

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.

December 11, 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. Jim Tatum, Deputy Public Works Director 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.
5. **Information Services** – Request approval of the Information Technology Initiative Policy.

DISTRICT ATTORNEY

6. Request approval of the Inyo County Victim Witness Assistance Unserved/Underserved Victim Advocacy and Outreach Program Grant from Cal-EMA for the period of October 1, 2012 through September 30, 2013; and authorize the District Attorney to sign any documentation to accept and utilize the grant.

HEALTH AND HUMAN SERVICES

7. **ESAAA** – Request approval of the Contract between the County of Inyo and Catherine Denevi, a licensed attorney, to provide legal assistance to the alder adult population targeted through Eastern Sierra Area Agency on Aging (ESAAA) in an amount not to exceed \$69,096, for the period of December 2, 102 through June 30, 2016, contingent upon the Board's adoption of future budgets and subject to annual renewals based on performance; and authorize the Chairperson to sign.

PLANNING

8. ***Yucca Mountain*** – Request Board certify that \$129,755.66 in funds provided to Inyo County as an Affected Unit of Local Government (AULG) under the Nuclear Waste Policy Act, as amended, have been expended in accordance with the provisions of that Act, Public Law 97-425, and the 2010 Energy and Water Development and Related Agencies Appropriations Act; authorize the Chairperson to sign the certification; and direct staff to submit the certification to the U. S. Dept. of Energy.

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

9. ***ROAD DEPARTMENT*** – Request Board A) ratify and approve (a) the agreement to rent paving machine from McMurtrie-Tanskley, Inc. and approve the payment of \$27,720; (b) the agreement to rent pavement rollers from United Rentals and approve the payment of \$7,594.93 (c) the agreement for trucking to deliver asphalt paving materials to Coso Paving Project and approve the payment of \$16,720 to Nite Owl Transportation and \$32,195 to Construction Specialty; and B) amend the FY 2012-13 Road Budget Unit 034600 by increasing appropriations in Equipment Rental (*Object Code #5281*) by \$35,315, and Professional Services (*Object Code #5265*) by \$48,915; and decreasing appropriations in Equipment (*Object Code #5650*) by \$84,230.
10. ***SHERIFF'S DEPARTMENT*** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the Correctional Officer positions comes from the General Fund, as certified by the Sheriff, and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Correctional Officer, the positions could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure the positions are filled with the most qualified applicants; and C) approve the hiring of two Correctional Officers at Range 64 (\$3,590 – \$4,363).
11. ***HEALTH AND HUMAN SERVICES – Social Services*** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Health and Human Services Supervisor position exists, as certified by the Director of Health and Human Services, and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Health and Human Services Supervisor, the position could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure a sufficient number of qualified applicants apply; if one is not found on an existing list; and C) approve the hiring of one Health and Human Services Supervisor, at Range 66 (\$3,757 – \$4,574)
12. ***HEALTH AND HUMAN SERVICES – EMS*** – Request approval of the Memorandum of Understanding (MOU) between the counties of San Bernardino and Inyo, and the Death Valley National Park for the purpose of providing a mutual aid plan to be effective when the demands within a Party's jurisdiction will exceed or likely exceed the available resources to be able to respond effectively to emergencies that may result from a disaster within the limit of the two counties and provide for those situations in which emergencies occur where a non-county asset may provide the most effective life-saving medical treatment; and authorize the Chairperson to sign.
13. ***HEALTH AND HUMAN SERVICES – ESAAA*** – Request Board appoint the following to the Eastern Sierra Agency on Aging Advisory Council representing the categories and initial staggered terms as recommended by Staff: Rachel Lober of Bishop; Mary Jefferson of Lone Pine; Roger Rasche of Lone Pine, Jim Copeland of Benton, Phyllis Mikalowsky of Lone Pine, Selma Calnan of Bishop, Saul Sanabria, Inyo Mono VSO, Christie Martindale of Toiyabe Indian Health Project; and one member of the Board of Supervisors. (*Notice of vacancies resulted in requests for appointment being received from Ms. Lober, Ms. Jefferson, Mr. Rasche, Mr. Copeland, Ms. Mikalowsky, Ms. Calnan, Mr. Sanabria, Ms. Martindale, and Ms. Carol Balliet*).
14. ***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.
15. ***TREASURER-TAX COLLECTOR*** – Request approval to conduct a public auction, via the internet, to offer for sale to the highest bidder certain tax-defaulted parcels of land that are subject to the Tax Collector's Power to Sell.

