

MINUTES

County of Inyo Board of Supervisors

November 9, 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, November 9, 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 Fortney led the Pledge of Allegiance.

- Public Comment** The Chairperson announced the public comment period. Rich and Kathy White made the final report on this year's Cal Expo Exhibit and announced the theme for next year's Exhibit.
- County Department Reports** The Chairperson announced the County Department Report period. Ms. Jean Turner, Director of Health and Human Services, reported on the Little Hoover Commission meeting she had attended in Sacramento. Sheriff Bill Lutze reported on the reverse 9-1-1 system test that was conducted last week. Mr. Jon Klusmire, Museum Services Director, reported on recent and upcoming Eastern California Museum events. Dr. Bob Harrington, Water Director, updated the Board on the schedule for implementation of groundwater basin monitoring legislation.
- Introduction** Mr. Randy Keller, County Counsel, introduced Ms. Dana Crom, Deputy County Counsel, to the Board.
- Emerg. Serv./Oak Creek Mud Flows** 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.
- Parks/Diaz Lake Concessionaire Contract** Moved by Supervisor Brown and seconded by Supervisor Arcularius to authorize the Chairperson to sign the Agreement with the Diaz Lake Concessionaire, with a beginning date of November 1, 2010, instead of January 1, 2011, to coincide with the actual Agreement. Motion carried unanimously.
- HHS-Behavioral Hlth./Vehicle P.O.** Moved by Supervisor Brown and seconded by Supervisor Arcularius to approve the purchase of the following vehicles from Eastern Sierra Motors, Inc., and authorize the Deputy County Administrator to sign all purchase documents: one 2011 Ford Fusion SE FWD, in an amount not to exceed \$19,946.30 and one 2011 Ford Escape XLT 4WD in an amount not to exceed \$23,006.91 for a total amount not to exceed \$42,953.21. Motion carried unanimously.
- Sheriff's Dept./Ammunition P.O.** In response to a question from Supervisor Brown, the Sheriff confirmed that local vendors had the opportunity to provide quotes for the ammunition. Moved by Supervisor Brown and seconded by Supervisor Fortney to A) declare Dooley Enterprises, Inc., as a sole source provider of ammunition and B) approve the purchase of ammunition, as recommended by Staff, from Dooley Enterprises, Inc., in an amount not to exceed \$17,000 including tax and shipping. Motion carried unanimously.
- Ag. Comm/Change in Authorized Strength** Moved by Supervisor Brown and seconded by Supervisor Cash to A) change the authorized strength by deleting one full-time Executive Secretary position at Range 64 (\$3,590 - \$4,363) and adding one full-time Mosquito Technician position at Range 50 (\$2,590 - \$3,150); and B) - find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the requested position exists, as certified by the Agricultural Commissioner and concurred with by the County Administrator and Auditor-Controller; (b) where internal candidates meet the qualifications for the position of Mosquito Technician I, the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply; and (c) approve the hiring of one Mosquito Technician I, at Range 50. Motion carried unanimously.

Clerk-Recorder/
Elections Moved by Supervisor Arcularius and seconded by Supervisor Fortney to A) appoint the nominees listed on the Clerk's Certificates to the Office of Director in the various special districts; B) appoint the following qualified persons to office as recommended by the District, for the Inyo Mono Conservation District, on or before November 9, 2010; Gavin Wilkinson – 2-year term; David Doonan – 2-year term, Richard Moss – 4-year term, and Ron Yribarren – 4-year term; and C) direct the Clerk-Recorder/Registrar of Voters to issue the Certification of Appointment and Oath of Office documents to the respective appointees. Motion carried unanimously.

Water Dept./Water
Commission
Appointments Dr. Bob Harrington, Water Director, provided further information regarding the request to have the Board make appointments to the Inyo County Water Commission. Dr. Harrington, reviewed the alternatives and the appointment process. The Board Members discussed the applications, with many of the Board Members providing their personal perspectives on which applicants they wanted to see appointed. It was the consensus of the Board that Mike Carrington, Mike Prather and Sally Symons be appointed. Supervisor Cervantes expressed a desire to see Mr. Daniel Smith appointed. The Clerk recommended that the Board make individual motions for each appointment and term of office.

Moved by Supervisor Fortney and seconded by Supervisor Brown to appoint Mr. Mike Carrington to the Water Commission to fill an unexpired four-year term ending December 31, 2013. Motion carried unanimously.

Moved by Supervisor Cash and seconded by Supervisor Fortney to appoint Ms. Sally Symons to the Water Commission to complete an unexpired four-year term ending December 31, 2013. Motion carried unanimously.

Moved by Supervisor Cervantes and seconded by Supervisor Fortney to appoint Mr. Daniel Smith to the Water Commission to complete an unexpired four-year term ending December 31, 2011. Motion carried unanimously.

