

MINUTES

County of Inyo Board of Supervisors

June 15, 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 15, 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 Arcularius led the Pledge of Allegiance.

- Public Comment The Chairperson announced the public comment period. Mr. Daniel Brady, Public Affairs Officer for Southern California Edison, addressed the Board, to report on the utility's plans regarding a rate change for some of its ratepayers.
- County Department Report The Sheriff advised the Board that there is a fire watch warning in effect for the Owens Valley through Thursday of this week, and asked everyone to be vigilant regarding fireworks being discharged.
- Emerg. Serv./Oak Creek Mud Flows Moved by Supervisor Cash and seconded by Supervisor Brown to continue the local emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.
- CAO-Personnel/Child Support Services Director Contract Amendment Moved by Supervisor Cash and seconded by Supervisor Brown to A) ratify and approve Amendment No. 2 to the Agreement between the County of Inyo and Linda D. Anisman for the County to provide the Officer a five percent salary increase for the months during which she acts as the Regional Director of the Eastern Sierra Child Support Services, effective June 1, 2010, and authorize the Chairperson to sign. Motion carried unanimously.
- Resol. #2010-24/CSS Salary Change On a motion by Supervisor Cash and a second by Supervisor Brown, Resolution No. 2010-24 titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Amending Resolution 2006-09 Changing the Salary of the Child Support Director," was approved: motion unanimously passed and adopted.
- Parks/Diaz Lake Campground Lease with DWP Moved by Supervisor Cash and seconded by Supervisor Brown to approve a Lease Agreement between the County of Inyo and the Los Angeles Department of Water and Power for the use of the Diaz Lake Campground for the period of July 1, 2010 through June 30, 2015, at a base rent of \$500 per year, 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.
- Assessor/Bertholf Contract for Mineral Appraisal Services Moved by Supervisor Cash and seconded by Supervisor Brown to approve the Contract between the County of Inyo and Harold W. Bertholf, Inc., for mineral appraisal services, for the period of July 1, 2010 through June 30, 2013, in an amount not to exceed \$295,971, 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.
- Coroner/Deputy Coroner, Autopsy and Toxicology Services Contracts Moved by Supervisor Cash and seconded by Supervisor Brown to approve the contracts between the County of Inyo and the following, for services as noted, in amounts stated, and for the periods as designated, contingent upon the Board's adoption of a FY 2010-2011 Budget, and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained: A) Medtox Laboratories, Inc, for toxicology services, for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$4,000; B) Milton R. Jones, M.D., for autopsy services for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$35,950; C) William D. Stinnett for deputy coroner services for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$15,200; D) Jeffrey Mullenhour for deputy coroner services for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$15,200; E) Scott Stell for deputy coroner services for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$3,000; and F) Jason Molinar for deputy coroner services for the period of September 1, 2010 through June 30, 2011, in an amount not to exceed \$9,000. Motion carried unanimously.

