

MINUTES

County of Inyo Board of Supervisors

August 13, 2013

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:35 a.m., on August 13, 2013, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Linda Arcularius presiding, Jeff Griffiths, Mark Tillemans and Matt Kingsley. Supervisor Pucci was absent. Supervisor Tillemans led the Pledge of Allegiance.

Public comment The Chairperson announced the public comment period and there was no one wishing to address the Board.

Closed Session The Chairperson recessed open session at 8:35 a.m., to convene in closed session, with all Board Members present, except Supervisor Pucci to discuss and take action as appropriate on Agenda Items No. 2. **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-814M; No. 3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)] – Stephen Rennie v. County of Inyo, WCAB No. ADJ8627116; No. 4. REAL PROPERTY NEGOTIATIONS [CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8] – Property: APN 035-200-019-000, 452 Old Mammoth Road, Mammoth Lakes, CA - Negotiating Parties: Kevin Carunchio, County Administrator, Susanne Rizo, Director of Child Support Services; Clint Quilter, Public Works Director and Jim Tatum, Deputy Public Works Director – Negotiations: Terms and Conditions; No. 5. REAL PROPERTY NEGOTIATIONS [CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8] – Property: APN 035-230-10-000000 and APN 035-230-11-0000000, 126 Old Mammoth Road, Mammoth Lakes, CA - Negotiating Parties: Kevin Carunchio, County Administrator, Susanne Rizo, Director of Child Support Services; Clint Quilter, Public Works Director and Jim Tatum, Deputy Public Works Director – Negotiations: Terms and Conditions; No. 6. REAL PROPERTY NEGOTIATIONS [CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8] – Property: APN 035-140-17-0000, 101 Old Mammoth Road, Mammoth Lakes, CA - Negotiating Parties: Kevin Carunchio, County Administrator, Susanne Rizo, Director of Child Support Services; Clint Quilter, Public Works Director and Jim Tatum, Deputy Public Works Director – Negotiations: Terms and Conditions; No. 7. REAL PROPERTY NEGOTIATIONS [CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8] – Property: APN 035-200-017-000, 437 Old Mammoth Road, Mammoth Lakes, CA - Negotiating Parties: Kevin Carunchio, County Administrator, Susanne Rizo, Director of Child Support Services; Clint Quilter, Public Works Director and Jim Tatum, Deputy Public Works Director – Negotiations: Terms and Conditions; No. 8. PERSONNEL [Pursuant to Government Code §54957]. Public Employee Appointment – Title – County Counsel; No. 9. 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: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion; No. 10. 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: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion; No. 11. 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, and Information Services Director Brandon Shults; No. 12. 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: Information Services Director Brandon Shults, Chief Probation Officer Jeff Thomson, and Labor Relations Administrator Sue Dishion; No. 13. 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: Information Services Director Brandon Shults and Labor Relations Administrator Sue Dishion; No. 14. **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. 15. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]** – Decision whether to initiate litigation (one case); and No. 16. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]** - *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; 16A. **CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6)** – Instructions to Negotiators re: wages, salaries and benefits – Title: County Counsel – Negotiator – as designated by the Board of Supervisors; and 16 B. **PERSONNEL [Pursuant to Government Code §54957]**. Public Employee Performance Evaluation – Title – County Administrator.

- Public Comment The Chairperson announced the second public comment period. Captain Andrea Witmere, Bishop California Highway Patrol, announced recruitment efforts for CHP Officers.
- Introduction Ms. Elaine Kabala, Associate Planner, was introduced to the Board.
- Resol. #2013-34/
Min. Rate Schedule
Hauling &
Collection On a motion by Supervisor Griffiths and a second by Supervisor Tillemans, Resolution No. 2013-34 was approved establishing a minimum rate schedule for residential and commercial solid waste collection and hauling services for permit areas A, B, C, D, E, and F: motion unanimously passed and adopted, with Supervisor Pucci absent.
- CAO-Info. Serv./
SunGuard Software
Maintenance
Agreement Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the renewal of a Software Maintenance Agreement between the County of Inyo and SunGuard Public Sector for the County's enterprise accounting system IFAS for the period of July 1, 2013 through June 30, 2014 in an amount not to exceed \$32,390, contingent upon the Board's adoption of FY 2013-14 budget. Motion carried unanimously, with Supervisor Pucci absent.
- Auditor/Neely
Contract Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to declare Neely Accountancy Corporation a sole source provider of audit services and approve the Contract between the County of Inyo and Neely Accountancy Corporation for the bi-annual special district audits in an amount not to exceed \$22,601.25 for the period of July 1, 2013 through June 30, 2014, contingent upon the Board's adoption of future budgets and authorize the Chairperson to sign. Motion carried unanimously, with Supervisor Pucci absent.
- Resol. #2013-35/
Notice of
Completion Heater
Project On a motion by Supervisor Griffiths and a second by Supervisor Tillemans, Resolution No. 2013-35 was approved accepting the improvements for the Heater Replacement Project and authorize the recording of a Notice of Completion for the Project: motion unanimously passed and adopted, with Supervisor Pucci absent.
- Rd. Dept./Annual
Road Report State
Controller Contract Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve a sole-source Contract between the County of Inyo and the Controller of the State of California for the Annual Road Report for the fiscal year ending June 30, 2013, in an amount not to exceed \$4,000, contingent upon the Board's adoption of a FY 2013-14 budget, authorize the Road Commissioner to sign, and designate the Road Commissioner to sign the Road Report per State Law. Motion carried unanimously, with Supervisor Pucci absent.
- CAO-Personnel/
Workshop w/Labor
Counsel The Chairperson recessed open session at 10:15 a.m., to convene in a Workshop, with all Board Members present, except Supervisor Pucci, with the County's Labor Counsel, Irma Rodriguez Moisa, to discuss the Board of Supervisors role in Human Resources. The Chairperson recessed the workshop at 10:55 a.m.
- CAO-Risk Mgt./
Workshop The Chairperson convened the Board in a workshop at 10:55 a.m., with all Board Members present, except Supervisor Pucci, to discuss the County Workers Compensation Program. The Chairperson recessed the workshop at 11:15 a.m., to reconvene in open session, with all Board Members present, except Supervisor Pucci.

