

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.

October 9, 2012

9:00 a.m. INVOCATION by Supervisor Richard Cervantes

PLEDGE OF ALLEGIANCE

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

1. **PUBLIC COMMENT**
2. **COUNTY DEPARTMENT REPORTS** (Reports limited to two minutes)
3. **BOARD OF SUPERVISORS** – Request Board adopt a resolution honoring Charles Abbott as the Inyo County 2012 Firefighter of the Year and present the award to Mr. Abbott.
4. **INTRODUCTION** – Mr. Nolan Bobroff, Planning Coordinator, will be introduced to the Board.

CONSENT AGENDA (Approval recommended by the County Administrator)

COUNTY ADMINISTRATOR

5. **Emergency Services** – Request Board continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows.

COUNTY COUNSEL

6. Request approval of A) the 2012 Conflict of Interest Code Biennial Reports from County Departments as recommended; and B) the Conflict of Interest Code for County Departments as recommended.
7. Request approval of A) the 2012 Conflict of Interest Code Biennial Reports from local agencies as recommended; and B) the Conflict of Interest Code for local agencies as recommended.

DISTRICT ATTORNEY

8. Request Board accept the Inyo County Victim Witness Assistance Program Grant from the California Emergency Management Agency for FY 2012-2013; and authorize the District Attorney to sign documentation to accept and utilize the grant on behalf of the County.

HEALTH AND HUMAN SERVICES

9. Request Board ratify and approve the Contract between the County of Inyo and the Inyo County Superintendent of Schools CDD for the provision of Improved System & Child Development Services for the period of July 1, 2012 through June 03, 2013, in an amount not to exceed \$24,000; and authorize the Chairperson to sign.

PUBLIC WORKS

10. Request approval of Amendment No. 1 to the Contract between the County of Inyo and Pestmaster Services, Inc., for insect and pest control services at County facilities to modify the scope of work and increase the annual amount of the Contract from \$6,667.64 a month to \$7,016.16 a month for the remainder of the original term through FY 15/16; and authorize the Chairperson to sign, contingent upon the adoption of future budgets.
11. Request Board declare Johnstone Supply a sole-source provider of heating, air-conditioning, and refrigeration repair and replacement parts, and authorize a blanket purchase order to Johnstone Supply in the amount of \$12,000 for the purchase of parts.

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

12. **COUNTY ADMINISTRATOR** – Request approval of the report to Judge Dean Stout, Presiding Judge, Inyo County Superior Court, responding to the findings and recommendations in the 2011-12 Grant Jury Final report; and authorize the County Administrator to sign the transmittal letter.
13. **COUNTY ADMINISTRATOR** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, the Death Valley Roadeater Emergency, that resulted in flooding in the eastern portion of Inyo County during the month of August 2012, per Resolution #2012-32.
14. **DISTRICT ATTORNEY** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the BPAR Legal Secretary I position comes from the General Fund, as certified by the District Attorney, and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Legal Secretary I, the vacancy could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure a qualified applicant pool; and C) approve the hiring of one B-PAR Legal Secretary I at Range 54A (\$15.23 - \$18.51 per hour).
15. **DISTRICT ATTORNEY** – Request Board amend the FY 2012-2013 County Budget by recognizing \$7,000 in unanticipated revenue; and in the District Attorney Budget Unit 022400 by increasing revenue in Restitutions (Revenue Code #4676) by \$7,000 and increasing expenditures in Special Appropriations (Object Code #5321) by \$7,000. (4/5's vote required.)
16. **PLANNING** – Request Board review the scoping notice and correspondence for the Environmental Assessment for a proposal to implement a Forest Order closing endangered Sierra Nevada Bighorn Sheep habitat to domestic goat use in the Inyo National Forest; and authorize the Chairperson to sign.

TIMED ITEMS (Items will not be considered before scheduled time)

- 10:00 a.m.
17. **WORKSHOP** – The Board will conduct a workshop with Health and Human Services staff on the IC Gold Program
 18. **HEALTH AND HUMAN SERVICES – ESAAA** – The Board of Supervisors/Eastern Sierra Area Agency on Aging Governing Board will receive and discuss updates regarding current issues affecting the delivery of senior services in Inyo County and the Eastern Sierra encompassed by Public Service Area 16, providing direction as appropriate.
 19. **WORKSHOP** – The Board will conduct a workshop with Health and Human Services and Probation Department staff on the Wraparound Program.

WORKSHOPS AND PRESENTATIONS (To be considered at the Board's convenience)

20. **PUBLIC WORKS** – the Board will conduct a workshop regarding recent reports about the operation and condition of the water systems (Lone Pine, Independence, and Laws).
21. **COUNTY ADMINISTRATOR – Museum Services** – the Board will conduct a workshop to review the package of Community Project Sponsorship Program materials to determine what, if any, changes need to be made and schedule the second part of the workshop to discuss those changes the Board might wish to make in the grant materials.

CORRESPONDENCE - ACTION

BOARD MEMBERS AND STAFF REPORTS

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

22. **PUBLIC COMMENT**

CLOSED SESSION

23. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [PURSUANT TO GOVERNMENT CODE §54956.9(c)]** – Decision whether to initiate litigation (one case).
24. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriffs Association (DSA) - Negotiators: Labor Relations Administrator Sue Dishion, Information Services Director Brandon Shults, and Planning Director Josh Hart.
25. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistants Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion.
26. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Correctional Officers Association (ICCOA) - Negotiators: Labor Relations Administrator Sue Dishion.
27. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, Director of Child Support Services Susanne Rizo, Chief Probation Officer Jeff Thomson.
28. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]**. – Instructions to Negotiators re: wages, salaries and benefits – Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) – Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.
29. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Law Enforcement Administrators Association (LEAA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.
30. **REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8)** – Property – APN001-104-09, 512 N 2nd Street, Bishop, California – Negotiating Parties – County Administrator, HHS Director, and Interim Public Works Director - Negotiations – Terms and Conditions.

REPORT ON CLOSED SESSION AS REQUIRED BY LAW

CORRESPONDENCE - INFORMATIONAL

31. **AUDITOR-CONTROLLER** - Notice that in accordance with Section 26905 and 26921 of the Government Code and your orders of February 5, 1950 and January 3, 1956, an actual count of money in the hands of the Treasurer was made on September 28, 2012 and that the count showed the funds to be in balance, pending written verification of inactive accounts.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

3

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

FROM: Supervisor Marty Fortney

FOR THE BOARD MEETING OF: October 9, 2012

SUBJECT: Presentation of the Annual Volunteer Firefighter of the Year Award

DEPARTMENTAL RECOMMENDATION: - Request Board adopt a resolution honoring Charles Abbott as the Inyo County 2012 Firefighter of the Year

SUMMARY DISCUSSION: The Inyo County Fire Chiefs Association is dedicated to promoting the volunteer fire districts that provide emergency firefighting services throughout Inyo County. In 2009, in an effort to promote and encourage volunteers to join their local volunteer fire departments, the Fire Chiefs Association created the Annual Firefighter of the Year Award. The Association accepts nominations from the various volunteer fire districts throughout the County each year and selects the Volunteer Firefighter of the Year from those nominated. The Association hopes that through this very prestigious award they will encourage volunteers to join their local fire volunteer fire departments. It is an honor to have the opportunity to bring this request before our Board. As you know our local volunteer firefighters are the first responders to the emergencies, which occur in our County. These are our neighbors and friends, who respond 24/7 when help is needed. They are the same people who are first to offer assistance when neighboring jurisdictions need help. I am proud to serve with the brave men and women of the Big Pine Volunteer Fire Department, as well as alongside the volunteers of the other local volunteer fire departments throughout Inyo County. It is a privilege and pleasure to recommend your Board approve a resolution honoring the 2012 Firefighter of the Year, Charles Abbott, and to request the Board present the Fourth Annual Firefighter of the Year Award to this year's honoree.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: The Inyo County Fire Chiefs Association

FINANCING: - There is no fiscal impact associated with this action.

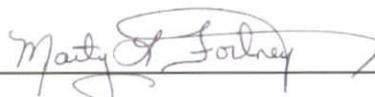
APPROVALS

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 _____
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 _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

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



Date: _____

**RESOLUTION NO. 2012-
A RESOLUTION OF THE BOARD OF SUPERVISORS,
COUNTY OF INYO, HONORING**

**CHARLES ABBOTT
INYO COUNTY 2012 FIREFIGHTER OF THE YEAR**

Whereas, the Inyo County Fire Chiefs Association, dedicated to the preservation and improvement of the volunteer firefighting services throughout Inyo County, in 2009 created the Annual Firefighter of the Year Award; and

Whereas, the Inyo County Board of Supervisors strongly supports the efforts of its volunteer Fire Districts, is pleased to join with Inyo County Fire Chiefs and the other members of our Community in honoring the brave men and women who volunteer their time to help keep their loved ones, friends, neighbors and our visitors safe in times of emergencies; and

Whereas, the 2012 Annual Fire Fighter of the Year Award recipient, Charles Abbott joined the Olancha Cartago Fire Department in 2000; and

Whereas, soon after joining the Department, in 2003 Charles Abbott earned a promotion to the rank of Captain; and

Whereas, in 2003 he also completed the EMT-Basic Training and in 2012 the Advanced EMT training; and

Whereas, in 2010 Charles Abbott again earned a promotion and became the Assistant Fire Chief of the Olancha Cartago Fire Department, and

Whereas, Assistant Chief Abbott is a leader in Southern Inyo County who continually strives to support his fellow fire fighters by promoting and organizing training, and interagency drills for the betterment of the Department; and

Whereas, Assistant Chief Abbott over the years has increased cooperation and coordination between departments, while dedicating his time to the community by consistently responding to 90% of the calls, training, meetings and events of the Olancha Cartago Fire Department and surrounding departments for more than ten years; and

Whereas, Assistant Chief Abbott has continued to demonstrate his commitment to his community through his dedicated service to the Olancha Cartago Fire Department, setting an example for all to be proud of and to follow.

Now, Therefore, Be It Resolved, this 9th day of October, 2012, that the Inyo County Board of Supervisors in recognition of the years of dedicated service Assistant Chief Charles Abbott has given to the Olancha Cartago Fire Department, is proud to join with the Inyo County Fire Chiefs Association in honoring *Assistant Chief Charles Abbott Inyo County 2012 Volunteer Fire Fighter Of The Year* and extends its congratulations, heartfelt appreciation and thanks to Assistant Chief Charles Abbott, for his dedication and personal commitment to the citizens of the Inyo County and commends him on being a shining example of what it means to be a Volunteer.

Inyo County Board of Supervisors

Chairperson Susan Cash, Second District Supervisor

Linda Arcularius, First District Supervisor

Rick Pucci, Third District Supervisor

Marty Fortney, Fourth District Supervisor

Richard Cervantes Fifth District Supervisor



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 5

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

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF October 9, 2012

SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION: - Request Board continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows.

SUMMARY DISCUSSION: - During your August 5, 2008 Board of Supervisors meeting your Board took action to continue the local emergency, which was a result of the Inyo Complex Oak Creek Mud Flows. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a week-to-week basis. The recommendation is that the emergency be continued until the permanent diversions are in place. LADWP has notified your Board that the completion of the project is expected for sometime this fall. Therefore, it is recommended that your Board continue the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

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: _____ 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: _____
 (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
4

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

FROM:COUNTY COUNSEL

FOR THE BOARD MEETING OF: October 9, 2012

SUBJECT: APPROVAL OF 2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORTS AND CONFLICT OF INTEREST CODES

DEPARTMENTAL RECOMMENDATION:

1. Receive and approve the 2012 Conflict of Interest Code Biennial Reports from the following County Departments (Attachments A.1. through A.16.)

- A.1. Agricultural Commissioner/Weights and Measures
- A.2. Assessor
- A.3. Auditor-Controller
- A.4. Child Support Services
- A.5. Clerk/Recorder
- A.6. Coroner
- A.7. County Counsel
- A.8. District Attorney
- A.9. Environmental Health
- A.10. Farm Advisor
- A.11. Health and Human Services
- A.12. Planning
- A.13. Probation Department
- A.14. Sheriff's Department
- A.15. Treasurer-Tax Collector
- A.16. Water Department

2. Receive and approve the Conflict of Interest Code for the following Departments (Attachments B.1. through B.7.)

- B.1. Assessor
- B.2. Coroner
- B.3. County Counsel
- B.4. Health and Human Services
- B.5. Health and Human Services
- B.6. Sheriff
- B.7. Water Department

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

Government Code § 87306.5 requires that the Inyo County Board of Supervisors, no later than July 1st of each even numbered year, direct every local governmental agency within the county, to review its Conflict of Interest Code and report to the Board no later than October 1, of each even numbered year. The report is a certification that the conflict of interest code has been reviewed and that either no changes need be made to

the code or that certain changes need to be made as indicated. Inyo County Ordinance Number 931 (County Code section 2.83.050) imposes similar requirements upon each department of the County to conduct a biennial review of its conflict of interest code. On January 20, 2012, and June 27, 2012 the Office of County Counsel notified each county department within Inyo County, of its obligation to review its conflict of interest code and file the required biennial report on or before October 1, 2012.

All County Departments have reviewed their conflict of interest code and submitted their biennial report to the Board (Attachments A.1. through A.16. above). By this Agenda Request, the Board is asked to receive and approve these biennial reports. Additionally, in conducting their biennial review, seven (7) departments have made necessary changes to their departmental conflict of interest codes (Attachment B.1. – B.7.) and are seeking your Board's approval as the Local Agency Code Reviewing Body. We have reviewed the Biennial Reports and Conflict of Interest Codes submitted to your Board, and find them to be in accordance with legal requirements.

ALTERNATIVES:

If the Board feels that a biennial report is not accurate, it may direct that the report be returned to the originating county department for revision. Likewise, if the Board feels that a designated employee or the disclosure category set forth in the conflict of interest code, is not appropriate or in accordance with the requirements of the law, your Board may elect to return the conflict of interest code to the county department for further revision. The Board could also decline to approve and receive the biennial report or the conflict of interest codes. Such action, however, would be contrary to the Board's duties as the County's conflict of interest code approving body.

OTHER AGENCY INVOLVEMENT:

Biennial reports and/or Conflict of Interest Codes have been received from County Departments as identified in the recommendation section of this report with the exception of three (3) departments.

FINANCING:

The recommended action results in no financial impact to the County of Inyo.

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 <u>10-2-12</u>
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DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

 Date: 10-2-12

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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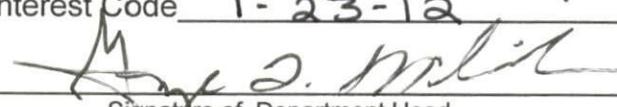
This department has reviewed its conflict of interest code and has determined that:

(1) Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments. business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

(2) Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- Include new positions which must be designated.
- Make changes to the reportable sources of income, investments, business positions, or real property.
- Make changes to the titles of positions assigned.
- Delete positions which have been abolished or changed.
- Change or add the provisions required by Government Code Section 87302.

Contact Person George L. Milovich
Department Ag Comm
Mailing Address 207 West South St., Rm 6, Bishop CA 93514
Date of Review of Departmental Conflict of Interest Code 1-23-12


Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

111811

Exhibit A-1

Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

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 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
SUPERVISOR FISCAL SERVICES IS NOW ADMIN ANALYST
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person Tom LANSCHAW
Department ASSESSOR
Mailing Address PO BOX J
Date of Review of Departmental Conflict of Interest Code 7-2-2012

Thomas W Lanschaw
Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

111811

Exhibit A.2

Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

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 - Change or add the provisions required by Government Code Section 87302.

Contact Person Leslie Chapman
Department Auditor - Controller
Mailing Address P.O. Drawer R, Independence, CA 93526
Date of Review of Departmental Conflict of Interest Code 2/21/12

Leslie S. Chapman
Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

Exhibit A-3 ¹¹¹⁸¹¹

Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

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- Make changes to the titles of positions assigned.
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- Change or add the provisions required by Government Code Section 87302.

Contact Person Susanne Rizo
Department Child Support
Mailing Address 230 W. Line St P.O. Box 1147
Date of Review of Departmental Conflict of Interest Code 1/23/12

[Signature]
Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

111811

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- Make changes to the titles of positions assigned.
- Delete positions which have been abolished or changed.
- Change or add the provisions required by Government Code Section 87302.

Contact Person Kammi Foote
Department Clerk/Recorder
Mailing Address P.O. Drawer F, Independence, CA 93526
Date of Review of Departmental Conflict of Interest Code 1/25/12


Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

111811

Exhibit A.5.

Page 1 of 1

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- Include new positions which must be designated.
 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person Leon B. Brune
Department Coroner
Mailing Address 325 W. Elm Street, Bishop, CA 93514
Date of Review of Departmental Conflict of Interest Code 07/23/2012

Leon B. Brune
Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

111811

Exhibit A.6.

Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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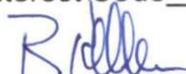
This department has reviewed its conflict of interest code and has determined that:

(1) Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

(2) Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

- Include new positions which must be designated.
- Make changes to the reportable sources of income, investments, business positions, or real property.
- Make changes to the titles of positions assigned.
- Delete positions which have been abolished or changed.
- Change or add the provisions required by Government Code Section 87302.

Contact Person Randy H. Keller
Department County Counsel
Mailing Address P.O. Box M, Independence, CA 93516
Date of Review of Departmental Conflict of Interest Code 09/25/2012



Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

111811

Exhibit A.7.
Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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- (1) Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,
- (2) Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
- Include new positions which must be designated.
 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person Arthur J. Maillet, District Attorney
Department Inyo County District Attorney
Mailing Address Post Office Drawer D, Independence, California 93526
Date of Review of Departmental Conflict of Interest Code 2/1/12



Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

Exhibit A-8¹¹¹⁸¹¹
Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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This department has reviewed its conflict of interest code and has determined that:

- (1) Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

- (2) Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
 - Include new positions which must be designated.
 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person MARVIN MOSKOWITZ
Department ENVIRONMENTAL HEALTH
Mailing Address PO BOX 427, INDEPENDENCE CA
Date of Review of Departmental Conflict of Interest Code 3/5/12

Marvin Moskowitz
Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

Exhibit A.9 ¹¹¹⁸¹¹

Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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- (1) Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,
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- Include new positions which must be designated.
 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person Serena Dennis
Department Farm Advisor
Mailing Address 207 West South St. Bishop, CA 93514
Date of Review of Departmental Conflict of Interest Code 1-25-12

Serena Dennis
Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12 111811

Exhibit A-10.
Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

###

This department has reviewed its conflict of interest code and has determined that:

- (1) Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,
- (2) Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
- Include new positions which must be designated.
 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person Anna Scott
Department Health and Human Services
Mailing Address 163 May St. Bishop CA 93514
Date of Review of Departmental Conflict of Interest Code 7/26/12

Jean Turner
Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12 111811

Exhibit A.11.
Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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(1) Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

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- Make changes to the reportable sources of income, investments, business positions, or real property.
- Make changes to the titles of positions assigned.
- Delete positions which have been abolished or changed.
- Change or add the provisions required by Government Code Section 87302.

Contact Person Joshua Hart
Department Planning Department
Mailing Address PO Drawer 4 Indy 93526
Date of Review of Departmental Conflict of Interest Code 4/3/12


Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

111811

Exhibit A. 12.

Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person Jeffrey L. Thomson
Department Inyo County Probation Dept.
Mailing Address 900 P.O. Box T, Independence, CA 93526
Date of Review of Departmental Conflict of Interest Code 1/27/12

Jeffrey L. Thomson
Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

111811

Exhibit A.13
Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person Janis L. Odum
Department Sheriff
Mailing Address P.O. Drawer S, Independence, CA 93526
Date of Review of Departmental Conflict of Interest Code January 25, 2012



Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12 111811

Exhibit A-14.
Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

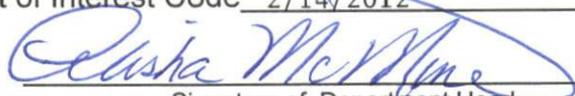
Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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- (2) Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
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 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person Alisha McMurtrie
Department Treasurer-Tax Collector
Mailing Address P.O. Drawer 0, Independence CA 93526
Date of Review of Departmental Conflict of Interest Code 2/14/2012


Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

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Exhibit A. 15
Page 1 of 1

2012 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

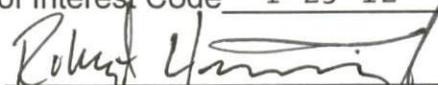
Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

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- (2) Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
- Include new positions which must be designated.
 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person Laura Piper
Department Water Department
Mailing Address P. O. Box 337, Independence, CA 93526
Date of Review of Departmental Conflict of Interest Code 1-25-12



Signature of Department Head

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.
dg:CIC/Biennial.Depts12

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Exhibit A.16.
Page 1 of 1

**CONFLICT OF INTEREST CODE OF THE
ASSESSOR DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA**

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the Assessor Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the Assessor Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employee's required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of Assessor.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income

received, any time during the previous calendar year or since the date the employee assumed the designated position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. Contents of Disclosure Statement.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. Disqualification.

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
Assessor DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Category</u>
Assessor	1
Assistant Assessor	1
Auditor Appraiser	2
Appraiser III	2
Appraiser II	2
Appraiser I	2
Cadastral Technician	3
Administrative Analyst	3
Mineral Appraisal Consultant	2
Special Legal Counsel for Mineral Rights Assessment Appeals	2

APPENDIX "B"
DISCLOSURE CATEGORIES

OF THE _____ ASSESSOR _____ DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORY ONE (1)

- (a.) Designated employees shall report any investment or interest in real property located within the County of Inyo or within two miles of the County boundary.
- (b.) Designated employees shall report any investment, business position or source of income if the business entity in which the investment or business position is held or is the source of income is located within the County of Inyo or within two miles of the County boundary or does business within the County of Inyo and is subject to assessment by the Inyo County Assessor's office.
- (c.) Designated employees shall disclose all investments, business positions or sources of income, regardless of where located, if the business entity in which the investment or business position is held or is the source of income is from any of the following businesses which have done business in Inyo County at any time during the two years prior to the time the statement is filed, currently does business in Inyo County, or currently has plans to do business in Inyo County:
1. Manufacture, sales or service of computers or related equipment or software.
 2. Manufacture, sales or service of office furniture or equipment.
 3. Manufacture or sales of office supplies.

DISCLOSURE CATEGORY TWO (2)

- (a.) Designated employees shall report any investment or interest in real property located within the County of Inyo or within two miles of the County boundary.
- (b.) Designated employees shall report any investment, business position or source of income if the business entity in which the investment or business position is held or is the source of income is located within the County of Inyo or within two miles of the County boundary or does business within the County of Inyo and is subject to assessment by the Inyo County Assessor's office.

Exhibit B.1.

Page 4 of 5

DISCLOSURE CATEGORY THREE (3)

(a.) Designated employees shall disclose all investments, business positions or sources of income, regardless of where located, if the business entity in which the investment or business position is held or is the source of income is from any of the following businesses which have done business in Inyo County at any time during the two years prior to the time the statement is filed, currently does business in Inyo County, or currently has plans to do business in Inyo County:

1. Manufacture, sales or service of computers or related equipment or software.
2. Manufacture, sales or service of office furniture or equipment.
3. Manufacture or sales of office supplies.

CONFLICT OF INTEREST CODE OF THE
Coroner **DEPARTMENT**
COUNTY OF INYO, STATE OF CALIFORNIA

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the Inyo County Coroner's Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the Coroner's Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employee's required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of Coroner Department.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income

received, any time during the previous calendar year or since the date the employee assumed the designated position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. Contents of Disclosure Statement.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. Disqualification.

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
Coroner **DEPARTMENT**
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Category</u>
Coroner, Leon B. Brune	1 & 2
Chief Deputy Coroner, William Stinnett	1
Deputy Coroner, Jeff Mullenhour	1
Deputy Coroner, Jason Molinar	1

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE
Coroner DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

Disclosure Category (1)

Designated employees shall report investments, business options, interests in real property or source of income, if the business entity in which the investment or business is held, the interest in real property, or the source of income is located within the County of Inyo or within two miles of the County boundary.

Disclosure Category (2)

Designated employees shall disclose all investments, business positions, interests in real property, or source of income, regardless of where located, if the business entity in which the investment or business position held, the interest in real property, the income source of income is from any of the following businesses which have done business in the County of Inyo at any time during the (2) years prior to the time the statement is filed, currently does any business in Inyo County, or currently has plans to do business in Inyo County.

1. Mortuary service, supplies or equipment.
2. (a) Autopsy services, supplies or equipment.
(b) Hospital services, supplies or equipment.
(c) Laboratory services, supplies or equipment.

**CONFLICT OF INTEREST CODE OF THE
COUNTY COUNSEL DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA**

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the OFFICE OF COUNTY COUNSEL hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the Office of County Counsel may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employee's required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of County Counsel.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income received, any time during the previous calendar year or since the date the employee assumed the designated

position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. Contents of Disclosure Statement.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. Disqualification.

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
OFFICE OF COUNTY COUNSEL
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Category</u>
County Counsel	1
Deputy County Counsel I, II, III, IV	2
Special Legal Counsel	2
Administrative Legal Secretary	3
Office Assistant III	3
Consultants	4

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE
OFFICE OF COUNTY COUNSEL
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

Disclosure Category One (1):

Designated employees shall report as required by Government Code Section 87200 et seq.

Disclosure Category Two (2):

Designated employees shall report all investments, business positions, interest in real property, and sources of income.

Disclosure Category Three (3):

Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment, or business position is held, the interest in real property, the income or source of income, is from any of the following businesses which have done business in Inyo County at any time during the two (2) years prior to the time the statement if filed, currently does any business in Inyo County, or currently has plans to do business in Inyo County:

1. General Office Services;
2. Office and Legal Supplies;
3. Office Equipment, Business Machines, Computer Hardware and Software.

Disclosure Category Four (4):

Designated employees in Category Four (4), must disclose pursuant to Category Two (2) above, except that the County Counsel may determine in writing that a particular consultant, although a "designated position" is hired to perform a range of duties that are limited in scope and thus, is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultants duties and, based upon that description, statement of the extent, if any, of disclosure required. The determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

CONFLICT OF INTEREST CODE OF THE
Health and Human Services **DEPARTMENT**
COUNTY OF INYO, STATE OF CALIFORNIA

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the Health and Human Services Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the Health and Human Services Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employees required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of Health and Human Services.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income

received, any time during the previous calendar year or since the date the employee assumed the designated position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. Contents of Disclosure Statement.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. Disqualification.

