

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 18, 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. **COUNTY SERVICES YEAR-IN-REVIEW PRESENTATION** – The County Administrator and All Other County Departments will provide year-end reports 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. **Personnel** – Request Board designate Monday, February 11, 2013 as the Lincoln's Birthday Holiday for Inyo County.
6. **Personnel** – Request approval of Amendment No. 1 to the agreement between the County of Inyo and Susanne Rizo with the following terms: beginning January 1, 2013 through June 30, 2013, Officer will receive 20 paid administrative leave hours to be used by June 30, 2012, and effective July 1, 2013 through June 30, 2014 and every fiscal year thereafter, Officer will receive forty paid administrative hours that must be used that fiscal year and not accrue between fiscal years; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
7. **Integrated Waste Management** – Request Board award the bid to and ratify and approve the Contract between the County of Inyo and Preferred Septic and Disposal, Inc., for waste hauling services, including recycling and other services noted on Attachment A of the Contract, from the Olancha and Keeler Transfer Stations, for the period of December 1, 2012 through November 30, 2015, in an amount not to exceed \$86,349.60, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

8. ***Integrated Waste Management*** – Request Board award the bid to and ratify and approve the Contract between the County of Inyo and Preferred Septic and Disposal, Inc., for waste hauling services, including recycling and other services noted on Attachment A of the Contracts, from the Darwin Transfer Stations, for the period of December 1, 2012 through November 30, 2015, in an amount not to exceed \$30,142.80, contingent upon the Board’s adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
9. ***Information Services*** – Request approval to renew a support services agreement for licensed programs referred to as the JALAN Criminal Justice System from Sungard Public Sector, Inc., for the period of December 1, 2012 through November 20, 2013, in an amount not to exceed \$22,037, contingent upon the Board adoption of future budgets; and authorize the Chairperson to sign contingent upon the appropriate signatures being obtained.

HEALTH AND HUMAN SERVICES

10. ***Behavioral Health Services*** - Request approval of the Contract between the County of Inyo and Alpine Counseling Center for the provision of addiction treatment services for the period of January 1, 2013 through December 31, 2013, in an amount not to exceed \$20,639, contingent upon the Board’s adoption of future budgets; and authorize the Chairperson to sign.
11. ***Eastern Sierra Area Agency on Aging*** - Request Board ratify and approve the Agreement between the County of Inyo and Ombudsman/Advocacy Services of Inyo-Mono, for the period of December 1, 2012 through March 31, 2013, in an amount not to exceed \$20,925; and authorize the Chairperson to sign.
12. ***EMS*** – Request Board appoint the following to the Emergency Medical Care Committee to serve two year terms ending December 31, 2014: Mr. Leroy Kritz of the Lone Pine Volunteer Fire Department; Dr. Richard Johnson of the County of Inyo Public Health Department, Mr. Joe Capello of the Independence Volunteer Fire Department, and Ms. Lee Barron of Southern Inyo Hospital. (*Notice of vacancies resulted in requests for appointment being received from Mr. Kritz, Dr. Johnson, Mr. Capello and Ms. Barron*).
13. ***Health Services*** – Request Board ratify and approve the Maternal Child and Adolescent Health (MCAH) Allocation funding between the County of Inyo and California Department of Public Health for the period of July 1, 2012 through June 30, 2013, in the amount of \$63,000; and authorize the Chairperson to sign the Agreement Funding Application Policy Compliance and Certification.

PLANNING

14. Request approval of the Letter of Subordination as a Second Lien holder with a loan financed by the HOME Grant Program on the property located at 2251 Early Pond, in Bishop, that is owned by Ian and Shannon Dews.

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

15. ***AUDITOR-CONTROLLER*** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for Account Technician Positions comes from the General Fund, as certified by the Auditor-Controller, and concurred with by the County Administrator; B) where internal candidates meet the qualifications for the positions of Account Technician, the positions could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure qualified applicants apply; C) approve the hiring of one Account Technician I at Range 55 (\$2,910 – \$3,537) or II at Range 59 (\$3,194 – \$3,880), or III at Range 63 (43,502 – 44,261) depending upon qualifications; and D) approve the hiring of a second Account Technician I, II, or III if an internal recruitment is successful leaving an additional vacancy.
16. ***AUDITOR-CONTROLLER*** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the Assistant Auditor position comes from the General Fund, as certified by the Auditor-Controller, and concurred with by the County Administrator; B) where internal candidates meet the qualifications for the position of Assistant Auditor, the position will be filled through a closed departmental recruitment; and C) approve the hiring of one Assistant Auditor-Controller at a flat salary rate of \$6,074.

