

# MINUTES

# County of Inyo Board of Supervisors

## SPECIAL MEETING

### January 22, 2013

The Board of Supervisors of the County of Inyo, State of California, met in special session at the hour of 9:00 a.m., on Tuesday, January 22, 2013, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Linda Arcularius presiding, Jeff Griffiths, Rick Pucci, Mark Tillemans and Matt Kingsley. 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. Dr. Bob Harrington, Water Director, reported on the agenda for an upcoming IRWMP Management Group Meeting, explaining that usually he brings the agenda for the Group Meeting to the Board for discussion, however in this case there is only one action item, that he believes will be continued at which time he will bring the item back for Board discussion. The Interim Public Works Director, Mr. Doug Wilson, said that the Department has been negotiating with Riverside Community College to acquire their modular security building. He said the County had been working on the understanding that the College would donate the building and the cost would be incurred in relocating the building. He said the Department learned late Thursday evening that the College was going to be auctioning off its modular buildings, including the security building, and said that there was a time crunch on this because the College intended that the buildings be removed by the first of February or they would be demolished. Mr. Wilson explained that this will now require the County to bid on the building and asked the Board to consider scheduling a special meeting later in the week to consider staff recommendations regarding a project to acquire and relocate the security building from the Riverside Community College. Chief Probation Officer Jeff Thomson, updated the Board on impacts of the Governor's budget on his Department. The County Administrator reported on a CAO's Association Meeting he had attended last week on the development of the counties AB109 fixed formula. Mr. Carunchio noted some troubling statistics regarding daily population numbers and the inevitable impact to Inyo County of future inmate populations because of AB109 that had to do with exceeding the 99 bed capacity of the Jail, which will then require the County to meet a whole myriad of different requirements for facilities that exceed the 99 bed limit. Mr. Carunchio noted how important it was for smaller counties to remain engaged as the AB109 funding formula is developed by the CAO's Association, in order to ensure there is mitigation for those smaller counties when they exceed the 99 bed limits of their jails, and are then forced to increase jail capacities to handle AB109 mandated returning inmate populations. The Chairperson announced that today's meeting would be adjourned in memory of Emily Jane Milovich.
- CAO-Info Serv./ Digital 395 Update      Mr. Mike Ort of Praxis Associates updated the Board on the Digital 395 Project, including how construction, which is scheduled to begin in Inyo County in the near future, will proceed.
- BofS/Committee Assignments      The Chairperson announced that the request to appoint alternates to the Great Basin Unified Air Pollution Control District and LAFCO was being pulled and would be rescheduled for the first meeting in February.
- Emerg. Serv./Oak Creek Mud Flows      Moved by Supervisor Pucci and seconded by Supervisor Tillemans to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.

