

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.

December 6, 2016

8:30 a.m. 1. PUBLIC COMMENT

CLOSED SESSION

2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (two cases).
3. **CONFERENCE WITH LABOR NEGOTIATORS [Pursuant to Government Code §54957.6]** – Employee 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, Senior Deputy County Administrator Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.
4. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS – (Government Code Section 54956.8)** – Property: APN 010-490-08, Bishop, California. Agency Negotiators: Kevin Carunchio, County Administrator, and Marshall Rudolph, County Counsel. Negotiating parties: Inyo County and Inyo County Development, LLC. Under negotiations: price and terms of payment.

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*)
8. **INTRODUCTIONS** – The following new employees will be introduced to the Board: Alisa Rodriguez, Health and Human Specialist III, HHS; Sally Faircloth, Office Clerk III, HHS; Denver Brown, Equipment Operator, Public Works; Bodie Kruse, Equipment Operator, Road Department; and Steve Loven, Airport Tech, Public Works.
9. **PRESENTATION** – Inyo County Superintendent of Schools Lisa Fontana, PhD, will give a brief presentation on the ICSOS' One Million Acts of Kindness Campaign.

10. **CLERK-RECORDER-REGISTRAR OF VOTERS**

Recommend that the Board of Supervisors issue an order accepting the Statement of All Votes Cast at the Presidential General Election held November 8, 2016 and declare elected those officials under their jurisdiction for this election, and declare passed or failed those measures under their jurisdiction for this election, according to the number of votes for each as shown on the Statement of All Votes Cast.

COUNTY ADMINISTRATOR

11. Request Board approve Amendment No. 10 to the contract between Allan D. Kotin & Associates and the County of Inyo, extending the term of the contract an additional 18 months to June 30, 2018, and authorize the Chairperson to sign contingent upon appropriate signatures being obtained and the Board's adoption of future budgets.
12. **Personnel** – Request Board ratify and approve the July 1, 2016 to June 30, 2019 Memorandum of Understanding between the County of Inyo and the Deputy Sheriff's Association and authorize the Chairperson to sign.
13. **Public Defender** – Request Board approve the following amendments for public defender services: A) Amendment No. 1 between the County of Inyo and Sophie C. Bidet for the Provision of Professional Services as a Public Defender (Misdemeanors – North County), extending the end date to June 30, 2020 and increasing the contract amount by \$432,000, pending adoption of future budgets, and authorize the Chairperson to sign; B) Amendment No. 1 between the County of Inyo and Kristine L. Eisler for the Provision of Professional Services as a Public Defender (Felonies), extending the end date to June 30, 2020 and increasing the contract amount by \$450,000, pending adoption of future budgets, and authorize the Chairperson to sign; and C) Amendment No. 1 between the County of Inyo and Josh D. Hillemeier for the Provision of Professional Services as a Public Defender (Misdemeanors – South County), extending the end date to June 30, 2021 and increasing the contract amount by \$540,000, pending adoption of future budgets, and authorize the Chairperson to sign.
14. **Information Services** – Pursuant to the technology refresh initiative, request Board authorize the purchase of 75 desktop computers and 67 laptop computers and associated peripherals from Dell in an amount not to exceed \$138,265.
15. **Information Services** – Request Board approve the renewal of support services for licensed programs referred to as the JALAN Criminal Justice System from Sungard Public Sector, Inc., for the period of December 1, 2016 through November 30, 2016, in an amount not to exceed \$25,313.

COUNTY ADMINISTRATOR/COUNTY COUNSEL

16. Request Board approve Amendment No. 6 to the contract between Gregory L. James, Water/Environmental Attorney-Natural Resources, and the County of Inyo, extending the term of the contract an additional 18 months through June 30, 2018, and authorize the Chairperson to sign contingent upon appropriate signatures being obtained and the Board's adoption of future budgets.

COUNTY ADMINISTRATOR/PLANNING

17. Request Board approve Amendment No. 16 to the contract between Gruen Gruen + Associates (GGA) and the County of Inyo, extending the term of the contract an additional 18 months through June 30, 2018, and authorize the Chairperson to sign contingent upon appropriate signatures being obtained and the Board's adoption of future budgets.

DISTRICT ATTORNEY

18. Request Board authorize the E Step for newly hired Legal Secretary II in the District Attorney's Office, authorizing a change from Legal Secretary II, Range 60, Step C (\$3,823), to Range 70, Step E (\$4,216).

