

MINUTES

County of Inyo Board of Supervisors

October 8, 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, 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.

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

Closed Session The following closed session items were pulled from consideration: Items No. 4. **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. 5. **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. 6. **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.

The Chairperson recessed open session at 8:35 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(c)]** – Meet with legal counsel for discussion and advice regarding potential litigation (one case); No. 3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)]** – Judith M. Hall, Charging Party v. County of Inyo/Inyo County Sheriff's Department U.S. EEOC Charge No. 485-2007-00299; No. No. 7. **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. 7A. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9]** – John Thomas Christiana v. Jeanette Schneider, Ph.D., M.D., Inyo County Department of Health and Human Services, Inyo County Superior Court Case No. SICVCV 12-53244; No. 7B. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9]** – Eric Hugelmann v. County of Inyo, Inyo County District Attorney, et. al., Inyo County Superior Court Case No. SICVCV 11-52515; and No. 7C. **REAL PROPERTY NEGOTIATIONS [CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54956.8]** – Property: APN001-105-06, 486 North Second Street, Bishop, California – Negotiating Parties: County Administrator, HHS Director and Public Works Director - Negotiations: Terms and Conditions

Report on Closed Session The Chairperson recessed closed session at 9:30 a.m., to receive a report on closed session. County Counsel reported there were no items discussed in closed session that are required by law to be reported on in open session. The Chairperson recessed the regular meeting at 9:32 a.m., to reconvene in open session at 10:00 a.m., with all Board Members present.

Pledge Supervisor Tillemans led the Pledge of Allegiance

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

County Dept. Reports	The Chairperson announced the County Department Report period. Ms. Jean Turner, reported that through the efforts of the County's Health Officer, the three area hospitals have signed a mutual aid MOU. Mr. Clint Quilter, Public Works Director, reported on the Whitney Portal Road Project, the Lake Sabrina Bridge Project, and the Independence Town Roads Rehabilitation project. Ms. Kammie Foote, Clerk-Recorder announced that the Candidates Guide for the upcoming election is now available on line.
BofS/EMT of the Year Proclamation	Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to adopt a proclamation honoring John "Papa John" Marzano as the Inyo County 2013 Firefighter of the Year. Bishop Fire Chief Ray Seguine, and Inyo County Sheriff Bill Lutze acknowledge and thanked Mr. Marzano for his untiring efforts on behalf of the people of Inyo County. Supervisors Kingsley and Tillemans, presented the award to Mr. John Marzano.
P.W.-Airport/Com. By-laws	The request by Supervisor Griffiths for approval of the amended By-Laws of the Northern Inyo Airport Advisory Committee was withdrawn at the request of Supervisor Griffiths.
Emerg. Serv./ESRI GIS Contract	Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to A) declare ESRI as a sole-source provider for GIS software and services; B) approve the purchase of the Enterprise License Agreement annual renewal in an amount not to exceed \$81,000; and C) approve the Enterprise License Agreement with ESRI for GIS software and maintenance, for a three year period beginning March 14, 2014, contingent upon the Board's adoption of future budgets; and authorize the County Administrator to sign. Motion carried unanimously.
P.W./Hanger "A" Lease Amendment	Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve Amendment No. One to the Lease between the County of Inyo and Owens Valley Aviation, Inc. (Jim and Linda Marchio) for Hanger "A" at the Bishop Airport, extending the Lease for five years, from the current expiration date of June 30, 2014 to an expiration date of June 30, 2019, at the existing annual rental fee of \$19,662; and authorize the Public Works Director to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Resol. #2013-47/ State Grant for Matching Funds	On a motion by Supervisor Kingsley and a second by Supervisor Griffiths, Resolution 2013-47, was approved authorizing submittal of an application to the California Department of Transportation Division of Aeronautics for a State matching grant in the amount of \$13,926 for preparation of the Federal Aviation Administration (FAA) funded Bishop Airport ALP Update and Narrative Report, accepting the allocation of State AIP matching funds, and authorizing the Public Works Director to sign the AIP Matching Grant Agreement and any other document required to apply for and accept these funds: motion unanimously passed and adopted.
Resol. #2013-48/ State Grant for Engineering	On a motion by Supervisor Kingsley and a second by Supervisor Griffiths, Resolution 2013-48 was approved authorizing submittal of an application to the California Department of Transportation Division of Aeronautics for a matching grant in the amount of \$23,957 for engineering for the FAA-funded Bishop Airport Runway 16-34 and Exits Overlay and Complete Airport Lighting and Signing Rehabilitation Project, accepting the allocation of State AIP matching funds, and authorizing the Public Works Director to execute the AIP Matching Grant Agreement and any other documents required to apply for and accept these funds: motion unanimously passed and adopted.
P.W./STIP Road Projects	The Board received a presentation from Mr. Courtney Smith, Transportation Planner concerning the recommendations for future STIP projects. The Board and Mr. Smith discussed the recommendations in detail and at length. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to prioritize future Statewide Transportation Improvement Program (STIP) Road Projects as recommended by staff; direct staff to complete project study reports on the top ranked projects; and authorize the Public Works Director to incorporate the list of projects recommended by staff into the list of projects described in the Action Element of the Inyo County Regional Transportation Plan. Motion carried unanimously.
P.W./RTIP Road Projects	The Board received a presentation from Mr. Courtney Smith, Transportation Planner concerning the recommendations for County projects to be programmed in the 2014 RTIP. The Board and Mr. Smith discussed the projects in detail and at length. Moved Griffiths and seconded by Supervisor Pucci to, after a review the County projects to be programmed in the 2014 RTIP, approve two separate lists of projects for two different scenarios described and recommended by staff, direct staff to forward this to the Inyo County Local Transportation Commission; and authorize the Public Works Director to sign any documents related to the 2014 RTIP and to modify the scope of a possible County project to fit the available funding. Motion carried unanimously.

