

MINUTES

County of Inyo Board of Supervisors

April 17, 2012

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 17, 2012, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Marty Fortney presiding, Linda Arcularius, Susan Cash, Rick Pucci, and Richard Cervantes. Supervisor Cervantes provided the Invocation, and Supervisor Arcularius led the Pledge of Allegiance.

- Public Comment The Chairperson announced the public comment period. Supervisor Cervantes reported on the State of the California budget.
- County Department
Report Period The Chairperson announced the County Department Report Period. Sheriff Bill Lutze and Captain Andria Witmer of the California Highway Patrol, reported on the April 12, 2012 traffic accident between two big rig trucks near Division Creek Rest Area on U.S. 395 that resulted in a fire, traffic being diverted for nearly 18 hours, and several law enforcement and local fire department responders being taken to the hospital as a result of inhaling the fumes from the fire. Ms. Susanne Rizo, Director of Child Support Services, updated the Board on department activities including in-house staff training, the continuing partnership with Superior Court for juvenile outreach on teen pregnancy that she hopes will expand into the High Schools. Dr. Bob Harrington, Water Director, provided the agenda for the upcoming Technical Group Meeting. Ms. Jean Turner, Director of Health and Human Services, clarified a news report regarding the senior services, explaining that the changes being discussed are concerning the governance structure of the regional organization and will not impact the current senior services. She also reported on a staff training session, a meeting regarding the State Merit System, and the Foster Care Program. Mr. Doug Wilson, Interim Director of Public Works, updated the Board on signage for the Adventure Trails System. Ms. Susanne Rizo, Director of Child Support, also notified the Board of a State security breach of CSS client data.
- Emerg. Serv./Oak
Creek Mud Flows Moved by Supervisor Arcularius and seconded by Supervisor Cash to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- CAO-Info Serv./
Emerg. Operations
Center Audio
Visual Equipment Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve the purchase of various audio and visual components for the County of Inyo Emergency Operations Center from Fluid Sound, the apparent low bidder in an amount not to exceed \$51,975. Motion carried unanimously.
- CSS/Keener
Contract
Amendment Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve Amendment No. 1 to the Contract between the County of Inyo and Kristy Keener for Court Reporter services to increase the amount of the Contract by \$10,000 to an amount not to exceed \$20,000, and extending the ending date of the Contract from September 30, 2012 to June 30, 2013, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Soc. Serv./
CSA Assessment Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve of the Child Welfare System County Self-Assessment (CSA) and authorize HHS to submit the CSA to the State Department of Social Services as required by the Child Welfare Improvement and Accountability Act of 2011; and authorize the Chairperson to sign. Motion carried unanimously.
- P.W./Grant Funds
for Adventure Trails
Combined Use
Signage Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve the Contract between the County of Inyo and California Department of Parks and Recreation for the installation of combined-use signage pursuant to Assembly Bill 628 in the amount of \$100,000, contingent upon the Board's adoption of future budgets; and authorize the Public Works Director to sign the Contract and future documents necessary to implement the Contract, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

