

# 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.

### June 7, 2016

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

#### **CLOSED SESSION**

2. **CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION.** (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). 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)
3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9. (two cases)
4. **CONFERENCE WITH LABOR NEGOTIATORS –** (Government Code Section 54957.6). Employee or organizations: Deputy Sheriff's Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); Law Enforcement Administrators' Association (LEAA). Unrepresented employees: all. Agency designated representatives - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, Information Services Director, Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.

#### **OPEN SESSION**

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

5. **REPORT ON CLOSED SESSION**
6. **PUBLIC COMMENT**
7. **COUNTY DEPARTMENT REPORTS** (Reports limited to two minutes)

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

##### **ADMINISTRATION**

8. **Personnel – County Counsel** - Request Board approve Amendment No. 1 to the contract between the County of Inyo and Atkinson, Andelson, Loya, Ruud and Romo for the provision of Legal Services – General Labor and Employment Advice, increasing the contract amount by \$220,000 for a total contract amount not to exceed \$370,000 and extending the term of the contract to June 30, 2017, and authorize the Chairperson to sign the amendment contingent upon Board's adoption of the Fiscal Year 2016-2017 Budget.

9. **Risk Management – County Counsel** - Request Board approve Amendment No. 4 to the contract between the County of Inyo and John D. Kirby A.P.C. for the provision of Civil Litigation Attorney Services, increasing the contract amount by \$22,000 for a total contract amount not to exceed \$212,000 and extending the term of the contract to December 31, 2016, and authorize the Chairperson to sign the amendment contingent upon Board's adoption of the Fiscal Year 2016-2017 Budget.
10. **Risk Management – County Counsel** - Request Board approve Amendment No. 1 to the contract between the County of Inyo and Porter Scott, A Professional Corporation, for the provision of Civil Litigation Attorney Services, increasing the contract amount by \$170,000 for a total contract amount not to exceed \$270,000 and extending the term of the contract to June 30, 2017, and authorize the Chairperson to sign the amendment contingent upon Board's adoption of the Fiscal Year 2016-2017 Budget.

### **CORONER**

11. Request Board approve the contract between the County of Inyo and Milton R. Jones, M.D., for the provision of Autopsy Services, in an amount not to exceed \$43,200, for the term of July 1, 2016 through June 30, 2018, and authorize the Chairperson to sign the contract contingent upon the Board's adoption of future budgets.
12. Request Board approve the contract between the County of Inyo and Eva S. Wasef, M.D., for the provision of Autopsy Services, in an amount not to exceed \$50,000, for the term of July 1, 2016 through June 30, 2018, and authorize the Chairperson to sign the contract contingent upon the Board's adoption of future budgets.

### **HEALTH AND HUMAN SERVICES**

13. **Behavioral Health** – Request Board ratify and approve the contract between the County of Inyo and Anne Sippi Treatment Group for residential placement for an adult conserved under Laterman Petris Short (LPS) Act in an amount not to exceed \$50,000 for the period of April 12, 2016 through June 30, 2017 (estimated to be \$12,800 for Fiscal Year 2015-2016 and estimated to be \$37,200 for Fiscal Year 2016-2017), and authorize the Chairperson to sign the contract contingent upon the Board's adoption of the Fiscal Year 2016-2017 Budget.
14. **Behavioral Health** – Request Board approve the contract between the County of Inyo and Crestwood Behavioral Health, Inc. for residential placement for adults in a locked facility or an enhanced board and care in an amount not to exceed \$20,000 for the period of July 1, 2016 through June 30, 2017, and authorize the Chairperson to sign the contract contingent upon the Board's adoption of the Fiscal Year 2016-2017 Budget.
15. **Behavioral Health** – Request Board: A) declare I.D.E.A. Consulting a sole source provider of certain behavioral health consultation for the period of July 1, 2016 through June 20, 2017; B) approve the contract and HIPAA Business Associate Agreement between the County of Inyo and I.D.E.A. Consulting in an amount not to exceed \$20,000 for the period of July 1, 2016 through June 30, 2017; and C) authorize the Chairperson to sign the contract contingent upon Board's adoption of the Fiscal Year 2016-2017 Budget.
16. **Behavioral Health** – Request Board approve the contract between the County of Inyo and Jeanette Sprague, MFT for the provision of bilingual mental health services as part of the Mental Health Services Act (MHSA) Community Services and Supports (CSS) Plan in an amount not to exceed \$15,000 for the period of July 1, 2016 through June 30, 2017, and authorize the Chairperson to sign the contract contingent upon Board's adoption of the Fiscal Year 2016-2017 Budget.
17. **ESAAA** – Request Board approve contract #AP-1617-16 with the California Department of Aging (CDA) for regional services to seniors, provided through the Eastern Sierra Area Agency on Aging (ESAAA), for a total amount not to exceed \$778,493 for the period of July 1, 2016 through June 30, 2017, and authorize the Chairperson to sign the Standard Agreement (STD 213) and the Contractor/Vendor Statement of Confidentiality (CDA 1024) contingent upon Board's adoption of the fiscal Year 2016-2017 Budget.

