



County of Inyo Board of Supervisors

June 21, 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 June 21, 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 Chairman Griffiths asked for public comment and there was none.

CLOSED SESSION Chairman Griffiths recessed open session at 8:35 a.m. to convene in closed session with all board members present to discuss the following items:
No. 2 **EXISTING LITIGATION** (Paragraph [1] of subdivision [d] of Government Code Section 54956.9). Melissa M. Neylon and Shawn P. Neylon v. County of Inyo, Inyo County Sheriff's Office, Bill Lutze, Douglas Richards, and DOES 1 to 50, United States District Court Eastern District of California Case No. 1:16-CV-00712-AWI-JLT; No. 3 **EXISTING LITIGATION** (Paragraph [1] of subdivision [d] of Government Code Section 54956.9). Patrick McLernon v. County of Inyo, William Kanayan as an individual, and dba William Kanayan Construction, and Does 1 to 25, inclusive; Inyo County Superior Court Case No. SICVCV 1558147; No. 4 **EXISTING LITIGATION** (Paragraph [1] of subdivision [d] of Government Code Section 54956.9). Tanya Solesbee v. County of Inyo, et al., United States District Court Eastern District of California Case No. 1:13-CV-01548 AWIJLT; No. 5 **EXISTING LITIGATION** (Paragraph [1] of subdivision [d] of Government Code Section 54956.9). Prominent Systems, Inc., a California Corporation, v. Eastern Sierra Engineering, P.C., a Nevada Corporation; County of Inyo, a political subdivision of the State of California, Superior Court of the State of California for the County of Kern Case No. S-1500-CV-279959-DRL; No. 6 **ANTICIPATED LITIGATION** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9. (one case). No. 7 **CONFERENCE WITH LABOR NEGOTIATORS** - (Government Code Section 54957.6). Employee organizations: 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.

OPEN SESSION Chairman Griffiths recessed closed session at 10 a.m. and reconvened the meeting in open session at 10:05 a.m. with all Board members present.

PLEDGE Supervisor Dan Totheroh led the meeting in the Pledge of Allegiance.

REPORT ON CLOSED SESSION County Counsel Marshall Rudolph reported that no action was taken during closed session that is required to be reported. The Board had not finished its closed session business, however, and would be reconvening to closed session at the end of the meeting to continue discussions.

PUBLIC COMMENT Chairman Griffiths announced public comment period and there was nobody from the public wishing to address the Board.

INTRODUCTION CAO Kevin Carunchio introduced Darcy Ellis, the new Assistant Clerk of the Inyo County Board of Supervisors.

COUNTY DEPARTMENT REPORTS Marilyn Mann from Health and Human Services appeared on behalf of Director Jean Turner who could not be in attendance. Turner asked that Mann provide the Board a copy of a memo regarding recent correspondence and communications related to the Juvenile Hall Transition.

The documents show a timeline and details of Turner's various communications with local entities as the County continues to move forward with the project. Supervisor Matt Kingsley mentioned that another issue brewing is new charges brought in by the Inland Counties Emergency Medical Agency (ICEMA) against the fire departments. He said he understands the charges are between \$3,000 and \$5,000 per department. He said he's getting pushback on that and noted the County hasn't received any response from ICEMA. He said he is very concerned about the charges and the departments' ability to absorb them. Mann said she will bring Kingsley's concern back to Turner, who will be addressing them next week if not sooner.