Parks/Inland Aquaculture Group Contract Amendment	Moved by Supervisor Pucci and seconded by Supervisor Tillemans to approve Amendment No. 1 to the Contract between the County of Inyo and Inland Aquaculture Group LLC, amending the Scope of Work for provisions of planting Alpers Trout in various creeks and streams within the County operated campgrounds, for the period of July 1, 2012 through June 30, 2013, increasing the Contract amount by \$3,000 to a total amount not to exceed \$13,000; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
HHS-Mental Hlth./ Amendment I Casa Pacifica Center Contract	Moved by Supervisor Pucci and seconded by Supervisor Tillemans to approve Amendment No. 1 to the Contract between the County of Inyo and Casa Pacifica Center for Children and Families for the provision of mental health services, increasing the Contract amount by \$30,000 to a total not to exceed \$60,000 for the period of July 1, 2012 through June 30, 2013; and authorize the Chairperson to sign. Motion carried unanimously.
Planning/PCR Contract Amendment + C G Roxane Contract Amendment	Moved by Supervisor Pucci and seconded by Supervisor Tillemans to A) ratify and approve Amendment No. 2 to the Contract between the County of Inyo and PCR Services Corporation to increase the Contract amount by \$116,669 to a total amount not to exceed \$365,491, extending the ending date of the Contract from March 1, 2013 to June 30, 2013, contingent upon the Board's approval of the 2012-13 mid-year budget, and augmenting the Scope of Work to reflect the effort to complete the draft and final EIRs, responding to appeals and providing for additional hearings; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and B) approve Amendment No. 2 to the Contract between the County of Inyo and C.G. Roxane LLC to increase the Contract amount by \$163,337 to a total amount not to exceed \$508,507, contingent upon the Board's approval of the 2012-13 mid-year budget, and augmenting the Scope of Work to reflect the effort to complete the draft and final ERS, responding to appeals, and providing for additional hearings; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
P.W./PMC Contract	Moved by Supervisor Pucci and seconded by Supervisor Tillemans to award and approve the Contract between the County of Inyo and PMC for the provision of Triennial Performance Audit of the LTC, for the period of January 22, 2013, through August 31, 2013, in and amount not to exceed \$11,000, contingent upon the Board's approval of the 2012-13 mid-year budget; and authorize the Chairperson to sign. Motion carried unanimously.
Resol. #2013-05/ Urban Boundaries for Bishop Area	On a motion by Supervisor Pucci and a second by Supervisor Tillemans, Resolution No. 2013-05 titled "Resolution Regarding the Adjustment of 2010 Census Designated Urban Boundaries for Transportation Purposes," which expands the urban area designation for the Bishop area, was approved: motion unanimously passed and adopted.
Coroner/Autopsy Service Contracts	Moved by Supervisor Pucci and seconded by Supervisor Tillemans to A) approve the Contracts between the County of Inyo and Eva S. Wasef, M.D. and Kenneth I. Saeger, M.D., for autopsy services, for the period of January 14, 2013 through December 31, 2013, in the amount of \$10,000 each, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign contingent upon the appropriate signatures being obtained; and B) approve Amendment No. 1 to the Contract between the County of Inyo and Milton R. Jones, M.D., for autopsy services decreasing the Contract amount by \$20,000 for a total Contract amount not to exceed \$19,375; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Probation/EPICS Training Contract	The request by the Probation Department to approve the Contract between the County of Inyo and the University of Cincinnati, School of Criminal Justice, for training on Effective Practices for Correctional Supervision (EPICS) to the Probation Officers, was pulled at the request of the Department.  Prior to the Board continuing with the Departmental agenda items, Supervisor Kingsley informed that Board of his intention to bring back, for further consideration, the ratification of a Film Commissioner Contract with Mr. Chris Langley, beginning July 1, 2012.
HHS-ESAAA/ Update	Ms. Jean Turner, Director of Health and Human Services, very briefly updated the Board on issues involving Inyo County's Growing Older, Living With Dignity (IC GOLD) Program, as well as the Eastern Sierra Area Agency on Aging (ESAAA).

