



County of Inyo Board of Supervisors

September 6, 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 September 6, 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 8:36 a.m. to convene in closed session with all Board members present to discuss the following 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. SICVPT1557557 (Munro Petition for Writ of Mandate)*; No. 3 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9. (*one case*); and No. 4 **CONFERENCE WITH LABOR NEGOTIATORS [Pursuant to Government Code §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, Senior Deputy County Administrator Brandon Shults, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.

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

PLEDGE The meeting led off with a recitation of 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. However, the Board had not finished its closed session business and would be reconvening to closed session at the end of the meeting to continue discussions.

PUBLIC COMMENT Chairman Griffiths asked for public comment and there was none.

COUNTY DEPARTMENT REPORTS Chairman Griffiths asked for Department Reports and there were none.

INTRODUCTIONS The following new employees were introduced to the Board: Denise Hutten, Assistant Civil Engineer, Public Works; and Talaya Allen, Child Support Specialist, Child Support Division.

CAO/PURCHASING – PRINTING BID AWARD Moved by Supervisor Tillemans and seconded by Supervisor Pucci to award Bid No. 2016-03, Printing for Fiscal Year 2016-2017, to the Hannigan Company, Inc. and authorize purchase orders to be approved for various County Departments to order printing from this bid for the Fiscal Year 2016-2017. Motion carried unanimously.

AUDITOR-CONTROLLER APPROPRIATION LIMIT RESOLUTION Moved by Supervisor Tillemans and seconded by Supervisor Pucci to adopt the attached Resolution 2016-35 titled, “A Resolution of the Board of Supervisors of the County of Inyo, California Establishing Fiscal Year 2016-2017 Appropriation Limit Under Article XIII of the California Constitution, and Establishing Period for Contesting Such Limits for the County and

Board of Supervisors Governed Special Districts.” Motion carried unanimously.

**AUDITOR-
CONTROLLER TAX
RATE RESOLUTION**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to adopt the attached Resolution 2016-36, titled, “A Resolution of the Board of Supervisors of the County of Inyo, California Adopting Tax Rates for Fiscal Year 2016-2017 Pursuant to Government Code Section 29100.” Motion carried unanimously. Motion carried unanimously.

**CLERK-RECORDER
ATPAC SOFTWARE
END USER
AGREEMENT**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve End User License Agreement with AtPac for Software, License, Maintenance and Support for a period of five years, contingent upon the Board's adoption of future budgets. Motion carried unanimously.

**HHS BULK BUS
PASS PURCHASE**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve an annual bulk purchase of ESTA bus passes for Health and Human Services programs in an amount not to exceed \$20,906.15, contingent upon the adoption of the Fiscal Year 2016-2017 Budget. Motion carried unanimously.

**HHS – BEHAVIORAL
HEALTH TRAFFICKING
VICTIMS PROTECTION
ACT POLICY**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve the Trafficking Victims Protection Act policy related to the provision of Substance Use Disorder services. Motion carried unanimously.

**HHS REQUEST FOR
ICEMA WAIVER**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to request from the Inland Counties Emergency Medical Agency (ICEMA) a waiver of medical control and compliance fees assessed on June 1, 2016 for each volunteer entity providing ambulance services in Inyo County, and authorize the Chairperson to sign a letter requesting such waiver. Motion carried unanimously.

**HHS – APPOINTMENT
OF ANNA SCOTT AS
CHEAC DESIGNEE**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to appoint Anna Scott, HHS Deputy Director-Public Health and Prevention, to be Inyo County's designee to the County Health Executives Association of California. Motion carried unanimously.

**PUBLIC WORKS ON-
CALL CONTRACT
WITH QUINCY
ENGINEERING**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to: A) approve the contract between the County of Inyo and Quincy Engineering, Inc. of Rancho Cordova, California for on-call A&E Consultant Services in the amount not to exceed \$94,750 for the period of September 6, 2016 through September 5, 2019; and B) authorize the Chairperson to execute the project contract contingent upon obtaining appropriate signatures and the adoption of the Fiscal Year 2016-2017 budget and future budgets. Motion carried unanimously.

**P.W. – PLANS AND
SPECS FOR COUNTY
BUILDINGS FLOORING
PROJECT**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to: A) approve the plans and specifications for the County Buildings Flooring Project; and B) authorize the Public Works Director to advertise and bid the project. Motion carried unanimously.

**PUBLIC WORKS – NCE
SOLE-SOURCE
PROVIDER**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to: A) declare Nichols Consulting Engineers, Chtd. (NCE) as a sole-source provider; B) approve Contract No. 156 between the County of Inyo and NCE for pavement management services in an amount not to exceed \$266,104, for the period of July 1, 2016 to June 30, 2022; and C) authorize the Chairperson to sign, contingent upon obtaining appropriate signatures and the adoption of future budgets. Motion carried unanimously.

