Agenda

County of Inyo
Board of Supervisors

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

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

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

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

October 14, 2014

OPEN SESSION

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

1. ***PUBLIC COMMENT***

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

2. ***BOARD OF SUPERVISORS – Supervisor Matt Kingsley*** – Request Board approve a Resolution titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Supporting Measure D on the Ballot for the November 4, 2014 General Election to Provide Funding for Parcel Tax for Local Ambulance Service in Area 4 (Lone Pine.)"

3. ***CHILD SUPPORT SERVICES*** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the Administrative Analyst position comes from the Child Support Department, as certified by the Child Support Services Director, and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Administrative Analyst I-III, the vacancy could possibly be filled through an internal recruitment; and C) approve the hiring of one Administrative Analyst I-III, at Ranges 68 – 70 ($4,025 - $5,372), depending upon qualifications.

4. ***PROBATION*** – Request Board A) accept the bid from Redwood Toxicology Laboratory, Inc., for the provision of urine sample collection devices (supplies) and laboratory services; and B) approve the Contract between the County of Inyo and Redwood Toxicology Laboratory, Inc., for the provision of urine sample collection devices (supplies) and laboratory services in an amount not to exceed $100,000 for the period of October 15, 2014 through June 30, 2016, contingent upon the Board's adoption of future budgets, with an option to renew a third and fourth year; and authorize the Chairperson to sign.

5. ***PUBLIC WORKS*** – Request Board accept a presentation about the recently completed Sabrina Bridge Replacement Project.

6. ***PUBLIC WORKS*** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the Deputy Public Works Director exists in the Public Works, Building and Maintenance, Building and Safety, CSA #2, Big Pine Lighting, Lone Pine Lighting and Independence Lighting budgets, as certified by the Public Works Director, and concurred with by the County Administrator and the Auditor-Controller; B) the position possibly could be filled by internal candidates meeting the qualifications for the position, however, an external recruitment may result in applicants with more depth and breadth of experience and is in the best interest of the County; and C) approve the hiring of one Deputy Public Works Director at Range 88 ($6,627 - $8,053), contingent upon qualifications.

7. ***PUBLIC WORKS - CSA #2*** – Request Board approve a Resolution to accept a public sewer easement Grant Deed; authorize the Public Works Director to execute a quitclaim deed to extinguish the County's interest in the existing utility (sewer) easement for the CSA No. 2 Sewer Rehabilitation Project; and authorize the Public Works Director to record the above noted deeds and the executed Assumption of Risk and Indemnity Agreement.

8. ***TREASURER-TAX COLLECTOR*** – Request Board approve a Resolution pursuant to the provisions of Article XVI, Section 6 of the California Constitution, approving an interim loan from the County Treasury to the Olancha Community Service District in the aggregate amount of $20,000 for the purpose of financing the District's operation costs during FY 2014-15 prior to receipt of their annual property tax apportionment.

9. ***WATER DEPARTMENT*** – Request Board provide direction to the County's Standing Committee representatives on the Agenda for the October 15, 2014 Inyo County/Los Angeles Standing Committee Meeting, in Los Angeles.

10. ***COUNTY COUNSEL*** – Request Board ratify and approve Amendment No.1 to the Agreement between the County of Inyo and Gregory L. James, Attorney at Law to extend the term of the Contract through June 30, 2015 and increasing the Contract limit by $25,000 to an amount not to exceed $50,000; and authorize the Chairperson to sign.

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

11:00 a.m. 11. ***CAPITAL ASSET LEASING CORPORATION*** – *The Board will convene as the Capital Asset Leasing Corporation Board of Directors to consider the following:*

A) Election of Officers – *The Board will elect a President, Secretary and Treasurer for the Corporation.*

B) Approval of Minutes – *Request approval of the October 15, 2013 Capital Asset Leasing Corporation Meeting.*

C) Financial Report - *Inyo County Treasurer-Tax Collector, Ms. Alisha McMurtrie, will present the Financial Report on the Corporation.*

11:30 a.m. 12. ***HEALTH AND HUMAN SERVICES – Mental Health Services*** – Request adopt an ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Repealing Ordinance No. 1185, and Revising the Inyo County Community Mental Health Services Fees."

13. ***PLANNING*** – Request Board

A) conduct a ***public hearing*** on the following actions for a 10,004 sq. ft. site (lots 6 & 7 of APN 005-104-05) located at 106 Washington Street, Lone Pine: a General Plan Amendment to change the General Plan designation from Central Business District (CBD) to Residential Medium High Density (RMH) and a proposed ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2014-02/Castro and Amending the Zoning Map of the County of Inyo by Rezoning a 10,004 sq. ft. Parcel Located at 106 Washington Street (APN 005-014-05) in the Community of Lone Pine From Central Business – Architectural Design Control (CB-D) to Multiple Residential (R-2);

B) approve a Resolution titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Certifying That the Provisions of the California Environmental Quality Act (CEQA) Have Been Met and Making Certain Findings With Respect To and Approving Zone Reclassification #2014-02/Castro and General Plan Amendment #2014-01/Castro"; and

C) waive the first reading of the above referenced Ordinance approving Zone reclassification #2014-02/Castro and schedule the enactment for 11:30 a.m., Tuesday, October 21, 2014 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

11:45 a.m. 14. ***COUNTY ADMINISTRATOR – Personnel*** - Request Board waive the first reading of an Ordinance titled "An Ordinance of the Board of Supervisors, County of Inyo, State of California, Amending Section 2.88.040 of the Inyo County Code to Provide for Increases in the Salary for Certain Elected County Officials, Excluding Members of the Board of Supervisors," which will increase the salary for the Clerk-Recorder from $7,453 to $7,963 per month, and set October 21, 2014 at 11:45 a.m. at the Board of Supervisors Room, Independence, for time and place of enactment.

1:30 p.m. 15. ***PLANNING*** – Request Board receive a presentation from staff about coordination with Forest Service staff regarding the Inyo National Forest Plan Update/Revision and provide input.

16. ***PLANNING*** – Request Board receive a presentation from the Eastern Sierra Recreation Collaborative (ESRC) and Planning staff and provide direction regarding the County's participation in the ESRC effort pertaining to the Inyo National Forest Management Plan Revision, regarding recreational opportunities.

CORRESPONDENCE - ACTION

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

17. ***COUNTY DEPARTMENT REPORTS*** *(Reports limited to two minutes)*

18. ***PUBLIC COMMENT***

BOARD MEMBERS AND STAFF REPORTS

CORRESPONDENCE - INFORMATIONAL

19. ***STATE BOARD OF EQUALIZATION*** – Letter summonsing County Assessors to a State Board of Equalization Meeting.

For Clerk's Use Only:
AGENDA NUMBER

2

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Fifth District Supervisor Matt Kingsley

FOR THE BOARD MEETING OF: October 14, 2014

SUBJECT: Support for Lone Pine Fire Department Ambulance Service Parcel Tax

DEPARTMENTAL RECOMMENDATION: - Request Board approve a resolution titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Supporting Measure D on the Ballot for the November 4th General Election to Provide Funding for Parcel Tax for Local Ambulance Service in Area 4 (Lone Pine).

SUMMARY DISCUSSION: - The Lone Pine Fire Department has struggled for many years to maintain local ambulance services for Area 4, which goes from Ash Creek on the South to George's Creek on the North, and Death Valley National Park on the East to the trailheads on the West. In order to continue to provide ambulance service the Fire District has submitted a parcel tax to the voters. Measure D is this parcel tax, and it is a special tax that will require 2/3's of the voters to vote yes in order for it to be approved. Without this parcel tax the Fire District has said that local ambulance service in Area 4 will cease January 1, 2015. I am requesting our Board approve the resolution supporting Measure D to help the momentum to have this parcel tax approved by the voters.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

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

APPROVALS	
BUDGET OFFICER:	BUDGET AMENDMENTS *(Must be reviewed and approved by Budget Officer prior to being approved by others, as needed, and submission to the Assistant Clerk of the Board.)*
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: _____ Date_____
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.

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, SUPPORTING MEASURE D ON THE BALLOT FOR THE NOVEMBER 4TH GENERAL ELECTION TO PROVIDE FUNDING FOR PARCEL TAX FOR LOCAL AMBULANCE SERVICE IN AREA 4 (Lone Pine)

WHEREAS, there is a need to continue to provide ambulance service in Area 4, which is the southern and southeastern part of Inyo County, from Ash Creek on the south to George's Creek on the North, and the Death Valley National Park on the East to the Trailheads on the West; and

WHEREAS, the Lone Pine Fire Department has been providing ambulance service for Area 4 in the past, but is unable to continue to provide the services because costs are prohibitive; and

WHEREAS, the Lone Pine Fire Department does not receive any tax funds for ambulance services, and the fees collected are not sufficient to cover the costs of providing the services; and

WHEREAS, if funding is not identified to pay for the ambulance services, the services will no longer be available beginning January 1, 2015; and

WHEREAS, the proposed parcel tax (Measure D), is proposing to tax secured property at the minimal rate of $100 per year to help pay for only the local ambulance services, and

WHEREAS, the Measure, if approved will sunset or end after 10 years; and

WHEREAS, should the Lone Pine Fire Department be unable to continue to provide local ambulance services then the parcel tax would no longer be applicable or collected; and

WHEREAS, should Measure D be approved by the voters, around $80,000 in revenue to the Fire Department for local ambulance services is estimated to be paid per year beginning in December 2015; and

WHEREAS, this type of tax requires a super-majority vote, which means that 2/3's of the voters must approve Measure D.

NOW THEREFORE BE IT RESOLVED that the Inyo County Board of Supervisors supports the Lone Pine Volunteer Fire Department's efforts to secure funding for the local ambulance service in Area 4 through the parcel tax proposal known as Measure D on the November 4, 2014 Ballot; and urges the people and the voters of the 5th District to support the parcel tax by voting yes on Measure D to ensure that local ambulance service in Area 4 continues.

PASSED AND ADOPTED this 14th day of October, 2014 by the following vote of the Inyo County Board of Supervisors:

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

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

For Clerk's Use Only:
AGENDA NUMBER
3

FROM: Eastern Sierra Department of Child Support Services

FOR THE BOARD MEETING OF: October 14 2014

SUBJECT: Authorization to recruit for a Administrative Analyst I-III

DEPARTMENTAL RECOMMENDATIONS:

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

A) the availability of funding for the requested position comes from the Child Support Department, as certified by the Child Support Director, and concurred with by the County Administrator and the Auditor-Controller;
B) where internal candidates meet the qualifications for the position of Administrative Analyst I-III, the vacancy could possibly be filled through an internal recruitment; and
C) Approve the hiring of one Administrative Analyst I-III: Range 68 ($4025- $4890); Range 70 ($4221- $5133); or Range 72 ($4423- $5372), depending upon qualifications.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

After 2 plus years of service with the Child Support Agency, Mrs. Gina McKinzey is moving to a position within Inyo County Health and Human Services.

After her departure, our agency will be left with only one fiscal employee, an Account Tech II, as the sole fiscal position in the region. The Administrative Analyst position is vitial to the daily operations of the Child Support Department and assists with budget preparation, budget projections, data tracking and analysis related to child support collections and performance.

The regionalization of the Inyo and Mono County Child support agencies requires the specialized skills and training of a Adminstrative Analyst in order to effectively analyze and implement regional fiscal policies and practices. It is recommended that your Board authorize the recruitment of this position.

ALTERNATIVES:

Your Board could decline this request.This is not recommended, however, as the Child Support agency needs financial staff to ensure adequate analysis of our allocation, expenditures, and case load collections.

OTHER AGENCY INVOLVEMENT:
Merit Systems Services; Personnel; County Administrative Officer.

FINANCING:
The funding for any position(s) referenced in this reorganization agenda item will be provided through the Child Support Agency Budget 022501 and funding for this position is provided for contingent upon the adoption of the 2014/2015 Board approved budget.

APPROVALS		
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by County Counsel prior to submission to the board clerk.)	Approved:_____ Date_____
AUDITOR/CONTROLLER	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.)	Approved: yes Date 10/7/14
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 10/7/14

DEPARTMENT HEAD SIGNATURE: _____ Date: 10/7/14
(Not to be signed until all approvals are received)

For Clerk's Use Only:
AGENDA NUMBER

4

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Probation Department (Adult and Juvenile Divisions)

FOR THE BOARD MEETING OF: October 14, 2014

SUBJECT: Award of Contract for Urine Sample Collection Devices and Laboratory Services to Redwood Toxicology Laboratory, Inc.

DEPARTMENTAL RECOMMENDATION: Request your Board to 1) accept the bid of Redwood Toxicology Laboratory, Inc. of Santa Rosa, California for the provision of urine sample collection devices (supplies) and laboratory services to the Inyo County Probation Department; 2) award the contract for the provision of urine sample collection devices (supplies) and laboratory services to Redwood Toxicology Laboratory, Inc. of Santa Rosa, California in an amount not to exceed $100,000, for the period of October 15 , 2014 to June 30, 2016, with an option to renew a third and fourth year, contingent on the adoption of future fiscal year budgets and 3) authorize the Chairperson to sign the contract.

CAO RECOMMENDATION:

SUMMARY DISCUSSION: The Probation Department for over ten (10) years has been using the services of MedTox Diagnostics and MedTox Laboratory to provide urine sample collection devices and laboratory services without a formal written contract; however, set testing and supply prices have always been established.

In mid-2012, a random testing program was initiated within the Adult Division of the Probation Department for some of our North County Probationers. This program specifically supports the State's and Department's goals of improving services and reducing recidivism through the implementation of evidence-based programs and improving local probation supervision practices and capacities. The random testing program was not initiated in South County or within the Juvenile Division, although we do test our Juveniles and South County Adult Probationers. In addition to those that participate in the random testing program, a majority of our approximately 450 Probationers are tested. Our Drug Court participants in conjunction with Superior Court are also currently being tested using MedTox devices and laboratory services; however, a majority of those costs are paid with Superior Court grant monies and only a few months of testing devices and laboratory services are paid with Probation Department monies. And, we provide the Inyo Narcotics Enforcement Team (INET) with devices and laboratory testing.

This Department was unsure at the time of implementation of how effective the random testing program would be. After approximately a year, this Department re-evaluated the program's effectiveness. It was determined that the random testing program was working and that the program has been a successful part of our evidence based practices implementation.

As a result of the implementation of the random testing program and its success to deter Adult Probationers from consuming alcohol and using drugs, our Adult laboratory testing expenditures compared to past fiscal years have increased significantly. In March 2014, we informed your Board that the laboratory expenditures have been fluctuating, but we are averaging about $1,900 per month, exceeding anticipated expenditures. At the time, we requested authorization from the Board to expend more than $10,000 on laboratory costs and informed your Board that we were in the process of preparing a Request for Proposal (RFP) for laboratory services and supplies. In May 2014, we sent out an RFP to fifteen (15) vendors, including MedTox Diagnostics, MedTox Laboratories and local vendors, requesting product and service pricing. At the Board's direction, we included information and a request for a separate proposal for Health & Human Services for their supply and laboratory testing needs. The proposals were opened on June 11, 2014 and two (2) proposals were received: Redwood Toxicology Laboratory, Inc. (Santa Rosa, CA) and Premier Biotech (Chanhassen, MN).

Please note that this Agenda Request Form only addresses awarding the contract to provide supplies and services to the Probation Department. We provided the two (2) proposals received to Health and Human Services for their review and action.

For bidding purposes, we provided information on how many devices were historically purchased in a fiscal year and how many collected samples were mailed off for testing. In addition, but not limited to, we asked for information that included a breakdown of the vendor's laboratory testing service costs, cost for devices, a sample of each testing device, type of training available, whether they possessed a Substance Abuse and Mental Health Services Administration (SAMHSA) certification; and, information on a Random Testing Program, if available.

The RFP outlined how each proposal would be evaluated using weighted categories (service requirement, fee schedule, and qualifications), and reserved to the County the sole discretion to weigh the categories and evaluate the bids. After careful review, analysis, and assessment, out of 100, Redwood Toxicology Laboratories, Inc. was rated 100 and Premier Biotech was rated 70.

Therefore, we are recommending to the Board that the contract be awarded to Redwood Toxicology Laboratory, Inc. for an amount not to exceed $100,000 for a contract period beginning October 15, 2014 ending June 30, 2016, with an option to renew a 3rd and 4th year.

Monies have been budgeted in both the Probation – General (023000) and Juvenile Institutions Budgets (023100) for this fiscal year (2014-15). It is extremely difficult to budget monies for the entire year and as we have done in the past, at mid-year and 3rd quarter budget reviews, we adjust object codes (5311 and 5265) within the Budgets accordingly. Also, we have historically budgeted in the Probation – General Budget (023000) and continue to do so for this fiscal year, revenue from SB678 monies to cover most of the costs for supplies and services in combination with General Fund monies. On a quarterly basis, SB678 monies are reimbursed to the Probation – General Budget. No SB678 monies are budgeted within the Juvenile Institutions Budget (023100) as the YOBG Grant covers reimbursement for most urine analysis testing supplies and laboratory services.

ALTERNATIVES: Reject the bids and direct the Probation Department to solicit proposals separately for supplies and for laboratory services; however, this is not recommended as many laboratory vendors will not do testing on a sample collected in a device supplied by a different and/or "unknown" vendor. In addition, this will disrupt all of our urine analysis testing and require this

Department to come back to your Board to authorize an expenditure of more than $10,000 with our current provider of laboratory services: MedTox Laboratories.

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: Monies have been budgeted in both the Probation – General (023000) Budget and Juvenile Institutions Budget (023100) for supply expenditures General Operating Object Code 5311 and laboratory testing expenditures Professional Services Object Code 5265. At mid-year and 3rd quarter budget reviews, we will adjust object codes (5311 and 5265) within the Budgets accordingly.

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.)* Margaret Kemp-Williams Approved: ✓ Date 09/24/14
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (*Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Approved: yes Date 10/3/2014
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 10/7/14

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) Date: 10/7/14

Attachment: Portions of Contract #117

ATTACHMENT A

AGREEMENT BETWEEN COUNTY OF INYO
AND REDWOOD TOXICOLOGY LABORATORY, INC. (RTL)
FOR THE PROVISION OF URINE ANALYSIS SUPPLIES AND LABORATORY **SERVICES**

TERM:

FROM: October 15, 2014 **TO:** June 30, 2016

SCOPE OF WORK:

2. TERM. (page 1) is replaced in its entirety with:

2. TERM
A. Initial Term. The term of this Agreement shall be from October 15, 2014 to June 30, 2016, unless sooner terminated as provided below.

B. Extension of Term. In addition to the initial term, there will be two (2) options for the County or Contractor to extend the Agreement as follows:
(a) From July 1, 2016 through June 30, 2017.
(b) From July 1, 2017 through June 30, 2018.

The options to extend may be exercised by either party, in the manner and on the terms and conditions hereinafter provided. The initial term and successive options to extend, if any, shall not exceed an aggregate total of more than forty-eight (48) months.

C. Exercising Options to Extend. The options to extend the term of the Agreement for the periods identified above may be exercised by the County or Contractor in the manner and on the terms and conditions below:

1. Terms and Conditions:
(a) Neither Contractor nor County has terminated or cancelled this Agreement for any reason.
(b) Neither Contractor nor County is in default on any term or condition of this Agreement.

2. Manner in Which Options Can Be Exercised:
(a) County or Contractor may exercise the option to extend no earlier than three (3) months before expiration of the initial term of this Agreement or any extension thereof.
(b) The County or Contractor must notify the other party in writing of its intent to exercise an option at least thirty (30) days before expiration of the contract, or an extension thereof.
(c) The option to extend shall be upon the same terms and conditions as stated in this Contract.

SEE ATTACHED PAGES FOR ADDITIONAL SCOPE OF WORK AND REVISIONS TO CONTRACT.

ATTACHMENT A

AGREEMENT BETWEEN COUNTY OF INYO AND REDWOOD TOXICOLOGY LABORATORY, INC. (RTL) FOR THE PROVISION OF URINE ANALYSIS SUPPLIES AND LABORATORY SERVICES

TERM:

FROM: 10/15/14 TO: 06/30/16

SCOPE OF WORK:

Redwood Toxicology Laboratory, Inc. (RTL)

TEST RESULTS: Use of on-line ***ToxAccess*** = total digital data collection // standard urine and oral fluids panels, negative results are reported within 24 hours after receipt. Confirmation of positive results will be available within 24 hours to 48 hours after initial screen. Total turnaround time for positive results of standard urine and oral fluids is up to 72 hours from receipt of specimen at laboratory. // Reporting of Synthetic Cannabinoids or Designer Stimulants, EtG/EtS, and Steroids, results reported within 72 hours after receipt of the specimen in the laboratory. // Includes Random Testing Program.

STORAGE: Storage of positive for drug(s) and/or metabolites in a secure warehouse for a period of not less than 3 months. Negative specimens will be stored for 2 days. Chain of custody records, documentation and analytical records are maintained in secured storage for a period of not less than 3 years.