HHS-Behavioral Hlth./Charis Youth Center Placement Contract	Moved by Supervisor Cash and seconded by Supervisor Brown to approve the Contract between the County of Inyo and Charis Youth Center for the provision of mental health placement services for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$35,000, 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./Villa Merced Contract Amendment	Moved by Supervisor Cash and seconded by Supervisor Brown to approve Amendment No. Two to the Contract between the County of Inyo and County Villa Merced Behavioral Health for residential placement of adults in a locked facility, increasing the Contract by \$3,500 to a total amount not to exceed \$83,500 for the period of July 1, 2009 through June 30, 2010; and authorize the Chairperson to sign. Motion carried unanimously.
HHS-Behavioral Hlth. Serv./Tarzana Treatment Centers Contract	Moved by Supervisor Cash and seconded by Supervisor Brown to approve the Agreement between the County of Inyo and Tarzana Treatment Centers for the provision of residential alcohol and drug treatment for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$25,000, 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./Davis Guest Home Contract	Moved by Supervisor Cash and seconded by Supervisor Brown to approve the Agreement between the County of Inyo and Davis Guest Home for the provision of mental health placement services for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$30,000, contingent upon the Board's adoption of a FY 2010-2011 budget; and authorize the Chairperson to sign. Motion carried unanimously.
Planning-Yucca Mt./Geoscience Consultants Contract Amendment	Moved by Supervisor Cash and seconded by Supervisor Brown to approve Amendment No. Two to the Contract between the County of Inyo and Geoscience Consultants for volcanic hazard studies and providing assistance to Inyo County legal counsel in support of the County's petition to intervene in the Yucca Mountain License hearing, which changes the production due date of a final report from June 2, 2010 to July 15, 2010 as specified in portions of Task 1 of Amendment One Scope of Work and Schedule of Fees, contingent upon the Board's adoption of a FY 2010-2011 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Planning-Yucca Mt./Nevares 2 Deep Well	Moved by Supervisor Cash and seconded by Supervisor Brown to A) find that (a) Nevares 2 Deep Well is consistent with the analysis in the Mitigated Negative Declaration (MND) prepared, circulated for public review, and adopted for the Inyo Groundwater Monitoring Wells Project; (b) no substantial changes are proposed which will require major revisions to said MND; (c) substantial changes have not occurred with respect to the circumstances under which the project is being undertaken that would require major revisions to said MND; (d) no significant new relevant information that was not known has become available that might substantially alter the analysis in the MND; (e) no additional environmental review pursuant to the California Environmental Quality Act (CEQA) is required; and (f) authorize the Planning Director to file a Notice of Determination with the Inyo County Clerk: and B) approve the plans and specifications for the drilling of a deep well at Nevares Spring (Nevares 2 Deep Well) for the Death Valley Lower Carbonate Aquifer Monitoring Program and authorize the Project Analyst to advertise for bids for the project. Motion carried unanimously.
P.W./L.P. Sheriffs Office Addition Plans & Specs.	Moved by Supervisor Cash and seconded by Supervisor Brown to approve the plans and specifications for the Lone Pine Sheriffs Office Addition Project; and authorize the Director of Public Works to advertise for bids for the project. Motion carried unanimously.
P.W./Owenyo Serv. Town Water Systems Operation Contract Amendment	Moved by Supervisor Cash and seconded by Supervisor Brown to approve Amendment No. 1 to the Contract between the County of Inyo and Owenyo Services for the operation and maintenance of the Independence, Laws, and Lone Pine town waters systems, extending the term of the Contract through December 31, 2010, and increasing the Contract to a total not to exceed \$1,133,405, contingent upon the Board's adoption of a FY 2010-2011 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
Sheriff/Willdan Contract for NIMS Training	Moved by Supervisor Cash and seconded by Supervisor Brown to approve the Agreement between the County of Inyo and Willdan Homeland Solutions of Anaheim, California, to provide NIMS Section Specific Training to Inyo County Employees and designated first responders for the period of June 15, 2010 through October 1, 2010, in an amount not to exceed \$21,000, contingent upon the Board's adoption of a FY 2010-2011 budget; and authorize the Chairperson to sign, con-

tingent upon the appropriate signatures being obtained. Motion carried unanimously.

