

# 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 fewer 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.

### May 7, 2019

**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]** – Name of case: *In Re: National Prescription Opiate Litigation, Inyo County et al. v. Amerisourcebergen Drug Corporation et al*; United States District Court for the Northern District of Ohio, Eastern Division, Case Nos. 1:17-MD-2804, 1-18-OP-45646.
3. **CONFERENCE WITH COUNTY'S LABOR NEGOTIATORS [Pursuant to Government Code §54957.6]** – Regarding 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. County designated representatives – Administrative Officer Clint Quilter, Deputy Personnel Director Sue Dishion, County Counsel Marshall Rudolph, Health and Human Services Director Marilyn Mann, and Chief Probation Officer Jeff Thomson.

**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**

4. **REPORT ON CLOSED SESSION**
5. **PUBLIC COMMENT**
6. **COUNTY DEPARTMENT REPORTS** (Reports limited to two minutes)
7. **INTRODUCTIONS** – The following new employees will be introduced to the Board: Carl Olsen, Agriculture/Weights & Measures/Cannabis Inspector I, Agricultural Commissioner's Office; Heather Todd, Curator of Collections and Exhibits, Eastern California Museum; Maria Miranda, Rehabilitation Specialist, Chad Stark, Rehabilitation Specialist, and Lisa Marie Vetter, Deputy Probation Officer, Probation; and James Feeny, Building Inspector, and Gregory Waters, Engineering Assistant II, Public Works.
8. **PRESENTATION** – Staff from the Los Angeles Department of Water and Power Aqueduct Business Group will provide an overview of the department's spring runoff operations in the Owens Valley.

## DEPARTMENTAL – PERSONNEL ACTIONS

9. **COUNTY ADMINISTRATOR – Parks & Recreation** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Seasonal Park and Campground Maintenance Helper exists in the General Fund, as certified by the Department Head and concurred with by the County Administrator and Auditor-Controller; B) where due to the seasonal nature of the position it is unlikely the vacancy could be filled by an internal candidates meeting the qualifications for the position, an open recruitment is most appropriate to ensure qualified candidates apply; and C) approve the hiring of one (1) Seasonal Park and Campground Maintenance Helper, Range PT50 (\$14.75 - \$17.91/hr.), contingent upon the Board’s adoption of future budgets.
10. **HEALTH & HUMAN SERVICES – Behavioral Health** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Residential Caregiver position exists in the non-General Fund Mental Health budget, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position, the vacancy could be filled through an internal recruitment, but an open recruitment is more appropriate to ensure qualified candidates apply; and C) approve the hiring of one (1) Residential Caregiver, Range 53 (\$3,070 - \$3,732).
11. **HEALTH & HUMAN SERVICES – Behavioral Health** – Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) full-time and one (1) part-time Addictions Counselor III exists in various non-General Fund HHS budgets, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller; B) whereas it is unlikely that the vacancies could be filled by internal candidates meeting the qualifications for the positions, an external recruitment would be appropriate to ensure qualified candidates apply for these specialized positions; and C) approve the hiring of one (1) full-time Addictions Counselor III, Range 64 (\$3,964 - \$4,817) and one BPAR Addictions Counselor III, Range 64PT (\$21.24 – \$25.82/hr.).
12. **HEALTH & HUMAN SERVICES – WIC** – Request Board:
  - A) Approve the amended Registered Dietician Nutritionist job description;
  - B) Change the authorized strength in the HHS Women, Infants & Children, Eastern Sierra Area Agency on Aging, and Child Health and Disability programs by:
    1. Deleting one (1) BPAR Registered Dietician Nutritionist at Range PT74 (\$26.90 - \$32.70/hr.)
    2. Adding one (1) Registered Dietician Nutritionist at Range 74 (\$5,021 - \$6,103)
  - C) Find that, consistent with the adopted Authorized Position Review Policy:
    1. The availability of funding for one (1) Registered Dietician Nutritionist exists, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller;
    2. Where internal candidates may meet the qualifications for the position, the vacancy could be filled through an internal recruitment, but an open recruitment is more appropriate to ensure qualified candidates apply; and
    3. Approve the hiring of one (1) Registered Dietician Nutritionist at Range 74 (\$5,021 - \$6,103).

