

# Agenda

## County of Inyo Board of Supervisors

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.

**Special Meeting**  
**July 31, 2013**  
**8:30 a.m.**  
**163 May Street, Bishop**

**8:30 a.m. PLEDGE OF ALLEGIANCE**

- 1. PUBLIC COMMENT**
- 2. COUNTY ADMINISTRATOR – Emergency Services - Request Board A) approve a resolution entitled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Confirming and Ratifying the Declaration by the Director of Emergency Services for the County of Inyo, Proclaiming the Existence of a Local Emergency" related to severe thunderstorms which swept over portions of Inyo County, with the most violent storm occurring on July 22, 2013, resulting in torrential rains and flash-flooding in the central, south and south eastern portions of Inyo County; and, B) authorize the County Administrative Officer or his designee to make revisions to the resolution, as appropriated or if requested by the Office of Emergency Services, and to proceed in executing the resolution without further review by your Board.**

### **CLOSED SESSION**

- 3. PERSONNEL [Pursuant to Government Code §54957].** Public Employee Appointment – Title - County Counsel.
- 4. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].** Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistant Association (EOAA) - Negotiators: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion.
- 5. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Correctional Officers Association (ICCOA) - Negotiators: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion.
- 6. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6].** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, and Information Services Director Brandon Shults.

7. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) - Negotiators: Information Services Director Brandon Shults, Chief Probation Officer Jeff Thomson, and Labor Relations Administrator Sue Dishion.
8. **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: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion.
9. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriffs Association (DSA) - Negotiators: Labor Relations Administrator Sue Dishion; Information Services Director Brandon Shults and Planning Director Josh Hart.
10. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW.**



## AGENDA REQUEST FORM

BOARD OF SUPERVISORS  
COUNTY OF INYO

For Clerk's Use Only:  
AGENDA NUMBER

2

- Consent     Departmental     Correspondence Action     Public Hearing  
 Scheduled Time for     Closed Session     Informational

FROM: County Administrator

FOR THE BOARD MEETING OF: July 31, 2013

SUBJECT: Resolution Confirming the OES Directors Declaration of Local Emergency

### DEPARTMENTAL RECOMMENDATION

Request your Board:

- a) approve a resolution entitled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Confirming and Ratifying the Declaration by the Director of Emergency Services for the County of Inyo, Proclaiming the Existence of a Local Emergency" related to severe thunderstorms which swept over portions of Inyo County, with the most violent storm occurring on July 22, 2013, resulting in torrential rains and flash-flooding in the central, south and south eastern portions of Inyo County; and,
- b) authorize the County Administrative Officer or his designee to make revisions to the resolution, as appropriated or if requested by the Office of Emergency Services, and to proceed in executing the resolution without further review by your Board.

### SUMMARY DISCUSSION

As a result of severe weather conditions, including violent thunderstorms and flash flooding, which began July 22, 2013, and resulted in torrential rains and flash-flooding in portions of Inyo County, a local emergency was proclaimed by the County's Director of Emergency on Friday, July 26, 2013. Pursuant to State law and the County Code, your Board must ratify this resolution within seven days for it to remain in full force and effect. Your Board must also review and confirm the continuance of the emergency at least every two weeks during regularly scheduled Board meetings. Declaring a local emergency is the first step that must occur to begin the process of accessing State OES, and possibly Federal funds to help with the costs incurred by the County and its residents.

Also, in order to seek assistance from the State, the County is required to estimate the amount of damage as a result of the emergency conditions. At the present time, the estimate for road and property restoration is in the hundreds of thousands of dollars. Many roads are inaccessible at this time. Once the appropriate Preliminary Damages Assessments (PDAs) and Initial Damage Estimates (IDE) are complete, more refined damage estimates will be forwarded, with the appropriate documentation to the State Office of Emergency Services.

### ALTERNATIVES

Your Board could choose not to ratify the Director's declaration of a local emergency, in which case the force and effect of the Director's proclamation would terminate today. Due to the uncertain extent of the damage that has occurred, and the ongoing assessment of resources and costs that will need to be allocated to the disaster, staff will present a recommendation in this regard at today's meeting. As a result, the amount and extent of damage will be increased or modified.

**OTHER AGENCY INVOLVEMENT**

Response to the disaster has been, and continues to be a multi-department and multi-agency effort, including: the Inyo County Sheriff's Department, Health and Human Services, Road Department, Public Works Department, County Counsel, the California Highway Patrol, Cal Trans and the Governor's Office of Emergency Services.