Sheriff/Universal Forensic Device P.O.	Move by Supervisor Arcularius and seconded by Supervisor Cash to declare Cellebrite USA Corp as a sole-source provider of forensic extraction devices and accessories, and authorize the purchase of one Universal Forensic Device (UFED) including UFED kit and accessories and one UFED "Ultimate" add on module software from Cellebrite USA Corp. in an amount not to exceed \$8,583.99 including shipping, plus sale tax in the amount of \$658.67. Motion carried unanimously.
Sheriff/Security Surveillance System Equipment Maintenance	Moved by Supervisor Arcularius and seconded by Supervisor Cash to declare American Security Group a sole source provider of security surveillance system equipment maintenance and approve the Contract between the County of Inyo and American Security Group for the provision of maintenance of security surveillance system equipment for the period of July 1, 2012 through June 30, 2015, in an amount not to exceed \$69,390, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Ag. Comm./Position Request	Mr. George Milovich, Agricultural Commissioner, provided additional information and further justification for hiring two seasonal Field Assistants. Mr. Milovich explained that this year's request is to hire one-third the number of seasonal Field Assistants he would normally hire, which is in part due to LADWP's decision regarding funding for weed management on its lands. Moved by Supervisor Cash and seconded by Supervisor Arcularius to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested positions exists, as certified by the Agricultural Commissioner, and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the positions of Field Assistant, the vacancies could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure a sufficient number of qualified applicants apply; and C) approve the hiring of two seasonal Field Assistant I's at Range 050PT (\$13.90 – \$16.87 per hour), to work for a 6 month period, contingent upon the Board's adoption of future budgets. Motion carried unanimously.
HHS-Soc. Serv./ Budget Amendment for Prior Year Audit Exception	Moved by Supervisor Cash and seconded by Supervisor Pucci to A) amend the FY 2011-12 Social Services Budget Unit 055800 by increasing estimated revenue in Social Services Realignment (<i>Revenue Code #4420</i>) by \$1,460 and Sale of Fixed Assets (<i>Revenue Code #4911</i>) by \$29,270 and increasing appropriations in Prior Year Reimbursement (<i>Object Code #5499</i>) by \$30,730; and B) authorize payment of \$30,730 to the California Department of Public Health. Motion carried unanimously.
Assessor-Auditor- CAO-Treasurer/ New Property Tax Management System RFP's	Ms. Alicia McMurtrie, Treasurer-Tax Collector, provided additional information and further justification for issuing an RFP for a new Property Tax Management System to replace the aging CREST System which is the County's current Property Tax Management System. She introduced members of the Selection Team that has been set up to pursue the replacement of the old system. Ms. Amy Shepherd, Management Analyst in the Auditor's Office, and Mr. Phil Lyle, Assistant Assessor, addressed the Board to support the replacement of the current system and to note areas where the current system is severely lacking. Supervisor Fortney asked if there was a way to have the building permit process made a part of this system, and Ms. McMurtrie explained that the County is pursuing a basic package, and she was fairly sure that type of application could be purchased as an add on. Moved by Supervisor Cash and seconded by Arcularius to authorize the issuance of the RFP-PTMS12, Software and Implementation and Training Services for an Integrated Property Tax Management System, contingent upon obtaining the appropriate approvals; and to authorize the issuance of the RFP-PTMS13, Project Management Service for the Integrated Property Tax Management System upon obtaining the appropriate approvals. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 9:55 a.m., to reconvene in a workshop at 10:00 a.m., with all Board Members present.
Planning/Workshop Inyo National Forest Plan Update/ Revision	The Board met in a workshop with County staff and Mr. Ed Armenta, Inyo National Forest Supervisor and his staff regarding the upcoming Inyo National Forest Plan Update/Revision, to begin prioritizing the County's involvement in the substance and process of the Update/Revision. The Chairperson recessed the workshop at 11:20 a.m., to reconvene in open session, with all Board Members present.

Mr. Armenta and the Board went on to discuss other Forest Service issues including the threat of invasive species on Forest Services lands, the upcoming visit by Mr. Tony Tooke, the Ecosystems Management Director from Washington D.C., the Sierra Cascade dialog, local USFS staffing issues, notification that all local campgrounds and toilets will be open this season, the Kern Plateau grazing allotment, public meetings on the Travel Management Plan, Subpart B, the Adventure Trails System, NEPA process for Black Canyon Trail, the Bristlecone Visitors Center reopening, and the massive project to clear blown down trees and the impact of downed trees on the Red Meadows area.

Recess/
Reconvene

The Chairperson recessed the regular meeting at 11:35 a.m., to reconvene in open session at 11:45 a.m., with all Board Members present.

