



County of Inyo Board of Supervisors

March 18, 2008

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 9:00 a.m., on Tuesday, March 18, 2008, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Linda Arcularius presiding, Susan Cash, Beverly Brown, Jim Bilyeu and Richard Cervantes. Supervisor Cervantes provided the Invocation, and Supervisor Cash led the Pledge of Allegiance.

Public Comment The Chairperson announced the public comment period and there was no one from the public wishing to address the Board.

County Department Reports The Chairperson announced the County Department Report period. Sheriff Bill Lutze and Ms. Jean Dickinson, Director of Health and Human Services, updated the Board on the Pleasant Valley Fire and evacuation efforts associated with the fire. Mr. Brandon Shults, Information Services Director, updated the Board on the Network Project. Mr. Jon Klusmire, Museum Administrator, invited the Board to visit the new Basket Exhibit at the Museum. The Chairperson asked Staff to agendize the visit on an upcoming agenda.

CAO-Info Serv./ Verizon Agreement Moved by Supervisor Brown and seconded by Supervisor Cash to approve the Agreement between Verizon and the County of Inyo for local telephone service and related services (such as voice mail) for the period of April 26, 2008 through April 26, 2009, contingent upon the adoption of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.

CAO-Info Serv./ Wiring Office of Ed Bldg. Moved by Supervisor Brown and seconded by Supervisor Cash to approve the Plans and Specifications for the former County Schools Facility and authorize Information Services to publish the Notice Inviting Bids for the project. Motion carried unanimously.

Library/Letter Seeking Appt. Moved by Supervisor Brown and seconded by Supervisor Cash to approve the letter to the State Librarian seeking appointment of a Library Director pursuant to California Education Code §19150, and authorize the Chairperson to sign. Motion carried unanimously.

CAO-Advertising County Resources/ Tourism Marketing Services Contract With regard to the Tourism and Marketing Services Contract, Supervisor Arcularius asked that because of the state of the economy and concerns which have been shared with her regarding the upcoming tourism season as a result of the economy and gas prices, that efforts to market the County focus on those items which have more immediate results. Moved by Supervisor Brown and seconded by Supervisor Cash to approve the Agreement between the County of Inyo and Strategic Marketing Group for Tourism Marketing Services, for the period of March 18, 2008 through March 17, 2009, in an amount not to exceed \$75,000, contingent upon the Board's adoption of a FY 2007-08 County Budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

HHS-Behavioral Hlth./Casa Pacifica Contract Moved by Supervisor Brown and seconded by Supervisor Cash to ratify and approve the Contract between the County of Inyo and Casa Pacifica for the provision of mental health placement services for the period of December 1, 2007 through June 30, 2008, in an amount not to exceed \$75,000; and authorize the Chairperson to sign. Motion carried unanimously.

HHS-Inyo First 5 Comm./ Professional Development Program Contract Moved by Supervisor Brown and seconded by Supervisor Cash to ratify and approve the Contract between the County of Inyo and the Inyo County Local Child Care Planning Council for the continuing administration of the Professional Development Program, for the period of January 1, 2008 through June 30, 2008, in an amount not to exceed \$22,500; and authorize the Chairperson to sign. Motion carried unanimously.