**FINANCING**

Costs information will be refined during the recovery process. The level and types of State and possible Federal support that might be forthcoming depends on the State OES Director's concurrence in the declaration of a local emergency, the Governor proclaiming a State Emergency in Inyo County, and the possible but unlikely Presidential declaration of emergency.

<b>APPROVALS</b>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i>  Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>  Approved: _____ Date _____
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i>  Approved: _____ Date _____

**DEPARTMENT HEAD SIGNATURE:**

(Not to be signed until all approvals are received)



Date:

7/26/13

**RESOLUTION NO. 2013-  
A RESOLUTION OF THE  
BOARD OF SUPERVISORS, COUNTY OF INYO, STATE OF CALIFORNIA,  
CONFIRMING AND RATIFYING THE DECLARATION BY THE  
DIRECTOR OF EMERGENCY SERVICES FOR THE COUNTY OF INYO,  
PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY**

**WHEREAS**, a severe thunderstorm system has swept over portions of Inyo County beginning July 22, 2013 and to date, still continues to occur; and,

**WHEREAS**, this weather pattern has culminated, to date, with the most violent storm occurring on July 22, 2013, and resulting in torrential rains, high winds, electrical storms and flash-flooding throughout the south and south eastern portions of Inyo County; and,

**WHEREAS**, on August 28, 2012, Inyo County proclaimed the Roadeater emergency following a severe storm system that began during the month of August, 2012 and this emergency continues with unrepaired roads due to the lack of funds needed to access material from borrow pits outside or near Death Valley National Park, which must be certified weed free, to repair roads within the Death Valley National Park; and,

**WHEREAS**, Death Valley Road and Saline Valley Road are critical thoroughfares for residents and visitors that connect the population centers of Inyo County with the natural wonders of the Death Valley National Park; and,

**WHEREAS**, the recent thunderstorm system activity continues to compound the damage and destruction of some of the same County and State highways and routes including portions of highways 395, 190, and 168 and County roads including but not limited to North Saline Valley Road; and,

**WHEREAS**, the continued lack of access to historic borrow pits that are now located inside the Death Valley National Park means that access to materials to repair these roads is not available and unless the County is able to identify borrow pits outside and adjacent to the Park that can be certified as weed free, the materials will have to be hauled over long distances at tremendous cost; and,

**WHEREAS**, the extent of damage to County highways is still being assessed, and this effort is slowed by impassable road conditions marked by washouts and continued flooding; and,

**WHEREAS**, known road damage and destruction poses a threat to persons and property; and,

**WHEREAS**, road damage from the continued series of severe weather events is likely to extend beyond Death Valley and Saline Valley roads, affect other County and State highways, and take months and hundreds of thousands of dollars to repair; and,

**WHEREAS**, some of the other County roads that sustained damage as a result of the severe weather have been identified as North Saline Valley Road, Whitney Portal Road, Panamint Valley Road, Trona Wildrose Road, Mazourka Canyon Road, Division Creek Road and Death Valley Road; and,

**WHEREAS**, these conditions are likely to be beyond the services, equipment, personnel and fiscal resources of the County of Inyo; and,

**WHEREAS**, Government Code Section 8630, and Section 2.56.060 of the Inyo County Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the County Board of Supervisors is not in session and Inyo County is threatened or likely to be threatened by the conditions of disaster or of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment and facilities of this County; and,

**WHEREAS**, Government Code Section 8630 and Inyo Code Section 2.56.060 also requires the Board of Supervisors to take action to ratify the proclamation of an Emergency by the Director of Emergency Services, within seven days thereafter, or the proclamation shall have no further force or effect; and,

**WHEREAS**, on July 26, 2013, when the County Board of Supervisors was not in session and could not be immediately called into session, the Inyo County Director of Emergency Services proclaimed an emergency in Inyo County per the attached declaration, as a result of the conditions described above; and,

**WHEREAS**, the Director of Emergency Services for the County of Inyo found that conditions of disaster and of extreme peril to the safety of persons and property have arisen in Inyo County, caused by the thunderstorms, high winds, torrential rains and these conditions are likely to be beyond the services, equipment, personnel and the fiscal resources of the County of Inyo.

