



County of Inyo Board of Supervisors

May 15, 2012

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, May 15, 2012, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Marty Fortney presiding, Linda Arcularius, Susan Cash, Rick Pucci, and Richard Cervantes. Supervisor Cervantes provided the Invocation, and Supervisor Pucci led the Pledge of Allegiance.

Public Comment The Chairperson announced the public comment period. Mr. Rich White reported on the Friends of the Museum Annual BBQ which he said was a resounding success.

County Department The Chairperson announced the County Department Report period. Ms. Denelle Carrington, Health and Human Services Department Fiscal Services Director, updated the Board on the Governor’s Budget May Revise and its potential impact to program services. Mr. George Milovich, Agricultural Commissioner, reported on the Ag Commissioners Annual Spring Conference which he attended last week in Sacramento. Mr. Milovich also updated the Board on potential impacts of the Governor’s May Revise and reported that he is still working with LADWP on weed abatement issues on DWP lands. Mr. Doug Wilson, Interim Public Works Director, reported on the May Revise and its proposal to take HUTA funds which will reduce local road funds. Dr. Bob Harrington, Inyo County Water Director, informed the Board of a Technical Group Meeting. Dr. Harrington provided copies of the May 23, 2012 Technical Group Meeting Agenda and reviewed the agenda items with the Board. Mr. Josh Hart, Planning Director, informed the Board that as a result of a posting problem the NRAC Meeting has been rescheduled for May 24. Mr. Hart also asked the Board Members for their preference in scheduling a joint workshop with the Planning Commission on the Zoning Code Update. The County Administrator, Mr. Kevin Carunchio, reported in detail on the CEC’s Socio-Economic Workshop on the Hidden Hills Project which he and several department heads attended last week in Sacramento.

Emerg. Serv./Oak Moved by Supervisor Cash and seconded by Supervisor Arcularius, to continue the local Creek Mud Flows emergency as a result of the Inyo Complex Oak Creek Mud Flows. Motion carried unanimously.

District-Mt. Whitney Moved by Supervisor Cash and seconded by Supervisor Arcularius to reappoint the following to the Cemetery/Board of Trustees: Mr. Tom Noland and Mr. Christopher Langley, to Appointments complete unexpired four year terms ending May 1, 2016; and Ms. Irene Kritz to complete an unexpired four year term ending May 1, 2015. Motion carried unanimously.

Probation/Dr. Moved by Supervisor Cash and seconded by Supervisor Arcularius to ratify and approve the Andersen Contract Contract between the County of Inyo and Dr. Keith Andersen to provide professional services to the Inyo County Probation Department – Juvenile Institutions, for the period of May 11, 2012 through May 10, 2013, in an amount not to exceed \$50,000, contingent upon the Board’s adoption of a FY 2012-13 Budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

P.W./FAA MOA for Moved by Supervisor Cash and seconded by Supervisor Arcularius to ratify and approve the Navigation, Memorandum of Agreement with the Federal Aviation Administration for the installation, operation, Communications and maintenance of Federal Aviation Administration owned navigation communications and and Weather Aids weather aids for the period of October 1, 2005 through September 30, 2025; and authorize the Chairperson to sign. Motion carried unanimously.

P.W./National PW Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve a proclamation Week Proclamation declaring the Week of May 20 through 26, 2012 as National Public Works Week in Inyo County. Motion carried unanimously.

