

# 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 19, 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- EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]** - *Bishop Paiute Tribe v. Inyo County; WILLIAM LUTZE, Inyo County Sheriff; THOMAS HARDY, Inyo County District Attorney; United States District Court Eastern District of California Court Case No. 1:15-CV-00367-JLT.*
6. **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.*
7. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]** - *TANYA SOLESBEE, v. COUNTY OF INYO; et al, United States District Court Eastern District of California Case No. 1:13-CV-01548 AWIJLT.*
8. **CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]** - *CRYSTAL ALLEN, an individual v. COUNTY OF INYO, et al, a governmental entity; and DOES 1-50, Inyo County Superior Court Case No. SICVCV13-54820.*
9. **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.*

10. **CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]** - decision whether to initiate litigation (two cases).
11. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(d)(2))** – significant exposure to potential litigation (one case).

## **OPEN SESSION**

### **10:00 a.m. PLEDGE OF ALLEGIANCE**

12. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW**
13. **PUBLIC COMMENT**
14. **BOARD OF SUPERVISORS – Supervisor Matt Kingsley** – Request Board approve the Proclamations honoring Steve Howe of the Independence Volunteer Fire Department; and Dean Chavez of the Lone Pine Fire Department and the Inyo County Search and Rescue Team, as Inyo County 2015 EMS Providers of the Year and, after approval, present the Proclamations to Mr. Howe and Mr. Chavez.

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

### **COUNTY ADMINISTRATOR**

15. Request approval of Amendment #4 to the Contract between the County of Inyo and Gregory L. James, Water/Environmental Attorney-Natural Resources, extending the Contract for 12 months from July 1, 2015 to June 30, 2016; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

### **HEALTH AND HUMAN SERVICES**

16. **ESAAA** - Request approval of the Annual 2014-2015 Area Plan Update for Services for Planning and Services Area 16 (Inyo and Mono Counties); and authorize the Chairperson to sign the required Transmittal Letter.

### **PLANNING**

17. Request approval of the Agreement between the County of Inyo and Andy Zdon and Associates for hydrologic consulting services with regard to impacts of the proposed Yucca Mountain Repository on groundwater, at the rate of \$160 per hour, with travel time at the rate of \$50 per hour (except travel time between Walnut Creek, CA and Bishop, CA which will not be reimbursed) for a total amount not to exceed \$60,000 for the period of June 1, 2015 through June 30, 2016, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign
18. Request Board reappoint the following to the Lone Pine Architectural Design Review Board to complete unexpired two year terms ending February 24, 2017: A) Linda Haun representing the Public Member category; and B) Kathi Hall representing the Lone Pine Chamber of Commerce Representative category. (*Notice of Vacancy resulted in requests for appointment being received from Ms. Hall and Ms. Haun.*)

### **PUBLIC WORKS**

19. Request Board approval of Amendment No. 3 to the Contract between the County of Inyo and Preferred Septic and Disposal, Inc., for trash disposal services for County buildings and facilities, amending the scope of work to add the HHS Wellness building at 586 Central in Bishop and the HHS Community Mental Health building at 126 N. Washington in Lone Pine, and increasing the monthly amount of the Contract by \$53.32 to a total monthly amount of \$3,091.20 for a total contract amount not to exceed \$107,880.54 for the period of December 1, 2012 through November 30, 2015, 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.

## SHERIFF

20. Request approval of the Agreement between California Broadband Cooperative and the Sheriff's Office for delivery of Internet access service for a period of three years commencing on the date the service is installed at the rate of \$120 per month plus fees and taxes as applicable, contingent upon the Board's adoption of future budgets; and authorize the Sheriff to sign and transmit a copy of the signed document to the Clerk of the Board for the Board's files.

