

Agenda



County of Inyo Board of Supervisors

Board of Supervisors Room
County Administrative Center
224 North Edwards
Independence, California

All members of the public are encouraged to participate in the discussion of any items on the Agenda. Anyone wishing to speak, please obtain a card from the Board Clerk and indicate each item you would like to discuss. Return the completed card to the Board Clerk before the Board considers the item (s) upon which you wish to speak. You will be allowed to speak about each item before the Board takes action on it.

Any member of the public may also make comments during the scheduled "Public Comment" period on this agenda concerning any subject related to the Board of Supervisors or County Government. No card needs to be submitted in order to speak during the "Public Comment" period.

Public Notices: (1) In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (760) 878-0373. (28 CFR 35.102-35.104 ADA Title II). Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Clerk of the Board 72 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format. (Government Code Section 54954.2). (2) If a writing, that is a public record relating to an agenda item for an open session of a regular meeting of the Board of Supervisors, is distributed less than 72 hours prior to the meeting, the writing shall be available for public inspection at the Office of the Clerk of the Board of Supervisors, 224 N. Edwards, Independence, California and is available per Government Code § 54957.5(b)(1).

Note: Historically the Board does break for lunch; the timing of a lunch break is made at the discretion of the Chairperson and at the Board's convenience.

November 21, 2017

PLEASE NOTE LATER START TIME OF 9:30 A.M.

9:30 a.m. 1. **PUBLIC COMMENT**

CLOSED SESSION

2. **CONFERENCE WITH LABOR NEGOTIATORS [Pursuant to Government Code §54957.6]** – Employee organizations: Deputy Sheriff's Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); IHSS Workers; Law Enforcement Administrators' Association (LEAA). Unrepresented employees: all. Agency designated representatives: County Administrative Officer Kevin Carunchio, Assistant County Administrator Rick Benson, Deputy Personnel Director Sue Dishion, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.

OPEN SESSION (With the exception of timed items, all open-session items may be considered at any time and in any order during the meeting in the Board's discretion.)

10:00 a.m. **PLEDGE OF ALLEGIANCE**

3. **REPORT ON CLOSED SESSION**
4. **PUBLIC COMMENT**
5. **COUNTY DEPARTMENT REPORTS** (Reports limited to two minutes)

CONSENT AGENDA (Approval recommended by the County Administrator)

CLERK-RECORDER-REGISTRAR OF VOTERS

6. Request Board issue an order accepting the Statement of All Votes Cast at the UDEL Election held November 7, 2017 and declare elected those offices under its jurisdiction for this election, according to the number of votes for each as shown on the Statement of All Votes Cast.

COUNTY ADMINISTRATOR

7. **Parks & Recreation** – Request Board approve a resolution titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Authorizing the Acceptance of the State of California, Department of Parks and Recreation, Division of Boating and Waterways Grant and Authorizing the County Administrator to Sign Grant Related Documents."

8. **Personnel** – Request Board approve the agreement between the County of Inyo and The Prothman Company for the provision of executive recruitment services, in an amount not to exceed \$30,000, and authorize the County Administrator to sign.

DEPARTMENTAL (To be considered at the Board's convenience)

9. **WATER DEPARTMENT** – Request Board approve the 2016-2017 LORP Annual Accounting Report.
10. **PUBLIC WORKS** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Office Technician I or II position exists within various Public Works Department budgets, as certified by the Public Works Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an external recruitment would be more appropriate to ensure qualified applicants apply; and C) authorize the hiring of one (1) Office Technician I-II at Range 55 (\$3,150 - \$3,830) to Range 59 (\$3,457 - \$4,201), depending on qualifications.
11. **COUNTY ADMINISTRATOR/COUNTY COUNSEL** – Request your Board consider First Amendment to Lease Agreement by and between the County of Inyo and the Judicial Council of California for County Property to be Used for Construction and Operation of the New Independence Courthouse and, if approved (*4/5ths vote required*), authorize the Chairperson to sign contingent on all appropriate signatures being obtained.
12. **COUNTY ADMINISTRATOR – Personnel** – Request Board authorize possibly filling a vacant Auditor/Appraiser I or II position (Range 70-72) with a Real Property Appraiser I/II/III position (Range 68-70-72) and, if the recruitment results in the vacant position being filled as a Real Property Appraiser, change the Office's Authorized Staffing by deleting one (1) Auditor/Appraiser I or II position and adding one (1) Appraiser position.
13. **COUNTY ADMINISTRATOR – Personnel** – Request Board designate and authorize the County Administrator to sign a personal services contract (draft attached) with Christie Martindale as Assistant Auditor-Controller at Range 84 (\$6,254 - \$7,601) Step D contingent on the Ordinance Amending Section 2.80.055 of the Inyo County Code Pertaining to Exemptions from the Competitive Service being enacted and taking effect.
14. **COUNTY ADMINISTRATOR – Personnel** – Request Board authorize filling the vacant Assistant Treasurer-Tax Collector position Range XXXX (\$6,574 per month) as a merit system position pursuant to Chapter 2.80 of the Inyo County Code instead of as contract position as previously approved.
15. **COUNTY ADMINISTRATOR – Advertising County Resources** – Request Board: A) amend the Fiscal Year 2017-2018 Advertising County Resources Budget (011400) by increasing the Annual New CPSP Grant Award object code (5511) by \$4,484 and amend the Fiscal Year 2017-2018 Contingencies Budget (087100) by decreasing the Contingencies object code (5901) by \$4,484 (*4/5ths vote required*); and B) approve a total payment of \$4,484 from the Advertising County Resources Budget for three unpaid Fiscal Year 2016-2017 Community Project Sponsorship Program grants.
16. **COUNTY ADMINISTRATOR – Parks & Recreation** – Request Board: A) amend the Fiscal Year 2017-2018 Parks and Recreation Budget (076999) by recognizing revenue of \$8,500 in the Sales of Fixed Asset (Object Code 4911) and increase the Equipment object code (5650) by \$8,500 (*4/5ths vote required*); and B) authorize a purchase order to Sundowner Trailers of California in Auburn, CA in the amount of \$7,742.15 for the purchase of a 6 x 10 dump trailer for use at County parks and campgrounds.
17. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Here It Comes Emergency" that was proclaimed in anticipation of run-off conditions from near-record snowpack posing extreme peril to the safety of property and persons in Inyo County.
18. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Rocky Road Emergency" that was proclaimed as the result of flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County caused by an atmospheric river weather phenomena that began January 3, 2017 and continued throughout February.
19. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff's recommendation to continue the local emergency known as the "Land of EVEN Less Water Emergency" that was proclaimed as a result of extreme drought conditions that existed until recently in the County, while considering how to address the ongoing hydrologic issues in West Bishop.

20. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Gully Washer Emergency" that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013.
21. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Death Valley Down But Not Out Emergency" that was proclaimed as a result of flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015.

TIMED ITEMS (Items will not be considered before scheduled time but may be considered any time after the scheduled time)

- 11 a.m.
22. **PLANNING** – Request Board enact an ordinance titled, "An Ordinance of the Board of Supervisors of the County of Inyo, State of California adding Chapter 18.67 titled Non-groundwater-Neutral Agricultural Use Overlay District to the Inyo County Code."
 23. **PLANNING** – Request Board enact an ordinance titled, "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2017-01/Sorrells and Amending the Zoning Map of the County of Inyo by Rezoning a 225-acre Parcel and a 229-Acre Parcel That Constitute the Majority of the Community of Shoshone (APN 046-120-25 & 046-120-040) as Shown in Attachment A (Current Zoning Map) and Attachment B (Proposed Zoning Map)."
 24. **COUNTY ADMINISTRATOR – Personnel** – Request Board enact an ordinance titled, "An Ordinance of the County of Inyo, State of California, Amending Section 2.80.055 of the Inyo County Code Pertaining to Exemptions from the Competitive Service."

Note: The agenda items listed below may be considered by the Board at any time during the meeting in the Board's discretion, including before scheduled timed items.

COMMENT (Portion of the Agenda when the Board takes comment from the public and County staff)

25. **PUBLIC COMMENT**

BOARD MEMBER AND STAFF REPORTS



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

AGENDA NUMBER
For Clerk's Use Only:

6

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kammi Foote, Inyo County Clerk/Recorder & Registrar of Voters

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Statement of All Votes Cast, November 7, 2017 UDEL Election

DEPARTMENTAL RECOMMENDATION: Recommend that the Board of Supervisors issue an order accepting the Statement of All Votes Cast at the UDEL Election held November 7, 2017 and declare elected those offices under their jurisdiction for this election, according to the number of votes for each as shown on the Statement of All Votes Cast.

SUMMARY DISCUSSION: "The elections official shall prepare a certified statement of the results of the election and submit it to the governing body within 30 days of the election..." (Elections Code §15372)

ALTERNATIVES: Not issue an order accepting the Statement of All Votes Cast, which would be contradictory to Elections Code §15372.

FINANCING: No impact

<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by County Counsel prior to submission to the Board Clerk.)</i> Approved: _____ Date: _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)</i> Approved: _____ Date: _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the Director of Personnel Services prior to submission to the Board Clerk.)</i> Approved: _____ Date: _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

Date: 11/16/17

INYO COUNTY Statement of Vote
INY_20171107_E

100002		NONPARTISAN EASTERN SIERRA COMMUNITY SERV DISTRICT												
	Registration	Ballots Cast	Turnout (%)		Robert Winzenread	Jeffrey L. Brown	Walt Pachucki	Devon H. Smith						
101MB 101	129	0	0.00		0	0	0	0						
101MB - All Mail Precincts	129	42	32.56		29	29	25	19						
102MB 102	127	0	0.00		0	0	0	0						
102MB - All Mail Precincts	127	43	33.86		34	26	27	18						
103MB 103	126	0	0.00		0	0	0	0						
103MB - All Mail Precincts	126	16	12.70		7	6	3	9						
104MB 104	131	0	0.00		0	0	0	0						
104MB - All Mail Precincts	131	19	14.50		13	9	10	8						
105MB 105	209	0	0.00		0	0	0	0						
105MB - All Mail Precincts	209	64	30.62		35	36	40	27						
106MB 106	128	0	0.00		0	0	0	0						
106MB - All Mail Precincts	128	35	27.34		27	19	22	11						
107 107	641	8	1.25		7	2	4	3						
107 - Vote by Mail	641	127	19.81		84	74	86	56						
108MB 108	49	0	0.00		0	0	0	0						
108MB - All Mail Precincts	49	9	18.37		8	5	7	3						
109MB 109	185	0	0.00		0	0	0	0						
109MB - All Mail Precincts	185	62	33.51		48	34	48	27						
110MB 110	217	0	0.00		0	0	0	0						
110MB - All Mail Precincts	217	82	37.79		75	58	70	24						
111MB 111	187	0	0.00		0	0	0	0						
111MB - All Mail Precincts	187	52	27.81		45	31	32	26						
112MB 112	125	0	0.00		0	0	0	0						
112MB - All Mail Precincts	125	42	33.60		33	20	26	20						
113MB 113	135	0	0.00		0	0	0	0						
113MB - All Mail Precincts	135	55	40.74		44	29	37	24						
114MB 114	188	0	0.00		0	0	0	0						
114MB - All Mail Precincts	188	67	35.64		49	38	45	21						
115MB 115	200	0	0.00		0	0	0	0						
115MB - All Mail Precincts	200	89	44.50		81	54	68	30						
116MB 116	187	0	0.00		0	0	0	0						
116MB - All Mail Precincts	187	84	44.92		62	57	70	26						
117 117	351	4	1.14		3	3	3	2						
117 - Vote by Mail	351	103	29.34		81	55	75	37						
Precinct Totals	3315	12	0.36		10	5	7	5						
Vote by Mail Totals	992	230	23.19		175	129	161	93						
All Mail Precincts Totals	2323	761	32.76		590	451	530	293						
Grand Totals	3315	1003	30.26		775	585	698	391						
CALIFORNIA	3315	1003	30.26		775	585	698	391						
8th CONGRESSIONAL DISTRICT	3315	1003	30.26		775	585	698	391						
8th STATE SENATE DISTRICT	3315	1003	30.26		775	585	698	391						
26th ASSEMBLY DISTRICT	3315	1003	30.26		775	585	698	391						
1st EQUALIZATION	3315	1003	30.26		775	585	698	391						
1st SUPERVISOR DISTRICT	1491	354	23.74		246	201	217	151						
2nd SUPERVISOR DISTRICT	49	9	18.37		8	5	7	3						
3rd SUPERVISOR DISTRICT	1775	640	36.06		521	379	474	237						
INYO	3315	1003	30.26		775	585	698	391						



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 7

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Parks & Recreation Department

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Acceptance of Quagga Mussel Grant

DEPARTMENTAL RECOMMENDATION: Request Board approve a resolution entitled "A Resolution Of The Board Of Supervisors, County Of Inyo, State Of California, Authorizing The Acceptance Of The State Of California, Department Of Parks And Recreation, Division Of Boating And Waterways Grant And Authorizing The County Administrator To Sign Grant Related Documents"

SUMMARY DISCUSSION: In 2015 your Board authorized submitting a grant application to the state Department Of Parks And Recreation, Division of Boating and Waterways to obtain funding to develop and execute a plan to prevent an infestation of Quagga mussels at Diaz Lake. The first stage of the project is to conduct a vulnerability assessment. Upon review that application received tentative approval from Boating and Waterways contingent upon the execution of a long-term lease with LADWP. Unfortunately, the lease was not forthcoming until nearly a year later. By that time the tentative approval had been withdrawn.

Boating and Waterways now requires that a vulnerability assessment be conducted before any other request for funding related to Quagga mussels can be considered. Fortunately, the state has made grant funds available for that purpose. On February 26, 2017 the Parks and Recreation Department submitted a grant application to fund a vulnerability assessment. On September 8 we received word that our grant project has been approved.

The grant has been awarded in the amount of \$10,400. In order to access the funds your Board must formally designate a County official to act in the County's behalf in administering the grant. The attached resolution authorizes the County Administrator or his designee to do so.


In order to conduct a vulnerability assessment the Parks and Recreation Department will issue a Request for Proposal to acquire the services of a qualified consultant. Once the assessment is completed, assuming that Diaz Lake is found to be vulnerable, an implementation plan can be developed making the County eligible for other grants aimed at preventing Quagga mussel infestations.

ALTERNATIVES: Your Board could choose to approve authorize another County official to act on the County's behalf, however, this function is generally performed by the County Administrator. Alternatively, your Board could choose not to accept the grant funds.

