

MINUTES



County of Inyo Board of Supervisors

December 13, 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 December 13, 2016, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Jeff Griffiths, presiding, Dan Tothoroh, Rick Pucci, Mark Tillemans, and Matt Kingsley.

PUBLIC COMMENT Chairperson Griffiths asked for public comment and there was none.

CLOSED SESSION Chairperson Griffiths recessed open session at 8:33 a.m. to convene in closed session with all Board members present to discuss the following items: No. 2 **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *TANYA SOLESBEE, v. COUNTY OF INYO, et al.*, United States District Court Eastern District of California Case No. 1:13-CV-01548 AWIJLT; No. 3 **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *MELISSA M. NEYLON AND SHAWN P. NEYLON V. COUNTY OF INYO, INYO COUNTY SHERIFF’S OFFICE, BILL LUTZE, DOUGLAS RICHARDS, and DOES 1 to 50*, United States District Court Eastern District of California Case No. 1:16-CV-00712-AWI-JLT; No. 4 **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *JULIA LANGLEY, v. COUNTY OF INYO, et al.*, United States District Court Eastern District of California Case No. 1:16-CV-01133-DAD-JLT; No. 5 **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *PROMINENT SYSTEMS, INC., a California Corporation, v. EASTERN SIERRA ENGINEERING, P.C., a Nevada Corporation; COUNTY OF INYO, a political subdivision of the State of California*, Superior Court of the State of California for the County of Kern Case No. S-1500-CV-279959-DRL; No. 6 **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *CRYSTAL ALLEN, an individual v. COUNTY OF INYO, et al. a governmental entity; and DOES 1-50*, Inyo County Superior Court Case No. SICVVCV13-54820; No. 7 **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *BISHOP PAIUTE TRIBE v. INYO COUNTY; WILLIAM LUTZE, INYO COUNTY SHERIFF; THOMAS HARDY, INYO COUNTY DISTRICT ATTORNEY*; United States District Court Eastern District of California Court Case No. 1:15-CV-00367-JLT; No. 8 **CONFERENCE WITH LEGAL COUNSEL – Existing Litigation** – (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). *PATRICK MCLERNON V. COUNTY OF INYO, WILLIAM KANAYAN AS AN INDIVIDUAL, AND DBA WILLIAM KANAYAN CONSTRUCTION, and Does 1 to 25, inclusive*; Inyo County Superior Court Case No. SICVVCV 1558147; No. 9 **CONFERENCE WITH LABOR NEGOTIATORS** [Pursuant to Government Code §54957.6] – Employee Organizations: Deputy Sheriff’s Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); Law Enforcement Administrators’ Association (LEAA). Unrepresented employees: all. Agency designated representatives: County Administrative Officer Kevin Carunchio, Assistant County Administrator Rick Benson, Deputy Personnel Director Sue Dishion, Senior Deputy County Administrator Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo; No. 10 **PUBLIC EMPLOYMENT**. (Government Code Section 54957). Title: Planning Director; No. 11 **PUBLIC EMPLOYMENT**. (Government Code Section 54957). Title: Child Support Director.

OPEN SESSION Chairperson Griffiths recessed closed session and reconvened the meeting in open session at 10:11 a.m. with all Board members present.

PLEDGE OF ALLEGIANCE Supervisor Pucci led the pledge of allegiance.

REPORT ON CLOSED SESSION County Counsel Marshall Rudolph reported that no action was taken during closed session that is required to be reported. The Board had not finished its closed session business, and would recess to closed session later in the meeting to continue discussions.

PUBLIC COMMENT Chairperson Griffiths asked for public comment and there was none.

COUNTY DEPARTMENT REPORTS Assistant County Administrator Rick Benson reported that when the County entered into an agreement with Enterprise Fleet Management, it did so with the assumption the County would be able to save money and get better vehicles. He said the County was recently able to test this theory when an employee struck a deer while driving a County vehicle, which was totaled. He said the vehicle had to be replaced and Motor Pool paid approximately \$2,500 more than what it would have through Enterprise. He said the County has been saving a substantial amount of money through the Enterprise contract. Benson also showed off the plaques Inyo County recently received in the mail for winning silver awards with its county exhibit at the State Fair in 2015 and 2016. The 2015 exhibit was the final one designed by Rich and Kathy White of Independence and the 2016 exhibit was created by a contractor.

