

MINUTES



County of Inyo Board of Supervisors

August 8, 2017

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:34 a.m., on August 8, 2017, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Vice Chairperson Dan Totheroh, presiding, Rick Pucci, and Matt Kingsley. Absent: Chairperson Mark Tillemans and Jeff Griffiths.

PUBLIC COMMENT Vice Chairperson Totheroh asked for public comment during the first public comment period and there was nobody wishing to address the Board.

CLOSED SESSION Vice Chairperson Totheroh recessed open session at 8:35 a.m. to convene in closed session with all Board members present except Chairperson Tillemans and Supervisor Griffiths to discuss the following items: No. 2 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – [Pursuant to Paragraph (1) of subdivision (d) of Government Code §54956.9]** – Name of case: *Wagner et al. v. County of Inyo*, U.S. District Court, Case No. 1:17-cv-00969-DAD-JLT; No. 3 **PUBLIC EMPLOYMENT [Pursuant to Government Code §54957]** – Titles: Environmental Health Director; Health and Human Services Director; and No. 4 **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); IHSS Workers; 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, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.

OPEN SESSION Vice Chairperson Totheroh recessed closed session and reconvened the meeting in open session at 10:13 a.m. with all Board members present except Chairperson Tillemans and Supervisor Griffiths.

PLEDGE Supervisor Kingsley 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, however, and would recess to closed session later in the meeting to continue discussions.

PUBLIC COMMENT Vice Chairperson Totheroh asked for public comment during the second public comment period and there was nobody wishing to address the Board. Supervisor Kingsley took the opportunity to announce that the Board was short two members due to Supervisor Griffiths’ scheduled absence and a family medical issue needing to be addressed by Chairperson Tillemans.

COUNTY DEPARTMENT REPORTS Recycling and Waste Management Superintendent Scott Eagan gave a brief update on concrete crushing activities at the Bishop Landfill, including the bid process. He said more than 13,000 tons of concrete have been crushed into small rocks, forming a “Mini Mt. Tom.” He said some of the material is being spread at the Lone Pine Landfill to keep the dust down and prevent mud during rainstorms. He said Recycling and Waste Management plans to crush the concrete every couple of years, continuing to use it as cover material (including for dust mitigation) and making it available as material for construction projects. He said they are also hoping to develop an incentive pricing structure that will encourage landfill users to dispose of concrete in smaller chunks, making it easier and cheaper to crush. CAO Carunchio thanked Eagan for his work on the project, which he brought in way under-budget. Carunchio said the concrete at the landfill has been a bone of contention with CalRecycle for three or four years, so

this is a great success story.

**AG COMMISSIONER-
OVMAP – PESTICIDE
BID AWARD**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) award a bid in the amount of \$12,827.04 to Univar E.S. Inc. as the low bidder for the purchase of Altosid XR (Larvicide), BVA Oil (Pupacide) and Pyronyl 525 (Adulticide), and; B) approve the purchase of Altosid XR (Larvicide), BVA Oil (Pupacide) and Pyronyl 525 (Adulticide) from Univar E.S. Inc. in the amount of \$12,827.04. Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent.

**CHILD SUPPORT
SERVICES – CHILD
SUPPORT
AWARENESS MONTH
PROCLAMATION**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve a proclamation titled, "Proclamation of the Board of Supervisors, County of Inyo, State of California, declaring the Month of August 2017 as Child Support Awareness Month in Inyo County." Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent.

**PUBLIC WORKS –
DEHY PARK PHASE II
N.O.C./RESO # 2017-33**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve a resolution titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California Authorizing the Recording of a Notice of Completion for the Dehy Park Improvement Project Phase II." Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent.

**PUBLIC WORKS –
UPPER TRONA-
WILDROSE ROAD
N.O.C./RESO # 2017-34**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve a resolution titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California Authorizing the Recording of a Notice of Completion for the Upper Trona-Wildrose Road Storm Damage Repair Project." Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent.

**PUBLIC WORKS –
WADELL
ENGINEERING
AMENDMENT #15**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve Amendment No. 15 to County of Inyo Standard Contract No. 156 between the County of Inyo and Wadell Engineering Corporation for On-Call Airport Engineering and Planning Services for the Bishop Airport Terminal Area Apron Rehabilitation Design project, increasing the contract amount by \$126,500, for a total amount not to exceed \$2,176,003, contingent upon the Board's adoption of future Budget and authorize the Chairperson to sign. Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent.

**PUBLIC WORKS –
REVISED PLANS &
SPECS/AD & BID
WATER DEPT. ROOF
PROJECT**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the revised Plans and Specifications for the Water Department Roof Sealing Project and authorize the Public Works Director to advertise and bid the modified project. Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent.