County Registrar of Voter Kammi Foote presented the Board with unofficial June 7, 2016 election numbers. They will be unofficial until next week when the Board accepts the Statement of Vote. She said Inyo County had a 58.16% turnout and a group of volunteers was at that time wrapping up the canvass by doing the 1% hand tally. Foote then distributed to the Board a press release regarding Inyo County being part of a group (Cook County, Illinois and Hillsborough County, Florida) that was awarded a Knight News Challenge Civil Engagement grant in the amount of \$400,000 for an engagement tool kit to use during an election. Inyo County chose the infographic tool. She said Inyo's infographics were Tweeted by the California Secretary of State and otherwise circulated around California. She said she thought it was a successful use of that tool. Switching over to the Recorder's side of her job, she reported that the Inyo County-sponsored AB 17, Mining Claims and Recording, which was coauthored by Assemblymen Jay Obernolte and Devon Mathis, is currently on consent in the Senate with no opposition and it looks like it will become law. The law helps miners who are required to file annual mining claims by syncing state law with federal law. She said the process is proving that it is easier to update California law than to update a BLM form. Foote said she will return to let the Board know when the law is actually chaptered. In response to Supervisor Totheroh's inquiry, she said the election turnout was right on target, considering Inyo usually gets a 50-60% percent voter turnout. It was noted that Inyo's Congressional and Assembly races had been on the "close-call" list for a while.

Public Works Director Clint Quilter handed out a flyer on Hat Creek Construction & Materials. Inc. letterhead providing an update on the Whitney Portal Road construction project, which is moving to the next phase. Quilter said there are currently 30-minute delays between 6:30 a.m. and 6:30 p.m. Monday through Friday in the lower sections. Starting July 11, however, the public can expect extended delays in the upper section (just before the first switchback). The closures would be in effect from 8-11 a.m. and 1-4 p.m. He said care was taken to make the road closures as painless as possible, allowing hikers and climbers a chance to get up to Whitney Portal and the campgrounds, or back into town. Quilter also noted that emergency vehicles will be able to access the road at any time. Supervisor Matt Kingsley said the work schedule will be a big change but it looks to be the best scenario under the circumstances.

CONSENT ITEMS TO DEPARTMENTAL

Chairman Griffiths requested that Health and Human Services agenda item 15 be moved to the departmental portion of the meeting for further discussion.

CORONER CONTRACT AMENDMENTS #2

Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to A) approve Amendment #2 to the contract between the County of Inyo and William D. Stinnett, for the provision of Personal Services, extending the contract term to December 31, 2016 and increasing the contract amount by \$7,200 for total contract amount not to exceed \$65,906; and B) Approve Amendment #2 to the contract between the County of Inyo and Jeffrey E. Mullenhour, for the provision of Personal Services, extending the term to December 31, 2016, and increasing the contract amount by \$7,200 for a total contract amount not to exceed \$65,906, contingent upon the adoption of future County budgets, and authorize the Chairperson to sign. Motion carried unanimously.

INTEGRATED WASTE MANAGEMENT LANDFILL MONITORING CONTRACT

Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve the contract between the County of Inyo and TEAM Engineering for the provision of landfill monitoring and reporting services in an amount not to exceed \$533,628 for the period of July 1, 2016 through June 30, 2019, contingent upon Board adoption of future budgets and appropriate signatures being obtained, and authorize the Chairperson to sign. Motion carried unanimously.

DISTRICT ATTORNEY/STEP INCREASE FOR ASSISTANT D.A.

Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to authorize Step E for the newly hired Assistant to the District Attorney - 70 Step E (\$5,341). Motion carried unanimously.

*PROBATION/
REDWOOD
TOXICOLOGY
CONTRACT
AMENDMENT #1*

Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve Amendment #1 to the contract between the County of Inyo and Redwood Toxicology Laboratory, Inc. for the provision of urine sample collection devices and laboratory services, extending the term of the contract to June 30, 2017, contingent upon the adoption of future budgets and authorize the Chairperson to sign. Motion carried unanimously.

*PUBLIC WORKS/
AMERIGAS
CONTRACT
AMENDMENT #3*

Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve Amendment #3 to the contract between the County of Inyo and Amerigas of Bishop, California, extending the term of the contract to September 30, 2016 and increasing the contract amount by \$3,547 for a total contract amount not to exceed \$610,545, contingent upon adoption of future County budgets and appropriate signatures being obtained, and authorize the Chairperson to sign. Motion carried unanimously.

*PUBLIC WORKS/
PREFERRED SEPTIC
CONTRACT
AMENDMENT #5*

Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve Amendment #5 to the contract between the County of Inyo and Preferred Septic and Disposal, Inc. for the provision of independent contractor services, extending the contract to September 30, 2016 and increasing the contract amount by \$9,068.61 for a total contract amount not to exceed \$138,587.55, contingent upon adoption of future County budgets and appropriate signatures being obtained, and authorize the Chairperson to sign. Motion carried unanimously.