- HHS-AODS/Alpine Counseling Center Contract Moved by Supervisor Brown and seconded by Supervisor Cash to ratify and approve the Contract between the County of Inyo and Alpine Counseling Center for the provision of drug court related services for the period of January 1, 2008 through December 31, 2008, in an amount not to exceed \$21,668, contingent upon the Board's adoption of a FY 2008-09 County Budget; and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Mental Hlth./ Villa Merced Center Contract Amendment Moved by Supervisor Brown and seconded by Supervisor Cash to ratify and approve Amendment No. 1 to the Contract between the County of Inyo and Villa Merced Behavioral Health Center, increasing the amount of the Contract by \$32,500 to a total amount not to exceed \$90,000, for the period of July 1, 2007 through June 30, 2008; and authorize the Chairperson to sign. Motion carried unanimously.
- P.W./Salas O'Brien Engineers Contract Amendment Moved by Supervisor Brown and seconded by Supervisor Cash to approve Amendment No. 1 to the Contract between the County of Inyo and Salas O'Brien Engineers for Electrical Design Services for the Electrical Upgrade Project, extending the term of the Contract from an ending date of March 31, 2008 to December 31, 2008, contingent upon the Board's adoption of a FY 2008-09 County Budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- P.W./Office of Ed Building Carpet P.O. Moved by Supervisor Brown and seconded by Supervisor Cash to approve a purchase order to Tom's Carpet for the purchase and installation of carpet in the former Inyo County Office of Education Building located at 135 South Jackson Street, in Independence, in an amount not to exceed \$8,103.70, including tax. Motion carried unanimously.
- Rd. Dept./Asphalt Surfacing P.O. In response to questions from Supervisor Cervantes, the County Administrator and County Counsel, confirmed that with regard to the request to award the bid for asphalt surfacing materials, the process did comply with the County's purchasing policy. Additionally, it was noted that the amount of the contract for the materials is less than that which was budgeted and approved in the FY 2007-08 Budget, and that it was probably the cost of transportation, which had resulted in no other bids being received since the next closest provider of this material is in Bakersfield. Moved by Supervisor Bilyeu and seconded by Supervisor Brown to award and approve the Contract for asphalt surfacing material, to Intermountain Slurry Seal, Inc., dba Desert Aggregate, for the period of April 1, 2008 through December 31, 2008, in an amount not to exceed \$244,590, including sales tax, contingent upon the Board's adoption of a FY 2008-09 County Budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- Org.-Wild Iris/Child Abuse Prev. Month Proclamation A representative of Wild Iris addressed the Board to provide further information on the requests to declare April as Child Abuse Prevention Month and Sexual Assault Awareness Month and noted many of the activities, which will be taking place throughout the month of April to highlight these two important concerns. Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve a proclamation declaring April as Child Abuse Prevention Month; and authorize the Chairperson to sign. Motion carried unanimously.
- Org.-Wild Iris/ Sexual Assault Awareness Month Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve a proclamation declaring April as Sexual Assault Awareness Month; and authorize the Chairperson to sign. Motion carried unanimously.
- Resol. #2008-08/ Agreement for Implementing Storage Tank Act The Director of Environmental Health, Mr. Marvin Moskowitz, provided additional information and further justification for the Agreement between the County and the State of California for implementation of the "Aboveground Petroleum Storage Tank Act." On a motion by Supervisor Bilyeu and a second by Supervisor Brown, Resolution No. 2008-08 entitled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Authorizing the Inyo County Director of Environmental Health Services to Apply for Grant Funds and Enter Into an Agreement with the State of California and Designating the Director of Environmental Health Services to Sign the Agreement and any Amendments Thereto for Implementation of the Aboveground Petroleum Storage Tank Act," is approved: motion unanimously passed and adopted.