PICK UP SCHEDULE: Collected urine samples can be picked up on whatever schedule Inyo County sets, for example, daily, 3 times/week, etc. and RTL is to provide service through United Parcel Service (UPS), Federal Express, or some other overnight delivery service.

LOCATION FOR DELIVERY OF SUPPLIES (DEVICES AND SHIPPING SUPPLIES):

- Inyo County Probation Department, 918 N. Main Street, Bishop, CA 93514
- RTL is to provide shipping supplies (urine specimen collection containers; specimen baggies with absorbent material; preprinted Chain of Custody forms/labels and security seals; prepaid FedEx or UPS lab packs or pre-paid U. S. mailer boxes) for the overnight delivery service.

LOCATIONS FOR PICK UP OF URINE SAMPLES:

- Inyo County Probation Department, 918 N. Main Street, Bishop, CA 93514
- Inyo County Juvenile Center, 201 Mazourka Canyon Road, Independence, CA 93526

TRAINING: Training for how to use testing devices, chain of custody, etc. is available a number of different ways: on-line, webinar, and on-site training at RTL.

WITNESS TESTIMONY: provide written affidavit or telephone testimony. If necessary at a cost to Inyo County, may provide expert witness testimony in Court.

2. TERM. (page 1) is replaced in its entirety with:

2. TERM
A. Initial Term. The term of this Agreement shall be from October 15, 2014 to June 30, 2016, unless sooner terminated as provided below.

B. Extension of Term. In addition to the initial term, there will be two (2) options for the County or Contractor to extend the Agreement as follows:
(a) From July 1, 2016 through June 30, 2017.
(b) From July 1, 2017 through June 30, 2018.

The options to extend may be exercised by either party, in the manner and on the terms and conditions hereinafter provided. The initial term and successive options to extend, if any, shall not exceed an aggregate total of more than forty-eight (48) months.

C. Exercising Options to Extend. The options to extend the term of the Agreement for the periods identified above may be exercised by the County or Contractor in the manner and on the terms and conditions below:

1. Terms and Conditions:
(a) Neither Contractor nor County has terminated or cancelled this Agreement for any reason.
(b) Neither Contractor nor County is in default on any term or condition of this Agreement.

2. Manner in Which Options Can Be Exercised:
(a) County or Contractor may exercise the option to extend no earlier than three (3) months before expiration of the initial term of this Agreement or any extension thereof.
(b) The County or Contractor must notify the other party in writing of its intent to exercise an option at least thirty (30) days before expiration of the contract, or an extension thereof.
(c) The option to extend shall be upon the same terms and conditions as stated in this Contract.

5. REQUIRED LICENSES, CERTIFICATES AND PERMITS. (page 3) is replaced in its entirety with:

5. REQUIRED LICENSES, CERTIFICATES AND PERMITS.

A. Any licenses, certificates, or permits required by the federal, state, county, municipal governments, for contractor to provide the services and work described in Attachment A must be procured by contractor and be valid at the time Contractor enters into this Agreement. Further, during the term of this Agreement, Contractor must maintain such licenses, but are not limited to , driver's licenses, professional licenses or certificates , and business licenses. Such licenses, certificates, and permits will be procured and maintained in force by Contractor at no expense to the County. Contractor will provide County, upon County's request, with evidence of current and valid licenses, certificates and permits which are required to perform the services identified in Attachment A.

7. COUNTY PROPERTY
B. Products of Contractor's Work and Services. (page 3) is deleted in its entirety.

11. DEFENSE AND INDEMNIFICATION. (page 4) first paragraph is replaced in its entirety with:

Contractor shall defend, indemnify, and hold harmless County, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and reasonable attorney's fees, except for consequential damages arising out of, resulting from, or in connection with, the negligent or willful acts or omissions of Contractor during performance of this Agreement, or Contractor's officers, or employees. Contractor's obligation to defend, indemnify, and hold the County, its agents, officers, and employees harmless applies to any actual or alleged personal injury, death or damage or destruction to tangible or intangible property. Contractor's obligation under this paragraph is limited to the extent that any claim, damage, loss, liability, or expense, or other costs due to the negligent or willful acts or omissions of the Contractor, employees, supplier, or any one directly or indirectly employed by any of them, or anyone for whose acts or omissions any of them may be liable.

15. ASSIGNMENT. (page 5) is replaced in its entirety with:

15. ASSIGNMENT.

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

22. FUNDING LIMITATION. (page 6) is replaced in its entirety with:

22. FUNDING LIMITATION.

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

Attachment C – Insurance Provisions / Specifications 1 / Insurance Requirements for Most Contracts is replaced in its entirety with the attached Specifications 1.

///

///

///

///

ATTACHMENT B

AGREEMENT BETWEEN COUNTY OF INYO
AND REDWOOD TOXICOLOGY LABORATORY, INC. (RTL)
FOR THE PROVISION OF URINE ANALYSIS SUPPLIES AND LABORATORY **SERVICES**

TERM:

FROM: October 15, 2014 **TO:** June 30, 2016

SCHEDULE OF FEES:

Redwood Toxicology Laboratory, Inc. (RTL)

TESTING DEVICES:
- RediTest Panel Dip (8 drug) $2.14 per one (1) unit. Price per case containing 25 devices in each box $53.50
- iCup A.D. (8-Drug) $2.88 per one (1) unit. Price per case containing 25 devices in each box $72.00
- EZ Cup II (8-Drug) $2.88 per one (1) unit. Price per case containing 25 devices in each box $72.00
- iScreen Oral Fluids Device (6-Drug) $5.93 per one (1) unit. Price per case containing 25 devices in each box $148.25
- Any new available testing product(s) at current pricing.

SHIPPING (DELIVERY AND PICK UP):
- No cost for shipping supplies (devices) to Inyo County.
- Cost of $7.00 for each bag shipped to RTL, if package includes less than five (5) samples.
- No charge if package includes five (5) or more samples.
- RTL to provide all shipping supplies (urine specimen collection containers; specimen baggies with absorbent material; preprinted Chain of Custody forms/labels and security seals; prepaid Fed Exor UPS lab packs or pre-paid U. S. mailer boxes) for the shipment of urine samples to RTL's laboratory at no charge to Inyo County.

COST OF LABORATORY SERVICES: Costs vary depending on requests, please see the attached pricing list.

WITNESS TESTIMONY:
- cost for Expert Witnesses:
  ($350/day, daily meal per diem and hotel not to exceed County or State rates, and any other related travel expenses)
- written affidavit or telephonic testimony, no charge

USE OF ON-LINE SERVICES FOR RESULTS OF LABORATORY TESTS: Use of on-line ToxAccess (total digital data collection), includes Random Testing Program, no charge.

TRAINING:
- On line training for how to use testing devices, chain of custody, etc. is available a number of different ways: on-line, webinar, on-site training at RTL, no charge.

///

REDWOOD TOXICOLOGY LABORATORY

Confidence in testing.

Pricing Schedule
Inyo County Probation
RFP For Drug Testing Services and Supplies
INFORMATION CONFIDENTIAL

Section I: Laboratory Drug & Alcohol Testing Services - Urine

Items highlighted in Green represent the laboratory tests requested in this solicitation

Urine Lab Tests - Standard Drugs

TEST CODE	DRUG(S)	DESCRIPTION	PRICE PER SPECIMEN
Varies	1	One Drug Standard Lab Panel (Price per drug when added to a standard lab panel. *This does not include GC/MS confirmation.) *Standard drugs include: Alcohol (Ethanol), Amphetamines/Methamphetamines, Barbiturates, Benzodiazepines, Cocaine, Ecstasy (MDMA), Marijuana (THC), Methadone, Opiates, PCP, Propoxyphene.*	$ 1.00
Varies	1	One Drug Standard Lab Panel (Standalone Test)	$ 3.00
Varies	4	Four Drug Standard Lab Panel	$ 4.25
Varies	5	Five Drug Standard Lab Panel	$ 4.75
Varies	6	Six Drug Standard Lab Panel	$ 4.90
Varies	7	Seven Drug Standard Lab Panel	$ 5.00
Varies	8	Eight Drug Standard Lab Panel	$ 5.50
Varies	9	Nine Drug Standard Lab Panel	$ 6.00
Varies	10	Ten Drug Standard Lab Panel	$ 6.25
H58/H59	11	Eleven Drug Standard Lab Panel with Oxycodone	$ 6.50
5XXX Code	1	GC/MS or LC/MS/MS Confirmation - cost per drug	$ 12.50
P69	1	Adulteration	$ 1.25
069	1	Creatinine Level	---
330	1	pH - Adulterant Check	$ 1.25
331	1	Specific Gravity - Adulterant Check	$ 1.25

Urine Lab Tests - Specialty Drugs

TEST CODE	DRUG(S)	DESCRIPTION	PRICE PER SPECIMEN
2		EtG as an add-on to Panel (EIA Screen-Only)	$ 2.20
647	1	Ethyl Glucuronide (EtG) - (EIA Screen-Only)	$ 5.50
647	1	Ethyl Glucuronide/Ethyl Sulfate (EtG/EtS) Alcohol metabolite - Screened by EIA and confirmed by LC/MS/MS	$ 12.50
		Oxy as an add-on to Panel - (EIA Screen-Only)	$ 1.10
098	1	Oxycodone (Screen Only) *Note: The Standard Lab Test will also pick up Oxycodone under the Opiates class, but at a higher cut-off level.*	$ 5.50
5098	1	Oxycodone (LC/MS/MS Confirmation Only)	$ 13.75
092	1	Buprenorphine (BUP) (EIA Screen-Only)	$ 5.50
5292	1	Buprenorphine (BUP) (GC/MS Confirmation Only)	$ 13.75
6473	19	Synthetic Marijuana (K2/Spice)- Screened by EIA and confirmed by LC/MS/MS	$ 19.80
8474	30	Premium Synthetic Marijuana (K2/Spice) - (LC/MS/MS Test)	$ 49.50
P80	21	Designer Stimulants (Bath Salts) - Expanded Panel	$ 33.00
P81	3	Designer Stimulants (Bath Salts) - Short Panel (MDPV, Mephedrone, Methylone)	$ 19.80
094	1	Heroin metabolite (6-MAM) (EIA Screen-Only)	$ 3.85
5094	1	Heroin metabolite (6-MAM) (Confirmation Only)	$ 13.75
5271	1	SOMA (GC/MS Test)	$ 8.80
3243	1	Dextromethorphan (DXM) - (ELISA Screen Only)	$ 8.80
5501	1	Ketamine (GC/MS Test)	$ 16.50
5504	1	Fentanyl (GC/MS Test)	$ 44.00
5503	1	GHB (GC/MS Test)	$ 55.00
1163	1	LSD (ELISA Screen Only)	$ 16.50
P40	Multi	Comprehensive Panel (GC/MS Confirmation for additional fee of $20.00 per drug)	$ 55.00
1273	1	Cotinine (Nicotine metabolite) - (Screen Only)	$ 5.50
5550	Multi	Steroid Testing	$ 71.50
5210	1	Ambien (Zolpidem) - (LC/MS/MS Test)	$ 27.50

Single-drug tests are available as a stand-alone or may be added-on test to an existing standard panel. Testing preference will be determined at time of account set-up.

Initial screening of RTL's standard laboratory tests is performed by enzyme immunoassay (EIA). Confirmation is performed by a secondary method, including; gas chromatography (GC), gas chromatography/mass spectrometry (GC/MS), and/or liquid chromatography/tandem mass spectrometry (LC/MS/MS), depending on drug class. GC/MS confirmation on all positives is available upon request for an additional fee.

REDWOOD TOXICOLOGY LABORATORY

Confidence in testing

Pricing Schedule
Inyo County Probation
RFP For Drug Testing Services and Supplies
INFORMATION CONFIDENTIAL

Section II: Laboratory Drug & Alcohol Testing Services - Oral Fluids

Oral Fluid Lab Tests

TEST CODE	DRUG(S)	DESCRIPTION	PRICE PER SPECIMEN
2101001	N/A	RTL-Oral Collection Device	$ 2.20
Varies	1	Buprenorphine - add to a screen only panel	$ 1.10
Varies	1	Buprenorphine - add to an automatic confirmation panel	$ 1.65
F25	N/A	Synthetic Cannabinoids	$ 19.80
Varies	1	RTL-Oral GC/MS Confirmation cost per drug	$ 13.75
Varies	6	RTL-Oral Standard 6 (Screen Only)	$ 6.60
Varies	7	RTL-Oral Standard 7 (Screen Only)	$ 7.70
Varies	8	RTL-Oral Standard 8 (Screen Only)	$ 8.80
Varies	9	RTL-Oral Standard 9 (Screen Only)	$ 9.90
Varies	10	RTL-Oral Standard 10 (Screen Only)	$ 11.00
Varies	11	RTL-Oral Standard 11 (Screen Only)	$ 12.10
Varies	6	RTL-Oral Standard 6 (Automatic Confirmation)	$ 13.20
Varies	7	RTL-Oral Standard 7 (Automatic Confirmation)	$ 14.30
Varies	8	RTL-Oral Standard 8 (Automatic Confirmation)	$ 15.40
Varies	9	RTL-Oral Standard 9 (Automatic Confirmation)	$ 16.50
Varies	10	RTL-Oral Standard 10 (Automatic Confirmation)	$ 17.60
Varies	11	RTL-Oral Standard 11 (Automatic Confirmation)	$ 18.70

Standard drugs include: Alcohol (Ethanol), Amphetamines, Barbiturates, Benzodiazepines, Cocaine, Marijuana (THC), Methadone, Methamphetamines, Opiates, Oxycodone, PCP.

Collection & Shipping Supplies
RTL provides all necessary urine specimen collection and shipping supplies to its clients at no additional cost. For urine testing, these supplies include:

- Urine specimen collection containers: Depending on the agency's needs, RTL can supply any of the following collection containers: 60 mL or 90mL bottles with lids and built-in temperature strips.
- Specimen baggies with absorbent material
- Preprinted Chain of Custody forms/labels & security seals
- Pre-paid FedEx or UPS lab packs or pre-paid U.S. mailer boxes.

Lab Supply Shipping and Handling: Outbound lab supply orders will be shipped at no charge for ground service delivery. Expedited shipping of supplies will be charged on an 'at cost' basis. FOB Destination Point.

Specimen Shipment to RTL: Next day air service of inbound specimens sent to RTL for testing is provided at no charge when five (5) or more urine and/or oral fluids specimens are sent in each FedEx overnight shipment. Any combination of urine and/or oral fluids devices may be shipped together via FedEx overnight service. Fewer than five (5) specimens sent to the lab by next day air service will be assessed a seven dollar ($7.00) charge per shipment.

REDWOOD TOXICOLOGY LABORATORY

Confidence in testing

Pricing Schedule
Inyo County Probation
RFP For Drug Testing Services and Supplies

Section III: On-Site Drug & Alcohol Screening Devices

PANEL-DIP SUBSTANCE ABUSE TEST DEVICE

PART NUMBER	DRUG(S)	CONFIGURATION	PRICE PER DEVICE	BOX PRICE (25/BOX)
01 102 0018	1	PANEL DIP 01 AMPHETAMINES 1000 (AMP 1000)	$0.33	$8.25
01 102 0019	1	PANEL DIP 01 BARBITURATES 300 (BAR)	$0.33	$8.25
01 102 0022	1	PANEL DIP 01 BENZODIAZEPINES 300 (BZO)	$0.33	$8.25
01 102 0189	1	PANEL DIP 01 COCAINE 150 (COC 150)	$0.33	$8.25
01 102 0001	1	PANEL DIP 01 COCAINE 300 (COC 300)	$0.33	$8.25
01 102 0036	1	PANEL DIP 01 ECSTASY 500 (MDMA)	$0.33	$8.25
01 102 0004	1	PANEL DIP 01 MARIJUANA 50 (THC)	$0.33	$8.25
01 102 0020	1	PANEL DIP 01 METHADONE 300 (MTD)	$0.33	$8.25
01 102 0190	1	PANEL DIP 01 METHAMPHETAMINES 500 (MAMP 500)	$0.33	$8.25
01 102 0002	1	PANEL DIP 01 METHAMPHETAMINES 1000 (MAMP 1000)	$0.33	$8.25
01 102 0003	1	PANEL DIP 01 OPIATES 300 (MOP 300)	$0.33	$8.25
01 102 1977	1	PANEL DIP 01 OPIATES 2000 (OPI 2000)	$0.33	$8.25
01 102 0037	1	PANEL DIP 01 OXYCODONE 100 (OXY)	$0.33	$8.25
01 102 0021	1	PANEL DIP 01 PHENCYCLIDINE 20 (PCP)	$0.33	$8.25
01 102 1971	1	PANEL DIP 01 PROPOXYPHENE 300 (PPX)	$0.33	$8.25
01 102 0023	1	PANEL DIP 01 TRICYCLIC ANTIDEPRESSANTS 1000 (TCA)	$0.33	$8.25
01 102 0173	1	PANEL DIP 01 BUPRENORPHINE 10 (BUP)	$0.80	$20.00
01 191 6335	1	PANEL DIP 01 K2 SPICE 30 - *For Forensic Use Only*	$2.00	$50.00
01 102 0005	2	PANEL DIP 02 COC300/MOP300	$0.67	$16.75
01 102 0006	2	PANEL DIP 02 COC300/THC	$0.67	$16.75
01 102 0007	2	PANEL DIP 02 COC300/MAMP1000	$0.67	$16.75
01 102 0008	2	PANEL DIP 02 MAMP1000/THC	$0.67	$16.75
01 102 0030	2	PANEL DIP 02 MAMP1000/MOP300	$0.67	$16.75
01 102 0191	2	PANEL DIP 02 COC150/THC	$0.67	$16.75
01 102 0192	2	PANEL DIP 02 MAMP500/THC	$0.67	$16.75
01 102 0009	3	PANEL DIP 03 COC300/MAMP1000/THC	$0.86	$21.50
01 102 0010	3	PANEL DIP 03 COC300/MOP300/THC	$0.86	$21.50
01 102 0011	3	PANEL DIP 03 MAMP1000/MOP300/THC	$0.86	$21.50
01 102 0014	3	PANEL DIP 03 COC300/MAMP1000/MOP300	$0.86	$21.50
01 102 0193	3	PANEL DIP 03 COC150/MAMP500/THC	$0.86	$21.50
01 102 0194	3	PANEL DIP 03 COC150/MOP300/THC	$0.86	$21.50
01 102 0012	4	PANEL DIP 04 COC300/MAMP1000/MOP300/THC	$1.13	$28.25
01 102 0032	4	PANEL DIP 04 AMP1000/COC300/MOP300/THC	$1.13	$28.25
01 102 0195	4	PANEL DIP 04 COC150/MAMP500/MOP300/THC	$1.13	$28.25
01 102 0199	4	PANEL DIP 04 AMP1000/COC150/MOP300/THC	$1.13	$28.25
01 102 0013	5	PANEL DIP 05 COC300/MAMP1000/MOP300/PCP/THC	$1.39	$34.75
01 102 0015	5	PANEL DIP 05 BZO/COC300/MAMP1000/MOP300/THC	$1.39	$34.75
01 102 0033	5	PANEL DIP 05 AMP1000/COC300/MOP300/PCP/THC	$1.39	$34.75
01 102 0034	5	PANEL DIP 05 AMP1000/COC300/MAMP1000/MOP300/THC	$1.39	$34.75
01 102 0047	5	PANEL DIP 05 AMP1000/COC300/OPI2000/PCP/THC	$1.39	$34.75
01 102 0201	5	PANEL DIP 05 AMP1000/COC150/MAMP500/MOP300/THC	$1.39	$34.75
01 102 0196	5	PANEL DIP 05 COC150/MAMP500/MOP300/PCP/THC	$1.39	$34.75
01 102 0200	5	PANEL DIP 05 AMP1000/COC150/MOP300/PCP/THC	$1.39	$34.75

REDWOOD TOXICOLOGY LABORATORY

Confidence in testing

Pricing Schedule
Inyo County Probation
RFP For Drug Testing Services and Supplies
INFORMATION CONFIDENTIAL

Section III: On-Site Drug & Alcohol Screening Devices

PANEL-DIP SUBSTANCE ABUSE TEST DEVICE (CONTINUED)