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
Health and Human Services **DEPARTMENT**
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Category</u>
Assistant Director of Health and Human Services	I
Behavioral Health Director	I
Clinical Services Director	I
Director of Health and Human Services	I
First 5 Director	I
Fiscal Director	I
Health Officer	I
Management Analyst	I
Program Chief: Behavioral Health (2)	I
Social Services Director	I
Addictions Program Supervisor	II
Administrative Analyst: Behavioral Health	II
Administrative Analyst: IMAAA	II
Administrative Analyst: Social Services	II
First 5 Commissioners (7)	II
Fiscal Supervisor	II
Human Services Supervisor: Behavioral Health	II
Human Services Supervisor: Prevention	II
Human Services Supervisor: Social Services (4)	II
Program Manager: Progress House	II
Program Manager: WIC	II
Psychiatrist	II
Psychotherapist (3)	II
Senior Citizen Specialist (2)	II
Clinic Nurse Manager	II
Tecopa Operations Manager	II
Social Worker Supervisor	II
Senior Social Worker Supervisor	II
Consultants and Contractors	III

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE
Health and Human Services DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

General Provisions

When a designated employee is required to disclose investments and sources of income, the employee need only disclose investments in business entities and sources of income which do business in the County, plan to do business in the County, or have done business in the County; within the past two years. In addition to other activities, a business entity is doing business within the County if it owns real property within the County. When a designated employee is required to disclose interests in real property, the employee need only disclose real property which is located in whole or in part within, or not more than, two miles outside the boundaries of the County or within two miles of any land owned or used by the County. Notwithstanding the above general provisions, an employee whose position involves negotiating purchases or contracts in business operating outside the County shall disclose all business interests and income both in and outside the County of Inyo.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Appendix "A".

Disclosure Categories

Category I

Designated employees in Category I must report all financial interest in real property, investments, income and interest in any business entity as defined in General Provisions above.

Category II

Designated employees in Category II must report all financial interest in real property, investments, income and interest in any business as defined in General Provisions above which is a related business to the designated employee's County position. This includes any related private practice of the employee and any business to which referrals are made or purchases recommended by the employee. This includes counseling, nursing and residential treatment programs.

Category III

Designated employees in Category III must report pursuant to Category I when the Director of Health and Human Service designates in contract such designations.

HHS – Administrative Office
P.O. Drawer A, 155 E. Market Street
Independence, CA 93526
Tel: (760) 878-0242 FAX: (760) 878-0266

OR
163 May Street
Bishop, CA 93514
Tel: (760) 873-3305 FAX: (760) 873-6505

County of Inyo
Health and Human Services
Department/Eastern Sierra
Area Agency on Aging

Jean Turner, M.A., Director
jturner@inyocounty.us

MEMO

TO: County Counsel

CC: Jean Turner, Gina Ellis

FROM: Anna Scott

DATE: July 26, 2012

SUBJECT: Proposed changes to the Health and Human Services Conflict of Interest Code

RECEIVED
JUL 31 2012
Office of County Counsel
Bishop

As part of the biennial review of the Health and Human Services conflict of interest code, we have determined that the following amendments are necessary:

Add the following positions:

Add Title	Disclosure Category
Senior Social Worker Supervisor	II

Make changes to the title of positions assigned as follows:

From Old Title	To New Title	Disclosure Category
Human Services Supervisor: Social Services (3)	Human Services Supervisor: Social Services (4)	II
Supervising Family Nurse Practitioner	Clinic Nurse Manager	II
Psychotherapist	Psychotherapist (3)	II

Exhibit B.H.
Page 5 of 7

The following positions remain unchanged:

Title	Disclosure Category
Assistant Director of Health and Human Services	I
Behavioral Health Director	I
Clinical Services Director	I
Director of Health and Human Services	I
First 5 Director	I
Fiscal Director	I
Health Officer	I
Management Analyst	I
Program Chief: Behavioral Health (2)	I
Social Services Director	I
Addictions Program Supervisor	II
Administrative Analyst: Behavioral Health	II
Administrative Analyst: IMAAA	II
Administrative Analyst: Social Services	II
First 5 Commissioners (7)	II
Fiscal Supervisor	II
Human Services Supervisor: Behavioral Health	II
Human Services Supervisor: Prevention	II
Program Manager: Progress House	II
Program Manager: WIC	II
Psychiatrist	II
Senior Citizen Specialist (2)	II
Tecopa Operations Manager	II
Social Worker Supervisor	II
Consultants and Contractors	III

If all proposed changes are approved by County Counsel, the combined designated positions should be listed as follows in Appendix "A" of the Health and Human Services conflict of interest code for 2012:

	<u>Disclosure Category</u>
Assistant Director of Health and Human Services	I
Behavioral Health Director	I
Clinical Services Director	I
Director of Health and Human Services	I
First 5 Director	I
Fiscal Director	I
Health Officer	I
Management Analyst	I
Program Chief: Behavioral Health (2)	I
Social Services Director	I
Addictions Program Supervisor	II
Administrative Analyst: Behavioral Health	II
Administrative Analyst: IMAAA	II
Administrative Analyst: Social Services	II
First 5 Commissioners (7)	II
Fiscal Supervisor	II
Human Services Supervisor: Behavioral Health	II
Human Services Supervisor: Prevention	II
Human Services Supervisor: Social Services (4)	II
Program Manager: Progress House	II
Program Manager: WIC	II
Psychiatrist	II
Psychotherapist (3)	II
Senior Citizen Specialist (2)	II
Clinic Nurse Manager	II
Tecopa Operations Manager	II
Social Worker Supervisor	II
Senior Social Worker Supervisor	II
Consultants and Contractors	III

**CONFLICT OF INTEREST CODE OF THE
SHERIFF DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA**

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the SHERIFF Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the SHERIFF Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employee's required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of SHERIFF.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income

received, any time during the previous calendar year or since the date the employee assumed the designated position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. Contents of Disclosure Statement.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. Disqualification.

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
SHERIFF DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Category</u>
SHERIFF	1
UNDERSHERIFF	1
LIEUTENANT (Includes Animal Control & Veterans Service Officer)	2
ADMINISTRATIVE CORPORAL	2
CIVIL OFFICER	3
ADMINISTRATIVE ASSISTANT TO THE SHERIFF	3
ACCOUNT TECHNICIAN III	3
ADMINISTRATIVE ANALYST	3
FOOD SERVICES SUPERVISOR	3

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE
SHERIFF DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

DISCLOSURE CATEGORY ONE (1) :

- (a.) Designated employees shall report any investment, business position, interest in real property or source of income, if the business entity in which the investment or business position is held, the interest in real property, or the source of income is located within the County of Inyo or within two miles of the County boundary.
- (b.) Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment or business position held, the interest i real property, the income or source of income is from any business (2) years prior to the time the statement is files, currently does any business in Inyo County, or currently has plans to do business in Inyo County.
- (c.) designated employees shall report their gross income and community property interest in their spouse's gross income aggregating 4250 or more received from any source located in or doing business within Inyo County.
- (d.) Designated employees shall report any loans, including real estate loans and margins accounts, received by either the employee or the employee's spouse aggregating 4250 or more from a single source which is located in, or doing business within Inyo County.

DISCLOSURE CATEGORY TWO (2) :

- (a.) Designated employees shall report any investment, business position, interest in real property or source of income, if the business entity in which the investment or business position is held, the interest in real property, or the source of income is located within the County of Inyo or within two miles of the County boundary.
- (b.) Designated employees shall disclose all investments, business positions, interests in real property, or sources of income, regardless of where located, if the business entity in which the investment or business position held, the interest i real property, the income or source of income is from any business (2) years prior to the time the statement is files, currently does any business in Inyo County, or currently has plans to do business in Inyo County.

DISCLOSURE CATEGORY THREE (3) :

- (a.) Designated employees shall report any investment, business position, interest in real property or source of income, if the business entity in which the investment or business position is held, the interest in real property, or the source of income is located within the County of Inyo or within two miles of the County boundary.

DISCLOSURE REPORTING:

All disclosures and reporting shall be in conformance with the requirements contained in Statement of Economic Interests Form 700 and instructions presented by the California Fair Political Practices Commission and in the California Government Code.

**CONFLICT OF INTEREST CODE OF THE
WATER DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA**

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the WATER Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the WATER Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All employee's required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of WATER.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income

received, any time during the previous calendar year or since the date the employee assumed the designated position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. Contents of Disclosure Statement.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

SECTION 6. Disqualification.

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
WATER DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Category</u>
WATER COMMISSIONERS	1
WATER DIRECTOR	1
MITIGATION PROJECTS MANAGER	1
SCIENCE COORDINATOR	1
ADMINISTRATIVE ANALYST	1
SALT CEDAR COORDINATOR	1

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE
WATER DEPARTMENT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

CATEGORY 1 - IN ADDITION TO INYO COUNTY ORDINANCE NO. 271, DESIGNATED EMPLOYEES IN CATEGORY 1 MUST REPORT ALL FINANCIAL INTEREST IN BUSINESS ACTIVITIES WHICH DO BUSINESS WITH THE COUNTY OR HAVE DONE BUSINESS WITH THE COUNTY IN THE PAST TWO YEARS.



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: COUNTY COUNSEL

FOR THE BOARD MEETING OF: **October 9, 2012**

SUBJECT: **APPROVAL OF 2012 LOCAL AGENCY CONFLICT OF INTEREST CODE BIENNIAL REPORTS AND CONFLICT OF INTEREST CODES**

DEPARTMENTAL RECOMMENDATION:

1. Receive and approve the 2012 Conflict of Interest Code Biennial Reports from the following Local Agencies (Exhibit A.1. through A.19.) .

- A.1. Big Pine Cemetery District
- A.2. Big Pine Community Services District
- A.3. Big Pine Fire Protection District
- A.4. Bishop Rural Fire Protection District
- A.5. East Independence Sanitary District
- A.6. Independence Cemetery District
- A.7. Independence Community Services District
- A.8. Indian Creek-Westridge
- A.9. Inyo County Office of Education
- A.10. Keeler Community Service District
- A.11. Lone Pine Community Service District
- A.12. Lone Pine Unified School District
- A.13. Northern Inyo County Local Hospital District
- A.14. Olancha Community Services District
- A.15. Owens Valley Unified School District
- A.16. Pioneer Cemetery District
- A.17. Sierra Highlands Community Services District
- A.18. Sierra North Community Services District
- A.19. Southern Inyo Healthcare District Board of Directors

2. Receive and approve the Conflict of Interest Code for the following Local Agencies (Exhibit B.1-B.2.)

- B.1. Indian Creek-Westridge Community Service District
- B.2. Northern Inyo County Local Hospital District

SUMMARY DISCUSSION:

Government Code § 87306.5 requires that the Inyo County Board of Supervisors, no later than July 1st of each even numbered year, direct every local governmental agency within the county, to review its Conflict of Interest Code and report to the Board no later than October 1, of each even numbered year. The report is a certification that the conflict of interest code has been reviewed and that either no changes need be made to the code or that certain changes need to be made as indicated. Inyo County Ordinance Number 931 (County Code section 2.83.050) imposes similar requirements upon each department of the County to conduct a biennial review of its conflict of interest code. On January 23, 2012 and June 27, 2012, the Office of County

Counsel notified each local agency within Inyo County, of its obligation to review its conflict of interest code and file the required biennial report on or before October 1, 2012.

These listed local agencies have reviewed their conflict of interest code and submitted their biennial report to the Board (Exhibits A.1. through A.19. above). By this Agenda Request, the Board is asked to receive and approve these biennial reports. Additionally, in conducting their biennial review, two (2) local agencies made necessary changes to their agency conflict of interest codes (Exhibit B.1. through B.2.) and are seeking your Board's approval as the Local Agency Code Reviewing Body. We have reviewed the Biennial Reports and Conflict of Interest Codes submitted to your Board, and find them to be in accordance with legal requirements. There still remains eleven (11) Districts who have not submitted their conflict of interest codes to our office.

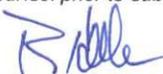
ALTERNATIVES:

If the Board feels that a biennial report is not accurate, it may direct that the report be returned to the originating Local Agency for revision. Likewise, if the Board feels that a designated employee or the disclosure category set forth in the conflict of interest code, is not appropriate or in accordance with the requirements of the law, your Board may elect to return the conflict of interest code to the Local Agency for further revision. The Board could also decline to approve and receive the biennial report or the conflict of interest codes. Such action, however, would be contrary to the Board's duties as the County's conflict of interest code approving body.

OTHER AGENCY INVOLVEMENT: n/a

FINANCING: The recommended action results in no financial impact to the County of Inyo.

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 <u>10-2-12</u>
-----------------	---

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

 Date: 10-2-12

2012 LOCAL AGENCY BIENNIAL REPORT

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form or you may prepare your own report. When completed, all reports must be mailed to:

County Counsel
County of Inyo
Post Office Box M
Independence, CA 93526

###

This agency has reviewed its conflict of interest code and has determined that:

- (1) Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,
- (2) Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
- Include new positions which must be designated.
 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person William Jasper
Agency Big Pine Cemetery District
Mailing Address PO Box 299 Big Pine CA 93513
Date of Review of Agencies Conflict of Interest Code August 2, 2012

W. Jasper
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

2012 LOCAL AGENCY BIENNIAL REPORT

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Contact Person KEVIN Tillemans, President
Agency Big Pine Community Services District
Mailing Address PO-Box 639, Big Pine, Ca. 93513
Date of Review of Agencies Conflict of Interest Code 2-15-12

Kevin Tille 2-15-12
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

BOARD OF COMMISSIONERS
March 22, 2012

Jeri Stout called a meeting of the Board of Commissioners of the Big Pine Fire Protection District to order at 7:00PM on March 20, 2012.

Commissioners present were Mike Carrington, Jeff Koffman, Jim Kemp and Jeri Stout. Chief John Marzano was also present.

A motion was made by Jeff Coffman to make a purchase of a rescue rotary saw with 8 blades, seconded by Jim Kemp. All in favor.

It was decided that we will not support the Prevention Grant as the reporting requirements are to restrictive. All in favor.

The review of the Conflict of Interest Code was complete and there will be no changes. All in favor

There being no further business Mike Carrington motioned that the meeting be adjourned, seconded by Jim Kemp.

Adjournment: 7:07 PM
Sincerely Submitted

Joanie

2012 LOCAL AGENCY BIENNIAL REPORT

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 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person Ray Seguire
Agency Bishop Rural Fire District
Mailing Address P.O. Box 1236
Date of Review of Agencies Conflict of Interest Code February 2, 2012

Robert Elsenread
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

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 - Delete positions which have been abolished or changed.
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Contact Person MARCELINE W. SMITH (SEC/TREAS)
Agency EAST INDEPENDENCE SANITARY DISTRICT
Mailing Address P.O. Box 453 INDEPENDENCE, CA 93526
Date of Review of Agencies Conflict of Interest Code 1-14-2012

Marceline W. Smith
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

2012 LOCAL AGENCY BIENNIAL REPORT

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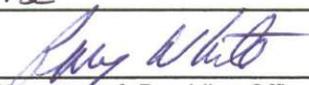
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 - Change or add the provisions required by Government Code Section 87302.

Contact Person Sandra Bilyeu
Agency Independence Cemetery District
Mailing Address P.O. Box 219, Independence, CA 93526
Date of Review of Agencies Conflict of Interest Code 2.21.12



Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

2012 LOCAL AGENCY BIENNIAL REPORT

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 - Change or add the provisions required by Government Code Section 87302.

Contact Person Arthur LaCups
Agency Independence Community Services District
Mailing Address _____
Date of Review of Agencies Conflict of Interest Code 2/21/2012
Alison Judson
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

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2012 LOCAL AGENCY BIENNIAL REPORT

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 - Make changes to the titles of positions assigned.
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 - Change or add the provisions required by Government Code Section 87302.

Contact Person Terrence Tye
 Agency Indian Creek - Westridge Community Services District
 Mailing Address P.O. Box 952, Bishop, CA 93514
 Date of Review of Agencies Conflict of Interest Code April 18, 2012


 Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

2012 LOCAL AGENCY BIENNIAL REPORT

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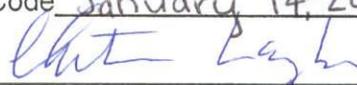
County Counsel
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 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person Anne Hartshorn
Agency Inyo County Office of Education
Mailing Address P.O. Drawer 6, Independence, CA 93526
Date of Review of School Districts Conflict of Interest Code January 14, 2012



Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

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Contact Person

Myranda TEW

Agency

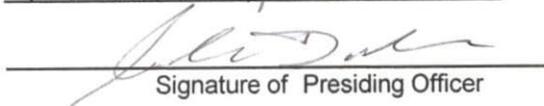
Keeler Community Services District (KCSO)

Mailing Address

P.O. Box 107 Keeler, CA 93530

Date of Review of Agencies Conflict of Interest Code

March 27, 2012


Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

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Contact Person NITA LINDSEY - Secretary
Agency LONE PINE CSD
Mailing Address P.O. Box 36 Lone Pine CA 93545
Date of Review of Agencies Conflict of Interest Code 5-8-12


Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

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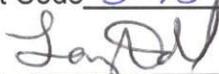
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Contact Person LARRY TODD
Agency LONE PINE UNIFIED SCHOOL DISTRICT
Mailing Address P.O. Box 159 LONE PINE CA 93545
Date of Review of School Districts Conflict of Interest Code 3-13-12



Signature of Presiding Officer

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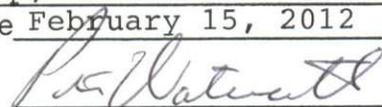
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Contact Person Douglas Buchanan, District Legal Counsel
Agency Northern Inyo County Local Hospital District
Mailing Address 150 Pioneer Lane, Bishop, California 93514
Date of Review of Agencies Conflict of Interest Code February 15, 2012



Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

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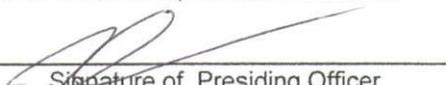
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 - Change or add the provisions required by Government Code Section 87302.

Contact Person Steve Davis
Agency Olancha Community Services District
Mailing Address PO Box 64, Olancha, CA 93549
Date of Review of Agencies Conflict of Interest Code March 21, 2012



Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

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Contact Person JOEL HAMPTON, SUPERINTENDENT
Agency OWENS VALLEY UNIFIED SCHOOL DISTRICT
Mailing Address P.O. DRAWER E, INDEPENDENCE, CA 93526
Date of Review of School Districts Conflict of Interest Code 2/15/2012



Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

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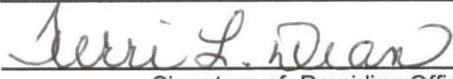
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###

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- (1) Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,
- (2) Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
- Include new positions which must be designated.
 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person Terri L. Dean
Agency Pioneer Cemetery District
Mailing Address Post Office Box 1326, Bishop, CA 93515
Date of Review of Agencies Conflict of Interest Code _____



Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

2012 LOCAL AGENCY BIENNIAL REPORT

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form or you may prepare your own report. When completed, all reports must be mailed to:

County Counsel
County of Inyo
Post Office Box M
Independence, CA 93526

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 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person John Camphouse
Agency Sierra Highlands Community Services District
Mailing Address P.O. Box 782 Bishop, CA 93515
Date of Review of Agencies Conflict of Interest Code _____

John Camphouse
Signature of Presiding Officer 1/30/2012

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

2012 LOCAL AGENCY BIENNIAL REPORT

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 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person SHANE HUNTLEY
Agency SIERRA NORTH C.S.D
Mailing Address 185 NORTH ST
Date of Review of Agencies Conflict of Interest Code 4-11-12

Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

2012 LOCAL AGENCY BIENNIAL REPORT

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form or you may prepare your own report. When completed, all reports must be mailed to:

County Counsel
County of Inyo
Post Office Box M
Independence, CA 93526

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- Include new positions which must be designated.
 - Make changes to the reportable sources of income, investments, business positions, or real property.
 - Make changes to the titles of positions assigned.
 - Delete positions which have been abolished or changed.
 - Change or add the provisions required by Government Code Section 87302.

Contact Person
Agency
Mailing Address
Date of Review of Agencies Conflict of Interest Code

Richard Gering
Southern Inyo Healthcare Dist. Board of Directors
PO Box 1009, Lone Pine, CA 93545-1009
March 22, 2012

Robert K. King
Signature of Presiding Officer

Note: Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

CONFLICT OF INTEREST CODE OF THE
Indian Creek - Westridge Community Services DISTRICT
COUNTY OF INYO, STATE OF CALIFORNIA

SECTION 1. Purpose.

Pursuant to California Government Code section 87300, et seq., the Indian Creek - Westridge Community Services District hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2. Designated Positions.

The positions listed on Appendix "A" are designated positions. Persons holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

SECTION 3. Disclosure Statements.

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each person in a designated position shall file a statement of financial interest disclosing that person's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the person's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Presiding Officer of the Indian Creek - Westridge Community Services District's Governing Board may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4. Place, Time and Requirements of Filing.

(A) Place of Filing.

All persons required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Presiding Officer of the Indian Creek - Westridge Community Services District's Governing Board.

(B) Time and Content of Filing.

The first statement by a person in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement by a person who assumes a designated position after the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after assuming such position with the District and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first

statement, each person in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income received, any time during the previous calendar year or since the date the person assumed the designated position during the calendar year. Every person in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5. Contents of Disclosure Statement.

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the person's position is assigned on Appendix "A".

SECTION 6. Disqualification.

An person in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No person in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
CONFLICT OF INTEREST CODE OF THE
Indian Creek - Westridge Community Services DISTRICT
COUNTY OF INYO, STATE OF CALIFORNIA

DESIGNATED POSITIONS

<u>Designated Positions</u>	<u>Disclosure Category</u>
Members of the Board of Directors	1
District Secretary	2
District Maintenance Employee	3
General Manager Employee	3
Consultants	4

APPENDIX "B"

CONFLICT OF INTEREST CODE OF THE
Indian Creek - Westridge Community Services DISTRICT
COUNTY OF INYO, STATE OF CALIFORNIA

DISCLOSURE CATEGORIES

Disclosure Category One (1)

Designated employees shall report as required by Government Code section 87200 et seq.

Disclosure Category Two (2)

Designated employees shall report all investments, business positions, interest in real property, and sources of income.

Disclosure Category Three (3)

Designated employees shall disclose all investments, business positions, interest in real property, or sources of income, regardless of where located, if the business entity in which the investment, or business position is held, the interest in real property, the income or source of income, is from any of the following businesses which have done business in Inyo County at any time during the two (2) years prior to the time the statement was filed, currently does any business in Inyo County, or currently has plans to do business in Inyo County:

1. General office services
2. Office and legal supplies
3. Office equipment, business machines, computer hardware and software.

Disclosure Category Four (4)

Designated employees must disclose pursuant to Category Two (2) above, except that the County Counsel may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that are limited in scope, and thus is not required to fully comply with the disclosure statements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, shall include a statement of the extent, if any, of disclosure required. The determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

**CONFLICT OF INTEREST CODE OF THE
NORTHERN INYO COUNTY LOCAL HOSPITAL DISTRICT
COUNTY OF INYO, STATE OF CALIFORNIA**

SECTION 1: Purpose

Pursuant to California Government Code section 87300, *et seq.*, the Northern Inyo County Local Hospital District hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the *Political Reform Act of 1974* (California Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 81700 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

SECTION 2: Designated Positions

The positions listed on Appendix "A" are designated positions. Persons holding these designated positions are designated positions and are deemed to make, or participate in the making of, decisions which may have a material effect of a financial interest.

SECTION 3: Disclosure Statements

Each designated position is assigned to one or more of the disclosure categories as set forth in Appendix "B". Each person in a designated position shall file a statement of financial interest disclosing that person's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the person's position is assigned on Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Presiding Officer of the Northern Inyo County Local Hospital District's Governing Board may determine in writing that a particular consultant, although a "designated" position is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

SECTION 4: Place, Time, and Requirements of Filing

(A) Place of Filing.

All persons required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Presiding Officer of the Northern Inyo County Local Hospital District Governing Board.

(B) Time and Content of Filing.

The first statement by a person in a designated position upon the effective date of this Conflict of Interest Code shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property held on the effective date of this Conflict of Interest Code and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement by a person who assumes a designated position after the effective date of this Conflict of Interest Code shall be filed within thirty (30) days after assuming such position with the District and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each person in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income received, any time during the previous calendar year or since the date the person assumed the designated position during the calendar year. Every person in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the previous calendar year or since the date the person assumed the designated position during the calendar year. Every person in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

SECTION 5: Contents of Disclosure Statement

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the person's position is assigned on Appendix "A".

SECTION 6: Disqualification

A person in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No person in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"
DESIGNATED POSITIONS

**OF THE NORTHERN INYO COUNTY LOCAL HOSPITAL
DISTRICT
COUNTY OF INYO, STATE OF CALIFORNIA**

<u>DESIGNATED POSITIONS</u>	<u>DISCLOSURE CATEGORY</u>
Members of the Board of Directors; Hospital Administrator and Chief Financial Officer; Chief Operating Officer; Chief Nursing Officer	1
Director of Human Resources and Education	2
Director of Information Technology	3
Director of Pharmacy	3
Director of Purchasing	3
Laboratory Manager	3
Radiology Manager	3
Director of Plant Operations	3
Dietary Director	3
Consultants, and Hospital District Legal Counsel	4

APPENDIX "B"
OF THE NORTHERN INYO COUNTY
LOCAL HOSPITAL DISTRICT

DISCLOSURE CATEGORIES

An investment, business position, interest in real property, or income is reportable if the business entity in which the investment or business position is held, the interest in real property, or the income or source of income may foreseeably be affected materially by any decision made or participated in by a person in a designated position.

Designated persons in Disclosure Category "1" must report:

All investments, interests in real property and income, any business entity in which the person is a director, officer, partner, trustee, employee, or holds any position of management, and any such business position. Financial interests are reportable only if located within or subject to the jurisdiction of the Northern Inyo County Local Hospital District or if the business entity is doing business or planning to do business in the jurisdiction or has done business within the jurisdiction at any time during the two years prior to the filing of the statement.

Designated persons in Disclosure Category "2" must report:

- A. Investments in any business entity defined to be an "employer" or an "employment agency" within the meaning of the State Labor Statute.
- B. Each source of income, provided that the income was furnished by or on behalf of any person defined to be an "employer, "labor organization", "employment agency, or "joint apprenticeship council" within the meaning of the State Labor Statute.
- C. His or her status as a director, officer, partner, trustee, employee, or any position of management in any business entity defined to be an "employer", "employment agency", labor organization", or "joint apprenticeship council", within the meaning of the State Labor Statute.

