

MINUTES

County of Inyo Board of Supervisors

SPECIAL MEETING

November 17, 2014

The Board of Supervisors of the County of Inyo, State of California, met in special session at the hour of 8:35 a.m., on Monday, November 17, 2014, 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 no one wishing to address the Board.
- Closed Session The Chairperson recessed open session at 8:36 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))** – decision whether to initiate litigation (two cases); No. 3. **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. 4. **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. 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 - 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 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. 7. **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; and No. 8. **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.
- Recess/
Reconvene The Chairperson recessed closed session at 10:05 a.m., to reconvene in open session at 10:10 a.m., with all Board Members present.
- Pledge Supervisor Kingsley led the Pledge of Allegiance.

Report on Closed Session	County Counsel reported that with regard to agenda item No. 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c) – decision whether to initiate litigation (two cases), direction was given to County Counsel and Greg James; and with regard to items 3 through 8, negotiations with various labor unions, instructions were given to negotiators.
Public Comment	The Chairperson announced the public comment period. Ms. Sydney Quinn, President of the Friends of the Inyo, updated the Board on the organizations activities and future goal to become more involved in Inyo County.
BofS/GBAPCD Update on Change in Representation	Supervisors Arcularius and Kingsley updated the Board on the discussion they had with the Great Basin Air Pollution Control Board regarding modifying the Agreement between Inyo, Mono and Alpine counties, the agencies forming the Great Basin Unified Air Pollution Control District, to provide the County of Inyo with representation on the Air Pollution Control Board proportional to Inyo County's relative population and responsibility for District liabilities. They explained that there was a healthy discussion regarding Inyo County's concerns and the Board decided to take no action regarding the request. Mr. Earl Wilson, Lone Pine Resident, addressed the Board to support the GBAPCD. Supervisor Griffiths explained that he had proposed the possibility of the City of Bishop joining the GBAPCD and it will be evaluated by the City.
CAO-Info Serv./ Obsidian Project	The Board received a presentation from staff regarding The 21st Century Obsidian Project and the associated Request For Proposals issued by the County for Last Mile Fiber Network Design, Construction and Operation. The Board, the County Administrator, and Mr. Brandon Shults, Information Services Director, discussed the project in detail and at length. Mr. Bruce Branson of Lone Pine Television commented on the project. Mr. Earl Wilson of Lone Pine addressed the Board to support the service currently being provided in Lone Pine. The County Administrator likened this project to a road project. The County paves the road and people travel the road to provide services.
Sheriff/Naming Search & Rescue Building for Undersheriff Keith Hardcastle	Sheriff Bill Lutze provided additional information and further justification for naming the Search and Rescue Building at the Mt. Whitney/Death Valley Airport in Lone Pine after retiring Undersheriff Keith Hardcastle. Moved by Supervisor Kingsley and seconded by Supervisor Arcularius to name the Search and Rescue Building located at Mt. Whitney/Death Valley Airport in Lone Pine, California, for Keith Hardcastle, the retiring Inyo County Undersheriff, per the County of Inyo's "Policy for Naming and Placing Commemorative Plaques on the County of Inyo Facilities/Buildings." Motion carried unanimously.
Probation/Deputy Probation Officer Position	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 a Deputy Probation Officers position exists as certified by the Chief Probation Officer, and concurred with by the County Administrator and the Auditor-Controller; B) where the position may possibly be filled by an internal candidate, an open recruitment would be more appropriate to ensure the most qualified candidates apply; and C) approve the hiring of one Deputy Probation Officer I at Range 67 (\$3,852 - \$4,676), or II at Range 70 (\$4,138 - \$5,032) depending upon qualifications. Motion carried unanimously.
Road Dept./Longo Construction Aggregate Base Contract	Moved by Supervisor Griffiths and seconded by Supervisor Arcularius to award the bid for and approve the Contract with John Longo Construction for the purchase of Class II Aggregate Base, in an amount not to exceed \$37,500, for the period of November 17, 2014 through March 31, 2015; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Water/2013-14 LORP Accounting Report	Dr. Bob Harrington, Water Director, reviewed the 2013-14 LORP Annual Accounting Report. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to approve the 2013-2014 LORP Annual Accounting Report. Motion carried unanimously.
Planning/Forest Plan Update	Mr. Josh Hart, Planning Director, updated the Board on staff's coordination efforts with Forest Service staff regarding the Inyo National Forest Plan Update/Revision and the Eastern Sierra recreation Collaborative, since the last update.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:00 p.m., to reconvene in open session at 12:10 p.m., with all Board Members present.