HHS Director Jean Turner noted that there is renewed tension in the local media and at the City regarding homelessness. She said her department is not funded to deal with homelessness per se, but does make attempts to provide services to the transient population to prevent them from becoming part of the permanent population. She said Inyo has seen an increase in the transient population but HHS has not been able to quantify it. Turner also encouraged everyone to stop by the Bishop Senior Center and take advantage of the seniors' gift wrapping services for a nominal fee as part of their annual fundraiser.

PRESENTATION – HOLIDAY DOOR DECORATING CONTEST WINNERS CAO Carunchio explained the Holiday Door Decorating Contest, now in its fourth year, includes no use of tax dollars. The doors are decorated during non-business hours with private funds. The prize – an office pizza party – is paid for via entry fees with Carunchio making up the difference. Voting is done online under the IT Department's direction. Carunchio said that this year, in light of the election, there was a bicameral voting process with two Supervisors acting as an electoral college. Carunchio announced the Treasurer-Tax Collector's Office had won the "Charlie Brown Award" and the Auditor-Controller's Office had won for Best Door.

DESIGNATING COUNTY HOLIDAYS Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to designate Friday, December 23, 2017 as the Christmas Eve Holiday and Friday, December 29, 2017 as the New Year's Eve Holiday for the County of Inyo. Motion carried unanimously.

JOHN KIRBY CONTRACT AMENDMENT Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve Contract Amendment No. 5 between the County of Inyo and John D. Kirby A.P.C. for the provision of Civil Litigation Attorney Services, extending the term of the agreement to June 30, 2017 and increasing the contract limit by \$25,000 to an amount not to exceed \$237,000, and authorize the Chairperson to sign. Motion carried unanimously.

FOREST SERVICE – INF FOREST PLAN UPDATE MOU EXTENSION Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to authorize the Chairperson to sign an extension of the Memorandum of Understanding with the U.S. Forest Service regarding the Inyo National Forest Plan Update/Revision. Motion carried unanimously.

SHERIFF – PRO FORCE SOLE SOURCE Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to declare Pro Force Law Enforcement of Prescott, Ariz. as the sole-source provider and approve the purchase of Tasers, holsters, training cartridges, and battery packs in the amount of \$15,378.18, including handling and sales tax. Motion carried unanimously.

HHS – ADMINISTRATIVE ANALYST I-II Health and Human Services Director Jean Turner explained this is an existing, budgeted position becoming vacant as a result of a promotion. Moved by Supervisor Kingsley and seconded by Supervisor Pucci for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of non-General Fund Social Services and Mental Health funding for an Administrative Analyst II position exists, as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an external recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of either an

Administrative Analyst I at Range 68 (\$4,188-\$5,088) or II at Range 70 (\$4,391-\$5,341), dependent upon qualifications. Motion carried unanimously.

**HHS – INTEGRATED
CASEWORKER I-II**

HHS Director Jean Turner explained this is a request to backfill a position in Lone Pine that is now vacant as a result of promoting a long-time employee. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for an Integrated Caseworker I or II position exists in a non-General Fund budget, as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but as a State Merit System position, an external recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring in our Lone Pine office of one Integrated Case Worker I at Range 60 (\$3,471 - \$4,216) or Integrated Case Worker II at Range 64 (\$3,810 - \$4,630), dependent on qualifications. Motion carried unanimously.

**PROBATION –
EXTENDED DAY
PROGRAM AT JKBS**

Chief Probation Officer Jeff Thomson reported that the funding for the extended day program is made available through the Juvenile Justice Crime Prevention Act. Moved by Supervisor Totheroh and seconded by Supervisor Pucci to ratify, approve, and sign the contract between the County of Inyo and Inyo County Superintendent of Schools for an Extended Day Program for the period of July 1, 2016 to June 30, 2017 in an amount not to exceed \$21,227, and authorize the Chairperson to sign, contingent upon receipts of forecasted Fiscal Year 2016-2017 Vehicle License Fee revenue from the California State Controller's Office. Motion carried unanimously.

