

# MINUTES



# County of Inyo Board of Supervisors

**February 7, 2017**

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 February 7, 2017, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Mark Tillemans, presiding, Dan Totheroh, Rick Pucci, Jeff Griffiths, and Matt Kingsley.

*PUBLIC COMMENT* Chairperson Tillemans asked for public comment and there was none.

*CLOSED SESSION* Chairperson Tillemans recessed open session at 8:31 a.m. to convene in closed session with all Board members present to discuss the following items: No. 2 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9 (one case); and No. 3 **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); IHSS Workers; 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, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.

*OPEN SESSION* Chairperson Tillemans recessed closed session and reconvened the meeting in open session at 10:04 a.m. with all Board members present.

*PLEDGE* County Counsel Marshall Rudolph led the pledge of allegiance.

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

*PUBLIC COMMENT* Chairperson Tillemans asked for public comment. Mike Prather of Lone Pine, speaking as an individual, informed the Board that the Inyo County Water Commission has begun soliciting public input on how the excessive runoff this year should be spread along the valley floor for maximum benefit. He said the idea is to be proactive so that when LADWP releases its operations plan in April, the County will already have comments and suggestions regarding spreading efforts.

Phillip Anaya of Bishop also commented on the expected, historic runoff and said depending on water levels, it might be time to coordinate with Mono County to discuss getting water back in Mono Lake. He also mentioned new wells that were going to be discussed as action items at the February 9 Technical Group meeting, and said the domestic wells in West Bishop should be protected through on/off provisions of the Long-Term Water Agreement. He also said the wells come with some liability for the County as signers of the LTWA. Anaya said with regard to the West Bishop ditch situation, it is time to move from analysis to remedy phase, and said residents would appreciate a gesture from the County contributing some capital funds to help shoulder some of constituents' burden.

Earl Wilson of Lone Pine said he has been monitoring the aqueduct levels in the Lone Pine area and it appears to be running at or above traditional levels as indicated by the rust line. He said LADWP is moving water south as fast as it can and it would be nice if it made some of that water available for the trees that are drying up around Lone Pine.

COUNTY  
DEPARTMENT  
REPORTS

Supervisor Matt Kingsley asked that the meeting be closed in honor of Marta Becket, famous dancer, choreographer, and owner of the Amargosa Opera House who passed away January 30 at age 92.

Interim Planning Director Cathreen Richards presented the Board with copies of a comprehensive public lands narrative, including maps, that the Planning Department put together and which the Board requested at its January 10 meeting.

Treasurer-Tax Collector Alisha McMurtrie said her office took 79 tax-defaulted parcels to auction (via the Internet) and all of them sold. She noted that her office and the Oasis of Grace Foursquare Church in Bishop did reach a satisfactory resolution regarding the parsonage and it never went to auction.

Sheriff Bill Lutze provided a brief status report on local creeks as of this morning after the rainfall all night and snow melting at the 9,000-foot level. He said Oak Creek broke its banks at a couple of locations and was running at 57 cfs, but all of the other “big” creeks were holding. He said the atmospheric river weather conditions were expected to continue all week, in tandem with rising temperatures that were expected to melt more snow.

Senior Deputy County Administrator Brandon Shults reported that Information Services had completed a lot of work over the past two weeks on the Board room conferencing equipment and he was hopeful the meetings could be streamed live online very soon.

Chief Probation Officer Jeff Thomson said his department is continuing a lot of work on Juvenile Transition services and completed two more trainings recently. He provided a hand-out advertising “Child and Family Teamwork in Child Welfare and Juvenile Probation Cases” on March 1 in Bishop, to provide an overview for system partners in the Eastern Sierra. He said County Social Workers have already started providing this training and Juvenile Probation Officers will be required to provide it on a regular basis as of January 2018.

Water Director Dr. Bob Harrington distributed the agenda for Thursday’s Technical Group meeting. He said new well preconstruction evaluations are required by the Long-Term Water Agreement but there are still outstanding questions regarding the California Environmental Quality Act. He added that the Water Department has been working with other eligible local agencies regarding the formation of a Groundwater Sustainability Agency and he anticipated bringing something to the Board on February 21. CAO Carunchio added that it is becoming clear the Board will need to weigh in so the other agencies can start making important decisions themselves. Regarding runoff, Dr. Harrington said LADWP did use the Bishop Creek bypass in January and is spreading water at Laws. He it is looking it is going to be a good runoff year with good recharge. He added that there will be a Standing Committee meeting at 9 a.m. February 22 in L.A. and the agenda would be worked on at the Technical Group meeting.

