

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.

April 2, 2013

9:00 a.m. 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*)

9:30 a.m. 3 CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER – Mr. Martin L. Adams, Director of Water Operations for LADWP will provide the Board of Supervisors with an update regarding the Owens Lake Master Plan process, and discuss this and issues of mutual interest to the County and LADWP.

CONSENT AGENDA (Approval recommended by the County Administrator)

COUNTY ADMINISTRATOR

4. **Developmental Disabilities Area Board** – Request Board appoint Ms. Lauren Viduya to the Developmental Disabilities Area Board #12 to complete an unexpired three-year term ending December 31, 2015. (*Notice of vacancy resulted in one request for appointment being received from Ms. Viduya.*)
5. **Motor Pool** – Request Board award the bid for and authorize the purchase of safety and communications equipping three 2011 Crown Victoria patrol vehicles from Woodcrest Vehicle Center of Riverside, in an amount not to exceed \$23,755.53.
6. **Motor Pool** – Request Board A) declare the vehicles and equipment recommended by Staff as surplus; B) authorize Motor Pool to offer the vehicles and equipment for sale utilizing the sealed bid process; C) authorize Motor Pool to utilize General Auction Company located in Buena Park, CA for the removal and sale of any remaining County owned surplus vehicles and equipment; and D) authorize the County Administrator to execute the consignment agreement for the sale of the vehicles and equipment through the auction process.
7. **Advertising County Resources** – Request Board authorize final payment of \$1,500 to the Death Valley Chamber of Commerce for the 2013 Community Project Sponsorship Grant Project, The 2012 Furnace Creek Visitor Center Grand Re-Opening and appearance of the Borax 20-Mule Team.

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

8. **COUNTY ADMINISTRATOR – Integrated Waste Management** – Request approval of a resolution titled “A Resolution of the Board of Supervisors, County of Inyo, State of California, Waiving Solid Waste Disposal and Gate Fees at the Independence Landfill for Solid Waste on Saturday April 20, 2013 and Sunday April 21, 2013, to facilitate the Independence Civic Club Town of Independence Spring Clean Up Event.
9. **PUBLIC WORKS** – Request Board A) reject all bids received for the Shoshone Modular Buildings Improvement Project; B) approve a resolution declaring that the work can be performed more economically by force account contract (*4/5's vote required*); C) authorize the Interim Public Works Director to negotiate a time and materials contract with a contractor and sign the Contract, contingent upon the appropriate signatures being approved; and D) authorize the Interim Public Works Director to sign all other Contract documents, including changes orders, to the extent permitted pursuant to section 20142 of the Public contract code and other applicable law, not to exceed \$27,975.
10. **SHERIFF'S DEPARTMENT** – Request Board A) conduct a **public hearing** to gather input regarding the intended use for the “Citizen's Option for Public Safety” (COPS) monies during FY 2012-13; and B) accept and approve the use of COPS monies for equipment and programs that are necessary to support the needs of frontline law enforcement.
11. **SHERIFF'S DEPARTMENT** – Request Board:
 - A) Declare Interview Room Systems LLC a sole-source provider of interview room video systems and authorize the purchase of an interview room video system for the Bishop Substation from Interview Room Systems LLC in an amount not to exceed \$5,391.80;
 - B) Declare Proforce Law Enforcement a sole-source provider of taser equipment and authorize the purchase of 5 tasers and cartridges for each substation, the Jail, and for replacement from Proforce Law Enforcement in an amount not to exceed \$5,542.24
 - C) Declare Digital Ally a sole-source provider of video and audio storage equipment and authorize the purchase of a “Patrol Car Camera Vu Vault Server” based system for video and audio storage from Digital Ally in an amount not to exceed \$8,011.20;
 - D) Declare Dell a sole-source provider of support for file servers and approve the purchase of extended support contracts for RIMS and file servers from Dell in an amount not to exceed \$4,392.06;
 - E) Declare Insight Public Sector a sole-source provider of licensing software and authorize the purchase of 50 additional Adobe Acrobat XI standard licenses and 4 Adobe Acrobat XI Pro Licenses from Insight Public Sector in an amount not to exceed \$11,542.06;
 - F) Declare American Aluminum ACC, Inc., a sole-source provider of K-9 equipment and authorize the purchase of one E/Z Rider K-9 insert for a patrol unit from American Aluminum in an amount not to exceed \$2,634.60.
 - G) Authorize the following purchases from Adamson Police Products; 6 each Maxpedition carrying bags for rigid computers in an amount not to exceed \$1,238.58; 5 each Pelican notebook cases for protection of satellite phones in an amount not to exceed \$882.94; 2 each ballistic vests for correctional officers in an amount not to exceed \$1,487.60; and 144 each lithium flash light batteries in an amount not to exceed \$276.05;
 - H) Authorize the purchase of 35 each LED flashlights from Proforce Law Enforcement in an amount not to exceed \$2,253.26;
 - I) Authorize the purchase of 50 each back-up tapes and 5 each cleaning cartridges from GovConnection in an amount not to exceed \$1,804.04;
 - J) Authorize the purchase of 12 each training/conference tables from Keller Group in an amount not to exceed \$2,812.32;
 - K) Authorize the purchase of various items to be determined in accordance with the purchasing policy in an amount up to \$6,000; and

- L) Amend the FY 2012-13 Sheriff's General Budget Unit 022700 by increasing estimated revenue in Citizens Options Public Safety Revenue (*Revenue Code #4488*) by \$54,273; and increasing appropriations in Personal & Safety Equipment (*Object Code #5112*) by \$1,488, Office and Other Equipment (*Object code #5232*) by \$7,188, Professional & Special Service (*Object Code #5265*) by \$4,393, General Operating (*Object Code #5311*) by \$13,623, Law Enforcement Special (*Object Code #5313*) by \$11,543, and Equipment (*Object Code #5650*) by \$16,030. (4/5's vote required.)

12. **WATER DEPARTMENT** – Request Board amend the FY 2012-13 Water Budget Unit 024102, by increasing appropriations in Operating Transfers Out (*Object Code \$5801*) by \$170,000; and the Public Works Budget Unit 011501 by increasing Operating Transfers In (*Revenue Code #4998*) by \$170,000 and increasing appropriations in Structures & Improvements (*Object Code #5640*) by \$170,000. (4/5's vote required.)
13. **PLANNING** – Request A) a review of a draft Proposal in Response to the California Energy Commission's request for Proposals for Renewal Energy and Conservation Planning Grants; and B) approve a resolution authorizing the Planning Director to Submit a Proposal.

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

- 1:00 p.m. 14. **PLANNING** – Request Board A) conduct a **public hearing** for the 2013 CDBG Notice of Funding Availability (NOFA); B) receive a presentation from staff on the general projects that were discussed at the February 26, 2013 public hearing and how they do/do not qualify for CDBG funding; C) review and approve the projects staff has recommended for funding; and D) adopt a resolution approving an application for funding and authorize the Chairperson to execute the grant agreement.
15. **BOARD OF SUPERVISORS – Supervisor Linda Arcularius – SHERIFF – PUBLIC WORKS** – Request Board receive a presentation from Supervisor Arcularius, Sheriff Lutz and Public Works staff on concepts for new County Animal Shelter.

CORRESPONDENCE – ACTION – (To be considered at the Board's pleasure)

16. **PREFERRED SEPTIC AND DISPOSAL** – Request Board consider changes to the Inyo County's Local/Small Business Preference Ordinance – Chapter 6.06 of the Inyo County Code.

BOARD MEMBERS AND STAFF REPORTS

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

17. **PUBLIC COMMENT**

CLOSED SESSION

18. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]** - *City of Los Angeles, Department of Water and Power of the City of Los Angeles v. Inyo County Board of Supervisors, et al.* Inyo County Superior Court Case No. 12908; Blackrock 94 Dispute Resolution.
19. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]** - *Sprint Telephony PCS, LP et.al., v. State Board of Equalization et al., San Francisco Superior Court Case No. CGC-11-511398.*
20. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]** – *Owens Valley Committee v. County of Inyo; Inyo County Board of Supervisors, et al; CG Roxanne, LLC and Does 21 through 100,* Inyo County Superior Court Case No. SICVPT 1354991.
21. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)]** – *Jesse Edwin Jason v. County of Inyo,* Unfair Practice Charge No. SA-CE-814-M.
22. **PERSONNEL [Pursuant to Government Code §54957].** Public Employee Appointment – Title - County Counsel.

23. **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.
24. **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: Information Services Director Brandon Shults, and Labor Relations Administrator Sue Dishion.
25. **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: Information Services Director Brandon Shults, 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: ICEA - Negotiators: Information Services Director Brandon Shults, and 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: Inyo County Probation Peace Officers Association (ICPPOA) - Negotiators: Information Services Director Brandon Shults, Chief Probation Officer Jeff Thomson, and Labor Relations Administrator Sue Dishion.
28. **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: Information Services Director Brandon Shults, and Labor Relations Administrator Sue Dishion.

REPORT ON CLOSED SESSION AS REQUIRED BY LAW

CORRESPONDENCE - INFORMATIONAL

29. **SHERIFF'S** – Sheriff's and Jail Overtime Reports for the period of December, 2012 and January and February, 2013.



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 Administrator
By: Patricia Gunsolley, Assistant Clerk of the Board

FOR THE BOARD MEETING OF: April 2, 2013

SUBJECT: Appointment to the Developmental Disabilities Area Board #12

DEPARTMENTAL RECOMMENDATION: – Request Board appoint Lauren Viduya to the Development Disabilities Area Board #12, to complete an unexpired three-year term ending December 31, 2015. (Notice of vacancy resulted in one request for appointment being received from Ms. Viduya.)

SUMMARY DISCUSSION: The Developmental Disabilities Area Board was reestablished as a result of the Lanterman Developmental Disabilities Services Act of 1977. The law increased the responsibilities of the Area Board from planning to advocating, monitoring, planning and providing information and education about and for services for persons with developmental disabilities. The law also established the categories for membership, as well as membership requirements. Inyo County participates in the Developmental Disabilities Area Board #12 which consists of membership from Inyo, Mono, Riverside and San Bernardino counties. The responsibility for the membership appointments falls to the governing bodies of each of the jurisdictions. The Clerk of the Board's Office was notified of the vacancy on this Board and a notice of vacancy was published Ms. Lauren Viduya submitted a request for appointment.

ALTERNATIVES: Your Board could choose to not make the appointment as recommended and seek further recruitment to fill the vacancy. This alternative is not recommended. The applicant seeking appointment to the Developmental Disabilities Area Board #12 meets the membership category requirements and further recruitment efforts do no assure your Board of a better applicant pool.

OTHER AGENCY INVOLVEMENT: N/A

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: 3-27-13



Area Board XII

Office of the California State Council on Developmental Disabilities

To protect and advocate for the civil, legal and service rights of persons with developmental disabilities.

RESUME OF PERSON INTERESTED IN SERVING AS A MEMBER OF AREA BOARD #12

NAME: Lauren Michelle Viduy A PHONE: 760.920.7114

HOME ADDRESS: 251 South Third Street Apt C Bishop, CA 93544

PROFESSION/OCCUPATION: Sanitorial

WORK TELEPHONE: 760.920.7114 EMAIL: _____

I HAVE DEMONSTRATED INTEREST AND LEADERSHIP IN HUMAN SERVICES
ACTIVITIES AND I AM: (CHECK ONE)

- A person with a developmental disability Immediate relative, legal guardian or conservator of a person with a developmental disability A representative of the general public

ATTACHED IS A BRIEF RESUME OF EMPLOYMENT, EDUCATION, AND ACTIVITIES: (Yes)

I AM WILLING TO SERVE AND HAVE ATTACHED A STATEMENT CONCERNING
WHY I WISH TO SERVE ON THE BOARD AND WHY I BELIEVE I AM QUALIFIED:

(Yes)

I AM NOT CURRENTLY EMPLOYED AS A PROVIDER OF SERVICE TO PERSONS WITH
DEVELOPMENTAL DISABILITIES OR A MEMBER OF THE GOVERNING BOARD OF ANY ENTITY
PROVIDING SUCH SERVICE WHICH IS FUNDED IN WHOLE OR IN PART WITH
STATE FUNDS.

____ True (If other than true, please explain on a separate sheet.)

Lauren Viduy
Signature

2/27/13
Date



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: Motor Pool
By: Teresa Elliott

FOR THE BOARD MEETING OF: April 2, 2013

SUBJECT: Equipping of Sheriff's Patrol Units

DEPARTMENTAL RECOMMENDATION: Request your Board award a bid to Woodcrest Vehicle Center of Riverside as the low bidder for the safety and communications equipping of three (3) 2011 Crown Victoria patrol vehicles in the amount of \$23,755.53.

SUMMARY DISCUSSION: Motor Pool sought bids for the service of equipping these units from several vendors: Woodcrest Vehicles Inc, of Riverside, Nielsen's Equipment Maintenance of Mammoth Lakes, 10-8 Retrofit Inc of Ontario, West Coast Light and Siren of Riverside and Pursuit North of Martinez. Woodcrest Vehicle Center submitted the low bid even after Nielsen Equipment Maintenance received the 8% local business preference. This expense is necessary to equip the Sheriff's three (3) 2011 patrol units that were purchased in January 2013 and must be equipped with "next generation" safety and communications equipment. Woodcrest Vehicle Center will come to Inyo County to perform the equipping.

The Motor Pool 5-year Vehicle Replacement Schedule projected an expenditure of \$295,000 for the purchase and equipping of vehicles in Fiscal Year 2012-2013 and there was a mid-year adjustment adding \$33,300 to this object code bringing the total to \$328,300. The bids received for these purchases totals \$23,755.53. To date recommended purchases and equipping for the Fiscal Year 2012-2013 total \$317,036.25.

Bid Summary:

- Woodcrest Vehicles	\$23,755.53	Pursuit North	No Response
- Nielsen's Equipment Maintenance	\$26,416.68	West Coast Light & Siren	No Response
- 10-8 Retrofit Inc	\$31,470.52		

ALTERNATIVES: Motor Pool is recommending awarding the equipping of the Sheriff Patrol units to Woodcrest Vehicle Center of Riverside, California. Your Board could choose not to award this bid. It is not Staff's recommendation due to the fact that these vehicles must be equipped with the proper safety and communications equipment.

OTHER AGENCY INVOLVEMENT: Inyo County Sheriff's Department

FINANCING:

The recommended purchase was included in the Fiscal Year 2012-2013 Motor Pool Budget 200100, Object Code 5655.

APPROVALS

COUNTY COUNSEL: 	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) Approved: <u>yes</u> Date <u>3/26/2013</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>3/27/13</u>
PERSONNEL DIRECTOR: <u>N/A</u>	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved : _____ Date _____

DEPARTMENT HEAD SIGNATURE: Date: 03-20-2013
 (Not to be signed until all approvals are received)



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

6

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

FROM: Motor Pool
By: Teresa Elliott

FOR THE BOARD MEETING OF: April 2, 2013

SUBJECT: Disposal of Surplus Motor Pool Vehicles and County Equipment

DEPARTMENTAL RECOMMENDATION:

Request that your Board, A) declare the vehicles and equipment recommended by Staff, and identified as Exhibit A, as surplus, B) authorize Motor Pool to offer the vehicles and equipment for sale utilizing the Sealed Bid process, and C) authorize the Motor Pool to utilize General Auction Company located in Buena Park, California, for the removal and sale of any remaining County owned surplus vehicles and equipment, D) authorize the County Administrator to execute the consignment agreement for the sale of the vehicles and equipment through the auction process.

SUMMARY DISCUSSION:

Motor Pool has researched various avenues for the purpose of selling surplus County vehicles and equipment. We have found that the most widely used method by many cities and counties is to hire a private auction company. Inyo County has also used this method for the purpose of selling surplus vehicles for several years.

There are a number of advantages to having an auction company sell the County's surplus vehicles and equipment. Typically, the auction company will maximize the cost recovery of the vehicles and equipment allowing the County to realize more proceeds from an auction than we would have otherwise received through the sealed bid process.

However, due to several requests from local residents to purchase the surplus vehicles and equipment Motor Pool will utilize the sealed bid process in an effort to allow local residents the opportunity to bid on the surplus vehicles. Motor Pool has used this process in the past and is very familiar with the procedures. The surplus vehicles and equipment will be sold in "as is" condition with no guarantee or warranty whatsoever and the winning bidder will be responsible for obtaining a compliance certificate (smog).

Any remaining vehicles or equipment not sold through the local sealed bid process will be sold through the auction process as discussed above, as the auction process will maximize the County cost recovery.

The auction company will transport all of the remaining surplus vehicles to Southern California, detail, and smog each vehicle. The auction company will provide auction notification and pictures of the vehicles and equipment on their web site for viewing.

Motor Pool sought quotes from three (3) auction companies and General Auction Company located in Buena Park submitted the most favorable quote with the lowest commissions and fees. General Auction Company will retain 2.5% of the sale of all vehicles and equipment and 8% for miscellaneous items (anything without a title) as its commission fee, and charge a transportation fee of \$100.00 per load.

The County will receive a full accounting of the final auction results proceeds within 15 days of the auction.

ALTERNATIVES:

The inventory of unused and out of service County vehicles must be cleared. The auction process utilized to sell the vehicles will result in the County realizing the maximum dollar amount for the surplus equipment. The sealed bid process has been used in the past and proves to be very time consuming and yields substantially less in the cost recovery of the surplus vehicles. However, in an effort to offer the surplus vehicles to local residents, the sealed bid process will be utilized prior to the auction process.

OTHER AGENCY INVOLVEMENT:

County Counsel, Motor Pool, Auditor

FINANCING:

The proceeds received as a result of the auction sale will dictate the amount of the commission to be paid to General Auction Company as well as the amount of funds to be received by the County. The funds received will be distributed to the appropriate budgets.

<u>APPROVALS</u>	
COUNTY COUNSEL: <i>NA</i>	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: <i>NA</i>	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: <i>NA</i>	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

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



Date: *03-20-2013*

Exhibit A

VEH #	DESCRIPTION	VIN	LICENSE	LOCATION	
Motor Pool Vehicles					
1	6595	1992 Dodge Van	2B4GH2539NR626131	E348912	Bshp Landfill
2	6756	1993 Ford F250	1FTEF25H3PLA85665	E297655	Bshp Landfill
3	6779	1993 Ford Aerostar	1FMCA21X8PZB94084	297666	Bshp Landfill
4	6999	1994 Ford F250	1FTEF25N9RLB13140	E370784	Bshp Landfill
5	7001	1994 Mercury Topaz	1MEPM36U4RK609977	370744	Bshp Landfill
6	7481	1998 Ford Taurus	1FAFP52U4WG196100	370846	Bshp Landfill
7	7490	1998 Jeep Cherokee	1J4FJ28S1WL234755	4BKJ489	Bshp Landfill
8	7736	1999 Jeep Cherokee	1J4FF28S5XL583520	1012744	Bshp Landfill
9	7743	1999 Chevy Malibu	1G1ND52J1XY154623	1024535	Bshp Landfill
10	7748	1999 Ford Windstar	2FMZA5148XBB22788	1012754	Bshp Landfill
11	7753	1999 Ford Taurus	1FAFP53UOXG197096	1012760	Bshp Landfill
12	7848	1999 Ford Taurus	1FAFP53U1XA313571	1012793	Bshp Landfill
13	8145	1998 Chevrolet Van	1GNEL19W0WB208748	1082099	Bshp Landfill
14	8151	2010 Ford Crown Victoria	1G1ND52J716262876	1105925	Bshp Landfill
15	8495	2008 Ford Crown Victoria	2FAFP71V78X107526	1256715	Bshp Landfill
16	8830	2010 Ford Crown Victoria	2FABP7BV6AX118472	1328181	Bshp Landfill
Motor Pool Miscellaneous					
1	Tires	12 Misc Various Size Tires			Bshp Landfill
Road Dept					
1	2755	1972 Steel Roller 5-8 Ton		SE542003	Bshp Landfill
2	6130	1959 Horiz Tank/Pressure Tank Trailer			Bshp Landfill
3	6157	Atlas Conveyer Belt		SE542004	Bshp Landfill
4	6158	1981 Conveyer and Shaker Screen		SE515048	Indy Pit
Solid Waste					
1	424	1967 Chevy Water Truck no engine	CE637Z124121	199236	Bshp Landfill
2	8008	1978 Ford Water Truck no engine		1017671	Bshp Landfill
3		Tank Trailer			Indy Pit

AUCTION AGREEMENT

GENERAL AUCTION COMPANY

7015 Knott Avenue
Buena Park, CA 90620
(714) 670-8510

GENERAL AUCTION COMPANY (hereinafter "GAC") and undersigned (Hereinafter "SELLER") agree as follows:

1. **AGENCY.** SELLER hereby appoints GAC as its agent to conduct a public auction of the personal property as described herein. GAC shall be an independent contractor. SELLER authorizes and confers upon GAC the power to take all actions on SELLER'S behalf necessary to complete the auction, including but not limited to publication and recordation of a "Notice to Creditors of Bulk Sale by Auction" in compliance with the Bulk Sales law, giving any other notice or filing any documents that may be required by law, accepting cash or checks on behalf of SELLER as registered and/or legal owner of any motor vehicle sold to effect a transfer, and satisfying or comprising secured parties who hold or assert a lien in any property sold at action. SELLER hereby agrees to sell the property to the highest bidder, with no minimum, reservation, buy-backs, or persons bidding for SELLER.

2. **PROPERTY.** The property is generally described as cars, trucks, vans, trailers, motor homes, camper vehicles of any kind, make or model, equipment, machinery, tools, parts and/or miscellaneous items used, manufactured or distributed by any industry, business, entity or agency.

2.5% Commission applies to the following: cars, trucks, vans, motor homes, boats and/or camper vehicles
8% Commission applies to personal property, office equipment, furniture, construction equipment, trailers and/or misc items
UNSOLD VEHICLES- THE PROCEDURE IS WE WILL NOTIFY THE COUNTY AND ASK IF THEY WOULD LIKE TO HAVE IT ROLLED OVER TO OUR NEXT AUCTION OR WOULD THE COUNTY LIKE US TO RETURN IT BACK TO THEIR YARD.

At the option of GAC, vehicles may not be offered at auction unless the Certificate of Ownership and all other documents necessary to effect a transfer of title of motor vehicles, trailers and towable forklifts are submitted to GAC at least five (5) days prior to the sale. The SELLER agrees to pay advertising and all other costs as provided below on any property withdrawn from the sale as a result of the failure of the SELLER to submit the required title documents. GAC reserves the right to add other personal property not owned by SELLER to the auction inventory.

3. **TIME AND PLACE.** GAC shall use GENERAL AUCTION COMPANY'S yard, located at 7015 KNOTT AVE BUENA PARK, California, as the auction site. None of the property may be sold before the auction without the written consent of both parties, in which case the sale proceeds shall be treated as part of the gross proceeds of the auction. GENERAL AUCTION COMPANY will accept items on a continuing basis to be included in the next available and regularly scheduled auction subject to GENERAL AUCTION COMPANY'S discretion to change such date. In the event of SELLER'S breach of this agreement, SELLER agrees to pay the commission provided below, based on current market value of said property plus all of GAC's out of pocket costs.

4. **COMMISSIONS AND EXPENSES.** GAC shall receive as commission (SEE ITEM #2 ABOVE) of gross sales proceeds. GAC makes no representations or warranties as to the amount that the property (or a particular item thereof) will sell for. GAC shall be reimbursed by SELLER the cost of a title search if one is deemed necessary by GAC. In the event GAC satisfies or takes an assignment of the interest of secured parties, all amounts paid to the secured parties in satisfaction of the secured interest or for an assignment of the interest to GAC shall be deemed to be advances by GAC, which advances shall be deducted by GAC out of the sales proceeds of SELLER after payment of commissions and expenses.

TRANSPORTATION @: \$ (PER UNIT)

TRANSPORTATION @: \$100.00 (PER LOAD)

DETAILING @: \$ (PER UNIT)

PAINTING @: \$ (PER UNIT)

OTHER: _____

APPROVED BY: _____

DATE: 1/18/2013

GAC BOND # 988698

The terms and condition on the reverse side of this agreement must be read carefully.

AGENCY: COUNTY OF INYO MOTOR POOL

CONTACT NAME: KEVIN CARUNCHIO

ADDRESS: 163 MAY ST

CITY: BISHOP STATE: CA ZIP: 93514

PHONE: (760) 873-5577 / (760) 873-5599 FAX

SIGNATURE



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

7

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

FROM: Jon Klusmire, Museum Services Administrator

FOR THE BOARD MEETING OF: April 2, 2013

SUBJECT: Final County of Inyo Community Project Sponsorship Grant Presentation and Payment to the Death Valley Chamber of Commerce for successfully completing a Fall 2012 CPSP project.

DEPARTMENTAL RECOMMENDATION: Request your Board approve a final payment of \$1,500 to the Death Valley Chamber of Commerce for the 2012 Furnace Creek Visitor Center Grand Re-Opening and appearance of the Borax 20-Mule Team, a 2012-13 Community Project Sponsorship Grant project funded from the 2012-2013 Advertising County Resources budget, 011400.

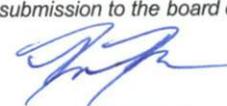
SUMMARY DISCUSSION: The Death Valley Chamber of Commerce was awarded a Fall Cycle FY 2012-13 County of Inyo Community Project Sponsorship Grant in the amount of \$3,000 in July of 2012 to help sponsor the Grand Re-Opening of the Funace Creek Visitor's Center (held Nov. 3 and 4, 2012) and to bring the Borax, 20-Mule Team and Wagon Train to the event. The event "was a huge success, exceeding the expectations of everyone involved," noted the organizers. The crowds were impressed with the renovation of the historic Furnace Creek Visitor Center. "The Mule Team entertained and educated all who came in contact with it and gave many the opportunity to learn more about Death Valley history in a fun and engaging manner." Watching the crowd interact with these "fabled, four-legged American television icons up close" delighted international visitors and domestic travelers, and created "an abundance of ear-to-ear smiles," the organizers noted (see attached Final Report).

After contracts were finalized, half the grant funds (\$1,500) were disbursed to the Death Valley Chamber of Commerce. The Chamber has provided staff with sufficient documentation of acceptable expenses for reimbursement for a final payment of \$1,500. The organizers also provided evidence that Inyo County was prominently mentioned as a sponsor of the event in ads and other promotional material.

ALTERNATIVES: The Board could deny the request.

OTHER AGENCY INVOLVEMENT: County Counsel, County Administrator's Office, Auditor/Controller.

FINANCING: The Community Project Sponsorship Program is part of the Advertising County Resources budget and is financed from the General Fund. Funds for these grants have been budgeted in FY 2012-13 Advertising County Resources Budget (011400), Professional Services (5265).

