

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 5, 2018

8:30 a.m. 1. PUBLIC COMMENT

CLOSED SESSION

2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9] – County of Inyo v. Los Angeles Department of Water and Power, Inyo County Superior Court Case No. SICVCV 18-61899 (Well 385).**
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS [Pursuant to Government Code §54956.8] – Property: APN 010-490-12, 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.**
4. **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); IHSS Workers; 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, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.**

OPEN SESSION (With the exception of timed items, all open-session items may be considered at any time and in any order during the meeting in the Board's discretion.)

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. **INTRODUCTION** – Kenneth Walker, new Assistant County Administrator, will be introduced to the Board.

CONSENT AGENDA (Approval recommended by the County Administrator)

CLERK-RECORDER-REGISTRAR OF VOTERS

9. Request Board approve the no-cost Cybersecurity Assessments and Technical Services

Agreement between the Department of Homeland Security (DHS) and the County of Inyo, and authorize the Registrar of Voters and/or the Information Services Director to sign all paperwork and coordinate with DHS for provision of services.

CORONER

10. Request Board: A) declare Eva S. Wasef, M.D. a sole-source provider of autopsy services in Inyo County; and B) approve the agreement between Eva S. Wasef, M.D. and the County of Inyo for provision of autopsy services for an amount not to exceed \$71,000 for the term of July 1, 2018 through June 30, 2020, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign.

COUNTY ADMINISTRATOR

11. **Advertising County Resources** – Request Board approve the following final payments from the 2017-2018 Advertising County Resources Budget: \$1,875 to the Lone Pine Chamber of Commerce for the Early Opener Trout Derby; and \$1,875 to the Bishop Chamber of Commerce and Visitors Bureau for the 2018 Blake Jones Trout Derby.
12. **Clerk of the Board** – Request Board reappoint Scott Marcellin and Michael Holland each to four-year terms on the Bishop Rural Fire Protection District Board of Commissioners ending July 1, 2022. (*Notice of Vacancy of three four-year terms resulted in requests for appointment only from Mr. Marcellin and Mr. Mike Holland.*)
13. **Motor Pool** – Request Board approve an increase in the amount of the existing blanket purchase order with Bishop Automotive Center by \$7,000 to a not-to-exceed amount of \$50,000 for vehicle maintenance and repair and tire purchases.
14. **Parks and Recreation** – Request Board: A) award the bid for vault toilet pumping services to Madera Disposal Systems dba Bishop Waste Disposal; B) approve the agreement between the County of Inyo and Madera Disposal Systems dba Bishop Waste Disposal for vault toilet pumping services in an amount not to exceed \$32,760 for a term of one year with options to renew for two additional one-year terms for the period of July 1, 2018 through June 30, 2021, subject to Board approval and adoption of future County budgets; and C) authorize the Chairperson to sign the agreement.

COUNTY COUNSEL

15. Request Board approve Amendment No. 2 to the contract between Greenan, Peffer, Sallandar & Lally, LLP and the County of Inyo, extending the term of the contract for the period of July 1, 2017 until completion of litigation unless sooner terminated, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign.
16. Request Board approve the contract between the Office of County Counsel and Gregory L. James, Attorney at Law, for the provision of Environmental Attorney services for the period of July 1, 2018 through June 30, 2019, at the rate of \$175 an hour for work directly related to litigation services, \$155 an hour for other matters, and travel time which will be paid at \$50 an hour, with a contract limit of \$25,000, contingent upon the Board's adoption of the Fiscal Year 2018-2019 Budget; and authorize the Chairperson to sign.

COUNTY COUNSEL/GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

17. Request Board approve an agreement between Great Basin Unified Air Pollution Control District and the County of Inyo for the County Counsel's Office to provide certain legal services to the District during the period of July 1, 2018 to June 30, 2019 for the sum of \$12,500, contingent upon the Board's adoption of the Fiscal Year 2018-2019 Budget, and authorize the Chairperson to sign.

COUNTY COUNSEL/PLANNING

18. Request Board approve the contract between the County of Inyo and Gregory L. James, Attorney at Law, for the provision of legal services to the County related to the Yucca Mountain Repository Licensing Proceedings before the Nuclear Regulatory Commission, and related

Court actions, for the period of July 1, 2018 through June 30, 2019, at the rate of \$185 per hour, as further set forth in Attachment B, with travel time paid at \$50 an hour and a contract limit of \$25,000, contingent upon the Board's adoption of the Fiscal Year 2018-2019 Budget; and authorize the Chairperson to sign.

COUNTY COUNSEL/WATER DEPARTMENT

19. Request Board approve the contract between the County of Inyo and Gregory L. James, Attorney at Law, for the provision of Water Attorney services to the Water Department, for the period of July 1, 2018 through June 30, 2019, at the rate of \$175 an hour for work directly related to litigation services, \$155 an hour for other matters, and travel time which will be paid at \$50 an hour, with a contract limit of \$100,000, contingent upon the Board's approval of the Fiscal Year 2018-2019 Budget; and authorize the Chairperson to sign.

HEALTH AND HUMAN SERVICES

20. Request Board approve the California Integrated Vital Records System Data Privacy and Security Agreement between the California Department of Public Health (CDPH) and the Inyo County Department of Health and Human Services (HHS) for a term of five years, and authorize the Chairperson to sign.