PRESENTATION –  
INYO FILM  
COMMISSIONER MID-  
YEAR REPORT

Inyo County Film Commissioner Chris Langley presented his written, Fiscal Year 2016-2017 Mid-Year Report to the Board. He also offered an overview of the principles under which he operates as well as some of the recent shoots that have come to Inyo County. He said his job is to help make the productions as successful as possible and he treats every project the same, whether it’s an independent shoot or a big budget commercial. He said he doesn’t evaluate the projects – and how much of his assistance he will provide – on the probability of their success. Langley noted that Supervisor Totheroh initiated important discussions with the Forest Service regarding expediting and streamlining its permitting process, which is currently causing Inyo County to lose shoots to other locations. He said preliminary meetings have been productive and helpful. Langley mentioned two “disastrous” commercial shoots plagued by bad planning efforts on the part of producers and weather issues. Current projects include a promo film for California tourism featuring slacklining in the Alabama Hills, an Audi Commercial, and a low-budget sci-fi film called Tethered. He said he also worked with a team making a low-budget David and Goliath movie (Langley’s job was to find goats), who will be coming back to Inyo County for another project. A virtual reality project is also in the pipeline. Langley then noted that a lot of movies around Lone Pine started out as comic books, and showed to the Board rare and vintage comic books and comic book panels that belong to the Lone Pine Museum of Film History.

*MOTOR POOL – WEIGHTS & MEASURES FLATBED TRUCK* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to award a contract to Gibbs International Truck Centers of Bakersfield as the low bidder for the purchase of one (1) 2017 7600 Set Back Axle (SBA) Specialized Flat Bed truck for the Weights and Measures crane in the amount of \$126,823.09. Motion carried unanimously.

*HHS – EMT TRUST FUND PROJECT CONTRACTS* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the five (5) following contracts for projects to be funded from the Emergency Medical Services Trust Fund No. 505107 for the purchase of emergency response equipment and training in amounts as listed, for a total amount not to exceed \$48,820.58 for the period of July 1, 2016 through June 30, 2017; and authorize the Chairperson to sign the following contracts: A) Independence Volunteer Fire Department for \$9,592.56; B) Olancha-Cartago Fire Department for \$9,845; C) Lone Pine Volunteer Fire Department for \$9,692.66; D) Big Pine Fire Protection District for \$9,845.18; and E) Southern Inyo Fire Protection District for \$9,845.18. Motion carried unanimously.

*HHS – MEDI-CAL COUNTY INMATE PROGRAM AGREEMENT* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to authorize the Health and Human Services Director to sign the Agreement and Certification Form for the Medi-Cal County Inmate Program for Fiscal Year 2016-2017 Quarter 4 and Fiscal Year 2017-2018, contingent upon the Board’s approval of future years’ budgets, and remit a copy to the Board Clerk for the Board’s records. Motion carried unanimously.

*HHS – LAPTOP & DOCKING STATION PURCHASE* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the purchase of 13 CWS/CMS laptop computers and 15 docking stations from Premier in an amount not to exceed \$16,188.55 plus tax, shipping, and handling costs, and operating systems and software licenses from CDW-G in an amount not to exceed \$7,601.14 plus tax, shipping, and handling costs. Motion carried unanimously.

*PUBLIC WORKS – STOP SIGN @ DEWEY & SCHOOL STREETS* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the installation of two (2) “STOP” signs, with the appropriate pavement markings, in the community of Big Pine, California: one on Dewey Street, westbound at the School Street intersection; and one on Cornell Street, eastbound at the School Street intersection. Motion carried unanimously.

*PUBLIC WORKS – AG BUILDING HEATER NOC RESOLUTION* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve a resolution titled, “A Resolution of the Board of Supervisors of the County of Inyo, State of California Authorizing the Recording of a Notice of Completion for the Agriculture Building Heater Project.” Motion carried unanimously.

*PUBLIC WORKS – RESCIND FLOORING PROJECT BID AWARD* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to rescind the award of the construction contract for the County Buildings Flooring Project to Michael Flooring, Inc. of Bakersfield, California, in the amount of \$149,513 and authorize the Public Works Director to re-advertise and re-bid the project without the South Street Bid Alternative. Motion carried unanimously.

*PUBLIC WORKS – BISHOP WASTE TRASH & TOILET SERVICES BID* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to award the bid for trash services and portable toilet services at designated County facilities to Bishop Waste in an amount not to exceed \$131,609.40 for the period of March 1, 2017 through February 29, 2020, and authorize the Chairperson to execute the contract contingent upon obtaining appropriate signatures and the adoption of future budgets. Motion carried unanimously.