17. **ASSESSOR** - Request approval of Amendment No. 4 to the Contract between the County of Inyo and the firm of Harold W. Bertholf for assessment appeal assistance, extending the ending date of the Contract from December 31, 2012 to June 30, 2013, and increasing the amount of the Contract by \$65,000 to an amount not to exceed \$240,000; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
18. **ASSESSOR** - Request approval of Amendment No. 2 to the Contract between the County of Inyo and the law firm of Kronick Moskovitz Tiedemann & Girard extending the ending date of the Contract from December 31, 2012 to June 30, 2013, and increasing the amount of the Contract by \$60,000 to an amount not to exceed \$210,000; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
19. **CORONER** – Request Board A) approve the contracts between the County of Inyo and the following for coroner services, for the period of January 1, 2013 through December 31, 2015, contingent upon the Board’s adoption of future budgets, and authorize the Chairperson to sign (a) Central Valley Toxicology, Inc., for toxicology services in an amount not to exceed \$12,000; (b) William D. Stinnett for personal services in an amount not to exceed \$51,506; (c) Mr. Jason Molinar, for personal services in an amount not to exceed \$44,904; Mr. Jeffrey E. Mullenhour for personal services in an amount not to exceed \$51,506; and Dr. Milton Jones for Autopsy Services in an amount not to exceed \$39,375; and B) amend the FY 2012-13 Coroners Budget Unit 023500 by increasing expenditures in Salaried Employees (*Object Code #5001*) by \$1,800, Retirement & Social Security (*Object Code #5021*) by \$138, Professional & Special Services (*Object Code #5265*) by \$4,212, Travel Expense (*Object Code #5331*) by 4742, and mileage Reimbursement (*Object Code #5332*) by \$742; and reduce Contingencies Budget Unit 087100, Contingencies (*Object Code #5901*) by \$7,634. (4/5’s vote required.)
20. **ASSESSOR – AUDITOR/CONTROLLER – TREASURER/TAX COLLECTOR – COUNTY ADMINISTRATOR – Information Services** – Request Board B) accept the recommendation of the PTMS Working Group and the Financial Advisory Committee (FAC) and award the PTMS12 bid to Manatron, Inc.; B) approve the Master Agreement for licensed software, hardware and services between the County of Inyo and Manatron, Inc., for the period of January 1, 2012 through December 31, 2021, in an amount not to exceed \$1,451,613, contingent upon the Board’s adoption of future budgets; and C) authorize the Chairperson to sign the Agreement, contingent upon the appropriate signatures being obtained.
21. **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.
22. **PUBLIC WORKS – PLANNING** – Request approval of the Application for CAPP Block Grant funds for projects recommended by staff, in the amount of \$185,460 from the Great Basin Unified Air Pollution Control District for Clean Air Projects; and authorize the Interim Public Works Director to sign.
23. **ROAD DEPARTMENT** – Request approval of the MOU between the County of Inyo and the County of Mono for snow removal on both upper and lower Rock Creek Roads; and authorize the Interim Public Works Director to sign the agreements.
24. **PLANNING** – Request approval of the correspondence to the California Energy Commission in response to the Request for Comments for the Solicitation of Renewable Energy Planning Grants; and authorize the Chairperson to sign.
25. **ROAD DEPARTMENT** – Request Board conduct a workshop to discuss the “Roadeater” flooding disaster of August 12, 2012.
26. **COUNTY ADMINISTRATOR** – 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.

27. **COUNTY ADMINISTRATOR – Integrated Waste Management** – Request Board A) approve the job description for Integrated Waste Management Program Superintendent and Senior Integrated Waste Management Program Superintendent; B) amend the authorized strength by deleting one Managing Landfill Engineer at Range 80 (\$5,364 – \$6,522) and adding one Integrated Waste Management Program Superintendent position at Range 78 (\$4,997 - \$6,074); and C) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the Integrated Waste Management Program Superintendent comes from a Non-General Fund department, as certified by the County Administrator, and concurred with by the Auditor-Controller; (b) where internal candidates meet the qualifications for the position Integrated Waste Management Program Superintendent, the position could possibly be filled through an internal recruitment, however an open recruitment is appropriate to ensure the position is filled with the best qualified candidate; and (c) approve the hiring of one Integrated Waste Management Program Superintendent, at Range 78 (\$4,997 - \$6,074) ,574) – 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).
28. **CLERK OF THE BOARD** – Request approval of the minutes of the December 4, 2012 Board of Supervisors Meeting.

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

- 11:15 a.m. 29. **PLANNING** – Request Board A) conduct a **public hearing** on an ordinance titled “Ordinance of the Board of Supervisors of the county of Inyo, State of California, Amending Sections 18.30.050, 18.33.040, 18.36.060 and 18.78.130 of the Inyo County Code” to clarify that home occupations are permitted as accessory uses consistently in all Residential Rural Residential and Open Space zones and amends the Home Occupations standards to be consistent with the California Home Foods Act and goals of the Inyo County General Plan; B) approve a resolution making certain findings with respect to and approving Zone Reclassification No. 2012-05 (Inyo County) – Home Occupations and Cottage Food Operations; and C) waive the first reading of the ordinance and schedule the enactment for 11:15 a.m., Tuesday, January 8, 2012, in the Board of Supervisors Room, at the County Administrative Center, in Independence.
- 11:30 a.m. 30. **ENVIRONMENTAL HEALTH** – Request Board enact 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.
31. **HEALTH AND HUMAN SERVICES – Mental Health Services** – Request Board enact an 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.

CORRESPONDENCE - ACTION

BOARD MEMBERS AND STAFF REPORTS

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

32. **PUBLIC COMMENT**

CLOSED SESSION

33. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(b)(3)]** – significant exposure to potential litigation (one case).
34. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)]** – *Coso Finance Partners, Coso Energy Developers, and Coso Power Developers v. Thomas W. Lanshaw, Inyo County Assessor, Inyo County Superior Court case No. SICVPT 12-54571.*
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 professions, 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)]** – *Prominent Systems, Inc., a California Corporation, v. Eastern Sierra Engineering, P.C., a Nevada Corporation; County of Inyo, a political subdivision of the State of California, United States District Court for the Central District of California CV12-09083.*
37. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriff's Association (DSA) - Negotiators: Labor Relations Administrator, Sue Dishion, Information Services Director, Brandon Shults, and Planning Director Josh Hart.
38. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].** Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistant Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion.
39. **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.
40. **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 Child Support Services Susanne Rizo, and Chief Probation Officer Jeff Thomson.
41. **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.
42. **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