OTHER AGENCY INVOLVEMENT: State Division of Boating and Waterways

FINANCING: When the project is undertaken a budget will be submitted to your Board for approval through the Parks and Recreation Department. The County is obligated to provide approximately \$1500 of in-kind funding towards this project which will be absorbed by the Parks and Recreation budget if your Board accepts the grant.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i>  Approved: <u>yes</u> Date <u>11/7/17</u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: <u>N/A</u> Date _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: <u>N/A</u> Date _____

DEPARTMENT HEAD SIGNATURE:  Date: 11/8/17
(Not to be signed until all approvals are received)

**A RESOLUTION OF THE BOARD OF SUPERVISORS,
COUNTY OF INYO, STATE OF CALIFORNIA, AUTHORIZING THE
APPLICATION AND ACCEPTANCE OF THE DIVISION OF BOATING
AND WATERWAYS QUAGGA/ZEBRA MUSSEL INFESTATION
PREVENTION GRANT AND AUTHORIZING THE COUNTY
ADMINISTRATOR TO SIGN GRANT RELATED DOCUMENTS**

Resolution No. _____

WHEREAS, prior to the State of California, Department of Parks and Recreation, Division of Boating and Waterways' approval of an Application and execution of a Grant Agreement, said County of Inyo/Board of Supervisors is required to pass a resolution, authorizing a designated representative(s) to execute said Application, Grant Agreement, amendments, and certifications, designating a representative to approve claims for reimbursement, designating a representative to sign the Reimbursement Claim Form and Quarterly Progress Report, designating a representative to sign Project Completion Certification, and designating a representative to sign the Contractor's Release Form; and

WHEREAS, the County of Inyo has the authority to construct, operate, and maintain Diaz Lake; and make an application to the State of California, Department of Parks and Recreation, Division of Boating and Waterways for a grant in the amount of \$10,400 under the Harbors and Watercraft Revolving Fund for the Quagga and Zebra Mussel Infestation Prevention Grant Program; and

WHEREAS, the County of Inyo desires to conduct a vulnerability assessment of Diaz Lake in order to develop a plan for the prevention of an infestation of the quagga and zebra mussel; and

WHEREAS, by the County of Inyo accepted application the County of Inyo will adopt a project budget totaling \$ 10,400; and

WHEREAS, pursuant and subject to all of the terms and provisions of the Quagga and Zebra Mussel Infestation Prevention Grant program, application by the County of Inyo should be made to the State of California, Department of Parks and Recreation, Division of Boating and Waterways for funding.

NOW THEREFORE BE IT RESOLVED that the County Administrator of said County of Inyo or his designee is hereby authorized and directed to cause the necessary data to be prepared and application to be signed and filed with the State of California, Department of Parks and Recreation, Division of Boating and Waterways; and

BE IT FURTHER RESOLVED, that the County Administrator or his designee is hereby authorized to sign the State of California, Department of Parks and Recreation, Division of Boating and Waterways, Quagga and Zebra Mussel Infestation Prevention Grant Agreement and any amendments thereto; and

BE IT FURTHER RESOLVED, that the County Administrator or his designee is hereby authorized to approve Claims for Reimbursement under the State of California, Department of Parks and Recreation, Division of Boating and Waterways, Quagga and Zebra Mussel Infestation Prevention Grant Program; and

BE IT FURTHER RESOLVED, that the County Administrator or his designee is hereby authorized to execute the Budget and Expenditure Summary for the State of California, Department of Parks and Recreation, Division of Boating and Waterways, Quagga and Zebra Mussel Infestation Prevention Grant Program; and

BE IT FURTHER RESOLVED, that the County Administrator or his designee is hereby authorized to sign the Contractor's Release Form for the State of California, Department of Parks and Recreation, Division of Boating and Waterways, Quagga and Zebra Mussel Infestation Prevention Grant Program; and

BE IT FURTHER RESOLVED, that the County Administrator or his designee is hereby authorized to certify that the project is complete and ready for final inspection.

Passed and adopted at a regular meeting of the Inyo County Board of Supervisors on the 28th of November, 2017.

AYES:
NOES:
ABSTAIN:
ABSENT:

Chairman,
Inyo County Board of Supervisors

ATTEST: Kevin D. Carunchio
Clerk of the Board

By: _____
Darcy Ellis, Assistant



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER
8

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: County Administrator

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Agreement for executive recruitment services

DEPARTMENTAL RECOMMENDATION:

Request your Board approve the agreement between the County of Inyo and The Prothman Company for the provision of executive recruitment services, in an amount not to exceed \$30,000.00 and authorize the County Administrator to sign.

SUMMARY DISCUSSION:

The County's Authorized Staffing Report provides for a Senior Deputy County Administrator position and an Assistant County Administrator position. Funding for both positions is included in the Board Approved Fiscal Year 2017-2018 County Budget. The Senior Deputy County Administrator position has been vacant since June 2017, and the Assistant County Administrator plans to retire on January 10, 2018 (but may be willing to postpone his retirement until the also vacant Solid Waste and Recycling Manager position is filled for four to six weeks, or until one of the Deputy/Assistant County Administrator positions can be filled).

Filling at least one of these vacant Deputy/Assistant CAO positions with a candidate of the highest caliber is essential to maintain the continuity of key County services including Recycling and Waste Management, Motor Pool, and Parks & Recreation. Together, these positions assist the County Administrator in fulfilling the responsibilities of his Office which includes working with the Board of Supervisors and department heads to provide the highest level of service to the people of Inyo County. The Office is responsible for ensuring the policies of, and directions from, the Board of Supervisors are implemented and making policy recommendations to the Board when appropriate. In addition, the Office encompasses the following divisions: Clerk to the Board, County Library, Economic Development, Emergency Services, Eastern California Museum, Information Services, Personnel, Public Defender, Purchasing, and Risk Management, in addition to the and Motor Pool, Parks and Recreation, and Recycling and Waste Management functions described above.

Similar to your Board's direction last year to use an executive recruiting firm to fill the Information Services Director position, staff seeks your Board's approval to again use The Prothman Company to recruit for a Deputy County Administrator, Senior Deputy County Administrator, or Assistant County Administrator. Use of an executive recruiter will greatly enhance the County's ability to interview and consider a competitive pool of candidates, and ultimately find the "right" person for the position. In light of the current workload and the large number of complicated and important projects underway, it is imperative that we maximize our ability to find the best candidate for the County.

The Prothman Company provided the County with an exceptional recruitment process for the IS Director job, and a principal with the company believes that this effort will yield good results even though it is occurring during the winter and holiday months which are not usually an ideal time to recruit talent. A copy of The Prothman Company's engagement contract is attached and mirrors the agreement used for IS Director recruitment.

In addition to its proven track record of providing the County with a professional and thorough and effective approach to successfully recruit a new IS Director, the Prothman Company is already familiar with the County of Inyo and its unique characteristics and needs. Furthermore, in the past two months the County has contacted other executive search firms to inquire about potentially assisting the County with other specialized, high-level recruitments and all but Prothman and CPS (which specializes in Health and Human Services recruitments) indicated they have too much work to assist the County in these other endeavors.

At the end of the recruitment process, and prior to filling the position or positions, your Board will need to first approve filling the positions and authorize entering into a personal service contract with the successful candidate(s).

ALTERNATIVES:

Your Board could choose to not approve the contract and instead direct that the recruitment be done using the normal in-house process. However, this is not recommended because the use of The Prothman Company will allow the County to reach a broader and deeper pool of qualified candidates by tapping into the firm's extensive professional networks and relationships through the West.

OTHER AGENCY INVOLVEMENT:

County Counsel
Personnel

FINANCING:

Funds are budgeted within the Personnel Budget to cover this contract. Budget Unit 010800

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> <div style="text-align: right; margin-top: 20px;"> Approved: <u>yes</u> Date <u>11/17/17</u> </div>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> <div style="text-align: right; margin-top: 20px;"> Approved: _____ Date _____ </div>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> <div style="text-align: right; margin-top: 20px;"> Approved: <u>✓</u> Date <u>11-17-2017</u> </div>

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: 11-17-2017



November 16, 2017

Mr. Kevin D. Carunchio
County Administrator
Inyo County
P. O. Drawer N
224 North Edwards Street
Independence, CA 93526

Dear Mr. Carunchio:

We thank Inyo County for its confidence in Prothman to assist in the recruitment for its next Assistant County Administrator. The following represents a scope of work for this search and associated professional fee and expenses.

RECRUITMENT PROCESS

Position Profile Development

We will update the Information Services Director profile for the Assistant County Administrator position.

Recruitment and Advertising Strategy

We recognize that often the best candidates are not actively looking for a new position--*this is the person we want to reach and recruit*. We have an aggressive recruitment strategy which involves the following:

- ◆ **Print and Internet-based Ads** placed nationally in professional publications, journals and on related websites.
- ◆ **Direct Mail Recruitment Brochures** sent directly to hundreds of highly qualified city/county managers who are not actively searching for a new position.
- ◆ **Direct Contact Calls** and emails placed directly to candidates that we know would be a good fit.
- ◆ **Posting the Position Profile on the Prothman Website**, which receives thousands of hits per month.

Candidate Screening

Once the application deadline has passed, we will conduct an extensive candidate review designed to gather detailed information on the leading candidates. The screening process has 4 key steps:

- 1) **Application Review:** Using the Position Profile as our guide, we will screen the candidates for qualifications based on the resumes, applications, and supplemental questions (to determine a candidate's writing skills, analytical abilities and communication style). After the initial screening, we take the yes's and maybe's and complete a second screening where we take a much deeper look into the training, work history and qualifications of each candidate.
- 2) **Internet Publication Background Search:** We conduct an internet publication search on all semifinalist candidates prior to their interviews. If we find anything out of the ordinary, we discuss this during the initial interview and bring this information to you.

- 3) **Personal Interviews:** We will conduct in-depth videoconference or in-person interviews with the top 8 to 15 candidates. During the interviews, we ask the technical questions to gauge their competency, and just as importantly, we design our interviews to measure the candidate's fit within your organization.
- 4) **Work Session:** We will prepare and send to you a detailed summary report and binders which include each candidate's application materials and the results of the personal interviews and publication search. **We will meet via Skype or phone** and advise you of the candidates meeting the qualifications, our knowledge of them, and their strengths and weaknesses relative to fit within your organization. We will give you our recommendations and then work with you to identify the top 4 to 6 candidates to invite to the final interviews. We will discuss the planning and design of the final interview process during this meeting.

Final Interview Process

The design of the final interviews is an integral component towards making sure that all stakeholders have the opportunity to learn as much as possible about each candidate.

- ◆ **Elements of the design process include:**
 - **Deciding on the Structure of the Interviews**
We will tailor the interview process to fit your needs. It may involve using various interview panels and an evening reception.
 - **Deciding on Candidate Travel Expenses**
We will help you identify which expenses your organization wishes to cover.
 - **Identifying Interview Panel Participants & Panel Facilitators**
We will work with you to identify the participants of different interview panels to ensure that all stakeholders identified have been represented.
- ◆ **Background Checks**
Prior to the final interviews, we will conduct a background check on each of the finalist candidates. Background checks include the following:
 - **References**
We conduct 5-8 reference checks on each candidate. We ask each candidate to provide names of their supervisors, subordinates and peers for the last several years.
 - **Education Verification, Criminal History, Driving Record and Sex Offender Check**
We contract with Sterling for all background checks.
- ◆ **Candidate Travel Coordination**
After you have identified the expenses you wish to cover, we work with the candidates to organize the most cost-effective travel arrangements.
- ◆ **Final Interview Binders**
The Final Interview Binders include the candidates' application materials and are the tool that keeps the final interview process organized. Each panel member will be provided a binder.
- ◆ **Final Interviews with Candidates**
We will travel to Inyo County and facilitate the interviews. The interview process usually begins with a morning briefing where schedule and process will be discussed with all those involved in the interviews. Each candidate will then go through a series of one-hour interview sessions, with an hour break for lunch.

- ◆ **Panelists & Decision Makers Debrief:** After the interviews are complete, we will facilitate a debrief with all panel participants where the panel facilitators will report their panel's view of the strengths and weaknesses of each candidate interviewed. The decision makers will also have an opportunity to ask panelists questions.
- ◆ **Candidate Evaluation Session:** After the debrief we will facilitate the evaluation process, help the decision makers come to consensus, discuss next steps, and organize any additional candidate referencing or research if needed.
- ◆ **Facilitate Employment Agreement:** Once the top candidate has been selected, we will offer any assistance needed in developing a letter of offer and negotiating terms of the employment agreement.

Warranty

Repeat the Recruitment: If you follow our process and a top candidate is not chosen, we will repeat the recruitment with no additional professional fee, the only cost to you would be for the expenses.

FEE, EXPENSES & GUARANTEE

Professional Fee

The fee for conducting an Assistant County Administrator recruitment with a one-year guarantee is \$18,500, plus expenses. The professional fee covers all Prothman consultant and staff time required to conduct the recruitment. This includes all correspondence and on-site meetings with the client, writing and placing the recruitment ads, development of the candidate profile, creating and processing invitation letters, reviewing resumes, coordinating and conducting semifinalist interviews, coordinating and attending finalist interviews, coordinating candidate travel, conducting background checks and professional reference on the finalist candidates and all other search related tasks required to successfully complete the recruitment.

Expenses

Expenses vary depending on the design and geographical scope of the recruitment. We work diligently to keep expenses at a minimum and keep records of all expenditures. Inyo County will be responsible for reimbursing expenses Prothman incurs on your behalf. Expense items include but are not limited to:

- ◆ Newspaper, trade journal, websites and other advertising (approx. \$1,400 - 1,600)
- ◆ Direct mail announcements (approx. \$1,600 - 2,100)
- ◆ Interview Binders & printing of materials (approx. \$400 - 700)
- ◆ Delivery expenses for Interview Binders (approx. \$75 - 250)
- ◆ Consultant travel - airfare, airport parking, rental car, travel time at \$50 per hour, lodging, (approx. \$1,400 - 1,800 per trip)
- ◆ Background checks performed by Sterling (approx. \$175 per candidate)
- ◆ Any client-required licenses, fees or taxes
- ◆ Candidate travel: We cannot approximate candidate travel expenses because they vary depending on the number of candidates, how far the candidates travel, length of stay, if spouses are included, etc. If you wish, we will coordinate and forward to your organization the candidates' travel receipts for direct reimbursement to the candidates.

A 3% charge will be added to all expenses which reflects City of Issaquah and Washington State B&O tax obligations that we pay for every dollar we invoice, including expenses. Professional fees are billed in three equal installments throughout the recruitment. Expenses are billed monthly.

Additional Candidate Selection

This contract provides that the client shall hire one (1) candidate from the applicant pool. Should the client wish to hire a second applicant identified by this search, there will be an additional fee. Prothman retains ownership of all application materials submitted by the applicants.

Guarantee

Our record of success in placing highly qualified candidates provides that Prothman will guarantee with a full recruitment that if the selected finalist is terminated or resigns within **one year** from the employment date, we will conduct a replacement search with no additional professional fee, the only cost to you would be the expenses; on the condition that the position has been recruited at market rate salary.

Cancellation

You have the right to cancel the search at any time. Your only obligation would be the fees and expenses incurred prior to cancellation.

Accepted by:

INYO COUNTY

Date
Name: _____
Title: _____

PROTHMAN

Sonja Prothman _____ Nov. 16, 2017
Sonja Prothman Date
Vice President



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER
9

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: WATER DEPARTMENT

FOR THE BOARD MEETING OF: NOVEMBER 21, 2017

SUBJECT: APPROVAL OF 2016-2017 LORP ANNUAL ACCOUNTING REPORT

DEPARTMENTAL RECOMMENDATION:

Request approval of the 2016-2017 LORP Annual Accounting Report.

SUMMARY DISCUSSION:

The Agreement Between the County of Inyo and the City of Los Angeles Department of Water and Power Concerning Operation and Funding of The Lower Owens River Project (Post Implementation Agreement), which was adopted by the City of Los Angeles Board of Water and Power Commissioners on May 18, 2010, by Resolution 010-323, and approved by the Inyo County Board of Supervisors on June 8, 2010, requires an annual accounting report that describes the work performed pursuant to the previous year's approved Lower Owens River Project (LORP) Work Plan and Budget (Work Plan), and the costs incurred by each Party in performing such work shall be submitted to the governing board of each Party or the Party's designee by October 31. The accounting report will identify the difference, if any, between the actual costs incurred by each Party and the actual work performed by each Party as compared to the costs and work for that Party that were identified in that year's approved Work Plan (Section II.J.3.a).

