

# MINUTES

# County of Inyo Board of Supervisors

## June 2, 2015

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:34 a.m., Tuesday, June 2, 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 wishing to address the Board.
- Closed Session      The Chairperson recessed open session at 8:35 p.m., to reconvene 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 LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(d)(1)** – Native American Heritage Commission v. Inyo County Planning Department and Inyo County Board of Supervisors, Inyo County Superior Court Case No. SICVPT 1557557 (Munro Petition for Writ of Mandate); No. 5. **CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]** - decision whether to initiate litigation (two cases)
- Recess/  
Reconvene      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 second public comment period and there was no one from the public wishing to address the Board.
- Introduction      Dustlyne Beavers, a Re-Entry Service Coordinator in the Health and Human Services Department was introduced to the Board.
- CAO-Risk/Kirby  
Contract  
Amendment      Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve Amendment No. 2 to the Contract between the County of Inyo and John D. Kirby, A.P.C., for the provision of litigation services, increasing the Contract amount by \$25,000 to a total amount not to exceed \$250,000; and authorize the Chairperson to sign. Motion carried unanimously.
- Ag Comm./Bell  
Prover Purchase      Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to A) declare Gaines Measurement & Control, Inc., a sole-source provider of bell provers and B) approve the purchase of one reconditioned 2 ft. bell prover for the purpose of verifying the accuracy of gas meters from Gaines Measurement & Control, Inc., in an amount not to exceed \$17,740. Motion carried unanimously.
- HHS-Behavioral  
Hlth. Serv./State  
Mental Health  
Services Contract      Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the Contract between the County of Inyo and the State of California Dept. of Health Services for the provision of County mental health services for the period of July 1, 2015 through June 30, 2016; authorize the Mental Health Director to sign the agreement and Certification Clause; and transmit a signed copy to the Clerk of the Board for the Board's files. Motion carried unanimously.

HHS-Behavioral Hlth. Serv./Crestwood Contract	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the Contract between the County of Inyo and Crestwood Behavioral Health Inc., for residential placement for adults in a locked facility or an enhanced board and care, for the period of July 1, 2015 through June 30, 2016, in an amount not to exceed \$30,000, contingent upon the Board's adoption of a FY 2015-16 budget; and authorize the Chairperson to sign. Motion carried unanimously.
HHS-Behavioral Hlth. Serv./Merced Health Center Contract	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the Contract between the County of Inyo and Merced Behavioral Health Center for residential placement for adults in a locked facility, for the period of July, 2015 through June 30, 2016, in an amount not to exceed \$35,000 contingent upon the Board's adoption of a FY 2015-16 budget; and authorize the Chairperson to sign. Motion carried unanimously.
HHS-Hlth. Serv./Ebola Preparedness Contract	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve Agreement No. 14-10895 between the County of Inyo and the California Department of Public Health, implementing a project for Ebola preparedness and response for the period of July 2, 2015 through September 30, 2016, in the amount of \$65,379, contingent upon the Board's adoption of future budgets; authorize the Health and Human Services Director to sign the Agreement, the Certification Regarding Lobbying, the Non-Supplantation Certification, and the Letter of Acceptance; and transmit a signed copy to the Clerk of the Board for the Board's files. Motion carried unanimously.
HHS-Mental Hlth. Serv./I.D.E.A. Contract	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to A) declare I.D.E.A. Consulting a sole source provider of certain behavioral health consultation services for the FY 2015-16; and B) approve the Contract and the HIPAA Business Associate Agreement between the County of Inyo and I.D.E.A. Consulting for behavioral health consultation service for the period of July 1, 2015 through June 30, 2016, in an amount not to exceed \$20,000, contingent upon the Board's adoption of a FY 2015-16 budget; and authorize the Chairperson to sign. Motion carried unanimously.
HHS-Mental Hlth. Serv./Ernst Contract	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to A) declare Gary Ernst a sole source provider of certain mental health fiscal consultation services for FY 2015-16; and B) approve the Contract and HIPAA Business Associate Agreement between the County of Inyo and Gary C. Ernst for fiscal consulting services for the period of July 1, 2015 through June 30, 2016, in an amount not to exceed \$15,000, contingent upon the Board's adoption of a FY 2015-16 budget; and authorize the Chairperson to sign. Motion carried unanimously.
HHS-Soc. Serv./U.C. Davis Training Contract	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the Contract between the County of Inyo and the Regents of the University of California on behalf of its Davis Campus University Extension, for training services for the period of July 1, 2015 through June 30, 2016, in an amount not to exceed \$77,025, contingent upon the Board's adoption of a FY 2015-16 budget; and authorize the Chairperson to sign. Motion carried unanimously.
Rd. Dept./Plant Mix Asphalt Contract	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to award and approve the Contract between the County of Inyo and Granite Construction Company for the purchase of plant mixed asphalt products, for the period of May 15, 2015 through June 30, 2016, in an amount not to exceed \$64,800 including sales tax; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Sheriff/Fingerprint & Verification Services Purchase	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to declare the California Department of Justice as a sole source provider of fingerprint processing and verification services and approve the purchase of fingerprint processing and verification services from the California Department of Justice in the amount of \$5,000. Motion carried unanimously.
CCS/Child Support Officer Position Request	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to find that, consistent with the adopted Authorized Position Review Policy: a) the availability of funding for a Child Support Officer position comes from the Child Support Fund, as certified by the Director of Child Support Services and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could be filled through an internal recruitment; however, an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of Child Support Officer I at Range 57 (\$3,046 - \$3,701), or II at Range 60 (\$3,271-\$3,973) depending on qualifications. Motion carried unanimously.