PART NUMBER	DRUG(S)	CONFIGURATION	PRICE PER DEVICE	BOX PRICE (25/BOX)
01 102 0016	6	PANEL DIP 06 BZO/COC300/MAMP1000/MOP300/PCP/THC	$1.62	$40.50
01 102 0017	6	PANEL DIP 06 BZO/COC300/MAMP1000/MTD/MOP300/THC	$1.62	$40.50
01 102 0024	6	PANEL DIP 06 BAR/BZO/COC300/MAMP1000/MOP300/THC	$1.62	$40.50
01 102 0119	6	PANEL DIP 06 BZO/COC300/MAMP1000/MOP300/OXY/THC	$1.62	$40.50
01 102 0175	6	PANEL DIP 06 BZO/COC150/MAMP500/MDMA/MOP300/THC	$1.62	$40.50
01 102 0202	6	PANEL DIP 06 BZO/COC150/MAMP500/MOP300/OXY/THC	$1.62	$40.50
01 102 0203	6	PANEL DIP 06 AMP1000/BZO/COC150/MAMP500/MOP300/THC	$1.62	$40.50
01 102 0035	7	PANEL DIP 07 AMP1000/BZO/COC150/MOP300/PCP/TCA/THC	$1.89	$47.25
01 102 0176	7	PANEL DIP 07 BZO/COC150/MAMP500/MDMA/MOP300/OXY/THC	$1.89	$47.25
01 102 0177	7	PANEL DIP 07 AMP1000/COC150/MAMP500/MDMA/MOP300/OXY/THC	$1.89	$47.25
01 102 0169	8	PANEL DIP 08 AMP1000/BZO/COC300/MAMP1000/MDMA/MOP300/OXY/THC	$2.14	$53.50
01 102 0179	8	PANEL DIP 08 AMP1000/BZO/COC300/MAMP1000/MOP300/OXY/PCP/THC	$2.14	$53.50
01 102 1989	8	PANEL DIP 08 AMP300/COC150/MAMP500/MOP300/PCP/PPX/OXY/THC	$2.14	$53.50
01 102 1970	9	PANEL DIP 09 AMP1000/BAR/BZO/COC300/MAMP1000/MTD/OPI2000/PCP/THC	$2.40	$60.00
01 102 0180	9	PANEL DIP 09 AMP1000/BUP/BZO/COC300/MAMP1000/MOP300/OXY/PCP/THC	$2.40	$60.00
01 102 0181	9	PANEL DIP 09 AMP300/BZO/COC150/MAMP500/MDMA/MOP300/OXY/PCP/THC	$2.40	$60.00
01 102 0025	10	PANEL DIP 10 AMP1000/BAR/BZO/COC300/MAMP1000/MTD/MOP300/PCP/TCA/ THC	$2.66	$66.50
01 102 0138	10	PANEL DIP 10 COC300/BAR/BZO/MAMP1000/MDMA/MOP300/MTD/OXY/PCP/THC	$2.66	$66.50
01 102 0182	10	PANEL DIP 10 AMP1000/BAR/BUP/BZO/COC300/MAMP1000/MOP300/MTD/OXY/ THC	$2.66	$66.50
01 102 0183	10	PANEL DIP 10 BAR/BZO/COC150/MAMP500/MDMA/MOP300/MTD/OXY/PCP/THC	$2.66	$66.50
01 102 1943	10	PANEL DIP 10 AMP1000/BAR/BZO/COC300/MAMP1000/OPI2000/PCP/MTD/MDMA/ THC	$2.66	$66.50
01 102 0184	11	PANEL DIP 11 AMP1000/BAR/BUP/BZO/COC300/MAMP1000/MOP300/MTD/PCP/ OXY/THC	$3.19	$79.75
01 102 0185	11	PANEL DIP 11 AMP1000/BAR/BUP/BZO/COC300/OPI2000/MAMP1000/MTD/OXY/ PCP/THC	$3.19	$79.75
01 102 0186	11	PANEL DIP 11 AMP1000/BAR/BUP/BZO/COC300/MAMP1000/MOP300/MTD/PPX/ OXY/THC	$3.19	$79.75
01 102 0187	11	PANEL DIP 11 AMP300/BAR/BZO/COC150/MAMP500/MDMA/MOP300/MTD/OXY/ PCP/THC	$3.19	$79.75
01 102 0141	12	PANEL DIP 12 AMP1000/BAR/BZO/COC300/MAMP1000/MDMA/MOP300/MTD/ OXY/PCP/PPXTHC	$3.72	$93.00
01 102 0188	12	PANEL DIP 12 AMP1000/BAR/BUP/BZO/COC300/MAMP1000/MDMA/MOP300/ MTD/OXY/PCP/THC	$3.72	$93.00
01 102 1957	12	PANEL DIP 12 AMP1000/BAR/BZO/COC300/MAMP1000/MDMA/OPI2000/MTD/ OXY/PCP/PPX/THC	$3.72	$93.00

REDWOOD TOXICOLOGY LABORATORY

Confidence in testing

Pricing Schedule
Inyo County Probation
RFP For Drug Testing Services and Supplies
INFORMATION CONFIDENTIAL

Section III: On-Site Drug & Alcohol Screening Devices

iCUP SUBSTANCE ABUSE TEST DEVICE – without adulteration

PART NUMBER	DRUG(S)	CONFIGURATION	PRICE PER DEVICE	BOX PRICE (25/BOX)
01 102 2020	10	iCup 10 AMP1000/BAR/BZO/COC300/MAMP1000/MDMA/OPI2000/OXY/PPX/THC	$3.20	$80.00
01 102 2055	10	iCup 10 AMP1000/BAR/BZO/COC300/MAMP/MTD/OPI2000/PCP/TCA/THC	$3.20	$80.00
01 102 2028	13	iCup 13 AMP1000/BAR/BUP/BZO/COC300/MAMP/MTD/OPI2000/OXY/PCP/PPX/ TCA/THC	$5.00	$125.00

iCUP A.D. SUBSTANCE ABUSE TEST DEVICE – with adulteration

PART NUMBER	DRUG(S)	CONFIGURATION	PRICE PER DEVICE	BOX PRICE (25/BOX)
01 102 2032	4	iCup A.D. 04 COC300/MAMP1000/OPI2000/THC w/adulteration (OX, SG, PH)	$2.25	$56.25
01 102 2033	4	iCup A.D. 04 AMP1000/COC150/MAMP500/THC w/adulteration (OX, CR, PH)	$2.25	$56.25
01 102 2021	5	iCup A.D. 5 AMP1000/COC300/MAMP1000/MOP300/THC w/adulteration (OX, SG, PH)	$2.25	$56.25
01 102 2034	5	iCup A.D. 5 AMP1000/COC300/MAMP1000/OPI2000/THC w/adulteration (OX, SG, PH)	$2.25	$56.25
01 102 2035	5	iCup A.D. 5 AMP1000/COC300/OPI2000/PCP/THC w/adulteration (OX, SG, PH)	$2.25	$56.25
01 102 2036	5	iCup A.D. 5 COC300/MAMP1000/OPI2000/PCP/THC w/adulteration (OX, SG, PH)	$2.25	$56.25
01 102 2022	6	iCup A.D. 6 AMP1000/BZO/COC300/MAMP1000/OPI2000/THC w/adulteration (OX, SG, PH)	$2.48	$62.00
01 102 2023	6	iCup A.D. 6 AMP1000/COC/MAMP1000/OPI2000/PCP/THC w/adulteration (OX, SG, PH)	$2.48	$62.00
01 102 2037	6	iCup A.D. 06 AMP300/COC300/MDMA/OPI2000/OXY/THC w/adulteration (OX, SG, PH)	$2.48	$62.00
01 102 2038	8	iCup A.D. 08 AMP1000/BAR/BZO/COC300/MAMP1000/OPI2000/PCP/THC w/adulteration (OX, SG,	$2.88	$72.00
01 102 2069	8	iCup A.D. 08 AMP1000/BZO/COC300/MAMP1000/MOP300/OXY/PCP/THC w/adulteration	$2.88	$72.00
01 102 2039	9	iCup A.D. 09 AMP1000/BAR/BZO/COC300/MAMP1000/MTD/OPI2000/PCP/THC w/adulteration (OX, SG, PH)	$3.11	$77.75
01 102 2074	10	iCup A.D. 10 AMP1000/BAR/BZO/COC300/MAMP1000/MTD/OPI2000/OXY/ PPX/THC w/adulteration (OX, CR, PH)	$3.20	$80.00
01 102 2129	10	iCup A.D. 10 AMP1000/BAR/BZO/COC300/MAMP1000/MTD/OPI2000/PCP/TCA/ THC w/adulteration (OS, SG, PH, NI, GL, CR)	$3.20	$80.00
01 102 2027	12	iCup A.D. AMP1000/BAR/BZO/COC300/MAMP1000/MTD/OPI2000/OXY/PCP/PPX/ TCA/THC w/adulteration (OX, SG, PH)	$4.50	$112.50

INTEGRATED CUPS II SUBSTANCE ABUSE TEST DEVICE

PART NUMBER	DRUG(S)	CONFIGURATION	PRICE PER DEVICE	BOX PRICE (25/BOX)
01 102 2001	4	EZ CUP II 04 COC300/MAMP1000/OPI2000/THC	$2.25	$56.25
01 102 1974	5	EZ CUP II 05 AMP1000/COC300/OPI2000/PCP/THC w/adulteration (OX/SG/PH/NI/GL/CR)	$2.25	$56.25
01 102 2005	5	EZ CUP II 05 COC300/MAMP1000/OPI2000/PCP/THC	$2.25	$56.25
01 102 2018	5	EZ CUP II 05 AMP1000/COC300/MAMP1000/OPI2000/THC	$2.25	$56.25
01 102 2048	5	EZ CUP II 05 AMP1000/COC300/OPI2000/PCP/THC	$2.25	$56.25
01 102 2051	5	EZ CUP II 05 AMP1000/COC300/MAMP1000/OPI2000/THC w/adulteration (OX, SG, PH, NI, GL, CR)	$2.25	$56.25
01 102 2141	5	EZ CUP II 05 AMP1000/COC300/MAMP1000/OPI2000/THC w/adulteration (OX, SG, PH)	$2.25	$56.25
01 102 1984	6	EZ CUP II 06 AMP1000/BZO/COC300/MAMP1000/OPI2000/THC	$2.48	$62.00
01 102 2007	6	EZ CUP II 06 COC300/MAMP1000/MDMA/OPI2000/OXY/THC	$2.48	$62.00
01 102 2008	8	EZ CUP II 08 AMP1000/BAR/BZO/COC300/MAMP1000/OPI2000/PCP/THC	$2.88	$72.00
01 102 2140	9	EZ CUP II 09 BAR/BZO/COC300/MAMP1000/MTD/OPI2000/OXY/PPX/THC w/adulteration (OX, SG,	$3.11	$77.75
01 102 1985	10	EZ CUP II 10 AMP1000/BAR/BZO/COC300/MAMP1000/MDMA/MTD/OPI2000/ PCP/THC	$3.20	$80.00
01 102 2096	12	EZ CUP II 12 AMP1000/BAR/BUP/BZO/COC150/MAMP1000/MDMA/MOP300/ MTD/OXY/ PPX/THC	$4.50	$112.50

REDWOOD TOXICOLOGY LABORATORY

Confidence in testing

Pricing Schedule
Inyo County Probation
RFP For Drug Testing Services and Supplies
INFORMATION CONFIDENTIAL

Section III: On-Site Drug & Alcohol Screening Devices

ORAL FLUID DRUGS OF ABUSE - *For Forensic Use Only*

PART NUMBER	DRUG(S)	CONFIGURATION	PRICE PER DEVICE	BOX PRICE (25/BOX)
01 102 2024	5	iScreen Oral Fluid Device AMP50/COC20/MAMP50/OPI40/THC12 - *FFUO*	$5.60	$140.00
01 102 2025	6	iScreen Oral Fluid Device AMP50/COC20/MAMP50/OPI40/PCP10/THC12 - *FFUO*	$5.93	$148.25
01 102 1960	6	OrAlert 6 Oral Fluid Device AMP50/COC20/MAMP50/OPI40/PCP10/THC100 - *FFUO*	$5.00	$125.00
01 102 2083	6	OrAlert 6 Oral Fluid Device AMP50/BZO10/COC20/MAMP50/OPI40/THC100 - *FFUO*	$5.00	$125.00

SALIVA/BREATH ALCOHOL PRODUCTS

PART NUMBER	DRUG(S)	CONFIGURATION	PRICE PER DEVICE	BOX PRICE (25/BOX)
01 362 0001	N/A	Instant Alcohol Saliva Test Strip - *FFUO*	$0.80	$20.00
01 532 0020	N/A	ACON Breath Alcohol Device .02 (20/box)	$2.30	$46.00
01 094 0055	N/A	Alco-Screen Test (24/box)	$1.35	$32.40
01 094 0056	N/A	Alco-Screen .02 DOT Approved Alcohol Saliva (24/box)	$1.35	$32.40

REDISMOKE, PREGNANCY & ADULTERATION

PART NUMBER	DRUG(S)	CONFIGURATION	PRICE PER DEVICE	BOX PRICE (25/BOX)
01 102 0140	1	Urine Cotinine (Nicotine Metabolite) Cassette Device - *FFUO*	$0.85	$21.25
01 102 1950	N/A	Urine Pregnancy Cassette (40/Box)	$1.00	$40.00
01 102 1910	7	One Step Validity Test (Seven Parameter) - *FFUO*	$0.68	$17.00

COLLECTION SUPPLIES

PART NUMBER	DRUG(S)	CONFIGURATION	PRICE PER DEVICE	BOX PRICE (25/BOX)
031234	N/A	90 ml Urine Collection Bottle with Built-in Temp Strip	$0.22	$5.50
031380	N/A	6.5 oz/ Graduated Beaker	$0.10	$2.50
031258	N/A	Temperature Strip	$0.06	$1.50

Device Order Shipping & Handling: Device orders will be shipped at no charge for ground service delivery. Expedited shipping of device orders will be charged on an 'at cost' basis. FOB Destination Point.

***Forensic Use Only devices (FFUO)** are intended for use only in drugs of abuse testing for law enforcement purposes. Appropriate users of such devices include, for example, court systems, police departments, probation/parole offices, juvenile detention centers, prisons, jails, correction centers and other similar law enforcement entities, or laboratories or other establishments performing forensic testing for these entities. Forensic Use Only devices are not designed, tested, developed, or labeled for use in other settings, such as clinical diagnostic or workplace settings.

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

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

For Clerk's Use Only:
AGENDA NUMBER
5

FROM: Public Works Department

FOR THE BOARD MEETING OF: October 14, 2014

SUBJECT: Presentation about the recently completed Sabrina Bridge Replacement Project.

DEPARTMENTAL RECOMMENDATIONS: No action is required.

CAO RECOMMENDATION:

SUMMARY DISCUSSION: Q&D Construction, Inc. of Sparks, Nevada completed construction of the Sabrina Bridge Replacement Project on September 25, 2013. The objective of the project was to replace Bridge No. 48C-0025, which spans the Middle Fork of Bishop Creek at Sabrina Road, with a new bridge constructed according to current codes; and to realign and widen the approach roadway to improve sight distance and safety. Bridge No. 48C-0025 was scour-critical and structurally deficient; therefore, replacement of the bridge was essential. The approach roadway was narrow, and a rock outcrop on the west side of the roadway created line-of-sight issues.

Construction started on July 30, 2012. Construction activities consisted of the placement and maintenance of construction area signs; the preparation and implementation of a traffic control plan; the preparation and implementation of a storm water pollution prevention plan; constructing, maintaining, and later removing a temporary creek diversion system; constructing, maintaining, and later removing a temporary support system for the existing bridge; and excavating through solid granite to provide for realignment and 380 feet of new approach roadway and bridge abutments. The approach roadways on both sides of the bridge were widened and realigned to improve sight distance and safety.

Bridge work consisted of removing Bridge No. 48C-0025 and constructing the new Bridge No. 48C-0049. The new bridge consists of a single span, 3.5-foot deep cast-in-place, post-tensioned concrete box girder bridge with a width of 32.5 feet and a span of 88 feet, which makes this bridge the longest single-span bridge in the county. The cast-in-place concrete abutment on the south end of the bridge is founded on cast-in-place spread footings; and the cast-in-place concrete abutment on the north end of the bridge is founded on cast-in-drilled-hole concrete piles with rock sockets. Metal beam guardrail was installed on the bridge approaches, and decorative bridge rail with stamped concrete and rock façade was installed on the bridge.

The Board approved a Notice of Completion for the project on March 18, 2014.

The PowerPoint presentation will include an introduction of the Project Team, photos taken during construction, and a summary of project costs.

ALTERNATIVES:

OTHER AGENCY INVOLVEMENT:

FINANCING: There are no financial impacts associated with this presentation.

Presentation about the recently completed Sabrina Bridge Replacement Project (continued)

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by County Counsel prior to submission to the board clerk.) Approved:_____Date_____
AUDITOR/CONTROLLER	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.) Approved:_____Date_____
PERSONNEL DIRECTOR	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved:_____Date_____

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) _____ Date: 10/1/14

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

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

For Clerk's Use Only:
AGENDA NUMBER
6

FROM: Public Works Department

FOR THE BOARD MEETING OF: October 14, 2014

SUBJECT: Request to hire a Deputy Public Works Director

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

A. the availability of funding for the position of Deputy Public Works Director exists in the Public Works, Building and Maintenance, Building and Safety, CSA#2, Big Pine Lighting, Lone Pine Lighting, and Independence Lighting budgets as certified by the Public Works Director and concurred with by the County Administrator and the Auditor-Controller; and

B. the position possibly could be filled by internal candidates meeting the qualifications for the position, although an external recruitment may result in applicants with more depth and breadth of experience and is in the best interest of the County;

C. approve the hiring of one Deputy Public Works Director (Range 88, $6,627 - $8,053) contingent upon qualifications.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:
The incumbent Deputy Public Works Director resigned effective August 22, 2014, to pursue other employment. The Public Works Department has 63 employees responsible for 9 major functions and several minor ones spread over 30 budget units. The size and diversity of the department requires a substantial amount of administrative and management support to function efficiently. The Deputy Public Works Director position is necessary to work with the Public Works Director to provide this support.

This is particularly important as a result of service redesign efforts that have taken place over the last year. These service redesign initiatives saw, among other changes, the elimination of a supervisor position in Building and Maintenance and an expanded County role with the town water systems which indirectly lead to an expanded role at the Lone Pine Airport. The Deputy Public Works Director position held a key role in some of these redesign initiatives and freed up time for the Director to increase participation in others.

ALTERNATIVES:
The Board could choose to deny this request, which would signifiantly impact Public Works operations and jeopardize service redesign intiatives undertaken in the last year.

OTHER AGENCY INVOLVEMENT:

FINANCING:
Funded 94% General Fund(33% Public Works, 33% Building and Maintenance, 28% Building and Safety) and 6% percent from non-General Fund sources(1% Big Pine Lighting, 1% Lone Pine Lighting, 1% Independence Lighting and 3% CSA #2).

Agenda Request Form
Board meeting of October 7, 2014
Subject: Request to hire Deputy Public Works Director

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.) Margaret Temp-Williams	Approved: ✓ Date 10/02/14
AUDITOR/CONTROLLER	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.)	Approved: yes Date 10/6/2014
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 10/4/14

DEPARTMENT HEAD SIGNATURE: _____ Date: 10/7/14
(Not to be signed until all approvals are received)

For Clerk's Use Only:
AGENDA NUMBER

7

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

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

FROM: Public Works

FOR THE BOARD MEETING OF: October 14, 2014

SUBJECT: County Service Area (CSA) No. 2 – Sewer Rehabilitation Project. Resolution to accept new sewer Utility Easement Grant Deed and Quitclaim existing Utility Easement.

DEPARTMENTAL RECOMMENDATION:

1. Request Board of Supervisors approve the attached Resolution to accept a public sewer easement Grant Deed and, authorize the Public Works Director to execute a quitclaim deed to extinguish the County's interest in the existing utility (sewer) easement for the CSA No. 2 Sewer Rehabilitation Project; and,
2. Authorize the Public Works Department to record the above noted deeds and the executed Assumption of Risk and Indemnity Agreement.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

A portion of the CSA No. 2 – Sewer Rehabilitation Project work included relocating an existing public sewer main and associated easement occurring on private property located at 238 Cataract Road, in the community of Aspendell (described as Parcel 1 of Lot Line Adjustment No. 2012-03/Mason, recorded as Document No. 2012-0003360-00, in the Office of the Inyo County Recorder). This relocation of sewer main and easement were required in order to provide a better alignment for the new CSA No. 2 Sewer Rehabilitation project sewer main to be adjacent to the new southwesterly property line location of Parcel 1 (created by the above noted Lot Line Adjustment). A new easement deed, plat, and legal description were also prepared for this new easement. The property owners for Parcel 1 have signed a Grant Deed for the new public sewer easement and the County no longer has need for the previous sewer utility easement located on this same property. Public Works is therefore recommending approval and acceptance of the new public sewer easement and, approval to quitclaim the existing utility (sewer) easement located on Parcel 1, and authorization for the Public Works Director to sign a quitclaim deed to relinquish County interest in the existing sewer utility easement located on Parcel 1.

ALTERNATIVES:

Not approve and accept the new public sewer easement and approve the quitclaiming of the existing easement. This is not recommended because the newly constructed project sewer main alignment follows the new public sewer easement and the old sewer utility easement is no longer required by the County.

