

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 16, 2014

8:30 a.m. 1. PUBLIC COMMENT

CLOSED SESSION

2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)] – Verizon California Inc., a California corporation v. California State Board of Equalization, County of Inyo, et al., Sacramento County Superior Court Case No. 34-2014-00171512.**
3. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c) – Meet with legal counsel for discussion and advice regarding potential litigation (two cases).**
4. **PERSONNEL [Pursuant to Government Code §54957] - Public Employee Performance Evaluation - Title – County Counsel.**

OPEN SESSION

10:00 a.m. PLEDGE OF ALLEGIANCE

5. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW.**
6. **PUBLIC COMMENT**
7. **BOARD OF SUPERVISORS – Request Board approve a proclamation honoring retiring First District Supervisor Linda Arcularius and present the proclamation. (Proclamation to be provided at the meeting.)**
8. **BOARD OF SUPERVISORS – Request Board provide time for other organizations to make presentations honoring Supervisor Linda Arcularius.**
9. **COUNTY ADMINISTRATOR – Announcement of the winners of the Inyo County Offices Holiday Door Decorating contest and presentation of the awards and prizes.**

CONSENT AGENDA (Approval recommended by the County Administrator)

COUNTY ADMINISTRATOR

10. **Board of Supervisors – Chairperson Supervisor Rick Pucci – Request approval of a Proclamation in appreciation of Mono County District 5 Supervisor Byng Hunt.**

11. **Museum** – Request approval of a Memorandum of Understanding between the County of Inyo and the Bishop Museum and Historical Society for upgrades to the public restroom at Law’s Museum, and authorize the County Administrator to sign.
12. **Misc.** - Request Board approve Amendment #6 to the Contract between the County of Inyo and Allan D. Kotin & Associates to: (a) extend the term of the Contract to June 30, 2015; (b) increase total Contract amount by \$10,000 for an amount not to exceed \$80,000; and, authorize Chairperson to sign, contingent upon appropriate signatures being obtained.

COUNTY ADMINISTRATOR – PLANNING

13. Request your Board approve Amendment #12 to the Contract between the County of Inyo and Gruen Gruen + Associates (GGA), extending the term of the Contract six months to June 30, 2015 and increasing the Contract amount by \$5,000 to a total amount not to exceed of \$395,000 and authorize the County Administrator to sign, contingent upon appropriate signatures being obtained.

COUNTY ADMINISTRATOR – COUNTY COUNSEL

14. Request approval of Amendment #3 to the Contract between the County of Inyo and Gregory L. James, Water/Environmental Attorney-Natural Resources, extending the contract for six months, from January 1, 2015 through June 30, 2015, and authorize the Chairperson to sign, contingent upon appropriate signatures being obtained.

ENVIRONMENTAL HEALTH

15. Request approval of the Contract Amendment No. 1, to the Contract between the County of Inyo and the California Association of Environmental Health Administrators (CAEHA) as represented by Jason Boetzer and John Elkins, extending the Contract for six months to the period ending June 30, 2015; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.

PLANNING

16. **Yucca Mountain** – Request Board A) certify that \$40,610.33 in funds provided to Inyo County as an Affected Unit of Local Government (AULG) 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; and C) Direct staff to submit the certification to the U.S. Department of Energy.
17. Request approval of Amendment No. One to the Contract between the County of Inyo and Meridian Consultants for the provisions of environmental review of the Adventure Trails of the Eastern Sierra System to amend the schedule of fees to increase the total Contract amount to \$305,330, and extend the term of the Contract to April 30, 2015; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained.
18. Request Board preliminarily approve the draft Energy Efficiency Revolving Loan Fund Assessment and Planning Report.