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: ✓	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>3/19/13</u>
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)



Date: 3-25-13

Supervisors Report

Furnace Creek Visitor Center Grand Re-Opening 20 Mule Team

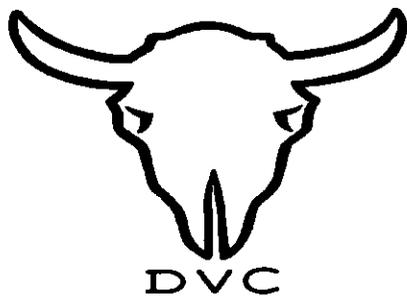
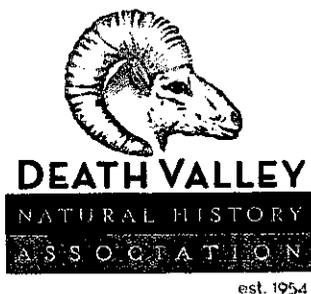
The Grand Re-Opening was a huge success, exceeding the expectations of everyone involved. The high volume of traffic through the Park and the number of visitors who participated in the event was impressive, as were the array of entertainment and the compelling nature of the new exhibits and displays at the Visitor Center. The Inyo County turnout was strong, with Supervisors, County Officials, National Park staff, and local business leaders and employees showing full support by attendance and comment.

The Mule Team entertained and educated all who came in contact with it and gave many the opportunity to learn more about Death Valley history in an engaging and fun manner. International visitors were delighted by the chance to finally see the fabled four-legged American television icons up close while domestic travelers steeped themselves in the nostalgia of the Mule Team legend, cowboy music and western lore. A quick visual survey of the assembled crowd in any direction at any given moment over the course of the event recorded animated conversation, intense photographic activity, and an abundance of ear-to-ear smiles on guest faces in a wide range of ages.

The Death Valley Natural History Association and its Director, David Blacker, as well as Death Valley National Park staff, most notably Cheryl Chipman and outgoing Park Supervisor Sarah Craighead, served as gracious hosts. By extending the invitation to explore their desert "backyard", including partnering with the Death Valley Conservancy to offer the "party favor" of a guided tour of the town of Ryan, the organizers offered guests the experience of a lifetime. Xanterra's generous contribution of time and resources as a premier property put the icing on the cake and the hospitality shown to visitors was topnotch. The countless hours invested in planning and organization were obvious and resulted in an event that will be remembered by guests for years to come.

The Death Valley Chamber is grateful for the opportunity afforded to us by our Grant Award to participate as partners in this project. We are very proud to have been invited to be a part of this worthwhile endeavor and happy to have been able to help contribute to its success. Without the financial support of the CPSP Grant Program, our ability to do so would have been severely limited. Thank you for your consideration and help in celebrating this important milestone in the history of our beautiful Death Valley!

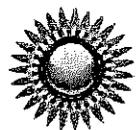
*Special thanks to these park partners for
their generous support:*



Death Valley Conservancy



The Other Side of California
DEATH VALLEY AND THE EASTERN SIERRA

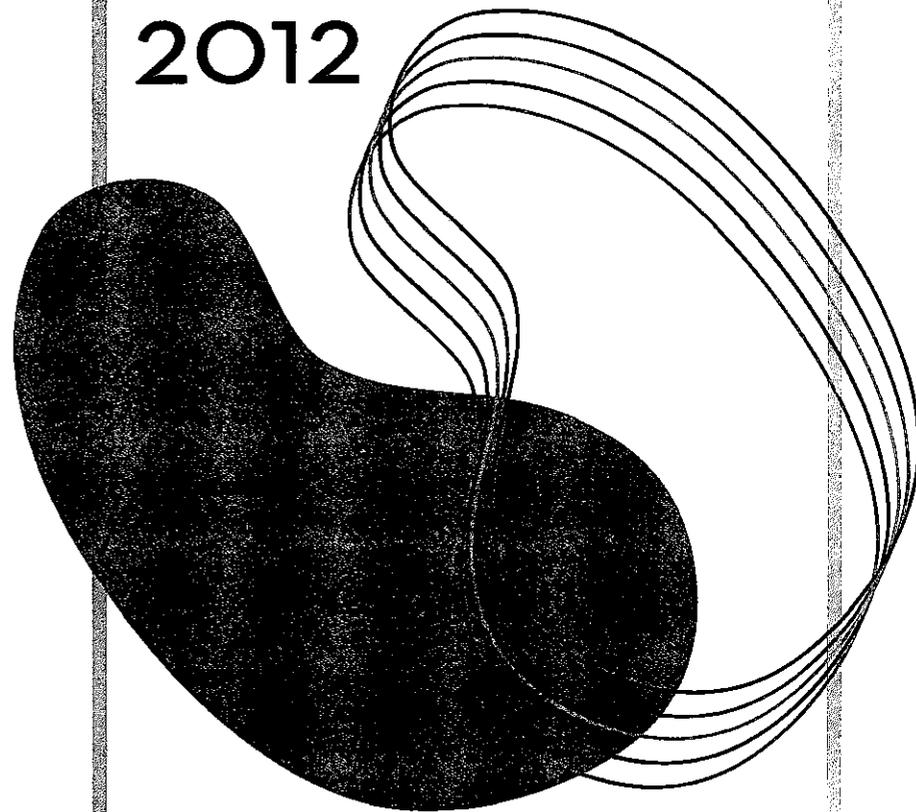


Death Valley
Chamber of Commerce

RioTinto



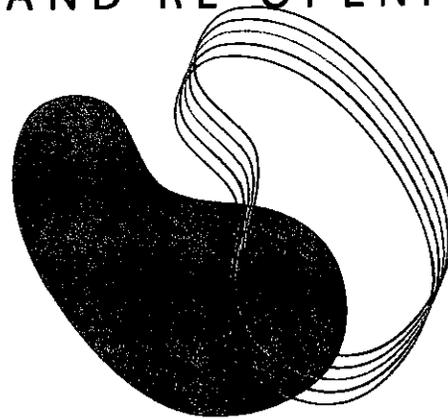
DEATH VALLEY
NATIONAL PARK
2012



FURNACE CREEK
VISITOR CENTER
GRAND RE-OPENING

November 4, 2012

FURNACE CREEK VISITOR CENTER GRAND RE-OPENING



WEEKEND SCHEDULE

SATURDAY, NOV. 3	SUNDAY, NOV. 4
<p>10:00 am - Behind the Scenes Tour of Furnace Creek Buildings & Exhibits Location: Meet at Flagpole in Front of Visitor Center</p> <p>11:00 am - 20 Mule Team Driver/Ranger Talk Location: Furnace Creek Airport - <i>Shuttle Available</i></p> <p>11:30 am - History of Mission 66 and the Furnace Creek Visitor Center Location: Meet at Flagpole in Front of Visitor Center</p> <p>1:00 pm - 20 Mule Team Demonstration Location: Airport to Harmony Borax via Hwy 190</p> <p>1:30 pm - Women Miners in Death Valley - Living History with Miner Lillian Malcolm Location: Meet in Visitor Center Exhibit Hall</p> <p>2:00 pm - Behind the Scenes Tour of Furnace Creek Buildings & Exhibits Location: Meet at Flagpole in Front of Visitor Center</p> <p>3:00 pm - Music by South Coast Location: Visitor Center Courtyard</p> <p>7:00 pm - Evening Program - "The Story of Stan Jones, the Singing Ranger" Presented by Mike Ward with Music by Keeter Stuart Location: Furnace Creek Auditorium</p>	<p>Daylight Savings Time Ends</p> <p>9:00 am - Coffee with Past and Current Superintendents Location: Borax Museum, Furnace Creek Ranch</p> <p>10:00 am - Women Miners in Death Valley - Living History with Miner Louise Grantham Location: Meet in Visitor Center Exhibit Hall</p> <p>11:00 am - 20 Mule Team Driver/Ranger Talk Location: Furnace Creek Airport - <i>Shuttle Available</i></p> <p>11:30 am - History of the CCC in Death Valley Location: Meet in Visitor Center Exhibit Hall</p> <p>12:00 noon - Music by South Coast Location: Visitor Center Courtyard</p> <p>1:00 pm - Ribbon Cutting Ceremony Location: Visitor Center Courtyard</p> <p>2:00 pm - Cake Reception Location: Visitor Center Courtyard</p> <p>2:30 pm - 20 Mule Team Demonstration Location: Airport to Harmony Borax via Hwy 190</p> <p>3:00 pm - History of Mission 66 and the Furnace Creek Visitor Center Location: Meet at Flagpole in Front of Visitor Center</p>

RIBBON CUTTING CEREMONY

Sunday, November 4, 1:00 pm

Please silence your cell phones during this event.

Pre-Ceremony Entertainment

South Coast

Jean Pickard and Don Truby

Presentation of Colors

Pahrump High School ROTC Color Guard

Right Rifle - Cadet Sergeant John Vanmeter

American Flag - Cadet Captain Hannah Lane

NPS Flag - Cadet First Lieutenant Ulissa Castillo

Left Rifle - Cadet Corporal Elijah Daharsh

Pledge of Allegiance

Death Valley School

Kimmy Luna, Eden Silcox, Magnolia Silcox,

Autumn Smith, Teacher Susan Wilson

Star Spangled Banner

Mollie McNerny, Floyd Elementary School, Pahrump

Blessing

Pauline Esteves, Timbisha Shoshone Elder

Introductory Remarks

Sarah Craighead

Superintendent, Death Valley National Park



Speakers

Chris Lehnertz

Pacific West Regional Director, National Park Service

David Blacker

Executive Director,

Death Valley Natural History Association

Bev Malley

President, Death Valley '49ers

Living History Vignette

Patrick Taylor

Park Ranger, Death Valley National Park

Xiaoling Liu

President & CEO, Rio Tinto Minerals

George Gholson

Chairman, Timbisha Shoshone Tribe

Rich Jones

Regional General Manager, Furnace Creek Resort

Scott Smith

Superintendent - Ryan Historic Mining Camp,

Death Valley Conservancy

Awards Presentation

Terry Baldino

Chief of Interpretation, Death Valley National Park

Ribbon Cutting

"Ghost Riders in the Sky" by Stan Jones,

Performed by Keeter Stuart

**Cake reception in courtyard
immediately following ceremony.**



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: Integrated Waste Management Program Superintendent

FOR THE BOARD MEETING OF: April 2, 2013

SUBJECT: Consideration of waiver of fees for Independence Spring Clean Up Event.

DEPARTMENTAL RECOMMENDATION: Request that your Board consider a request by the Independence Civic Club to waive the gate and disposal fees for Saturday, April 20 and Sunday April 21, 2013 for the Town of Independence Spring Clean Up Event.

SUMMARY DISCUSSION: The Independence Civic Club is holding a Spring Clean Up event on Saturday April 20 and Sunday April 21, 2013. This Spring Clean Up event will provide the community in the Town of Independence the opportunity to assist their neighbors in the efforts needed to provide a safer and more aesthetic environment for the Town of Independence.

The gate fee including 3 yards of household trash is \$5. By waiving the gate fee the community in Independence will have an incentive to be involved with this cleanup which will help provide a sense of community to the Town of Independence while decreasing fire hazards, unsightly yard items and assist the elderly with large item removal.

ALTERNATIVES: - Our Board could choose to not waive these fees. I do not recommend this because the waiver of the fees is an incentive for our constituents to clear vegetation from around their structures, remove large items and provide a sense of community amongst the residents in the Town of Independence.

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: There is a minimal amount of revenue that may be lost as a result of the waiver of these fees.

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 Assistant Clerk of the Board.) Approved: <u>yes</u> Date <u>3/27/2013</u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the Assistant Clerk of the Board.) Approved: _____ Date _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the Assistant Clerk of the Board.) 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)

Resolution No. 2012-40
A RESOLUTION OF THE BOARD OF SUPERVISOR, COUNTY OF INYO, STATE OF CALIFORNIA, WAIVING SOLID WASTE DISPOSAL AND GATE FEES AT INDEPENDENCE LANDFILL FOR SOLID WASTE ON SATURDAY APRIL 20, 2013 AND SUNDAY APRIL 21, 2013

WHEREAS, April 22, 2013 is internationally recognized as Earth Day; and

WHEREAS in preparation for Earth Day the Civic Club of the Town of Independence would like to clean up the yards and lots within the Town of Independence; and

WHEREAS, one of the most effective ways to encourage community participation in a Spring clean-up is to reduce the costs to community members; and

WHEREAS, it would benefit public health and safety to encourage the creation of clear zones and the subsequent disposal of the green waste debris in the Independence landfill; and

WHEREAS, waving disposal fees for placing solid waste in Independence landfill for two days on Saturday, April 20, 2013 and Sunday April 21 2013 would encourage the timely and appropriate disposition of this debris; and

WHEREAS, waiving disposal fees would additionally serve to help promote health and safety throughout the community of the Town of Independence.

NOW, THEREFORE, BE IT RESOLVED that the Inyo County Board of Supervisors, pursuant to Section 7.10.080 of the Inyo County Code, hereby waives gate and waste disposal fees for the disposal of household solid waste at the Independence landfill on Saturday, April 20, 2013 and Sunday April 21, 2013.

NOW, THEREFORE, BE IT RESOLVED that residents of the Town of Independence will be allowed to bring household solid waste to the Independence landfill on Saturday, April 20, 2013 and Sunday April 21, 2013 without charge, with advance notice to Integrated Waste Management.

PASSED AND ADOPTED on this 2nd day of April, 2013, by the Inyo County Board of Supervisors, County of Inyo, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Chairperson, Inyo County Board of Supervisor

Attest: *KEVIN D. CARUNCHIO*
Clerk of the Board

by: _____
Patricia Gunsolley, Assistant



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

9

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

FROM: Public Works Department

FOR THE BOARD MEETING OF: April 2, 2013

SUBJECT: Shoshone Modular Buildings Improvement Project

DEPARTMENTAL RECOMMENDATION:

1. Recommend the Board reject all bids received for Shoshone Modular Buildings Improvement Project; and
2. Recommend the Board adopt the attached resolution declaring that the work can be performed more economically by force account contract (4/5 vote required); and
3. Recommend the Board authorize the Public Works Director to negotiate a time and materials contract with a contractor; and
4. Authorize the Public Works Director to sign all other contract documents, including change orders, to the extent permitted pursuant to Section 20142 of the Public Contract Code and other applicable law, but not to exceed \$27,975.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

On March 13th, the Board Clerk opened bids for the Shoshone Sheriff's Modular Buildings Improvement Project. The bid tabulation is included in your Board package for reference. The bids received were above the engineers estimate for the project and above the typical installation costs for similar work, as well as the amount budgeted for the work. We therefore recommend that your Board reject the bids received for the proposed work.

The State Contract Code permits a county to negotiate a time and materials contract or construct the work with County employees, if during the process of competitive bids, the bids received are above the engineers estimate for the work and the Board adopts a resolution rejecting all bids and authorizing contracting by force account. Contract Code Section 20150.10, attached, provides direction to agencies bidding projects for permitting the work to contracted outside the state required bidding procedures.

Therefore, the Public Works Department is requesting that your Board adopt the attached resolution and authorize the Public Works Director to negotiate a time and materials contract with a contractor to install the authorized improvements.

ALTERNATIVES:

To not reject bids for the project and not authorize the Public Works Director to negotiate a time and materials contract for the improvements. This is not recommended because there is sufficient funds budgeted for the improvements and based on discussions with low bid contractor contractors, we feel that the work can be accomplished with the monies budgeted for the project.

OTHER AGENCY INVOLVEMENT:

The Public Works Department for the development of the plans, specifications and bid package.
County Counsel for review of the contracts and this agenda item
Auditor for the payment of all invoices.
The Sheriffs' Department, the Sheriff Deputies occupy the modular homes

FINANCING:

The funds for this project will be provided through the Deferred Maintenance Budget 011501, Object Code 5191, Maintenance of Structures.

5040 Structures & Improvements. *[Handwritten mark]*

<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.)  Approved: <u>Yes</u> Date <u>3.27.13</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>3/28/13</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>NA</u> Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 3/28/13

Resolution No. _____
Board of Supervisors, County of Inyo, State of California

**Resolution Rejecting Bids and Authorizing the Director of Public Works to
contract by force account for the Construction of the Shoshone Modular
Buildings Improvement Project**

RESOLVED, by the Board of Supervisors of the County of Inyo, State of California, that

WHEREAS, this Board of Supervisors did, on February 19, 2013, approve the revised Plans and Specifications and called for sealed bids for the Shoshone Modular Buildings Improvement Project (Project); and

WHEREAS, the Clerk of the Board of Supervisors did receive one sealed bid for doing of the work referred to in said bid package; and

WHEREAS, the only bid received for the Project is substantially more than the Engineer's estimate; and

WHEREAS, Section 20150.10 of the Public Contract Code provides that a public agency may, at its discretion, reject all bids as presented and authorize contracting the work by force account; and

WHEREAS, the Director of Public Works has recommended that the bid be rejected and that the Director of Public Works be authorized to contract with the original bidder for the work; and

WHEREAS, this Board has considered and concurs in the recommendation of the Director of Public Works.

THEREFORE, NOW BE IT ALSO RESOLVED that the INYO COUNTY BOARD OF SUPERVISORS

1. Rejects the bid received on March 13, 2013; and
2. The Director of Public Works is hereby authorized to negotiate a contract by force account as provided by Section 20150.10 of the Public Contract Code.

PASSED AND ADOPTED this _____ day of April 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Linda Arcularius, Board Chairperson
Inyo County Board of Supervisors

ATTEST:

Kevin Carunchio

CLERK OF THE BOARD

By: _____
Assistant



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerks Use Only

AGENDA NUMBER

10

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

FROM: Sheriff's Department

FOR THE BOARD MEETING OF: April 2, 2013

SUBJECT: Acceptance and use of COPS (AB3229) Funds

DEPARTMENTAL RECOMMENDATION:

Request Board; A) conduct a public hearing to gather input regarding the intended use for the "Citizen's Option for Public Safety" (COPS) monies during FY 2012-2013; B) request your Board accept and approve the use of COPS monies for equipment and programs that are necessary to support the needs of frontline law enforcement.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

The FY 2012-2013 COPS funding received from the State is earmarked to augment frontline law enforcement services and support. It is the intent of the Sheriff's Department to utilize these funds to purchase equipment and fund additional patrol efforts and programs for the communities within Inyo County. COPS funds have been used in the past for purchase of in-car camera, computer software for records management, personnel, gloves, tasers & radio equipment. COPS funding has assisted the Sheriff's Department for several years and is vital for rural law enforcement. We are in the process of compiling a list of items the department would like to purchase which will use the balance of 2010/11 funding(which must be expended by 6/30/13), and possibly some 2011/12 funding. We will bring that list back to the Board for approval at another time.

ALTERNATIVES:

To not accept the COPS funding and seek funding for equipment and find a different use for it under the guidelines of AB3229

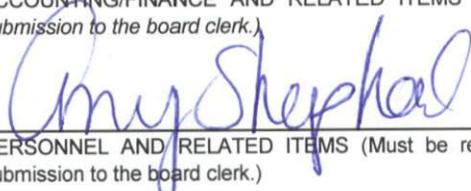
OTHER AGENCY INVOLVEMENT:

Auditors for disbursement of funds.

FINANCING:

2012-2013 COPS funds received will have to be spent by June 30, 2015. We anticipate receiving \$100,000 for FY 2012/2013. Amount received will need to be expended by June 30, 2015. The money is received by the Auditor's office and held until we request approval by the board of Supervisors to spend. At that time, we would request an amendment to the Sheriff's budget for both revenue and expenditures.

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>3/15/13</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: 3-19-13



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerks Use Only

AGENDA NUMBER

11

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

FROM: Sheriff's Department

FOR THE BOARD MEETING OF: April 2, 2013

SUBJECT: Distribution of FY 2010-2011 & 2011-2012 C.O.P.S. (AB 3229) funding, and amend the FY 2012-2013 Board approved budget

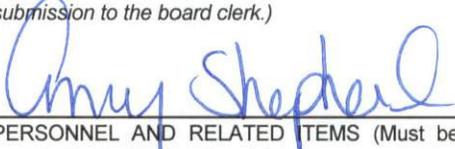
DEPARTMENTAL RECOMMENDATION:

Request Board;

1. declare the following as sole source(sole source justification attached) and authorize the purchase and issuance of purchase orders for the following items, including taxes and shipping(summary sheet attached):
 - Interview Room Systems LLC in the amount of \$5,391.80, for an Interview room video system for the Bishop Substation
 - Proforce Law Enforcement in the amount of \$5,542.24, for 5 tasers & cartridges for each substation, the jail & replacement
 - Digital Ally in the amount of \$8,011.20 for a Patrol Car Camera Vu Vault Server based system for video & audio storage
 - Dell in the amount of \$4,392.06, for extended support contracts for the RIMS & file servers
 - Insight Public Sector in the amount of \$11,542.06 for 50 additional Adobe Acrobat XI standard licenses & 4 Adobe Acrobat XI Pro licenses
 - American Aluminum ACC, Inc. in the amount of \$2,634.60 for 1- E/Z Rider K-9 insert for patrol unit

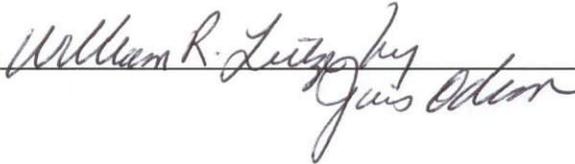
2. Authorize the purchase of and issuance of purchase orders as required for the following items, including taxes and shipping from the following vendors(summary sheet attached):
 - Adamson Police Products in the amount of \$1,238.58 for 6-Maxpedition carrying bags for the rugged computers to protect them
 - Adamson Police Products in the amount of \$882.94 for 5- Pelican notebook cases for protection of the satellite phones
 - Adamson Police Products in the amount of \$1,487.60 for 2 ballistic vests for correctional officers
 - Adamson Police Products in the amount of \$276.05 for 144 -Lithium batteries for flashlights
 - Proforce Law Enforcement in the amount of \$2,253.26 for 35-LED tactical flashlights that do not use as much energy making the batteries last longer
 - GovConnection in the amount of \$1,804.04 for 50- Back-up tapes and 5-cleaning cartridges to maintain the Sheriff's RIMS & admin backup tape storage for 60 days.
 - Keller Group in the amount of \$2,812.32 for 12-training/conference tables needed for training purposes.
 -

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>  Approved: <u>yes</u> Date <u>3/25/13</u>
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: 3/27/13

CAO/Budget Officer

BUDGET RELATED ITEMS (Must be reviewed and approved by the Budget Officer prior to submission to the board clerk.)

 Approved: Date: 3-26-2017

QUOTE SUMMARY for 2010/2011 & 2011/2012 C.O.P.S. Expenditures requested

ITEM REQUESTED	VENDOR	S.SOURCE		BUDGET/OBJECT
		Y/N	COST	
Interview room Video system for Bishop Substation	INTERVIEW ROOM SYSTEMS LLC	Y	\$ 5,391.80	022700/5650 EQUIP
5- Taser X-26 Taser w/cartridges for each substation, jail & replacement	PROFORCE	Y	\$ 5,542.24	022700/5313
Patrol Car Camera VuVault Server bases system for video & audio storage	Digital Ally	Y	\$ 8,011.20	022700/5650
Extended support contracts for the RIMS & file servers. This will give support for the expected life of the servers, through June, 2016.	Dell	Y	\$ 4,392.06	022700/5265
50-Adobe Acrobat XI standard licenses & 4 Adobe Acrobat XI Pro licenses	Insight Public Sector	Y	\$ 11,542.06	022700/5311
	GOV CONNECTION		No quote	
	Tech Depot		No quote	
1-E/Z Rider K-9 Insert for patrol unit	American Aluminum ACC, Inc.	Y	\$ 2,634.60	022700/5650
6- Maxpedition carrying bags for rugged computers	ADAMSON POLICE PRODUCTS	N	\$ 1,238.58	022700/5232
	GALL'S		\$ 1,311.00	
	QUARTERMASTER		\$ 1,317.94	
5-Pelican notebook cases for protection of satellite phones	ADAMSON POLICE PRODUCTS	N	\$ 882.94	022700/5232
	CASES PLUS		\$ 1,025.73	
	UNABLE TO GET 3RD QUOTE			
2 ballistic vests for Correctional Officers	ADAMSON POLICE PRODUCTS	N	\$ 1,487.60	022700/5112
	PROFORCE		\$ 1,778.80	
	GALLS		\$ 3,060.00	
144 Surefire Lithium batteries for flashlights	ADAMSON POLICE PRODUCTS	N	\$ 276.05	022700/5311
	PROFORCE		\$ 293.58	
	GALLS		\$ 363.84	
35- LED Tactical flashlights that do not use as much energy, making the batteries last longer	PROFORCE	N	\$ 2,253.26	022700/5232
	ADAMSON POLICE PRODUCTS		\$ 2,577.96	
	GALLS		\$ 3,104.89	
50- Backup tapes and 5-cleaning cartridges to maintain the Sheriff's RIMS & admin backup tape storage for 60 days	Gov Connection	N	\$ 1,804.04	022700/5311
	TECH DEPOT		\$ 3,915.43	
	UNABLE TO GET 3RD QUOTE			
12-training/conference tables	Keller Group	N	\$ 2,812.32	022700/5232
Keller group has a 15 year warranty & the tables are ASB plastic and appear sturdier compared to Independent Stationers 5-year warranty and melamine top & Office Depots melamine top	National Business Furniture		\$ 3,047.52	
	Independent Stationers		\$ 2,047.55	
	Office Depot		\$ 314.67	
various	TBD for balance of allocation		\$ 6,000.00	022700/5313
TOTAL \$ REQUESTED			\$ 54,268.75	
AMOUNT REMAINING TO BE EXPENDED BY June 30, 2013			\$ 53,233.39	verified w/auditor
LESS ABOVE EXPENDITURES			\$ (1,035.36)	
REMAINING AMT TO BE SPENT, or if a negative, that expenditure will apply towards 2011/2012 allocation			\$ 54,268.75	

Sole Source Justification Form

Sole Source: Is awarded for a commodity or services, which can only be purchased from one supplier, usually because of its specific technological requirements, availability or unique patented manufacture. The lack of planning is not an overriding circumstance.

This is a sole source because:

- There is only one known source because:
 - This is a sole provider of a licensed, copyrighted, or patented good or service.
 - This is a sole provider of items compatible with existing equipment or systems.
 - This is a sole provider of factory-authorized warranty service.
 - This is a sole provider of goods or services that perform the intended function or meet the specialized needs of the County (Please detail in an attachment).
- One source is the only practical way to respond to overriding circumstances that make compliance with competitive procedures under the Authority's policies not in the best interest of the Authority (Please detail in an attachment).

Please attach a memorandum to explain why the goods or services are not available elsewhere, include names and phone numbers of firms contacted.

See attached letter from vendor.

- Other brands/manufacturers considered
- Other suppliers considered
- Other (i.e., emergency)

Describe the item or service, its function and the total cost estimate (if practical, separate labor and materials) in the space below or in a separate attached label: Description of Item or Service.	
This system is specifically designed for use by law enforcement to be placed in a interview room with both audio and visual surveillance. This unit also has a remove control station. Total cost: \$5,391.80	
DEPARTMENT CONTACT PERSON & TITLE Sgt. P. Baldwin/Janis Odum	
DEPARTMENT NAME Sheriff's	PHONE 878.0326
REQUESTED SUPPLIER/CONSULTANT NAME Interview Room Systems LLC	SUPPLIER CONTACT PERSON John Deering, President
SUPPLIER ADDRESS 4733 Torrance Blvd, Box 118, Torrance, CA 90503	SUPPLIER CONTACT'S PHONE NUMBER 714.395.4311

The County's Purchasing Policy Manual Section III.(E), Exceptions to the Competitive Process/Sole Source and Section IV.(I), Sole Source Requests for Independent Contractors, describe when sole sourcing is permitted. By signing below, Requestor acknowledges that he/she has read and understands the County's policy on sole source procurements.



