

# MINUTES

# County of Inyo Board of Supervisors

## April 26, 2016

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 Tuesday, April 26, 2016 in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Jeff Griffiths, presiding, Dan Totheroh, Rick Pucci, Mark Tillemans and Matt Kingsley.

**PUBLIC COMMENT** The Chairperson announced public comment period and there was no one 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 – EXISTING LITIGATION.** (Paragraph (1) of subdivision (d) of Government Code Section 54956.9). Native American Heritage Commission v. Inyo County Planning Department and Inyo County Board of Supervisors, Inyo County Superior Court Case No. SICVPT 1557557. (Munro Petition for Writ of Mandate); No.3 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9. (two cases); No.4 **CONFERENCE WITH LABOR NEGOTIATORS** – (Government Code Section 54957.6). Agency designated representatives: Deputy Sheriff's Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); Law Enforcement Administrators' Association (LEAA). Unrepresented employees: all. Agency designated representatives - County Administrative Officer, Kevin Carunchio, Assistant County Administrator, Rick Benson, Deputy Personnel Director, Sue Dishion, Information Services Director, Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo; No.5 **PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** (Government Code Section 54957).Title: Chief Probation Officer.

**OPEN SESSION** The Chairperson recessed closed session at 10:00 to reconvene in open session at 10:05 a.m. with all Board members present.

**PLEDGE** Supervisor Rick Pucci led the Pledge of Allegiance.

**REPORT ON CLOSED SESSION** County Counsel reported that with regard to closed session, no action was taken that is required to be reported. In addition, he reported that the Board had not concluded closed session and further discussion will continue later in the meeting.

**PUBLIC COMMENT** The Chairperson announced public comment period and there was no one wishing to address the Board.

**COUNTY DEPARTMENT REPORTS** Inyo County Assessor Dave Stottlemire reported to the Board that the Assessor's office handles many requests for parcel information on a daily basis. Since November of 2015, the Assessor's office has been tracking their time spent handling these kinds of interactions with the public and have estimated this to be 630 hours of staff time on 2,365 requests for information. Working with Thomson Reuter on the conversion of the Property Tax Management System has taken approximately 306 hours of staff time. This equates to 4 months of staff time if they had one person working on these two projects, full time. Currently the Assessor's Office is preparing to close the tax roll and will be devoting 100% of their time to this until the roll is closed. Mr. Stottlemire continued by stating the Assessor's office will do their best to continue keep up with the public requests during the tax roll process. Director Clint Quilter reported that the County has finally received the E76-FHWA for work to proceed on the lower Trona Wildrose Road project, which gives the County authorization to put this project out to bid next Tuesday. Cal Trans submitted the project 3 times and it kept getting kicked back. Forest Beckett of Cal Trans really

went the extra mile to make sure it got approved. Planning Director Josh Hart informed the Board that the BLM 2.0 Planning Rule public comment period has been extended to May 25<sup>th</sup>, if there is any interest in revisiting that issue, please let him know and he will re-agendize it. There is a public meeting to discuss the Indian Wells Valley interim emergency ordinance regarding water intensive agricultural uses and exploring means to move forward. The meeting is scheduled for May 4<sup>th</sup> at 5:30 at the Pearsonville Subway Restaurant. Supervisor Kingsley and Chairperson Griffiths wanted to bring notice that the Board was all wearing denim, in recognition of "Denim Day" to raise awareness for the victims of sexual assault.

**NORTHERN INYO  
HOSPITAL  
PRESENTATION**

Northern Inyo Hospital Chief Executive Officer Kevin Flanigan gave the Board a report on the NIH operations for the first 6 months of the fiscal year. A few key points he wanted to point out were: 1) there was a decrease of 1% of the total number of days people were in NIH to spend at least one night; 2) the Rural Health Clinic services were up nearly 25%. Both of these equate to the fact that people are seeking out medical care sooner, getting more outpatient service so they don't get so sick and need to be admitted to the hospital for long term care; 3) surgery is up because they have a very strong specialty care team; 4) NIH still struggles to find physicians that want to stay as a full time physician, many still travelers; 5) looking at re-issuing the general obligation bonds at a lower interest rate so they can pay them off earlier; 6) the relationship with Toiyabe is an example of leadership marching arm in arm by constantly discussing how to avoid duplication of equipment and services. Dr. Flanigan reported that NIH, The Rural Health Clinic, No. Inyo Associates Outpatient Clinic, E.R. has a combined total of 400-440 FTE's in their budget with approximately 380 of those positions filled and 30-40 contracted travelers. Dr. Flanigan expressed his thanks to the Board for their invitation to come and give his report.