The primary purpose of the LORP Annual Accounting Report is to provide a basis for which to estimate time and expenses for the next fiscal year work plan and accounting. Under the Post Implementation Agreement, the County of Inyo (County) and the Los Angeles Department of Water and Power (LADWP) are jointly responsible for the costs and activities specified in PIA Section II.J.3.b. If a Party fully performs the share of the work allocated to it in the annual LORP Work Plan that party is in compliance with the Post Implementation Agreement. Further, there shall be no reconciliation of hours or costs even if an annual accounting report or audit show that the Party expended more time in performing the work than was estimated. An exception to this rule allows reconciliation for contract work that was performed for less than the amount budgeted. In this case, to reconcile the change with the approved budget, the accounting report will specify whether a payment should be made by LADWP to the County or whether the County should make a payment to LADWP. The Accounting Report will specify the account to be credited / debited (Post Implementation LORP Credit and/or LORP Trust Account).

The 2016-2017 work plan, adopted by the Inyo/LA Technical Group on March 16, 2016, identifies tasks to be carried out by the MOU Consultant, Hydrologic Monitoring, Biological and Water Quality Monitoring, Operations and Maintenance, and Range Monitoring. All tasks identified in the Work Plan were satisfactorily completed. Both Inyo County and LADWP fully performed work assignments identified in the Work Plan. Some adaptive management tasks were not performed due to fire restrictions, and the extent of Hydrologic Monitoring was limited by drought and resulting lack of a seasonal habitat flow, so an imbalance in labor and expenditures did occur, but this does not affect the Work Plan accounting.

The 2016-2017 LORP Work Plan and Budget was adopted by the Inyo/LA Technical Group on March 16, 2016. The total budget for the LORP work in FY 2016-2017 was \$527,731. The County's budgeted contribution was \$189,830 and LADWP's was \$337,901. The MOU Consultants' costs were paid by the County. Their charges were \$21,336 less than budgeted, so half of that amount will be credited to LADWP. The Rodent Control contract was paid by LADWP, with \$10,000 budgeted and \$10,800 was spent. Per the Post-Implementation Agreement, costs for contracted work is only adjusted when contract work is less than the amount budgeted in the approved budget, therefore no adjustments are made for rodent control services for the 2016-2017 fiscal year. The total difference in budgeted expenses between the County and LADWP, including reconciled consultant costs, divided by the two parties is \$84,704. This amount will be deducted from the County's LORP credit.

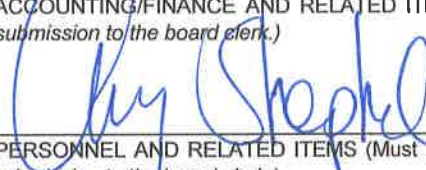
For reference purposes, actual costs for work approved under the 2016-2017 Work Plan and Budget were \$973,561 with the County expending \$146,514 and LADWP \$827,046
Amendments to the Work Plan are also reconciled in the Annual Accounting Report, but there were no amendments in the 2016-2017 fiscal year.

ALTERNATIVES:

OTHER AGENCY INVOLVEMENT: LADWP

FINANCING: As of November 2, 2017, the new LORP Credit balance, after deducting the 2016-2017 LORP expenses of \$84,704, and making a 2.0% adjustment based on the April 2016 Los Angeles-Anaheim-Riverside All Urban Consumers Price Index, is \$1,215,853. The LORP Trust Account balance is \$2,533,187.24 as of October 31, 2017. The Post-Implementation Credit is held by LADWP, and the County of Inyo Treasury holds the Trust Account. The sum of accounts, \$3,779,661.24 with interest and indexing, is available to fund the County's LORP costs, trust account costs, and funding for the MOU Consultants through the term of the Funding Agreement ending July 21, 2021.

APPROVALS

COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> <div style="text-align: right;">Approved: _____ Date _____</div>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>  <div style="text-align: right;">Approved: <u>yes</u> Date <u>11-8-17</u></div>
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> <div style="text-align: right;">Approved: _____ Date _____</div>

DEPARTMENT HEAD SIGNATURE:  Date: 11/7/17
 (Not to be signed until all approvals are received)
 (The Original plus 20 copies of this document are required)

**Lower Owens River Project
2016-2017 Work Plan**

Annual Accounting Report

**Prepared by Inyo County Water Department
and
Los Angeles Department of Water and Power**

November 7, 2017

Executive Summary

The Agreement Between the County of Inyo and the City of Los Angeles Department of Water and Power Concerning Operation and Funding of the Lower Owens River Project (Post-Implementation Agreement or PIA) requires an annual accounting report that describes the work performed pursuant to the previous year's approved Work Plan, and the costs incurred by each Party in performing such work be submitted to the governing board of each Party or the Party's designee by October 31. The Lower Owens River Project Work Plan, Budget, and Schedule, 2016-2017 Fiscal Year (2016-2017 LORP Work Plan and Budget) contained the following seven categories of tasks under maintenance and monitoring: operations and maintenance, hydrologic monitoring, biological/water quality monitoring, range monitoring, mosquito abatement, noxious species control, and saltcedar control. A pilot project to assess the feasibility and effectiveness of actively developing tree willow and cottonwoods was implemented as an adaptive management measure in spring 2017 under the 2016-2017 LORP Work Plan and Budget.

Background

The Post-Implementation Agreement, which was adopted by the City of Los Angeles Board of Water and Power Commissioners on May 18, 2010, by Resolution 010-323, and approved by the Inyo County Board of Supervisors on June 8, 2010, requires an annual accounting report that describes the work performed pursuant to the previous year's approved Work Plan, and the costs incurred by each Party in performing such work shall be submitted to the governing board of each Party or the Party's designee. The accounting report will identify the difference, if any, between the actual costs incurred by each Party and the actual work performed by each Party as compared to the costs and work for that Party that were identified in that year's approved Work Plan and budget (PIA Section II.J.3.a). The purpose of the accounting report is to inform the preparation of future work plans.

Under the Post-Implementation Agreement, the County of Inyo (County) and the Los Angeles Department of Water and Power (LADWP) are jointly responsible for the costs and activities specified in PIA Section II.J.3.b. If a Party fully performs the share of the work allocated to it in the annual Work Plan budget that party is in compliance with this agreement. Further, except for payments to contractors, there shall be no reconciliation of hours or costs even if an annual accounting report or audit show that the Party expended more time in performing the work than was estimated.

The 2016-2017 LORP Work Plan and Budget was adopted by the Inyo/LA Technical Group on March 16, 2016. The total budget for the LORP work in FY 2016-2017 was \$527,731. The County's budgeted contribution was \$189,830 and LADWP's was \$337,901. The MOU Consultants' costs were paid by the County. Their charges were \$21,336 less than budgeted, so half of that amount will be credited to LADWP. The Rodent Control contract was paid by LADWP; \$10,000 was budgeted for this task and \$10,800 was spent. Per the Post-Implementation Agreement, costs for contracted work is only adjusted when contract work is less than the amount budgeted in the approved budget, therefore no adjustments are made for rodent control services for the 2016-2017 fiscal year. The total difference in budgeted expenses between the County and LADWP, including reconciled consultant costs, divided by the two parties is \$84,704. This amount will be deducted from the County's LORP credit.

For reference purposes, actual costs for work approved under the 2016-2017 Work Plan and Budget were \$973,561 with the County expending \$146,514 and LADWP \$827,046 (Table 1).

Table 1. Monitoring and Adaptive Management Budget from LORP Work Plan, FY 2016-2017, Budgeted vs. Actual Expenses

Inyo County	Budgeted Staff Work Days	Actual Staff Work Days	Budgeted Value of Additional Staff Time, Materials, and Equipment	Actual Value of Additional Staff Time, Materials, and Equipment
Biologic and Water Quality	112	122	\$0	\$ -
Mosquito Abatement	-	-	\$30,000	\$8,021
MOU Consultant	-	-	\$99,830	\$78,493
Noxious Species Control	-	-	\$50,000	\$50,000
Adaptive Management			\$10,000	\$10,000
Inyo County Totals	112	122	\$189,830	\$146,514
LADWP	Budgeted Staff Work Days	Actual Staff Work Days	Budgeted Value of Additional Staff Time, Materials, and Equipment	Actual Value of Additional Staff Time, Materials, and Equipment
Hydrologic Monitoring	-	-	\$112,748	\$70,530
Biologic and Water Quality	112	136	\$0	\$ -
Operations and Maintenance	-	-	\$175,153	\$727,695
Mosquito Abatement	-	-	\$30,000	\$8,021
Rodent Control	-	-	\$10,000	\$10,800
Adaptive Management			\$10,000	\$10,000
LADWP Totals	112	136	\$337,901	\$827,046
Combined Total	224	136	\$527,731	\$973,561
Inyo County Credit Adjustment (1/2 of the Difference in Expenditures between Inyo County and LADWP)			(\$84,704)	

Section 1. Budget Summary by Individual Work Group

Operations and Maintenance, LADWP

Maintenance activities consist of cleaning water measurement facilities, cleaning sediment and aquatic vegetation from ditches, mowing ditch margins, fence repair, and adjustments to flow control structures. Operation activities consist of setting and checking flows. Estimates of the level of effort necessary for maintenance are adjusted as required by section II.D of the Post-Implementation Agreement, which allows that costs for maintenance of ditches, spillgates, and control structures that are above the baseline costs for facilities in the river corridor and Blackrock Waterfowl Management Area (BWMA) shall be shared. The estimated 2016-2017 costs for River corridor and BWMA facilities were \$315,649. This figure reduced by the combined CPI-adjusted baseline costs for the river corridor and BWMA facilities is \$175,153.

The amount of operations and maintenance work required in the 2016-2017 fiscal year significantly exceeded work described in the approved budget and work plan, largely due to preparation and management of extreme runoff conditions in the LORP. Actual costs for operations and maintenance activities in the LORP in the 2016-2017 fiscal year were \$868,192. This amount reduced by the CPI- adjusted baseline costs is \$727,695.

Regular operations and maintenance that occurred in the LORP from July 2016 to February 2017 totaled \$175,348 and were tracked using LORP accounting numbers as in past years. In February 2017, LADWP shifted all charges for operations and maintenance work to an emergency charge number in preparation of the high runoff conditions expected in the Owens Valley. LADWP spent over \$3.4 million in the 2016-2017 fiscal year valley-wide to prepare for and manage this runoff. Of this \$3.4 million, \$692,843 was spent on LORP facilities that would otherwise be covered under the post implementation agreement during that time period.

Therefore, of the \$868,192 reported as actual costs for operations and maintenance of LORP facilities in Table 2, \$175,348 was for budgeted operations and maintenance from July 2016-February 2017 and \$692,843 was for operations and maintenance of these facilities from February 2017-June 2017 to prepare for historically high runoff. Operations and maintenance demands during the 2016-2017 fiscal year were not typical and this year's higher costs should not be used as a basis for estimating future LORP budgets and work plans.

Hydrologic Monitoring, LADWP

LADWP budgeted a total of \$112,748 for hydrologic monitoring in the 2016-2017 fiscal year. The actual cost was \$70,530 (Table 3). Although LADWP managed extreme high runoff conditions this year, actual hydrologic costs for the LORP were lower than budgeted. This was due to efficiency gains in Engineering Support for reporting where experience and automated systems decreased labor costs, and no infrastructure replacement was necessary during the 2016-2017 fiscal year which resulted in lower maintenance costs.

Biological/Water Quality Monitoring, Inyo County and LADWP

Monitoring, analysis, and report preparation were jointly conducted by the County and LADWP with 112 Staff Work Days budgeted to each agency per the 2016-2017 LORP Work Plan and Budget. Actual days spent by the County were 122 and LADWP were 136.

52 people days were budgeted by ICWD (lead) for Rapid Assessment Surveys in the riverine riparian area. 6 people days were budgeted by LADWP to conduct the Rapid Assessment Surveys in Blackrock, the Delta, and Off-River Lakes and Ponds. LADWP spent 13 people days conducting a portion of the riverine riparian area and ICWD conducted the remainder of the surveys over 66 people days.

2016-2017 was an extremely wet year and limited walking access to the Blackrock Waterfowl Management Area for much of the 2017 runoff season. Consequently, the flooded extent was walked and GPS'd in July and September 2016 and January 2017 but was estimated in May 2017 due to saturated conditions.

Landscape Vegetation Mapping of the Delta Habitat area was not conducted during the 2016-2017 fiscal year due to lack of new imagery since the last mapping cycle.

LADWP and the County conducted Avian Censuses in the Winterton and Thibaut Units during the 2016 calendar year. Analysis and reporting were conducted in fall 2016. Avian censuses in only the Thibaut Unit were performed during the 2017 field season.

Water quality monitoring of the Lower Owens River was not conducted in 2016. However, river water quality was monitored during the abnormally wet spring runoff in 2017. During this period, LADWP expended 15 people days downloading water quality data and maintaining the data sondes in the river, and Inyo spent 5 days collecting manual reads.

All tasks identified in the 2016-2017 LORP Work Plan and Budget were completed within the number of days shown in Table 4 with the exception of landscape mapping of the Delta due to no new imagery available.