- Planning/GBAPCD
Public Benefits
Funds Projects
- Mr. Josh Hart, Planning Director, reviewed staff recommendations for the projects to be funded by the Great Basin Unified Air Pollution Control District 2014-15 Environmental Public benefits Funds. The Board and staff discussed the projects and how they could get the most projects funded. The Board discussed removing the Millpond Park and the Diaz Park projects, as well as reducing the CARB Compliant Landfill Equipment to \$100,000. Mr. Earl Wilson of Lone Pine addressed the Board to Support the wood chipper at the Lone Pine Landfill and the paving at the Sheriff's Substation in Lone Pine. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans that the County request funding the list, with the exception of the Millpond Surface Improvements and Diaz Lake Surface Improvements projects, as presented and for the CARB Compliant Landfill Equipment that the County find additional money to obtain the piece of equipment as identified or buy a piece of equipment that can be purchased with the amount of money remaining. Motion carried unanimously. .
- Planning/NRAC
Appointment
- Moved by Supervisor Tillemans and seconded by Supervisor Arcularius to appoint Walter Sharer to the Natural Resources Advisory Board to complete a three-year term ending October 6, 2017. Motion carried unanimously.
- Planning/Comments
on Agreement
between BLM and
California DF&W Re
the DRECP Plan
- Mr. Josh Hart, Planning Director, provided additional information and further explanation for the correspondence concerning the agreement between the BLM and California DF&W regarding the DRECP. The Board and Mr. Hart discussed the agreement and the letter, with the Board requesting that the "multiple uses" paragraph include a sentence regarding the potential for the DRECP to displace multiple uses on public lands in Inyo County as a result of mitigation for projects occurring outside of Inyo County. Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to, after a review of the Draft Agreement by and between the Bureau of Land Management and the California Department of Fish and Wildlife regarding the Desert Renewable Energy Conservation Plan, approve the correspondence in regard thereto, as amended to reflect the discussion, and authorize the Chairperson to sign. Motion carried unanimously.
- Planning/Yellow-
billed Cuckoo
Critical Habitat
Designation Letter
- Mr. Josh Hart, Planning Director, reviewed a proposed rule to designate critical habitat for the Western Distinct Population Segment of the Yellow-billed Cuckoo pursuant to the Federal Endangered Species Act and other rules and policies being promulgated in regards to the Act with the Board. The Board and Mr. Hart discussed the proposed letter. Mr. Earl Wilson of Lone Pine questioned the correctness of the "administrative analysis". Mr. Hart responded to a question from Mr. Wilson by explaining that a very narrow strip of land along the river between Independence and Big Pine is proposed for critical habitat designation, but that it is hoped because of the City of Los Angeles' efforts to conserve critical Cuckoo habitat that the designation will not be made. Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to approve the correspondence regarding the proposed rule to designate critical habitat for the Western Distinct Population Segment of the Yellow-billed Cuckoo pursuant to the Federal Endangered Species Act and other rules and policies being promulgated in regards to the Act, and authorize the Chairperson to sign. Motion carried unanimously.
- Planning/Owens
Lake Master Project
Recommendations
- Mr. Josh Hart, Planning Director, provided the Board with handouts and provided a synopsis of the Owens Lake Master Planning processes over the past several years. He said that in 2011-12 the planning process was converted into a Master Project, with an Advisory Committee and various workgroups comprised of the original stakeholders participating in the original process. He also said that over the years one of the important issues to the County is that any water that is saved on the lake or portion of that be saved for in Valley use. He explained that one of the handouts was the most recent version of the Groundwater Work Group's work plan and the other is a draft of staff's recommendation for direction the Board could give its representatives to the Owens Lake Master Project.
- Dr. Bob Harrington, Water Director, compared the handout of the Groundwater Work Group's work plan to that which was provided to the Board. He talked about the various groundwater studies that have been done. Dr. Harrington said that this is not the final word on groundwater management and that the recommendations really reflect a work in progress. Dr. Harrington and Mr. Hart responded to a question from the Board explaining that there has only been one group, the Owens Valley Committee, that has dropped out of the planning process and that all of the stakeholders have remained extremely involved and committed to the process.

The Board and staff continued to discuss the Master Project, including that this is the mechanism for DWP to develop a project description and begin the CEQA process; that this is a phased approach especially with regard to groundwater management; that with respect to the groundwater the recommendations by the Work Group and Advisory Committee are not agreeing and supporting the groundwater development at Owens Lake, it is relaying that these are some principles and recommendations that should be included in any proposal that DWP eventually makes; and that the issue of the applicability of the Long Term Water Agreement still needs to be resolved.

