

MINUTES

County of Inyo Board of Supervisors

July 7, 2015

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:32 a.m., on July 7, 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 period and there was no one from the public wishing to address the Board.
- Closed Session The Chairperson recessed open session at 8:33 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) – 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. 3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)] - decision whether to initiate litigation (two case); No. 4. 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. 5. 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. 6. 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; No. 7. 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, Assistant County Administrator, Rick Benson, and Public Works Director, Clint Quilter, and Joseph Enterprises - Negotiating Parties, Steve Joseph, Scott Piercey, Wayne Lamb and Jeff Shepard – Negotiations – Terms and Conditions; and No. 8. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(d)(2) – significant exposure to potential litigation (one case).**
- Recess/
Reconvene The Chairperson recessed closed session at 10:10 a.m., to reconvene in open session at 10:20 a.m., with all Board Members present.
- Pledge Supervisor Totheroh led the Pledge of Allegiance.
- Public Comment The Chairperson announced the second public comment period and there was no one wishing to address the Board.
- Introduction Melanie Fennessey an RN in the Health and Human Services Department was introduced to the Board.
- CAO-Ad. Co.
Resources/Grant
Payments Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the final payments for 2014-15 Community Project Sponsorship Grant Projects as follows: A) Bishop Area Chamber of Commerce and Visitors Bureau - \$1,250 for the 2015 Trout Season Media Reception and \$4,250 for the Blake Jones Trout Derby; and B) Lone Pine Chamber of Commerce - \$4,500 for the 2015 Inyo County Visitors Guide. Motion carried unanimously.

CAO-Info Serv./ Toeller Consulting 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 C. Toeller Consulting for Technical Services related to the implementation of a new Property Tax Management System; and authorize the Chairperson to sign contingent upon the appropriate signatures being obtained. Motion carried unanimously.
CAO-Personnel/ HHS Staff Title Changes	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to change the titles for the following two positions in the Department's Authorized Strength, from Director of Social Services to Health and Human Services Deputy Director – Aging and Social Services and from Director of Behavioral Health to Health and Human Services Deputy Director – Behavioral Health. Motion carried unanimously.
Clerk/AtPac Payment	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to authorize a \$10,080 payment to AtPac for the annual CRiss™ Software License Maintenance and Support Fee, contingent upon the Board's adoption of a FY 2015-16 Budget. Motion carried unanimously.
E. Health/Water Testing Supplies P.O.	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to A) declare IDEXX Laboratories, Inc., a sole-source provider of certain water laboratory supplies for the period of July 1, 2015 through June 30, 2016; and B) approve the purchase of water testing supplies from IDEXX through a blanket purchase order in an amount not to exceed \$11,000, contingent upon the Board's adoption of a FY 2015-16 Budget. Motion carried unanimously.
HHS-Behavioral Hlth./Sprague Contract	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the Contract between the County of Inyo and Jeanette Sprague, MFT for the provision of bilingual mental health services as part of the Mental Health Service Act Community Services and Supports Plan in an amount not to exceed \$25,000 for the period of July 1, 2015 through June 30, 2016, contingent upon the Board's adoption of a FY 2015-16 Budget; and authorize the Chairperson to sign. Motion carried unanimously.
HHS-Behavioral Hlth./Echo Group Contract	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the Contract between the County of Inyo and the Echo Group for Echo Share Care product, in an amount not to exceed \$199,060.08 for the period of July 1, 2015 through June 30, 2016, contingent upon the Board's adoption of a FY 2015-16 Budget; and authorize the Chairperson to sign the Contract and the HIPAA Business Association Agreement. Motion carried unanimously.
HHS-EMS/EMS Trust Contracts	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the following Contracts for projects to be funded from the Emergency Medical Services Trust Fund for the purchase of emergency response equipment and training in amounts listed, for a total amount not to exceed \$34,212 for the period of July 1, 2015 through December 31, 2015, and authorize the Chairperson to sign: A) Independence Volunteer Fire Department - \$6,300; B) Olancha Cartago Fire Department - \$7,295; C) Lone Pine Volunteer Fire Department - \$7,587; D) Big Pine Fire Protection District - \$7,296.60; and E) Southern Inyo Fire Protection District - \$5,733.60. Motion carried unanimously.
Probation/Prob. Serv. Proclamation	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve a proclamation declaring July 12 through 18, 2015 as Probation Services Week in Inyo County. Motion carried unanimously.
P.W./Quincy Engineering Contract Amendments 3, 4, and 5	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the following to the Contract between the County of Inyo and Quincy Engineering, for engineering services, and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained: A) Amendment #3 increases the amount of the Contract by \$67,400 for engineering services on the Upper Trona Wild Rose Project to a total Contract amount not to exceed \$1,471,700 and extends the Contract to an ending date of December 31, 2017; B) Amendment #4 credits the County \$62,600 for engineering services for the Oak Creek Bridge Project to a total Contract amount of \$1,409,200; and C) Amendment No. 5 increases the Contract by \$21,700 for engineering services on the Carroll Creek Bridge Project to a total Contract amount not to exceed \$1,430,900. Motion carried unanimously.

