

MINUTES

County of Inyo Board of Supervisors

August 12, 2014

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:32 a.m., in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Rick Pucci presiding, Linda Arcularius, Jeff Griffiths, Mark Tillemans and Matt Kingsley.

- Public Comment The Chairperson announced the public comment period and there was not one from the public 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, to discuss and take action as appropriate on Agenda Items No. 2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)]** – Verizon California Inc. v. California State Board of Equalization, et al., Sacramento County Superior Court Case No. 34-2014-001572145: No. 3. **REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8)** – Property – APN010-490-08, Bishop, California – Negotiating Parties – County Administrator, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, and Public Works Director, Clint Quilter, and Joseph Enterprises - Negotiating Parties, Steve Joseph, Scott Piercey, Wayne Lamb and Jeff Shepard – Negotiations – Terms and Conditions; 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 - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 5. **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: County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator Pam Hennarty, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; 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 - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 7. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Peace Officers Association (ICPPOA) – Negotiators - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, Deputy Personnel Director, 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: ICEA - Negotiators - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; 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: - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; and No. 10. **CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6)** – Instructions to Negotiators re: wages, salaries and benefits – Title: IHSS – Negotiators: Jean Turner, Director of Health and Human Services, Sue Dishion, Deputy Personnel Director, Employer of Records, Ann Parkinson Noda and Bill May.

Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:00 a.m., to reconvene in open session at 10:05 a.m., with all Board Members present.
Pledge	Supervisor Matt Kinglsey led the Pledge of Allegiance.
Report on Closed Session	The Chairperson asked for a report on closed session. County Counsel reported the following with regard to closed session: Agenda Item 2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(d)(1)] – Verizon California Inc. v. California State Board of Equalization, et al. , Sacramento County Superior Court Case No. 34-2014-0015721459, which is a case that challenges a unitary tax assessed by the State Board of Equalization and collected by individual counties based on the State’s assessment, where under the law the Board of Equalization is served in each county that collected the portion of the assessment, and where each county who collected a portion of the unitary assessment is named as a party, and Inyo County is name as a party, the Board gave direction to County Counsel to proceed forward; Agenda Item No. 3. REAL PROPERTY NEGOTIATIONS - CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code §54956.8) – Property – APN010-490-08, Bishop, California – Negotiating Parties – County Administrator, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, and Public Works Director, Clint Quilter, and Joseph Enterprises - Negotiating Parties, Steve Joseph, Scott Piercey, Wayne Lamb and Jeff Shepard – Negotiations – Terms and Conditions; instructions were given to the negotiating parties; Agenda Item 10. Which is negotiations with employees union (IHSS), instructions were given to the negotiators; and Agenda Item No. 8. which is a negotiation with employees union (ICEA), instructions were given to negotiators.
Public Comment	The Chairperson announced the public comment period and there was no one from the public wishing to address the Board.
Introduction	Mr. Oliver Hardwick, Supervising Agricultural Biologist in the Agricultural Department was introduced to the Board.
Integ. Waste/Roll Off Bins P. O.	Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to award the bid for and approve the purchase of five solid waste roll-off bins, from Stockton Tri Industries, Inc., as the low bidder. Motion carried unanimously.
Child Support/ Proclamation	Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to approve a proclamation declaring August 2014 as Child Support Awareness Month in Inyo County. Motion carried unanimously.
Planning/Architect- ural Design Review Board Appointments	Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to appoint Jim Gentry to the Architectural Design Review Board as a member of the Planning Commission representing the Fifth District, and reappoint Brian Webb to the Lone Pine Architectural Design Review Board representing the Qualified Licenses Architect category, to complete a two year term ending August 19, 2016. Motion carried unanimously.
P.W./Blanket P. O.	Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to approve blanket purchase orders to the following vendors in the amounts noted for vehicle and equipment repair parts and tires: \$10,000 to Blaine Equipment; \$30,000 to Britt’s Diesel, \$30,000 to Dave’s Auto Parts, \$10,000 to Silver State International, and \$20,000 to Steve’s Auto. Motion carried unanimously.
P.W./Mission Linen P. O.	Supervisor Kingsley asked if the Service Redesign proposal regarding doing the laundry in-house is still being explored. The County Administrator confirmed that the proposal is still being vetted. Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to declare Mission Linen & Uniform Services as a sole source provider of laundry services and authorize the issuance of a blanket purchase order to Mission Linen in the amount of \$60,000. Motion carried unanimously.
P.W.-Bishop A/P/ Plans & Specs Air- field Lighting	Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to approve the Plans and Specifications for the Bishop Airport – Airfield Lighting, Signing and Visual Aids Rehabilitation Project; and authorize the Director of Public Works to advertise and bid the project. Motion carried unanimously.

