

# MINUTES

# County of Inyo Board of Supervisors

**August 20, 2013**

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:30 a.m., on August 20, 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 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 8:31 a.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]** – Decision whether to initiate litigation (one case); No. 3. **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; No. 4. **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. 5. **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. 6. **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. 7. **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. 8. **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; and No. 9. **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. The Chairperson recessed closed session at 10:00 a.m., to reconvene in open session, with all Board Members present.
- Public Comment            The Chairperson announced the second 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. Marvin Moskowitz, Environmental Health Director, updated the Board on a local Hanta Virus case that has been diagnosed. He reported that the infected person is a teenager who is reported to be recovering. Mr. Moskowitz went on to report on State Enforcement Agency on Drinking Water activities in the County. He also updated the Board on the condition of pollutants in Bishop Creek and monitoring efforts. Sheriff Lutze reported on the storm cell that passed through the County. Ms. Pam Hennarty, Senior Deputy CAO, announced a Health and Wellness program the County is instituting for its employees. She commented on a couple of upcoming events, the Couch to 5K Run and the Healthy Recipe Sharing Pot Luck, inviting the Board Members to participate in the

events. Ms. Kammie Foote, Clerk-Recorder, updated the Board on AB464 and SB391. Mr. Jim Tatum, Deputy Public Works Director, informed the Board of an issue that has arisen at the Bishop Airport. He explained that there are trees encroaching into the approach site of the instrument landing run way. He said the FAA has determined it is a safety issue and they have to be removed. He described an incident where this situation caused a problem in that one of the Life Flights refused to land as a result of poor runway visibility. Mr. Tatum said that Public Works is taking steps to remove the trees and will keep the Board informed as the situation progresses. Mr. Josh Hart, Planning Director, informed the Board of the recent death of Ms. Tanda Gretz a former Inyo County Senior Planner, highlighting many of the projects she had worked on for the County. The Chairperson noted that today's meeting would be adjourned in memory of Ms. Gretz. Mr. Jon Klusmire, Museum Administrator, updated the Board on the Geotourism Program, and the Fall Colors promotion

- Museum/Comm. Sponsorship Grants Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to authorize paying Death Valley Chamber of Commerce \$3,500 for website upgrades and adding three new languages to the site and \$3,000 for producing and printing the 2013 Death Valley Visitor's Guide, which are both FY 2012-13 Community Sponsorship Grant Projects. Motion carried unanimously.
- CAO-Purchasing/ FY 2013-14 Print Bid Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to award the Printing bid for FY 2013/14 to Hannigan Company, Inc.; and authorize purchase orders to be issued for various departments from this bid. Motion carried unanimously.
- CAO-Personnel/ Kemp-Williams Contract Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to A) approve the Contract between the County of Inyo and Margaret Kemp-Williams for the provision of personal services as the County Counsel, at a monthly salary of \$12,000 (including premium pay), effective September 2, 2013, and authorize the Chairperson to sign. Motion carried unanimously.
- Resol. #2013-36/ Appointed Officials Salary On a motion by Supervisor Kingsley and a second by Supervisor Griffiths, Resolution No. 2013-36 titled "A Resolution of the Board of Supervisors, State of California, Amending Resolution 2006-06 Changing Salary and/or Terms and Conditions of Employment for Appointed Officials Employed in the Several Offices or Institutions of the County of Inyo," was approved: motion unanimously passed and adopted.
- P.W./Pacifica Mutual Contract Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve Amendment No. 1 to the Contract between the County of Inyo and Pacifica Mutual Consultants for performance of a triennial performance audit of the Inyo County Local Transportation Commission, extending the ending date of the Contract to October 31, 2013; and authorize the Chairperson to sign. Motion carried unanimously.
- Resol. #2013-37/ Sheriff's L.P. Substation Completion Notice On a motion by Supervisor Kingsley and a second by Supervisor Griffiths, Resolution No. 2013-37 was approved accepting the improvements for the Lone Pine Sheriff's Substation Addition Project and authorizing the recording of a Notice of Completion for the project: motion unanimously passed and adopted.
- Sheriff/ESRI Contract The request to declare ESRI as a sole-source provider of Enterprise License Renewal agreement services and authorize a purchase order to ESRI for the Enterprise License Renewal Agreement was pulled from consideration at the request of Information Services.
- HHS-Hlth. Serv./ Position Request Prevention Specialist Moved by Supervisor Griffiths and seconded by Supervisor Pucci to A) change the authorized strength by adding one full-time Prevention Specialist position at Range 60 (\$3,271 - \$3,973); and B) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the position of Prevention Specialist exists as certified by the Health and Human Services Director, and concurred with by the County Administrator and Auditor-Controller; (b) where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply; and (c) approve the hiring of one Prevention Specialist at Range 60, contingent upon the Board's adoption of a FY 2013-14 budget. Motion carried unanimously.