**PUBLIC WORKS –
BISHOP APRON
PROJECT BID AWARD**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) award the bid and Construction Contract for the Bishop Airport-Apron Rehabilitation Project to Bowman Asphalt, Inc. of Bakersfield, California in the amount of \$1,697,701.20; and B) approve the Construction Contract with Bowman Asphalt, Inc. in the amount of \$1,697,701.20 and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained; and C) authorize the Public Works Director to execute all other Project Contract documents, including Contract Change Orders, to the extent permitted by Public Contract Code Section 20142 and other applicable laws. Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent.

**SHERIFF – DIGITAL
ALLY SOLE-SOURCE**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) declare Digital Ally of Lenexa, Kansas a sole-source vendor for car and body camera systems; B) authorize the purchase of two (2) DVM-800 in-car digital video systems in the amount of \$8,473.31 and six (6) FirstVu body camera systems in the amount of \$3,835.18; and C) approve a blanket purchase to Digital Ally in the amount of \$1,000 for any accessory replacement costs through the end of the fiscal year. Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent.

**SHERIFF – D.O.J.
SOLE-SOURCE &
BLANKET P.O.**

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) declare the California Department of Justice a sole-source provider of processing and verification of applicants' fingerprints; and B) approve a blanket purchase order to the California Department of Justice in the amount of \$15,000. Motion carried unanimously, 3-0, with Chairperson Tillemans and

Supervisor Griffiths absent.

*SHERIFF –
MORPHOTRUST
SOLE-SOURCE*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) declare MorphoTrust USA, Inc. of Billerica, Massachusetts a sole-source provider of maintenance services for Livescan Fingerprint machines located at the Independence jail facility and Bishop Police Department; and B) authorize payment to MorphoTrust USA, Inc. for the annual maintenance agreement for the Livescan Fingerprint machines at the Independence jail facility and Bishop Police Department, in the amount of \$16,000, contingent upon the Board's adoption of the Fiscal Year 2017-2018 budget. Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent.

*CLERK-RECORDER –
CITYGROWS SOLE-
SOURCE*

Clerk-Recorder-Registrar of Voters Kammi Foote presented a contract with CityGrows, Inc. that would allow Inyo County to become the first county in California to offer electronic filing of fictitious business statements. She said the filing fee is \$20 and there would be an approximately 50-cent convenience fee for filing online. Supervisor Kingsley said the service could be a significant benefit for Inyo County, considering the distances some residents might otherwise have to drive to file their statements in Independence. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) declare CityGrows Inc. of Los Angeles, California, a sole-source provider for the County Clerk's electronic filing of Fictitious Business Name Statements, and B) approve County of Inyo Contract No. 116 with CityGrows Inc. for electronic filing of Fictitious Business Name Statements at no cost to the County for the term of July 1, 2017 to June 30, 2027; and C) authorize the Chairperson to sign. Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent.

*MOTOR POOL –
RATIFY INCREASE IN
FY 16/17 BISHOP
CHEVRON P.O.*

Assistant County Administrator Rick Benson brought forth a housekeeping item that needed the Board's attention. He said an item that went before the Board previously contained unintended ambiguity and the Auditor asked that it be brought back for further authorization. Moved by Supervisor Pucci and seconded by Supervisor Kingsley to ratify and authorize the increase of the Fiscal Year 2016-2017 blanket purchase order to Bishop Automotive Chevron for vehicle maintenance services, increasing the amount by \$7,000, for a total amount not to exceed \$37,000, and authorize the Auditor to make payment. Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent. CAO Carunchio clarified that there was basically a clerical error but the matter was placed on the Departmental section of the agenda, in keeping with policy, because it required a ratification.

*HHS-SOCIAL
SERVICES – SAFE
MEASURES
REPORTING
CONTRACT*

HHS Senior Management Analyst Melissa Best-Baker presented a contract for Safe Measures® Internet Reporting Services, which she said helps supervisors track staff's reporting progress and helps HHS report to the State. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to ratify and approve the contract between the County of Inyo and the National Council on Crime and Delinquency for the provision of Safe Measures® Internet Reporting Services, in an amount not to exceed \$12,600 for the period of July 1, 2017 through June 30, 2019, contingent upon adoption of future budgets, and authorize the Chairperson to sign. Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent.

