



Inyo Local Agency Formation Commission
 168 North Edwards Street
 Post Office Drawer L
 Independence, California 93526

Phone: (760) 878-0263
 FAX: (760) 872-2712
 E-Mail: inyolafco@inyocounty.us

INYO LOCAL AGENCY FORMATION COMMISSION AGENDA

March 19, 2020
 9:00 A.M.

To be held at:
 Bishop City Council Chambers
 301 West Line Street
 Bishop, CA. 93514

Commissioners:	Rick Pucci (Inyo County) Jeff Griffiths (Inyo County) Laura Smith (City of Bishop) Stephen Muchovej (City of Bishop) Alan Tobey (Public) Chairperson
Alternates:	Dan Totheroh (Inyo County), Jim Ellis (City of Bishop)
Executive Officer:	Cathreen Richards
Staff Analyst/Clerk:	Paula Riesen
Counsel:	Marshall Rudolph

Items will be heard in the order listed on the agenda unless the Inyo Local Agency Formation Commission (LAFCO) rearranges the order or the items are continued.

The LAFCO Chairperson will announce when public testimony can be given for items on the agenda. Please be aware that the Commission will consider testimony on both the project and related environmental documents.

If you challenge in Court any findings, determination or decision made following any Public Hearing announced in this agenda in Court, you may be limited to raising only those issues you or someone else rose at the Public Hearing, or in written correspondence delivered to the Inyo LAFCO at, or prior to, the Public Hearing.

Public Notice: In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact Inyo LAFCO at (760) 878-0263 (28 CFR 35.102-3.104 ADA Title II). Notification 48 hours prior to the meeting will enable the Commission 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 Inyo LAFCO at least 72 hours prior to the meeting to enable the Commission to make the agenda available in a reasonable alternative format (Government Code Section 54954.2).

- ITEM 1: Pledge of Allegiance**
- ITEM 2: Roll Call** – Roll call will be taken by staff.
- ITEM 3: Public Comment Period** – This is the opportunity for anyone in the audience to address the Commission on any relevant subject that is not scheduled on the Agenda.

Closed Session:

ITEM 4: Conference with Legal Counsel – Existing Litigation. (Paragraph (1) of subdivision (d) of Government Code Section 54956.9) Name of case(s): *Inyo LAFCO and Northern Inyo Healthcare District v. Southern Mono Healthcare District* (Sacramento Superior Court and California Court of Appeal, Third District).

Open Session:

- ITEM 5: Report on Closed Session as required by law.**
- ITEM 6: Approval of Minutes (Action Item)** – the Commission will consider the minutes from November 18, 2019.
- ITEM 7: Approval of an Out of Area Service Contract (Action Item)** - Northern Inyo Hospital District to Southern Inyo Hospital District for Occupational Therapy to be located at the Owens Valley School in Independence.
- ITEM 8: Approval of an Out of Area Service Contract (Action Item)** - Northern Inyo Hospital District to Southern Inyo Hospital District for medical services including but not limited to pediatrics and orthopedics to be located at the Southern Inyo Rural Health building in Lone Pine.
- ITEM 9: Election of the Chair (Action Item)** – the Commission will entertain motions and conduct an election for the Chair.
- ITEM 10: Election of the Vice-Chair (Action Item)** – the Commission will entertain motions and conduct an election for the Vice-Chair.
- ITEM 11: Public Comment Period** – This is the opportunity for anyone in the audience to address the Commission on any relevant subject that is not scheduled on the Agenda.
- ITEM 12: Executive Officer’s and Commissioners’ Reports**
- ITEM 13: Determine Time and Location for the Next Meeting of Inyo LAFCO**
- ITEM 14: Adjournment**



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Commissioners:

Rick Pucci – Inyo County
Laura Smith - City of Bishop
Allen Tobey – Public (Chair)
Stephen Muchovej – City of Bishop
Jeff Griffiths – Inyo County

Alternates:

Dan Totheroh (Inyo County)
Jim Ellis (City of Bishop)

LAFCO Staff:

Cathreen Richards – Inyo County - (Executive Officer)
Marshall Rudolph (Counsel)
Paula Riesen – Inyo County – (Project Coordinator)

Minutes for Monday, November 18, 2019 – Special Meeting

These Minutes are for consideration for approval by Inyo LAFCO at its next meeting.