*HHS – ESAAA AGREEMENT W/ MONO COUNTY* CAO Carunchio reminded the Board that Inyo County has elected to be the provider of senior services for Inyo and Mono counties through the Eastern Sierra Area Agency on Aging, and a parallel program called IC-Gold to the tune of \$502,000 from the General Fund. The County also contributes \$55,000 in matching funds from its General Fund in order to receive State and Federal dollars for the ESAAA program on behalf of Inyo and Mono counties. He said this year’s administrative overhead is more than \$180,000, \$130,610 of which will be covered by State and Federal funding. However, the County will need to budget another \$54,000 out of its General Fund to shore up what is essentially a regional program. He noted this agenda item was recommended for approval, but he wanted to indicate his intent to send a letter to the Mono County CAO asking her to consider having Mono County contribute to the cost of providing regional senior citizen services. He said Inyo County already provides Mono County’s agricultural commissioner and weights and measures services, so it would be a nice gesture. Plus, Inyo County has been able to accurately calculate Mono County’s administrative costs.

Health and Human Services Director Jean Turner said this is probably the most administratively heavy program HHS manages and they can quantify fairly precisely what the administrative costs are. Supervisor Kingsley said it seems reasonable to identify the costs associated with Mono County and at least have a discussion about it, since their seniors benefit the same as Inyo County's seniors. Chairperson Tillemans noted that Inyo County has looked at ways to reduce programs costs before approaching Mono County for contributions. Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to approve the four-year agreement with the County of Mono for the provision of Eastern Sierra Area Agency on Aging services to Mono County resident senior citizens, in the amount of \$393,878 for the period of July 1, 2016 through June 30, 2020, contingent upon the Board's adoption of future budgets, and authorize the Chairperson to sign, with a letter being sent by CAO Carunchio to the Mono County CAO regarding Motion carried unanimously.

*TREASURER-TAX  
COLLECTOR – 2017  
INYO COUNTY  
INVESTMENT POLICY*

Treasurer-Tax Collector Alisha McMurtrie went before the Board for annual approval of the County's investment policy. She said last year the County saw more than \$800,000 in interest earnings and it's anticipated the County will see more than a \$1 million this year. She said the overall picture has not looked good since 2008 but she has seen it much worse. She said there were no changes to the policy from last year. Treasury Oversight Committee Chair Danielle Sexton. Sexton said that, because there were no changes in the policy from last year, it was easy for the Committee to give its approval. She added that the Committee was happy to see that McMurtrie had set in place a contingency for disaster recovery that she discussed at a previous Committee meeting. McMurtrie commended the Committee on its responsiveness, noting the necessity for an emergency meeting during the year to aid a special district. Chairperson Tillemans thanked the Committee members for their efforts. Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the 2017 Inyo County Treasury Investment Policy. Motion carried unanimously.

*TREASURER-TAX  
COLLECTOR –  
INVESTMENT  
AUTHORITY  
RESOLUTION*

Treasurer-Tax Collector Alisha McMurtrie said that she was seeking the Board's annual delegation of investment authority. She said if the Board decided not to delegate that authority to her, it would remain with the individual Board members. She said another option would be to choose not to delegate investment authority on an annual basis. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve a resolution titled, "A Resolution of the Board of Supervisors of the County of Inyo Delegating to the Inyo County Treasurer its Investment Authority Pursuant to Section 53607 of the Government Code." Motion carried unanimously.

*WATER DEPT. –  
AGREEMENT TO  
TRANSFER IRWMP  
GRANT*

Water Director Dr. Bob Harrington explained that in 2015, the Board authorized the submittal of a grant application through its membership in the Integrated Regional Water Management Program. He said the grant was approved, and the County now has to authorize entering an agreement to transfer the grant from Desert Mountain Resource Conservation & Development Council to the County. Chairperson Tillemans said the Big Pine community is excited about the recycled water restoration and community projects that will be funded in Big Pine via the grant. He asked about the timeline for community outreach. Dr. Harrington noted outreach could begin any time following receipt of the funding. Chairperson Tillemans said he hoped Big Pine's recycled water projects would be precedent-setters for other communities. Moved by Supervisor Totheroh and seconded by Supervisor Pucci to: A) approve the Fiscal Agent Agreement for the Prop 84 Integrated Regional Water Management Program Implementation Grant between the County of Inyo and Desert Mountain Resource Conservation & Development Council, for the Recycled Water for Restoration and Community Projects in Big Pine; B) approve the grant funding in the amount of \$286,050; C) and authorize the Water Director to sign the agreement (with a copy remitted to the Board Clerk for the Board's records) and any documentation to accept and utilize the grant on behalf of the County. Motion carried unanimously.