**NOW, THEREFORE, BE IT RESOLVED**, that the Inyo County Board of Supervisors does hereby ratify the declaration of the Director of Emergency Services and proclaims the existence of a Local Emergency in Inyo County as a result of severe weather conditions, including violent thunderstorms sweeping over portions of Inyo County resulting in torrential rains, high winds, electrical storms and flash-flooding throughout the south and south eastern portions of Inyo County; and,

**BE IT FURTHER RESOLVED**, that the Inyo County Board of Supervisor's requests the Director of the Governor's Office of Emergency Services concur in this proclamation of a local emergency; and,

**BE IT FURTHER RESOLVED**, that the Inyo County Board of Supervisors requests that the Governor of the State of California proclaim a State of Emergency; and,

**BE IT FURTHER RESOLVED**, that at the regular meeting of the Inyo County Board of Supervisors on August 6, 2013, the Board will review the need for continuing the local emergency and, if appropriate, take action to terminate the local emergency as of the earliest possible date that conditions warrant.

**PASSED AND ADOPTED** this 31st day of July, 2013 by the following vote of the Inyo County Board of Supervisors:

AYES:	Supervisors Arcularius, Griffiths, Pucci, Tillemans and Kingsley
NOES:	-0-
ABSENT:	-0-
ABSTAIN:	-0-

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Chairperson, Inyo County Board of Supervisors

Attest: *Kevin D. Carunchio*  
Clerk of the Board

By: \_\_\_\_\_  
*Pat Gunsolley, Assistant*

**DECLARATION BY THE DIRECTOR OF EMERGENCY SERVICES  
FOR THE COUNTY OF INYO, STATE OF CALIFORNIA,  
PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY**

**WHEREAS**, Government Code Section 8630, and Section 2.56.060 of the Inyo County Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the County Board of Supervisors is not in session and Inyo County is threatened or likely to be threatened by the conditions of disaster or of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment and facilities of this County; and,

**WHEREAS**, the Inyo County Board of Supervisors is not currently in session and cannot immediately be called into session; and,

**WHEREAS**, the Inyo County Board of Supervisors shall take action to ratify this Proclamation within seven days thereafter or the Proclamation shall have no further force or effect; and,

**WHEREAS**, severe thunderstorms swept over portions of Inyo County beginning July 22, 2013, resulting in torrential rains, high winds, electrical storms, mud and debris flows and other localized flooding and landslides throughout portions of central, south and south east Inyo County; and,

**WHEREAS**, these monsoonal weather conditions threatened lives, damaged and destroyed County roads and State highways and routes including portions of highways 395, 190 and 168 , and County roads including but not limited to North Saline Valley Road, Whitney Portal Road, Panamint Valley Road, Trona Wildrose Road, Mazourka Canyon Road, Division Creek Road and Death Valley Road, and left motorists and other travelers stranded and requiring temporary rooming in and throughout portions of the County; and

**WHEREAS**, this damage has compounded damage resulting from the ongoing Roadeater emergency of 2012 for which the County has had neither the resources or personnel to fully mitigate and restore; and,

**WHEREAS**, these conditions are predicted to continue for another week and are likely to be beyond the control of the services, personnel, equipment, facilities and fiscal resources of the County of Inyo; and,

**WHEREAS**, the Director of Emergency Services for the County of Inyo does hereby find that conditions of disaster and of extreme peril to the safety of persons and property have arisen in Inyo County, caused by the thunderstorms, torrential rains, high winds, electrical storms, landslides, and mud and debris flows and these conditions are or are likely to continue and are likely to be beyond the control of the services, personnel, equipment, facilities and fiscal resources of the County of Inyo.

**NOW, THEREFORE, BE IT RESOLVED AND PROCLAIMED** by the Director of Emergency Services for the County of Inyo that, for the reasons set forth herein, a local emergency now exists throughout Inyo County; and,

**BE IT FURTHER RESOLVED AND REQUESTED** that the Director of the Governor's Office of Emergency Services concur in this declaration of a local emergency; and,

**BE IT FURTHER RESOLVED AND REQUESTED** that Governor of the State of California proclaim a State Emergency in Inyo County; and,

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that during the existence of this local emergency the powers, functions, and duties of the emergency organization of this County shall be those prescribed by State law, by ordinances, and resolutions, and that this emergency shall be deemed to continue to exist until either the Governor of the State of California, or the Board of Supervisors of the County of Inyo, State of California, proclaims its termination, or if the Board of Supervisors of the County of Inyo does not ratify this proclamation with seven days of its issuance. Further, it is directed that this emergency proclamation be forwarded to the Director of the Governor's Office of Emergency Services and the Governor of the State of California, with a request for any and all assistance, including that available under the California Disaster Assistance Act (CDAA).

**DECLARED** this 26<sup>th</sup> day of July, 2013, by the Director of Emergency Services for the County of Inyo.

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Kevin D. Carunchio, Director  
Office of Emergency Services  
County of Inyo, State of California