PLANNING

21. ***Yucca Mountain Repository Assessment Office*** – Request Board: A) approve Amendment No. 2 to the contract between the County of Inyo and Hydrodynamics Group to amend the term of the agreement to be July 1, 2016 to June 30, 2019, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained; and B) approve Amendment No. 2 to the contract between the County of Inyo and Partner Engineering and Science, Inc./Andy Zdon to amend the term of the agreement to be July 1, 2016 to June 30, 2019, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained.

PUBLIC WORKS

22. ***Road Department*** – Request Board approve the removal of one (1) tree in the road right-of-way at 354 West Payne Street, Independence, CA.
23. ***Road Department*** – Request Board approve the removal of two (2) trees in the road right-of-way at 223 South Clay Street, Independence, CA.
24. ***Road Department*** – Request Board: A) approve the 2017-2018 Federal Apportionment Program Federal Exchange and State Match Program, Agreement No. X18-5948(092), with the California Department of Transportation in the amount of \$673,353 plus a State match of \$100,000 for a total not-to-exceed amount of \$773,353; and B) authorize the Chairperson to sign.

SHERIFF

25. Request Board increase spending authority between the County of Inyo and Nielsen's Equipment Maintenance for completion of Phase I of the Vehicle Radio Project from \$311,372 to \$357,200, contingent upon the Board's approval of the Fiscal Year 2018-2019 and future budgets.

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

26. **PLANNING** – Request Board: A) receive a presentation from BLM staff on the West Mojave Route Network Project (WEMO); B) receive a review by Planning staff on the comments previously submitted by the County and how they relate to the Draft Environmental Impact Statement; and C) provide direction to staff to submit comments regarding Alternatives and/or route changes.

27. **BOARD OF SUPERVISORS – Supervisor Mark Tillemans** – Request Board appoint Leslie Stoner to a four-year term on the Big Pine Cemetery District Board of Trustees ending June 30, 2022. (*Notice of Vacancy resulted in request for appointment only from Ms. Stoner.*)
28. **BOARD OF SUPERVISORS – Supervisor Mark Tillemans** – Request Board appoint Richard Baker to an unexpired term on the Independence Cemetery District Board of Trustees ending January 31, 2022. (*Notice of Vacancy resulted in request for appointment only from Mr. Baker.*)
29. **SHERIFF** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Animal Control Officer I exists in the General Fund, as certified by the Sheriff and concurred with by the County Administrator and the Auditor-Controller; 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 qualified applicants apply; and C) approve the hiring of one (1) Animal Control Officer I at Range 56 (\$3,227 - \$3,916).
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 one (1) Administrative Secretary I/II exists, as certified by the HHS Director and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates may meet the qualifications for the position, the position may be filled by an internal recruitment and if an internal recruitment fails, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Administrative Secretary I, Range 56 (\$3,227 - \$3,916) or Administrative Secretary II, Range 60 (\$3,541 - \$4,301), contingent upon qualifications.
31. **HEALTH AND HUMAN SERVICES – Behavioral Health** – Request Board ratify and approve the contract between Mono County Behavioral Health and Inyo County HHS Behavioral Health for the provision of services at Progress House in Bishop for a Mono County client for the period of April 23, 2018 to December 31, 2018 at a rate of \$110 per day and authorize the Chairperson to sign.
32. **AG COMMISSIONER** – Request Board provide direction regarding potential issuance of commercial cannabis “delivery only” licenses that are not subject to the County’s land use authority.
33. **HEALTH AND HUMAN SERVICES DIRECTOR/CHIEF PROBATION OFFICER** – Request Board receive an update on the juvenile services provided by the Probation Department and an update on collaborative projects with Health and Human Services/Continuum of Care Reform.
34. **COUNTY ADMINISTRATOR** – Request Board consider assigning two members of the Board of Supervisors to participate on an evaluation committee on June 14 to review responses to a Request For Proposals.
35. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff’s recommendation regarding continuation of the local emergency known as the “Here It Comes Emergency” that was proclaimed in anticipation of run-off conditions from near-record snowpack posing extreme peril to the safety of property and persons in Inyo County.
36. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff’s recommendation regarding continuation of the local emergency known as the “Rocky Road Emergency” that was proclaimed as the result of flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County caused by an atmospheric river weather phenomena that began January 3, 2017 and continued throughout February.
37. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff’s recommendation to continue the local emergency known as the “Land of EVEN Less Water Emergency” that was proclaimed as a result of extreme drought conditions that existed until recently in the County, while considering how to address the ongoing hydrologic issues in West Bishop.
38. **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.
39. **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.

40. **CLERK OF THE BOARD** – Request Board approve the minutes of the regular Board of Supervisors meetings of April 10, 2018, April 17, 2018, April 24, 2018, May 8, 2018 and May 15, 2018, and the special Board of Supervisors meeting of May 1, 2018.

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

41. **PUBLIC COMMENT**

BOARD MEMBER AND STAFF REPORTS

CORRESPONDENCE – INFORMATIONAL

42. **California Highway Patrol** – Report submitted pursuant to Health and Safety Code Section 25180.7 (Prop 65) regarding the illegal discharge (or threatened illegal discharge) of hazardous waste, which could cause substantial injury to the public health or safety.