Public Comment	The Chairperson opened public comment. Ms. Jennifer Roeshar provided information concerning the upcoming 100 Mule Walk of the L.A. Aqueduct, to commemorate the 100 th anniversary of the Aqueduct. Ms. Roeshar reviewed the schedule of events associated with the walk. Ms. Kathleen New of the Lone Pine Chamber of Commerce, addressed the Board to share that the Federal shutdown has created an economy of its own in the Lone Pine area. She explained that because the Visitor's Center is closed, those visitors are now coming into the Chamber of Commerce for information about the area, and she is directing those visitors to local areas of interest, restaurants and motels.
CAO-Adv. Co. Res./ CPSP Grant Appropriations	The Sr. Deputy County Administrator, Ms. Pam Hennarty, provided an overview of the Community Project Sponsorship Program grant appropriations which have been made thus far this year, and the balance left to be expended. The Board and staff discussed a variety of items associated with this funding, i.e., the time spent by County staff processing applications, the time spent by those agencies applying for the funds, the time spent by the volunteers that make recommendations regarding the funding, the possibility of allotting some of the funds to line item funding to eliminate the need to compete for funds for projects like the Visitor's Guide and for Visitor Center activities performed by the Bishop Area Chamber of Commerce and Visitors Center, and the ramifications to changing the process for funding allocations this year. The Board directed staff to continue to follow the current process for expending the remaining 2013-2014 Advertising County Resources budgeted for the Community Project Sponsorship Program Grant appropriation; and bring an item back for further discussion of the process to be used in the future, at Third Quarter Budget Review.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 11:40 a.m., to reconvene in open session at 11:45 a.m., with all Board Members present.
Ord. 1185/Mental Health Fees	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to enact Ordinance 1187 titled "An Ordinance of the Board of Supervisors for the County of Inyo, State of California, Revising Inyo County Community Mental Health Services Fees" and repealing Ordinance No. 1174: motion unanimously passed and adopted.
CAO-Sheriff-P.W./ Animal Shelter Update	The Board received an update on the status of the proposed new animal shelter. Mr. Jim Tatum, Deputy Public Works Director, reviewed the three options being considered for a facility, including the cost estimates for each option. Mr. Tatum advised the Board that the cost estimates were not all inclusive, explaining they are strictly for construction costs. He said that conservatively there is an additional \$125,000 to \$150,000 needed for site improvements, i.e., earthquake study, site preparation, electrical, water and sewer upgrades. The Board heard from Ted and Lisa Shady concerning the fundraising efforts of ICARE. Mr. Shady confirmed that ICARE has a hard match of \$150,000 that it is willing to provide to the County for the facility. In response to a question from Supervisor Arcularius, Mr. Shady explained that the money is earmarked for the Option 2 design. Mr. Shady went on to say that if another design is considered the ICARE Board would have to see what that option looks like and take official action on a new design. Sheriff Bill Lutze addressed the Board to advocate for moving forward with a project sooner rather than later. The Board, Mr. Tatum and Mr. Shady talked about the facilities and cost estimates for the various options, including the need to ensure that the shelter is a suitable public facility that not only houses the animals but that will meet the needs of staff and the public that will utilize it. They also talked about continuing fundraising efforts, a phased in approach to building the facility, the possibility of exploring a loan for the additional amount needed, the need to get County Counsel's opinion regarding some of the fundraising ideas with that opinion being provided to the Board prior to it being made available to ICARE and others, and the idea of choosing an option and using that as the goal to promote fundraising efforts throughout the County. The County Administrator suggested that staff proceed with the development of plans and specs for two options and proceed on a parallel path until the final update is provided. He explained that way the Board will have the Engineer's Estimates for two options to help in determining which option and/or options it will pursue. The Chairperson summarized the discussion by confirming that the consensus is for Option 2, a 3,360 sq. ft. public facility that covers animal needs, as well as provides ancillary space for staff and the public, that staff is to come back with plans and specs for two options as outlined by the County Administrator, that County Counsel will prepare an opinion regarding fundraising ideas so ICARE will know the parameters for any future fundraising efforts, with the recommendation that fundraising activities continue beyond the deadline established by the project timeline. The Chairperson and the Board thanked and acknowledged Ted and Lisa Shady, as well as the ICARE organization for their commitment to this project.

