

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.

February 5, 2013

9:00 a.m. PLEDGE OF ALLEGIANCE

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

- PUBLIC COMMENT**
- COUNTY DEPARTMENT REPORTS** (*Reports limited to two minutes*)
- HEALTH AND HUMAN SERVICES** – Update on theft of public funds.
- INTRODUCTION** – Ms. Regina Ryu, Deputy District Attorney, will be introduced to the Board.

CONSENT AGENDA (Approval recommended by the County Administrator)

COUNTY ADMINISTRATOR

- Board of Supervisors – Chairman Supervisor Linda Arcularius** - Request Board make yearly appointments as recommended by the Chairperson, Supervisor Linda Arcularius as follows: A) Supervisor Linda Arcularius to the Great Basin Air Pollution Control District Board for Form 806 reporting, and to the BLM Steering Committee and the Mental Health Advisory Board as the alternate; B) Supervisor Jeff Griffiths to the Local Agency Formation Commission for Form 806 reporting; and to the Child Care Planning Council as the Alternate; C) Supervisor Rick Pucci to the Local Agency Formation Commission and to the Great Basin Air Pollution Control District Board as the alternate, for Form 806 reporting; D) Supervisor Mark Tillemans to the Local Agency Formation Commission as the alternate, for Form 806 reporting; and F) Supervisor Matt Kingsley to the Great Basin Air Pollution Control District Board for Form 806 Reporting, and to the Standing Committee as the alternate.
- Board of Supervisors – Supervisor Jeff Griffiths** – Request Board reappoint Ms. Cynthia (Little) Wahrenbrock as the Second District Planning Commissioner to complete an unexpired four-year term ending January 4, 2017. (*Notice of Vacancy resulted in one request for appointment being received from Ms. Wahrenbrock.*)
- Board of Supervisors – Supervisor Mark Tillemans** – Request Board reappoint Mr. Ross Corner as the Fourth District Planning Commissioner to complete an unexpired four-year term ending January 4, 2017. (*Notice of Vacancy resulted in one request for appointment being received from Mr. Corner.*)

8. **Board of Supervisors – Supervisor Matt Kingsley** – Request Board reappoint Mr. Paul Payne as the Fifth District Planning Commissioner to complete an unexpired four-year term ending January 4, 2017. (*Notice of Vacancy resulted in one request for appointment being received from Mr. Payne.*)
9. **Emergency Services** – Request Board continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows.
10. **Integrated Waste** – Request Board authorize the County Administrator to sign an authorization letter for a RCRC-ESJPA Regional Agency Tire Amnesty Grant.
11. **Information Services** – Request Board authorize the purchase of two server class computers from Dell in an amount not to exceed \$22,058 for the Property Tax Management System.
12. **Information Services** – Request Board A) approve a mail metering system rental and service agreement with Pitney-Bowes for a postage metering unit (includes primary and backup equipment located in Independence) in an amount not to exceed \$33,548 over a period of 60 months, contingent upon the Board’s adoption of future budgets; and authorize the Chairperson to sign.

COUNTY COUNSEL

13. Request Board receive and approve the 2012 Conflict of Interest Code Biennial Reports from Departments as recommended and receive and approve the Conflict of Interest Code from the Public Guardian-Public Administration.
14. Request Board receive and approve the 2012 Conflict of Interest Code Biennial Reports from Local Agencies as recommended and receive and approve the Conflict of Interest Code for the Big Pine Unified School District.

HEALTH AND HUMAN SERVICES

15. **Emergency Services** – Request approval of the Memorandum of Understanding (MOU) between the counties of San Bernardino and Inyo, the National Park Service and the Inland Counties Emergency Medical Agency 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 limits of Inyo and San Bernardino counties, and to 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.

PUBLIC WORKS

16. Request approval of the plans and specifications for the Independence Town Roads Rehabilitation Project and authorize the Interim Public Works Director to advertise for bids for the Project.

SHERIFF

17. Request approval of a resolution titled “A Resolution of the Board of Supervisors of the County of Inyo, State of California, Authorizing the Submittal of the State of California Department of Parks and Recreation, Off-Highway Vehicle Grant Application.”
18. Request approval to purchase one Cargo Trailer from Steamboat Trailers in an amount not to exceed \$6,882 and one Off Highway Vehicle from Honda Yamaha in an amount not to exceed \$10,053.

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

19. **BOARD OF SUPERVISORS – Supervisor Matt Kinglsey** – Request discussion and further consideration of ratifying a Contract between the County of Inyo and Chris Langley for provision of services as the Film Commissioner for the period of July 1, 2012 through March 31, 2013, in an amount not to exceed \$30,000; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