**PUBLIC WORKS  
WADELL  
ENGINEERING  
AMENDMENT #8**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve Amendment #8 to the Contract between the County of Inyo and Wadell Engineering Corporation, for the provision of On-Call Airport Engineering and Planning Services, by increasing the contract amount by \$163,010 for a total contract amount not to exceed \$1,596,380, and amending the Scope of Work and Schedule of Fees to include additional tasks required for engineering services for the design of the Lone Pine Airport Lighting Rehabilitation project, contingent upon appropriate signatures being obtained, and authorize the Chairperson to sign. Motion carried unanimously.

**PUBLIC WORKS  
PLANS & SPECS  
FOR ANNEX BLDG  
& BISHOP SENIOR  
CENTER**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve the plans and specifications for the Annex Building and Bishop Senior Center Carpet Project; and B) authorize the Public Works Director to advertise and bid the project. Motion carried unanimously.

**PUBLIC WORKS  
LSC TRANSPORT.  
CONSULTANTS  
INC.  
AMENDMENT #2**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve Amendment #2 to the Contract between the County of Inyo and LSC Transportation Consultants, Inc. for the provision of Transportation Planning Services by increasing the contract amount by \$7,080 for a total contract amount not to exceed \$96,240, extending the term of the contract from April 30, 2016 to April 30, 2017, and amending the Scope of Work to include the additional tasks required to assist in the development of one Active Transportation Program Plan application, which includes a revised Schedule of Travel and Per Diem payment, contingent upon appropriate signatures being obtained, and authorize the Chairperson to sign. Motion carried unanimously.

**PLANNING  
RRM DESIGN  
GROUP  
CONTRACT**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve the Contract between the County of Inyo and RRM Design Group, for the provision of planning and environmental services in an amount not to exceed \$583,845, for the period of May 1, 2016 through June 30, 2020, contingent upon appropriate signatures being obtained and the adoption of future budgets, and authorize the Chairperson to sign. Motion carried unanimously.

**WATER  
ECOSYSTEM  
SCIENCES  
CONTRACT**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve the Contract between the County of Inyo and Ecosystem Sciences, for the provision of Biological Resources Consulting Services, in an amount not to exceed \$99,830, for the period of July 1, 2016 through June 30, 2017; contingent upon adoption of future budgets and upon appropriate signatures being obtained, and authorize the Chairperson to sign. Motion carried unanimously.

**FILM  
COMMISSIONER  
REPORT**

Inyo County Film Commissioner Chris Langley reported on the many interesting filming projects occurring throughout the County of Inyo. He discussed the inconveniences of road closures due to filming and he and Supervisor Tillemans spoke about working with Public Works on getting notices out to the public in advance of the filming projects taking place. He spoke about the Ghost

Chasers wanting to film at Cerro Gordo, but the owner declined, so they are now looking at Randsburg and Darwin as possible locations. Mr. Langley also shared an authentic horsehair bridle belonging to stuntman, location assistant and producer Yakima Canutt. This will now be placed into the Lone Pine Film History Museum.

*TREASURER TAX  
COLLECTOR  
RESOLUTION  
2016-19 LAIF AUTH.  
CO-SIGNERS*

On a motion by Supervisor Totheroh and seconded by Supervisor Tillemans, Resolution #77-21 was rescinded and Resolution 2016-19 entitled "Resolution Of the Board of Supervisors, County of Inyo, State of California, Re-Approving and Re-Authorizing the Investment of County Monies in Local Agency Investment Fund" (LAIF) to include Deputy Treasurer-Tax Collectors as authorized co-signers for the LAIF account was approved. Motion unanimously passed and adopted.

*DISTRICT  
ATTORNEY AMEND  
OES/WAC BUDGET*

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to: A) amend the Fiscal Year 2015-16 OES/WAC Budget #620415 by increasing estimated revenue in State Grants (Object Code #4498) by \$5,965 for a total grant amount of \$118,975, and increasing appropriations in; General Operating (Object Code #5311) by \$6,654 and Construction in Progress (Object Code #5700) by \$496; and reducing appropriations in Salaried Employees (Object Code #5001-5043) by \$1,085 and Education Reimbursement (Object Code #5034) by \$100; and B) authorize the District Attorney to sign any necessary documentation to accept and utilize the grant and augmentation of the grant on behalf of the County. Motion carried unanimously.

*PUBLIC WORKS  
SHOSHONE  
PROPANE  
CONTRACT*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to award the bid to and approve the Contract between the County of Inyo and Shoshone Propane of Pahump Nevada for the Tecopa HVAC Replacement Project, in an amount not to exceed \$20,000, and authorize the Chairperson to sign contingent upon future budgets and appropriate signatures being obtained and 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.