19. Request Board: A) authorize acceptance of the Inyo County Victim/Witness Assistance Program (VW16150140) Grant from the Governor's Office of Emergency Services for Fiscal Year 2016-2017; B) amend Fiscal Year 2016-2017 Budget Unit 620416 as follows: increase estimated revenue in State Grants (4498) by \$28,164, increase appropriations in Medical Insurance by \$75, increase General Operating Expenses by \$1,791, and vehicle revenue in Vehicles (5655) by \$26,298 (4/5ths vote required); and C) authorize District Attorney Thomas L. Hardy to sign any documentation to accept and utilize the grant on behalf of the County.

HEALTH AND HUMAN SERVICES

20. Request Board authorize the Department to submit an application for the County Medical Services Program County Wellness and Prevention Pilot Project, for a three-year funding allocation of \$150,000, to be used to support telemedicine infrastructure throughout Inyo County, including in the jail.

PLANNING DEPARTMENT

21. ***Yucca Mountain Repository Assessment Office*** – Request Board authorize the Chairperson to sign the Joint Funding Agreement with the U.S. Geological Survey for wells and springs monitored in the Amargosa Desert, in the amount of \$8,000.
22. ***Yucca Mountain Repository Assessment Office*** – Request Board: A) certify that \$109,784.30 in funds provided to Inyo County as an Affected Unit of Local Government under the Nuclear Waste Policy Act, as amended, have been expended in accordance with the provisions of that Act, Public Law 97-425; and the 2010 Energy and Water Development and Related Agencies Appropriations Act (Public Law 111-85); B) authorize the Chairperson to sign the certification; and C) direct staff to submit the certification to the U.S. Department of Energy.
23. ***Yucca Mountain Repository Assessment Office*** – Request Board authorize the Chairperson to sign the correspondence from Andy Zdon & Associates, Inc. (AZAI) approving assignment of the agreement between the County of Inyo and AZAI for the provision of hydrological consulting services to Partner Engineering & Sciences, Inc.

PUBLIC WORKS

24. Request Board: A) accept the agreement with the Federal Aviation Administration to pay \$40,535.88 for the commissioning flight inspection of the Precision Approach Path Indicators on Runways 17/35, 12/30, and 08/26 and the Runway End Identifier Lights on Runways 17/35 and 12/30 at Bishop Airport (KBIH), Bishop, CA; B) authorize the Public Works Director to sign the agreement, contingent on the appropriate signatures being obtained; and C) authorize the payment of the invoice in advance of the flight inspection.
25. Request Board approve the plans and specifications for the County Buildings Roofing Project and authorize the Public Works Director to advertise and bid the project.
26. Request Board approve Amendment No. 1 to County of Inyo Standard Contract No. 156 between the County of Inyo and Quincy Engineering to increase the amount of the contract \$45,900 for a total not-to-exceed amount of \$140,650, contingent upon the adoption of future budgets, and authorize the Chairperson to sign contingent on the appropriate signatures being obtained.
27. Request Board approve a resolution titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California Authorizing the Recording of a Notice of Completion for the Independence Airport-Runway 14-32 Pavement Crack Repair, Sealing and Markings Project."

SHERIFF

28. Request Board: A) declare MorphoTrust USA, Inc. as the sole-source provider for the purchase of a new Livescan Fingerprint machine to be located at the Bishop Police Department and; B) approve the purchase of a new Livescan Fingerprint machine from MorphoTrust USA, Inc., in the amount of \$34,024.84 (includes shipping and tax).