Designated persons in Disclosure Category "3" must report:

- A. Investments in any business entity which, within the last two years, has contracted, or in the future foreseeably may contract with the Northern Inyo County Local Hospital District or with the State of California to provide services, supplies, materials, machinery or equipment to the department or division of the Hospital District in which the persons serve as designated persons.

- B. Income from any source which, within the last two years, has contracted, or in the future foreseeably may contract with the Hospital District or with the State of California to provide services, supplies, materials, machinery or equipment to the department or division of the Hospital District in which the persons serve as designated persons.
- C. His or her status as director, officer, partner, trustee, employee, or holder of a position of management in any business entity, which, within the last two years, has contracted, or in the future foreseeably may contract with the Hospital District or with the State of California to provide services, supplies, materials, machinery or equipment to the department or division of the hospital district in which the persons serve as designated persons.

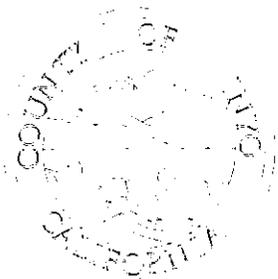
Designated persons in Disclosure Category "4":

Are consultants. A consultant is any natural person who provides under contract information, advice, or recommendation of counsel to the Northern Inyo County Local Hospital District. The disclosure required of each consultant shall be determined on a case by case basis by the Hospital Administrator, based on whether the consultant participates in the making of decisions on behalf of the Northern Inyo County Local Hospital District which may foreseeably and materially affect any investments, interests in real property, or sources of income conceivably held by the consultant, or any business entity in which the consultant may conceivably hold a business position. The scope of disclosure required of each consultant, if any, shall be determined by the Hospital Administrator in writing in each case, and may include, but is not limited to, any source listed in Disclosure Categories 1, 2, or 3 or this Appendix.

This acknowledges that the Northern Inyo County Local Hospital District adopted this Conflict of Interest Code on Wednesday, February 15, 2012.



Signature of Authorized Officer
Peter J. Watercott, Governing Board President
Northern Inyo County Local Hospital District



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: Arthur J. Maillet, District Attorney

FOR THE BOARD MEETING OF: October 16, 2012

SUBJECT: California Emergency Management Agency (Cal-EMA) - Victim/Witness Assistance Program Grant acceptance.

DEPARTMENTAL RECOMMENDATION:

- A) Request Board Authorize acceptance of the Inyo County Victim Witness Assistance Program (VW12 21 0140) Grant from the California Emergency Management Agency (Cal-EMA) for Fiscal Year 2012-2013, contingent upon adoption of the Fiscal Year 2012/2013 budget.
- B) Authorize District Attorney to sign any documentation to accept and utilized the grant on behalf of the County.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

This is the (22nd) twenty-second consecutive year we have applied for and been offered this grant.

The grant total is \$74,033. The Victim/Witness Assistance Program augments the services provided by the Office of the District Attorney including crisis intervention, emergency assistance, resource assistance, follow-up counseling, victim compensation, property return, orientation to the criminal justice system, court escort and support, presentation to criminal justice, victim service providers and the media, case status reports, notification of family and friends, employer notification, restitution assistance, creditor intervention, child care assistance, witness notification, funeral arrangement assistance, crime prevention information, temporary restraining order assistance, transportation, and court waiting area.

Service is provided to victims of all types of crimes. Contact is made in person, by letter, telephone and by field visits. The goal of the Victim/Witness Assistance Program is to help victims of crime proceed through the criminal justice system and their victimization with a sense of understanding and participation in the process with a resulting empowerment to become a survivor; no longer a victim.

We respectfully request your consideration of acceptance of this grant, which along with the Victim/Witness Unserved/Underserved Grant funds the (2) two Victim/Witness Advocates salaries and benefits.

ALTERNATIVES:

Without your Board's acceptance of the grant the project would be terminated.

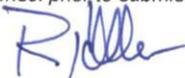
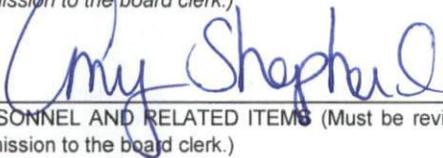
OTHER AGENCY INVOLVEMENT:

Inyo Sheriff's Department, Inyo Child and Adult Protective Services, Inyo County Probation Department, Bishop Police Department, California Highway Patrol, and Wild Iris Women's Services.

FINANCING:

Grant amount is \$74,033. Budget Number 620412. The County expends funds and then a claim is made to the State for reimbursement.

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>-</u> Date <u>9-19-12</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>9/26/12</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 _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 10-1-12



September 11, 2012

Arthur J. Maillet, District Attorney
Inyo County
P.O. Box Drawer D
Independence, CA 93526

Subject: **NOTIFICATION OF APPLICATION APPROVAL**
Victim/Witness Assistance Program
Award #: VW12 21 0140, Cal EMA ID: 027-00000

Dear Mr. Maillet:

Congratulations! The California Emergency Management Agency (Cal EMA) has approved your application in the amount of \$74,033, subject to Budget approval. A copy of your approved subgrant is enclosed for your records.

Cal EMA will make every effort to process payment requests within 60 days of receipt.

This subgrant is subject to the Cal EMA Recipient Handbook. You are encouraged to read and familiarize yourself with the Cal EMA Recipient Handbook, which can be viewed on Cal EMA's website at www.calema.ca.gov.

Any funds received in excess of current needs, approved amounts, or those found owed as a result of a close-out or audit, must be refunded to the State within 30 days upon receipt of an invoice from Cal EMA.

Should you have questions on your subgrant, please contact your Program Specialist.

PSVS Grant Processing

Enclosure

c: Recipient's file

RECEIVED

Cal EMA # 027-0000-16 FIPS# 027-9500 CFDA# _____ Grant # VW 12210140

CRF

CALIFORNIA EMERGENCY MANAGEMENT AGENCY GRANT AWARD FACE SHEET (Cal EMA 2-101)

*MAIL ROOM
571941*

The California Emergency Management Agency, hereafter designated Cal EMA, hereby makes a Grant Award of funds to the following:

- 1. Grant Recipient: Inyo County ✓
in the amount and for the purpose and duration set forth in this Grant Award.
- 2. Implementing Agency: Inyo County District Attorney's Office ✓ 2a. Congressional District: 25th
- 2b. State Senate District#: 18th 2c. State Assembly District#: 34th
- 2d. Location of Project: Inyo County 2e. Congressional District(s): 24th
- 3. Disaster/Program Title Victim Witness Assistance 4. Performance Period 07/01/2012 to 06/30/2013

12

Grant Year	Fund Source	A. State	B. Federal	C. Total	D. Cash Match	E. In-Kind Match	F. Total Match	G. Total Project Cost
Select	5. VWA0	43,765					\$0	\$43,765
Select	6. Select <u>VOCA</u>	30,268	<u>30,268</u>				\$0	\$30,268
Select	7. Select						\$0	\$0
Select	8. Select						\$0	\$0
Select	9. Select						\$0	\$0
	10. TOTALS	<u>43,765</u> \$74,033	<u>30,268</u> \$0	\$74,033	\$0	\$0	\$0	100. Total Project Cost: \$74,033

11. This Grant Award consists of this title page, the application for the grant, which is attached and made a part hereof, and the Assurances/Certifications which are being submitted. I hereby certify I am vested with the authority to enter into this Grant Award Agreement, and have the approval of the City/County Financial Officer, City Manager, County Administrator, Governing Board Chair, or Approving Body. The Grant Recipient certifies that all funds received pursuant to this agreement will be spent exclusively on the purposes specified in the Grant Award. The Grant Recipient signifies acceptance of this Grant Award and agrees to administer the grant project in accordance with the Grant Award as well as all applicable state and federal laws, audit requirements, federal program guidelines, and Cal EMA policy and program guidance. The Grant Recipient further agrees that the allocation of funds may be contingent on the enactment of the State Budget.

12. Federal DUNS Number 010706687 13. Federal Employer ID Number 95-6005445

14. Official Authorized to Sign for Applicant/Grant Recipient:
 Name: Arthur J. Maillet Title: District Attorney
 Telephone: (760) 878-0282 (area code) FAX: (760) 878-2383 (area code) Email: amaillet@inyocounty.us
 Payment Mailing Address: Post Office Drawer D City: Independence Zip + 4: 93526-0000
 Signature: Arthur J. Maillet Date: 06/19/2012

[FOR Cal EMA USE ONLY]

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purposes of this expenditure stated above.

Sara Stillwell 9/5/12 *[Signature]* 9/6/12
 Cal EMA Fiscal Officer Date Cal EMA Secretary(or designee) Date

Yr / Chapter: 2012-13 / 21 PCA No: 14250
 Item: 0690-102-0425 Fed Cat. #: N/A
 Component: 40.20.101
 Program: Victim/Witness Assistance Program
 Fund: Victim Witness Assistance
 Match Req.: None
 Project No.: 12 VWA0 Amount: \$ 43765

Yr / Chapter: 2012-13 / 21 PCA No: 18202
 Item: 0690-102-0890 Fed Cat. #: 16.575
 Component: 40.20.451
 Program: Victim/Witness Assistance Program
 Fund: Federal Trust
 Match Req.: 20% C/IK based on TPC match met by VWA
 Project No.: 12 VOCA Amount: \$ 30268



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER
9

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

FROM: HEALTH & HUMAN SERVICES – First 5 Inyo County

FOR THE BOARD MEETING OF: October 9, 2012

SUBJECT: Request approval of contract with the Inyo County Superintendent of School's Child Development Division (CDD) for provision of Improved Systems and Child Development services.

DEPARTMENTAL RECOMMENDATION:

Request Board of Supervisors ratify the contract between the County of Inyo and the Inyo County Superintendent of Schools CDD for the provision of Improved System & Child Development services from July 1, 2012 to June 30, 2013 in an amount not to exceed \$24,000; and authorize chairperson to sign.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

This contract was given to the contractor at the beginning of June, however due to the unavailability of the ICSOS's Child Development Director we did not receive the contract until September 4, 2012. Therefore, we are requesting ratification of this contract.

The Inyo Superintendent of School's CDD will provide 2 important services in FY 2012-13:

- 1) They will improve the existing childcare referral system by creating a small emergency fund to allow parents up to 10 days of emergency childcare, while they search out a permanent solution to their unexpected work or family crisis.
- 2) They will demonstrate early learning techniques in family child care settings in order to promote child development, raise care provider competencies, and stimulate parent involvement around important early health and development topics.

ALTERNATIVES:

Denying this request would result in the loss of critical resources for early childhood development and care. Without an emergency care safety net, more parents will struggle to find childcare solutions during times of crisis, which will increase the likelihood of children being exposed to toxic stress which impairs development. Canceling the Laugh & Learn family child care provider program will reduce quality provider skills development, child development, and family involvement services throughout Inyo, as well. Without these preventative services, child abuse and neglect has been proven to increase in most communities.

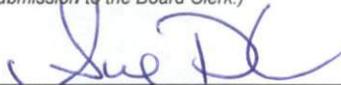
OTHER AGENCY INVOLVEMENT:

None

FINANCING:

This contract would be funded from designated First 5 Inyo General Budget dollars. This is budgeted in Special Grants (643000). No County General Funds.

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 9/19/2012</u> 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>yes 9/24/12</u> 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>9/26/12</u> Date:

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

Jan Turner by A Scott Date: 9-27-12

AGREEMENT BETWEEN COUNTY OF INYO
AND ICSOS Child Development Division
FOR THE PROVISION OF Improved Systems & Child Development SERVICES

INTRODUCTION

WHEREAS, the County of Inyo (hereinafter referred to as "County") may have the need for the Improved Systems & Child Dev. services of ICSOS Development Division of Bishop, CA (hereinafter referred to as "Contractor"), and in consideration of the mutual promises, covenants, terms, and conditions hereinafter contained, the parties hereby agree as follows:

TERMS AND CONDITIONS

1. SCOPE OF WORK.

The Contractor shall furnish to the County, upon its request, those services and work set forth in Attachment A, attached hereto and by reference incorporated herein. Requests by the County to the Contractor to perform under this Agreement will be made by Jean Turner, whose title is: Director of Inyo HHS. Requests to the Contractor for work or services to be performed under this Agreement will be based upon the County's need for such services. The County makes no guarantee or warranty, of any nature, that any minimum level or amount of services or work will be requested of the Contractor by the County under this Agreement. County by this Agreement incurs no obligation or requirement to request from Contractor the performance of any services or work at all, even if County should have some need for such services or work during the term of this Agreement.

Services and work provided by the Contractor at the County's request under this Agreement will be performed in a manner consistent with the requirements and standards established by applicable federal, state, county, and County laws, ordinances, regulations, and resolutions. Such laws, ordinances, regulations, and resolutions include, but are not limited to, those which are referred to in this Agreement.

2. TERM.

The term of this Agreement shall be from July 1, 2012 to June 30, 2013 unless sooner terminated as provided below.

3. CONSIDERATION.

A. Compensation. County shall pay to Contractor 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 Contractor at the County's request.

B. Travel and per diem. Contractor will not be paid or reimbursed for travel expenses or per diem which Contractor incurs in providing services and work requested by County under this Agreement.

C. No additional consideration. Except as expressly provided in this Agreement, Contractor 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. Specifically, Contractor shall not be entitled, by virtue of this Agreement, to consideration in the form of overtime, health insurance benefits, retirement benefits, disability retirement benefits, sick leave, vacation time, paid holidays, or other paid leaves of absence of any type or kind whatsoever.

D. Limit upon amount payable under Agreement. The total sum of all payments made by the County to Contractor for services and work performed under this Agreement shall not exceed \$24,000 Dollars (hereinafter referred to as "contract limit"). County expressly reserves the right to deny any payment or reimbursement requested by Contractor for services or work performed which is in excess of the contract limit.

E. Billing and payment. Contractor shall submit to the County, once a month, an itemized statement of all services and work described in attachment A, which were done at the County's request. This statement will be submitted to the County not later than the fifth (5th) day of the month. The statement to be submitted will cover the period from the first (1st) day of the preceding month through and including the last day of the preceding month. This statement will identify the date on which the services and work were performed and describe the nature of the services and work which were performed on each day. Upon timely receipt of the statement by the fifth (5th) day of the month, County shall make payment to Contractor on the last day of the month.

F. Federal and State taxes.

(1) Except as provided in subparagraph (2) below, County will not withhold any federal or state income taxes or social security from any payments made by County to Contractor under the terms and conditions of this Agreement.

(2) County will withhold California State income taxes from payments made under this Agreement to non-California resident independent contractors when it is anticipated that total annual payments to Contractor under this Agreement will exceed one thousand four hundred ninety nine dollars (\$1,499.00).

(3) Except as set forth above, County has no obligation to withhold any taxes or payments from sums paid by County to Contractor under this Agreement. Payment of all taxes and other assessments on such sums is the sole responsibility of Contractor. County has no responsibility or liability for payment of Contractor's taxes or assessments.

(4) The total amounts paid by County to Contractor, and taxes withheld from payments to non-California residents, if any, will be reported annually to the Internal Revenue Service and the California State Franchise Tax Board. To facilitate this reporting, Contractor shall complete and submit to the County an Internal Revenue Service (IRS) Form W-9, attached hereto as Attachment C, upon executing this Agreement.

4. WORK SCHEDULE.

Contractor's obligation is to perform, in a timely manner, those services and work identified in Attachment A which are requested by the County. It is understood by Contractor that the performance of these services and work will require a varied schedule. Contractor will arrange his/her own schedule, but will coordinate with County to insure that all services and work requested by County under this Agreement will be performed within the time frame set forth by County.

5. REQUIRED LICENSES, CERTIFICATES, AND PERMITS.

A. Any licenses, certificates, or permits required by the federal, state, county, municipal governments, for contractor to provide the services and work described in Attachment A must be procured by Contractor and be valid at the time Contractor enters into this Agreement. Further, during the term of this Agreement, Contractor 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, professional

licenses or certificates, and business licenses. Such licenses, certificates, and permits will be procured and maintained in force by Contractor at no expense to the County. Contractor will provide County, upon execution of this Agreement, with 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 Contractor 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.

B. Contractor warrants that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any federal department or agency. Contractor also warrants that it is not suspended or debarred from receiving federal funds as listed in the List of Parties Excluded from Federal Procurement or Non-procurement Programs issued by the General Services Administration available at: <http://www.epls.gov>.

6. OFFICE SPACE, SUPPLIES, EQUIPMENT, ETC.

Contractor shall provide such office space, supplies, equipment, vehicles, reference materials, and telephone service as is necessary for Contractor to provide the services identified in Attachment A to this Agreement. County is not obligated to reimburse or pay Contractor, for any expense or cost incurred by Contractor in procuring or maintaining such items. Responsibility for the costs and expenses incurred by Contractor in providing and maintaining such items is the sole responsibility and obligation of Contractor.

7. COUNTY PROPERTY.

A. Personal Property of County. Any personal property such as, but not limited to, protective or safety devices, badges, identification cards, keys, etc. provided to Contractor by County pursuant to this Agreement are, and at the termination of this Agreement remain, the sole and exclusive property of County. Contractor will use reasonable care to protect, safeguard and maintain such items while they are in Contractor's possession. Contractor will be financially responsible for any loss or damage to such items, partial or total, which is the result of Contractor's negligence.

B. Products of Contractor'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, product, or manifestation of, Contractor'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, Contractor will convey possession and title to all such properties to County.

8. WORKERS' COMPENSATION.

Contractor shall provide Statutory California Worker's Compensation coverage and Employer's Liability coverage for not less than \$1,000,000 per occurrence for all employees engaged in services or operations under this Agreement. The County of Inyo, its agents, officers and employees shall be named as additional insured or a waiver of subrogation shall be provided.

9. INSURANCE.

For the duration of this Agreement Contractor shall procure and maintain insurance of the scope and amount specified in Attachment D and with the provisions specified in that attachment.

10. STATUS OF CONTRACTOR.

All acts of Contractor, its agents, officers, and employees, relating to the performance of this Agreement, shall be performed as independent contractors, and not as agents, officers, or employees of County. Contractor, by virtue of this Agreement, has no authority to bind or incur any obligation on behalf of County. Except as expressly provided in Attachment A, Contractor has no authority or responsibility to exercise any rights or power vested in the County. No agent, officer, or employee of the County is to be considered an employee of Contractor. It is understood by both Contractor and County that this Agreement shall not under any circumstances be construed or considered to create an employer-employee relationship or a joint venture. As an independent contractor:

A. Contractor shall determine the method, details, and means of performing the work and services to be provided by Contractor under this Agreement.

B. Contractor shall be responsible to County only for the requirements and results specified in this Agreement, and except as expressly provided in this Agreement, shall not be subjected to County's control with respect to the physical action or activities of Contractor in fulfillment of this Agreement.

C. Contractor, its agents, officers, and employees are, and at all times during the term of this Agreement shall, represent and conduct themselves as independent contractors, and not as employees of County.

11. DEFENSE AND INDEMNIFICATION.

Contractor shall defend, indemnify, and hold harmless County, its agents, officers, and employees from and against any and all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from, or in connection with, the performance of this Agreement by Contractor, or Contractor's agents, officers, or employees, or the failure of Contractor, or Contractor's agents, officers, or employees to comply with any of its obligations contained in this Agreement. Contractor's obligation to defend, indemnify, and hold the County, its agents, officers, and employees harmless applies to any actual or alleged personal injury, death, or damage or destruction to tangible or intangible property, including the loss of use. Contractor's obligation under this paragraph extends to any claim, damage, loss, liability, expense, or other costs which is caused in whole or in part by any act or omission of the Contractor, its agents, employees, supplier, or any one directly or indirectly employed by any of them, or anyone for whose acts or omissions any of them may be liable.

Contractor's obligation to defend, indemnify, and hold the County, its agents, officers, and employees harmless under the provisions of this paragraph is not limited to, or restricted by, any requirement in this Agreement for Contractor to procure and maintain a policy of insurance.

To the extent permitted by law, County shall defend, indemnify, and hold harmless Contractor, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, or resulting from, the active negligence, or wrongful acts of County, its officers, or employees.

12. RECORDS AND AUDIT.

A. Records. Contractor shall prepare and maintain all records required by the various provisions of this Agreement, federal, state, county, municipal, ordinances, regulations, and directions. Contractor shall maintain these records for a minimum of four (4) years from the termination or completion of this Agreement. Contractor may fulfill its obligation to maintain records as required by this paragraph by substitute photographs, microphotographs, or other authentic reproduction of such records.

B. Inspections and Audits. Any authorized representative of County shall have access to any books, documents, papers, records, including, but not limited to, financial records of Contractor, which County determines to be pertinent to this Agreement, for the purposes of making audit, evaluation, examination, excerpts, and transcripts during the period such records are to be maintained by Contractor. Further, County has the right, at all reasonable times, to audit, inspect, or otherwise evaluate the work performed or being performed under this Agreement.

13. NONDISCRIMINATION.

During the performance of this Agreement, Contractor, its agents, officers, and employees shall not unlawfully discriminate in violation of any federal, state, or local law, against any employee, or applicant for employment, or person receiving services under this Agreement, because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, age, or sex. Contractor and its agents, officers, and employees shall comply with the provisions of the Fair Employment and Housing Act (Government Code section 12900, et seq.), and the applicable regulations promulgated thereunder in the California Code of Regulations. Contractor shall also abide by the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, and all administrative rules and regulations issued pursuant to said act.

14. CANCELLATION.

This Agreement may be canceled by County without cause, and at will, for any reason by giving to Contractor thirty (30) days written notice of such intent to cancel. Contractor may cancel this Agreement without cause, and at will, for any reason whatsoever by giving thirty (30) days written notice of such intent to cancel to County.

15. ASSIGNMENT.

This is an agreement for the services of Contractor. County has relied upon the skills, knowledge, experience, and training of Contractor as an inducement to enter into this Agreement. Contractor shall not assign or subcontract this Agreement, or any part of it, without the express written consent of County. Further, Contractor shall not assign any monies due or to become due under this Agreement without the prior written consent of County.

16. DEFAULT.

If the Contractor abandons the work, or fails to proceed with the work and services requested by County in a timely manner, or fails in any way as required to conduct the work and services as required by County, County may declare the Contractor in default and terminate this Agreement upon five (5) days written notice to Contractor. Upon such termination by default, County will pay to Contractor all amounts owing to Contractor for services and work satisfactorily performed to the date of termination.

17. WAIVER OF DEFAULT.

Waiver of any default by either party to this Agreement shall not be deemed to be waiver of any subsequent default. Waiver or breach of any provision of this Agreement shall not be deemed to be a waiver of any other or subsequent breach, and shall not be construed to be a modification of the terms of this Agreement unless this Agreement is modified as provided in paragraph twenty-four (24) below.

18. CONFIDENTIALITY.

Contractor agrees to comply with the various provisions of the federal, state, and county laws, regulations, and ordinances providing that information and records kept, maintained, or accessible by

Contractor in the course of providing services and work under this Agreement, shall be privileged, restricted, or confidential. Contractor agrees to keep confidential all such information and records. Disclosure of such confidential, privileged, or protected information shall be made by Contractor only with the express written consent of the County.

19. CONFLICTS.

Contractor agrees that it 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.

20. POST AGREEMENT COVENANT.

Contractor 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, Contractor 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, Contractor by virtue of this Agreement has gained access to the County's confidential, privileged, protected, or proprietary information.

21. SEVERABILITY.

If any portion of this Agreement or application thereof to any person or circumstance shall be declared invalid by a court of competent jurisdiction, or if it is found in contravention of any federal, state, or county statute, ordinance, or regulation, the remaining provisions of this Agreement, or the application thereof, shall not be invalidated thereby, and shall remain in full force and effect to the extent that the provisions of this Agreement are severable.

22. FUNDING LIMITATION.

The ability of County to enter this Agreement is based upon available funding from various sources. In the event that such funding fails, is reduced, or is modified, from one or more sources, County has the option to cancel, reduce, or modify this Agreement, or any of its terms within ten (10) days of its notifying Contractor of the cancellation, reduction, or modification of available funding. Any reduction or modification of this Agreement made pursuant to this provision must comply with the requirements of paragraph twenty-four (24) (Amendment).

23. ATTORNEY'S FEES.

If either of the parties hereto brings an action or proceeding against the other, including, but not limited to, an action to enforce or declare the cancellation, termination, or revision of the Agreement, the prevailing party in such action or proceeding shall be entitled to receive from the other party all reasonable attorney's fees and costs incurred in connection therewith.

24. 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.

25. NOTICE.

Any notice, communication, amendments, additions, or deletions to this Agreement, including change of address of either party during the terms of this Agreement, which Contractor or County shall be required, or may desire, to make, shall be in writing and may be personally served, or sent by prepaid first class mail to, the respective parties as follows:

County of Inyo	
First 5 Inyo County, a Division of Inyo HHS	Department
568 W. Line Street	Street
Bishop, CA 93514	City and State

Contractor:	
ICSOS Child Development Division	Name
164 Grandview Ln	Street
Bishop, CA 93514	City and State

26. 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 ICSOS Child Development Division
FOR THE PROVISION OF Improved Systems & Child Development SERVICES

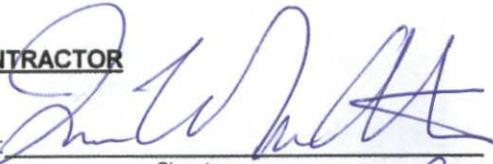
IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS
THIS _____ DAY OF _____, _____.

COUNTY OF INYO

By: _____

Dated: _____

CONTRACTOR

By: 
Signature: _____
T.K. MATEER
Print or Type

Dated: 8/12/12

APPROVED AS TO FORM AND LEGALITY:



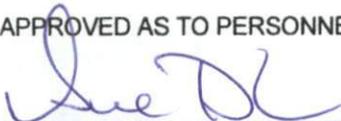
County Counsel

APPROVED AS TO ACCOUNTING FORM:



County Auditor

APPROVED AS TO PERSONNEL REQUIREMENTS:



Personnel Services

APPROVED AS TO INSURANCE REQUIREMENTS:



County Risk Manager

ATTACHMENT A

**AGREEMENT BETWEEN COUNTY OF INYO
AND ICSOS Child Development Division
FOR THE PROVISION OF Improved Systems & Child Development SERVICES**

TERM:

FROM: July 1, 2012 **TO:** June 30, 2013

SCOPE OF WORK:

The contractor shall provide Child Development services in the County of Inyo as detailed in the attached Scope of Work for ICSOS Child Development Division 2012-13, and incorporated herein by reference. Contractor shall perform all the tasks listed in this plan by June 30, 2013 including the provision of fiscal reports and any evaluation materials listed in the SOW to the satisfaction of the First 5 Inyo Commission.