The Inyo Local Agency Formation Commission met on Monday, November 18, 2019, at City of Bishop Council Chambers, Bishop, CA. Chair Tobey opened the meeting at 9:03 a.m.

ITEM 1: Pledge of Allegiance – All recited the Pledge of Allegiance.

ITEM 2: Roll Call – Roll Commissioners Present: Chair Allen Tobey, Laura Smith, Jeff Griffiths, Stephen Muchovej.

Staff present: Cathreen Richards, Executive Officer, Marshall Rudolph, County Counsel and Paula Riesen, Project Coordinator.

ITEM 3: Public Comment Period – This is the opportunity for anyone in the audience to address the Commission on any relevant subject not scheduled on the Agenda.

The only person from the public present was Dr. Kevin Flanigan, he was present for the Special Closed Session Litigation Meeting. Chair Alan Tobey, closed the public comment period at 9:04 a.m.

ITEM 4: Approval of Minutes (Action Item) – the Commission will consider the minutes from May 16, 2019.

Chair Toby made a motion to approve and seconded by Laura Smith.
The motion passed 4-0.

Closed Session:

ITEM 5: Update from Legal Counsel: Existing Litigation [Pursuant to Government Code §54956.9(d)(1)] – Inyo Local Agency Formation Commission and Northern Inyo Healthcare District vs. Southern Mono Healthcare District.

Marshal Rudolph gave update of Litigation regarding the trial court’s decision.

Closed Session ended at 9:44 am

ITEM 6: Report on Closed Session as Required by Law.
There was nothing it report it was an informational session only.

Open Session:

Executive Officer’s and Commissioners’ Reports

None given at this time.

Directors Report - Cathreen Richards, Planning Director said there is no new business at this time.

Determine Time and Location for the Next Meeting of Inyo LAFCO

Since there is not any pressing issues next meeting will be determined at another time as needed.

Adjournment – Chair Alan Tobey adjourned meeting at 9:50 am.



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LAFCO STAFF REPORT

AGENDA ITEM No. **7 (Action Item - Public Hearing)**

DATE OF MEETING: **March 19, 2020**

SUBJECT: **LAFCO Application 2020-01/Northern Inyo Hospital District
Extension of Services**

EXECUTIVE SUMMARY

This application is a request for approval of an extension of services from the Northern Inyo Hospital District (NIHD) for rehabilitation services that include: occupational therapy, physical therapy and speech pathology to students who reside in the Southern Inyo Hospital District (SIHD). These services are intended to be performed at the Owens Valley School (OVS) located in Independence and the SIHD is currently unable to provide them. This area is outside the NIHD boundary and completely within SIHD's.

Government Code Section 56133(a) states that a city or district may provide new or extended services by contract or agreement outside of its jurisdictional boundary only if it first requests and receives written approval from the commission. Staff is recommending the Inyo LAFCO approve the proposal by NIHD for the extension of services as it will result in the provision of necessary services to students who attend the Owens Valley School.

PROJECT INFORMATION:

Application: LAFCO Application No. 2019-02/Northern Inyo Hospital District
Applicant: Northern Inyo Hospital District
Landowner: Owens Valley School District
Location: Southern Inyo Hospital District
A.P.N.: N/A
Territory Size: N/A
Zoning: Public (P)
General Plan: Public Facility (PF)

Proposal: NIHD is requesting the approval of LAFCO for an extension services in the SIHD to provide rehabilitation services to students that attend the Owens Valley School, located within the SIHD boundary, consistent with an agreement from SIHD and with the Owens Valley School District.

Recommendation Staff is recommending the Inyo LAFCO approve the proposal by NIHD for the extension of services into SIHD's boundary as it will result in the provision of necessary services to students who attend the Owens Valley School.