Supervisors Kingsley and Arcularius went on to report that agreement has been reached between the Great Basin Unified Air Pollution Control District and the Department of Water and Power which will eliminate involved litigation and provide direction on how dust mitigation will be provided by the Department of Water and Power. Supervisor Arcularius explained that the Agreement will soon become a Stipulated Judgment going forward. In relaying what the Agreement states and what the parties have been reporting, she said that Great Basin as an Agency and DWP as an entity responsible for dust mitigation, acknowledge the need to control dust from the lake bed caused by the City's water production activities and for additional effective dust control measures that do not rely on water that can be substituted in areas currently under control or applied in areas ordered to be controlled. She went on to say that she made comment during the Press Conference that she and Supervisor Kingsley participated in via teleconference, that the parties further acknowledge the need to balance the requirements to control dust emissions and conserve water with the requirements to minimize impacts to cultural and biological resources. Supervisor Arcularius noted that is what the Master Project group has been doing all along. She went on to explain that as part of the dialog during the Press Conference, she commented, as the Mayor of Los Angeles began speaking about the tillage program, that she acknowledged this component and also under the master project, that when there is talk about water savings in either the master project or what is actually going to now be Stipulated, that as the tillage project begins, the estimate is that 8,600 acre feet or three billion gallons of water will be saved in the first year of implementation of that tillage program, and hopefully the Owens Valley can participate in those water savings.

Moved by Supervisor Arcularius and seconded by Supervisor Kingsley that the Board of Supervisors endorses the policy statement provided by staff, being made in regard to the work plan and Master Project recommendations of the Owens Lake Master Project Advisory Committee and associated work groups. Motion carried unanimously.

CAO-Adv. Co. Res./
Community Project
Grant Awards

Ms. Pam Foster, Sr. Deputy County Administrator, reviewed the 15 Community Project Sponsorship Program Grant awards for 2014-2015 recommended by the Community Project Sponsorship Program Grant Review Panel, and in the amounts recommended by the Panel for a total amount of \$95,000. The Board and Ms. Foster discussed the recommendations. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the 15 Community Project Sponsorship Program Grant awards for 2014-2015 recommended by the Community Project Sponsorship Program Grant Review Panel, in the amounts recommended by the Panel for a total amount of \$95,000 ; and authorize the County Administrator to sign the Contracts between the County of Inyo and the recipients in the amounts approved by your Board, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

CAO/Film Comm.
RFP

The County Administrator explained that he wanted to make sure that he and the Board were on the same page with regard to continuation of the current contract for film commissioner services. The Board and Mr. Carunchio explained that the current contract has two, two year extensions. The Board talked about the possibility of developing an RFP for these services that spreads the work out among the various areas of the County so that there is not a dependency on just one individual. The Board also said they would be interested in extending the current contract for one year and providing the current contract run on a month to month basis until that one year extension is finalized. The County Administrator went on to explain that because there is already a contract in place that provides for the extension no action of the Board is required for this item.

Emerg. Serv./D.V.
Roadeater
Emergency

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans 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, as recommended by the County Administrator. Motion carried unanimously.

Emerg. Serv./Gully Washer Emergency	Moved by Supervisor Tillemans and seconded by Supervisor Arcularius 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, as recommended by the County Administrator. Motion carried unanimously.
Emerg. Serv./Canyon Crusher Emergency	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, was recommended by the County Administrator. Motion carried unanimously.
Emerg. Serv./Land of EVEN Less Water Emergency	Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to continue the local emergency, known as the "Land of EVEN Less Water Emergency" that was proclaimed as a result of extreme drought conditions that exist in the County as recommended by the County Administrator. Motion carried unanimously.
BofS/Minute Approval	Supervisor Tillemans requested that the spelling of Mesa be changed to Meza in the adjournment paragraph. Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to approve the minutes of the October 28, 2014 Board of Supervisors Meetings as corrected. Motion carried unanimously.
Public Comment	The Chairperson announced the final 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 notification of the GBAPCD Stipulated Agreement with Los Angeles DWP regarding the Owens Dry Lake, an RCRC report, a Foster Care Meeting, a City/County Liaison Meeting, a report on the down sizing of the CARMA project which will result in the loss of 23 high paying jobs in the area, a Forest Plan meeting, and the Bishop Tribal Cultural Center dedication ceremonies.
County Department Reports	The Chairperson announced the County Department Report period. Ms. Kammi Foote, Clerk-Recorder, shared the results of a community survey that she conducted on election day while demonstrating the touch screen voting equipment.
Adjournment	The Chairperson adjourned the special meeting at 2:00 p.m.

Chairperson, Inyo County Board of Supervisor

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

by: _____
Patricia Gunsolley, Assistant