



County of Inyo Board of Supervisors

November 20, 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, November 20, 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 and there was no one wishing to address the Board.
- County Department Reports The Chairperson announced the County Department Report period. Mr. Doug Wilson, Interim Public Works Director, reported on the Coso Road Paving Project and the Bishop Library Re-Roofing Project. Mr. Brandon Shults, Information Services Director, reported on the GIS Day activities that he said were a great success. Dr. Bob Harrington, Water Director, reported on the Owens Lake Master Plan, and the IRWMP Meeting. Ms. Susanne Rizo, Director of Child Support Services, reported on her Department's activities. Ms. Kammi Foote, Clerk-Recorder, reported on the success of the more recent election.
- Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Cervantes and seconded by Supervisor Cash to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- Motor Pool/Vehicle Purchase Moved by Supervisor Cervantes and seconded by Supervisor Cash to award the bid for and authorize the purchase of three 2011 Ford Crown Victorias from Wondries Fleet Group, in the amount of \$79,580.79. Motion carried unanimously.
- Motor Pool/Mini Van Purchase Moved by Supervisor Cervantes and seconded by Supervisor Cash to award the bid for and authorize the purchase of one 2013 Toyota Sienna LE minivan from Perry Motors in the amount of \$30,015. Motion carried unanimously.
- Clerk-Elections/Statement of Votes Cast Moved by Supervisor Cervantes and seconded by Supervisor Cash to issue the order accepting the Statement of All Votes Cast as the Presidential General Election held November 6, 2012 and declare elected those offices under their jurisdiction for this election, and declare passed or failed those measures under their jurisdiction for this election, according to the number of votes for each as shown on the Statement of All Votes Cast. Motion carried unanimously.
- HHS-Soc. Serv./Minivan Purchase Moved by Supervisor Cervantes and seconded by Supervisor Cash to award the bid for and authorize the purchase of one 2013 Toyota Sienna LE minivan from Perry Motors in the amount of \$30,015. Motion carried unanimously.
- Probation/Siemens Contract Moved by Supervisor Cervantes and seconded by Supervisor Cash to A) declare Siemens Industry, Inc., a sole source contractor of fire and safety equipment inspection and maintenance services; and B) ratify and approve the Contract between the County of Inyo and Siemens Industry, Inc. for the provision of a semi-annual inspection and maintenance of equipment services (fire and safety equipment- fire suppression system), for the period of November 1, 2012 through June 30, 2014, in an amount not to exceed \$13,633, 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.
- Rd. Dept./L.P. Road Closure Moved by Supervisor Cervantes and seconded by Supervisor Cash to approve the closure of E. Locust Street between Alley Way just east of Main Street to N. Lakeview Street in Lone Pine on the evening of December 1, 2012 from 4:00 p.m. to 5:30 p.m., for the Christmas Light Parade. Motion carried unanimously.