Water/Ecosystem Sciences Contract	Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to ratify the Contract between the County of Inyo and Ecosystem Sciences, for the provision of Biological Resources Consulting Services in an amount not to exceed \$308,072 for the period of July 1, 2013 through June 30, 2014, contingent upon the Board's adoption of a FY 2013-14 Budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously, with Supervisor Pucci absent.
Planning/Update on Forest Plan Update	The Board received a presentation from staff about coordination with the Forest Service staff regarding the Inyo National Forest Plan Update/Revision. The Board asked that a follow-up letter be sent to the Regional Forrester to find out the status of the MOU. The Board and staff discussed the fact that the Forest Service has rejected the County's request on the Science Symposium. They also discussed the meeting with the IDT. The Board went on to review the County's Draft Focus Paper Outlines and reviewed the Public Outreach Plan.
Planning/Intent to Vacate Portion of Birch St.	In deference to Supervisor Pucci's absence the Board directed staff to reagentize the request for the Board to consider a resolution concerning the vacation of a portion of Birch Street in West Bishop.
Ord. 1184/Marriage Ceremony Fee for Clerk's Office	On a motion by Supervisor Kingsley and a second by Supervisor Griffiths, Ordinance 1184 titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Adding Section 2.14.040 of the Inyo County Code to Establish Fee for Performance of Marriage Ceremony by County Clerk" authorizing the Inyo County Clerk to collect a \$25 fee to perform marriage ceremonies was enacted: motion unanimously passed and adopted with Supervisor Pucci absent.
Closed Session	The Chairperson recessed open session at 12:00 p.m., to reconvene in closed session, with all Board Members present except Supervisor Pucci, to continue discussions on previously noted closed session items. The Chairperson recessed closed session at 1:35 p.m., to reconvene in open session with all Board Members present, except Supervisor Pucci.
Integ. Waste/ Workshop on Waste Collection	The Chairperson immediately recessed open session to convene in a workshop, the third of three workshops regarding Inyo Recycle and Integrated Waste Program, to discuss related issues with the focus on waste collection. The Chairperson recessed the workshop at 2:40 p.m., to reconvene in open session at 2:45 p.m., with all Board Members present, except Supervisor Pucci.
Planning Dept./ Comments on EA Bishop Restoration Project	Mr. Josh Hart, Planning Director briefly reviewed the U.S. Forest Service's Environmental Assessment Bishop Creek Unauthorized Route Restoration Project. He and the Board discussed the project and the draft letter staff presented commenting on the EA. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the letter commenting on the U.S. Forest Service's Environmental Assessment Bishop Creek Unauthorized Route Restoration Project and authorize the Chairperson to sign. Motion carried unanimously, with Supervisor Pucci absent.
CAO-Personnel/ DA Salary	The County Administrator indicated that the request for the Board to discuss the salary of the Inyo County District Attorney would be returned at a later date.
BofS/Minute Approval	Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to approve the minutes of the Special Meeting of July 31, 2013. Motion carried unanimously, with Supervisor Pucci absent.
County Department Reports	The Chairperson announced the County Department Report period. Mr. Josh Hart, Planning Director, updated the Board on the critical habitat designation for the yellow-legged frog. He reviewed the schedule for upcoming public meetings on the Forest Service Plan Revision/Update and informed the Board about an upcoming workshop concerning SB1241 and its impact on Inyo County.
Emerg. Services-Rd. Dept./Gully Washer Emergency. Update	Ms. Kelly Williams of the County Administrator's Office provided an overview of the Gully Washer Emergency and the damage the flooding caused to County roads. In reviewing the costs to repair the Road, it was reported that the costs have risen from a little more than \$800,000 to over \$1,460,000 and that the County is still awaiting a Governor's proclamation declaring the emergency. The Board heard from Representatives of the Road Department, who reported on the specific damage to individual roads and talked in detail about Division Creek repairs being done by DWP. The Board and staff continued to discuss the condition of the individual County roads.

Public Comment The Chairperson announced the third public comment period. Mr. Jim Stroh of Independence addressed the Board to talk about the Gully Washer Emergency. The Board, Mr. Stroh and staff talked about the need for the County to continue its efforts to have the Governor proclaim a State Emergency.

BofS/Notification of Special Meeting The Chairperson noted that Board would be conducting a Special Meeting at the Statham Hall, 138 Jackson Street, in Lone Pine this evening beginning at 6:00 p.m., to take input from the public on the proposed Topic Papers being prepared to guide the development of a new Inyo National Forest Management Plan.

Closed Session The Chairperson recessed open session at 4:10 p.m., to reconvene in closed session at 4:15 p.m., with all Board Members present except Supervisor Pucci, to continue discussions on previously noted closed session items. The Chairperson recessed closed session at 5:20 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 4:15 p.m., to 8:30 a.m., August 20, 2013 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