**PROBATION –
HEALTHY
COMMUNITIES
DELINQUENCY
PREVENTION
PROGRAM**

Chief Probation Officer Jeff Thomson said the Juvenile Justice Crime Prevention Act also provides funding for Healthy Communities of Southern Inyo County, in particular helping to fund the coordinator position. He said Healthy Communities puts on a lot of events for the youth in Southern Inyo year-round. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to ratify, approve, and sign the contract between the County of Inyo and Healthy Communities of Southern Inyo County for a Delinquency Prevention Program for the period of July 1, 2016 to June 30, 2017 in an amount not to exceed \$31,840, and authorize the Chairperson to sign, contingent upon receipts of forecasted Fiscal Year 2016-2017 Vehicle License Fee revenue from the California State Controller's Office. Motion carried unanimously.

**PLANNING – TRIBAL
CONSULTATION**

Assistant Planning Director Cathreen Richards noted that pursuant to the Tribal Consultation Policy adopted by the Board in October, each year the Board will be asked to designate two of its members to serve as Consultation Committee representatives assigned to consult with the individual Tribes in the County. Part of the consultation provides the opportunity for the County and each Tribe to develop an MOU that outlines specific consultation procedures. Richards said letters dated December 8 (*the actual date of the letters was corrected to December 13; the wrong letters were included with the agenda backup material*) invite each Tribe to consult with the County on implementing the policy and possibly developing MOUs unique to each Tribe. After some discussion, it was decided the Board reps would be assigned to individual Tribes as follows: Bishop – Supervisors Totheroh and Pucci; Big Pine – Supervisors Tillemans and Totheroh; Independence – Supervisors Tillemans and Kingsley; Lone Pine – Supervisors Tillemans and Kingsley; and Timbisha-Shoshone – Supervisor Kingsley and Chairperson Griffiths. Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the appointments to the Tribal Consultant Committee as arrived at by the Board. Motion carried unanimously. County Counsel Rudolph reminded the Board that the Native American Heritage Commission had offered and the County accepted consultation training, to be held sometime between now and January 14. He said he would keep the Board updated on the scheduling of that training. The Board was also being asked to review the draft December 8 letters to be sent to each Tribe inviting the Tribe to consult with the County concerning implementation of the Tribal Consultation Policy and the potential development of a Memorandum of Understanding unique to each Tribe, and authorize the Chair to sign the letters. Supervisor Kingsley said he thought the letter was fine and was excited to begin initiating the consultation process. Supervisor Pucci suggested listing the committee assignments in the letters to the individual Tribes but making it clear that the Planning Department was the point of contact. He also said he did not want to push an MOU on the Tribes if they did not want one. Supervisor Totheroh agreed about listing the committee assignments while not undermining the Planning Department's role. Supervisor Tillemans suggested re-emphasizing that point in the letter. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to authorize the

Chairperson to sign the letters to the Tribes, with the requested additions. Motion carried unanimously.

