

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 25, 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. **DICK NOLES** – Mr. Noles will provide a progress report on the Adventure Trails Project.

CLOSED SESSION

- 9:15 a.m.**
4. **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.
 5. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(a))** – *Eric Hugelmann v. Inyo County District Attorney, et al.* – Inyo County Superior Court Case No. SICVCV11-52515.
 6. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(b))** – Significant Exposure to Litigation (one case).
 7. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]** - Public Employee Performance Evaluation - Title: Interim Public Works Director.
 8. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]** - Public Employee Appointment - Title: Director Public Works.
 9. **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.
 10. **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.

11. **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.
12. **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.
13. **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.
14. **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.
15. **REAL PROPERTY NEGOTIATIONS (CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE §54956.8)** – Mt. Whitney Fish Hatchery, Independence, California – Negotiating Parties: County Administrator and State of California – Negotiations: Terms and Conditions.

CONSENT AGENDA (Approval recommended by the County Administrator)

10:00 a.m.

COUNTY ADMINISTRATOR

16. Request Board ratify and approve Amendment #1 to the Contract between the County of Inyo and Gruen Gruen & Associates, amending the term of the Contract to an ending date of June 30, 2013 and changing the Scope of Work to include additional projects, contingent upon the Board's adoption of future budgets; and authorize the County Administrator to sign, contingent upon the appropriate signatures being obtained.
17. **Emergency Services** – Request Board continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows.
18. **Parks** – Request Board award the bid for and approve the purchase of one Bobcat Fastcat 52" Zero Turn commercial riding mower from Golf Ventures West of Las Vegas in an amount not to exceed \$6,445.61.
19. **Personnel** – Request approval of the Memorandum of Understanding between the County of Inyo and the Inyo County Correctional Officers Association (ICCOA) for the period of November 1, 2011 through June 30, 2013; and authorize the Chairperson to sign.

ASSESSOR

20. Request approval of Amendment No. 1 to the Contract between the county of Inyo and Harold W. Bertholf, Inc. for assessment appeal assistance, for the period of August 1, 2011 through June 30, 2012, increasing the amount of the Contract by \$50,000 to a total Contract amount not to exceed \$75,000; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

PUBLIC WORKS

21. Request approval of the Interim Exhibit 9-B Local Agency DBE Annual Submittal form for the 2011/2012 Federal Fiscal Year; and authorize the Chairperson to sign.

SHERIFF

22. Request approval of the Contract between the County of Inyo and American Security Group for the provisions of services, maintenance of security surveillance system equipment, for the period of January 24, 2012 through June 30, 2012, in an amount not to exceed \$11,543.12; and authorize the Chairperson to sign.

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

23. **BOARD OF SUPERVISORS – Supervisors Linda Arcularius and Susan Cash** – Request Board accept a report on the October 17, 2011 Standing Committee Meeting and provide direction to Staff as may be appropriate.
24. **DISTRICT ATTORNEY** - Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested position of Office Assistant II exists, as certified by the District Attorney and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, however there is a current existing eligibility list for this position; and C) approve the hiring of one Office Assistant II at Range 46 (\$2,358 - \$2,877) from the existing eligibility list.
25. **HEALTH AND HUMAN SERVICES – Behavioral Health Services.** - Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested positions of Residential Caregiver exists in the Mental Health budget, as certified by the Health and Human Services Director and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the positions, the vacancies could possibly be filled through internal recruitments, though open recruitments may be more appropriate to ensure a sufficient number of qualified candidates apply if none are found on existing lists; and C) approve the hiring of one fulltime Residential Caregiver at Range 53 (\$2,779 - \$3,380) and one B-Par Residential Caregiver at Range 53PT (\$14.89 – \$18.12 per hour).
26. **PUBLIC WORKS** – Request Board award and approve the Contract for the ESTA Parking Lot Security Lighting and Fencing Project to Kendall Engineering, Inc., in the amount of \$58,643; authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and authorize the Public Works Director to sign all other Contract documents, including change orders, to the extent permitted pursuant to §20142 of the Public Contract code and other applicable law.
27. **PUBLIC WORKS** – Request Board A) amend the FY 2011-2012 CSA #2 Budget Unit 81000 by increasing appropriations in Professional & Special Services (*Object Code #5265*) by \$7,500 from fund balance (*4/5's vote required*); and B) approve Amendment No. 2 to the Contract between the County of Inyo and McMurtrie-Tanksley, Inc., for the Aspendell Sanitary Sewer Maintenance Services for the operation and maintenance, increasing the Contract from \$10,000 to \$17,500 for FY 2011-12 for a total amount not to exceed \$42,500 for the term of the Contract (*2/3's vote required per Public Contract Code §20135*); and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
28. **ROAD DEPARTMENT** – Request Board discussion and direction to Staff regarding the installation of the Cluster Mail Boxes in the communities of Darwin and Keeler.
29. **ROAD DEPARTMENT** – Request approval to close Movie Road on November 10 and 11, 2011 and Cerro Gordo Road on November 8 and 9, 2011 from 6:00 a.m. to 6:00 p.m. for filming
30. **WATER DEPARTMENT** – Request approval of the LORP 201-11 LORP Annual Accounting Report.
31. **PLANNING** – Request approval of correspondence to the U.S. Forest Service regarding the proposed Mammoth Base Land Exchange; and authorize the Chairperson to sign.
32. **CLERK OF THE BOARD** - Request approval of the minutes of the October 11, 2011 Board of Supervisors Meeting.

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

10:30 a.m. 33. **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 26, 2010 Capital Asset Leasing Corporation Meeting.*

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

11:00 a.m. 34. **PLANNING** – Request Board A) conduct a **PUBLIC HEARING** regarding Appeal No. 2011-03 (Lijek), which is an appeal of a Planning Commission's approval of Variance No. 2011-01 (Norberg); and B) deny the appeal and sustain the Planning Commission's approval of the Variance.

WORKSHOPS AND PRESENTATIONS (To be considered at the Board's convenience)

35. **HEALTH AND HUMAN SERVICES – Behavioral Health Services** – Request Board conduct a workshop on the Health and Human Services Department Behavioral Health Wellness Centers.

36. **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.

CORRESPONDENCE - ACTION

BOARD MEMBERS AND STAFF REPORTS

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

37. **PUBLIC COMMENT**

REPORT ON CLOSED SESSION AS REQUIRED BY LAW

CORRESPONDENCE - INFORMATIONAL