 Signature of Requestor

3-22-13

 Date

 President/CEO Approval

 Date

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See attached letter from vendor.

- Other brands/manufacturers considered
- Other suppliers considered
- Other (i.e., emergency)

Describe the item or service, its function and the total cost estimate (if practical, separate labor and materials) in the space below or in a separate attached label:
Description of Item or Service.
 This quote is for 5 Taser X-26 tasers with twenty (20) -25ft cartridges, etn (10) – 15ft cartridges with five (5) – X-26 batteries. Total price is \$5,542.24 which includes tax and shipping. Proforce is a sole source provider for Taser International. Attached is a sole source letter from Taser International.

DEPARTMENT CONTACT PERSON & TITLE Mark Smith/Janis Odum	
DEPARTMENT NAME Sheriff's	PHONE 878.0326
REQUESTED SUPPLIER/CONSULTANT NAME Proforce Law Enforcement	SUPPLIER CONTACT PERSON Gregg McClung
SUPPLIER ADDRESS 3009 N. Highway 89 Prescott, AZ 86301	SUPPLIER CONTACT'S PHONE NUMBER 661.886.0909

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 Signature of Requestor

3-22-18

 Date

 President/CEO Approval

 Date

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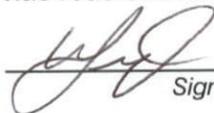
Please attach a memorandum to explain why the goods or services are not available elsewhere, include names and phone numbers of firms contacted.

See attached letter from vendor.

- Other brands/manufacturers considered
- Other suppliers considered
- Other (i.e., emergency)

<p>Describe the item or service, its function and the total cost estimate (if practical, separate labor and materials) in the space below or in a separate attached label: Description of Item or Service. This quote is for a VuVault Server Based System, Hardware, Software, & Backup included. Digital Ally is a sole source provider as it is their equipment that works with the VuVault. The total cost is \$8,011.20</p>	
<p>DEPARTMENT CONTACT PERSON & TITLE Info systems/Lt. Marsh/Janis Odum</p>	
<p>DEPARTMENT NAME Sheriff's</p>	<p>PHONE 878.0326</p>
<p>REQUESTED SUPPLIER/CONSULTANT NAME Digital Ally</p>	<p>SUPPLIER CONTACT PERSON Info Systems obtained the quote</p>
<p>SUPPLIER ADDRESS 9705 Loiret Blvd. Lenexa, KS 66219</p>	<p>SUPPLIER CONTACT'S PHONE NUMBER 913.814.7774</p>

The County's Purchasing Policy Manual Section III.(E), Exceptions to the Competitive Process/Sole Source and Section IV.(I), Sole Source Requests for Independent Contractors, describe when sole sourcing is permitted. By signing below, Requestor acknowledges that he/she has read and understands the County's policy on sole source procurements.



Signature of Requestor

3-22-13

Date

President/CEO Approval

Date

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Please attach a memorandum to explain why the goods or services are not available elsewhere, include names and phone numbers of firms contacted.

See attached letter from vendor.

- Other brands/manufacturers considered
- Other suppliers considered
- Other (i.e., emergency)

Describe the item or service, its function and the total cost estimate (if practical, separate labor and materials) in the space below or in a separate attached label: Description of Item or Service.	
Extended support for 5 servers for Sheriff's Rims & file servers, which would give support for the expected life of the servers, until 6/30/16. Total cost is \$4,392.06	
DEPARTMENT CONTACT PERSON & TITLE Info systems/Janis Odum	
DEPARTMENT NAME Sheriff's	PHONE 878.0326
REQUESTED SUPPLIER/CONSULTANT NAME Dell	SUPPLIER CONTACT PERSON Jareth Barahona
SUPPLIER ADDRESS P.O. Box 910916 Pasadena, CA 91110-0916	SUPPLIER CONTACT'S PHONE NUMBER 800.247.4618

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Signature of Requestor

3-22-13
Date

President/CEO Approval

Date

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Please attach a memorandum to explain why the goods or services are not available elsewhere, include names and phone numbers of firms contacted.

See attached letter from vendor.

- Other brands/manufacturers considered
- Other suppliers considered
- Other (i.e., emergency)

<p>Describe the item or service, its function and the total cost estimate (if practical, separate labor and materials) in the space below or in a separate attached label: Description of Item or Service.</p> <p>We sent out quote for Adobe Acrobat licenses to be able to maintain documents and forms required in the daily operations of the Sheriff's Department. This is the only vendor who responded. Total cost is \$11,542.06</p>	
<p>DEPARTMENT CONTACT PERSON & TITLE Info systems/Janis Odum</p>	
<p>DEPARTMENT NAME Sheriff's</p>	<p>PHONE 878.0326</p>
<p>REQUESTED SUPPLIER/CONSULTANT NAME Insight Public Sector</p>	<p>SUPPLIER CONTACT PERSON Miguel Cuesta</p>
<p>SUPPLIER ADDRESS 6820 S. Harl Ave. Tempe, AZ 85283-4318</p>	<p>SUPPLIER CONTACT'S PHONE NUMBER 800.467.4448 ext. 6113</p>

The County's Purchasing Policy Manual Section III.(E), Exceptions to the Competitive Process/Sole Source and Section IV.(I), Sole Source Requests for Independent Contractors, describe when sole sourcing is permitted. By signing below, Requestor acknowledges that he/she has read and understands the County's policy on sole source procurements.



Signature of Requestor

3-22-13

Date

President/CEO Approval

Date

Sole Source Justification Form

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Please attach a memorandum to explain why the goods or services are not available elsewhere, include names and phone numbers of firms contacted.

See attached letter from vendor.

- Other brands/manufacturers considered
- Other suppliers considered
- Other (i.e., emergency)

Describe the item or service, its function and the total cost estimate (if practical, separate labor and materials) in the space below or in a separate attached label:	
Description of Item or Service.	
We have the need for this insert for the K-9 for the patrol car. It allows for the officer to safely carry the K-9 and an arrestee in the rear seat area of the vehicle. American Aluminum is the only vendor we could find that could provide this insert for our Ford Crown Vic. The total cost is \$2,634.60	
DEPARTMENT CONTACT PERSON & TITLE Dep. Josh Nicholson/Janis Odum	
DEPARTMENT NAME Sheriff's	PHONE 878.0326
REQUESTED SUPPLIER/CONSULTANT NAME American Aluminum ACC, Inc.	SUPPLIER CONTACT PERSON Mary Swain
SUPPLIER ADDRESS 3291 S. Bryon Butler pkwy Perry FL 32348	SUPPLIER CONTACT'S PHONE NUMBER 800.277.0869 ext. 1204

The County's Purchasing Policy Manual Section III.(E), Exceptions to the Competitive Process/Sole Source and Section IV.(I), Sole Source Requests for Independent Contractors, describe when sole sourcing is permitted. By signing below, Requestor acknowledges that he/she has read and understands the County's policy on sole source procurements.



Signature of Requestor

3-22-13

Date

President/CEO Approval

Date

- authorize the purchase of various items do be determined in accordance with the purchasing policy in the amount up to of \$6,000.00. This would complete the remaining amount of \$4,964.64 of the 2010-2011 allocation to be spent by the end of June, 2013. Any amount over \$4,964.64 would go towards the 2011-2012 allocation.

3. Amend the FY 2012-2013 Sheriff's General Budget Unit #022700 by increasing estimated revenue in Citizens Options Public Safety Revenue (Revenue code #4488) by \$54,273.00 and increasing appropriations in Personal & Safety Equipment (object code 5112) by \$1,488.00, Office & Other Equipment (object code 5232) by \$7,188.00, Professional & Special Service (object code 5265) by \$4,393.00, General Operating (object code 5311) by \$13,623.00, Law Enforcement Special (object code 5313) by \$11,543.00(includes the \$6,000 for various items), Equipment (object code 5650) by \$16,038.00, (4/5's vote required).

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

The Sheriff's department receives AB3229 money, C.O.P.S. (Citizens Option for Public Safety), funding from the state, and we have 2 years to spend the funds. On March 29, 2011, your Board held a public hearing for the use of 2010-2011 COPS funds and approved the use of the money for personnel, equipment and programs to support the needs of front line law enforcement. The current COPS fund balance for 2010-2011 is \$53,233.39(verified with Auditor) and is to be expended by June 30, 2013. The Sheriff's office has and will follow the purchasing policy and has solicited quotes for the selected items. A summary sheet is attached. Copies of the quotes are available upon request.

The items listed are to upgrade, maintain and enhance the operation of the Sheriff's office and provide safety items for personnel. This request follows the guidelines of AB3229.

ALTERNATIVES:

Not approve the purchases and find a different use for the funds under the guideline of AB3229. This is not recommended, as we have a need for the items requested, and we need to expend the remaining 2011-2012 allocation by June 30, 2013, or return the funds.

OTHER AGENCY INVOLVEMENT:

Auditor's office

FINANCING:

Funds are available in the C.O.P.S. Trust #500103 and appropriations will be available with approval of the budget amendments in this agenda request. The Auditor's office will make the transfer as expenses occur. Any amount not expended remains in the trust.



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: WATER DEPARTMENT/PUBLIC WORKS

FOR THE BOARD MEETING OF: April 2, 2013

SUBJECT: HVAC Project for Water Department Building

DEPARTMENTAL RECOMMENDATION:

Request approval to amend the Water Department and Public Works budgets and authorize the Auditor Controller to make the following changes:

- A) Increase 024102 – Water Department 5801 – Operating Transfers Out to \$170,000
- B) Increase 011501 – Public Works (Deferred Maintenance) 4998 – Operating Transfers In to \$170,000
 Increase 011501 - Public Works (Deferred Maintenance) 5640 – Structures & Improvements to \$170,000

SUMMARY DISCUSSION: The Water Department building has been in need of structural improvements. In Fiscal year 2011-12 a public works contract was obtained to replace the windows in the building for improved heating/cooling. In the Water Departments 2012-13 budget your Board approved an HVAC project for the Water Department building in the amount of \$90,000. Since that time it has been determined that the cost will be more than budgeted and that an electrical upgrade for the building will need to be completed as well in order to move forward with the HVAC project. Public Works will return to the board for contract approval when the final project design is complete and the vendor is selected.

ALTERNATIVES: Your Board could choose not to approve the project.

OTHER AGENCY INVOLVEMENT: Public Works, Auditor-Controller, County Counsel

FINANCING: The Water Projects Fund (002400) has sufficient funds to cover this project.

APPROVALS

COUNTY COUNSEL: <p align="center">N/A</p>	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> <p align="right">Approved: _____ Date _____</p>
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> <p align="right"> <i>Lislie L. Chapman</i> Approved: <input checked="" type="checkbox"/> Date <u>3/22/13</u> </p>
PERSONNEL DIRECTOR: <p align="center">N/A</p>	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> <p align="right">Approved: _____ Date _____</p>

DEPARTMENT HEAD SIGNATURE:

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

[Handwritten Signature]

Date: 3/22/13

DEPARTMENT HEAD SIGNATURE:

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



Date: 3/22/13

COUNTY ADMINISTRATIVE OFFICER:

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



Date: 3/23/13



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: Inyo County Planning Department

FOR THE BOARD MEETING OF: April 2, 2013

SUBJECT: Renewable Energy Planning Grants

DEPARTMENTAL RECOMMENDATION: Review a draft Proposal in Response to the California Energy Commission's Request for Proposals for Renewable Energy and Conservation Planning Grants for the Board's Consideration and adopt a Resolution Authorizing the Planning Director to Submit a Proposal.

SUMMARY DISCUSSION: Assembly Bill 13 X1 (Perez, 2011) provided up to \$7,000,000 for specified counties, including Inyo County, to update their General Plans and zoning ordinances to address renewable energy. Within the Desert Renewable Energy Conservation Plan¹ (DRECP) area, the Counties would have had to have participated in the DRECP. AB 1255 modifies the requirements to also allow counties that enter into a memorandum of understanding (MOU) with the California Energy Commission (CEC) consistent with the DRECP Planning Agreement to be eligible for funding. On March 26, 2013 the Board approved the MOU negotiated with the CEC, satisfying this eligibility requirement to qualify for the funding.

The CEC recently issued a Program Opportunity Notice for Renewable Energy and Conservation Planning Grants, pursuant to AB 1255 (refer to Attachment 2). Applications are due April 10, 2013. The County previously submitted correspondence to the CEC requesting that preparation of environmental documents be eligible for renewable energy planning grants being solicited per AB 1255 to provide the County the opportunity to prepare an environmental impact report (EIR) and related technical documents for the County's rescinded Renewable Energy General Plan Amendment (REGPA) – refer to Attachment 3. On March 26, the Board directed staff to prepare a proposal consistent with previous input. Staff will provide a draft narrative and cost estimate for the proposal under separate cover. One grant requirement is an authorizing resolution, which is included in Attachment 1.

OTHER AGENCY INVOLVEMENT: CEC and other potentially affected agencies and stakeholders.

ALTERNATIVES: The Board may consider to direct staff not to submit a proposal.

FINANCING: General funds are utilized to monitor State and federal planning efforts. The County will be eligible to receive full or partial funding for renewable energy planning for the work identified in the application.

¹ Refer to <http://www.drecp.org/> for more information regarding the Plan and <http://inyoplanning.org/RenewableNewPage.htm> for previous correspondence and other materials published by the County regarding the DRECP.

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

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)



Date: 7-27-13

Attachments:

1. Draft Resolution
2. Request for Proposals for Renewable Energy and Conservation Planning Grants
3. Renewable Energy General Plan Amendment

RESOLUTION NO. 2013-

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF INYO, STATE OF CALIFORNIA, AUTHORIZING
SUBMITTAL OF A RENEWABLE ENERGY PLANNING GRANT
APPLICATION TO THE CALIFORNIA ENERGY COMMISSION
TO UPDATE THE COUNTY'S GENERAL PLAN**

WHEREAS, Inyo County has been participating in development of the Desert Renewable Energy Conservation Plan (DRECP) in concert with the Renewable Energy Action Team and other participating entities since 2009; and

WHEREAS, the Board of Supervisors adopted Title 21 of the Inyo County Code on August 17, 2010, which established procedures for local input into proposed renewable energy projects, and which required consideration of fiscal and environmental impacts to the County from the development of such projects; and

WHEREAS, Inyo County supports and encourages the responsible utilization of its natural resources, including the development of its solar and wind resources for the generation and transmission of clean, renewable electric energy; and

WHEREAS, after extensive public engagement and policy development Inyo County adopted a Renewable Energy General Plan Amendment (REGPA), known as General Plan Amendment No. 2010-03, on April 28, 2011, which, amongst other actions, identified a General Plan Land Use Designation Overlay in which renewable energy projects, specifically solar and wind, might be developed, based on site specific studies, environmental review, and permitting pursuant to the County's Renewable Energy Ordinance and other applicable State, federal, and local laws; identified appropriate means to develop renewable wind and solar energy resources, provided that social, economic, and environmental impacts are minimized; worked to offset costs to the County and lost economic development potential, and mitigate for economic effects; worked to protect military readiness, and; considered conversions of lands utilized for agriculture, mining, and recreation; and

WHEREAS, the Center for Biological Diversity and the Sierra Club sued the County of Inyo, seeking to overturn the REGPA unless a full environmental impact report (EIR) was first prepared; and

WHEREAS, the Inyo County Board of Supervisors decided that it was in the greater interest of its citizens to conserve the financial resources of the County rather than engage in a lawsuit with the Center for Biological Diversity and Sierra Club; and

WHEREAS, on September 6, 2011 the Board of Supervisors rescinded GPA No. 2010-03, the REGPA; and

WHEREAS, Public Resources Code (PRC) Section 25619 directs the California Energy Commission (CEC) upon appropriation to provide up to \$7,000,000 to qualified Counties, including Counties within the DRECP planning area, if the County is a signatory to the DRECP or has entered into a Memorandum of Understanding (MOU) with the CEC in which the County agrees to participate in the development of the DRECP; and

WHEREAS, in December 2012, the CEC released a Request for Comments regarding developing the renewable energy planning grants provided for in PRC Section 25619; and

WHEREAS, on December 18, 2012, the Board of Supervisors approved correspondence requesting that completion of the REGPA and preparation of an EIR in regards thereto be a qualifying project under the renewable energy planning grants, amongst other requests; and

WHEREAS, in March 2013, the CEC released a Program Opportunity Notice for Renewable Energy and Conservation Planning Grants (RECPG), known as PON-12-403, for eligible Counties per PRC Section 25619 to develop or revise rules and policies, including but not limited to, GPAs that facilitate the development of renewable energy resources and their associated electric transmission facilities and the processing of permits for eligible renewable energy resources; and

WHEREAS, on March 26, 2013, this Board of Supervisors approved the MOU with the CEC regarding participation and engagement in the development of the DRECP, as required by PRC Section 25619 to be eligible for the planning grants; and

WHEREAS, on April 2, 2013, this Board of Supervisors reviewed the planning grant solicitation and a draft application for the planning grants to complete work on the REGPA by preparing an EIR.

NOW, THEREFORE, BE IT HEREBY RESOLVED, based on all of the input received and the County's extensive work on renewable energy planning, including the DRECP, this Board of Supervisors of the County of Inyo, State of California, hereby authorizes submittal of an application to the CEC in response to the Program Opportunity Notice for RECPG to complete work on the County's REGPA and preparing an EIR in regards thereto in the amount of ???, which will work to facilitate the development of renewable energy resources and their associated electric transmission facilities and the processing of permits for eligible renewable energy resources.

BE IT FURTHER RESOLVED, that this Board of Supervisors of the County of Inyo, State of California, does hereby designate the County Administrative Officer or designee as agent to conduct all negotiations, execute and submit all documents including, but not limited to, applications, agreements, and payment requests, which may be necessary for the completion of the project(s) resulting from the solicitation.

PASSED AND ADOPTED this 2nd day of April, 2013 by the following vote of the Inyo County Board of Supervisors:

AYES:
NOES:
ABSTAIN:
ABSENT:

Chair, Inyo County Board of Supervisors

ATTEST:

Kevin D. Carunchio
Clerk of the Board

By _____
Patricia Gunsolly, Assistant

PROGRAM OPPORTUNITY NOTICE

Renewable Energy and Conservation Planning Grants (RECPG)



PON-12-403

<http://www.energy.ca.gov/contracts/index.html>

State of California

California Energy Commission

March, 2013

Attachment 2

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Attachments

1	Application Form
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3	Scope of Work Instructions
4	Schedule of Products
5	Budget Forms
6	Contacts
7	Prevailing Wage Special Condition Template
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9	Information on Compliance with Prevailing Wage
10	CEQA Worksheet
11	Monthly Progress Report Template
12	Memorandum Of Understanding (MOU) Instructions
13	Sample Agreement Terms and Conditions

I. Introduction

PURPOSE OF PON

This California Energy Commission ("Energy Commission") grant solicitation seeks proposals from qualified counties for the development or revision of rules and policies that facilitate the development of eligible renewable energy resources, and their associated electric transmission facilities, and the processing of permits for eligible renewable energy resources. The grant solicitation implements Section 25619 of the Public Resources Code and offers up to \$7 million in grants to the qualified counties of Fresno, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Merced, Riverside, San Bernardino, San Diego, San Joaquin, San Luis Obispo, Stanislaus, and Tulare.

Investments in developing or revising county rules and policies will provide local communities with resources to develop or revise important planning tools that facilitate eligible renewable energy resource development and conservation, and contribute to meeting the state's long-term energy and climate goals. For qualified counties in the Desert Renewable Energy Conservation Plan (DRECP) planning area, or in the planning area of another natural community conservation plan, planning grants provide resources to facilitate eligible renewable energy resource development and ensure the protection of ecosystems through the successful implementation of the DRECP or other applicable natural community conservation plans.

BACKGROUND

Assembly Bill x1 13 (Perez, Chapter 10, Statutes of 2011) added Section 25619 to the Public Resources Code and directs the Energy Commission to provide, upon appropriation from the legislature, up to \$7 million in renewable energy planning grants to 14 specific "qualified counties". Assembly Bill 2161 (Achadjian, Chapter 250, Statutes of 2012) added the County of San Luis Obispo as a fifteenth qualified county. Assembly Bill 1255 (Perez, Chapter 601, Statutes of 2012) amended Section 25619 (b) by requiring qualified counties within the DRECP planning area to be awarded grants only if that county is a signatory to the DRECP planning agreement or enters into a Memorandum of Understanding (MOU) with the Energy Commission in which the county agrees to participate in the development of the DRECP.

Section 25619 (d) specifies that the Energy Commission can only implement Section 25619 upon receiving an appropriation from the legislature from either the Renewable Resource Trust Fund (RRTF) or from the Energy Resources Programs Account (ERPA). The appropriation was made from the RRTF in the 2012 Budget Act (AB 1464, Blumenfield, Chapter 21, Statutes of 2012). The Energy Commission has until the end of the 2012-2013 fiscal year (June 30, 2013) to encumber the funds appropriated in the Budget Act, and until June 30, 2015 to liquidate the funds.

APPLICABLE POLICIES AND PROGRAMS

The legislature adopted the series of legislation described in the Background Section as a part of California's strategy to meet the climate goals of Assembly Bill 32 (AB 32, Nunez, Chapter 488, Statutes of 2006) and reduce greenhouse gas (GHG) emissions from the electric power sector; to achieve the Renewables Portfolio Standard (RPS) and the development and conservation goals of the DRECP; to implement Governor Brown's Clean Energy Jobs Plan; and to provide local governments with resources to help facilitate the development of critical energy infrastructure.

This section describes policies and programs applicable to this solicitation. Internet web links to the full-text of all documents and websites related to policies and programs mentioned below are available in the References Section in Chapter II.

A. Assembly Bill 32 Scoping Plan and Emission Reductions

In 2008, the California Air Resources Board (CARB) adopted Assembly Bill 32 (AB 32) Scoping Plan, which contains the main strategies California will use to reduce the GHG that cause climate change. The measures in the Scoping Plan will reduce California's GHG emissions to 1990 levels by 2020 and 80 percent of 1990 emissions level by 2050. As indicated in the Scoping Plan, increasing electricity generation from renewable energy resources will yield significant GHG reductions and contribute to the 2020 and 2050 GHG reduction goals.

B. Renewables Portfolio Standard (RPS)

To implement the renewable energy strategies in the AB 32 Scoping Plan, then Governor Schwarzenegger issued Executive Order S-14-08 (November 17, 2008) establishing a state policy goal of producing 33 percent of California's electrical needs with renewable energy resources by 2020. In 2011, the legislature enacted Senate Bill x1 2 (Simitian, Chapter 1, First Extraordinary Session, Statutes of 2011), which codified California's Renewables Portfolio Standard (RPS) requiring 33 percent of retail electric sales in California to be met with eligible renewable energy resources by 2020. The RPS-eligible renewable energy resources contribute to achieving the state's climate change goals of reducing greenhouse gases to 1990 levels by 2020, and to 80 percent of 1990 emissions levels by 2050, making the success and expansion of RPS energy generation a key priority for California's future.

C. Renewable Energy Action Team and the Desert Renewable Energy Conservation Plan

In 2008, state and federal agencies created an inter-agency cooperative effort known as the Renewable Energy Action Team (REAT) through the "Memorandum of Understanding Between the California Energy Commission and the California Department of Fish and Game Regarding the Establishment of the Renewable Energy Action Team" (November 17, 2008). In the Memorandum of Understanding, the California Department of Fish and Game (CDFG), the Energy Commission, the Bureau of Land Management (BLM), and the United States Fish and Wildlife Service (USFWS) (REAT Agencies) committed to a cooperative relationship to achieve shared energy policy goals.

The REAT agencies subsequently entered into the "Planning Agreement by and among California Department of Fish and Game, California Energy Commission, United States Bureau of Land Management, and United States Fish and Wildlife Service for the Desert Renewable Energy Conservation Plan" (May 2010).

California Executive Order S-14-08 requires the development of the DRECP, a multiagency conservation and planning document intended to guide renewable energy project siting in the Mojave and Colorado Deserts of California and provide for the conservation and management of certain species, habitats and natural communities that may be affected by those projects. The Draft DRECP, planned for release in 2013, is intended to be a detailed document that includes a draft natural community conservation plan under California's Natural Community Conservation Planning Act, a draft habitat conservation plan under the federal Endangered Species Act, a draft land use plan amendment under the Federal Land Policy and Management Act, and a draft joint environmental impact report (EIR)/environmental impact statement (EIS) under the California Environmental Quality Act and the National Environmental Policy Act.

As described in the DRECP "Description and Comparative Evaluation of Draft DRECP Alternatives" (December 17, 2012), participation of local governments, especially counties in the DRECP plan area, will strengthen the DRECP and increase its success and effectiveness. Planning grants offer qualified counties in the DRECP an opportunity to ensure the DRECP is compatible with county rules and policies in ways that help to implement or complement the DRECP.

D. Governor Brown's Clean Energy Jobs Plan

Governor Brown's Clean Energy Jobs Plan calls for deep investments in clean energy to help rebuild California's economy. Building a clean energy infrastructure will create jobs, "build the businesses of the 21st century, increase energy independence, and protect public health." Specifically, the Clean Energy Jobs Plan calls for 20,000 megawatts of renewable electricity, with 12,000 megawatts generated from localized electricity generation and 8,000 megawatts generated from large-scale renewables.

Significant investment in renewable energy development is necessary to support 20,000 new megawatts of renewable electricity and achieve the goals of the Clean Energy Jobs Plan. Counties are an important component in facilitating the development of eligible renewable energy resources and this PON will invest in the planning processes of qualified counties that express a strong commitment to facilitating eligible renewable energy resource development.

E. The California Energy Commission, Local Governments, and State Planning Priorities

The Energy Commission is California's primary energy policy and planning agency, and since 1974 has issued development permits and environmental clearance for most of California's electric power plants. The Energy Commission is the permitting authority for electric power plants 50 megawatts and larger that use thermal energy to create electricity. Counties are the permitting authority for most non-thermal power plants, such as wind and solar photovoltaic, located on private lands in California. Projects approved by Counties are subject to applicable federal and state law, as well as local governments land use rules and policies. Counties, especially those rich with renewable energy resources, play an integral role in siting projects and helping California meet its energy and environmental goals.

Appendix C of CARB's Assembly Bill 32 Scoping Plan describes local governments' role in achieving AB 32 climate goals. As described in Appendix C, local governments, in some cases, have "exclusive authority over significant emission sources through their planning and permitting processes, local ordinances, outreach and education efforts, and municipal operations. In fact, many of the measures identified in the Scoping Plan rely on actions that local governments can take." Local governments' planning and permitting authority for most RPS technologies means that local governments are critical to achieving RPS targets and AB 32 climate goals.

In Strategy 1 of the Renewable Action Plan in the 2012 Integrated Energy Policy Report Update (IEPR), the Energy Commission describes the Challenges, Opportunities, and Recommendations for identifying preferred geographic areas for renewable development. Strategy 1 includes Actions and Implementation Steps to:

Identify and prioritize geographic areas in the state for both renewable utility-scale and distributed generation development. Priority areas should have high levels of renewable resources, be located where development will have the least environmental impact, and be close to planned, existing, or approved transmission or distribution infrastructure. Prioritization should also include increasing efforts between state and local agencies to coordinate local land-use planning and zoning decisions that ease the siting and permitting of renewable energy-related infrastructure.