*PLANNING – LETTER
IN SUPPORT OF
ROVANA VILLAGE
PETITION*

At the behest of the Rovana Village owner and Supervisor Dan Totheroh, the Board was asked to review draft correspondence to the Rural County Representatives of California, Assemblyman Devon Mathis and Senator Tom Berryhill regarding the Pine Creek Village/Rovana Wastewater Treatment Plant petition being considered before the State Water Resources Control Board, provide input, and authorize the Chairperson to sign. Planning Director Josh Hart explained that in August 2016, State Water Resources Control Board staff notified the owner that the operator of the wastewater treatment plant serving the 86 homes in Rovana Village, many of which were brought down from the Pine Creek Mine, would have to be certified as a Grade III or higher. The wastewater from the homes is currently processed at a privately owned facility. Supervisor Totheroh said the current operator is not certified but he is capable of handling the relatively small amount of wastewater generated by the village, which has not seen a violation in decades. Totheroh said what essentially happened was the State Board eliminating a privacy clause that now has Rovana in the same classification as wastewater treatment plants that process millions of gallons of discharge. The classification requirement for the operator would mean going from a few hours a week at the plant to 40, with costly certification now and ongoing classes to keep that certification. Hart said the owner anticipates a resulting increased cost of about \$200,000 – or what attorney Greg James estimated to be 25 percent. Hart said the owner filed a petition for an exemption, without which the owner has stated he would have to close the village. Hart said this would result in a loss of 86 homes and about 5 percent of Inyo County's moderately priced housing. Supervisor Kingsley said Mineral County has been dealing with a similar issue. He said he spoke with Paul Smith, the senior legislative advocate for the Regional Coalition of Rural Counties, and he was willing to look into the matter but he does have 25 counties and their various issues to keep tabs on. Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to authorize the Chairperson to sign correspondence to RCRC, Assemblyman Devon Mathis, and Senator Tom Berryhill regarding the Pine Creek Village/Rovana Wastewater Treatment Plant petition being considered before the State Water Resources Control Board. Motion carried unanimously.

*PLANNING –
BROWNFIELDS
GRANT UPDATE,
APPLICATION*

Planner Tom Schaniel explained that the County has participated in the Rural Desert Southwest Brownfields Coalition since 2011. It is a program funded by the EPA to help counties identify and assess brownfields in an eventual effort to support brownfields redevelopment. Inyo County is the only California member of the Coalition, which also includes Esmeralda, Lincoln, Nye, and White Pine counties in Nevada, and as of December 22, 2016, the Duckwater Shoshone Tribe of the Duckwater Reservation. Schaniel introduced Lorina Dellinger, Nye County administrative manager, and paid consultant Rachael Schlick, both of whom provided additional background on the program and discussed upcoming project goals for the 2017 grant cycle. Schlick noted that a property off of Wye Road is currently under assessment, the Coalition has made strides in moving the Mt. Whitney Fish Hatchery toward a needed site cleanup due to contaminants, and the former PPG Plant in Bartlett has passed two phases of environmental assessment. Supervisor Kingsley thanked the Coalition for its follow-through. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve related Rural Desert Southwest Brownfields Coalition community activities and a Fiscal Year 2017 draft U.S. Environmental Protection Agency Brownfields Assessment Grant Application and authorize the Chairperson to sign a draft Letter of Commitment for the grant application. Motion carried unanimously.

*PLANNING –
ENACTING URGENCY
ORDINANCE 1204*

The Board was asked to conduct a public hearing and enact Urgency Ordinance No. 1204, which extended Urgency Ordinance 1200 by the maximum amount of time allowed by law – one year. Planner Tom Schaniel explained the Planning Department had received an inquiry about possible development of pistachio farms in Inyo County. In response, the urgency ordinance was enacted to prohibit new non-groundwater neutral agricultural uses in Pearsonville until the County can adequately study proposals for groundwater-intensive agricultural uses and adopt appropriate regulations in compliance with applicable law. He said the Planning Department needs some additional time for its recommendation, which is pursuing an overlay zone. Schaniel noted that while the urgency ordinance is in effect, the Indian Wells Valley Joint Powers Authority, of which Inyo County is a member, will be working to meet the mandates of the State Groundwater Management Act. Water Director Dr. Bob Harrington said the JPA will be submitting the necessary paperwork to the state in the next 30 days. If nobody else files in 90 days, then the JPA will become the Groundwater Sustainability Agency for the Indian Wells Valley and will have to have a Groundwater Sustainability Plan (GSP) in place by 2020 since the groundwater basin has been designated as being in critical overdraft. Harrington said the

expectation is that the urgency ordinance in the Inyo County portion of the basin will be looked at favorably because it will maintain the status quo as the GSP is developed. Supervisor Kingsley said the urgency ordinance will expire before the GSP is in place, so he appreciates Planning's effort to get an overlay zone proposal ready in the next few months. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to enact Urgency Ordinance No. 1204, titled, "An Interim Ordinance of the Board of Supervisors of the County of Inyo, State of California Pursuant to Government Code Section 65858(a) Extending Interim Ordinance No. 1200 – An Interim Ordinance of the Board of Supervisors of the County of Inyo, State of California Pursuant to Government Code Section 65858(a) Prohibiting New Non-groundwater-Neutral Agricultural Uses and Declaring the Urgency Thereof."