OTHER AGENCY INVOLVEMENT:

1) County Counsel

FINANCING:

The funds for the cost of a preliminary title report will be provided for in the FY 2014/2015 Budget through the Public Works Budget 810001, Object Code 5700, Construction in Progress.

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.)* Margaret Kemp-Williams Approved: ✓ Date 10/08/2014
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (*Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Approved: yes Date 10/8/2014
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:_____

RESOLUTION NO. 2014 - _____

A RESOLUTION OF THE INYO COUNTY BOARD OF SUPERVISORS ACCEPTING AN EASEMENT GRANT DEED FROM THE SINGLUFF FAMILY TRUST AND QUITCLAIMING COUNTY INTEREST IN 10' WIDE UTILITY EASEMENT

Whereas, the 1989 SINGLUFF FAMILY TRUST has offered and executed an Easement Grant Deed to Inyo County for sanitary sewer line purposes; and

Whereas, a copy of the Grant Deed is attached here to as "Attachment 1" which is, by this reference incorporated herein as though set forth fully; and

Whereas, the Inyo County Board of Supervisors determines it is in the best interest of the County to accept the Easement Grant Deed; and

Whereas, there exists a 10' wide Utility Easement originally shown on Lot 8, Aspendell Subdivision Tract No. 1, Book 2, Page 21, of Subdivision Maps, filed in the Office of the County Recorder of Inyo County, and now occurring on Parcel 1 of Lot Line Adjustment No. 2012-03, recorded as Doc. 20120003360 in the Office of the County Recorder of Inyo County; and

Whereas, this 10' wide Utility Easement is no longer required for public use and a Quitclaim Deed has been prepared for execution by the County in order to relinquish County interest in said 10' wide Utility Easement to the current and future property owners of said Parcel 1; and

Whereas, the 1987 and 1989 Slingluff Family Trusts have duly executed an Assumption of Risk and Indemnity Agreement, a copy of which is attached hereto as Attachment 2 and by the reference incorporated herein as though set forth fully, which will be recorded to provide notice to all claiming an interest in the described property whether now or in the future; and

NOW, THEREFORE, BE IT RESOLVED that the Inyo County Board of Supervisors orders that the Easement Grant Deed is accepted for public use, and hereby authorizes Clint G. Quilter, Public Works Director, to execute a Quitclaim Deed to relinquish all County interest in the existing 10' wide Utility Easement occurring on Lot 8 to the current and future property owners of said Parcel 1.

I hereby certify the foregoing resolution was introduced and read at the regular meeting of the County Board of Supervisors of the County of Inyo on the 14th day of October, 2014, and the resolution was duly adopted at said meeting by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Rick Pucci, Chairperson
Inyo County Board of Supervisors

ATTEST:

Kevin D. Carunchio, Clerk of the Board of Supervisors,
County of Inyo, State of California

by _____
Assistant Clerk to the Board

ATTACHMENT 1

ATTACHMENT 1

RECORDING REQUESTED BY

COUNTY OF INYO

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENT TO:

COUNTY OF INYO
PUBLIC WORKS
P.O. DRAWER Q
INDEPENDENCE, CA 93526

TITLE ORDER NO. 53651 PROJECT RR-12-022

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX IS NONE

PROPERTY ID NO. 14-281-23

FOR A VALUABLE CONSIDERATION, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED,

EDWARD J. SLINGLUFF AND PEGGY SLINGLUFF, CO-TRUSTEES, UNDER DECLARATION OF TRUST DATED 9/16/87 F/B/O THE SLINGLUFF FAMILY, AND EDWARD J. SLINGLUFF AND PEGGY SLINGLUFF, CO-TRUSTEES UNDER DECLARATION OF TRUST DATED 9/16/89 F/B/O THE SLINGLUFF FAMILY,

HEREBY GRANT(S) TO

COUNTY OF INYO

THE FOLLOWING DESCRIBED REAL PROPERTY IN THE COUNTY OF **INYO**, STATE OF CALIFORNIA:

AN EASEMENT FOR PUBLIC SEWER PURPOSES OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT A AND EXHIBIT B

DATED: SEPTEMBER 5, 2014

STATE OF ~~CALIFORNIA~~ NEVADA
COUNTY OF Douglas

On September 23, 2014 before me, Deidre A CHANEY, notary public personally appeared Edward J Slingluff and Peggy Slingluff, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE Deidre A Chaney

EDWARD J. SLINGLUFF AND PEGGY SLINGLUFF, CO-TRUSTEES, UNDER DECLARATION OF TRUST DATED 9/16/87 AND 9/16/89 F/B/O THE SLINGLUFF FAMILY,

BY: Edward J. Slingluff
EDWARD J. SLINGLUFF, TRUSTEE

Peggy Slingluff
PERRY SLINGLUFF, TRUSTEE
PEGGY SLIP. D.

DEIDRE A. CHANEY
Notary Public, State of Nevada
Appointment No. 96-1375-5
My Appt. Expires Apr 10, 2016

EXHIBIT "A"
COUNTY SERVICE AREA (CSA) NO. 2 SEWER EASEMENT
FOR: PARCEL I - LOT LINE ADJUSTMENT 2012-13
UNINCORPORATED TERRITORY OF INYO COUNTY, CALIFORNIA
LOCATED IN SECTION 20, R.31E., M.D.B.&M.

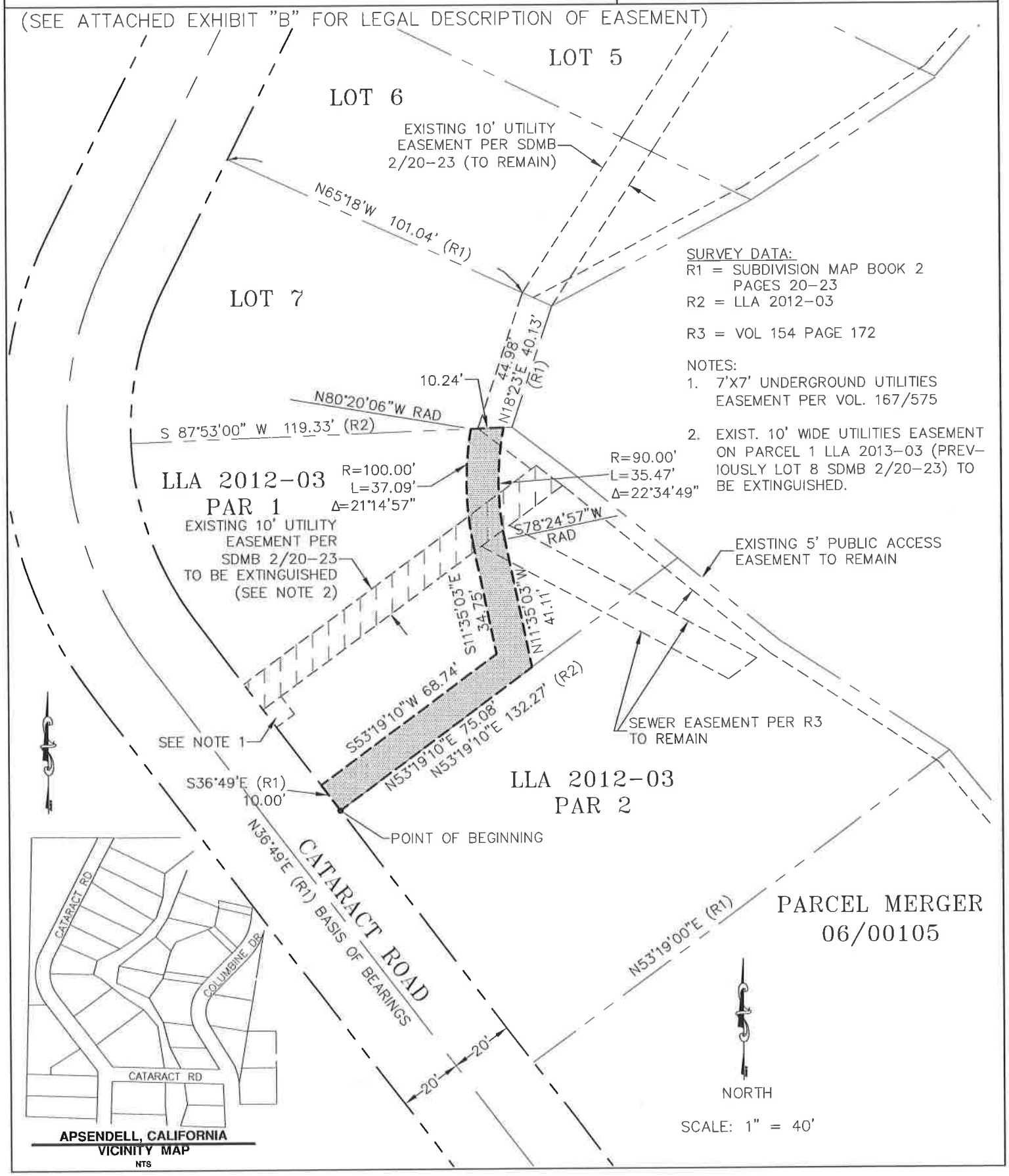

EXHIBIT B

CSA #2 PUBLIC SEWER EASEMENT
For
PARCEL 1 - LOT LINE ADJUSTMENT 2012-03

LEGAL DESCRIPTION

Being a portion of Lot Line Adjustment Parcel 1 described in "LOT LINE ADJUSTMENT NO. 2012-03" recorded as Document 20120003360; in the Office of the County Recorder of the County of Inyo, State of California, more particularly described as follows:

An easement for public sewer purposes BEGINNING at the most southerly corner of said Parcel 1, said southerly corner also being on the easterly right-of-way line of Cataract Road as shown on Aspendell Subdivision Tract No. 1, recorded in Book 2 of Subdivision Maps at Page 21; office of the County Recorder of the County of Inyo, State of California;

THENCE departing said southerly corner and proceeding northeasterly along the southerly property line of said Parcel 1 N 53°19'10" E 75.08 feet; THENCE departing said southerly property line northwesterly N 11°35'03" W 41.11 feet to a point on a tangent 90.00 foot radius curve concave easterly and having a radial bearing of S 78°24'57" W to said point; THENCE northerly along said curve 35.47 feet through an angle of 22°34'49" to the northerly line of said Parcel 1, said northerly line also being the southerly line of Lot 7 of said Aspendell Subdivision Tract No. 1; THENCE departing said curve and proceeding westerly along said southerly line of Lot 7, S 87°53'00" W 10.24 feet to a point on a non-tangent 100.00 foot radius curve concave easterly and having a radial bearing of N 80°20'06" W to said point; THENCE departing said southerly line of Lot 7 and proceeding southerly along said curve 37.09 feet through an angle of 21°14'57"; THENCE southeasterly S 11°35'03" E, 34.75 feet to a point on a line being parallel to and 10.00 feet offset northwesterly and perpendicular to the southerly property line of said Parcel 1; THENCE southwesterly along said parallel line S 53°19'10" W 68.74 feet, more or less, to said easterly right-of-way line of Cataract Road, said easterly right-of-way line also being the westerly property line of said Parcel 1; THENCE southeasterly along said easterly right-of-way line and westerly property line of said Parcel 1
S 36°49'00" E 10.00 feet to the POINT OF BEGINNING.

CONTAINING 1,461 square feet of easement area, more or less.

PROFESSIONAL LAND SURVEYOR
JEFF F. AHLSTROM
No. L 7852
Exp. 12/31/14
STATE OF CALIFORNIA

Legal Description Prepared Under the Supervision of

Jeff F. Ahlstrom, LS 7852
License Expires 12/31/14

ATTACHMENT 2

ATTACHMENT 2

ASSUMPTION OF RISK AND INDEMNITY AGREEMENT

WHEREAS, Edward J. Slingluff and Peggy Slingluff, Co-Trustees of the 1987 and 1989 SLINGLUFF FAMILY TRUST(s) ("Trust"), on behalf of the Trust requested as part of the CSA No.2 Sewer Rehabilitation Project that Inyo County (County) relocate the active sewer line on their property at 238 Cataract Road, in the community of Aspendell, ("Property") to a different site on the Property to better serve the property; and

WHEREAS, the County relocated the sewer line to a different site on the Property; and

WHEREAS, the Trust on October 2, 2014 granted to the County an easement to the new site on the Property through which the sewer line now runs; and

WHEREAS, the County through Quit Claim Deed intends to and will relinquish the easement shown on Lot 8, Aspendell Subdivision Tract No.1, recorded in Book 2, Page 21 of Subdivision Maps, in the Office of the Inyo County Clerk Recorder but will leave intact the sewer line running underground on the site of the relinquished easement.

NOW THEREFORE in consideration for the County relocating the sewer line to better serve the Property and relinquishing the easement shown on Lot 8, Aspendell Subdivision Tract No.1, recorded in Book 2, Page 21 of Subdivision Maps, in the Office of the Inyo County Clerk Recorder:

Edward J. Slingluff and Peggy Slingluff, Co-Trustees on behalf of the Trust, its devisees, beneficiaries, heirs, assignees and each of them, do hereby AGREE:

1. To indemnify and save harmless Inyo County, its officers, employees and agents and each of them from any and all claims, demands, causes of action, costs, expenses, losses or liabilities in law or in equity, of every kind and nature whatsoever, for but not limited to injury or death to any person and damages to or destruction of property owned by any person, arising out of or in any manner directly or indirectly caused by or arising out of the existence of the sewer line on the above described relinquished easement; and

2. To fully fund and defend all suits, actions, or other legal proceedings that may be brought by any persons against the County, its officers, employees or agents individually and collectively, as well as pay any judgments arising therefrom without recourse to the County; and

3. To reimburse any expenses the County may incur including reasonable attorney's fees and all costs of litigation to enforce this Agreement; and

4. To record this Agreement with the Inyo County Clerk Recorders following execution before a licensed notary public to serve as actual notice to any and all subsequent owners of the Property of the existence of the obligations assumed hereunder.

Dated 10 - 2 - 2014

SINGLUFF FAMILY TRUST [1987]

Edward J. Slingluff
EDWARD J. SLINGLUFF
CO-TRUSTEE

Peggy Slingluff
PEGGY SLINGLUFF
CO-TRUSTEE

SINGLUFF FAMILY TRUST [1989]

Edward J. Slingluff
EDWARD J. SLINGLUFF
CO-TRUSTEE

Peggy Slingluff
PEGGY SLINGLUFF
CO-TRUSTEE

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

State of Nevada)
County of Douglas)

On October 2, 2014, before me, Deidre A. Chaney, a notary public, personally appeared Edward J Slingluff and Peggy Slingluff, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person (s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

DEIDRE A. CHANEY
Notary Public, State of Nevada
Appointment No. 96-1375-5
My Appt. Expires Apr 10, 2016

Deidre A Chaney

Recording requested by (name):

County of Inyo, Public Works Dept.

And when recorded, mail this deed and tax statements to (name and address):

County of Inyo

Department of Public Works

P.O. Drawer Q

Independence, CA 93526

QUITCLAIM DEED

DOCUMENTARY TRANSFER TAX $ (none)
EXEMPTION (R&T CODE) _____
EXPLANATION _____

Signature of Declarant or Agent determining tax

APN: 14-281-23

For a valuable consideration, receipt of which is hereby acknowledged,

County of Inyo
(Disclaiming Party(ies))

hereby quitclaim(s) to Edward J. Slingluff and Peggy Slingluff, and all successor property owners
(Property Owner(s))

the following real property in the City of N/A, County of Inyo, California: (insert legal description)

All of that 10-foot wide Utility Easement shown on Lot 8, Aspendell Subdivision Tract No. 1, recorded in Book 2, Page 21 of Subdivision Maps, in the Office of the County Recorder of the County of Inyo, State of California.

Date: _____

(Signature of declarant)

(Typed or written name of declarant)

Date: _____

(Signature of declarant)

(Typed or written name of declarant)

State of California
County of _____

NOTARY SEAL

On _____, 20____, before me,
_____, a notary public, personally appeared
_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
Signature of Notary

For Clerk's Use Only:
AGENDA NUMBER

8

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

☐ Consent X Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Alisha McMurtrie, Treasurer-Tax Collector

FOR THE BOARD MEETING OF: October 14, 2014

SUBJECT: Interim loan from the county treasury to the Olancha Community Service District for the 2014/15 fiscal year.

DEPARTMENTAL RECOMMENDATION: Adopt the attached Resolution pursuant to the provisions of Article XVI, Section 6 of the California Constitution, thereby approving an interim loan from the county treasury to the Olancha Community Service District (District) in the aggregate amount of $20,000.00 for the purpose of financing the District's operational costs during the 2014/15 fiscal year prior to receipt of their annual property tax apportionment.

CAO RECOMMENDATION:

N/A

SUMMARY DISCUSSION: The above referenced Section of the California Constitution requires the County Treasurer to make interim loans to any district whose funds are in the custody of and paid out solely through the County treasury. Such loans cannot exceed 85% of the district's anticipated current fiscal year annual revenue. The Inyo County Auditor-Controller has determined that the requested loan amount of $20,000.00 does not exceed the statutory maximum amount. The County Treasurer has determined that there are sufficient funds on deposit in the County treasury to accommodate the subject loan, and that the approval and utilization of the loan amount will not adversely impact treasury pool participants. The law requires that loans of this nature be approved by the County Board of Supervisors. The adoption of the attached resolution will result in the approval of the loan. A copy of the District's loan request in the form of their resolution is attached for your information.

ALTERNATIVES: The law requires the approval of these types of loans when the public agency/borrower meets the prerequisites of the law.

OTHER AGENCY INVOLVEMENT:

N/A

FINANCING:

N/A

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)* Margaret Temp-Williams Approved: ✓ Date 09/18/14
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (M*ust be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Amy Shepherd Approved: ✓ Date 9-22-14
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) N/A Approved:_____ Date_____

DEPARTMENT HEAD SIGNATURE: Alisha McMurtrie Date: 10-2-2014
Alisha McMurtrie, Treasurer-Tax Collector

RESOLUTION NO. _____

A Resolution of the Inyo County Board of Supervisors Approving an Interim Loan to the Olancha Community Service District from the Inyo County Treasury Pursuant to Article XVI, Section 6 of the California Constitution

WHEREAS, the provisions of Article XVI, Section 6 of the California Constitution provide that the Treasurer of any County shall have the power and duty to make such temporary transfers from the funds in custody as may be necessary to provide the funds for meeting the obligations incurred for maintenance purposes by a political subdivision whose funds are in custody and paid out solely through the Treasurer's office upon resolution adopted by the governing body of the county directing the Treasurer to make such temporary transfers; and,

WHEREAS, the Olancha Community Service District (District) has made such a request for an interim loan in the aggregate amount of $20,000.00 for the 2014/15 fiscal year; and

WHEREAS, the amount of such request for temporary transfer does not exceed 85% of the anticipated secured property tax revenue accruing to the District for the 2014/15 fiscal year; and

WHEREAS, the District has agreed to repay the loan from revenues accruing to it in the 2014/15 fiscal year before any other obligation of the District is met; and

WHEREAS, the Inyo County Auditor-Controller is authorized to withdraw, intercept or otherwise offset against monies of the District in amounts sufficient to repay the principal and interest due on the interim loan as said monies accrue to the District,

NOW, THERERFORE, BE IT RESOLVED by the Board of Supervisors of the County of Inyo that, pursuant to the provisions of Article XVI, Section 6 of the California Constitution, the Inyo County Treasurer is hereby directed to make temporary transfers from the Inyo County Treasury to the District in an aggregate amount not to exceed Twenty Thousand ($20,000.00) dollars, as such transfers are requested by the District during the 2014/15 fiscal year.

PASSED AND ADOPTED by the Board of Supervisors of the County of Inyo, State of California, this 14th day of October 2014, by the following vote:

AYES:
NOES:
ABSENT:

_____
CHAIRPERSON OF THE BOARD OF SUPERVISORS
COUNTY OF INYO, STATE OF CALIFORNIA

Attest: Kevin Carunchio
Clerk of the Board

By_____
Deputy

RESOLUTION NO. 2014-08-02

A RESOLUTION OF THE BOARD OF DIRECTORS, OLANCHA COMMUNITY SERVICES DISTRICT, REQUESTING A TEMPORARY LOAN FROM THE INYO COUNTY TREASURY.

WHEREAS, the Board of Directors of the Olancha Community Services District desires to request a temporary loan during fiscal year 2014 and 15 from the Inyo County Treasury in the amount of up to $20,000.00, to be repaid from December and/or April 2014/15 tax revenues, whichever falls after the use of funds,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Olancha Community Services District that a loan in the amount of up to $20,000.00 be requested and the Fire Chief/Board Secretary be authorized to sign any and all documents pertaining to said loan:

PASSED AND ADOPTED this 21st day of August, 2014, by the following vote:

Motion passed 4 / 0.