## CONSENT AGENDA (Approval recommended by the County Administrator)

### **CLERK OF THE BOARD**

13. Request Board appoint John Frederickson to an unexpired four-year term on the Inyo County Fish and Wildlife Commission ending October 6, 2021. (*Notice of Vacancy resulted in request for appointment being received from Mr. Frederickson.*)

### **CLERK-RECORDER-REGISTRAR OF VOTERS**

14. Request Board payment to DFM Associates for the annual DFM Associates Software License Maintenance and Support Fee in the amount of \$14,700, contingent upon the Board’s adoption of the Fiscal Year 2019-2020 Budget.

### **COUNTY ADMINISTRATOR**

15. **Information Services** – Request Board approve the third of three annual payments in the amount of \$26,390 for the three-year Microsoft Windows 10 Enterprise licensing agreement.
16. **Motor Pool** – Request Board: A) award a bid to Bishop Ford for the purchase of one (1) 2019 Ford F350 Crew Cab in the amount of \$38,617.72; and B) award a bid to Enoven of Redding,

CA for the purchase of a 2019 Highway Products Service Body in the amount of \$38,787.85.

17. **Motor Pool** – Request Board approve the repair of a Motor Pool vehicle and authorize a purchase order in the amount of \$3,363.32 payable to Mr. K Automotive in Bishop.
18. **Motor Pool** – Request Board approve the repair of a Motor Pool vehicle and authorize a purchase order in the amount of \$4,048.87 payable to Inyo-Mono Body Shop in Bishop.

#### **COUNTY COUNSEL**

19. Request Board approve a revised Conflict of Interest Code for the Sheriff's Department.

#### **CORONER**

20. Request Board: A) declare Central Valley Toxicology, Inc. a sole-source provider of toxicology services; and B) approve the contract between Inyo County and Central Valley Toxicology, Inc. for the provision of toxicology services in an amount not to exceed \$18,000 for the period of July 1, 2019 through June 30, 2022, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign.
21. Request Board: A) declare Taema Weiss, M.D. a sole-source provider of autopsy services in the southern portion of Inyo County; and B) approve the contract between the County of Inyo and Taema Weiss, M.D. for autopsy services in the southern portion of the county for a total contract amount not to exceed \$43,200 for the term of July 1, 2019 through June 30, 2021, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign.

#### **HEALTH & HUMAN SERVICES**

22. Request Board approve the System Data Use and Disclosure Agreement between the County of Inyo, HHS, California Department of Public Health, and California Reportable Disease Information Exchange for the purpose of receiving and use of information associated with monitoring reportable disease, and authorize the HHS Director or designee to sign.
23. **Behavioral Health** – Request Board approve an addendum to the MOU between Blue Cross of California Partnership Plan, Inc. (Anthem) and Inyo County HHS Behavioral Health Division describing the responsibilities for Substance Use Disorder services for Medi-Cal beneficiaries, and authorize the HHS Deputy Director-Behavioral Health Division to sign.
24. **Behavioral Health** – Request Board authorize a \$17,600 payment to Bakersfield Healthcare Hospital for two involuntary hospitalizations of Inyo County Medi-Cal beneficiaries placed in the facility pursuant to Welfare and Institutions (WIC) Code Section 5150.

#### **PROBATION**

25. Request Board approve the contract between the County of Inyo and Inyo Council for the Arts for the provision of an after-school music and art program to youth throughout Inyo County in an amount not to exceed \$15,300 for the period of May 13, 2019 to August 31, 2019, and authorize the Chairperson to sign.
26. Request Board approve the contract between the County of Inyo and Healthy Communities of Southern Inyo County for a Delinquency Prevention Program in an amount not to exceed \$31,840 for the period of July 1, 2019 to June 30, 2020, contingent upon receipts from the California State Controller's Office and the Board's adoption of the Fiscal Year 2019-2020 Budget, and authorize the Chairperson to sign.
27. Request Board approve the contract between the County of Inyo and Inyo County Superintendent of Schools for an Extended Day Program in an amount not to exceed \$21,227 for the period of July 1, 2019 to June 30, 2020, contingent upon receipts from the California State Controller's Office and the Board's adoption of the Fiscal Year 2019-2020 Budget, and authorize the Chairperson to sign.

