

# MINUTES

# County of Inyo Board of Supervisors

**June 8, 2010**

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 9:00 a.m., on Tuesday, June 8, 2010, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Richard Cervantes presiding, Linda Arcularius, Susan Cash, Beverly Brown, and Marty Fortney. Supervisor Cervantes provided the Invocation, and Supervisor Cash led the Pledge of Allegiance.

- Public Comment      The Chairperson announced the public comment period and there was no one wishing to address the Board. Supervisor Cervantes read a L.A. Times article regarding the City of Los Angeles' budget struggles.
- County Department Reports      The Chairperson announced the County Department Report period. The District Attorney, Mr. Art Maillet, provided further information and clarification on a local news report. He said that the information being reported on was provided in response to a public records act request. Mr. Ted Pedersen, Public Works Director, reported that the County has received a portion of its Prop 42 funds and the fourth quarter reimbursements are expected some time in July. Mr. Pedersen also reported on the Unified Command meeting regarding preparation for high run-off flooding in the Bishop area. In response to a question regarding press releases to the public to inform them of what to expect with regard to potential flooding, the Sheriff indicated that the press release was being drafted. The Sheriff updated the Board on the flooding occurring on both forks of Oak Creek, including water diversion efforts. Staff also reported that because the Board has chosen to continue the Oak Creek Mud Flow disaster, it was easier to provide a quick response to this recent round of flooding. Ms. Jean Turner, Director of Health and Human Services, provided her budget update, including concerns regarding the IMAAA budget and Calworks issues. Ms. Turner also reported on the local EMT situation and efforts being undertaken by local emergency responders to help improve EMT volunteer numbers.
- Emerg. Serv./Oak Creek Mud Flow      Moved by Supervisor Brown and seconded by Supervisor Arcularius to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- BofS/Ad Hoc Committees      Moved by Supervisor Brown and seconded by Supervisor Arcularius to dissolve all County ad hoc committees as identified by Staff. Motion carried unanimously.
- HHS-Soc. Serv./State Contract for Family Child Care Licensing      Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the Contract between the County of Inyo and the State of California Department of Social Services – Community Care Licensing Division for the provision of Family Child Care Licensing functions for the period of July 1, 2010 through June 30, 2012; and authorize the Director of Health and Human Services to sign. Motion carried unanimously.
- HHS-Soc. Serv./Supt. Of Schools Child Care Services      Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the Contract between the County of Inyo and the Inyo County Superintendent of Schools for the provision of child care services, for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$210,000, contingent upon the Board's adoption of a FY 2010-2011 budget; and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Behavioral Hlth. Serv./MHSA and CSS Reserve Funding      Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the submittal of the Mental Health Services Act (MHSA) Community Services and Supports (CSS) request to dedicate funds to a Local Prudent Reserve fund in the amount of \$144,314; and authorize the Mental Health Director to sign. Motion carried unanimously.
- P.W./Plans & Spec Riverside Rd. Bridge Replacement      Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the plans and specifications for the Riverside Road Bridge Replacement Project and authorize the Public Works Director to advertise for bids for the project, contingent upon receipt of the State's authorization to proceed with construction. Motion carried unanimously.

