

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.

April 16, 2013

8:30 a.m.

CLOSED SESSION -

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(a) – Jesse Edwin Jason v. County of Inyo, Unfair Practice Charge No. SA-CE-814-M.**

PLEDGE OF ALLEGIANCE

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

2. **PUBLIC COMMENT**
3. **COUNTY DEPARTMENT REPORTS (Reports limited to two minutes)**
4. **INTRODUCTIONS** – The following employees will be introduced to the Board of Supervisors: Ms. Brandi Cox, Child Support Services Officer; Ms. Lori Miller, Health and Human Services Office Assistant; Ms. April Eagan, Health and Human Services Prevention Specialist; and Ms. Nicole Tinlin; Health and Human Services Account Technician.
5. **WILD IRIS** – Request Board approve proclamations declare April as A) Child Abuse Prevention Month and B) Sexual Assault Awareness Month.

9:30 a.m.

6. **DEPARTMENT OF WATER AND POWER** – Request Board receive a presentation from Martin L. Adams, Director of Water Operations, City of Los Angeles Department of Water and Power, regarding LADWP's proposed Owens Lake Master Project Plan.

CONSENT AGENDA (Approval recommended by the County Administrator)

AGRICULTURAL COMMISSIONER

7. Request approval to use the weight truck for the Mule Pulling Contest, Sunday, May 26, 2013, during the Mule Days events at the Tri-county Fairgrounds.

HEALTH AND HUMAN SERVICES

8. **Mental Health** – Request approval of the County Mental Health Plan Agreement between the County of Inyo and the State Department of Health Care Services, as the MediCal Managed Care Plan for Inyo County for the period of May 1, 2013 through April 30, 2018, in the amount of \$3,485,263, contingent upon the Board's adoption of future budgets; and authorize the Mental Health Director to sign.

9. ***Eastern Sierra Agency on Aging*** – Request approval of Amendment 31 to the Agreement with the County of Mono for the provision of Eastern Sierra Area Agency on Aging (ESAAA) services to Mono County resident senior citizens, increasing the Contract by \$1,205 for a total amount not to exceed \$289,906 for the period of October 1, 2012 through June 30, 2016, contingent upon the Board's adoption of future budgets and authorize the Chairperson to sign.

PLANNING

10. ***LAFCO*** – Request Board ratify and approve Amendment No. 1 to the Contract between the County of Inyo and the Inyo Local Agency Formation Commission (LAFCO) increasing the Contract by \$1,500 to a total amount of \$10,242; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

PROBATION

11. Request approval of Amendment No. 1 to the Contract between the County of Inyo and Dr. Keith Andersen for professional services, extending the ending date from May 10, 2013 to June 13, 2013; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

PUBLIC WORKS

12. Request Board A) award and approve the Contract for the Heater Replacement Project at the Independence American legion Hall and Big Pine Town Hall, to Mojave Desert Heating and Cooling, Inc., in the amount of \$14,900; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and B) authorize the Interim Public Works Director to execute all other Contract documents, including contract change orders, to the extent permitted by Public Contract Code §20142 and other applicable law.
13. Request approval to submit a California Federal Lands Access Program Grant Application for Whitney Portal Road and authorize the Interim Public Works Director to sign documents related to the grant application.

SHERIFF'S DEPARTMENT

14. Request Board declare RoboteX, Inc., as a sole source provider of mechanized entry devices and approve the purchase of a Mechanized Entry Device from RoboteX, Inc., in an amount not to exceed \$15,903, including sales tax and shipping.
15. Request approval of the License Agreement with the Los Angeles Department of Water and Power for installation, operation, and maintenance of electronic communication equipment on Mazourka Peak for the period of July 1, 2012 through June 30, 2017, at the rate of \$500 per year, plus a 3% annual increase, and a prorated share of any site, access, road maintenance or other fees charges by the Forest Service or California Department of Forestry, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign.

