

MAMMOTH LAKES RECREATION (MLR) Board Meeting

MONDAY, March 16, 2015

5:00 p.m. (NOTE TIME)

Mammoth Lakes Tourism Conference Room 2520 Main Street, Mammoth Lakes, CA

NOTE: In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please call (760) 934-4932. Notification 48 hours prior to the meeting will enable MLR to make reasonable arrangements to ensure accessibility to this meeting. (28CFR 35.102-35.104 ADA Title II)

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

ROLL CALL

Board Members: Jo Bacon, Rich Boccia, Tom Johnson, David Page, Drea Perry, Teri Stehlik, Danna Stroud and Brent Truax

PUBLIC COMMENTS

ADMINISTRATIVE ITEMS

1. Approve Minutes of 2/23/15 Board meeting
2. Finance Report
3. Update from Town of Mammoth Lakes staff/contractors on recreation-related projects
4. Volcom Brothers Skate Park Project Review
 - a. Review, deliberate and consider approving funding recommendations for the Volcom Brothers Skate Park Complex Projects Reserve and Recreation Commission recommendation.
5. Report from MLTS Committee
 - a. Review final draft of MLTS Key Agreements – previously approved at 2/23/15 meeting, this draft includes edits suggested, and also review Town Council agenda information.
 - b. Review and consider approving a comment letter for the Inyo National Forest Lakes Basin project NEPA scoping process
6. Report from Reconciliation Committee
 - a. Review and consider approving a Draft Performance Report for Measure R & U funds for the 2015 Interim Funding Cycle awarded projects
7. MLR Board Recruitment
 - a. Re-appoint MLR Nomination Committee
8. Report from Communications Committee
 - a. Review and consider approving web-design and web-hosting proposals
9. Correspondence Received
 - a. Communication from Mark Deeds

10. MLR Committee Reports
 - a. Development Committee
 - b. Strategy Committee
 - c. Allocations Committee
 - d. Performing Arts Center Ad Hoc
11. MLR Board Member Reports

CLOSED SESSION

1. ED Recruitment Ad Hoc Committee regarding ED candidate search

REQUEST FOR FUTURE AGENDA ITEMS

ADJOURNMENT

To the next meeting of the MLR Board, Monday, April 13, 2015 at 5:00 p.m. (NOTE TIME)

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted on the Mammoth Lakes Tourism outside door not less than 72 hours prior to the meeting. Dated this 13th Day of March, 2015.

Tom Johnson, MLR Secretary

Minutes of Mammoth Lakes Recreation Board Meeting

Monday, February 23, 2015

ROLL CALL

President Stroud called the meeting to order at 1:00 pm at the Mammoth Lakes Library 400 Sierra Park Road, Mammoth Lakes, CA. Present Jo Bacon, Tom Johnson, David Page, Drea Perry (by phone), Teri Stehlik, Danna Stroud and Brent Truax. Absent: Rich Boccia.

PUBLIC COMMENTS

None.

ADMINISTRATIVE ITEMS

1. Approve Minutes of 1/28/15, 2/6/15 and 2/9/15 Board meetings

All minutes approved as written (M Stehlik / S Page C 6-0).

2. Update from Town of Mammoth Lakes staff/contractors on recreation-related projects
 - a. Lakes Basin Projects NEPA Scoping Process

Dan Holler reviewed the process on the Sarbanes Grant NEPA. He noted that the FLAP Grant for work around Lake George was submitted using a one-year special use permit from USFS that does not require maintenance if USFS cannot provide funding.

3. Report out from 2/18/15 Town Council meeting and MLR Funding Recommendations
 - a. Assign follow-up with Complex/Capital projects

Assignments made:

Volcom Brothers Skate Park – Teri

MUF Roof – Drea

MACC – Performing Arts Committee

Shane's Inspiration – Danna and Teri

Those not funded – Teri will follow up with each applicant.

- b. Consider Special Event funding next steps

After discussion, it was agreed that the next steps did not require an immediate response, and that the discussion would fold into the upcoming Strategy work. Included in this would be potential options for special events funding and determining the role of MLR.

- c. Process for TOML to draft and distribute contracts for funded projects – MLR role?

The Reconciliation Committee will work on a revised Measure U Performance Report, which would be included in the TOML contracts. Will be presented to MLR Board for approval at 3/16 meeting. It was also noted that Teri is working with Dan to make sure that those awards amended by Town Council are correctly calculated. Finally, as this process moves forward, Town staff will come back to MLR with any questions on how to implement the matching awards provisions.

