



# County of Inyo Board of Supervisors

## July 1, 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, July 1, 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 Bilyeu provided the Invocation, and Supervisor Cash led the Pledge of Allegiance.

**Public Comment** The Chairperson announced the public comment period. Mr. Tom Hallenbeck, Caltrans District 9 Director, presented an overview on District 9 projects. He noted that a hearing is scheduled for Monday, July 7, 2008 in Washington, D.C., on the appeal by Mr. VanSant on the batch plant for the Black Rock and Independence/Manzanar projects being located in the material pit located just north of Independence. He said that Caltrans is continuing with efforts to reach a settlement with the Appellant. He updated the Board on the schedules for the Independence/Manzanar, the Ed Powers Road Rehabilitation, the South Sherwin Grade (Mono County) and the Olancha/Cartago Projects. Mr. Bruce Cotton, Lone Pine Resident, thanked the Board for the way they had conducted the recent meetings on the Eastern Sierra and North San Gabriel Wild Heritage Act and in honor of the upcoming 4<sup>th</sup> of July Holiday, presented the Board with a signed/numbered print of the "Dawn of a Nation" painting. The Board thanked Mr. Cotton for his very generous donation and the Chairperson asked staff to have the picture displayed in the building and to have a plaque recognizing Mr. Cotton's donation affixed to the picture. Mr. Gary Finchen of Lone Pine addressed the Board regarding his concern with the way an Environmental Health Department employee handled the 7<sup>th</sup> Day Adventist's food locker project in Lone Pine. Mr. Rich White, Independence Chamber of Commerce, updated the Board on this year's Cal Expo Exhibit.

**County Department Reports** The Chairperson announced the County Department Report period. Planning Director, Mr. Pat Cecil, provided a Department update. Sheriff Bill Lutze, updated the Board on the fire in Olancha. Ms. Jean Dickinson, Director of Health and Human Services, notified the Board of the status of the relocation of some of her office staff in Bishop, thanking the public works crews and information services Staff for their help. She also updated the Board on the State budget. Supervisor Arcularius briefly reported on the two meetings held last week on the wilderness legislation and noted for the record that she had been requested to add the 56,524 names, which have signed an internet petition supporting the creation of a semi-primitive designation to the statistics for the Bishop meeting. Supervisor Cervantes clarified on the record that the remarks he made at the conclusion of the meetings were his personal opinion and that contrary to reports being made the Board, as a whole, has not taken a position on this legislation. Supervisor Cash thanked the Board for the meetings and noted that she was unable to attend because of a death in her family.

**Integ. Waste/  
LADWP Lease Indy  
Landfill** Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the amendment to the Lease between the County of Inyo and the Los Angeles Department of Water and Power for the Independence landfill, an 88-acre site currently utilized as a solid waste disposal facility, requiring additional conditions; and authorize the Chairperson to sign. Motion carried unanimously.

**Integ. Waste/  
LADWP Lease  
Bishop Landfill** Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the amendment to the Lease between the County of Inyo and the Los Angeles Department of Water and Power for the Bishop-Sunland landfill, a 118-acres site currently utilized as a solid waste disposal facility, requiring additional conditions; and authorize the Chairperson to sign. Motion carried unanimously.

**Integ. Waste/  
LADWP Lease  
Lone Pine Landfill** Moved by Supervisor Cash and seconded by Supervisor Cervantes to approve the amendment to the Lease between the County of Inyo and the Los Angeles Department of Water and Power for the Lone Pine landfill, a 60-acres site currently utilized as a solid waste disposal facility, requiring additional conditions; and authorize the Chairperson to sign. Motion carried unanimously.