Probation/Contract to Upgrade the Security System	The Chief Probation Office, Jeff Thomson, provided the Board with copies of the Contract to upgrade the security system at the Juvenile Facility. He provided further information and justification for the upgrade, talking about the deficiencies with the existing system, the funding sources to pay for the upgrade, and the issues which Public Works has identified as potential problems because of similar situations that arose when the Jail's security system was upgraded, i.e. excessive heat from the servers, and actions taken to resolve the problem. Mr. Doug Wilson, Interim Public Works Director, provided additional information on those concerns saying that he believes the issues will be resolved. Moved by Supervisor Pucci and seconded by Supervisor Griffiths to A) amend the FY 2012-13 Juvenile Institutions Budget Unit 023100 by increasing estimated revenue in Operating Transfer In ( <i>Revenue Code #4998</i> ) by \$37,196 and State Other ( <i>Revenue Code #4499</i> ) by \$15,520 and increasing appropriations in Equipment Fixed Assets ( <i>Object Code #5650</i> ) by \$52,716, ( <i>4/5's vote required</i> ) and B) declare American Security Group a sole-source provider of security systems and approve the Contract between the County of Inyo and American Security Group for the provision and installation of an upgraded security system at the Juvenile Center for the period of February 1, 2013 through June 30, 2013, in an amount not to exceed \$112,715.11 including change orders; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained and authorize the Chief Probation Officer to sign the Certificate of Acceptance upon completion of the project. Motion carried unanimously.
Planning/NRAC Appointments	The Planning Director, Mr. Josh Hart, provided addition information and further explanation regarding the request to appoint members to the Natural Resources Committee. The Board drew names to establish which members would serve initial staggered three year terms. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to make the following appointments to the Natural Resources Committee: Mr. Doug Thomson and Mr. David German to serve three year terms ending October 6, 2015; Mr. Walter Sharer to serve a two year term ending October 6, 2014; Ms. Dana Jeffries and Ms. Randi Pritchard to serve one year terms ending October 6, 2013; and Ms. Jael Hoffmann-Lish as the alternate to serve a three year term ending October 6, 2015. Motion carried unanimously.
Planning/Western Cohesive Strategy Plan	Mr. Josh Hart, Planning Director provided the Board with a copy of the Western Cohesive Strategy Draft Action Plan, which provides wildfire planning in the west. He reviewed the documentation with the Board. Supervisor Arcularius and Kingsley expressed a desire to help develop the County's response. The Board requested Mr. Hart confer with Supervisors Arcularius and Kingsley, develop correspondence on the Plan, and return the item for further Board consideration, if possible during a Special Board Meeting the Board is contemplating setting later in the week.
Planning/DCERP Comments	The Planning Director, Mr. Josh Hart, reviewed the Draft Desert Renewable Energy Conservation Plan Alternatives with the Board. The Board and Staff discussed the Alternatives and the Plan itself in detail and at length, including the need to reaffirm the Board's support of the development of renewable energy facilities in Inyo County, the importance of mitigation for public lands, the Plan's potential to reduce and/or eliminate uses on the public lands in Inyo County, and the importance that County lands not be used to mitigate for other areas. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to approve the correspondence in regards to the Description and Comparative Evaluation of Draft Desert Renewable Energy Conservation Plan Alternatives as amended to reflect today's discussion; and authorize the Chairperson to sign. Motion carried unanimously.
Water Dept./SNC LORP RUP Contract	The Water Director, Dr. Bob Harrington, provided a copy of the proposed contract between the County of Inyo and the Sierra Nevada Conservancy (SNC). He provided additional information and further clarification regarding the contract to complete the LORP Recreation and Use Plan. Supervisor Arcularius acknowledge that the Board would be taking action to authorize execution of the Agreement. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans approve the Agreement between the County of Inyo and Sierra Nevada Conservancy (SNC) for services related to completing the Lowers Owens River Recreation Plan (LORP RUP) for the period of January 22, 2013 through March 31, 2013; and authorize the County Administrator to execute the Agreement, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Emerg. Serv./Roadeater Emerg.	The County Administrator recommended the Board continue the Roadeater Emergency in order to provide staff the opportunity to continue to work with the State and a declaration of emergency. Moved by Supervisor Kingsley 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.

