

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 13, 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). *TANYA SOLESBEE, v. COUNTY OF INYO, et al.*, United States District Court Eastern District of California Case No. 1:13-CV-01548 AWIJLT
3. **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *MELISSA M. NEYLON AND SHAWN P. NEYLON V. COUNTY OF INYO, INYO COUNTY SHERIFF'S OFFICE, BILL LUTZE, DOUGLAS RICHARDS, and DOES 1 to 50*, United States District Court Eastern District of California Case No. 1:16-CV-00712-AWI-JLT
4. **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *JULIA LANGLEY, v. COUNTY OF INYO, et al.*, United States District Court Eastern District of California Case No. 1:16-CV-01133-DAD-JLT
5. **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *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 Kern Case No. S-1500-CV-279959-DRL
6. **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *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
7. **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *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
8. **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *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
9. **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.

10. **PUBLIC EMPLOYMENT.** (Government Code Section 54957). Title: Planning Director
11. **PUBLIC EMPLOYMENT.** (Government Code Section 54957). Title: Child Support Director.

OPEN SESSION

10:00 a.m. PLEDGE OF ALLEGIANCE

12. **REPORT ON CLOSED SESSION**
13. **PUBLIC COMMENT**
14. **COUNTY DEPARTMENT REPORTS** (*Reports limited to two minutes*)
15. **PRESENTATION** – CAO Carunchio will announce the winners of the Fourth Annual Inyo County Offices Holiday Door Decoration Contest.

CONSENT AGENDA (Approval recommended by the County Administrator)

COUNTY ADMINISTRATOR

16. **Personnel** – Request Board designate Friday, December 22, 2017 as the Christmas Eve Holiday and Friday, December 29, 2017 as the New Year's Eve Holiday for the County of Inyo.
17. **Risk Management** – Request Board approve Contract Amendment No. 5 between the County of Inyo and John D. Kirby A.P.C. for the provision of Civil Litigation Attorney Services, extending the term of the agreement to June 30, 2017 and increasing the contract limit by \$25,000 to an amount not to exceed \$237,000, and authorize the Chairperson to sign.

PLANNING

18. Request Board authorize the Chairperson to sign an extension of the Memorandum of Understanding with the U.S. Forest Service regarding the Inyo National Forest Plan Update/Revision.

SHERIFF'S DEPARTMENT

19. Request Board declare Pro Force Law Enforcement of Prescott, Ariz. as the sole-source provider and approve the purchase of Tasers, holsters, training cartridges, and battery packs in the amount of \$15,378.18, including handling and sales tax.

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

20. **HEALTH AND HUMAN SERVICES – Misc.** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of non-General Fund Social Services and Mental Health funding for an Administrative Analyst II position exists, 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 an external recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of either an Administrative Analyst I at Range 68 (\$4,188-\$5,088) or II at Range 70 (\$4,391-\$5,341), dependent upon qualifications.
21. **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 Caseworker I or II position exists in a non-General Fund budget, 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 in our Lone Pine office of one Integrated Case Worker I at Range 60 (\$3,471 - \$4,216) or Integrated Case Worker II at Range 64 (\$3,810 - \$4,630), dependent on qualifications.

22. **PROBATION** – Request Board ratify, approve, and sign the contract between the County of Inyo and Inyo County Superintendent of Schools for an Extended Day Program for the period of July 1, 2016 to June 30, 2017 in an amount not to exceed \$21,227, and authorize the Chairperson to sign, contingent upon receipts of forecasted Fiscal Year 2016-2017 Vehicle License Fee revenue from the California State Controller's Office.
23. **PROBATION** – Request Board ratify, approve, and sign the contract between the County of Inyo and Healthy Communities of Southern Inyo County for a Delinquency Prevention Program for the period of July 1, 2016 to June 30, 2017 in an amount not to exceed \$31,840, and authorize the Chairperson to sign, contingent upon receipts of forecasted Fiscal Year 2016-2017 Vehicle License Fee revenue from the California State Controller's Office.
24. **PLANNING** – Request Board appoint two (2) Supervisors to serve on each Tribal Consultation Committee and review the draft letter to be sent to each area Tribe inviting the Tribe to consult with the County concerning implementation of the Tribal Consultation Policy and the potential development of a Memorandum of Understanding unique to each Tribe, and authorize the Chair to sign the letters.
25. **PLANNING** – Request Board review draft correspondence to the Rural County Representatives of California, Assemblyman Devon Mathis and Senator Tom Berryhill regarding the Pine Creek Village/Rovana Wastewater Treatment Plant petition being considered before the State Water Resources Control Board, provide input, and authorize the Chairperson to sign.
26. **PLANNING** – Request Board: A) receive a presentation on the status of Rural Desert Southwest Brownfields Coalition activities; B) review, provide comment, and approve related community activities and a Fiscal Year 2017 draft U.S. Environmental Protection Agency Brownfields Assessment Grant Application; and C) authorize the Chairperson to sign a draft Letter of Commitment for the grant application.
27. **PLANNING** – Request Board receive a presentation regarding the 2017 Community Development Block Grant application and provide comments and direction.
28. **PLANNING** – Request Board receive a presentation from staff regarding options for allowing short-term vacation rentals in Residential Zones and provide input and direction on the future of this use.
29. **COUNTY ADMINISTRATOR – Recycling and Waste Management** – Request Board receive an update on recent developments with recycling processing operations in Inyo County.
30. **CHILD SUPPORT SERVICES** – Request Board receive a brief presentation on the Child Support Program.

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

- 11 a.m. 31. **PLANNING** – Request Board conduct a public hearing and enact Ordinance No. 1204, titled, "An Interim Ordinance of the Board of Supervisors of the County of Inyo, State of California Pursuant to Government Code Section 65858(a) Extending Interim Ordinance No. 1200 – An Interim Ordinance of the Board of Supervisors of the County of Inyo, State of California Pursuant to Government Code Section 65858(a) Prohibiting New Non-groundwater-Neutral Agricultural Uses and Declaring the Urgency Thereof."
- 1:30 p.m. 32. **COUNTY ADMINISTRATOR** – Request Board review draft correspondence to the City of Los Angeles Board of Water and Power Commissioners providing input regarding policy changes to business leases and business permits located in Inyo County being proposed by Los Angeles Department of Water and Power staff, make any modifications to the letter your Board deems desirable, and authorize the Chairperson to sign.

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

33. **PUBLIC COMMENT**

BOARD MEMBERS AND STAFF REPORTS