



County of Inyo Board of Supervisors

November 10, 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, November 10, 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. The Assistant Clerk of the Board requested that a letter received via email from Bishop area resident Mike Johnston, concerning the Board's response on wilderness designations be added to the record.

- 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 – Title – County Counsel – Negotiator – as designated by the Board of Supervisors; 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 10:05 a.m., to reconvene in open session at 10:10 a.m., with all Board Members present.

- Pledge Supervisor Totheroh led the Pledge of Allegiance.

- Report on Closed
Session County Counsel reported the following with regard to closed session: No. 2 a contract with Marshal Rudolph for County Counsel services will be considered by the Board in open session; No. 3 direction was given to counsel; No. 4 was withdrawn; and items 5, 6, and 7, instructions were given to negotiators.

- Public Comment The Chairperson announced the second public comment period. Supervisor Pucci requested that today's meeting be adjourned in memory of Dick Noles, who passed away recently. There was no further public comment.

- Introductions The following Health and Human Services employees were introduced to the Board: A) Amanda McClelland, Office Clerk; B) Joshua Alan Vega, Integrated Case Worker; C) Stephanie Tanksley, Administrative Assistant to the Director; and D) Peter Paul Charley, HHS Specialist.

CAO-Info Serv./ Agenda Management Software	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to A) award and approve the Contract for software licensing and software implementation and related services for agenda management software to BoardSync, Inc., in an amount not to exceed \$14,230 for the period of November 10, 2015 through November 9, 2016, 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.
Resol. #2015-56/ Waive Residency Requirements	On a motion by Supervisor Tillemans and a second by Supervisor Pucci, Resolution No. 2015-56 titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Waiving Residency Requirement for Inyo County Counsel Marshall Rudolph" was approved: motion unanimously passed and adopted;
CAO-Personnel/ Marshall Rudolph Contract	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve the Contract between the County of Inyo and Marshall Rudolph for the provision of personal services as the Inyo County Counsel at a monthly salary of \$14,833.33 effective December 31, 2015 and authorize the Chairperson to sign. Motion carried unanimously.
Resol. #2015-57/ Changing Salary Appointed Official	On a motion by Supervisor Tillemans and a second by Supervisor Pucci, Resolution No. 2015-57 titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Amending Resolution 2006-09, Changing Salary and/or Terms and Conditions of Employment for Appointed Officials Employed in the Several Offices or Institutions of the County of Inyo" was approved: motion unanimously passed and adopted.
HHS-Soc. Serv./ Kern Adoption Services MOU	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to ratify and approve the Memorandum of Understanding with Kern County for the provision of adoption services for the period of July 1, 2015 through June 30, 2020; and authorize the Chairperson to sign. Motion carried unanimously.
P.W./Tecopa Water Vending Machine Project	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to A) approve the plans and specifications for the Tecopa Heights Water Vending Machine Project; B) authorize the Public Works Director to advertise for bids for the project; C) authorize the Public Works Director to award the contract for the project if the bids received are within the project budget; and sign 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.
P.W./Whitney Portal Road Easement	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to accept and approve the Easement Deed for the Whitney Portal Road Federal Lands Access Project and authorize County Counsel to prepare a statement of legal sufficiency. Motion carried unanimously.
P.W./DBE FY 2015-16 Submittal	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve Exhibit 9-B Local Agency DBE Annual Submittal Form for the 2015-2016 Federal fiscal year and authorize the Chairperson to sign. Motion carried unanimously.
P.W./Bldgs. & Facilities Trash Disposal Contract	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve Amendment No. 4 to the Contract between the County of Inyo and Preferred Septic and Disposal, Inc., for Inyo County buildings and facilities trash disposal services, extending the ending date of the Contract from November 30, 2015 to June 30, 2016, and increasing the Contract by \$21,638.40 to a total amount not to exceed \$129,518.94; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
P.W./Quincy Engineering Contract Amendment No. 7	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve Amendment No. 7 to the Contract between the County of Inyo and Quincy Engineering adding the Upper Trona-Wildrose Road Repair Project (Project #TR13-044) in the amount of \$13,285, and increasing the total amount of the Contract by \$13,285 to an amount not to exceed \$1,448,700; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Sheriff/Livescan Fingerprint P.O.	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to A) declare MorphoTrust USA, Inc., a sole-source provider of Livescan fingerprint machines; and B) authorize the purchase of a Livescan fingerprint machine from MorphoTrust USA, Inc., in an amount not to exceed \$22,262.76, including shipping and tax. Motion carried unanimously.

