

MINUTES



County of Inyo Board of Supervisors

September 19, 2017

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:36 a.m., on September 19, 2017, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Mark Tillemans, presiding, Dan Totheroh, Jeff Griffiths, Rick Pucci, and Matt Kingsley.

PUBLIC COMMENT Chairperson Tillemans asked for public comment during the first public comment period and there was nobody wishing to address the Board.

CLOSED SESSION Chairperson Tillemans recessed open session at 8:36 a.m. to convene in closed session with all Board members present to discuss the following items: No. 2 **PUBLIC EMPLOYMENT [Pursuant to Government Code §54957]** – Titles: Environmental Health Director; Health and Human Services Director; No. 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; and No. 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 Chairperson Tillemans recessed closed session and reconvened the meeting in open session at 10:01 a.m. with all Board members present.

PLEDGE Supervisor Totheroh led the Pledge of Allegiance.

REPORT ON CLOSED SESSION County Counsel Marshall Rudolph reported that no action was taken during closed session that is required to be reported. The Board had not finished its closed session business, however, and would recess to closed session later in the meeting to continue discussions.

PUBLIC COMMENT Chairperson Tillemans asked for public comment during the second public comment period.

Captain Tim Noyes of the Bishop CHP informed the Board that as of November 1 he will be leaving for another command. He said his replacement should be appointed effective December 1. He said it has been a pleasure working with the County and whoever takes over will hopefully continue to have a good relationship. Chairperson Tillemans said Noyes represented his post well, and his efforts to communicate with the Board on important issues were very much appreciated. CAO Carunchio joined the Board in thanking the Captain for all his work, noting that the coordination with the CHP through the Unified Command during the runoff emergency was fabulous and much appreciated.

Linda Chaplin of Independence suggested that with the promotion of U.S. 395 as El Camino Sierra and for the sake of tourism, residents, chambers of commerce, civic clubs, and business pay more attention to the appearance of the highway in towns, specifically tumbleweeds growing where people walk and park. She said it gives a bad impression.

INTRODUCTIONS

Interim Health and Human Services Director Marilyn Mann introduced the following new HHS employees to the Board: Serena Johnson, First 5 Director, and Jeannette Torres, Human Services Supervisor.

*PROCLAMATION –
WILD IRIS –
DOMESTIC VIOLENCE
AWARENESS MONTH*

Trina Tobey, PhD, executive director of Wild Iris, went before the Board to ask for October 2017 to be declared Domestic Violence Awareness Month in Inyo County, and to ask the Board and community to participate in outreach and awareness events scheduled throughout October. She said in the last 12 months, Wild Iris served 310 domestic violence victims in Inyo County, answering 287 hotline calls related to domestic violence in August and providing 209 peer counseling sessions to domestic violence victims and 59 safe bed nights for people in immediate risk of harm due to domestic violence. She said research has shown the best way to prevent reoccurrence of domestic violence episodes is to provide victims with stable housing, which is why Wild Iris has secured transitional housing. She said Wild Iris is in the process of renovating the facility and is hoping to have the first four units finished by October. Tobey said grants haven't funded all of the renovation and furnishings, so Wild Iris is looking for community support for the six other units with 60 people currently on a waiting list. She invited the Board to a dedication of a bench in memory of Wild Iris founder Eileen Peterson, distributed to the Board purple ribbon pins to wear every day in October and painted rocks with which to participate in the "Inyo County Rocks" project, and discussed other upcoming events and activities. Chairperson Tillemans thanked Dr. Tobey and asked Supervisor Griffiths to read the proclamation aloud. After a reading of the proclamation, it was moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve a proclamation declaring October Domestic Violence Awareness Month in Inyo County. Motion carried unanimously.

*COUNTY
DEPARTMENT
REPORTS*

Public Works Director Clint Quilter reported that Silver Canyon Road will be closed over the next couple of days while the Slim Princess locomotive is temporarily relocated to Laws Museum and again when it is moved back to the Eastern California Museum.