P.W./McMurtrie Tanskley Contract Amendment	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve Amendment #2 to the Contract between the County of Inyo and McMurtrie-Tanskley, Inc., for sanitary sewer maintenance services in County Service Area #2/Apendell to extend the Agreement for a period not to exceed two months, and increasing the amount of the Contract by \$2,000; and authorize the Chairperson to sign. Motion carried unanimously.
Rd. Dept./Cascade Software System Contract for CAMS	Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the Agreement between the County of Inyo and Cascade Software System, Inc., (CSS) for the provision of software maintenance and support services for the Road Department's cost accounting program (CAMS) for the period of July 1, 2012 through June 30, 2013, in an amount not to exceed \$12,390.59, contingent upon the Board's adoption of a FY 2012-13 budget; and authorize the Chairperson to sign. Motion carried unanimously.
Sheriff/Position Request	The County Administrator explained that Sheriff Lutz was attending a memorial ceremony for law enforcement and that he was going to present the Sheriff's position request. Moved by Supervisor Arcularius and seconded by Supervisor Pucci to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the positions comes from the General Fund, as certified by the Sheriff and concurred with by the County Administrator and the Auditor-Controller; (b) authorize the internal recruitment and filling of two Corporal positions at Range 070SA-070SD (\$4,336 - \$5,959); and C) authorize the open recruitment and filling of two Correctional Officer positions at Range 64 (\$3,590 - \$4,363). Motion carried unanimously.
Ag. Comm./2011 Crop Report	The Agricultural Commissioner, Mr. George Milovich, presented the 2011 Annual Crop and Livestock Report to the Board. He highlighted the Inyo County statistics and responded to questions from the Board regarding the agricultural industry in Inyo County.
CAO-Personnel/ 457 Deferred Plan	The request to approve another 457 Deferred Compensation Plan for County employees was pulled from consideration at the request of the County Administrator who told the Board that this item would be returned for consideration on June 5, 2012.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 10:00 p.m., to reconvene in open session at 10:05 a.m., with all Board Members present.
BofS/SNC Mt. Whitney Hatchery Proposal	Ms. Danna Stroud, Eastside Representative of the Sierra Nevada Conservancy (SNC), updated the Board on efforts by SNC and other State Agencies to develop a plan that would allow for the development of long term strategic plans for the Mt. Whitney Fish Hatchery. Ms. Stroud explained that at the request of the Department of Fish and Game, who was trying to find a viable alternative for the facility other than DFG utilizing it as the hatchery, SNC began the process to determine if there was a way for the Conservancy to take ownership of the Hatchery in order to transfer the facility to another appropriate entity, possibly the County, once long term environmentally sustainable uses were evaluated. Ms. Stroud explained that this project is in the beginning phase and SNC is in the process of identifying all of the steps that will need to be completed before consideration of the transfer can occur. Ms. Stroud, the Board and the County Administrator talked at length about the Hatchery and its importance to Inyo County and the community of Independence. Ms. Stroud said that the SNC Board of Directors will be holding its June Board of Directors Meeting in Lone Pine and a tour of the Hatchery is scheduled and she invited interested parties to participate in the tour. Ms. Stroud also indicated that the timeline for this process is to have it completed by September 30, 2013. Mr. Bruce Ivy, Ms. Caroline Joncas, Mr. Denis Joncas, and Mr. Jim Stroh, of Independence, addressed the Board to talk about the Hatchery and the proposal.
BofS/SCE SmartConnect Program	Representatives of Southern California Edison, Mr. Daniel Brady and Mr. Doug Malousis, Project Manager for Edison SmartConnect addressed the Board. Mr. Malousis explained that the SmartConnect program was developed to empower customers to make smart energy choices. He said the program is envisioned to provide a smarter and more reliable electricity grid, serving customers who are using electricity more wisely and in more ways. He said the goal is to replace 5 million existing electric meters with smart meters that will reduce peak load, reduce residential energy consumption, improve operational efficiencies and provide a platform for the future. He talked about the benefits the end user will gain from the new smart meters, including access to frequent energy usage numbers and cost information, assistance in managing daily energy use, and remote turn on/turn-off services. Mr. Malousis also provided information on how residential customers may opt out of the program, explaining that it will cost the customers an initial fee plus a monthly charge to keep the old meters.

Recess/
Reconvene The Chairperson recessed the regular meeting at 12:00 p.m., to reconvene in open session at 1:15 p.m., with all Board Members present.