Sheriff/Animal Services Supervisor Position Request	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to find that, consistent with the adopted Authorized Position Review Policy: a) the availability of funding for an Animal Services Supervisor position exists, as certified by the Department Head and concurred with by the County Administrator and the Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could be filled through an internal recruitment; and C) authorize the hiring of an Animal Services Supervisor at Range 64 (\$3,375 - \$4,539). Motion carried unanimously.
Integ. Waste/Gate Attendant Position Request	Moved by Supervisor Pucci and seconded by Supervisor Totheroh to find that, consistent with the adopted Authorized Position Review Policy: a) the availability of funding for Gate Attendant position comes from the General Fund, as certified by the Auditor-Controller and concurred with by the County Administrator; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment; however, an open recruitment would be more appropriate to ensure sufficient applicants apply; and C) approve the hiring of one Gate Attendant at Range 48 (\$2,581 - \$3,128).
Ag Comm./SCI Contract	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve the Contract between the County of Inyo and SCI Consulting Group for the administration and levying of the 1998 Owens Valley Mosquito Abatement Program Assessment and the 2005 Mosquito Control and Disease Prevention Assessment for the period of July 1, 2015 through June 30, 2018, at the rate of \$37,500 per year, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
HHS-Behavioral Hlth. Serv./ Amendment Substance Abuse Contact	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to ratify and approve Amendment No. A01 to the Agreement between the County of Inyo and the California Department of Health Care Services for the provision of substance use disorder services, increasing funding for FY 2014-15 by \$15,764 for a total amount for the three year period of the Contract to \$1,257,275, contingent upon the Board's adoption of future budgets; and authorize the Chairperson to sign.
Planning/U.S.F.S. Plan Update	Ms. Cathreen Richards, Senior Planner, updated the Board on coordination with Forest Service staff regarding the Inyo National Forest Plan Update/Revision since the last update. After reviewing the information provided concerning the Recreation Plan, the Board requested that Ms. Richards return next week, with a more detailed report on that segment of the Plan.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 11:05 a.m., to reconvene in closed session, with all Board Members present to continue discussions on previously noted closed session items. The Chairperson recessed closed session at 11:35 a.m. to reconvene in open session, with all Board Members present.
Water/Standing Comm. Instructions	The Board and staff reviewed the items on the Agenda for the upcoming June 4, 2015 Inyo/LA Standing Committee meeting to be held in Independence, in detail and at length. Sally Manning, Ecologist, addressed the Board to disagree with any reductions to in Valley water uses. Nancy Masters representing the Owens Valley Committee read a prepared statement into the record concerning LADWP's unilateral decision to stop irrigation to Department owned lands in the Owens Valley and what the Committee, as one of the MOU Parties, is willing to agree to with regard to reductions in water to certain projects in order to provide water for irrigation. Jim Yannotta, Aqueduct Manager, provided additional information regarding the Department's efforts to provide irrigation water for the leases and to respond to questions from the Board, staff and the audience. He said that any reductions that are gained from other in Valley uses will be for additional irrigation. Bill Talbot of the Cattlemen's association addressed the Board to urge all parties to work towards reducing water requirements on the Owens Dry Lake, in order to provide more water for irrigation and in-Valley uses. Nate Reade, Agricultural Commissioner, supported the 20% reduction and talked about how devastating the proposed reductions will be to the County's agricultural and ranching communities. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to direct the County's Standing Committee representatives to support a 20% reduction in irrigation, the compromises made by the MOU Parties involving Warren Lake, the LORP, and the Delta, a variance for the Owens Dry Lake in regards to a late ramp up, and the recommendation of the Technical Committee regarding McNally Ponds. Motion carried unanimously.

