

# MINUTES

# County of Inyo Board of Supervisors

**July 8, 2014**

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:30 a.m., on July 18, 2014, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Rick Pucci presiding, Linda Arcularius, Jeff Griffiths, Mark Tillemans and Matt Kingsley.

- Public Comment      The Chairperson announced the public comment period and there was no one from the public wishing to address the Board.
- Closed Session      The Chairperson recessed open session at 8:30 a.m., to convene in closed session, with all Board Members present, to discuss and take action as appropriate on Agenda Items No 2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION [Pursuant to Government Code §54956.9(c)]** – Meet with legal counsel for discussion and advice regarding potential litigation (one case); No. 3. **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 - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 4. **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: County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator Pam Hennarty, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 5. **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 - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 6. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: Inyo County Peace Officers Association (ICPPOA) – Negotiators - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; No. 7. **CONFERENCE WITH LABOR NEGOTIATOR [Pursuant to Government Code §54957.6]** - Instructions to Negotiators re: wages, salaries and benefits - Employee Organization: ICEA - Negotiators - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults; and No. 8. **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: - County Administrative Officer, Kevin Carunchio, Sr. Deputy County Administrator, Pam Hennarty, Deputy Personnel Director, Sue Dishion, and Information Services Director, Brandon Shults.
- Recess/  
Reconvene      The Chairperson recessed closed session at 10:05 a.m., to reconvene in open session at 10:10 a.m., with all Board Members present.
- Pledge      Supervisor Kingsley led the Pledge of Allegiance.
- Public Comment      The Chairperson announced the public comment period and there was no one wishing to address the Board.
- Integ. Waste/  
Blanket P.O.      Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to approve a blanket purchase order to Dave's Auto parts in the amount of \$17,000. Motion carried unanimously.

HHS-Senior Serv./ Food Trays and Coverings P.O.	Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to declare Oliver Products a sole source provider of food trays and coverings and approve a blanket purchase order to Oliver Products for the purchase of food trays and coverings for the home delivered meals program in the amount of \$25,000, contingent upon the Board's adoption of a FY 2014-15 budget. Motion carried unanimously.
HHS-Hlth. Serv./ Medi-Cal Admin Services Contract	Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to approve Contract #14-90037 between the County of Inyo and the California Department of Health Care Services (DHCS) for DHCS approved Medi-Cal Administrative Services activities for the period of July 1, 2014 through June 30, 2017 for an amount up to \$750,000, contingent upon the Board's adoption of future budgets and authorize Ms. Jean Turner, Director of Health and Human Services to sign. Motion carried unanimously.
P.W./ESE Contract Amendment 9	Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to approve Amendment No. 9 to the Contract between the County of Inyo and Eastern Sierra Engineering for materials testing engineering services adding the CSA #2 Sewer Rehabilitation Project and the Inyo County Animal Shelter Project and increasing the Contract by \$20,825 to a total amount not to exceed \$1,338,836.78, contingent upon the Board's adoption of future budgets and authorize the Chairperson to sign. Motion carried unanimously.
P.W./Road Closure	Moved by Supervisor Arcularius and seconded by Supervisor Kingsley to approve the closure of a portion of Tuttle Creek Road, July 21, 2014 for the Badwater Ultramarathon Race. Motion carried unanimously.
Probation/Comm. Corrections Partnership Plan	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the updated local Community Corrections Partnership Plan in accordance with Public Safety and Realignment Act of 2011 and as recommended by the Community Corrections Partnership and approved by the Executive Committee pursuant to Penal Code Sections 1230 and 1230.1 and authorize the Chairperson to sign. Motion carried unanimously.
Proclamation	Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to approve a proclamation declaring July 13 through 19, 2014 as Probation Services Week in Inyo County. Motion carried unanimously.
Planning/Service Redesign Proposals	The Planning Director reviewed the service design proposals to increase mining fees, implement Lone Pine Architectural Design Board fees, increase appeal fees, permit and implement fees for vacation homes, and implement electronic Planning Commission agendas. The Board and Mr. Hart discussed the various proposals in detail and at length. The Board Members indicated they were not interested in implementing and/or raising fees, the majority of the Board was opposed to the vacation home proposal, and the Board supported the electronic agenda proposal.
CAO-Budget Workshop	The Chairperson recessed open session at 11:30 a.m., to convene in a workshop with County department heads responsible for managing General Fund budgets to identify where the department head intends to make reductions to their respective budgets to implement reduction scenarios that may be necessary to achieve a balanced Fiscal Year 2014-15 County Budget. The Chairperson recessed the workshop at 12:50 p.m.
Recess/ Reconvene	The Chairperson recessed the regular meeting at 12:50 p.m., to reconvene in open session at 1:35 p.m., with all Board Members present.
Planning-Water/ Cabin Bar Ranch Groundwater Monitoring Mitigation and Reporting Plan	The Chairperson opened the <b>public hearing</b> at 1:35 a.m., to consider and approve the Groundwater Monitoring Mitigation and Reporting Plan (GMMRP) for extraction and groundwater by Crystal Geysers Roxane at their Cabin Bar Ranch Property. Dr. Bob Harrington, Inyo County Water Director, reviewed the staff report, the Plan and the recommendations concerning the Plan in detail and at length. Dr. Harrington gave a summary of the Plan, addressing the key points of the Plan. At the conclusion of Dr. Harrington's remarks, he requested that the staff report and the Plan be entered into the record as exhibits and they were Marked Exhibit A and B respectively. There was no one from the public wishing to address this issue and the Chairperson closed the public hearing at 1:50 p.m. The Board deliberated on the staff recommendations concerning the Plan.

