

# MINUTES

# County of Inyo Board of Supervisors

## January 7, 2014

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:37 a.m., on Tuesday, January 7, 2014, 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 Chairperson recessed open session at 8:37 a.m., to convene in closed session, with all Board Members present to discuss and take action as appropriate on Agenda Items No. 2. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Performance Evaluation - Title – County Administrative Officer; No. 3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]** – Sprint Telephony PCS, LP et.al. v. State Board of Equalization et.al. (San Francisco Superior Court Case No. CGC-11-511398) San Francisco Court Appeal First Appellate District A140540 Division 1; and 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. The Chairperson recessed closed session at 10:10 a.m., to reconvene in open session at 10:15 a.m., with all Board Members present.
- Pledge                Supervisor Griffiths led the Pledge of Allegiance.
- Public Comment      The Chairperson announced the public comment period. Mr. Philip Anaya of Bishop addressed the Board to follow up on the suggestions he made during the public comment portion of the December 17, 2013 Board of Supervisors Meeting, concerning maintaining Sabrina and South Lake water levels. He asked the Board to direct Water Department staff to work with DWP to develop a plan.
- County Department Reports      The Chairperson announced the County Department Report period. Ms. Amy Shepherd, Auditor-Controller, provided the Board with the Audit Report for the Review of the Social Security Number Truncation Program. Ms. Jean Turner, Director of Health and Human Services, updated the Board on health care issues. Mr. Josh Hart, Planning Director, reminded the Board of the Amphibian meeting that would be taking place in Bridgeport, tomorrow at 1:00 p.m. Mr. Hart also provided the Board with an update on “code enforcement” and gave them copies of new forms being used in his office for “code enforcement.” Dr. Bob Harrington, Water Director, updated the Board on the water level situation in the west Bishop area. The County Administrator updated the Board on the Creative Budget Solutions workshop. Ms. Susanne Rizo, Director of Child Support Services, updated the Board on department activities.
- BofS/Election of Officers      The Chairperson turned the meeting over to the Assistant Clerk of the Board for the election of officers. The Clerk called for nominations for Chairperson. Supervisor Griffiths nominated Supervisor Pucci and the nomination was seconded by Supervisor Kingsley. The Clerk closed the nominations and called for a vote. Supervisor Pucci was unanimously elected Chairperson of the Board of Supervisors. The Clerk called for nominations for Vice-Chairperson. Supervisor Tillemans nominated Supervisor Kingsley and the nomination was seconded by Supervisor Griffiths. The Clerk closed the nominations and called for a vote. Supervisor Kingsley was unanimously elected Vice-Chairperson of the Board of Supervisors.
- Recess/  
Reconvene            The Chairperson recessed the regular meeting at 11:00 a.m., to reconvene in open session at 11:15 a.m., with all Board Members present.