18. **Social Services** – Request Board approve a contract between the County of Inyo and the Regents of the University of California, on behalf of its Davis Campus University Extension, for the provision of training services, in an amount not to exceed \$106,650 for the period of July 1, 2016 through June 30, 2017, and authorize the Chairperson to sign the contract contingent upon the Board's adoption of the Fiscal Year 2016-2017 Budget.

### **PLANNING**

19. **Yucca Mountain** – Request Board approve Amendment No. 2 to the contract between the County of Inyo and Andy Zdon & Associates, to amend Section I. Attachment (A) to include Item #5-Contractor shall assist County in reviewing the Final supplemental environmental impact statement prepared by the U.S. Nuclear Regulatory Commission that addresses the post closure impacts of the proposed Yucca Mountain nuclear waste repository on groundwater resources, to evaluate the adequacy of NRC staff's responses to the County's comments on the draft version. Contractor shall provide a written summary of this evaluation to the County.

### **PUBLIC WORKS**

20. Request Board: A) approve the 2015-2016 Federal Apportionment Exchange Program and State Match Program Agreement for Regional Surface Transportation Program (RSTP) funds, Agreement No. X16-5948(089), with the California Department of Transportation in the amount of \$673,353 plus State match of \$100,000 for a total amount not to exceed \$773,353; and, B) authorize the Chairperson to sign the agreement.
21. Request Board authorize the County Administrative Officer to sign an agreement (A Letter of Permission) with the Los Angeles Department of Water and Power regarding the start point of four combined-use routes in the Bishop Area that start at Brown's Town and Pleasant Valley Campground.
22. Request Board: A) approve Amendment No. 1 to the contract between the County of Inyo and Pave-Tech, Inc. for the Bishop Airport – Airfield Pavement Crack Repairs, Pavement Sealing and Paint Markings, and Terminal Area Security Fencing Project Airport Improvement Program FAA AIP Project No. 03-06-0024-17-2015, increasing the amount of the contract by \$378,260.78 for a total amount not to exceed \$1,597,837.87; B) authorize the Chairperson to sign the contract Amendment contingent upon appropriate signatures being obtained; and C) authorize the Public Works Director to execute all other contract documents, including contract change orders to the extent permitted by Public Contract Code Section 20142 and other applicable law, and transmit a copy of the signed documents to the Clerk of the Board for the Boards files.
23. Request Board approve the agreement between the County of Inyo and the Los Angeles Department of Water and Power for Permission of Entry for Phase II of the Dehy Park Improvement Project.
24. Request Board approve Resolution 2016-\_\_\_\_\_ entitled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Delegating Authority to the Public Works Director or Designee to Issue Special Event Permits for Certain Regularly Occurring Special Events and to Authorize Related Road Closures" due to the Bishop Fire Department July 4<sup>th</sup> fireworks show, the Bishop Paiute Palace July 3<sup>rd</sup> fireworks show, the Round Valley School Jog-A-Thon and the bi-yearly Department of Fish and Game Sierra Nevada Big Horn Sheep capture event, and authorize the Chairperson to sign.
25. Request Board: A) declare the bids submitted by Pahrump Valley Glass and Painting & Décor, Inc. for the Shoshone Sheriff Modular Window Replacement Project as a non-responsive; and B) authorize the Public Works Director to re-advertise for bids on the project using the same scope of work, or work with the lowest bidder to accomplish the job.
26. Request Board: A) approve Amendment No. 1 to the lease with the City of Bishop, for office space located at 301 West Line Street in Bishop, changing the annual increases not to exceed the following payment schedule based on square footage: 1. July 1, 2016-June 30, 2017 (\$1.22/sf x 2509=\$3,060.98/mo); 2. July 1, 2017-June 30, 2018 (\$1.26/sf x 2509=\$3,161.34/mo); 3. July 1, 2018-June 30, 2019 (\$1.29/sf x 2509=\$3,236.61/mo); 4. July 1, 2019-June 30, 2020 (\$1.33/sf x 2509=\$3,336.97/mo); and, B) authorize the Chairperson to sign contingent upon appropriate signatures being obtained and Board's adoption of future budgets.