*PLANNING – 2017
CDBG GRANT CYCLE
PRESENTATION*

The Board, Planning staff, and CAO Carunchio entered a lengthy discussion about the risks versus rewards of applying for Community Development Block Grants being administered by the California Department of Housing and Development. Assistant Planning Director Cathreen Richards reported that while a Notice of Funding Availability has yet to be released, there is already early interest in the program. The Southern Inyo Fire Protection District would like the County to apply for grants for a new firehouse and a community pool. The latter, Richards said, could serve the dual purpose of a source of water for the fire department and both projects could help residents obtain lower insurance rates. The Public Works Department has expressed interest in performing much-needed repairs to the Lone Pine town water system. Richards said that the application process requires two public hearings – one where the County considers proposals and the second, 30 days later, where the Board selects projects to pursue funding for. Richards noted that the arduous, time-consuming application process would have to be completed by County staff. Carunchio pointed out that as of January 11, the Planning Department will be down to two full-time employees who already have full plates. He also expressed concern that the public hearings could result in a deluge of funding requests. He further noted that the County is on the hook for any project it sponsors through the program, and in the past has had to re-do engineering work improperly completed by project proponents. He encouraged the Board to carefully consider staff resources and be extremely judicious if it does decide to back any projects with CDBG funding requests. Chairperson Griffiths said that as one Board member, he wanted to go ahead with the public hearing. He said he understood the challenges afoot and thought it would go a long way to smoothing out the process if the County was forthright about those challenges during initial deliberations. Supervisor Kingsley said he wanted to see the Lone Pine Town Water System repaired and saw the CDBG as a mechanism to do that. He said he would go into the hearings with a very narrow focus for applying for funding. Supervisor Tillemans said he too would be narrowly focused on projects such as town water system upgrades but would prefer to hold off on the hearings until Planning's staffing situation improved – especially since the Notice of Funding Availability has yet to be released. Supervisor Totheroh said he would support going through the public hearing process now with the caveat proposals be focused on projects that are not time-consuming for staff. Chairperson Griffiths said he remembered offering these grants a few years ago and not getting a flood of interest. Carunchio said that was because the Board telegraphed its interest to be as judicious as possible. The Board directed Planning to proceed with the public hearings.

*CHILD SUPPORT
SERVICES
PRESENTATION*

Ashlee Alex and Emily Kasabian provided a brief presentation on the Child Support Services Program, which prior to 1999 prosecuted child support cases as criminal cases through the D.A.'s Office. The program is now focused on family-centered services, with orders directed on a person's ability to pay, since child support can represent up to 40 percent of someone's income. Services of the program include locating parents, establishing paternity, enforcing and collecting court orders, requesting court orders, and modifying court orders as circumstances change. The program is always working hard to improve customer service, with 24-hour access online and over the phone. The Child Support Program is a neutral party, they said, not taking sides. Child Support Services is 66 percent federally funded and 34 percent state funded, receiving an annual allocation of \$1.4 million to run a regional program in Inyo and Mono counties. Over the past five years, Child Support Services has underspent its allocation by \$1.8 million. The program is also now working with local employers and chambers of commerce so that businesses know what to do if they receive a withholding order for child support. Child Support Services also does a number of community outreach efforts, including the annual backpack drive, working with hospital staff, teen pregnancy outreach at local high schools, Tribal outreach, Children's Day for the Arts, and a Secret Santa Drive for a needy family at Christmas. Supervisor Totheroh thanked the program for its wonderful work. Supervisor Kingsley said he knows the job is not an easy one.

