

# 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.

### May 14, 2013

**8:30 a.m. PLEDGE OF ALLEGIANCE**

#### CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]** – *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.
2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]** – *Travis Summer, v. County of Inyo, Inyo County Sheriff's Department, Bill Lutze, Chad Rieger, R. Durbin, Rochelle Evans, B. Madera, Don Carter, R. Reinee, Gabe Hicks and Does 1-20, inclusive*, Inyo County Superior Court Case No. SICVCV12-54534.
3. **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.

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

4. **PUBLIC COMMENT**
5. **COUNTY DEPARTMENT REPORTS** (Reports limited to two minutes)

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

#### COUNTY ADMINISTRATOR

6. **Independence Cemetery District** – Request Board reappoint Ms. Marilyn Bracken and Frieda LaCues to the Independence Cemetery District Board of Trustees, to complete four year terms ending March 1, 2016 and October 8, 2015 respectively. (Notice of Vacancy resulted in requests for appointment being received from Ms. Bracken and Ms. LaCues.)

#### HEALTH AND HUMAN SERVICES

7. **Social Services** – Request approval to pay County Welfare Directors Association of California dues for Fiscal Year 2013-14 in an amount not to exceed \$14,664, contingent upon the Board's adoption of a FY 2013-14 Budget.

8. **Health Services** – Request approval of Amendment No. A02 to the Agreement between the County of Inyo and the Department of Health Care Services, amending language requested by KMPG, LLP Auditor, contingent upon the Board’s adoption of future budgets; and authorize the Health and Human Services Director to sign.

**AGRICULTURAL COMMISSIONER**

9. **Agricultural Resource Advisory Board** – Request Board reappoint the following to the Agricultural Resource Advisory Board to complete unexpired three year terms ending August 22, 2015: Mr. Howard Arcularius representing the Inyo Mono Farm Bureau, Mr. Gary Giacomini representing the Inyo/Mono Cattleman’s Association, Mr. Mark Lacey representing the Lone Pine Chamber of Commerce, and Dr. William Talbot representing the LADWP Lessee Category. (*Notice of Vacancy resulted in requests for the categorical appointments as recommended from Mr. Arcularius, Mr. Giacomini, Mr. Lacey and Dr. Talbot.*)

**PLANNING**

10. Request Board reappoint the following to the Lone Pine Architectural Desire Review Board to complete unexpired two year terms ending February 24, 2015: Ms. Kathi Hall representing the Lone Pine Chamber of Commerce Representative category, and Ms. Linda Haun representing the member-at-large category. (*Notice of Vacancy resulted in requests for reappointment from Ms. Hall and Ms. Haun.*)

**SHERIFF’S DEPARTMENT**

11. Request approval of the 2013 Financial & Operations Plan for Controlled Substance Operations U.S. Forest Service reimbursements in the amount of \$17,000, contingent upon the Board’s adoption of a FY 2013-14 Budget; and authorize the Sheriff and the Chairperson to sign the agreement and all other necessary documents.

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

12. **SOUTHERN INYO FIRE PROTECTION DISTRICT** – Request Board receive and discuss the District’s Resolution #2011-10-18 regarding adjusting the fee charged by the County to cover administration costs for collection of District’s Measure J taxes, and provide direction, if any, to staff.
13. **AGRICULTURAL COMMISSIONER** – Request Board receive the presentation of the 2012 Annual Crop and Livestock Report.
14. **AGRICULTURAL COMMISSIONER** – Request Board amend the FY 2012-13 Agricultural Commissioner Budget Unit 023300 as follows: increase estimated revenue in Unrefunded Gas Tax (*Revenue Code #4463*) by \$117,371; increase appropriations in Operating Transfers Out (*Object Code #5801*) by \$58,685.50 and Other Agency Contribution (*Object Code #5539*) by \$58,685.50; and increase estimated revenue in Agricultural Commissioner Building Trust Budget Unit 503302, Operating Transfers In (*Revenue Code #4998*) by \$58,685.50. (*4/5’s vote required.*)
15. **SHERIFF’S DEPARTMENT** – Request Board A) amend the FY 2012-13 Jail-CAD RMS Project Budget 022950 by increasing estimated revenue in Operating Transfers In (*Revenue Code #4498*) by \$12,231 and increasing appropriations in Other Professional Services (*Object Code #5265*) by \$12,231 (*4/5’s vote required*); and B) declare Sun Ridge Systems, Inc., a sole-source provider of RIMS/JLAN Link software and ratify and approve the purchase of and payment for RIMS/JLAN Link software + annual support services from Sun Ridge Systems, Inc., in the amount of \$12,230.84.
16. **HEALTH AND HUMAN SERVICES – Health Services** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position of Registered Nurse (RN) or Public Health Nurse (PHN) exists as certified by the Health and Human Services Director 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 full time RN at Range 78 (\$4,997 - \$6,094) or PHN at Range 80 (\$5,238 - \$6,371); and authorize to hire at the E Step depending on qualifications.

