



# County of Inyo Board of Supervisors

## April 6, 2010

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, April 6, 2010, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Vice Chairperson Susan Cash presiding as Chairperson, Linda Arcularius and Beverly Brown. Supervisors Fortney and Cervantes were absent. Supervisor Brown provided the Invocation and led the Pledge of Allegiance.

- Announcements      The Chairperson announced that (a) Supervisor Fortney is in Sacramento attending the Forest Service Rule Planning Meeting on behalf of the Board and Supervisor Cervantes is absent because, as reported in the press he has been ill, and he is still recovering; (b) because Supervisor Cervantes is not at today's meeting and Mr. Bright is also ill, Item No. 1, the item honoring former Fourth District Supervisor Keith Bright was being rescheduled; (c) Item No. 9, the item requesting the closure of Millpond Recreational Area for the Millpond Music Festival is also being rescheduled; and (d) corrected the word "Beverly" to "beverage" under Informational Item No. 23 on today's agenda.
  
- Org.-Wild Iris/Child Abuse Prevention Month      A representative of Wild Iris addressed the Board to provide information on the events scheduled to highlight Child Abuse Prevention Month throughout the County. She shared child abuse statistics with the Board and passed out commemorative items. Moved by Supervisor Arcularius and seconded by Supervisor Brown to approve a proclamation designating April 2010 as Child Abuse Prevention Month. Motion carried unanimously, with Supervisors Fortney and Cervantes absent.
  
- 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 and there were no reports forthcoming.
  
- BofS/Bond Allocation to CHF      Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve a letter to the CHF Program to assign Inyo County's allocation of the annual State unified volume ceiling for qualified private activity bonds to the Program. Motion carried unanimously, with Supervisors Fortney and Cervantes absent.
  
- Emerg. Serv./Oak Creek Mud Flows      Moved by Supervisor Brown and seconded by Supervisor Arcularius to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously, with Supervisors Fortney and Cervantes absent.
  
- Motor Pool/Surplus Vehicles      Moved by Supervisor Brown and seconded by Supervisor Arcularius to A) declare the vehicles and equipment recommended by Staff and identified as Exhibit A to the Staff Report as surplus; B) authorize Motor Pool to offer the vehicles for sale utilizing the Sealed Bid process and C) authorize Motor Pool to utilize General Auction Company located in Buena Park, California, for the removal and sale of any remaining County owned surplus vehicles and equipment.
  
- Parks/Playground Equipment Millpond      Moved by Supervisor Brown and seconded by Supervisor Arcularius to award the bid for and approve the purchase and installation of new playground equipment at the Millpond Recreation Area from Les Rogers Construction in an amount not to exceed \$31,000.
  
- Integ. Waste/Tire Amnesty Event      Moved by Supervisor Brown and seconded by Supervisor Arcularius to authorize Integrated Waste Management to conduct a two-day Waste Tire Amnesty Event scheduled for Friday, April 16, 2010 and Saturday, April 17, 2010, and waive all disposal fees associated with the waste automotive tire disposal/recycling amnesty event. Motion carried unanimously, with Supervisors Fortney and Cervantes absent.