*OVMAP – FIVE  
SEASONAL FIELD  
ASSISTANTS*

Ag Commissioner Nate Reade told the Board he usually requests permission every year to hire three Seasonal Field Assistants for the Owens Valley Mosquito Abatement Program. However, this year he thinks the mosquito problem might be especially bad because of the extra wet winter so he increased the request to five. Supervisor Totheroh said he hopes there is coordination with LADWP this summer to avoid the hatches that resulted in 2016 from LADWP's unannounced pulse flows. Reade said there is some water being held back and LADWP has been made aware of the Department's concerns. Supervisor Kingsley said he noticed water was being spread on BLM land and asked whether jurisdiction impacted Reade's ability to abate mosquitoes. Reade said if there is a serious problem near a population center, his Department will go out and address it. Moved by Supervisor Kingsley 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 five (5) seasonal Field Assistants for the Owens Valley Mosquito Abatement Program exists in a non-General Fund program budget, as certified by the Ag Commissioner and concurred with by the County Administrator and Auditor-Controller; B) where due to the seasonal nature of the positions it is unlikely that the positions could be filled by internal candidates and an open recruitment is appropriate; and C) approve the hiring of five (5) seasonal Field Assistant I's at 050PT (\$14.75/hr. - \$17.90/hr.), from April 1, 2017 through October 1, 2017, contingent upon adoption of future budgets. Motion carried unanimously.

*AG COMMISSIONER –  
TWO WEED  
MANAGEMENT  
SEASONAL FIELD  
ASSISTANTS*

Ag Commissioner Nate Reade presented a request to hire two seasonal Field Assistants for the Eastern Sierra Weed Management Area. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh for the Board to find that, consistent with the adopted authorized position review policy: A) the availability of funding for two (2) seasonal Field Assistants for the Eastern Sierra Weed Management Area exists in a non-General Fund program budget, as certified by the Ag Commissioner and concurred with by the County Administrator and Auditor-Controller; B) where due to the seasonal nature of the positions it is unlikely that the positions could be filled by internal candidates and an open recruitment is appropriate; and C) approve the hiring of two (2) seasonal Field Assistant I's at 050PT (\$14.75/hr. - \$17.90/hr.), from May 1, 2017 through September 30, 2017, contingent upon adoption of future budgets. Motion carried unanimously.

*PROBATION –  
DEPUTY PROBATION  
OFFICER I OR II*

Chief Probation Officer Jeff Thomson request Board permission to fill one of two vacancies in his Department. He explained the roll-out of the Juvenile Services Transition resulted in reorganization and he also recently lost one of his senior probation officer positions. He noted that he included with his Agenda Request Form a description of departmental job duties and a caseload breakdown. Supervisor Griffiths said he appreciated the report and noted a lot of changes in caseload and duties. He suggested a workshop might be in order so the Board could fully understand the changes that have taken place in Probation. Griffiths also asked for clarification on the Department's authorized strength. Thomson said in Adult Probation, the Department is authorized for six probation officers and currently has four and this request will bring staffing back up to five. Chairperson Tillemans noted the staff report cited a major drop in caseloads. Thomson said the numbers come from the Department of Justice and he can't really explain them. He added that for the first time, Probation is seeing an increase in high-risk caseloads over low-risk ones. Chairperson Tillemans agreed a workshop would be helpful. Thomson explained that his Department's caseload is expanding horizontally, with more requirements for training and more rigorous work with clients and evidence-based programs. Chairperson Tillemans said he thought the Board should fill the vacancy in question but do a workshop in the future. He said he was also interested in the ongoing integration between HHS and Probation. Chairperson Tillemans said he also wanted to suggest eliminating the Authorized Position Review Policy, feeling it would save time during meetings and the Board could trust its Department Heads to fill positions as appropriate. Supervisor Griffiths pointed out that exact discussion was scheduled to take place during review of the mid-year budget later in the meeting. Moved by Supervisor Pucci and seconded by Supervisor Griffiths for the Board to find that consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Deputy Probation Officer I or II position comes from the General Fund, as certified by the Chief Probation Officer and concurred by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position and the position could possibly be filled by an internal recruitment, an open recruitment is more appropriate to ensure the position is filled with the most qualified applicants; and C) approve the open recruitment and hiring of one (1) Deputy Probation Officer I at Range 67 (\$4,008 - \$4,865) or Deputy Probation Officer II at Range 70 (\$4,305 - \$5,236) and authorize up to the E step for qualified lateral applicants depending on qualifications. Motion carried unanimously.

