

# MINUTES

# County of Inyo Board of Supervisors

## April 21, 2015

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 Tuesday, April 21, 2015, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Matt Kingsley, presiding, Dan Totheroh, Rick Pucci, Jeff Griffiths, and Mark Tillemans.

- 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 8:35 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 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, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 3. **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, Assistant County Administrator, Rick Benson, 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, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; and No. 5. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(d)(1)** – Center for Biological Diversity; Public Employees for Environmental Responsibility, California Non-Profit Corporation v. County of Inyo; Inyo County Board of Supervisors, and DOES 1 through 20, and Adventure Trails System of the Eastern Sierra and DOES 21-50, Inyo County Superior Court Case No. SICVPT 1557709
- Recess/  
Reconvene      The Chairperson recessed closed session at 9:50 a.m., to reconvene in open session at 10:00 a.m., with all Board Members present.
- Pledge      The County Administrator, Kevin Carunchio, led the Pledge of Allegiance.
- Public Comment      The Chairperson announced the second public comment period. Kate Bunny of Lone Pine introduced the new promotion called "Walking Water." She said it is a pilgrimage from Mono Lake to Los Angeles to raise awareness for water. She provided information regarding this effort and requested the Board support the project. Mr. Rick Vahl of Bishop Waste reported on the success of Earth Day events at the Bishop Park. The Chairperson said that today's meeting would be adjourned in memory of Bob Michener a former Member of the Board of Supervisors who passed away recently.
- Introduction      The Clerk-Recorder, Kammi Foote, and the Assessor, David Stottlemire, introduced Lavon Sargent, Office Technician I in the Assessor and Clerk-Recorder's Office, to the Board.
- CAO-Info Serv./  
Tech Refresh  
Computer P.O.      Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to, pursuant to the technology refresh initiative, authorize the purchase of 12 laptop computers and associated peripherals from Dell, through the State WSCA Customer Agreement WSCA B27160, in an amount not to exceed \$10,265. Motion carried unanimously.

Ag. Comm./Ag Resource Advisory Committee Appointments	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to accept the resignation of Mark Lacey from the Agricultural Resource Advisory Committee representing the Lone Pine Chamber of Commerce leaving the position vacant; reappoint Greg Allen representing the Member at Large category to complete an unexpired three year term ending August 22, 2017; appoint Sally Symon as the Tri-Country Fair Board representative to complete a three year term ending August 22, 2018; and appoint Ron Yribarren, as the Resource Conservation District representative to complete an unexpired term ending August 22, 2016. Motion carried unanimously.
Resol. #2015-28/ Wildlife Conservation Grant App.	On a motion by Supervisor Griffiths and a second by Supervisor Tillemans, Resolution No. 2015-28, titled "A Resolution of the Board of Supervisors, County of Inyo, state of California Approving the Application for Grant Funds from the Wildlife Conservation Board for the Middle Owens and Fish Slough Perennial Pepperweed Removal Project" authorizing the Agricultural Commissioner to submit a grant application for the Wildlife Conservation Board in an amount up to \$727,331, was approved: motion unanimously passed and adopted.
P.W./South Bishop Improvement Prjct. Plans and Specs.	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the Plan and Specifications for the South Bishop Improvement Project; and authorize the Public Works Director to advertise for bids for the Project. Motion carried unanimously.
P.W./County Serv. Building Window Replacement Prjct.	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to A) approve the Plans and Specifications for the Inyo County Services Building Window Replacement Project; B) authorize the Public Works Director to advertise for bids for the Project; C) authorize the Public Works Director to award the project if the bids received are within the project budget and sign all Contract documents, contingent upon the appropriate signatures being obtained; and D) authorize the Public Works Director to sign all other Contract documents, including change orders, to the extent permitted pursuant to Section 20142 of the Public Contract Code and other applicable law. Motion carried unanimously.
Rd. Dept./Cascade Software Systems Contract	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the Agreement between the County of Inyo and Cascade Software Systems, Inc., for the provision of software maintenance and support services for the Cost Accounting Program (CAMS), in an amount not to exceed \$13,089.59, contingent upon the Board's adoption of a FY 2015-16 budget, for the period of July 1, 2015 through June 30, 2016; and authorize the Chairperson to sign. Motion carried unanimously.
Sheriff/Domestic Cannabis Eradication Agreement	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the 2015 Domestic Cannabis Eradication/Suppression Program Letter of Agreement in the Amount of \$5,000, contingent upon the Board's adoption of a FY 2015-16 budget; authorize the Sheriff to sign the Agreement and all necessary documents; and authorize the Treasurer-Tax Collector, Alisha McMurtrie, to sign as the authorized agency representative to enable electronic fund transfer when available. Motion carried unanimously.
Integ. Waste/5% Multi-Bin Discount	Assistant County Administrator, Rick Benson, provided additional information and further explanation for the request to reinstate the 5% multi-bin discount for commercial waste customers. Mr. Rick Vahl of Bishop Waste supported the discount and to request that the discount be extended beyond the January 1, 2018 date. Moved by Supervisor Tillemans and seconded by Supervisor Pucci to temporarily allow haulers to offer a 5% multi-bin discount to commercial waste customers for contracts signed prior to July 1, 2015 and discontinue all multi-bin discounts effective January 1, 2018. Motion carried unanimously.
Planning/REGPA Planning Grant	Ms. Cathreen Richards, Senior Planner, reported on the status of the Phase IIB Renewable Energy Planning Grant. She also reviewed the scope of work for the project and a letter inviting the Tribes to participate in the planning process. The County Administrator noted that the CEC Staff has not reinstated the Bright Source Hidden Hills Project permit, siting the County's local planning process, the REGPA, which only allows photovoltaic projects and not solar thermal projects in the area, as the reason. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve the letter inviting the Tribes to participate in the planning process for the Phase IIB Renewable Energy Planning Grant, and authorize the Chairperson to sign. Motion carried unanimously.

