

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 5, 2015

8:30 a.m. 1. PUBLIC COMMENT

CLOSED SESSION

2. **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: - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults.
3. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults.
4. **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: - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults.
5. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c))** – decision whether to initiate litigation (one case).
6. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(d)(1))** – *Native American Heritage Commission v. Inyo County Planning Department and Inyo County Board of Supervisors*, Inyo County Superior Court Case No. SICVPT 1557557 (Munro Petition for Writ of Mandate.)
7. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(d)(1))** – *Center for Biological Diversity; Public Employees for Environmental Responsibility, California Non-Profit Corporation v. County of Inyo; Inyo County Board of Supervisors, and DOES 1 through 20, and Adventure Trails System of the Eastern Sierra and DOES 21-50*, Inyo County Superior Court Case No. SICVPT 1557709.

OPEN SESSION

10:00 a.m. PLEDGE OF ALLEGIANCE

8. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW.**

9. **PUBLIC COMMENT**

CONSENT AGENDA (Approval recommended by the County Administrator)

CORONER

10. Request approval of Amendment No. 1 to the Contract between the County of Inyo and Milton R. Jones, M.D., increasing the amount by \$10,000, to a total amount not to exceed \$53,000, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

WATER

11. Request approval of the Contract between the County of Inyo and Ecosystem Sciences, for the provision of Biological Resources Consulting Services in an amount not to exceed \$142,646 for the period of July 1, 2015 through June 30, 2016, contingent upon the Board's adoption of a FY 2015-16 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

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

12. **AUDITOR-CONTROLLER** - Request Board find that, consistent with the adopted Authorized Position Review Policy: a) the availability of funding for Office Technician 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, the vacancy could be filled through an internal recruitment; however, an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of Office Technician II at Range 59 (\$3,323 - \$4,037), or Office Technician III at Range 63 (\$3,643-\$4,433) depending on qualifications.
13. **HEALTH AND HUMAN SERVICES – Social Services** – Request Board find that, consistent with the adopted Authorized Position Review Policy: a) the availability of funding for an Integrated Case Worker position exists in the Social Services budget, 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, the vacancy could possibly be filled through an internal recruitment; however, an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one Integrated Case Worker I at Range 60 (\$3,403 - \$4,133), or II at Range 64 (\$3,735 - \$4,539) depending on qualifications.
14. **HEALTH AND HUMAN SERVICES – Social Services** – Request Board find that, consistent with the adopted Authorized Position Review Policy: a) the availability of funding for a Health and Human Specialist (HHS) 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, the vacancy could possibly be filled through an internal recruitment; and C) approve the hiring of one HHS III at Range 57 (\$3,169 - \$3,850).
15. **HEALTH AND HUMAN SERVICES – Miscellaneous** - Request Board: A) change the authorized strength by deleting one full-time Fiscal Supervisor position at Range 67 (\$4,008-\$4,865), and adding one full time Office Technician III at Range 63 (\$3,643-\$4,433); and B) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the position of Office Technician exists in the Health, Tobacco, WIC, DDP, and SUD budgets, as certified by the Health and Human Services Director, and concurred with by the County Administrator, and the Auditor-Controller; (b) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to ensure qualified applicants apply; and (c) approve the hiring of one Office Technician III at Range 63 (\$3,643-\$4,433).
16. **PLANNING** – Request approval of the Addendum to the Mitigated Negative Declaration-Munro Valley Solar, LLC—General Plan Amendment No. 2013-01, Zone Reclassification No. 2013-01, Renewable Energy Development Agreement No. 2013-01, Tentative Parcel Map No. 404 and Tentative Parcel Map for APN 033-460-08, and direct the Planning Department to file an appropriate Notice of Determination.

17. **COUNTY COUNSEL - PUBLIC WORKS** – Request approval of the Stipulated Judgement for the settlement with the Center for Biological Diversity and PEER; and authorize County Counsel to sign all paperwork associated with the action.
18. **COUNTY ADMINISTRATOR – Purchasing** – Request Board A) declare certain property surplus; B) authorize transfer thereof to other public entities and non-profit organizations (*4/5's vote required*); C) approve the public auction of County surplus equipment not claimed by those entities/organizations on May 21, 2015 and D) authorize the auction to take place at the Building and Maintenance yard located at 136 South Jackson Street, Independence, (*4/5's vote required*).
19. **COUNTY ADMINISTRATOR - Emergency Services** - Request Board continue 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, as recommended by the County Administrator.
20. **COUNTY ADMINISTRATOR – Emergency Services** - Request Board continue the local emergency, The Gully Washer Emergency that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013, as recommended by the County Administrator.
21. **COUNTY ADMINISTRATOR - Emergency Services** - Request Board continue the local emergency, The Canyon Crusher Emergency, that resulted in flooding in the portions of Inyo County during the month of August, 2013, was recommended by the County Administrator.
22. **COUNTY ADMINISTRATOR - Emergency Services** – Request Board continue the local emergency, known as the “Land of EVEN Less Water Emergency” that was proclaimed as a result of extreme drought conditions that exist in the County as recommended by the County Administrator.
23. **CLERK OF THE BOARD** – Request approval of the minutes of the April 14, 2015 Special Meeting of the Board of Supervisors in Tecopa.