- HHS-Child Care Planning Council Appointment Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to appoint Ms. Patricia Ramirez to the Child Care Planning Council, representing the discretionary category to complete an unexpired three-year term ending November 4, 2015. Motion carried unanimously.
- Motor Pool/Vehicle P.O. Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to award the bid to and approve the purchase from Bishop Ford of Bishop, as the law bidder, of one 2014 Ford Expedition in the amount of \$35,103.46, and one 2014 Ford F250 cab and chassis in the amount of \$26,123.87. Motion carried unanimously.
- Motor Pool/Vehicle Maintenance P.O. Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to authorize a blanket purchase order to Bishop Ford in the amount of \$20,000 for vehicle maintenance. Motion carried unanimously.
- Treasurer/County Investment Policy The Treasurer-Tax Collector, Ms. Alisha McMurtrie, reviewed the Treasury Investment Policy, explaining that there were no significant changes made to the current Policy. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the Inyo County Treasury Investment Policy as submitted. Motion carried unanimously.
- Resol. #2014-01/ Investment Authority The Treasurer-Tax Collector, Ms. Alisha McMurtrie, explained that if the Board chooses not to delegate the investment authority to the Treasurer, the Board would become the responsible entity for investments. On a motion by Supervisor Arcularius and a second by Supervisor Kingsley to approve Resolution #2014-01, delegating investment authority to the Inyo County Treasurer: motion carried unanimously.
- VSO/Budget Amendment Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to A) amend the FY 2013-14 Veterans Service Officer Budget Unit #056600 by increasing estimated revenue in State Other (*Revenue Code #4499*) by \$13,808 and increasing appropriations in Office & Other Equipment (*Object Code #5232*) by \$4,500, and General Operating (*Object Code #5311*) by \$9,308; and B) authorize the County Veteran Service Officer to sign the Certificate of Compliance with California Department of Veterans Affairs for One Time Funding Subvention Program for FY 2013-14. Motion carried unanimously.
- Sheriff/COPS Funding Expenditures Moved by Supervisor Kingsley and seconded by Supervisor Arcularius to A) declare Sun Ridge Systems, Inc., a sole source provider of RIMS software and authorize the purchase of Citizen RIMS Public Access software, including installation and first year support and updates to Sun Ridge Systems, Inc., in an amount not to exceed \$6,300; B) declare American Security Group a sole source provider of re-settable UPS' and authorize the purchase of resettable UPS' as follows: five Minuteman 1000VA Rack/Tower or Optional Wallmount UPS, one Minuteman Wallmount Kit for PRO-RT, EntPlus, Endeavor UPS, and one JetStor Replacement Storage Array Power Supply in an amount not to exceed \$2,420.34; C) amend the FY 2013-14 Sheriff's General Budget Unit 022700 by increasing estimated revenue in Citizens Options Public Safety Revenue (*Revenue Code #4488*) by \$2,421 and increasing appropriations in Office and Other Equipment (*Object Code #5232*) by \$2,421; and D) amend the FY 2013-14 Jail-CAD RMS Project Budget Unit 022950 by increasing estimated revenue in Citizens Options Public Safety Revenue (*Revenue Code #4488*) by \$6,300 and increasing appropriations in Other Professional Services (*Object Code #5265*) by \$6,300. Motion carried unanimously.
- Resol. 2014-02/ Road Abandonment Ms. Cathreen Richards, Senior Planner, reviewed the staff report and recommendation for Road Abandonment 2013/02/Oney. On a motion by Supervisor Arcularius and a second by Supervisor Tillemans, Resolution No. 2014-02, 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 the Community of Bishop, CA and Setting and Providing Notice of a Public Hearing on Said Vacation;" was approved: motion unanimously passed and adopted.
- Moved by Supervisor Arcularius and seconded by Supervisor Tillemans to set a public hearing on Road Abandonment #2013/02, pursuant to the California Street and Highways Code for 11:30 a.m., January 28, 2014, in the Board of Supervisors Room, at the County Administrative Center, in Independence to consider the Road Abandonment. Motion carried unanimously.
- Moved by Supervisor Arcularius and seconded by Supervisor Tillemans to designate the area of Road Abandonment 2013-02/Oney General Commercial (C1) and a coinciding General Plan designation of Retail Commercial (RC). Motion carried unanimously.