- HHS-Behavioral Hlth. Serv./Position Request  
Request
- Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to A) restructure the Behavioral Health Division by changing the authorized strength by deleting one full-time Case Manager II position at Range 60 (\$3,271 - \$3,973) and adding one full-time Social Worker IV position at Range 69 (\$4,041 - \$4,904) or a Psychotherapist position at Range 78 (\$4,997 - \$6,074) depending upon the qualifications of a successful candidate; and B) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the position of Social Worker IV or Psychotherapist and Case Manager II exists in the Behavioral Health budgets, as certified by the Health and Human Services Director, and concurred with by the County Administrator and Auditor-Controller; (b) where if the County was facing layoffs, the positions could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of either one Social Worker IV at Range 69 or a Psychotherapist at Range 78 and one Case Manager II at Range 60. Motion carried unanimously.
- HHS – Behavioral Hlth. Serv./Position Request – B-PAR Case Manager
- Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to A) restructure the Behavioral Health Division by changing the authorized strength by deleting one B-PAR Health and Human Services Specialist position at Range 53PT (\$14.88 - \$18.12/hr.) and adding one B-PAR Case Manager Series (I-III) at Ranges 57PT to 064PT (\$16.32 - \$23.28/hr.) and B) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the position of a B-PAR Case Manager exists in the Behavioral Health budgets as certified by the Health and Human Services Director, and concurred with by the County Administrator and Auditor-Controller; (b) where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of one B-PAR Case Manager I at 57PT (\$16.32 - \$19.84) or II at Range 60PT (\$17.53 - \$21.29) depending upon qualifications. Motion carried unanimously.
- HHS-Behavioral Hlth. Serv./Position Request – Social Worker or Psychotherapist
- Moved by Supervisor Griffiths and seconded by Supervisor Pucci to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position of Social Worker IV or Psychotherapist exists in the Behavioral Health budgets as certified by the Health and Human Services Director, and concurred with by the County Administrator and Auditor-Controller; B) where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of one Social Worker IV at Range 69 (\$4,041 - \$4,904) or Psychotherapist at Range 78 (\$4,997 - \$6,074). Motion carried unanimously.
- HHS-Tobacco Prev. Serv./Position Request – Human Services Supervisor
- Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the position of Human Services Supervisor exists in the Tobacco Budget as certified by the Health and Human Services Director, and concurred with by the County Administrator and Auditor-Controller; B) where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of one full-time Human Services Supervisor at Range 66 (\$3,757 – \$4,574). Motion carried unanimously.
- HHS-Social Serv./ Position Request – Case Worker
- Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the positions of Integrated Case Worker exists as certified by the Health and Human Services Director, and concurred with by the County Administrator and Auditor-Controller; B) where if the County was facing layoffs, the position could be filled by internal candidates meeting the qualifications for the position, but since no layoffs are pending, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of two Integrated Case Worker I at Range 60 (\$3,271 - \$3,973) and/or II at Range 64 (\$3,590 - \$4,363) depending upon qualifications. Motion carried unanimously.
- Resol. #2013-38/ Jail Patient Inmates CMPS Contract
- On a motion by Supervisor Griffiths and a second by Supervisor Tillemans, Resolution No. 2013-38, authorizing and directing the Director of Health and Human Services to sign and take all action necessary to ratify the Agreement regarding Certified Public Expenditures for County Jail “Patient Inmates” by and between the County of Inyo and the County Medical Services Program (CMSP) Governing Board (“CPE Agreement”), for the period of July 1, 2013 through June 30, 2014, in an amount not to exceed \$5,000, contingent upon the Board’s adoption of a FY 2013-14 budget: motion unanimously passed and adopted.