4. Report from Communications Committee
 - a. Approve adding Lara Kaylor, Mammoth Lakes Tourism, to MLR Communications Committee

Invitation approved (M Bacon / S Johnson C 7-0).

- b. Review and consider approving recommendation for website development/hosting

The Communications Committee will obtain bids and make recommendations at the 3/16 meeting.

5. Report from MLTS Committee

- a. Review outline of MLTS organizational structure

- b. Review and consider approving proposed MLTS Key Agreements and consider recommending to

Town Council for approval

- c. Review and consider approving a recommendation to Town Council to direct previous MLTSCC funding allocation to MLTS Committee for oversight
- d. Review and consider approving the job description for the proposed Trails Coordinator position

Items a thru d were discussed as one topic. After discussion, MLR recommended the proposed MLTS Key Agreements, as amended, to Town Council for approval (M Bacon / S Page C 7-0). It was noted that this would hopefully appear on the March 18 Town Council agenda.

Further, by consensus, the duties document would be reformulated as a recommended contract scope by the new committee and the MLTPA job description would be considered an informational document.

- e. Review and consider approving a recommendation to Town Council to accept the Lakes Basin Special Study (LABSS) Preliminary Management Concepts and Executive Summary as reference and informational documents for future Lakes Basin projects

Recommendation as reference and information documents approved (M Page / S Stroud C 6-0, with Truax abstaining).

6. Finance Report

Jo reviewed the reports and noted that the monthly invoices to the Town would be for a zero amount until the balance of funds held by MLR is closer to the carryover amount allowed in the contract (\$30,000).

7. MLR Board Member Reports

Jo noted that Devils Postpile has made their decision and selected the Preferred Alternative for their General Management Plan. This letter will be posted online, with the comment letter MLR previously submitted.

CLOSED SESSION

- 1. Report from ED Recruitment Ad Hoc Committee regarding ED candidate search

The Board returned from Closed Session and noted there was no reportable action.

ADJOURNMENT

There being no further business to come before the Board of Directors, the meeting was adjourned at 4:11 pm.

Dated: _____.

Secretary

MLR Budget to Actuals
as of February 28, 2015

			Jul '14 - Feb 15	Budget	% of Budget
Ordinary Income/Expense					
	Income				
	Direct Public Support				
		Corporate Contributions	0.00	5,000.00	0.0%
		Individ, Business Contributions	2,161.24	5,000.00	43.23%
		Total Direct Public Support	2,161.24	10,000.00	21.61%
		Government Grants	115,000.00	215,000.00	53.49%
		Total Income	117,161.24	225,000.00	52.07%
	Expense				
	Business Expenses				
		Filing Fees	926.00	1,000.00	92.6%
		Total Business Expenses	926.00	1,000.00	92.6%
	Contract Services				
		Accounting Fees	602.15	4,000.00	15.05%
		Legal Fees	0.00	2,500.00	0.0%
		MLR Website Develop./Maint.	0.00	10,000.00	0.0%
		Graphic Design	0.00	5,000.00	0.0%
		Total Contract Services	602.15	21,500.00	2.8%
	Office				
		Office Supplies	240.52	600.00	40.09%
		Postage	86.41	500.00	17.28%
		Photocopying	0.00	250.00	0.0%
		Printing	507.25	1,000.00	50.73%
		Rent/Utilities	100.00	1,300.00	7.69%
		Telecommunications	0.00	800.00	0.0%
		Computer Hardware/Software	0.00	2,500.00	0.0%
		Total Office	934.18	6,950.00	13.44%
	Insurance				
		D&O Insurance	832.00	1,000.00	83.2%
		Liability Insurance	959.00	832.00	115.26%
		Worker's Compensation	1,157.75	8,000.00	14.47%
		Total Insurance	2,948.75	9,832.00	29.99%

MLR Budget to Actuals
as of February 28, 2015

		Payroll Expenses			
		Salaries	0.00	112,500.00	0.0%
		Benefits	0.00	10,125.00	0.0%
		Payroll Taxes	0.00	9,000.00	0.0%
		Total Payroll Expenses	0.00	131,625.00	0.0%
		Travel Expenses	0.00	500.00	0.0%
		Contingency	0.00	28,593.00	0.0%
		Reserve	0.00	25,000.00	0.0%
		Total Expense	5,411.08	225,000.00	2.41%
		Net Ordinary Income	111,750.16	0.00	100.0%
		Other Income/Expense			
		Other Income			
		Fundraising Campaigns	59.56		
		Total Other Income	59.56		
		Net Other Income	59.56		
		Net Income	111,809.72	0.00	100.0%