**RECYCLING & WASTE
MANAGEMENT –
RECYCLING UPDATE**

Assistant County Administrator Rick Benson informed the Board of a recent turn of events related to recycling efforts at the County. Up until recently, Eastern Sierra Conservation was processing all of the recyclable material brought to Bishop Landfill in exchange for being able to have its base of operations at the landfill free of charge. He said Bishop Waste bought Eastern Sierra Conservation and relocated the operation to Mammoth, which required the County to enter into an interim contract with Bishop Waste for a cost of \$300-plus a week. He said the County intends to put out a Request for Proposals and expects both local operators to respond. He said Bishop Waste has also picked up Eastern Sierra Conservation's curbside recycling service. The material is bailed, sorted, and compacted in Mammoth and then shipped to Los Angeles. Supervisor Kingsley said maybe the situation can present opportunities for recycling operations in the South County. Benson said there are a couple of things in the hopper, including possibly working with the Fort Independence Tribe, but for now the change in ownership is costing the County \$2,400 a month in unanticipated revenue.

**RECESS FOR LUNCH/
CLOSED SESSION**

Chairperson Griffiths recessed the meeting for a half-hour lunch break/closed session discussion at 12:22 p.m.

OPEN SESSION

Chairperson Griffiths recessed closed session and reconvened the meeting in open session at 1:39 p.m. with all Board members present. No action was taken during closed session that is required to be reported.

**CAO – DRAFT
CORRESPONDENCE
RE: LADWP LEASE
POLICY CHANGES**

CAO Carunchio reviewed the process leading up to the drafting of a letter offering input to the Los Angeles Board of Water and Power Commissioners regarding policy changes to business leases and business permits located in Inyo County being proposed by Los Angeles Department of Water and Power staff. The letter specifically addresses the County's assertion, backed by language in the C.M. Brown Act and L.A. City Charter, that LADWP is proposing to change an almost century-old lease practice because it erroneously claims the City Charter requires it to. Before opening up the discussion to the Board, Chairperson Griffiths asked for comment from the audience. Lone Pine resident Earl Wilson said he thought the County needed an MOU with LADWP so that the City could not take harmful, unilateral actions in the Owens Valley with no or little notice to those they impact. He said as colonial residents of Los Angeles, Inyo residents deserve more respect than that. He added that he saw the lease changes and previous threat to shut off ranchers' water as an effort to fallow some of the ranches. He also said the one-time lease transfer policy is killing the ranchers' generational memory. He said the County's draft letter was very good. County Assessor David Stottlemyre said a rancher called him yesterday to report a group of them had gotten together and decided the new lease policy would impact the value of their operations and wanted to know what the assessor's policy was in lowering their assessments. Stottlemyre advised the Board there will be pushback from ranchers wanting lower assessments. Supervisor Tillemans noted the same could be said for commercial leases and those property values. Chairperson Griffiths wondered whether it was worth it to add a point in the letter about impacts to assessed property values. Supervisor Tillemans asked an LADWP representative in the audience whether she was authorized to comment and she said all she could do is report back what she heard. Supervisor Kingsley said the County's letter clearly showed a way that the City of Los Angeles can legally take actions that would be beneficial to both Inyo County and the City. He thanked Carunchio, Special Counsel Greg James, and County Counsel Marshall Rudolph for their work on the letter and noted that in his tenure with the County, they have never spelled out such a clear solution for Los Angeles before. Supervisor Pucci said he was extremely impressed with the letter, noting that it asks for cooperation and provides ideas on how that cooperation can work. He said the letter sets up a process for a win-win. Chairperson Griffiths also complimented the letter, saying the most important part is the beginning where it clearly lays out legal rationale for 80-year-old lease policies not having to be changed to the detriment of the Inyo County economy. Supervisor Tillemans echoed the sentiments praising the letter, calling it fair and cordial and noting it does a good job of pointing out the mutual benefits of maintaining the traditional lease policy. Supervisor Totheroh said that not only does the letter give Los Angeles a mechanism for doing what the County thinks it should be doing anyway, but what LADWP told the County they wanted to do at the last meeting when they went before the Board – when Aqueduct Manager Jim Yanotta said LADWP wanted viable businesses in the Owens Valley. He said the County should let them prove it by their actions. Moved by Supervisor Pucci and seconded by Supervisor Kingsley to: A) modify the letter by adding language about assessed values and impacts on special districts, and carbon copying the Los Angeles Mayor and City

Council; and B) authorize the Chairperson to sign. Motion carried unanimously.