Action: *Adopt the Resolution* of the Commission making findings and approving the extension of services by NIHD into the SIHD territory.

Alternatives: *Do not approve the* extension of services. This is not recommended as these services are vital to the students in the SIHD who require them.

Project Planner: Cathreen Richards

ANALYSIS:

The NIHD was approached by the Owens Valley School superintendent inquiring if the District could provide rehabilitation services to OVS students. These rehabilitation services include: occupational and physical therapy and speech pathology. NIHD agreed to provide the services to OVS on the condition that SIHD supported it and that NIHD could get approval from LAFCO. NIHD then asked SIHD if they would agree to the extension of services into their territory. SIHD answered in support and agreed to the extension of services by NIHD in a letter dated July 18, 2019. NIHD is now asking LAFCO for approval.

Government Code Section 56133 provides for LAFCO consideration of the extension services by a city or district. Specifically, Section 56133 (a) provides:

"A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the commission."

ENVIRONMENTAL REVIEW

The out of area service agreement is exempt from CEQA pursuant to a Class 1 Categorical Exemption (CEQA Guidelines Section 15301- Existing Facilities).

STAFF RECOMMENDATION

Staff recommends the Commission approve the proposed out of area service agreement by adopting the attached resolution entitled "A Resolution of the Inyo Local Agency Formation Commission Making Determinations and Approving the Agreement Between the NIHD and SHID.

ATTACHMENTS:

- Agreement from SIHD for NIHD services
- Draft LAFCO Resolution

Southern Inyo Healthcare District
501 E. Locust St. P.O. Box 1009 Lone Pine, CA 93545
Phone: 760-876-5501 Fax: 760-264-4292

07/18/2019

Dr. Kevin Flannigan, MD-CEO
Northern Inyo Healthcare District
150 Pioneer Lane
Bishop, CA 93514

RE: Support for Northern Inyo Healthcare District to Provide Services within Southern Inyo Healthcare District Boundaries

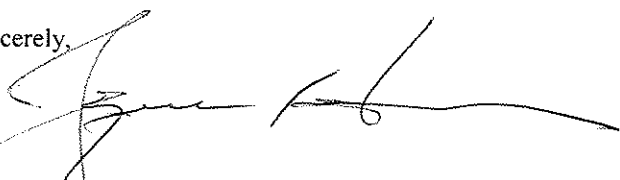
To Whom It May Concern:

Please accept this letter as formal support for Northern Inyo Healthcare District's request to provide Rehabilitation Services (Occupational Therapy, Physical Therapy & Speech Pathology) to the students within Southern Inyo Healthcare District. We are pleased to partner with Northern Inyo Healthcare District to meet the needs of our students.

Additionally, we welcome a partnership with Northern Inyo Healthcare District for the delivery of pediatric care to the youth of Southern Inyo Healthcare District. While Southern Inyo Healthcare District currently provides care to children through our Family Medicine service; having a partnership with Northern Inyo Healthcare District specialty trained providers to support our team is clearly in the best interest of the patients we serve.

In closing we wish to be clear, we welcome Northern Inyo Healthcare District as a partner with the full understanding that as Southern Inyo Healthcare District expands services Northern Inyo Healthcare District will withdraw any approved service once it is available directly through Southern Inyo Healthcare District.

Sincerely,


Jaque Hickman
Board of Directors Southern Inyo Healthcare District

**BEFORE THE LOCAL AGENCY FORMATION COMMISSION,
COUNTY OF INYO, STATE OF CALIFORNIA:**

RESOLUTION No. 2020-01/ NORTHERN INYO HOSPITAL DISTRICT

**A RESOLUTION OF THE INYO LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING LAFCO APPLICATION No. 2020-
01/NORTHERN INYO HOSPITAL DISTRICT SERVICE EXTENSION AND THE
AGREEMENT BETWEEN THE NORTHERN INYO HOSPITAL DISTRICT AND THE
SHOUTERN INYO HOSPITAL DISTRICT**