20. **TREASURER-TAX COLLECTOR** – Request approval of the Inyo County Treasury Investment Policy as submitted.
21. **CHILD SUPPORT SERVICES** – Request approval of the Contract between the County of Inyo and Catherine Denevi for part-time hourly attorney services for the period of March 1, 2013 through December 31, 2013, in an amount not to exceed \$20,000; and authorize the Chairperson to sign. (4/5 vote required.)
22. **HEALTH AND HUMAN SERVICES - Behavioral Health Services** – Request Board ratify Amendment No. One to the Contract between the County of Inyo and Country Villa Merced Behavioral Health (for residential placement for adults in a locked facility and Mental Health Rehabilitation Centers) increasing the Contract by \$35,000 for a total amount not to exceed \$65,000 for the period of July 1 2012 through June 30, 2013; and authorize the Chairperson to sign.
23. **HEALTH AND HUMAN SERVICES – Health Services** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for an A-Par Registered Nurse (RN) or Public Health Nurse (PHN) position exists, as certified by the Director of Health and Human Services, and concurred with by the County Administrator and Auditor-Controller; B) and where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of one A-Par RN at Range PT078 (\$26.77 – \$32.55/hour) or one A-Par PHN at Range PT080 (\$28.06 – \$34.14/hour), depending upon qualifications.
24. **HEALTH AND HUMAN SERVICES – Eastern Sierra Agency on Aging and Inyo County’s I.C. Gold Program** – 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.
25. **PROBATION** - Request Board ratify and approve the Contract between the County of Inyo and the University of Cincinnati, School of Criminal Justice, for training on Effective Practices for Correctional Supervision (EPICS) to the Probation Officers for the period of December 1, 2012 through June 30, 2013, in an amount not to exceed \$18,000, contingent upon the Board’s approval of the 2012-13 mid-year budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
26. **PLANNING** – Request Board receive a presentation from Mammoth Lakes Housing, provide comments and direction.
27. **PLANNING** – Request Board receive a presentation from staff about coordination with Forest Service staff regarding the Inyo National Forest Plan Update/Revision and provide input.
28. **COUNTY ADMINISTRATOR – COUNTY COUNSEL – PUBLIC WORKS** – Request approval of the First Amendment to the License Agreement for Use of County Land for Node Sites, Community Services Cabinet Sites, Anchor Sites, and For Use of County Rights of Way for Underground Fiber Optic Transmission Lines with California Broadband Cooperative, Inc., ; and authorize the Chairperson to sign.
29. **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.
30. **COUNTY ADMINISTRATOR – Parks** – Request approval of the Concession Agreement Between the County of Inyo and Brown’s Supply, Inc., for the operation and maintenance of the Schober Lane Campground; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
31. **COUNTY ADMINISTRATOR – Library** – Request Board modify open hours in the Bishop, Big Pine, and Lone Pine Branches to provide additional time for families and students to access library services, pursuant to the request of the Inyo County Superintendent of Schools Terry McAteer.
32. **CLERK OF THE BOARD** – Request approval of the minutes of the Board of Supervisors Meetings as follows: A) Regular meeting of January 15, 2013; B) Special Meeting of January 22, 2013; and C) Special Meeting of January 24, 2013.

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

- 1:00 p.m. 33. **COUNTY ADMINISTRATOR – Museum** – Request Board A) review and approve the second round of 13 Community Project Sponsorship Program Grant awards for 2012-13 recommended by the Community Project Sponsorship Program Grant Review Panel and in the amounts recommended by the Panel in a total amount of \$80,000; and B) authorize the County Administrator to sign contracts with the FY 2012-13 Community Project Sponsorship Program applicants in the amounts approved by the Board, contingent upon the appropriate signatures being obtained.
34. **WATER DEPARTMENT** – Request Board A) receive a briefing on the Lower Owens River Project Post-Implementation Funding Agreement; and B) provide direction to the County's Standing Committee representatives concerning items on the attached Agenda for the February 8, 2013 Standing Water Committee Meeting to be held in Independence.

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

35. **CHILD SUPPORT SERVICES** - Request Board conduct a workshop on the Child Support Services Department.
36. **HEALTH AND HUMAN SERVICES – Inyo County - Growing Older, Living With Dignity (IC GOLD) Program and Eastern Sierra Area Agency on Aging (ESAAA)** - Request Board conduct a workshop on the senior services programs.

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**

CLOSED SESSION

38. **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*, Superior Court of the State of California for the County of Los Angeles BC498144.
39. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)]** – *RDO Construction Equipment Co., dba B & B Equipment Rental by RDO Equipment Co., V Prominent Systems, Inc., County of Inyo, et al* – Superior Court of the State of California for the County of Riverside, Western Division RIC1202660.
40. **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.
41. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)]** – *Application for Certification for the HIDDEN HILLS SOLAR ELECTRIC GENERATING SYSTEMS* – Before the Energy Resources Conservation and Development Commission of the States of California Docket No. 11-AFC-02 (Bright Source).
42. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(b)(3)]** – significant exposure to potential litigation (one case).
43. **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.

44. **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.
45. **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.
46. **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.
47. **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.
48. **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

49. **ENVIRONMENTAL HEALTH** – Proposition 65 Report of a gasoline spill at the Vons Gas Station in Bishop.
50. **PUBLIC WORKS – Northern Inyo Airport Advisory Committee** – Agenda for the February 4, 2013 meeting.
51. **LICENSES** – Notice of Intention to Engage in the Sale of Alcoholic Beverages for Raymonds in Bishop.

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

11:00 a.m.
February 8, 2013

Independence, 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 November 8, 2012 meeting and modification to item #3.
- 2) Runoff and operations update
- 3) Report on status of Technical Group evaluation of enhancement/mitigation projects
- 4) Report on status of Lower Owens River Project Recreational Use Plan
- 5) Report on Technical Group approval of Lower Owens River Project Annual Report
- 6) **Action Item:** Resolution of issue Regarding LORP Work Plan and Budget
- 7) Public Comment
- 8) Confirm schedule for future Standing Committee meetings
- 9) 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.