CAO-Budget/ Third
Quarter Review The County Administrator, Mr. Kevin Carunchio, presented the FY 2011-12 Third Quarter Financial Report. He noted that the \$200,000 Operating Transfer In the Board had approved last week for Integrated Waste budget needed to be acknowledged in the written report and authorization for the Museum to purchase a server to facilitate the photo library also needed to be approved. Moved by Supervisor Cash and seconded by Supervisor Pucci to A) accept the Fiscal Year 2011-2012 County Third Quarter Financial Report as presented; B) approve the specific budget action items and recommendations discussed in the report and represented in Attachments A & B, and amended per today's discussion to include the purchase of the server for the Museum, and authorize the Auditor-Controller to make the budget adjustments as listed in Attachments A & B (4/5's vote required); C) authorize the County Administrator (CAO) and Auditor-Controller to make year-end adjustments, as necessary within each fund (4/5's vote required); D) approve the Preliminary FY 2012-2013 Budget Calendar with regard to the proposed dates for the Budget Hearings and adoption of the Final Budget; and E) direct the County Administrator (CAO) and Auditor-Controller to prepare a rollover budget for the start of FY 2012-2013 and present it for approval on June 29, 2012. Motion carried unanimously.

Recess/
Reconvene The Chairperson recessed the regular meeting at 2:40 p.m., to reconvene in open session at 2:50 p.m., with all Board Members present.

CAO-Personnel/
Position Request The County Administrator provided additional information and further justification for the request to delete one Deputy County Administrator position and add one Senior Deputy County Administrator position to his Department's authorized strength. He said that recruitment efforts for the Deputy position had been very successful with one outstanding candidate being identified. In response to a question from Supervisor Cervantes, Mr. Carunchio shared the candidate's education and work history with the Board, explaining that the person is more than qualified for the Assistant CAO or higher position. Mr. Carunchio went on to explain that in addition to Parks and Recreation, Motor Pool and the Integrated Waste Management Program, he was going to transfer responsibility for the Library and Museum to this position. Moved by Supervisor Cash and seconded by Supervisor Arcularius to A) change the authorized strength in the Office of the County Administrator by deleting one Deputy County Administrator position at Range 88 (\$6,370 – \$7,740) and adding one Senior Deputy County Administrator position at Range 92 (\$7,026 – \$8,540); and B) find that consistent with the adopted Authorized Position Review Policy: (a) the availability of funding for the position comes from the General Fund and, possibly, certain Non-General Fund departments depending on job responsibilities and associated budget allocations, as certified by the County Administrator and concurred with by the Auditor-Controller; (b) the vacancy could possibly be filled by internal candidates meeting the qualifications for the position, however, an open recruitment is appropriate to ensure the position is filled with the best qualified candidate; and (c) approve the hiring of one Senior Deputy County Administrator at Range 92 (\$7,026 - \$8,540). Motion carried unanimously.

P.W./Budget
Amendment Mr. Doug Wilson, Interim Public Works Director, explained that when the project was originally approved the Board had been told that it had been budgeted and had authorized him to sign all contract documents. He said that the project had not been budgeted and in order to proceed funding would need to be added to the budget via a budget amendment. He also explained that after the bids for the project had been reviewed it had been determined that the original amounts requested were not sufficient to cover contingencies and engineering for the project. Moved by Supervisor Cash and seconded by Supervisor Cervantes to amend the FY 2011-12 Deferred Maintenance Budget Unit 011501 as follows: increase estimated revenues in Federal Grants (*Revenue Code #4555*) by \$114,364 and Contributions from DWP (*Revenue Code #4563*) by \$44,059, and increase appropriations in Progress (*Object Code #5700*) by \$124,000. Motion carried unanimously.