**PUBLIC WORKS SOLE-
SOURCE SCADA PO
WITH MUNIQUIP, LLC**

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve the sole-source blanket purchase order for Supervisory Control and Data Acquisition (SCADA) communications components from Muniquip, LLC in the amount of \$40,000, contingent upon the Board's adoption of the Fiscal Year 2016-2017 Budget. Motion carried unanimously.

*PUBLIC WORKS
CONTRACT WITH
DOUBLE D; PLANS
AND SPECS*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to: A) approve the contract between the County of Inyo and Double D Electric for the provision of electrical services and incidental materials in an amount of \$40,000 for the period of September 7, 2016 through October 7, 2016, and authorize the Chairperson to sign; B) approve the Plans and Specifications; and C) authorize the Public Works Director to sign contract amendments to the extent permitted by law. Motion carried unanimously.

*SHERIFF SOLE-
SOURCE
FINGERPRINT
SERVICE PO WITH
DOJ*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to declare the California Department of Justice a sole-source provider of processing and verification of fingerprints of applicants; and B) authorize the issuance of a blanket purchase order in the amount of \$15,000. Motion carried unanimously.

*AG COMMISSIONER –
ADVISORY BOARD
APPOINTMENTS*

Ag Commissioner Nate Reade presented letters of interest in several vacant/expired terms in certain categories on the Agriculture Resource Advisory Board. The positions were advertised as required by law and letters were received primarily from incumbents. The LADWP Lessee seat drew letters of interest from both incumbent Dr. Bill Talbot and Bishop resident Daris Moxley. Chairman Jeff Griffiths recommended reappointing Dr. Talbot because of his experience on the Advisory Board. Supervisor Kingsley thanked Ms. Moxley for applying. Reade said this is the only time he can remember having more than one applicant interested in an Advisory Board position. Moved by Supervisor Totheroh and seconded by Supervisor Pucci to make the following four appointments: Howard Arcularius, representing the category of "President of the Inyo-Mono Farm Bureau or their Appointee," to a three-year term expiring August 22, 2018; Gary Giacomini, representing the category of "President of the Inyo-Mono Cattleman's Association or their Appointee," to a three-year term ending August 22, 2018; Dr. Bill Talbot, representing the category of "Los Angeles Department of Water and Power Lessee," to serve a three-year term ending August 22, 2018; and Suzie Wolfersberger, representing the "Eastern Sierra Tri-County Fair Board Chair or their Appointee," to serve the remainder of a vacant three-year term ending August 22, 2018. Motion carried unanimously.

*PUBLIC WORKS
AWARD OF WEST
BISHOP
IMPROVEMENT
PROJECT BID*

Public Works Director Clint Quilter said the Board authorized Public Works to go out to bid for the West Bishop Roadway Reconstruction Project on August 9. Bids were opened August 25, and the two lowest were very close in price, which gives the department confidence they're getting a good deal, Quilter said. Moved by Supervisor Pucci and seconded by Supervisor Tillemans to: A) award the bid for the construction contract for the West Bishop Roadway Reconstruction Project to Qualcon Contractors, Inc. of Minden, Nevada; B) award the construction contract for the project to Qualcon Contractors, Inc. of Minden, Nevada in the amount of \$2,197,425; C) authorize the Chairperson to execute the contract, contingent upon obtaining appropriate signatures; and D) authorize the 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.

*HHS – ADULT
SERVICES
SUPERVISOR*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of Social Services and Mental Health funding (no General Funds) for the position of Adult Services Supervisor exists, as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but as a State Merit System position, an external recruitment would be more appropriate to ensure qualified candidates apply; and C) approve the hiring of one Adult Services Supervisor at Range 76 (\$5,059 - \$6,151). Motion carried unanimously.

*PLANNING SOLSMART
COMMITMENT-TO-
PARTICIPATE LETTER*

Planner Cathreen Richards explained that one requirement for participating in the SunShot SolSmart program, which she told the Board about on July 26, is a commitment letter. Chairman Griffiths asked if there was any room in the SolSmart program to make technical assistance available for Community Choice Aggregation. Richards said the tech assistance is designated for the rooftop solar efforts only, but funding aid is available and the County could include CCA as a focus area on both the application and in the letter. Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to authorize the Chairperson to sign the letter and direct staff to send it. Motion carried 5-0.