P.W./ESE So. Bishop Improv. Project Contract	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to declare Eastern Sierra Engineering a sole-source provider of Engineering Services for the South Bishop Improvement Project; and approve the Contract between the County of Inyo and Eastern Sierra Engineering for engineering services related to the South Bishop Improvement Project in an amount not to exceed \$86,500, contingent upon the Board's adoption of a FY 2015-16 Budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Sheriff/Livescan Fingerprint Machines P.O.	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to declare MorphoTrust USA, Inc., a sole-source provider of maintenance of Livescan Fingerprint machines, and approve a purchase order to MorphoTrust USA, Inc., for annual maintenance agreement for 2 Livescan Fingerprint machines at the Jail and the Bishop Police Department, in an amount not to exceed \$16,000, contingent upon the Board's adoption of a FY 2015-16 Budget. Motion carried unanimously.
Sheriff/U.S.F.S. Controlled Substance Plan	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the application for the 2015 Financial & Operation Plan for Controlled Substance Operations U.S. Forest Service reimbursements in the amount of \$5,000, contingent upon the Board's adoption of a FY 2015-16 Budget; and authorize the Sheriff and the Chairperson to sign the Agreement and all necessary documents. Motion carried unanimously.
Water/Green Book Revision Contracts	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to approve the following to assist with the Green Book Revision effort being conducted by the Inyo County Water Department and the City of Los Angeles Department of Water and Power (LADWP) as endorsed by the Inyo/Los Angeles Standing Committee, November 27, 2006 and extend the Agreements to July 25, 2016; A) the Cooperative Studies Funding Agreement between the County of Inyo, LADWP and Susan Carpenter to act as facilitator; and authorize the Chairperson to sign; B) the Cooperative Studies Funding Agreement between the County of Inyo, LADWP and the Ecological Society of America to act as a facilitator; and authorize the Chairperson to sign; C) MOU between the Inyo County Water Department, LADWP, and Susan Carpenter to act as facilitator and authorize the Water Director to sign; and D) MOU between the Inyo County Water Department, LADWP, and the Ecological Society of America to act as facilitator; and authorize the Water Director to sign. Motion carried unanimously.
Ag. Comm/2014 Annual Crop Report	Nate Reade, Inyo-Mono Agricultural Commissioner, provided the Board Members with a copy of the 2014 Annual Crop and Livestock Report.
P.W./ESE Contract Amendment 10	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve and ratify amendment No. 10 to the Contract between the County of Inyo and Eastern Sierra Engineering, extending the ending date of the Contract from June 15, 2015 to June 15, 2016; and authorize the Chairperson to sign. Motion carried unanimously.
Treasurer/Temp Office Clerk	Alisha McMurtrie, Treasurer-Tax Collector, provided additional information and further justification for the request to extend the term of a temporary Office Clerk I position. The County Administrator noted that the CAO recommendation was to extend the position only 4 months. Ms. McMurtrie indicated that she agreed with the CAO's recommendation. Moved by Supervisor Tillemans and seconded by Supervisor Pucci to authorize the extension of a temporary Office Clerk I position at Range PT48 (\$13.50/hr.) for an additional 4 months through October 31, 2015.
Resol. #2015-34/So. Inyo Fire Protection Loan	On a motion by Supervisor Tillemans and a second by Supervisor Pucci, Resolution No. 2015-34 was approved, pursuant to the provisions of Article XVI, Section 6 of the California Constitution, authorizing an interim loan from the County Treasury to the Southern Inyo Fire Protection District in the aggregate amount of \$20,000 for the purpose of financing the District's operational costs during FY 2015-16 prior to receipt of the Districts annual property tax apportionment; motion unanimously passed and adopted.
Clerk/Legislation CEQA Notification	Kammi Foote, Clerk-Recorder, provided additional information regarding the language change on AB 291 regarding CEQA notification. Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to approve a letter to Assembly Member Jose Medina, acknowledging the sponsors willingness to amend AB 291 to reflect Inyo County's concerns regarding CEQA notification and withdrawing the County's opposition to AB 291 with the revised language; and authorize the Chairperson to sign. Motion carried unanimously.

