

MINUTES

County of Inyo Board of Supervisors

January 26, 2016

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:30 a.m., on Tuesday, January 26, 2016, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Jeff Griffiths, presiding, Dan Totheroh, Rick Pucci, Mark Tillemans and Matt Kingsley.

- Public Comment The Chairperson announced the public comment period. There was no one from the public wishing to address the Board.
- Closed Session The Chairperson recessed open session at 8:30 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 -ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(d)(4)]** – discussion with legal counsel regarding potential initiation of litigation (two cases.); No. 3. **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, Information Services Director, Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo; No. 4. **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, Information Services Director, Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo; and 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, Information Services Director, Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.
- Recess/
Reconvene The Chairperson recessed closed session at 10:00 a.m. to reconvene in open session at 10:05 a.m., with all Board Members present.
- Pledge Supervisor Pucci led the Pledge of Allegiance.
- Report on Closed
Session County Counsel reported there were no actions taken in closed session that are required by law to be reported on in open session.
- Public Comment The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.
- County Department
Reports The Chairperson announced the County Department Report period. Dr. Bob Harrington, Water Director, provided the Board with a copy of the Agenda for the Water Commission Meeting and provided information on the items contained on the Agenda. The Assessor, David Stottlemire, updated the Board on the reappraisal process for several large businesses in the County that have been sold in the past year. The Chief Probation Officer, Jeff Thomson, provided statistical information concerning juvenile offenders in the County. He reported that currently there are three detainees in the Juvenile Hall and that the number of detainees from 2002 to 2014 averaged six per month; that the age of the first offenders is between 13-14; and the majority of juvenile offenders are on probation for low level misdemeanor offenses.

Integ. Waste/Brush Chipper Purchase Authorization	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to award the bid for and authorize the purchase of a Brush Bandit 90XP Brush Chipper from Cal-Line Equipment, Inc., in an amount not to exceed \$23,357.89, and authorize the County Administrator or his designee to sign all documents relative to the purchase of this equipment. Motion carried unanimously.
CAO-Info Serv./ Centerline Data and GIS Server Replacement P.O.	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to A) approve the purchase of Inyo County Centerline data from GeoComm in an amount not to exceed \$7,500; and B) approve the purchase of Geographic Information System server replacements from Dell, Inc., in an amount not to exceed \$12,000, contingent upon the completion of an appropriation request. Motion carried unanimously.
CAO-Info Serv./ Tech Refresh Computers P.O.	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to, pursuant to the technology refresh initiative, authorize the purchase of 68 desktop computers and 51 laptop computers and associated peripherals from Dell in an amount not to exceed \$47,100. Motion carried unanimously.
Probation/Satellite Tracking of People Contract Amendment Two	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve Amendment Two to the Lease Agreement between the County of Inyo and Satellite Tracking of People, LLC (STOP) for providing electronic monitoring supplies and services by increasing the amount of the Contract by \$5,000 to an amount not to exceed \$25,000; and authorize the Chairperson to sign. Motion carried unanimously.
Planning/Letter re Forest Plan Update Wilderness, SCC and Wild & Scenic	The Planning Director, Josh Hart, reviewed the items discussed during last week's consideration of the correspondence regarding the Forest Service's recent proposals on Wilderness, Species of Conservation Concern, and Wild and Scenic River Eligibility. Mr. Hart itemized the changes in the correspondence as a result of the conversation. The Board briefly discussed several of the items. The Board heard from the following members of the audience: Fran Hunt, representing the Sierra Club, who asked the Board to change the letter to show more support for the Agency; Edith Warkentine, a Member of the Sierra Club, who commented that she felt the tone of the letter was hostile and expressed concern with the comments regarding socio-economics; Erick Warkentine, Third District Resident, who supported additional wilderness, explaining that the proposals only add 5-6% more wilderness. He also shared his wife's concerns about the socio-economic comments; Jorra Fogg, Representing the Friends of the Inyos, expressed concern with the 90 day comment period and supported the evaluation of the 10 areas, and commented on the Wild and Scenic designation; John Louth advocated for requesting better written descriptions; Earl Wilson of Lone Pine, talked about Wild and Scenic designations; Ceal Klinger, who expressed concern with the socio-economic language in the letter and with the species of conservation concern, stressing the importance of protecting at risk species in the County; Dr. Stacy Brown who talked about the value of wilderness with regard to socio-economics and the importance of wilderness values when encouraging medical professionals to relocate to the County. The Board went on to discuss the information and the draft correspondence in detail and at length. The Board wanted to change paragraph two to include the recommendation that socio-economic impacts of the SCC be studied further;, and delete the word "deeply" from the first sentence of paragraph three. Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to approve the draft correspondence in regards to Forest Services proposals on Wilderness, Species of Conservation Concern, and Wild and Scenic River Eligibility as amended during the discussion, and authorize the Chairperson to sign.
BofS/ESCOG Grant Support Letter	The Board received a copy of the Inyo-Mono Broadband Consortium Grant Application. Supervisor Griffiths provided additional information and further justification for the letter supporting the designation of Eastern Sierra Council of Governments (ESCOG) as the governing board for the Inyo-Mono Broadband Consortium. Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to after a review of the grant application designating the ESCOG as the governing board for the Inyo-Mono Broadband Consortium, approve the letter of support and authorize the Chairperson to sign. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 11:50 a.m., to reconvene in open session at 11:55 a.m., with all Board Members present except Supervisor Tillemans who had left during the break.
Child Support Serv./ Tribal TANF Plan Workshop	The Chairperson immediately recessed open session to convene in a Workshop, to receive a presentation regarding the Eastern Sierra Child Support Program and the proposed Tribal TANF 2016-2019 plan regarding the cooperation by families receiving TANF assistance to cooperate with Child Support Services programs. The Chairperson recessed the workshop at 12:20 p.m., to reconvene in open session, with all Board Members present, except Supervisor Tillemans.