Table 2. LORP Operations and Maintenance Summary of Actual Expenditures, 2016-2017 Fiscal Year

Location/Activity	Total Labor	Total Equipment
River		
Measuring Station Maintenance	\$32,329	\$19,534
Intake Spillgate	\$184,854	\$121,346
Thibaut Spillgate and Ditch	\$37,567	\$32,134
Independence Spillgate and Ditch	\$26,062	\$18,860
Locust Spillgate and Ditch	\$16,007	\$14,315
Georges Ditch	\$18,354	\$14,711
Alabama Spillgate	\$8,073	\$7,629
Delta Spillgate	\$5,090	\$1,088
River Subtotal	\$328,336	\$229,618
Blackrock Waterfowl Management Area		
Blackrock Ditch	\$45,615	\$35,364
Patrol & Flow Changes (River and BWMA)	\$175,978	\$38,076
Fence Maintenance (River and BWMA)	\$12,629	\$2,576
BWMA Subtotal	\$234,222	\$76,016

TOTALS	
River Total	\$557,954
BWMA Total	\$310,237
Total O and M	\$868,192
CPI Adjusted O and M	\$727,695

Baseline Costs (described in Post -Imp)	River	BWMA
CPI adjustment*	\$56,863.00	\$62,798.00
2006-2007 4.5%	\$59,421.84	\$65,623.91
2007-2008 3.1%	\$61,263.91	\$67,658.25
2008-2009 -1.3%	\$60,467.48	\$66,778.69
2009-2010 0.9%	\$61,011.69	\$67,379.70
2010-2011 0.7%	\$61,438.77	\$67,851.36
2011-2012 3.0%	\$63,281.93	\$69,886.90
2012-2013 2.1 %	\$64,610.85	\$71,354.53
2013-2014 0.4%	\$64,869.30	\$71,639.94
2014-2015 1.3%	\$65,712.60	\$72,571.26
2015-2016 1.6%	\$66,764.00	\$73,732.40

*November Los Angeles-Anaheim-Riverside All Urban Consumers Price Index

Table 3. LORP Hydrologic Monitoring Actual Expenditures, Fiscal Year 2016-2017

	Budgeted Labor Costs from July 1, 2016 - June 30, 2017	Budgeted Equipment Costs July 1, 2016 - June 30, 2017	Total Budgeted Costs July 1, 2016 through June 30, 2017	Total Actual Costs
HYDRO OPERATIONS				
River Stations	\$15,790	\$1,440	\$17,230	\$18,036
Seasonal Habitat	\$8,772	\$800	\$9,572	\$9,400
Off River Lakes & Ponds	\$3,070	\$280	\$3,350	\$4,494
Flow to Delta	\$439	\$40	\$479	\$0
Blackrock Waterfowl	\$7,018	\$640	\$7,658	\$6,551
Reporting Compliance (collecting/downloading data)	\$10,526	\$960	\$11,486	\$2,732
		Subtotal	\$49,775	\$41,213
HYDRO MAINTENANCE				
River Stations	\$6,140	\$560	\$6,700	\$1,586
Off River Lakes & Ponds	\$2,193	\$200	\$2,393	\$0
Flow to Delta	\$439	\$40	\$479	\$1,146
Blackrock Waterfowl	\$3,509	\$320	\$3,829	\$176
		Subtotal	\$13,401	\$2,908
ENGINEERING HYDRO SUPPORT				
Reporting Compliance (creating reports)	\$49,572	\$ -	\$49,572	\$26,409
		Subtotal	\$49,572	\$26,409
Total Hydro Budget			\$112,748	\$70,530

Table 4. Biological and Water Quality Monitoring Time Budgeted vs. Actual, FY 2016-2017

Biological and Water Quality	Organization/Class	Budgeted			Actual		
		Days	Inyo Days	LA Days	Days	Inyo Days	LA Days
River							
Seasonal Habitat Flow Flooded Extent	LA/WRS	25		25	17		17
Rapid Assessment Survey	IC/RES ASST	52	52		59	59	
	LA/WRS				13		13
Analysis and Reporting	LA/WRS	6		6	2		2
	IC/RES ASST	20	20		0	0	
Water Quality Monitoring -SHF	LA/WRS	10	10		15		15
	IC/RES ASST	10		10	5	5	
Total Person Days on Task		123	82	41	111	64	47
Blackrock							
Waterfowl Area Acreage	LA/WRS	8		8	6		6
	IC/RES ASST	8	8		7	7	
Blackrock Avian Surveys	LA/WRS	7		7	14		14
	IC/RES ASST	7	7		8	8	
Rapid Assessment Survey	LA/WRS	4		4	3	3	
Analysis and Reporting	LA/WRS	6		6	36	0	36
Total Person Days on Task		40	15	25	74	18	56
Delta							
Rapid Assessment Survey	LA/WRS	1		1	2	2	0
Landscape Vegetation Mapping	LA/WRS	20		20	0	0	0
Analysis and Reporting	LA/WRS	8		8	0	0	0
Total Person Days on Task		29	0	29	2	2	0
Off-River Lakes and Ponds							
Rapid Assessment Survey	LA/WRS	1		1	2	2	0
Analysis and Reporting	LA/WRS	1		1	0	0	0
Total Person Days on Task		2	0	2	2	2	0
Annual Report Preparation							
Report preparation	LA/WRS	15		15	33		33
	IC/LORP	15	15		36	36	
Total Person Days on Task		30	15	15	69	36	33
	B&WQ Totals	224	112	112	258	122	136

Range monitoring (utilization, range trend monitoring, and irrigated pasture condition scoring) described in the MAMP was conducted by LADWP and is not a shared cost, and was therefore not budgeted for in the 2016-2017 LORP Work Plan and Budget, but is shown in Table 5.

Table 5. LORP Range Monitoring Time Budgeted vs. Actual, 2016-2017 FY

Task	Budgeted People Days	Actual People Days
Utilization	45	45
Irrigated Pasture Condition	1	5
Range Trend	110	67
Analysis and Reporting	30	37
Total	186	154

Ecosystem Sciences (Inyo County)

Six tasks were described in the 2016-2017 LORP Work Plan and Budget and \$99,830 was budgeted for these tasks. The charges for these services totaled \$78,493 as shown in Table 6. The majority of the difference, \$21,337, is attributable to not having expended any contingency funding.

Table 6. Ecosystem Sciences Contract, 2016-2017 Fiscal Year

		Budgeted	Actual
TASK 1	Seasonal Habitat Flow	\$2,194	\$2,159
TASK 2	Flooded Extent Evaluation	\$10,944	\$10,944
TASK 3	Rapid Assessment Survey	\$3,640	\$3,640
TASK 4	Contingency	\$17,288	\$0
TASK 5	Annual Report & Adaptive Management	\$38,632	\$38,632
TASK 6	Project Management & Meetings	\$20,832	\$20,594
PER DIEM		\$2,100	\$760
LODGING		\$2,100	\$930
MILEAGE		\$2,100	\$834
	TOTAL	\$99,830	\$78,493

Section 2. Adaptive Management

The LORP 2016-2017 Work Plan and Budget described a pilot pole planting project to assess the feasibility of actively developing stands of tree willow and cottonwood in the riparian corridor. Costs for this project (up to \$20,000) were equally shared by the County and LADWP.

The County contracted with The Landscape Center and implemented the project in March 2017. A description of the project and success rate is discussed in the LADWP and Inyo County's 2017 Lower Owens River Project Annual Report.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
10

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Schedule time for
 Closed Session
 Informational

FROM: Public Works Department

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Filling Vacant Office Technician I or II

DEPARTMENTAL RECOMMENDATIONS:

Request the Board find that, consistent with the adopted Authorized Position Review Policy:

- A) The availability of funding for the requested position exists within the Public Works Department budgets Building & Safety (023200), Road (034600), Bishop Airport (150100) and Independence Airport (150300) as certified by the Public Works Director, and concurred with by the County Administrator and the Auditor-Controller; and
- B) Where internal candidates could meet the qualifications for the position we are requesting an open recruitment to ensure more qualified candidates apply; and
- C) Authorize the hiring of one (1) Office Technician I/II at range 55 (\$3,150 - \$3,830) to range 59 (\$3,457 - \$4,201) depending on qualifications.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

Public Works would like to hire one (1) Office Technician I/II. This vacancy has been created through an internal recruitment to another county department. We are hoping to fill the position from an existing eligibility list. If this list is exhausted, we would proceed with the open recruitment. This position is critical to the department operations spread within multiple budgets and department tasks. This position is funded through non-general fund budgets and is included in our authorized strength for FY 2017/2018.

ALTERNATIVES:

The Board could choose not to approve the hiring of one (1) Office Technician I/II. This is not recommended as it will have direct impacts on service delivery to the community and countywide departments. This position is a large part of our Airport financial paperwork and Road Department billings.

OTHER AGENCY INVOLVEMENT:

Personnel
Auditor

FINANCING:

This position is budgeted in various Public Works budgets in the salaries and benefits object codes.

APPROVALS

COUNTY COUNSEL: AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by County Counsel prior to submission to the board clerk.)

Approved: _____ Date _____

AUDITOR/CONTROLLER ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.)

Andy Shephard

Approved: yes Date 11-8-17

PERSONNEL DIRECTOR PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

by K Meade

Approved: yes Date 11/8/17

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)

Williams

Date: 11/8/17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER
11

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: County Administrator/County Counsel

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Amendment to Lease Agreement for use of County property for construction of a new modular courthouse in Independence

DEPARTMENTAL RECOMMENDATION:

Request your Board consider First Amendment to Lease Agreement by and between the County of Inyo and the Judicial Council of California for County Property to be Used for Construction And Operation of the New Independence Courthouse and, if approved (4/5ths vote required), authorize the Chairperson to sign contingent on all appropriate signatures.

SUMMARY DISCUSSION:

On October 4, 2016, your Board approved and authorized the Chair to sign a Lease Agreement by and between the County of Inyo and the Judicial Council of California for County Property to be Used for Construction And Operation of the New Independence Courthouse. This lease made County owned-property at 750 S. Clay Street in Independence (between the County Jail and County Road Shop) available to the Judicial Council of California to construct and operate a new modular courthouse. The County has previously, at its own expense, vacated a portion of Crockett Street, and abandoned a portion of Elm Street, to increase the size of the parcel for the modular courthouse project.

It has come to our attention that agreed upon language for Lease Section 5C pertaining to when the JOA would be suspended was inadvertently omitted from the final draft of the Lease approved by your Board. The recommended amendment corrects this oversight and assures the County credit for any outstanding payments owed to the County by the Judicial Council while reaffirming the Court's right to continue occupying the Historic Courthouse until it moves operations to modular courthouse.

Background from October 4, 2016 Agenda Request

The County originally offered to lease the parcel to the Judicial Council for \$1 a year for 40 years, or undertake the process to sell the parcel to the Judicial Council for a reasonable amount, on March 17, 2009, as part of an "economic opportunity" proposal made to secure construction of the \$40 million "New Independence Courthouse Project." On April 29, 2011, the Judicial Council voted unanimously to relocate this project – ubiquitously renamed the "Inyo Project" – to Bishop. On August 16, 2011, the Board of Supervisors reiterated its willingness to make the Clay Street parcel available to the Judicial Council for "no or nominal cost" – this time to facilitate construction of a modular courthouse project on the property.

The County had previously supported encumbering funds to develop a modular courthouse in Bishop, however, the Judicial Council's decision to move the "Inyo Courthouse" project to Bishop resulted in the County being compelled to support developing a modular courthouse in Independence to replace Court operations now occurring in the Historic Courthouse, which did not meet the Court's needs, ADA

requirements, or modern Court standards – defects deemed cost-prohibitive to rectify by the Judicial Council. (The need to move the Court's operations out of the Historic Courthouse to another facility in Independence was previously evidenced in a State report ranking the "New Independence Courthouse Project" as one of the top 41 "Critical Needs" facilities in the State.) The Judicial Council had acquired responsibility for managing the Superior Court's share of space in the Historic Courthouse as the result of the Trial Court Facilities Act of 2002 which transferred responsibility for providing, operating and funding Court facility operations from the County to the Judicial Council by 2009. The Judicial Council's right to use 34% of the Historic Courthouse for Court operations was conveyed by a Transfer Agreement executed on April 24, 2008 (with an annual \$39,808 County Facilities Payment, from the County to the Judicial Council, representing historic County expenditures in support of Court operations). At the same time, the Court's and the County's joint-occupancy of the Historic Courthouse, and the respective obligations of the County and Judicial Council relative to this joint occupancy, were memorialized in a Joint Occupancy Agreement (JOA) which, in part, specified the Judicial Council annually reimburse the County for 34% of "Shared Costs" associated with the County's management of common areas (interior and exterior, and including utilities costs) in the Historic Courthouse.

The ensuing lease negotiations became exceedingly complicated by the Judicial Council's insistence that (a) it be relieved of its obligations to make its annual "Shared Costs" payment required by the JOA it developed (because the funds were needed to fund operation of the new modular courthouse); and, (b) that it would not terminate the JOA (thereby returning the Historic Courthouse to the County and relieving the Judicial Council of the need to make annual the annual "Shared Costs" payments) unless the County purchased the Judicial Council's "equity interest" in the Historic Courthouse. The so-called "equity interest" amount was subsequently determined to be \$197,200 dollars based on reconciling appraisals funded by the County and the Judicial Council. This Judicial Council imposed conundrum precluded the County from being able to simply make the Clay Street parcel available with a simple \$1 per year lease, and the Judicial Council simply returning its share of the Historic Courthouse to the County.

The County does not concur in the Judicial Council's premise that it has or must be reimbursed for any "equity interest" in the Historic Courthouse. Nevertheless, the County recognizes the need for new Court facilities in Independence, and continues to endeavor to support accomplishing this objective in the face of incredible bureaucratic hurdles while being mindful of the County's fiscal interests. The proposed lease being presented for consideration by your Board today resolves the Judicial Council's self-imposed dilemma by having the Judicial Council suspend provisions of the JOA and carry its "equity interest" *on paper* where it will be paid down by crediting the actual costs the Judicial Council would annually pay the County had the JOA not been suspended. The buy-down will also be facilitated by the Judicial Council crediting the County for the negotiated value of the ground lease (\$10,000 per year) until such time as the "Equity Reduction" is accomplished at which time the Judicial Council will have the option to buy the property or continuing paying a lease cost of \$1 per year. Exhibit C to the lease demonstrates how this paper buy-down of "equity interest" may look based on current cost projections. As indicated, the Judicial Council's "equity interest" is projected to be paid down five to six years after the Court moves into the new modular courthouse, at which time the JOA will be terminated. Until the JOA is terminated and the entire Historic Courthouse reverts to the County, the lease provides the County the right to occupy the space currently designated as the Court Exclusive Area.

ALTERNATIVES:

Your Board could not approve the amendment or direct changes to the amendment, however, neither alternative is recommended as the amendment clarifies a fundamental understanding and agreement on which the final lease was based.


OTHER AGENCY INVOLVEMENT:

This is between the County of Inyo and the Judicial Council of California. It was proposed and approved in conjunction with and MOU between the County and the Superior Court to maintain and provide the Court access to the Historic Courtroom and Judges Chambers, without Judicial Council oversight, and without compensation to the County for reserving this space.

FINANCING:

The "Equity Reduction" concept set forth in the lease will result in a loss of revenue to the County equal to what the Judicial Council would otherwise pay the County for "Shared Costs" under the terms of the JOA and other agreements to provide services in the Court Exclusive Area which are otherwise the responsibility of the Judicial Council. In Fiscal year 2014-2015, this revenue amounted to approximately \$20,000, and in fiscal Year 2017-2018, the Judicial Council has informed the County that it is unilaterally redoing its payment by 10%. However, if the JOA were terminated, and the entire Courthouse reverted to the County, this revenue would also cease to be paid.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.)  Approved: <u>jos</u> Date <u>11/17/17</u>
AUDITOR/CONTROLLER: <u>N/A</u>	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.) Approved: _____ Date _____
PERSONNEL DIRECTOR: <u>N/A</u>	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:  Date: 11-17-2017
(Not to be signed until all approvals are received)

DEPARTMENT HEAD SIGNATURE:  Date: 11/17/17
(Not to be signed until all approvals are received)

**FIRST AMENDMENT TO LEASE AGREEMENT
BY AND BETWEEN THE COUNTY OF INYO
AND THE JUDICIAL COUNCIL OF CALIFORNIA
FOR COUNTY PROPERTY TO BE USED
FOR CONSTRUCTION AND OPERATION OF
THE NEW INDEPENDENCE COURTHOUSE**

THIS FIRST AMENDMENT TO LEASE AGREEMENT (“**Amendment**”), made effective as of _____ 1, 2017, is between the County of Inyo, a political subdivision of the State of California (“**County**”), and the Judicial Council of California (“**Judicial Council**”), collectively referred to as the “Parties” or individually as a “Party.”

A. The County and Judicial Council entered into that certain Lease Agreement dated December 1, 2016 (the “**Original Lease**”) for premises consisting of approximately 1.115 acres of unimproved land located on the Property (the “**Leased Premises**”).

B. The Parties discovered that an intended and agreed-upon change to section 5C of the Original Lease was not included in the document version entered into by the Parties and that this error has created an internal inconsistency in the agreement.

C. County and Judicial Council now desire to amend the Original Lease by replacing section 5C with a version that reflects the Parties’ intention as set forth above.

NOW, THEREFORE, for good and valuable consideration the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

1. Incorporation of Recitals; Defined Terms. The foregoing provisions of the Recitals are true and correct and are incorporated into this Amendment by this reference. Any defined terms not defined herein will have the definition meaning given those terms in the Original Lease.