Emerg.Serv./ D.V. Roadeater Emergency Continued	Moved by Supervisor Tillemans and seconded by Supervisor Pucci 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 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 Emergency Continued	Moved by Supervisor Tillemans and seconded by Supervisor Pucci 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 Tillemans 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 Tillemans and seconded by Supervisor Griffiths to approve the minutes of the Board of Supervisors meetings as follows: A) Regular Meeting of June 9, 2015; B) Special Meeting of June 10, 2015; and C) Regular Meeting of June 16, 2015. Motion carried unanimously.
Resol. #2015-35 Arts Council Partner	On a motion by Supervisor Griffiths and a second by Supervisor Tillemans, Resolution No. 2015-35, titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Designating Inyo Council for the Arts as the County's Partner to the California Arts Council," was approved: motion unanimously passed and adopted.
County Department Reports	The Chairperson announced the County Department Report period. Nate Reade the Agricultural Commissioner, updated the Board on previously reported legislation and commended his staff for a great job. Sheriff Lutze invited the Board to the Open House at the new Animal Shelter this Saturday. Dave Stottlemyre, Assessor, updated the Board on this year's closing of the role. Jean Turner, Director of Health and Human Services, gave the Board the year end report on the medical marijuana program. Ms. Turner also provided the Board with a timeline on the ICEMA RFP for ambulance service. Dr. Bob Harrington, Water Director, updated the Board on the Technical Group activities, including evaluating 4 new production wells DWP is looking at in the Bishop, Laws and Big Pine areas, testing 4 shallow aquafer wells, looking into a DWP Neg Dec for pumping in the Rose Valley area, public meetings on the Owens Lake Master Project in Bishop and Lone Pine, and reviewing the groundwater management legislation and basin boundary changes being considered. The Chief Probation Officer, Jeff Thomson, thanked the Board for approving the proclamation earlier today, declaring Probation Services Week.
Closed Session	The Chairperson recessed open session at 11:35 a.m., to continue discussion and possible action as appropriate on previously noted closed session items.
Recess/ Reconvene	The Chairperson recessed closed session and the regular meeting at 12:00 p.m. to reconvene in open session at 1:30 p.m., with all Board Members present.
Fish and Wildlife/ Letter Re AB 1213 Bobcat Protection Act	Mr. Doug Brown, Chairperson of the Inyo Fish and Game Advisory Commission, provided additional information regarding the Commission's request for the Board to send a letter to the State Fish and Game Commission supporting the Commission's position to identify concerns pertaining to certain aspects of the implementation of AB 1213 known as the Bobcat Protection Act. The Board heard from Mr. Brown, Jon Wheeler and Greg Halsey of Ridgecrest, Duane Rossi of Big Pine, and Joseph Bowling, Inyo County Resident, who supported the Board sending the letter recommended by the Commission; and from Steve McLaughlin, S.P. Parker, Tom Boo, and Sydney Quinn, Inyo County Residents, and Lynn Boulton, Mono County Resident, who opposed the Board supporting the recommended letter. The Board, staff and members of the public had a lengthy discussion regarding the implementation of the Bobcat Protection Act, including proposed buffer zones, concentration of trapping in areas that don't have buffer zones, the need to use scientific data in managing species, the possibility of eliminating bobcat trapping statewide, impact of decisions on trappers, impact on other species as a result of not controlling a predator species.

The County Administrator recommended that since AB 1213 is already law that should the Board wish to address the issues, rather than make a policy statement, the Board comment directly on the regulations that are being proposed. After further discussion, the Board took no action on the request from the Fish and Wildlife Advisory Commission.

Closed Session The Chairperson recessed open session at 3:55 p.m., to reconvene in closed session, with all Board Members present, to continue discussions and possible action as appropriate on previously noted closed session items.

Report on Closed Session County Counsel reported on closed session as follows: No. 2. **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), Instructions were given to Counsel; No. 3. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]** - decision whether to initiate litigation (two case), instructions were given to Counsel; No. 4 which was instructions to negotiators concerning ICEA labor union, the item was withdrawn; Nos. 5 and 6, were instructions to negotiators concerning two employee labor unions LEAA and DSA, instructions were given to the negotiators; No. 7. **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, Assistant County Administrator, Rick Benson, 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 negotiators; and No. 8. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(d)(2) – significant exposure to potential litigation (one case), the County Administrator reported that the Board was briefed by Counsel.****

Adjournment The Chairperson adjourned the regular meeting at 4:10 p.m., to 8:30 a.m., Tuesday, July 14, 2015 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