Integ. Waste/ Equipment Operator Position Request	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to find that consistent with the Authorized Position Review Policy: A) the availability of funding for an Equipment Operation I position exists in the Solid Waste Budget as certified by the Department Head 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 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 Equipment Operator I, at Range 58 (\$3,310 - \$4,027). Motion carried unanimously, with Supervisor Tillemans absent.
Planning/Associate Planner Position Request	Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to find that consistent with the Authorized Position Review Policy: A) the availability of funding for an Associate Planner position exists in the Planning Department Budget, as certified by the Planning Director 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 external recruitment is more appropriate; and C) approve the hiring of one Associate Planner at Range 74 (\$4,731 - \$5,750). Motion carried unanimously, with Supervisor Tillemans absent.
P.W./Tecopa Water Vending Machine Project	Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to award and approve the Contract for the Tecopa Heights Water Vending Machine Project to the low bidder, Spiess Construction Company, Inc., in the amount of \$133,761; authorize the Chairperson to sign; and authorize the Public Works Director to sign all other Contract documents, including Change Orders to the extent permitted by Public Contract code Section 20142 and other applicable law. Motion carried unanimously, with Supervisor Tillemans absent.
BofS/Minute Approval	Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve the minutes of the Board of Supervisors meetings of A) January 5, 2016 and B) January 12, 2016. Motion carried unanimously, with Supervisor Tillemans absent.
Planning/Magnificat Ventures Charleston View GPA and Zone Reclassification	The Chairperson opened the public hearing at 12:30 p.m., with all Board Members present, except Supervisor Tillemans, on the following actions for a 17-acre site at 881 E. Old Spanish Trail Highway (APN 048-514-33) in the Community of Charleston View: General Plan Amendment No. 2015-01/Magnificat Ventures changing the General Plan designation from Resort Recreational (REC) to Retail Commercial (RC) to best match the requested zoning and current use on the property; a proposed ordinance titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2015-01/Magnificat Ventures and Amending the Zoning Map of the County of Inyo by Rezoning a 17-acre Parcel Located at 881 E. Old Spanish Trail Highway (APN 048-514-33) in the Community of Charleston View From Open space with Forty-Acre Minimum (OS-40) to Highway Services and Tourist Commercial (C2);" to best match the current uses on the property. Cathreen Richards, Senior Planner, reviewed the staff report and recommendations. There was no one from the public wishing to address this issue and the Chairperson closed the public hearing at 12:40 p.m.
Resol. 2016-04 Certifying CEQA for Magnificat Ventures GPA and Z.R.	On a motion by Supervisor Kingsley and a second by Supervisor Totheroh, Resolution No. 2016-04 titled "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Certifying that the Provisions of the California Environmental Quality Act (CEQA) Have Been Met and Making Certain Findings with Respect to and Approving Zone Reclassification No. 2015-01/Magnificat Ventures and General Plan Amendment No. 2015-01 Magnificat Ventures" as approved: motion unanimously passed and adopted, with Supervisor Tillemans absent.
Planning/First Reading Magnificat Z.R. Ordinance	Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to waive the first reading of the Ordinance and schedule the enactment for 11:30 a.m., Tuesday, February 2, 2016 in the Board of Supervisors Room, at the County Administrative Center, in Independence. Motion carried unanimously.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:40 p.m., to reconvene in open session at 1:35 p.m., with all Board Members present except Supervisor Tillemans.

