

**TOWN COUNCIL OF MAMMOTH LAKES**

**REGULAR MEETING**

**WEDNESDAY, JULY 1, 2009**

**COUNCIL CHAMBERS, SUITE Z**

**MINARET VILLAGE SHOPPING CENTER**

**6:00 p.m.**

**REGULAR MEETING**

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) 934-8989, ext. 227. 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 to the Town Council after distribution of the agenda packet are available for public inspection in the Town Clerk's Office at 437 Old Mammoth Road, Suite R during normal business hours. Such documents are also available on the Town of Mammoth Lakes website at [www.ci.mammoth-lakes.ca.us](http://www.ci.mammoth-lakes.ca.us) subject to staff's ability to post the documents before the meeting.

NOTE: All comments will be limited by the Mayor to a speaking time of five minutes. The meeting will be adjourned by 10:30 p.m. Any items remaining on the agenda at this time will be continued to another meeting.

**ROLL CALL:** Councilmembers Jo Bacon, John Eastman, Skip Harvey, Mayor Pro Tem Neil McCarroll, and Mayor Wendy Sugimura.

**PLEDGE OF ALLEGIANCE**

**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.

### **COUNCIL REORGANIZATION**

1. Selection of Mayor and Mayor Pro Tem.
2. Recognition of outgoing Mayor Wendy Sugimura.
3. Recap of Accomplishments – Wendy Sugimura.
4. Statement of goals – Neil McCarroll.

### **COUNCILMEMBER REPORTS/ADDITIONS TO THE AGENDA**

Informational reports from Councilmember representatives on committees, commissions and organizations; general reports on Councilmember activities. Opportunity to add urgency items pursuant to Government Code Section 54954.2(b)2, if necessary; and to remove items from consent for separate discussion.

### **PUBLIC HEARINGS**

5. Fiscal year 2009-10 State Community Development Block Grant allocation. (Continued from the meeting of June 3 and 17, 2009.)
6. Snowcreek Master Plan Update (Snowcreek VIII): Environmental Impact Report, Minor General Plan Amendment (GPA) 2009-01, and Zone Code Amendment (ZCA) 2006-04. This Project would update the 1981 Snowcreek Master Plan to include land uses, density, development standards for build out of the Snowcreek VIII site. Location: Approximately 237 acres in the southeast portion of town, including approximately 222 acres south of Old Mammoth Road and west of Sherwin Creek (APNs 40-070-10, 11, 12, 13, 23, 40-140-04, and 05) and approximately 15 acres north of Old Mammoth Road and west of Minaret Road (APN 40-160-02). Applicant: Snowcreek Investment Company, L.P. Staff contact: Jen Daugherty, Associate Planner, x260.

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 from those persons wishing to speak in support.  
Call for testimony from those persons wishing to speak in opposition.  
Call for general 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.

## **POLICY MATTERS**

7. Acceptance of North Village District Study. (Continued from the meetings of June 17 and 24, 2009.)
8. Capital facilities planning and funding.
9. Schedule interviews of applicants or make appointments to the Public Arts Commission.
10. Review of Town Council Agenda format.
11. Council appointments to commissions and committees.

## **STAFF PRESENTATIONS**

12. Mobility Plan Community Engagement.

## **CONSENT AGENDA**

Items on the consent agenda may be approved by a single motion and vote. Unless otherwise requested by a member of the Town Council, staff or public, there will be no separate discussion of these items. If separate discussion of an item is requested by the Council or staff, or if a member of the public requests to testify on an item, that item will be removed and considered separately after adoption of the remaining items on the consent agenda.

13. The minutes of the regular meeting of May 20, 2009.
14. The minutes of the regular meeting of June 3, 2009.
15. Resolution declaring its intention to order assessments for a previously approved benefit assessment district pursuant to the Benefit Assessment Act of 1982, preliminarily approving an Engineer's Report in connection with such district, and appointing a time and place for comment (public hearing) on the Engineer's Report for the North Village Benefit Assessment District No. 2002-02.
16. Resolution declaring its intention to order assessments for a previously approved benefit assessment district pursuant to the Benefit Assessment Act of 1982, preliminarily approving an Engineer's Report in connection with such district and appointing a time and a place for comment (public hearing) on the Engineer's Report fro Old Mammoth Road Benefit Assessment District No. 2002-01.

## **REGISTERS OF DEMANDS**

Pursuant to Resolution No. 94-14, the registers of demands are included on the agenda for the information of Council and the public. No Council action is required.

17. Register of Demands No. 09-49 in the amount of \$251,482.05.

## **CLOSED SESSION**

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

Property: APN 35-040-63

Negotiating Parties: Rob Clark, representing Town (prospective seller); Dave Wilbrecht, Chief Administrative Officer, representing Mono County (prospective buyer); and Gary Boyd, Administrator, representing Mammoth Hospital (prospective buyer).

Under Negotiation: Terms of purchase (price, payment terms).

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

Property: APN 37-200-49

Negotiating Parties: Rob Clark, representing Town (prospective buyer); Gene Duprea representing Waste Connections (prospective seller).

Under Negotiation: Terms of purchase (price, payment terms).

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

Property: Mammoth Firewood property

Negotiating Parties: Rob Clark, representing Town (prospective buyer); Dave Smith representing Mammoth Firewood (prospective seller).

Under Negotiation: Terms of purchase (price, payment terms).

Pursuant to Government Code Section 54956.9, subdivision (b), the Council will hold a conference with legal counsel with regard to one case of litigation (Mammoth Lakes Land Acquisition v. Town of Mammoth Lakes Case No. 15954).

Pursuant to Government Code Section 54956.9, subdivision (b), the Council will hold a conference with legal counsel with regard to three cases of threatened litigation.

## **ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION**

The Council will reconvene from closed session and announce any actions taken therein which are required to be disclosed.

## **ADJOURNMENT**

To a regular meeting to be held on Wednesday, July 15, 2009, at 6:00 p.m. in the Council Chambers/Suite Z, Old Mammoth Road.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted on the Town Offices bulletin board not less than 72 hours prior to the meeting. Dated this 25th day of June, 2009.

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Anita Hatter, Town Clerk