Planning/Zone Reclass #2013-02 Public/Quasi-Public Uses	<p>The Planning Director, Mr. Josh Hart, reviewed the staff report and recommendations concerning Zone Reclassification #2013-02/Inyo County. The Chairperson opened the public hearing at 11:40 a.m., on an ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Sections 18.45.030, 18.48,030, 18.54,040, 18.57,040, 18.72.010, 18.72.020, and 18.72,040 of the Inyo County Code." Mr. Doug Thompson of Lone Pine addressed the Board to support the ordinance. There was no further comment concerning this ordinance and the Chairperson closed the public hearing at 11:45 a.m.</p> <p>On a motion by Supervisor Kingsley and a second by Supervisor Arcularius, Resolution No. 2014-03, making certain findings with respect to Zone Reclassification No. 2013-02/Inyo County (Public/Quasi-public Uses), was approved: motion unanimously passed and adopted.</p> <p>Moved by Supervisor Kingsley and seconded by Supervisor Arcularius to waive the first reading of the above referenced ordinance; and schedule the enactment for 11:30 a.m., Tuesday, January 14, 2013, in the Board of Supervisors Room, at the County Administrative Center, in Independence. Motion carried unanimously.</p>
D.A./Position Request	<p>Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Deputy District Attorney position exists, as certified by the District Attorney, 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 the position is filled with the most qualified applicant; and C) approve the hiring of one Deputy District Attorney I at Range 81 (\$5,471 - \$6,652), II at Range 83 (\$5,751 - \$6,987), III at Range 86 (\$6,186 - \$7,519), or IV at range 89 (\$6,662 - \$8,090). Motion carried unanimously.</p>
HHS-Social Serv./ Position Request	<p>Moved by Supervisor Arcularius 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 Health and Human Services Specialist exists, as certified by the Director of Health and Human Services, and concurred with by the County Administrator and Auditor-Controller; B) and 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 if none are found on an existing eligibility list; and C) approve the hiring of one Health and Human Specialist II at Range 53 (\$2,835 - \$3,448). Motion carried unanimously.</p>
HHS-ESAAA- ICGold/ Mono County Dietitian Services	<p>Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to authorize the Health and Human Services Director and Director of ESAAA to implement a purchase order process to allow the County of Mono to purchase Registered Dietitian services from the County of Inyo to meet the requirement linked to the senior congregate and home-delivered meals. Motion carried unanimously.</p>
HHS-Behav. Hlth. Serv./Mentoring Mo.	<p>Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to declare January 2014 as National Mentoring Month. Motion carried unanimously.</p>
Recess/ Reconvene	<p>The Chairperson recessed the regular meeting at 12:01 p.m. to reconvene in open session at 1:05 p.m., with all Board Members present.</p>
Auditor/Refinancing CalPERS Safety Side Fund	<p>Ms. Amy Shepherd, Auditor Controller, provided information concerning the status of refinancing in the Inyo County CalPERS Safety Plan Side Fund Obligation. She explained that the County did not meet the deadlines originally established for the refinancing. She went on to say that because of not meeting the deadlines, the interest rates have increased and they now exceed the limits the Board approved. She said that if the Board still wants to consider this financing option the Board will have to approve a subsequent resolution setting new limits. Ms. Shepherd informed the Board that there is an offer that if the County will deposit \$2,000,000 with Umpqua Bank, the 5.5% interest rate can be secured. She explained the parameters of the deposit and Ms. Shepherd and the Treasurer-Tax Collector, Ms. Alisha McMurtrie, went on to discuss some of the challenges and ramifications associated with the deposit requirements. The Board and staff discussed the savings the County will realize through this refinancing option, even with the increase in the interest rates and provided direction to staff on the Side Funding Financing with regard to recent changes. Ms. Shepherd said that she would bring a revised Resolution back for the Board's consideration.</p>