Sheriff/Digital Voice
Logger P.O. Moved by Supervisor Tillemans and seconded by Supervisor Pucci to A) declare J.E.I. a sole-source provider of digital voice logger equipment and related services; B) authorize the purchase of the following from J.E.I.: one Digital Voice Logger and necessary equipment (main voice recorder system, rack-mounted), including installation in an amount not to exceed \$10,651.08; one Redundant Digital Voice Logger and necessary equipment (sister recorder unit), including installation in an amount not to exceed \$7,920.71; and one-year annual license of Remote Test and Notification of J.E.I. Recorder Function, including set-up, in an amount not to exceed \$3,942; and C) amend the FY 2015-2016 Sheriff General Budget Unit 022700 by increasing estimated revenue in AB443 Sheriff (*Revenue Code #4486*) by \$22,514, and increasing appropriations in Equipment (*Object Code #5650*) by \$22,524. Motion carried unanimously.

Sheriff/Correctional
Officer Position
Request Moved by Supervisor Griffiths and seconded by Supervisor Pucci to find that consistent with the Authorized Position Review Policy: A) the availability of funding for a Correctional Officer position comes from the General Fund, as certified by the Sheriff 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 it would be more appropriate to fill the position from an existing list that the County has recruited for and has an existing eligibility list that was approved and created for that position; and C) approve the hiring of one Correctional Officer at Range 64 (\$3,7353 - \$4,539). Motion carried unanimously.

HHS-Behavioral
Hlth. Serv./Office
Clerk Position
Request Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to find that consistent with the Authorized Position Review Policy: A) the availability of funding for an Office Clerk position exists in the Behavioral Health and Drinking Driver Program budgets, as certified by the Director of Health and Human Services 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 ensure qualified candidates apply; and C) approve the hiring of one Office Clerk III at Range 52 (\$2,880-\$3,500). Motion carried unanimously.

HHS-Misc./HHS
Specialist Position
Request Moved by Supervisor Tillemans and seconded by Supervisor Pucci to find that consistent with the Authorized Position Review Policy: A) the availability of funding for a Health and Human Services Specialist position exists in the FIRST Budget, as certified by the Director of Health and Human Services 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 ensure qualified candidates apply; and C) approve the hiring of one full-time Health and Human Special IV (4) at Range 60 (\$3,471-\$4,216). Motion carried unanimously.

Planning/Letter on
Salamander/Panamint
Lizard Elaine Kabala, Associate Planner, reviewed the Petition for the Inyo Mountains Salamander and Panamint Alligator Lizard and the draft correspondence. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the correspondence to U.S. Fish and Wildlife Service regarding the 90-day Petition Findings for the Inyo Mountains Salamander and the Panamint Alligator Lizard and authorize the Chairperson to sign. Motion carried unanimously.

Emerg. Serv./D.V.
Roadeater
Emergency 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 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 Griffiths 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.