Mammoth Lakes Recreation	
Report of Expenditures - February 2015	
Income	
\$75,000.00	Balance Forward
\$25,000.00	February 2015 Contract Payment
\$100,000.00	Total Revenues
Expenditures	
\$2,583.15	Balance Forward
\$1,157.75	Worker's Comp Premium
\$176.80	Accounting Fees January
\$3,917.70	Total Expenditures
\$96,082.30	Balance Available

Mammoth Lakes Town Council Agenda Action Sheet

Council Meeting Date: March 18, 2015

Date Prepared: March 9, 2015

Prepared by: Grady Dutton, Public Works Director
Stuart Brown, Recreation Manager

Title: Completion of Volcom Brothers Skate Park

Agenda: Policy

Recommended Motion: Approve Release of Reserved Measure R Funding for Completion of that portion of Trails End Park described in Measure R Interim Funding Cycle Application as the Volcom Brothers Skate Park.

Background Information: On February 18, 2015, Town Council received recommendations from Mammoth Lakes Recreation (MLR) regarding Measure R Interim Funding Cycle allocations. On March 4, Town Council adopted a Resolution that included, among other items, Item 4.A, that directed the Town Manager to include a capital reserve in the amount of \$60,300 for potential use of Volcom Brothers Skate Park.

On March 3, 2015, the attached Staff Report was presented to the Recreation Commission, including the MLR Representative on the Commission. The intent was to respond to questions regarding the detailed description of the project and the relationship between the proposed JLA Project, the proposed Measure R Skate Park Completion project, and the remainder of Trails End Park. Staff presented the project and additional information regarding the overall Trails End Park Master Plan and other potential future improvements. The MLR Representative offered that it appeared staff had answered the outstanding questions and that MLR would consider the issue in its meeting of March 16.

Funds Available: Y

Account #: Measure R

Reviewed by: _____ Town Manager

**RECREATION COMMISSION
STAFF REPORT**

Subject: Completion of Trails End Park and the Volcom Brothers Skate Park

Initiated by: Recreation Commission

Written by: Stuart Brown, Recreation Manager
Grady Dutton, Public Works Director

BACKGROUND:

In July 2004, Town Council selected Trails End Park as the preferred site for the Volcom Brothers Skate Park facility. Later in September of 2004 Town Council authorized construction of the facility by the sponsors, JLA Project and Mammoth Lakes Foundation, provided that the Town would accept and operate the facility. The facility was accepted by Town Council in November of 2005. Concurrently, the Town completed Phase I improvements that included: construction of a restroom and paved parking lot, installation of utilities, bike path realignment, and the Meridian Boulevard turn lane using DIF funds. In summary, the Skate Park was provided by donors and the Town provided the necessary infrastructure in support of the community park.

Over time, additional work has been completed including the dome, the donor plaza area in front of the skate park, landscaping, and the Trails End Park playground. In 2013 the JLA Project, an incorporated 501(c)3, raised sufficient funds and donations to construct the Little Brothers Skate Park. For this addition, the JLA Project did not request any funds from the Town except waiver of the grading permit fee and the requirement to provide a Performance Bond.

The Town and the JLA Project have been partners in the design, construction, and maintenance of this facility for ten years. Town staff has now been approached by the JLA Project with a proposal to complete the Volcom Brothers Skate Park portion of Trails End Park. It should be noted the improvements proposed by the JLA Project and the infrastructure that would support the completion are consistent with previously approved conceptual plans. Once this portion is complete, the Volcom Brothers Skate Park will be deemed complete. Future improvements within Trails End Park not directly related to the Volcom Brothers still exist and are the responsibility of the Town.

Ongoing maintenance expenses specifically for the Volcom Brothers Skate Park (including Little Brothers) are provided by the JLA Project for the facility.

Trails End Park is comprised of two distinct areas, the northeast portion, Volcom Brothers Skate Park and appurtenances, and the south and west portions, the remaining Master Planned portion of the Park. Planned final improvements to the Skate Park can be further broken down into improvements proposed for construction by the Town and those to be constructed by JLA.

