammoth Lakes, California municipal corporations; the Los Angeles Department of Water and Power, a municipal utility; the Counties of Alpine, Inyo, and Mono, political subdivisions of the State of California; the California Department of Transportation (Caltrans) and the California Department of Parks and Recreation, departments within the State of California; the Eastern Sierra Council of Governments (ESCOG), a California joint powers authority; and the National Park Service (NPS) at Death Valley National Park, Sequoia & Kings Canyon National Parks, Yosemite National Park, Devils Postpile National Monument, Manzanar National Historic Site, the Bureau of Land Management (BLM) Bishop Field Office, and the United States Forest Service (USFS) at Inyo National Forest and Humboldt-Toiyabe National Forest, federal agencies.

B. On July 18, 2017, the Mono County Board of Supervisors and the Mammoth Lakes Town Council held a joint meeting to initiate the ESSRP.

C. On July 19, 2018, the Town of Mammoth Lakes, Mono County, USFS Inyo National Forest, and USFS Humboldt-Toiyabe National Forest entered into a Non-Funded Challenge Cost Share Agreement (Cost Sharing Agreement). The Cost Sharing Agreement sets forth the ESSRP goals, including the creation of healthy forests and watersheds, fire-safe communities, and sustainable local economies. The Cost Sharing Agreement intends to reduce duplication of efforts and harness the expertise of employees of all parties thereto, as well as maximize cash and non-cash contributions leading to joint accomplishment of work. This MOU intends to extend the understanding between the four parties to the Cost Sharing Agreement to all of the ESSRP PARTIES.

D. On August 20, 2019, Alpine County voted to join the ESSRP, on September 9, 2019, the City of Bishop voted to join the ESSRP, and on October 8, 2019, Inyo County voted to join the ESSRP.

E. The BLM, Caltrans, Los Angeles Department of Water and Power, and the National Park Service have also been actively engaged in the ESSRP partnership.

F. The ESSRP has formed an ESSRP subcommittee to conduct tribal outreach and coordination.

G. PARTIES intend to memorialize their agreement and intentions with this MOU.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the PARTIES agree as follows:

AGREEMENT

1. PURPOSE

1.1 Environmentally sustainable recreation in the Eastern Sierra. The purpose of this MOU is to document the PARTIES' desire to work cooperatively on mutually beneficial plans, programs, and projects that improve public services, infrastructure, and natural and cultural resources in the Counties of Alpine, Inyo, and Mono (Eastern Sierra). The PARTIES intend to: design, plan, implement, and promote projects to improve and maintain recreational opportunities in an environmentally sustainable manner; restore ecosystems to their natural resiliency and functions; cooperatively perform projects, maximize resources, reduce redundancies; increase transparency between and with stakeholders; improve programs, public services, infrastructure and support sustainable management of natural resources and the protection of cultural resources; implement a sustainable recreation program and infrastructure; and create fire-safe communities.

1.2 Opportunities. The PARTIES intend to establish their mutual goals, purposes, and opportunities so PARTIES can share resources, staff, and otherwise work together to improve recreation and preservation in the Eastern Sierra through grants and other funding sources.

1.3 Cost Sharing Agreement can terminate. The Cost Sharing Agreement is set to terminate June 30, 2023. The parties to that Cost Sharing Agreement are also anticipated to be PARTIES to this more broadly applicable MOU and may choose to terminate the Cost Sharing Agreement earlier upon the Effective Date of this MOU.

1.4 Potential Projects. PARTIES seek to coordinate and undertake projects in the Eastern Sierra, including but not limited to those identified through the ESSRP Priority Development described in the Cost Sharing Agreement, projects included in the ESCOG's Sustainable Recreation and Ecosystem Management Program (SREMP) established pursuant to ESCOG Resolution No. 20-03, and projects identified through the Sustainable Recreation and Tourism Initiative (SRTI) ESSRP Prospectus for Future Investments and SRTI Portfolio of Projects

1.5 Non-Exclusivity: This MOU is not exclusive; PARTIES remain able to enter into agreements with other entities, including with respect to projects on which PARTIES are engaged pursuant to this MOU, in ways that do not conflict with this MOU.