*RECESS/  
RECONVENE*

The Chairperson recessed the regular meeting at 11:00 a.m. to reconvene at 11:10, with all Board members present, for the Water Department timed item.

*WATER  
LADWP ANNUAL  
OPERATIONS PLAN*

Water Department Director Bob Harrington presented the Los Angeles Department of Water and Power (LADWP) proposed Annual Operations Plan for the 6 month period of April through September. The County has 10 days to comment on the proposed plan, and then within 10 days of the County transmitting comments back to LADWP on the proposed plan, the Technical Group will meet to try to resolve any concerns the County may have over the plan, and then 10 days following the Tech Group meeting, LADWP finalizes the plan and implements it. If the County is not satisfied with the contents of the plan, it is subject to the Water Agreement's Dispute Resolution Process. Recapping conditions from last year, with the runoff year just ending in March, LADWP pumped just over 70,000 acre-feet as per their 2015-2016 annual operations plan. This year's plan proposes to pump 75,000 acre-feet, which is comparable to the average. Prior to 1970, the average annual pumping in non-drought years was less than 10,000 acre feet. From 1970 to 1991 when the Water Agreement was adopted, the Owens Valley pumping was around 108,000 acre-feet. Since the Water Agreement was signed the pumping has been in the mid to upper 70,000 acre-feet. Runoff this year was 47% of normal, 193,800 acre-feet, which is the lowest runoff on record since 1935 to present. Export to the City of Los Angeles was 330,000 acre feet. Lowest on record. Mike Prather spoke on behalf of the Inyo County Water Commission bringing forward a memo to the Board which detailed recommendations regarding the LADWP Annual Owens Valley Operations Plan that the Commission wanted the Board to address: #1) if irrigation water is reduced by LADWP, then pumping for exportation should be reduced proportionately; #2) if water is saved at Owens Lake it should remain in the valley for unmet obligation; #3) oppose pumping on W385 & W386. The 1999 Mitigation Plan states these two wells should not be operated; and #4) water tables are below baseline, pumping should be reduced to raise water tables where it won't cause impact to enhancement mitigation projects, irrigated lands, etc. Administrator Carunchio thought it was interesting that the inclusion of the Owens Lake Water is now included in the pumping plan as a use in the valley. Craig Patten whom also sits on the Water Commission, reiterated Mr. Prather's concerns. Earl Wilson of Lone Pine contributed by stating any excess water should be kept in the valley to recharge the groundwater and fill the ditches. Most of the mitigation project irrigation only goes 2-3 inches into the soil and doesn't recharge the groundwater. Nancy Masters of Independence stated the Owens Valley Committee was grateful to see that the Board recognizes LADWP has obligations to fulfill. Ranchers in Mono are possibly going to lose their irrigation water this year. Ms. Masters continued by stating the export of Owens Valley water needs to be reduced. After further discussion, the Chairperson confirmed with the

Water Director the concerns and recommendations that the Board and Water Commission had identified in the Operations Plan and would need to be incorporated into the comments that would be submitted to LADWP for discussion by the Technical Group. Further discussion will take place at a later Board of Supervisors meeting before direction is given to the members of the Standing Committee.

*RECESS/  
RECONVENE*

The Chairperson recessed the regular meeting at 1:05 p.m. to reconvene in open session at 1:55 with all Board members present.

*CAO  
LIBRARY  
AUTOMATION*

Rick Benson, Assistant County Administrator, came before the Board to brief them on the details of the library automation project. In January, 2016, the Board requested staff to develop and issue a Request for Proposals (RFP) to determine if it was feasible to hire an expert in library automation to review the status of the automation process within the Inyo County Library and suggest an action plan for implementation. An RFP was developed and the County received 2 responses, one for \$10,000 and one for \$18,000. Mr. Benson explained that this would strictly be for providing direction on how to move forward with automation, it did not include automation. \$18,000 is a lot of money for just consulting, and he emphasized that \$18,000 could pay for a lot of extra staff time, for up to 6 months, making significant progress towards automation and completion of the project if the \$18,000 was directed to staff time. Mr. Benson continued by stating that on the other hand, bringing in an outside consultant could open our eyes up to a lot of different opportunities and ways of doing things that we may not have explored. Engaging a consultant might help us move along at a faster pace. Either way the funds are not budgeted. The library does not have funds included in the budget and the Friends of the Inyo Library have not committed any funds towards the project. Library Director Nancy Masters came forward and spoke about the process. A shortage of staff has made the process slow. Library staff member, Joe Frankel, also gave details on the level of work in the conversion process and it needs to be done very meticulously and scrutinized for accuracy. Rick Delmas, President of the Friends of the Inyo Library, stated that the Friends had already contributed \$20,000 to the project and yet the library still isn't automated. He added that the Friends would be willing to contribute more towards the project but would not be willing to commit without there being a plan in place, which included a timeline. Judy Wickman, whom wasn't present but did submit a public comment card, submitted a note stating she opposed spending \$18,000 on a consultant. Independence resident, Mary Roper commented that she knows the library staff works very hard because they are low on staff, but she also disagrees with paying a consultant \$18,000. Administrator Carunchio stated there are a range of options to look at. He advised the Board to task Mr. Benson and Ms. Masters to come back in 3 weeks with details on a plan for finishing the project using some of the suggested ideas of using current staff and volunteers, with the possibility of closing the libraries a few days a week to allow staff the time to work on the conversion process.