HEALTH AND HUMAN SERVICES

19. **Behavioral Health Services** – Request Board ratify the Memorandum of Understanding, including the seven enclosures, with the new name of Blue Cross of California Partnership Plan, Inc. (Anthem), effective January 1, 2014; and authorize the HHS Director to sign.
20. **EMS** – Request Board appoint the following applicants to the Emergency Medical Care Committee to complete two year terms ending December 31, 2016: Mr. Carl Dennett of the Southern Inyo Fire Protection District, Ms. Colleen Wilson of Southern Inyo Hospital, Mr. Le Roy Kritz of the Lone Pine Fire Department, Dr. Richard Johnson, Inyo County Health Officer, Mr. Joe Capello of the Independence Volunteer Fire Department; and Mr. Marty Fortney of the Big Pine Fire Department representing the member-at-large category. (*Notice of vacancy resulted in requests for appointment being received from those named above.*)

21. **ESAAA** – Request Board appoint the following to the Eastern Sierra Area Agency on Aging (ESAAA) Advisory Council, representing the categories designated, to complete two year terms ending December 11, 2016: Ms. Rachel Lober, Private/Voluntary Leadership; Mr. Roger Rasche, Lower Income; Phyllis Mikalowsky, Lower Income and Family Caregiver, and Harriet Davis, Support Services Provider and Private/Voluntary Leadership. (*Notice of vacancy resulted in requests for appointment being received from those named above.*)

PUBLIC WORKS

22. Request approval of A) the submittal of a California Federal Lands Access Program grant application for South Lake Road; B) authorize the Public Works Director to sign documents related to the grant application; and C) request the Inyo County Local Transportation to program a portion of the South Lake Road project in an amount not to exceed \$1-million in the 2016 Statewide Transportation Improvement Program funding cycle.

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

23. **HEALTH AND HUMAN SERVICES – Inyo County Growing Older Living with Dignity Program** – Request Board adopt a resolution establishing the Fee Schedule for meals and in-home services provided under the Inyo County-Growing Older, Living with Dignity (IC-GOLD) Program, to become effective January 1, 2015.
24. **HEALTH AND HUMAN SERVICES – Health Services** – Request Board ratify the Maternal Child and Adolescent Health (MCAH) Allocation funding between the County of Inyo and California Department of Public Health in the amount of \$133,978 for the period of July 1, 2014 through June 30, 2015; and authorize the Chairperson to sign the Agreement Funding Application Policy Compliance and Certification.
25. **HEALTH AND HUMAN SERVICES – Social Services and ESAAA** - Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the A-PAR Program Services Assistants (PSA) positions exists, as certified by the Director of Health and Human Services, and concurred with by the County Administrator and Auditor Controller; B) where due to the part-time nature of this position it is unlikely that the position could be filled by internal candidates meeting the qualifications of the position, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of two PSA I's at Range 39PT (\$11.23 to \$13.65/hr.) or II's at Range 42PT (\$12.01 to \$14.62) or combination of I and II, depending upon qualifications.
26. **PLANNING** – Request Board concur with the Planning Department's determination that reclamation for the Pine Creek Mine/Mill is partially complete and reduce the financial assurances from \$693,762.63 to \$93,762.63 and direct the Auditor to issue a warrant in the amount of \$600,000 to Avocet Tungsten, Inc.
27. **SHERIFF** - Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for Correctional Officer position comes from the General Fund, as certified by the Sheriff, 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 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 at Range 64 (\$3,735 - \$4,539).
28. **SHERIFF** – Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the Undersheriff position comes from the General Fund, as certified by the Sheriff, and concurred with by 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; and C) approve the hiring of one Undersheriff at Range SC85 (\$6,683 - \$8,129) or SD85 (\$7,018 – \$8,535); or SE85 (\$7,368 - \$8,963), depending on qualifications.
29. **SHERIFF** – Request Board A) declare American Security Group as a sole-source provider of equipment and authorize the purchase of 2 new Dell Professional Services Desktop Video Workstations for video-WII Displays to replace two existing workstations, including installation in the amount of \$7,328.32 including labor and tax in the amount of \$524.32; B) declare Varda Company a sole-source provider for Varda repair services and authorize the purchase of various items per quote dated 10-29-14 for the repair of the Varda System in the amount of \$981.61, including labor, shipping and tax in the amount of \$59.20; C) authorize the service and repair services from J.E.I., for the Digital Voice Recorder, in the amount of \$950; and D) amend the FY 2014-2015 Sheriff's General Budget Unit 022700 by increasing estimated revenue in Citizens Options Public Safety Revenue (*Revenue Code #4488*) by \$9,261 and increasing appropriations in Equipment (*Object Code #5650*) by \$7,329, Law Enforcement Special (*Object Code #5313*) by \$982 and Maintenance of Equipment–Labor (*Object Code #5171*) by \$950. (*4/5's vote required.*)