P.W./Nine Mile
Canyon Guardrail
Project Mr. Doug Wilson, Interim Public Works Director, presented the Board with staff's recommendations regarding the award of the contract for the Nine Mile Canyon Road Guardrail Project. He said the low bidder was Coral Construction at \$243,520. He explained that when the budget amendment was prepared the bids were still being reviewed and the amounts noted in the agenda covered award to the highest bidder. He said the new figures being recommended were \$360,000 instead of \$413,000 and \$409,500 instead of \$459,000.

Moved by Supervisor Cervantes and seconded by Supervisor Pucci to A) amend the FY 2011-12 State Funded Road Budget Unit 034601 as follows: increase estimated revenue in Federal Grant (*Revenue Code #4555*) by \$360,000 and State Prop 1B (*Revenue Code #4496*) by \$45,900; and increase appropriations in Nine Mile Road (*Object Code #5707*) by \$409,500; and B) award and approve the Contract for the Nine Mile Canyon Road Guardrail Installation Project to Coral Construction in the amount of \$253,520 as recommended by staff, contingent upon the Board's adoption of a FY 2012-13 budget; authorize the Chairperson to sign the Contract, contingent upon the appropriate signatures being obtained; and authorize the Interim Public Works Director to execute all other Contract documents, including contract change orders, to the extent permitted by Public Contract Code Section 20142 and other applicable law. Motion carried unanimously.

BofS/Minute
Approval

Moved by Supervisor Cervantes and seconded by Supervisor Cash to approve the minutes of the Board of Supervisors meetings of A) April 24, 2012; and B) May 1, 2012. Motion carried unanimously.

Ag. Comm/Wt.
Truck Mule Days

Moved by Supervisor Cash and seconded by Supervisor Arcularius to approve the use of the weight truck for the Mule Pulling Contest, Sunday, May 27, 2012, during the Mule Days events at the Tri-County Fairgrounds. Motion carried unanimously.

Board Members and
Staff Reports

The Board Members reported on their activities during the preceding week including various constituent meetings, the Friends of the Museum Annual BBQ, a Mule Days update, the Tech Group Meeting, a Unified Command Meeting, an Inyo First Five Commission Meeting, Sierra Cascade Dialog teleconference, American Legion Mother's Day BBQ, a Big Pine Civic Club Meeting, notification that the final Report on the State Vision Process has been delivered, an LTC Meeting and an announcement by the Chairperson that he would be adjourning today's meeting in memory of Mr. George Drummond of Big Pine who passed away recently and who was responsible for bringing television to the Big Pine area.

Closed Session

The Chairperson recessed open session at 3:45 p.m., to convene in closed session, with all Board Members present to discuss and take action as appropriate on Agenda Items No. 22. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Deputy Sheriffs Association (DSA) - Negotiators: Labor Relations Administrator Sue Dishion, Information Services Director Brandon Shults, and Planning Director Josh Hart; No. 23. **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: Chief Probation Officer Jeff Thomson and Labor Relations Administrator Sue Dishion; No. 24. **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. 25. **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, Director of Child Support Services Susanne Rizo, Chief Probation Officer Jeff Thomson; No. 26. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code § 54957.6]**. – Instructions to Negotiators re: wages, salaries and benefits – Employee Organization: Inyo County Probation Peace Officers Association (ICPPOA) – Negotiators: CAO Kevin Carunchio and 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. 27A. **PERSONNEL [Pursuant to Government Code §54957]** - Public Employee Appointment - Title: Agricultural Commissioner/Sealer of Weights and Measures; and No. 27B. **CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code §54957.6)** – Instructions to Negotiators re: Wages, salaries and benefits – Title: Agricultural Commissioner/Sealer of Weights and Measures – Negotiator – Members of the Board of Supervisors as designated. Supervisor Fortney declared a conflict and left closed session at 4:20 p.m., to rejoin closed session at 4:35 p.m. The Chairperson recessed closed session at 5:30 p.m., to reconvene in open session, to receive a report on closed session.

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.