2. Replacement of Section 5C. Section 5C of the Original Lease is hereby deleted in its entirety and replaced by the following corrected version of section 5C:

C. Starting as of the Equity Reduction Commencement Date, operation of all sections of the JOA will be deemed suspended, and, as provided in subsection B above, the JOA will be forever terminated and extinguished upon recordation of the Termination.

3. Effective Date. Because this change to section 5C is a correction of an error to make the language of the Original Lease reflect the Parties’ true intent, the Parties agree that this change should be deemed effective as of December 1, 2016.

4. **No Further Modifications.** Except as specifically modified herein, the Lease remains unmodified and in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have set their hands and seals this day of _____, 2017.

COUNTY: COUNTY OF INYO

JUDICIAL COUNCIL OF CALIFORNIA

By: _____
Name: _____
Title: **CHAIRPERSON, BOARD OF SUPERVISORS**
Date: _____

By: _____
Name: **Martin Hoshino**
Title: **Administrative Director**
Date: _____

APPROVED AS TO FORM AND CONTENT:

APPROVED AS TO FORM:
Judicial Council of California,
Legal Services

COUNTY'S LEASE ADMINISTRATOR

By: _____
Name: _____
Title: _____
Date: _____

By: _____
Name: **Charles R. Martel**
Title: **Supervising Attorney**
Date: _____

APPROVED AS TO FORM AND LEGALITY:
COUNTY OF INYO,
OFFICE OF THE COUNTY COUNSEL

By: _____
Name: **Marshall Rudolph**
Title: **Inyo County Counsel**
Date: _____

APPROVED AS TO ACCOUNTING FORM AND CONTENT:

COUNTY AUDITOR-CONTROLLER

By: _____
Name: _____
Title: _____
Date: _____

APPROVED AS TO INSURANCE AND
RISK MANAGEMENT:

COUNTY RISK MANAGER

By: _____
Name: _____
Title: _____
Date: _____



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 12

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: County Administrator – Personnel

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Request to hire Real Property Appraiser in lieu of Auditor Appraiser

DEPARTMENTAL RECOMMENDATION:

Request your Board authorize possibly filling a vacant Auditor/Appraiser I or II position (Range 70-72) with a Real Property Appraiser I/II/III position (Range 68-70-72) and, if the recruitment results in the vacant position being filled as a Real Property Appraiser, change the Office's Authorized Staffing by deleting one (1) Auditor/Appraiser I or II position and adding one (1) Appraiser position.

SUMMARY DISCUSSION:

As part of its approval of the Fiscal Year 2017-2018 County Budget, your Board created a new Auditor/Appraiser job series as requested by the Assessor; and changed the Office's Authorized Staffing by deleting an Auditor/Appraiser position (Range 78) created in last year's budget and replacing it with an Auditor/Appraiser II – again, as requested by the Assessor. Your Board also increased the Authorized Staffing in the Assessor's Office by adding an additional Auditor/Appraiser I position (Range 70). Your Board also authorized the County Administrator to proceed with hiring requests by departments for the new positions added to the Authorized Staffing, and funded in accordance with the Final Budget, without requiring the departments to return before the Board of Supervisors following the Authorized Position Review Process.

The new Auditor/Appraiser job series was supported as a means of attracting a broader field of applicants to apply for positions in the Assessor's Office. However, after commencement for the recruitment of the new Auditor/Appraiser I and II positions, the Assessor expressed concern about the results of the recruitment process thus far, and indicated his Office needed immediate help, particularly for services that could be provided by a Real Property Appraiser. The Office's Authorized Staffing currently includes one (1) Real Property Appraiser position, which is filled. Nevertheless, in response to the Assessor's expressed needs, the Personnel Office suggested and initiated recruitment for a Real Property Appraiser position (even though no vacancies existed in this classification) as well as continuing recruitment efforts for the Auditor/Appraiser I and II positions.

Currently, the Assessor has indicated that he is cautiously optimistic about being able to fill the Auditor/Appraiser I position with a very qualified candidate following interviews on December 7th. The Assessor has also expressed that recruitment processes have identified at least one candidate to whom he would like to offer a Real Property Appraiser I job. If he is allowed to change his Office's Authorized Staffing and fill the position, I recommend that the Assessor's Office be afforded the ability, in the future, to request that its Authorized Staffing be changed back – from the additional Real Property Appraiser to an Auditor Appraiser I or II (whichever is the equivalent) – without going through the reclassification process, if the incumbent gains the necessary experience and training, and the incumbent and Assessor so desire.

County Code Section 2.08.040(E) sets forth a policy whereby no new positions are to be created or filled in any fiscal year after adoption of the County Budget, unless made necessary by unforeseen or unanticipated emergencies and recommended by the County Administrator. I am comfortable recommending the changes described herein based on the needs and urgency expressed by the Assessor.

ALTERNATIVES:

Your Board could decline the request to possibly fill one of the vacant positions as a Real Property Appraiser instead of an Auditor/Appraiser I or II, and change the Authorized Staffing accordingly. However, this is not recommended because of the Assessor's description of the dire needs of his Office and his identification of candidates for the position(s) he deems viable and capable of making an immediate contribution.

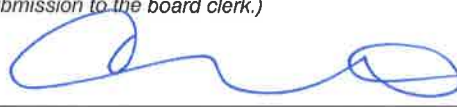

OTHER AGENCY INVOLVEMENT:

Assessor

FINANCING:

There is funding for the subject positions the Fiscal Year 2017-2018 County Budget for the Assessor's Office.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)  Approved: <u>11/17/2017</u> Date <u>yes</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)  Approved: <u>✓</u> Date <u>11-16-2017</u>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

(The Original plus 20 copies of this document are required)

 Date: 11-16-2017



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 13
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- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: County Administrator – Personnel
FOR THE BOARD MEETING OF: November 21, 2017
SUBJECT: Request to enter into personal services contract

DEPARTMENTAL RECOMMENDATION:

Request your Board designate and authorize the County Administrator to sign a personal services contract (draft attached) with Christie Martindale as Assistant Auditor-Controller at Range 84 (\$6,254 - \$7,601) Step D contingent on the Ordinance Amending Section 2.80.055 of the Inyo County Code Pertaining to Exemptions from the Competitive Service being enacted and taking effect.

SUMMARY DISCUSSION:

Your Board ratified a new Memorandum of Understanding (MOU) with the Elected Officials Assistants Association (EOAA) on October 1, 2016. Part of that contract provided that:

. . . whenever a position represented by the Association becomes vacant, the County may exempt the position from the Merit System and fill the vacancy with an employee serving at will . . . Similarly, any employee represented by the Association whose position is part of the County Merit System may at any time voluntarily enter into such an at-will contract with the County and, in that event, their position shall also be exempted from the Merit System. (Article 6. Merit System Membership)

Earlier this year, the Assistant Auditor-Controller has asked to voluntarily enter in an at-will contract pursuant to Article 6 of the EOAA MOU.

However, as your Board was apprised last week, for Article 6 of the EOAA MOU to become operative, Section 2.80.055 of the Inyo County Code Pertaining to Exemptions from the Competitive Service must be amended. Your Board took steps to accomplish this last week when it waived the first reading and set today for enactment of an ordinance titled "An Ordinance of the County of Inyo, State of California, Amending Section 2.80.055 of the Inyo County Code Pertaining to Exemptions from the Competitive Service." If your Board votes to enact the Ordinance later on today's agenda it will take effect in 30 days.

The contract with Ms. Martindale is a standard County personal services agreement, and the terms of the contract were negotiated based on input from the Auditor-Controller. If approved, the contract is contingent on your Board enacting the Ordinance Amending Section 2.80.055 of the Inyo County Code Pertaining to Exemptions from the Competitive Service and it taking effect in 30 days.

ALTERNATIVES:

Your Board could decide not to approve the contract but this is not recommended as it has been requested by the Assistant Auditor-Controller, who has patiently waited for the changes to Section 2.80.055 of the Inyo County Code necessary for the contract to be possible.


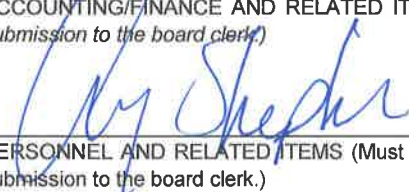

OTHER AGENCY INVOLVEMENT:

Auditor Controller
County Counsel

FINANCING:

Funding for this contract position was requested by the Auditor controller and approved as part of the Fiscal Year 2017-2018 County Budget.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.)  Approved: <u>yes</u> Date <u>11/17/17</u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)  Approved: <u>yes</u> Date <u>11/17/17</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)  Approved: <u>✓</u> Date <u>11-16-2017</u>

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)
(The Original plus 20 copies of this document are required)

Date: 11-16-2017

**AGREEMENT BETWEEN COUNTY OF INYO
AND CHRISTIE MARTINDALE
FOR THE PROVISION OF PERSONAL SERVICES
AS ASSISTANT AUDITOR CONTROLLER**

INTRODUCTION

WHEREAS, Christie Martindale (hereinafter referred to as "Assistant Auditor Controller" has been duly appointed as Assistant Auditor Controller for Inyo County; and

WHEREAS, The County of Inyo (hereinafter referred to as "County") and Assistant Auditor Controller desire to set forth the manner and means by which Assistant Auditor Controller will be compensated for performance of duties.

NOW THEREFORE, in consideration of the mutual promises, covenants, terms, and conditions hereinafter contained, County and Assistant Auditor Controller hereby agree as follows:

TERMS AND CONDITIONS

1. SCOPE OF WORK.

The Assistant Auditor Controller shall furnish to the County those services and work set forth in Attachment A, attached hereto and by reference incorporated herein.

Services and work provided by the Assistant Auditor Controller under this Agreement will be performed in a manner consistent with the requirements and standards established by applicable federal, state, and County laws, ordinances, resolutions, and directions.

2. ADMINISTRATION OF CONTRACT.

Assistant Auditor Controller will report directly to and shall work under the direction of the Auditor Controller. As the Personnel Director, the County Administrative Officer will administer this contract and exercise its provisions in consultation with the Auditor Controller.

3. TERM.

The term of this Agreement shall be from December 28, 2017 until terminated as provided below.

4. CONSIDERATION.

A. Compensation. County shall pay Assistant Auditor Controller in accordance with the Schedule of Fees (set forth as Attachment B) for the services and work described in Attachment A which are performed by Assistant Auditor Controller.

B. Travel and Per Diem. County shall reimburse Assistant Auditor Controller for the travel expenses and per diem which Assistant Auditor Controller incurs in providing services and work under this Agreement. Travel and per diem expenses will be reimbursed in accordance with the rates set forth in the Schedule of Travel and Per Diem Payment (Attachment C). County reserves the right to deny reimbursement to Assistant Auditor Controller for travel or per diem expenses which are either in excess of the amounts that may be paid under the rates set forth in Attachment C, or which are incurred by the Assistant Auditor Controller without the proper approval of the County.

County of Inyo Standard Contract - No. 208

Assistant Auditor Controller

Page 1

11/21/17

C. No Additional Consideration. Except as expressly provided in this Agreement, Assistant Auditor Controller shall not be entitled to, nor receive, from County, any additional consideration, compensation, salary, wages, or other type of remuneration for services rendered under this Agreement.

D. Manner of Payment. Assistant Auditor Controller will be paid in the same manner and on the same schedule of frequency as other County officers and employees.

E. Federal and State Taxes. From all payments made to Assistant Auditor Controller by County under the terms and provisions of this Agreement, County shall withhold all appropriate federal and state income taxes (resident and non-resident).

5. WORK SCHEDULE.

Assistant Auditor Controller's obligation is to perform the services and work identified in Attachment A which are needed within the County. It is understood by Assistant Auditor Controller that the performance of these services and work will require a varied schedule. Assistant Auditor Controller, in arranging her schedule, will coordinate and make arrangements to fulfill the requirements of the services and work which is necessary.

6. REQUIRED LICENSES, CERTIFICATES, AND PERMITS.

Any licenses, certificates, or permits required by the federal, state, county, or municipal governments for Assistant Auditor Controller to provide the services and work described in Attachment A must be procured by Assistant Auditor Controller and be valid at the time Assistant Auditor Controller enters into this Agreement. Further, during the term of this Agreement, Assistant Auditor Controller must maintain such licenses, certificates, and permits in full force and effect. Licenses, certificates, and permits may include, but are not limited to, driver's licenses, and professional licenses or certificates. Required licenses, certificates, and permits will be procured and maintained in force by Assistant Auditor Controller at no expense to the County. Assistant Auditor Controller will provide County, at County's request, evidence of current and valid licenses, certificates and permits which are required to perform the services identified in Attachment A. Where there is a dispute between Assistant Auditor Controller and County as to what licenses, certificates, and permits are required to perform the services identified in Attachment A, County reserves the right to make such determinations for purposes of this Agreement.

7. OFFICE SPACE, SUPPLIES, EQUIPMENT, ETC.

County shall provide Assistant Auditor Controller with such supplies, reference materials, telephone service, and staff as is deemed necessary by the County for Assistant Auditor Controller to provide the services identified in Attachment A to this Agreement.

8. COUNTY PROPERTY.

A. Supplies, Equipment, etc. All supplies, equipment, tools, protective or safety devices, badges, identification cards, keys, uniforms, vehicles, reference materials, furniture, appliances, etc. provided to Assistant Auditor Controller by County pursuant to this Agreement are, and at the termination of this Agreement remain, the sole and exclusive property of County. Assistant Auditor Controller will use reasonable care to protect, safeguard and maintain such items while they are in Assistant Auditor Controller's possession.

B. Products of Assistant Auditor Controller's Work and Services. Any and all compositions, publications, plans, designs, specifications, blueprints, maps, formulas, processes, photographs, slides,

video tapes, computer programs, computer disks, computer tapes, memory chips, soundtracks, audio recordings, films, audio-visual presentations, exhibits, reports, studies, works of art, inventions, patents, trademarks, copyrights, or intellectual properties of any kind which are created, produced, assembled, compiled by, or are the result or product of, Assistant Auditor Controller's services or work under this Agreement are, and at the termination of this Agreement remain, the sole and exclusive property of the County. At the termination of the Agreement, Assistant Auditor Controller will convey possession and title to all such properties to County.

9. WORKERS' COMPENSATION.

County shall provide workers' compensation coverage to Assistant Auditor Controller for all acts performed in the course and scope of providing the services described in Attachment A to this Agreement. In the event a claim is made by Assistant Auditor Controller for injuries received in the course and scope of providing such services, County's liability shall be limited to workers' compensation benefits payable under the California Labor Code.

10. DEFENSE AND INDEMNIFICATION.

In the event the Assistant Auditor Controller is sued for acts performed within the course and scope of providing services and work described in Attachment A of this Agreement, County shall defend, indemnify, and hold the Assistant Auditor Controller harmless from any and all liability arising from such acts as required by law.

11. TERMINATION AND DISCIPLINE.

Assistant Auditor Controller's services under this Agreement may be terminated by County without cause, and at will, for any reason by giving to Assistant Auditor Controller Ninety (90) days written notice of such intent to terminate. Assistant Auditor Controller may terminate this Agreement without cause, and at will, for any reason whatsoever by giving thirty (30) days written notice of such intent to terminate to County.

12. ASSIGNMENT.

This is an agreement for the personal services of Assistant Auditor Controller. County has relied upon the skills, knowledge, experience, and training of Assistant Auditor Controller as an inducement to enter into this Agreement. Assistant Auditor Controller shall not assign or subcontract this Agreement, or any part of it, without the express written consent of the County.