- P.W./Tecopa Sewage Lagoon Repair Plans and Specs. Ms. Lynn Flannigan, Senior Engineer in the Public Works Department, updated the Board on the status of the Tecopa Sewage Lagoon Repair Project. Moved by Supervisor Cash and seconded by Supervisor Brown to approve the plans and specifications for the Tecopa Hot Springs Park Sewage Lagoon Repair Project; and authorize the Director of Public Works to advertise for bids for the project. Motion carried unanimously.
- CAO-Budget/FY 2010-2011 Preliminary Budget Adoption Moved by Supervisor Arcularius and seconded by Supervisor Brown to (A) adopt the Fiscal Year 2009-2010 Board Approved budget as the Preliminary Budget for Fiscal Year 2010-2011 and approve the fixed assets as recommended by staff; B) approve Operating Transfer from Criminal Justice Facility Trust 500459 into Lone Pine Sub-Station 022705 for \$185,760 to purchase/install modular building; C) approve Operating Transfer from General Fund 011900 into Solid Waste 045700 for \$89,397 to purchase/install Sunland Gatehouse; D) approve Operating Transfer from General Fund 011900 into Murder Trial Reimbursement 022602 for \$500,000 for pending litigation; and E) approve Operating Transfer from General Fund 011900 into Public Works – Deferred Maintenance for \$115,000 for Annex/Admin re-roof and roof coating. Motion carried unanimously.
- Assessor/Kronick Moskovitz et al Contract Amendment The Assessor, Mr. Tom Lanshaw, explained that the Kronick Contract Amendment is increasing the hourly rate for legal services provided by Brett Price for the Coso Appeal, without increasing the Contract amount. Moved by Supervisor Fortney and seconded by Supervisor Cash to approve Amendment No. 2 to the Contract between the County of Inyo and the firm of Kronick Moskovitz Tiedemann & Girard which extends the term of the Contract from an ending date of June 30, 2010 to June 30, 2011 and makes changes to the hourly compensation, contingent upon the Boards adoption of a FY 2010-2011 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- HHS-IMAAA/ Program Services Assistant Position Moved by Supervisor Arcularius and seconded by Supervisor Fortney 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, an open recruitment would be more appropriate for this "as needed" position if no satisfactory candidate is found on an existing list; and C) approve the hiring of one APAR Program Services Assistant I at Range 39PT (\$10.80 to \$13.12 per hour) or II at Range 42PT (\$11.55 to \$14.05 per hour) depending upon qualifications. Motion carried unanimously.
- Sheriff's Dept./ American Security Group Agreement Moved by Supervisor Brown and seconded by Supervisor Fortney to approve the Agreement between the County of Inyo and American Security Group for installation of Access Control and IP Video System per American Security Group Proposal #1004889, for the period of July 1, 2010 through December 1, 2010, in an amount not to exceed \$403,441.81, contingent upon the Board's adoption of a FY 2010-2011 budget; and authorize the Sheriff to sign. Motion carried unanimously.
- Water Dept./Status of Water Commission The Water Director, Dr. Bob Harrington, reviewed the staff report pertaining to the future of the Water Commission. The Board and Dr. Harrington discussed several of the alternatives identified in the staff report. The Board requested that Dr. Harrington query the Water Commission for its recommendation regarding the status of the Water Commission, and further work with the Planning Department to discuss the possible addition of Water Commission duties with the Natural Resources Committee and schedule a subsequent discussion with the Board regarding the status of the Water Commission, in the near future.
- Recess/ Reconvene The Chairperson recessed the regular meeting at 10:25 a.m., to reconvene in open session at 10:35 a.m., with all Board Members present.
- BofS/LADWP Update The Board received an update from Mr. Gene Coufal and Mr. Clarence Martin, representatives of the Los Angeles Department of Water and Power, on issues of interest to the County and the Department, including the status of land releases, leaseholder outreach, and water diversions.
- Museum/Comm. Project Grants Moved by Supervisor Fortney and seconded by Supervisor Brown to approve the final payment to the following organizations for the completion of Community Project Sponsorship Grant projects: (a) \$3,562.50 to Lone Pine Chamber of Commerce for the Wild Wild West Marathon; (b) \$4,675 to the Death Valley Chamber of Commerce for the Southeast Inyo Visitors Informational Kiosk; and (c) \$2,812.50 to the Bishop Chamber of Commerce for the 2010 Blake Jones Trout Derby. Motion

carried unanimously.