The Energy Commission understands that certain counties face resource constraints and have expressed a need for assistance with planning and permitting renewable energy technologies. The Energy Commission also recognizes that even during challenging fiscal times, several counties are responding to renewable energy development by revising county rules and policies to review a growing number of development applications for eligible renewable energy resources. This PON is directed at those qualified counties that are experiencing and have the potential for experiencing development interest in eligible renewable energy resources.

Section 4 of Assembly Bill 857 (Wiggins, Chapter 1016, Statutes of 2002) adds Section 65041.1 to the Government Code and establishes three state planning priorities. The planning priority objectives are to "promote equity, strengthen the economy, protect the environment, and promote public health and safety in the state, including in urban, suburban, and rural communities." The planning priorities suggest specific ways in which State government can prioritize activities related to infrastructure spending and land use to promote more sustainable development in California. The planning priorities are commonly referred to as Community Revitalization (65401.1(a)); Natural Resources (65401.1(b)); and, Efficient Development (65401.1(c)).

Applicable to this PON is the Natural Resources Planning Priority, which affirms the following priorities:

65401.1(b) To protect environmental and agricultural resources by protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands, natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands, recreation lands such as parks, trails, greenbelts, and other open space, and landscapes with locally unique features and areas identified by the state as deserving special protection.

KEY ACTIVITIES AND DATES

Key activities including dates and times for this PON are presented below. An addendum will be released if the dates change for the asterisked (*) activities.

ACTIVITY	ACTION DATE
PON Release	3/11/13
Pre-Application Workshop	3/21/13
Deadline for Written Questions by 5:00 p.m.*	3/22/13
Distribute Questions/Answers and Addenda (if any) to PON	3/26/13
Deadline to Submit Applications by 3:00 p.m.*	4/10/13
Anticipated Notice of Proposed Award Posting Date	4/25/13
Deadline to finalize an MOU (if applicable) and/or submit an authorizing resolution.	5/1/2013
Anticipated Commission Business Meeting Date	6/12/13
Anticipated Agreement Start Date	6/30/13
Agreement Termination Date	3/31/15

AVAILABLE FUNDING AND HOW AWARD IS DETERMINED

There is up to \$7 million available for the agreements resulting from this PON. The maximum award amount per agreement is \$700,000. Partial funding may be considered to maximize grant awards.

Applicants compete based on selection criteria and are scored and ranked based on those criteria. Highest scoring applicants receive funding.

The Energy Commission reserves the right to reduce the agreement amount to an amount deemed appropriate in the event the budgeted funds do not provide full funding of Energy Commission agreements. In this event, the Recipient and Commission Agreement Manager (CAM) shall meet and reach agreement on a reduced scope of work and budget commensurate with the level of available funding.

II. Eligibility Requirements

ELIGIBLE APPLICANTS

This solicitation is only available to qualified California counties that meet the eligibility requirements below.

The following California counties are defined as "qualified counties" in Public Resources Code Section 25619 (a): Fresno, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Merced, Riverside, San Bernardino, San Diego, San Joaquin, San Luis Obispo, Stanislaus, and Tulare.

The Energy Commission is restricted from awarding grant funds to qualified counties within the DRECP planning area (Imperial, Inyo, Kern, Los Angeles, Riverside, San Bernardino, and San Diego), unless the qualified county meets one of the following conditions:

- **Public Resources Code Section 25619(b)(1)** The county is a "plan participant," as defined by paragraph (1) of subdivision (j) of Section 2805 of the Fish and Game Code, in the Desert Renewable Energy Conservation Plan.
- **Public Resources Code Section 25619(b)(2)** The county enters into a memorandum of understanding (MOU) with the Energy Commission in which the county agrees to participate in the development of a natural community conservation plan for the purpose of ensuring that the natural community conservation plan can achieve the goals set forth in the planning agreement entered into pursuant to Section 2810 of the Fish and Game Code, that is dated May 2010, for the preparation of a natural community conservation plan, in a manner that is consistent with the applicable policies of the county.

Qualified counties in the DRECP planning area that are not plan participants in the DRECP must execute an MOU between the County and the Energy Commission. Applicants are not required to submit a copy of an executed MOU as part of a grant application. Energy Commission staff will verify the status of all MOUs with the Energy Commission's Contract, Grants, and Loans Office.

As of March 11, 2013 the following counties have executed an MOU with the Energy Commission or have expressed that they intend to seek approval from their Board of Supervisors: County of Imperial, County of Inyo, County of Los Angeles, and County of San Bernardino.

On December 12, 2012, the Energy Commission approved a template MOU for counties in the DRECP. A copy of the template MOU and instructions for executing the MOU are available in Attachment 12.

NOTE: If a qualified county in the DRECP planning area does not have a county- and Energy Commission- approved MOU, per the instructions in Attachment 12, on or before May 1, 2013, the Energy Commission may disqualify the application.

ELIGIBLE PROJECTS

Grant applications must clearly demonstrate how grant funds will be used for the development or revision of rules and policies, including, but not limited to, general plan elements, zoning ordinances, or a natural community conservation plan as a plan participant, that facilitate the development of eligible renewable energy resources, and their associated electric transmission facilities, and the processing of permits for eligible renewable energy resources.¹

¹ Section 399.12(e) of the Public Utilities Code defines an "eligible renewable energy resource" as an electrical generating facility that meets the definition of a "renewable electrical generation facility" in Section 25741 of the Public Resources Code with some restrictions listed in 399.12(e)(1) and (2). A

Consistent with Section 25619(b), a general plan element or zoning ordinance that is adopted or revised shall be completed within two years of receipt of the grant and shall be consistent with the conservation strategies of any natural community conservation plan, if one has been approved or is under development, pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code).

PREFERENCE POINTS

Public Resources Code Section 25619(c) establishes two preferences that the Energy Commission shall consider when awarding grants. As shown in the Evaluation Criteria of this solicitation, applicants seeking Preference Points must identify and demonstrate in their applications the Preferences Points that the applicant is seeking. The two preferences are:

- Preference for a grant to a qualified county in an amount that is adequate to develop a renewable energy element in its general plan that will facilitate the development and siting of eligible renewable energy resources that utilize multiple renewable energy technologies.
- Preference for a grant for those counties that have experience in geothermal energy development and have adopted a geothermal element, as defined in Section 25133, to its general plan.²

MATCH FUNDING REQUIREMENTS

For eligibility purposes, the Energy Commission does not require applicants to commit match funding.

PRE-APPLICATION WORKSHOP

There will be one Pre-Application Workshop; participation in this meeting is optional but encouraged. The Pre-Application Workshop will be held through in-person participation, WebEx, and conference call at the date, time and location listed below. Please call (916) 654-4381 or refer to the Energy Commission's website at www.energy.ca.gov/contracts/index.html to confirm the date and time.

March 21, 2013
1:00 p.m.
California Energy Commission
Hearing Room B, First Floor
1516 9th Street
Sacramento, CA 95814

renewable electrical generation facility must satisfy the criteria in Section 25741(a), which requires, among other things, that the facility use biomass, solar thermal, photovoltaic, wind, geothermal, fuel cells using renewable fuels, small hydroelectric generation of 30 megawatts or less, digester gas, municipal solid waste conversion, landfill gas, ocean wave, ocean thermal, or tidal current, and any additions or enhancements to the facility using that technology.

² Section 25133 of the Public Resources Code states that a "Geothermal element" means an element of a county general plan consisting of a statement of geothermal development policies, including a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals, including a discussion of environmental damages and identification of sensitive environmental areas, including unique wildlife habitat, scenic, residential, and recreational areas, adopted pursuant to Section 65303 of the Government Code.

COMPUTER LOGON

1. Please go to <https://energy.webex.com> and enter the unique meeting number: **923 230 390**
 2. When prompted, enter your information and the following meeting password: **meeting@1**
- NOTE: Access to WebEx meetings is now available from your mobile device. To learn more and access your app, please visit <http://www.webex.com/overview/mobile-meetings.html>

TELECONFERENCE

After logging in on the computer, an AUDIO CONFERENCE BOX will offer you the choice of phone connections:

1. TO HAVE WEBEX CALL YOU BACK: Type your area code and phone number and click "Call Me"
2. TO CALL INTO THE TELECONFERENCE: Use the drop-down box to select "I will call in" and follow the on-screen directions
3. INTERNATIONAL CALLERS: Click on the "Global call-in number" link in part (2) above
4. TO LISTEN OVER THE COMPUTER: If you have the needed equipment and your computer is configured, click on "Use Computer Headset" and then "Call Using Computer" to use VoIP (Internet phone)

TELEPHONE ONLY (NO COMPUTER ACCESS): Call **1-866-469-3239** (toll-free in the U.S. and Canada) and when prompted enter the unique meeting number: **923 230 390**. International callers can select their number from <https://energy.webex.com/energy/globalcallin.php>

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TECHNICAL SUPPORT

For help with problems or questions trying to join or attend the meeting, please call WebEx Technical Support at 1-866-229-3239.

System Requirements: To see if your computer is compatible, visit <https://support.webex.com/MyAccountWeb/systemRequirement.do?root=Tools&parent=System> and refer to the WBS 28 section

Meeting Preparation: The playback of UCF (Universal Communications Format) rich media files requires appropriate players. To view this type of rich media files in the meeting, please check whether you have the players installed on your computer by going to <https://energy.webex.com/energy/systemdiagnosis.php>.

QUESTIONS

During the PON process, questions of clarification about this PON must be directed to the Grants Officer listed in the following section. You may ask questions at the Pre-Application Workshop, and you may submit written questions via mail, electronic mail, and by FAX. However, all questions must be received by 5:00 pm on the date listed in the Key Activities and Dates table earlier in this solicitation.

Question and answer sets will be e-mailed to all parties who attended the Pre-Application Workshop and provided their contact information on the sign-in sheet. The questions and answers will also be posted on the Commission's website at:
<http://www.energy.ca.gov/contracts/index.html>.

Any verbal communication with a Commission employee concerning this PON is not binding on the State and shall in no way alter a specification, term, or condition of the PON. Therefore, all communication should be directed in writing to the Energy Commission's Grant Officer assigned to the PON.

CONTACT INFORMATION

Andrew Ferrin, Grants Officer
California Energy Commission
1516 Ninth Street, MS-18
Sacramento, California 95814
Telephone: (916) 654-4921
FAX: (916) 654-4423
E-mail: andrew.ferrin@energy.ca.gov

REFERENCE DOCUMENTS

Applicants should familiarize themselves with the Reference Documents in this section. The Reference documents include internet web links to references mentioned in the Policies and Program section of the Introduction as well as other helpful resources.

Policies and Program References

Assembly Bill x1 13 (V. Manuel Perez, Chapter 10, Statutes of 2011)

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=abx1_13&sess=PREV&house=B&author=v._manuel_perez

Assembly Bill 2161 (Achadjian, Chapter 250, Statutes of 2012)

<http://www.leginfo.ca.gov/cgi-bin/postquery>

Assembly Bill 1255 (V. Manuel Perez, Chapter 601, Statutes of 2012)

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_1255&sess=PREV&house=B&author=v._manuel_perez

Senate Bill x1 2 (Simitian, Chapter 1, First Extraordinary Session, Statutes of 2011)

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sbx1_2&sess=PREV&house=B&author=simitian

Assembly Bill 32 (Nunez, Chapter 488, Statutes of 2006)

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_32&sess=0506&house=B&author=nunez

Assembly Bill 857 (Wiggins, Chapter 1016, Statutes of 2002)

http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=ab_857&sess=0102&house=B&author=wiggins

Assembly Bill 32 Scoping Plan

<http://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>

Executive Order S-14-08 (November 17, 2008)

<http://gov.ca.gov/news.php?id=11072>

Memorandum of Understanding Between the California Energy Commission and the California Department of Fish and Game Regarding the Establishment of the Renewable Energy Action Team (November 17, 2008).

<http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/pa/energy.Par.76169.File.dat/RenewableEnergyMOU-CDFG-CEC-BLM-USFWS-Nov08.pdf>

Planning Agreement by and among California Department of Fish and Game, California Energy Commission, United States Bureau of Land Management, and United States Fish and Wildlife Service for the Desert Renewable Energy Conservation Plan (May 2010).

<http://www.energy.ca.gov/2009publications/REAT-1000-2009-034/REAT-1000-2009-034-F.PDF>

Governor Brown's Clean Energy Jobs Plan

http://www.jerrybrown.org/sites/default/files/6-15%20CleanClean_Energy%20Plan.pdf

Other Reference Documents

Bioenergy Action Plan

http://www.energy.ca.gov/bioenergy_action_plan/

California County Planning Directors Association (CCPDA), Solar Electric Facility Permit Streamlining Guide and Model Ordinance

<http://www.ccpda.org/en/solar>

California Department of Conservation's Land Resources Protection

<http://www.conservation.ca.gov/dlrp/Pages/Index.aspx>

California Department of Conservation's Rural Land Mapping Project for San Joaquin Valley Counties

http://www.conservation.ca.gov/dlrp/fmmp/Pages/rural_land_mapping.aspx

California Department of Fish and Wildlife's Grants for Natural Community Conservation Plans (NCCPs) and Habitat Conservation Plans (HCPs)

<http://www.dfg.ca.gov/habcon/nccp/grants.html>

Desert Renewable Energy Conservation Plan (DRECP)

<http://www.drecp.org/>

- *Baseline Biology Report*
http://drecp.org/documents/docs/baseline_biology_report/index.php
- *Best Management Practices and Guidance Manual: Desert Renewable Energy Projects*
<http://www.energy.ca.gov/2010publications/REAT-1000-2010-009/REAT-1000-2010-009.PDF>
- *Interim Mitigation Strategy as Required by SB X8 34*
<http://www.energy.ca.gov/2010publications/DRECP-1000-2010-006/DRECP-1000-2010-006-F.PDF>
- *Planning Agreement*
<http://www.energy.ca.gov/2009publications/REAT-1000-2009-034/REAT-1000-2009-034-F.PDF>
- *Preliminary Conservation Strategy*
http://drecp.org/documents/docs/preliminary_conservation_strategy/index.php

Energy Aware Facility Siting and Permitting Guide

http://www.energy.ca.gov/energy_aware_guide/siting.html

Energy Aware Planning Guide
http://www.energy.ca.gov/energy_aware_guide/index.html

Solar Energy Development Programmatic Environmental Impact Statement, Information Center
<http://solareis.anl.gov/>

Guidelines for Active Solar Energy Systems New Construction Exclusion
<http://www.boe.ca.gov/proptaxes/gase.htm>

2012 Integrated Energy Policy Report (IEPR) Update
http://www.energy.ca.gov/2012_energypolicy/documents/

National Renewable Energy Laboratory (NREL): Renewable Resources Maps and Data
http://www.nrel.gov/renewable_resources/

Natural Community Conservation Planning
<http://www.dfg.ca.gov/habcon/nccp/>

Renewable Energy in California
http://opr.ca.gov/s_renewableenergy.php

Renewable Energy Transmission Initiative
<http://www.energy.ca.gov/reti/index.html>

Renewable Power in California: Status and Issues
<http://www.energy.ca.gov/2011publications/CEC-150-2011-002/CEC-150-2011-002-LCF-REV1.pdf>

Replacing a Williamson Act Contract with a Solar-Use Easement
<http://www.cfbf.com/issues/landuse/solar/>

RE-Powering America's Land: Siting Renewable Energy on Potentially Contaminated Land and Mine Sites
<http://www.epa.gov/oswercpa/>

U.S. Department of the Interior: Bureau of Land Management's in California
<http://www.blm.gov/ca/st/en/prog/energy.html>

III. Application Format, Required Documents, and Delivery

ABOUT THIS SECTION

This section contains the format requirements and instructions on how to submit an application. The format is prescribed to assist the Applicant in meeting State requirements and to enable the Commission to evaluate each application uniformly and fairly. Applicants must follow all Application format instructions, answer all questions, and supply all requested data.

REQUIRED FORMAT FOR AN APPLICATION

All applications submitted under this PON must be typed or printed using a standard 11-point font, single-spaced, with a blank line between paragraphs. Pages must be numbered and sections titled and printed back-to-back. Spiral or comb binding is preferred and tabs are encouraged. Binders are discouraged. Original of application should be bound only with a binder clip.

NUMBER OF COPIES

Applicants must submit the original and 7 copies of the application.

Applicants must also submit electronic files of the application on **CD-ROM or USB memory stick** along with the paper submittal. Only one CD-ROM or USB memory stick is needed. Electronic files must be in Microsoft Word XP (.doc format) and Excel Office Suite formats. Completed Budget Forms, Attachment 5, must be in Excel format. Electronic files submitted via e-mail will not be accepted.

PACKAGING AND LABELING

The original and copies of the application must be labeled "Program Opportunity Notice 12-403," and include the title of the application.

Include the following label information and deliver your application, in a sealed package:

Person's Name, Phone #
Applicant's Name
Street Address
City, State, Zip Code
FAX #

PON-12-403
Contracts, Grants & Loans Office, MS-18
California Energy Commission
1516 Ninth Street, 1st Floor
Sacramento, California 95814

PREFERRED METHOD FOR DELIVERY

An Applicant may deliver an application by:

- U. S. Mail
- In Person
- Courier service

Applications must be delivered to the Commission Contract, Grants and Loans Office **no later than 3:00 p.m.** on the date listed in the Key Activities and Dates table earlier in this solicitation. Applications received after the specified date and time are considered late and will not be accepted. There are no exceptions to this rule. Postmark dates of mailing, E-mail and facsimile (FAX) transmissions are not acceptable in whole or in part, under any circumstances.

ORGANIZE YOUR APPLICATION AS FOLLOWS

SECTION 1, Administrative Response

Proposal Cover Page	
Table of Contents	
Application Form	Available in Attachment 1 and described in A below.
Project Team	See B below.

SECTION 2, Technical and Cost Application

Project Narrative	Described in C below.
Scope of Work (SOW)	SOW template available in Attachment 2 and SOW instructions available in Attachment 3. See D below.
Schedule of Products	Schedule of Products template available in Attachment 4. See D below.
Budget Forms	Required budget forms available in Attachment 5 and see E and F below.
Board of Supervisors Authorizing Resolution	See G below.
CEQA Compliance Form	Required compliance form available in Attachment 10 and see I below.

REQUIRED DOCUMENTS

Sections A-I describe the requirements for all applications to this PON. Applicants must meet all of the requirements described below.

A. Application Form

Applicants must include a complete and signed Application Form (shown in Attachment 1). An authorized representative of the Applicant's organization must sign the Application Form. This signature certifies that all information in the application is correct and complete to the best of the applicant's knowledge AND that the applicant has read the Terms and Conditions, and will accept them without negotiation if awarded. The title of the authorized representative must match the title shown in the approved resolution from the Applicant governing body. Applicants applying for Preference Points must indicate the Preference Points on the Application Form.

B. Project Team (2 pages maximum)

- Identify, by name, all key personnel assigned to the project, including the project manager, and clearly describe their individual areas of responsibility. The project manager is the one individual responsible for interacting with the Energy Commission Grant Manager on all issues relating to the overall project and coordinating all aspects of work under the project. The Project Manager should match the Project Manager identified on the Application Form.
- Applicant's that will use a contractor for the proposed project, but that have not identified the contractor at the time of applying to this PON, should describe the process to be used for selecting a contractor that can achieve the goals in the Scope of Work and perform the Technical Tasks in the Scope of Work.
- For each individual include county department, position title, job description, and contact information (telephone number and email address).

C. Project Narrative (12 pages maximum)

The Project Narrative is a description of the proposed project and should be consistent with the applicant's Scope of Work. The maximum length of the Project Narrative is twelve (12) pages. All information provided in the Project narrative will be considered in the review and ranking of applications as described in the Evaluation Criteria.

At minimum, a Project Narrative must include the following:

County Background

- Describe the organizational structure of the County, including a description of how the organizational structure relates to the project. For example, briefly describe which departments or other entities in the county are responsible for preparing, overseeing, and approving the proposed rules and policies. Describe how the project fits into the context of the County's future vision for renewable energy development and conservation.
- Describe the County's experience with eligible renewable energy resource development, including but not limited to: current rules, policies, and plans; expressed development interest in eligible renewable energy resource development (i.e. number of approved, disapproved, and pending eligible renewable energy resource development requests by technology); the number of months it took to approve, or disapprove each project by technology; the amount of time that each pending eligible renewable energy resource development request has been in the permitting process; and, the potential interest in future eligible renewable energy resource development in the county.
- Describe the County's experience with developing and implementing conservation rules, policies, and processes to facilitate renewable energy development, including but not limited to: Natural Community Conservation Plans (NCCPs), Habitat Conservation Plans (HCPs), or environmental mitigation measures or programs. Estimate and describe the future demand for natural resource conservation planning and implementation in the county.

Planning and Conservation

- Describe the specific impediments to eligible renewable energy resource development within the qualified county. At a minimum, impediments should include county rules and policies that may be misaligned with the rules and policies of other jurisdictions and that may impede eligible renewable energy resource development. For example, impediments may include inconsistencies between county permitting processes for eligible renewable energy resources and the permitting processes for eligible renewable energy resources in an NCCP or HCP; an absence of county rules and policies to facilitate eligible renewable energy resource development; and, a lack of information to develop rules and policies to facilitate eligible renewable energy resource development. Impediments are the principal barriers, key unresolved issues, and knowledge gaps that hinder eligible renewable energy development in the County. The impediments shall be consistent with the Problem Statement in the Scope of Work.
- Identify the rules and policies the County will develop or revise to overcome eligible renewable energy resource development impediments. Describe how the rules and policies will facilitate the development of eligible renewable energy resources, and their associated electric transmission facilities, and the processing of permits for eligible renewable energy resources.
- Applicants should demonstrate how the proposed rules and policies will improve county processes to facilitate eligible renewable energy resource development. At a minimum, applicants shall estimate by eligible renewable energy resource technology the savings in the amount of time (in months) it will take to permit eligible renewable energy resource projects once the county implements the rules and policies.
- Describe applicant's commitment to regional conservation planning, including but not limited to NCCPs, HCPs, General Plan Policies, or other conservation plans.
- Where applicable, identify each NCCP with land within the legal boundary of the county that includes eligible renewable energy resource technologies as a covered activity.
- Describe how the project is consistent with the Natural Resources priorities contained in Government Code Section 65401.1(b). Identify the natural resources in the county that are priorities and describe how the project will protect, preserve, and enhance such priority natural resources.

Leverage and Collaboration

- Identify and describe all resources and prior investments that the qualified County will leverage to complete the project, including but not limited to, model rules and policies, current rules and policies that are developed or under development, or other resources the County will leverage.
- Describe how the county will collaborate in the development of rules and policies with key stakeholders and induce public participation, including but not limited to, developers, utilities, conservation groups, other local and regional governments, and state and federal government.

Return on Investment

- Describe how other local governments will benefit from the products developed and knowledge gained from the project, including a plan to disseminate information from the products developed during the project.
- Identify the innovative features of the proposed project and describe how such features facilitate eligible renewable energy resource development and, where applicable, natural resource conservation.
- Describe and quantify the expected benefits to the qualified County and the State, including but not limited to: job creation, tax revenue, and other measures of economic activity, and, where applicable, natural resource conservation. Describe how the expected benefits are a function of development interest in eligible renewable energy resources and, where applicable, demand for natural resource conservation.

Preference Points

- Qualified Counties that are seeking preferences identified in Public Resources Code Section 25619(c), and described in Chapter II, must identify the preference(s) the county is seeking and demonstrate why the County is eligible for those preference(s). The Preference(s) described must match the Preference(s) that the applicant selects on the Application Form.

D. Scope of Work and Schedule of Products and Due Date

Applicants must include a completed Scope of Work and Schedule of Products and Due Dates for each project. Please use the templates contained in Attachment 2 and Attachment 4, respectively.

All work must be scheduled for completion no later than March 31, 2015. Instructions for completing the Scope of Work as well as a sample are included in Attachment 3. **Electronic files for the Scope of Work must be in MS Word.**

Instructions for the Schedule of Products and Due Dates are included in the document template in Attachment 4. **Electronic files for the Schedule of Products and Due Dates must be in MS Excel.**

E. Budget Forms

The Budget Forms template is available as Attachment 5 to this PON. Instructions for completing the Budget Forms are included in the Budget Forms template.

Task Summary	Attachment 5, Attachment B-1a
Category Summary	Attachment 5, Attachment B-2
Prime Labor Rates	Attachment 5, Attachment B-3
Labor Rates for each Subcontractor	Attachment 5, Attachment B-3 a-z
Prime Non-Labor Rates	Attachment 5, Attachment B-4
Non-Labor Rates for each Subcontractor	Attachment 5, Attachment B-4 a-z
Direct Operating Expenses	Attachment 5, Attachment B-5

The Applicant must submit information on all of the attached budget forms, B-1 through B-5.

Detailed instructions for completing these forms are included at the beginning of Attachment 5.

Rates and personnel shown must reflect rates and personnel you would charge if you were chosen as the Recipient for this PON. The salaries, rates, and other costs entered on these forms become a part of the final agreement. The entire term of the agreement and projected rate increases must be considered when preparing the budget. The rates are considered capped and shall not change during the term of the agreement. The Recipient shall only be reimbursed for their **actual** rates up to these rate caps. The hourly rates provided in all B-3s shall be unloaded (before fringe benefits, overheads, general & administrative (G&A) or profit).

All budget forms are required because they will be used for the agreement prepared with the winning Applicant(s).

NOTE: The information provided in these forms will **not** be kept confidential.

F. Budget Information

1. All project expenditures (reimbursable) must be expended within the approved term of the funding agreement.
2. Instructions for completing the Budget Forms are included in the Budget Forms template. The Budget Forms template is available as Attachment 5. Applicants must complete the Budget Forms template and are responsible for reviewing the instructions in the Budget Forms template.
3. The Budget should allow for the expenses of a Kick-off Meeting, at least one (1) Critical Project Review meeting, and a Final meeting. It is anticipated that meetings will be conducted at the Energy Commission located in Sacramento, CA.
4. The Budget should allow for the preparation and submission of monthly progress reports (1-2 pages each) during the approved term of the agreement, and a Final Report. Instructions for preparing the Final Report will be provided to successful Applicants.
5. The purchase of equipment (defined as items with a unit cost greater than \$5,000 and a useful life of greater than one year) with Energy Commission funds will require disposition of purchased equipment at the end of the project. Typically, Grant Recipients may continue to utilize equipment purchased with Energy Commission funds as long as the use is consistent with the intent of the original Grant Agreement. *There are no disposition requirements for equipment purchased with match share funding.*
6. The Budget must reflect estimates for **actual** costs to be incurred during the approved term of the project. The Energy Commission can only approve and reimburse for actual costs that are properly documented in accordance with the Grant Terms and Conditions. Consistent with Public Resources Code Section 25619(b), not more than one percent (1%) of the grant funds may be allocated to provide training to county planning staff to facilitate the siting and permitting of eligible renewable energy resources. Applicants that will use grant funds to train county planning staff must include training costs in the Budget and include training as part of the Scope of Work.

7. The Budget must **NOT** include any profit from the proposed project as a reimbursed item. Please review the Grant Terms and Conditions for additional restrictions and requirements.