HHS-Soc. Serv./ ESTA Bulk Passes	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve an annual bulk purchase of ESTA bus passes for Health and Human Services Programs in an amount not to exceed \$11,863, contingent upon the Board's adoption of a FY 2013-14 budget. Motion carried unanimously.
Water/Workshop on Bartell Parcel in B.P.	The Chairperson recessed open session at 11:05 a.m., to convene in a workshop with all Board Members present, to receive a recommendation from the Inyo County Water Commission and hear a presentation from the Big Pine Paiute Tribe related to the "Bartell Parcel." The Chairperson recessed the workshop at 12:00 p.m., to reconvene in open session with all Board Members present.
Resol. #2013-39/ Intent to Vacate Portion of Birch St.	On a motion by Supervisor Pucci and a second by Supervisor Griffiths, Resolution 2013-39 titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Declaring its Intent to Vacate that Portion of Birch Street in West Bishop and Setting and Providing Notice of a Public Hearing on Said Vacation;" and setting the public hearing pursuant to the California Streets and Highways Code for September 10, 2013 at 11:30 a.m. was approved: motion unanimously passed and adopted.
Resol. #2013-40/ Olancha CSD Loan	On a motion by Supervisor Kingsley and a second by Supervisor Tillemans, Resolution No. 2013-40 was approved pursuant to the provisions of Article XVI, Section 6 of the California Constitution, thereby approving an interim loan from the County Treasury to the Olancha Community Service District in the aggregate amount of \$20,000 for the purpose of financing the District's operational costs during FY 2013-14 prior to receipt of their annual property tax apportionment: motion unanimously passed and adopted.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:10 p.m., to reconvene in open session at 1:10 p.m., with all Board Members present.
Water/FY 2013-14 LORP Annual Work Plan	Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to adopt, contingent upon the same by LADWP A) the 2013-2014 Fiscal Year LORP Annual Work Plan, Budget, Schedule; and B) the Amendment to the Work Plan titled Lower Owens River Project Adaptive Management Response to the Lone Pine Fire. Motion carried unanimously.
BofS/Minute Approval	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the minutes of the August 5, 2013 Special Board of Supervisors Meeting. Motion carried unanimously.
Emerg. Serv./ D.V. Roadeater Emerg.	The County Administrator recommended the Board continue the Roadeater Emergency. Moved by Supervisor Griffiths 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.
Emerg. Serv./Gully Washer Emergency	The Board received an update on the cost to repair the County roads as a result of the Gully Washer Emergency. Staff reported the estimate now exceeds \$1,046,000. Staff reported on the condition of each of the roads and noted additional damage that was incurred as a result of the most recent storm. The County Administrator recommended that the emergency be continued. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to continue the local emergency, The Gully Washer Emergency that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013. Motion carried unanimously.
BofS/Oppose SB 594 That Limits Nonprofits From Participating in Ballot Measure Process	Supervisor Griffiths provided the Board with a copy of the draft letter opposing SB 594. He offered additional information and further explanation on SB 594 and its impacts on those nonprofits that the County depends upon to help in its lobbying efforts. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve the letter opposing SB 594 (Hill) and authorize amending the Legislative Platform to add under the General Government Section Item No. 23. <b>Oppose</b> Legislation that eliminates, diminishes, limits or interferes with the nonprofit organizations that the County has membership in, i.e., CSAC, RCRC, State Sheriff's Association, Chief Probation Officers Association, State Welfare Directors Association, etc., in actively participating in the legislative and ballot measure processes. Motion carried unanimously.

P.W./Town Water Systems Workshop      The Chairperson recessed open session at 1:45 p.m., to convene in a workshop with all Board Members present, regarding recent reports about the operation and condition of the water systems (Lone Pine, Independence, and Laws) and provide direction regarding the County's options for operating the systems including through an operator, a lease and/or a rate study for the purposes of increasing rates. The Chairperson recessed the workshop at 3:35 p.m.

Closed Session      The Chairperson reconvened in closed session at 3:45 p.m., with all Board Members present to continue discussions and possible actions on previously noted closed session items.

Report on Closed Session      The Chairperson recessed closed session at 4:55 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.

Adjourned      The Chairperson adjourned the regular meeting, in memory of Ms. Tanda Gretz, at 4:55 p.m. to 8:30 a.m., Tuesday, August 27, 2013 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

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Chairperson, Inyo County Board of Supervisor

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

by: \_\_\_\_\_  
*Patricia Gunsolley, Assistant*