2. AGREEMENTS AND RESPONSIBILITIES

All PARTIES agree to undertake the following responsibilities in carrying out the objectives of this MOU:

2.1 Participation. Participate, to the extent feasible and consistent with PARTY resources and priorities, in regular ESSRP meetings, sharing pertinent information with the ESSRP Partnership, its workgroups, and individual members. Assist in and promote the achievement of the collective goals of the ESSRP. PARTIES may assign and/or change representatives to participate in ESSRP meetings, workgroups and projects on their behalf as needed.

2.2 Shared Resources. Share experience, expertise, and resources as a means of advancing the ESSRP's common interests and conduct activities collaboratively approved by the ESSRP.

2.3 Comply with Applicable Law. Comply with all applicable federal, state, or local laws applicable to any action or approval taken pursuant to this MOU.

2.3 Project Inventory. If any projects are permitted, authorized, or funded by a PARTY pursuant to this MOU, that PARTY shall maintain an inventory of work for regular review by all PARTIES that includes: title; location; funding; leads; status; and timelines.

2.4 Point of Contact. Designate an employee to serve as a single point of contact for this MOU, as shown in the Section 6.9 notice provisions below. PARTIES may change their point of contact as needed.

2.5 Assurance regarding Felony Conviction or Tax Delinquent Status for Corporate Entities. This MOU is subject to the provisions contained in the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012, P.L. No. 112-74, Division E, Section 433 and 434 as continued in the Consolidated Appropriations Act, 2016, P.L. No. 114-113, Division E, Title VII, General Provisions Section 745 and 746 respectively regarding corporate felony convictions and corporate federal tax delinquencies. Accordingly, by entering into this MOU, PARTIES acknowledge that they: 1) do not have a tax delinquency, meaning that they are not subject to any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that are not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, and (2) have not been convicted (or had an officer or agent acting on their behalf convicted) of a felony criminal violation under any Federal law within 24 months preceding the MOU, unless a suspending and debarring official of the United States Department of Agriculture has considered suspension or debarment is not necessary to protect the interests of the Government. If PARTIES fail to comply with these provisions, the USFS will annul this MOU and may recover any funds PARTIES have expended in violation of sections 433 and 434.

2.6 No Federal Employees. PARTIES except BLM, USFS, and NPS agree that any of their employees, volunteers, and program participants shall not be deemed to be Federal employees for any purposes including Chapter 171 of Title 28, United States Code (Federal Tort Claims Act) and Chapter 81 of Title 5, United States Code (OWCP), as PARTIES hereby willingly agree to assume these responsibilities. PARTIES shall provide any necessary training to their employees, volunteers, and program participants to ensure that such personnel are capable of performing tasks to be completed. PARTIES shall also supervise and direct the work of their employees, volunteers, and participants performing under this MOU.

2.7 Eligible Workers. PARTIES shall ensure that all employees complete the 1-9 form to certify that they are eligible for lawful employment under the Immigration and Nationality Act (8 USC 1324a). PARTIES shall comply with regulations regarding certification and retention of the completed forms. These requirements also apply to any contract awarded under this MOU.

2.8 Nondiscrimination. PARTIES will not discriminate in programs and activities pursuant to this MOU on the basis of race, color, national origin, age, disability, sex, marital status, familial status, parental

status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program.

2.9 Access. PARTIES may be granted access to federal facilities and/or computer systems to accomplish work performed pursuant to this MOU, in accordance with individual agency policies and regulations. All PARTIES may be required to have individual background checks, complete mandatory security training, sign individual agreements, and sign applicable statements of responsibilities before being allowed access to networked federal computers and unescorted access to federal buildings. Notwithstanding the foregoing, nothing in this MOU requires any federal agency to grant any PARTY access to any federal facility or computer system; each federal PARTY shall decide, in accordance with individual agency policies and regulations, whether and under what conditions to grant such access.

2.10 Use for Government Property. To the extent the NPS, BLM and/or USFS furnish federal government property to other PARTIES for use related to this MOU, including but not limited to federal government vehicles, such PARTIES may only use such property for performing tasks assigned pursuant to this MOU. PARTIES shall not modify, cannibalize, or make alterations to such property. Property will be tracked in accordance with owner/agency policies. Each PARTY shall retain title to all of its furnished property.