Chief Probation Officer Jeff Thomson thanked CAO Carunchio, the Board, County employees, and the Inyo Council for the Arts for a great employee barbecue at Millpond during the Music Festival. He also said he misspoke last week when saying the Chief Probation Officers of California opposes Assembly Bill AB 1250; the CPOC is watching the legislation's progress but currently has not official position.

*CORONER – TAEMA
WEISS, MD
CONTRACT*

Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve the contract with Taema Weiss, M.D. for autopsy services for the term of October 1, 2017 through June 30, 2019 for a total contract amount not to exceed \$43,200, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign. Motion carried unanimously.

*CAO – ALLAN D.
KOTIN & ASSOC.
AMENDMENT 11*

Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve Amendment No. 11 to the contract between Allan D. Kotin & Associates and the County of Inyo, revising the contract schedule of fees, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

*PARKS & REC –
WESTERN NEVADA
SUPPLY P.O.*

Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve a purchase order to Western Nevada Supply in the amount of \$10,000 for irrigation supplies throughout County parks and campgrounds. Motion carried unanimously.

*HHS – ESTA BUS
PASS BULK
PURCHASE*

Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve an annual bulk purchase of Eastern Sierra Transit Authority bus passes for Health and Human Services programs, in an amount not to exceed \$19,185.48, contingent upon the adoption of the Fiscal Year 2017-2018 Budget. Motion carried unanimously.

*HHS-BEHAVIORAL
HEALTH - NPLH
RESO#2017-45*

Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve a resolution titled, "A Resolution of the Board of Supervisors of the County of State of California, Authorizing Application for, and Receipt of, No Place Like Home Inyo, Program Technical Assistance Funds," and authorize Gail Zwier, Deputy Director of Behavioral Health, to execute the application on behalf of the County. Motion carried unanimously.

*PW – AWARD &
APPROVE BRAZOS
URETHANE*

Moved by Supervisor Pucci and seconded by Supervisor Kingsley to: A) award the construction contract for the County Buildings Roofing Project to Brazos Urethane, Inc. of Fresno, CA in the amount of \$49,057.00; B) approve the construction contract with Brazos Urethane, Inc. and

CONTRACT

authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained; and C) authorize the Public Works Director to execute all other Project Contract documents, including Contract Change Orders, to the extent permitted by Public Contract Code Section 20142 and other applicable laws, contingent upon obtaining appropriate signatures. Motion carried unanimously.

**PW – AWARD &
APPROVE UNIVERSAL
COATINGS
CONTRACT**

Moved by Supervisor Pucci and seconded by Supervisor Kingsley to: A) award the construction contract for the Water Department Roof Sealing Project to Universal Coatings, Inc. of Fresno, CA in the amount of \$28,250.00; B) approve the construction contract with Universal Coatings, Inc. and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained.; and C) authorize the Public Works Director to execute all other Project Contract documents, including Contract Change Orders, to the extent permitted by Public Contract Code Section 20142 and other applicable laws. Motion carried unanimously.

**BOS-CHAIRPERSON
TILLEMANS –
CHUCKWALLA HILL
CLEANUP GATE FEE
WAIVER/
RESO#2017-46**

Chairperson Tillemans said he was approached by an Independence resident regarding a clean-up event at Chuckwalla Hill, which is badly littered. He noted that other groups, agencies, and local businesses are involved in the event, which will be followed by a potluck. He said waiving gate fees for these types of events is a routine show of support from the County, and added that the volunteers will do their best to sort recyclable material but it may not be possible given the fact they are cleaning up a shooting range. Chairperson Tillemans said donations have been dedicated to cover any costs outside of those waived by the County. Supervisor Kingsley called the clean-up a great event headed up by local events taking initiative because they care about their local lands, which makes him proud. He noted that this particular area will need a lot of work and the volunteers will likely need assistance with future clean-ups. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve a resolution titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Waiving Solid Waste Disposal and Gate Fees for Trash and Litter Removal During 2017 National Public Lands Day Clean-up at Chuckwalla Hill." Motion carried unanimously.