P.W/County Facilities Trash Hauling Contract	Mr. Doug Wilson, Interim Public Works Director, provided additional information and further justification for the recommendation to award the contract for waste hauling at County facilities to Preferred Septic. Ms. Michele Irwin of Bishop Waste Disposal addressed the Board to say that their request for a copy of the Preferred bid was not forthcoming. She said that in the previous bid process it was her understanding that Preferred Septic had requested and was provided a copy of Bishop Waste's bid which he used to lodge a successful appeal of that bid. She asked the Board to direct that Bishop Waste be provided a copy of the Preferred bid and postpone the decision on the award of the waste hauling contract for County facilities to a later date in order for Bishop Waste to pursue an appeal of the recommendation. Mr. Doug Wilson, Interim Public Works Director, and Mr. Jeff Ahlstrom, Managing Landfill Engineering, assured the Board that it is not the policy of the Department to provide bid documentation to the public and confirmed that Preferred Septic did not receive a copy of Bishop Waste's bid during the earlier bid process. Moved by Supervisor Arcularius and seconded by Supervisor Pucci to award the bid to and approve the Contract between the County of Inyo and Preferred Septic and Disposal, Inc., for trash disposal services at County buildings and facilities for the period of December 1, 2012 through November 30, 2015, at the rate of \$2,909.84 per month for a total Contract amount not to exceed \$104,754.24, contingent upon the Board's adoption of future budgets; authorize the inclusion of recycling services at no additional cost as part of the services provided; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
HHS-ESAAA/Issues Update	Ms. Denelle Carrington, HHS Fiscal Director, reported that the Legal Services Contract is moving forward and to provide the Board with schedule meetings at the congregate meal sites for the end of November and beginning of December.
Emerg. Serv./ Roadeater Emergency	The County Administrator informed the Board that the CalEMA has notified the County that the Governor will not concur with the County's declaration of a local emergency. He read excerpts of the letter, expressing his dismay at the assertion that since no lives were threatened it did not meet the threshold for a State declaration. He noted that when the extreme summer heat in Death Valley combines with visitors from other country's driving on un-passable roads, lives will be in danger. He informed the Board that he will be contacting CalEMA to appeal this decision. He recommended the Board continue this emergency. Moved by Supervisor Cash and seconded by Supervisor Pucci to continue the local emergency, The Death Valley Roadeater Emergency, that resulted in flooding in the eastern portion of Inyo County during the month of August 2012, per Resolution #2012-32. Motion carried unanimously.
CAO-Amendment to Negotiated Agreement for Bishop Office Building	The County Administrator updated the Board on the status of the Exclusive Negotiated Agreement for Construction and Leasing of Inyo County Consolidated Office Building. He explained that the Phase I process was taking longer than expected. He also informed the Board Joseph Enterprises has performed admirably under this contract and recommended that the Developer Deposit be refunded as a sign of continuing good faith on the part of the County to pursue this project. Supervisor Cervantes reiterated his opposition to the construction of a County office building in Bishop. Moved by Supervisor Cash and seconded by Supervisor Arcularius to authorize the County Administrator to execute, contingent upon the appropriate signatures being obtained, Amendment #4 to the Exclusive Negotiation Agreement for Construction and Leasing of Inyo County Consolidated Office Building between the County of Inyo and Joseph Enterprises, extending the Phase I expiration date to February 28, 2013, deleting Section 4 (Developer Deposit) and authorizing the refund of the \$10,000 Developer Deposit made by Joseph Enterprises to the County of Inyo. Motion carried on a four-to-one vote, with Supervisor Arcularius, Cash, Pucci and Fortney voting yes, and with Supervisor Cervantes voting no.
Planning/BLM Transmission Lines	Mr. Josh Hart, Planning Director, reviewed the letter to BLM regarding potential future electrical transmission through Inyo County. The County Administrator recommended and the Board agreed that in the second paragraph last line the word "inform and" be added in front of "coordinate" and the word "new" be deleted after the word "develop" and that the County Administrator's email address be corrected. Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the correspondence to the Bureau of Land Management regarding potential future electrical transmission through Inyo County with the noted changes; and authorize the Chairperson to sign. Motion carried unanimously.
BofS/Minute Approval	Moved by Supervisor Cervantes and seconded by Supervisor Pucci to approve the minutes of the Board of Supervisors Special Meeting of October 30, 2012. Motion carried unanimously.

Recess/Reconvene The Chairperson recessed the regular meeting at 10:20 a.m., to reconvene in a workshop at 10:30 a.m., with all Board Members present.

D.A./Workshop on Operations The Board conducted a workshop with the District Attorney on the District Attorney's office daily operations. The Chairperson recessed the workshop at 11:40 p.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 a Mental Health Board meetings, and ESTA Meeting.

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 11:50 a.m., to convene in closed session, with all Board Members present to discuss and take action as appropriate on Agenda Items No. 17. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)].** *Center for Biological Diversity, a non-profit public interest corporation; Public Employees for environmental Responsibility, a national non-profit alliance of local, state, and federal resource professions, v. Inyo County and Inyo County Board of supervisors, Inyo County Superior Court Case No. SICVPT 12-53821; and* **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)].** *City of Los Angeles, Department of Water and Power of the City of Los Angeles v. Inyo County Board of Supervisors, et al., Inyo County Superior Court Case No. 12908; Blackrock 94 Dispute Resolution; No. 18.* **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(C)].** – decision whether to initiate litigation (one case); No. 19. **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: Labor Relations Administrator, Sue Dishion, Information Services Director, Brandon Shults, and Planning Director Josh Hart; No. 20. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6].** Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistant Association (EOAA) - Negotiators: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion; No. 21. **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. 22. **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. 23. **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; and No. 24. **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 12:25 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 12:35 p.m., to 9:00 a.m., Tuesday, December 4, 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