

# 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.

### **November 17, 2015**

**8:30 a.m. 1. PUBLIC COMMENT**

#### **CLOSED SESSION**

2. **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**
3. **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**
4. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code § 54956.9(d)(1)]. Patrick McLernon v. County of Inyo, William Kanayan as an individual, and dba William Kanayan Construction, and Does 1 to 25, inclusive; Inyo County Superior Court Case No. SICVCV 1558147**
5. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)] – Prominent Systems, 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.**
6. **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 No. 1:13-CV-01548 AWIJLT.**
7. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)] – Peter/Kathy Waasdorp v. County of Inyo; Skylene Katherine Milos; and Does 1-50 inclusive, Inyo County Superior Court Case No. SICVCV13-54910.**
8. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(d)(2) – significant exposure to potential litigation (one case).**
9. **CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)] - decision whether to initiate litigation (three case).**
10. **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.**

11. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Peace Officers Association (ICPPOA) – Negotiators - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults.
12. **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.
13. **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.
14. **REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8)** – Property – APN010-490-08, Bishop, California – Negotiating Parties – County Administrator, Kevin Carunchio, Assistant County Administrator, Rick Benson, and Public Works Director, Clint Quilter, and Joseph Enterprises - Negotiating Parties, Steve Joseph, Scott Piercey, Wayne Lamb and Jeff Shepard – Negotiations – Terms and Conditions.

## **OPEN SESSION**

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

15. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW.**
16. **PUBLIC COMMENT**
17. **INTRODUCTION** – Grace McClenaghan, Child Support Specialist, will be introduced to the Board.

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

### **COUNTY ADMINISTRATOR**

18. **Library** – Request Board authorize the closure of the Bishop, Big Pine, Independence, Furnace Creek, and Lone Pine Library branches on Saturday, November 28, 2015 because of the Thanksgiving Holiday. (Tecopa library to remain open.)

### **AUDITOR-CONTROLLER**

19. Request Board A) declare MGT of American, Inc., a sole-source provider of mandated claims preparation services; and B) approve the Contract between the County of Inyo and MGT of American, Inc., for the preparation of the FY 2014-2015, 2015-2016 and 2016-2017 SB90 State Mandated Costs Claims, in an amount not to exceed \$25,350, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

### **CLERK – RECORDER**

20. Request Board issue an order accepting the Statement of All Votes Cast at the UDEL Election held November 3, 2015 and declare elected those offices according to the number of votes for each as shown on the Statement of All Votes Cast.

### **PUBLIC WORKS**

21. Request Board approve the Plans and Specifications for the Ed Powers Bike Lane Project; and authorize the Public Works Director to advertise for bids for the project, contingent upon receipt of the State's authorization to proceed with construction.

22. Request Board approve the payment of \$42,000 to the National Park Service Exotic Plant Management Team as mitigation for emergency roadwork completed during the Gully Washer Emergency; and authorize the Public Works Director to sign all documents required pertaining to this payment, and transmit copies of the signed documents to the Clerk of the Board for the Board's files.

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

23. **PUBLIC WORKS** – Request Board A) approve the Plans and Specifications for the Inyo County Jail HVAC Replacement Project; B) authorize the Public Works Director to advertise for bids for the Project; C) authorize the Public Works Director to award and approve the Contract for the Project if the bids received are within the project budget and authorize the Public Works Director to sign contingent upon the appropriate signatures being obtained, and transmit copies to the Clerk of the Board for the Board's files; and D) authorize the Public Works Director to sign all other documents, including change orders, to the extent permitted pursuant to Section 20142 of the Public Contract Code and other applicable law.
24. **PUBLIC WORKS – COUNTY COUNSEL** - Request Board A) direct the now County Counsel and continuing Risk Manager to sign the 2003 Standard District Lease approved by Board Order dated December 9, 2003; B) ratify the Lease effective December 9, 2003; C) authorize the Chairperson to sign the 2003 Lease; and D) approve an Amendment to the Lease, extending the term of the Lease through 2102 for a total of 99 years; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
25. **PUBLIC WORKS – COUNTY COUNSEL** – Request Board approve the Resolution (a) correcting the February 17<sup>th</sup>, 2004 Board Order *nunc pro tunc* by adding a subparagraph B) the direction and authority to record the Town Water System Transfer Agreements (Agreements) with the Inyo County Clerk Recorder; (b) directing the Deputy Clerk of the Board to review and on finding the signature of Rene Mendez to be true, acknowledge the signature on each Agreement which attestation shall be treated as timely consistent with the *nunc pro tunc* correction; (c) authorizing that all paperwork and acts needed to record the Transfer Agreements shall be completed and may be signed by the County Administrator or designee to the extent further signatures are needed; and (d) authorizing the Chairperson to sign the resolution.
26. **PLANNING** – Request Board review the Draft Supplement to the U.S. Department of Energy's Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada; review draft correspondence in regards thereto and if approved, authorize the Chairperson to sign.

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

- 11:15 a.m. 27. **NOTIFICATION - BOARD OF EQUALIZATION MEETING** – The Board will convene as the Inyo County Board of Equalization (separate agenda.)
- 11:30 a.m. 28. **HEALTH AND HUMAN SERVICES – Mental Health Services** – Request Board A) conduct a **public hearing** to consider an ordinance titled “An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Repealing Ordinance No. 1189 and Revising Inyo County Community Mental Health Services Fees;” which will amend the Community Mental Health Services Fees based on the annual certified actual costs; and B) waive the first reading of the ordinance and schedule the adoption for 11:30 a.m., Tuesday, November 24, 2015, in the Board of Supervisors Room, at the County Administrative Center, in Independence.
- 11:45 a.m. 29. **PLANNING** – Request Board A) conduct a **public hearing** on a resolution titled “A Resolution of the Board of Supervisors of the County of Inyo, State of California, Declaring the Vacation and Abandonment of that Portion of an Unnamed Road in the Community of Aspendell; and B) approve the resolution.

**CORRESPONDENCE – ACTION** (To be considered at the Board's convenience)

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

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

**BOARD MEMBERS AND STAFF REPORTS**

**CORRESPONDENCE - INFORMATIONAL**