*PUBLIC WORKS/
APPROVE SOLE-
SOURCE PROVIDER
AUDITING
SERVICES/GALLINA
LLP CPAS
AMENDMENT #1*

Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to: A) declare Gallina LLP CPAs as a sole source provider of auditing services; and, B) approve Amendment #1 to the contract between the County of Inyo and Gallina LLP CPAs, extending the term of the contract to June 30, 2018 and increasing the contract amount by \$12,400 for a total contract amount not to exceed \$18,600, contingent upon adoption of future budgets and appropriate signatures being obtained, and authorize the Chairperson to sign. Motion carried unanimously.

*PUBLIC WORKS/
APPROVAL OF
CONTRACT WITH
QUINCEY
ENGINEERING*

Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve a contract between the County of Inyo and Quincey Engineering, Inc. for the provision of on-call Architectural and Engineering Consulting services for the term of June 21, 2016 through June 20, 2019, in an amount not to exceed \$77,500, contingent upon adoption of future County budgets and appropriate signatures being obtained, and authorize the Chairperson to sign. Motion carried unanimously.

*HEALTH & HUMAN
SERVICES
WORKFORCE
INVESTMENT ACT
MOU UPDATE*

Marilyn Mann explained that the Workforce Investment Act helps provide job opportunities for youth and young adults. Kern County is the provider of Inyo County's Workforce Investment Act funds. Inyo has had a longstanding Memorandum of Understanding with Kern County, which also governs Mono County. Because of Inyo's current use of the program and state mandates, Kern County and the state are requiring new and updated MOUs to ensure that where there are traditional one-stop facilities, which are primarily in Kern County, that there is access to CalWorks resources for program recipients. Kern houses an access portal at Inyo's CalWorks office in Bishop that allows clients to have access to a full range of workforce readiness and workforce access information. Inyo County mans the portal at certain times of the week. The system has been in place for the last three years. Chairman Griffiths said what Inyo County basically has is a library of resources for \$130,000 a year. He said he realized that was a relatively small amount of money to do workforce training and it makes sense to partner with Kern County, but he is wondering if there is not a better way to provide these workforce assistance services, for example by partnering with a local non-profit, because it seems like a majority of the training happens in Kern County. Mann clarified that Kern County gets the Workforce Investment Act money for the region. She agreed there were probably ways to enhance local services. She said HHS, within its CalWorks division, is trying to enhance its employment services by implementing subsidized employment for CalWorks clients and enhancing employment readiness classes that are offered to a wide range of residents on Friday afternoons in Bishop and Monday or Tuesday afternoons in Lone Pine. The service is offered in-house, she said, and staff also works collaboratively with California Indian Manpower Consortium and other similar groups. Chairman Griffiths asked whether the updated MOU "locks" Inyo County in with Kern County through June 30, 2019. Mann and County Counsel said there are provisions for terminating or altering the MOU. Supervisor Pucci noted the MOU doesn't preclude Inyo from participating in other programs either. Chairman Griffiths said a more hands-on approach is needed when homeless populations, domestic violence survivors, probationers and others in challenging situations have trouble finding jobs. Just giving them access to a library isn't enough. He wondered if HHS can use the workforce funds in a different

way. Mann said she agrees that helping residents change their circumstances can be key to helping them find employment, and that HHS has been looking internally at how they can help people find more robust jobs and obtain the skill base needed to maintain jobs. She said HHS also wants to look at how they can help employers. Supervisor Kingsley suggested perhaps the Board needed a workshop in the future to further discuss the program and how workforce services can be better integrated locally. It was then moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve the Memorandum of Understanding (MOU) between Kern, Inyo and Mono Counties outlining the provision of services under the federal Workforce Investment Act of 1998, for the period of July 1, 2016 through June 30, 2019, and authorize the Health and Human Services Director to sign and transmit a copy of the signed documents to the Clerk of the Board for the Board's files. Motion carried unanimously.

