

MINUTES

County of Inyo Board of Supervisors

October 20, 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, October 20, 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 first 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 LEGAL COUNSEL – EXISTING LITIGATION (Pursuant to Government Code §54956.9(d)(1) – Native American Heritage Commission vs. 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)(2)]. – Significant Exposure to Potential Litigation (one case); No. 4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)] - decision whether to initiate litigation (three cases); No. 5. 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, 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: ICEA - Negotiators - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; and No. 7. **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.
- 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 Griffiths led the Pledge of Allegiance.
- Report on Closed
Session Counsel, Greg James, reported that with regard to closed session items 4 and 5, there was no reportable action taken.
- Public Comment The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.
- Integ. Waste/
Bulldozer Purchase In response to a question from the Board, Scott Eagan, Program Superintendent, explained that the irregularities noted are that the bidder did not identify the model of the unit they were bidding and did not respond to a wrong spec. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to A) excuse the bidding irregularities in the Quinn Company bid as minor: not identifying the model and the exception to meet specifications found in 5.0 due to not applying; and B) award the bid for and approve the purchase of a Caterpillar D6T Bulldozer from Quinn Company in the amount of \$431,528.99 and authorize the County Administrator or his designee to sign all documents relevant to the purchase. Motion carried unanimously.

Integ. Waste/ Landfill Gas Extraction Well Project Contract	Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to A) award and approve the Contract for the Bishop-Sunland Landfill Gas Extraction Well Project with Bob Sonn Excavating in the amount of \$127,143.09; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and B) 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.
P.W./Nichols Consulting Engineers	Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve Amendment No. 10 to the Contract between the County of Inyo and Nichols Consulting Engineers, Chtd., amending the scope of work for a specialized traffic study and increasing the amount of the Contract by \$14,980 to a total amount not to exceed \$380,285; and authorize the Chairperson to sign. Motion carried unanimously.
P.W.-Airports/Indy Airport Pavement Project Contract	Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to A) award and approve the Contract for the Independence Airport-Runway 14-32 Pavement Crack Repair, Sealing and Marking Project to Pavement Coatings Company in the amount of \$243,605 and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; B) 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; and C) amend the Independence Airport Improvements Budget Unit 150402 by decreasing appropriations in Professional Services (<i>Object Code #5265</i>) by \$243,605 and increasing appropriations in Construction in Progress (<i>Object Code 5700</i>) by \$243,605. Motion carried unanimously.
Planning/Forest Plan Revision Wilderness Evaluation Process	Cathreen Richards, Senior Planner, reviewed the draft correspondence to Inyo National Forest Supervisor Ed Armenta regarding the Inyo National Forest Plan Update/Revision, Wilderness Evaluation Process. The Board and staff discussed the correspondence in detail and at length, with staff noting that the comments being provided have to do with only the evaluation process that was used. The Board heard from Jora Fogg of the Friends of the Inyo who supported the letter, and from Sydney Quinn also with the Friends of the Inyo who talked about the economic importance of wilderness designation to areas, providing the Board with two handouts providing data on this concept. The Board and staff continued to discuss the correspondence in detail and at length, reiterating that today's correspondence is dealing with the process and not the specifics. Supervisor Kingsley suggested rewriting the last sentence in the 2 nd paragraph to convey the message without using the term "blaze the trail." Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the correspondence regarding the Wilderness Evaluation Process as amended; authorize the Chairperson to sign, and staff to send. Motion carried unanimously.
CAO-Personnel/ Positions Exempt from Competitive Service	Moved by Supervisor Griffiths and seconded by Supervisor Pucci to waive the first reading of an ordinance entitled "An Ordinance of the County of Inyo, State of California, Amending Section 2.80.055 of the Inyo County Code to Exempt the Psychiatrist, Senior Assistant County Counsel, Assistant County Counsel, and Deputy County Counsel II-IV Classifications from Competitive Service" and set the enactment for October 27, 2015 at 11:45 a.m., in the Board of Supervisors Room, at the County Administrative Center, in Independence. Motion carried unanimously.
Planning/Draft Tribal Consultation Policy Workshop	The Chairperson recessed open session at 10:50 a.m., to convene in a workshop with all Board Members present to continue the discussion the Board began on September 15, 2015 regarding the Draft Tribal Consultation Policy. The Board, staff and audience members discussed the process whereby the policy is being developed. Representatives of two of the local tribes and the Board discussed how the Brown Act impacts the Board's ability to meet with the various tribes on the policy. The Chairperson recessed the workshop at 12:02 p.m.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:02 p.m. to reconvene in open session at 1:01 p.m., with all Board Members present.
Planning-Yucca Mt./ Budget Amendment	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to A) amend the Yucca Mountain Oversight Budget Unit 620605 by increasing Professional and Special Services (<i>Object Code #5265</i>) by \$20,000, (<i>4/5's vote required</i>); B) approve Amendment No. 1 to the Contract between the County of Inyo and Hydrodynamics Group amending the fee schedule to increase the Contract by \$5,000 to a total not to exceed \$25,000; and authorize the Chairperson to sign; and C) approve Amendment No. 1 to the Contract between the County of Inyo and Andy Zdon and Associates amending the fees schedule to increase the Contract by \$15,000 to a total amount not to exceed \$75,000, and authorize the Chairperson to sign. Motion carried unanimously.

Integ. Waste/Gate Attendant Position Request	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to find that consistent with the Authorized Position Review Policy: A) the availability of funding for a Gate Attendant position exists in the Solid Waste Budget, as certified by the Assistant County Administrator and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications of the position, the vacancy could possibly be filled through an internal recruitment, however an open recruitment would be more appropriate to fill the position from an existing list that the County has recruited for and has an existing list that was approved and created for that position; and C) approve the hiring of one Gate Attendant at Range 48 (\$2,581 – \$3,128). Motion carried unanimously.
Emerg. Serv./D.V. Roadeater Emerg.	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 Emerg.	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	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 Emergency	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.
County Department Report	The Chairperson announced the County Department Report period. Dr. Bob Harrington, Water Director, reported to the Board that the 2 nd half of the DWP Annual Operations Plan has been provided to the Water Department. He reviewed the statistics with the Board. Clint Quilter, Public Works Director, updated the Board on the HVAC installation at Statham Hall, and the Lone Pine Substation Resurfacing Project. The Assessor, David Stottlemyre, introduced Isaac Cruz the Sr. Property Appraiser for the State Board of Equalization, who is here with a team to review the Assessor’s operations.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including the ESTA Meeting, the Sierra Cascade Dialog, the Charleston View Specific Plan Meeting, and the Carson and Colorado Railroad fundraiser.
Closed Session	The Chairperson recessed open session at 1:50 p.m. to reconvene in closed session with all Board Members present, to continue discussions and possible action as appropriate on previously identified Closed Session items.
Report on Closed Session	The Chairperson recessed closed session at 3:10 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported there were no reportable actions associated with closed session items No. 2, 3, 6, and 7.
Adjournment	The Chairperson adjourned the regular meeting at 3:11 p.m., to 8:30 a.m., Tuesday, October 27, 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