

# 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.

### March 12, 2013

**9:00 a.m. 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** – Ms. Ana Cummings, Office Assistant in the County Counsel's Office will be introduced to the Board.
4. **HIGH SIERRA EVENTS** – Request Board receive a presentation on the mammoth 2 bishop Fun Bike Ride and authorize the closure of Millpond Recreation Area June 15, 2013 for the event.

**9:30 a.m.**

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

##### **COUNTY ADMINISTRATOR**

5. **Natural Resources** - Request your Board authorize an additional \$10,000 in consulting services from MuniServices, LLC., for an amount not to exceed \$20,000, to prepare written and oral testimony for the County, and authorize the County Administrator to sign the written estimate.
6. **Advertising County Resources** - Request Board authorize final payment for the completed Community Project Sponsorship Grant Projects as follows: \$3,500 to the Southern Inyo Community Foundation for the 2012 Lone Pine Film Festival; and \$464.94 to the Bishop Museum and Historical Society – Laws Museum for the 2012 Good Ole Days event. Both are 2012-13 Community Project Sponsorship Grant projects funded from the 2012-2013 Advertising County Resources Budget Unit 011400.
7. **Integrated Waste Management** – Request Board appoint Mr. Scott Eagan as the Alternate Delegate/Technical Liaison to the Regional Council of Rural counties – Environmental Services Joint Powers Authority (RCRC-ESJPA) and authorize the County Administrator to sign the letter notifying the RCRC-ESJPA of the appointment.

## **HEALTH AND HUMAN SERVICES**

8. Request approval of Memorandum of Understanding (MOU) between the County of Inyo and the American Red Cross Los Angeles Region for the purpose of defining a framework for cooperation between the two organization in providing trained personnel to Red Cross shelter during the even of a catastrophic disaster in the area, for the period of March 12, 2013 to June 30, 2015, and authorize the Chairperson to sign.

## **PUBLIC WORKS**

9. Request approval of the Lease Agreement between the County of Inyo and Timothy and Allison Fillmore for the rental of property described as 568A West Line Street, Bishop, California, for an initial two year period, beginning April 1, 2013 through March 31, 2015, at the rate of \$1,400 per month with three one year extension options with a maximum allowed annual increase of 2% for each of the options exercised by the County, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
10. Request Board accept the offer of dedication of a variable right-of-way of South Barlow Lane and request Board approval of Parcel Map No. 402.
11. Request Board approval of the County's participation in the Federal Highway Administration's (FHWA's) Federal Lands Access Program (FLAP) Rock Creek Road Improvement Project and authorize the acting Public Works Director to sign the Project Agreement dated June 4, 2012 and the amendment to the Project Agreement dated February 5, 2013 that recognizes the funding changes associated with the new Moving Ahead for Progress in the 21<sup>st</sup> Century (Map-21) Act.

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

12. **BOARD OF SUPERVISORS – Supervisor Matt Kingsley** – Request approval of a letter supporting the Lone Pine Indian Reservation's Community Development Black Grant Application (ICDBG) for funds to improve the water system on the Reservation; and authorize the Chairperson to sign.
13. **COUNTY ADMINISTRATOR – PUBLIC WORKS – COUNTY COUNSEL – TREASURER-TAX COLLECTOR – AUDITOR-CONTROLLER** - Request your Board consider proceeding with the financing and installation of the photovoltaic electric system project proposed for the County's Independence campus, including: A) reviewing and approving the revised cash flow analysis evaluating the cost of the re-sized photovoltaic system related to the terms of the California Energy Commission (CEC) loan, anticipated energy cost-savings associated with the project, and the availability of rebates from the Los Angeles Department of Water & Power (LADWP); B) approving an amendment to the Solar Purchase and Installation Agreement reflecting the refined and downsized photovoltaic system design, and assurances that Solar City will complete the project in time for the LADWP rebate to be fully disbursed by the deadline; C) authorizing the County Administrator to proceed with signing loan documents with the California Energy Commission for a \$992,054 15-year loan, at one percent (1%) annual interest; d) amending the FY 2012-2013 Deferred Maintenance Budget Unit 011501 as follows: increase estimated revenue in Loan Proceeds (Revenue Object Code #4990) by \$992,054 and DWP Contribution (Revenue Object Code #4563) by \$889,919 and increase appropriations in Construction in Progress (Object Code #5700) by \$1,881,973 (4/5's vote required); and E) authorizing the use of a treasury loan or loan from reserves, to be approved at a future Board meeting, if determined to be necessary to bridge expenses the County incurs in installing the photovoltaic system until the County receives its CEC loan proceeds and rebates from the Los Angeles Department of Water and Power Solar Incentive Program.
14. **COUNTY ADMINISTRATOR - COUNTY COUNSEL** – Request your Board approve Amendment #2 to Inyo County contract with Gregory L. James, for the provision of Water/Environmental Attorney Services for the County of Inyo, increasing the contract amount by \$40,000, for a total contract amount not to exceed \$99,450, and authorize the Chairperson to sign, contingent upon appropriate signatures being obtained.(4/5's vote required)
15. **COUNTY ADMINISTRATOR – Emergency Services** - Request Board discuss and consider Staff's recommendation regarding continuation of the local emergency, The Death Valley Road eater Emergency, that resulted in flooding in the eastern portion of Inyo County during the month of August 2012, per Resolution #2012-32.