- P.W.-CSA 2/Board Appointment Moved by Supervisor Brown and seconded by Supervisor Arcularius to appoint Mr. William L. Donaldson to the County Service Area No. 2 (CSA 2) Advisory Board to complete an unexpired term ending April 13, 2013. Motion carried unanimously.
- Rd. Dept./Crack Seal Material P.O. The Public Works Director, Mr. Ted Pedersen, noted that the amount of the Contract for the crack seal material did not include sales tax and corrected the amount to \$132,131.25 including sales tax. Moved by Supervisor Fortney and seconded by Supervisor Arcularius to award the bid and approve the Contract for the purchase of crack seal material, to Environmental Concepts, in a corrected amount not to exceed \$132,131.25, including sales tax, for the period of May 15, 2010 to June 30, 2010; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- HHS-Misc./Acct. Technician Position Ms. Jean Turner, Director of Health and Human Services, explained that the Account Technician Position she is requesting be filled, is a critical position that keeps Medi-Cal revenue coming in. Moved by Supervisor Cash and seconded by Supervisor Arcularius to find that consistent with the adopted Authorized Position Review Policy, contingent upon the Board's adoption of a FY 2010-2011 Budget: A) the availability of funding for the requested 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, however, it is requested the Department have the ability to hire off of an established list, and if a satisfactory candidate is not found on the list have the ability to once again have an open recruitment to fill the position; and C) approve the hiring of one Account Technician I at Range 55 (\$2,910 - \$3,537) or II at Range 59 (\$3,194 - \$3,800); and direct Personnel to counsel County employees who may be candidates for the position of the effect of the County's lay off procedures on changes in position.
- HHS-IMAAA/Part Time Temp Site Coordinator Ms. Jean Turner, Director of Health and Human Services, provided additional information and further justification for filling the part-time temporary Site Coordinator position. Moved by Supervisor Fortney and seconded by Supervisor Cash to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested 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 be filled through an internal recruitment, however, as there may not be sufficient internal applicants to fill the position, an open recruitment may be necessary; and C) approve the hiring of one APAR Assistant Site Coordinator at Range 43PT (\$11.83 to \$14.39/hour). Motion carried unanimously.
- HHS-IMAAA/Temp Program Serv. Assistant Ms. Jean Turner, Director of Health and Human Services, provided additional information and further justification for the filling of a part-time temporary Program Services Assistant position. Ms. Turner asked that the reference to BPAR in the Agenda Request Form be deleted since this is a temporary position. Moved by Supervisor Cash and seconded by Supervisor Arcularius to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested 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 be filled through an internal recruitment, however, as there may not be sufficient internal applicants to fill the position, an open recruitment may be necessary; and C) approve the hiring of one part-time temporary Program Services Assistant III at Range 44 (\$12.10 to \$14.74 per hour). Motion carried unanimously.
- Treasurer/TRANS The Treasurer-Tax Collector, Ms. Alisha McMurtrie, explained the TRANS to the Board. She informed the Board that it appears that no school district in the County qualifies to issue a TRANS this year. She went on to say that the Board's action to not authorize the issuance of the TRANS allows the individual school districts to issue its own TRANS in most years, and for this year is a cautionary measure which will enable a school district, if their circumstances change and they do qualify, to issue its own TRANS without delay. Moved by Supervisor Arcularius and seconded by Supervisor Brown to issue the order pursuant to Section 53853(b) of the California Government Code notifying the Inyo County Superintendent of Schools, Big Pine Unified School District, Death Valley Unified School District, Lone Pine Unified School District, Owens Valley Unified School District and Round Valley Joint Elementary School District that the Inyo County Board of Supervisors will not authorize by resolution the issuance of the school districts' Tax and Revenue Anticipation Notes (TRANS) for FY 2010-2011 for a maximum amount of \$9,450,000 on their behalf. Motion carried unanimously.