*HHS – SOCIAL  
WORKER III OR IV*

Assistant HHS Director Marilyn Mann, before requesting authorization to hire a Social Worker, said the Probation Officer who recently left Probation went to HHS. She then provided to the Board a handout with outcomes information regarding families in the FIRST (Families' Intensive Response & Strengthening Team)/Wraparound program from Fiscal Year 2010-2011 to Fiscal Year 2016-2017. She said in Year 1, there were seven youth enrolled. Of the four who graduated, not a single one has been involved in the Adult Probation system. She also noted that one youth whose family the program helped stabilize through housing remains in that housing today. CAO Carunchio thanked the Department for coming forward with the outcomes data, showing concrete results of what originally was a leap of faith for the County. He said he'd like to see the outcomes data tied to funding data. Supervisor Pucci said it is counter-intuitive to

think that because you have less people in need, you need less people working to help them. Mann agreed, saying the trend is giving a lot of attention to high-risk families, and that takes time and staff. Moved by Supervisor Pucci and seconded by Supervisor Tothoroh for the Board to find that, consistent with the adopted authorized position review policy: A) the availability of FIRST (Families' Intensive Response & Strengthening Team) funding for a Social Worker III or IV position exists in a non-General Fund HHS budget, as certified by the HHS 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, however an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring one Social Worker III at Range 70 (\$4,391 - \$5,341) or Social Worker IV at Range 73 (\$4,709 - \$5,728), depending on qualifications. Motion carried unanimously.

*HHS – RATIFY OFFICE  
FURNITURE &  
SUPPLIES PURCHASE*

Melissa Best-Baker of HHS explained that the Grove Street HHS offices got new carpet this year and some of the desks fell apart when they were moved and had to be replaced. Desks also had to be purchased for new hires. HHS was told to go through Purchasing but the purchases ended up totaling more than \$10,000, which requires Board approval. She said HHS is also looking to replace some really outdated conference room equipment. Moved by Supervisor Tothoroh and seconded by Supervisor Pucci to ratify and approve the purchase of office furniture, chairs, and other supplies from Office Depot in the amount of \$11,794.96, and approve a blanket purchase order in the amount of \$16,800 for the ratified and approved purchases and to replace old and broken conference room furniture and/or chairs for the remainder of the fiscal year. Motion carried unanimously.

*HHS – INYO-CDPH  
AMENDMENT A03*

Anna Scott of HHS explained the need for an amendment to the County's five-year contract term with the California Department of Public Health for the provision of Local Public Health Emergency Preparedness so that the County could make its annual move of money not spent last Fiscal Year to the current Fiscal Year. Moved by Supervisor Kingsley and seconded by Supervisor Tothoroh to ratify Amendment No. A03 to Standard Agreement No. 14-10507 between the County of Inyo and California Department of Public Health for the provision of Local Public Health Emergency Preparedness, which adjusts funding amounts in State Fiscal Years 2015-2016 and 2016-2017, decreasing the maximum amount payable under the original three-year agreement by a net amount of \$1,999, for a total amount not to exceed \$879,168; and authorize the Health and Human Services Director to sign the Standard Agreement Amendment, with a copy remitted to the Board Clerk for the Board's records. Motion carried unanimously.

*RECYCLING & WASTE  
MANAGEMENT –  
EQUIPMENT  
OPERATOR I OR II*

Scott Eagan, Recycling and Waste Management Program Superintendent, said there was a vacant Equipment Operator position that is being covered by two other employees at the rate of one day of overtime each. He said the sooner the position is filled, the more time off those employees can have. Moved by Supervisor Griffiths 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 an Equipment Operator I or II position exists in the Fiscal Year 2016-2017 Solid Waste budget, as certified by the Director of Recycling & Waste Management, 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, however an open recruitment would be more appropriate to ensure qualified applicants apply; and C) approve the hiring one Equipment Operator I at Range 58 (\$3,310 - \$4,027) or Equipment Operator II at Range 60 (\$3,471 - \$4,261), depending on qualifications. Motion carried unanimously.