	AYE	NOE	ABSENT
Lu Ellen Hays	X		
Tim Jones	X		
Neale Gordon	X		
Melinda Salmonds			X
Donna Frazier	X		

Neale Gordon, Chairperson
Olancha Community Services
District, Board of Directors

ATTEST:

Carol Dunnaway/ Secretary to the Board

BY: _____
Steven Davis, Fire Chief

For Clerk's Use Only:
AGENDA NUMBER
9

AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

Consent X Departmental ☐ Correspondence Action ☐ Public Hearing

☒ Scheduled Time for _____ ☐ Closed Session ☐ Informational

FROM: **Water Department**

FOR THE BOARD MEETING OF: **October 14, 2014**

SUBJECT: **Inyo County/Los Angeles Standing Committee Meeting – October 15, 2014**

DEPARTMENTAL RECOMMENDATION:

A meeting of the Inyo County/Los Angeles Standing Committee is scheduled for October 15, 2014 in Los Angeles, California. Pursuant to Resolution 99-43 and the Long-Term Water Agreement, your Board sets policy for the County's representatives to the Standing Committee. The Water Department requests your Board consider the attached draft agenda and provide direction to the County's Standing Committee representatives.

SUMMARY DISCUSSION:

Staff has prepared the attached draft agenda. Only one action item is anticipated:

Item #1: Approval of documentation of action items from the July 10, 2014 meeting. This item documents action items from the prior Standing Committee meeting. The only action item from July 10 was approval of the action item memo from the prior meeting. Recommendation: approve.

The other items are informational only, and will be reports on runoff and operations, Technical Group progress on implementing the vegetation monitoring and range improvement components of the Blackrock 94 settlement, and a discussion of the Owens Lake Master Project. Attached are a draft agenda, the LADWP Board letter setting out the components of the Master Project that are vital to LADWP, and your Board's response to LADWP's Board letter.

OTHER AGENCY INVOLVEMENT:

LADWP.

FINANCING:

N/A

APPROVALS	
COUNTY COUNSEL: **N/A**	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS *(Must be reviewed and approved by county counsel prior to submission to the board clerk.)* Approved: _____ Date: _____

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

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) Robert Harrington Date: 9/26/14

AGENDA

INYO COUNTY/LOS ANGELES STANDING COMMITTEE

1:00 p.m.
October 15, 2014

Board Room 1555-H, John Ferraro Building
111 North Hope Street
Los Angeles, California

The public will be offered the opportunity to comment on each agenda item prior to any action on the item by the Standing Committee or, in the absence of action, prior to the Committee moving to the next item on the agenda. The public will also be offered the opportunity to address the Committee on any matter within the Committee's jurisdiction prior to adjournment of the meeting.

1. **Action Item:** Approval of documentation of actions from July 10, 2014 meeting.
2. Report on operations and runoff conditions.
3. Report Blackrock 94 dispute settlement.
    a. Conditions in parcel Blackrock 94.
    b. Off-site enhancement to preserve alkali meadows
        i. Staff report on progress of prescribed burning.
    c. Vegetation monitoring - measurability.
        i. Staff report on progress of developing vegetation monitoring and analytical procedures to be used for determining change in vegetation cover or composition pursuant to Water Agreement Section IV.B and Green Book Section I.C.
4. Discussion of Owens Lake Master Project.
5. Public Comment.
6. Confirm schedule for future Standing Committee meetings.
7. Adjourn.

DRAFT

Standing Committee meeting protocols (Adopted May 11, 2011)

The Inyo/Los Angeles Long-Term Water Agreement (LTWA) define the Standing Committee in Section II:

As agreed by the parties, the Department representatives on the Standing Committee shall include at least one (1) member of the Los Angeles City Council, the Administrative Officer of the City of Los Angeles, two (2) members of the Board of Water and Power Commissioners, and three (3) staff members. The County representatives on the Standing Committee shall be at least one (1) member of the Inyo County Board of Supervisors, two (2) Inyo County Water Commissioners, and three (3) staff members.

The LTWA further provides that:

Regardless of the number of representatives from either party in attendance at a Standing Committee or Technical Group meeting, Inyo County shall have only one (1) vote, and Los Angeles shall have only one (1) vote.

The Standing Committee adopts the following protocol for future Standing Committee meetings.

1. In order for the Standing Committee to take action at a meeting, representation at the meeting will consist of at least four representatives of Los Angeles, including one member of the Los Angeles City Council or Water and Power Commission, and four representatives of Inyo County, including one member of the Board of Supervisors.

2. A Chairperson from the hosting entity will be designated for each meeting.

3. In the event that an action item is on the meeting agenda, Los Angeles and Inyo County shall each designate one member to cast the single vote allotted to their entity at the onset of the meeting. The Chairperson may be so designated. Agenda items that the Standing Committee intends to take action on will be so designated on the meeting agenda.

4. If representation at a Standing Committee meeting is not sufficient for the Standing Committee to act, the Standing Committee members present may agree to convene the meeting for the purpose of hearing informational items.

5. Meeting agendas shall include any item within the jurisdiction of the Standing Committee that has been proposed by either party.

6. The public shall be given the opportunity to comment on any agenda item prior to an action being taken. The public will be given the opportunity to comment on any non-agendized issue within the jurisdiction of the Standing Committee prior to the conclusion of each scheduled meeting. At the discretion of the Chairperson, reports from staff or reopening of public comment may be permitted during deliberations.

7. The Chairperson may limit each public comment to a reasonable time period. The hosting entity will be responsible for monitoring time during public comment.

8. Any actions taken by the Standing Committee shall be described in an action item summary memorandum that is then transmitted to the Standing Committee at its next meeting for review and approval. This summary memorandum shall also indicate the Standing Committee members present at the meeting where actions were taken.

9. Standing Committee meetings shall be voice recorded by the host entity and a copy of the recording shall be provided to the guest entity.

10. (Added February 24, 2012) The Standing Committee may also receive comments/questions in written form from members of the public. Either party may choose to respond, however, when responding to a public comment/question, whether verbally or in writing, any statements made by either party may represent the perspective of that party or the individual making the response, but not the Standing Committee as a whole (unless specifically agreed to as such by the Standing Committee). When either party responds in writing to public comment/question, that response will be concurrently provided to the other party.

DRAFT

INYO/LOS ANGELES STANDING COMMITTEE

Dedicated to the advancement of mutual cooperation

MEMORANDUM

Date October 15, 2014

Subject: Documentation of Actions Taken by Standing Committee at the July 10, 2014 Meeting.

The Standing Committee's policy is to document any actions taken by the Committee in a memorandum at the subsequent meeting. Standing Committee members present at the July 10, 2014 meeting in Independence were, for Inyo County: Supervisor Linda Arcularius, Supervisor Rick Pucci, County Administrative Officer Kevin Carunchio, County Counsel Marge Kemp-Williams, and Water Director Bob Harrington; and for Los Angeles: Councilman Felipe Fuentes, Commissioner Christina Noonan, Senior Assistant General Manager Martin Adams, Director Water Operations Richard Harasick, , Aqueduct Manager James Yannotta, Assistant City Attorney Julie Riley, and Deputy City Attorney David Edwards.

Actions taken at the July 10, 2014 meeting:

Agenda Item #1 - 1. Approval of documentation of actions from the April 29, 2014 meeting

The Standing Committee approved the April 29, 2014 memorandum entitled: *Agenda Item #1: Documentation of Actions Taken by Standing Committee at the April 29, 2013 Meeting.*

DRAFT

LOS ANGELES DEPARTMENT OF WATER AND POWER (LADWP)
INFORMATIONAL BOARD LETTER

TO: BOARD OF WATER AND POWER COMMISSIONERS	DATE: January 24, 2013
JAMES B. McDANIEL Senior Assistant General Manager – Water System RONALD O. NICHOLS General Manager	SUBJECT: Response to Board Request LADWP REQUIREMENTS FOR OWENS LAKE AGREEMENTS
	FOR COMMISSION OFFICE USE: This Informational Board Letter was transmitted to all Board Members on:

Summary

The Los Angeles Department of Water and Power (LADWP) dust mitigation efforts on Owens Lake have been undertaken incrementally in response to a series of individual orders by the Great Basin Unified Air Pollution Control District. The Owens Lake Master Plan efforts are aimed at creating a cohesive long-term plan for dust mitigation that protects and/or enhances other environmental and public values on Owens Lake and also calls for the efficient use of water only where it is a necessary option for dust control or where it can provide multiple benefits.

At the January 11, 2013, LADWP Board of Commissioners meeting, Water System staff received comments from the Board regarding the Owens Lake Dust Mitigation Project (Project) and progress of the Owens Lake Master Plan. Additionally, staff was directed to report to the Board a list of needs LADWP would require in *any* environmentally-focused plan that would steer the dust mitigation efforts in a better and sustainable direction while also protecting the water customers of LADWP whose bills pay for all of the City's commitments and investments at Owens Lake.

Background

In early 2010, LADWP convened a broad collaborative process to develop a "Master Plan" for the Owens Lakebed. The committee is composed of diverse state and local governmental agencies and interest groups.

The Master Plan focuses on several key goals, including continued dust mitigation, preservation of habitat, achievement of significant water conservation, protection of cultural resources, creation of local economic opportunities, and overall improvements to public access, recreation, and aesthetics.

The heart of the technical work was the development of a habitat suitability model (HSM) that derives a "habitat value" based on physical characteristics such as water depth and salinity, topographic relief, vegetation cover, and the individual requirements of various species present

on the lake. Through this process it has been determined and mapped by location that it is feasible to maintain or improve existing lake-wide habitat value over broad areas of the Owens Lakebed while reducing water demand by 50 percent.

Response to Request

Any modification of existing dust mitigation will require significant "re-investment" by LADWP, funded by water rates. The Board recognized that there are certain objectives and components in any future Owens Lake plan that LADWP "must have" in order to commit to a significant investment in money and resources to achieve a more sustainable and eco-friendly result at Owens Lake.

In response to the Board request, the requirements necessary to create a "balanced" plan that warrants a renewed investment of resources are listed below. Note that changes to State Law and the State Implementation Plan (SIP) may be necessary to put these in place permanently:

- Acceptance of Master Plan elements that protect or improve the habitat and public benefit goals within the areas where LADWP dust controls currently exist.
- Reduction in the amount of Los Angeles Aqueduct water applied to Owens Lake for dust mitigation by at least 50 percent to lessen Los Angeles' need for water from other California sources.
- Lawfully-established limit of 45 square miles of dust controls that Los Angeles is responsible to construct and maintain.
- Approved new waterless dust control methods.
- Allowance to transition sufficient areas of the lakebed without penalties.
- Easement or other indisputable, permanent right to execute and maintain the lakebed according to the plan provisions.
- Allowance to utilize groundwater under the lakebed to achieve the full habitat goals.

Request for Guidance

The staff seeks guidance from the Board regarding how to proceed in order to quickly and efficiently complete a plan that can be endorsed by LADWP that sets a better and more sustainable path forward at Owens Lake.

MLA:rdn
e-c: Ronald O. Nichols
Richard M. Brown
Aram Benyamin
James B. McDaniel
Philip Leiber
Gary Wong
Martin L. Adams

BOARD OF SUPERVISORS
COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526
TELEPHONE (760) 878-0373 • FAX (760) 878-2241
e-mail: pgunsolley@inyocounty.us

MEMBERS OF THE BOARD
LINDA ARCULARIUS
JEFF GRIFFITHS
RICK PUCCI
MARK TILLEMANS
MATT KINGSLEY

KEVIN D. CARUNCHIO
Clerk of the Board

PATRICIA GUNSOLLEY
Assistant Clerk of the Board

January 21, 2014

Mr. Mel Levine, President
Board of Water and Power Commissioners
Department of Water and Power of the City of Los Angeles
111 North Hope Street
Los Angeles, California 90012

Subject: LADWP's Requirements for Owens Lake Agreements

Dear Mr. Levine:

On January 24, 2013, the LADWP Board of Water and Power Commissioners found that before LADWP can commit the significant investment in money and resources to implement its proposed Master Project at Owens Lake, certain agencies and stakeholders first agree to seven objectives and requirements. The Water and Power Commissioners' seven objectives and requirements are:

1. Acceptance of Master Plan elements that protect or improve the habitat and public benefit goals within the areas where LADWP dust controls currently exist.

2. Reduction in the amount of Los Angeles Aqueduct water applied to Owens Lake for dust mitigation by at least 50 percent to lessen Los Angeles' need for water from other California sources.

3. Lawfully-established limit of 45 square miles of dust controls that Los Angeles is responsible to construct and maintain.

4. Approved new waterless dust control methods.

5. Allowance to transition sufficient areas of the lakebed without penalties.

6. Easement or other indisputable, permanent right to execute and maintain the lakebed according to the plan provisions.

7. Allowance to utilize groundwater under the lakebed to achieve the full habitat goals.

Following the action of the Board of Water and Power Commissioners, LADWP's management requested that the agencies involved with Owens Lake (the County, Great Basin Unified Air Pollution Control District (GBUAPCD), California State Lands Commission, California Department of Fish and Wildlife and others) present their views on LADWP's requirements. Until now, the County has not formally responded to LADWP's request.

The County believes that, at a time when the entire state is facing a potential third straight critically dry year, it is important for the County to express its support of efforts to reduce the use of potable water for dust control on Owens Lake that can be implemented without reducing the effectiveness of dust control on the lake and while maintaining critical habitat on the lake. Accordingly, in this letter, the County presents its views on LADWP's proposed objectives and requirements.

Concerning requirements 1 and 4, subject to review of a more complete description of these measures and review of an assessment of their environmental consequences, the County would support the implementation of these measures.

With regard to requirement 2, the County supports the reduction in the amount of Los Angeles Aqueduct water applied to Owens Lake for dust mitigation practices provided that the reduction does not diminish the effectiveness of dust control measures, and LADWP agrees to invest one third of water saved in the maintenance of healthy watershed conditions on Los Angeles-owned lands in the Owens Valley.

With respect to requirement 3, the County understands LADWP's desire for certainty and finality with respect to the amount of dust abatement on Owens Lake. Therefore, if the GBUAPD and LADWP were to agree to the areas where dust control is the responsibility of LADWP and that LADWP is not responsible for dust emanating from outside the agreed upon areas, the County would support the requirement.

The County supports the concept of transition areas; therefore, if the GBUAPCD and LADWP were to agree on transition areas, the County would support the implementation of requirement 5.

The County would support a request that the State Lands Commission grant an easement or other permanent right to LADWP to maintain the lakebed as described in requirement 6.

Finally, with regard to requirement 7 a groundwater monitoring, management, and mitigation plan must be agreed upon by LADWP and the County. Crucial components of this plan would be protection for non-LADWP groundwater users, protection of groundwater dependent resources, specification of each condition that would be considered a significant impact, management of groundwater pumping based on quantified triggers set to avoid significant impacts, on-site mitigation for property owners should unforeseen impacts occur, open and timely sharing of relevant data, regular reporting, and ongoing adaptive management of pumping based on accumulated monitoring data. If the agreed upon plan is analyzed and implemented through LADWP's EIR on its Master Project for Owens Lake, the County would agree to not challenge the adequacy of the portion of EIR that addresses the plan.

In addition, for the County to support requirement 7, the County and LADWP must reach a mutually acceptable resolution of the dispute filed on December 21, 2011 by LADWP. In the dispute, LADWP contends that groundwater pumping to supply water for dust control on Owens Lake is exempt from the provisions of the Long Term Water Agreement (Agreement). The County's position is that such groundwater pumping is subject to the Agreement--a position affirmed by the Standing Committee in 1998. A resolution of the dispute would recognize the positions of both parties, acknowledge that groundwater pumping pursuant to the plan outlined in the previous paragraph and implemented

through LADWP's Master Project EIR would not be subject to the Agreement--provided that LADWP and the County agree that any other groundwater pumping by LADWP in Inyo County, whether for the purpose of supplying water for dust control on Owens Lake or for other purposes, would be subject to the Agreement.

With regard to the proposed Master Project, the County's previous input submitted regarding the Master Plan that preceded the Master Project continues to be important to us, and we incorporate that input herein by reference[1] and request that it be considered moving forward.

The County recognizes that the entire state is facing the third straight critically dry year. Inevitably, this serious situation presents major challenges in Los Angeles and in the Owens Valley. Consequently, we believe that it would be beneficial for both parties to commence discussions as soon as possible with the goal of working together to develop mutually acceptable plans for managing the water resources of the Owens Valley during this severe drought period while maintaining the shared goals and objectives memorialized in the Long Term Water Agreement.

In conclusion, the County hopes that the County's good faith effort will lead to the opportunity for productive discussions concerning these important matters with representatives of LADWP.

Sincerely,

Supervisor Richard Pucci, Chairperson
Inyo County Board of Supervisors

Cc: Inyo County Water Commission
Martin Adams, LADWP
Colin Connor, CSLC
Mel Joseph, LPPSR
Bruce McKinney, CDFW
Ted Schade, GBUAPCD

---

1 Refer to http://inyoplanning.org/projects.htm.

For Clerk's Use Only:
AGENDA NUMBER

10

AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: **OFFICE OF COUNTY COUNSEL**

FOR THE BOARD MEETING OF: **OCTOBER 13, 2014**

SUBJECT: **APPROVE AND RATIFY AMENDMENT NO. 1 FOR LEGAL REPRESENTATION WITH GREGORY L. JAMES, ESQ.**

DEPARTMENTAL RECOMMENDATION:

(A.) Approve and ratify Amendment No. 1 to the Agreement between the County of Inyo and Gregory L. James, Attorney at Law to extend the Term of his current contract through June 30, 2015 and increase the contract limit by Twenty-Five Thousand Dollars ($25,000) to an amount not to exceed Fifty Thousand Dollars ($50,000), and (B.) authorize the Chairperson to sign the contract.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

Gregory L. James has a contract with the County of Inyo for the period from May 1, 2014 through October 31, 2014 for the provision of legal services with a maximum amount of $25,000.00. His services covered by this contract are related to several on-going projects which are self-sustaining: including without limitation REGPA, Munroe Valley, Adventure Trails, Crystal Geyser/Cabin Bar. Mr. James bills monthly after his services have been provided. The value of the work completed to this point in the contract term exceeds the $25,000.00 maximum, reaching $24,913.50 as of September 30, 2014, and leaving some invoices unpaid ($2,685.00). Mr. James services were/are critical to the County moving forward on these time sensitive projects. Therefore, we ask that your Board approve and ratify this Amendment effective September 1, 2014, to enable payment of the unresolved invoices and work performed to the point of approval and ratification in October, 2014.

ALTERNATIVES:

1. Decline to approve the Agreement with Gregory L. James as recommended, and direct that the office of County Counsel provide the County and its departments with legal services relating to REGPA, Adventure Trails Project, Munroe Valley, Crystal Geyser/Cabin Bar and any Environmental matters with existing attorney staff. This option would result in significant delays in completing requests for legal services for all but the most critical matters; and would require the County to still cover costs incurred in September and October for Mr. James services.

2. Decline to approve the Agreement with Gregory L. James as recommended, and direct staff to circulate a Request for Qualifications for another attorney or law firm to provide these services.

OTHER AGENCY INVOLVEMENT: Public Works and Planning Departments

FINANCING:

Funding for the increased expenditure of $25,000.00 is encumbered in the County Counsel's Budget 010700 Object Code 5265. Request for reimbursement will be submitted to Planning and Public Works for reimbursement to our Revenue Object Codes 4821 and 4824.

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.)* Margaret Kemp-Williams Approved: Yes Date 10/09/14
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS *(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)* Amy Shepherd Approved: Yes Date 10/9/14
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 10/9/14

DEPARTMENT HEAD SIGNATURE: Margaret Kemp-Williams Date: 10/09/14
(Not to be signed until all approvals are received)

AMENDMENT NUMBER 1 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
GREGORY L. JAMES, ESQ.
ENVIRONMENTAL/LAND USE ATTORNEY SERVICES
REGARDING MATTERS AT THE DIRECTION OF THE COUNTY COUNSEL

WHEREAS, the County of Inyo (hereinafter referred to as "County") and Gregory L. James, Esq., of BISHOP, CALIFORNIA (hereinafter referred to as "Contractor"), have entered into an Agreement for the provision of legal services dated May 27, 2014, for the term from May 1, 2014 to October 31, 2014.

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

1. TERM.

In accordance with Section 2 of the Agreement this Agreement shall terminate June 30, 2015;

2. Paragraph **3. CONSIDERATION .** is amended to read as follows:

E. Limit upon amount payable under Agreement. The total sum of all payments made by the County to Contractor for services and work performed under this Agreement, including travel and per diem expenses, if any, shall not exceed $50,000 Dollars (hereinafter referred to as "contract limit"). County expressly reserves the right to deny any payment or reimbursement requested by Contractor for services or work performed, including travel or per diem, which is in excess of the contract limit.