Water/Drought Conditions Update and DWP Annual Operations Plan	Dr. Harrington, Water Director, updated the Board on the statewide and local drought conditions, since his last report. He said that conditions locally have worsened and the anticipated precipitation activities never materialized. He went on to talk about the LADWP Proposed Annual Operations Plan which was provided to the County late on April 20 <sup>th</sup> . He explained that the County has 10 days in which to respond to the Plan and that Jim Yannotta of DWP has offered to meet with the County to discuss solutions to proposed water reductions. He said that the runoff estimate for this year is only 36% of normal and the snow pack is at 25% of normal. He said this is the worst water year in the history of the Valley. He reviewed the proposed Plan, explaining that because the forecasts fall below 50% of normal, the Plan is presented in two 6 month periods, and that LADWP is proposing to pump around 70,000 acre feet this year for both exportation and in valley uses, which is within the range that County staff believes is acceptable for the conditions. He and the Board discussed the Department's plans to reduce water to irrigated lands from the 43,500 acre feet last year to just 16,000 acre feet this year, which Dr. Harrington noted is a 2/3 reduction. The Board and Dr. Harrington discussed the Department's proposal to increase water going to the Owens Lake and LORP, maintain last year's levels for recreation, E&M projects, 1,600 Acre-Feet Projects, and Indian lands, while reducing water to irrigation and stock water. The Board and Dr. Harrington continued to discuss the Plan as well as the proposed reductions in water to irrigated lands in the Valley, at length and in detail. The County Administrator noted the reference during public comment to "Walking Water" project, and suggested that perhaps the Board should schedule a workshop next week for "Talking Water." The Board requested that staff schedule a workshop on LADWP's proposed plans for providing water for in valley uses for next week. The Board asked that all of the agencies, i.e., Great Basin, LADWP, tribes, MOU groups, and the public be invited.
Motor Pool/ Equipping Patrol Vehicles	Supervisor Tillemans noted that he has had an opportunity to work with Black Point in his previous employment and they did a good job. Moved by Supervisor Tillemans and seconded by Supervisor Pucci to award the bid to Black Point LLC of Big Pine as the low bidder for safety and communications equipping of three 2015 Ford Explorer Interceptor patrol vehicles and authorize the purchase of the services from Black Point LLC in an amount not to exceed \$25,202.35. Motion carried unanimously.
Integ. Waste/Laws Landfill Fees Waiver	The Assistant County Administrator, Rick Benson, reviewed the request by the Laws Railroad Museum & Historical Society for a landfill fee waiver for waste generated during the Choo Choo Swap Meeting. He explained why staff was recommending the Board deny the request, noting that waivers in the past have been issued for green waste, and this could set a precedent wherein other non-profits could expect like waivers. The staff and the Board continued to discuss the waiver of fees issue with the Board taking no action on the request.
Emerg. Serv./D.V. Roadeater Emerg. Continued	Moved by Supervisor Griffiths 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 Emerg. Continued	Moved by Supervisor Tillemans 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, as recommended by the County Administrator. Motion carried unanimously.
Emerg. Serv./Canyon Crusher Emerg. Continued	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh 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 Emerg. Continued	Moved by Supervisor Totheroh and seconded by Supervisor Pucci 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	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the minutes of the Board of Supervisors Special Meetings of March 24, 2015. Motion carried unanimously.