27. Request Board: A) award the bid for the Dehy Park Improvement Project Phase II to Speiss Construction Co., Inc. of Santa Maria, California in the amount of \$331,803; B) approve the construction contract for the project to Speiss Construction Co, Inc. of Santa Maria, California, in the amount of \$331,803; C) authorize the Chairperson to execute the project contract, contingent upon obtaining appropriate signatures and adoption of future budgets; and D) authorize the Public Works Director to execute all other contract documents, including contract change orders, to the extent permitted by Public Contract Code Section 20142 and other applicable law and transmit a copy of the signed documents to the Clerk of the Board for the Boards files.

### **ROAD**

28. Request Board approve the agreement between the County of Inyo and Cascade Software Systems, Inc. (CSS) for the provision of Software Maintenance and Support Services of the Road Department's Cost Accounting Management System (CAMS) in an amount not to exceed \$13,214.30 for the time period of July 1, 2016 through June 30, 2017, and authorize the Chairperson to sign, contingent upon Board's adoption of the Fiscal Year 2016-2017 Budget.

### **SHERIFF**

29. Request Board: A) declare Sun Ridge Systems, Inc. a Sole Source provider for the RIMS Annual Support Services; and B) approve a purchase order and payment to Sun Ridge Systems, Inc. for the RIMS Annual Support Services in an amount not to exceed \$23,865 for the time period of July 1, 2016 through June 30, 2017, contingent upon Board's adoption of the Fiscal Year 2016-2017 Budget..

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

30. **SHERIFF** - Request Board find that consistent with the Authorized Position Review Policy: A) the availability of funding for this requested position comes from the General Fund as certified by the Sheriff and concurred with by the County Administrator and the Auditor-Controller; and B) where internal candidates may meet the qualifications for the position and the position could possibly be filled by an internal recruitment, an open recruitment is more appropriate to ensure the position is filled with the most qualified applicant; and C) approve the hiring of one Correctional Officer position Range 64 (\$3,735-\$4,539).
31. **SHERIFF** - Request Board find that consistent with the Authorized Position Review Policy: A) the availability of funding for these requested positions come from the General Fund as certified by the Sheriff and concurred with by the County Administrator and the Auditor Controller; and B) where internal candidates may meet the qualifications for the positions and the positions could possibly be filled by an internal recruitment, an open recruitment is more appropriate to ensure the positions are filled with the most qualified applicants; and C) approve the hiring of one Sergeant position Range 74 SB-SD (\$5,268-\$6,897); and D) approve hiring of one Investigator position Range 71 SB-SD (\$5,039-\$6,595); and E) approve hiring of one Corporal position Range 70 SB-SC (\$4,784-\$6,262); and F) approve the recruitment and hiring of three Deputy Sheriff's positions Range 67 SA-SC (\$4,149-\$5,565) and authorize up to the D Step for a qualified lateral applicant.
32. **DISTRICT ATTORNEY** – Request Board amend the Fiscal Year 2015-2016 Budget as follows: recognize \$25,000 in unanticipated revenue and increase District Attorney (Budget #022400) Restitutions (Revenue Code #4626) and increase expenditures in Special Appropriations (Object Code #5321) by \$25,000. *(4/5's vote required)*
33. **WATER DEPARTMENT** – Request the Board provide direction to initiate facilitated outreach to relevant Owens Valley entities regarding the formation of a Groundwater Sustainability Agency for the Owens Valley Groundwater Basin.
34. **PLANNING** – Request Board approve for the Planning Department to set up an advisory committee to help bring stakeholder and community input into the North Sierra Highway planning process. The committee will consist of up to 11 members (1 Board Member and 1 Planning Commissioner from Inyo County [the County], 1 Council Member and 1 Planning Commissioner from the City of Bishop [the City], 2 representatives of the Bishop Paiute Tribe [the Tribe], [one may be a representative of the Paiute Palace Casino], 1 from California Department of Transportation [Caltrans], 1 from the Los Angeles Department of Water and Power [DWP], 1 from the Tri-County Fairgrounds [the Fairgrounds], 1 from Eastern Sierra Transit Authority [ESTA], and 1 from the Eastern Sierra Community Services District [ESCSD]). The committee will not have decision making authority but will act strictly as an advisory panel and will be organized and primarily interact with Inyo County Planning Department staff. If the Board directs staff to set up the committee, it should also appoint a member to participate.