The effective date of this Amendment to the Agreement is September 1, 2014

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

\\\ NOTHING FOLLOWS ///

AMENDMENT NUMBER 1 TO
AGREEMENT BETWEEN THE COUNTY OF INYO AND
GREGORY L. JAMES, ESQ.
WATER/ENVIRONMENTAL ATTORNEY SERVICES
REGARDING MATTERS AT THE DIRECTION OF THE COUNTY COUNSEL

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

COUNTY OF INYO

By: _____

Dated: _____

CONTRACTOR

By: _____
Signature

Gregory L. James
Type or Print

APPROVED AS TO FORM AND LEGALITY:

_____
County Counsel

APPROVED AS TO ACCOUNTING FORM:

_____
County Auditor

APPROVED AS TO PERSONNEL REQUIREMENTS:

_____
Director of Personnel Services

APPROVED AS TO RISK ASSESSMENT:

_____
County Risk Manager

{C:Contractor/Amendments/GJamesAmnd1,Contract wCoCo.

COUNTY OF INYO
TREASURER-TAX COLLECTOR
168 NORTH EDWARDS STREET
POST OFFICE DRAWER O
INDEPENDENCE, CA 93526-0614
(760) 878-0312 • (760) 878-0311 FAX
inyottc@inyocounty.us

ALISHA McMURTRIE
TREASURER-TAX COLLECTOR

Inyo County Capital Asset Leasing Corporation
Annual Financial Report
October 14, 2014

History:
In 1990, the Inyo County Capital Asset Leasing Corporation issued Certificates of Participation (COPs) in the total amount of $5,000,000.00 for the primary purpose of financing a new County Jail and Juvenile Detention Facility. In 1999, the County paid down the outstanding COP principal by $900,000.00, and issued refunding COPs in the amount of $2,940,000.00 in order to take advantage of lower interest rates, and thereby reduce the County's interest costs and annual debt (lease) payments. The County posted Assessor's Parcel Number 002-133-02 (new County Jail land and improvements) as collateral on the 1999 Refunding COPs.

Cash Assets:
On February 1, 2011, the final payment on the financing for the County Jail and Juvenile Facility was made, effectively bringing the Reserve fund to a zero balance and closing the account. There are no cash assets.

Current Standing:
The Capital Asset Leasing Corporation currently has no issuances. The Corporation remains in effect and positioned to provide services for any future debt service financing the County may enter into.

Bond Rating:
Over the life of the financing, Moody's Investor Service rated the County's 1999 Refunding COPs at Baa1. This rating has since been reaffirmed. The County will obtain an updated financial review when it seeks any future financing packages.

Prepared by: Alisha McMurtrie, Treasurer-Tax Collector

For Clerk's Use Only:
AGENDA NUMBER
12

AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing
☒ Scheduled Time for 11:30 a.m. ☐ Closed Session ☐ Informational

FROM: HEALTH & HUMAN SERVICES – Mental Health

FOR THE BOARD MEETING OF: **October 14, 2014**

SUBJECT: **Enactment of Ordinance establishing fees for the Inyo County Mental Health Program**

DEPARTMENTAL RECOMMENDATION:
Request Board adopt an ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Repealing Ordinance No. 1185, and Revising Inyo County Community Mental Health Services Fees."

CAO RECOMMENDATION:

SUMMARY DISCUSSION:
At your October 7, 2014 Board Meeting your Board conducted a public hearing for the purpose of adopting the above referenced ordinance, waived the first reading, and scheduled the adoption of the ordinance for October 14, 2014. The ordinance will take affect (30) thirty days following Board adoption.

ALTERNATIVES:
Your board could deny this request, and the result would be lower cash flow this fiscal year, which would be recouped a few years later via cost report settlement. Inyo County Mental Health would continue to claim SDMC FFP at its 2013 - board approved rates.

OTHER AGENCY INVOLVEMENT:
Department of Health Care Services

FINANCING:
Short Doyle Medi-Cal - Federal Financial Participation; Realignment & MHSA matching funds. Revenues will be deposited in Mental Health (045200), object code Mental Health Medi-Cal (4748).

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.)* Margaret Kemp Wilson Approved: ✓ Date: 09/14/14
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: _____
BUDGET OFFICER:	**BUDGET AND RELATED ITEMS** *(Must be reviewed and approved by the Budget Officer prior to submission to the Board Clerk.)* Approved: _____ Date: _____

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received) Jean Turner DE Date: 9/29/14

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF INYO, STATE OF CALIFORNIA,
REVISING INYO COUNTY COMMUNITY
MENTAL HEALTH SERVICE FEES

The Board of Supervisors of Inyo County ordains as follows:

Section I: INTENT

Inyo County currently charges mental health fees for mental health services provided by the County. These fees are only charged to those who are able to pay them. These fees were last adopted on October 3, 2013. The intent of this ordinance is to adjust those fees in accordance with Assembly Bill (AB) 1297, which directs the California Department of Health Care Services (DHCS) to reimburse Mental Health Plans (MHP) based upon an approximation of their actual costs. DHCS has determined that a reasonable approximation of the MHP's cost is the calculation of costs using its prior year's certified cost report. DHCS has released an Interim Rate table for Fiscal Year 2014/15 using Fiscal Year 2012/13 cost report. Inyo County Mental Health intends to charge fees in keeping with the designated rates that are set forth by DHCS.

Section II: PURPOSE

The purpose of this ordinance is to adjust fees, based on the rates set forth by DHCS for the provision of mental health services to recover the costs of providing the program.

Section III: AUTHORITY

Welfare and Institutions Code (W&I), Sections 5709 and 5710 authorize the County to charge for mental health services in accordance with W&I section 5720. DHCS considers the rates in the most recently filed certified cost reports as a reasonable means of approximating the County's certified public expenditures. DHCS will claim federal reimbursement for each MHP based upon an approximation of its actual cost of providing the services without exceeding the contract upper payment limit that is applied to each MHP.

Section IV: FEES

The County of Inyo Community Mental Health Program fees are hereby established as follows:

INYO COUNTY MENTAL HEALTH SERVICES SCHEDULE OF FEES

MODE OF SERVICE	SERVICE DESCRIPTION	FEE (per minute of service)
Outpatient Services	Mental Health Services	$3.51
Outpatient Services	Therapeutic Behavioral Services	$3.51
Outpatient Services	Medication Support	$5.90
Outpatient Services	Crisis Intervention	$3.85
Outpatient Services	Case Management Brokerage	$4.84

Section V: SERVICE

The activities included within the Service Description are defined in Title 9, California Code of Regulations (CCR), Section 543: Title 22, CCR, Section 51341.

Section VI: UNITS OF SERVICE

The fee for each Service shall be the exact number of minutes used by staff providing a reimbursable services, pursuant to Title 9, CCR, Section 1840.316, and such amendments thereto and superseding documents as promulgated from time to time by the State of California, Department of Health Care Services.

Section VII: DETERMINATION OF FEE FOR INDIVIDUAL

The exact amount of the fee charged to each individual for a Service may be less than the maximum fee established pursuant to Section IV and VI herein, subject to the minimum annual fee for service set forth in this Section VII. Such exact fee for an individual shall be determined based upon ability to pay in accordance with the "Uniform Method of Determining Ability to Pay" pursuant to W&I Section 5724 and set forth in DMH Information Notice 98-13, and such amendments and/or superseding documents as promulgated from time to time by the State of California, Department of Health Care Services.

Section VIII: APPLICATION TO DEFINED SERVICES ONLY

This Ordinance shall apply only to the Services expressly designated and defined herein, and not to any other services and associated rates, fees, or charges which the County of Inyo is authorized to charge or collect pursuant to other applicable law.

Section IX: COUNTY ORDINANCE 1185 REPEALED

On the effective date of this Ordinance, Ordinance No. 1185, Revising Inyo County Community Mental Health Service Fees is repealed.

Section X: EFFECTIVE DATE

This Ordinance shall take effect and be in full force and effect, except as herein limited, thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption hereof, a summary of this Ordinance shall be published once in a newspaper of general circulation printed and published in the County of Inyo, State of California in accordance with Government Code Section 25124 (b). The Clerk of the Board is hereby instructed and ordered to so publish a summary of this Ordinance together with the names of the Board members voting for and against same.

PASSED AND ADOPTED this _____ day of _____, 2014.

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Richard Pucci, Chair
Inyo County Board of Supervisors

ATTEST: Kevin Carunchio
Clerk of the Board

By:_____
Patricia Gunsolley, Assistant Clerk of the Board

State of California—Health and Human Services Agency
Department of Health Care Services

TOBY DOUGLAS
DIRECTOR

EDMUND G. BROWN JR.
GOVERNOR

August 22, 2012

MHSD INFORMATION NOTICE NO.: 12-06

TO: LOCAL MENTAL HEALTH DIRECTOR'S
LOCAL MENTAL HEALTH PROGRAM CHIEFS
LOCAL MENTAL HEALTH ADMINISTRATORS
COUNTY ADMINISTRATIVE OFFICES
CHAIRPERSONS, LOCAL MENTAL HEALTH BOARDS

SUBJECT: ELIMINATING THE SCHEDULE OF MAXIMUM ALLOWANCE PER ASSEMBLY BILL 1297

REFERENCE: Welfare and Institutions Code, Section 5720 and 5724, 42 CFR 447.362 and 42 CFR 433.51

EXPIRES: Retain until superseded

Effective July 1, 2012, Assembly Bill (AB) 1297 (Statutes of 2011) directs the Department of Health Care Services (DHCS) to reimburse county mental health plans (MHPs) based upon their certified public expenditures (CPEs) that do not exceed the non-risk contract upper payment limit (UPL) applied to each MHP. The intent of AB 1297 is for DHCS to claim federal reimbursement for each MHP based upon an approximation of its actual cost of providing the services without exceeding its UPL.

The purpose of this information notice is to briefly describe the CPE process, the UPL for each MHP, how the State will provide interim reimbursement to each MHP for specialty mental health services provided after June 30, 2012, and how the State will perform its interim and final cost settlement of specialty mental health services.

Certified Public Expenditures

The following overview of CPE requirements is provided to give MHPs a general understanding of the CPE requirements that are applicable to the specialty mental health services program.

Section 1903(a) of the Social Security Act provides, in part, that the Federal Government shall pay to the State a percentage "of the total amount expended" for

Mental Health & Substance Use Disorder Services
1501 Capitol Avenue, P.O. Box 997413, MS 4000
Sacramento, CA 95899-7413
Phone: (916) 440-7400 Fax (916) 440-7404
Internet Address: http://www.DHCS.ca.gov

providing medical assistance (which includes specialty mental health services).[1] This percentage is referred to as the Federal Medical Assistance Percentage (FMAP).

States may use public funds expended by other units of government for purposes of claiming federal reimbursement for the cost of Medicaid services and activities. Section 433.51 of title 42 of the Code of Federal Regulations provides that the amount expended must be ". . . certified by the contributing public agency as representing expenditures eligible for FFP under this section." Public entities may not certify expenditures that have not yet been made, for example, where the certification is based, in whole or in part, on an invoice or other billing that has not yet been paid. Federal reimbursement with respect to the expenditure certified is paid to the state in accordance with the appropriate FMAP rate. For example, in a state with a 50 percent FMAP rate, if the amount certified is $100, then the claim would be for $50 in FFP (.50 x 100).

DHCS claims federal reimbursement for Medi-Cal specialty mental health services based on public expenditures certified by the MHPs. When a MHP submits an interim claim for reimbursement it should either reflect the MHP's actual cost or a reasonable approximation of the MHP's actual cost. When the claim for reimbursement is for a specialty mental health service rendered by a county owned and operated facility, the MHP is not expected to know its actual cost. The MHP will not know its actual cost until the fiscal year is over and it has completed its cost finding and cost allocation through the specialty mental health services cost report. Consequently, the interim claim for reimbursement of services rendered by county-owned and operated providers will be based upon a reasonable approximation of the MHP's actual cost. An example of a reasonable approximation is the determination of costs based upon the prior year's certified cost report. DHCS will settle these interim payments to actual cost when the MHP files its certified cost report.

When the claim for reimbursement is for a service provided by a contract provider, the MHP is expected to know its interim cost. After a contract provider renders a specialty mental health service to a Medi-Cal beneficiary, it will invoice the MHP for payment. The MHP must pay the provider before submitting a claim to DHCS for federal reimbursement. The interim cost to the MHP is equal to the amount it paid the provider for the service rendered. This cost to the county is the amount the county may certify as its public expenditures as long as the source(s) of funding used to pay the provider is eligible for federal reimbursement. DHCS expects the claim for reimbursement to equal the amount the MHP paid the provider for the service rendered less any funding sources not eligible for federal reimbursement.

---

[1] 42 U.S.C. § 1396b(a).

Mental Health Plan Upper Payment Limit

MHPs contract with DHCS to provide specialty mental health services to Medi-Cal beneficiaries under a section 1915(b) waiver. That section 1915(b) waiver identifies the contract between DHCS and the MHPs as a non-risk contract. Title 42, Chapter IV, Subchapter C, Part 447, Section 362 of the Code of Federal Regulations (42 CFR 447.362) establishes the UPL for non-risk contracts.

Under the provisions of 42 CFR 447.362, the federal reimbursement paid to MHPs may not exceed the amount that Medicaid would have paid providers under the State plan for the services furnished to Medi-Cal beneficiaries plus the net savings of administrative costs the Medicaid agency achieves by contracting with the MHPs.

DHCS is currently working with CMS to obtain approval of proposed State Plan Amendment (SPA) 09-004 that describes the methodology by which it will determine each MHP's non-risk contract UPL to be applied to reimbursement to each MHP for their expenditures in providing specialty mental health services. The purpose of SPA 09-004, which is expected to be approved for an effective date of January 1, 2009, is to establish the MHP UPL to allow reimbursement under the Specialty Mental Health Services Waiver up to the federal UPL, which will be equal to the sum of total allowable costs less third party revenue for all of the MHP's legal entities. Total allowable costs for each legal entity will likely be equal to the lower of allowable cost or usual and customary charges for the specialty mental health services provided, unless the legal entity qualifies as a nominal charge provider. Total allowable costs for a legal entity that qualifies as a nominal charge provider is equal to the legal entity's allowable cost for the specialty mental health services provided.

DHCS will separately calculate the UPL for each MHP and apply it to the total certified public expenditures at interim settlement and final settlement. At interim and final settlement, the MHP's total CPEs reimbursed must not exceed its UPL.

Interim Claims for Reimbursement

Interim claims for payment of federal reimbursement for specialty mental health services provided after June 30, 2012, will not be limited by the Schedule of Maximum Allowances (SMA). Interim claims for reimbursement of specialty mental health services provided by county owned and operated providers will be limited by an interim rate established for each county. MHPs must submit claims for reimbursement of services provided by contract providers that are equal to the lowest of the amount the county paid the provider, an estimate of the provider's reasonable and allowable cost to provide the service, or the provider's usual and customary charge for the service. MHPs will have the option to establish a countywide maximum allowance to limit interim

claims for reimbursement of specialty mental health services provided by contract providers.

Because the MHPs know their interim cost of services provided by their contract providers, they may claim reimbursement based upon the amount they paid the providers without a maximum rate. Some MHPs may not have the capacity to submit claims for reimbursement based upon their actual costs due to various claiming rules established by the Health Insurance Portability and Accountability Act (HIPAA). To prevent over claiming in these situations, some MHPs may want to limit their interim reimbursement for services provided by contract providers to some maximum rate. The State will be seeking additional information from MHPs to determine which MHPs intend to limit their interim reimbursement for services provided by contract providers and the maximum rates they will establish for services provided by contract providers.

Because the MHP does not immediately know the actual cost of services provided by its county-owned and operated providers, DHCS must establish interim rates that approximate the MHP's cost of providing the service. DHCS will calculate interim rates for each MHP for each Medi-Cal mode and service function that the MHP is certified to provide.[2] DHCS will base the interim rate on the most recently filed cost report trended forward using a cost of living index. All interim claims submitted by a MHP for services provided by its county owned and operated providers will be limited by this interim rate.

To calculate appropriate interim rates for county owned and operated providers for Fiscal Year 2012-13, DHCS will be requesting additional cost information from the MHPs. DHCS will base the Fiscal Year 2012-13 interim rates on the most recently filed Fiscal Year 2009-10 cost report for the county legal entity. DHCS's methodology to reimburse indirect costs in the Fiscal Year 2009-10 cost report is different from the methodology it will use to reimburse indirect costs in Fiscal Year 2012-13. In Fiscal Year 2009-10, indirect costs would have been largely allocated to administration. In Fiscal Year 2012-13, indirect costs will be distributed among administration, utilization review/quality assurance, Medi-Cal Administrative Activities, and direct services. DHCS will be requesting MHPs to provide it with the amount of indirect costs that would have been allocated to each mode and service function reported in the Fiscal Year 2009-10 cost report had the county allocated costs using the same methodology described in DMH Letter 11-01.

Interim Settlement

DHCS will base the settlement of all interim payments on the MHP's CPEs that do not exceed its UPL. The MHP's CPEs for services provided by its county legal entity is

[2] The terms "Medi-Cal mode" and "Medi-Cal service function" are defined in the Specialty Mental Health Services billing and cost reporting protocol.

equal to the county legal entity's reasonable and allowable costs as determined in the county legal entity's specialty mental health services cost report. The MHP's CPEs for specialty mental health services provided by its contract owned and operated providers is equal to the amount it paid its contract providers for the specialty mental health services.

Each MHP's UPL will be equal to the total amount that DHCS would have paid the provider if the provider was reimbursed pursuant to the State Plan. The reimbursement methodology in the State Plan is likely to be limited to the lower of the provider's usual and customary charge or allowable cost for the specialty mental health services provided. The UPL for each MHP will likely be equal to the sum of each provider's usual and customary charge or allowable cost for the services provided, whichever is lower.[3] DHCS will calculate the federal reimbursement due to each MHP based on its CPEs that do not exceed its UPL.

The amount of federal reimbursement due to a MHP as determined in its cost report will continue to be compared to all interim payments made to the MHP. If the interim payments are less than the amount of federal reimbursement determined in the cost report, the MHP will receive a payment for the amount due. If the interim payments made to the MHP are greater than the federal reimbursement determined in the cost report, DHCS will require the MHP to repay the overpayment.

Final Settlement

Within three years after the MHP submits the reconciled cost report, DHCS will settle all payments to the MHP's finalized, audited spending year cost report. If at the final settlement, DHCS determines that the MHP has been underpaid, the MHP will receive a payment for the amount due. If at the end of the final settlement, DHCS determines that it overpaid the MHP, it will require the MHP to repay the overpayment. DHCS will follow federal Medicaid procedures for managing overpayments.

Please contact Charles Anders at (916) 650-6684 or Charles.Anders@dhcs.ca.gov if you have any questions about this information notice.

Sincerely,

Original signed by

Vanessa Baird
Deputy Director

[3] The State will inform MHPs how the UPL will be calculated once CMS approves SPA 09-004.

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 11:30 a.m. ☐ Closed Session ☐ Informational

FROM: Inyo County Planning Commission

FOR THE BOARD MEETING OF: October 14, 2014

SUBJECT: Zone Reclassification #2014-02 and General Plan Amendment #2014-01/Castro

DEPARTMENTAL RECOMMENDATION:

Request the Board of Supervisors:

A) conduct a public hearing on the following actions for a 10,004 sq. ft. site (lots 6 & 7 of APN 005-104-05) located at 106 Washington Street, Lone Pine: a General Plan Amendment to change the General Plan designation from Central Business District (CBD) to Residential Medium High Density (RMH) and a proposed ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2014-02/Castro and Amending the Zoning Map of the County of Inyo by Rezoning a 10,004 sq. ft. Parcel Located at 106 Washington Street (APN 005-014-05) in the Community of Lone Pine From Central Business – Architectural Design Control (CB-D) to Multiple Residential (R-2);

B) approve a resolution titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Certifying That the Provisions of the California Environmental Quality Act (CEQA) Have Been Met and Making Certain Findings With Respect To and Approving Zone Reclassification #2014-02/Castro and General Plan Amendment #2014-01/Castro"; and

C) waive the first reading of the above referenced Ordinance approving Zone reclassification #2014-02/Castro and schedule the enactment for 11:30 a.m., Tuesday, October 21, 2014 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

SUMMARY DISCUSSION:

Applicant Miguel Castro Magallenes owns property located at 106 Washington Street in Lone Pine (APNs 005-104-05), and which includes two (2) existing residential buildings. One of the residences was built in 1895, and is representative of turn of the century Owens Valley architecture. The smaller single family residence was built in 1936. Mr. Castro wishes to rezone the property so that he may demolish the residence constructed in 1895, and install a mobile home onto the property.

The residence constructed in 1895, which is proposed for demolition is included in the Inyo County Historic Survey and is listed as being in poor condition. Staff has encouraged the applicant to preserve and restore the home; however, the applicant believes that the extent of renovations required on the existing structure making restoring the residence infeasible since the structure is quite dilapidated. The structure is not listed on the State and National Historic Registers.