G. Authorizing Resolution

Applicants must submit a copy of a resolution from the Board of Supervisors that approves the county's application to this solicitation. Authorizing resolutions must be submitted on or before May 1, 2013. At a minimum, resolutions must:

- a) Include the total dollar amount requested.
- b) Designate the position (not the person occupying the position), or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to, applications, agreements, and payment requests, which may be necessary for the completion of the project(s) resulting from this solicitation.

The Energy Commission will not approve a grant agreement until a complete and compliant authorizing resolution is submitted.

H. Memorandum of Understanding

On December 12, 2012, the Energy Commission approved a template MOU for counties in the DRECP planning area. A copy of the template MOU and instructions for executing the MOU are available in Attachment 12. **NOTE: If the instructions for executing an MOU are not followed and a qualified county in the DRECP planning area does not have a county- and Energy Commission- approved MOU on or before May 1, 2013 the Energy Commission may disqualify the application.**

I. California Environmental Quality Act (CEQA) Compliance Form

Applicants must complete Attachment 10. The Energy Commission requires this information to assist its own determination under the California Environmental Quality Act (Pub. Resource Code Section 21000 et.seq).

IV. Evaluation Process and Criteria

ABOUT THIS SECTION

This section explains how the applications will be evaluated. It describes the evaluation stages, preference points, and scoring of all applications.

APPLICATION EVALUATION

An Applicant's application will be evaluated and scored based on their response to the information requested in this PON. The entire evaluation process from receipt of applications to posting of the Notice of Proposed Award is confidential.

To evaluate all Applications, the Energy Commission will organize an Evaluation Committee. The Evaluation Committee may consist of Energy Commission staff or staff of other California or Federal entities.

The Applications will be evaluated in two stages:

Stage One: Administrative and Completeness Screening

The Grants Office will screen Applications for compliance with proposal requirements and the Grounds for Rejection sections of this solicitation. Applications that fail Stage One shall be disqualified and eliminated from further evaluation.

Stage Two: Technical and Cost Evaluation of Applications

Applications passing Stage One will be submitted to the Evaluation Committee to review and score based on the Evaluation Criteria in this solicitation.

During the evaluation and selection process, the Evaluation Committee may schedule a clarification interview with an Applicant that will either be held by telephone or in person at the Energy Commission for the purpose of clarification and verification of information provided in the application. However, these interviews may not be used to change or add to the contents of the original Application. Applicants will not be reimbursed for time spent answering clarifying questions.

The total score for each Application will be the average of the combined scores of all Evaluation Committee members.

A minimum score of 70 percent is required for the application to be eligible for funding.

The Energy Commission will propose awards, starting with the highest ranked project. Partial funding may be considered to maximize grant awards.

NOTICE OF PROPOSED AWARD

The results of the Energy Commission's decision of proposed funding level, the rank order of proposers, and the amount of each proposed award will be posted in a Notice of Proposed Awards (NOPA). The Commission will post a NOPA at the Commission's headquarters in Sacramento, on the Commission's Web Site, and will mail the NOPA to all parties that submitted an application.

Proposed awards for applicants that do not submit an Authorizing Resolution with their grant application and/or do not have a county- and Energy Commission- approved MOU at the time the NOPA is posted will be considered conditional until the applicant submits all required documentation by the deadlines shown in the Key Activities and Dates in Chapter I.

In the event that an applicant on the NOPA does not fulfill all document submittal requirements, the Energy Commission reserves the right to not fund the applicant and instead fund the next highest ranked unfunded applications that are eligible for funding.

DEBRIEFINGS

Unsuccessful Applicants may request a debriefing after the release of the NOPA. A request for debriefing must be received no later than 15 days after the NOPA is released.

SCORING SCALE

Using this Scoring Scale, the Evaluation Committee will give a score for each criterion described in the Evaluation Criteria.

% of Possible Points	Interpretation	Explanation for Percentage Points
0%	Not Responsive	Response does not include or fails to address the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
25%	Minimally Responsive	Response minimally addresses the requirements being scored. The omission(s), flaw(s), or defect(s) are significant and unacceptable.
50%	Inadequate	Response addresses the requirements being scored, but there are one or more omissions, flaws, or defects or the requirements are addressed in such a limited way that it results in a low degree of confidence in the proposed solution.
70%	Adequate	Response adequately addresses the requirements being scored. Any omission(s), flaw(s), or defect(s) are inconsequential and acceptable.
80%	Good	Response fully addresses the requirements being scored with a good degree of confidence in the Applicant's response or proposed solution. No identified omission(s), flaw(s), or defect(s). Any identified weaknesses are minimal, inconsequential, and acceptable.
90%	Excellent	Response fully addresses the requirements being scored with a high degree of confidence in the Applicant's response or proposed solution. Applicant offers one or more enhancing features, methods or approaches exceeding basic expectations.
100%	Exceptional	All requirements are addressed with the highest degree of confidence in the Applicant's response or proposed solution. The response exceeds the requirements in providing multiple enhancing features, a creative approach, or an exceptional solution.

EVALUATION CRITERIA

The tables below describe the Pass/Fail criteria the Energy Commission will use to determine if applicants meet Minimum Eligibility Criteria. Applicants that fail to meet any of the Minimum Eligibility requirements may be disqualified. The table also includes the criteria the Evaluation Committee will use to score applicants' responses to the requirements for the Project Narrative, Scope of Work, and Project Budget. Lastly, the table describes the criteria the Evaluation Committee will use to determine Preference Points. The Scoring Committee will use the Scoring Scale previously shown to assign a score for each Evaluation Criteria.

Evaluation Criteria	Pass/Fail
Minimum Eligibility Requirements	
Eligibility- Applicant is a qualified county as defined in Public Resource Code Section 25619(a).	Pass/Fail
<p>Eligibility- Applicants within the DRECP planning area have satisfied one or both of the following requirements:</p> <p>Public Resources Code Section 25619(b)(1) The county is a "plan participant" as defined by paragraph (1) of subdivision (j) of Section 2805 of the Fish and Game Code, in the Desert Renewable Energy Conservation Plan.</p> <p>-OR-</p> <p>Public Resources Code Section 25619(b)(2) The county enters into a memorandum of understanding with the Energy Commission in which the county agrees to participate in the development of a natural community conservation plan for the purpose of ensuring that the natural community conservation plan can achieve the goals set forth in the planning agreement entered into pursuant to Section 2810 of the Fish and Game Code, that is dated May 2010, for the preparation of a natural community conservation plan, in a manner that is consistent with the applicable policies of the county.</p>	Pass/Fail/NA
<p>Eligibility- Applicant's project is consistent with Public Resource Code Section 25619 (b):</p> <p>If applicant proposes to adopt or revise a general plan element or zoning ordinance, the applicant demonstrates that the project will be completed within two years of receipt of the grant and is consistent with the conservation strategies of any natural community conservation plan located in that county if one has been approved, or is under development, pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code.</p> <p>-AND-</p> <p>The applicant proposes to develop or revise rules and policies that facilitate the development of eligible renewable energy resources, and their associated electric transmission facilities, and the processing of permits for eligible renewable energy resources.</p>	Pass/Fail

<p>Complete Application- Application is in the correct format, all required documents are complete and included, and the application is submitted on time.</p> <p>Applicants that do not submit a copy of an authorized resolution from their board of supervisors with their grant application have until May 1, 2013 to submit an authorizing resolution.</p>	Pass/Fail
<p>Application Schedule- The Schedule of Products and Due Dates includes all Administrative Tasks and Technical Tasks shown in the applicant's Scope of Work. The project is scheduled for completion no later than March 31, 2015.</p>	Pass/Fail
<p>Evaluation Criteria</p>	<p>Possible Points</p>
<p><u>Project Narrative</u></p>	
<p><u>Background Responses</u></p> <p>Organization Structure and County Vision- Application clearly describes the organizational structure of the County, including a description of how the organizational structure relates to the project. Applicant sets the project into the context of the County's future vision for renewable energy development and conservation.</p> <p>Experience and Demonstrated Need- Applicant demonstrates experience with eligible renewable energy resource development, describes current and future interest for eligible renewable energy resource development, and demonstrates experience with conservation planning and implementation and future demand for conservation planning and implementation related to eligible renewable energy resource development.</p>	10
<p><u>Planning and Conservation Responses</u></p> <p>Impediments- Applicant identifies impediments to eligible renewable energy resource development, including those impediments resulting from current county rules and policies and those impediments that exist because current county rules and policies are not consistent with rules and policies of other permitting entities and/or processes. Impediments describe the principal barriers, key unresolved issues, and knowledge gaps that hinder eligible renewable energy development in the County. The impediments are consistent with the applicant's Problem Statement in the Scope of Work.</p> <p>Rules and Policies- Applicant identifies the rules and policies that the county will develop or revise and describes how the rules and policies will facilitate eligible renewable energy resource development, and their associated electric transmission facilities, and the processing of permits for eligible renewable energy resources in the county.</p> <p>Regional Conservation Planning</p> <p>Applicant describes its commitment to regional conservation planning, including but not limited to NCCPs and HCPs, General Plan Policies, or</p>	30

<p>other conservation plans.</p> <p>Where applicable, applicant identifies all NCCPs and/or HCPs, approved or under development, that include land within the legal boundary of the applicant's county and cover eligible renewable energy resources.</p> <p>Where applicable, applicant explains how the proposed rules and policies are consistent with the conservation strategies of any NCCP if one has been approved, or is under development, pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code and/or any HCP.</p> <p>State Planning Priority: Natural Resources- Applicant demonstrates how the project is consistent with Government Code section 65041.1(b): <i>To protect environmental and agricultural resources by protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands, natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands, recreation lands such as parks, trails, greenbelts, and other open space, and landscapes with locally unique features and areas identified by the state as deserving special protection.</i></p>	
<p><u>Leverage and Collaboration</u></p> <p>Leverage- Applicant identifies and describes resources and/or prior investments that the applicant will leverage to complete the project.</p> <p>Collaboration and Public Participation- Applicant describes how the county will collaborate in the development of rules and policies with key stakeholders and induce public participation.</p>	15
<p><u>Return on Investment</u></p> <p>Information Dissemination- Applicant describes how the project can be used by other California local governments and offers a plan to share information gained through the project.</p> <p>Innovation- Applicant identifies innovative features of the proposed project and demonstrates how the innovative features facilitate development of eligible renewable energy resources and, where applicable, natural resource conservation.</p> <p>State and County Benefit- Applicant describes and quantifies the expected benefits to the state and to the county and describes how the expected benefits are a function of development interest in eligible renewable energy resources and, where applicable, the demand for natural resource conservation.</p>	10
<p><u>Scope of Work</u></p>	
<p><u>Project Summary</u></p> <p>Technical Task List matches task(s) described in Scope of Work.</p> <p>If a person is not identified in the Key Name List because the County will solicit a contractor for the Technical Task(s), the County includes a Job Classification/Title in the Technical Task and the Job Classification/Title</p>	10

<p>is consistent with those described on the applicant's Budget forms.</p> <p>The Glossary is inclusive of all acronyms used in the Scope of Work.</p> <p>The Problem Statement clearly identifies and describes the principal barriers, key unresolved issues, and knowledge gaps that hinder renewable energy development in the County and is consistent with the Project Narrative.</p> <p>The Problem Statement clearly explains why the identified barriers have not been addressed by other entities and describes the need to address the barriers at this time.</p> <p>The Goal(s) of the Agreement are succinct and affirm a commitment to overcoming the barriers in the Problem Statement.</p> <p>The Objective(s) of the Agreement are clearly identified and are measurable. If the objectives are not amenable to measurement, surrogate performance metrics are given and include the methodology or procedure used to measure achievement of the performance metrics.</p> <p>The Objective(s) of the Agreement include a list and description of the objectives that will result from the success of the project.</p>	
<p><u>Technical Tasks</u></p> <p>The Technical Tasks are logical, discrete, and sequential.</p> <p>Each Technical Task includes: Task Name, Task Goal, Task Activities, and Task Product.</p> <p>The Technical Tasks clearly implement the Project Narrative.</p> <p>The tasks are reasonable based upon the project scope.</p>	15
<p><u>Project Budget</u></p> <p>The project budget is consistent with the scope of work and itemizes reasonable costs, including the amount and calculation of Fringe Benefits, Indirect Overhead, and General and Administrative.</p> <p>The project budget shows the total budget, indicating all funding sources, for each task described in the scope of work.</p> <p>The project budget shows that key personnel and subcontractors will be committed to the project for the appropriate number of hours to accomplish the activities described in the work statement and at reasonable hourly rates.</p> <p>The project budget demonstrates that the funds requested are appropriate, relative to the goals and objectives of the project.</p> <p>The project budget clearly identifies that the portion of the budget dedicated to developing or revising rules and policies is significantly greater than the administrative costs.</p>	10
Total Possible Technical Points	100
Minimum Passing Score (70%)	

Preference Points (Public Resources Code Section 25619(c))	
<p>Preference: Renewable Energy Element</p> <p>Applicant proposes to develop a renewable energy element in its general plan that will facilitate the development and siting of eligible renewable energy resources that utilize multiple renewable energy technologies.</p> <p>Applications for renewable energy elements that will include rules and policies to facilitate development of two different eligible renewable energy technologies within the county will receive five (5) points and those that propose three (3) or more eligible technologies as part of the general plan element will receive ten (10) points.</p>	5 or 10
<p>Preference: Geothermal Energy</p> <p>Applicant demonstrates experience in geothermal energy development and has adopted a geothermal element, as defined in Public Resources Code Section 25133, to its general plan.</p>	5
Total Possible Preference Points	10 or 15

V. Administration

PON DEFINED

The competitive method used for this funding opportunity is a Program Opportunity Notice (PON). An Application submitted in response to this PON will be scored and ranked based on the Evaluation Criteria.

DEFINITION OF KEY WORDS

Important definitions for this PON are presented below:

Word/Term	Definition
State	State of California
Energy Commission	California Energy Commission
PON	Program Opportunity Notice, this entire document
Application	Formal written response to this document from Applicant
Applicant	Respondent to this PON
CAM	Commission Agreement Manager
GO	Grants Officer
Solicitation	Interchangeably used throughout this document to reference PON
DRECP	Desert Renewable Energy Conservation Plan
NCCP	Natural Community Conservation Plan
HCP	Habitat Conservation Plan
General Plan	Means a county/city comprehensive plan as defined in California Government Code 65300 et seq.
RPS	Renewables Portfolio Standard
Conservation	Generally, means natural resource conservation, including but not limited to, agriculture, habitats, and species.

COST OF DEVELOPING APPLICATION

The Applicant is responsible for the cost of developing an application, and this cost cannot be charged to the State.

CONFIDENTIAL INFORMATION

Applicants cannot submit confidential information. All information submitted will become publically available upon the posting of the Notice of Proposed Awards. In addition, the Commission will reject Applications that have any information labeled as "confidential" unless the applicant clarifies upon request that it made a mistake and the information is not confidential. The Commission will not accept or retain any Applications that include confidential information.

PON CANCELLATION AND AMENDMENTS

It is the policy of the Energy Commission not to solicit proposals unless there is a bona fide intention to award an Agreement. However, if it is in the State's best interest, the Energy Commission reserves the right to do any of the following:

- Cancel this PON;
- Revise the amount of funds available under this PON
- Amend this PON as needed; or
- Reject any or all Applications received in response to this PON

If the PON is amended, the Energy Commission will send an addendum to all parties who requested the PON and will also post it on the Energy Commission's Web Site www.energy.ca.gov/contracts

ERRORS

If an Applicant discovers any ambiguity, conflict, discrepancy, omission, or other error in the PON, the Applicant shall immediately notify the Commission of such error in writing and request modification or clarification of the document. Modifications or clarifications will be given by written notice of all parties who requested the PON, without divulging the source of the request for clarification. The Commission shall not be responsible for failure to correct errors.

MODIFYING OR WITHDRAWAL OF APPLICATION

An Applicant may, by letter to the Contact Person at the Energy Commission, withdraw or modify a submitted Application before the deadline to submit applications. Applications cannot be changed after that date and time. An Application cannot be "timed" to expire on a specific date. For example, a statement such as the following is non-responsive to the PON: "This application and the cost estimate are valid for 60 days."

IMMATERIAL DEFECT

The Energy Commission may waive any immaterial defect or deviation contained in an Applicant's application. The Energy Commission's waiver shall in no way modify the application or excuse the successful Applicant from full compliance.

DISPOSITION OF APPLICANT'S DOCUMENTS

On the Notice of Proposed Award posting date all applications and related material submitted in response to this PON become a part of the property of the State and public record. Applicants who want any work examples they submitted with their applications returned to them shall make this request and provide either sufficient postage, or a Courier Charge Code to fund the cost of returning the examples.

APPLICANTS' ADMONISHMENT

This PON contains the instructions governing the requirements for a firm quotation to be submitted by interested Applicants, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Applicant responsibilities. Applicants must take the responsibility to carefully read the entire PON, ask appropriate questions in a timely manner, submit all required responses in a complete manner by the required date and time, make sure that all procedures and requirements of the PON are followed and appropriately addressed, and carefully reread the entire PON before submitting an application.

GROUND TO REJECT AN APPLICATION

An Application shall be rejected if:

- It is received after the exact time and date set for receipt of applications as identified in Chapter I.
- It contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Applicant.
- It contains confidential information.
- The Applicant does not agree to the terms and conditions as attached to the solicitation either by not signing the Recipient Status Form or by stating anywhere in the bid that acceptance is based on modifications to those terms and conditions or separate terms and conditions.

An Application may be rejected if:

- It is not prepared in the mandatory format described.
- It is unsigned.
- The firm or individual has submitted multiple applications for each task.
- It does not literally comply or contains caveats that conflict with the PON and the variation or deviation is not material, or it is otherwise non-responsive.
- The budget forms are not filled out completely.
- The Applicant does not have a qualifying MOU on file with the Energy Commission on or before May 1, 2013. This rule applies to those qualified counties required to enter into an MOU as described in PRC Section 25619.
- The Applicant does not submit a compliant authorizing resolution from the applicant's board of supervisors to the Energy Commission's Contracts, Grants and Loans Office on or before May 1, 2013.
- The Applicant does not meet the minimum eligibility requirements listed in this PON.

AGREEMENT REQUIREMENTS

The content of this PON shall be incorporated by reference into the final agreement. See the sample Agreement terms and conditions included in Attachment 13 of this PON.

The Energy Commission reserves the right to negotiate with Applicants to modify the project scope, the level of funding, or both. If the Energy Commission is unable to successfully negotiate and execute a funding agreement with an Applicant, the Energy

Commission, at its sole discretion, reserves the right to cancel the pending award and fund the next highest ranked eligible project.

The Grant Agreement will be scheduled and heard at an Energy Commission Business Meeting for approval.

Public agencies that receive funding under this solicitation must provide an authorizing resolution approved by their governing authority to enter into an Agreement with the Energy Commission and designating an authorized representative to sign.

The Energy Commission will send the approved Grant Agreement, including the general Terms and Conditions and any additional terms and conditions, to the grant recipient for review, approval, and signature. Once the grant recipient signs, the Energy Commission will fully execute the Grant Agreement. Recipients are approved to begin the project only after full execution of the Grant Agreement.

No Agreement Until Signed & Approved

No agreement between the Commission and the successful Applicant is in effect until the agreement is signed by the Recipient, approved at a Commission Business Meeting, and signed by the Energy Commission representative.

The Energy Commission reserves the right to modify the award documents prior to executing the Agreement.

Agreement Amendment

The agreement executed as a result of this PON will be able to be amended by mutual consent of the Commission and the Recipient. The agreement may require amendment as a result of project review, changes and additions, changes in project scope, or availability of funding.

PAYMENT OF PREVAILING WAGES

Some projects under this solicitation might be considered public works pursuant to the California Labor Code. If the project is a public work, prevailing wage is required. The California Department of Industrial Relations (DIR) has jurisdiction to decide whether a particular project is or is not a public work. If the project involves construction, alteration, demolition, installation, repair or maintenance work, it probably would be considered by DIR to be a public work. Examples of the activities that would probably lead DIR to find that the project involves public works include: cement work, site preparation such as grading, surveying, electrical work such as wiring, and carpentry work. Certain workers are entitled to prevailing wage, such as operating engineers, surveyors, carpenters, laborers, etc. However, other workers are not subject to State prevailing wage laws, such as design or pre-construction engineers or project superintendent who do not perform work on the projects.

Applicants must determine if the proposed project(s) involve(s) public works, and ensure that the project budget for labor reflects all prevailing wage requirements. The budget should indicate which job classifications are subject to prevailing wage.

In order to determine if the proposed project(s) involve(s) public works, please contact DIR as advised in Attachment 7. If the Applicant is unsure whether the proposed project(s) involve(s) public works and has not received a determination from DIR that the project is not a public work, the Applicant is advised to prepare a budget assuming that prevailing wage laws apply.

If the proposed project is a public work, or is assumed to be a public work, the Applicant can contact DIR for a list of covered trades and the applicable prevailing wage. Any agreement resulting from this solicitation will include the requirements for a public works project, such as paying prevailing wage, keeping payroll records, complying with working hour requirements, and apprenticeship obligations. See the sample terms and conditions, the Special Condition regarding Prevailing Wage Compliance (Attachment 7), and Prevailing Wage Compliance Certification Form (Attachment 8).

For detailed information about prevailing wage and the process to determine if the proposed project(s) is a public work, see the Prevailing Wage Compliance Questions and Answers (Attachment 9).

**Solar and Wind Renewable Energy
General Plan Amendment No. 2010-03
April 26, 2011**

Government Element

No change

Land Use Element

- Insert the following new definition:

Solar or Wind Renewable Energy Facility. Any electric transmission line, solar thermal powerplant, photovoltaic powerplant, or wind energy powerplant to be constructed in Inyo County. A Facility does not include a “solar energy system,” a small wind energy conversion system or a windmill that does not generate electricity, or a pilot or proof of concept powerplant.

- Insert the following new Land Use policy:

Policy LU-1.17 (Solar and Wind Renewable Energy Development) – The County shall consider Solar or Wind Energy facilities within areas with a Renewable Energy Land Use Designation Overlay and in any zoning district under Title 18 of the Inyo County Code. Based on site-specific studies and appropriate environmental review, the County may process Solar or Wind Renewable Energy Facilities within the Overlay pursuant to Inyo County Code Title 21. Potential social, economic, and environmental impacts from Solar or Wind Renewable Energy Facilities must be minimized to the extent feasible. Appurtenant transmission facilities and related infrastructure may be constructed and operated within any Land Use Designation and any zoning district under Title 18 of the Inyo County Code, provided that the facilities they connect operate under valid approval and are the subject of appropriate environmental review.

- Insert the following new Land Use Implementation Measures:

9.0 The County shall coordinate with the Department of Defense to work to site renewable energy facilities in a manner that does not significantly impact military readiness. Issues to be addressed in the coordination include radar, light and glare, heat generation, equipment testing and operations, personnel training, and flight activities.

10.0 The County shall consider seeking compensation for the loss of revenues from potential renewable energy facilities that are not developed due to potential impacts on military readiness, special status species, and aesthetics, and/or other barriers to development of appropriate renewable energy facilities. Methods of

compensation include but are not limited to Payment-in-lieu of Taxes (PILT) or similar programs.

11.0 The County shall work with utilities and renewable energy developers to encourage collocation of transmission and intertie facilities.

12.0 The County shall encourage renewable energy development on disturbed lands.

- Insert the attached graphics as Land Use Diagram Nos. 32a-q (Solar and Wind Renewable Energy Land Use Designation Overlay) in the Land Use Diagrams.

Public Services and Facilities Element

- Insert the following new Gas and Electrical Facilities policy:

Policy PSU-10.5 (Encourage Renewable Energy Development) – The County shall encourage appropriate development of renewable energy resources, provided that social, economic, and environmental impacts are minimized.

Economic Development Element

- Insert the following new Economic Development policy:

Policy ED-4.4 (Renewable Energy Development Beneficial to the Local Economy) – Renewable energy development shall provide means to offset costs to the County and lost economic development potential. If potential economic impacts from renewable energy development are identified by the County, commensurate mitigation and/or offsets shall be required.

Housing Element

No change

Circulation Element

No change

Conservation/Open Space Element

- Modify the following existing Agricultural Resources policy:

Policy AG-1.3 (Conversion of Agricultural Land) – Discourage conversions of productive agricultural lands for urban development, and encourage avoidance of productive agricultural lands for renewable energy development.

- Insert the following new Mineral and Energy Resources goal:

Goal MER-1 – Encourage appropriate renewable energy development and minimize impacts from such development to the social, economic, and environmental resources of the County.

- Insert the following new Mineral and Energy Resources policies:

Policy MER-2.1 (Large-scale Renewable Energy Development Areas) – The County shall maintain a Land Use Diagram of areas where Solar or Wind Renewable Energy Facilities may be appropriate.

Policy MER-2.2 (Minimize Impacts) – The County shall work with renewable energy developers and other agencies to minimize impacts from renewable energy development.

- Insert the following new Mineral and Energy Resources Implementation Measures:
 - 8.0 Review proposals for renewable energy development and work to minimize potential impacts to the County's social, economic, and environmental resources, in cooperation with other local, regional, State, out-of-State, and federal agencies.
 - 9.0 Collect and disseminate strategies to minimize impacts from Renewable Energy Facilities.
 - 10.0 Periodically review, and as necessary update, the Solar and Wind Renewable Energy Land Use Designation Overlay.

- Insert the following new Water Resources policy:

Policy WR-3.5 (Sustainable Renewable Energy Development) – The County shall encourage renewable energy development to incorporate measures to minimize water consumption and use of potable water.

- Insert the following new Visual Resources policy:

Policy VIS-1.8 (Renewable Energy Development) – The County shall encourage siting and screening to minimize significant changes to the visual environment from renewable energy development, including minimizing light and glare, to the extent possible.

- Insert the following new Recreation Implementation Measure:

16.0 Work with developers and other agencies to minimize impacts to recreational access from renewable energy development.

Public Safety Element

- Insert the following new Air Quality Implementation Measure:
 - 7.0 Support appropriate efforts to combine air quality improvements with other social, cultural, and environmental goals, including renewable energy development.
- Insert the following new Noise Implementation Measure:
 - 12.0 Work with developers and other agencies to minimize noise from renewable energy development.