Planning/Desert Protection Act of 2010 Correspondence	The Planning Director, Mr. Josh Hart, reviewed the drafted correspondence concerning the California Desert Protection Act of 2010. The Board and Staff discussed the proposed correspondence in detail and at length. The County Administrator suggested that the County be very specific in identifying what it wants from this legislation and the Senator. The Board and Staff continued to discuss the Act and its implications to Inyo County, including the possibility of sending a County delegation to meet with the Senator regarding this legislation. Moved by Supervisor Arcularius and seconded by Supervisor Cash to revise the correspondence to Senator Feinstein regarding the proposed California Desert Protection Act of 2010, to strengthen the language about (a) the release of WSA's in Inyo County; (b) the request that certain areas included in the table be designated as solar zones; (c) the distribution formula for PILT be more equitable; and (d) the loss of revenue to the County; and further direct Staff to request a meeting for a County delegation to meet with the Senator regarding this legislation. Motion carried unanimously.
Recess/Reconvene	The Chairperson recessed the regular meeting at 10:50 a.m., to reconvene in open session at 10:57 a.m., with all Board Members present.
Resol. No. 2010-23/LORP Amendment Seasonal Habitat Flows	On a motion by Supervisor Fortney and a second by Supervisor Arcularius, Resolution No. 2010-23 that amends the Lower Owens River Project (LORP) project description to allow for consideration of the augmentation of seasonal habitat flows as an adaptive management measure was approved: motion unanimously passed and adopted.
Water/LORP Operation and Funding Agreement	The Water Director, Dr. Bob Harrington, reviewed the history of the Agreement concerning the operation and funding of the LORP. Moved by Supervisor Arcularius and seconded by Supervisor Fortney to approve the Agreement between the County of Inyo and the City of Los Angeles Department of Water and Power concerning operation and funding of the Lower Owens River Project (with technical changes of May 18, 2010). Motion carried unanimously.
County Counsel/ Great Basin APCD Contract	Moved by Supervisor Arcularius and seconded by Supervisor Cash to approve the Agreement between the County of Inyo and the Great Basin Unified Air Pollution Control District for the County Counsel's Office to provide certain legal services to the District during the period of July 1, 2010 through June 30, 2011, in the amount of \$12,500, contingent upon the Board's adoption of a FY 2010-2011 Budget; and authorize the Chairperson to sign. Motion carried unanimously.
Sheriff's/Jail Tour	The Chairperson recessed the regular meeting at 11:00 a.m., to reconvene at the Inyo County Jail, with all Board Members present, to take a tour of the Jail and observe the current jail security system in operation and learn about a proposal to update the system.
Recess/Reconvene	The Chairperson recessed the regular meeting at 11:50 a.m., to reconvene in a workshop at 1:00 p.m., with all Board Members present.
Sheriff/Jail Security Workshop	The Board met in a workshop with Sheriff's Department personnel concerning the Jail security system and a proposal to update and improve the system. The Chairperson recessed the workshop at 1:35 p.m., to reconvene in open session, with all Board Members present.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including the CSAC Legislative Conference, the IMAAA Board Meeting, the Unified Command Meeting, a LAFCO Meeting, various Memorial Day ceremonies held throughout the County, and the Lone Pine Film Festival's Concert in the Rocks. The County Administrator reported on pension reform activities, the State budget, and a meeting with the Bishop Tribal Administrator regarding the Tribe's economical development activities.
Public Comment	The Chairperson announced the second public comment period and there was no one wishing to address the Board.
Closed Session	The Chairperson recessed open session at 2:10 p.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 22. <b>CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(c)]</b> – Decision whether to initiate litigation (one case); No. 23. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]</b> - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators: Labor Relations Administrator Sue Dishion, Undersheriff Jim Jones, Deputy County Counsel Susanne Rizo, Chief Probation Officer Jeff Thomson; No. 24. <b>CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]</b> - Instructions to Negotiators

re: wages, salaries and benefits - Employee Organization: Law Enforcement Administrators Association (LEAA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; and No. 25. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Elected Officials Assistants Association (EOAA) - Negotiators: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion.

- Report on Closed Session      The Chairperson recessed closed session at 5:30 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported there were no actions taken in closed session, which are required by law to be reported on in open session.
- Adjournment                      The Chairperson adjourned the regular meeting at 5:30 p.m., to 9:00 a.m., Tuesday, June 15, 2010 in the Board of Supervisors Room, at the County Administrative Center, in Independence.

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

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*Chairperson, Inyo County Board of Supervisors*

by: \_\_\_\_\_  
*Patricia Gunsolley, Assistant*