13. NONDISCRIMINATION.

Assistant Auditor Controller agrees to comply with various provisions of the federal, state, and county statutes, laws, and ordinances applicable to the County, and providing that no person in the United States shall, on the grounds of race, color, religion, ancestry, sex, age, physical handicap, or national origin, be subjected to discrimination.

14. CONFIDENTIALITY.

Assistant Auditor Controller agrees to comply with various provisions of the federal, state, and county laws and ordinances providing that information and records kept, maintained, or accessible by the County, shall be privileged, restricted, or confidential. Disclosure of such confidential, privileged, or protected information shall be made by Assistant Auditor Controller only as allowed by law.

15. CONFLICTS.

Assistant Auditor Controller agrees that Assistant Auditor Controller has no interest, and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of the work and services under this Agreement. Assistant Auditor Controller agrees to complete and file appropriate conflict of interest statements.

16. POST AGREEMENT COVENANT.

Assistant Auditor Controller agrees not to use any confidential, protected, or privileged information which is gained from the County in the course of providing services and work under this Agreement, for any personal benefit, gain, or enhancement. Further, Assistant Auditor Controller agrees for a period of two years after the termination of this Agreement, not to seek or accept any employment with any entity, association, corporation, or person who, during the term of this Agreement, has had an adverse or conflicting interest with the County, or who has been an adverse party in litigation with the County, and concerning such, Assistant Auditor Controller by virtue of this Agreement has gained access to the County's confidential, privileged, protected, or proprietary information.

17. AMENDMENT.

This Agreement may be modified, amended, changed, added to, or subtracted from, by the mutual consent of the parties hereto, if such amendment or change is in written form, and executed with the same formalities as this Agreement, and attached to the original Agreement to maintain continuity.

18. NOTICE.

Any notice, amendments, or additions to this Agreement, including change of address of either party during the term of this Agreement, which Assistant Auditor Controller or County shall be required, or may desire, to make shall be in writing and shall be sent by prepaid first class mail to the respective parties as follows:

County of Inyo	
<u>County Administrator</u>	Department
<u>P.O. Drawer N</u>	Mailing Address
<u>Independence, CA 93526</u>	City and State

Assistant Auditor Controller:
Christie Martindale Name
314 Cottonwood Lane Street
Bishop, CA 93514 City and State

19. ENTIRE AGREEMENT.

This Agreement contains the entire agreement of the parties, and no representations, inducements, promises, or agreements otherwise between the parties not embodied herein or incorporated herein by reference, shall be of any force or effect. Further, no term or provision hereof may be changed, waived, discharged, or terminated, unless the same be in writing executed by the parties hereto.

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**AGREEMENT BETWEEN COUNTY OF INYO
AND CHRISTIE MARTINDALE
FOR THE PROVISION OF PERSONAL SERVICES
AS ASSISTANT AUDITOR CONTROLLER**

IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS
21st DAY OF November, 2017.

COUNTY OF INYO

By: _____

Dated: _____

ASSISTANT AUDITOR CONTROLLER

By: Christie Martindale
Print or Type Name


Signature

Dated: 11/17/2017

APPROVED AS TO FORM AND
LEGALITY:

County Counsel

APPROVED AS TO ACCOUNTING
FORM:


County Auditor

APPROVED AS TO PERSONNEL
REQUIREMENTS:

Personnel Services

ATTACHMENT A

**AGREEMENT BETWEEN COUNTY OF INYO
AND CHRISTIE MARTINDALE
FOR THE PROVISION OF PERSONAL SERVICES
AS ASSISTANT AUDITOR CONTROLLER**

TERM:

FROM: DECEMBER 28, 2017 TO: TERMINATION

SCOPE OF WORK:

Assistant Auditor Controller shall perform the duties and responsibilities as identified in the job description for Assistant Auditor Controller attached hereto.

ATTACHMENT B

**AGREEMENT BETWEEN COUNTY OF INYO
AND CHRISTIE MARTINDALE
FOR THE PROVISION OF PERSONAL SERVICES
AS ASSISTANT AUDITOR CONTROLLER**

TERM:

FROM: DECEMBER 28, 2017__ TO: TERMINATION

SCHEDULE OF FEES:

1. Assistant Auditor Controller shall be paid Range 84, (currently \$6,254 - \$7,601 per month) Step D (currently \$7,233 per month). Assistant Auditor Controller shall be paid every two weeks on County paydays.
2. The Auditor Controller will review Assistant Auditor Controller's performance annually. As a result of such review, the Auditor Controller may recommend to the County Administrator, and in the County Administrator's discretion, the County Administrator may authorize an increase or decrease in Assistant Auditor Controller's salary to a higher step in the range for Assistant Auditor Controller's position.
3. . To the extent not inconsistent with any other provision of this contract, the terms and conditions of Assistant Auditor-Controller's employment shall also be covered by the County's Personnel Rules and Regulations and by the County's Memorandum of Understanding with the Elected Officials Assistants Association (which represents Assistant Auditor-Controller's position).
4. County will provide a \$250.00 per month vehicle allowance.
5. Assistant Auditor Controller is entitled to forty paid administrative hours off every fiscal year. The administrative leave hours shall not accumulate and will be lost if not utilized during the fiscal year. The administrative leave shall have no cash value.

ATTACHMENT C

**AGREEMENT BETWEEN COUNTY OF INYO
AND CHRISTIE MARTINDALE
FOR THE PROVISION OF PERSONAL SERVICES
AS ASSISTANT AUDITOR CONTROLLER**

TERM:

FROM: DECEMBER 28, 2017 TO: TERMINATION

SCHEDULE OF TRAVEL AND PER DIEM PAYMENT:

1. Subject to Paragraph 2 below, County will reimburse Officer for travel and per diem expenses in the same amount and to the same extent as County reimburses its permanent status merit system employees.
2. Officer will not be reimbursed for intra-county travel by private automobile to destinations less than seventy-five (75) miles from Independence, California.

\\\\ NOTHING FOLLOWS



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 14
--

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: County Administrator – Personnel

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Request to hire Assistant Treasurer-Tax Collector

DEPARTMENTAL RECOMMENDATION:

Request your Board authorize filling the vacant Assistant Treasurer-Tax Collector position Range XXXX (\$6,574 per month) as a merit system position pursuant to Chapter 2.80 of the Inyo County Code instead of as contract position as previously approved.

SUMMARY DISCUSSION:

As part of its approval of the Fiscal Year 2017-2018 County Budget, your Board approved filling the Assistant Treasurer-Tax Collector position as a non-merit system contract position through an internal promotion and, upon its filling, deleting the Office's Administrative Analyst position. Your Board also authorized the County Administrator to proceed with hiring requests by departments for the new positions added to the Authorized Staffing, and funded in accordance with the Final Budget, without requiring the departments to return before the Board of Supervisors following the Authorized Position Review Process.

During Budget Hearings, the Treasurer-Tax Collector objected to the reactivated Assistant Treasurer-Tax Collector position becoming an at-will contract employee. Subsequently, the candidate whom the Treasurer-Tax Collector selected for the position expressed a preference for remaining a merit system employee. The Assistant Treasurer-Tax Collector is represented by the Elected Officials Assistants Association (EOAA). Since, as shared with your Board last week, the County's Personnel Merit System Ordinance has not been updated to reflect the provisions of the new Memorandum of Understanding (MOU) with the EOAA – which provides for vacant positions represented by the Association being filled as contract positions – it has not been possible to proceed with employment contracts with otherwise eligible EOAA-represented positions. In light of this, and the desires expressed by the Treasurer -Tax Collector and, now, the candidate for the Assistant Treasurer-Tax Collector job, staff recommends your Board authorize the position to be filled as a merit system position instead of a contract position as previously approved.

ALTERNATIVES:

Your Board could decline the request fill the position as a merit system position, and the position could be filled as a contract position as authorized in the Fiscal Year 2017-2018 Board Approved Budget but only if "An Ordinance of the County of Inyo, State of California, Amending Section 2.80.055 of the Inyo County Code Pertaining to Exemptions from the Competitive Service" is enacted later today and after it takes effect.





OTHER AGENCY INVOLVEMENT:

Treasurer-Tax Collector; County Counsel

FINANCING:

Funding for this position was requested by the Treasurer-Tax Collector and approved as part of the Fiscal Year 2017-2018 County Budget.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)  Approved:  Date <u>11/17/2017</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)  Approved:  Date <u>11-16-2017</u>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
(The Original plus 20 copies of this document are required)

 Date: 11-16-2017



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

15

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Rick Benson, Assistant County Administrator

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Approve payments for prior year unpaid Community Project Sponsorship Grants

DEPARTMENTAL RECOMMENDATION:

Request Board:

1. Request Board amend the Fiscal Year 2017-2018 Advertising County Resources Budget (011400) by increasing the Annual New CPSP Grant Award object code (5511) by \$4,484 and amend the Fiscal Year 2017-2018 Contingencies Budget (087100) by decreasing the Contingencies object code (5901) by \$4,484 (*4/5ths vote required*);
2. Approve a total payment of \$4,484 from the Advertising County Resources budget for three unpaid Fiscal Year 2016-2017 CPSG grants;

SUMMARY DISCUSSION:

The Community Project Sponsorship Program (CPSP) provides a method for your Board to allocate funds in support of worthwhile projects in the County that enhance in County or out of County visitation to the community, or otherwise provide for the cultural or recreational enrichment of the citizens of Inyo County. On February 14, 2017 your Board approved 10 CPSP grants totaling \$20,984. Among those awarded grants were two grants to the Museum of Western Film History totaling \$3,484 and a \$1,000 grant to the Armargosa Conservancy.

Payments to these two grant recipients have not yet been made and, due to an oversight, funds to satisfy these grants were not encumbered at the end of the prior fiscal year. Instead the money was rolled into the end of year fund balance. The work which was to be funded by the grants has now been completed; however, because of the oversight, funds are no longer available for reimbursement. Therefore, in order to facilitate payment, it is recommended that your Board appropriate \$4,484 from the Contingencies budget in order to allow the Advertising County Resources budget to reimburse the grant recipients.

ALTERNATIVES:

If additional funds are not appropriated the contractors will not be paid for the services that have already been provided.

FINANCING:

It is requested that the funding be made from General Fund Contingencies. Please note that had these grants been properly encumbered the fund balance at year-end would have been reduced by a like amount.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by County Counsel prior to submission to the Board Clerk.)</i> Approved: <u> N/A </u> Date: <u> </u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)</i>  Approved: <u> yes </u> Date: <u> 11/5/17 </u>
BUDGET OFFICER:	BUDGET RELATED ITEMS  Approved: <u> ✓ </u> Date: <u> 11-13-2017 </u>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
(The Original plus 20 copies of this document are required)



Date: 11/5/17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 16

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Parks and Recreation

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Authorization to Purchase One 6x10 Dump Trailer

DEPARTMENTAL RECOMMENDATION:

Request Your Board:

- 1) Amend the Fiscal Year 2017-2018 Board Approved Budget by amending the Parks & Recreation Budget (076999) by recognizing revenue of \$8,500 in the Sales of Fixed Asset object code (4911) and increase the Equipment object code (5650) by \$8,500 (4/5's vote required); and
- 2) Authorize a purchase order in the amount of \$7,742.15, payable to Sundowner Trailers of CA located in Auburn, CA, for the purchase of a 6 x 10 dump trailer for use at the Parks and Campgrounds.

SUMMARY DISCUSSION:

Parks and Recreation had a dump trailer that was not ideal for the department's needs. Recently, the trailer was transferred to the Roads Department where it can be better utilized. Roads purchased the trailer for \$8,500. As a result, those funds are available to purchase a new trailer better suited for the Parks and Recreation Department. It is requested that your Board authorize this purchase.

Parks and Recreation has solicited bids for a smaller trailer. The following bids have been submitted:

- Sundowner Trailers of CA \$7,742.15
- Carson Trailers \$8,129.17
- Sun Valley Trailers \$8,467.13
- Big Tex Trailers \$8,952.85

If approved by your Board, a purchase order will be issued and the department will acquire a new trailer from Sundowner Trailers of CA.

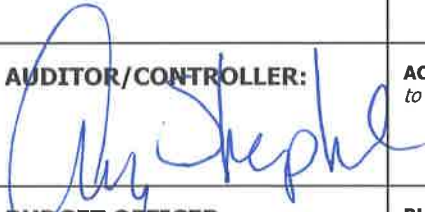

ALTERNATIVES:

Your Board could choose not to approve the purchase of the dump trailers and appropriate the funds elsewhere, however, Inyo County Parks and Recreation has a need for this vehicle.

OTHER AGENCY INVOLVEMENT: N/A

FINANCING:

The purchase of the dump trailer would be made from the 2017-2018 Parks and Recreation Budget 076999, Object Code 5650, upon approval of the budget amendment.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by County Counsel prior to submission to the Board Clerk.)</i> Approved: _____ Date: _____
AUDITOR/CONTROLLER: 	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)</i> Approved: <u>Yes</u> Date: <u>10-31-17</u>
BUDGET OFFICER:	BUDGET RELATED ITEMS  Approved: <u>✓</u> Date: <u>11-13-2012</u>

DEPARTMENT HEAD SIGNATURE:  Date: 10/31/17
(Not to be signed until all approvals are received)
(The Original plus 20 copies of this document are required)



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 17

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING: November 21, 2017

SUBJECT: Continuation of declaration of existence of local emergency

DEPARTMENTAL RECOMMENDATION:

Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Here It Comes Emergency" that was proclaimed in anticipation of run-off conditions from near-record snowpack posing extreme peril to the safety of property and persons in Inyo County.

SUMMARY DISCUSSION:

During your March 28, 2017 Board of Supervisors meeting your Board took action to approve Resolution 2017-15 proclaiming the existence of a local emergency, which has been named the Here It Comes Emergency, in anticipation of run-off conditions from near-record snowpack posing extreme peril to the safety of property and persons in Inyo County and which are likely beyond the control of the services, personnel, equipment and facilities of the County of Inyo. During your June 27, 2017 meeting, your Board took action to amend Resolution 2017-15 to recognize that the County has moved from the Preparedness stage to the Response stage, and to include new damages and impacts that have occurred in the operational area.

In light of the massive amount of runoff that is occurring due to the unprecedented snowpack, the recommendation is that the emergency be continued on a biweekly basis and that Resolution 2017-15 be updated as necessary, until further evaluation of conditions are completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
 (The Original plus 20 copies of this document are required)

Date: 11/9/17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 18

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING: November 21, 2017

SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION:

Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Rocky Road Emergency" that was proclaimed as the result of flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County caused by an atmospheric river weather phenomena that began January 3, 2017 and continued throughout February.

SUMMARY DISCUSSION:

During your February 7, 2017 Board of Supervisors meeting your Board took action to approve Resolution 2017-04 declaring a local emergency, which has been named The Rocky Road Emergency, and was the result of an atmospheric river weather phenomena that began January 3, 2017 and caused flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a biweekly basis. On March 7, 2017, your Board amended Resolution 2017-04 to further extend the continuation of the emergency and also add language to include additional damages that occurred in the latter half of January and into February.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
 (The Original plus 20 copies of this document are required)

Date: 11/9/17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 19

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kevin D. Carunchio, County Administrator
By: Kelley Williams, Assistant to the CAO

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Discussion on Discontinuation or Modification of Land of EVEN Less Water Local Emergency Proclamation

DEPARTMENTAL RECOMMENDATION:

Request Board discuss and consider staff's recommendation to continue the local emergency known as the "Land of EVEN Less Water Emergency," that was proclaimed as a result of extreme drought conditions that existed until recently in the County, while considering how to address the ongoing hydrologic issues in West Bishop.

