

# 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.

### **November 15, 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. **BIG PINE PAIUTE TRIBE OF THE OWENS VALLEY** – Request Board accept a presentation by and discussion with representatives of the Big Pine Paiute Tribe of the Owens Valley regarding the Tribe's proposed Travel Center in Big Pine.

#### **CONSENT AGENDA** (Approval recommended by the County Administrator)

##### **COUNTY ADMINISTRATOR**

4. **Emergency Services** – Request Board continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows.
5. **Personnel** – Request approval of Amendment No. 1 to the Agreement between the County of Inyo and Jeffrey Thomson for personal services as the Chief Probation Officer, amending the Agreement as follows: beginning December 1, 2011 through June 30, 2012, Officer will receive 35 paid administrative leave hours to be used by June 30, 2012 and effective July 1, 2012 through June 30, 2013 and every fiscal year thereafter, Officer will receive sixty paid administrative hours; and authorize the Chairperson to sign.
6. **Motor Pool** – Request Board award the bid to and approve the purchase from Eastern Sierra Motors, as the low bidder, of one 2012 Transit Connect Van in an amount not to exceed \$21,947.29.

##### **CLERK-RECORDER**

7. Request Board authorize the Clerk-Recorder to exercise the buy-out option of an existing lease agreement with Xerox Corp for a used Xerox Model 6204 wide format copier/scanner for the amount of \$5,111 with a 12-month Maintenance Contract in the amount of \$54.50 per month, plus tax, with the option to extend said Contract, and authorize the Clerk-Recorder to sign.

8. **Elections** – Request Board issue an order accepting the Statement of All Votes Cast at the UDEL Election held November 8, 2011 and declare elected those offices according to the number of votes for each as shown on the Statement of All Votes cast.

### **HEALTH AND HUMAN SERVICES**

9. Request Board ratify and approve the Contract between the County of Inyo and Toiyabe Indian Health Project, Inc., for the provision of Child Health services for the period of October 1, 2011 through June 30, 2012, in an amount not to exceed \$42,000; and authorize the Chairperson to sign.

### **PLANNING**

10. Request approval of amendments to the HOME Loan Service Plan Guidelines regarding: the period of affordability, recapture method, guidelines for repayment, reconveyance and owner occupied rehabilitation and add the language provided by HCD to address these missing elements.

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

11. **COUNTY ADMINISTRATOR – Museum** – Request Board review and approve 22 Community Project Sponsorship Program Grant awards for 2011-2012 recommended by the Community Project Sponsorship Program Grant Review Panel and in the amounts recommended by the Panel in a total amount of \$100,000 and authorize the County Administrator to sign the Contracts with the FY 2011-12 Community Project Sponsorship Program recipients, in the amounts approved by the Board, contingent upon the appropriate signatures being obtained.
12. **COUNTY ADMINISTRATOR – Integrated Waste** - Request Board find that consistent with the adopted Authorized Position Review Policy that: A) the availability of funding for the requested position exists in the Solid Waste budget as certified by the Department Head and concurred with by the County Administrator and the Auditor-Controller; and B) authorize the filling of one Gate Attendant position, at Range 43 (\$2,206 - \$2,683) from the established list.
13. **HEALTH AND HUMAN SERVICES – Health Services** – Request Board A) amend the authorized strength by adding one full time Prevention Specialist position at Range 60 (\$3,271 - \$3,973); and B) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the requested position exists in the Public Health and CARES budgets, 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 position, the vacancy could be possibly be filled through an internal recruitment; and (c) approve the closed County recruitment and hiring of one Prevention Specialist at Range 60 (\$3,271 - \$3,973) .
14. **HEALTH AND HUMAN SERVICES** - Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested position 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 position, the vacancy could possibly be filled through an internal recruitment, however an open recruitment may be more appropriate to ensure a sufficient number of qualified candidates apply; and C) approve the hiring of one Account Technician III at Range 63 (\$3,502 - \$4,261) through an open recruitment.
15. **PROBATION – Juvenile Center** - Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested position exists, as certified by the Chief Probation Officer 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 an open recruitment may be more appropriate to ensure the position is filled with the most qualified applicant; and C) approve the hiring of one full-time Group Counselor I at Range 62 (\$3,426 - \$4,166) through an open recruitment.
16. **PUBLIC WORKS** – Request Board amend the FY 2011-12 Road Budget Unit 034600 by increasing estimated revenue in Other Agencies (*Revenue Code #4599*) by \$125,000 and increasing appropriations in Road Materials (*Object Code #5309*) by \$125,000. (*4/5's vote required.*)