*PLANNING – RE-  
ADVERTISE NRAC  
VACANCIES*

Interim Planning Director Cathreen Richards explained that the Planning Commission was requesting the Board direct staff to re-advertise two vacancies on the Natural Resource Advisory Committee. The request was the result of an alternate to the NRAC expressing concerns that she was not notified of the vacancies and, not having seen the Notice of Vacancy that was published in the newspaper, was consequently unaware of the opportunity to apply for a permanent position on the NRAC. The Planning Commission felt that, in order to be fair, the vacancies should be re-advertised. Two individuals – one current member and one newcomer – had applied for the open positions during the filing period. Staff further asked the Board for overall policy direction regarding the future notification of alternates on County boards and committees, since current County policy only directs that the holders of seats whose terms are expiring or have expired be notified of the opportunity to reapply. Supervisor Griffiths asked the

general question about the overall value of the NRAC, recalling a discussion from a year ago regarding the commission's use of staff time and resources. Richards explained that the NRAC's purpose is to provide direction to the Planning Commission and meets quarterly when there are issues warranting discussion. Supervisor Pucci said amending the current policy to provide written notification of vacancies to alternates makes sense and would be appropriate. Supervisor Kingsley agreed. Supervisor Totheroh also supported the idea. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to re-advertise two vacancies on the Natural Resource Advisory Committee and direct that, in addition to the current process of advertising vacancies in the local newspaper, staff also send a letter to any existing alternate members of a committee or commission specifically notifying them of the vacancy and inviting them to consider submitting a Request for Appointment. Motion carried unanimously. CAO Carunchio said a request to amend the Inyo County Administrative Manual's Appointment Policy for Boards, Committees, and Commissions to add alternates to the notification list would be brought before the Board at its next meeting.

**CAO – DISASTER  
SERVICES –  
DECLARATION OF  
ROCKY ROAD  
EMERGENCY**

CAO Carunchio explained that Board was being asked to declare a local emergency because, in addition to keeping County Road Department crews busy plowing local roads, the storms earlier in the year caused a major rock fall on the newly rehabbed Whitney Portal Road. By that time, the Governor had already declared a statewide emergency as a result of the atmospheric river weather phenomena across California. Public Works Director Clint Quilter presented the Board with a PowerPoint presentation showing some of the damage caused and the size of the boulders blocking the road. He said a gigantic portion of solid cliff face gave way, leaving boulders the size of small houses on the road. He said he thinks it may have been caused by a freezing and thawing cycle during the recent storms. He said Public Works is working with Caltrans to schedule blasting of the boulders and anticipated it would be about three weeks until they were small enough to push over the edge of the roadway. Quilter said in order to do that, the Department was working with the Forest Service, Fish and Wildlife, Lahontan Water Quality Control Board, and Army Corps of Engineers. He said until the rocks are off the road, the extent of the damage is unknown, although the road has sunk and its edges and shoulders are gone. Despite the mess and challenges, he said the Department will do whatever it takes to get the road open for spring – including installing automatic stoplights to let traffic through via a single lane if necessary. Quilter also mentioned the need for a geotechnical engineer to help crews safely sort out the Jenga-like puzzle that still exists on the cliff face. He anticipated a \$30,000 to \$35,000 contract for the engineer, and \$500,000 total for the rock removal and another \$800,000 for road rehab. Supervisor Griffiths asked if the emergency declaration would cover storm damage that is currently happening around Inyo County. CAO Carunchio said it is specific to the rockfall but can be adjusted. Quilter noted that Public Works got word of a rockfall on Horseshoe Meadow Road but he thinks it can be handled by the Department. Supervisor Kingsley said he appreciated the speed with which Public Works is addressing the situation, since Whitney Portal Road is very important to the economy of Lone Pine and people have cabins up there they need to access up there. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to: A) approve a resolution titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Confirming and Ratifying the Declaration by the Director of Emergency Services for the County of Inyo, Proclaiming the Existence of a Local Emergency," known as the Rocky Road Emergency, related storm systems resulting from atmospheric river weather phenomena that began January 3, 2017, which caused flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County; and B) authorize the County Administrative Officer or his designee to make revisions to the resolution, as appropriate or if requested by the Office of Emergency Services, and to proceed in executing the resolution without further review by the Board. Motion carried unanimously.

**GULLY WASHER  
EMERGENCY**

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh 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 4-0 (Supervisor Pucci was out of the room at the time the vote took place).

**LAND OF EVEN LESS  
WATER EMERGENCY**

Moved by Supervisor Totheroh and seconded by Supervisor Griffiths 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 4-0 (Supervisor Pucci was out of the room at the time the vote took place).