28. Request Board authorize a purchase order in the amount of \$3,118.24, payable to Southern Computer Warehouse, Inc. of Atlanta, GA for the purchase of four (4) Hewlett Packard HP ProBook 450 G5 laptops.

**PUBLIC WORKS**

29. Request Board authorize a blanket purchase in the amount of \$40,000 payable to Environmental Concepts of Tehachapi, CA for the purchase of liquid asphalt and parts to repair a Crafcro Crack Sealing Kettle.
30. Request Board authorize and approve blanket purchase orders for Safeway Signs in the amount of \$20,000 for Fiscal Year 2018-2019 for use in the Public Works Department.
31. Request Board: A) amend the February 23, 2016 Board Order regarding the Lease Agreement between the County of Inyo and Brenda and Harry Wilson to reflect the correct contract dates of July 1, 2016 through June 30, 2019 with two options to extend in 2019 and again in 2020; and B) similarly amend the minutes of the February 23, 2016 Board meeting to also reflect the correct dates.
32. Request Board: A) amend the March 14, 2017 Board Order regarding the Lease Agreement between the County of Inyo and the Bruce and Dorothy Branson Trust to reflect the correct contract dates of April 1, 2017 through March 31, 2020 with two options to extend in 2020 and again in 2021; and B) similarly amend the minutes of the February 23, 2016 Board meeting to also reflect the correct dates.
33. Recommend Board approve Amendment No. 2 to the Lease Agreement between the County of Inyo and Denver Gardens LLC for office space at 912, 914, 916 and 918 North Main Street in Bishop, extending the existing lease for two (2) consecutive years, for the period of May 1, 2019 through April 30, 2021, maintaining all current provisions and conditions, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained.
34. **Road Department** – Request Board authorize and approve blanket purchase orders for Miller's Towing in the amount of \$11,000 for Fiscal Year 2018-2019 for use in the Public Works Department.
35. **Road Department** – Request Board: A) approve the 2018-2019 Federal Apportionment Program Federal Exchange and State Match Program Agreement No. X19-5948(095) 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.

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

36. **COUNTY ADMINISTRATOR** – Request Board:
- A) Accept the Fiscal Year 2018-2019 Third Quarter Financial Report as presented;
  - B) Approve the specific budget action items and recommendations discussed in the report and represented in Attachments A & B, and authorize the Auditor-Controller to make the budget adjustments as listed in Attachments A & B (*4/5ths vote required*);
  - C) Authorize the County Administrator and Auditor-Controller to make any additional year-end adjustments, as may be necessary within each fund (*4/5ths vote required*);
  - D) Approve the Preliminary Fiscal Year 2019-2020 Budget Calendar (Attachment C) with regard to the proposed dates for the Budget Hearings and adoption of the Final Budget;
  - E) Direct the County Administrator and Auditor-Controller to prepare a modified rollover budget for the start of Fiscal Year 2019-2020 and present it for approval on June 11 or June 18, 2019; and
  - F) Authorize the County Administrator and Auditor-Controller to transfer the balance of General Fund Contingencies on June 28, 2019 to General Reserves and amend the Fiscal Year 2018-2019 Budget to reflect the changes if needed (*4/5ths vote required*).
37. **COUNTY COUNSEL/WATER DEPARTMENT** – Request Board: A) ratify and approve a contract to provide Executive Manager services to the Owens Valley Groundwater Authority in an amount not to exceed \$37,000 annually beginning April 1, 2019 and continuing until terminated by any party with 30 days' written notice to the other party; B) ratify and approve a contract to provide legal services to the Owens Valley Groundwater Authority in an amount not to exceed \$1,500 per month beginning April 1, 2019 and continuing until

terminated by any party with 30 days' written notice to the other party; and C) authorize the Chairperson to sign both documents.