COUNTY COUNSEL – DEPUTY COUNTY COUNSEL I-IV County Counsel Marshall Rudolph announced a vacancy in his office due to the departure of Deputy County Counsel David Nam, who relocated to Vacaville. Rudolph requested permission to recruit for a replacement at all employment levels in order to cast the widest net possible. Moved by Supervisor Totheroh and seconded by Supervisor Pucci for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a Deputy County Counsel position comes from the General Fund as certified by County Counsel, and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could be filled by an internal candidate, but an open recruitment would be more appropriate to ensure qualified candidates apply; and C) approve the hiring of one Deputy County Counsel I-IV at Ranges 81-89 (\$5,692 - \$8,417). Motion carried unanimously. Rudolph and the Supervisors wished Nam the best of luck.

CAO – APPOINTMENT OF SUPERVISORS TO ESCOG AIRPORT SUBCOMMITTEE CAO Kevin Carunchio reminded the Board that during Public Works Director Clint Quilter’s July 26 presentation on local airports and regional air service, he suggested the idea of forming a task force of Inyo County and Town of Mammoth Lakes officials to explore options for regional air service. The Eastern Sierra Council of Governments (ESCOG) concurred. On August 17, the Town Council appointed its two members to the subcommittee. Carunchio noted the Town Manager also sent him a list of questions and he in turn requested potential meeting times over the next few months. Chairman Griffiths said perhaps to shorten the timeline, those questions could be answered at meetings of the subcommittee. Supervisor Kingsley asked Carunchio what kind of questions the Town Manager posed. Carunchio said they were inquiring what Inyo County’s proposal entailed. Chairman Griffiths noted it’s a mutual proposal that the Town also agreed to. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to appoint Chairman Griffiths and Supervisor Tillemans, as the County’s representatives to ESCOG, to an ESCOG Subcommittee comprised of representatives from the County of Inyo and Town of Mammoth to evaluate the most efficient way to expand and diversify long-term regional air service to the Eastern Sierra. Motion carried unanimously.

CAO – GULLY WASHER Public Works Director Clint Quilter told the Board there was a preconstruction meeting last week regarding Trona Wildrose Road, which was damaged during the disaster. He said the first portion of the repair project would probably start in early October. Moved 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. Motion carried unanimously.

CAO – LAND OF EVEN LESS WATER Moved 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 extreme drought conditions that exist in the County. Motion carried unanimously.

CAO – DV DOWN BUT NOT OUT Moved by Supervisor Kingsley and seconded by Supervisor Totheroh 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. Motion carried unanimously.

APPROVAL OF MINUTES Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve the minutes of the regular Board of Supervisors meetings of July 19, 2016, July 26, 2016, and August 2, 2016. Motion carried unanimously.

CLOSED SESSION/RECESS FOR LUNCH Chairman Griffiths recessed open session at 10:35 a.m. to convene in closed session with all Board members present to finish discussions from the session started earlier in the morning. He announced the Board would reconvene at 1:30 p.m. for its timed agenda item: the Budget Hearing. No action was taken during closed session that is required to be reported.

CAO – BUDGET HEARING (TIMED ITEM) (see separate minutes; attached)

PUBLIC COMMENT Earl Wilson of Lone Pine said this was his first budget hearing and he thought the Board and staff were amazing for how they handled it. He thanked the Board for hearing him on the lighting issue he brought up during the hearing. Supervisor Totheroh was appointed as the point person on the issue. Supervisor Tillemans said he appreciates Wilson’s representation of the public and its interests.

**BOARD MEMBER AND
STAFF REPORTS**

Assistant Clerk of the Board Ellis complimented CAO Carunchio on a not-boring and very well-written budget message.

CAO Carunchio reminded everyone of the employee picnic on September 16 and said a Financial Advisory Committee meeting was in the works for this Thursday (September 8).

Supervisor Tillemans said he got to hear the audio recording of the meeting he missed while he was in Reno and said it was an interesting, educational experience in that he learned what the mics pick up and what they don't. He said he came back on September 1 for what he called "a positive meeting" with the Big Pine Tribe over the Hazard Mitigation Plan. Tillemans also noted he met a gentleman at Renown Hospital who turned out to be a Bishop resident who is very involved in veterans issues and services. Tillemans arranged for him to speak in Big Pine.

Supervisor Pucci said he went to the Tri-County Fair with his grandkids and watched CAO Carunchio in the pie contest. He said he ended up buying Carunchio's pie so he could personally attest that it was good.

Supervisor Kingsley noted a change in recycling rates that could impact the County. He said he and CAO Carunchio met in Bishop last Friday with members of the Timbisha-Shoshone Tribe, which has fairly aggressive plans to put in a marijuana operation at Death Valley Junction. He said the Tribe expressed a desire to compensate the County for any impacts resulting from the operation, but was vague about the process. He said he appreciated the briefing and noted a groundbreaking would be happening soon.

ADJOURNMENT

Chairman Griffiths adjourned the meeting at 3:39 p.m., with the Board scheduled to meet next on Tuesday, September 13 at 8:30 a.m. in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisor

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

by: _____
Darcy Ellis, Assistant