

MINUTES

County of Inyo Board of Supervisors

October 13, 2009

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, October 13, 2009, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Beverly Brown presiding, Linda Arcularius and Richard Cervantes. Supervisors Cash and Fortney were absent. Supervisor Cervantes provided the Invocation, and the County Administrator Kevin Carunchio led the Pledge of Allegiance.

- Public Comment The Chairperson announced the public comment period. Supervisor Brown announced that she would be adjourning today's meeting in memory of Mike Patterson the owner of Cerro Gordo who had recently and very suddenly passed away.
- County Department The Chairperson announced the County Department Report period. Mr. Ted Pedersen, Public
Reports Works Director, updated the Board on State legislative actions which may impact road funding and informed the Board that investigation has begun on the clean up of the diesel spill at the old Big Pine Care site. The CAO reported on meetings with California Public Utilities Commission staff regarding the Digital 395 Project. He also informed the Board of an upcoming RCRC workshop on energy efficiencies.
- Emerg. Serv./ Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to continue the local
Disaster Continued emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously, with Supervisors Cash and Fortney absent.
- CAO-Purchasing/ Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to award Bid No. 2009-
FY 2009-10 08, Printing for 2009-10 FY, to Community Printing & Publishing and authorize purchase orders
Printing Bid to be approved for various County Departments to order from this bid for FY 2009-10. Motion
carried unanimously, with Supervisors Cash and Fortney absent.
- Sheriff/ArcGIS Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to declare
Software P.O. Environmental Systems Research Institute, Inc. (ESRI) a sole source provider of ArcGIS Server
software and related equipment and approve the purchase of pre-configured Complete ArcGIS
Server containing software and related equipment from ESRI in an amount not to exceed
\$14,471.03. Motion carried unanimously, with Supervisors Cash and Fortney absent.
- BofS/Moat & Road The Board and Staff discussed sending Board representation to the upcoming State Lands
State Lands Comm. Commission meeting on the moat and row project proposed by DWP. Supervisor Arcularius
Meeting volunteered to attend, noting that she had attended the first meeting, but because of a possible
family commitment she suggested that an alternate Board Member also be selected. The County
Administrator indicated that he felt it was important for the County to have a significant contingent
at the meeting. The Board and Staff discussed having the Planning Director and the Agricultural
Commissioner also attend. The County Administrator indicated that he would coordinate travel
arrangements with the appropriate Department Heads who would be attending the meeting. Mr.
Carunchio also suggested that the County's representatives be prepared to support not only the
moat and row method of dust mitigation but also other methods that don't use water. Moved by
Supervisor Cervantes and seconded by Supervisor Arcularius to designate Supervisors Arcularius
and Brown to attend the upcoming California State Lands Commission meeting on October 22,
2009 and direct the Board's representatives to endorse the lease of Owens Lake property for
proposed moat and row and other dust control measures that do not rely on the use of water.
Motion carried unanimously, with Supervisors Cash and Fortney absent.

CAO-Risk Mng./ Volunteer Policy	The Risk Manager, Ms. Marlena Baker, briefly noted the proposed changes to the volunteer policy and responded to questions from the Board. Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to adopt the updated County of Inyo Volunteer Policy. Motion carried unanimously, with Supervisors Cash and Fortney absent.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 9:20 a.m., to convene in closed session at 10:00 a.m., with all Board Members present, except Supervisors Cash and Fortney.
Closed Session	The Board met in closed session to discuss and take action as appropriate on Agenda Items No. 8. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(a) – Sierra Club & Owens Valley Committee v. City of Los Angeles, Los Angeles Department of Water and Power, et al Inyo County Superior Court Case No. SICVCV 08-46888 (“LORP #4”); No. 9. CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6) – Instructions to negotiators re: wages, salaries, and benefits – Title – IHSS – Negotiators – Bill May and Rochelle Parkinson ; No. 10. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6] -Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriff’s Association (DSA) - Negotiators: Undersheriff Jim Jones, Labor Relations Administrator Sue Dishion and Deputy County Counsel Susanne Rizo; No. 10A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c) – decision whether to initiate litigation (one case); and No. 10B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)]. In the Matter of Authorization to Construct a Geologic Repository at Yucca Mt., NRC Docket No. 63-001; CLI-08-25. The Chairperson recessed closed session at 11:30 a.m., to reconvene in open session with all Board Members present.
Rd. Dept./Ordinance for Speed Limit on Ed Powers Road	<p>The Chairperson opened the public hearing at 11:30 a.m., on a proposed ordinance establishing 30 miles per hour as the prima facie speed limit on a portion of Ed Powers Road. The Public Works Director, Mr. Ted Pedersen reviewed the Staff Report and recommendations. He presented the Board with the certified Traffic and Engineering Survey for Ed Powers Road and reviewed the information obtained from the Survey. The Clerk requested that the Staff report, all attachments and the certified Traffic Survey be entered into the record and they were marked Exhibit A. There being no one from the public wishing to address this ordinance, the Chairperson closed the public hearing at 11:40 a.m.</p> <p>Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to waive the first reading of the ordinance entitled “An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Establishing 30 miles per hour as the Prima Facie Speed Limit on a Portion of Ed Powers Road;” and schedule the enactment of this ordinance for 11:30 a.m., on Tuesday, October 20, 2009, in the Board of Supervisors Room, at the County Administrative Center, in Independence. Motion carried unanimously, with Supervisors Cash and Fortney absent.</p>
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week including the Lone Pine Film Festival, a LAFCO Meeting, a RCRC Legislative update, more information on the Digital 395 meetings and the upcoming CPUC meeting on the project, and information on the BLM meetings concerning the geothermal leases in the Rose Valley area.
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 12:05 p.m., to reconvene in closed session to discuss and take action as appropriate on closed session items previously noted.
Report on Closed Session	The Chairperson recessed closed session at 1:10 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 meeting at 1:10 p.m., to 8:00 a.m., Tuesday, October 20, 2009, in the Board of Supervisors Room, at the County Administrative Center, in Independence. The Chairperson noted that today's meeting was being adjourned in memory of Mike Patterson.

Chairperson, Inyo County Board of Supervisors

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

*by: _____
Patricia Gunsolley, Assistant*