**Land Use Diagram #32a
Wind and Solar Renewable Energy GPA**

 Overlay Areas

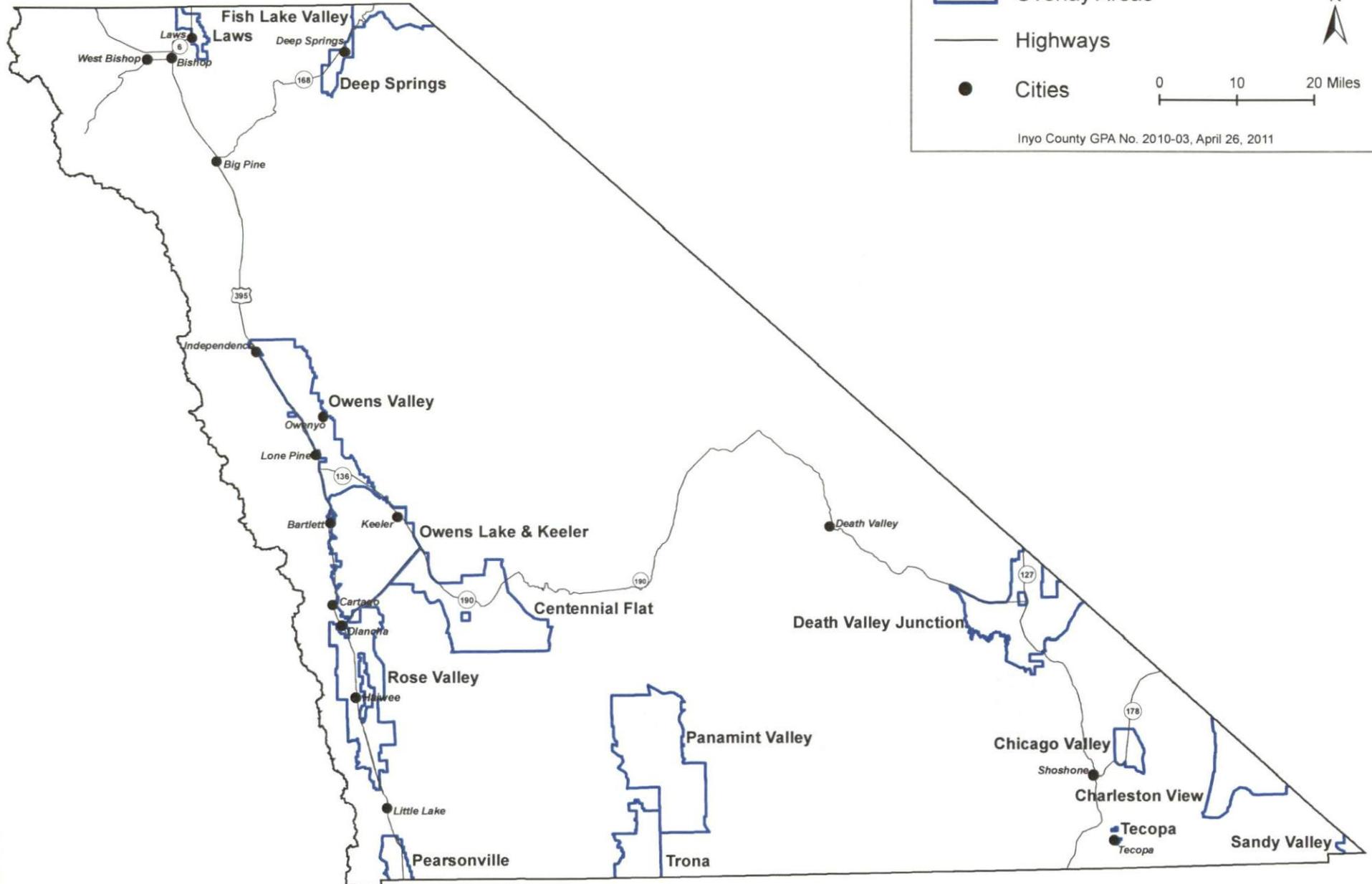
 Highways

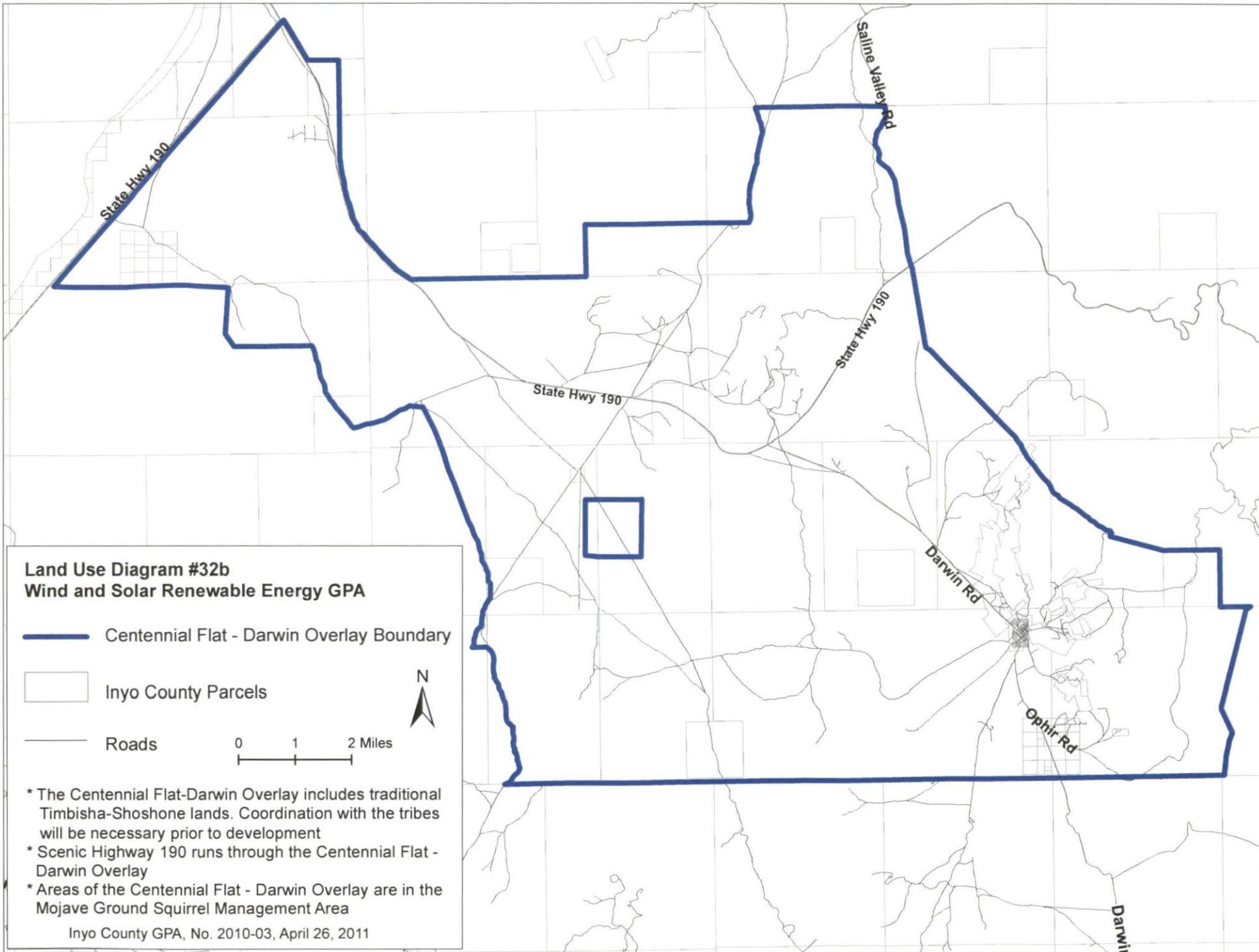
 Cities

0 10 20 Miles



Inyo County GPA No. 2010-03, April 26, 2011





**Land Use Diagram #32c
Wind and Solar Renewable Energy GPA**

 Charleston View Overlay Boundary

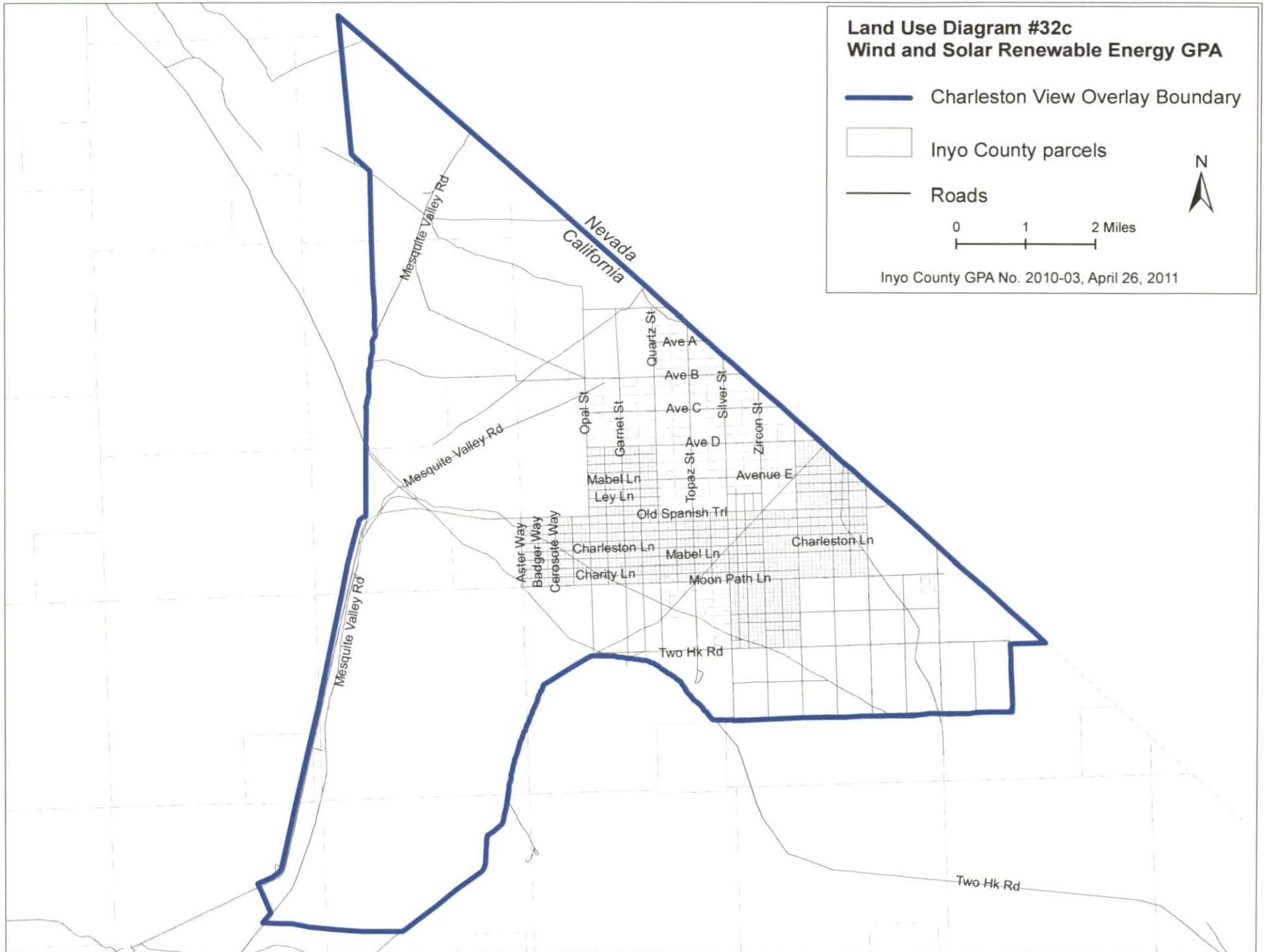
 Inyo County parcels

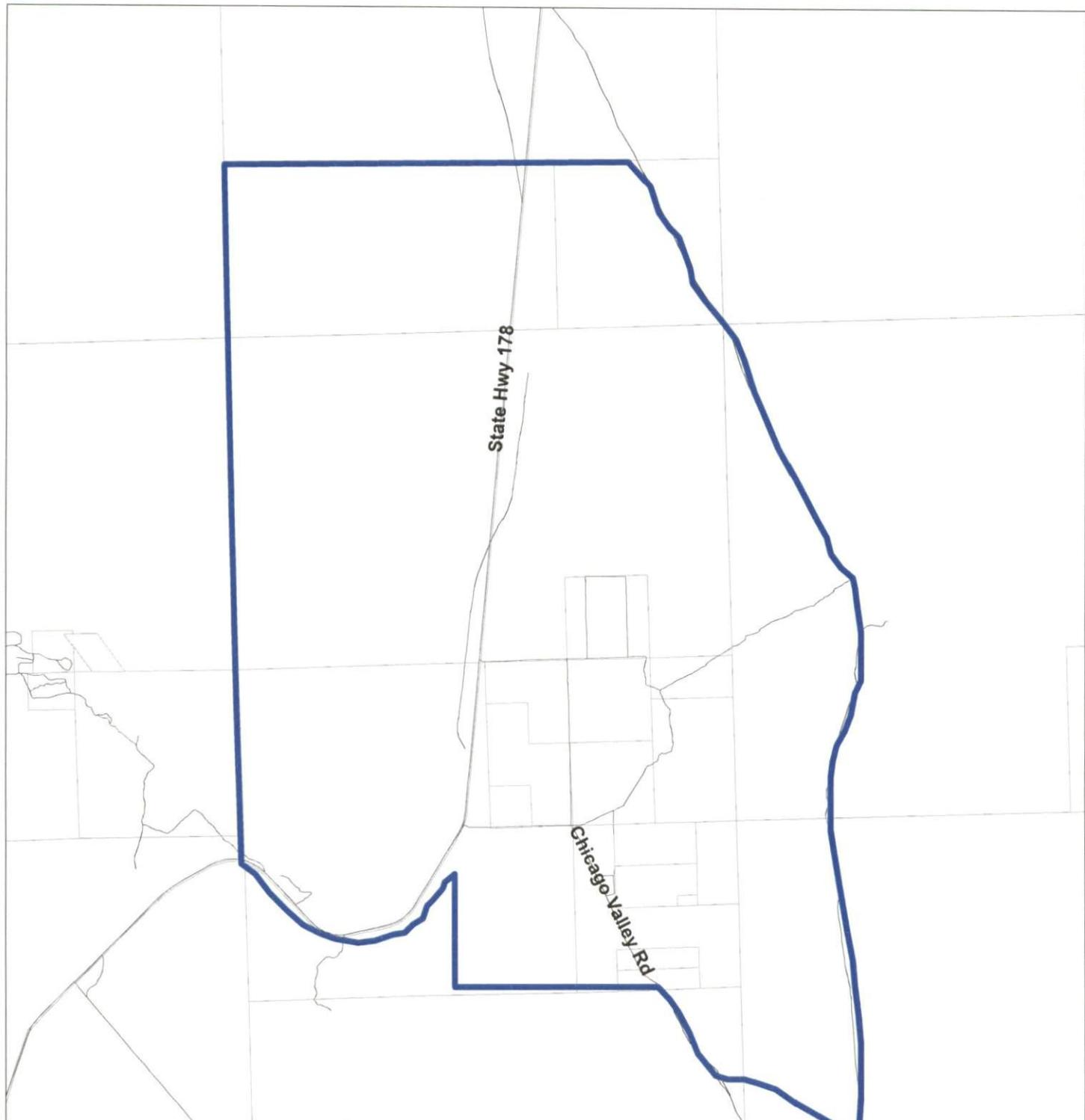
 Roads

0 1 2 Miles




Inyo County GPA No. 2010-03, April 26, 2011



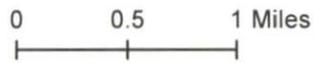


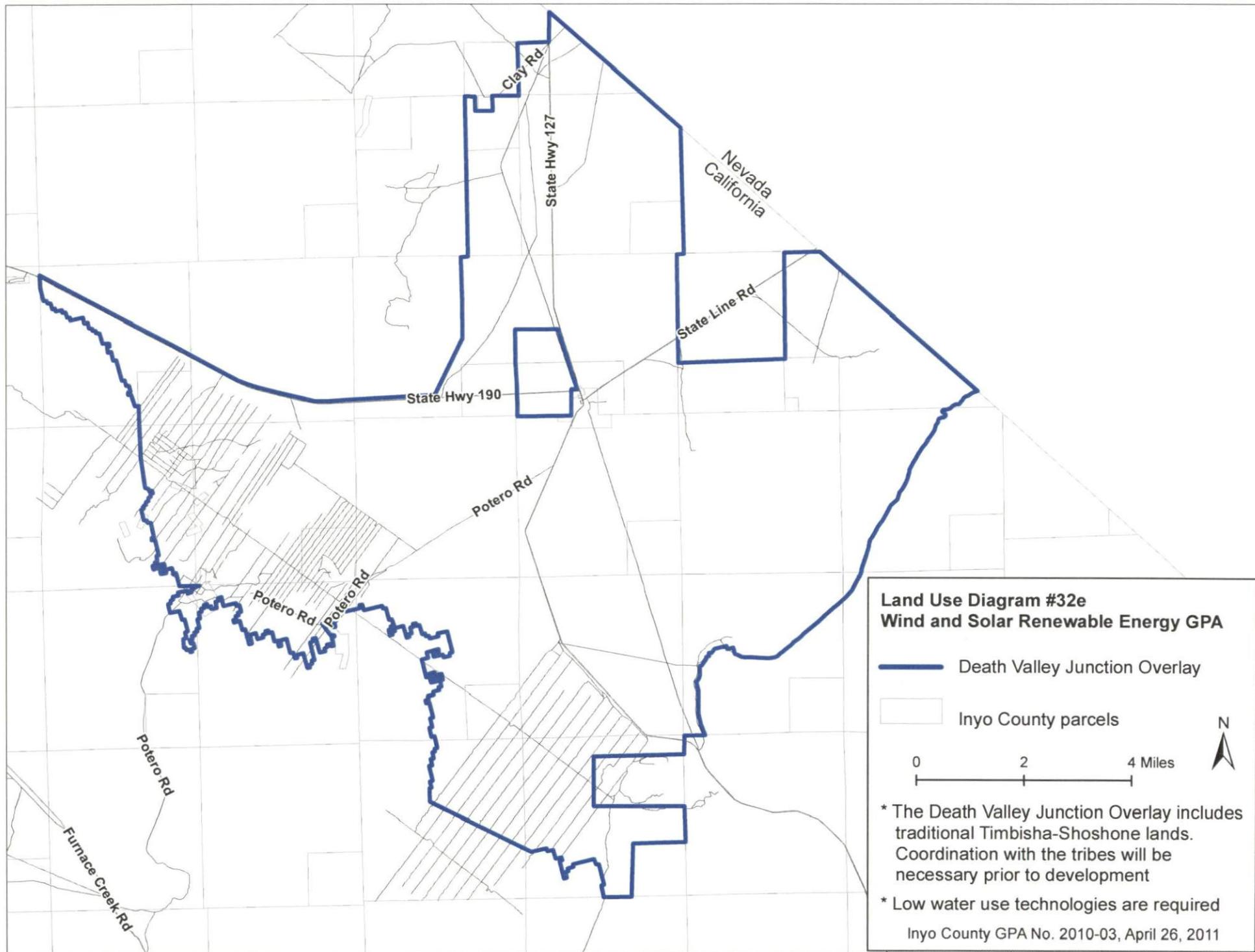
**Land Use Diagram #32d
Wind and Solar Renewable Energy GPA**

 Chicago Valley Overlay Boundary

 Inyo County parcels

 Roads





Land Use Diagram #32f
Wind and Solar Renewable Energy GPA

 Deep Springs Overlay Boundary

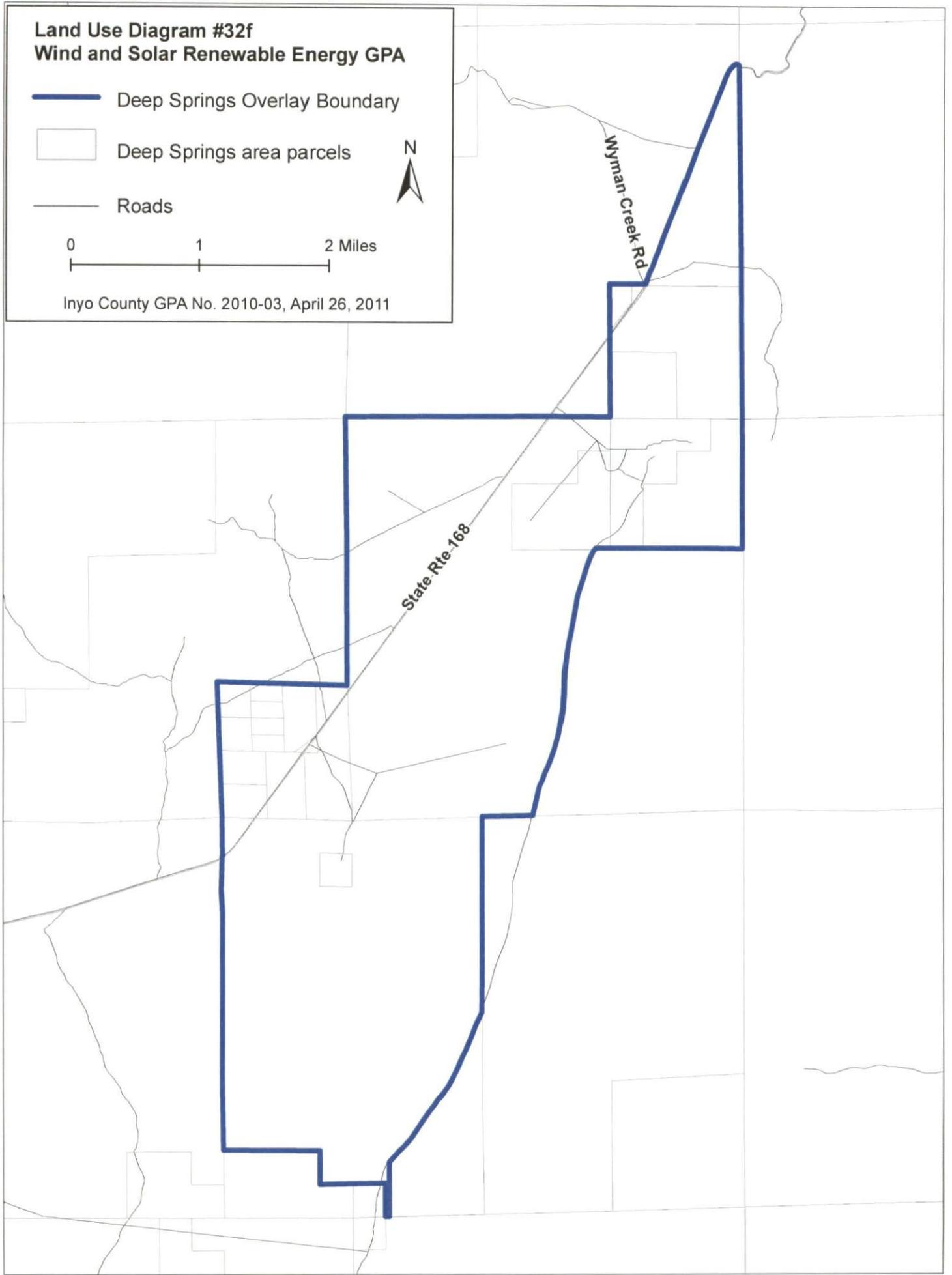
 Deep Springs area parcels

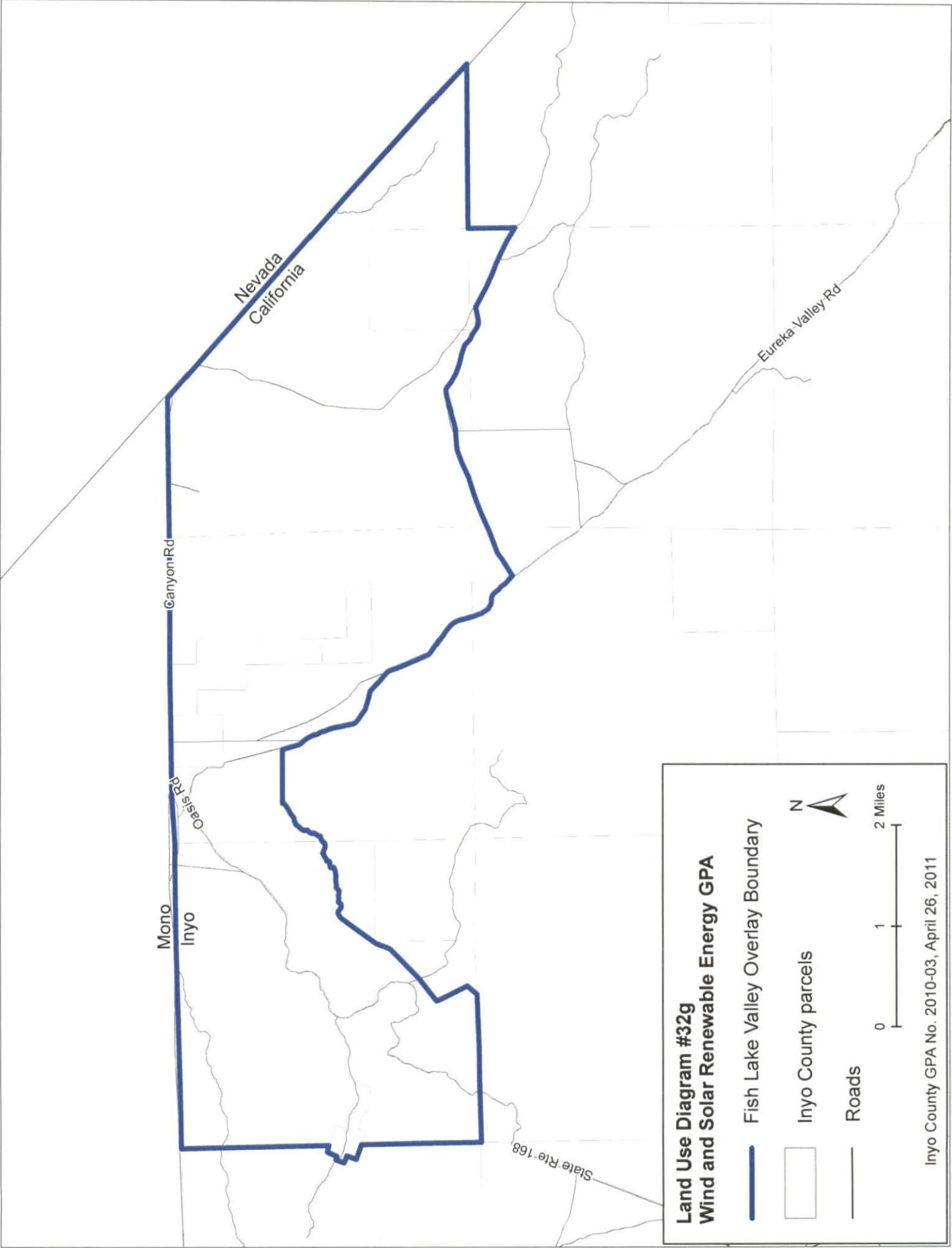
 Roads



0 1 2 Miles

Inyo County GPA No. 2010-03, April 26, 2011





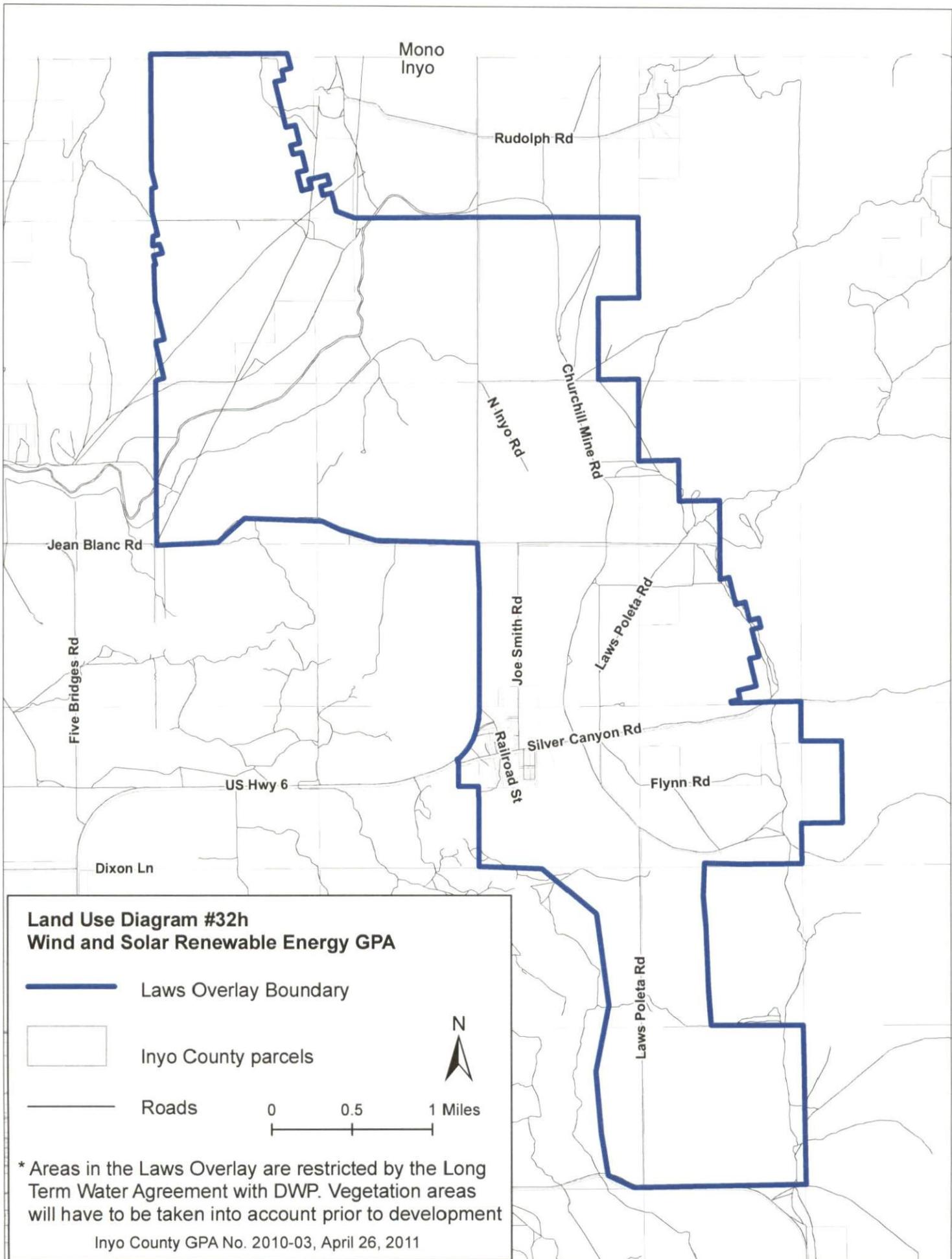
**Land Use Diagram #32g
Wind and Solar Renewable Energy GPA**

