



City of Ketchum

November 1, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation To Enter into Contract 22008 Between the City of Ketchum and Blaine County for Sustainability Program Management Cost Sharing

Recommendation and Summary

Staff is recommending the council approve this new contract with Blaine County and adopt the following motion:

"I move to authorize Contract #22008 with Blaine County in support of the shared Sustainability Program."

The reasons for the recommendation are as follows:

- The City Council supported the creation of a joint funded position between the city and the county in order to implement both city and valley sustainability initiatives.
- The funding was approved in the FY22 adopted budget.

Introduction and History

The purpose of this agreement is to allow the city to contract with county for a Sustainability Program Manager position and associated programming. This effort streamlines local governmental sustainability actions which require a valley-wide approach in order to be successful.

Sustainability

The city has historically relied on the Ketchum Sustainability Advisory Committee to provide input regarding sustainability goals/projects and utilized a contractual resource as coordinator. While the city was able to make progress on projects, this new effort of a full-time city-county position will allow for a dedicated resource to focus on valley-wide projects such as clean energy, solid waste reduction, and water conservation.

Financial Impact

The cost for services is \$86,620 for the year and funding comes from the Non-Departmental budget. The Fiscal Year 2022 approved budget has allocated \$80,000 in necessary funding for the proposed services. There was a miscommunication between the city and county staff during budget development regarding the remaining \$6,000. Based on this small amount, city staff recommends approval of the full \$86,620 with the remaining amount coming from the Professional Services budget should it be needed.

Attachment

Attachment A: Proposed Contract 22008.

AGREEMENT BETWEEN THE CITY OF KETCHUM AND BLAINE COUNTY FOR SUSTAINABILITY PROGRAM MANAGEMENT COST SHARING

THIS AGREEMENT (hereinafter "Agreement") is made and entered into this 12 day of OCTOBER, 2021, by and between the City of Ketchum, Idaho, (hereinafter "City") an Idaho municipal corporation and BLAINE COUNTY, (hereinafter "County") a political subdivision of the State of Idaho, hereinafter referred to as the "Parties."

RECITALS

WHEREAS, the City is a municipal corporation duly organized and existing under the laws of the State of Idaho; and

WHEREAS, pursuant to Idaho Code §50-301, the City is empowered to enter into contracts as may be deemed necessary to promote the welfare of the City of Ketchum and its residents; and

WHEREAS, the County is a political subdivision of the State of Idaho duly organized and existing under the laws of the State of Idaho; and

WHEREAS, the City and County have identified the need for a Sustainability Program, to include staff, equipment, software programs, and administrative costs; and

WHEREAS, the City and County and members of the public desire to develop a Sustainability Program to lead the region's sustainability efforts in reducing the region's carbon footprint and to proactively address climate-related impacts; and

WHEREAS, the City and County will benefit from a joint effort by collaborating on regional sustainability initiatives; and

WHEREAS, the City and County will work to develop short and long-term initiatives aimed at enhancing the sustainability of the region.

TERMS

NOW, THEREFOR, subject to the limitations of this Agreement and in order to provide assistance between the parties in providing Sustainability Program management services, it is hereby agreed as follows:

1. DURATION OF AGREEMENT. This Agreement shall not be effective until it is signed by the County and the City. It shall continue in full force unless terminated from the signature dates herein until September 30, 2022. The parties may agree to mutually extend this Agreement by subsequent written agreement.
2. NOTICES. All notices, requests, demands, or other communication required or provided for under this Agreement shall be in writing. Notices to the City and County shall be addressed as follows:

CITY:

City of Ketchum
Attn: City Administrator
P.O. Box 2315
Ketchum, ID 83340

COUNTY:

Blaine County
Attn: County Administrator
206 First Avenue South, Suite 300
Hailey, ID 83333

3. PURPOSE. The purpose of this Agreement is to allow the City to contract with County for partially funding the Sustainability Program Manager position to provide direct service to Blaine County and its cities serving as coordinator to streamline local governmental sustainability action.
4. FINANCE AND BUDGET. The City shall reimburse County for approximately fifty percent (50%) of the Sustainability Program Manager's salary, benefits, and program costs for FY22. Such payment shall not exceed the amount of \$86,620 for FY22 and is to be paid in quarterly installment amounts of \$21,655.00 with the first payment due _____, 20__.
5. EMPLOYMENT STATUS. The City and County hereby agree that the Sustainability Program Manager shall perform the obligations under this Agreement exclusively as an employee of the County and not as employee or agent of the City. The Parties do not intend to create through this Agreement any partnership, corporation, employer/employee relationship, joint venture, or other business entity or relationship other than that of this Agreement. The Sustainability Program Manager shall not receive nor be entitled to any employment-related benefits from the City including without limitation, workers' compensation insurance, unemployment insurance, health insurance, retirement benefits or any benefit that the City offers to its employees.
6. DUTIES. The provision of these services shall be governed as set out below:

The County and City agrees to collaborate on the following responsibilities pertaining to the Sustainability Program Manager position:

1. To agree on the position duties and responsibilities to benefit either or both the City and County.
2. To develop and approve the annual work plan.

3. To participate on or provide recommendations for participants to the Sustainability Advisory Committee.
4. To participate in conducting evaluations of work product and performance of the Program Manager.
5. To cure any ambiguity, to correct or supplement any provision herein which may be inconsistent with any other provisions with respect to matters or questions arising under this Agreement which are not inconsistent with the provisions of the Agreement.

The position will be assigned to work at the County to accomplish the tasks assigned. The position will report to the County Administrator.

The County agrees to host a dedicated web page on its web site for the Sustainability Program. Content of the web page will be determined by the Sustainability Advisory Committee and implemented by the Sustainability Program Manager as part of his/her duties.

7. AMENDMENT. This Agreement may be amended at any time, and from time to time, by the mutual written consent of the City and County for any of the following purposes:

1. To add provisions to the Agreement to benefit either or both the City and the County.
2. To extend the term of the agreement.
3. To cure any ambiguity, to correct or supplement any provision herein which may be inconsistent with any other provisions with respect to matters or questions arising under this Agreement which are not inconsistent with the provisions of the Agreement.

8. SEVERABILITY. In the event any provision of this Agreement shall be declared by a court of competent jurisdiction to be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not, in any way, be affected or impaired thereby.

IN WITNESS WHEREOF, each of the parties has executed this Agreement by its duly authorized officials.

DATED this ____ day of _____, 2021.

BLAINE COUNTY, an Idaho political subdivision

By Dick Fosbury
Dick Fosbury, Chair, Board of
Blaine County Commissioners

ATTEST:

Stephen McDougall Graham
Stephen McDougall Graham, Blaine County Clerk



CITY OF KETCHUM, IDAHO,
an Idaho political subdivision

Neil Bradshaw, Mayor

ATTEST:

Tara Fenwick, City of Ketchum Clerk