The existing single family residences are nonconforming uses, and it is not permissible to construct a new single family residence under the existing zoning. The property is currently zoned Central Business in Architectural Design Control District (CB-D), which does not allow for the construction of a new single family residential building. Mr. Castro wishes to rezone the property to a residential district in order to replace the older residence with a new mobilehome. Multifamily residential (R-2) is being suggested to be consistent with surrounding zoning designations and the character of the neighborhood.

Mr. Castro is requesting a corresponding General Plan Amendment to change the General Plan designation of his property from Central Business District (CBD) to Residential Medium High Density (RMH). Surrounding properties to the west of Mr. Castro's property are designated RMH.

Environmental Review

The proposed zone change only modifies regulations, will not result in any physical impacts on the environment, and is therefore exempt from environmental review per the "General Rule" [CEQA Guidelines, Section 15061(b)(3)]:

> *"The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."*

The Planning Commission heard this request on August 27, 2014, and voted to approve the application with a vote of 4-0 (one member absent).

ALTERNATIVES:

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

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

No direct impact.

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.)* Margaret Lamp-Williams Yes 09/24/14
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS *(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)*

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

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

Date: 9-24-14

Attachments:

1.) B.O.S. Resolution (proposed)
2.) B.O.S. Ordinance (proposed)
3.) Planning Commission Packet, dated August 27, 2014 (Zone Reclassification #2014-02/Castro & General Plan Amendment #2014-01/Castro).

Attachment 1

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, CERTIFYING THAT THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) HAVE BEEN MET AND MAKING CERTAIN FINDINGS WITH RESPECT TO AND APPROVING ZONE RECLASSIFICATION #2014-02/CASTRO AND GENERAL PLAN AMENDMENT #2014-01/CASTRO

WHEREAS, the Inyo County Board of Supervisors, through Section 15.12.040 of Inyo County Code, has designated the Planning Commission as the Environmental Review Board pursuant to Section 15002 of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, pursuant to Section 15025 of the State CEQA Guidelines as implemented by Section 15.12.040 of the Inyo County Code (CEQA Procedures), the Planning Commission is responsible for the environmental review of all County projects; and

WHEREAS, the Inyo County Planning Department exempted General Plan Amendment #2014-01/Castro from environmental review under CEQA Guidelines Section 15061.b, general rule, deeming that the proposed General Plan Amendment for the property, located at 106 Washington Street, Lone Pine, CA (APN 005-104-05) to Residential Medium High Density (RMH) from Central Business District (CB) could have no possibility of causing significant environmental effects; and

WHEREAS, the Inyo County Planning Department exempted Zone Reclassification #2014-02/Castro from environmental review under CEQA Guidelines Section 15061.b, general rule, deeming that the proposed Zone Reclassification for the property, located at 106 Washington Street, Lone Pine, CA (APN 005-104-05) to Multiple Residential (R-2) from Central Business – Architectural Design Control (CB-D) could have no possibility of causing significant environmental effects; and

WHEREAS, the Inyo County Planning Commission is required to conduct a public hearing on proposed General Plan Amendments, and Zone Reclassifications, and to make a recommendation to the Board of Supervisors thereon on General Plan Amendments and Zone Reclassifications (Sections 65854 and 65855 of Government Code); and

WHEREAS, the Inyo County Planning Commission held a public hearing on August 27, 2014, to review and consider a request for approval of Zone Reclassification #2014-02/Castro and General Plan Amendment #2014-01/Castro, and considered the staff report for the application and all oral and written comments regarding the application; and

WHEREAS, following said public hearing the Planning Commission recommended that this Board of Supervisors:

1. Certify that the requirements of the California Environmental Quality Act have been satisfied with respect to the General Plan Amendment and Zone Reclassification applications; and

2. Approve the General Plan Amendment and Zone Reclassification applications.

WHEREAS, pursuant to that recommendation, this Board of Supervisors held a public hearing on October 7th, 2014, and considered all written and oral testimony presented concerning Zone Reclassification #2014-02/Castro and General Plan Amendment #2014-01/Castro.

NOW, THEREFORE, BE IT HEREBY RESOLVED that, based on all of the written and oral comment and input received at the October 7th, 2014, hearing, including the Planning Department Staff Report concerning the above described proposed project, this Board makes the following findings for the proposed project:

1. The provisions of the California Environmental Quality Act (CEQA) have been satisfied, as the project was deemed exempt from environmental review under CEQA Guidelines Section 15061.b.3, the general rule, and CEQA Guidelines Sections 15301 and 15303 (Class 1 and 3 Categorical Exemptions).

2. Based on substantial evidence in the record, the proposed Zone Reclassification and General Plan Amendment are consistent with the Goals and Policies of the Inyo County General Plan.
3. Based on substantial evidence in the record, the proposed Zone Reclassification and General Plan Amendment are consistent with Title 18 (Zoning Ordinance) of the Inyo County Code.
4. The project site is extensively disturbed (already developed) and will not result in the loss of native vegetation or wildlife habitat. Therefore, this project will have a "de minimus" impact on wildlife resources as outlined in the California Department of Fish and Game Code Section 711.4.

5. The proposed use is properly related to other uses and transportation and service facilities in the vicinity.
6. The proposed use would not, under all the circumstances of this case, adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.

7. The proposed use is necessary or desirable.

BE IT FURTHER RESOLVED, that Zone Reclassification #2014-02/Castro proposes to reclassify the zoning designation from Central Business – Architectural Design Control (CB-D) to Multiple Residential (R-2), which is similar to surrounding parcels, which are also designated R-2.

BE IT FURTHER RESOLVED, that General Plan Amendment #2014-01/Castro proposes to change the land use designation from Central Business District (CBD) to Residential Medium-High Density (RMH), which correspond to the proposed zone reclassification, and is similar to surrounding parcels, which are also designated RMH.

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Inyo, State of California, does hereby approve Zone Reclassification #2014-02/Castro, subject to the following conditions of approval:

1. Hold Harmless: The applicant shall defend, indemnify and hold harmless Inyo County (County), its agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul said approval of Zone Reclassification #2014-02/Castro and General Plan Amendment #2014-01/Castro. The County reserves the right to prepare its own defense.

2. Parcel Merger #2014-02/Castro: The subject property currently consists of two parcels, consisting of approximately 5,000 sq. ft. The current sizes of the properties are nonconforming in both the CB-D and the R-2 zone, which have minimum lots sizes of 10,000 sq. ft. and 6,500 sq. ft. respectively. Therefore the zone reclassification and general plan amendment will not come into effect until the date of official recordation of proposed Parcel Merger #2014-02/Castro which will merge APNs 005-104-05 lot 6 and 005-104-05 lot 7 into a single lot equally approximately 10,000 sq. ft.

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Inyo, State of California, does hereby approve Zone Reclassification #2014-02/Castro and General Plan Amendment #2014-01/Castro. Zone Reclassification #2014-02/Castro and General Plan Amendment #2014-01/Castro shall not take effect for thirty days after the date of this Resolution or upon recordation of a Parcel Merger to merge the two lots, whichever occurs later.

PASSED AND ADOPTED THIS 7th DAY OF OCTOBER, 2014:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____

Richard Pucci, Chairperson
Inyo County Board of Supervisors

ATTEST:

KEVIN CARUNCHIO
Clerk of the Board

By _____
Pat Gunsolley, Assistant

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, APPROVING ZONE RECLASSIFICATION No. 2014-02/CASTRO AND AMENDING THE ZONING MAP OF THE COUNTY OF INYO BY REZONING A 10,004 SQ. FT. PARCEL LOCATED AT 106 WASHINGTON STREET (APN 005-104-05) IN THE COMMUNITY OF LONE PINE FROM CENTRAL BUSINESS – ARCHITECTURAL DESIGN CONTROL (CB-D) TO MULTIPLE RESIDENTIAL (R-2).

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

SECTION I: AUTHORITY

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

SECTION II: FINDINGS

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

(1) In accordance with Inyo County Code Section 18.81.320, Miguel Castro-Magallenes applied to the Inyo County Planning Commission to have the zoning map of the County of Inyo amended from Central Business – Architectural Design Control (CB-D) to Multifamily Residential (R-2) on a property in the community of Lone Pine (APN 005-104-05), as described in Section III of this Ordinance.

(2) On August 27, 2014, the Inyo County Planning Commission conducted a public hearing on Zone Reclassification No. 2014-02/Castro, following which the Commission made various findings and recommended that this Board amend Title 18, to rezone the property described in Section III of this Ordinance from Central Business – Architectural Design Control (CB-D) to Multifamily Residential (R-2).

(3) The findings of the Planning Commission are supported by the law and facts and are adopted by this Board.

(4) The applicant is also applying to the Inyo County Planning Commission to have the Inyo County General Plan Land Use map amended from Central Business District (CBD) to Residential Medium High Density (RMH) to correspond with the requested zoning.

(5) The proposed Zone Reclassification is consistent with the goals, policies, and implementation measures in the Inyo County General Plan, including the proposed General Plan Amendment.

(6) The proposed actions will act to further the orderly growth and development of the County by rezoning property to Multifamily Residential (R-2), which is similar to adjacent properties.

SECTION III: ZONING MAP OF THE COUNTY OF INYO AMENDED

The Zoning Map of the County of Inyo as adopted by Section 18.81.390 of the Inyo County Code is hereby amended so that the zoning on the 10,004 sq. ft. site at 106 Washington Street (APN 005-104-05; Block 12, Parcel 5, Lots 6 and 7, recorded in Parcel Map Book 5, Page 10) in the community of Lone Pine is changed from Central Business – Architectural Design Control (CB-D) to Multifamily Residential (R-2).

SECTION IV: EFFECTIVE DATE

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

PASSED AND ADOPTED THIS 14th DAY OF OCTOBER, 2014.

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Richard Pucci, Chairperson
Inyo County Board of Supervisors

ATTEST:
Kevin Carunchio
Clerk of the Board

By:_____
Pat Gunsolley, Assistant

Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
(760) 872-2706
FAX: (760) 878-0382
E-Mail: inyoplanning@inyocounty.us

AGENDA ITEM NO.: 5 (Action Item – Public Hearing)

PLANNING COMMISSION MEETING DATE: August 27, 2014

SUBJECT: Zone Reclassification #2014-02/Castro
General Plan Amendment #2014-01/Castro

EXECUTIVE SUMMARY

Mr. Miguel Castro Magallenes is requesting to rezone his property in Lone Pine from Central Business in the Architectural Design Control District (CB-D) to Multifamily Residential (R-2). The applicant is correspondingly requesting a General Plan Amendment to change the General Plan designation of his property from Central Business District (CBD) to Residential Medium High Density (RMH). There are currently two existing single family residences on the property, which are a nonconforming use in the CB District. The applicant desires the rezone in order to demolish one of the existing residences and install a mobile home on the property. The property is currently merged for tax purposes and the applicant is also applying to merge the properties so the proposed mobile home can be installed over the existing lot line.

PROJECT INFORMATION

Supervisory District: Fifth

Applicants: Miguel Castro Magallenes

Landowners: Miguel Castro Magallenes
Maria Delaluz Nunez-Marquez

Address/

Community: 106 Washington Street, Lone Pine

A.P.N.s: 005-104-05

Current General Plan: Central Business District/CBD

Current Zoning: Central Business District in Architectural Design Control District /CB-D

Size of Parcels: 10,004 square feet

Surrounding Land Use:

Location	Use	General Plan Designation	Zone
Site	(2) Single Family Residential units	CBD (Central Business)	CB-D (Central Business in Architectural Design Control District) –10,000 sq.ft. minimum lot size
North	Single Family Residence	CBD (Central Business)	CB-D (Central Business in Architectural Design Control District) – 10,000 sq.ft. minimum lot size
East	(2) Food and Beverage Establishments, Bank	CBD (Central Business)	CB-D (Central Business in Architectural Design Control District) – 10,000 sq.ft. minimum lot size
South	Parking lot	CBD (Central Business)	CB-D (Central Business in Architectural Design Control District) – 10,000 sq.ft. minimum lot size
West	Single Family Residence, and multifamily residence	RMH (Residential Medium-High Density)	R-2 6,500 MH – 6,500 sq.ft. minimum lot size

Recommended Action: **Recommend that the Board of Supervisors:**

1.) **Certify that the project is exempt from environmental review per the "General Rule" [CEQA Guidelines, Section 15061(b) (3)].**
2.) **Make certain Findings with respect to, and approve, Zone Reclassification #2014-02/Castro and General Amendment #2014-01/Castro subject to the Conditions of Approval as recommended in this Staff Report.**

Alternatives:

1.) Recommend denial of the proposed Rezone and the propose General Plan Amendment, thereby prohibiting the applicant from rezoning to R-2 and designating of the property to RMH.
2.) Continue the public hearing to a future date, and provide specific direction to staff regarding additional information and analysis needed.

Project Planner: Elaine Kabala, Associate Planner

BACKGROUND

Applicant Miguel Castro Magallenes owns property located at 106 Washington Street in Lone Pine (APNs 005-104-05), and which includes two (2) existing residential buildings. One of the residences was built in 1895, and is representative of turn of the century Owens Valley architecture. The smaller single family residence was built in 1936. Mr. Castro wishes to rezone the property so that he may demolish the residence constructed in 1895, and install a mobile home onto the property.

The residence constructed in 1895, which is proposed for demolition is included in the Inyo County Historic Survey and is listed as being in poor condition. Staff has encouraged the applicant to preserve and restore the home; however, the applicant believes that the extent of renovations required on the existing structure making restoring the residence infeasible since the structure is quite dilapidated. The structure is not listed on the State and National Historic Registers.

The existing single family residences are nonconforming uses, and it is not permissible to construct a new single family residence under the existing zoning. The property is currently zoned Central Business in Architectural Design Control District (CB-D), which does not allow for the construction of a new single family residential building. Mr. Castro wishes to rezone the property to a residential district in order to replace the older residence with a new mobilehome. Multifamily residential (R-2) is being suggested to be consistent with surrounding zoning designations and the character of the neighborhood.

Mr. Castro is requesting a corresponding General Plan Amendment to change the General Plan designation of his property from Central Business District (CBD) to Residential Medium High Density (RMH). Surrounding properties to the west of Mr. Castro's property are designated RMH.

The applicant is also applying to merge the properties in order to place the proposed mobile home over the existing lot lines; however, a parcel merger is a ministerial action and does need to be considered before the Planning Commission.

STAFF ANALYSIS

General Plan Consistency

The project site is currently designated Central Business District (CBD) under the Inyo County General Plan. According to definitions, the CBD designation:

> "*provides for commercial uses such as small retail sales and personal service shops; offices; food services; travel and transportation services such as hotels/motels and gas stations; entertainment centers; recreation facilities; medical centers and services including convalescent hospitals; multi-family residential uses (including single units that are part of a commercial entity); public and quasi-public uses; and similar and compatible uses in the central areas of communities along main thoroughfares.*"

In contrast, the Residential Medium High Density (RMH) designation:

> *"provides for single-family and multi-family residential units, group quarters, public and quasi-public uses, and similar and compatible uses."*

The uses currently on the project site consist of two single family residence units. No new uses are proposed by this project; the applicant is proposing the demolition of the older structure and the installation of a mobile home.

The following standards for the Central Business District are also described in the General Plan: Policy LU-3.9 Central Business District Standards

> *"The County shall require the Central Business District to adhere to the following standards:*
>
> *a. Commercial facilities and uses should be compatible in use, character and size to the trade area they are intended to serve.*
> *b. The commercial uses should be concentrated rather than scattered along the roadside.*
> *c. Adequate off street parking, close enough to encourage pedestrian traffic, should be present. When the amount of on-site parking is not sufficient,*

means should be found to secure additional convenient off-street parking space.

d. *High priority shall be given to maintaining traffic safety and a safe circulation pattern."*

The applicant is seeking to amend the General Plan because the existing and proposed future use of the property is not consistent with the current land use designation, which does not allow for single family residences. The RMH land use designation involves uses that are ***less intense*** than those allowed under the CBD designation and would be consistent with other properties on the west side of Washington Street. The proposed use would not convert any existing retail use to residential, and would decrease demand for on-street parking, and reduce trip generation in the surrounding area.

Zoning Ordinance Consistency

Current zoning on the project site is Central Business in Architectural Design Control District (CB-D). In general, CB-D zoning is intended to (Section 18.44.010):

> *"designate areas for a variety of small commercial retail, service, and offices uses, mixed use, as well as multi-family."*

In contrast, Multiple Residential (R-2) zoning is generally intended to (Section 18.33.010):

> *"protect established neighborhoods of [medium density multiple residence] dwellings, and to provide space suitable in appropriate locations for additional housing developments of duplexes."*

The permitted uses listed for the R-2 zone (Section 18.33.020) include "one single-family dwelling on a lot; two separate single-family dwellings, including single-family mobilehomes; duplexes, including two-family mobilehomes; and gardens, orchards, field crops, where no building are involved."

Rezoning the property would allow for the applicant to construct a new single family residence on the property, which would not allowed under the existing CB-D zoning. If the property were zoned R-2, the applicant could develop multifamily housing in the future, which would also be allowed in the CB District. Conditional uses of the R-2 District are also generally consistent with the CB District. Uses in R-2 zoning are generally less intensive than in the CB District; the primary difference between the two districts is that the R-2 zoning would allow the applicant to construct a new single family residence.

In addition, the property is located within the Lone Pine Architectural Design Control District. The architectural design or "D" district is intended to

"assure generally harmonious architectural design to all buildings, landscape features and uses within certain designated districts of the county;"

The Lone Pine Architectural Design Control District it is intended to apply to commercial structures, and generally overlaps with the Central Business District in Lone Pine. In previous instances where a property has been rezoned from CB-D to a residential use in the Design Control District, the design control overlay was not carried over to the new zoning. Staff is recommending that the design control designation currently associated with this property not be carried forward if the zoning for the property is reclassified to R-2. Thus, the Architecture Design Control District would no longer apply to this property.

Existing Site Uses/Development

As discussed above, there are currently two (2) single family residences located on the property, which are nonconforming uses in the CB District. One of the single family residences was constructed in 1895, and the other was constructed in 1936; both structures pre-date the current Inyo County Zoning Code.

The applicant is proposing rezone the property from CB-D to R-2 in order to demolish the structure constructed in 1895 and install a new mobilehome. Construction of a new single family residence is not permitted in the CB District; however two separate single-family dwellings, including single-family mobilehomes, are a permitted use in the R-2 district.

Comparison of Development Standards

A comparison of the development standards between the two zone districts is provided in the table below:

Development Standards:	**CB-D Zone Requirements: (Central Business in Arch. Design Control District)**	**R-2 Zone Requirements: (Multiple Residential)**
Parcel Size	10,000 sq.ft.	6,500 sq. ft.
Parcel Width	50 feet	Ave. width not less than 50 ft.
Front Yard Setback	0 feet	25 feet
Rear Yard Setback	0 feet	20 feet
Side Yard Setback	0 feet	5 feet
Maximum height	40 feet	40 feet
Parking Requirements	1 space per 400 sq. ft. of usable floor area	2 spaces per dwelling unit

The existing residences currently have 0' side yard setbacks, and a 0' rear yard setback. As discussed, the buildings were constructed prior to the development of the Inyo County

Zoning Code, and are nonconforming uses. If the property were rezoned to R-2, all new construction would need to be compliant with the setback requirements in the R-2 zoning.

The applicant is also proposing to merge two parcels, consisting of approximately 5,000 sq. ft. each into a single parcel equally approximately 10,000sq. ft. The current sizes of the properties are nonconforming in both the CB-D and the R-2 zone, which have minimum lots sizes of 10,000 sq. ft. and 6,500 sq. ft. respectively. In order for the size of the property to be consistent with proposed zoning, staff is recommending the zone reclassification and general plan amendment be conditioned on the approval of the parcel merger.

In addition, the adjacent property to the north of the project site is in the CB District. The CB District prescribes development standard exceptions when a CB parcel abuts a residentially zoned parcel. The adjacent parcel to the north would be impacted by rezoning the subject parcel from CB to R-2, and the rear yard setback and side yard side back would be the same as is required for the residential parcel.

Alquist-Priolo Earthquake Fault Zone

It should be noted that the property is located within an Alquist-Priolo Earthquake Fault Zone. Pursuant to the Alquist-Priolo Earthquake Fault Zoning Act, special consideration needs to be taken for siting structures for human occupancy across traces of active faults that constitute a potential hazard to structures from surface faulting or fault creep. Neither the zone reclassification or the general plan amendment are conditioned upon the Alquist-Priolo Eartquake Fault Zone; however, the building permit for the new structure will be subject to special consideration pursuant to the Alquist-Priolo Earthquake Fault Zoning Act.