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to A) make the following findings pursuant to the California Environmental Quality Act (a) no substantial changes are proposed by the GMMRP which will require major revisions of the Environmental Impact Report (EIR) prepared and certified for the project due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects, (b) no substantial changes have occurred with respect to the circumstances under which the project is being undertaken which might require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and (c) no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous EIR, shows any of the following – (i) one or more significant effects not discussed previously, (ii) significant effects previously examined will be substantially more severe, (iii) mitigation measures or alternatives previously found not to be feasible would in fact would be feasible and would substantially reduce one or more significant effects of the project, or (iv) mitigation measures or alternatives which are considerably different for those analyzed in the previously EIR would substantially reduce one or more significant effects on the environment; and B) approve the Groundwater Monitoring Mitigation and Reporting Plan for extraction of groundwater by Crystal Geysers Roxane at their Cabin Bar Ranch property. Motion carried unanimously.

Water/Standing  
Comm. Agenda

Dr. Bob Harrington, Inyo County Water Director, reviewed the following items which are on the Agenda for the upcoming July 10, 2014 Standing Committee Meeting to be held in Independence: 1. **Action Item:** Approval of documentation of actions from the April 29, 2014 meeting; 2. Runoff and operations update; No. 3. Report on resolution of Blackrock 94 dispute; and No. 4. Progress report on enhancement/mitigation projects. The Board concurred with Staff's recommendations concerning the items on the Agenda.

Water/LORP  
Workshop

The Chairperson recessed open session at 2:05 p.m., to convene in a workshop, with all Board Members present, on the Lower Owens River Project (LORP) 2014-15 work plan and budget, with emphasis on disagreements between LADWP and the Water Department on operations and maintenance costs. The Chairperson recessed the workshop at 2:45 p.m., to reconvene in open session, with all Board Members present.

Planning/Forest  
Plan Update

The Planning Director, Mr. Josh Hart, provided information about coordination with Forest Service staff regarding the Inyo National Forest Plan Update/Revision. Mr. Hart provided the Board with a copy of the correspondence he had sent concerning the documents presented at recent public meetings.

HHS-Hlth. Serv./  
Position Request

Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a full-time Registered Nurse (RN) or Public Health Nurse (PHN) position exists, as certified by the Director of Health and Human Services and concurred with by the County Administrator and the Auditor-Controller; B) where its is unlikely that the position could be filled by internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal candidates meeting the qualifications, therefore an open recruitment would be appropriate to ensure qualified applicants apply for this licensed position; and C) approve the hiring of one full-time RN at Range 78 (\$5,199 - \$6,319) or PHN at Range 80 (\$5,450 – \$6,628 per hour). Motion carried unanimously.

P.W./CSA #2 Sewer  
Rehabilitation  
Project Contract

Moved by Supervisor Arcularius and seconded by Supervisor Griffiths to A) award and approve the Contract for the CSA No. 2 Sewer Rehabilitation Project to White Rock Construction, Inc., in the amount of \$264,910, contingent upon the Board's adoption of a FY 2014-15 budget; B) authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained; and C) authorize the Public Works Director to sign all other Contract documents, including change orders, to the extent permitted pursuant to Section 20142 of the Public Contract Code and other applicable law. Motion carried unanimously.