29. **HEALTH AND HUMAN SERVICES – Behavioral Health** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Residential Caregiver position exists in the non-General Fund Mental Health budget, as certified by the Health and Human Services Director and concurred with the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could be filled through an internal recruitment though an open recruitment may be required if there are no internal candidates; and C) approve the hiring of one full-time Residential Caregiver, Range 53 (\$2,950 - \$3,587).
30. **HEALTH AND HUMAN SERVICES – Behavioral Health** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Social Worker IV/Psychotherapist position exists in the non-General Fund Mental Health budget, as certified by the Health and Human Services Director and concurred with the County Administrator and Auditor-Controller; B) whereas it is unlikely that the Social Worker IV/Psychotherapist position could be filled by internal candidates meeting the qualifications for either level of the position, an open recruitment would be appropriate to ensure qualified applicants apply for that specialized position; C) approve the hiring of one full-time Social Worker IV at Range 73 (\$4,709 - \$5,278) or Psychotherapist at Range 81 (\$5,692 - \$6,921), depending on qualifications; and D) if the candidate is hired as a Social Worker IV (which also serves as a Psychotherapist Intern), authorize the Department to advance the position to Psychotherapist upon completion of internship and meeting California licensure requirements.
31. **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 HHS Specialist III position exists in the various non-General Fund HHS and one General Fund budgets, as certified by the Health and Human Services Director and concurred with by the County Administrator, and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but as a State Merit System position, an external recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one HHS Specialist III, Range 57 (\$3,232 - \$3,927).
32. **PUBLIC WORKS – Road Department** – Request Board: A) change the authorized staffing for the Road Department by deleting one (1) Road Maintenance Supervisor position (Range 71) and adding one (1) Equipment Operator Lead position (Range 66); B) find that, consistent with the adopted Authorized Position Review Policy: 1) the availability of funding for the requested Equipment Operator Lead position comes from non-General Fund sources and exists in the Road Budget if the Road Maintenance Supervisor position is deleted, as certified by the Public Works Director and concurred with by the County Administrator and Auditor-Controller; 2) where internal candidates meet the qualifications for the position, the vacancy should be filled through an internal recruitment; 3) approve the hiring of one (1) full-time Equipment Operator Lead position, Range 66 (\$3,987 - \$4,853); and C) find, upon filling the Equipment Operator Lead position, that, consistent with the adopted Authorized Position Review Policy: 1) the availability of funding for an Equipment Operator I/II position comes from non-General Fund sources and exists in the Road Budget, as certified by the Public Works Director and concurred with by the County Administrator and Auditor-Controller; 2) where internal candidates may meet the qualifications of the position the vacancy could be filled through an internal recruitment, however there exists a list of qualified applicants from the recent join Road/Solid Waste recruitment that, if used, will add talent to the department; and 3) approve the hiring of one (1) full-time Equipment Operator I/II position, Range 58 (\$3,310 - \$4,027) to Range 60 (\$3,471 - \$4,216).
33. **PUBLIC WORKS – Road Department** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Road Maintenance Supervisor position exists in the Road Budget, certified by the Public Works Director and concurred with by the County Administrator and Auditor-Controller; B) authorize an internal recruitment for the position; and C) approve the hiring of one full-time Road Maintenance Supervisor, Range 71 (\$4,493 - \$5,462).
34. **PLANNING** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for an Associate Planner position exists in the Planning Department General Fund budget, as certified by the Planning Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, however an external recruitment is more appropriate; C) approve the hiring of one Associate Planner at Range 74 (\$4,731 - \$5,750), dependent upon qualifications; and D) authorize the filling of an Associate Planner.

35. **PLANNING DEPARTMENT – Yucca Mountain Repository Assessment Office** – Request Board review the Final Supplemental 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 authorize the Chairperson to sign.
36. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff’s recommendation regarding continuation of 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.
37. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff’s recommendation regarding continuation of 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.
38. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff’s recommendation regarding continuation of 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.
39. **CLERK OF THE BOARD** – Request approval of the minutes of the regular Board of Supervisors meeting of November 15, 2016.

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

- 11 a.m. 40. **COUNTY ADMINISTRATOR/BOARD OF SUPERVISORS** – Enact the following, per the provisions of Measure I, which was approved by a majority of Inyo County voters on November 8, 2016: “An Ordinance of Inyo County, State of California, Adding Chapter 3.50 to the Inyo County Code Pertaining to Taxes on Commercial Cannabis Businesses.”
- 11 a.m. 41. **PLANNING** – Request Board review Proposition 64, and Inyo County advisory ballot Measures G and H in regard to local marijuana regulation, and direct staff how to move forward in planning for regulating medical and recreational marijuana.

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

42. **PUBLIC COMMENT**

BOARD MEMBERS AND STAFF REPORTS

CORRESPONDENCE – ACTION

43. **Planning Department** – Request Board review the Scoping Notice for the Inyo National Forest’s Oak Creek Post-Flood Stream Restoration Project, and potentially direct staff to prepare correspondence in regards thereto and authorize the Chairperson to sign.

CORRESPONDENCE – INFORMATIONAL

44. **California Fish and Game Commission** – Copy of the notice of proposed regulatory action relating to the use of dogs in pursuit and take of mammals, which was published in the California Regulatory Notice Register on November 18, 2016.