16. **TREASURER-TAX COLLECTOR** – Request Board declare Bid4Assets, Inc., a sole source provider of land tax-default land auction services and approve the Agreement between the county of Inyo and Bid4Assets, Inc. for on-line, internet, tax-defaulted land auction services; and authorize the Chairperson to sign.
17. **COUNTY ADMINISTRATOR** - Request Board A) find that consistent with the adopted Authorized Position Review Policy: (a) the funding for the position comes from the General Fund and, possibly, certain Non-general Fund departments depending on the job responsibilities and associated budget allocations, as certified by the County Administrator and concurred with the Auditor-Controller; (b) the vacancy could possibly be filled by internal candidates meeting the qualifications for the position, however, however an open recruitment is appropriate to ensure the position is filled with the best qualified candidate; and (c) approve the hiring of one Deputy County Administrator at Range 88 (\$6,370 - \$7,740) up to a Step E, OR a Senior Deputy County Administrator at Range 92 (\$7,026 – \$8,540) depending on the qualifications of the selected candidate as determined by the County Administrator; and B) designate and authorize the County Administrator to sign a personal services contract with the successful candidate for the Deputy County Administrator or Senior Deputy County Administrator position at the salary range corresponding with the level of the position(s) approved by your Board.
18. **PLANNING** – Request Board receive an update on the Brownfields Assessment Coalition Grant and provide direction to staff.
19. **PLANNING** – Request Board A) receive information regarding coordination with Forest Service staff concerning the Inyo National Forest Plan Update/Revision and provide input; B) approve the correspondence regarding the Science Synthesis; and authorize the Chairperson to sign; C) review the draft Collaboration and Communication Plan for the Update effort; and D) approve the correspondence regarding the draft Plan; and authorize the Chairperson to sign.

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

- 10:30 a.m. 20. **COUNTY ADMINISTRATOR – COUNTY COUNSEL – PLANNING** – Request Board A) review the Sales and Use Tax Agreement proposed by BrightSource Energy for the Hidden Hills Solar Energy Generating System Project, and accept staff’s recommendation that the Board not endorse the agreement; and B) consider authorizing the Chairperson to sign the Agreement originally proposed by staff to BrightSource Energy, and on which BSE’s proposed agreement is based, contingent upon all of the signatures being obtained by December 30, 2012.
- 11:30 a.m. 21. **ENVIRONMENTAL HEALTH** – Request Board B) conduct a **public hearing** on an ordinance titled “An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Repealing Inyo County Ordinance Number 1132, Repealing Chapter 7.52 of the Inyo County Code and Enacting a New Chapter 7.52 of That Code Relating to Service and Permit Fees of the Inyo County Department of Environmental Health Services;” which will modify the Environmental Health Services fee schedule in water laboratory and retail food fees as pertains to community events, temporary good facilities and the newly established cottage food industry and provide for annual 3% adjustments to the fees; and B) waive the first reading of the Ordinance and schedule the enactment for 11:30, December 18, 2012 in the Board of Supervisors Room, at the County Administrative Center, in Independence.
22. **HEALTH AND HUMAN SERVICES – Mental Health Services** – Request Board A) conduct a **public hearing** on a proposed ordinance titled “An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Revising Inyo County Community Mental Health Services Fees;” that will repeal current Ordinance No. 1051; and B) wave the first reading of the ordinance and schedule the enactment for 11:30 a.m., Tuesday, December 18, 2012 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

CORRESPONDENCE - ACTION

BOARD MEMBERS AND STAFF REPORTS

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

23. **PUBLIC COMMENT**

CLOSED SESSION

24. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(C)]**. – decision whether to initiate litigation (one case).
25. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title – Regional Director, Eastern Sierra Child Support Services.
26. **CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6)** – Instructions to Negotiators re: wages, salaries and benefits – Title: Regional Director, Eastern Sierra Child Support Services – Negotiator – as designated by the Board of Supervisors.

REPORT ON CLOSED SESSION AS REQUIRED BY LAW

CORRESPONDENCE - INFORMATIONAL

27. **LICENSES** – California Dept. of Alcoholic Beverage Control Notice of Intention to engage in the sale of alcoholic beverages at 232 N. Main Street, in Bishop.