35. **HEALTH AND HUMAN SERVICES – Social Services** - Request Board find that consistent with the Authorized Position Review Policy: A) the availability of funding for this requested position exists as certified by the Health and Human Services Director and concurred with by the County Administrator and the Auditor Controller; and B) where it is possible that the HHS Management Analyst position could be filled by internal candidates meeting the qualifications for the position, an open recruitment would be appropriate to ensure as many qualified applicants as possible apply for this highly specialized position; and C) approve the hiring of one HHS Management Analyst at Range 80 (\$5,559-\$6,761).
36. **HEALTH AND HUMAN SERVICES – Public Health and Prevention - Tobacco Control Program** – Request Board receive an update from the Health and Human Services Departments Tobacco Control Program staff regarding the City of Bishop’s recent adoption of an ordinance addressing e-cigarette use and restrictions on vape shops; review a list of possible smoke-free policy options the Board could consider; and provide direction to staff.
37. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board continue the local emergency known as 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.
38. **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 the extreme drought conditions that exist in the County, as recommended by the County Administrator.
39. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board continue the local emergency known as the “Death Valley Down But Not Out Emergency” that was proclaimed as a result of flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015, as recommended by the County Administrator.
40. **CLERK OF THE BOARD** – Request Board approve the minutes of the Board of Supervisors meetings of: A) Regular Meeting of May 3, 2016; B) Regular Meeting of May 10, 2016; and, C) Regular Meeting of May 17, 2016.

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

- 11:00 a.m. 41. **PLANNING** – Conduct a workshop regarding the Draft Tribal Consultation Policy.
- 1:30 p.m. 42. **HEALTH & HUMAN SERVICES/PROBATION** – Request Board receive an update on the Transition Plan for juvenile and family services and provide direction to staff.
- 3:30 p.m. 43. **PUBLIC WORKS-PLANNING** – Request Board:

A) conduct a **public hearing** on the following actions for a 9.40-acre site at 155 North Grant Street (APN 022-140-16 & 022-140-31) in the community of Independence and leased from the Los Angeles Department of Water and Power: General Plan Amendment (GPA) No. 2015-02 changing the General Plan designation from Open Space and Recreation (OSR) to Public Service Facilities Designation (PF); and Zone Reclassification from Open Space with a 40 acre minimum (OS-40) to Public (P) and, a proposed ordinance titled “An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2015-02/Inyo County Eastern California Museum and Amending Zoning Map of the County of Inyo by Rezoning a 9.4-acre parcel located at 155 North Grant Street (APN 022-140-16 & 022-140-31) in the community of Independence from Open Space with a 40 acre minimum (OS-40) to Public (P).”; and,

B) approve Resolution 2016-\_\_\_\_\_ titled “A Resolution of the Board of Supervisors of the County of Inyo, State of California, Certifying that the Provisions of the California Environmental Quality Act (CEQA) Have Been Met and Making Certain Findings with Respect to; and Approving the Eastern California Museum Expansion Project and General Plan Amendment No. 2015-02/Inyo County Eastern California Museum and Zone Reclassification No. 2015-02/Inyo County Eastern California Museum.”; and,

C) waive the first reading of the above referenced ordinance under paragraph "A" approving Zone Reclassification (ZR) No. 2015-02/Inyo County Eastern California Museum and schedule the enactment for 11:45 a.m., Tuesday, June 14, 2016 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

**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)

44. **PUBLIC COMMENT**

**BOARD MEMBERS AND STAFF REPORTS**

**CORRESPONDENCE - INFORMATIONAL**

45. **SHERIFF** – Sheriff and Jail Overtime Report for the month of April 2016.