These two areas are contiguous and share certain amenities such as access, parking, and the perimeter trail. While they are certainly complementary, they are by no means dependent on each other.

An application for the Measure R 2013 Fall Award was submitted for completion of the park and is described in the following section.

On January 6, 2015, the Recreation Commission directed staff to submit an application to Mammoth Lakes Recreation (MLR) for the 2015 Interim Funding Cycle in the amount of \$60,300.00 for infrastructure that would support the completion of the improvements proposed and funded by the JLA Project.

On February 9, 2015, MLR identified the project as “complex” because of questions regarding landscaping and how the project fits in to the overall park design, and voted unanimously to recommend placing the funds in reserve until these issues could be resolved.

On February 18, 2015, Town Council, during the item on Measure R funding allocations, upheld the MLR recommendation and directed MLR to have a representative discuss the proposed project with the Recreation Commission. That representative would then take the item back to MLR for discussion with the intent of returning a final recommendation to Town Council as soon as practicable.

ANALYSIS/DISCUSSION:

As described, Trails End Park is comprised of two distinct areas. There exist a variety of approaches to completing the park. Following are separate descriptions of the current proposal, including JLA and Town portions, the Measure R 2013 Fall Award Application, and a proposed alternative.

Volcom Brothers Skate Park:

A. JLA Foundation Scope: JLA Foundation is proposing to fund, design, and construct the following improvements:

- Three concrete picnic tables w/ benches \$9,000
- Pavers and Plaza, north side \$17,500

- Trees and Shrubs Buffer north w/ irrigation \$8,500
- Park perimeter – cut rock face or stucco \$15,000
- Landscape around donor plaza at Little B/S \$5,000

Estimated cost of these donated enhancements: \$55,000

B. Suggested Town Scope: In support of the JLA Scope, it is suggested the Town participate in the funding, design, and construction of the following improvements:

- Northeast Portion Perimeter Path \$50,300
- Irrigation control/wires for new landscape \$10,000

Estimated cost of suggested Town improvements: \$60,300

Total Proposed Project: \$115,300

Upon approval, this project can be constructed in June and July of 2015. The proposed enhancements, focused solely on the Skate Park, would complete the Volcom Brothers Skate Park and are leveraged 1:1 by the JLA Project. Maintenance of the facility is currently provided by the Town and funded by the JLA Project.

Should the Town not fund those improvements noted above, JLA Project will be unable to complete their proposed improvements. They would need to scale back their work to significantly reduce the pavers and plaza on the north side, eliminate the trees and shrubs buffer, and reduce the park perimeter cut rock face or stucco. This is due to the fact that should the Town not fund the Town’s improvements described above there would exist limited opportunities to tie the Skate Park edge into the perimeter path and there would be no irrigation to support the landscape buffer.

It should be noted it is recommended the irrigation work be completed with this project. It is also understood JLA Project will need to work with MCWD to obtain approval of the landscape buffer.

JLA has stated on several occasions their intent is to complete their work (except for ongoing maintenance) this summer to whatever extent is feasible. JLA has stated if the Town’s work is not approved or is delayed, they will complete what they can and will not return with future capital improvements. JLA remains committed to ongoing maintenance.

Upon approval, the final design would be pursued immediately for construction in June and July 2015.

Future Improvements within Trails End Park:

Other Master Planned improvements not directly related to the Volcom Brothers Skate Park still exist and are the responsibility of the Town. Previous plans for the remaining area include:

- C. Trails End Park Master Plan: In the Measure R 2013 Fall Award Application, a number of improvements were proposed, most of which are shown on the Master Plan:

Part 1 – Turf*

• 3,300 square feet of synthetic turf area	\$75,000
• Other landscape	\$7,500
• Drip irrigation extension	
\$2,500	
• Plans, specifications, estimates, etc.	\$5,000
• Subtotal turf portion	\$90,000

Part 2 – Park Completion**

• Perimeter Trail	\$120,000
• Climbing and Rope Feature	\$35,000
• Pavilion	\$90,000
• Par Course Area	\$7,500
• Shade Structures	\$90,000
• Benches, picnic tables	\$25,000
• Plans, specifications, estimates, etc.	\$20,000
• Contingency	\$12,500
• Subtotal park completion	\$400,000

Total Parts 1 and 2: \$490,000

*The Turf project was funded in the amount of \$52,500. Staff was to work with MCWD for matching funds for this synthetic turf. MCWD declined to participate and this amount was returned to Measure R. At the November 5, 2014 Town Council meeting, Town Council directed the Recreation Commission and MLR to work together to prioritize the larger list of items to be installed as part of “completing” Trails End Park.