BofS/Support for CA Desert Conservation Acts Legislation by Cook and by Feinstein
Supervisors Kingsley and Griffiths introduced and provided background on the request for the Board to support legislation developed, one by Senator Feinstein and one by Congressman Cook, regarding conservation and recreation which will impact lands in Inyo County. They noted some of the differences between the two pieces of legislation, i.e., Alabama Hills designation is not in Cooks Legislation, he introduced stand alone legislation for the designation. Senator Feinstein's legislation includes the designation; releases of WSA's and wilderness designations, etc. The Board heard from members of the audience as follows: Dr. Stacy Brown, expressed concern in how wilderness is addressed in paragraph five and supported the invitation to have meetings on these pieces of legislation in Inyo County; Ceal Klinger, who asked that the word "deep" in the first sentence of the final paragraph be omitted; Mike Prather who suggested the Board not support either piece of legislation at this time. The Board and staff went on to discuss the correspondence in detail and at length, including how to address the Alabama Hills designation legislation; WSA releases and wilderness designations; and omitting the word meaningful when talking about land releases around and near communities. Supervisor Tothoroh explained that because there are some areas of Congressman Cook's legislation that impact areas outside of Inyo County on issues he cannot support like water mining, he would be unable to support the County's letter because it did not address these concerns. Supervisor Kingsley explained that the letters of support for both pieces of legislation were only addressing those items which impact Inyo County, which is what staff from the Congressman and Senator's offices had requested. Supervisor Tothoroh reiterated his position. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the letter(s) regarding the California Minerals, Off-Road Recreation, and Conservation Act (Representative Paul Cook) and California Desert Conservation and Recreation Act (Senator Feinstein), as amended during the discussion; and authorize the Chairperson to sign. Motion carried on a three-to-one vote, with Supervisors Griffiths, Pucci and Kingsley voting yes, with Supervisor Tothoroh voting no, and with Supervisor Tillemans absent.

Public Comment
The Chairperson announced the 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 week, including an update on medical marijuana legislation; a Great Basin Unified Air Pollution Control District Board Meeting; a Fish and Wildlife Commissioner Meeting; a LAFCO Meeting; a Northern Inyo Airport Advisory Committee Meeting; and a Bishop City Council Meeting. The County Administrator updated the Board on the County's 150th Anniversary activities.

Adjournment
The Chairperson adjourned the regular meeting at 3:17 p.m.

Chairperson, Inyo County Board of Supervisor

Attest: *KEVIN D. CARUNCHIO*
Clerk of the Board

by: _____
Patricia Gunsolley, Assistant