

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.

June 19, 2018

8:30 a.m. 1. PUBLIC COMMENT

CLOSED SESSION

2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9] – County of Inyo v. Los Angeles Department of Water and Power, Kern County Superior Court Case No. BCV-18-10069 (Well 385).**
3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9] – County of Inyo v. Los Angeles Department of Water and Power, Kern Superior Court Case No. BVC-18-101261 (Eminent Domain - Independence); Case No. BVC-18-101260 (Eminent Domain – Lone Pine); and Case No. BVC-18-101262 (Eminent Domain - Bishop)**
4. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9] – Neylon v. County of Inyo et al., United States District Court Eastern District of California Case No. 1:16-CV-00712-AWI-JLT**
5. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS [Pursuant to Government Code §54956.8] – Property: APN 005-068-05, 310 AND 311 Jackson Street, Lone Pine, California. Agency Negotiators: Kevin Carunchio, County Administrator, Marshall Rudolph, County Counsel, Clint Quilter, Director Public Works, and Marilyn Mann, Director Health and Human Services. Negotiating parties: Inyo County and Estate of Ruby Branson Trust. Under negotiation: price and terms of payment.**
6. **CONFERENCE WITH LABOR NEGOTIATORS [Pursuant to Government Code §54957.6] – Employee organizations: Deputy Sheriff's Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); IHSS Workers; Law Enforcement Administrators' Association (LEAA). Unrepresented employees: all. Agency designated representatives: County Administrative Officer Kevin Carunchio, Assistant County Administrator Ken Walker, Deputy Personnel Director Sue Dishion, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.**
7. **PUBLIC EMPLOYMENT/PERFORMANCE EVALUATION [Pursuant to Government Code §54957] – Title: County Administrator.**

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

10:00 a.m. PLEDGE OF ALLEGIANCE

8. **REPORT ON CLOSED SESSION**
9. **PUBLIC COMMENT**
10. **COUNTY DEPARTMENT REPORTS** (*Reports limited to two minutes*)
11. **INTRODUCTIONS** – The following new employees will be introduced to the Board: Deanna Briggs, Child Support Specialist, Child Support Services; and Casey Dean, Building Maintenance Worker, Claude R. Felton, Custodian, and Jeff Smith, Equipment Operator, Public Works.

CONSENT AGENDA (Approval recommended by the County Administrator)

COUNTY ADMINISTRATOR

12. **Advertising County Resources** – Request Board approve a final payment from the 2017-2018 Advertising County Resources Budget in the amount of \$3,033 to the Lone Pine Chamber of Commerce for the Wild Wild West Marathon and Ultra runs.
13. **Personnel** – Request Board approve the contract between the County of Inyo and Atkinson, Andelson, Loya, Ruud & Romo for the provision of Legal Services – General Labor and Employment Advice and representation in the amount of \$320,000 for the period of July 1, 2018 to June 30, 2019, contingent upon the Board's adoption of the Fiscal Year 2018-2019 Budget, and authorize the Chairperson to sign.
14. **Risk** – Request Board approve the Agreement between the County of Inyo and Porter Scott, A Professional Corporation (Carl Fessenden, Esq., Contact) for the provision of Civil Litigation Attorney Services in an amount not to exceed \$210,000 for the period of July 1, 2018 through June 30, 2019, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign.

ENVIRONMENTAL HEALTH

15. Request Board: A) declare IDEXX Laboratories, Inc. of Westbrook, ME a sole-source provider of certain water laboratory supplies; and B) authorize a blanket purchase order to IDEXX Laboratories, Inc. of Westbrook, ME in an amount not to exceed \$7,000 for the purchase of water testing supplies for the period of June 19, 2019 through June 30, 2019.

PLANNING

16. **LAFCO** – Request Board: A) approve the contract between the County of Inyo and the Inyo Local Agency Formation Commission to provide staff services in an amount not to exceed \$19,729 for the period of July 1, 2018 through June 30, 2019, contingent upon the Board's adoption of the Fiscal Year 2018-2019 Budget; and B) authorize the Chairperson to sign and direct the Planning Department and County Counsel to provide services as outlined in the contract.

PROBATION

17. Request Board approve the agreement with Kern County Juvenile Hall for ward housing services for the period of June 30, 2018 through June 30, 2021, and authorize the Chief Probation Officer to sign.