SUMMARY DISCUSSION:

On January 17, 2014, Governor Brown proclaimed a State of Emergency and directed state officials to take all necessary actions to prepare for the forthcoming water shortfalls and drought conditions, due to the driest year in recorded state history. During your January 28, 2014 meeting your Board took action to concurrently approve Resolution 2014-09 proclaiming a local emergency, named the "Land of EVEN Less Water Emergency," a result of the severe and extreme drought conditions that existed in Inyo County. On June 28, 2016, your Board amended Resolution 2014-09 to include language to address the high groundwater saturation problems that were occurring in the West Bishop area due to the fluctuation in hydrologic conditions.

On April 7, 2017, due to the unprecedented water conservation and plentiful winter rain and snow, Governor Brown ended the drought state of emergency in most of California, while maintaining water reporting requirements and prohibitions on wasteful practices. Executive Order B-40-17 lifts the drought emergency except in areas where emergency drinking water projects will continue to help address diminished groundwater supplies. Executive Order B-40-17 also builds on actions taken in Executive Order B-37-16, which remains in effect, to continue to make water conservation a way of life in California.

As discussed at your Board meeting of April 18, 2017, due to the changed circumstances and conditions relating to this state and local emergency, it is recommended that the local emergency known as "The Land of Even Less Water" be modified – rather than discontinued outright – so that considerations can still be in place to address the ongoing hydrologic issues in West Bishop. At that meeting, your Board voted to continue the emergency for the time being, until staff can present a modified version to take into account the West Bishop situation. Staff is recommending the Board take the same action today.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.) Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:
 (Not to be signed until all approvals are received)

Date: 11/9/17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 20

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kevin D. Carunchio, County Administrator
FOR THE BOARD MEETING: November 21, 2017
SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION:

Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, known as the "Gully Washer Emergency," that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013.

SUMMARY DISCUSSION:

During your August 6, 2013 Board of Supervisors meeting your Board took action to declare a local emergency, which has been named The Gully Washer Emergency, which was a result of flooding in the central, southern and southeastern portion of Inyo County during the month of July. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a biweekly basis. The recommendation is that the emergency be continued until the further evaluation of the damage is completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
 (The Original plus 20 copies of this document are required)

Date: 11/9/17



AGENDA REQUEST FORM
 BOARD OF SUPERVISORS
 COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 21

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Continuation of proclamation of local emergency

DEPARTMENTAL RECOMMENDATION:

Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, known as the "Death Valley Down But Not Out Emergency," that was proclaimed as a result flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015.

SUMMARY DISCUSSION:

During your October 27, 2015 Board of Supervisors meeting your Board took action to proclaim a local emergency, which has been named the Death Valley Down But Not Out Emergency that is a result of flooding in the central, south and southeastern portion of Inyo County. Since the circumstances and conditions relating to this emergency persist, the recommendation is that the emergency be continued on a biweekly basis, until the further evaluation of the damage is completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

(The Original plus 20 copies of this document are required)

Date: 11/9/17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 22
--

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for 11 a.m. Closed Session Informational

FROM: Inyo County Board of Supervisors

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Zone Text Amendment 2017-03/Inyo County

DEPARTMENTAL RECOMMENDATION:

Request the Board of Supervisors:

Enact an Ordinance titled: "An Ordinance of the Board of Supervisors of the County of Inyo, State of California adding Chapter 18.67 Non-groundwater-neutral Agricultural Use Overlay District to the Inyo County Code" (Exhibit 1), approving Zone Text Amendment 2017-03/Inyo County and amending the zoning Map of the County of Inyo by adding an overlay district as shown on the map that is part of Exhibit 1.

SUMMARY DISCUSSION:

On November 14, 2017 the Inyo County Board of Supervisors approved Zone Text Amendment 2017-03/Inyo County. The Board waived the first reading of the Ordinance for this project, scheduling its enactment for today's meeting.

Staff recommends enactment of the Ordinance adding Chapter 18.67 Non-groundwater-neutral Agricultural Use Overlay District to the Inyo County Code and amending the Zoning Map of the County of Inyo by adding an overlay district as shown on the attached map.

ALTERNATIVES:


- Do NOT approve the requested actions.
- Return to staff with direction

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

General Fund Resources were utilized to process the Ordinance

APPROVALS	
COUNTY COUNSEL: <i>yes</i>	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> 
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i>

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)

 _____ Date: 11/15/17

- Attachments:
1.) Ordinance

ORDINANCE NO. ORD ____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO,
STATE OF CALIFORNIA ADDING CHAPTER 18.67 ENTITLED NON-
GROUNDWATER-NEUTRAL AGRICULTURAL USE OVERLAY DISTRICT TO THE
INYO COUNTY CODE**

The Board of Supervisors of the County of Inyo ordains as follows:

SECTION ONE: Purpose and Authority.

The purpose of this ordinance is to add Chapter 18.67 titled Non-Groundwater-Neutral Agricultural Use Overlay District that will provide that any new non-groundwater-neutral agricultural uses in the Overlay District (as depicted in Attachment A) shall require a Conditional Use Permit. This ordinance is enacted pursuant to the authority given this Board of Supervisors by the California Planning and Zoning Law, set forth in Government Code 65000 et seq., which authorizes a county to enact ordinances governing the uses of land within its jurisdiction.

SECTION TWO. CHAPTER 18.67 Non-Groundwater-Neutral Agricultural Use Overlay District

- 18.67.010. Purpose**
- 18.67.020. Definitions**
- 18.67.030. Uses Permitted**
- 18.67.040. Development standards**
- 18.67.050. Conditional uses**

18.67.010 Purpose

The purpose of this chapter is to provide a mechanism (overlay district) to regulate the water usage on agricultural uses in groundwater basins that are in overdraft.

18.67.020. Definitions:

- A. Non-groundwater-neutral: an activity, use or project is non-groundwater-neutral when it causes, or is projected to cause, a significant and persistent decline in groundwater storage and/or groundwater elevation, and/or groundwater quality.
- B. Agricultural uses: orchards, vineyards, vegetable and field crops, nurseries, gardens and other enterprises carried out in the general field of agriculture. For purposes of this Chapter “commercial cannabis cultivation” shall also be considered an agricultural use.

18.67.030. Uses Permitted

The uses permitted in the non-groundwater-neutral agricultural use overlay district are those same uses as defined in the zoning district for which the non-groundwater-neutral agricultural use overlay is combined

18.67.040. Development standards

Development standards shall be applied as defined in the zoning district for which the non-groundwater-neutral agricultural use overlay district is combined.

18.67.050. Conditional use permit required

Before any agricultural use, as established by Title 18 of the Inyo County Code may be conducted, a conditional use permit shall be approved by the planning commission at an advertised public hearing authorizing such use.

SECTION THREE. Zoning Map of the County of Inyo modified

The Zoning Map of the County of Inyo is modified by the addition of the Non-Groundwater-Neutral Agricultural Use Overlay District as depicted on Attachment A, attached hereto, and incorporated herein.

SECTION FOUR. Effective Date.

This ordinance shall become effective Thirty (30) days from the date of its adoption. The Clerk of the Board of Supervisors shall post this ordinance and also publish the ordinance in the manner prescribed by Government Code section 25124 no later than Fifteen (15) days after the date of its adoption. If the Clerk fails to publish this ordinance within said Fifteen (15) day-period, the ordinance shall not take effect until 30 days after the date of publication.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2017, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mark Tillemans, Chair
Inyo County Board of Supervisors

ATTEST:

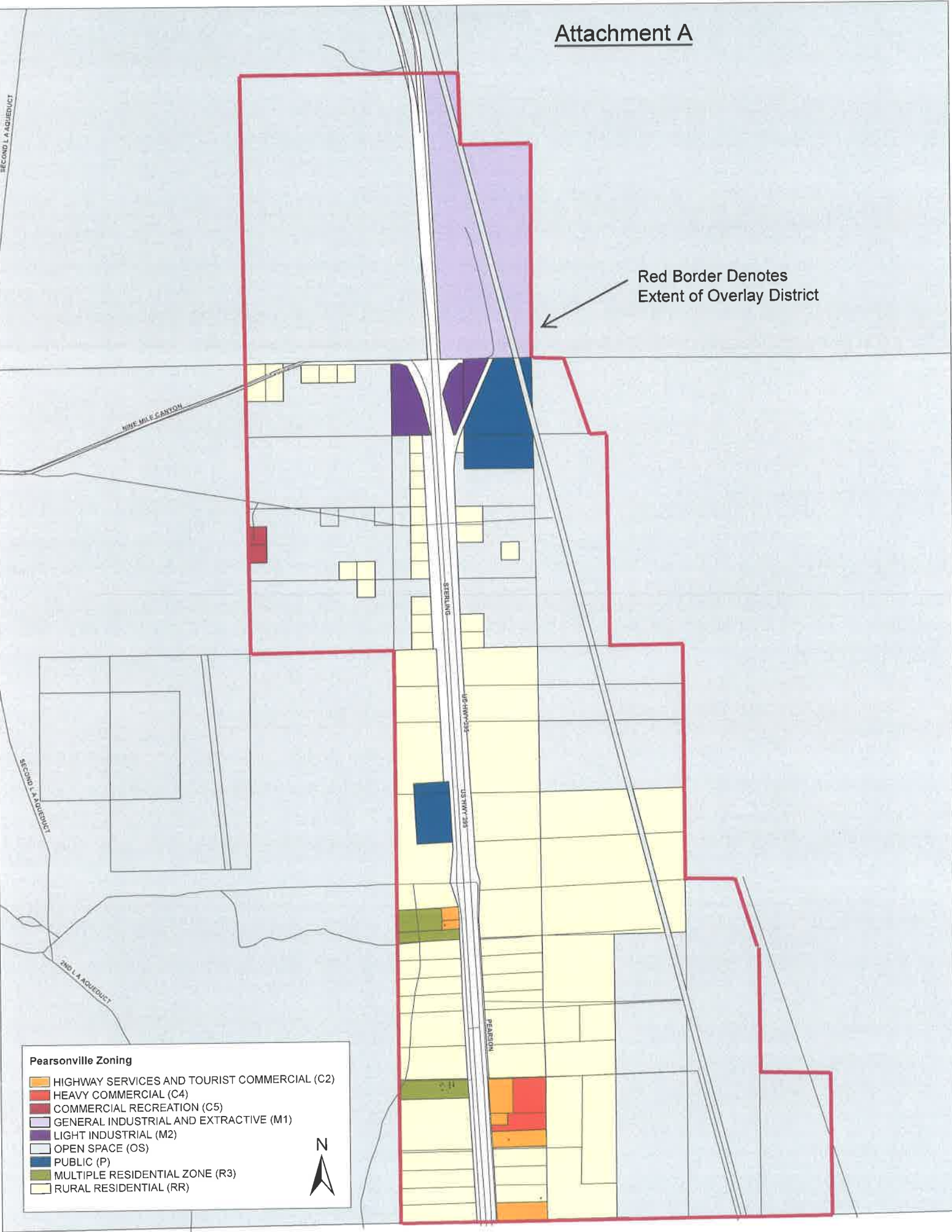
APPROVED AS TO FORM:

Clerk of the Board










COUNTY COUNSEL

Attachment A

Red Border Denotes
Extent of Overlay District



Pearsonville Zoning

-  HIGHWAY SERVICES AND TOURIST COMMERCIAL (C2)
-  HEAVY COMMERCIAL (C4)
-  COMMERCIAL RECREATION (C5)
-  GENERAL INDUSTRIAL AND EXTRACTIVE (M1)
-  LIGHT INDUSTRIAL (M2)
-  OPEN SPACE (OS)
-  PUBLIC (P)
-  MULTIPLE RESIDENTIAL ZONE (R3)
-  RURAL RESIDENTIAL (RR)

N



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

23

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for 11 a.m. Closed Session Informational

FROM: Inyo County Board of Supervisors

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Zone Reclassification No. 2017-01/Sorrells

DEPARTMENTAL RECOMMENDATION:

Request the Board of Supervisors:

Enact an Ordinance titled: "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2017-01/Sorrells and amending the Zoning Map of the County of Inyo by rezoning a 225-acre Parcel and a 229 acre parcel that constitute the majority of the community of Shoshone (APN 046-120-25 & 046-120-040) as shown in Attachment A (Current Zoning Map) and Attachment B (Proposed Zoning Map)".

SUMMARY DISCUSSION:

On November 14, 2017 the Inyo County Board of Supervisors approved General Plan Amendment No. 2017-01/Sorrells and Zone Reclassification No. 2017-01/Sorrells. The Board waived the first reading of the Ordinance for this project, scheduling its enactment for today's meeting.

Staff recommends enactment of the Ordinance rezoning the properties as shown in Attachment A (Current Zoning Map) and Attachment B (Proposed Zoning Map).

ALTERNATIVES:


- Do NOT approve the requested actions.
- Return to staff with direction

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

Cost to process Zone Reclassifications is paid for by the applicant.

<u>APPROVALS</u>	
COUNTY COUNSEL: <i>yes</i>	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> 
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i>

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)



Date: 11/15/17

- Attachments:
1.) Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION NO. 2017-03/SORRELLS AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY REZONING A 225-ACRE PARCEL AND A 229 ACRE PARCEL THAT CONSTITUTE THE MAJORITY OF THE COMMUNITY OF SHOSHONE (APN 046-120-25 & 046-120-040) AS SHOWN IN ATTACHMENT A (CURRENT ZONING MAP) AND ATTACHMENT B (PROPOSED ZONING MAP).

The Board of Supervisors of the County of Inyo ordains as follows:

SECTION I: AUTHORITY

This Ordinance is enacted pursuant to the police power of the Board and Sections 18.81.310 and 18.81.350 of the Inyo County Code, which establish the procedure for the Board of Supervisors to enact changes to the Zoning Ordinance of the County, set forth in Title 18 of said code. The Board of Supervisors is authorized to adopt zoning ordinances by Government Code Section 65850 et seq.

SECTION II: FINDINGS

Upon consideration of the material submitted, the recommendation of the Inyo County Planning Commission, and statements made at the public hearing held on this matter, this Board finds as follows:

- (1) In accordance with Inyo County Code Section 18.81.320, Susan Sorrells applied to the Inyo County Planning Commission to have the zoning map of the County of Inyo amended from a the current zoning map shown in Attachment A to the proposed zoning map shown in Attachment B on properties that comprise much of the community of Shoshone (APN 046-120-25 and 046-120-040), as described in Section III of this Ordinance.
- (2) On September 27, 2017, the Inyo County Planning Commission conducted a public hearing on Zone Reclassification Zone Reclassification No. 2017-02/Silcott, following which the Commission made various findings and recommended that this Board amend Title 18, to rezone the property described in Section III of this Ordinance with Rural Residential with a 5-acre minimum (RR-5.0) and RR-5.0 SAHO; and Rural Residential with a 2.5-acre minimum (RR-2.5) and RR-2.5 SAHO.
- (3) The findings of the Planning Commission are supported by the law and facts and are adopted by this Board.
- (4) Susan Sorrells applied to the Inyo County Planning Commission to have the Inyo County General Plan Land Use Map amended as shown in Attachment C (Current General Plan Land Use Map) and Attachment D (Proposed General Plan Land Use Map).

- (5) The proposed Zone Reclassification is consistent with the goals, policies, and implementation measures in the Inyo County General Plan, including the proposed General Plan Amendment.
- (6) The proposed actions will act to further the orderly growth and development of the County by rezoning the properties as shown in Attachment A (current zoning map) and Attachment B (proposed zoning map), as it best matches the current and future uses of the property.