38. **HEALTH & HUMAN SERVICES – Behavioral Health** – Request Board ratify and approve the CommonGround Services and License Agreement with Pat Deegan, Ph.D. & Associates, LLC in an amount not to exceed \$24,500 for the period of May 1, 2019 through June 30, 2020, contingent upon the adoption of named budgets, and authorize the Deputy HHS Director of Behavioral Health to sign the agreement and the HIPAA Privacy Officer to sign the Business Associates Agreement.
39. **HEALTH & HUMAN SERVICES** – Request Board ratify and approve purchases during Fiscal Year 2018-2019 from Southern Computer Warehouse in the amount of \$12,241.64, including a blanket purchase order in the amount of \$8,000 for the remainder of the fiscal year.
40. **HEALTH & HUMAN SERVICES – Public Health and Prevention** – Request Board ratify and approve the Fiscal Year 2018-2019 Children's Medical Services Plan and Budgets, and authorize the Chairperson to sign the Certification Statements.
41. **PUBLIC WORKS** – Request Board appoint Mr. Harry Bhakta and Mr. Wayne Sayer to two vacancies on the Northern Inyo Airport Advisory Committee: one regular unexpired four-year term ending October 31, 2020 and one alternate unexpired term ending October 31, 2020. (*Notices of Vacancy for the two positions resulted in requests for appointment being received from Mr. Bhakta and Mr. Sayer.*)
42. **CLERK OF THE BOARD** – Request Board approve the minutes from the following regular Board meetings: March 12, 2019, March 19, 2019, March 26, 2019, April 2, 2019, April 9, 2019, and April 16, 2019.

**TIMED ITEMS** (Items will not be considered before scheduled time but may be considered any time after the scheduled time)

- 11 a.m. 43. **SHERIFF** – Request Board conduct a public hearing to consider a report from the Sheriff's Office regarding 2018 interactions and communications with the United States Immigration and Customs Enforcement as outlined in Government Code Section 7283.
- 11:15 a.m. 44. **AG COMMISSIONER** – Request Board: A) hold a public hearing on proposed Ordinance 1241 titled, "An Ordinance of the Board of Supervisors, County of Inyo, State of California, Amending Section 3.50.040 of the Inyo County Code;" and B) approve the ordinance.
45. **AG COMMISSIONER** – Request Board: A) hold a public hearing on proposed Ordinance 1242 titled, "An Ordinance of the Board of Supervisors, County of Inyo, State of California, Amending Sections 5.40.020, 5.40.060, 5.40.070, 5.40.080, 5.40.090, 5.40.140, and 5.40.150 of the Inyo County Code;" and B) approve the ordinance.
46. **CAO/AG COMMISSIONER/COUNTY COUNSEL/PLANNING** – Request Board: A) receive a presentation from staff regarding proposed changes to Title 18 relating to Commercial Cannabis Activities; B) conduct a public hearing on proposed Ordinance 1243 titled, "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Sections 18.06.161, 18.78.360(A); and Adding Sections 18.06.183 and 18.78.184 to the Inyo County Code," and enact said ordinance; and C) certify that the provisions of the California Environmental Quality Act have been met.

**Note: The agenda items listed below may be considered by the Board at any time during the meeting in the Board's discretion, including before scheduled timed items.**

#### **CORRESPONDENCE – ACTION**

47. **Inyo Council for the Arts** – Request Board approve Resolution No. 2019-19, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California Designating Inyo Council for the Arts as the County's Partner to the California Arts Council," and authorize the Chairperson to sign.
48. **Inyo County Fish and Wildlife Commission** – Request Board authorize a \$922.75 expenditure from the Fish and Game Fine Fund to the Bishop Area Chamber of Commerce and Visitors Bureau to cover a portion of the reprinting costs for the Inyo-Mono Fishing Map.

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

49. **PUBLIC COMMENT**

**BOARD MEMBER AND STAFF REPORTS**