*PUBLIC WORKS – KPL
VENTURES
AMENDMENT #1*

Public Works Director Clint Quilter explained that when the former Bishop location of the D.A.'s Office and Child Support Service became uninhabitable this past winter, the County had to very quickly find replacement quarters. He said shortcomings in those quarters are being addressed as time passes, including the need for storage for the D.A. and additional space for Child Support computers. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) approve Amendment No. 1 to the current Standard In-Lease #010 with KPL Ventures, LLC for office space located at 162 E. Line Street in Bishop, California, for the period of March 7, 2017 through March 6, 2019 with three (3) options to extend for one (1) year in 2019, 2020 and 2021 each subject to a potential increase of no more than six percent (6%) unless terminated earlier; and increasing the lease amount by \$.80 per 632 sq.ft. for a total of \$505.00 for storage for the District Attorneys files and \$1.00 per 684 sq.ft. for a total of \$684.00 for a combined total increase of \$1,189.00 per month and a total not to exceed \$47,532; and B) authorize the Chairperson to sign the Amendment No. 1 to the Lease contingent upon the appropriate signatures being obtained and contingent upon the adoption of future budgets. Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent. CAO Carunchio noted that everyone is scrambling to make this new space work for Child Support and the D.A. He said Public Works deserves a lot of credit for spending so much time on the project, which has been costly. He said he wanted to stress that this is still a short-term solution, as the County is working through the Consolidated Office Building process. He said in the absence of that

project moving forward, some major reshuffling of the County's Bishop offices can be expected. Vice Chairperson Totheroh said it will be nice when the County does not have to worry about short-term fixes to long-term problems.

ROAD DEPT. – OAK CREEK BRIDGE NO-BUILD ALTERNATIVE

Public Works Director Clint Quilter said plans to replace Oak Creek Bridge are no longer attractive for the County now that environmental and engineering estimates have ballooned to \$300,000, with construction at \$100,000. He said the bridge sees very little traffic and the vehicles that do use it drive at low speeds. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve a "No Build" alternative selection for the Oak Creek Bridge on Bell Access Road due to the estimated level and cost of cultural and biological studies and mitigations required for this project, and authorize staff to de-obligate the project from the Federal Highway Bridge Program. Motion carried unanimously, 3-0, with Chairperson Tillemans and Supervisor Griffiths absent.

PUBLIC COMMENT

Vice Chairperson Totheroh asked for public comment during the final public comment period and there was nobody wishing to address the Board.

CORRESPONDENCE-INFORMATIONAL – ESCOG REQUEST

CAO Carunchio directed the Board's attention to the Correspondence – Informational item: a request from the Eastern Sierra Council of Governments for the County (ESCOG) to invite Tribal representatives to the scheduled discussion of regional marijuana policies at the August 11 ESCOG meeting. Carunchio said because the item was agendized as an Informational item, the Board could not take any action, but suggested, and the Board agreed, that a regional discussion is premature given the fact Inyo County has yet to codify its marijuana policy. Carunchio updated the Board on the status of Inyo's policy, and said he would share the status with the Board members who were absent today.

BOARD AND STAFF REPORTS

Supervisor Kingsley said he has been getting a number of calls inquiring about Inyo County's cannabis regulations, including a call yesterday from someone interested in incorporating Chicago Valley so he could then set his own regulations.

Supervisor Pucci said he attended a meeting where he learned professional cannabis sellers in Denver are buying childcare establishments and closing them so they can open dispensaries without violating buffer zone laws. He said he and Vice Chairperson Totheroh attended last night's Northern Inyo Airport Advisory Committee meeting, where Public Works Director Clint Quilter gave a good report on current developments. He said he was proud of the fact Inyo County is moving ahead with airport improvements. He added that the statement was made that there seems to be an airport group discussing how Bishop Airport should look and what it needs without seeking any input from the Advisory Committee.

CAO Carunchio said a news report on the airport group might have given some misimpressions. He clarified that there is an Airport Working Group made of Inyo and Mono county officials who are discussing commercial air service from a regional standpoint, but he made it clear at the group's last meeting that the Inyo County Board of Supervisors has in no way ceded authority to the Eastern Sierra Council of Governments with regard to the Working Group.

CLOSED SESSION

Vice Chairperson Totheroh recessed open session at 11:09 a.m., to continue discussion and possible action as appropriate on previously noted closed session items with all Board members present except Chairperson Tillemans and Supervisor Griffiths.

OPEN SESSION

Vice Chairperson Totheroh recessed closed session and reconvened the meeting at 11:31 a.m. with all Board members present except Chairperson Tillemans and Supervisor Griffiths.

REPORT ON CLOSED SESSION

County Counsel Rudolph reported no action was taken during closed session that is required to be reported.

ADJOURN

Vice Chairperson Totheroh adjourned the meeting at 1:40 p.m. to a special session at 8 a.m. Monday, August 14, 2017 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