Moved by Supervisor Brown and seconded by Supervisor Cash to appoint Mr. Mike Prather to the Water Commission, to complete an unexpired four-year term ending December 31, 2011. Motion carried unanimously.

At the conclusion of the motions, the Board requested that thank you letters be sent to the following individuals who were not appointed: Rob Barker, Robin Fisher, Doris Grinn, Sally Manning, Rosemary Masters, Russell Monroe, Daris Moxley, Troy Patton, Daniel Pritchett, George Sliger, Nina Weisman, Harry Williams, and Karen Wilson.

Recess/
Reconvene The Chairperson recessed the regular meeting at 9:55 a.m., to reconvene in open session at 10:05 a.m., with all Board Members present.

Water Dept./IRWMP
Meeting Dr. Harrington, Water Director, reviewed the specific items identified on the agenda for the upcoming Inyo-Mono Regional Water Management Plan Planning Committee meeting scheduled for November 17, 2010. The Board and staff discussed the actions being considered in detail and at length, with the Board concurring with staff's recommendations regarding the November 17, 2010 Planning Committee meeting for the Inyo-Mono Regional Water Management Plan including agenda items as follows: (a) approval of regional objectives and strategies, (b) approval of Central Sierra RC&DC to act as fiscal agent through first funding round, and (c) approval of meeting summary from October 27, 2010 meeting.

CAO-Film
Commission Report Mr. Chris Langley, Inyo County Film Commissioner, reported on filming activities throughout the Valley for the first part of FY 2010-2011. He highlighted familiar projects and briefly discussed future filming trends for the remainder of the year.

Recess/
Reconvene The Chairperson recessed the regular meeting at 11:10 a.m., to reconvene in open session at 11:15 a.m., with all Board Members present.

BofS/Alabama Hills
Stewardship Group
Designation
Presentation Mr. Kevin Mazzu, representing the Alabama Hills Stewardship Group, made a detailed presentation to the Board regarding the group's efforts to seek a federal designation of "Alabama Hills National Scenic Area" for the Alabama Hills. Mr. Mazzu presented the Board with a revised version of the legislation being proposed, noting that the most recent version incorporates many of the changes recommended by County Counsel as a result of his review of the proposal. Mr. Mazzu explained that the group had built a coalition of support by working diligently with

stakeholders to let them drive the process. Supervisor Brown conveyed that Mr. Dick Noles, one of her constituents who was unable to attend today's meeting, was supporting the group's efforts. Mr. Dave Tanksley of the Inyo County Natural Resources Advisory Committee (NRAC) addressed the Board to share the Committee's concerns with the proposed recommendation, including the need to protect access to the mining and mineral resources in the area. Mr. Jim Jennings of the BLM, addressed the Board to support the group's efforts. The Board, Mr. Mazzu, and staff discussed several issues, including the recommendations by the NRAC, the need to recognize local land use authority throughout the process, the inclusion of County Counsel's specific revisions, the importance of coordination language to be prominent in the legislation, and the need to replace the reference to the National Environmental Policy Act (NEPA). Mr. Mazzu indicated that County Counsel's recommendations could be incorporated back into the legislation without a problem. The County Administrator, Mr. Kevin Carunchio, suggested, in conjunction with County Counsel's revisions, that the verbiage "**through coordination**" be inserted after the word developed in last sentence of the Paragraph Section 4 (a) 1.

Moved by Supervisor Arcularius and seconded by Supervisor Cash that the Board of Supervisors offers its support for the proposed legislation presented by the Alabama Hills Stewardship Group, with the revisions that Mr. Keller is authorized to make to the legislation, and to be included with the letter of support, a summary, developed by staff, of outstanding issues that are still important to the County that in future legislation, like this, the County will want considered, which should ensure that it is clearly understood that the need for further recognition at the Federal Level is of great importance to the County and it should not be presumed or assumed that those outstanding issues no longer matter to the County because of its support for this designation; and authorize the Chairperson to sign the letter. Motion passed on a four-to-one vote, with Supervisors Arcularius, Cash, Brown, and Cervantes voting yes and with Supervisor Fortney voting no.

Recess/
Reconvene The Chairperson recessed the regular meeting at 1:00 p.m., to reconvene in open session at 1:30 p.m., with all Board Members present.

HHS/Workshop on
Ambulance Services The Board convened in a workshop with representatives of the Health and Human Services Department and the EMCC to discuss Inyo Ambulance Services. The Chairperson recessed the workshop at 2:45 p.m. At the conclusion of the workshop, the County Administrator introduced the new Bishop City Manager, Mr. Jim Southworth, to the Board.

Planning/Desert
Renewable Energy
Conservation Plan The Board received a presentation from staff regarding the Desert Renewable Energy Conservation Plan. The Board discussed the staff report in detail and at length, thanking Mr. Hart, Inyo County Planning Director, for such a thorough report.