Public Comment	The Chairperson opened the public comment period. Mr. Mike Prather of Lone Pine, gave the Board almonds from Prather Acres.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:35 p.m., to reconvene in open session at 1:20 p.m., with all Board Members present.
BofS/Minute Approval	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the minutes of the September 17, 2013 Board of Supervisors Meeting. Motion carried unanimously.
Resol. #2013-49/Arts Council Partner	On a motion by Supervisor Griffiths and a second by Supervisor Tillemans, Resolution 2013-49 was approved designating Inyo Council for the Arts as Inyo County's partner to the California Arts Council: motion unanimously passed and adopted.
Fish & Wildlife/Fine Fund Expenditure	Moved by Supervisor Pucci and seconded by Supervisor Griffiths to approve a \$2,000 expenditure from the Fine Fund to the Eastern Sierra Wildlife Care for the continued care of injured animals. Motion carried unanimously.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including a report on feedback from the Federal Shutdown, various constituent meetings, the League of California Cities and Counties Annual Conference, an IMACA Meeting, the Renewable Energy Summit, the Big Pine Homecoming Parade, and the RCRC Annual Conference.
Clerk-Recorder/ AB 110 Workshop	The Chairperson recessed open session at 1:47 p.m., to convene in a workshop with all Board Members present, regarding Elections Related State Budget Mandate Suspensions of AB 110. The Chairperson recessed the workshop at 2:10 p.m.
P.W./Community Water Systems Workshop	The Chairperson convened in a workshop at 2:10 p.m., with all Board Members present, regarding a process to develop a strategy for the operation and maintenance of the community water systems owned by Inyo County (Lone Pine, Independence and Laws) and provide direction to staff. The Chairperson recessed the workshop at 2:50 p.m., to reconvene in open session.
Adjournment	The Chairperson adjourned the regular meeting at 2:10 p.m., to 8:30 p.m., Tuesday, October 15, 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