Resolved, by the Inyo County Local Agency Formation Commission, that

WHEREAS, Government Code Section 56133 provides a district or city may provide new or extended services by contract or agreement only if it first requests and receives written approval by the local agency formation commission in the affected county; and

WHEREAS, on November 8, 2019 an application for approval of a service extension contract between the Northern Inyo Hospital District (NIHD) and the Southern Inyo Hospital District (SIHD) was filed with the Executive Officer of the Inyo County Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the California Government Code; and

WHEREAS, the Executive Officer has reviewed the Agreement between NIHD and SIHD for rehabilitation services to include occupational and physical therapy and speech pathology at the Owens Valley School, located in Independence, California and found said agreement to be in compliance with the requirements of Government Code Section 56133; and

WHEREAS, the Inyo LAFCO is the lead agency for determining compliance of this project with the requirements of the California Environmental Quality Act of 1970, as amended, and has found said project to be exempt from the requirements of CEQA; and

WHEREAS, on March 19, 2020 this Commission considered the report of the Executive Officer, including her recommendation thereon, public comment, and all other evidence presented with respect to this proposal; and

NOW, THEREFORE BE IT RESOLVED the Inyo Local Agency Formation Commission does approve LAFCO Application No. 2020-01/Northern Inyo Hospital District for Rehabilitation Services in the boundary of SIHD; and

BE IT FURTHER RESOLVED, the Executive Officer is hereby authorized and directed to mail certified copies of this Resolution to the NIHD and SIHD.

PASSED AND ADOPTED this 19th day of March, 2020.

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson
Inyo Local Agency Formation Commission

ATTEST:

Executive Officer
Inyo Local Agency Formation Commission



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LAFCO STAFF REPORT

AGENDA ITEM No. **8 (Action Item - Public Hearing)**

DATE OF MEETING: **March 19, 2020**

SUBJECT: **LAFCO Application 2020-02/Northern Inyo Hospital District
Extension of Services**

EXECUTIVE SUMMARY

This application is a request for approval of an extension of services from the Northern Inyo Hospital District (NIHD) for services to be conducted within the Southern Inyo Hospital District (SIHD) boundary. These services are for the provision of medical services to include but limited to pediatrics and orthopedics. NIHD will lease a space(s) at the SIHD Rural Health Clinic located in Lone Pine to see patients. This area is outside the NIHD boundary and completely within SIHD's.

Government Code Section 56133(a) states that a city or district may provide new or extended services by contract or agreement outside of its jurisdictional boundary only if it first requests and receives written approval from the commission.

PROJECT INFORMATION:

Application: LAFCO Application No. 2019-02/Northern Inyo Hospital District
Applicant: Northern Inyo Hospital District
Landowner: Southern Inyo Hospital District
Location: Southern Inyo Hospital District
A.P.N.: N/A
Territory Size: N/A
Zoning: Administrative and Professional Offices (C3)
General Plan: Public Facility (PF)

Proposal: NIHD is requesting the approval of LAFCO for an extension services in the SIHD to provide medical services to include but not limited to pediatrics and orthopedics at the SIHD Rural Health building, located in Lone Pine and within the SIHD boundary. This request is consistent with an agreement between SIHD and NIHD.

Recommendation Staff is recommending the Inyo LAFCO approve the proposal by NIHD for the extension of services as it will result in the provision of services not conveniently available to people who live in the SIHD. Currently these services can only be

obtained in the City of Bishop, which is a long distance for people who live within the SIHD boundary.

Action: *Adopt the Resolution* of the Commission making findings and approving the extension of services by NIHD into the SIHD territory.

Alternatives: *Do not approve the* extension of services. This is not recommended as these services not currently available within the SIHD boundary for people who require them.

Project Planner: Cathreen Richards

ANALYSIS:

The NIHD and SIHD worked out a mutually beneficial agreement for NIHD to provide medical services within the SIHD boundary. The proposed medical services include but are not limited to pediatrics and orthopedics. The SIHD territory covers close to 6,000-square-miles and includes several small communities located long distances to certain medical services that are only located in the City of Bishop. The furthest of these communities is Pearsonville at about 115-miles from Bishop and the closest, Independence, is about 45-miles. SIHD is in support of and agreed to the extension of services by NIHD in a letter dated February 13, 2020. NIHD is now asking LAFCO for approval.