SECTION III: ZONING MAP OF THE COUNTY OF INYO AMENDED

The Zoning Map of the County of Inyo as adopted by Section 18.81.390 of the Inyo County Code is hereby amended so that the zoning on the 225-acre and 229 acre sites that constitute the majority of the community of Shoshone (APN 046-120-25 and 046-120-040) is changed as shown in Attachment A (current zoning map) to be as shown in Attachment B (proposed zoning map).

SECTION IV: EFFECTIVE DATE

This Ordinance shall take effect and be in full force and effect thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption hereof, this Ordinance shall be published as required by Government Code Section 25124. The Clerk of the Board is hereby instructed and ordered to so publish this Ordinance together with the names of the Board members voting for and against same.

PASSED AND ADOPTED THIS 21ST DAY OF NOVEMBER, 2017.

AYES:

NOES:

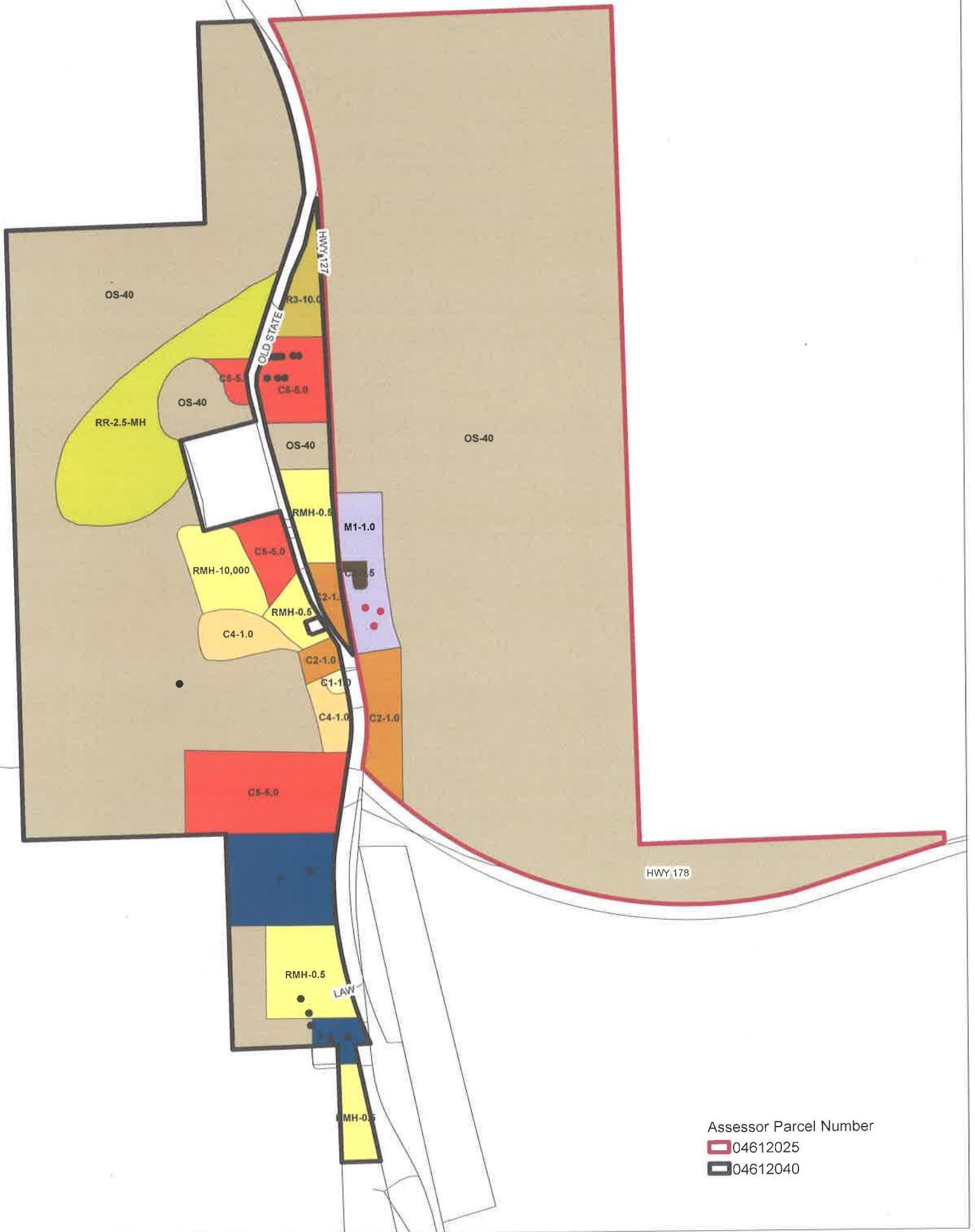
ABSTAIN:

ABSENT:

Mark Tillemans, Chairperson
Inyo County Board of Supervisors

ATTEST:
Kevin Carunchio
Clerk of the Board

By: _____
Darcy Ellis, Assistant



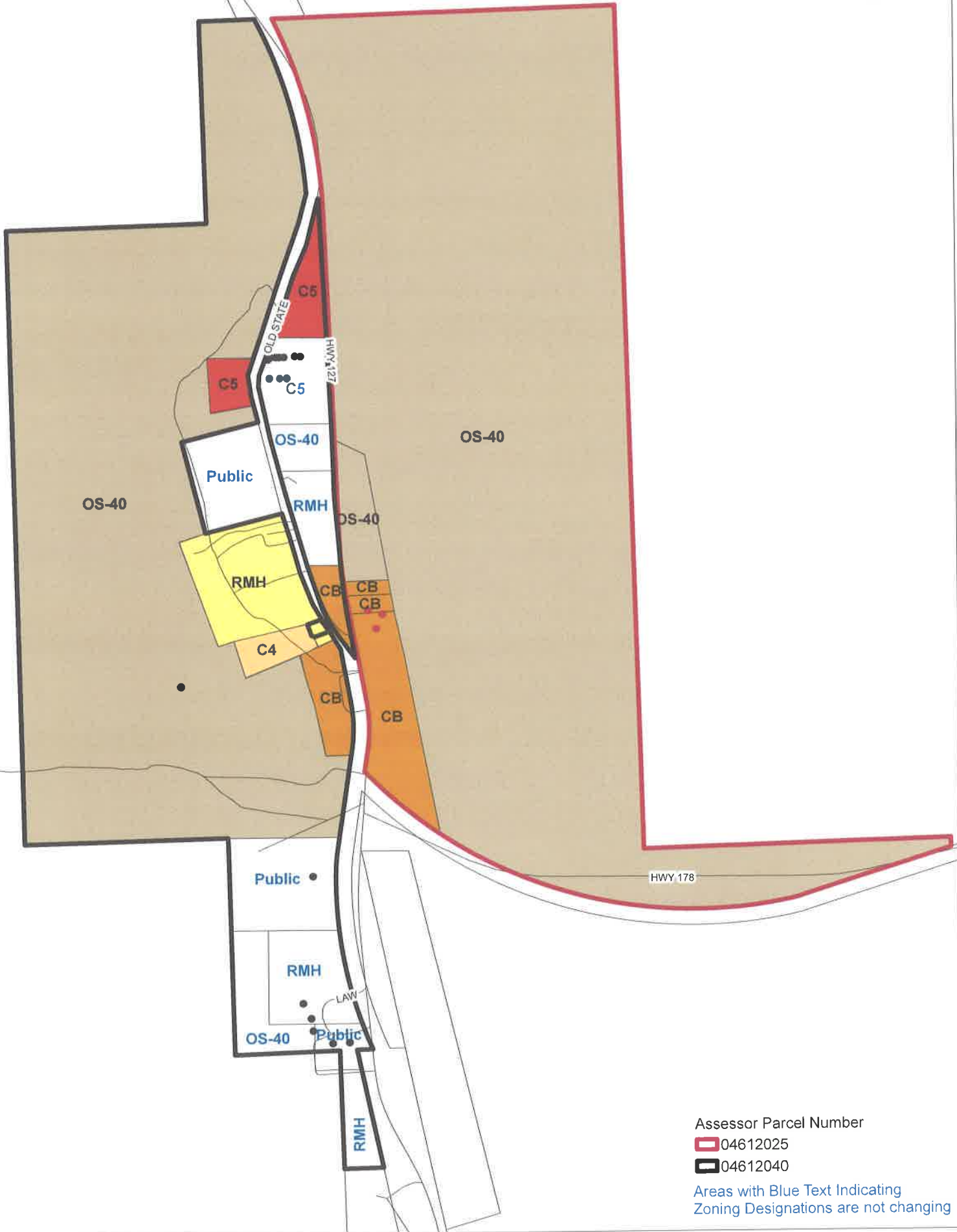
Assessor Parcel Number

04612025

04612040

Proposed Zoning Sorrells Properties

Attachment B



Assessor Parcel Number

04612025

04612040

Areas with Blue Text Indicating Zoning Designations are not changing







AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

24

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: County Administrator - Personnel

FOR THE BOARD MEETING OF: November 21, 2017

SUBJECT: Ordinance Amending Section 2.80.55 of the Inyo County Code

DEPARTMENTAL RECOMMENDATION:

Request Board enact an ordinance titled "An Ordinance of the County of Inyo, State of California, Amending Section 2.80.055 of the Inyo County Code Pertaining to Exemptions from the Competitive Service."

SUMMARY DISCUSSION:

Your Board ratified a new Memorandum of Understanding (MOU) with the Elected Officials Assistants Association (EOAA) on October 1, 2016. Part of that contract provided that:

. . . whenever a position represented by the Association becomes vacant, the County may exempt the position from the Merit System and fill the vacancy with an employee serving at will . . . Similarly, any employee represented by the Association whose position is part of the County Merit System may at any time voluntarily enter into such an at-will contract with the County and, in that event, their position shall also be exempted from the Merit System.
(Article 6. Merit System Membership)

An employee represented by the Association, the Assistant Auditor-Controller, wishes to voluntarily enter in an at-will contract. However, for Article 6 of the EOAA MOU to become operative, Section 2.80.055 of the Inyo County Code Pertaining to Exemptions from the Competitive Service must be amended.

Your Board took to make the changes to Section 2.80.055 of the Inyo County Code last week, on November 14, 2017, when it voted to waive the first reading of an ordinance titled "An Ordinance of the County of Inyo, State of California, Amending Section 2.80.055 of the Inyo County Code Pertaining to Exemptions from the Competitive Service" and set today, November 21, 2017, for enactment. However, during your board's consideration of the item on November 17th, there was some question as to whether a Code amendment was necessary to effect the terms of the EOAA MOU.

Section 2.80.055 of the Inyo County Code Pertaining to Exemptions from the Competitive Service currently reads, in part, that positions exempted from the merit system or competitive service include:

All other management-level positions (including department or division heads and any deputy or assistant department/division heads) that are or become vacant after December 1, 2016, if at the time of hiring they are unrepresented by any recognized employee organization.
[emphasis added]

Since the Assistant Auditor-Controller, and all eligible positions described in the EOAA MOU are, in fact, represented by the EOAA – a recognized employee organization – it is clear that Section 2.80.055 of the Inyo County Code Pertaining to Exemptions from the Competitive Service needs to be amended to effect the provisions of the EOAA MOU.

The proposed amendment to the Merit System Ordinance accomplishes this by including management level positions represented by recognized employee associations where the organization has agreed that the represented position is or may become “at-will” and provided that the County and the person filling that position have also contractually agreed that the person’s employment shall be “at-will.”

- S. Any position represented by a recognized employee organization where the organization has agreed that the represented position is or may become “at-will” and provided that the County and the person filling that position have also contractually agreed that the person’s employment shall be “at-will.”

As committed to in last week’s Agenda Request, in anticipation of your Board enacting the Ordinance as recommended, a contract with the Assistant Auditor-Controller was presented for consideration by your Board earlier on today’s meeting agenda contingent on this Ordinance taking effect in 30 days.

And, as noted in and committed to in last week’s Agenda Request, since the Treasurer-Tax Collector objected to the recently reinstated Assistant Treasurer-Tax Collector position becoming an at-will contract employee. And since the candidate to whom the Treasurer-Tax Collector wants to offer the position has also expressed a preference for remaining a merit system employee. And since the County’s Merit System Ordinance has not been updated to reflect the provisions of the new MOU with the EOAA, an earlier Agenda Request on today’s agenda has provided your Board an opportunity to hire the Assistant Treasurer-Tax Collector position as a Merit System position (rather than the contract-position currently authorized in the Fiscal Year 2017-2018 County Budget) prior to the Ordinance Amending Section 2.80.055 being recommended here taking effect.

The proposed amendment to the Merit System Ordinance also implements related Board direction by adding subdivisions "R" and "T" which will read as follows with respect to exempting positions from the merit system or competitive service:

- R. Any position that is unrepresented by a recognized employee organization, if the County and the person filling that position contractually agree that the person’s employment shall be “at-will” (i.e., subject to termination with or without cause).
- T. Any other position that the Board of Supervisors specifically designates as “at-will” by resolution, provided the County has first satisfied any obligation to meet and confer with a recognized employee organization representing that position."

ALTERNATIVES:

Your Board could choose not to enact the Ordinance, or direct other amendments to the ordinance.



OTHER AGENCY INVOLVEMENT:

County Counsel

FINANCING:

N/A

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.)  Approved: <u>yes</u> Date <u>11/16/17</u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.) Approved: _____ Date _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)  Approved: <u>✓</u> Date <u>11-16-2017</u>

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
(The Original plus 20 copies of this document are required)



Date: 11-16-2017

ORDINANCE 1219

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, AMENDING SECTION 2.80.055 OF THE INYO COUNTY CODE, PERTAINING TO EXEMPTIONS FROM THE COMPETITIVE SERVICE

WHEREAS, Section 2.80.055 of the Inyo County Code identifies County offices and positions that are exempt from Chapter 2.80 of the County Code (the “Merit System Ordinance of the County”); and

WHEREAS, it is necessary to update section 2.80.055 in order to augment and clarify certain positions that are intended to be exempt from Chapter 2.80;

NOW, THEREFORE, the Board of Supervisors of the County of Inyo ordains as follows:

SECTION I: Section 2.80.055 of the Inyo County Code is amended to add subdivisions “R,” “S,” and “T,” which will read as follows:

“R. Any position that is unrepresented by a recognized employee organization, if the County and the person filling that position contractually agree that the person’s employment shall be “at-will” (i.e., subject to termination with or without cause).

S. Any position represented by a recognized employee organization where the organization has agreed that the represented position is or may become “at-will” and provided that the County and the person filling that position have also contractually agreed that the person’s employment shall be “at-will.”

T. Any other position that the Board of Supervisors specifically designates as “at-will” by resolution, provided the County has first satisfied any obligation to meet and confer with a recognized employee organization representing that position.”

SECTION II: EFFECTIVE DATE

This Ordinance shall take effect and be in full force and effect thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption hereof, this Ordinance shall be published as required by Government Code Section 25124. The Clerk of the Board is hereby instructed and ordered to so publish this Ordinance together with the names of the Board members voting for and against same.

PASSED AND ADOPTED THIS 21st DAY OF NOVEMBER 2017.

**AYES:
NOES:
ABSTAIN:
ABSENT:**

Mark Tillemans, Chairperson
Inyo County Board of Supervisors

ATTEST:
Kevin Carunchio
Clerk of the Board

By: _____
Darcy Ellis, Assistant