*PLANNING –
REGULATING SHORT-
TERM VACATION
RENTALS*

The Board followed up on discussions regarding the pervasive issue of short-term rentals in Inyo County, which are illegal. Assistant Planning Director Cathreen Richards presented various options for regulating the use, ranging from zoning changes, to overlays, to issuing Conditional Use Permits. Short-term rentals are currently dealt with on a complaint-based system which can entail the issuance of zoning violations. Supervisor Tillemans questioned whether setting up a regulatory system was really something the Board wanted to do, given current staffing limitations and the relatively low number of people actually renting out their homes to vacationers. He said he hears complaints about people renting out entire homes from absentee owners but also said some consideration should be given to individuals renting out rooms to supplement their income. He said the Board needed to consider whether the benefits of legalizing short-term vacation rentals outweighed the costs. Supervisor Totheroh said the Board needed to proceed cautiously but also preserve the quality of life for people who moved into residential areas expecting to live in residential areas. Supervisor Pucci acknowledged that most of the complaints being received by the County are coming from his district, where large homes are being used as vacation rentals. He said he would prefer to see the matter handled through the issuance of Conditional Use Permits, which allows individual neighborhoods to decide what is acceptable to them in terms of these rentals. Richards said a variety of stipulations can be placed on these permits, such as parking, trash disposal, lighting, etc. Supervisor Kingsley agreed that a one-size-fits-all approach to regulating short-term rentals would not work in Inyo County, where neighborhood characteristics and attitudes widely vary. Chairperson Griffiths also said Conditional Use Permits made sense to him as they involve the notification of neighbors and allow residents to provide input to the Planning Commission prior to any approval. Supervisor Pucci said he thought if the public knew homeowners would have to get a Conditional Use Permit and abide by stipulations, there would be less complaints coming into the Planning Department. He also said at \$1,500 per Conditional Use Permit, some homeowners might not want to stay in the short-term rental business. The Board discussed the staffing limitations of the Planning Department once more, and directed staff to begin work on the Conditional Use Permit process and public outreach as time allowed.

*BOARD MEMBERS
AND STAFF REPORTS*

Supervisor Totheroh said he attended a meeting of the Quadstate Local Government Authority last week and the Mental Health Advisory Board yesterday. He said it appears there is a movement afoot by the new Administration to find a way to de-designate monuments designated during the last Administration.

Supervisor Kingsley said he attended an RCRC meeting last week. He showed maps depicting how every proposition fared throughout the State during the November General Election and said he would see if Clerk-Recorder Kammi Foote had an interest in posting them to her Elections website. He added that he got elected to represent six counties at the RCRC level. He also mentioned attending an Indian Wells Valley Groundwater Sustainability Agency meeting in Ridgecrest that was very well attended. He reiterated being glad for the presence of Special Counsel Greg James and County Counsel Marshall Rudolph at these meetings.

Chairperson Griffiths reported that he recently became the first Inyo County Supervisor to perform a same-sex wedding. He also said he attended a Continuum of Care workshop where changes to policy regarding camping on BLM land were discussed. He said the changes will impact people who are technically homeless and live in their vehicles. He noted the topics of discussion at the City Liaison meeting, also attended by Supervisor Pucci and CAO Carunchio, were LADWP and cannabis. Griffiths added that at last night's City Council meeting, Joe Peci was elected mayor and Karen Schwartz was elected mayor pro-tem.

ADJOURNMENT

The Chairperson adjourned the meeting at 3:11 p.m. to Tuesday, December 20 at 8:30 a.m. in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

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

*by: _____
Darcy Ellis, Assistant*