All publicity and materials for the public produced pursuant to this agreement shall be submitted to First 5 Inyo County for approval, and shall include "Funded by First 5 Inyo County, a division of Inyo Health & Human Services" & the First 5 Inyo logo.

The major services this contract addresses are:

- Delivering 10 Laugh & Learn sessions to a minimum of 10 Family Child Care Providers ranging throughout Inyo County.
- Provide take-home materials from Laugh & Learn sessions to engage parents on the development topics, too
- Administer up to \$10,000 of emergency child care funds to allow families in crisis up to 10 days care to find their footing or come up with alternative plans.

SCOPE OF WORK FOR Inyo County Superintendent of Schools CDD 2012-13 CONTRACT

TASKS CONTRACTOR SHALL ACCOMPLISH: <i>(to the satisfaction & approval of First 5 Inyo Commission)</i>	MATERIALS CONTRACTOR SHALL PROVIDE: <i>(all reporting materials are subject to First 5 Director's approval according to State reporting standards & the okay of the First 5 Inyo Commission)</i>	DUE DATE: <i>(Late after 7 days from)</i>
Create & deliver 10 <i>Laugh & Learn</i> sessions to a minimum of 10 Family Child Care Providers throughout Inyo County on a monthly basis.	*Laugh & Learn sign-in & provider comment per home visit *Synthesis of topics covered with children & modeled to providers at end of each semester	semester DEC. 30, 2012 JUN. 30, 2013
Provide family take-home pages to caregivers so that parents know about the educational topics delivered to their child's care environment	*Copies of the parent send-home materials *End of semester parent survey regarding what lesson were most helpful, what lesson excited their child most, and whether any family routines were impacted in 6 mos.	semester DEC. 30, 2012 JUN. 30, 2012
Distribute up to \$10,000 in emergency child care funds to cover families crises up to 10 days as they sort through options & solutions. Admin & indirect not exceed 15%.	* Purple Family Intake Form for every participant * Chart w child name, # of days paid, & final outcome info * Semester summary with directors description of use	semester DEC. 30, 2012 JUN. 30, 2013
Any outstanding invoices, receipts, or evaluation materials not previously submitted to first 5 are due.	*Any of the above not yet received	JUN. 30, 2013
BONUS FOR FUTURE FUNDING & PARTNERSHIPS: <i>First 5 Inyo rewards partners who help create synergy to distribute messages and materials the Commission deems valuable, with bonus points toward future projects. Resources you can help distribute include:</i>		
New & Used books from the Reading Railroad Early Childhood Newsletters Early Oral Health education & supplies	Eimo Nutrition & Fitness DVD Developmental Play at Home booklet	

ATTACHMENT B

**AGREEMENT BETWEEN COUNTY OF INYO
AND ICSOS Child Development Division
FOR THE PROVISION OF Improved Systems & Child Development SERVICES**

TERM:

FROM: July 1, 2012 **TO:** June 30, 2013

SCHEDULE OF FEES:

For services satisfactorily rendered, and upon receipt & approval of semester invoices as required, the County agrees to compensate the Contractor for expenditures incurred from July 1, 2012 to June 30, 2013 in an amount not to exceed \$24,000.

Notwithstanding paragraph 3.E. Billing & Payment, actual program and equipment costs are to be invoiced to First 5 Inyo County after service delivery on a semester basis. Invoices with attached expenditure spreadsheets and related evaluation materials should be received by First 5 Inyo no later than 7 days past the semester due dates of Dec. 30, 2012 and Jun. 30, 2013. In the event that evaluation materials are not forthcoming in that time period, the First 5 Inyo Commission retains the right to withhold further payment until satisfactory receipt and review of those materials has taken place.

Indirect costs shall not exceed 15% of the total contracted amount.

Expenditures should not deviate from the attached invoice chart approved by First 5 Inyo Commission on May 10, 2012 by more than \$1,000 without express written permission from the Commission.

Also, contractors should be aware that the terms of this contract are contingent on continued state funding, and if state level cuts were occur to revenues the County may cancel this contract at will at any time upon 30 days written notice of intent to cancel.

Semester Invoices Due:	Late After:
DEC. 30, 2012	JAN. 7, 2013
JUN. 30, 2013	JULY 7, 2013

FY 2012-13 Budget for ICSOS First 5 Inyo Contract

GENERAL	BUDGET	JULY	AUGUST	SEPT.	OCT.	NOV.	DEC.	JAN.	FEB.	MARCH	APRIL	MAY	JUNE	TOTALS
PERSONNEL	19,500													
Laugh & Learn Teacher Hrs.	11,000													
Emergency Childcare Hrs.	8,500													
MISCELLANEOUS	0													
SUPPLIES	3,000													
Books														
Instructional Materials														
Parent Take home pages														
TRAVEL	0													
INDIRECT (not to exceed 15%)	1,500													
Admin & Evaluation	1,500													
TOTALS	24,000													

Use this chart to keep a running total for FY 2012-13. Attach G/L documentation along with each month's reporting checklist and eval materials for prompt reimbursement. Invoice summary, copy of chart, reporting checklist, and all bold type blue and red evaluation materials due by the 7th of each new semester.

ATTACHMENT C

**AGREEMENT BETWEEN COUNTY OF INYO
AND ICSOS Child Development Division
FOR THE PROVISION OF Improved Systems & Child Development SERVICES**

TERM:

FROM: July 1, 2012

TO: June 30, 2013

Form W-9

**Request for Taxpayer
Identification Number and Certification**
(Please submit W-9 form with Contract, available on-line or by County)

ATTACHMENT D

**AGREEMENT BETWEEN COUNTY OF INYO
AND ICSOS Child Development Division
FOR THE PROVISION OF Improved Systems & Child Development SERVICES**

TERM:

FROM: July 1, 2012 **TO:** June 30, 2013

SEE ATTACHED INSURANCE PROVISIONS

Specifications 1
Insurance Requirements for Most Contracts
(Not for Professional Services or Construction Contracts)

Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractor, his agents, representatives, employees or subcontractors.

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Office (ISO) Form CG 00 01 12 07 covering CGL on an "occurrence" basis, including products-completed operations, personal & advertising injury, with limits no less than **\$1,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. **Automobile Liability:** ISO Form Number CA 00 01 covering any auto (Code 1), or if Contractor has no owned autos, hired, (Code 8) and non-owned autos (Code 9), with limit no less than **\$500,000** per accident for bodily injury and property damage.
3. **Workers' Compensation:** as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than **\$1,000,000** per accident for bodily injury or disease.

If the contractor maintains higher limits than the minimums shown above, the Entity requires and shall be entitled to coverage for the higher limits maintained by the contractor.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status

The Entity, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Contractor's insurance at least as broad as ISO Form CG 20 10 11 85 or if not available, through the addition of both CG 20 10 and CG 20 37 if a later edition is used).

Primary Coverage

For any claims related to this contract, the Contractor's insurance coverage shall be primary insurance as respects the Entity, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the Entity, its officers, officials, employees, or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.

Notice of Cancellation

Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to the Entity.

Waiver of Subrogation

Contractor hereby grants to Entity a waiver of any right to subrogation which any insurer of said Contractor may acquire against the Entity by virtue of the payment of any loss under such insurance. Contractor agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the Entity has received a waiver of subrogation endorsement from the insurer.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the Entity. The Entity may require the Contractor to purchase coverage with a lower deductible or retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the Entity.

Verification of Coverage

Contractor shall furnish the Entity with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the Entity before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The Entity reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Special Risks or Circumstances

Entity reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

**SISC II MEMBER DISTRICTS BY COUNTY
WHO HAVE BOTH SISC I & SISC II COVERAGE
FISCAL YEAR 2011/2012**

FRESNO (1)

Caruthers Unified School District

INYO (8)

Big Pine Unified School District

Bishop Union Elementary School District

Bishop Joint Union High School District

Death Valley Unified School District

Inyo County Office of Education

Lone Pine Unified School District

Owens Valley Unified School District

Round Valley Jt. Elementary School District

KERN COUNTY (52)

Arvin Union School District

Bakersfield City School District

Beardstey School District

Belridge School District

Blake School District

Buttonwillow Union School District

Calliente Union School District

Delano Union Elementary School District

Delano Joint Union High School District

Di Giorgio School District

Edison School District

El Tejon Unified School District

Elk Hills School District

Fairfax School District

Fruitvale School District

General Shafter School District

Greenfield Union School District

Kern Community College District

Kern Co. Museum

Kern County Superintendent of Schools (KCSOS)

KCSOS Foundations (GL Only):

California Living Museum

Commequip

Community Connection for Child Care Foundation

Early Childhood Council of Kern

Kern Child Development Foundation

Kern Co. Academic Decathlon Foundation

Kern Co. Network for Children Foundation

Kern Co. Schools Financing Corp.

Kern Co. Science Foundation

Kern Co. Supt. of Schools Educational

Services Foundation

Kern Environmental Education Foundation

MOVE International

Ready 2 Start Foundation

Kern High School District

Kernville Union School District

Lakeside School District

Lamont School District

Linns Valley-Poso Flat Union School District

Lost Hills Union School District

Maple School District

Maricopa Unified School District

McFarland Unified School District

McKittrick School District

Midway School District

Mojave Unified School District

KERN COUNTY (continued)

Muroc Unified School District

Norris School District

North Kern Vocational Training Center

Panama-Buena Vista Union School District

Pond Union School District

Richland School District

Rio Bravo-Greeley Union School District

Rosedale Union School District

Semitropic School District

Sierra Sands Unified School District

South Fork Union School District

Southern Kern Unified School District

Standard School District

Taft City Elementary School District

Taft Union High School District

Tehachapi Unified School District

Vineland School District

Wasco Union Elementary School District

Wasco Union High School District

Westside R.O.P.

LAKE (1)

Kelseyville Unified School District

LOS ANGELES (1)

Wilsona School District

MADERA (2)

Chowchilla Elementary School District

Madera County Office of Education

MONO CO (3)

Eastern Sierra Unified School District

Mammoth Unified School District

Mono County Office of Education

SAN BERNARDINO (1)

Trona Unified

S.L.O. (2)

Bellevue-Santa Fe Charter

Grizzly Challenge Charter

SANTA BARBARA (1)

Santa Barbara School Districts



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER <i>10</i>

- | | | |
|---|--|--|
| <input type="checkbox"/> Consent | <input type="checkbox"/> Departmental | <input type="checkbox"/> Correspondence Action |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Schedule time for | <input type="checkbox"/> Closed Session <input type="checkbox"/> Informational |

FROM: Public Works Department

FOR THE BOARD MEETING OF: October 9, 2012

SUBJECT: Approval of Contract Amendment #1 with Pestmaster Services, Inc. for Insect and Pest Control Services at County Facilities

DEPARTMENTAL RECOMMENDATIONS:

1. Recommend your Board approve Amendment # 1 to Contract with Pestmaster Services, Inc. for Insect and Pest Control Services at County Facilities which will modify the scope of work and increase the annual amount payable from \$6,667.64 to \$7,016.16 for the remainder of the original term; and
2. Contingent upon the adoption of future budgets and the availability of funding, authorize the Chairperson to execute Contract Amendment # 1.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

Your Board awarded a five-year Agreement to Pestmaster Services, Inc. for Insect and Pest Control Services at County Facilities at the June 28, 2011 Board meeting. Unfortunately, a couple of sites were left off of the original scope of work. Consequently, staff requests your Board to approve this contract amendment in order to provide the necessary services to these two locations. The addition of these two locations will increase the annual amount payable from \$6,667.64 to \$7,016.16 for the remainder of the original term (through FY 15/16).

ALTERNATIVES:

Your Board could choose to not approve the Amendment. This is not recommended, as all County facilities need these services. Additionally, Public Works has neither the proper equipment nor the training to provide these services.

OTHER AGENCY INVOLVEMENT:

County Counsel
 County Auditor

FINANCING:

Funds for this Amendment are available in the Building & Maintenance budget (011100) Professional Services object code (5265).

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.) <i>Nancy M. [Signature]</i> Approved: <u>yes</u> Date <u>9/28/12</u>
AUDITOR/CONTROLLER	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.) <i>Peta Lindsey [Signature]</i> Approved: <u>yes</u> Date <u>10/2/12</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 _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

[Signature]

Date: 10-2-12

**AMENDMENT NUMBER 1 _____ TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
Pestmaster Services, Inc.
FOR THE PROVISION OF INDEPENDENT CONTRACTOR SERVICES**

WHEREAS, the County of Inyo (hereinafter referred to as "County") and Pestmaster Services, Inc., of Bishop, CA (hereinafter referred to as "Contractor"), have entered into an Agreement for the Provision of Independent Contractor Services dated June 28, 2011, on County of Inyo Standard Contract No. 116, for the term from July 1, 2011 to June 30, 2016.

WHEREAS, County and Contractor do desire and consent to amend such Agreement as set forth below;

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

County and Contractor hereby amend such Agreement as follows:

1. Amend Section 3.D - LIMIT UPON PAYABLE UNDER AGREEMENT to the following:

The total sum of all payments made by the County to Contractor for services and work performed under this Agreement shall not exceed \$7,016.16 per year (hereinafter referred to as "contract limit"). County expressly reserves the right to deny any payment or reimbursement requested by Contractor for services or work performed which is in excess of the contract limit.

2. Amend Attachment A - SCOPE OF WORK to add the following duties:

W. Provide general insect/pest control services consisting of interior and exterior perimeter spraying at 135 S. Jackson St, the Inyo County Water Department and Yucca Mountain offices. Services shall be provided four times per year (once a quarter). The fee for this site is \$46.13 per quarter.

X. Provide general insect/pest control services consisting of interior and exterior perimeter spraying at 207 W. South Street, which is the County Services portion at this location (not the Health Dept which already has quarterly service). Services shall be provided four times per year (once a quarter). The fee for this site is \$41.00 per quarter.

The effective date of this Amendment to the Agreement is July 1, 2012.

All the other terms and conditions of the Agreement are unchanged and remain the same.

AMENDMENT NUMBER 1 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
Pestmaster Services, Inc.
FOR THE PROVISION OF INDEPENDENT CONTRACTOR SERVICES

IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS
____ DAY OF _____, _____.

COUNTY OF INYO

CONTRACTOR

By: _____

By: _____

Signature

Dated: _____

Type or Print

Dated: _____

APPROVED AS TO FORM AND LEGALITY:

County Counsel

APPROVED AS TO ACCOUNTING FORM:

County Auditor

APPROVED AS TO PERSONNEL REQUIREMENTS:

Personnel Services

APPROVED AS TO RISK ASSESSMENT:

County Risk Manager



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

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

For Clerk's Use
Only:
AGENDA NUMBER

11

FROM: Doug Wilson, Acting Public Works Director

FOR THE BOARD MEETING OF: October 9, 2012

SUBJECT: (1) Declare Johnstone Supply a sole-source provider for FY 2012-2013; and (2) Approve a blanket purchase order for FY 2012-2013

DEPARTMENTAL RECOMMENDATIONS:

Request your Board: (1) Declare Johnstone Supply a sole-source provider for FY 2012-2013. (2) Approve a blanket purchase order to Johnstone Supply in the amount of \$12,000 for Building and Maintenance for FY 2012-2013.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

Building and Maintenance currently services and repairs all of the heating, air-conditioning, and refrigeration units at County facilities. To accomplish this task a wide variety of repair parts is needed. Johnstone Supply carries and has access to an extensive inventory of heating, air-conditioning, and refrigeration parts, which can be shipped and delivered to County facilities in a twenty-four to forty-eight hour period. The expedited shipping provided by Johnstone's is crucial to keep adequate climate control and refrigeration in aging County facilities. Johnstone Supply is currently the only vendor that can provide the essential parts in a timely manner and they also carry a variety of parts that are used in the County's older heating, A/C, and refrigeration units.

ALTERNATIVES:

Not approving this request could delay the future repairs of heating, air-conditioning, and refrigeration units at County facilities.

OTHER AGENCY INVOLVEMENT:

FINANCING:

The blanket purchase order will be budgeted in requested budget for Building and Maintenance Budget # 011100 and Maintenance of Equipment- Parts object code # 5199.

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.)

[Handwritten Signature]

Approved: yes Date 9/29/12

AUDITOR/CONTROLLER

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

[Handwritten Signature]

Approved: ya Date 10/5/12

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 _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

[Handwritten Signature]

Date: 10-3-12



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

FOR THE BOARD MEETING OF: October 9, 2012

SUBJECT: County's response to the 2011-2012 Grand Jury Final Report

DEPARTMENTAL RECOMMENDATION: Request Board approve the report to Judge Dean Stout, Presiding Judge, Inyo County Superior Court, responding to the findings and recommendations in the 2011-2012 Grand Jury Final Report and authorize the County Administrator to sign the transmittal letter.

SUMMARY DISCUSSION: The Inyo County Grand Jury has issued a 2011-2012 Grand Jury Final Report. As in the past, the Board's response is organized in such a manner that all findings and recommendations requiring a response by the County/Board of Supervisors have been addressed.

Section 933 of the Penal Code identifies who and how the County and other elected officials respond to the Grand Jury Reports. The Board of Supervisors, as the governing body responds to the items under its control, i.e., Probation, Health and Human Services, etc. Every elected county officer also has a responsibility under the code to provide comment, as requested by the Grand Jury, to the Presiding Judge of the superior court, with an information copy being sent to the Board of Supervisors, i.e., Sheriff, District Attorney, etc. It should be noted that the Sheriff, the District Attorney and the Clerk-Recorder have responded and forwarded a copy of their individual responses to the Board of Supervisors, copies of which are attached.

As in year's past, this year's County response is limited to only those items required by State Statute to be responded to by the Board of Supervisors.

ALTERNATIVES: Your Board could direct Staff to change any one or all of the responses.

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: There is no fiscal impact associated with this report.

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 _____
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 _____

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



BOARD OF SUPERVISORS COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526
TELEPHONE (760) 878-0373 • FAX (760) 878-2241
e-mail: inyobos@qnet.com

MEMBERS OF THE BOARD
LINDA ARCULARIUS
SUSAN CASH
RICK PUCCI
MARTY FORTNEY
RICHARD CERVANTES

KEVIN CARUNCHIO
Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

October 9, 2012

The Honorable Dean Stout
Presiding Judge, Inyo County Superior Court
Inyo County Courthouse
Independence, CA 93526

SUBJECT: 2011-2012 Grand Jury Final Report

Dear Judge Stout:

On behalf of the Board of Supervisors, I would like to take this opportunity to thank the members of the 2011-2012 Grand Jury for their important and diligent work in preparing 2011-2012 Grand Jury Final Report. The County appreciates these dedicated citizens' commitment to trying to effect positive and constructive improvements to local government.

Enclosed is the County of Inyo's response to the Report. As with the County's responses to Final Grand Jury Reports in years past, this response follows Penal Code Section 933.05(a) *Responses to findings* (copy included). The County's response is limited to only those items required by State Statute.

In closing, I want to reiterate the County's appreciation for the Jury's efforts to identify ways in which the County may improve its operations in support of its efforts to maintain services to our constituency.

Sincerely,

Kevin D. Carunchio
County Administrator

KC:pg
cc: Inyo County Board of Supervisors

**COUNTY RESPONSE
2011-2012 INYO COUNTY GRAND JURY REPORT**

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COUNTY RESPONSE
2011-12
INYO COUNTY GRAND JURY FINAL REPORT
INYO COUNTY SHERIFF'S DEPARTMENT
COUNTY JAIL

Finding – “1) The facility – Overall appearance of the building was clean and in good repair. According to Sgt. Prichard, staffing was at maximum levels for current inmate count, though one officer opening remained as an “on hold” unfilled position, and one officer was in training for a current position. Kitchen staff included a kitchen manager, three full-time staff, and one part-time staff for the 96-bed facility. A kitchen duty system, using inmates, was discussed based on inmate good conduct. All instruments, utensils, and chemicals are tethered and/or counted after each meal service. The exercise yard was clean and clear with no visible equipment for inmate use beyond a pull-up bar.”

COUNTY RESPONSE – Agree.

Finding – “2) The Inmates – Inmates to the facility are given a comprehensive orientation book of rules and regulations. It is the responsibility of each inmate to read and obey rules and procedures. Additionally, rules and grievance procedures are posted in all inmate access areas.”

COUNTY RESPONSE – Agree.

Finding – “3) Additional Staff – A nurse is on staff daily for medical and prescriptive issues. All medical questions and prescriptions must be cleared by professional and court personnel. A doctor, through Southern Inyo Hospital, is contracted as the 24-hour on call physician. Other staff may include substance abuse professionals and intervention program leaders through mental health services. Finally, longer-term inmates expressing an interest are provided GED program offerings as arranged through Cerro Coso Community College.”

COUNTY RESPONSE – Agree.

Finding – “4) The procedures – Through relatively new and highly effective video monitoring system inmates are under full-field supervision. Cameras are also operating in visitation areas where inmates and visitors communicate by telephone only. Monitoring of detox facilities include a direct officer check, on a specific time schedule, in addition to video monitoring. An additional security procedure involving employee access cards are time stamped and monitored was also reviewed.”

COUNTY RESPONSE – Agree.

Recommendation – “1) The Sheriff and Staff are to be commended for the overall appearance and upkeep of the facility, even in this time of budget constraints.”

COUNTY RESPONSE – This recommendation has been implemented. The Board of Supervisors is very proud of the Inyo County Jail. The Sheriff and his staff have done a remarkable job of keeping this nearly 20 year old facility in good condition. The Board is pleased to join with the Grand Jury in commending the Sheriff and his department for a job well done. The Board looks forward to continuing to work with the Sheriff and his staff to identify funding for areas where the facility may be enhanced and/or improved, and notes that the Fiscal Year 2012-2013 Board-Approved County Budget provides funding to accomplish additional deferred maintenance work specifically on the Jail, in addition to other County facilities.

Recommendation – “2) The Sheriff and staff are to be commended for their comprehensive and thorough approach to disseminating and enforcing rules and regulations.”

COUNTY RESPONSE – *This recommendation has been implemented. The Board of Supervisors is pleased to join with the Grand Jury in commending the Sheriff and staff for their comprehensive and through approach to disseminating and enforcing rules and regulations at the Inyo County Jail. Maintaining order in this type of facility is vital for the well being of the County's employees, as well as the inmates. The Inyo County Sheriff's Department has done an outstanding job of ensuring that the inmates know the rules and regulations and understand the consequences for violating those rules and regulations.*

Recommendation – “3) The Sheriff and staff are to be commended for highly efficient and sufficient staff providing for all inmates needs including but not limited to food services, hygiene, and exercise, medical, educations, and psychological.”

COUNTY RESPONSE – *This recommendation has been implemented – The Board is pleased to join with the Grand Jury in commending the Sheriff and staff for the efficient operation of the Inyo County Jail, wherein the inmates' needs including food services, hygiene, exercise, medical, education, and psychological are met.*

Recommendation – “4) While members of the jury remained impressed by the surveillance system in place, wide timing variations existed in detox monitoring between night and day shift personnel (according to a posted monitoring sign off sheet) and was a concern. It is recommended that monitoring remain consistent through-out the stay of an inmate in the holding area.”

COUNTY RESPONSE - *This recommendation has been implemented – The Sheriff has reported that he and his staff have reviewed the policies and procedures for monitoring inmates in the holding area and assures the Grand Jury that its concerns have been addressed.*

COUNTY RESPONSE
2011-12
INYO COUNTY GRAND JURY FINAL REPORT
INYO COUNTY JUVENILE DETENTION FACILITY

Finding – “1) A new video surveillance system has not been installed because of lack of funding.”

COUNTY RESPONSE – Agree.

Finding – “2) New fencing and enclosing of the “salle-port” located in the west parking lot has not been installed although it is badly needed.”

COUNTY RESPONSE – Disagree partially – A “salle-port” has not been installed. However, while the addition of a “salle-port” may be of benefit to the Juvenile Center, there is no statute that requires it and such an addition would be very costly to the County. Should funds become available the Department would look into installing a “salle-port”.

Finding – “3) The new greenhouse is in place and along with the garden area is being put to good use”

COUNTY RESPONSE – Agree.

Recommendation – “1) Installation of new video surveillance system is a number one priority when funding becomes available.”

County Response: - This recommendation has been implemented – The Fiscal Year 2012-2013 Board-Approved County Budget identifies and discusses this project as a project that could be funded later this year: Not included in the Requested or Recommended budgets is funding to replace the security camera system at the Juvenile Hall. The department head indicates he will be able to secure funding to pay for at least two-thirds or more of the estimated cost of replacing the system. If successful, the Criminal Justice Facilities Trust could be a source of bridge funding (through a subsequent budget amendment) for the cost of this project not funded by departmental monies.

Recommendation – “2) funding for the new fence for the west parking lot needs to be found, creative solutions could be used. The use of County staff and donations of material and labor might be useful as shown by the construction and use of the new greenhouse.”

COUNTY RESPONSE – This recommendation will not be implemented because it is not warranted. The Chief Probation Officer has reported that Juvenile Halls throughout the state do not have secure employee parking areas. And, while a “salle-port” would be a nice addition, this would be a very costly endeavor when there have not been any incidents in the past warranting such an expense. The Board looks forward to the Juvenile Center continuing to look at funding sources to make recommendations on improving the facility and will prioritize those improvements based on recommendations from the Chief Probation Officer in correlation to the funding sources being recommended. With that being said, as reported by the Chief Probation Officer the Juvenile Center is open to any service group looking to donate materials and/or labor to help offset the costs of such a project in accordance with the County's responsibility to comply with the Public Contract Code.

Recommendation – “3) Staffing can still be an issue at times. The use of part-time employees can only be used so long. Facility operators should be commended for their dedication and resourceful use of manpower.

COUNTY RESPONSE – This recommendation will be implemented – The Board is again pleased and proud to commend the Inyo County Juvenile Facility Management for their dedication and resourceful use of manpower at the facility.

COUNTY RESPONSE
2011-12
INYO COUNTY GRAND JURY FINAL REPORT
INYO COUNTY DISTRICT ATTORNEY

Finding – “1) Media relations are important to the operation of any government office. There is a lack of communication between the District Attorney and news sources in the public’s right to know, even when dealing with information having nothing to do with attorney-client privilege.”