**DV DOWN BUT NOT**

Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to continue the local

*OUT EMERGENCY*

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 4-0 (Supervisor Pucci was out of the room at the time the vote took place).

*CAO – MID-YEAR  
BUDGET  
PRESENTATION*

CAO Carunchio presented the Mid-Year Budget, the purpose of which he said is to “true up” the Fiscal Year 2016-2017 budget wherever necessary to ensure it remains balanced through the remainder of the fiscal year. He advised the Board the projections and adjustments recommended here are only as good as the information provided by the Department and to which they have access. He noted that the changes between the budget approved by the Board in September and the current working budget are due to two things: prior year encumbrances that automatically roll over once the budget is approved and any subsequent budget amendments. He said the Mid-Year Budget reflects about a half-million dollar increase in revenue over the working budget and a \$371,000 increase in expenses over the working budget. Carunchio added that any encumbrances that are unencumbered from prior years show up in contingencies. He discussed some of the drivers of the budget increases, including \$141,000 in airport improvement grant fund reimbursement, a \$60,000 increase in Mental Health expenditures, a \$75,000 cannabis consultant contract, two grant budgets being increased to reflect higher allocations, \$14,000 in additional rent for repeater sites, and an \$81,000 increase in Social Services costs. Supervisor Griffiths asked what the Mental Health costs were. Senior Budget Analyst Denelle Carrington said a combination of new staff, replacing old furniture and an increased need for food at Progress House. Carunchio said the Mid-Year Budget recommends taking \$89,000 out of Contingencies to pay for the repeater rent and the cannabis consultant contract. He said one of the things the Board might want to consider either today or during the third quarter budget review is adding another \$50,000 from contingencies to the OPEB Trust Fund. After an additional request anticipated next week from Public Works for an emergency contract related to the Rocky Road Emergency, Carunchio said another contribution to OPEB would still leave about \$150,000 in Contingencies. He noted that this year’s budget is tracking well but there are numerous issues – good and bad – the Board needs to be aware of that could impact next year’s budget, including: the potential repeal of the ACA and loss of about \$20 billion in underpinnings for the state; the mandate for Inyo County to begin paying off its CalPERS unfunded liability; a 4.5% increase in City of L.A. property tax assessments next year; the potential for the federal government to withhold geothermal royalties under a new administration; and a 12% increase in hotel bed tax for the County. Supervisor Griffiths asked when construction was expected to begin at Furnace Creek. Supervisor Kingsley said some work has started, but bed will really be impacted when Xanterra takes out the building that serves food and loses a few of its rooms – probably in late spring. Carunchio said the County has asked for some in-house projections while trying to respect the resort’s proprietary information. Supervisor Kingsley said Xanterra anticipates a significant hit to their income from the project. Carunchio continued with issues for the Board to consider, including: \$1.8 million in PILT funding in this year’s budget; the possible realignment of the Child Support Services program; personnel costs, which account for 65% of the General Fund, increasing with new labor contracts; the need to leverage Realignment funds to support the General Fund and not create new levels of bureaucracy; and ongoing legal costs associated with the Tecopa Sewer Lagoon Project, siphoning dollars that otherwise could be spent on park projects. Carunchio further noted that the Board made 10 Budget Control Policies permanent last year, including maintaining the Authorized Position Review Process. However, he said, Chairperson Tillemans suggested the Board might want to revisit the necessity of having to approve every single request to fill a vacancy inside a Department’s authorized strength. Carunchio said the process might seem cumbersome on its face, but it is a good way to determine whether positions funded by the General Fund need to be filled, or whether internal recruitments are appropriate. On the other hand, the requests take up a lot of room on the agenda – today’s agenda included five hiring requests out of 20 agenda items, he said – and take up staff time. He said the Board might consider allowing Departments with requests inside their authorized staffing levels to go to Personnel for permission. He said if Personnel turns down a request, the Departments can still go to the Board for approval. Supervisor Pucci noted that in Fiscal Year 2015-2016, there were 22 departments that needed to adjust their budgets, last year that number came down to 1, and this year it’s back up to four. He asked Carunchio which departments were having appropriation issues. Carunchio said he couldn’t answer because it wasn’t necessarily departments but budgets that needed adjusting. He said the need to adjust budgets is a concern but there are always unforeseen circumstances that require change. He said overall he is thrilled to have four budgets needing adjustments instead of 30 like in the past. Supervisor Griffiths said he was in favor of adding more funding to the OPEB