**\$200,000 was set aside to match a State Park Grant that was being pursued. The Town did not receive the grant.

- D. Suggested Town scope for next Measure R funding cycle: As an alternative to the improvements listed in C. above, the following improvements have been discussed and are offered for consideration as a possible project for the next full Measure R funding cycle. These improvements would enhance the park as a whole and, due to their proposed location, would also enhance the skate park portion of the

park. These improvements and the skate park are not, however, dependent on each other:

Estimated cost of additional improvements: \$145,500

In summary, Trails End Park is heavily utilized year-round and is a core recreation asset that speaks to the Mammoth brand. The park also hosts the annual Wave Rave/Volcom Skate board competition in August every year, bringing hundreds of skaters to the area, along with the considerable exposure, online and print. In addition to their current offer to construct additional facilities and their ongoing maintenance commitment, JLA Foundation has indicated they are aware of a willingness by Volcom to continue their support, including possible future enhancements such as a monument sign on Meridian Boulevard.

RECOMMENDATIONS:

Town staff recommends the following:

- A. Reaffirm Recreation Commission support of the proposed project Measure R Interim Funding Cycle Application in the amount of \$60,300 and consider preparation of a letter from the Recreation Commission Chair to MLR outlining the reasons for that support.
- B. Identify preferred future improvements for completing Trails End Park to be included in the forthcoming strategy discussion with MLR and potential application to the Fall Funding Cycle.



TRAILS END PARK MAMMOTH LAKES, CA
 TOWN OF MAMMOTH LAKES

ILLUSTRATIVE PARK PLAN

Volcom Brothers Skatepark Completion

2015 MLR Interim Funding Award

JLA Project Funded

3 Concrete picnic tables/benches	\$	9,000.00
Pavers and Plaza (north side)	\$	17,500.00
Trees and shrubs (buffer north side)	\$	8,500.00
Park Perimeter (stucco/finish)	\$	15,000.00
Landscape (donor plaza/Little Bros)	\$	5,000.00
	\$	55,000.00

Town Funded (Measure R)

Perimeter Trail (revised) - 1,200 ft.	\$	50,300.00
Irrigation for trees on bank	\$	10,000.00
	\$	60,300.00

This represents the amount to complete the Volcom Brothers Skatepark **\$ 115,300.00**

Trails End Park Completion

2013 Fall Award Application

Part 1 - Turf*

3,300 sq. foot turf area	\$	75,000.00
Other landscape	\$	7,500.00
Drip irrigation extension	\$	2,500.00
Plans, specs, estimates, etc.	\$	5,000.00
	\$	90,000.00

Blue Grass & Irrigation \$ (50,000.00)

Part 2 - Park Completion**

Perimeter trail (1/4 mile loop)	\$	120,000.00
Climbing and Rope feature	\$	35,000.00
Pavilion	\$	90,000.00
Par Course Area	\$	7,500.00
Shade Structures	\$	90,000.00
Benches, picnic tables,	\$	25,000.00
Plans, specs, estimates, etc.	\$	20,000.00
Contigency	\$	12,500.00
	\$	400,000.00

Total Project Cost \$ 490,000.00

* This project was funded \$52,500 with a recommendation for staff to work with the MCWD on partnering with the Town on matching Measure R funds for the installation of synthetic turf. If there is no MCWD match, then natural turf and shrubs, irrigation, and plans, etc., will be installed at \$40,000. At the direction of Town Council all funds were recently returned to Measure R.

** \$200,000 was set aside to match a State Park Grant to fund the completion of the park. The grant was not awarded to the Town.

Town Recommendations

Future Measure R Award Cycle

Proposed Completion Projects

3,300 sq. foot medium bark mulch*	\$	18,500.00
Pavilion	\$	90,000.00
Benches, picnic tables	\$	25,000.00
Plans, specs, estimates, etc.	\$	5,000.00
Contigency	\$	7,000.00
	\$	145,500.00

*370 sq. yd \$ 50.00

This represents the amount to complete Trails End Park **\$ 145,500.00**

Mammoth Lakes Recreation
Draft Key Agreements for Mammoth Lakes Trail System Coordination
March 18, 2015

WHEREAS: In October 2014, the Town of Mammoth Lakes executed a services agreement with Mammoth Lakes Recreation (MLR). The scope of services and MLR deliverables for fiscal year 2014-15 established, among other things: (1) MLR's responsibility to serve as the lead organization for strategy, funding, coordination and implementation of existing and future projects for the Mammoth Lakes Trail System (MLTS); and (2) MLR's responsibility to develop partnerships both within and outside the community to enhance arts & culture and recreation in Mammoth Lakes.