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

- 11:00 a.m.**
24. **WATER DEPARTMENT** – Request Board continue last week’s “Talking Water” workshop to provide information and solicit ideas and solutions concerning the sever shortfall in water available for uses in Owens Valley this year due to drought conditions, to allow staff and others to report back.
 25. **WATER DEPARTMENT** – Request Board consider approving letters to the State Lands Commission, and possibly the California Department of Fish & Wildlife regarding water requirements on the Owens Lake in light of drought conditions and recent State water regulations. (*Letters to be provided during the discussion.*)
 26. **WATER DEPARTMENT** - Request Board consider the attached draft agenda for the May 7, 2015 Inyo/LA Standing Committee meeting to be held in Independence, and provide direction to the County’s Standing Committee representatives.

CORRESPONDENCE - ACTION

27. **BIG PINE FIRE PROTECTION DISTRICT** – Request Board waive the building permit fee for the repairs and modifications to the original Big Pine Fire station, estimated to \$1,800.
28. **INYO FISH AND WILDLIFE ADVISORY COMMISSION** – Request Board A) approve expenditures from the Fish and Game fine fund as follows: \$1,500 to the Eastern Sierra Wildlife Care for the care and feeding of injured and sick animals; \$1,500 to the Friends of the Mt. Whitney Fish Hatchery for the Trout in the Classroom Program; and \$1,500 to reimburse costs for the Handicapped Boat Ramp at Sonders Pond Project; and B) amend the FY 2014-2015 Fish and Game Budget Unit 024200 by increasing unanticipated revenue in Fines (*Revenue Code #4213*) by \$1,600 and increasing appropriations in General Operating (*Object Code #5311*) by \$1,600. (*4/5's vote required.*)

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

29. **COUNTY DEPARTMENT REPORTS** (*Reports limited to two minutes*)

30. **PUBLIC COMMENT**

BOARD MEMBERS AND STAFF REPORTS

CORRESPONDENCE - INFORMATIONAL

31. **BIG PINE UNIFIED SCHOOL DISTRICT** – Notification of Proposal to Implement Developer Fees.
32. **SHERIFF** – Sheriff and Jail Overtime Report for the month of February, 2015.

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

10:00 a.m.
May 7, 2015

Lone Pine Visitors Center

and

Board of Supervisors Room, County Administrative Center
224 North Edwards Street
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.

10:00 - Assemble at Lone Pine Visitors Center for field trip

Stop 1: Owens Lake T-30-1

Stop 2: Lone Pine High School Farm

1:00 – Reconvene at Board of Supervisors Room, County Administrative Center Independence

1. **Action Item:** Approval of documentation of actions from February 9, 2015 meeting.
2. Lower Owens River Project
 - a. Consultation with California Department of Fish and Game regarding agenda item 3b
 - b. **Action Item:** Setting Seasonal Habitat Flow - Consideration of staff recommendation regarding setting the seasonal habitat flow.
 - c. Consultation with California Department of Fish and Game regarding agenda item 3d
 - d. **Action Item:** Establishment of Dry Year Blackrock Management Plan - Consideration of staff recommendation regarding the Blackrock Waterfowl Management Area flooded acreage
3. Technical Group revision of vegetation monitoring program
 - a. Report by the Facilitator
 - b. Ecological Society of America participation
 - c. **Action item:** Extension of cooperative study funding agreement
4. Runoff and operations update
 - a. Eastern Sierra runoff and operations
 - b. Water availability for Owens Valley and Los Angeles
 - c. First six-month Operations Plan

5. **Action item:** Program for reasonable reductions in irrigation water supply for Los Angeles-owned lands in Owens Valley and for enhancement/mitigation project.
6. Public Comment.
7. Confirm schedule for future Standing Committee meetings.
8. 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.