

# MINUTES

# County of Inyo Board of Supervisors

July 14, 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, July 14, 2015, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Matt Kingsley, presiding, Dan Tothoroh, 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 8:36 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 – 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 cases); No. 4. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(d)(2) – significant exposure to potential litigation (one case); 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, 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: 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. 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, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 8. **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.** The County Administrator announced that closed session items No. 4 and 8 have been withdrawn and will not be discussed in closed session.
- Recess/  
Reconvene      The Chairperson recessed closed session at 9:55 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.
- Recess/  
Reconvene      The Chairperson recessed the regular meeting at 10:00 a.m. The Board Members conducted a ribbon cutting ceremony on the steps of the Inyo County Courthouse, in Independence, to commemorate the opening of Independence No. 1 Combined Use Route (Adventure Trails Route), which is the first combined-use route to be open to dual use on a road in the Inyo County Maintained Mileage Road System. The Chairperson reconvened the regular meeting in open session at 10:30 a.m., with all Board Members present.

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| Report on Closed Session  | County Counsel reported the following with regard to closed session: Item No. 2. <b>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</b> , Inyo County Superior Court Case No. SICVPT 1557557 (Munro Petition for Writ of Mandate), instructions were given to counsel; Item 3. <b>CONFERENCE WITH LEGAL COUNSEL -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]</b> - decision whether to initiate litigation (two cases), in the first matter, instructions were given to staff and in the second matter instructions were given to counsel; re Nos. 5 and 6, instructions were given to the labor negotiators, and items 4, 7 and 8 were withdrawn.  |
| Public Comment  | The Chairperson announced the second public comment period. Earl Wilson of Lone Pine addressed the Board regarding signage for the Adventure Trails System.   |
| Motor Pool/<br>Maintenance<br>Blanket PO's                          | Moved by Supervisor Pucci and seconded by Supervisor Griffiths to authorize the issuance of a blanket purchase order to the following vendors in the amounts indicated for preventative maintenance and repair of motor pool vehicles: Bishop Automotive Center - \$35,000; Britt's Diesel - \$10,000; Bishop Ford - \$35,000; and Warren's Auto Repair - \$30,000, contingent upon the Board's adoption of a FY 2015-16 Budget. Motion carried unanimously.  |
| Integ. Waste/Cal<br>Fire P.O.                                       | Moved by Supervisor Pucci and seconded by Supervisor Griffiths to authorize the issuance of a blanket purchase order to Cal Fire in the amount of \$5,500 for landfill maintenance, contingent upon the Board's adoption of a FY 2015-16 Budget. Motion carried unanimously.  |
| Integ. Waste/<br>Dave's Auto P.O.                                   | Moved by Supervisor Pucci and seconded by Supervisor Griffiths to authorize the issuance of a blanket purchase order to Dave's Auto Parts in the amount of \$17,000 for maintenance of landfill equipment, contingent upon the Board's adoption of a FY 2015-16 Budget. Motion carried unanimously.   |
| Integ. Waste/<br>Mission Linen P. O.                                | Moved by Supervisor Pucci and seconded by Supervisor Griffiths to authorize the issuance of a blanket purchase order to Mission Linen in the amount of \$5,000 for laundry services for landfill employees, contingent upon the Board's adoption of a FY 2015-16 Budget. Motion carried unanimously.  |
| D.A./Legal<br>Secretary Position<br>Request                         | Moved by Supervisor Griffiths and seconded by Supervisor Pucci to A) amend the authorized strength by deleting one full time Office Clerk II position at Range 50 (\$2,695 - \$3,277) and add one BPAR Legal Secretary I, at Range 56 (\$16.60-\$20.18 per hour); and B) find that, consistent with the adopted Authorized Position Review Policy: a) the availability of funding for a BPAR Legal Secretary position comes from the General Fund as certified by the District Attorney and concurred with by the County Administrator and Auditor-Controller; b) where internal candidates meet the qualifications for the position, the position could possibly be filled through an internal recruitment, however, an open recruitment is more appropriate to ensure a qualified applicant pool; and c) approve the hiring of one BPAR Legal Secretary I, at Range 56. Motion carried unanimously. Motion carried unanimously. |
| HHS-Bahavioral<br>Hlth. Serv./HHS<br>Specialist Position<br>Request | Moved by Supervisor Tillemans and seconded by Supervisor Pucci to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for an HHS Specialist exists as certified by the Director of Health and Human Services and concurred with by the County Administrator and Auditor-Controller; B) whereas due to a failed internal recruitment, it is recommended the vacancy be filled through an open recruitment; and C) approve the hiring of one full-time Health and Human services Specialist IV at Range 60 (\$3,403 - \$4,133). Motion carried unanimously.  |
| HHS-Behavioral<br>Hlth. Serv./<br>Psychiatrist Pay                  | The Board discussed the request by HHS Director to increase the HHS Psychiatrist base salary by 3%. The Board also discussed the County Administrator's alternatives to this request, including the opportunity for the Board to convert this position to an at will contract employee position similar to the Assistant and Deputy County Administrator positions. The Board and staff discussed the position and the pay for the position at length and in detail. Supervisor Pucci expressed his desire, because of the myriad of issues that relate to a position, i.e., benefits, retirement, etc., to leave the position as is with the 2.5% salary increase identified in the CAO's recommendations.   |

Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to direct staff to A) begin the process to amend the County Ordinance to reflect the Psychiatrist position as non-represented and B) negotiate a contract with the Psychiatrist to be returned for the Board's consideration. Motion carried on a four-to-one vote, with Supervisors Totheroh, Griffiths, Tillemans and Kingsley voting yes, and with Supervisor Pucci voting no.

Planning/Forest Plan Update The Planning Director, Josh Hart, updated the Board on staff's activities concerning coordination with Forest Service staff regarding the Inyo National Forest Plan Update/Revision. Mr. Hart and the County Administrator talked about an upcoming workshop on the County's Forest Plan Revision efforts, which will highlight many of the positive aspects of the Plan that have happened as a result of the County's coordination with the process.

Resol. 2015-36/  
Sustainable Transportation Grant App. The Planning Director, Josh Hart provided a brief history of the County's efforts to find funding for a specific plan for the North Sierra Highway Planning Area. He said that while this grant does not fund the entire project it does provide funding for an essential element of a specific plan and will also provide the County with the ability to leverage this funding to gain funding support from other agencies, like the City of Bishop, the Tri County Fairgrounds, etc., for the completion of the specific plan. Mr. Hart also told the Board that should the County decide to not pursue a specific plan for the North Sierra Highway Planning area in the future, the Highway Corridor Plan will still be beneficial to the County. The Board Members expressed a desire to pursue additional funding for a comprehensive specific plan for the North Sierra Highway Planning area. On a motion by Supervisor Griffiths and a second by Supervisor Pucci to approve Resolution No. 2015-36 authorizing Mr. Josh Hart, the Planning Director, to execute agreements with the California Department of Transportation for the County of Inyo for the Caltrans, Sustainable Transportation Planning Grant awarded April 24, 2015; motion unanimously passed and adopted.

Water/GBUAPCD DWP Variance Request Support Letter Dr. Harrington, Water Director, reviewed the letter to the Great Basin Unified Air Pollution Control District (GBUAPCD) Hearing panel supporting LADWP's request for a Regular Variance allowing LADWP to delay water delivery to dust control areas of Owens Lake this fall and winter. The Board and staff discussed the letter in detail and at length, with the Board questioning why this was a request for a regular variance instead of a special variance. The Board also wanted to make sure the letter was supporting the variance for only this water year. The Board also discussed the possibility of including in the letter that the Board would like to see any water savings on the lake left for in Valley uses. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the letter to the Great Basin Unified Air Pollution Control District (GBUAPCD) Hearing panel supporting LADWP's request for a Regular Variance allowing LADWP to delay water delivery to dust control areas of Owens Lake this fall and winter as amended per today's discussion; and authorize the Chairperson to sign. Motion carried unanimously.

Integ. Waste/Geo-Logic Assoc. Contract Amendment Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve and ratify Amendment No. 7 to the Contract between the County of Inyo and Geo-Logic Associates, Inc., for solid waste technical services extending the term of the contract one year to an ending date of June 30, 2016, and increasing the not to exceed amount to \$1,959,696, contingent upon the Board's adoption of a FY 2015-16 Budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being approved. Motion carried unanimously.

Emerg. Serv./D.V. Roadeater Emergency Moved by Supervisor Griffiths and seconded by Supervisor Totheroh 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 Pucci 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 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 Event Less Water Emergency      Clint Quilter, the Public Works Director, reported on road conditions as a result of recent storm activity in the area, saying that their has only been minor road repairs required in the southeastern portion of the County. 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.

Department Reports      The Chairperson announced the County Department Reports. Dr. Harrington, reported on a technical group meeting and provided an update on DWP irrigation in the Owens Valley.

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      Supervisor Griffiths reported on last night's Bishop City Counsel Meeting. The County Administrator updated the Board on the State Parks Grants funding for boat ramps at Diaz Lake and Millpond.

Adjournment      The Chairperson adjourned the regular meeting at 12:10 a.m., to 8:30 a.m., Tuesday, July 21, 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*