2.11 Liability for Government Property. PARTIES shall take all reasonable actions necessary to protect property from further loss, damage, destruction, or theft. PARTIES shall separate the damaged and undamaged property and place all the affected property in the best possible order. PARTIES shall do nothing to prejudice a PARTY's rights to recover against third parties for any loss, damage, destruction, or theft of property. PARTIES shall not be liable for loss, damage, destruction, or theft of property furnished or acquired under this MOU, except when any one of the following applies:

a. The risk is covered by insurance or a PARTY is otherwise reimbursed (to the extent of such insurance or reimbursement).

b. The loss, damage, destruction, or theft is the result of willful misconduct or lack of good faith on the part of PARTY's managerial personnel. PARTY's managerial personnel, in this provision, means PARTY's directors, officers, managers, superintendents, or equivalent representatives who have supervision or direction of all or substantially all of PARTY's activities; all or substantially all of PARTY's operation at any one plant or separate location; or a separate and complete major industrial operation.

2.12 Particular Responsibilities of the ESCOG. The ESCOG will endeavor, upon approval and/or direction by its Board and the Boards of its four member agencies and with consideration of its available capacity, to leverage its position as a regional entity to pursue funding opportunities that may not be accessible to other PARTIES whose jurisdiction is limited to one specific national park, national forest, city, etc. ESCOG will also attempt to pursue funding opportunities that are related to the SREMP or any future programs that may be authorized by the ESCOG Board and all member agencies.

ATTACHMENT A

Signature Page for Parties

Town of Mammoth Lakes

By: _____

Name: Daneil C. Holler

Its: Town Manager

Date: _____

Point of Contact for Notices
Lawson Reif, Office of Outdoor Recreation Manager
Lreif@townofmammothlakes.ca.gov
760-923-8247
PO Box 1609
Mammoth Lakes, CA 93546

Agenda Item _____

File No. _____

AGENDA BILL

Subject: Councilmember Reports
Initiated by: Jamie Gray

BACKGROUND:
Each member of the Town Council is appointed to serve as a Town representative to a number of committees, commissions, and organizations. These groups meet infrequently and from time to time the representatives will report to the rest of the Council at a regularly scheduled meeting.

In addition, Councilmembers on occasion participate in meetings, conferences and seminars, and their reports on these educational opportunities are of benefit to the rest of the Council.

ANALYSIS/DISCUSSION:
California Government Code requirements pertaining to the open meeting act stipulate that all items for discussion must be listed on the agenda before the matter can be discussed and/or acted upon. To meet this requirement, and the intent of the Brown Act, Councilmember Reports are listed on each agenda to allow representatives to report to the rest of the Council at these meetings.

The following is a list of the commission/committees on which members of the Council serve:

Land Use:
Local Agency Formation Commission (LAFCO) – Rea, Rice, and Bubser as alternate
Airport Land Use Commission – Rea, Rice, and Bubser as the alternate
Mono County Collaborative Planning Team (CPT) – Community and Economic Development Director and Rice as alternate

Intergovernmental Relations:
Town and County Liaison Committee – Sauser, Bubser, and Town Manager and Rea as alternate
Desert Mountain Division of the League of California Cities – Sauser and Town Manager as alternate
Eastern Sierra Council of Governments (ESCOG) – Bubser, Wentworth, and Sauser as alternate
Great Basin Unified Air Pollution Control District – Wentworth and Bubser as alternate

League of California Cities City Voting Delegate – Sauser and the Town Manager as the alternate
California Joint Powers Insurance Authority Board – Rea and Assistant to the Town Manager as alternate

Transportation:
Local Transportation Commission (LTC) – Wentworth, Sauser, and Paul Chang; Town Manager as alternate
Eastern Sierra Transit Authority (ESTA) Board – Bubser and Sauser

Local Issues:
Mammoth Lakes Tourism (MLT) Board – Sauser
Mammoth Lakes Recreation (MLR) Board – Rea
Mammoth Lakes Housing (MLH) Board – Rice
Treasury Oversight Committee – Finance Director; Town Manager as alternate

LEGAL CONSIDERATIONS:
According to the California Open Meeting Act, commonly referred to as the Brown Act, the agenda must reflect every matter to be discussed by a governing body.

RECOMMENDATION(S):
This agenda bill is submitted for information only.