COUNTY RESPONSE – *Disagree partially* – *The media is important as a means of keeping the public informed on many governmental levels. The Board is unable to agree or disagree as to whether there is a lack of communication between the District Attorney and news sources. The District Attorney is an elected official directly responsible to the people of Inyo County.*

Finding – “2) The Grand Jury recognizes the jury summons cycle, while necessary, is irritating to citizens with other plans when, at the last minute, the jury summons is cancelled. Additionally, it is a multiple expenses item when considering the summons/ mailing process, the call out of law enforcement and others who must testify, mileage and appearance cost for subpoenaed experts in and out of the area, job substitute pay, babysitters, and travel plan shifts.”

COUNTY RESPONSE – *Agree.*

Finding – “3) The District Attorney would not discuss what he expressed was an “internal personnel issue” regarding the release of information by someone in his office (and his advance knowledge of said release) about a District Attorney elections opponent.”

COUNTY RESPONSE – *Agree.* *The Board will agree with the Grand Jury as to what the District Attorney did or did not discuss with it. The County also agrees that the District Attorney has a responsibility to not violate an employee’s right to privacy with regard to employee matters.*

Finding – “4) There is a need to improve “timely” court processes. The District Attorney strongly refutes any allegations related to plea-bargaining in a timely manner, and stated it is the policy of his office to offer a reasonable settlement early in the court proceedings. The DA stated he was well aware of the inconvenience suffered by jurors, perspective jurors, and trial participants, and is in agreement that some solutions should be found.”

COUNTY RESPONSE – *Agree.* *The Board will agree with the Grand Jury as to what the District Attorney did or did not discuss with the it, as well as what the District Attorney did or did not agree with.*

Recommendation – “1) It is recommended the District Attorney make regular press releases, in writing, to end what the DA expressed was a flow of misinformation and misstatements through the press. The County should establish an ongoing workshop for all County executives on ways to keep and improve media and public relations. Subsequent Grand Juries should continue to monitor communication problems and provide a format for meeting with a media spokesperson and County executives to address further problems.”

COUNTY RESPONSE – *This recommendation requires further analysis. The Board of Supervisors would expect the District Attorney, an elected official of the County, to establish what he deems would be an appropriate relationship with the media and it is not within the jurisdiction of this Board to dictate the confines of that relationship.*

The Board of Supervisors believes that the County has a good working relationship with the local news media outlets, but also recognizes that there may be opportunities to improve these relationships as well as the County's communication with citizens. The County will evaluate such opportunities on an ongoing basis, including providing media training to senior County staff and executives. Consideration of this type of training will most likely occur during the Board's consideration of future County Budgets.

Recommendation – “2) Trial judges, while adhering to a defendant's trial and plea-bargaining rights, should hold all parties to timely plea processes before setting trial dates. Plea deals should be agreed upon prior to the trial date, and there should be no last minute “sweeteners” offered at or on the date of trial. Presiding judges may hold a joint meeting with all parties involved and cause them to believe the present system of “waiting until the other side folds” serves no one in assuring fair and prompt adjudications of cases.”

COUNTY RESPONSE – *This recommendation will not be implemented because it is not reasonable. The Board of Supervisors does not believe that it has a role in this recommendation. The management of the Courts and trials falls to the Judges and the attorneys that participate in the Judicial System. The Board of Supervisors has no ability to require the Judges to implement or not implement this recommendation.*

Recommendation – “3) While the District Attorney is to be commended for defending his “personnel issue” confidentiality position, it is the recommendation by this Grand Jury that he be more forthcoming with public information, and its release upon request.”

COUNTY RESPONSE – *This recommendation will not be implemented because it is not warranted. The Board of Supervisors agrees that the District Attorney should be commended for protecting the privacy rights of the Department's employees and joins with the Grand Jury in offering its commendation. As an elected official of the County, the District Attorney, answers directly to the people of Inyo County with regard to the release of public information, and the Board of Supervisors hopes that the District Attorney has and will continue to be forthcoming with public information as he deems appropriate and as provided for within the confines of the law.*

Recommendation – “4) As suggested by the Inyo County Administrative Officer, the Grand Jury recommends hiring a retired judge from outside the County to head a panel directed to study the current Court System and recommend improvements.”

COUNTY RESPONSE - *This recommendation requires further analysis. For clarification purposes, the County Administrator and Court have long been supportive of bringing together local officials who comprise or participate in the County criminal justice system for the purpose of identifying opportunities to improve efficiencies, remove obstacles, promote cohesiveness and save money. Participants in such a roundtable could include the Sheriff, Chief Probation Officer, Judges, District Attorney's, and Public Defenders.*

The roundtable could be facilitated by a skilled mediator with a strong working knowledge of the criminal justice system, like a retired judge. However, to be effective, there has to be support from the necessary participants. If support for this type process is forthcoming from those officials comprising the local criminal justice system, and a skilled facilitator can be identified, the County will work to identify funding to support the efforts.

The Board agrees that such an effort could result in recommendations that would help alleviate those areas of the criminal justice system, -- e.g., plea-bargains, last minute settlements after jury pools have been scheduled, etc., -- that cause unnecessary and costly delays in both time and money, for the Courts, the County and the residents of the County. However, as previously stated, the Board of Supervisors has no ability to require the Courts or elected County officials to implement or not implement recommendations.

COUNTY RESPONSE
2011-12
INYO COUNTY GRAND JURY FINAL REPORT
CONSOLIDATED COUNTY OFFICE SPACE BISHOP

Finding – “1) The County is in dire need of consolidated office space, as witnessed by members of the Grand Jury during a tour of existing offices in Bishop. Existing offices are cramped and overcrowded with staff “making do” with limited parking, no handicap access, no privacy for patients/health care providers, no storage, continuity and lack of communications between departments. There are no fire systems and/or alarms, lack of safety, some offices have limited rooms for private interviews between clients and staff, or there are no interview rooms for privacy, at all.”

COUNTY RESPONSE – Partially Disagree. *The Board agrees with the Grand Jury’s finding that County office space in Bishop needs to be improved to provide for more efficient and cost-effective service delivery to County residents and businesses. However, the Board emphasizes that County policies require and ensure that disabled people receive the same services as those who are not, even though some of our buildings may be less than perfect particularly with regard to current ADA standards. Similarly, County policies are enforced to ensure worker and public safety within the physical constraints of the office space available.*

Finding – “2) The County Services building, which is the only County owned building, is very old and hard to maintain, and the utilities are very high. The Health Department sees some of their cases out in the parking lot because of non-compliance with ADA requirements. There is limited access to the Veterans Service office, and it is not handicapped accessible.”

COUNTY RESPONSE – Partially Disagree. *The Board agrees with the Grand Jury’s finding that County Services building in Bishop has high utility and maintenance costs and needs to be improved to provide for more efficient and cost-effective service delivery to County residents and businesses. However, the Board again emphasizes that County policies require and ensure that disabled people receive the same services as those who are not, even though some of our buildings may be less than perfect particularly with regard to current ADA standards.*

Finding – “3) All of the existing offices have safety concerns, offices have pressed the limit for space, there are no private areas for interviews, the crime Scene Technician does most of the work out in the parking area, and there is no storage for files anywhere.”

COUNTY RESPONSE – Partially Disagree. *Again, the Board agrees with the Grand Jury’s finding that County office space in Bishop needs to be improved to provide for more efficient and cost-effective service delivery to County residents and businesses. Like meeting space, adequate storage space is always a challenge. However, the Board emphasizes that County policies require and ensure that to ensure worker and public safety within the physical constraints of the office space available. During its tour of the Sheriff’s Bishop Sub-Station, the Board heard that the Crime Scene Technician has, at times in the past, worked outdoors but did not hear that this was routine or happens most of the time.*

Finding – “4) Utilities are high. The County spends a lot of money on maintenance and upkeep. In one of the buildings, the County is responsible for everything, including property taxes. They have spent thousands on tenant improvements. Money is wasted on leased space, the tenant improvements and high utility costs.”

COUNTY RESPONSE – Agree.

Recommendation – “1-5) The Grand Jury voted unanimously to support the consolidation proposal. The County needs to co-locate, to share liked resources, have flexibility, continuity and communication between departments.

COUNTY RESPONSE – This recommendation has been implemented. The Board of Supervisors sincerely thanks those members of the Grand Jury who participated in the tour of the County's offices in the Bishop area. The County is committed to pursuing opportunities to improving its office conditions in the Bishop area and, by doing so, also improving the delivery of services to the public and realizing cost-savings for the taxpayer. As a point of clarification to the information provided in the Grand Jury's description of its Method of Investigation, the County currently occupies over 36,700 square feet of office space in the Bishop area (as opposed to the 29,000 square feet reported) of which over 32,000 square feet is leased (as opposed to the reported 24,000 square feet).

Toward this end, the County is presently in an Exclusive Negotiating Agreement to evaluate the development of a consolidated office building. This process is being undertaken at little cost to the County. The County is only funding the cost of staff time and the services of a real estate economist specializing in public-private partnerships to work on the evaluation.

The non-binding Term Sheet, approved by the Board of Supervisors under the terms of the Exclusive Negotiating Agreement, proposes the County entering into a 20-year lease for a new 42,000 square foot building. The County would pay \$600,000 a year in rent and be able to purchase the building for \$1. Additionally, the County would pay \$2 Million as an initial lease payment, and then three (3) payments of \$250,000 each in years 5, 10 and 15 of the lease. The County would also exchange property it owns in in the Bishop area for the building site, which would add to the overall amount of private property available for private development in the Bishop area.

The County is currently working with the developer to refine space needs and develop a more specific space plan for the project, referred to as the Design Review phase in the Exclusive Negotiating Agreement. This design work is being accomplished free of charge to the County, and will provide information regarding the size and location of departmental office space in the building. No offices currently located in Independence or other parts of the County are planned to be moved to the new building if it is built in Bishop. The Board of Supervisors will have the opportunity to review, modify, and offer its non-binding approval for the building design and space plan. The County intends that this Design Review phase be done in conjunction with community meetings to gather citizen input regarding the project. To the extent this Design Review process changes the size of the proposed building, the Term Sheet for the lease described above could be changed.

Only after the Board of Supervisors grants its non-binding approval of both the Term Sheet and Design Review would work proceed on Final Documents that would, if they are approved, be binding on the County. Members of the Board of Supervisors have stated on several occasions that they have made no final judgments regarding the proposed building, and are evaluating information as it is presented. The Board of Supervisors will only approve going forward with the project if the Board finds it is in the interest of the County and its taxpayers to do so, including addressing the many existing office deficiencies identified by the Grand Jury.

If the Board of Supervisors should determine, through the process outlined above, that the current consolidated building proposal does not adequately meet the County's needs or is not in the best interest of the taxpayer, it will direct staff to explore additional alternatives for developing County offices that save the County and the taxpayer money while improving the efficient delivery of public services.

COUNTY RESPONSE
2011-12
INYO COUNTY GRAND JURY FINAL REPORT
LAFCO SPECIAL DISTRICTS

Finding – “1) County Clerk has a responsibility to advertise all Special Districts Board positions except when appointments are made for interim positions for on-going decision making and continuous function.”

COUNTY RESPONSE – *Disagree partially* – *Special Districts are not under the jurisdiction of the County. However, the following districts have designated the Board of Supervisors as the appointing authority for their governing Boards, and as such it is the responsibility of the Board of Supervisors to advertise vacancies on these Boards: Bishop Rural Fire Protection District, the Big Pine Cemetery District, the Independence Cemetery District, the Mount Whitney Cemetery District, the Pioneer Cemetery District, and the Tecopa Cemetery District.*

Finding – “2) The Citizen’s Guide to Special Districts in California, last revised in October 2010, is a comprehensive guide for all citizen’s regarding the functions of any and all 3,300 Special Districts throughout the State.”

COUNTY RESPONSE – *Unable to agree or disagree.* *Special Districts are not under the jurisdiction of the County.*

Finding – “3) Most Special District board members in Inyo County are appointed due to lack of volunteer candidates.”

COUNTY RESPONSE – *Unable to agree or disagree.* *Special Districts are not under the jurisdiction of the County.*

Finding – “4) California Assembly Bill 1234 added new provisions to the California Government Code, requiring among other things, that local officials who receive compensation, salary, stipends, or expense reimbursements must receive training in public service ethics law and principles. Training must be renewed every two years, and it requires each local agency to maintain records indicating compliance. Furthermore, those records are subject to disclosure under the California Public Records Act.”

COUNTY RESPONSE – *Agree.*

Finding – “5) Section 26900(b) of the California Government Code requires Special Districts to submit audits to both the State Controller and the Inyo County Auditor.”

COUNTY RESPONSE – *Unable to agree or disagree.* *Special Districts are not under the jurisdiction of the County.*

Finding – “6) Brown Act laws apply to all Special District Boards.”

COUNTY RESPONSE – *Unable to agree or disagree.* *Special Districts are not under the jurisdiction of the County.*

Recommendation – “1) It was the recommendations of this Grand Jury that position openings need to be more visible and obvious to Inyo County residents through the news outlets and specific central posting locations for all Special District positions and actions.”

COUNTY RESPONSE – ***This recommendation has been implemented.*** The Board of Supervisors has appointing authority for one volunteer Fire District and five Cemetery Districts. Vacancies for positions on the districts governing boards follows the appointment policy the Board adopted for all of its Boards, Commissions, and Committees, and includes a public notice in the newspaper, press releases to the other media outlets and notices of the vacancy being sent to all those who have expressed an interest in serving on a particular district governing board. Other than this, Special Districts are not under the jurisdiction of the County.

Recommendation – “2) The Citizen’s Guide to Special Districts in California” should be made available as a hand out to the general public through the County Clerk’s Office location in Independence.”

COUNTY RESPONSE – ***This recommendation has been implemented.*** The Board of Supervisors has been advised by the Clerk Recorder that this information is available through her office.

Recommendation – “3) It was the opinion of most jurors that more transparency and publication of open positions on “any” Special District board would eliminate concerns about County Board appointments using “friends” to fill vacant positions.”

COUNTY RESPONSE – ***This recommendation will not be implemented because it is not reasonable.*** Special Districts are not under the jurisdiction of the County. That being said, it should be noted that the County Board of Supervisors does not make appointments to the one fire district and five cemetery districts governing boards, or any of the Boards, Committees, or Commissions under its appointing authority using friends to fill vacant positions. There is an open and well publicized process where the public that qualify for positions are given notice of a vacancy. They can then submit a request for appointment if they are interested, and then the Board considers the appointment at an open and public meeting that has been noticed per the Brown Act.

Recommendation – “4-5) “Policing” seems needed as it relates to Special Districts. During our interviews it became apparent that several members of these Special District boards are untrained in government service ethics, and fall short in accounting for their specific reporting responsibilities.”

COUNTY RESPONSE - ***Not a County responsibility unable to make a recommendation regarding the implementation as required by law.*** Special Districts are not under the jurisdiction of the County.

Recommendation – “6) “Annual, or at least bi-annually, Brown Act training should be provided to all Special Districts board members.”

COUNTY RESPONSE - ***Not a County responsibility unable to make a recommendation regarding the implementation as required by law.*** Special Districts are not under the jurisdiction of the County. However, the Board of Supervisors has made available to every special district, free of charge, 10 hours of County Counsel services per year. Whether the special districts use a portion of these hours to provide Brown Act Training for their board members is unknown. However, Inyo County Counsel does provide Brown Act Training for the Board every other year. This training is agendaized for a regular meeting of the Board of Supervisors and County Counsel does extend an invitation to all special districts to participate.

GRAND JURY PROCEEDINGS

Title 4

Flood Control Dist. (App. 1941) 42 Cal.App.2d 622, 109 P.2d 992. Levees And Flood Control § 11

Where a grand jury and the county board of supervisors ratified a suit brought by the district attorney against a county treasurer and his

sureties to recover money fraudulently converted, the fact that such suit was instituted without authority of such board or any other official was not ground for dismissal thereof. People v. Madden (1901) 133 Cal. 347, 65 P. 741. Counties § 101(5)

§ 933. Findings and recommendations; copies of final report; comment of governing bodies, elective officers, or agency heads; definition

(a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.

(b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.

(c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.

(d) As used in this section "agency" includes a department.

(Added by Stats.1961, c. 1284, p. 3064, § 1. Amended by Stats.1963, c. 674, p. 1678, § 1; Stats.1974, c. 393, p. 977, § 6; Stats.1974, c. 1396, p. 3054, § 3; Stats.1977, c. 107, p. 539, § 6; Stats.1977, c. 187, p. 709, § 1; Stats.1980, c. 543, p. 1499, § 1; Stats.1981, c. 203, p. 1126, § 1; Stats.1982, c. 1408, p. 5365, § 5; Stats.1985, c. 221,

aw continues in effect for that standing its repeal by this act. thing in this act is intended to t to which official reporter nic reporting may be used in

added by Stats.1957, c. 1784, libiting grand jury from mak- ommdation except on basis ation, was repealed by Stats. 2443, § 1. See Penal Code

enacted in 1872, amended by 56, § 11, derived from former Act § 221, as amended by § 8, requiring that the pres- ted to the court and filed with ealed by Stats.1905, c. 531,

mer § 929, added by Stats. 5, § 3.

339.9.

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Crim. L. 3d Intro. to Crim. 39) Other Powers and Duties.

nd application

nd expenses incurred in tax- cover money paid by flood settlement of claim against e recovered from district on e the taxpayers' suits were untarily or for lack of prose- was no evidence that any one of them together contributed ultimate recovery which was ion instituted by the district § 929 (repealed; see, now, amson v. Los Angeles County

§ 933.05. Responses to findings

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decisionmaking authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer,

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Jury @ 42

agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

(Added by Stats.1996, c. 1170 (S.B.1457), § 1. Amended by Stats.1997, c. 443 (A.B. 829), § 5.)

Historical and Statutory Notes

Stats.1997, c. 443 (A.B.829), in subds. (a) and (b), in the introductory paragraphs, substituted "(b)" for "(c)"; in subd. (b)(3), substituted "head" for "director"; in subd. (c), inserted "agency or" throughout; inserted subd. (e), relating to investigations and meetings with the grand jury; and, in subd. (f), substituted "presiding" for "supervising".

Cross References

"Grand jury" defined, see Penal Code § 888.
Words and phrases, "county", see Penal Code § 691.

Research References

Encyclopedias

Recommendations and Reporting, Cal. Jur. 3d Criminal Law: Pretrial Proceedings § 601.

Responses to Findings, Cal. Jur. 3d Criminal Law: Pretrial Proceedings § 602.

Treatises and Practice Aids

4 Witkin Cal. Crim. L. 3d Intro. to Crim. Proc. § 40, (S 40) Reports.

§ 933.06. Vacancies on grand jury; report submitted by unanimous vote of remaining jurors; conditions

(a) Notwithstanding Sections 916 and 940, in a county having a population of 20,000 or less, a final report may be adopted and submitted pursuant to Section 933 with the concurrence of at least 10 grand jurors if all of the following conditions are met:

(1) The grand jury consisting of 19 persons has been impaneled pursuant to law, and the membership is reduced from 19 to fewer than 12.

(2) The vacancies have not been filled pursuant to Section 908.1 within 30 days from the time that the clerk of the superior court is given written notice that the vacancy has occurred.

(3) A final report has not been submitted by the grand jury pursuant to Section 933.

(b) Notwithstanding Section 933, no responsible officers, agencies, or departments shall be required to comment on a final report submitted pursuant to this section.

(Added by Stats.1994, c. 1085 (S.B.1465), § 1. Amended by Stats.2001, c. 854 (S.B. 205), § 40.)

Historical and Statutory Notes

Stats.2001, c. 854 (S.B.205) made technical revisions and nonsubstantive changes to maintain the Code.

Cross References

"Grand jury" defined, see Penal Code § 888.
Words and phrases, "county", see Penal Code § 691.

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OFFICE OF THE
SHERIFF
INYO COUNTY, CA



WILLIAM R. LUTZE
SHERIFF

KEITH HARDCASTLE
UNDERSHERIFF

"A Professional Service Agency"

July 17, 2012

Inyo County Grand Jury
c/o Honorable Dean Stout, Presiding Judge
Inyo County Superior Court
PO Drawer U
Independence, CA 93526

RECEIVED
2012 JUL 19 AM 8:02
INYO COUNTY
ADMINISTRATOR
CLERK OF THE BOARD

Dear Members,

First, I would like to take this opportunity to thank you for your service as members of the Grand Jury. I recently received your Final Report for the Inyo County Sheriff's Office/ County Jail Inspection Report. My responses to your recommendations and commendations are as follows:

R1: The Sheriff and staff are to be commended for the overall appearance and upkeep of the facility, even in this time of budget constraints.

Response: Agree, and thank you.

R2: The Sheriff and staff are to be commended for their comprehensive and thorough approach to disseminating and enforcing rules and regulations.

Response: Agree, and thank you.

R3: The Sheriff and staff are to be commended for highly efficient and sufficient staff providing for all inmates needs including but not limited to food service, hygiene, and exercise, medical, educational, and psychological.

Response: Agree, and thank you.

R4: While members of the jury remained impressed by the surveillance system in place, wide timing variations existed in detox monitoring between night and day shift personnel (according to a posted monitoring signoff sheet) and was a concern. It is recommended that monitoring remain consistent throughout the stay of an inmate in that holding area.

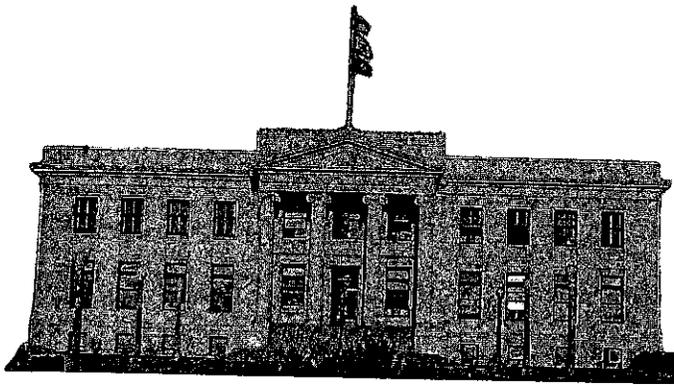
Response: We have reviewed our policy and procedures and your concerns have been addressed.

Again, thank you for your service. If you have any questions or need further information please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "William R. Lutze".

William R. Lutze, Sheriff



COURTHOUSE
INYO COUNTY, CALIFORNIA

**ARTHUR J. MAILLET
INYO COUNTY DISTRICT ATTORNEY**

Reply to:

- P.O. Drawer D
168 North Edwards Street
Independence, California 93526
Phone (760) 878-0282
Fax (760) 878-2383

- 230 West Line Street
Bishop, California 93514
Phone (760) 873-6657
Fax (760) 873-8359

July 10, 2012

Richard J. Distel, Foreperson Pro Tem
Inyo County Grand Jury
Post Office Box 401
Independence, California 93526

Re: 2011-2012 Grand Jury Report

Dear Mr. Distel:

This letter is in response to that portion of the 2011-2012 Grand Jury Report as it applies of my office. First, I appreciate meeting with you and the other members on two occasions to address your concerns and that of the public. I will address the findings in the order they appear in the report.

(1) Media Relations

I believe media relations are important to the operation of my office. However, it is a two way street. The media has a duty to report factual information. I realize the media doesn't always do that for a number of reasons. However, it is my policy not to comment on pending cases in order to protect the integrity of the judicial system and the defendant's right to a fair trial. I will only comment on what is in the public record, i.e., the charges and whether the charges are felonies or misdemeanors, and the status of the case. That is to say it is set for preliminary hearing, trial, settlement conference, or various motions. My office will not comment on the facts and or hearsay about a particular case. The reasons are obvious.

Sometimes the media does things that go beyond just reporting about a case. A good example of this is the murder trial of Louis LePlat that was tried in Ventura County on a motion to change venue that was granted by the Court. Sometime after the arrest of

Richard J. Distel, Foreperson Pro Tem
Inyo County Grand Jury
July 10, 2012
Page Two

Mr. LePlat, his girlfriend and sister called the jail demanding he be released or they would blow up the jail. In their call to the jail, they also threatened to kill me and others. After their arrest, their mug shots were plastered in the newspaper with the story of their arrest. That in essence, was the final straw and the court granted a change of venue that cost the County several hundred thousand dollars in costs of preparation of the trial in a different venue. Travel and motel costs were expensive because of the location and number of witnesses called by the prosecution. Had the media not sensationalized certain aspects of that case, it would have tried in Inyo County. Another exuberant cost was that the County had to hire a private attorney to represent the defendant because his Inyo County Public Defender created a conflict for herself that led to her becoming a potential witness in the case. That cost the County approximately \$80,000.00. This is just one example, but a costly one for the County. In another case a young man charged with murder did not want the public defender, so the Court appointed a private attorney that cost the County another \$80,000 or there about.

The public's right to know does not include internal personnel issues and right to privacy issues. As I mentioned above, the public has a right to public information, which include the nature of charges against a suspect and the status of a case. The media can seek information from Law Enforcement, the Court, the Probation Department, Public Defenders, Private Attorneys besides my office. They can also send reporters to court to observe the proceedings. My office is not a clearing house for the media.

Lastly, I have been releasing press releases since meeting with the Grand Jury and have talked to KBIS/KBOV radio on several occasions. My office will continue to send press releases as appropriate.

(2) Jury Summons Cycle

I am just as concerned about the jury summons cycle as anyone else. However, the District Attorney's Office is only one part of the jury trial process. The other parties include Law Enforcement, Public Defenders, Private Attorneys, Probation and Judges who run their respective courts. At the outset, it should be noted that the District Attorney does not set trials, the Public Defenders and/or Private Attorneys do. Sometimes they set 8-10 trials on the same day, apparently with the courts blessing. Accordingly, we have to subpoena various witnesses for several trials, knowing full well only one will go. When and if that trial commences, we have to repeat the cycle. Our offers to settle cases are made early, usually at arraignment or the first settlement conference. They are made later if there is an ongoing investigation. The county hires, in some cases, inexperienced attorneys with little or no criminal law experience. The end result is to pile on by setting 8-10 jury trials on the same day. If the County had a Public

Richard J. Distel, Foreperson Pro Tem
Inyo County Grand Jury
July 10, 2012
Page Three

Defender's office, with an experienced public defender, many of these cases would never get set for trial. The defense likes to allege that the District Attorney's Office doesn't make reasonable offers. Not true. We have a stake in the system to settle cases that are fair to all concerned. My office, however, will not jeopardize public safety and insult victims, witnesses and law enforcement by not holding a defendant accountable for his or her violation of the law.