30. **PUBLIC WORKS – Airports** - Request Board find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the B-PAR Airport Technician position exists, as certified by the Public Works Director, and concurred with by the County Administrator and Auditor Controller; B) where internal candidates meet the qualifications for the position, the vacancy may be filled through an internal recruitment, however, due to the nature of the position, authorize an open recruitment; and C) approve the hiring of one B-PAR Airport Technician II at Range 050PT (\$14.46/hr. - \$17.55/hr.)
31. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board amend the FY 2014-2015 County budget as follows: A) create new budget (#623714) for the 2014 Homeland Security Grant Program; B) increase estimated revenue in the 2014 HSGP, State Grants (*Revenue Code #4498*) by \$94,045; and C) increase expenditures in the 2014 HSGP Budget by \$94,045; and appropriate as recommended by staff. (*4/5's vote required.*)
32. **COUNTY ADMINISTRATOR - Emergency Services** - Request Board continue the local emergency, The Death Valley Roadeater Emergency, that resulted in flooding in the eastern portion of Inyo County during the month of August 2012, per Resolution #2012-32, as recommended by the County Administrator.
33. **COUNTY ADMINISTRATOR – Emergency Services** - Request Board continue the local emergency, 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.
34. **COUNTY ADMINISTRATOR - Emergency Services** - Request Board continue the local emergency, The Canyon Crusher Emergency, that resulted in flooding in the portions of Inyo County during the month of August, 2013, was recommended by the County Administrator.
35. **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 extreme drought conditions that exist in the County as recommended by the County Administrator.
36. **CLERK OF THE BOARD** – Request approval of the minutes of the Board of Supervisors Regular Meeting of December 2, 2014.

DEPARTMENTAL TIMED ITEM (Items will not be considered before scheduled time)

- 1:30 p.m. 37. **PLANNING** – Request Board conduct a public hearing on an ordinance titled “An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Adding Title 22 to the Inyo County Code and Section 7.24.050, 7.52.150, 14.14.080, 10.64.040, 14.20.100, 14.28.175, 14.29.280, 20.08.130, AND AMENDING SECTIONS 1.20.010, 7.60.050, 7.60.060, 7.70.070(H), 11.04.120, 14.08.200, 14.08.210, 14.28.150, 14.29.080, 18.81.370, 21.24.080 and Deleting Section 18.81.380 of the Inyo County Code; and B) waive the first reading of the ordinance and schedule the enactment for 1:30 p.m., January 6, 2015, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

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

- 1:45 p.m. 38. **BIG PINE FIRE DEPARTMENT** – Request Board waive the permit fee in the amount of \$5,258.24 for the construction of the new building the Big Pine Volunteer Fire Department is putting on the land donated by the County.
39. **BIG PINE CEMETERY DISTRICT** – Request Board direct staff to research the District’s claim that 1.6 shares of the Big Pine Water Association held separately in the name of the County of Inyo may be held by the County for the benefit of the District.

DEPARTMENTAL TIMED ITEM (Items will not be considered before scheduled time)

- 2:00 p.m. 40. **COUNTY SERVICES YEAR-IN-REVIEW PRESENTATION** – The County Administrator and County Departments will review departmental highlights in providing public services during 2014.

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

41. **COUNTY DEPARTMENT REPORTS** (*Reports limited to two minutes*)

42. **PUBLIC COMMENT**

BOARD MEMBERS AND STAFF REPORTS

CORRESPONDENCE - INFORMATIONAL

43. **TREASURER-TAX COLLECTOR** – Report of the secured tax delinquency rate within the Southern Inyo Fire Protection District as of June 30, 2014.