CAO-Budget/ FY2014-15 Budget Update	The County Administrator updated the Board on the status of the CAO recommended FY 2014-15 budget. He prefaced his presentation by telling the Board that in order to present a balanced budget within the confines of the Board's directions, there is still a \$478,734 shortfall. His presentation included (a) a retrospective of actions taken which provided the premise for the development of this year's budget, including Service Redesign, (b) what actions have been taken currently to develop a budget within the Board's parameters of a \$3-million fund balance, (c) what has not been included in the budget; (d) options for achieving the \$478,734 which included "strategic reductions & additions;" (e) a detailed review of the options, i.e., proceeding with the shared approach, specifics on the strategic reductions and additions, Service Redesign redux, and (f) the steps that will be taken to finalize this year's budget, based on today's input from the Board. At the conclusion of his presentation, the County Administrator and the Board discussed the details provided in the presentation. Ms. Denelle Carrington, Management Analyst, reviewed the spread sheet that had been provided that recapped the status of various department budgets. Several Board Members commented that they believe the \$478,734 can be found within the existing budgets. The consensus of the Board Members was that they preferred the recommendations identified in the "strategic reductions and additions" segment of the presentation be used to complete the CAO Recommended Budget.
BofS/CRHMFA Allocation Assigned to CHF	Moved by Supervisor Tillemans and seconded by Supervisor Arcularius to A) approve the letter to the CHF, which is a Rural County Representatives of California (RCRC) housing program, to assign Inyo County's 2014 allocation of CRHMFA Homebuyers Fund for inclusion in the Mortgage Credit Certificate (MCC) Program, and authorize the Chairperson to sign; and B) approve the Housing Element Certification Form, and authorize the County Administrator to sign. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 11:35 a.m., to reconvene in open session at 11:40 a.m., with all Board Members present.
Sheriff/Position Request	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 Sergeant and Corporal positions comes from the General Fund, as certified by the Sheriff, and concurred with by the County Administrator and the Auditor-Controller; B) the vacancies will be filled through internal recruitments; C) approve the filling of one Sergeant position at Range 74SB-74SD (\$5,216-\$6,289) and authorize hiring up to the E step for qualified applicant; and D) approve the filling of two Corporal positions at Range 70SA-70SD (\$4,511-\$6,048), and authorize hiring up to the D step for qualified applicants. Motion carried unanimously.
HHS-Behavioral Hlth./Echo Group Contract	Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to ratify the Contract between the County of Inyo and the Echo Group, for the period of July 1, 2014 through June 30, 2015, in an amount not to exceed \$121,380.27, contingent upon the Board's adoption of a FY 2014-15 budget; and authorize the Chairperson to sign the Contract and the HIPPA Business Association Agreement. Motion carried unanimously.
HHS-Behavioral Hlth./Position Request	The request to fill an Administrative Analyst position in the Health and Human Services, Behavioral Health Services Division was pulled at the request of the County Administrator, who said he wanted to clarify that goals have been set for the position before the Board takes action on the request to fill the position. The item was pulled from consideration.
CAO-Info Serv./ Crest Software Agreement Renewal	Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to ratify the renewal of a Software Maintenance Agreement between the County of Inyo and Crest Software Corporation for the County's enterprise Property Tax Management System for the period of July 1, 2014 through June 30, 2015, in an amount not to exceed \$28,347, contingent upon the Board's adoption of a FY 2014-15 budget. Motion carried unanimously.
CAO-General/Film Commissioner Year End Report	Mr. Chris Langley, Film Commissioner, presented the Film Commissioner's FY 2013-14 Year End Film Commissioner Report. Mr. Langley reported on efforts by the California Film Commission to increase the incentive paid to filming companies for filming in California. He asked that the Board support this increased funding when the bill is sent to the Governor for signature. The Board, Mr. Langley and the County Administrator discussed the support letter, with the Board requesting that Mr. Langley work with County staff to draft a letter for the Board's consideration. At the end of his presentation, Mr. Langley showed the Board the "Emmy" that is housed at the Lone Pine Film Museum.

Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:30 p.m., to reconvene in open session at 1:15 p.m., with all Board Members present.
P.W./Workshop Seasonal Closure Whitney Portal Rd.	The Chairperson recessed open session at 1:17 p.m., to convene in a workshop with the Public Works Director on the seasonal closures of Whitney Portal. The Chairperson recessed the workshop at 2:05 p.m. to immediately convene in open session to request staff to return in the future with recommendations on how to best facilitate the season closure of Whitney Portal Road while continuing to provide stakeholders with access.
P.W./Whitney Portal Rd. Construction Closure	The Chairperson recessed open session at 2:05 p.m., to convene in a workshop with Public Works staff on the closure of Whitney Portal Road during construction of the Federal Highway Administration's FLAP project that is planned for spring through autumn of 2015. The Chairperson recessed the workshop at 2:11 p.m., to reconvene in open session with all Board Members present. Ms. Lynn Flannigan, Senior Civil Engineer, reviewed the proposed schedule for the Whitney Portal Road closures during the reconstruction of the Road, explaining that the Federal Highway Administration is requesting that the Board give preliminary approval of the schedule so that it can be included in the bid documentation for the project. Ms. Flannigan said they propose to close the upper 11 mile section of the road five days a week from 5:00 a.m. to 11:00 a.m., and from 1:00 p.m. to 4:00 p.m. Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to accept the road closure plan for the Whitney Portal Road as presented. Motion carried unanimously.
Post Agenda/ Closed Session	County Counsel, Ms. Marge Kemp-Williams notified the Board that she has just received information that she believes puts the County in extreme risk of exposure to litigation and the Board needs to make a decision on how to proceed with regard to the matter before the next regular Board of Supervisors Meeting and asked that the Board convene in closed session to discuss the matter. Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to find that the need to consider 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), arose after the Agenda for the August 12, 2014 Board of Supervisors Meeting was posted and there is a need for the Board to take action on this item prior to the next regularly scheduled Board Meeting, therefore this item is added as Closed Session Item 10A. Motion carried unanimously.
Closed Session	The Chairperson recessed open session at 2:25 p.m., to reconvene in closed session, with all Board Members present, to discuss and take action as appropriate on Post Agenda Item No. 10A. 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). The Chairperson recessed closed session at 3:10 a.m., to reconvene in open session, with all Board Members present.
Report on Closed Session	County Counsel reported that with regard to Post Agenda 10A, exposure to litigation, the Board gave direction to legal counsel, Greg James.
Planning/Forest Plan Update	Mr. Josh Hart, Planning Director, reported on recent activities with Forest Service staff regarding coordination on the Inyo National Forest Plan Update/Revision.
BofS/Minute Approval	Moved by Supervisor Griffiths and seconded by Supervisor Arcularius to approve the minutes of the August 5, 2014 Board of Supervisors Meeting. Motion carried unanimously, with Supervisors Tillemans and Kingsley abstaining.
Libraries/Automation Workshop	The Chairperson recessed open session at 3:20 a.m., to convene in a workshop with library staff on status library automation projects. The Chairperson recessed the workshop at 4:10 p.m.
Ag. Comm./Gas Tax Funding Workshop	The Board convened in a workshop at 4:10 p.m., with the Agricultural Commissioner, Mr. Nate Reade, on the effects of the gas tax funding on the Agricultural Department. The Chairperson recessed the workshop at 4:50 p.m., to reconvene in open session, with all Board Members present.

- County Department Reports The Chairperson announced the County Department Report period. Mr. Josh Hart, Planning Director, clarified the action of the Planning Commission during their recent meeting which is being reported incorrectly. He said that Crystal Geyser CUP Amendment had been denied on a two to one vote. Mr. Hart explained that the by-laws of the Planning Commission require a quorum of the Commission for approval and since only two Commissioners voted in favor of the Amendment it had been denied. Mr. Hart also told the Board that with regard to Mr. Zellohoffer's property in Tecopa, it has been discovered that the property had been rezoned to commercial so no further action is required on Mr. Zellohoffer's part. Dr. Bob Harrington, Water Director, provided the Board with a copy of the written summary of the LORP Summit, and with a copy of a summary of the current groundwater management legislation that is being considered. Mr. Clint Quilter, Public Works Director, informed the Board that community meetings have been scheduled in Lone Pine and Independence to talk about the Water Conservation Regulations that Mr. Quilter had reported on during last week's Board of Supervisors Meeting. The County Administrator reported on the status of talks with the Judicial Council of California concerning court building in Inyo County. Mr. Carunchio also said that he has had contract from California Department of Fish and Wildlife personnel concerning disposition of the Mt. Whitney Fish Hatchery and said that he would keep the Board informed as these discussions ensue.
- Public Comment The Chairperson announced the final public comment period and there was no one wishing to address the Board.
- Closed Session The Chairperson recessed open session at 4:58 p.m. to reconvene in closed session, to continue discussions and action as appropriate on previously noted closed session items.
- Report on Closed Session The Chairperson recessed closed session at 5:20 p.m. to reconvene in open session to receive a report on closed session. County Counsel reported that with regard to Agenda Items No. 4, 5, 6, 7, 9 and 10, which are negotiations with various employee unions the Board gave instructions to negotiators.
- Adjournment The Chairperson adjourned the regular meeting at 5:20 p.m., to 8:30 a.m., Tuesday, August 19, 2014, 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