Water/LORP RUP

Dr. Bob Harrington, Water Director, made opening remarks regarding the LORP and the development of a Recreational Plan (LORP RUP - Recreational Use Plan). Mr. Larry Freilich, Mitigation Manager, presented the draft Recreation Use Plan for the Lower Owens River Project, through a detailed power point presentation. The Board and staff discussed many aspects of the Draft Plan including addressing the liability concerns of the leaseholders; the different options being recommended; the alternatives identified in the Staff Report; liability responsibilities in a managed recreation area vs. unmanaged recreation area; the impact of increased dust on the ranching operations as a result of more recreational users; limitations on public access; the responsibility of any recreation plan to protect the goals of the overall use of the land in an effort to preserve the public's ability to continue to use leased ranch lands for recreational uses and acknowledgement of the uniqueness of the relationship between landowners/leaseholders/public in our area; concern by lessees about interference with their operations; DWP's concern with interference with their operations; LORP priorities, its habitat goals, the fact that enhancing recreation on the LORP is secondary to meeting the LORP's goals of developing riparian and riverine habitat and a warm water fishery; and that the recreation plan needs to be used for managing recreational opportunities, rather than for maximizing recreational opportunities, so it doesn't interfere with the other LORP priorities that are required in order to comply with the MOU.

Dr. Harrington reviewed the alternatives presented by staff in that (a) the project can continue as originally scoped as presented today, with Phase II being where \$50,000 in funding is found to complete Phase II of the Grant with a consultant, with the end result being a Recreational Plan for the Board of Supervisors and the Water and Power Commission Board to consider; (b) take individual implementation components of what is in the Draft Plan and seek to implement them; and (c) in-house completion of Phase II of the Plan as described by Staff. Dr. Harrington noted, with Board recognition, that the Water Department has many other in-house projects that have priority over the completion of Phase II as recommended in Alternative 3, with Dr. Harrington noting that he was not recommending Alternative 3. The Board and Dr. Harrington went on to discuss how to address stakeholder concerns irrespective of the Alternatives being recommended, with Dr. Harrington offering that Water Department staff could undertake this work.

The County Administrator asked whether this upcoming grant cycle isn't a perfect hand-in-glove fit for the next Sierra Nevada Conservancy (SNC) grant cycle since the focus is on the preservation of ranches and agricultural lands in light of either managed or unmanaged recreation? Which is what the County is talking about. He said we have a plan half way done with identified issues, with the question being how do we move forward in resolving those issues as part of finalizing that Plan. Mr. Carunchio explained that resolution of those issues is going to be a prerequisite for going forward in any managed way, saying again that he felt the next SNC grant cycle was a perfect funding opportunity for Phase II. Dr. Harrington concurred by explaining that he also thought it a good fit because working landscapes and ranch lands were the thrust of the next grant cycle and because it is such an important part of the LORP. Dr. Harrington explained that we have all of these competing goals at the LORP that have to be met, which is the essence of managing the land for multiple uses and multiple goals. He said he felt the County could develop a grant application along the lines of today's discussion with Phase I having identified these goals that are above recreation on the hierarchy, i.e., the working landscape, the LORP habitat goals, the cultural resources which are significant; and that we need to wrap this Plan up in a way that reconciles recreation with those other LORP priorities.

The County Administrator, in clarifying what was being discussed explained, and the Board concurred, that in moving forward it was the consensus of the Board to develop a hybrid of Alternative 1 and 2. Mr. Carunchio also clarified that the Sierra Nevada Conservancy promised Inyo County funding for Phase II if the County split its grant application into two phases. He said they told the County it would not be funded if it applied for the whole project as one grant and said that there would certainly be funding for Phase II. He said that he was certain that the Conservancy was going to honor their commitment to Inyo County to fund Phase II of the project.

Recess/
Reconvene

The Chairperson recessed the regular meeting at 12:50 p.m., to reconvene in open session at 1:30 p.m., with all Board Members present, except Supervisor Cervantes who joined the meeting several minutes later.