17. **PUBLIC WORKS** – Request Board amend the FY 2011-2012 County Budget as follows:

A) in Independence Airport Budget Unit 150402 increase estimated revenues in Federal Grants (*Revenue Code #4455*) by \$33,250, State Other (*Revenue Code #4499*) by \$831, Inter-Government Charges (*Revenue Code #4824*) by \$919 and increase appropriations in External Charges (*Object Code #5124*) by \$10,300 and Construction in Progress (*Object Code #5700*) by \$24,700; and

B) in Public Works Budget Unit 011500 increase estimated revenue in Inter-Government Charges (*Revenue Code #4824*) by \$919, and increase appropriations in In-Kind Contributions (*Object Code #5850*) by \$919. (*4/5's vote required.*)

18. **ROAD DEPARTMENT** – Request approval to close Fort Road from approximately November 16 through November 19, 2011 for film rehearsal; and from approximately December 3 through December 9, 2011 for final filming, with the exact dates and times of the closures to be approved by the Road Commissioner.

19. **WATER DEPARTMENT** – Request approval of the Lease Agreement between the County of Inyo/LADWP and the California State Lands Commission for aquifer tests at three existing production well sites, dry lake bed of Owens Lake, Inyo County and authorize the County Administrative Officer, Water Director, or Chairperson to sign.

20. **WATER DEPARTMENT – COUNTY COUNSEL** – Request Board A) select Phil McDowell, Esq. as the mediator representing Inyo County in its dispute with the City of Los Angeles Department of Water and Power and B) approve the Contract between the County of Inyo and Phil McDowell for these services, in an amount not to exceed \$10,000; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

21. **COUNTY COUNSEL – PLANNING – COUNTY ADMINISTRATIVE OFFICER – Information Services** – Request Board A) adopt the proposed Resolution approving the license agreement, making findings pursuant to CEQA, adopting mitigation, adopting a mitigation and monitoring program, and waiving fees for County services related with the Digital 395 Project; and B) approved the License Agreement and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

22. **CLERK OF THE BOARD** – Request approval of the minutes of the Board of Supervisors Meetings of A) October 25, 2011; B) November 1, 2011; and C) November 7, 2011.

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

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

23. **PUBLIC WORKS** – Request Board conduct a workshop and provide feedback in response to an outline detailing procedures to implement AB 628 concerning the Adventure Trails System in Inyo County.

24. **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**

25. **BIG PINE PAIUTE DEVELOPMENT CORPORATION** – Request that the County of Inyo agree to serve as the lead agency for CEQA with regard to the BPDC's proposed Travel Plaza. .

**BOARD MEMBERS AND STAFF REPORTS**

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

26. **PUBLIC COMMENT**

## **CLOSED SESSION**

27. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant To Government Code §54956.9(a)]** – Dispute Resolution with Los Angeles Department of Water and Power.
28. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957]** - Public Employee Appointment - Title: Director Public Works.
29. **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.
30. **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.
31. **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.
32. **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.
33. **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.
34. **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.
35. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits – Title: IHSS - Negotiators: Director of Health and Human Services, Jean Turner, Labor Relations Administrator Sue Dishion, Employer of Record – Anne Parkinson Noda and Bill May.
36. **REAL PROPERTY NEGOTIATIONS (CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE §54956.8)** – License to use County Roads for Digital Cable – Negotiating Parties – County Administrator, Director of Information Services and California Broadband Cooperative – Negotiations – Terms and Conditions.
37. **REAL PROPERTY NEGOTIATIONS (CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE §54956.8)** – Property: APN 001-104-11, 556 No. 2<sup>nd</sup> 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**

38. **SHERIFF'S DEPARTMENT** – Sheriff and Jail Overtime report for the month of October, 2011.
39. **STATE OF CALIFORNIA WILDLIFE CONSERVATION BOARD** – Notification of consideration of allocating funds (grant application submitted by Inyo County Water Department) for a project to remove and control nonnative invasive plant (saltcedar) from the Lower Owens River.