(3) Internal Personnel Issues

That is correct I will not discuss internal personnel issues. It would present liability issues if I were to do so. Furthermore, it would violate privacy issues individuals may want to keep private. Regarding releasing of information from my office during the last election (2010), I would reiterate that the Attorney General investigation found no criminal wrong doing. I would also disagree that the Attorney General Investigation is a public record.

Lastly, this issue is more than two (2) years old, so I'm a little bit bewildered that it has been brought up at such a late date.

(4) Plea Bargaining

As I mentioned earlier, offers to settle cases are made early in the process and for the most part made in writing. They are usually made at arraignment or at or before the first settlement conference. Like I said, we try to settle cases early in the process. We cannot try every case. The court needs to get more involved. There is some reluctance to do so because, after all, the defendant has a right to a trial. However, setting a particular case for trial when there is no defense is counterproductive. When defense attorneys set 8-10 trials on the same day, the prosecution has no choice but to prepare for 8-10 trials because, after all, the defendant has a right to a trial. The District Attorney's Office will not jeopardize public safety just because the defense bar thinks it will get a better deal if they set 8-10 trials. Our jury trial conviction rate is very high. This proves our settlement offers are not unreasonable because our offers are usually less than the conviction had the defendant accepted the original offer. So, in short, the problem (in my opinion) is not with the District Attorney's Office. The Grand Jury should look to the Court and the Public Defenders. After all, the Judges run the Court. The County should also look into establishing a public defender's office and have an experienced criminal lawyer mentor new attorneys who have little or no experience in criminal law. This would cut the number of cases that are set for trial and insure that the cases that go to trial are the ones that should go to trial. That will also insure prospective jurors are not called

Richard J. Distel, Foreperson Pro Tem
Inyo County Grand Jury
July 10, 2012
Page Four

often and unnecessarily. A perfect example was the case of People v. Hall, wherein the defendant was offered two misdemeanors and 90 days in jail. He wanted a dismissal or a disturbing the peace on a domestic violence case where a hand gun was used. He forced us to go to trial and was convicted of a felony and other misdemeanors. This case and the facts given were brought to the Grand Jury's attention, because it was continued over eight times. Defense counsel made no reasonable attempt to settle this case and it cost his client a felony conviction.

Plea Bargain offers to settle cases consider (in no particular order): the severity of the crime, the defendant's criminal history, the victims desires, the number of crimes the defendant is charged with, and the strength of the proof of the case. We settle cases because we have reached a reasonable settlement. We do not always get the "best" settlement possible, with everything we want, because that is the nature of a negotiated disposition. But, we will not give cases away to satisfy attorneys, defendants, or judges. In felony cases no Deputy District Attorney has the authority to change offers without consulting with the District Attorney or Assistant District Attorney. On misdemeanor cases a Deputy District Attorney should not change the offer without consulting with his supervisor. I cannot settle a case because someone is mad about being summoned for jury duty, even though he is retired. Nor can the Grand Jury dictate on how a case can be plea bargained. The jury process has been around a long time. Jurors can be excused for a number of reasons. It works.

I would state that in my nearly ten (10) years as your District Attorney, I received only one written complaint from a prospective juror and she was retired. It had nothing to do with her serving on the jury. Rather, it was how defense counsel was maneuvering to get a better "deal" on the day of the trial. It was a waste of her and others jurors time. I can say I agree.

Lastly, I can also state that in my nearly ten (10) years as District Attorney, I have never had a Grand Jury member come to my office to see how we function on a day to day basis. It would be very enlightening if a member of the Grand Jury would visit and see how we have to deal with victims who has been through vicious assaults (some leading to homicide), child molests, drug and other substance abuse cases to name a few. It would enlighten the average person as to how a dedicated staff of investigators, deputy district attorneys and support staff make our part of the system work. It is high stress but rewarding when a defendant is held accountable and a victim receives justice.

Richard J. Distel, Foreperson Pro Tem
Inyo County Grand Jury
July 10, 2012
Page Five

My office is open to any Grand Jury member to visit and ask questions. Thank you.

Very truly yours,



Arthur J. Maillet
Inyo County District Attorney

AM/hjg



COUNTY OF INYO, STATE OF CALIFORNIA
KAMMI FOOTE, CLERK-RECORDER, REGISTRAR OF VOTERS

Telephone: (760) 873-8481, (760) 878-0223, (760) 876-5559, (800) 447-4696 P. O. Drawer F, Independence, CA 93526
168 N. Edwards St., Independence, CA

July 12, 2012

Inyo County Superior Court
P.O. Drawer U
Independence, CA 93526

RE: Response to Grand Jury Report 2011-2012

I would like to thank the Inyo County Grand Jury for their service to the citizens of Inyo County. Enclosed please find my response to the Inyo County Grand Jury 2011-2012 report - LAFCO Special Districts as required per California Penal Code §933 et. seq

Sincerely,

Kammi Foote
Inyo County Clerk/Recorder

**INYO COUNTY CLERK/RECORDER
RESPONSES TO THE
2011-2012 INYO COUNTY GRAND JURY REPORT

REPORT ON LAFCO SPECIAL DISTRICTS**

FINDINGS:

1. County Clerk has a responsibility to advertise all Special District Board positions except when appointments are made for interim positions for on-going decision making and continuous function.

Response: **Partially Disagree**

The Inyo County Clerk/Recorder, as the Election Official for Inyo County, is required to publish a notice of election and issue a general press release as per Election Code §12112, for all Special Districts elections that have elected Board Members in Inyo County. The Clerk of the Board is responsible for the notification of board member vacancies for Special Districts with appointed board members.

Election Code §12112 states:

12112. (a) At least 90 days, and not more than 120 days, before the day fixed for the general district election, the elections official of the principal county shall publish a notice of the election once in a newspaper of general circulation published in the district or, if no such newspaper is published in the district, in a newspaper having general circulation in the district published in any affected county in the district. The notice shall contain the date of the general district election, name the offices for which candidates may file, and state the qualifications required by the principal act for each office. The notice shall state the location where official declarations of candidacy for eligible candidates desiring to file for any of the elective offices may be obtained, the office in which completed declarations of candidacy are required to be filed, and the date and time after which no declarations of candidacy may be accepted for filing. The notice shall state that appointment to each elective office will be made as prescribed by Section 10515 in the event there are no nominees or an insufficient number of nominees for the office and a petition for an election is not filed with the elections official within the time period prescribed by Section 10515.

(b) In addition to the requirements of subdivision (a), the county elections official shall, by a general press release, set forth both of the following:

- (1) The elective offices of the district to be filled at the ensuing district election.
- (2) A telephone number that voters of the district may utilize in order to obtain information regarding filing for the elective district office.

2. The Citizen's Guide to Special Districts in California, last revised in October 2010, is a comprehensive guide for all citizens regarding the functions of any and all 3,300 Special Districts throughout the State.

Response: **Agree**

3. Most Special District board members in Inyo County are appointed due to a lack of volunteer candidates.

Response: **Disagree**

Most Special District board members in Inyo County are appointed in lieu of election as per Election Code §10515 (a) if, by 5:00 p.m. on the 83rd day prior to the day of the general district election, the number of persons who have filed a declaration of candidacy does not exceed the number of offices to be filled at that election.

4. California Assembly Bill 1234 added new provisions to the California Government Code, requiring among other things, that local officials who receive compensation, salary, stipends, or expense reimbursements must receive training in public service ethics law and principles. Training must be renewed every two years, and it requires each local agency to maintain records indicating compliance. Furthermore, those records are subject to disclosure under the California Public Records Act Request.

Response: **This finding is outside of the range of my authority**

5. Section 26900 (b) of the California Government Code requires Special Districts to submit audits to both the State Controller and the Inyo County Auditor.

Response: **This finding is outside of the range of my authority**

6. Brown Act laws apply to all Special District Boards

Response: **This finding is outside of the range of my authority**

RECOMMENDATIONS

1. It was the recommendations of this Grand Jury that position openings need to be more visible and obvious to Inyo County residents through the news outlets and specific central posting locations for all Special District positions and actions.

Response: **This recommendation has been implemented**

California Election Code §12112 et. seq. requires that the county election official publish a notice of election of all position opening in a newspaper of general circulation, issue a press release advertising the positions up for election and deliver a copy of the published notices to the district secretary for posting in the district office. The Clerk/Recorder is in full compliance with all notification requirements. In addition to abiding by the legal statutes cited above, the information is also sent to U.S. Post Offices in Inyo County, to Chambers of Commerce, to Private Businesses, to Community Centers, to local bloggers, is posted on the Clerk/Recorder website and is sent to any interested parties upon request.

It is important to be mindful that news organizations and radio stations are privately run businesses. Although they routinely report on such information, they are not required to print or promote the information contained in general press releases.

A representative republic is best served by an engaged and informed electorate. However, the Clerk/Recorder cannot mandate civic involvement. It is up to the voters in a district to choose to become candidates for public office. All Special District elections are regularly held in November of odd-numbered years and county elections staff is available to answer questions and provide information about Special District elections to any interested party during our regular business hours throughout the year.

2. The "Citizen's Guide to Special Districts in California" should be made available as a hand out to the general public through the County Clerk's Office location in Independence.

Response: **This recommendation has been implemented**

The Clerk/Recorder provided the Inyo County Grand Jury with a copy of the report entitled "What's So Special About Special Districts? A Citizens Guide to Special Districts in California" issued by the California Senate Local Government Committee to broaden their understanding of the role of Special Districts in California government. The report is not copyrighted and the contents are in the public domain. As long as the information contained in the report accurately reflects current California Law the Clerk/Recorder will make copies available to the general public at the County Clerk's Office in Independence.

3. It was the opinion of most Jurors that more transparency and publication of open positions on "any" Special District board would eliminate concerns about County Board appointments using "friends" to fill vacant positions

Response: **There is no Grand Jury recommendation; therefore the Clerk/Recorder is unable to respond as per the Penal Code. However, I would like to state that the Clerk/Recorder has always been, and will remain, committed to maintaining a system of transparency and encourages public participation in the electoral process by all citizens in Inyo County.**

- 4/5. "Policing" seems needed as it relates to Special Districts. During our interviews it became apparent that several members of these Special District boards are untrained in government service ethics, and fall short in accounting for their specific reporting responsibilities.

Response: **This recommendation is outside of the range of my authority**

The Clerk/Recorder has no "policing" authority over Special Districts as Special Districts are autonomous government entities primarily accountable to the voters they serve. Furthermore, State officials are responsible for overseeing compliance with most reporting requirements of Special Districts.

6. Annual, or at least bi-annually, Brown Act training should be provided to all Special Districts board members.

Response: **This recommendation is outside of the range of my authority**

While I agree that Special Districts would benefit from annual or bi-annual Brown Act training, the Clerk/Recorder does not have the legal authority to conduct or monitor such training.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

13

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

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF October 9, 2012

SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION: - Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, The Death Valley Roadeater Emergency, that resulted in flooding in the eastern portion of Inyo County during the month of August 2012, per Resolution #2012-32.

SUMMARY DISCUSSION: - During your August 28, 2012 Board of Supervisors meeting your Board took action to declare a local emergency, which has been named The Death Valley Roadeater Emergency, which was a result of flooding in the southeastern portion of Inyo County during the month of August. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a by-weekly 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:	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: _____
(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

14

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

FROM: Arthur J. Maillet, District Attorney

FOR THE BOARD MEETING OF: October 16, 2012

SUBJECT: Request to fill the position of one (1) BPAR Legal Secretary I

DEPARTMENTAL RECOMMENDATION:

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

- 1) The availability of funding for the requested positions comes from the General Fund, as certified by the District Attorney concurred with by the County Administrator and Audit-Controller;
- 2) Where internal candidates meet the qualifications for the position of BPAR Legal Secretary I, the position could possibly be filled through an internal recruitment, however, an open recruitment is more appropriate to ensure a qualified applicant pool; and
- 3) Approve the hiring of one (1) BPAR Legal Secretary I, Range 54, Step A through an open recruitment.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

Your Board approved the funding for the BPAR Legal Secretary position at the Fiscal Year 2012/2013 Budget hearings on September 25, 2012. Since 2010 the Victim Witness Advocate who performed 50% Legal Secretary duties under the District Attorney's general fund budget is mandated under the Victim Witness grants to attribute 100% of her time to the Victim Witness program. Since 2010 we have been without a Part-time (50%) Legal Secretary which is essential to the District Attorney's office to handle Juvenile and Adult criminal cases.

ALTERNATIVES:

None.

OTHER AGENCY INVOLVEMENT:

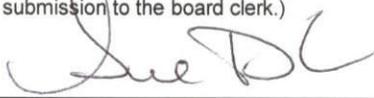
None

FINANCING:

District Attorney General Fund Budget #022400 approved for Fiscal Year 2012/2013 by your Board on September 25, 2012.

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>Yes</u> Date <u>10/2/12</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>J</u> Date <u>9/27/12</u>
---------------------	---

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)  Date: 10-2-12



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: Arthur J. Maillet, District Attorney

FOR THE BOARD MEETING OF: October 16, 2012

SUBJECT: Transfer of Funds

DEPARTMENTAL RECOMMENDATION:

Request Board amend the FY 2012-2013 County Budget as follows: Recognize \$7,000.00 in unanticipated revenue and increase District Attorney Budget 022400, Restitutions (Revenue Code #4676) by \$7,000.00 and increase expenditures in Special Appropriations by \$7,000.00 (Object Code #5321) (4/5's vote required).

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

Through ongoing enforcement operations money is received at various times as a result of Court ordered payments by convicted criminal defendants and through Asset Forfeiture proceedings pursuant to Health and Safety Code Section 11489.

Proper procedures for processing these funds, as determined by the Board of Supervisors and the County Counsel, require that the Board recognize and appropriate these funds.

By prior action in like situations, the Board has found it fitting to appropriate such funds to District Attorney Special Appropriations (#5321) to be used for buy money, petty cash needs, training, and occasional pieces of equipment for the Inyo Narcotics Enforcement Team (INET).

Accordingly, the District Attorney is requesting that the Board recognize and appropriate unanticipated revenue in the amount of \$7,000.00 for the purposes identified in the preceding paragraph.

ALTERNATIVES:

None

OTHER AGENCY INVOLVEMENT:

Superior Court Judge, Inyo County Sheriff, Inyo Narcotics Enforcement Team (INET)

FINANCING:

Court ordered restitutions collected by Probation/District Attorney and law enforcement share of Asset Forfeiture funds earmarked to reimburse INET Task Force.

APPROVALS

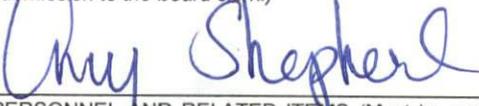
COUNTY COUNSEL:

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.)

R. Maillet

Approved: _____

Date 8.9.12

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>9/26/12</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 _____

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

 Date: 10-1-12

INYO NARCOTICS
ENFORCEMENT TEAM
(INET) COUNCIL MEETING
April 18, 2012
Bishop, California

This council meeting was held at the [REDACTED] California, on April 18, 2012. Those present were [REDACTED] and [REDACTED]

[REDACTED] brought the meeting to order.

Motion was made by [REDACTED], Seconded by [REDACTED] and carried by all that the minutes of March 21, 2012 be approved as read.

AGENT IN CHARGE [REDACTED] REPORT:

- [REDACTED]

REPORTS FROM COUNCIL MEMBERS

- [REDACTED]

- > [REDACTED]
- > [REDACTED]
- > [REDACTED]
- > [REDACTED]

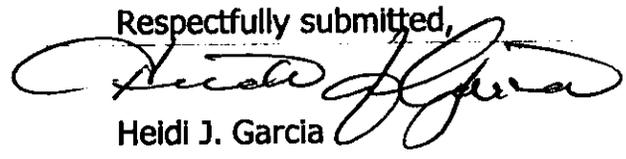
FINANCIAL REPORT: [REDACTED]

NEW BUSINESS: A motion was made by [REDACTED] and seconded by [REDACTED] and carried by all to increase the Buy money cash by \$7,000.00 due to the increase of activity. It was also decided that the monthly Commander's report should include information on Buy money.

[REDACTED]

OLD BUSINESS: There is no old business.

The next meeting will be held at 10:00 a.m. on [REDACTED] at the [REDACTED].
Motion to adjourn was made by [REDACTED] and seconded by [REDACTED].

Respectfully submitted,

Heidi J. Garcia

[REDACTED]



**INYO NARCOTICS
ENFORCEMENT TEAM**
P.O. Box 1392
Bishop, CA 93515
(760) 872-4052
FAX (760) 872-4074

June 20th 2012

Heidi Garcia
Inyo County District Attorney's Office
P.O. Drawer D
Independence, CA 93526

RECEIVED

JUN 21 2012

Inyo District Attorney

Dear Heidi,

The purpose of this letter is to provide you more information in regards to increasing the amount of readily available "buy money" for the Agents assigned to the Inyo County Narcotics Task Force.

Agents often rely on confidential informants to gather information while conducting investigations for the purpose of successful prosecution of drug suspects. Much of the information gathered is the result of controlled purchases between the informant and suspected dealer. Some of the purchases are conducted by informants who are working off a contract from pending charges, while other informants are paid in cash for conducting controlled purchases and/or providing reliable information.

Our goal as Narcotics Agents is to work our way up the drug distribution chain from the lowest level dealers to the distributor. As we work a case up the distribution chain, we begin to deal with larger amounts of drugs. For instance, suspects in the Eastern Sierra who deal drugs at the lowest level are currently selling methamphetamine for approximately \$100 per gram, while the distributors are selling an ounce for approximately \$1,800. For reference, I have attached a HIDTA drug pricelist.

The drug dealing environment is very dynamic and situations can develop very rapidly. In the recent past, INET Agents have been hampered by the inability to obtain enough money for controlled purchases. When a controlled purchase cannot be completed due to lack of buy funds, it can compromise the ability of the informant to perform future transactions. This can result in an investigation going cold and the informant's loss in confidence of our ability to follow through.

Currently, each Agent is allotted \$500 in cash for the purpose of conducting controlled purchases and informant management. I am requesting that each Agents' allotment be increased to \$1000 in cash to have on hand for the above referenced purpose. I'm also requesting \$4000 in cash to be kept in the safe at the INET Office so that it is readily available for a situation involving larger quantities of illicit drugs and to immediately replenish each Agents' allotment after a drug operation.

If you have any additional questions, please let me know.

Sincerely,

Michael Kubiak

INET Agent / Investigator

**Los Angeles High Intensity Drug
Trafficking Area (HIDTA) Drug Prices**

Methamphetamine

ICE	
Wholesale Pound	\$17,500-\$19,500
Ounce	\$1,200-\$2,000
Retail 1/8th Ounce	\$240
1/16th Ounce	\$125-\$150
1/32nd Ounce	\$70-\$80
1/4th Gram	\$40

Pseudoephedrine

Double Case (60 mg tablet/17,000-count tablets per double-case)	\$8,000-\$10,000
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Ephedrine

Wholesale 25-kilo 'Tin' (A 'tin' refers to 55-lb quantities of bulk powder)	\$130,000-\$140,000
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Cocaine

Purity: 73-76%	
Wholesale Multi-Kilos	\$17,000-\$19,000
Ounce	\$600-\$800
Retail Gram	\$80
1/10th Gram (rock)	\$5-\$10

Mexican Black Tar Heroin

Purity 20-25%	
Wholesale- Kilo	\$20,000-\$22,000
Mexican Ounce (25 Grams)	\$300-\$800
Retail - Gram	\$80
1/10th gram	\$10

Mexican Brown Heroin

Wholesale- Kilo	\$25,000
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Southeast Asian Heroin

Wholesale- 700-750 Gram	\$70,000-\$80,000
300-350 Gram	\$35,000-\$40,000

Colombian Heroin

Purity 94%	
Wholesale- Kilo	\$86,000-\$100,000

Marijuana

Mexican low-grade	
Pound	\$300-\$340
Ounce	\$75-\$100
Gram	\$5-\$10

Domestic mid-grade	
Pound	\$750
Ounce	\$150-\$200
Gram	\$25

Sinsemilla high-grade	
Pound	\$2,500-\$6,000
Ounce	\$300-\$600
1/8th ounce	\$60-\$80

B.C. BUD	
Pound	\$6,000

Hashish

Wholesale- Pound	\$8,000
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PCP

Wholesale- Gallon	\$15,000-\$18,000
Ounce	\$300-\$350
Retail- Sherm cigarette	\$10-\$20

GHB

Wholesale- Gallon	\$275-\$350
Liter	\$80-\$100
16oz bottle	\$120
Retail Bottle capful	\$5-\$20

GBL

Wholesale- liter	\$600
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Ecstasy (MDMA)

Retail- single quantities per pill	\$10-\$12
Boat (1,000 pills per boat)	\$2,500-\$3,000

Ketamine

Wholesale- 10 ml vial	\$100-\$200
Retail- 0.2 grams of powder (Bump)	\$20

LSD

Wholesale- 100 dose sheet	\$150-\$200
Retail- per dose	\$5-\$10

Psilocybin Mushrooms

Retail- 1/8th ounce	\$20
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Rohypnol (flunitrazepam)

Retail- 1mg pill	\$6-\$10
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Valium (diazepam)

Retail- 5mg tablet	\$1
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Xanax (alprazolam)

Retail- 4mg tablet	\$1
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Vicodin ES (hydrocodone)

Retail- 10 mg tablet	\$1-\$5
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Oxycontin (oxycodone)

Retail- 80mg tablet	\$12-\$40
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**Percocet/Percodan
(oxycodone/acetaminophen)**

Retail- 5mg tablet	\$1-\$5
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Dilaudid (hydromorphone)

Retail- 4mg tablet	\$20-\$60
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MS Contin (morphine sulfate)

Retail- 60mg tablet	\$20
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Methadone

Retail- per tablet	\$10
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Codeine

Wholesale- per tablet	\$1- \$2.50
Retail- per liquid pint	\$80- \$200

Fentanyl

Powder-pound	\$227,000
Kilogram	\$500,000



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: Inyo County Planning Department

FOR THE BOARD MEETING OF: October 9, 2012

SUBJECT: Scoping for Environmental Assessment for a Proposal to Implement a Forest Order Closing Endangered Sierra Nevada Bighorn Sheep Habitat to Domestic Goat Use in the Inyo National Forest

RECOMMENDATION: Review the scoping notice for the Environmental Assessment for a proposal to implement a Forest Order closing endangered Sierra Nevada Bighorn Sheep habitat to domestic goat use in the Inyo National Forest, review correspondence in regards thereto, and authorize the Chair to sign.

SUMMARY DISCUSSION: The Inyo National Forest has issued a scoping notice for the Environmental Assessment for a proposal to implement a Forest Order closing endangered Sierra Nevada Bighorn Sheep habitat to domestic goat use (Attachment 2). Staff has drafted correspondence for the Board's consideration in response (Attachment 1), primarily addressing coordination, socioeconomic, and biological issues.

ALTERNATIVES: The Board could direct changes to the correspondence, or not submit correspondence.

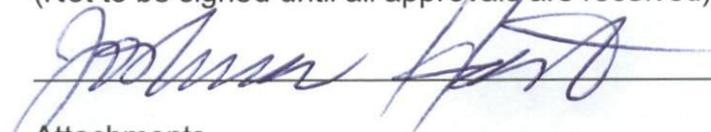
OTHER AGENCY INVOLVEMENT: Department of Agriculture, U.S. Forest Service.

FINANCING: General fund resources are utilized to monitor planning work in the Forest.

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.)
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)

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



Date: 10/2/12

- Attachments:
1. Draft Correspondence
 2. Scoping Notice

October 9, 2012

Inyo National Forest
Attn.: Leeann Murphy
351 Pacu Lane, Suite 200
Bishop, CA 93514

Re: Inyo National Forest Scoping for Environmental Assessment for a Proposal to Implement a Forest Order Closing Endangered Sierra Nevada Bighorn Sheep Habitat to Domestic Goat Use

Ms. Murphy:

On behalf of the Inyo County Board of Supervisors, thank you for inviting our comments for scoping for the Environmental Assessment for a proposal to implement a Forest Order closing endangered Sierra Nevada Bighorn Sheep habitat to domestic goat use. As we have conveyed to the Forest Service on numerous occasions, we expect that the Forest Service will coordinate with us early and often throughout this process.

We are concerned that the proposed project will impact Forest users who utilize goats in their pursuits. We are especially concerned due to the scale of the proposed closure, and lack of direct evidence regarding the relationship between domestic goat disease and Sierra Nevada Bighorn Sheep. The EA should, therefore, identify and analyze alternatives to address the issue, as well as mitigation measures to address impacts to Forest users.

Thank you. If you have any questions, please contact the County's Administrative Officer, Kevin Carunchio, at (760) 878-0292 or kcarunchio@inyocounty.us.

Sincerely,

Marty Fortney, Chair
Inyo County Board of Supervisors

cc: Board of Supervisors
Kevin Carunchio, CAO
Randy Keller, County Counsel
Joshua Hart, Planning Director
Doug Wilson, Willdan
Regional Council of Rural Counties
California State Association of Counties
Ed Armenta, Inyo National Forest Supervisor
Sustainable Forest Action Coalition



File Code: 2670

Date: September 12, 2012

To our partners and interested public:

The Inyo National Forest is initiating an environmental assessment (EA) for a proposal to implement a Forest Order closing endangered Sierra Nevada bighorn sheep (SNBS) habitat to domestic goat use. Domestic goat use in the Sierra Nevada is generally for packing backcountry gear while visitors travel into wilderness areas.

Purpose & Need

The purpose of this project is to support the Recovery Plan for SNBS (US Fish and Wildlife Service 2007) by addressing concerns regarding disease transmission between domestic goats and SNBS.

- Domestic goats can carry a variety of diseases which are communicable and deadly to native SNBS.
- Diseases introduced by domestic goats present a major threat to SNBS populations.
- Restricting proximity of domestic goats to SNBS populations is expected to reduce exposure of SNBS to disease.

The need for this proposed action involves continuing protection of SNBS from the risk of disease transmission and expanding this protection based on new information for SNBS.

- A previous forest order closed three areas to domestic goat use, these previous forest orders have now expired.
- SNBS critical habitat was designated in 2008, after the previous forest orders were implemented.
- SNBS populations have increased and populations have expanded into new areas since the previous forest orders.