Planning/DRAFT
Energy Action Plan

Ms. Cathreen Richards, Associate Planner, reviewed the Staff Report and recommendations regarding the Draft Energy Action Plan template. She explained that this template would be used to help analyze the County's energy use data to help with energy efficiencies. Ms. Richards reviewed some of the preliminary data that has been provided and responded to questions from the Board regarding some of the preliminary results, again stressing that the data is very preliminary at this point. Moved by Supervisor Cash and seconded by Supervisor Pucci to authorize staff to use and distribute the DRAFT Energy Action Plan template. Motion carried unanimously.

Water/IRWMP
Meeting

Dr. Bob Harrington, Water Director, updated the Board on the IRWMP. Dr. Harrington clarified that the meeting is scheduled for April 25, 2012 not the 17th as noted. He went on to talk about the agenda items on the upcoming April 25, 2012 Regional Water Management Group Meeting concerning the IRWMP.

Board Members and
Staff Reports

The Board Members reported on their activities during the preceding week including an Indian Gaming Meeting, a Bishop Tribal Council Meeting, a tour of Black Rock, the ICARE fund raiser, Inyo Associates, a meeting with Probation and HHS re: AB 109 requirements. The Chairperson postponed further reports to later in the meeting.

CSS/Federal Grant
Opportunity

Ms. Susanne Rizo, Director of Child Support Services, explained that the grant funds will be used to help 5 to 10 clients a month with employment issues. She clarified that this was a request for permission to pursue the grant and any actual grant documents would be returned for Board consideration. Moved by Supervisor Cervantes and seconded by Supervisor Arcularius to authorize the Child Support Services Department to join with 15 other local Child Support agencies of small and rural counties to apply for a five (5) year federal grant relating to employment services for child support customers. Motion carried unanimously.

CSS/Position
Request

Moved by Supervisor Cash 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, as certified by the Director of Child Support Services, and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position of Administrative Analyst the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure a sufficient number of qualified applicants apply; and C) upon the vacancy occurring approve the hiring of one Administrative Analyst I, at Range 66 (\$3,757 - \$4,574). Motion carried unanimously.

BofS/Minute
Approval

Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the minutes of the April 3, 2012 Board of Supervisors Meeting. Motion carried unanimously.

Board Members and
Staff Reports

The Board Members continued their reports on their activities including an RCRC Meeting, constituent meetings, and a report on the April 12, 2012 traffic accident on U.S. 395 that detoured traffic to the Aberdeen Road, with Supervisor Fortney commending the Inyo County Sheriff's deputies that responded, saying they went above and beyond the call of duty and saying the County should be very proud of these individuals. The County Administrator reported that the CEC has scheduled a workshop on the Hidden Hills Project for April 26, 2012 in Sacramento beginning at 10:00 a.m.

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 2:10 p.m. to convene in closed session, with all Board Members present to discuss and take action as appropriate on Agenda Items No. 21. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c) – Decision Whether to Initiate Litigation (one case);** No. 22. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(b) – Significant Exposure to Litigation (one case);** No. 23. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957] - Public Employee Performance Evaluation – Title: Director Agriculture/Sealer of Weights and Measures;** No. 24. **PERSONNEL [PURSUANT TO GOVERNMENT CODE §54957] - Public Employee Performance Evaluation – Title: Director of Child Support Services;** No. 25. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6] - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriffs Association (DSA) - Negotiators: Labor Relations Administrator Sue Dishion, Information Services Director Brandon Shults, and Planning Director Josh Hart;** No. 26. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6] - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistants Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson 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: Inyo County Correctional Officers Association (ICCOA) - Negotiators: 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: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, Director of Child Support Services Susanne Rizo, Chief Probation Officer Jeff Thomson;** No. 29. **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: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion;** No. 30. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]. – Instructions to Negotiators re: wages, salaries and benefits – Title IHSS – Negotiators: Health and Human Services Director Jean Turner, Labor Relations Administrator Sue Dishion, and Employer of Record Anne Parkinson Noda and Bill May;** and No. 31. **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.**

Report on Closed Session

The Chairperson recessed closed session at 5:30 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 5:30 p.m., to 9:00 a.m., Tuesday, April 24, 2012 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