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

16. ***AUDITOR – CONTROLLER*** - Request Board A) change the authorized strength by deleting one full-time Fiscal Supervisor, Range 67 (\$3,852-\$4,676) and adding one full-time Administrative Analyst at Range 66 (\$3,757 – \$4,574); and B) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the position of Administrative Analyst comes from the General Fund as certified by the Auditor/Controller and concurred with by the County Administrator; (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 Administrative Analyst, at Range 66; and d) approve the hiring of an Account Technician I, II, or III, if an internal candidate is successful leaving an additional vacancy.
17. ***DISTRICT ATTORNEY*** – Request Board amend the FY 2012-13 District Attorney Budget Unit 022400 by increasing unanticipated revenue in Restitutions (*Revenue Code #4676*) by \$15,000 and increasing appropriations in Special Appropriations (*Object Code #5321*) by \$15,000. (*4/5's vote required.*)

18. **DISTRICT ATTORNEY** – Request Board A) authorize acceptance of the Inyo County Justice Grant Anti-Drug Abuse Enforcement Team Program Grant from the Board of State and Community Corrections for FY 2012-13 in the amount of \$87,617; B) authorize the District Attorney to sign any necessary documentation to accept and utilize the grant on behalf of the County; and C) amend the FY 2012-13 OES-DSTF Budget Unit 620312, increasing estimated revenue in State Grants (*Revenue Code #4498*) by \$68,715 and Internal Charges (*Revenue Code #4821*) by \$30,308 and increasing appropriations as recommended by staff in the amount of \$99,023. (*4/5's vote required.*)
19. **PUBLIC WORKS – COUNTY ADMINISTRATOR** – Request Board discussion on possible changes to the SolarCity photovoltaic installation contract; and if the Board is in agreement with staff recommendations (*specific recommendations will be provided during the discussion*); (a) authorize the CAO to sign any contract amendments with SolarCity for the installation or solar photovoltaic systems, contingent upon the appropriate signatures being obtained; (b) authorize the Interim Public Works Director to sign all other contract documents, including change orders, to the extent permitted pursuant to Section 20142 of the Public Contract Code and other applicable law; and (c) amend the FY County budget as appropriate to facilitate the funding of authorized contract amendments (*specific recommendations will be provided as may be appropriate*) (*4/5's vote required*).
20. **PROBATION** – Request Board A) amend the FY 2012-13 Juvenile Institutions Budget Unit 023100 by increasing estimated revenue in State Other (*Revenue Code #4499*) by \$89,000 and increasing appropriations in Professional Services (*Object Code #5265*) by \$89,000; (*4/5's vote required*); and B) declare Allvest Information Services, Inc., dba Assessments.com as a sole source provider consulting training and software programming services; and approve the Contract between the County of Inyo and Assessments.com for consulting, training, and software programming services for the period of May 1, 2013 through December 31, 2013, in an amount not to exceed \$89,000, contingent upon the Board's adoption of future budgets and continued BPAI grant Extension Funding; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
21. **HEALTH AND HUMAN SERVICES – Eastern Sierra Area Agency on Aging** – Request approval of the minimum percentages of funding for the Title IIIB federal funds as recommended by the Advisory Council including 5% for in-home services, 10% for legal services and 50% for access; and approve the annual 2013-14 Area Plan Update for Services for Planning and Services Area 16 (Inyo and Mono Counties); and authorize the Chairperson to sign the transmittal letter.
22. **HEALTH AND HUMAN SERVICES – Emergency Medical Care Committee** – Request Board appoint two people to complete unexpired terms ending December 31, 2014. (*Notice of vacancy resulted in requests for appointment being received from John Scully Almeida of Sierra Lifeflight, Carl Dennett of Southern Inyo Fire Protection District, Michael Dillon, M.D. of Northern Inyo Hospital; and Marty Fortney of the Big Pine Fire Department who applied as a member at large.*)
23. **PLANNING** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position of Senior or Associate Planner comes from the Planning Department Budget as certified by the Planning Director and concurred with by the Auditor-Controller and County Administrator; 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 Senior Planner at Range 76 (\$4,997 – \$6,074) or Associate Planner at Range 74 (\$4,547 - \$5,266) depending upon qualifications.
24. **PLANNING – Yucca Mountain** – Request Board A) approve the Facility Service/Use Agreement with the U.S. Geological Survey for storage and digital imaging of a supply of geologic samples; and authorize the Chairperson to sign; B) authorize the payment of \$27,000 for the above services; and C) amend the FY 2012-13 Yucca Mountain Budget Unit 620605 by increasing appropriations in Professional and Special Services (*Object Code #5265*) by \$7,000 and decreasing appropriations in Travel (*Object Code #5331*) by \$7,000. (*4/5's vote required.*)
25. **PLANNING** – Request Board review draft correspondence regarding the National Forest System Land Management Planning Directives, provide input and authorize the Chairperson to sign.
26. **PLANNING** – Request Board review the draft Initial Study and Mitigated Negative Declaration for the Owens Lake Solar Demonstration Project, and potentially provide input for staff to draft correspondence for the Chairperson's signature.