Emerg. Serv./D.V. Down But Now Out Emergency	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to continue the local emergency, known as the "Death Valley Down But Not Out Emergency" that was proclaimed as a result flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015. Motion carried unanimously.
BofS/Minute Approval	Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve the minutes of the Board of Supervisors Meetings as follows: A) Special Meeting of October 9, 2015; B) Special Meeting of October 12, 2015; C) Special Meeting of October 14, 2015; D) the Regular Meetings of October 20, 2015; and E) the Regular Meeting of October 27, 2015. Motion carried unanimously.
County Department Reports	The Chairperson announced the County Department Report period. Josh Hart, Planning Director, informed the Board that the DRECP EIR is going to be released today. Jean Turner, Director of Health and Human Services, updated the Board on the RFP for ambulance service, saying that the State had reviewed the RFP and requested substantial changes in the scoring and evaluation criteria. She explained that she had been working with ICEMA to make the changes which will have to be resubmitted to the State for approval. The County Administrator commended Ms. Turner on her work to ensure that the RFP follows the Board's wishes with regard to the RFP. Dr. Bob Harrington, Water Director, updated the Board on a Technical Group Meeting, and the Standing Committee Meeting. Clint Quilter, Public Works Director, updated the Board on the status of the Adventure Trails Report that is required.
Fish and Wildlife/ Commission Appointments	Moved by Supervisor Pucci and seconded by Supervisor Griffiths to reappoint Doug Brown and Steve Ivy as regular members on the Fish and Game Advisory Commission, to complete unexpired four-year terms ending October 6, 2019 and John Fredrickson as the alternate to complete an unexpired term ending October 6, 2017. Motion carried unanimously.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including an update on funding for the Big Pine Veterans Path, a tour of the Coso operations, the Standing Committee Meeting, the Bishop City Council Meeting, the Washington D.C. trip, a note that the Southern Inyo Fire Protection District Ballot Measure did not pass.
Closed Session	County Counsel announced the Board was reopening closed session to discuss Item No. 4 with one case withdrawn as earlier reported and to discuss two cases. The Chairperson recessed open session at 11:20 a.m., to reconvene in closed session with all Board Members present to discuss and take action as appropriate on Agenda Item No. 4 two cases. The Chairperson recessed closed session at 11:35 a.m., to reconvene in open session with all Board Members present.
Report on Closed Session	County Counsel reported that with regard to Agenda Item No. 4. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)] - decision whether to initiate litigation (two cases) instructions were given to staff.
Resol. #2015-58 Portion of Sunset Road Name Change	The Chairperson opened the public hearing at 11:35 a.m., to consider changing the name of Sunset Drive, west of Barlow Lane, to Sunset Road. Clint Quilter, Public Works Director, reviewed the staff report and recommendations. The Board heard from the following area residents who strongly supported the name change: Kathy McMurry, Mike Mellan and John Snyder. The Chairperson closed the public hearing at 11:45 a.m. On a motion by Supervisor Pucci and a second by Supervisor Totheroh, Resolution No. 2015-58 titled "Resolution of the Board of Supervisors, County of Inyo, State of California, To Change the Name of Sunset Drive, County Road #1131), West of Barlow Lane, to Sunset Road" was approved: motion unanimously passed and adopted.
Resol. #2015-59/ Completion Notice S. Bishop Improv.	On a motion by Supervisor Tillemans and a second by Supervisor Pucci, Resolution No. 2015-59 was approved accepting the improvements for the South Bishop Improvement Project and authorizing the recording of a Notice of Completion for the Project. Motion carried unanimously.
BofS/SCE Drought Presentation	The Board received a presentation from representatives of Southern California Edison on the SCE Drought Resolution Initiative.
County Department Reports	The Chairperson reopened the County Department Report period. Kammi Foote, Clerk-Recorder, announced that the Voter Registration Data Base is going to go live on Monday. She also invited the Board to visit her office to see the office layout changes that have been made that make searching records easier.

BofS/Coroner
Swearing In

The Chairperson noted that the newly appointed Inyo County Coroner, Jason Molinar, is being sworn in at 12:00 p.m., in the Historic Courthouse Courtroom located on the top floor of the Courthouse.

Adjournment

The Chairperson adjourned today's meeting in memory of Dick Noles, a long time Bishop area resident who passed away recently, noting that Dick was a community advocate who worked tirelessly throughout the years to protect, promote and enhance Inyo County outdoor opportunities. The Chairperson adjourned the meeting at 12:00 p.m., to 8:30 a.m., Tuesday, November 17, 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