— Fish Lake Valley Overlay Boundary

▭ Inyo County parcels

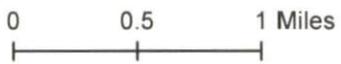
— Roads





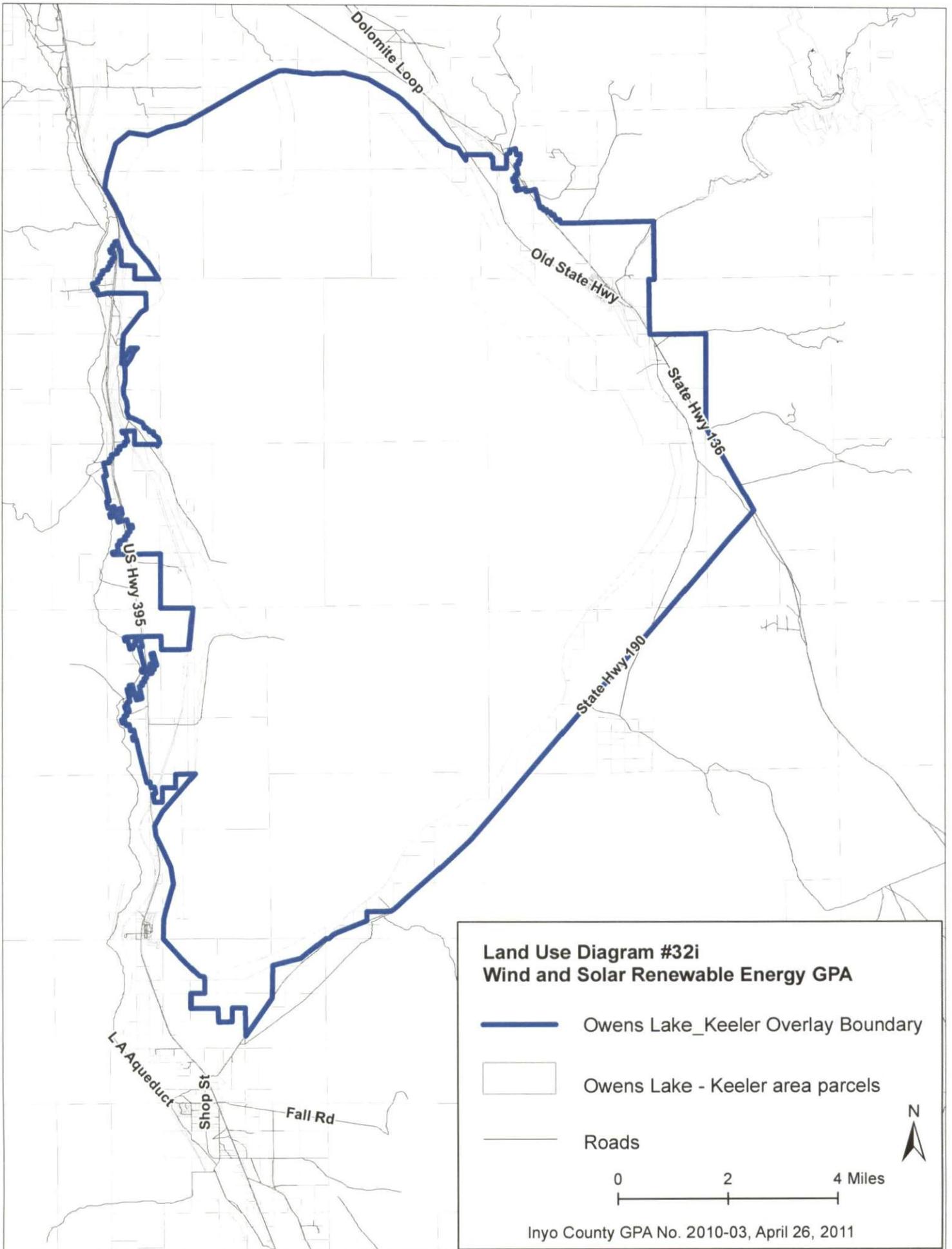
**Land Use Diagram #32h
Wind and Solar Renewable Energy GPA**

-  Laws Overlay Boundary
 -  Inyo County parcels
 -  Roads
- 



* Areas in the Laws Overlay are restricted by the Long Term Water Agreement with DWP. Vegetation areas will have to be taken into account prior to development

Inyo County GPA No. 2010-03, April 26, 2011

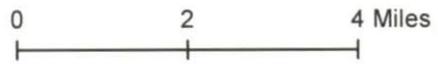


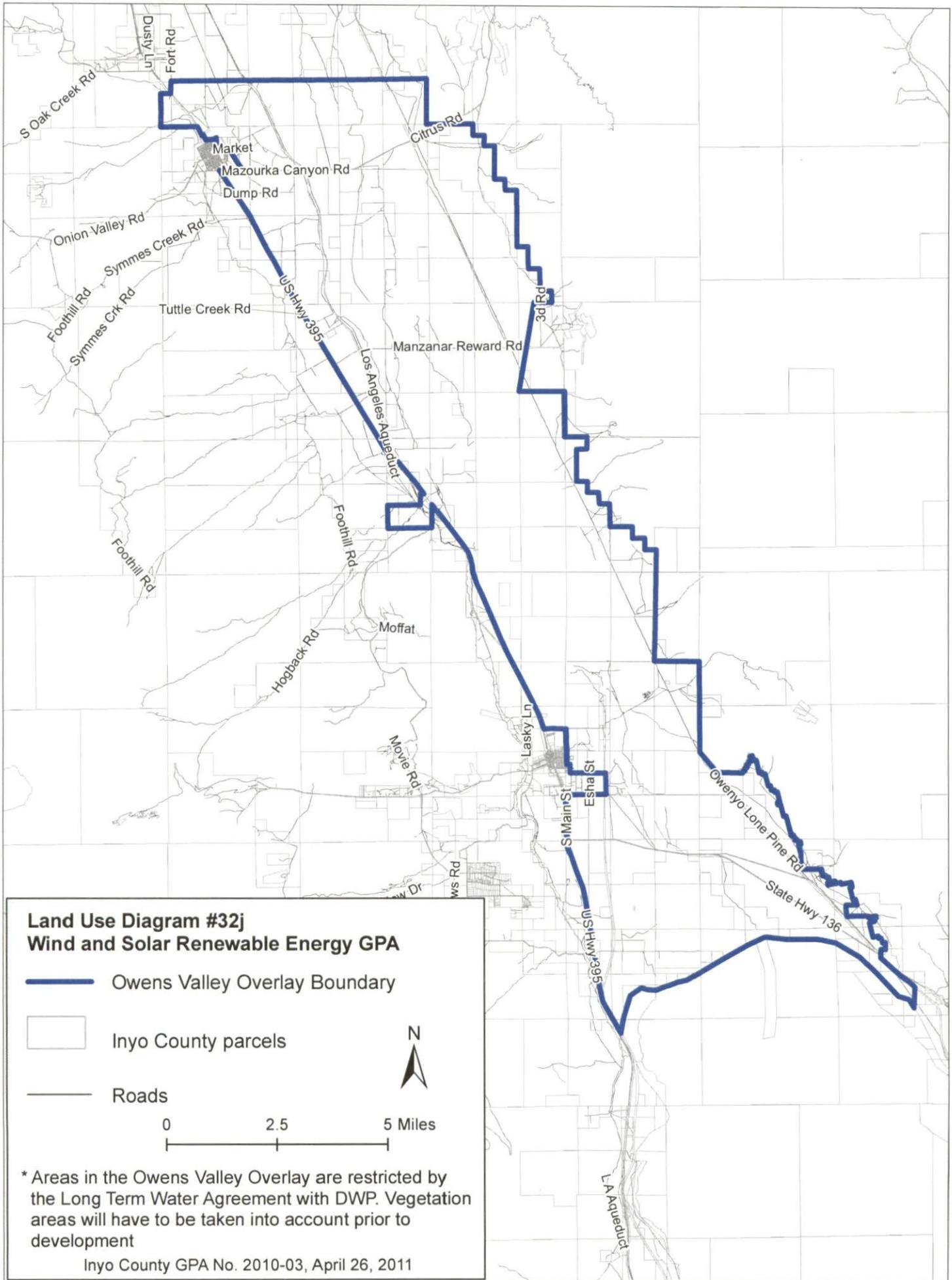
**Land Use Diagram #32i
Wind and Solar Renewable Energy GPA**

— Owens Lake_Keeler Overlay Boundary

□ Owens Lake - Keeler area parcels

— Roads





**Land Use Diagram #32j
Wind and Solar Renewable Energy GPA**

— Owens Valley Overlay Boundary

□ Inyo County parcels

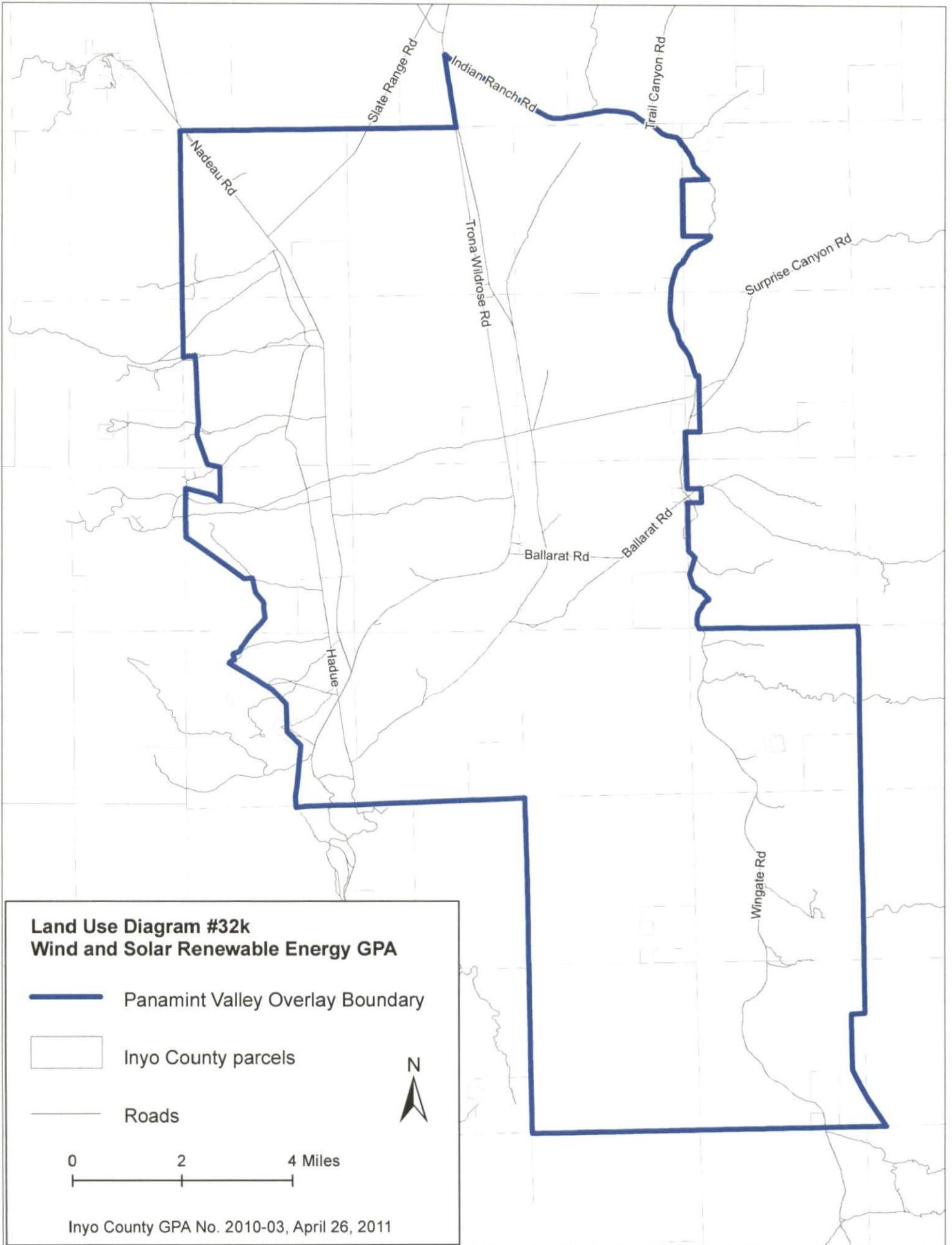
— Roads



0 2.5 5 Miles

* Areas in the Owens Valley Overlay are restricted by the Long Term Water Agreement with DWP. Vegetation areas will have to be taken into account prior to development

Inyo County GPA No. 2010-03, April 26, 2011



**Land Use Diagram #32k
Wind and Solar Renewable Energy GPA**

-  Panamint Valley Overlay Boundary
-  Inyo County parcels
-  Roads



0 2 4 Miles

Inyo County GPA No. 2010-03, April 26, 2011

**Land Use Diagram #321
Wind and Solar Renewable Energy GPA**

 Pearsonville Overlay Boundary

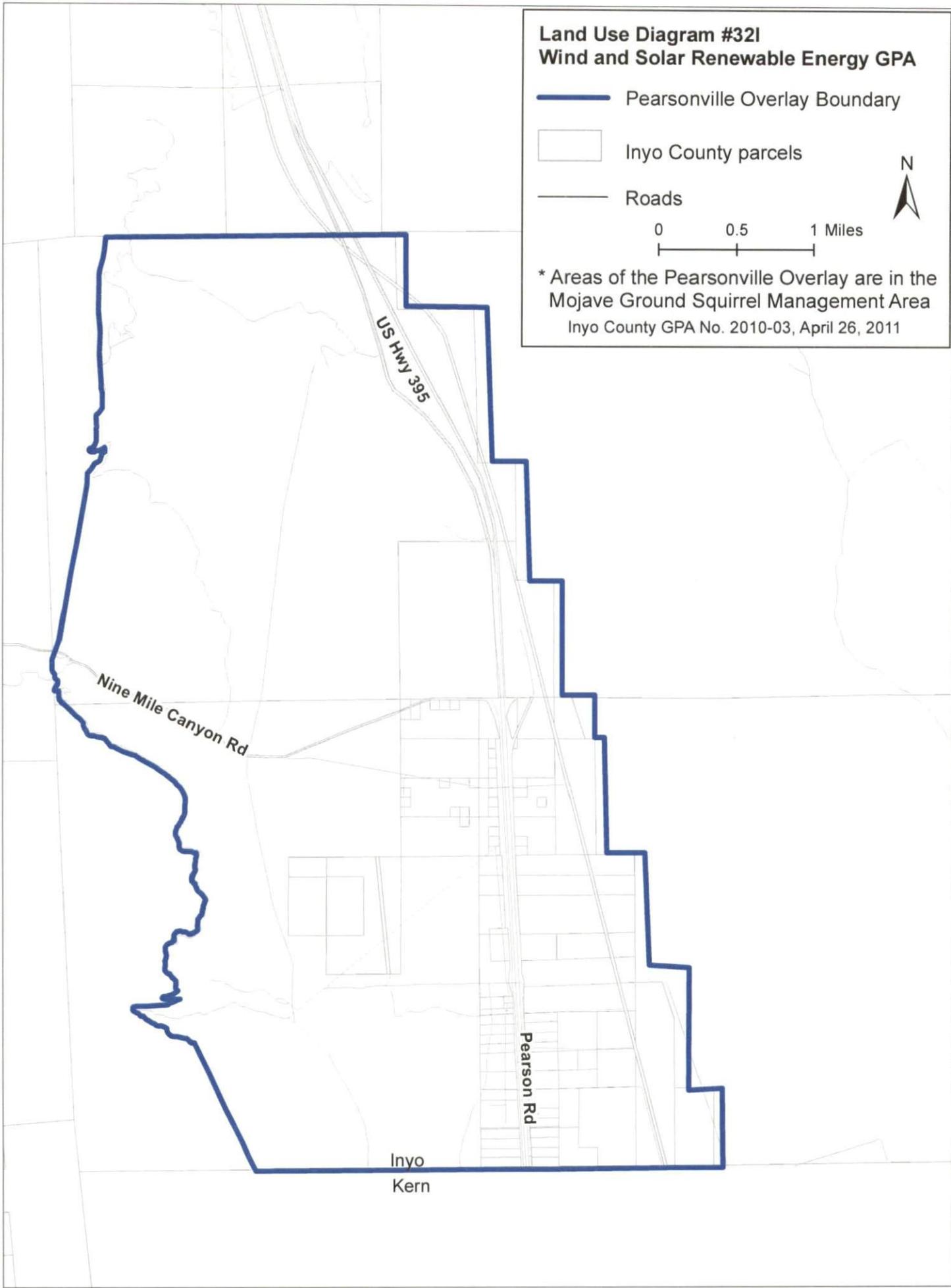
 Inyo County parcels

 Roads

0 0.5 1 Miles



* Areas of the Pearsonville Overlay are in the
Mojave Ground Squirrel Management Area
Inyo County GPA No. 2010-03, April 26, 2011



Nine Mile Canyon Rd

US Hwy 395

Pearson Rd

Inyo
Kern

**Land Use Diagram #32m
Wind and Solar Renewable Energy GPA**

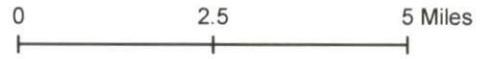
— Rose Valley Overlay Boundary

□ Inyo County parcels

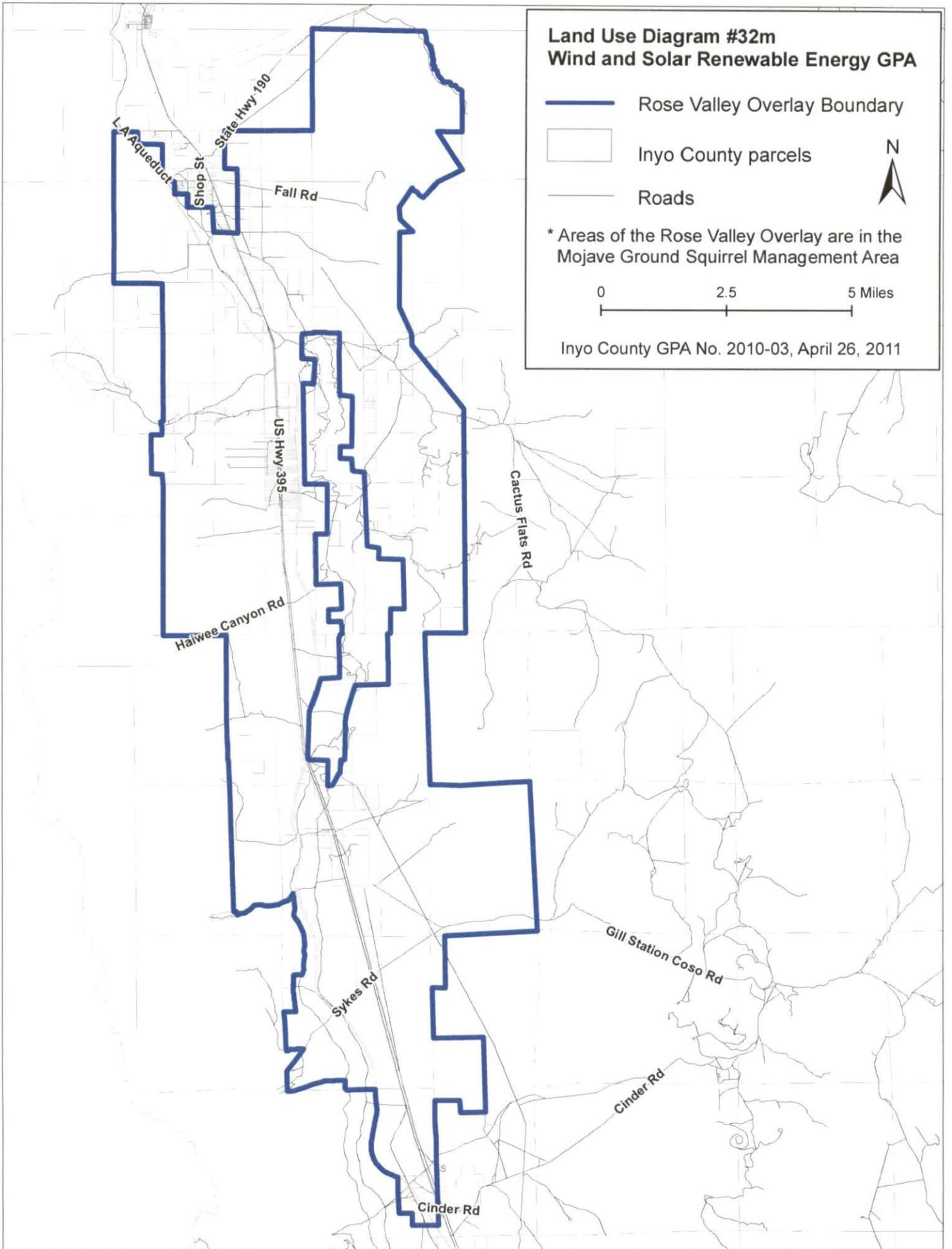
— Roads



* Areas of the Rose Valley Overlay are in the Mojave Ground Squirrel Management Area



Inyo County GPA No. 2010-03, April 26, 2011



**Land Use Diagram #32o
Wind and Solar Renewable Energy GPA**

— Tecopa Overlay Boundary

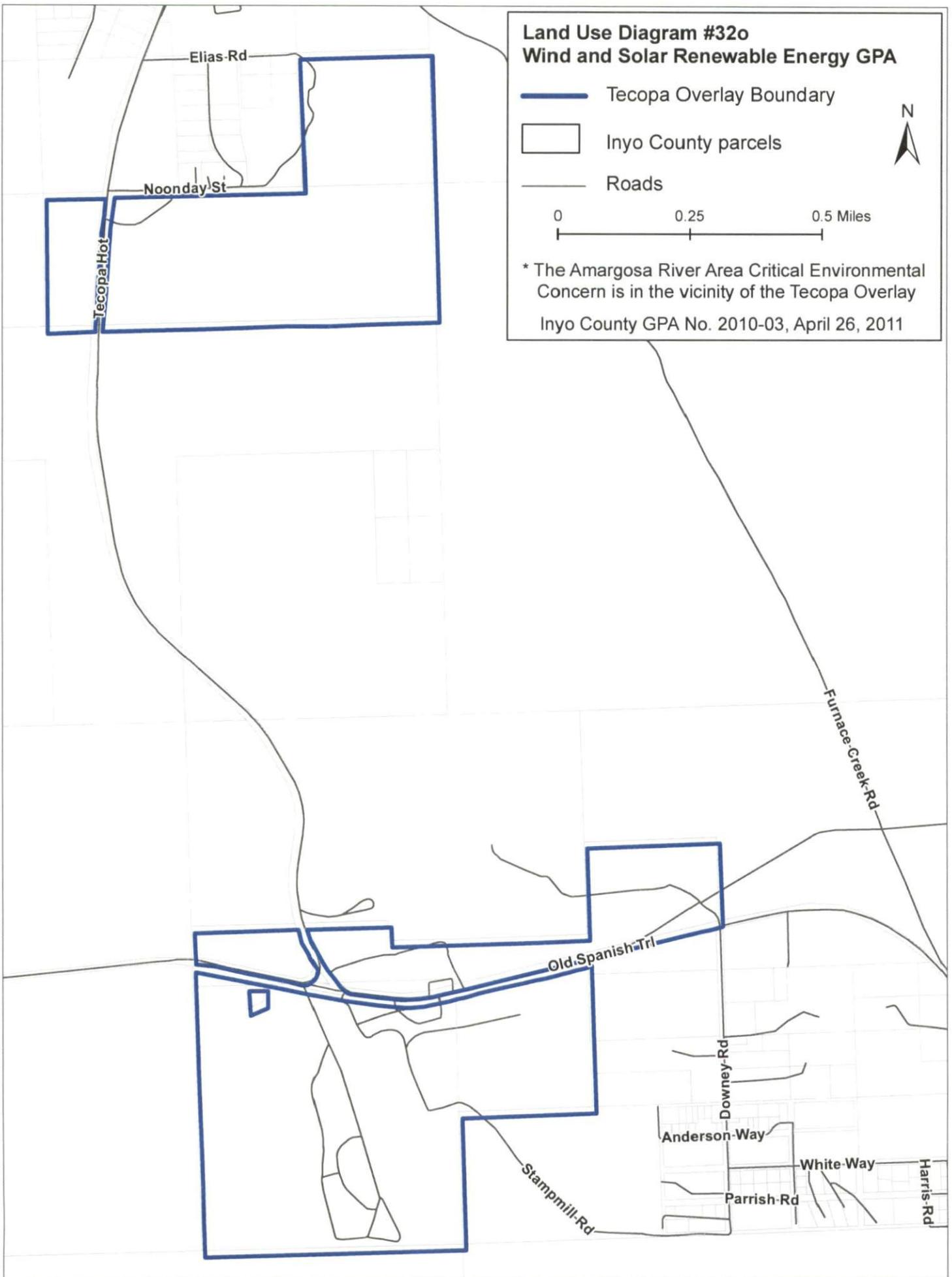
□ Inyo County parcels

— Roads



0 0.25 0.5 Miles

* The Amargosa River Area Critical Environmental Concern is in the vicinity of the Tecopa Overlay
Inyo County GPA No. 2010-03, April 26, 2011