- Recess/
Reconvene The Chairperson recessed the regular meeting at 11:20 a.m., to reconvene in open session at 11:30 a.m., with all Board Members present.
- Resol. #2010-25
Mosquito Abatement
and Mosquito
Control and Disease
Prevention
Assessments The Chairperson opened the public hearing at 11:30 a.m., on the proposed continuation of the assessments for the "Owens Valley Mosquito Abatement Program Assessment" and the "Mosquito Control and Disease Prevention Assessment" to receive public input on the proposed continuation of the assessments, the proposed assessment budget for Fiscal year 2010/2011, the services and programs, the assessments fund, and any other issues related to the assessments. The Board accepted program reports from the Consulting Group. There was no one from the public wishing to address the Board regarding the assessments. The Chairperson closed the public hearing at 11:40 a.m. On a motion by Supervisor Cash and a second by Supervisor Fortney, Resolution No. 2010-25 approving the Engineer's Report, confirming the diagram and assessments for FY 2010-2011 for the "Owens Valley Mosquito Abatement Program Assessment" and the "Mosquito Control and Disease Prevention Assessment," and ordering the services and levying the assessments for FY 2010-2011 for both programs, was adopted: motion unanimously passed and adopted.
- Integ. Waste/Vector
Engineering
Contract Moved by Supervisor Arcularius and seconded by Supervisor Cash to A) declare Vector Engineering, Inc., a sole source provider of waste management technical and consultant services; and B) approve the Contract between the County of Inyo and Vector Engineering, Inc., for solid waste engineering consulting services, for the period of July 1, 2010 through June 30, 2015, with the Contract tasks and costs to be negotiated annually, in an amount not to exceed \$388,985 for FY 2010-2011, contingent upon the Board's adoption of a FY 2010-2011 budget and future budgets; and authorize the Chairperson to sign contingent upon the appropriate signatures being obtained. Motion carried unanimously.
- Parks/Park
Specialist 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 Department Head 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; and C) approve the open recruitment for and hiring of one Park Specialist at Range 50 (\$2,590 - \$3,150); 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. Motion carried unanimously.
- BofS/Minute
Approval Moved by Supervisor Brown and seconded by Supervisor Cash to approve the minutes of the June 1, 2010 Board of Supervisors Meeting. Motion carried unanimously.
- Board Members and
Staff Reports The Board Members suspended reporting on their activities during the preceding week, except to announce that the Friends of the Mt. Whitney Fish Hatchery have received a \$30,000 Branson Foundation Grant to help with the new Interpretive Center.
- Recess/
Reconvene The Chairperson recessed the regular meeting at 12:00 p.m., to reconvene in closed session at 12:30 p.m., with all Board Members present.
- Closed Session The Board met in closed session to discuss and take action as appropriate on Agenda Items No. 31. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(c)]** – Decision whether to initiate litigation (one case): No. 32. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to Government Code §54956.9(a)]** – People of the State of California v. Sean McClelland; Inyo County Tax Collector; et al; Inyo County Superior Court Case No. SICVED 07-45105; No. 33. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - 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. 34. **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: CAO Kevin Carunchio and Labor Relations Administrator Sue Dishion; and No. 35. **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. The Chairperson recessed closed session at 2:30 p.m., to reconvene in a workshop, with all Board Members present.

Planning/Land Tenure Workshop	The Board met in a workshop with Planning Staff and a representative of Design Workshop, to receive an update regarding the Eastern Sierra Land Tenure Project. With regard to viewing and approving the goals of the project in Inyo County and authorizing the project team to schedule public workshops in Inyo County for late July and October, the Board directed Staff to return with revised goals for the Board's further consideration, prior to scheduling local public workshops.
Public Comment	The Chairperson announced the second public comment period and there was no one from the public wishing to address the Board.
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 3:40 p.m., to 9:00 a.m., Tuesday, July 6, 2010, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

Chairperson, Inyo County Board of Supervisors

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

by: _____
Patricia Gunsolley, Assistant