**CAO – FY 17/18 FINAL
BOARD APPROVED
BUDGET**

CAO and Budget Officer Carunchio recapped the budget hearings, conducted and concluded on September 5 and during which the Board received input from department heads and members of the public. He noted that at the conclusion of the hearings, the Board directed certain changes to the Fiscal Year 2017-2018 CAO Recommended Budget, which have been incorporated into the Fiscal Year 2017-2018 Final Budget now up for Board approval. Those changes included how to appropriate \$403,314 in unbudgeted Fund Balance that was certified by the Auditor-Controller above what was initially anticipated; adding an additional position to the Assessor's Office without requiring him to return to the Board later in the year for approval; and increasing revenues and expenditures in the Mosquito Abatement budget to accommodate recent aerial operations. Carunchio said with the changes incorporated, the Final Budget contains a countywide estimated revenue total of \$88,136,036 (General Fund portion is \$54,461,199) and \$94,261,195 in projected revenues (General Fund portion is \$58,723,989). He said the difference is covered by fund balances between the General Fund and non-General Fund. Chairperson Tillemans said amazing prep work has once again gone into the budget, which also involved a lot of work from all departments, and he commended Carunchio and his staff for the quality of their work. Moved by Supervisor Pucci and seconded by Supervisor Totheroh to: A) adopt the Fiscal Year 2017-2018 Budget as recommended by the County Administrator and as amended, as directed on September 5, 2017; and B) approve a resolution titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Adopting the Final Budget for Fiscal Year 2017-2018." Motion carried unanimously.

**PLANNING –
PRESENTATION/
LETTERS RE: 2017
CDCRPA AND
CORRCA**

Planning Director Cathreen Richards, as directed by the Board at its August 15 meeting, presented information on S.32: 2017 California Desert Conservation and Recreation Protection Act (CDCRPA) and H.R. 857: 2017 California Off-Road Recreation and Conservation Act (CORRCA) after researching and comparing the two bills to each other and previous versions. The bills were introduced this year by Senator Dianne Feinstein and Congressman Paul Cook, respectively. She said S.32 is basically the same version as previous bills but with some minor changes. Specific to Inyo County, the bill includes the establishment of the Alabama Hills National Scenic Area, proposes the addition of a Wilderness Area near China Lake Naval Base, provides for the development of an MOU between the County and Death Valley National Park for use of the County's gravel pit along Saline Valley Road, identifies Surprise Creek as a Wild and Scenic River, establishes a program for sharing royalty payments collected by the BLM with counties, and expands the national park system with Wilderness Areas. She said Cook's bill is

the same as Feinstein's except his does not include the BLM royalty sharing provision and it also includes the most recent version of the Alabama Hills National Scenic Area proposal. Richards said staff prepared two letters for each legislator expressing the Board's support for the Alabama Hills National Scenic Area, encouraging them to expedite the designation – even if it means separating out the Alabama Hills portion from the rest of the bill and recommending the Cook's and Feinstein's bills. The letters also extend the Board's gratitude for granting the County permanent access to the Saline Valley gravel pit, reiterates previously expressed concerns about the Surprise Creek designation preventing the County from being able to maintain the road to Chris Wicht Camp, and requests Wilderness Areas and Wild and Scenic River designations be removed and addressed after more thorough vetting and public outreach. Supervisor Kingsley said the letter to Feinstein needed to stress that her bill must include the correct the version of the Alabama Hills National Scenic Area proposal, which was altered to address an issue with private property. He also asked Public Works Director Clint Quilter for confirmation on whether the Surprise Creek designation would pose a problem with road maintenance, and he assured the Board that, after some double-checking, the Wild and Scenic designation would stop at Chris Wicht Camp. Chairperson Tillemans opened the floor to public comment. Earl Wilson of Lone Pine advised the Board to be cautious with regard to the maps being used by the legislators. He said when the Navy changed its boundaries at China Lake, a GIS error resulted in the loss of public access to Christmas Canyon. Supervisor Pucci said it's important Feinstein's staff is made aware it has the wrong version of the Alabama Hills proposal in Feinstein's bill. CAO Carunchio asked whether Surprise Canyon was still an issue in light of Quilter's assurances and Supervisor Kingsley said he was comfortable omitting that paragraph from the letters but he did want to highlight the grassroots effort of the Alabama Hills Stewardship Group and the widespread local support, both of which make a stronger case for the National Scenic Area designation. Supervisor Griffiths said both legislators, their staffs, and constituents have vetted the Wilderness Areas and Wild and Scenic designations over the past several years and felt the request to remove them from the legislation was unnecessary. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to: A) approve the letters as written, minus the final paragraph and with the addition of mention of local support as articulated by Supervisor Kingsley, plus language asking Feinstein to include the same version of the Alabama Hills proposal in her legislation that Cook has in his; and B) authorize the Chairperson to sign. Motion carried unanimously.