16. **HEALTH AND HUMAN SERVICES – First 5 Commission** – Request Board A) amend the FY 2012-2013 First Five Commission Budget Unit 653000 by increasing appropriations in Other Agency Contributions (Object Code #5539) by \$10,000 and decrease appropriations in Professional Services (Object Code #5265) by \$10,000; and B) authorize payment in the amount of \$10,000 to the Inyo County Library for the purchase of parenting and early childhood development resources; and C) approve the use of unanticipated revenue and amend the FY 2012-2013 County Library Budget Unit 066700 by increasing estimated revenue in Donations (Revenue Object Code #4951) by \$10,000 and increase appropriations in Library Books and Subscriptions (Object Code #5325) by \$10,000. (*4/5's vote required*)
17. **PUBLIC WORKS** – Request Board A) change the authorized strength within the Public Works/Road Department by deleting one full-time Fiscal Supervisor, Range 67(\$3,852-\$4,676) and adding one full-time Management Analyst or Senior Management Analyst, depending upon qualifications; and B) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the position of Management Analyst or Senior Management Analyst exists as certified by the Public Works Director/Road Commissioner 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 Management Analyst, Range 74 (\$4,547-\$5,526) or Senior Management Analyst Range 76 (\$4,768 - \$5,796) depending on qualified applicants.
18. **PUBLIC WORKS** - Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested 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 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 Engineering Assistant I at Range 71 (\$4,234 - \$5,147).
19. **PUBLIC WORKS** – 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.”
20. **PUBLIC WORKS** - Request Board ratify the Lease Agreement between the County of Inyo and Jerry M. and Deborah Ann Core, Trustees for the Core Trust dated October 5, 1993 and Mary J. Core, Successor Trustee of the Core Trust dated September 20, 1990 for the rental of property described as 230 West Line Street, Bishop, California, for an initial two year period, beginning March 1, 2013 through February 28, 2015, at the rate of \$3,000 per month with three one year extension options with a maximum allowed annual increase of 2% for each of the options exercised by the County, contingent upon the Board’s adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
21. **ROAD DEPARTMENT** - Request Board A) change the authorized strength by deleting one full-time equipment Operator I, position at Range 58 (\$3,119 - \$3,795) and adding one full-time Heavy Equipment Mechanic Series I through II, at Ranges 58 through 60 (\$3,119 - \$3,973 plus 2.5% tool allowance); and B) find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Heavy Equipment Mechanic position exists, as certified by the Interim Public Works Director and concurred with by the County Administrator and Auditor-Controller; B) and where if the County was facing layoffs, the Registered or Public Health Nurse 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 full-time Heavy Equipment Operator I at Range 58 or II at Range 60, and authorize to hire at the E stop depending on qualifications.
22. **WATER DEPARTMENT** – Request approval of a resolution titled “A Resolution of the Board of Supervisors of the County of Inyo, State of California, Authorizing Inyo County to Act as Grantee for Proposition 84 Round Two Implementation Funding for Grant Funds From the State of California Department of Water Resources and Authorizing the Director of the Inyo County Water Department to Act as Project Director”.
23. **CLERK OF THE BOARD** – Request approval of the minutes of the February 12, 2013, February 19, 2013, and February 26, 2013.

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

- 11:00 a.m. 24. **COUNTY ADMINISTRATOR** – 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, Repealing Inyo County Ordinance 100, And Granting To Southern California Edison Company, A California Corporation, Its Successors And Assigns, The Right, Privilege And A Franchise To Use And To Construct Poles, Wires, Conduits, And Appurtenances, Including Communication Conduits Necessary Or Proper Therefor, In, Along, Across, Upon, Over, And Under The Public Streets, Ways, Alleys, And Places, As They May Now Or Hereafter Exist, Within The County Of Inyo, For The Purpose Of Transmitting And Distributing Electricity For All Purposes As Authorized Under This Franchise;” and B) waive the first reading of the ordinance and schedule the enactment for 11:00 a.m., Tuesday, March 19, 2013 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)

25. **PUBLIC COMMENT**

**CLOSED SESSION**

26. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code § 54956.9(d)(1)]** - Application for Certification for the HIDDEN HILLS SOLAR ELECTRIC GENERATING SYSTEM - Before the Energy Resources Conservation and Development Commission of the State of California Docket No. 11-AFC-02 (Bright Source)
27. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code § 54956.9(d)(1)]** - Crystal Allen, an individual v. County of Inyo, a governmental entity; and DOES 1-50, Inyo County Superior Court Case No. SICVCV13-54820
28. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code § 54956.9(d)(1)]**. 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
29. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code § 54956.9(d)(2)]**. – Significant Exposure to Potential Litigation (one case).
30. **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.
31. **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.
32. **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.
33. **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.
34. **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.

35. **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**