The Inyo National Forest needs to update and continue protection of SNBS from disease transmission between domestic goats as described in the 2007 SNBS Recovery Plan (USFWS 2007).

Proposed Action

The Federal action considered under this proposal is closure of SNBS habitat to domestic goat use. The Inyo National Forest proposes to close or limit domestic goat access to trails within designated critical habitat for SNBS. The proposed action would affect 103 trails covering 417 miles on the Inyo National Forest. This comprises 41 percent of the 1,113 trails (covering a total of 1,020 miles) on the Inyo National Forest.



The forest is proposing to close 100 trails or trail sections, covering approximately 330 miles, to domestic goat use. Three trails or trail sections, covering approximately 90 miles, would remain open to domestic goat use but goats would be limited to within 200 feet of trail at all times, and would be required to be tethered or otherwise restrained to prevent wandering further off trail and into suitable SNBS habitat. Attached please find a table displaying by trailhead and trail name the trails proposed for goat restrictions as well as maps of the SNBS herd units.

I invite you to participate in this public scoping by providing your comments on the proposed action and its anticipated effects. In order for comments to be included in the development of this Forest Order, comments should be received by **October 14, 2012**. Written comments must be submitted to:

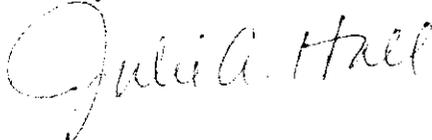
Inyo National Forest
Attn: Leeann Murphy
351 Pacu Lane, Suite 200
Bishop, CA 93514
Fax (760) 873-2458
Phone: (760) 873-2450

Electronic comments must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc) to: lbmurphy@fs.fed.us. Please include the subject: Forest Order closing SNBS habitat to domestic goat use.

An interdisciplinary team will consider public comments received during this comment period to help identify issues, formulate alternatives, and if necessary, revise the Proposed Action.

If you are interested in more detailed information on this project you may contact Leeann Murphy, Project Leader at (760) 873-2450 or lbmurphy@fs.fed.us.

Sincerely,



for EDWARD E. ARMENTA
Forest Supervisor

September 17, 2012

To our partners and interested public:

Last week, the Inyo National Forest released a scoping letter concerning its proposal to implement a Forest Order closing endangered Sierra Nevada bighorn sheep (SNBS) habitat to domestic goat use. The scoping letter included an attachment containing maps of trails within SNBS herd units and proposed actions for these trails. This Errata letter contains corrections and additions to the map documents. Please disregard the original maps sent in the attachment to the scoping letter, and instead please refer to the maps attached to this Errata letter. These corrected maps are also available online at the following website:

http://www.fs.fed.us/nepa/project_content.php?project=40094

For additional information or questions on this project please contact Leeann Murphy, Project Leader at (760) 873-2450 or lbmurphy@fs.fed.us.

Sincerely,

Leeann Murphy
Wildlife Biologist
Inyo National Forest

ATTACHMENT 1

Table Displaying by Trailhead and Trail Name the Proposed Closure and Buffer Areas.

Proposed Action	SNBS Herd Unit (or Closure Area)	Trailhead	Trail #	Trail Name	
Close	Mt. Warren	Gardisky Lake TH	2504	Gardisky Lake	
		Lakes Canyon TH	2506	Lake Canyon	
		Lundy Canyon TH	2401	Lundy Canyon	
		n/a	25E102		
		Saddlebag Lake TH	2402	20 Lakes Basin Loop	
			2402A	Hess Mine	
			2402B	Shepherd Crest	
			2404	Saddlebag Lake Loop	
		Mt. Gibbs	n/a	2502A	Gem Pass Snow bypass
				2510	Glacier Canyon
	2602			Parker Lake	
	Rush Creek TH		2502	Alger Lakes	
	Walker Lake TH		2603	Parker Bench	
			2516	Bloody Canyon	
	Convict Creek	Convict Ck/Convict Lake Loop TH	2802	Convict Creek	
			2804	Laurel Lake to Edith Lake	
			28E201	Laurel Mountain	
			2802A	Dorothy-Bighorn Lake	
			28E201B		
			28E201C		
			28E201D		
			Fish Creek TH	2622	Fish Creek
		McGee Pass TH	2808	McGee Mountain	
			2902	McGee Pass	
			2907	Hopkins Pass	
			2902A	McGee Pack Station	
			2902C	Baldwin Canyon	
			2902D	Steelhead Lake	
	2902E	Grass Lake spur			
	2902F	Baldwin Canyon cutoff			
	2902G	Big McGee Lake			
	Wheeler Ridge	Gable Lakes TH	3005	Gable Lakes	
		Lamarck Lakes TH	2911A	Morgan Mine Rd.	
			3004	Lamarck Lakes	
		Horton Lakes TH	3001	Piute Pass	
			3006	Horton Lakes	
		Little Lakes Valley TH	3006A	Basin Mountain	
			2912	Little Lakes Valley	
		n/a	2912C	Gem Lakes	
			2911	Morgan Pass	
			2908	Italy Pass	
	3007		Longley Reservoir		
3011	Elderberry Canyon				
30E301	Wheeler Crest				
3002A	Honeymoon Lake spur				

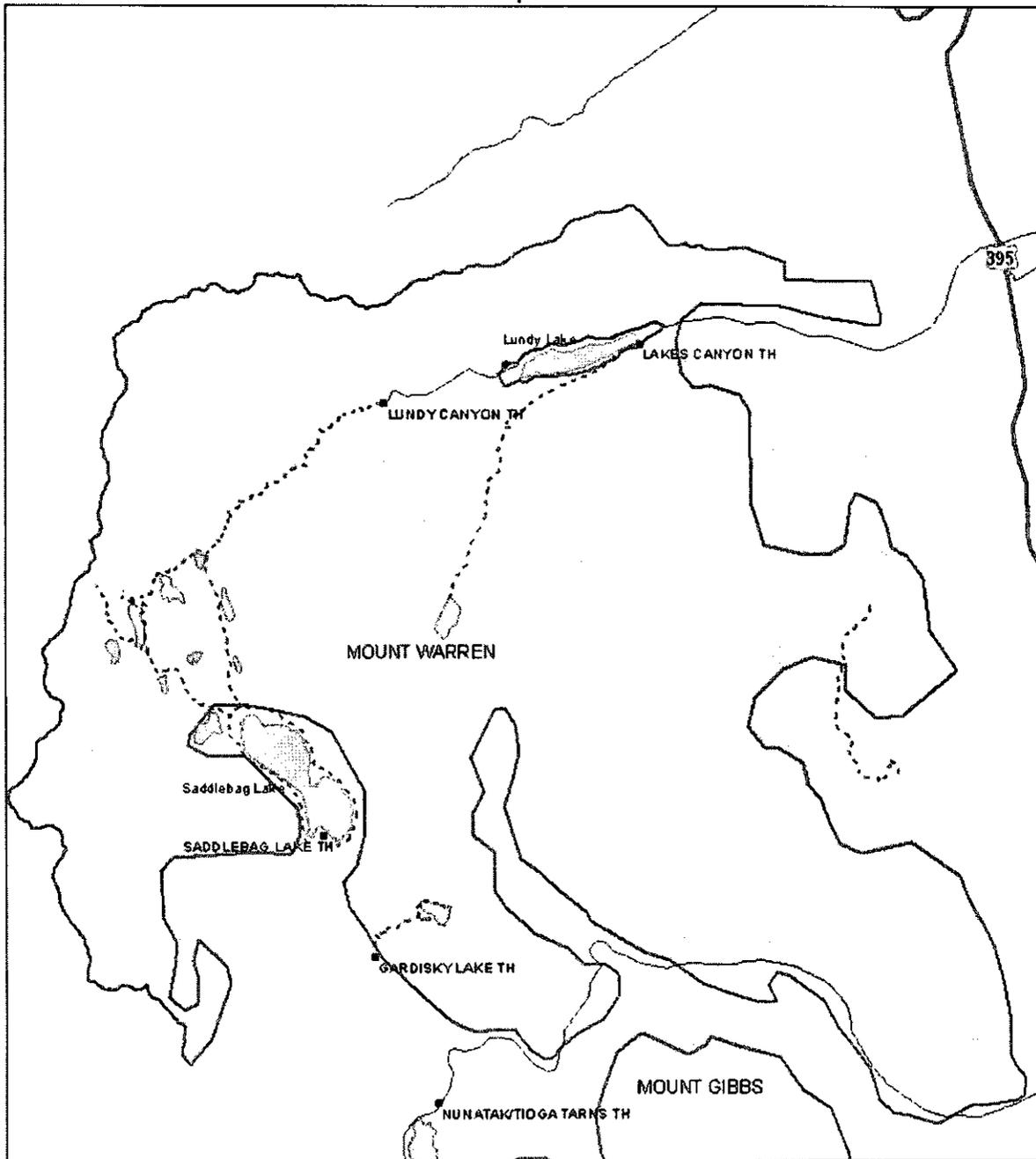
Proposed Action	SNBS Herd Unit (or Closure Area)	Trailhead	Trail #	Trail Name	
			30E301A		
		Pine Creek TH	3002	Pine Creek Pass	
		Tamarack Lakes TH	3003	Tamarack Lakes	
	Coyote Ridge	Baker/Green Lakes TH	3103	Baker Summit	
			3104	Bishop Pass	
			3104A	Rainbow Pack Station	
			3104B	Treasure Lakes	
			3104C	Mary Louise Lake	
			3104D	Chocolate-Ruwau Loop	
				North Fork Big Pine Creek	
				South Fork Big Pine Creek	
		3205		Waterfall	
		Big Pine Creek SO Fork TH	Big Pine Creek NO Fork TH	3207	Black Lake Loop
				3205A	Palisade Glacier
				3205C	Fourth Lake Cutoff
				3205D	Fifth Lake Spur
				3205E	Sixth Lake Hiker
				3205F	Summit Lake
				3205G	Glacier Lodge to 1 st Falls Acc
				3205H	Jigsaw Pass
		n/a	n/a	3206	Sage Flat Streamside
				3208	High Meadows Stock
				3103ASD	Rawson Creek Stock
	3201SD			Shannon Canyon Stock	
	3321SD				
	Taboose	Birch Lake TH	3302	Birch Lake	
		Red Lake TH	3303	Red Lake	
		Taboose Pass TH	3304	Taboose Pass	
	Mt. Baxter	Baxter Pass TH	3427	Baxter Pass	
		Onion Valley TH	3306	Golden Trout Lake	
			3307	Kearsarge Pass	
			3306A	Golden Trout Lake North Spur	
		n/a	3315	Grand Group Mine	
			3423	Parker Canyon	
			3425	Sardine Lake	
	Sawmill Canyon	Sawmill Pass TH	3401	Sawmill Pass	
			3430	Sawmill to Birch Springs	
			33E401	Armstrong Canyon Trail	
			33E401A		
			33E401B		
			n/a	3304A	Shingle Mill Bench
	33E401C				
	Mt. Williamson	Shepherd Pass TH	3402	Shepherd Pass	
		n/a	3402B	Junction Pass	
		n/a	3442	George Creek	

Proposed Action	SNBS Herd Unit (or Closure Area)	Trailhead	Trail #	Trail Name
	Mt. Langley	Cottonwood Lakes TH	3513	New Army Pass
			3523	Cirque Lake
			3610	Little Cottonwood Creek
			3513A	Cottonwood Lakes Cutoff #1
			3513B	Cottonwood Lakes Cutoff #2
			3516C	Muir Lake
		Tuttle Creek TH	3521	Tuttle Creek Ashram
		n/a	3502	Cottonwood Canyon
			3516	Cottonwood Lakes
			3526	Diaz Creek
			3611SD	Wormhole Canyon
			2000.3	Pacific Crest Trail
		Remain Open, limit 200 feet from trail	Convict Creek	n/a
Mt. Gibbs	Rush Creek TH		2605	Rush Creek
	n/a		2000.3	Pacific Crest Trail
Olancha Peak	n/a		2000.2	Pacific Crest Trail

ATTACHMENT 2

Maps showing SNBS Herd Unit Closure Areas and Trail Restrictions

Mt. Warren Herd Unit Proposed Goat Closure Area



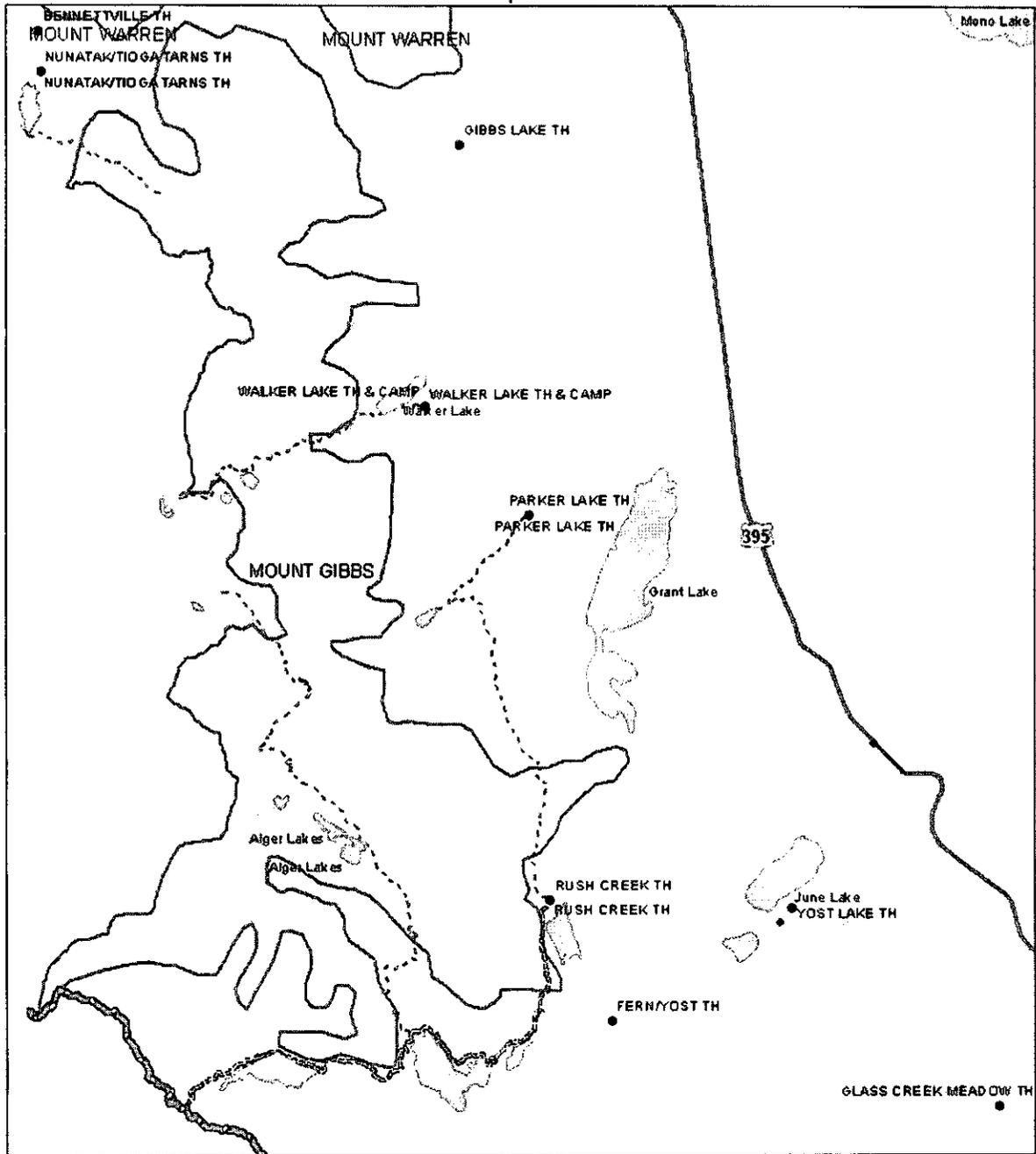
Legend

- Trailheads
- Trails within critical habitat**
- Prop_Act**
- - - Close
- ==== Remain open, limit 200ft from trail

□ SNBS Critical Habitat
Wilderness

0 0.5 1 2
Miles

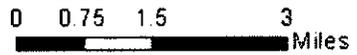
Mt. Gibbs Herd Unit Proposed Goat Closure Area



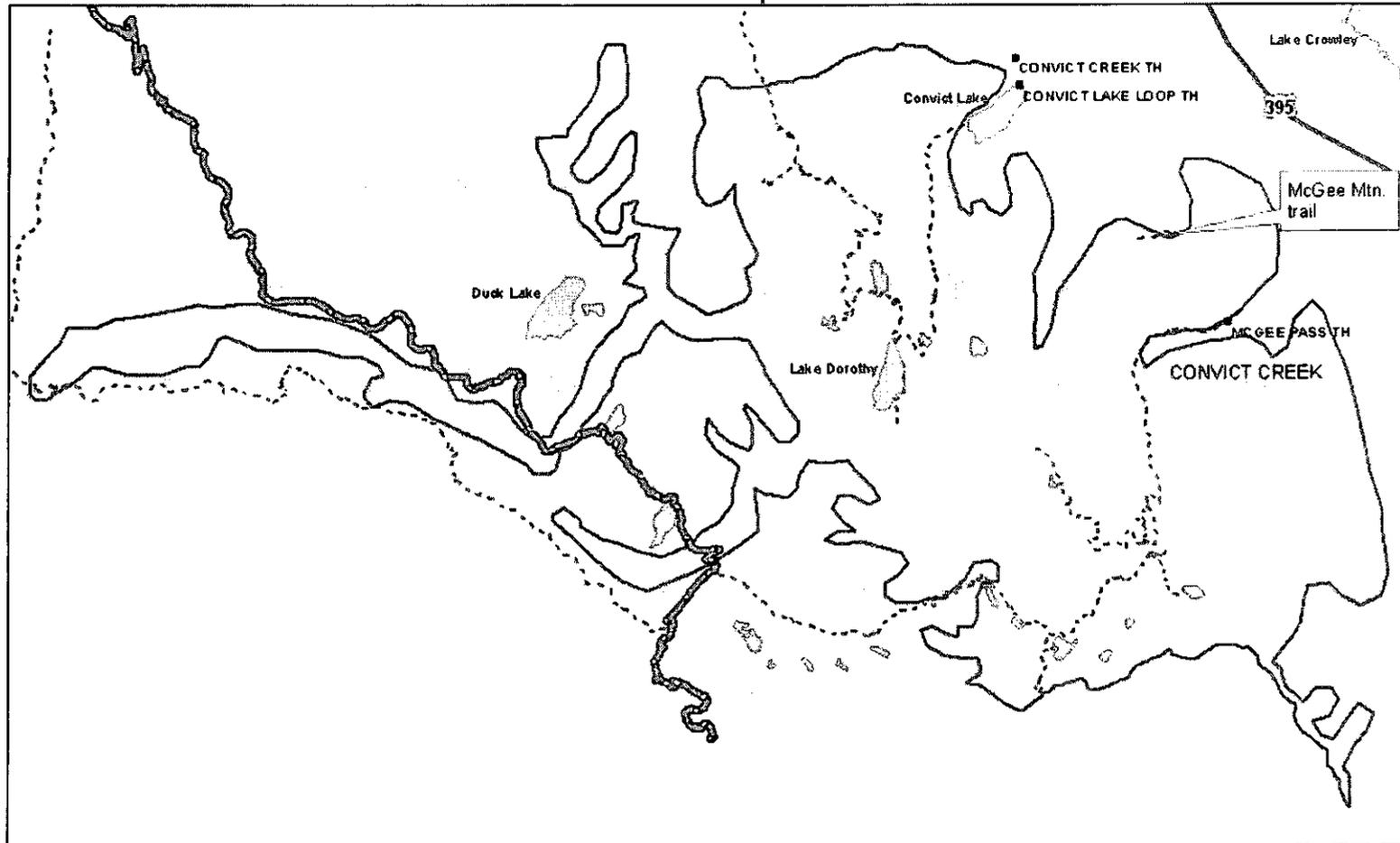
Legend

- Trailheads
- Trails within critical habitat
- Prop_Act
- - - Close
- ==== Remain open, limit 200ft from trail

□ SNBS Critical Habitat
 □ Wilderness



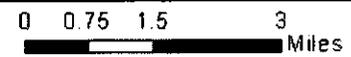
Convict Creek Herd Unit Proposed Goat Closure Area



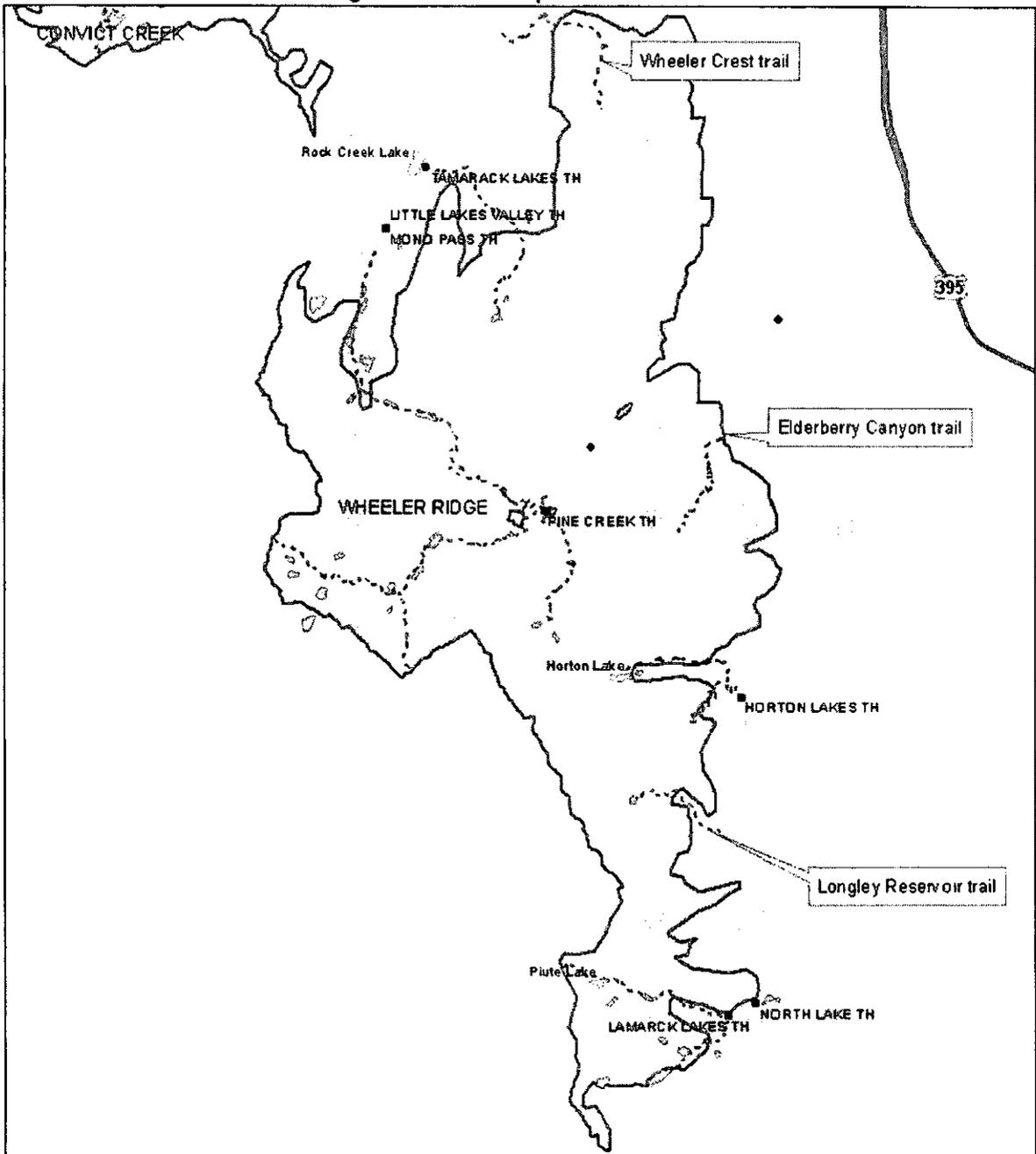
Legend

- Trailheads
- Trails within critical habitat**
- Prop_Act**
- - - Close
- ==== Remain open, limit 200ft from trail

- ▭ SNBS Critical Habitat
- ▭ Wilderness

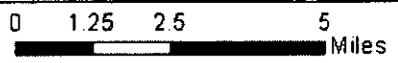


Wheeler Ridge Herd Unit Proposed Goat Closure Area

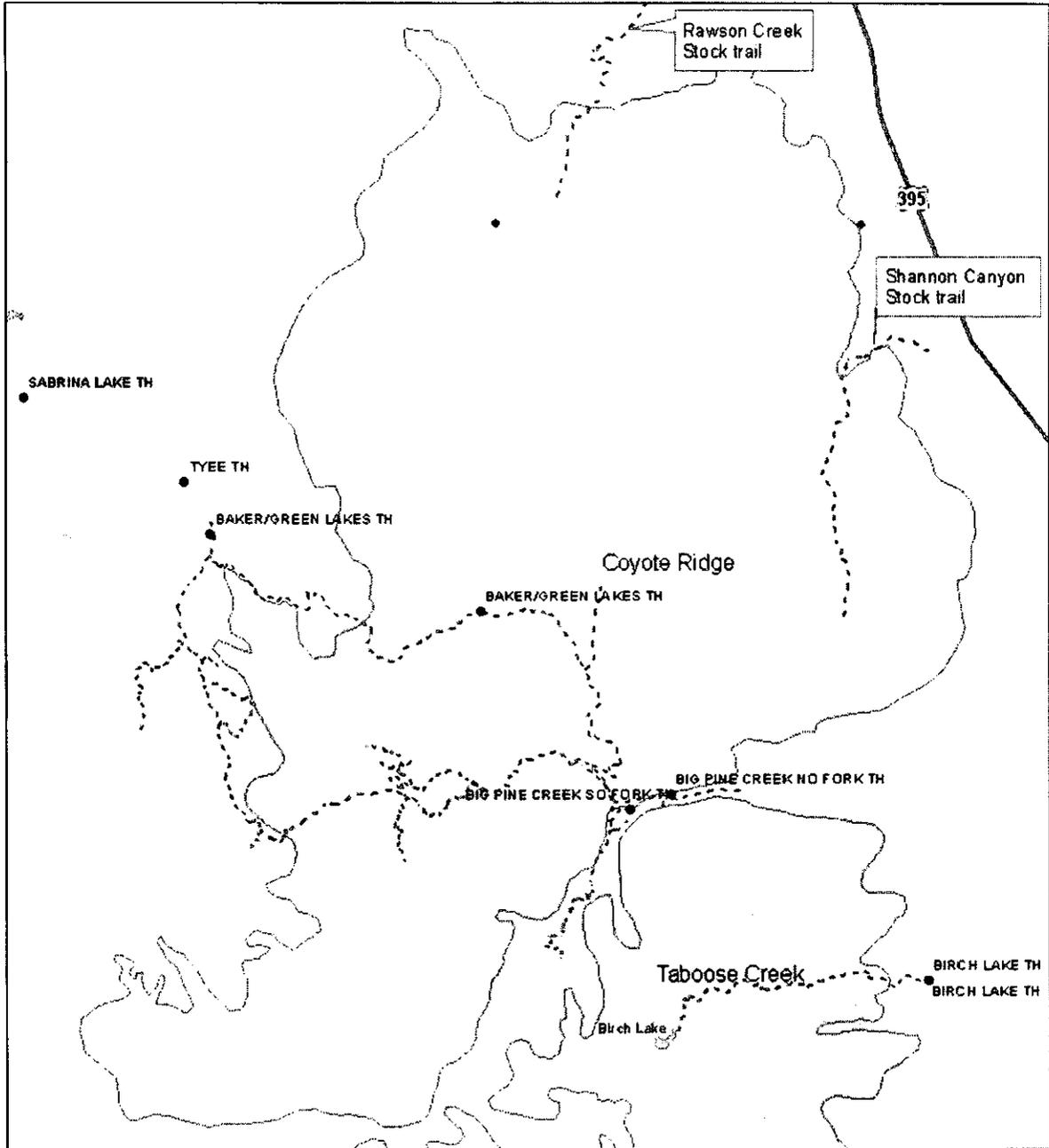


Legend

- Trailheads
- Trails within critical habitat
- Prop_Act
- - - Close
- ==== Remain open, limit 200ft from trail
- SNBS Critical Habitat
- Wilderness



