

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.

September 25, 2012

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. **INTRODUCTION** – Mr. Fred Aubrey and Mr. Brandon Nelson, Equipment Operators in the Road Department will be introduced to the Board.

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.

ASSESSOR

5. Request Board ratify and approve Amendment No. 3 to the Contract between the County of Inyo and Harold W. Bertholf for assessment appeal assistance for the period of July 1, 2011 through December 31, 2012, increasing the amount of the Contract by \$100,000 to a total Contract amount not to exceed \$175,000; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

HEALTH AND HUMAN SERVICES

6. **Behavioral Health Services** – Request Board ratify and approve the Contract between the County of Inyo and Echo Group for the provision of support services for electronic billing and health records, for the period of July 1, 2012 through June 30, 2013, in an amount not to exceed \$106,031.08; and authorize the Chairperson to sign the Contract and the HIPPA Business Association Agreement.
7. **Health Services** – Request Board approve and ratify Amendment No. 1 to the Contract between the County of Inyo and Richard O. Johnson, MD, changing the dates that the Contractor is paid from the 5th and 20th of each month to the County designated bi-weekly payroll schedule; and authorize the Chairperson to sign.

PUBLIC WORKS

8. Request approval of a Resolution accepting the improvements and authorizing the recording of a Notice of Completion for the Nine-Mile Canyon Road Guardrail Installation Project.
9. Request Board award and approve the Contract for the Eastern Sierra Regional Airport – Airport Lighting Vault Improvement Project to Speiss Construction Company, Inc., in the amount of \$339,115, and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and authorize the Interim Public Works Director to sign all other Contract documents, including change orders, to the extent permitted by Public contract Code §20142 and other applicable law.

ROAD DEPARTMENT

10. Request Board authorize the payment of \$12,589 to CA Emergency Management Agency for Invoice No. 12-04589 to close out CDAA DR 200302-August 2003 Storms, Cal EMA #027-0000.

SHERIFF

11. **Emergency Services** - Request Board approve the Contract between the County of Inyo and Geographic Technologies Group for the provision of address point verification services in an amount not to exceed \$33,700 for the period of September 25, 2012 through December 29, 2012; and authorize the Chairperson to sign.

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

12. **COUNTY ADMINISTRATOR** – Request Board appoint Supervisor Linda Arcularius to represent the Inyo County Board of Supervisors on the Western Counties Alliance Board of Directors.
13. **COUNTY ADMINISTRATOR – Budget** - Request Board A) review and discuss the FY 2012-2013 Final Board Approved Budget including but not limited to: 1) those changes to the CAO Recommended Budget that are included in the Addendum and 2) any other changes which may be made as a result of this discussion; B) adopt the FY 2012-2013 Final Budget as recommended by the County Administrator and as amended, as necessary; C) approve resolution adopting the Final Budget for Fiscal Year 2012-2013; D) authorize and direct the County Administrator and Auditor-Controller to approve and make payments, greater than \$10,000 to Inter-Agency Visitor Center and Tri-Country Fairgrounds as provided for in the Advertising County Resources budget; and E) authorize and direct the County Administrator to develop and execute contracts with all Grants-In-Support program funding recipients identified in the Grants-In-Support budget.
14. **COUNTY ADMINISTRATOR – Emergency Services** - Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, The Death Valley Roadeater Emergency, that resulted in flooding in the eastern portion of Inyo County during the month of August 2012, per Resolution #2012-32.
15. **PUBLIC WORKS** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the Administrative Secretary I position comes from the Public Works Budget as certified by the Interim Public Works Director and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Administrative Secretary, the position could possibly be filled through an internal recruitment, however, an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one Administrative Secretary I, at Range 56 (\$2,980 – \$3,618).
16. **PUBLIC WORKS** – Request Board A) approve the plans and specifications for the Bishop Library Re-roofing Project and authorize the Interim Public Works Director to advertise for bids for the project; and B) authorize the Interim Public Works Director to award and approve the Contract for the project if the bids are within the project budget and to sign the Contract, contingent upon the appropriate signatures being obtained and authorize the Interim Public Works Director to sign all other Contract documents, including change orders, to the extent permitted by Public contract Code §20142 and other applicable law.