WHEREAS: In order to expedite its scope of work with regard to MLTS projects and deliverables, MLR recognizes the need to utilize specific outside capacity and resources within appropriate partner organizations.

WHEREAS: One such identified partner organization is the non-profit Mammoth Lakes Trails & Public Access Foundation (MLTPA), whose legal mission is to "advocate for, initiate, facilitate, and participate in the planning, implementation, management, and stewardship of a four-season trail system in Mammoth Lakes and the immediate Eastern Sierra."

WHEREAS: MLTPA has exhibited ongoing leadership, expertise and material commitment related to the implementation of the Town's adopted Trail System Master Plan, has provided key planning, convening, facilitation, implementation, and funding for other MLTS projects under previous contracts with the Town, and is currently under a contract with the Town to oversee the MLTS website.

WHEREAS: The Town of Mammoth Lakes has approved an ongoing allocation of \$300,000 over a 5-year period starting in the Town's fiscal year 2012/2013 in support of the MLTS.

MLR, having worked in collaboration with the Town Manager, the Town's Public Works Director and the MLTPA Board of Directors, recommends to the Town Council a contractual agreement on an annual basis between the Town of Mammoth Lakes and MLTPA to provide Trail Coordination services including the hiring of a Trails Coordinator, and to work at the specific direction of the Mammoth Trails oversight committee identified in Key Agreement #2 which will be accountable to MLR and which will oversee, coordinate and manage implementation of MLTS projects using the annual allocation of Measure R funds to the MLTS as recommended by MLR and as approved by the Town Council. As part of a framework for oversight of a Trails Coordination Program for the MLTS, MLR proposes the approval of the following four key agreements:

MLTS TRAILS COORDINATION KEY AGREEMENTS

#1 Statement of Shared Values

To ensure the effective, efficient and timely implementation of the Town of Mammoth Lakes' component of the Mammoth Lakes Trails System, as defined by the Town's adopted Trail System Master Plan, the MLTS program will be coordinated at a central point which will be accountable for MLTS Program outcomes.

#2 MLTS Central Point Oversight and Policy Structure

An effective central point for MLTS coordination and project implementation will include a governance body providing oversight and policy recommendations and expanded capacity for the regular and ongoing operations of the Town's component of the MLTS. For the purposes of these key agreements, it is proposed that this body be an MLR committee called the Mammoth Trails Committee. This committee would replace the current MLR MLTS committee and receive primary staff support from the proposed Trails Coordinator position. It is recommended that the committee be comprised, at least in its initial phase, of the following members:

- 2 members of the MLR Board of Directors
- 2 members of the MLTPA Board of Directors
- The Town Manager or designee

A conceptual diagram outlining the reporting relationship between all pertinent partners is attached for review. By this structure MLR assigns primary coordination and oversight responsibilities of MLTS to the Mammoth Trails Committee. The Mammoth Trails Committee will report regularly to the MLR board, and will also, on an annual basis, recommend programs, projects, strategy and funding to the MLR Board of Directors, which will, in turn, make its recommendations to the Town Council.

#3 MLTS Scope of Tasks

To maintain momentum for implementing MLTS projects, it is recommended that identified members of the above proposed Mammoth Trails Committee begin an immediate review of the scope of tasks outlined in the MLTS Program and Project list that is being reconciled by representatives of MLTPA, MLR and the Town. This review is intended to identify existing capacity and capabilities within the partnership (MLR, TOML, MLTPA) for timely and efficient implementation of existing projects and to inform the final contract scope of work between TOML and MLTPA. The review is also intended to begin to outline roles and responsibilities for the partners related to their capacities to deliver identified projects.