HHS-Hlth. Serv./So Inyo Hospital Prior Year Invoices	Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the payment to Southern Inyo Hospital of \$1,687 with the 10% discount applied for a total of \$1,518.30 for Invoice #72266631173 0608 for services rendered on 06-06-08 and \$2,157.50 with the 10% discount applied for a total of \$1,941.75 for Invoice #73439041878 0309 for services rendered on 03-29-09. Motion carried unanimously, with Supervisors Fortney and Cervantes absent.
HHS-WIC/Vehicle Purchase	Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the purchase of one 2010 Ford Expedition from Eastern Sierra Motors, Inc., in the amount of \$30,730.07, and authorize the Deputy County Administrator to sign all purchase documents. Motion carried unanimously, with Supervisors Fortney and Cervantes absent.
HHS-Inyo First 5/ Amendment to Supt. Of Schools Contract	Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve Amendment No. 1 to the Contract between the County of Inyo and the Inyo County Superintendent of Schools for the provision of county-wide nutrition and fitness curriculum implementation in preschools and child care facilities and a school readiness awareness campaign, extending the ending date of the Contract to June 30, 2011 at no additional cost; and authorize the Chairperson to sign. Motion carried unanimously, with Supervisors Fortney and Cervantes absent.
HHS-Soc. Serv./ Amended JPA and MOU SAWS	Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the Amended Joint Powers Authority Agreement and related Memorandum of Understanding between the California Statewide Automated Welfare System (SAWS) C-IV and Inyo County, effective June 2010; and authorize the Chairperson to sign. Motion carried unanimously, with Supervisors Fortney and Cervantes absent.
P.W./Tract Map Approval	Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve Tract Map No. 239, Phase I and reject the offer of dedication for Valley View Drive. Motion carried unanimously, with Supervisors Fortney and Cervantes absent.
Water/Long Term Water Agreement re: Owens Lake Groundwater Development	Dr. Bob Harrington, Water Director, explained that at the last Standing Committee Meeting he had shared the County's position that the development of groundwater at Owens Lake falls under the purview of the Long Term Water Agreement. He said he was apprised by DWP that they did not agree with that position. He explained that DWP feels the development of groundwater at the lake falls under Health and Safety Codes. Dr. Harrington said that the letter to DWP reiterates and substantiates that groundwater development at Owens Lake does fall under the Long Term Water Agreement. The Board agreed with the letter, with Supervisor Arcularius asking that the last paragraph where it refers to the County supporting the Departments efforts to implement dust control measures using methods that save water, be changed to reflect the even stronger position that the County supports the Department's groundwater studies at the Lake. Moved by Supervisor Arcularius and seconded by Supervisor Brown to approve the letter to LADWP on the applicability of the Inyo/Los Angeles Long Term Water Agreement to groundwater development at Owens Lake and the Board concurs with the position set forth in the letter, as amended; and authorize the Water Director to sign the letter. Motion carried unanimously, with Supervisors Fortney and Cervantes absent.
BofS/Minute Approval	Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the minutes of the March 16, 2010 Board of Supervisors Meeting. Motion carried unanimously, with Supervisors Fortney and Cervantes absent.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 9:20 a.m., to reconvene in open session at 9:25 a.m., with all Board Members present except Supervisors Fortney and Cervantes.
Public Comment	The Chairperson announced the second public comment period. A resident of Olancha addressed the Board to support the Board's position on the applicability of the Long Term Water Agreement on LADWP's development of groundwater at the Owens Lakes. The speaker noted that the residents are concerned with the Department's activities that may affect the private wells in the area.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including the RCRC Board of Directors Meeting, a legislative update, an upcoming special meeting so the Board can participate in a Forest Service Rule Planning Conference call on Monday, April 19, 2010, an ESTA Meeting, a COG Meeting, information concerning a CSAC Task Force on issues concerning legalization of marijuana, and a discussion concerning the Board's participating in today's Forest Service Rule Planning meeting.

- Closed Session      The Chairperson recessed open session at 10:10 a.m., to convene in closed session, with all Board Members present, except Supervisors Fortney and Cervantes, to discuss and take action as appropriate on Agenda Items No. 19. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] – Pratt, et al. v. City of Los Angeles, et al.** Inyo County Superior Court Case No. CVCV 09-0048094; No. 20. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] – County of Inyo v. State of Nevada, Division of Water Resources,** Application #'s 53948, 53950, 53951, 54062, 54066, 54058 and 54069 (Permits issued to Las Vegas Water District to appropriate groundwater from groundwater basins in or near Inyo County); and No. 21. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.
- Report on Closed Session      The Chairperson recessed closed session at 12:10 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported that with regard to Agenda Item No. 20. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] – County of Inyo v. State of Nevada, Division of Water Resources,** Application #'s 53948, 53950, 53951, 54062, 54066, 54058 and 54069 (Permits issued to Las Vegas Water District to appropriate groundwater from groundwater basins in or near Inyo County), the Board by a unanimous vote, with Supervisors Arcularius, Cash, and Brown voting yes, and with Supervisors Fortney and Cervantes absent, directed that the County file protests to certain applications to appropriate water rights in the following groundwater basins in the State of Nevada: Ivanpah Valley; Three Lakes Valley North & South; Indian Springs Valley; Tikaboo Valley; Railroad Valley; Hidden Valley; Coyoca Spring Valley; Delarold Valley; Dry Lake Valley; Cave Valley; Spring Valley and Snake Valley, and that once the protests are formally commenced, the Clerk must, upon inquiry, disclose specific protest information.
- Adjourned      The Chairperson adjourned the regular meeting at 12:10 p.m., to 9:00 a.m., Tuesday, April 13, 2010, 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*