CAO-DWP Letter
Re Auction The County Administrator briefly reviewed the letter from the Los Angeles Department of Water and Power regarding the status of the auction of 24 City-owned parcels in the Owens Valley, as recommended by the County Administrator the Board acknowledged the letter.

Planning/C.A.
Bretton Land
Appraisal Lease The County Administrator and Planning Director provided additional information and further explanation regarding the recommendation to approve the Contract with C.A. Bretton, Inc., for appraisal services for LADWP land release parcels scheduled to be auctioned. Mr. Carunchio explained that the Department of Water and Power had confirmed their intent to pay for this contract and suggested the Board approve the Contract with the recommended contingencies. Supervisor Fortney noted a discrepancy in one of the parcel numbers listed on Attachment A and requested that all of the parcels referenced be checked for accuracy. Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Contract between the County of Inyo and C.A. Bretton, Inc., for the provision of appraisal services for the City of Los Angeles Department of Water and Power land releases, in an amount not to exceed \$15,800; and authorize the Chairperson to sign contingent upon: (a) C.A. Bretton, Inc., agreeing to revise the term of the Agreement from the period of November 1, 2010 through October 31, 2011, to the period from November 10, 2010 through March 31, 2011 and in doing so re-affirming the contractor's ability to complete the appraisals in time for the appraisals to be incorporated into the minimum bid price for an LADWP auction to be held in March 2011; (b) the County receiving a check or purchase order number in the amount of \$15,800 from LADWP prior to executing the Agreement; and (c) the necessary signatures being obtained. Motion carried unanimously.

Planning/Response to DWP NOP for Solar Project The Board, the County Administrator, the Planning Director, and County Counsel discussed the Notice of Preparation (NOP of Draft Environmental Impact Report (EIR) from LADWP regarding the proposed Solar Ranch Project, in detail and at length. Several additions and changes were noted, with staff explaining that the letter would continue to be revised, for thoroughness, until the deadline and requesting that Board approve the letter and authorize either the Chairperson or the County Administrator to sign. Moved by Supervisor Fortney and seconded by Supervisor Cash to approve correspondence, as may be amended by staff, to the City of Los Angeles Department of Water and Power in response to the NOP; and authorize the Chairperson or the County Administrator to sign. Motion carried unanimously.

County Counsel-CAO/Kirby Contract Amendment Mr. Randy Keller, County Counsel, explained that this amendment is to cover additional legal services to be provided by Mr. Kirby on the RS2477 matter, and payment for these services will be made out of the Natural Resources budget. Moved by Supervisor Brown and seconded by Supervisor Cash to approve Amendment No. 1, to the Contract between the County of Inyo and John D. Kirby for the provision of legal services to increase the amount of the Agreement by \$10,000 to an amount not to exceed \$210,000, for the period of July 1, 2010 through June 30, 2011; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

BofS/Minute Approval Supervisor Cash requested that “soci” be changed to “socio” throughout the last paragraph on page one. Moved by Supervisor Brown and seconded by Supervisor Cash to approve the minutes of the October 26, 2010 Board of Supervisors Meeting, as corrected. Motion carried unanimously.

Bishop/Elections Dept. Assistance Gen. Muni. Election Moved by Supervisor Cash and seconded by Supervisor Arcularius to authorize services be provided by the Inyo County Elections Department for the General Municipal Election to be held in the City of Bishop on Tuesday, March 8, 2011, as identified in City of Bishop Resolution No. 10-20. Motion carried unanimously.

Closed Session The Chairperson recessed open session at 4:05 p.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No. 23. **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. 24. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization - Elected Officials Assistant Association (EOAA) – Negotiators - Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion; No. 25. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization - Deputy Sheriff’s Association (DSA) – Negotiators - Labor Relations Administrator Sue Dishion, and Deputy County Counsel Susanne Rizo; No. 27. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization - Inyo County Correctional Officers Association (ICCOA) – Negotiators - Labor Relations Administrator Sue Dishion; No. 27. **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; No. 28. **REAL PROPERTY NEGOTIATIONS [CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE §54956.8]** – Property - APN No. 10-490-08, Bishop, California - Negotiating Parties: County Administrator and Joseph Enterprises - Negotiations: Terms and Conditions; and No. 29. **REAL PROPERTY NEGOTIATIONS [CONFERENCE WITH REAL PROPERTY NEGOTIATOR PURSUANT TO GOVERNMENT CODE §54956.8]** – Property - APN No. 008-240-01, 1st Street Property, Bishop, California (County Owned) - Negotiating Parties: County Administrator and Mitchell Asset Group - Negotiations: Terms and Conditions.

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, December 7, 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*