Motor Pool/ Enterprise Fleet Management Contracts	<p>The Assistant County Administrator, Rick Benson, provided additional information and further explanation and justification for using Enterprise Fleet Management to provide County motor pool services. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the following agreements with Enterprise Fleet Management; approve the Officer Certificate authorizing the County Administrator, or his designee to sign as the duly appointed officer for the County:</p> <ul style="list-style-type: none"> <li>a) Master Equity Lease Agreement,</li> <li>b) Amendment to Master Equity Lease Agreement,</li> <li>c) Self-Insurance Addendum to Master Lease</li> <li>d) Maintenance Agreement,</li> <li>e) Amendment to Maintenance Agreement,</li> <li>f) Maintenance Management and Fleet Rental Agreement,</li> <li>g) Addendum to Maintenance Management and Fleet Rental Agreement,</li> <li>h) Consignment Auction Agreement,</li> <li>i) Indemnity Agreement.</li> </ul> <p>Motion carried unanimously.</p>
Closed Session	<p>The Chairperson recessed the regular meeting at 12:10 p.m., to reconvene in closed session, with all Board Members present to continue discussion and action as may be appropriate on previously noted closed session items. The Chairperson recessed closed session at 1:05 p.m., to reconvene in open session, with all Board Members present.</p>
BofS/Western Counties Alliance	<p>Mr. Ken Brown, Executive Director of the Western Counties Alliance updated the Board on the organization's activities. He talked about efforts to restore Secure Rural Schools funding and to establish permanent funding for PILT.</p>
Ordinance 1194/Off- Highway Vehicles Ordinance	<p>Mr. Earl Wilson of Lone Pine asked about enforcement of the ordinance, suggesting that the confiscation of vehicles be included in the ordinance. On a motion by Supervisor Tillemans and a second by Supervisor Griffiths, Ordinance 1194, titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Adding Chapter 9.56 to Title 9 Section VI of the Inyo County Code to Prohibit Operators of Off-Highway Vehicles and Other Motorized Vehicles From Damaging Property," was enacted: motion unanimously passed and adopted.</p>
Board Members and Staff Reports	<p>Board Members reported on their activities during the preceding week, including an Owens Lake Master Project Meeting, a LAFCO Meeting, and an RCRC Board Meeting. The County Administrator notified the Board that the festival being planned for the Tecopa area would not be taking place because the promoters took advantage of an offer by a Native American Tribe outside of Las Vegas to use their reservation for the festival.</p>
County Department Reports	<p>The Chairperson announced the County Department Report period. Clint Quilter, Public Works Director, gave the Board a copy of the regulations and fact sheet on Water Regulations. He reported on the Rock Creek Project and the South Lake Project.</p>
Closed Session	<p>The Chairperson recessed open session at 1:55 p.m., to reconvene in closed session, with all Board Members present to continue discussions and action as appropriate on previously noted closed session items.</p>
Report on Closed Session	<p>The Chairperson recessed closed session at 2:40 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported that with regard to Items 2, 3, and 4 which are instructions to negotiators, instructions were given to the negotiators; and with regard to Item No. 5. No. 5. <b>CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(d)(1) – Center for Biological Diversity; Public Employees for Environmental Responsibility, California Non-Profit Corporation v. County of Inyo; Inyo County Board of Supervisors, and DOES 1 through 20, and Adventure Trails System of the Eastern Sierra and DOES 21-50, Inyo County Superior Court Case No. SICVPT 1557709, instructions were given to County Counsel to proceed forward.</b></p>

Adjournment

The Chairperson adjourned the meeting in memory of former Third District Supervisor Bob Michener who passed away recently. The Chairperson adjourned the meeting at 2:40 p.m. to 8:30 p.m. April 28, 2015, in the Board of Supervisors Room, at the County Administrative Center, in Bishop.

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Chairperson, Inyo County Board of Supervisor

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

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