P.W./Nolte Assoc. Water Rates Contract	The County Administrator briefly described the services to be provided by Nolte Associates. Supervisor Cervantes noted his objection to this contract, saying that he feels the work can be performed in house by our Public Works Department. He also noted that he felt this contract would result in higher town water system rates, which he also could not support. Supervisor Cervantes went on to say that he felt the Long Term Water Agreement (LTWA) provides that the town water rates will be kept "artificially low," and that the money the County receives from DWP should be used for this purpose and not put into the General Fund. Supervisors Arcularius, Cash, Bilyeu and Brown, addressed some of the remarks made by Supervisor Cervantes by noting that (a) nowhere in the LTWA does it state that the town water rates will be kept "artificially low;" (b) that the money received from DWP via the LTWA agreement is used to fund the Inyo County Water Department; (c) that given the work load in the Public Works Department and the issues surrounding the establishment of water rates, it is prudent and provides validity to have an outside third party conduct the studies; (d) that the results of this contract will help identify much needed funding sources for the operations of the town water systems; and (e) that the money for this contract was unanimously approved during adoption of final budget and is less than originally estimated. The Board continued to discuss the contract, with Supervisor Bilyeu suggesting that the Board request one final presentation on the Long Term Water Agreement in relation to the town water systems. Moved by Supervisor Bilyeu and seconded by Supervisor Cash to approve the Contract between the County of Inyo and Nolte Associates, Inc., for water rates services in an amount not to exceed \$69,780; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained, and further direct Staff to agendize a presentation on the Long Term Water Agreement in relation to the town water systems. Motion carried on a four-to-one vote, with Supervisors Arcularius, Cash, Brown and Bilyeu voting yes, and with Supervisor Cervantes voting no.
Sheriff/Taser P.O.	Moved by Supervisor Bilyeu and seconded by Supervisor Cash to A) declare "ProForce" as a sole source provider of tasers and approve the purchase of five Taser X26E devices and two Taser Cameras from ProForce in an amount not to exceed \$5,275; and B) amend the FY 2007-08 Sheriffs General Budget Unit #022700 by increasing estimated revenue in Citizens Option for Public Safety (COPS), Revenue (<i>Revenue Code #4488</i>) by \$5,275 and increasing appropriations in Office and Other Equipment (<i>Object Code #5232</i>) by \$5,275. Motion carried unanimously.
Sheriff/Two-Way Radio P.O.	Moved by Supervisor Brown and seconded by supervisor Cash to A) award the bid for and approve the purchase of twelve two-way radios and accessories from the low bidder Discount Two-Way Radio, in an amount not to exceed \$3,830; and B) amend the FY 2007-08 Jail General Budget Unit #022900 by increasing estimated revenue in Citizens Option for Public Safety (COPS), Revenue (<i>Revenue Code #4488</i>) by \$3,830 and increasing appropriations in Office and Other Equipment (<i>Object Code #5232</i>) by \$3,830. Motion carried unanimously.
Sheriff/Mobile Radio P.O. and Installation	Moved by Supervisor Bilyeu and seconded by Supervisor Brown to A) declare "Nielsen's Equipment Maintenance" as a sole source provider of Kenwood dual band mobile radios and approve the purchase and installation of five Kenwood 90 series dual band mobile radios from Nielsen's Equipment Maintenance in an amount not to exceed \$16,635; and B) amend the FY 2007-08 Sheriffs General Budget Unit #022700 by increasing estimated revenue in Citizens Option for Public Safety (COPS), Revenue (<i>Revenue Code #4488</i>) by \$16,635 and increasing appropriations in Office and Other Equipment (<i>Object Code #5232</i>) by \$16,635. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 9:50 a.m., to reconvene in open session at 10:00 a.m., with all Board Members present.
Planning/Rd. Designation Coordination Update	Planning Department Staff Member, Mr. Matt Gaffney, briefly updated the Board on coordination efforts with the Forest Services on their Route Designation process. He asked for guidance and assistance from the Board concerning the County gaining access to the data base, the Forest Service utilized in making their determinations on which roads would be closed and why. Supervisors Cash and Arcularius updated the Board on the activities of the Collaborative Alternatives Team, highlighting recent meeting results. The Board and Staff continued to discuss the need to have access to the database, with the County Administrator noting that without the County being given access to the database, there is no coordination taking place. Mr. Carunchio also noted that the issue of coordination with the County is a separate issue from the Route Designation activities being pursued by the Forest Service. Supervisor Arcularius noted that she would have the opportunity to briefly talk with the Regional Forester and asked that Staff provide her with any documentation they would like to have her pass on.

The Board agreed with Staff that the County must have access to the database, noting that while they recognize the Forest Service's concerns with releasing this information, the County, as a governmental agency can be trusted to not release the information.

BofS/Minute
Approval

Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve the minutes of the February 26, 2008 Board of Supervisors Meeting. Motion carried unanimously.

Board Members and
Staff Reports

The Board Members reported on their activities during the preceding week, including a meeting with LADWP General Manager, Special Court Session honoring Judge Chapman, Cooperative Alternatives Team Meetings, ESCOG and ESTA Meetings, a meeting in Tecopa regarding Health and Human Services, various constituent meetings, City/County Liaison Meeting, an Arts Council fund raiser, an RCRC Meeting, and a Great Basin Air Pollution Control Board Meeting.

Public Comment

The Chairperson announced the second public comment period and there was no one wishing to address the Board.