PUBLIC WORKS

18. **Road Department** – Request Board: A) declare Etchemendy Engineering, Inc. of Reno, NV a sole-source provider for the design of the Jail Domestic Water Repipe Project; B) approve the contract between the County of Inyo and Etchemendy Engineering, Inc. of Reno, NV for engineering services for a lump-sum amount of \$15,500; and C) authorize the Chairperson to sign the contract, contingent upon all appropriate signatures being obtained.

SHERIFF

19. Request Board approve an agreement between Atlas Business Solutions, Inc. of Fargo, N.D. and the County of Inyo for access to the web-based employee scheduling software "ScheduleAnywhere" in an amount not to exceed \$6,300 for the period of July 1, 2018 through June 30, 2023, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign.

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

20. **BOARD OF SUPERVISORS – Chairperson Totheroh** – Request Board: A) discuss possible changes to the 2018 Board of Supervisors committee assignments in light of scheduling conflicts; and B) if determined necessary, direct the Board Clerk to return with a future agenda item outlining those changes for Board approval.
21. **BOARD OF SUPERVISORS** – Request Board appoint a voting delegate and alternate for the upcoming 83rd Annual NACo Conference, being held July 13-16, 2018 in Nashville-Davidson County, TN, and authorize the Chairperson to sign the NACo credentials form on behalf of Inyo County.
22. **WATER DEPARTMENT** – Request Board consider adopting a proposed settlement agreement reached by negotiators from the County and LADWP to settle various disputes and lawsuits related to testing of Well W385 and to provide for further mitigation of the Five Bridges Impact Site.
23. **WATER DEPARTMENT** – Request Board approve a letter of support for Starlite Community Service District's request to the California Department of Water Resources for a modification to the boundary of the Owens Valley Groundwater Basin, and authorize the Chairperson to sign.
24. **HEALTH AND HUMAN SERVICES** – Request Board ratify and approve purchases from Safeway/Vons in the amount of \$9,861.93 and authorize an additional blanket purchase order in the amount of \$2,000 for outstanding invoices and the remainder of the fiscal year.
25. **HEALTH AND HUMAN SERVICES – Behavioral Health** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Residential Caregiver position exists in the non-General Fund Mental Health budget, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could be filled through an internal recruitment but an open recruitment may be required if there are no internal candidates; and C) approve the hiring of one (1) Residential Caregiver at Range 53 (\$3,010 - \$3,659).
26. **COUNTY ADMINISTRATOR** – Request Board adopt the modified Fiscal Year 2017-2018 Board Approved Budget as the Preliminary Budget for Fiscal Year 2018-2019 and approve the Fixed Assets as recommended by staff (4/5ths vote required).
27. **COUNTY ADMINISTRATOR – Purchasing** – Request Board: A) declare certain property surplus; B) authorize the transfer thereof to other entities and non-profit organizations (4/5ths vote required); C) approve the public auction of County surplus equipment not claimed by those entities/organizations on June 27, 2018; and D) authorize the auction to take place at the Building and Maintenance yard located at 136 South Jackson Street, Independence (4/5ths vote required).
28. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Here It Comes Emergency" that was proclaimed in anticipation of run-off conditions from near-record snowpack posing extreme peril to the safety of property and persons in Inyo County.
29. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Rocky Road Emergency" that was proclaimed as the result of flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County caused by an atmospheric river weather phenomena that began January 3, 2017 and continued throughout February.

30. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff’s recommendation to continue the local emergency known as the “Land of EVEN Less Water Emergency” that was proclaimed as a result of extreme drought conditions that existed until recently in the County, while considering how to address the ongoing hydrologic issues in West Bishop.
31. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff’s recommendation regarding continuation of the local emergency known as the “Gully Washer Emergency” that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013.
32. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff’s recommendation regarding continuation of the local emergency known as the “Death Valley Down But Not Out Emergency” that was proclaimed as a result of flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015.
33. **CLERK OF THE BOARD** – Request Board approve the minutes of the regular Board of Supervisors meeting of June 5, 2018.

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

- 11:30 a.m. 34. **PRESENTATION** – Request Board receive update from Public Agency Retirement Services (PARS) representatives on the status of the County’s Other Post-Employment Benefits (OPEB) Account.

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

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

35. **PUBLIC COMMENT**

CORRESPONDENCE – INFORMATIONAL

36. **Inyo County Sheriff** – Sheriff’s Office and Jail Overtime Reports for May 2018.

BOARD MEMBER AND STAFF REPORTS