P.W./Aggregate P.O. for Trona Wildrose Road	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to declare T-Rock Products, Inc., a sole-source provider of aggregate base material for the reconstruction of 1.7 miles of Trona Wildrose Road and ratify and approve the Contract between the County of Inyo and T-Rock Products, Inc., for the provision of purchasing approximately 13,200 tons of aggregate base for Trona Wildrose Road reconstruction in an amount not to exceed \$200,000; and authorize the Chairperson to sign contingent upon the appropriate signatures being obtained. Motion carried unanimously.
P.W./Budget Amendment	Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to amend the FY 2013-14 County Budget by A) in the Road Budget Unit #034600 increase appropriations in Overtime ( <i>Object Code #5003</i> ) by \$38,100, Maintenance Fuel and Lubricant ( <i>Object Code #5175</i> ) by \$80,000, Road Materials ( <i>Object Code #5309</i> ) by \$200,000, Travel Expense ( <i>Object Code #5331</i> ) by \$65,100, and Professional Services ( <i>Object Code #5265</i> ) by \$375,000 and decrease appropriations in Equipment Rental ( <i>Object Code #5281</i> ) by \$375,000; and B) decrease fund balance in Road Fund 0017 by \$383,200. Motion carried unanimously.
P.W.-Town Water Systems/	The Board received an update on the cost of operating the Town Water systems with County forces. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to authorize staff to circulate an RFP for operation of the County owned water systems located in Laws, Lone Pine and Independence based upon the Standard Operating Procedures Matrices developed by staff, conditioned upon approval by County Counsel and the County Administrative Officer. Motion carried unanimously.
Planning/Brown- fields Participation Letter	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the Coalition Assessment Grant application and Letter of Participation to confirm Inyo County's intent to participate in the Rural Desert Southwest Brownfields Coalition for 2014 to apply for a US EPA Brownfields Coalition Assessment Grant in the amount of \$600,000; and authorize the Chairperson to sign. Motion carried unanimously.
County Counsel/ James Contract Amendment	Moved by Supervisor Griffiths and seconded by Supervisor Arcularius to approve Amendment No. 1 to the agreement between the County of Inyo and Gregory L. James, Attorney at Law, for the provision of Water/Environmental Attorney services to the Water Department to increase the contract limit by \$40,000 to a total not to exceed \$100,000. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 2:40 p.m., to reconvene in open session at 2:50 p.m., with all Board Members present.
Emerg. Serv./D.V. Roadeater Emergency	The County Administrator recommended the Board continue the Death Valley Roadeater Emergency. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley 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 Emerg.	The County Administrator recommended that the Gully Washer Emergency be continued. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans 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.
Emerg. Serv./ Canyon Crusher Emerg.	The County Administrator recommended that the Canyon Crusher Emergency be continued. Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to continue the local emergency, The Canyon Crusher Emergency that resulted in flooding in the portions of Inyo County during the month of August, 2013. Motion carried unanimously.
BofS/Minute Approval	Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to approve the minutes of the Board of Supervisors Meetings of December 3, 2014; and December 10, 2014. Motion carried unanimously.  Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to approve the minutes of the Board of Supervisors Meeting of December 17, 2014. Motion carried unanimously, with Supervisors Pucci and Tillemans abstaining.

Fish & Wildlife/ Expenditure Request	Moved by Supervisor Kingsley and seconded by Supervisor Arcularius to rescind the June 25, 2013 Board Order concerning stocking fish at Buckley Ponds; and approve a \$1,000 expenditure from the Inyo Fine Fund to the Bishop Lions Club for the Fishing Dock Platform at Millpond. Motion carried unanimously.
Public Comment	The Chairperson announced the public comment period and there was no one from the public wishing to address the Board.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including an update on the status of the handicap fishing ramp at Millpond, a tour of the LORP, and a meeting with DWP. The County Administrator reported on a donation the County made for tule eradication at Rossen Pond and notified the Board of a change in the schedule for the Furnace Creek Library due to personnel issues.
Closed Session	The Chairperson recessed open session at 3:05 p.m., to reconvene in closed session with all Board Members present to discuss and take action as appropriate on previously noted closed session items. The Chairperson recessed closed session at 4:25 p.m., to reconvene in open session.
Report on Closed Session	County Counsel reported that with regard to Agenda Items No. 2. <b>PERSONNEL [Pursuant to Government Code §54957]</b> - Public Employee Performance Evaluation - Title – County Administrative Officer, there is nothing to report. With regard to Item No. 4. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]</b> . 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, was withdrawn. With regarding to Agenda Item No. 3. <b>CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]</b> – Sprint Telephony PCS, LP et.al. v. State Board of equalization et.al. (San Francisco Superior Court Case No. CGC-11-511398) San Francisco Court Appeal First Appellate District A140540 Division 1, County Counsel reported that an appeal has been filed in response to Sprint having lost the underlying case and at this point County Counsel will follow this matter and are taking no active role until County Counsel comes back with a further report.
Adjournment	The Chairperson adjourned the regular meeting at 4:22 p.m., to 8:30 a.m., Tuesday, January 14, 2014, 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*