Government Code Section 56133 provides for LAFCO consideration of the extension services by a city or district. Specifically, Section 56133 (a) provides:

"A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the commission."

ENVIRONMENTAL REVIEW

The out of area service agreement is exempt from CEQA pursuant to a Class 1 Categorical Exemption (CEQA Guidelines Section 15301- Existing Facilities).

STAFF RECOMMENDATION

Staff recommends the Commission approve the proposed out of area service agreement by adopting the attached resolution entitled "A Resolution of the Inyo Local Agency Formation Commission Making Determinations and Approving the Agreement Between the NIHD and SHID.

ATTACHMENTS:

- Agreement from SIHD for NIHD services
- Draft LAFCO Resolution

Southern Inyo Healthcare District
501 E. Locust St. P.O. Box 1009 Lone Pine, CA 93545
Phone: 760-876-5501 Fax: 760-264-4292

02/13/2020

Local Agency Formation Commission
Attn: Cathreen Richards
168 N. Edwards Street
PO Drawer L
Independence, CA 93526

Dear Cathreen Richards,

Please accept this letter as Southern Inyo Healthcare District's support and agreement of Northern Inyo Healthcare District's request to provide the stated services:

NIHD will sublease space in SIHD Rural Health Clinic building for the provision of medical services including but not limited to pediatrics and orthopedics.

If you should have any questions feel free to contact the Administration Office at (760) 876-2210.

Best Regards,



Peter Spiers, Ph.D.
Chief Executive Officer

**BEFORE THE LOCAL AGENCY FORMATION COMMISSION,
COUNTY OF INYO, STATE OF CALIFORNIA:**

RESOLUTION No. 2020-02/ NORTHERN INYO HOSPITAL DISTRICT

**A RESOLUTION OF THE INYO LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING LAFCO APPLICATION No. 2020-
02/NORTHERN INYO HOSPITAL DISTRICT SERVICE EXTENSION AND THE
AGREEMENT BETWEEN THE NORTHERN INYO HOSPITAL DISTRICT AND THE
SHOUTHERN INYO HOSPITAL DISTRICT**

Resolved, by the Inyo County Local Agency Formation Commission, that

WHEREAS, Government Code Section 56133 provides a district or city may provide new or extended services by contract or agreement only if it first requests and receives written approval by the local agency formation commission in the affected county; and

WHEREAS, on February 11, 2020 an application for approval of a service extension contract between the Northern Inyo Hospital District (NIHD) and the Southern Inyo Hospital District (SIHD) was filed with the Executive Officer of the Inyo County Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the California Government Code; and

WHEREAS, the Executive Officer has reviewed the Agreement between NIHD and SIHD for medical services including but not limited to pediatrics and orthopedics to be conducted at the SIHD Rural Health Clinic, located in Lone Pine California, and found said agreement to be in compliance with the requirements of Government Code Section 56133; and

WHEREAS, the Inyo LAFCO is the lead agency for determining compliance of this project with the requirements of the California Environmental Quality Act of 1970, as amended, and has found said project to be exempt from the requirements of CEQA; and

WHEREAS, on March 19, 2020 this Commission considered the report of the Executive Officer, including her recommendation thereon, public comment, and all other evidence presented with respect to this proposal; and

NOW, THEREFORE BE IT RESOLVED the Inyo Local Agency Formation Commission does approve LAFCO Application No. 2020-02/Northern Inyo Hospital District for Medical Services, including but not limited to pediatrics and orthopedics within the boundary of SIHD; and

BE IT FURTHER RESOLVED, the Executive Officer is hereby authorized and directed to mail certified copies of this Resolution to the NIHD and SIHD.

PASSED AND ADOPTED this 19th day of March, 2020.

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson
Inyo Local Agency Formation Commission

ATTEST:

Executive Officer
Inyo Local Agency Formation Commission