Water/Ecosystem  
Sciences Contract

Moved by Supervisor Kingsley and seconded by Supervisor Arcularius to ratify and approve the Contract between the County of Inyo and Ecosystem Sciences for the provision of Biological Resources Consulting Services for the period of July 1, 2014 through June 30, 2015, in an amount not to exceed \$260,856, contingent upon the Board's adoption of a FY 2014-15 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

County Counsel/ Water/James Contract	Moved by Supervisor Griffiths and seconded by Supervisor Arcularius to ratify and approve the Agreement between the County of Inyo and Gregory L. James, Attorney at Law, for the provision of Water/Environmental Attorney services to the Water Department, for the period of July 1, 2014 through June 30, 2015, at the rate of \$155 for every hour of legal services except travel time which will be paid at \$50 per hour; and a Contract limit of \$60,000, contingent upon the Board's adoption of a FY 2014-15 budget; and authorize the Chairperson to sign. Motion carried unanimously.
County Counsel/ Planning/James Contract	Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to ratify and approve the Agreement between the County of Inyo and Gregory L. James, Attorney at Law, for the provision of legal services to the County related to Yucca Mountain Repository Licensing Proceedings before the Nuclear Regulatory Commission and related Court actions, for the period of July 1, 2014 through June 30, 2015, at a base rate of \$185 per hour, as set forth in Attachment B to the Contract, with travel time paid at \$50 per hour; and a Contract limit of \$25,000, contingent upon the Board's adoption of a FY 2014-15 budget; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
CAO-General/ Management Analyst Position	Moved by Supervisor Arcularius and seconded by Supervisor Tillemans to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Management Analyst/Senior Management Analyst position comes from the General Fund, as certified by the County Administrator and concurred with by the Auditor-Controller; B) whereas the County is facing layoffs, attempts should be made to fill the position first through an internal recruitment; and C) approve the hiring of a management Analyst or Senior Management Analyst, at Range 81 through 84 (\$5,580 - \$7,305) depending upon qualifications. Motion carried unanimously.
BofS/Minute Approval	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the minutes of the June 24, 2014 Board of Supervisors Meeting. Motion carried unanimously.
Clerk-Elections/No. Inyo Hospital Election	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to consolidate the Hospital District Election with the Statewide General Election to be held Tuesday, November 4, 2014. Motion carried unanimously.
County Department Reports	The Deputy County Administrator, Ms. Pam Hennarty, read a statement from the Clerk-Recorder, concerning NACo's involvement in election reform. Ms. Jean Turner, Director of Health and Human Services, gave the Board the following handouts, (a) the Sr. Newsletter, and (b) medical marijuana program statistics. Dr. Harrington, Water Director, reported on a State OES task force meeting him and the Agricultural Commissioner, Nate Reade, had attended regarding drought implications.
Board Members and Staff Reports	The Board Members reported on their activities during the preceding week, including the Bishop City Council Meeting, a Great Basin Unified Air Pollution Control District Meeting, and a State Water Bond discussion. The County Administrator briefly reported on the second budget workshop that will be held next week. County Counsel noted her thanks to her staff member Debbie Gonzales for the work she did on Ms. Kemp-Williams budgeted update.
Public Comment	The Chairperson announced the public comment period. Mr. Charles James addressed the Board to comment on what he perceived was difficulty in accessing Inyo County budget documents, and suggesting the County following Mono County's methods.
Closed Session	The Chairperson recessed open session at 3:45 p.m., to reconvene in closed session to discuss and take action as appropriate on previously noted closed session items.
Report on Closed Session	The Chairperson recessed closed session at 4:30 p.m., to reconvene in open session to receive a report on closed session. County Counsel reported that with regard to Agenda Item No. 2. <b>CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code §54956.9(c))</b> – Meet with legal counsel for discussion and advice regarding potential litigation (one case); noted that there was no reportable action taken, instructions were given to County Counsel and Mr. Greg James and with regard to Agenda items 3 through 8, which were negotiations with labor unions there was no reportable action taken.

Adjournment

The Chairperson adjourned the regular meeting at 4:30 p.m., to 8:30 a.m., Tuesday, July 15, 2014, in the Board of Supervisors Room, at the County Administrative Center, in Independence.

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Chairperson, Inyo County Board of Supervisor

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

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