Closed Session

The Chairperson recessed open session at 11:55 a.m., to reconvene in closed session with all Board Members present, to discuss and take action as required on Agenda Items No. 24. **PENDING LITIGATION (Pursuant to Government Code §54956.9(b)(3)(C)** – Claims filed by Jeffery and Sonja Pratt and Martin and Jessica Klemencic against the County of Inyo (Claim Nos. 2803 and 2804); No. 25. **PERSONNEL [Pursuant to Government Code §54957]** – Public Employee Appointment – Title: Director of Public Works; No. 26. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: County Administrator Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 27. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: DSA - Negotiators: County Administrator Kevin Carunchio, Sheriff Bill Lutze, and Labor Relations Administrator Sue Dishion; No. 28. **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: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 29. **REAL PROPERTY NEGOTIATIONS (Conference with Real Property Negotiators Pursuant to Government Code §54956.8)** – Property – Eastern Sierra Regional Airport (Bishop); Negotiating Parties – City of Los Angeles Department of Water and Power, and County of Inyo; Negotiations – Price and Terms; No. 30. **REAL PROPERTY NEGOTIATIONS (Conference with Real Property Negotiators Pursuant to Government Code §54956.8)** – Property –2957 Birch Street, Bishop, CA; Negotiating Parties –Southern Mono Healthcare District, County Administrator and Director of Public Works; Negotiations – Terms and Conditions of Potential Lease; No. 31. **REAL PROPERTY NEGOTIATIONS (Conference with Real Property Negotiators Pursuant to Government Code §54956.8)** – Property –174 South Main Street, Bishop, CA; Negotiating Parties –RJV Investments, LLC/Vons Company's Inc., #2402, County Administrator and Director of Public Works; Negotiations – Terms and Conditions of Potential Lease; No. 32. **REAL PROPERTY NEGOTIATIONS (Conference with Real Property Negotiators Pursuant to Government Code §54956.8)** – Property –1180 North Main Street, Bishop, CA; Negotiating Parties – Escondido Trust, County Administrator and Director of Public Works; Negotiations – Terms and Conditions of Potential Lease; No. 33. **REAL PROPERTY NEGOTIATIONS (Conference with Real Property Negotiators Pursuant to Government Code §54956.8)** – Property –908 and 910 North Main Street, Bishop, CA; Negotiating Parties – RA2 Bishop LLC, Lessor, County Administrator and Director of Public Works; Negotiations – Terms and Conditions of Potential Lease; No. 34. **REAL PROPERTY NEGOTIATIONS (Conference with Real Property Negotiators Pursuant to Government Code §54956.8)** – Property – 301 West Line Street, Bishop, CA; Negotiating Parties – City of Bishop, County Administrator and Director of Public Works; Negotiations – Terms and Conditions of Potential Lease; No. 35. **REAL PROPERTY NEGOTIATIONS (Conference with Real Property Negotiators Pursuant to Government Code §54956.8)** – Property – 568 West Line Street, Bishop, CA; Negotiating Parties – Tim & Allison Fillmore, County Administrator and Director of Public Works; Negotiations – Terms and Conditions of Potential Lease; No. 36. **REAL PROPERTY NEGOTIATIONS (Conference with Real Property Negotiators Pursuant to Government Code §54956.8)** – Property – 787 North Main Street, Bishop, CA; Negotiating Parties – Maudsley Enterprises, County Administrator and Director of Public Works;

Negotiations – Terms and Conditions of Potential Lease; No. 37. **REAL PROPERTY NEGOTIATIONS (Conference with Real Property Negotiators Pursuant to Government Code §54956.8)** – Property – 162 East Line Street, Bishop, CA; Negotiating Parties – KPL Ventures LLC, County Administrator and Director of Public Works; Negotiations – Terms and Conditions of Potential Lease; No. 38. **REAL PROPERTY NEGOTIATIONS (Conference with Real Property Negotiators Pursuant to Government Code §54956.8)** – Property – 1351 Rocking W. Drive, Bishop, CA; Negotiating Parties – Maudsley Enterprises, County Administrator and Director of Public Works; Negotiations – Terms and Conditions of Potential Lease.

Report on Closed Session

The Chairperson recessed closed session at 3:25 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported there were no items discussed in closed session, which were required by law to be reported on in open session.

Adjournment

The Chairperson adjourned the meeting in memory of Ken Avey, long-time Independence Resident, who passed away recently. The Chairperson adjourned the meeting at 3:25 p.m., to 9:00 a.m., Tuesday, March 25, 2008, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

Chairperson, Inyo County Board of Supervisors

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

*by: _____
Patricia Gunsolley, Assistant*