*SHERIFF – DEPUTY
SHERIFF POSITION*

Sheriff Lutze asked permission to fill a vacant deputy sheriff position. Moved by Supervisor Kingsley and seconded by Supervisor Griffith for the Board to find that, consistent with the adopted Authorized Review Policy: A) the availability of funding for one (1) Deputy Sheriff position comes from the General Fund, as certified by the Sheriff, and concurred with by the County Administrator and Auditor-Controller; and B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, however an external recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Deputy Sheriff, Range 67SA-SC (\$4,232 - \$5,677) and authorize up to Step D for a qualified lateral applicant. Motion carried unanimously.

*WATER DEPT. –
CONTRACT FOR
ORWT CEQA WORK*

Water Director Bob Harrington said the Water Department sent out a Request for Proposals in June for a firm to perform California Environmental Quality Act work required for the Owens River Water Trail (ORWT) Project. Harrington said the RFP resulted in the selection of a \$546,902 proposal, which the Los Angeles Department of Water and Power will be asked to underwrite if approved by the Board. He said in order to expedite the process, the Board is also being asked to authorize the CAO to sign a funding agreement with LADWP once Harrington and County Counsel concur the County and LADWP have arrived at an acceptable agreement. Harrington noted that progress on the \$500,000 ORWT Project has thus far been impeded by unanswered technical questions, and Supervisor Kingsley said the County is fortunate that the City of L.A. volunteered to pay for the CEQA work to get those questions answered. CAO Carunchio said the County has dodged a \$500,000 bullet in the form of CEQA costs by embarking on the current process. He thanked LADWP for the funding offer. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to: A) approve the contract between the County of Inyo and Environmental Science Associates for services to satisfy environmental review requirements for the Owens River Water Trail, in an amount not to exceed available funding of \$546,902 for the period of September 19, 2017 through November 1, 2018, and authorize the County Administrator to sign, subject to LADWP and the County entering into an agreement whereby LADWP agrees to provide funding to the County sufficient to cover the costs of the contract; B) authorize the County Administrator to execute and sign, upon concurrence of County Counsel and the Water Director, an agreement whereby LADWP agrees to provide

funding to the County sufficient to cover the costs of the contract; and C) amend the Fiscal Year 2017-2018 Water Department Budget (Budget 024102) as follows: increase estimated revenue in Contribution from DWP (Object Code 4563) by \$546,902 and increase appropriation in Professional and Special Services (Object Code 5265) by \$546,902 (*4/5ths vote required*), contingent on a signed funding agreement with LADWP. Motion carried unanimously.

**COUNTY COUNSEL –
FIRST 5 COMMISSION
ALTERNATE MEMBER
PROPOSED
ORDINANCE**

County Counsel Marshall Rudolph acknowledged and thanked Deputy County Counsel Terry Walker for putting together a proposed ordinance that would change the composition of the First 5 Commission to allow for the addition of an alternate member from the Board of Supervisors. He explained that the ordinance is a follow-up to Board discussions in January regarding adding alternate members to certain commissions and committees. He noted that some of the additions were easy, but others required changes in bylaws or amendments to County Code, as the First 5 Commission did. He said if the Board decided to introduce the proposed ordinance today and waive the first ready, staff would bring it back at a later date for adoption. Moved by Supervisor Pucci and seconded by Supervisor Totheroh to introduce and waive further reading of a proposed ordinance titled, “An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Section 2.50.060 of the Inyo County Code, Pertaining to the Membership of the Children and Families Commission.” Motion carried unanimously.