Coyote Ridge Herd Unit Proposed Goat Closure Area



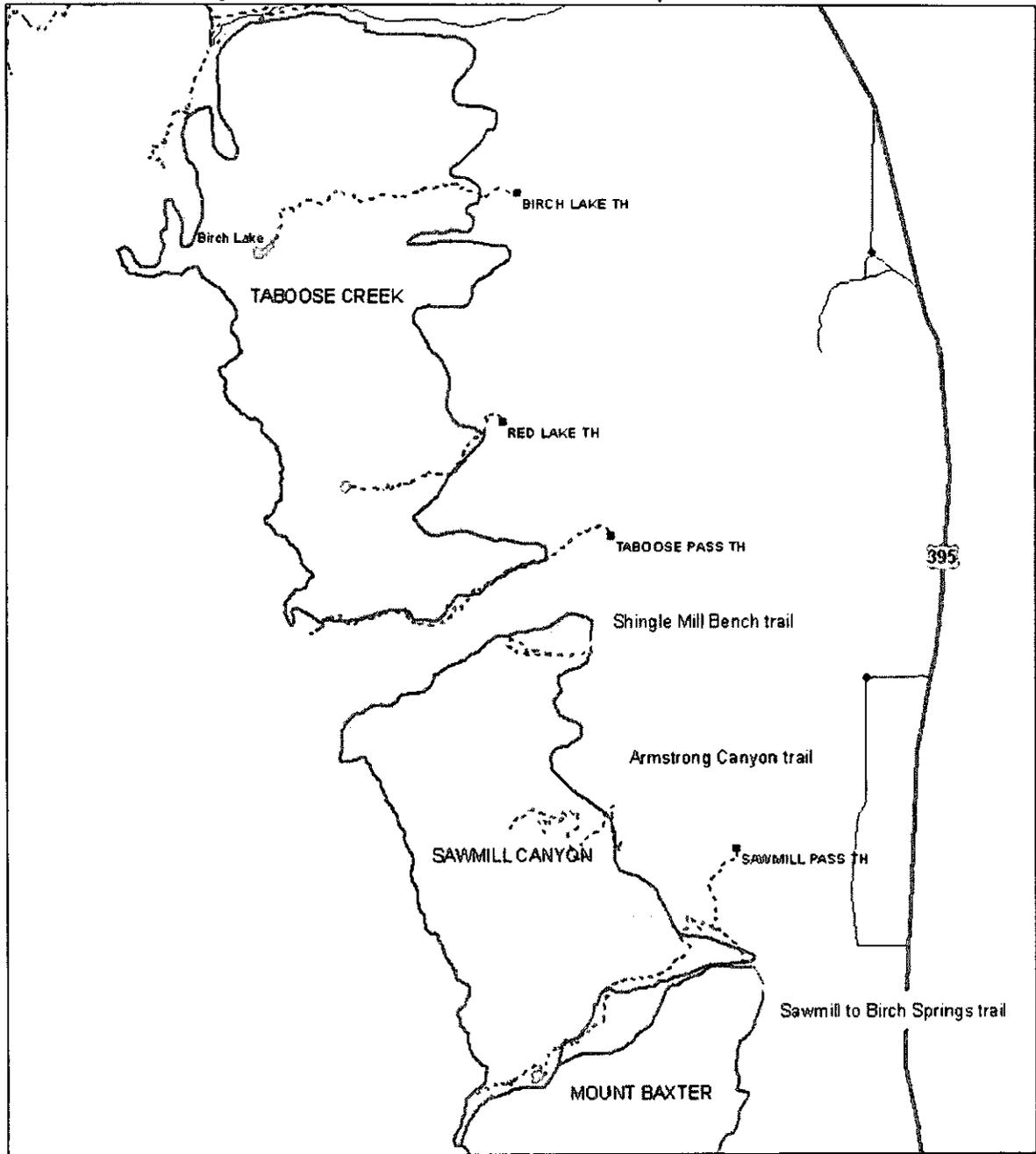
Legend

- Trailheads
- Trails within critical habitat**
- Prop_Act**
- - - Close
- ==== Remain open, limit 200ft from trail

□ SNBS_herd_units
 Wilderness

0 1 2 4 Miles

Sawmill Canyon and Taboose Creek Herd Units Proposed Goat Closure Areas



Legend

■ Trailheads

□ SNBS Critical Habitat
Wilderness

Trails within critical habitat

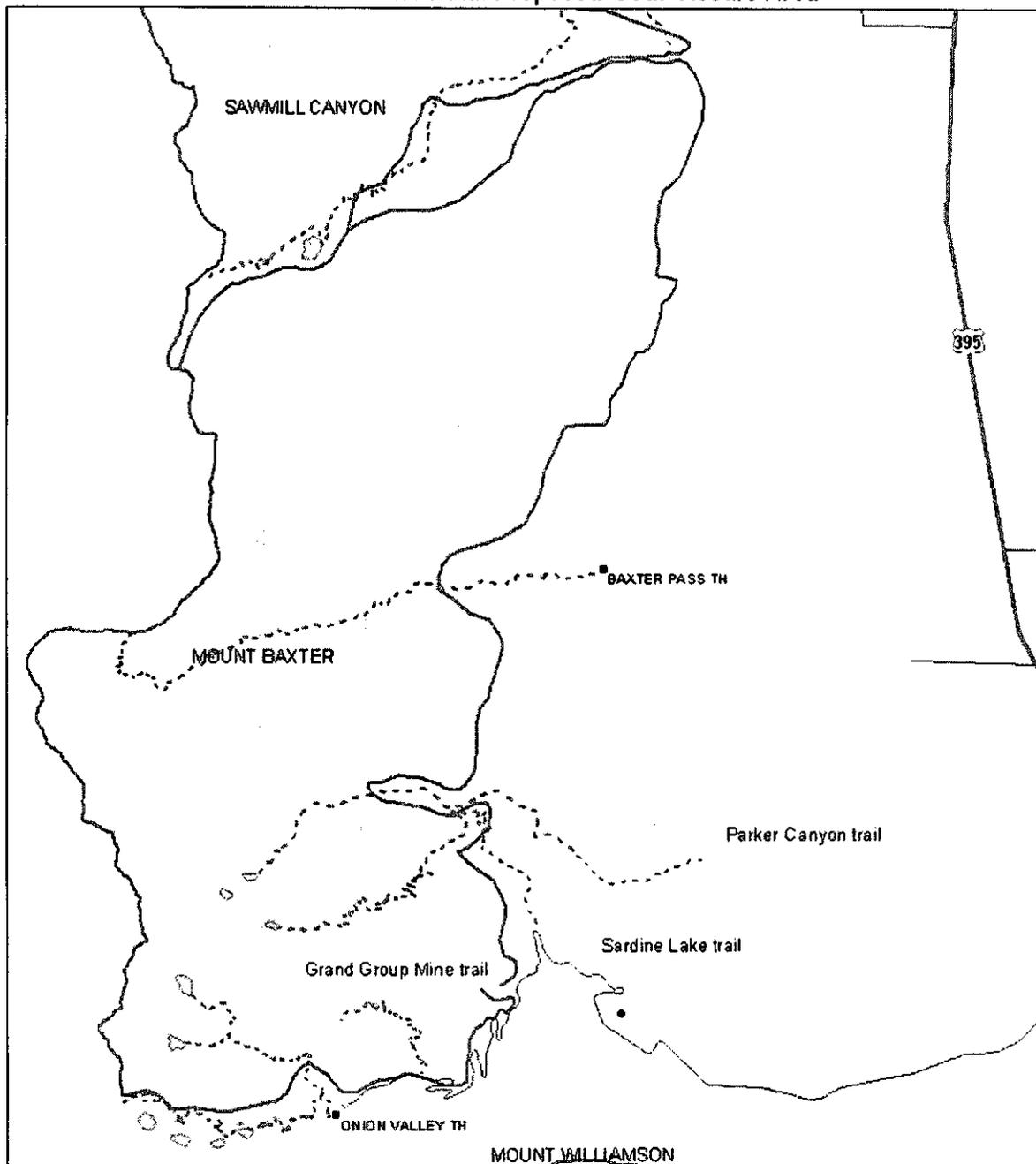
Prop_Act

--- Close

==== Remain open, limit 200ft from trail



Mount Baxter Herd Unit Proposed Goat Closure Area



Legend

■ Trailheads

Trails within critical habitat

Prop_Act

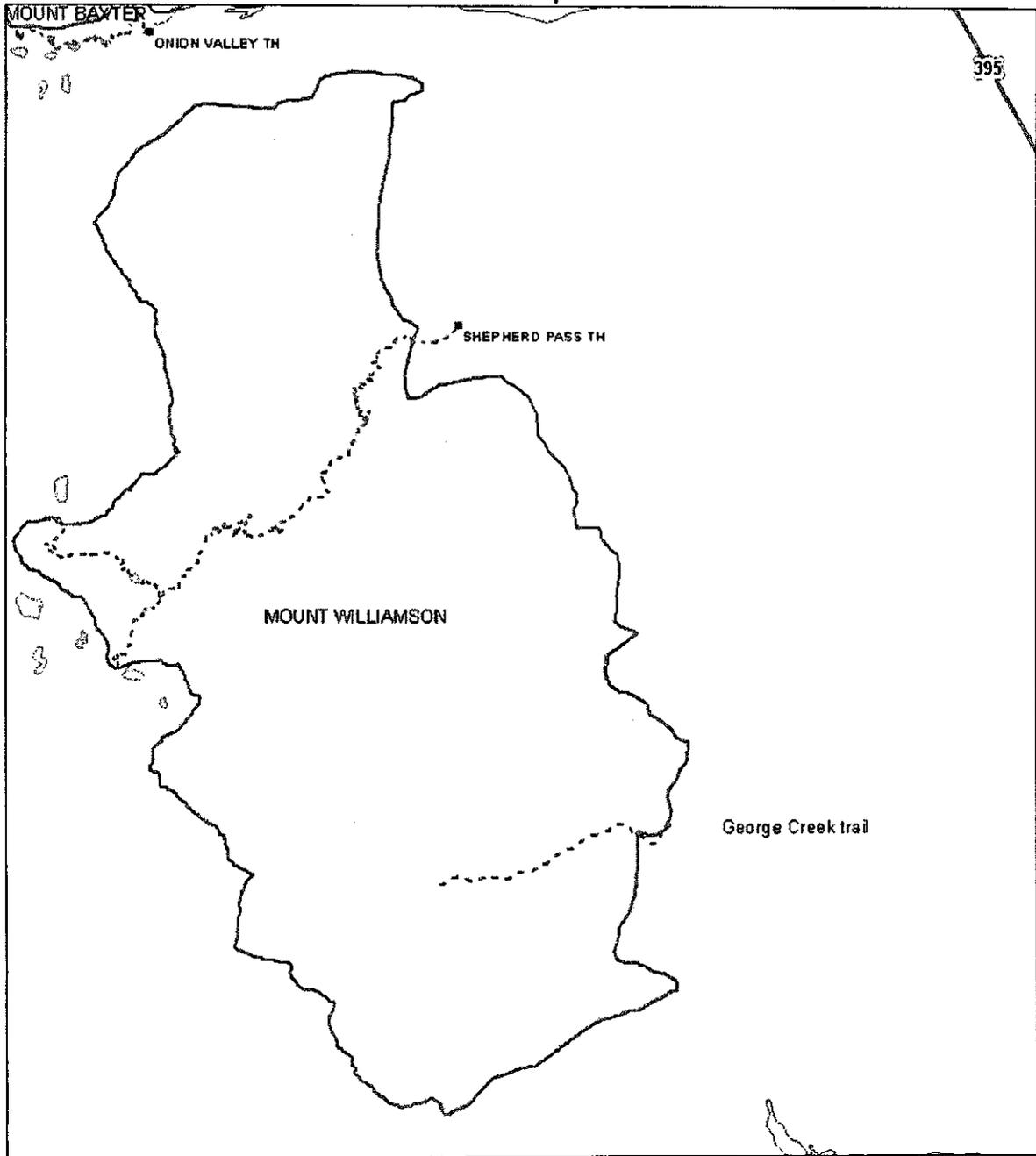
- - - Close

==== Remain open, limit 200ft from trail

□ SNBS Critical Habitat
Wilderness

0 0.5 1 2 Miles

Mount Williamson Herd Unit Proposed Goat Closure Area



Legend

■ Trailheads

Trails within critical habitat

Prop_Act

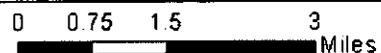
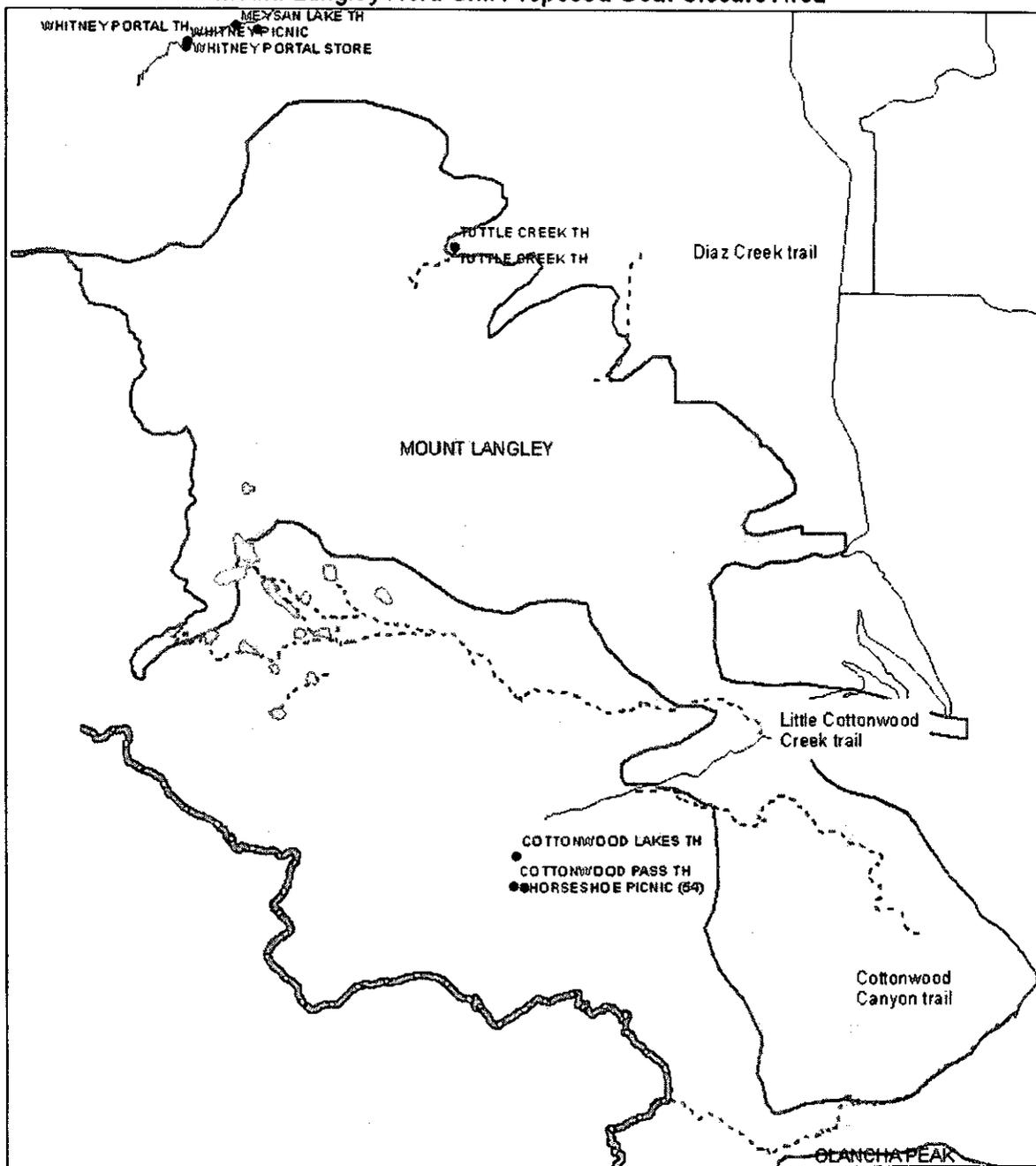
--- Close

==== Remain open, limit 200ft from trail

□ SNBS Critical Habitat
Wilderness

0 0.75 1.5 3 Miles

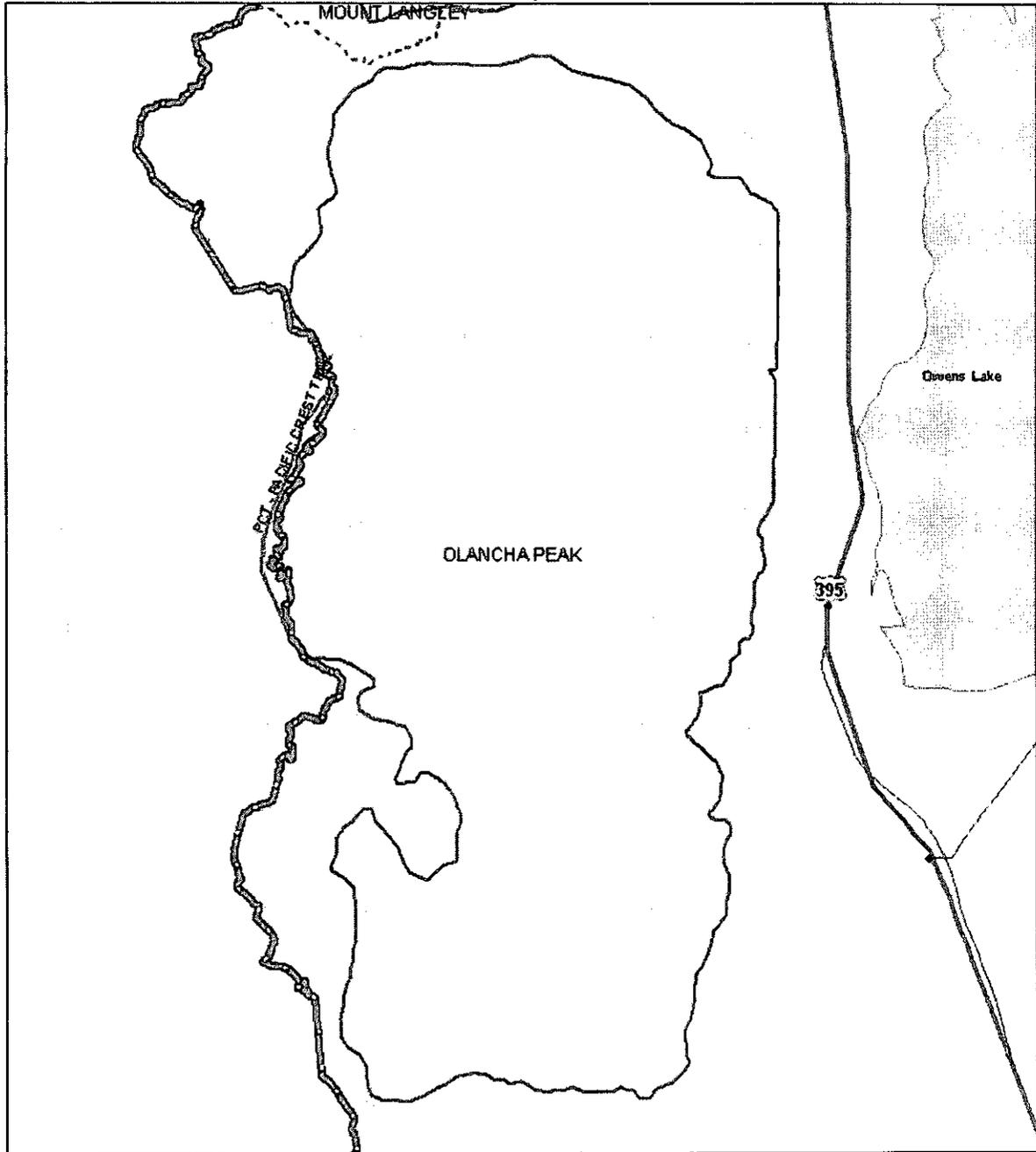
Mount Langley Herd Unit Proposed Goat Closure Area



Legend

- Trailheads
- ▭ SNBS Critical Habitat
- ▭ Wilderness
- Trails within critical habitat**
- Prop_Act**
- - - Close
- · · · · Remain open, limit 200ft from trail

Olancha Peak Herd Unit Proposed Goat Closure Area



Legend

■ Trailheads

Trails within critical habitat

Prop_Act

- - - Close

==== Remain open, limit 200ft from trail

□ SNBS Critical Habitat
Wilderness

0 0.75 1.5 3 Miles



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 20

- | | | |
|---|--|--|
| <input type="checkbox"/> Consent | <input type="checkbox"/> Departmental | <input type="checkbox"/> Correspondence Action |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Schedule time for | <input type="checkbox"/> Closed Session <input type="checkbox"/> Informational |

FROM: Public Works Department
 FOR THE BOARD MEETING OF: October 9, 2012
 SUBJECT: Workshop Regarding Water Systems

DEPARTMENTAL RECOMMENDATIONS:

Participate in a workshop regarding recent reports about the operation and condition of the water systems (Lone Pine, Independence and Laws

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

The County has recently received reports from the California Department of Health Services, the California Rural Water Association (representing the IRWMP) and a tank evaluation from Dive Corp. Public Works will present excerpts and review identified needs.

ALTERNATIVES:

Your Board could choose not to conduct the workshop. This is not recommended because the workshop appears to be a good way to present and discuss the issues associated with the water systems.

OTHER AGENCY INVOLVEMENT:

California Department of Health Services for inspection report
 IRWMP/California Rural Water Association for needs report
 Dive Corp. for Tanks Inspection Report arranged by Owenyo Services as part of the operations contract
 Proposers for water system operations

FINANCING:

There are no costs to the County for the workshop

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 _____
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 _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

Date: 10-3-12



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: Jon Klusmire, Museum Services Administrator

FOR THE BOARD MEETING OF: October 9, 2012

SUBJECT: Workshop (Part 1) to review Community Project Sponsorship Grant Evaluation Form, Grant Guidelines, Applications and other instruction and written material related to the program, which will be presented to the Board at today's workshop.

DEPARTMENTAL RECOMMENDATION: Request your Board review the package of CPSP materials over the next two weeks and determine what, if any, changes need to be made. Staff would request the Board also determine when it would like to hold the second part of the workshop, in which the Board can propose any changes in the grant materials.

SUMMARY DISCUSSION: The Board is being presented with actual CPSP grants from the 2009-2010 grant cycle, which included 19 grants seeking \$136,990 in grant funding. Also included are Grant Guidelines, the Grant Evaluation Form, and other material presented to the grant review panel. Each Board member is being asked to review the guidelines, then score the grants, then assign funding to each grant, with the end result being awarding exactly \$100,000 in grant funding. After working with the current CPSP materials in such a manner, the Board will then be asked at the second workshop to suggest changes or improvements to the CPSP materials.

ALTERNATIVES: The Board could deny the request

OTHER AGENCY INVOLVEMENT: County Administrative Officer, County Counsel, and Auditor-Controller

FINANCING: Funding for Community Sponsorship Program Grants are budgeted in the Advertising County Resources budget (011400).

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

Jon Klusmire

Date: 10-3-12



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
23-24-25
26-27-28
29-30

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

FROM: COUNTY COUNSEL

FOR THE BOARD MEETING OF: October 2, 2012

SUBJECT: ISSUES TO BE DISCUSSED IN CLOSED SESSION

DEPARTMENTAL RECOMMENDATION:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code § 54956.9(c)]. - Decision Whether to Initiate Litigation (one case).

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriff's Association (DSA) - Negotiators: Labor Relations Administrator, Sue Dishion, Information Services Director, Brandon Shults, and Planning Director Josh Hart.

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistant Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion.

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Correctional Officers Association (ICCOA) - Negotiators: Labor Relations Administrator Sue Dishion.

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, Director Child Support Services Susanne Rizo, and Chief Probation Officer Jeff Thomson.

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Law Enforcement Administrators' Association (LEAA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.

REAL PROPERTY NEGOTIATIONS [CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8] - Property: APN001-104-09, 512 N 2nd Street, Bishop, California - Negotiating Parties: County Administrator, HHS Director, and Interim Public Works Director - Negotiations: Terms and Conditions

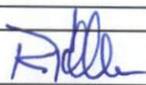
APPROVALS

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.) <div style="text-align: right;">  Approved: _____ Date <u>10-2-12</u> </div>
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DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

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

 Date: 10-2-12