17. **PUBLIC WORKS** – Request approval of the resolution authorizing the submittal of the application for the State of California Division of Aeronautics matching grant for construction of the ESRA – Airport Lighting Vault Improvements, accepting the allocation of State Airport Improvement Program (AIP) matching funds, and authorizing the Interim Public Works Director to execute the grant agreements and any other documents required to apply for and accept the funds.
18. **HEALTH AND HUMAN SERVICES – Misc.** – Request approval of a letter to Diana Dooley, Secretary of the California Health and Human Services Agency requesting recognition as a comprehensive and integrated health and human services system, allowing flexibility of use of certain funds; and authorize the Chairperson to sign.
19. **HEALTH AND HUMAN SERVICES – Emergency Services** – Request Board approve the Joint Powers Agreement between the counties of San Bernardino, Mono and Inyo for the purpose of providing for the operation and management of a multi-county emergency medical services system and delineating responsibilities for such operation and management, effective upon approval by all three entities; and authorize the Chairperson to sign.
20. **HEALTH AND HUMAN SERVICES – Health Services** – Request authorization to purchase Catastrophic Inmate Medical Insurance (CIMI) for one year, beginning October 1, 2012 and ending September 30, 2013, provided by Unimerica Life Insurance Company in the amount of \$16,646; and authorize the Chairperson to sign the Application for Excess Loss Insurance and the Inmate Medical Benefit Plan Document.
21. **HEALTH AND HUMAN SERVICES – Social Services** – Request approval of the Child Welfare System Improvement Plan (SIP) , which includes the Office of Child Abuse Prevention (OCAP) Plan and authorize the Chairperson to sign the SIP cover sheet, the OCAP plan cover sheet and the Notice of Intent for CAPIT/CBCAP/PSSF plan contracts.
22. **PLANNING** – Request Board review the draft chapter for the Inyo National Forest for the Implementation Strategy/Plan for Region 5 Leadership Intent for Ecological Restoration.
23. **PLANNING** – Request Board receive a presentation from staff about coordination with the Forest Service staff regarding the Inyo National Forest Plan Update/Revision and provide input.
24. **WATER DEPARTMENT** – Request Board receive an update on Inyo-Mono Integrated Regional Water Management Plan (IRWMP) activities and provide direction concerning (a) action items on the September 26, 2012 Regional Water Management Group meeting for the IRWMP and (b) application to act as fiscal agent for the Inyo-Mono IRWMP.
25. **COUNTY COUNSEL** - Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the Office Assistant III position comes from the General Fund as certified by County Counsel and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Office Assistant III, the position could possibly be filled through an internal recruitment, however, an open recruitment is more appropriate to ensure a qualified applicant pool; and C) approve the hiring of one Office Assistant III at Range 48 (\$2,480 - \$3,007).
26. **CLERK OF THE BOARD** – Request approval of the minutes of the Board of Supervisors Meetings of A) September 4, 2012 and B) September 11, 2012.

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

- 11:00 a.m. 27. **HEALTH AND HUMAN SERVICES – ESAAA** – Request Board A) review staff recommendation for awarding of Eastern Sierra Area Agency on Aging Ombudsman contract; B) hear an appeal from a lower scoring respondent to the RFQ; and C) award the ombudsman contract, contingent upon the required designation by the California department of Aging Ombudsman Office, to the appropriate respondent, contingent upon the Board’s adoption of future budgets.
28. **HEALTH AND HUMAN SERVICES – ESAAA** – Request Board reject the response from California Indian Legal Services to the Request for Qualifications to provide Legal Assistance through Eastern Sierra Area Agency on Aging (ESAAA) based on the legal opinion from County Counsel, and provide direction to staff regarding the procurement of legal services for ESAAA seniors.

29. **HEALTH AND HUMAN SERVICES – ESAAA** – The Board of Supervisors/Eastern Sierra Area Agency on Aging Governing Board will receive and discuss updates regarding current issues affecting the delivery of senior services in Inyo County and the Eastern Sierra encompassed by Public Service Area 16, providing direction as appropriate.
- 1:00 p.m. 30. **BOARD OF EQUALIZATION** (*The Board will convene as the Board of Equalization to conduct Assessment Appeal Hearings – Separate Agenda*).
- 2:30 p.m. 31. **WATER DEPARTMENT** – Request Board A) provide direction to the County’s Standing Committee Representatives on the attached Agenda for the September 26, 2011 Standing Committee Meeting to be held in Bishop at the Tri-Country Fairgrounds; and B) address LADWP’s request to the Standing Committee concerning the McNally Ponds Enhancement/Mitigation Project.