HHS-Children Services/Wild Iris Donation	Ms. Jean Dickinson, Director of Health and Human Services, asked that in order for the Agenda and the Agenda Request Form to coincide, the Agenda Request Form be amended to delete the request for the Chairperson's signature, which was unnecessary. She also asked that the Board's motion include the approval of a purchase order for the services being requested. Moved by Supervisor Cash and seconded by Supervisor Brown to approve a purchase order for and ratify the reimbursement of the expenditures requested by Wild Iris for providing a three-day camp at the Tecopa Community Center, to be paid from the Children's Trust Fund #503403, in an amount not to exceed \$200, for the period of June 1, 2008 through July 31, 2008. Motion carried unanimously.
P.W./Indy Airport Apron Project	The Acting Public Works Director noted that as a result of issues arising from information provided by the low bidder and the Department's need to investigate the information further, he was requesting the Department's request for the Board to reject the bid submitted by Pacific Asphalt Services for the Independence Airport Apron Improvement Project, and award and approve the Contract for the Project to Sierra Nevada Construction, Inc., of Sparks, Nevada in the amount of \$693,007, be pulled from consideration. Mr. Rosser of Pacific Asphalt Services', addressed the Board to provide additional information and further justification for his appeal of the award of the bid. He noted why he felt his bid for the project met the intent of the bid documents concerning the DBE requirements and certifications. He said that he had made a good faith effort in that two of his subcontractors are either woman or minority owned, which are noted in the bid documents as being acceptable in meeting DBE requirements. He disagreed with the Public Works Department's interpretation of "good faith" effort, and requested that the County contact the FAA to get their determination on whether Pacific Asphalt Services had met their DBE requirements. Moved by Supervisor Bilyeu and seconded by Supervisor Brown to continue the request regarding award of the Contract for the Independence Airport Apron Project to next week's Board of Supervisors meeting. Motion carried unanimously.
P.W./Update	The Acting Public Works Director, Mr. Doug Wilson, updated the Board on the Department's operations and activities, including notification of a resolved issue on the Mustang Mesa Road project.
Planning/Update on Coordination	The Planning Director, Mr. Pat Cecil, updated the Board on the coordination with the U.S. Forest Service regarding its Route Designation process for the Inyo National Forest. He explained that until the Forest Service provides the list of roads to be closed, the County is unable to assess the information used in the decision to close the road.
BofS/Minute Approval	Moved by Supervisor Brown and seconded by Supervisor Cervantes to approve the minutes of the June 17, 2008 Board of Supervisors Meeting. Motion carried unanimously.
HHS/Children's Ser. Council Bylaws	Moved by Supervisor Cash and seconded by Supervisor Bilyeu to approve the Inyo County Children's Services Council By-Laws as amended. Motion carried unanimously.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including a report on the Wilderness Meetings, a tour with Caltrout of the Mt. Whitney Fish Hatchery, a tour of Whitney Portals and Horseshoe Meadows, an update on current legislation, and an update on the Bishop Offices moves.
Ord. 1136/Z.R. Bird	On a motion by Supervisor Cash and a second by Supervisor Bilyeu, Ordinance No. 1136, entitled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification #2008-01/Bird and Amending the Zoning Map of the County of Inyo by Reclassifying a 7.2-acre Site Located Northwest of the Intersection of Joe Smith Road and Dehy Street in the Community of Laws from M-1 (General Industrial & Extractive) to M-2 (Light Industrial)," was adopted: motion unanimously passed and adopted.
Public Comment	The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.
Closed Session	The Chairperson recessed open session at 10:40 a.m., to convene in closed session with all Board Members present. The Board met in closed session to discuss and take action as appropriate on Agenda Items No. 14. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]</b> Instructions to Negotiators re: wages, salaries and benefits - Employee Organization – ICEA; Negotiators - CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; No. 15. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code</b>

**§54957.6]** Instructions to Negotiators re: wages, salaries and benefits - Employee Organization - Deputy Sheriff's Association (DSA); Negotiators - CAO Kevin Carunchio, Sheriff Bill Lutze and Labor Relations Administrator Sue Dishion; No. 16. **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. 17. **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. 18. **REAL PROPERTY NEGOTIATIONS [Conference With Real Property Negotiators Pursuant To Government Code §54956.8]** – Property – S.E. 1.07 acres of APN 02-133-02-00, Independence, California; Negotiating Parties – County administrator and Director of Public Works and Administrative Offices of the Courts (AOC) - Negotiations – Terms and Conditions of Potential Lease; No. 19. **REAL PROPERTY NEGOTIATIONS [Conference With Real Property Negotiators Pursuant To Government Code §54956.8]** – Property – 301 West Line Street, Bishop, California; Negotiating Parties – City of Bishop, County Administrator and Director of Public Works - Negotiations – Terms and Conditions of Potential Lease; No. 20. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title – Director of Health and Human Services; and No. 21. **CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6)** – Instructions to Negotiators re: wages, salaries and benefits – Title: Director of Health and Human Services – Negotiator – as designated by the Board of Supervisors. The Chairperson recessed closed session at 12:10 p.m., to reconvene in closed session at 1:10 p.m., with all Board Members present.

- Report on Closed Session      The Chairperson recessed closed session at 4:55 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported there were no actions taken in closed session, which are required by law to be reported on in open session.
- Adjournment                      The Chairperson adjourned the regular meeting at 4:55 p.m., to 9:00 a.m., Tuesday, July 8, 2008, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

  
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Chairperson, Inyo County Board of Supervisors

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

by:   
*Patricia Gunsolley, Assistant*