27. **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.
28. **COUNTY ADMINISTRATOR – Personnel – COUNTY COUNSEL** – Request Board consider options for filling vacancy created by the anticipated resignation of the Auditor-Controller and provide direction to staff.
29. **CLERK OF THE BOARD** – Request approval of the Minutes of the Board of Supervisors Meetings of A) March 19, 2013; and B) March 26, 2013.

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

- 11:30 a.m. 30. **PLANNING** – Request Board approve a resolution titled “A Resolution of the Board of Supervisors of the County of Inyo, State of California, Declaring Its Intent to Vacate That Portion of McKenzie Street in Darwin Townsite and Setting and Providing Notice of a Public Hearing on Said Vacation.”
31. **COUNTY ADMINISTRATOR – Integrated Waste Management** – Request Board conduct a workshop with staff regarding recycling and diversion and a program overview of Solid Waste.
- 1:00 p.m. 32. **PLANNING** – Request Board A) conduct a **public hearing** regarding Appeal No. 2013-01 (Michael A. Dorame and Loretta M. Dorame and Zinda Edgar) appealing the Planning Commission's approval of Conditional Use Permit 2012-04/Branson; and B) deny the appeal.
- 2:30 p.m. 33. **CHILD SUPPORT SERVICES** – Request Board approve a proclamation honoring the Bishop Paiute Tribe's adoption of Ordinance 2012-03.

CORRESPONDENCE - ACTION

BOARD MEMBERS AND STAFF REPORTS

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

34. **PUBLIC COMMENT**

CLOSED SESSION

35. **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.
36. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]** – *Peter Waasdorp; Kathy Waasdorp, v. County of Inyo; Skylene Katherine Milos, and Does 1-50, inclusive;* Inyo County Superior Court Case No. SICVCV13-54910.
37. **PERSONNEL [Pursuant to Government Code §54957]**. Public Employee Appointment – Title - County Counsel.
38. **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.
39. **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: Information Services Director Brandon Shults, and 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: Inyo County Correctional Officers Association (ICCOA) - Negotiators: Information Services Director Brandon Shults, 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: ICEA - Negotiators: Information Services Director Brandon Shults, 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: Inyo County Probation Peace Officers Association (ICPPOA) - Negotiators: Information Services Director Brandon Shults, Chief Probation Officer Jeff Thomson, and Labor Relations Administrator Sue Dishion.
43. **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: Information Services Director Brandon Shults, and Labor Relations Administrator Sue Dishion.

REPORT ON CLOSED SESSION AS REQUIRED BY LAW

CORRESPONDENCE - INFORMATIONAL

44. **INTEGRATED WASTE MANAGEMENT** – Letters from Bishop Disposal Inc. and Preferred Septic and Disposal, Inc., requesting rate increases. *(Staff will bring these requests forward for Board discussion on May 7, 2013.)*
45. **LICENSES** – Applications for Alcoholic Beverage Licenses for Ranch House Café in Olancha, Browns Millpond Campground, and Browns Supply Inc., at Schober Lane & Highway 395.
46. **SHERIFF** – Sheriff and Jail Overtime Report for the month of March, 2013.
47. **AUDITOR-CONTROLLER** - Notice that in accordance with Section 26905 and 26921 of the Government Code and your orders of February 5, 1950 and January 3, 1956, an actual count of money in the hands of the Treasurer was made on April 5, 2013 and that the count showed the funds to be in balance, pending written verification of inactive accounts.