Water/State Lands Commission Letter	The Board, Jim Yannotta, Aqueduct Manager, and staff, discussed sending a letter to the State Lands Commission and possibly the California Department of Fish and Wildlife regarding water requirements on the Owens Lake in light of drought conditions and recent State water regulations. The Board talked in detail and at length regarding DWP obtaining a variance from Great Basin. After a review of the letter from DWP detailing the areas of support identified by the Department, the Board noted that the items are long term projects that do not address what can be done this year to save water for irrigation in light of the severe drought conditions. The County Administrator also noted that in any long-term solutions for saving water on the Lake, the County has always predicated its support of this concept with an understanding that there needs to be some mechanism to ensure that some portion of that water savings stay in the Owens Valley. The County Administrator also noted that with the previous discussion the Board has indicated its support of the Department's efforts to get a variance from Great Basin for water savings on the Owens Lake this year. The Board and staff continued to discuss the correspondence to various regulatory agencies concerning water savings on the Lake. The County Administrator recapped the discussion as follows (a) the Board is on record supporting Los Angeles' application for a variance, (b) he interpreted the Board's previous motion to be that the application for the variance was actually a prerequisite for reductions the Board is willing to make so that we are all in it together; (c) that the Board would like to see an actual water savings amount associated with the variance; and (d) that once the actual application for variance gets developed he will move forward, in short order, to prepare a letter of support from the Board to send in with the actual application and to the State Lands Commission.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 1:10 p.m., to reconvene in open session at 1:20 p.m., with all Board Members present.
Planning/West Mojave Rt. Letter	Ms. Elaine Kabala, Associate Planner, reviewed the draft correspondence to the BLM regarding the West Mojave Route Network Project and Plan Amendment Environmental Impact Statement, with the Board. Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the letter to the BLM in regard thereto, and authorize the Chairperson to sign. Motion carried unanimously.
Water/Tecopa Drinking Water Vending Machine Project	Ms. Laura Piper, Administrative Analyst, provided additional information and further justification for approval of the items necessary to move forward with the Tecopa drinking water vending machine project. Ms. Piper confirmed that the Southern Inyo Fire Protection District has signed the MOU regarding the project. Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to A) approve language for and the Grant Agreement between the County of Inyo and the State Water Resources Control Board for the purchase and installation of a drinking water vending machine and associated infrastructure and connections, and one year of operation and maintenance, for the period of April 30, 2014 through February 28, 2017; authorize the Water Director to sign any documentation to accept and utilize the Grant, contingent upon the MOU being signed by the Southern Inyo Fire Protection District, and transmit a copy to the Clerk of the Board for the Board's files; B) amend the Water Department Budget Unit 024102 by (a) increasing revenue in State Grants ( <i>Revenue Code #4498</i> ) by \$80,221; (b) increasing appropriations in Professional Services ( <i>Object Code #5265</i> ) by \$80,221 for FY 2014-15, contingent upon the Budget Officer's concurrence; ( <i>4/5's vote required</i> ); c) direct staff to include any balances left from all grant funding for this project in the FY 2014-15 budget, in FY 2015-16 Water Department Budget Unit 024102, contingent upon the Board's adoption of a FY 2015-16 budget, contingent upon the Board's adoption of a FY 2015-16 budget; and C) approve the Memorandum of Understanding between the County of Inyo and Southern Inyo Fire Protection District for the District to be responsible for operation, testing, and repair of the vending machine; and authorize the Water Director to sign and transmit a copy to the Clerk of the Board for the Board's files. Motion carried unanimously.
Emerg. Serv./D.V. Roadeater Emergency Continued	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths 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 Continued	Moved by Supervisor Griffiths 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, as recommended by the County Administrator. Motion carried unanimously.

Emerg. Serv./ Canyon Crusher Emergency Continued	Moved by Supervisor Tillemans and seconded by Supervisor Tothoroh 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 Continued	Moved by supervisor Pucci and seconded by Supervisor Tothoroh 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 Tillemans and seconded by Supervisor Tothoroh to approve the minutes of the Board of Supervisors meetings of May 5, 2015, and May 12, 2015. Motion carried unanimously.  Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the minutes of the Board of Supervisors Meeting of May 19, 2015. Motion carried unanimously, with Supervisor Pucci abstaining.
Report on Closed Session	County Counsel reported on closed session as follows: with regard to items 2 and 3 which are negotiations with labor unions, instructions were given to negotiators; with regard to Item No. 4. <b>CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(d)(1)</b> – Native American Heritage Commission v. Inyo County Planning Department and Inyo County Board of Supervisors, Inyo County Superior Court Case No. SICVPT 1557557 (Munro Petition for Writ of Mandate), there was no reportable action regarding this item; and with regard to Item No. 5. <b>CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]</b> - decision whether to initiate litigation (two cases), instructions were given to Counsel.
County Department Reports	The Chairperson announced the County Department Report period. The Agricultural Commissioner, Nate Reade reported on the recent project that resulted in local eggs being inspected. Jean Turner, Director of Health and Human Services, reported on the number of Medical Marijuana cards issued in Inyo County. She also reminded the Board that the representatives from ICEMA will be here next week to review the RFP for ambulance service with the Board. Clint Quilter, Public Works Director, advised the Board of upcoming community meetings in Independence and Lone Pine to go over the new water regulations with the Town Water System customers.
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 weeks, including the CSAC Legislative Conference, a LAFCO meeting, where in LAFCO has authorized staff to obtain legal counsel regarding Southern Mono County opening an orthopedic clinic in Bishop without authorization by Inyo County LAFCO.
Adjourned	The Chairperson adjourned the regular meeting at 1:50 p.m., to 8:30 a.m., Tuesday, June 9, 2015, 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*