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

21. **AUDITOR-CONTROLLER** – Request Board receive a presentation on the changes to the CalPERS Safety Plan and associated costs.
22. **COUNTY ADMINISTRATOR** – Request Board A) accept the Fiscal Year 2014-2015 County Third Quarter Financial Report as presented; B) approve the specific budget action items and recommendations discussed in the report and represented in Attachments A & B, and authorize the Auditor-Controller to make the budget adjustments as listed in Attachments A & B (4/5's vote required); C) authorize the County Administrator (CAO) and Auditor-Controller to make year-end adjustments, as necessary within each fund (4/5's vote required); D) approve the Preliminary Fiscal Year 2015-2016 Budget Calendar with regard to the proposed dates for the Budget Hearings and adoption of the Final Budget; and E) direct the CAO and Auditor-Controller to prepare a modified rollover budget for the start of Fiscal Year 2015-2016 and present it for approval on June 16, 2015.
23. **COUNTY ADMINISTRATOR** - Request your Board consider:
  - A) amending the Fiscal Year 2014-2015 Animal Shelter Budget #010206 by increasing revenue in Operating Transfers In (*Object Code #4998*) by \$5,137 from the Animal Shelter Donation Trust #503901 and increasing appropriations in Construction in Progress (*Object Code #5700*) by \$5,137 to fund the purchase of cabinets for the new Inyo County Animal Shelter (*4/5's vote required*);
  - B) amending the Fiscal Year 2014-2015 Animal Shelter Budget #010206 by increasing revenue in Operating Transfers In (*Object Code #4998*) by \$2,200 from the Animal Shelter Donation Trust #503901 and increasing appropriations in Construction in Progress (*Object Code #5700*) by \$2,200 to fund the purchase of furniture for the new Inyo County Animal Shelter (*4/5's vote required*);
  - C) amending the Fiscal Year 2014-2015 Animal Shelter Budget #010206 by increasing revenue in Operating Transfers In (*Object Code #4998*) by \$2,000 from the Animal Shelter Donation Trust #503901 and increasing appropriations in Construction in Progress (*Object Code #5700*) by \$2,000 to fund the purchase of a pressure washer for the new Inyo County Animal Shelter (*4/5's vote required*), and
  - D) amending the FY 2014-2015 Animal Shelter Budget #010206 by increasing revenue in Operating Transfers In (*Object Code #4998*) by \$28,585, \$5,664 from the Animal Shelter Donation Trust #503901 and \$22,921 from Contingencies Budget #087100 and increasing appropriations in Construction in Progress (*Object Code #5700*) by \$28,585 and authorize the Public Works Department to go out to bid and the County Administrator to sign any necessary documents and/or contracts in an amount not to exceed \$32,000 for the purchase and installation of fencing for the new Inyo County Animal Shelter, contingent upon signatures being obtained and approval of future budgets. (*4/5's vote required*).
24. **COUNTY ADMINISTRATOR – Parks and Recreation** – Request Board A) authorize planting fish at the locations as recommended by staff and B) approve the agreement between the Desert Springs Trout Farm and the County of Inyo for the purchase and planting of fish in an amount not to exceed \$16,000; and authorize the Assistant CAO to sign, contingent upon the appropriate signatures being obtained and transmit a copy of the signed Agreement to the Clerk of the Board for the Board files.
25. **COUNTY ADMINISTRATOR - Emergency Services** - Request Board continue 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, as recommended by the County Administrator.
26. **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.

27. **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, as recommended by the County Administrator.
28. **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.
29. **CLERK OF THE BOARD** – Request approval of the minutes of the April 28, 2015 Board of Supervisors Meeting.

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

- 1:30 p.m. 30. **PUBLIC WORKS** – Request Boad A) conduct a workshop to receive an update of Water Conservation Regulations; and B) consider and approve a resolution amending Resolution 2014-41 titled “Resolution of the Board of Supervisors of the County of Inyo, State of California, Adopting Mandatory Drought Water Conservation Measures” to include recently adopted State Mandated End-User Restrictions and to restrict watering of ornamental turf and landscape by customers of the Lone Pine, Independence, and Laws Town Water Systems to two days per week.

**CORRESPONDENCE - ACTION**

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

31. **COUNTY DEPARTMENT REPORTS** (*Reports limited to two minutes*)
32. **PUBLIC COMMENT**

**BOARD MEMBERS AND STAFF REPORTS**

**CORRESPONDENCE - INFORMATIONAL**

33. **C.R. BRIGGS CORPORATION** – Letter notifying the Board that the Company is going to be conducting employee separations in connection with the upcoming curtailment of mining and crushing operations.
34. **BIG PINE UNIFIED SCHOOL DISTRICT** – Notification of the District increasing School Facilities fees.