**HERE IT COMES
EMERGENCY**

CAO Carunchio reported that staff from Los Angeles Mayor Garcetti’s office notified him of the Mayor’s intention to conclude the City’s Emergency Proclamation related to the runoff, but wanted to coordinate with the County. Carunchio said he in turn raised two issues with the City that the County will likely want resolved before it terminates its own Emergency Proclamation: repairs needed on the Bishop Bypass and the profusion of invasive weeds, including salt cedar, as a result of LADWP’s massive water-spreading efforts over the summer. He said he advised Los Angeles of the opportunity to re-fund the salt cedar trust before terminating the Emergency Proclamation, and noted that the plants will ultimately be growing on City land and sucking up a lot of water that could be better used elsewhere. He said discussions are expected to continue in October. Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to continue 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. Motion carried unanimously.

**ROCKY ROAD
EMERGENCY**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to continue 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. Motion carried unanimously.

**LAND OF EVEN LESS
WATER EMERGENCY**

Moved by Supervisor Pucci and seconded by Supervisor Griffiths 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. Motion carried unanimously.

**GULLY WASHER
EMERGENCY**

Public Works Director Clint Quilter reported that the work to repair Trona-Wildrose Road from damage caused by the Gully Washer Emergency has been completed and the County is now waiting for its last reimbursement payment from the State before ending the local emergency declaration. He also provided the Board with an update on damage to other County desert roads from recent storms, and related road closures and re-openings. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to continue 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. Motion carried unanimously.

**DV DOWN BUT NOT
OUT EMERGENCY**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to continue 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. Motion carried unanimously.

PUBLIC COMMENT

Chairperson Tillemans asked for public comment during the final public comment period and there was no-one wishing to address the Board.

**CORRESPONDENCE-
ACTION – EASTERN**

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the re-scheduling of Eastern Sierra Community Services District Governing Board Elections from odd-numbered

**SIERRA CSD
ELECTIONS**

years to even-numbered years in accordance with Elections Code 1303(b) and Senate Bill 415 (2015-2016 Regular Session), and approve the consolidation of the District's Governing Body Elections with the Statewide General Election pursuant to Elections Code 10404. Motion carried unanimously.

**BOARD AND STAFF
REPORTS**

Supervisor Griffiths provided an update SB 5, a park and water bond, and said it would behoove the County to start thinking of projects that can be cleared environmentally now so they are shovel-ready when the money is released for the first round of grants.

Supervisor Kingsley said he attended a meeting of the California Transportation Commission last week in Mammoth where Inyo County made a presentation on the Trona-Wildrose Road reverse relinquishment proposal. He said even though the meeting was expectedly dominated by conversation about Mono and Mammoth issues, Inyo Public Works Director Clint Quilter and Transportation Planner Courtney Smith did a great job representing the County's interests.

County Counsel Marshall Rudolph said he attended a County Counsel conference last week where a lot of timely and interested topics were presented and discussed.

CAO Carunchio thanked everyone for coming to the employee barbecue, which had the highest head count in its 10-year history. He also thanked County Counsel Rudolph for his personal contribution in helping to purchase the meet, Assistant to the County Administrator Kelley Williams for organizing the entire event, and to various other staff for helping to cook and set up tables. He also floated the idea of a fall trip to Washington, D.C. similar to last year's trip where Board members had great access to legislators in order to engage on issues critical to Inyo County. He suggested possible dates and said the idea could be discussed further.

Supervisor Griffiths said he felt last year's October trip was very productive and he would be interested in going again, as did Supervisor Kingsley.

CLOSED SESSION

Chairperson Tillemans recessed open session at 11:40 p.m. to convene in closed session with all Board members present to continue discussion and possible action as appropriate on previously noted closed session items.

OPEN SESSION

Chairperson Tillemans recessed closed session and reconvened the meeting in open session at 12:51 p.m. with all Board members present. No action was taken during closed session that is required to be reported.

ADJOURN

Chairperson Tillemans adjourned the meeting at 12:52 p.m. to a special session at 10 a.m. Tuesday, September 26, 2017 in the May Street Conference Room in Bishop.

Chairperson, Inyo County Board of Supervisors

*Attest: KEVIN D. CARUNCHIO
Clerk of the Board*

by: _____
Darcy Ellis, Assistant