

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 11, 2011

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

PLEDGE OF ALLEGIANCE

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

1. **PUBLIC COMMENT**
2. **COUNTY DEPARTMENT REPORTS** (Reports limited to two minutes)
3. **BOARD OF SUPERVISORS** – Request Board adopt a resolution honoring Pat O'Neil as the Inyo County 2010 Firefighter of the Year and present the award to Mr. O'Neil.
4. **BOARD OF SUPERVISORS – Supervisor Marty Fortney** – Request Board approve a resolution recognizing October 9 through 15, 2011 as Fire Prevention week in Inyo County.
5. **INYO COUNTY SUPERINTENDENT OF SCHOOLS** - Dr. Terence McAteer, Inyo County Superintendent of Schools will address the Board to provide an update on Inyo County Schools and to talk about our local education system.

CONSENT AGENDA (Approval recommended by the County Administrator)

COUNTY ADMINISTRATOR

6. **Emergency Services** – Request Board continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows.
7. **Integrated Waste Management** – Request your Board approve Amendment No. 3 to the contract between the County of Inyo and Ausenco Vector Engineering, Inc., for solid waste technical services consenting to the asset purchase and granting Ausenco Vector Engineering, Inc., the assignment of the subject Contract by and between Ausenco Vector Engineering, Inc., and the County of Inyo to Geo-Logic Associates, Inc.; and authorize the Chairperson to sign.
8. **Parks & Recreation** – Request approval of the Lease between the County of Inyo and the Los Angeles Department of Water and Power (LADWP) for property utilized for the Lone Pine Park (Spainhower Park), for the period of October 1, 2011 through September 20, 2016, at the annual rate of \$500; and authorize the Chairperson to sign.

AGRICULTURAL COMMISSIONER

9. Request Board appoint Greg Allen, to the Agriculture Resource Advisory Board, representing the Community Business at Large category, to complete an unexpired three year term ending August 22, 2014. (*Notice of Vacancy resulted in one request for appointment being received from Mr. Allen.*)

COUNTY COUNSEL

10. Request Board ratify the Contract between the County of Inyo and West A. Thomson Reuters Business for online legal research services, for the three-year period commencing October 1, 2009, for a flat rate of \$988.80 per month, for a total Contract amount not to exceed \$35,507, contingent upon the Board's adoption of future budgets.

CLERK-RECORDER

11. ***Elections*** – Request Board issue an order declaring appointed-in-lieu of election those candidates submitted for the special districts for the November 8, 2011 UDEL Election as certified by the Clerk's Certificates.

PUBLIC WORKS

12. Request approval of the Lease Agreement between the County of Inyo and Federal Express Corporation for property at the Eastern Sierra Regional Airport, for the period of November 1, 2011 through October 31, 2016, at the rate of \$568.75 per month, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

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

13. **COUNTY ADMINISTRATOR – ESTA** – Request Board consider A) a request to lend the Eastern Sierra Transit Authority (ESTA) \$25,000 from County funds for a term not to exceed December 1, 2011 through September 1, 2012, based on ESTA agreeing to certain conditions; and B) approve an Agreement (to be developed similar to last year's Agreement) between the County of Inyo and the Eastern Sierra Transit Authority for the provision of an advancement of funds and, authorize the County Administrator to sign, contingent upon the appropriate signatures being obtained.
14. **PLANNING DEPARTMENT-AGRICULTURAL COMMISSIONER** – Request Board approve the correspondence to the U.S. fish and Wildlife Service regarding a proposed rule for designation of revised critical habitat for southwestern willow flycatcher; and authorize the Chairperson to sign.
15. **PLANNING DEPARTMENT** – Request Board review the Notice of Intent and Notice - Prepare an Environmental Document and Proposed Plan Amendment for the West Mojave (WEMO) Plan, Motorized Vehicle Access Element; and authorize the Chairperson to sign the correspondence pertaining to the notices.
16. **WATER DEPARTMENT** – Request Board provide direction to the County's Standing Committee representatives regarding the attached Draft Standing Committee Meeting Agenda for the October 17, 2011 Inyo County/Los Angeles Standing Committee Meeting.
17. **CLERK OF THE BOARD** – Request approval of the minutes of the September 27, 2011 Board of Supervisors Meeting.
18. **PLANNING DEPARTMENT** – Request Board conduct an up to one-hour workshop regarding draft sections of the updated Zoning Code to provide input to staff and the Planning Commission.

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

- 11:30 a.m. 19. **COUNTY ADMINISTRATOR** – Request Board consider FY 2011-12 Grants-in-Support Program awards as recommended and authorize the County Administrator to sign contracts or contract amendments with FY 2011-12 Grants-in-Support Program applicants for the period of July 1, 2011 through June 30, 2012, in the amount approved by the Board, contingent upon the appropriate signatures being obtained.

CORRESPONDENCE - ACTION

BOARD MEMBERS AND STAFF REPORTS

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

20. **PUBLIC COMMENT**

CLOSED SESSION

21. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(a) – Inyo Citizens for Better Planning v. Inyo County; Inyo County Board of Supervisors et al. – Inyo County Superior Court Case No. SICVPT05-38164.**
22. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]** - Public Employee Appointment - Title: Director Public Works.
23. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriffs Association (DSA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.
24. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistants Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion.
25. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Correctional Officers Association (ICCOA) - Negotiators: Labor Relations Administrator Sue Dishion.
26. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, Director of Child Support Services Susanne Rizo, Chief Probation Officer Jeff Thomson.
27. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].** – Instructions to Negotiators re: wages, salaries and benefits – Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) – Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.
28. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Law Enforcement Administrators Association (LEAA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.
29. **REAL PROPERTY NEGOTIATIONS (CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE §54956.8) –** Property: APN 001-104-11, 556 No. 2nd Street, Bishop Property California (Bank owned) – Negotiating Parties: County Administrator, HHS Director, Interim Public Works Director, Interim Deputy Public Works Director and Bank of America – Negotiations: Terms and Conditions.

REPORT ON CLOSED SESSION AS REQUIRED BY LAW

CORRESPONDENCE - INFORMATIONAL

30. **AUDITOR-CONTROLLER –** Notice that in accordance with Section 26905 and 26921 of the Government Code and your orders of February 5, 1950 and January 3, 1956, an actual count of money in the hands of the Treasurer was made on October 3, 2011 and that the count showed the funds to be in balance, pending written verification of inactive accounts.

DRAFT AGENDA

INYO COUNTY/LOS ANGELES STANDING COMMITTEE

11:00 A.M.

October 17, 2011

Board of Supervisors Room
Inyo County Administrative Center
224 N. Edwards
Independence, California 93526

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 September 9, 2011 meeting
2. **Action Item (contingent item):** Pursuant to section XXVI.B of the Water Agreement, Inyo County requests resolution of an issue concerning provisions in LADWP's 2011-12 Annual Operations Plan in the Thibaut-Sawmill and Taboose-Aberdeen Wellfields.
3. **Action Items:** Issues to be addressed by the Standing Committee with regard to the requirements of Water Agreement Section IV.B and Green Book Section I.C.
 - a. (Contingent Item) Resolve the issue framed and presented by legal counsel from Los Angeles and Inyo County.
 - b. If the Standing Committee is unable to resolve Item 2 or Item 3a, Inyo County requests the Standing Committee decide whether mediation/temporary arbitration (Sec. XXVI.C of Long Term Water Agreement) or a request for resolution in Superior Court (Sec. XXVI.D) is the appropriate procedure to seek resolution of Item 2 or Item 3a.
4. Public Comment
5. Confirm schedule for future Standing Committee meetings
6. Adjourn

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.