*PLANNING  
FOREST PLAN  
UPDATE*

Planning Director Josh Hart reported that after telling the Board last week that the Inyo National Forest Plan Update/Revision was going to be release the next week, it has now been pushed out closer to the end of May.

*CAO  
RECYCLING AND  
WASTE  
MANAGEMENT  
AUTH. TO HIRE  
EQUIP. OPER. I*

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to find consistent with the Authorized Position Review Policy: A) the availability of funding for the requested position exists in the Solid Waste Budget as certified by the Department Head and concurred with by the County Administrator and Auditor-Controller; and B) the position could be filled by an internal recruitment, however, an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring of one Equipment Operator I at Range 58 (\$3,310-\$4,027). Motion carried unanimously.

*INYO COUNTY FISH  
AND WILDLIFE  
COMMISSION*

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to authorize a donation of \$2,500 from the Fish and Game Fine Fund to Eastern Sierra Wildlife Care for the care and feeding of sick and/or injured wildlife for FY 2015/2016. Motion carried unanimously.

*PUBLIC COMMENT*

Lone Pine resident Earl Wilson stated he would be attending the Public Meeting on the Indian Wells Valley SGMA meeting in Pearsonville.

*BOARD MEMBER  
AND STAFF  
REPORTS*

County Administrator Carunchio reported on the CAOAC meeting held in Death Valley last weekend. The DVNP Superintendent Mike Reynolds gave a great presentation and took them on a tour of the recent storm damage that occurred at Scotty's Castle. Supervisor Kingsley noted that he had been visiting senior high school classrooms with Clerk-Recorder Kammi Foote to discuss the voting process. He also traveled to Sacramento to talk to the transportation committee about the Adventure Trails project. Supervisor Pucci stated he worked with Planning on a press release to clear the confusion on what the (7) designated Inyo County Adventure Trails roads were. The press release did not get published. He and Supervisor Totheroh attended the LTC meeting. Supervisor Griffiths and Kingsley attended the Great Basin Air Pollution Control (GBAPC) meeting. Supervisor Griffiths stated that the GBAPC district has been meeting with the San Joaquin Air Pollution Control District to better coordinate the impact of smoke from the fires on the west side of the Sierras. The USFS asked Supervisor Kingsley to attend a "Burners" conference on the west side to discuss the impacts of the smoke, and early response and prevention. Supervisor Griffiths attended a Wounded Warriors Music Festival fund raiser BBQ at the Ybarren Ranch, Inyo Associates meeting at Boulder Creek, went to Avila Kern County 150<sup>th</sup> Celebration, toured new snow blowing equipment at the Road yard which had been purchased with Green Sticker funds, attended Earth Day Celebration at the Bishop City Park, attended the ESTA Board of Directors meeting to review the transit program for the next 3 years, and starting in the summer of 2017 they will be looking to begin an outdoor recreation pilot program that would provide bus service to Whitney Portal and to Bishop Creek Lakes. Not mandatory like Red's Meadow, would be twice a day. He also attended the Bishop City Council meeting, Bishop hotels are up 9%. City County Liaison meeting tomorrow. Also had another County Government Tour with the High School classes.

*CLOSED SESSION*

The Chairperson recessed open session at 4:15 p.m. to reconvene in closed session at 4:20 p.m., with all Board members present to discuss and take action as appropriate on previously noted closed session items.

*REPORT ON  
CLOSED SESSION*

The Chairperson recessed closed session at 5:25 p.m. to reconvene in open session to receive a report on closed session. County Counsel reported there were no items discussed in closed session that are required by law to be reported on in open session.

*ADJOURNMENT*

The Chairperson adjourned the regular meeting at 5:29 p.m. to 8:30 a.m. on Tuesday, May 3, 2016, in the Board of Supervisors Room, at the County Administrative Center in Independence.