#4 Trails Coordination Funding and Scope of Contract

The Town will enter into a Contract with MLTPA to provide and consolidate existing contract services including a Trails Coordinator who will staff the proposed Mammoth Trails Committee and coordinate the implementation of the Town's components of the MLTS Program and Project list. Funding for this Contract will come from the currently allocated budget for MLTS programs and projects, identified as Support to MLTSCC in

the Town's FY 14-15 budget. It is presumed that adequate funding will be recommended in the FY15-16 budget. To the extent that a scope of work extends beyond Measure R limits, other funding sources will be needed to support such work.

The specific details of the scope of work and the contracting structure between the Town, MLR and MLTPA will be set out by the Town Manager in consultation with the Mammoth Trails Committee for final approval and recommendation by MLR and will be designed to maximize efficient and effective implementation of the MLTS program and the ability to leverage public funds. MLTPA warrants that it shall have all necessary capacity to deliver according to the terms of Contract and will commit its own resources to recruit a suitable Trails Coordinator.

Contract terms, deliverables, scope of work and general partnership structure will be evaluated and approved on an annual basis by the MLR Board of Directors.

Mammoth Lakes Town Council Agenda Action Sheet

Council Meeting Date: March 18, 2015 **Date Prepared:** March 11, 2015

Prepared by: Daniel C. Holler, Town Manager

Title: Mammoth Lakes Recreation (MLR) Key Agreements for Implementation of Mammoth Lakes Trail System (MLTS) Coordination

Agenda: Policy

Recommended Motion: Accept the Key Agreements as provided by the MLR Board related to the implementation of Mammoth Lakes Trail System Coordination Work Program and Authorize the Town Manager to draft and execute a contract with MLTPA for the MLTS Coordination Services as outlined and defined in the Key Agreements

Background Information: Mammoth Lakes Recreation has been working through a number of processes to implement and meet the contractual deliverables in their agreement with the Town. This includes, “Collaborate with the Town and partners on providing recommendations to Town Council for the continuation, prioritization, implementation, and design of programs and services to support the Mammoth Lakes Trail System and the leveraging of the annual \$300,000 allocation for the MLTS committed through FY 16-17.” The MLR Board is recommending that this be implemented in-line with the attached “Key Agreements” document, which was presented to MLR on February 23, 2015. The proposed document is attached and will be presented one more time to the MLR Board on March 16. The proposal keeps MLR in a strong oversight and policy role with a focus on funding allocation recommendations and review of on-the ground results. MLR has formed a Trails Committee, which includes two members from MLTPA and one Town member. The committee will provide the linkage to the full MLR Board. As the implementation is proposed through contractual services, the Town will be in the position to negotiate the contract and manage payments. Similar to the allocations for community programs under Measure U. The current funding is based on Council’s approval and commitment of \$1.5 million in Measure R funds over a five year period. While MLR will provide work program oversight, the specific project details will be implemented at the staff level, with appropriate contracts coming to Council when required. The proposed structure is designed to allow a smaller group (i.e. MLTS Committee) to focus on implementation of policy direction, to allow a focus on larger capital projects, funding and to complete their strategic direction work and recommendations. A number of MLTS related work will need to be moved forward soon for this summer and the proposed structure will facilitate the work program. MLR members will be available at the Council meeting to provided additional information.

Funds Available: N/A

Account #:

____ Town Manager

DRAFT Measure R/U Performance Report

<i>Applicant Information</i>		<i>Project Information</i>	
Organization		Project Name	
Contact Person		Report Date	
Phone		Start Date	
Email		End Date	
Address		Project Summary:	
City, State, Zip			
Partners/Sponsors for Project:			

Amount Awarded:

Project Results:

Amount Expended by category:

Total Expended:

Please provide original Budget as submitted and the P&L Detail showing actual revenues and expenses for this project.

1. If your award included matching funds for new sponsors, please list them and amount received:

2. If your award required completion of the Event Survey, please summarize your survey results:

Number of Attendees Locals: _____ Visitors: _____

Number of Surveys Completed _____

Number who stated they will likely attend in the future and why:

3. How were volunteer hours used for this project (total hours and types of services performed)?

4. Describe how your project is providing a measurable community benefit to the residents and visitors of Mammoth Lakes. Include the long-term benefit and economic impact.

Contact us at info@mammothlakesrecreation.org with any questions.

From: Mark Deeds [mailto:mdeeds93546@gmail.com]
Sent: Monday, February 23, 2015 12:26 PM
To: tjohnson@mammothlakesrecreation.org
Subject: Request to include my comments in todays meeting

Hi Tom,

Sorry f I cannot attend todays meeting. Can you please include my comments for the agenda item referenced below? Thank you.

