

MINUTES

County of Inyo Board of Supervisors

July 5, 2011

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 5, 2011, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Susan Cash presiding, Linda Arcularius, Rick Pucci, Marty Fortney and Richard Cervantes. Supervisor Cervantes provided the Invocation, and Supervisor Pucci 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 and there were no reports forthcoming.
- Introductions The Board was introduced to the following new employees, Mr. Michael Goodall, Social Worker; Ms. Tina Tillemans, Account Technician; Ms. Linda Sandoval, Social Worker; and Mr. Steven Porter, Deputy County Counsel.
- CAO-Budget The Board received an update on the California State Budget situation and its potential impacts on the County. The Board and Mr. Carunchio discussed AB 109 with the Board directing that a letter drafted by the CAO be sent to the Governor expressing Inyo County's concerns with the legislation, including the fact that the legislation will require a super majority vote of the Board to overturn recommendations by the Committee and that there is no Board of Supervisors/CAO representative on the Board. The Board heard from the Sheriff regarding public safety funding.
- Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Fortney and seconded by Supervisor Arcularius to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- District/B.P. Cemetery District Appointments Moved by Supervisor Fortney and seconded by Supervisor Arcularius to re-appoint Mr. William Jasper and Ms. Virginia MacLeod to the Big Pine Cemetery District Board of Trustees, to complete four-year terms ending November 1, 2014 and May 31, 2015 respectively. Motion carried unanimously.
- District/Pioneer Cemetery District Appointments Moved by Supervisor Fortney and seconded by Supervisor Arcularius to re-appoint Ms. Arlene Pearce and Ms. Leslie Scott to the Pioneer Cemetery District Board of Trustees to complete four-year terms ending June 1, 2015. Motion carried unanimously.
- CAO-Personnel/ Willdan Contract for P.W. Director Serv. Moved by Supervisor Fortney and seconded by Supervisor Arcularius to ratify and approve Amendment #1 to the Contract between the County of Inyo and Willdan Engineering for the provision of professional engineering and management services as the Acting Director of Public Works, increasing the Contract by \$168,000 to a total amount not to exceed \$289,000, and changing the term of the Contract to an ending date of June 30, 2012, contingent upon the Board's adoption of a FY 2011-12 Budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- CAO-Personnel/ ICPPOA Amendment to MOU Moved by Supervisor Fortney and seconded by Supervisor Arcularius to ratify and approve Amendment #1 to the Comprehensive Memorandum of Understanding between the County of Inyo and the Inyo County Probation Peace Officer Association December 18, 2007 through June 30, 2011; and authorize the Chairperson to sign. Motion carried unanimously.
- P.W./So. Inyo Airport Advisory Board Appointments Moved by Supervisor Fortney and seconded by Supervisor Arcularius to appoint Ms. Lynne Bunn, Ms. Donna Carson, Mr. Mark Long, and Mr. Dean Vander Wall to the Southern Inyo Airport Advisory Committee, to complete four-year terms ending June 1, 2015. Motion carried unanimously.

Sheriff/Willdan Homland Solutions Training Contract	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to approve the Contract between the County of Inyo and Willdan Homland Solutions, to provide NIMS EOC Table Top Drill and Functional Exercise for designated Inyo County employees and designated first responders for the period of June 28, 2011 through October 31, 2011, in an amount not to exceed \$24,974, contingent upon the Board's adoption of a FY 2011-12 Budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Water Dept./ Ecosystem Sciences Contract	Moved by Supervisor Fortney and seconded by Supervisor Arcularius to approve the Contract between the County of Inyo and Ecosystem Sciences for the provision of Biological Resources Consulting Services for the period of July 1, 2011 through June 30, 2012, in an amount not to exceed \$185,661, contingent upon the Board's adoption of a FY 2011-12 Budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
HHS/Position Request	Moved by Supervisor Arcularius and seconded by Supervisor Cervantes to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested position exists in the Social Services Budget, as certified by the Health and Human Services Director, and concurred with by the County Administrator and the Auditor-Controller; B) while the position could possibly be filled through an internal recruitment, an open recruitment would be more appropriate to ensure qualified applicants apply, therefore the Department is authorized to conduct an open recruitment; and C) approve the hiring of one Account Technician I at Range 55 (\$2,910 – \$3,537) or Account Technician II at Range 59 (\$3,194 - \$3,880). Motion carried unanimously.
P.W./Highway Bridge Program Projects	Moved by Supervisor Cervantes and seconded by Supervisor Fortney to approve three new Highway Bridge Program projects to replace bridges over the Los Angeles Aqueduct at Walker Creek and Carroll Creek Roads, and over Oak Creek at Bell Access Road; and direct the Public Works staff to begin work on the projects, contingent upon the Board's adoption of a FY 2011-2012 Budget. Motion carried unanimously.
P.W./Bike Plan Amendment for D.V. Roads	The Board discussed the proposal to change the Inyo County Collaborative Bikeways Plan to include State Route 190 and Badwater Road in Death Valley. Supervisor Arcularius explained that she was unwilling to support this request if it meant bike lanes on other County roads would not be constructed. The Interim Public Works Director, Mr. Doug Wilson, and the Transportation Planner, Mr. Courtney Smith, confirmed that the funds being proposed for the Death Valley roads was not the same as that identified for County roads bikeways. Moved by Supervisor Cervantes and seconded by Supervisor Fortney to direct Staff to initiate an amendment to the Inyo County Collaborative Bikeways Plan, as requested by the Death Valley National Park to amend the Plan to include parts of State Route 190 and Badwater Road, by forwarding the amendment to the Inyo County Local Transportation Commission. Motion carried unanimously.
County Counsel/ Kirby Litigation Services Contract	Moved by Supervisor Arcularius and seconded by Supervisor Pucci to approve the Agreement between the County of Inyo and John D. Kirby, A.P.C. for the provision of litigation services at the rate of \$180 per hour, for a total amount not to exceed \$200,000 for the period of July 1, 2011 through June 30, 2012, contingent upon the Board's adoption of a FY 2011-12 Budget; and authorize the Chairperson to sign. Motion carried unanimously.
CAO-Gen./MOU with Superior Court for County Services	Moved by Supervisor Arcularius and seconded by Supervisor Pucci to ratify and approve the Memorandum of Understanding between the County of Inyo and the Superior Court of California, Inyo County, for the period of July 1, 2011 through June 30, 2012, with the option to extend for one-year terms as provided in the agreement; and authorize the Chairperson, Sheriff, and County Administrative Officer to sign, contingent on signatures by the Court. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:00 a.m., to reconvene in open session at 10:05 a.m., with all Board Members present.
BofS/Minute Approval	Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve the minutes of the June 21, 2011 Board of Supervisors Meeting. Motion carried unanimously.
Planning/Workshop on State Redistricting	The Chairperson recessed open session at 10:07 a.m., to convene in a workshop with all Board Members present to talk with the Planning Department and other County staff regarding the State's redistricting process. The Chairperson recessed the workshop at 10:30 a.m., to reconvene in open session, with all Board Members present.

Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including various 4 th of July Celebrations throughout the Valley, a conference call with the State Watershed Committee, a Digital 395 Meeting, and a request that staff track and report back to the Board regarding comments made about the new Solid Waste Fee Ordinance, which was implemented on July 1, 2011.
Closed Session	The Chairperson recessed open session at 10:45 a.m., to convene in closed session to discuss and take action as appropriate on Agenda Items No. 23. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] – Center for Biological Diversity, Sierra Club v Inyo County and Inyo County Board of Supervisors, Inyo County Superior Court Case No. SICVPT 11-52154; No. 24. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6] . - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, Director Child Support Services Susanne Rizo, and Chief Probation Officer Jeff Thomson; No. 25. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6] . - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Correctional Officers Association (ICCOA) - Negotiators: Labor Relations Administrator Sue Dishion; No. 26. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6] . – Instructions to Negotiators re: wages, salaries and benefits – Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) – Negotiators: Director Child Support Services Susanne Rizo and Labor Relations Administrator Sue Dishion; No. 27. PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957] - Public Employee Performance Evaluation - Title: Director of Health and Human Services; No. 28. PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957] - Public Employee Appointment - Title: Director Public Works; No. 29. PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957] - Public Employee Performance Evaluation - Title: Director Public Works; No. 30. REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8) – Property – APN022-070-06, Independence, California – Negotiating Parties – County Administrator and State of California – Negotiations – Terms and Conditions; No. 31. REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8) – Property – APN010-490-08, Bishop, California – Negotiating Parties – County Administrator and Joseph Enterprises – Negotiations – Terms and Conditions; No. 32. REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8) – Property – APN008-240-01, Bishop, California – Negotiating Parties – County Administrator and Mitchell Asset Group – Negotiations – Terms and Conditions; and No. 33. REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8) – Property – S.E. 1.07 acres of APN002-133-02, Independence, California (Jail and Road Yard) – Negotiating Parties – County Administrator and Director of Public Works and Administrative Offices of the Courts (AOC) – Negotiations – Terms and Conditions of Potential Lease. The Chairperson recessed closed session at 11:20 a.m., to reconvene in open session, with all Board Members present.
Planning/Reversion to Acreage Public Hearing	The Chairperson opened the public hearing at 11:20 a.m., pursuant to Government Code §66499.15, concerning Reversion to Acreage No. 2011-01 (Magnificat Ventures Corp.) for the St. Therese Mission site, consisting of seven 2.5-acre lots (Lots 155, 156, 182, 183, 184, 187, and 188 of the Spring Valley Ranchos) located at 881 E. Old Spanish Trail, in the community of Charleston View. Mr. Josh Hart, Planning Director, reviewed the Staff Report and recommendations. At the conclusion of his remarks, Mr. Hart requested that the Staff Report and all attachments be entered into the record and it was marked Exhibit A. No one from the public offered comment on this matter and the Chairperson closed the public hearing at 11:25 a.m.
Reso. #2011-23/ Reversion to Acreage	On a motion by Supervisor Cervantes and a second by Supervisor Fortney, Resolution No. 2011-23 was adopted, approving Reversion to Acreage No. 2011-01 (Magnificat Ventures Corp.) pursuant to Government Code §66499.11 et seq; motion unanimously passed and adopted.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 11:25 a.m., to reconvene in a workshop at 11:30 a.m., with all Board Members present.

HHS/Workshop on Inyo First Five	The Board convened in a workshop with representatives of the Health and Human Services Department and the Inyo County First Five Commission regarding the Inyo First Five Program. The Chairperson recessed the Workshop at 11:50 a.m. to reconvene in open session.
Public Comment	The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.
Grand Jury Ceremony	The Chairperson announced that the Board would be attending the swearing-in ceremony for the 2011 – 2012 Inyo County Grand Jury in the Courthouse at 12:00 p.m. and would reconvene in closed session at 1:30 p.m.
Closed Session	The Board reconvened in closed session to discuss and take action as appropriate on previously noted closed session items. Supervisor Cervantes left the meeting at 3:40 p.m. The Chairperson recessed closed session at 4:05 p.m., to reconvene in open session to receive a report on closed session.
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 4:05 p.m., to 9:00 a.m., Tuesday, July 12, 2011, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

Chairperson, Inyo County Board of Supervisor

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

by: _____
Patricia Gunsolley, Assistant