*BOARD
CORRESPONDENCE
TO SENATE ENERGY
AND NATURAL
RESOURCES
COMMITTEE*

Supervisor Kingsley introduced the agenda item by explaining that the H.R. 496, Congressman Cook's bill to designate the Alabama Hills a National Scenic Area, had passed the House and the next step is to get it through the Senate. Sen. Dianne Feinstein has added it to a larger piece of legislation, the California Desert Conservation and Recreation Act. He said it is now possible she will agree to introduce the bill as stand-alone legislation. It was recommended that Inyo County write a letter to Senator Murkowski, chairman of the Senate Energy and Natural Resources Committee, requesting a hearing on H.S. 496. The letter he drafted will be going to Feinstein, Senator Maria Cantwell (who Supervisor Kingsley said was familiar with the Owens Valley), Congressman Col. Paul Cook (ret.) and Kevin Mazzu with the Alabama Hills Stewardship Group. He said it should also be sent to Lucy Murfitt, who he called the gatekeeper of the Senate Energy and Natural Resources Committee, and Tim Itnyre, Congressman Cook's legislative director. Mazzu, on behalf of the Alabama Hills Stewardship Group (AHSG) and what he said were more than 30 key stakeholders and 40 user groups, reminded the Board that the AHSG has been working to achieve this designation for the past eight years. Progress has been slow but steady, he said, and the AHSG appreciates the Board's ongoing support. He said the group was optimistic about finally getting the bill signed into law. The group's goal now was to de-link the Hills legislation from Feinstein's larger bill, which could be accomplished by pushing it through the committee as a stand-alone legislation that could then be immediately taken to the floor of the Senate as a unanimous consent bill. Chairman Griffiths asked whether the AHSG has had any communication from Feinstein's office indicating support of a stand-alone Hills bill. Mazzu noted that they've been having discussions with her new legislative director, Kenneth Rooney, who has expressed interest in potentially de-linking the bill and putting it through as a stand-alone. His suggestion to the AHSG as far as garnering Feinstein's support was gathering feedback from some of the key stakeholder groups who support the bill.

These groups include the Board of Supervisors, Conservation Lands Foundation, and Friends of the Inyo. Mazzu said he thinks the letter proposed by Supervisor Kingsley would carry a lot of weight and help in a timely manner. Chairman Griffiths said he was definitely in support of the letter and asked what else the Board could do as far as direct communications with the legislative staffers. Mazzu said more of a focus on Feinstein's group would be helpful, particularly Rooney, who Kingsley asked the assistant board clerk to include on the list of letter recipients. He also suggested a conference call with Rooney. Mazzu further suggested reaching out to Shelly Abajain, Feinstein's Central California director, in addition to any Senators the Board may know on the Natural Resources Committee. Supervisor Tillemans said the bill deserves to be stand-alone legislation. Mazzu reminded the Board that this whole process started with a letter to Feinstein by a very prominent photographer, David Muench, in 2007, which got the attention of staffers like Abajain, who then contacted the Board of Supervisors to see if they'd be interested in supporting a national monument legislation. The Board then directed Feinstein's staff to the newly formed AHSG which was working with the BLM. This led to a visit in 2008 by former staffer James Peterson and Abajain who recommended a grassroots campaign. Mazzu noted a strong argument to make to Abajain would be to remind her that they recommended the legislation in the first place. Motion made by Supervisor Kingsley and seconded by Supervisor Totheroh to approve and send a letter to Senator Murkowski requesting the Senate Energy and Natural Resources Committee schedule a hearing for H.R. 496 designating the Alabama Hills a National Scenic Area. Motion carried unanimously. Mazzu then asked to be included in any conferenced call that may occur with Rooney.

*CAO EMERGENCY
PROCLAMATION
GULLY WASHER*

Motioned by Supervisor Kingsley and seconded by Supervisor Pucci to continue the local emergency known as the "Gully Washer Emergency" that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July 2013, as recommended by the County Administrator. Motion carried unanimously.