I cannot speak for all special event producers but I have not and will not be able to actively participate and attend these meetings due to employment commitments. I am a 45+ hour week “employee” and a 20-30+ hour a week “employer.”

Agenda item; Consider Special Event funding next steps

1. Start the dialogue of accepting that special event funding is permissible under Measure U. At the very least, don’t rule it out. The Town attorney could not definitively rule it out. Neither should you.

Until and unless the Town Attorney can definitively direct MLR, Council and Staff that special event allocation is illegal, then cease placing most of your efforts into displacing special events, forcing them to find another funding mechanism and open the dialogue to include what you heard strongly opined at Town Council. Broaden this discussion

While the Town Attorney and Town Manager urged MLR to use caution in the interpretation of the language and subsequent recommendations for funding, the attorney did not / could not definitively rule out Measure U as a funding source for special event projects. In determining whether or not (special event) funding is legal an applicant would have to demonstrate 2 things; 1. that the allocation ultimately served a public purpose and as a public benefit and 2. that it (application) is consistent with the Measure U language. While this (intent) question clearly remains unresolved you heard from 4 active members of this community that voted for Measure U because they understood the language of the Measure supported (and definitely did not preclude) special event project support.

- Special events are a form of recreation and qualify under the “Recreation” component of the measure. A special event is a project and qualify under the “Project” component. Multiple summer special events constitute a summer program and qualify under the “Programming” component. The language and intent of the measure is understood by reasonable people differently.

- Special events provide numerous public benefits and are substantiated by 30 plus references in the Towns guiding documents and third party studies.

The MLR interim allocation committee, Council and staff heard from just a handful of active members of the community. The message was, “I voted for Measure U with the

understanding that special event project funding support would be included.” These are regular people that understood the language and voted for Measure U with the understanding that special events would receive support. I am clearly not an attorney and do not know the precedent, but it is my understanding when there is a situation where a gray area may exist in the interpretation of language, instructions, rules, or when determining ones intent (in this measure), then a degree of reasonableness is applied. Is it reasonable to believe that one would vote (for this measure) for different reasons and to understand and interpret the language differently? If it can be concluded that this is possible, then this discussion needs to be furthered and NOT pivoted away. At Council this was made abundantly clear, that people voted for this Measure for different reasons. As a committee you are compelled to measure a persons reasonable understanding and interpretation of the Measure U language. I personally resent the implications and continued reference that I/we “special events” are trying to “Shoehorn” or “cram” special event funding into U. There are more than just the handful of people who spoke in support of Measure U funding and are with the unwavering belief that Measure U IS the funding source for qualified applicants.

The final answer to this question cannot be concluded by this committee or Council and could not be concluded by the Town attorney. No longer can you ignore the fact and close your ears to the voters. You have an obligation to represent all voters interpretation and understanding of the Measure.

Barring a town wide referendum I don't think it reasonable to continue disputing the fact that voters voted for the measure for different reasons. You have people like me that will put their hands on a bible and swear they voted for this Measure with the understanding that special event projects qualify for support with the passage. Further understand that had the language clearly stated that special events would not receive funding then this measure WOULD NOT have passed.

I am clear on the desire to reserve money for capital projects like a roof for a skating rink and a performing arts center. I understand the importance of leveraging money and creating a strategic plan to accomplish some of the Towns goals, BUT Not at the expense of special event support.

To conclude or to imply that special events are less deserving of funding consideration because the word “Events” is not included in the Measure U language is pre-mature. Failure to adequately take into consideration the voters prospective and reasonable interpretation of Measure U intent and language will be a disservice to your constituents, event producers and all who benefit from theme and primarily the Town of Mammoth Lakes.

I will not actively engage in any discussion that involves alternative funding sources for Measure U until this committee acknowledges merit in what I have attempted to convey above. When the song stops special events are not going to be left without a chair. Special event projects have and will continue to have a chair at the Measure U table. The hundreds of hours of hard work put in by committed members of this community earlier on this process needs to be continued. The groundwork exists and a very detailed application and project filter checklist has already been established.

The position of caution you are taking in opposition to special event funding is in part being guided by the Town Attorney and Town Manager. You have a duty and obligation to listen to those that have spoken and are of a differing option than yours.

Thank you very much,

Mark Deeds

(please excuse grammatical and spelling)

Mark Deeds

C. 760-709-6459