CORRESPONDENCE - ACTION

32. **INYO COUNCIL FOR THE ARTS** – Request approval of a resolution designating the Inyo Council for the Arts as the County’s Partners to the California Arts Council.

BOARD MEMBERS AND STAFF REPORTS

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

33. **PUBLIC COMMENT**

CLOSED SESSION

34. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [PURSUANT TO GOVERNMENT CODE §54956.9(a)]** – *B3 PARTNERS, LLC, an Oregon limited liability company v. The County of Inyo; the Inyo County Board of Supervisors, et al.*, Inyo County Superior Court Case No. SICV CV 1253471.
35. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [PURSUANT TO GOVERNMENT CODE §54956.9(a)]** – *Center for Biological Diversity, a non-profit public interest corporation; Public Employees for Environmental Responsibility, a national non-profit alliance of local, state and federal resource professionals, v. Inyo County and Inyo County Board of Supervisors*, Inyo County Superior Court Case No. SICVPT 12-53821
36. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [PURSUANT TO GOVERNMENT CODE §54956.9(a)]** – *Robert Raymond v. Kammi Foote*, United States District Court Eastern District of California Case No. 1:12-CV-01407-AWI-JLT.
37. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [PURSUANT TO GOVERNMENT CODE §54956.9(a)]** – *City of Los Angeles, Department of Water and Power of the City of Los Angeles, v. Inyo County Board of Supervisors, et. al.*, Inyo County Superior Court Case No. 12908: Blackrock 94 Dispute Resolution.
38. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [PURSUANT TO GOVERNMENT CODE §54956.9(c)]** – Decision whether to initiate litigation (two cases).
39. **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: Labor Relations Administrator Sue Dishion, Information Services Director Brandon Shults, and Planning Director Josh Hart.
40. **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.
41. **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.

42. **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.
43. **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.
44. **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.

REPORT ON CLOSED SESSION AS REQUIRED BY LAW

CORRESPONDENCE - INFORMATIONAL

45. **ENVIRONMENTAL MENTAL HEALTH – Proposition 65 Report** – Notice of a turbine oil leak at the site of transformers close to a stream in the Bishop area.
46. **BOARD OF STATE AND COMMUNITY CORRECTIONS** – 2010-12 Biennial Inspection Audit of the Inyo County Adult Detention Facility.
47. **BUREAU OF LAND MANAGEMENT** – Notice of Proposed Action regarding the intent to remove graffiti that may occur within Wilderness, Wilderness Study Areas and non-wilderness areas managed by the Bishop Field Office.
48. **INYO NATIONAL FOREST** – Notification of an environmental assessment for a proposal to implement a Forest Order closing endangered Sierra Nevada bighorn sheep habitat to domestic goat use.

AGENDA
**INYO COUNTY/LOS ANGELES
STANDING COMMITTEE**

1:00 p.m.
September 26, 2012

Tri-County Fairgrounds
~~Patio Building~~ Home Economics Building
Bishop, California

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 May 4, 2012 meeting.
2. Runoff and Operations update
3. Report on status of Green Book revisions.
 - a. Facilitator Status
 - b. Ecological Society of America participation
 - c. Schedule
4. Report on Owens Lake Groundwater Evaluation Project and Master Plan.
5. Report on well construction and well lining activities.
6. Report on Saltcedar Program activities.
7. Report on possible modifications to Van Norman Field E/M Project.
8. Report on litigation concerning Big Pine Northeast Regreening E/M Project.
9. **Action Item:** Request pursuant to Water Agreement Section XXVI.B for resolution of issues regarding E/M project water supply.
10. **Action Item:** Request pursuant to Water Agreement Section XXVI.B for resolution of issues concerning vegetation parcel Blackrock 94.
11. **Action Item:** Resolution of issue regarding the McNally Ponds E/M Project
12. Public Comment.
13. Confirm schedule for future Standing Committee meetings.
14. 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.
10. (Added February 24, 2012) The Standing Committee may also receive comments/questions in written form from members of the public. Either party may choose to respond, however, when responding to a public comment/question, whether verbally or in writing, any statements made by either party may represent the perspective of that party or the individual making the response, but not the Standing Committee as a whole (unless specifically agreed to as such by the Standing Committee). When either party responds in writing to public comment/question, that response will be concurrently provided to the other party.