*CAO EMERGENCY
PROCLAMATION LAND
OF EVEN LESS
WATER*

CAO Carunchio updated the Board on the groundwater situation in West Bishop, which he said has the real potential to affect residents' properties. He said the County was waiting on technical reports from the Water Department and DWP to send to the State as evidence the situation is attributable to the drought. Motioned by Supervisor Totheroh and seconded by Supervisor Pucci to continue the local emergency known as the "Land of EVEN Less Water Emergency" that was proclaimed as a result of the extreme drought conditions that exist in the County, as recommended by the County Administrator. Motion carried unanimously.

*CAO EMERGENCY
PROCLAMATION DV
DOWN BUT NOT OUT*

Motioned by Supervisor Tillemans and seconded by Supervisor Kingsley to continue the local emergency known as the "Death Valley Down But Not Out Emergency" that was proclaimed as a result of flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015, as recommended by the County Administrator. Motion carried unanimously.

PUBLIC COMMENT

Chairman Griffiths announced public comment period and there was nobody from the public wishing to address the Board.

*BOARD MEMEBERS
AND STAFF REPORTS*

County Counsel reported attending a Community Services District meeting in Keeler the day prior alongside Supervisor Kingsley. In general, he's been getting out and about in the county. He said he had good news to report on the legislation to extend the Adventure Trails pilot program, specifically that the parties involved finally arrived at language they could all agree on. He said the bill was back on track and moving through the process.

Supervisor Tillemans reported attending the Eastern Sierra Council of Governments meeting with Chairman Griffiths. He said ESCOG received airport updates from Inyo and Town of Mammoth Lakes Public Works directors regarding the local airports. He said a meeting was likely happening in July with Southern California and Northern California FAA representatives. There was also a compelling presentation on the Sustainability Recreation Plan.

Chairman Griffiths noted that Mammoth Airport is in the FAA's Northern California district and Bishop's airport is in its Southern California district, hence the attendance of both reps at the upcoming summit meeting that ESCOG would like to get staff and elected officials together for. The Chairman further noted the recent ESTA meeting was canceled for lack of a quorum, he met the new regional director for the Sierra Nevada Conservancy, and on Sunday, June 19, Sunrise Rotary held a peace vigil at Bishop City Park for the victims of the Orlando mass shooting. He said it was well attended. He and Supervisor Kingsley attended the dedication of the Dick Noles memorial fountain at Bishop City Park. The Chairman then asked Planning Director Josh Hart for a report on the Forest Service's recent planning revision meeting. Hart said it was basically an introductory, informational meeting as the USFS rolls out its plan so that people can start formulating opinions for upcoming hearings.

Supervisor Totheroh said he attended a board meeting of the Eastern Sierra Agency on Aging where, other than election of new officers, nothing of note took place.

Supervisor Pucci said he attended an LTC meeting and had the good news to report that Caltrans' new area regional director works in Bishop, instead of Fresno, so all District 9 employees will be reporting locally. He said he also has been meeting with the Bishop Creek Water Association as it deals with drought related issues.

Supervisor Kingsley said he traveled to Indian Wells Valley to discuss the Joint Powers Authority and the discussion went relatively smoothly. He also complimented County Counsel for being so helpful with what he described as a thorny issue out at Keeler.

*CORRESPONDENCE
INFORMATIONAL*

Supervisor Kingsley noted that today's Board agenda packet included a copy of an application for an alcohol beverage license for a business in Tecopa called Steak and Beer. He said things are looking up on the Old Spanish Trail.

CLOSED SESSION

Chairman Griffiths recessed the meeting at 11:10 a.m. to return to closed session at 11:30 a.m. to continue unfinished business from the morning's closed session

OPEN SESSION Chairman Griffiths reconvened the meeting to open session at 11:50 a.m. The Board is scheduled to meet Tuesday, June 28, 2016 in the Board of Supervisors Room in Independence.

REPORT ON CLOSED SESSION County Counsel Marshall Rudolph reported that no action was taken during closed session that is required to be reported.

ADJOURNMENT Chairman Griffiths adjourned the meeting of June 21, 2016 at 11:52 a.m.