**Land Use Diagram #32p
Wind and Solar Renewable Energy GPA**

 Trona Overlay Boundary

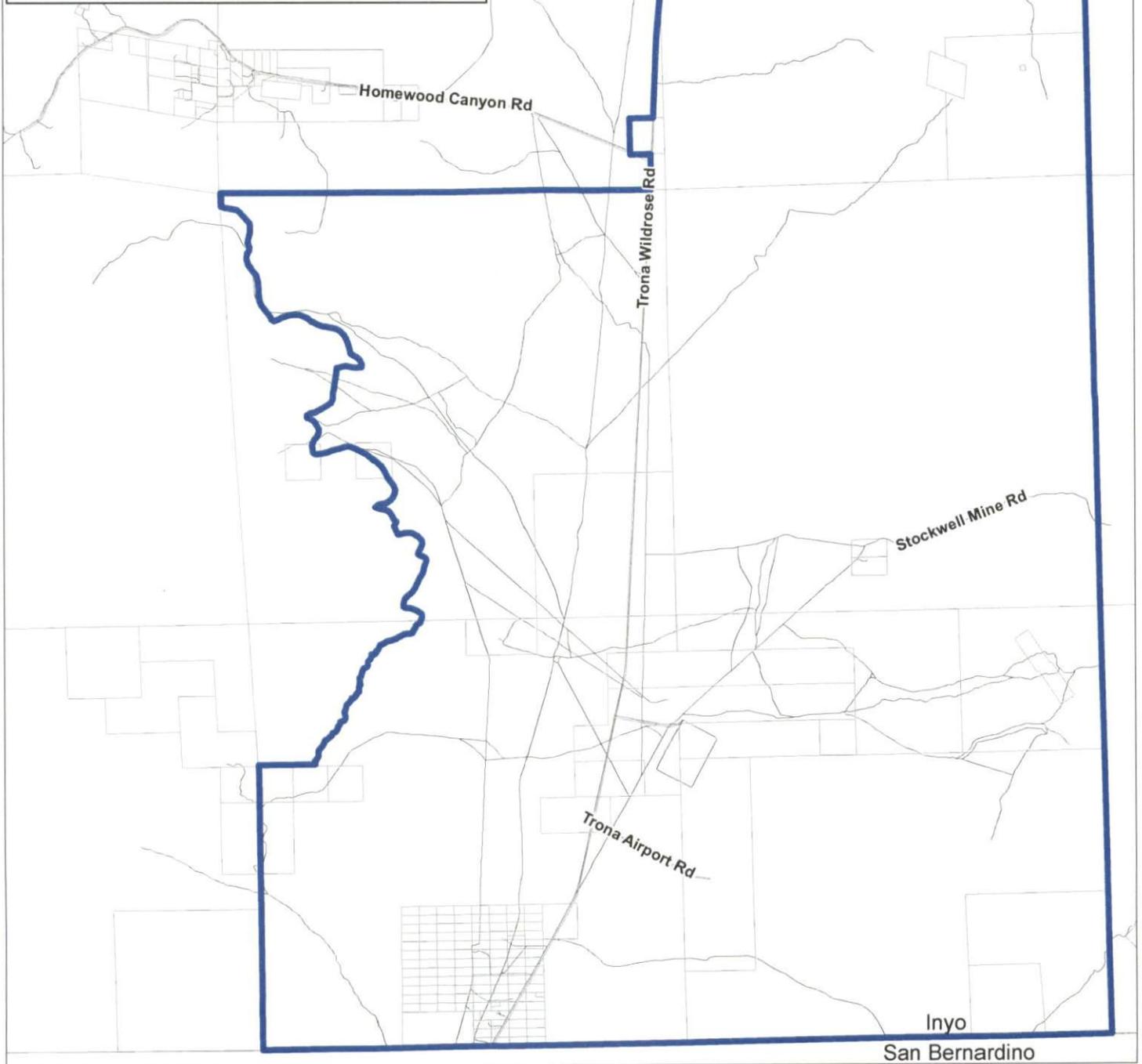
 Inyo County parcels

 Roads



0 1 2 Miles

* Areas of the Trona Overlay are in the Mojave
Ground Squirrel Management Area
*California Towhee is found in the Trona Overlay
Inyo County GPA No. 2010-03, April 26, 2011





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 1:00 p.m. Closed Session Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: April 2, 2013

SUBJECT: 2013 Community Development Block Grant (CDBG) Notice of Funding Availability (NOFA).

DEPARTMENTAL RECOMMENDATION:

Request the Board of Supervisors: 1) Conduct the second public hearing for the 2013 CDBG NOFA; 2) receive a presentation from staff on the general projects that were discussed at the February 26, 2013 hearing and how they do/do not qualify for CDBG funding; 3) Review and approve the projects staff has recommended for funding; 4) review and approve a Resolution approving an application for funding and authorize the Chairperson to execute the grant agreement.

SUMMARY DISCUSSION:

The Community Development and Economic Development Allocations of the State CDBG program, publishes a combined "Notice of Funding Availability" (NOFA) each program year. Eligible cities and counties may submit applications for CDBG funds under the NOFA. It is estimated that up to \$2,000,000 will be available in total to the County.

Eligible activities under the above allocations in the NOFA consist of:

- homeownership assistance and housing rehabilitation programs;
- public facility and public improvements projects (including public improvements in support of new housing construction);
- public service programs;
- planning studies; and,
- economic development business assistance and microenterprise activities.

Eligible activities paid for with state CDBG funds must meet one or more of the three national objectives listed in CDBG federal statutes as follows:

- benefit to low income households or persons;
- elimination of slums and blight; or,
- meeting urgent community development need.

On February 26, 2013 your Board heard a presentation from Planning and Public Works staff, Ms. Pam Hennarty from Mammoth Lakes Housing and Sheriff Bill Lutz about projects that there was an interest in pursuing CDBG funding for. After hearing about these projects your Board directed staff to research the income limits imposed on CDBG projects to meet the 'benefit to low income households or persons' objective and bring back information on which projects do and do not meet these income qualifications. Neither of the other two objectives: 'elimination of slums and blight, or meeting an urgent community

development need' (these are to be submitted as needed and on a case by case basis) fit the projects being discussed. The specific projects included:

First Time Homebuyers Assistance Program:

Mammoth Lakes Housing is requesting that the County consider approving a CDBG application for a First Time Homebuyer Assistance Program. The program would provide down payment assistance loans to first-time homebuyers earning less than 80% of the Area Median Income (AMI). In Inyo County, 80% of the AMI for a family of four is \$52,400.

The First Time Homebuyer Assistance Program proposal is being presented as a turn-key program that will demand little of County staff resources, and limit the County's fiscal risk. Mammoth Lakes Housing would administer the grant agreement and the Program through a sub-recipient agreement with the County. This agreement would be part of the CDBG application approved by the Board. Mammoth Lakes Housing would be responsible for approval of all applicants. County staff will be responsible for managing the sub-recipient agreement, review and approve funding requests, and review and sign off on quarterly, annual and final reports prepared by Mammoth Lakes Housing. The County would pre-fund any down payment assistance loans to the escrow company and would be reimbursed by the State of California Department of Housing and Community Development. Reimbursement is usually received within 4-6 weeks. Unlike many site-specific CDBG projects, the First Time Homebuyer Program would benefit qualified applicants countywide.

Planning Project: A Neighborhood Plan for Charleston View

Pending a final decision by the California Energy Commission (CEC), the Hidden Hills Solar Electric Generating System (HHSEGS) will be developed on a project site consisting of 3,277 acres of privately owned land in the small and remote community of Charleston View, located in southeast section of Inyo County, adjacent to the Nevada State border. Currently, Charleston View is comprised of older single-family homes (many are mobile homes) in an area with limited private or public services. There are no grocery stores, restaurants or gas stations; the majority of people who live in Charleston View drive approximately 25-miles to Pahrump, Nevada for services. There is also no public sewer or water system in the area and the roads are. The residents of Charleston View are primarily low-income and are relatively detached from mainstream Inyo County. They also have had no influence in the destiny of their small community as the CEC is responsible for the decisions regarding the solar plant. Charleston View will be forever challenged and changed by the construction of this very large solar power generating facility. The Board of Supervisors may consider approving a CDBG application to develop a Neighborhood Plan for Charleston View.

Public Works Projects:

1. Independence Town Water System Transmission Line:

As the Board is fully aware, the County of Inyo faces numerous challenges in the area of infrastructure improvements. High on the list for immediate attention is the Independence Town Water System transmission line. This eighty plus year old conveyance conduit presents significant exposure to catastrophic failure. The complete replacement of the approximately 3,000 linear feet of antiquated, thin walled, steel line would provide significant augmentation to the substantial improvements completed in 2002 -2003 and greatly enhance the overall viability of the entire system. Implementation of this project would create multiple benefits for the citizens of Independence, including: substantially improved dependability, safety, better water quality, and future cost savings as it relates to increased fees associated with infrastructure improvements. The estimated cost for complete transmission line replacement is \$375,000 - \$400,000.

2. County Animal Shelter Replacement:

County officials have worked for many years to generate adequate funding for the replacement of the County animal shelter located in Big Pine. The recent revitalization of these efforts has resulted in the identification of approximately \$300,000 available for use as "seed money" for a project that would result in a countywide benefit. Supplementation of these privately raised funds with \$150,000 of CDBG funding would make the desired goal of \$650,000 - \$700,000 attainable. The successful implementation of this project would result in the construction of an approximately 4,000 square-foot facility designed specifically for the humane care of displaced canines and felines. In addition, the potential for a large animal (horse) component exists.

3. Phase 2 of the Community Service Area 2 (CSA2) Sewer Replacement:

Fiscal year 2013/2014 will see the completion of phase 1 of the CSA2 sewer replacement project (Integrated Regional Water Management Plan - CSA2 funded). A CDGB grant of \$250,000 would provide adequate funding for implementation of Phase 2, resulting in approximately 80% completion of the entire project. The residents that make up CSA2 have been extremely prudent in the development of a sinking fund for the purpose of maintaining the system, augmentation via CDBG would ensure future viability providing a benefit to the residents who rely on this system

4. Lone Pine Town Water System Storage Tank:

The Lone Pine Town Water System storage tank is in desperate need of cathodic protection. The nearly \$1,250,000 of past investment is showing signs of internal corrosion associated with the naturally occurring process of electro chemical reaction. The remediation of this phenomenon can be accomplished through the installation of a cathodic protection system. The completion of this project would significantly increase the life expectancy of the tank, resulting in a substantial benefit to the people of Lone Pine through reduction in potential rises in costs to the consumer, as well as, better water quality. Estimated cost is \$40,000.

ANALYSIS

Staff has reviewed the above list of projects along with the standards, as provided for by the Department of Housing and Urban Development (HUD) and found the following:

- 1. First Time Homebuyer Assistance Program:** Since the First Time Homebuyer Assistance Program is designed to help households who meet the income qualifications, each household that applies to the First Time Homebuyer Assistance Program will be required to provide proof of their incomes. Therefore, this project can meet the benefit to low income households or persons objective. Mammoth Lakes Housing is requesting the County apply under Housing Activities for \$600,000 for the First Time Homebuyer Assistance Program.
- 2. A Neighborhood Plan for Charleston View:** For an area specific project to qualify, the specific area must show that 51% of the area households are documented as Low-Mod by HUD. This means that 51% of the households in the area make 80% or less of the County's median income. Charleston View is difficult to isolate as an area on its own. The closest staff could get, with the geographic limitations imposed by HUD, was by Census Block Group. In this case staff used Census Block Group 7001 and found that 35% of households met the Low-Mod limitations, effectively disqualifying 'A Neighborhood Plan for Charleston View' for CDBG funding.

3. **Independence Town Water System Transmission Line:** Service area specific projects, like the Independence Community Service District (CSD), must show that 51% of the residents in the service area are documented as Low-Mod by HUD. This means that 51% of the households in the Independence CSD make 80% or less of the County's median income. The Independence CSD, like Charleston View is impossible to evaluate by itself. The closest staff could get, with the geographic limitations imposed by HUD, was by Census Block Group. In this case staff used Census Block Group 5002 and found that 29% of households met the Low-Mod limitations, effectively disqualifying the 'Independence Town Water System Transmission Line' for CDGB funding.
4. **County Animal Shelter Replacement:** A County Animal Shelter Replacement would be considered a benefit to everyone in the County, and therefore, all of the County would be included in its service area. The County as a whole does not qualify with 42% of households meeting the Low-Mod limits, effectively disqualifying 'A County Animal Shelter Replacement' for CDBG funding.
5. **Phase 2 of the Community Service Area 2 (CSA2) Sewer Replacement:** CSA2 is located in Aspendell. Aspendell, like the other project areas is impossible to evaluate by itself. The closest staff could get, with the geographic limitations imposed by HUD, was by Census Block Group. In this case staff used Census Block Group 2001 and found that 21% of households met the Low-Mod limitations, effectively disqualifying 'CSA2 Sewer Replacement for CDBG' funding.
6. **Lone Pine Town Water System Storage Tank:** The Lone Pine Community Service District (CSD) area is located within Census Block Groups 6001 and 6002 and like the other listed project areas, the CSD cannot be isolated by itself, and therefore, Census Block Groups had to be used. Census Block Groups 6001 and 6002 do meet HUDs Low-Mod income limitations with 52% of households qualifying. The Public Works Department has identified many projects for the failing Lone Pine water system and has added to the original proposal for projects under the Public Improvement Activities category as the 'Lone Pine Water System Improvement Project Phase 1'.

After evaluating these projects against the income limits imposed on CDBG projects by HUD to meet the 'benefit to low income households or persons', staff is recommending the County apply for \$2,000,000 under the CDBG NOFA for the following eligible activities:

Public Improvement Activities:

Lone Pine Water System Improvement Project Phase 1. Estimated Total cost \$1,325,000, breakdown:

Activities – \$1,141,258

1. Reroute and replace approximately 2000 linear feet of 12 inch steel pipe with 16 inch C905 pvc pipe.
2. Install cathodic protection in the 500,000 gallon storage tank.
3. Replace 30 fire hydrants.
4. Replace approximately 3500 linear feet of 4" to 6" main line.
5. Misc. valve replacement.
6. Additional 250,000 gallon storage tank.

General Administration – \$92,442

Activity Delivery – \$91,301

Planning and Technical Assistance Activities:

Lone Pine Water System Rate Study. Estimated cost - \$75,000.

The planning and technical assistance planning funding requires a 5% cash match from the County for a total of \$3,750.

Housing Activities:

Homeownership Assistance Program - Estimated Total cost \$600,000, breakdown:

Activities – \$516,796

General Administration – \$41,860

Activity Delivery – \$41,344

ALTERNATIVES:

- Do not agree to approve the projects staff has recommended for funding or authorize the Chairperson to sign a Resolution by the County approving an application for funding and the execution of a grant agreement from the allocation of the State CDBG Program.
- Approve a subset of the projects recommended by staff.

OTHER AGENCY INVOLVEMENT:

Mammoth Lakes Housing

County Public Works Department

The Department of Housing and Urban Development (HUD)

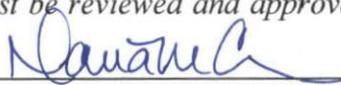
The Department of Housing and Community Development (HCD)

FINANCING:

If the Board decides to proceed with the CDBG application process, it will require staff resources to coordinate with the applicants in the preparation of the grant applications. If the Board subsequently chooses to participate in a project with CDBG funding, staff time will also be required to manage and coordinate projects.

ATTACHMENTS:

- Resolution.

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>  Yes <u>3/20/13</u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i>

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



Date: 3-27-13

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE \$2,000,000 ALLOCATION OF THE STATE CDBG PROGRAM

WHEREAS, for the Federal funding year 2013-2014 the California Department of Housing and Community Development (HCD) announced the availability of Community Development Block Grant (CDBG) funding allocated to the State from the Department of Housing and Urban Development (HUD); and

WHEREAS, HCD will be accepting applications for CDBG funding, due no later than April 12, 2013; and

WHEREAS, County staff has evaluated projects for CDBG funding and provided at list of qualifying projects to this Board;

NOW, THEREFORE, BE IT HEREBY RESOLVED that this Board supports submittal of an application for CDBG funding year 2013-2014, as follows:

SECTION 1:

The Board of Supervisors has reviewed the proposed list of projects and hereby approves an application for up to \$2,000,000 for the following activities:

Public Improvement Activities:

Lone Pine Water System Improvement Project Phase 1. Estimated cost \$1,325,000.

Planning and Technical Assistance Activities:

Lone Pine Water System Rate Study. Estimated cost - \$75,000.

The planning and technical assistance planning funding requires a 5% cash match from the County for a total of \$3,750.

Housing Activities:

Homeownership Assistance Program - \$600,000.

SECTION 2:

The Board has determined that the Citizen Participation requirements were met by the County with two public hearings, the first on March 26, 2013 and the second on April 2, 2013, meeting the requirement of 30-days between the two hearings.

SECTION 3:

The Board hereby approves the use of Local Funding Sources in the amount of \$3,750 to be used as the County's cash match for the for Technical Assistance activity in this application:

Lone Pine Water System Rate Study, General Funds Cash Match: \$3,750.

SECTION 4:

The County hereby authorizes and directs the County Administrative Officer, or designees, to sign this application and act on the County's behalf in all matters pertaining to this application.

SECTION 5:

If the application is approved, the County Administrative Officer, or designees, is authorized to enter into and sign the grant agreement and any subsequent amendments with the State of California for the purposes of this grant.

SECTION 6:

If the application is approved, the County Administrative Officer, or designees, is authorized to sign Funds Requests and other required reporting forms.

PASSED AND ADOPTED THIS 2ND DAY OF APRIL, 2013:

AYES:
NOES:
ABSTAIN:
ABSENT:

Linda Arcularius
Chairperson, Inyo County Board of Supervisors

ATTEST:

KEVIN CARUNCHIO
Clerk of the Board

By _____
Pat Gunsolley, Assistant

Preferred Septic & Disposal

1280 N. Main St. Suite I

Phone 760-873-5699

Fax 760-873-4452

January 16, 2013

Inyo County Board of Supervisors
224 North Edwards Street
Independence, California 93526

Re: Proposed Improvements to Inyo County's Local/Small Business
Preference Ordinance-Chapter 6.06 of the Inyo County Code

RECEIVED
2013 FEB -6 PM 12:02
INYO COUNTY
ADMINISTRATOR
CLERK OF THE BOARD

Dear Board Members:

I am CEO and sole shareholder of Preferred Septic and Disposal Incorporated, a California corporation with its principal office in Bishop. As you know, in response to an Inyo County request for proposals (RFP), Preferred Septic recently submitted the successful proposal, and was awarded a three-year contract for the provision of trash-hauling services at various County facilities.

As I prepared that proposal, I became familiar with the wording and the County's interpretation of the "contracting preferences" sections of Chapter 6.06 of the Inyo County Code, which the County had incorporated into the trash-hauling RFP.

According to the "findings" it made at the time, which by the way I agree with, the Board enacted Chapter 6.06 (also known as the "Local/Small business Preference Ordinance") in 2010 to strengthen the local economy by requiring Inyo County, in awarding contracts, to grant preference to local and small business to the maximum extent permitted by law.

Unfortunately, I discovered that, as it is worded and being used, Chapter 6.06 does not further this effort. It actually, thwarts it. But I also found that, with a few changes in word and practice the ordinance could better serve its purpose, and so respectfully offer those improvements for your consideration.

The "preference" in the County's local business preference ordinance is given in County Code 6.06.04: **"for all contracts awarded by Inyo County."** If a local business submits a bid that is no more than 8% higher than a lower bid submitted by a non-local business, the local business **"shall be awarded the contract"** even though in a departure from the custom in public contracting, it did not submit the low bid.

The language seems comprehensive by its own terms it applies to all contracts **awarded** by the County- and it very clearly **requires** the County to award a contract to the local business under the circumstances stated. But the County's trash-hauling RFP (which resulted in a contract) allowed for a different outcome. It stated that, of the 100 possible points by which each proposal would be scored, only 55 would be allocated to the respondent's monthly price quote after the local business preference had been applied to those quotes.

Consequently, as applied under the RFP, the local business preference was only a component of a total proposal score; it was not the main factor the County would use to decide to whom the contract must be awarded as is plainly required by Code 6.06.04.

The reason for this, I think, is that the County didn't feel it wise or appropriate to strictly follow Code 6.06.04 in an "RFP" context where services are sought and price is not the only consideration. Correspondingly, in the RFP the County took price and the local preference into account in scoring proposals, but made neither the deciding factor.

I agree that the County should take more than price into consideration in deciding to whom it should award contracts for services. I also agree that, as worded, in Code 6.06.04 doesn't work in an RFP-for-services. In fact, by using the word "**bid**" alone and not "**bid or proposal**" and by producing an outcome objectively, based on simple arithmetic, Code 6.06.04 seems intended for use in the acquisition of goods and supplies, not services.

(For what it's worth, according to its website, the County of Fresno has adopted language identical to Inyo County in its local-business preference ordinance, but limits its use to the purchase of goods and supplies.)

As the owner of an affected business, my bigger point is that I think the County has two options: it can follow the current wording of Code 6.06.04, and award contracts accordingly, or, if it doesn't work in RFPs for services, the County can change that wording so it does. Ignoring the plain language of that section which the County appears to be doing, is not a legitimate third option, in my opinion.

Therefore, if for no reasons than to enable it to act consistently with its own laws, the County should amend Code 6.06.04 to distinguish between how it will apply the local (as well as small) business preference in procuring goods and supplies via a "bid" process, versus how it will apply the preference in procuring services via the RFP "proposal" process.

Specifically, that section should be amended to state that, in the procurement of goods and supplies the County will apply the local/small business preference objectively (i.e., consistently with its current wording) but that, in the procurement of services via an RFP, the preference will be given such weight as the Board of Supervisors may give it when it approves the RFP. This would simply codify what appears to be the County's practice.

Now, while this amendment might minimize the potential for the County to violate the letter of its local business preference ordinance, this clarification Code 6.06.04 would still allow it, unintentionally perhaps, to violate the spirit of that ordinance.

That is because, in exercising its discretion in giving "such weight" to the local business preference as it may choose in approving the RFP, the Board could significantly, albeit unintentionally, dilute the importance of that preference in the proposal-scoring process, rendering the "preference" no preference at all.

For this reason I would also recommend that, in approving the scoring allocation in future County RFPs for services, the County give significant weight to a respondent's price and likewise to the local business preference, so that the preference is accorded the importance intended by the Board when it enacted Chapter 6.06.

Frankly, however, neither of these improvements will be of any practical effect if the Board does not take an additional step and define the term "local business" in Chapter 6.06 to really mean a "local" business.

As the County now defines and interprets it, a "local business" under ordinance includes any that have a "distribution point" whether of goods or services – somewhere in Inyo County. It bears repeating: the

County and its Code say that any business of any size or principal location that has a distribution point of goods or services in Inyo County is entitled to the benefits of the County's local business preference.

Respectfully, this cannot be what the Board intended. It could not possibly have intended that Shell Oil – a global, multi-billion dollar Dutch corporation could qualify as a "local business" under the County's "local business preference" ordinance. Clearly, the County's use of such a definition thwarts the very purpose of that ordinance to give truly "local" businesses a slight preference over non-local businesses in the award of County contracts.

Fortunately, the Board can close this "loophole" in Chapter 6.06 easily, literally with one word. All it need do is require that businesses must have its "principal" or "primary" distribution point in Inyo County in order to qualify as a local business (the definition appears in Code 6.06.020.1). This would go a long way toward ensuring that only ACTUAL "local businesses" benefit from the local business preference, as the Board intended.

A conscious attention to detail is, in my view, absolutely necessary for any legislation whether local or national if only to retain the confidence of your constituents who want to see that the County Board of Supervisors means what it says. The ordinance, in its present form, offers an excellent opportunity to do just that.

For example, the Ordinance states at the beginning that providing contracting preferences ... **benefits local small business**, also furthering the goal of building and maintaining a healthy local economy. Yet, notwithstanding this worthy goal, the ordinance never tells anyone what a "local small business" is. It defines "local business," it defines "small business," but not only fails to define "local small business," it never mentions the subject again.

That kind of language is very confusing, and it needs to be fixed. My suggestion is that a "local small business" be defined to include the attributes of both "local business" and "small business" and that, to be consistent, it be assigned to the same percentage preference as a "local business" under the current version.

In closing, I want the Board to know that I understand that the ultimate purpose of the County's bidding process is to get the best deal for the public, not to further the interests of any particular business or group of business. I also appreciate that the Board's ability to grant contracting preference, of any type, is limited by the law.

As I said above I think the County's local business preference ordinance is a worthwhile endeavor, and believe that if, within these confines, it can be improved to better further its purposes, the Board should consider doing so. I am confident the Board agrees and so respectfully submits this letter.

Sincerely,



Dale Comontofski
President/CEO

Cc: Kevin Carrunchio, CAO
Randy Keller, County Counsel
Inyo County Director of Public Works



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
18-19-20
21-22-23
24-25-26

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

27-28

FROM: COUNTY COUNSEL

FOR THE BOARD MEETING OF: APRIL 2, 2013

SUBJECT: ISSUES TO BE DISCUSSED IN CLOSED SESSION

DEPARTMENTAL RECOMMENDATION:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code § 54956.9(d)(1)]. City of Los Angeles, Department of Water and Power of the City of Los Angeles v. Inyo County Board of Supervisors, et al. Inyo County Superior Court Case No. 12908; Blackrock 94 Dispute Resolution

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code § 54956.9(d)(1)].- Sprint Telephony PCS, LP et.al., v. State Board of Equalization et al., San Francisco Superior Court Case No. CGC-11-511398.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code § 54956.9(d)(1)]. Owens Valley Committee v. County of Inyo; Inyo County Board of Supervisors, et al.; CG Roxanne, LLC, and DOES 21 through 100 Inyo County Superior Court Case No. SICVPT 1354991

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code § 54956.9(a)] - Jesse Edwin Jason v. County of Inyo, Unfair Practice Charge No. SA-CE-814-M

PERSONNEL [Pursuant to Government Code § 54957]. Public Employee Appointment - Title: County Counsel.

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.

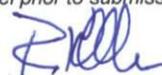
CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistant Association (EOAA) - Negotiators: Information Services Director Brandon Shults, and Labor Relations Administrator 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: Information Services Director Brandon Shults, and Labor Relations Administrator Sue Dishion.

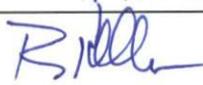
CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Information Services Director Brandon Shults, and Labor Relations Administrator Sue Dishion.

CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) - Negotiators: Information Services Director Brandon Shults, 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: Law Enforcement Administrators' Association (LEAA) - Negotiators: Information Services Director Brandon Shults, and Labor Relations Administrator Sue Dishion.

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.)
	<p align="right">  Approved: _____ Date <u>3-27-13</u> </p>

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

 3-27-13