BofS/Minute Approval	Moved by Supervisor Pucci and seconded by Supervisor Tillemans to approve the minutes of the January 8, 2013 Board of Supervisors Meeting. Motion carried unanimously.
Recess/Reconvene	The Chairperson recessed the special meeting at 12:40 p.m., to reconvene at 1:30 p.m., in a workshop, with all Board Members present.
Clerk-Recorder Workshop	The Board convened in a workshop with the Inyo County Clerk-Recorder, Ms. Kammi Foote on the Clerk/Recorders & Registrar of Voters Department. The Chairperson recessed the workshop at 2:15 p.m. to reconvene in open session.
HHS-ESAAA Workshop	The Chairperson announced that the workshop with the Health and Human Services Department on Inyo County's Growing Older, Living With Dignity (I.C. GOLD) Program and the Eastern Sierra Area Agency on Aging (ESAAA) was postponed to a future date.
P.W./Rd. Dpt. Snow Removal Workshop	The Chairperson recessed open session at 2:16 p.m., to convene in a workshop, with all Board Members present, to receive information on the County's Snow Removal Policy. The Chairperson recessed the workshop at 2:35 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 the D.V. Inyo Associates Meeting, an ESTA Meeting, and an Independence Fire Safe Council Meeting. The Interim Public Works Director, Mr. Doug Wilson, requested the Board schedule a meeting in order to consider a request by the Department concerning the purchase of a Riverside Community College Modular Security Building to serve as a part of the Lone Pine Sheriff's Substation. The Board agreed with the request and scheduled a Special Board of Supervisors Meeting for 9:00 a.m., on Thursday, January 24, 2012, in the Board of Supervisors Room, at the County Administrative Center in Independence. The Board also requested that the correspondence concerning the Western Cohesive Management Plan also be agendized for the Special 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 2:45 p.m. to convene in closed session with all Board Members present. The Board convened in closed session to discuss and take action as appropriate on Agenda Items No. 25. <b>CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] – PROMINENT SYSTEMS, INC., a California Corporation, v. EASTERN SIERRA ENGINEERING, P.C., a Nevada Corporation; COUNTY OF INYO, a political subdivision of the State of California, Superior Court of the State of California for the County of Los Angeles BC498144; No. 26. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] – RDO Construction Equipment Co., dba B &amp; B Equipment Rental by RDO Equipment Co., V Prominent Systems, Inc., County of Inyo, et al – Superior Court of the State of California for the County of Riverside, Western Division RIC1202660; No. 27. 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; No. 28. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(c)] – decision whether to initiate litigation (one case); No. 29. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] – Jesse Edwin Jason v. County of Inyo, Unfair Practice Charge No. SA-CE-814-M; No. 30. 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. 31. 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. 32. 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. 33. CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]. - Instructions to Negotiators re: wages, salaries and</b>

benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, Director Child Support Services Susanne Rizo, and Chief Probation Officer Jeff Thomson; No. 34. **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. 35. **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; No. 35A. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(b)(3)]** – significant exposure to potential litigation (one case); No. 35B. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title – County Administrative Officer; and No. 35C. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title – Health and Human Services Director.

Report on Closed Session

The Chairperson recessed closed session at 6:00 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported that with regard to Agenda Item No. 28. No. 28. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(c)]** – decision whether to initiate litigation (one case), regarding a decision to initiate litigation, the Board of Supervisors, in a unanimous vote, with Supervisors Arcularius, Griffiths, Pucci, Tillemans and Kingsley voting yes, authorized the County Counsel to intervene in the matter of *Application for Certification of the Hidden Hills Solar Electric Generating System (SEGS)*, Docket No. 11-AFC-2, State of California Energy Resources Conservation and Development Commission, which concerns the licensing of a solar electric generating system in the Charleston View area of Inyo County; and with regard to Agenda item No. 29. No. 29. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)]** – *Jesse Edwin Jason v. County of Inyo*, Unfair Practice Charge No. SA-CE-814-M, Public Employment Relations Board, concerning alleged unfair labor practices by the County of Inyo, the Board of Supervisors, in a unanimous vote, with Supervisors Arcularius, Griffiths, Pucci, Tillemans and Kingsley voting yes, authorized the County Counsel to defend the County in the matter.

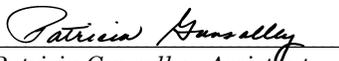
Adjournment

The Chairperson adjourned the meeting in memory of Emily Jane Milovich a long-time resident of Bishop. The Chairperson adjourned the special meeting at 6:00 p.m.



Chairperson, Inyo County Board of Supervisor

Attest: KEVIN D. CARUNCHIO  
Clerk of the Board

by:   
Patricia Gunsolley, Assistant