17. **HEALTH AND HUMAN SERVICES – Social Services** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position of Integrated Case Worker exists in the Social Services Budget as certified by the Health and Human Services Director 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 if the position cannot be filled from an existing eligibility list; and (c) approve the hiring of one Integrated Case Worker I at Range 60 (\$3,271 - \$3,973) or II at Range 64 (\$3,590 – \$4,363) depending on qualifications.
18. **PLANNING** – Request Board A) approve the Contract between the County of Inyo and Liebersbach, Mohun, Carney & Reed for the provision of legal services in connection with the County's defense in the matter *Owens Valley Committee v. County of Inyo, Inyo County Superior Court Case No. SICVPT 13-54991*, in an amount not to exceed \$50,000, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign; and B) approve Amendment No. 3 to the Contract between the County of Inyo and C.G. Roxane LLC to increase the Contract by \$60,000 to a total of \$568,507 and amend the scope of work to provide for the reimbursement of all costs, including costs for outside attorney's fees and costs, incurred by the County in connection with *Owens Valley Committee v. County of Inyo*, and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
19. **PLANNING** – Request Board, concerning Inyo National Forest Plan Update/Revision, identify priorities for any Eastside Symposium and/or Science Synthesis Addendum and provide direction regarding the upcoming Sierra Cascades Dialog.
20. **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.

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

- 10:45 a.m. 21. **COUNTY ADMINISTRATOR – Information Services** – Request Board conduct a workshop to receive a presentation regarding the Eastern Sierra Connect Regional Broadband Consortium (ESCRB).
- 11:15 a.m. 22. **COUNTY ADMINISTRATOR** – Request Board A) receive a presentation updating the status of efforts by the Alabama Hills Stewardship Group to obtain Federal National Scenic Area Designation for the Alabama Hills; and B) provide direction regarding the development of follow-up correspondence reaffirming the County of Inyo's support for the proposed designation.
- 1:30 p.m. 23. **WATER DEPARTMENT** – Request Board A) provide direction to the County's Standing Committee representatives concerning the Agenda for the May 20, 2013 Inyo County/Los Angeles Standing Committee (*draft agenda to be provided prior to the discussion*); B) take action on LADWP's request for reductions in irrigation; and C) take action on LADWP's request for reductions in water supplied to E/M projects.

#### **CORRESPONDENCE - ACTION**

#### **BOARD MEMBERS AND STAFF REPORTS**

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

24. **PUBLIC COMMENT**

#### **CLOSED SESSION**

25. **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.

26. **PERSONNEL [Pursuant to Government Code §54957].** Public Employee Appointment – Title – Public Works Director.
27. **PERSONNEL [Pursuant to Government Code §54957].** Public Employee Appointment – Title - County Counsel.
28. **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.
29. **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.
30. **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, and Information Services Director Brandon Shults.
31. **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.
32. **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.
33. **REAL PROPERTY NEGOTIATIONS [CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8]** – Property: APN 026-080-15, Lone Pine, California – Negotiating Parties: County Administrator Kevin Carunchio, Senior Deputy County Administrator Pam Hennarty, and Deputy Public Works Director Jim Tatum – Negotiations: Terms and Conditions.

#### **REPORT ON CLOSED SESSION AS REQUIRED BY LAW**

#### **CORRESPONDENCE - INFORMATIONAL**