Historic Status

As discussed above, the residence constructed in 1895 is included in the Inyo County Historic Survey. Although the zone reclassification and general plan amendment do not have any impact on the structure by themselves, the applicant is proposing demolish the building, and therefore establishing the historical significance of the building is necessary because any impacts to historical structures must be reviewed against California Environmental Quality Act (CEQA) guidelines pertaining to historical resources. Destroying a historically significant building is a significant environmental impact under CEQA, and one which may not be mitigated. As a result, an Environmental Impact Report (EIR) would have to be produced for any project that proposes to destroy a building deemed historically significant.

The building, as were a great number of other structures, was included in the Inyo County Historical Survey. This survey, completed in 1980-1981 under the administrative/policy guidance of the Inyo-Mono Association of Government Entities (IMAGE), consists of a selection of structures within Inyo County that survey staff deemed to have historical importance or significance. Survey staff arrived at their conclusions by evaluating a structure's historical character, architectural importance, cultural impact, relationship to neighborhood character, and its existing condition.

In trying to determine whether the building carries the weight of "historical significance" under CEQA, based on its inclusion in the Inyo County Historical Survey, Planning Department staff looked to Section 15064.5 of the CEQA Guidelines, entitled "Determining the Significance of Impacts to Archeological and Historical Resources." The Guidelines outline four basic criteria, or definitions, for historical significance (a., 1-4). These criteria are detailed below, together with staff's Findings:

15064.5 (a): For purposes of this section, the term "historical resources" shall include the following:

(1): A resource listed in, or determined to be eligible by the State Historical Resources Commission for listing in, the California Register of Historical Resources (Pub. Res. Code 5024.1, Title 14 CCR, Section 4850 et seq.)

[Evidence: Inyo County Historical Survey entries are not listed in, nor determined to be eligible for listing in, the California Register of Historical Resources, according to staff at the State Office of Historical Preservation. As a result, the Survey entries do not meet the definition of historical resources.]

(2): A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code **or** identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

[Evidence: While the residence is included in the Inyo County Historical Survey, that survey does not meet the definition of a "local register of historical resources," which is defined as "a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution." Specifically, since the Inyo County Board of Supervisors did not adopt the Inyo County Historical Survey, the Survey entries do not meet the definition of historical resources.

Likewise, the Inyo County Historical Survey does not meet the definition of an "historical resources survey, for which **ALL** of the following criteria must be met:

(A) The survey has been or will be included in the State Historic Resources Inventory.

(Evidence: The Inyo County Historical Survey DOES meet this criterion, as Survey entries are included in the California Office of Historic Preservation's "Historic Property Data File," which is the same as the State Historic Resources Inventory, according to State Office of Historical Preservation staff.)

(B) The survey and the survey documentation were prepared in accordance with office procedures and requirements.

(Evidence: The Inyo County Historical Survey DOES meet this criterion, as the Survey was partially funded through the California Office of Historic Preservation, and State Office of Historical Preservation staff confirm that such a funded survey would meet office procedures and requirements.)

(C) The resource is evaluated and determined by the office to have a significance rating of Category 1 to 5 on DPR Form 523.

(Evidence: The building was designated in the Inyo County Historical Survey as significant; however the survey notes that building was dilapidated and in very poor condition. The survey also notes that the building has been remodeled various times.)

(D) If the survey is five or more years old at the time of its nomination for inclusion in the California Register, the survey is updated to identify historical resources which have become eligible or ineligible due to changed circumstances or further documentation and those which have been demolished or altered in a manner that substantially diminishes the significance of the resource.

(Evidence: The Inyo County Historical Survey DOES NOT meet this criteria, as the Survey has not been updated since it was completed in 1980-81.)

Thus, while the Inyo County Historical Survey meets two of the four above criteria, it does not meet ALL of the four criteria. As a result, the Survey entries do not meet the definition of historical resources.]

(3): Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant in the architectural, engineering, scientific, economic, agricultural, education, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the recourse meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code 5024.1 Title 14 CCR, Section 4852) including the following:

(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

[Evidence: Based on available information, the building cannot be said to have made, or served, a significant contribution to any such "broad patterns" of history. Information from the Inyo County Historical Survey identifies the building as "the home of Marius Julian, a man from France. He and his wife Victorine Julian raised a family here. The also raised some famous grapes."]

(B) Is associated with the lives of person important in our past.

[Evidence: There is no information available that indicates that the building is in any way linked with the life of any particular person of history.]

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

[Evidence: There is no evidence or information that the building is in any way a particularly distinctive architectural type/design. The Inyo County Historical Survey information for the building provides no information about the distinctiveness of the architecture.]

(D) Has yielded, or may be likely to yield, information important in prehistory or history.

[Evidence: The building was constructed in 1895, according to survey information provided in the Inyo County Historical Survey. As a result, the building does not have the potential to yield information on the prehistory of any area.]

(4): The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not including a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code section 5020.1(j) or 5024.1.

[Evidence: As noted above, staff have found that the building does not meet the definition of an historical resource as defined under CEQA and the Public Resources Code.]

CEQA Analysis Requirements

As a result of the above analysis of CEQA Guidelines, planning staff have determined that the building is NOT a historically significant structure, and so not subject to CEQA review relating to historical resources.

ENVIRONMENTAL REVIEW

The proposed zone change only modifies regulations, will not result in any physical impacts on the environment, and is therefore exempt from environmental review per the "General Rule" [CEQA Guidelines, Section 15061(b)(3)]:

> *"The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."*

Demolition of the existing structure is categorically exempt from environmental review pursuant to CEQA Guidelines, Section 15301 (l)(1), which addresses the demolition of single family residences. It should be noted that Inyo County Code Chapter 15.24.020 specifies that demolition permits are not exempt from CEQA where the permit is for "structures more than fifty years old" and which "may be of historical, archaeological or architectural significance". However, as discussed above, staff has determined that the building is not considered architecturally significant under CEQA.

The proposed construction of an new single family residence is also categorically exempt from environmental review pursuant to CEQA Guidelines, Section 15303 (a), which exempts the construction of new single family residences and duplexes.

RECOMMENDATIONS

Recommended Findings

1.) Certify that Zone Reclassification #2014-02/Castro and General Plan Amendment #2014-01/Castro are exempt from environmental review per the "General Rule" [CEQA Guidelines, Section 15061(b)(3)]:

(Evidence: This project was deemed exempt under CEQA Guidelines Section 15061.b.3. Planning staff determined that the R2 zoning district is more restrictive than the CBD zoning district. The proposed demolition of the existing structure and install of a new mobilehome are exempt under CEQA Guidelines Section 15301 and 15303 (Class 1 and 3 Categorical Exemptions).

2.) Based on substantial evidence in the record, the proposed Zone Reclassification and General Plan Amendment are consistent with the Goals and Policies of the Inyo County General Plan.

(Evidence: The proposed General Plan designation (RMH) and zone reclassification to R-2 are consistent with the surrounding properties to the west side of Washington Street. Current uses and development on the property are not consistent with the Inyo County Zoning Code and General Plan. The applicant is

not proposing to change the existing uses of the property. The proposed General Plan amendment and zone reclassification would bring the property into conformance with the General Plan and Zoning Code.)

3.) Based on substantial evidence in the record, the proposed Zone Reclassification is consistent with Title 18 (Zoning Ordinance).

(Evidence: The proposed zoning designation (R-2) is consistent with surrounding properties on the west side of Washington Street. The existing uses on the project site are nonconforming under the existing CB-D zoning. The applicant is not proposing to alter the existing use of the property, and rezoning the property to R-2 would make the existing uses consistent with the zoning code.)

4.) The project site is extensively disturbed (already developed) and will not result in the loss of native vegetation or wildlife habitat. Therefore, this project will have a "de minimus" impact on wildlife resources as outlined in the California Department of Fish and Game Code Section 711.4.

(Evidence: The subject property is already developed and is located within a highly developed area. The applicant is not proposing to change the type of intensity of the current uses on the site; therefore there is no possibility for the proposed zoning reclassification and general plan to result in the loss of native vegetation or wildlife habitat.)

5.) The proposed use is properly related to other uses and transportation and service facilities in the vicinity.

(Evidence: The existing uses are nonconforming. The applicant is not proposing to change the existing use, but rather, by rezoning the property the existing uses would be consistent with the Inyo County Zoning Code. The proposed General Plan amendment is consistent with surrounding uses on the west side of Washington Street. The existing use and development on the property is properly related to other uses and transportation and service facilities, therefore the uses of the property after the rezone would also be properly related the surrounding uses.)

6.) The proposed use would not, under all the circumstances of this case, adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare.

(Evidence: As discussed above, the proposed use is consistent with the existing use. The applicant is requesting to rezone the property to construct a new single family residence to replace the existing single family residence currently on the project site, thus the proposed use would have no adverse impacts to the health or safety or persons in the vicinity. The proposed R-2 zoning is less intensive than the existing CB District zoning, and therefore even if the applicant developed the

property to the fullest extent under the new zoning, it would be generally consistent with and less intensive than the existing zoning. The General Plan amendment is being requested to correspond to the zone reclassification, and would not have any adverse impacts to the health or safety of person in the vicinity.)

7.) The proposed use is necessary or desirable.

(Evidence: Rezoning the project site to R-2 would make the existing and proposed uses with the Inyo County Zoning Code. Likewise, the general plan amendment would make existing nonconforming uses consistent with the Inyo County General Plan.)

Recommended Conditions of Approval

1. **Hold Harmless:** The applicant shall defend, indemnify and hold harmless Inyo County (County), its agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul said approval of Zone Reclassification #2014-02/Castro and General Plan Amendment #2014-01/Castro. The County reserves the right to prepare its own defense.

2. **Parcel Merger #2014-02/Castro:** The subject property currently consists of two parcels, consisting of approximately 5,000 sq. ft. The current sizes of the properties are nonconforming in both the CB-D and the R-2 zone, which have minimum lots sizes of 10,000 sq. ft. and 6,500 sq. ft. respectively. Therefore the zone reclassification and general plan amendment will not come into effect until the date of official recordation of proposed Parcel Merger #2014-02/Castro which proposes to merger APNs 005-104-05 lot 6 and 005-104-05 lot 7 into a single lot equally approximately 10,000 sq. ft.

ATTACHMENTS

1.) Vicinity Map
2.) General Plan Map
3.) Zoning Map

Attachment 1: Vicinity Map

0 20 40 80 120 160 Feet

N

Attachment 2: General Plan Map

Attachment 3: Zoning Map

For Clerk's Use Only:
AGENDA NUMBER
14

AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

☐ Consent ☐ Departmental ☐ Correspondence Action xxx Public Hearing

☒ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Personnel
FOR THE BOARD MEETING OF: October 14, 2014
SUBJECT: Ordinance Amending Section 2.88.040 of the Inyo County Code

DEPARTMENTAL RECOMMENDATION:
Request Board waive the first reading of an Ordinance entitled "An Ordinance of the Board of Supervisors, County of Inyo, State of California, Amending Section 2.88.040 of the Inyo County Code to Provide for Increases in the Salary for Certain Elected County Officials, Excluding Members of the Board of Supervisors" and set October 21, 2014 at 11:45 a.m. at the Board of Supervisors Room, Independence, for time and place of enactment.

SUMMARY DISCUSSION:
In February 2014, your Board directed staff to prepare an ordinance to increase the salary of the Clerk/Recorder. This salary increase was to become effective the first pay period in January 2015, following the November 2014 election. The Clerk/Recorders salary will be increased to the same amount as the Treasurer/Tax Collector.

ALTERNATIVES:

Your Board could choose to not enact the ordinance and direct staff to come back to your board with alternatives to this action.

OTHER AGENCY INVOLVEMENT:
County Counsel, Personnel

FINANCING:
The money for this increase was budgeted in the FY 2014/2015 County Clerk Budget (010300 , 75%), Elections Budget (011000, 25%)

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.)* Margaret Kemp-Williams Approved: ✓ Date 10/9/14
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.) Sue D Approved: ✓ Date 10/9/14

DEPARTMENT HEAD SIGNATURE: Kevin Carunchio by Sue D Date: 10/9/14
(Not to be signed until all approvals are received)

ORDINANCE NUMBER _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF INYO, STATE CALIFORNIA, AMENDING SECTION 2.88.040 OF THE INYO COUNTY CODE TO PROVIDE FOR INCREASES IN THE SALARY FOR CERTAIN ELECTED COUNTY OFFICIALS, EXCLUDING MEMBERS OF THE BOARD OF SUPERVISORS

The Inyo County Board of Supervisors do ordain as follows:

SECTION I: **Authority**
Government Code Section 25300 provides that the Board of Supervisors may set the compensation for elected officials by ordinance.

SECTION II: **Purpose**
The Board of Supervisors for the County of Inyo enacted section 2.88.040 of the Inyo County Code, which sets compensation to be received by elected county officials, excluding members of the Board of Supervisors. By this ordinance, the Board intends to provide for increases in the salary for certain elected officials.

SECTION III: **Section 2.88.040 Amended to provide for increases in the salary for certain elected officials, excluding the Board of Supervisor.**

Chapter 2.88, section 2.88.040 A. of the Inyo County Code is amended to read as follows:

A. Salary: Salaries for each Elected Official listed below shall be paid in accordance with the procedures used to pay all other county officers and employees, as follows:

Title	July 3, 2014 through January 5, 2015	January 6, 2015 and on
Assessor	$8,759.99	$8,759.99
Auditor/ Controller	$8,759.99	$8,759.99
Clerk/Recorder	$7,453.00	$7,963.00
Coroner	$2,081.00	$2,081.00
District Attorney	$11,560.00	$11,560.00
Public Administrator	$5,376.00	$5,376.00
Sheriff	$10,699.00	$10,699.00
Tax Collector/Treasurer	$7,963.00	$7,963.00

SECTION IV: Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this ordinance would be subsequently declared invalid or unconstitutional.

SECTION V: EFFECTIVE DATE.

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

PASSED AND ADOPTED this _____ day of _____, 2014, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Chairperson, Inyo County Board of Supervisors

ATTEST: Kevin Carunchio
Clerk of the Board

By: _____
Patricia Gunsolley
Assistant Clerk of the Board

DCH/BOARD.ORD

For Clerk's Use Only:
AGENDA NUMBER
15

AGENDA REQUEST FORM

BOARD OF SUPERVISORS
COUNTY OF INYO

☐ Consent ☒ Departmental ☐ Correspondence Action ☐ Public Hearing

☐ Scheduled Time for ☐ Closed Session ☐ Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: October 14, 2014

SUBJECT: Inyo National Forest Plan Update/Revision

RECOMMENDATION: Receive a presentation from staff about coordination with Forest Service staff regarding the Inyo National Forest Plan Update/Revision and provide input.

SUMMARY DISCUSSION: The Inyo National Forest (INF) is working on updating the INF Plan.[1] Staff is working with Forest Service staff in developing the Plan, and will report on recent activities. Input from the Board is requested to guide staff in future coordination efforts with Forest Service staff.

OTHER AGENCY INVOLVEMENT: Department of Agriculture, U.S. Forest Service; Mono, Fresno, Madera, and Tuolumne counties; Town of Mammoth Lakes and City of Bishop; other interested persons and organizations.

FINANCING: General fund resources are utilized to monitor planning work in the Forest. Resources for Willdan's assistance with the effort are funded by operating transfer from the Geothermal Royalties fund.

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

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

Date:_____

[1] Refer to http://inyoplanning.org/InyoNationalForest.htm for more information about the County's participation in the Plan Update/Revision.

For Clerk's Use Only:
AGENDA NUMBER

16

AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

☐ Consent ☐ Departmental ☐ Correspondence Action ☐ Public Hearing

☒ Scheduled Time 1:30 ☐ Closed Session ☐ Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: October 14, 2014

SUBJECT: Eastern Sierra Recreation Collaborative (ESRC) – Public Meetings, and input to the Inyo National Forest's Management Plan Revision, regarding recreational opportunities.

DEPARTMENTAL RECOMMENDATION: Request the Board of Supervisors receive a presentation from the ESRC and planning staff and provide direction regarding the County's participation in the ESRC effort.

SUMMARY DISCUSSION: The ESRC's efforts began in 2014. The collaborative is made up of Eastern Sierra recreation enthusiasts who are focused on economic diversification in the region and supporting policies for sustainable recreation management. ESRC's purpose and goals are to support regional recreation opportunities by engaging and collaborating with community and gateway community stakeholders. The ESRC has scheduled several public meetings from October through the middle of November (please see the attached press release for dates and times).

The meetings are being held to gather comments from the community to help inform local, state and federal planning and policy efforts, and will focus on identifying key recreation values in preparation for the anticipated November 2014 release of the preliminary alternatives for the Inyo National Forest's Management Plan Revision. Since recreation is a mainstay of the County's economy, culture and heritage, your Board is invited to share the County's values with the ESRC to add to the comments being prepared for the recreation piece of the preliminary alternatives for the Inyo National Forest's Management Plan Revision.

ALTERNATIVES:
1. Do not receive a presentation from the ESRC or provide staff with direction regarding the County's participation in the ESRC efforts.

OTHER AGENCY INVOLVEMENT:
Inyo National Forest

FINANCING:
Funding for staff involvement in the ESRC process comes from the General Fund.

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

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

Signed for Josh Hart

Date: 10/9/14

Attachments:
1. Press Release

EASTERN SIERRA
recreation collaborative

FOR IMMEDIATE RELEASE

Eastern Sierra Recreation Collaborative Invites Regional Stakeholders to Participate in Inyo National Forest Plan Update

Four public meetings scheduled to support collaborative community input

MAMMOTH LAKES, CALIF., Oct. 1, 2014—In preparation for the next phase of the Inyo National Forest Management Plan Revision Process, the Eastern Sierra Recreation Collaborative (ESRC) is inviting recreation enthusiasts and regional stakeholders to participate in a series of public meetings scheduled for October and November 2014.

The series will kick off with a general-information meeting on **Tuesday, Oct. 14, in Bishop, Calif., at the Cerro Coso Community College** and continue with a second meeting on **Tuesday, Oct. 28, in Big Pine, Calif., at the Big Pine Town Hall** and a third meeting on **Thursday, Oct. 30, in June Lake, Calif., at the June Lake Community Center**. A meeting to draft a recreation strategy is scheduled for **Wednesday, Nov. 12, in Bishop at the Cerro Coso Community College**. All meetings will be professionally facilitated and are scheduled to begin at 5:30 p.m. and end by 8:30 p.m.

These four ESRC meetings will be open public forums intended to provide diverse recreationists and stakeholders throughout the Eastern Sierra with an opportunity to collaboratively develop a regional voice representing the area's recreation economy to help inform local, state and federal planning and policy efforts. The meetings will focus on identifying key recreation values in preparation for the anticipated November 2014 release of the preliminary alternatives for the Inyo National Forest's Management Plan Revision process. The efforts of the ESRC are intended to support the Inyo National Forest as it makes its first revision to the Forest Management Plan since 1988.

The public is encouraged to participate in the upcoming meetings to work together to elevate and define the value of recreation for the region and the importance of its appropriate representation in matters of public policy.

The ESRC is looking for regional stakeholder organizations that may be interested in assisting with public outreach efforts. For meeting materials, background information, and details on how to become involved, please visit www.eastsierrarec.org.

About Eastern Sierra Recreation Collaborative (ESRC)
The ESRC is a grass roots effort launched in 2014 by Eastern Sierra recreation enthusiasts committed to economic diversification and to policies that support sustainable recreation management. Its purpose is to enhance regional recreation opportunities through focused engagement and collaboration with community stakeholders and the gateway communities of the Eastern Sierra.

Media Inquiries please email info@eastsierrarec.org or visit www.eastsierrarec.org

# # #

19

STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION
PROPERTY AND SPECIAL TAXES DEPARTMENT
450 N STREET, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0064
1-916 274-3350 • FAX 1-916 285-0134
www.boe.ca.gov

BETTY T. YEE
First District, San Francisco

SEN. GEORGE RUNNER (RET.)
Second District, Lancaster

MICHELLE STEEL
Third District, Orange County

JEROME E. HORTON
Fourth District, Los Angeles

JOHN CHIANG
State Controller

CYNTHIA BRIDGES
Executive Director

October 3, 2014

No. 2014/049

TO COUNTY ASSESSORS:

SUMMONS TO A STATE BOARD OF EQUALIZATION MEETING

Pursuant to the provisions of section 15607 of the Government Code, you are hereby summoned to meet with the Board and/or its duly authorized representatives to discuss issues relating to the administration of property assessment and taxation laws. Based on the statute, the Board may appoint a specific staff person or deputy to represent them at the meeting and may authorize such representatives to focus on matters that would promote uniformity of procedures and assessment in property taxation throughout the state.

The meeting will be held in conjunction with the annual meeting of the California Assessors' Association and is scheduled for November 18, 2014 at the Embassy Suites San Rafael, 101 McInnis Parkway, San Rafael, convening at 1:30 p.m.

The Board is confident that this meeting will provide a good opportunity for formal and informal dialogue between county assessors and Board Members and/or their authorized representatives.

Sincerely,

Cynthia Bridges
Executive Director

CB:sk

cc: Clerks, County Boards of Supervisors