Trust, but said in light of the severe weather lately, thought the County should wait to make that move until the Third Quarter. Supervisor Kingsley agreed. Supervisor Griffiths also said he likes to see the hiring requests come before the Board because it's useful to assess whether a Department's authorize strength still makes sense. He added that some of the routine requests take longer to read than approve but still finds the process helpful. Chairperson Tillemans asked whether, besides the monthly reports the Board receives about job vacancies and recruitment efforts, there is another way to stay informed about the filling of positions. Carunchio said the report and the Budget are the two best snapshots the Board has. Chairperson Tillemans said the Board might want to consider the matter further. Supervisor Kingsley said he was in favor of keeping the policy in place, and thought it was important to be able to engage with the Department Heads. He said sometimes the Board didn't have questions about hiring requests, but sometimes they had a lot. Chairperson Tillemans said if the rest of the Board didn't see a need for further discussion, there was no need to revisit it at a future meeting. Supervisors Pucci and Totheroh were also in favor of maintaining the policy. Moved by Supervisor Pucci and seconded by Supervisor Griffiths to: accept the Fiscal Year 2016-2017 Mid-Year Financial Report as presented; B) approve the specific budget action items and recommendations discussed in the report, and represented in Attachments A & B (4/5ths vote required); and C) continue to insist upon revenue attainment and expense savings in order to maximize year-end Fund Balances. Motion carried unanimously. Chairperson Tillemans thanked Carrington and Auditor-Controller Amy Shepherd and her staff for their work on the Mid-Year Budget.

**BOARD CLERK –  
APPROVAL OF  
MINUTES**

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the minutes of the regular Board of Supervisors meetings of January 3, 2017, January 10, 2017, and January 17, 2017, and the Special Board of Supervisors meeting of January 12, 2017. Motion carried unanimously.

**PUBLIC COMMENT**

Earl Wilson of Lone Pine, an alternate on the Natural Resource Advisory Committee, said he thought alternates to committees should be attending the meetings so there is continuity in representation. He said if they don't know what's going on, there's no purpose in having an alternate. He then showed maps of the areas where the BLM proposes metallic mineral mining withdrawal, which were presented at the last NRAC meeting.

**BOARD MEMBERS  
AND STAFF REPORTS**

Supervisor Kingsley said he has spent a lot of time working on the mining withdrawal issue of the last two weeks, including a lot of engagement with mining agencies and individuals concerned about the impacts. He said he is working on a letter to send to Acting Secretary of the Interior Ryan Zinke to reconsider the last-hour move by the BLM as well as the 1% disturbance caps proposed for areas of Inyo County. He said he met with constituents in Olancha who have various concerns, one of which is a piece of property blowing dust onto U.S. 395 and creating a public nuisance. He said he is working with the Air Pollution Control District and the D.A. on the issue. Kingsley also mentioned a public meeting in Lone Pine tonight regarding Portagee Joe Campground. He said he went to RCRC on January 17 and got an update on the governor's budget and various legislative actions, including the transportation bill.

Supervisor Pucci thanked staff for its snow removal and water containment activities during and after the recent storms. He said the proactive actions that were taken and are still being taken are important. He said the crews, despite limited staffing, are doing a great job. Pucci also brought up ongoing concerns being expressed to him by constituents regarding short-term vacation rentals and storage containers in residents' front yards.

Supervisor Griffiths said he took part in the Point in Time County conducted by IMACA. He said it may not reflect Inyo County's true homeless population as the count doesn't consider couch-surfing and other arrangements as homelessness and it was very cold the night of the count. He said it may not be down, because he did follow-up research at the Soup Kitchen, but it could be down because LADWP did a recent sweep of its lands and cleaned out many encampments. Griffiths thanked HHS Director Jean Turner for coordinating with IMACA to provide emergency shelter for homeless individuals during the storms. He said at one point, hotel vouchers were provided for 20 to 30 people, including children. Griffiths also mentioned the Search and Rescue dinner where the new captain was installed. He also talked about a grant received by the Eastern Sierra Council of Governments to form the Inyo-Mono Broadband Consortium.

CAO Carunchio said he knows the supervisors are all getting hit with varying opinions about short-term vacation rentals. After the Planning Department held two workshops on the matter without a lot of public participation, staff turned its focus to cannabis regulations. However, he said he believes the issue will be taken up again at the Planning Commission level, with possible direction from the Planning Commission for staff to begin soliciting input from communities. He said he suggested the Planning Department turn one of its unused phone lines into a short-term vacation rental complaint hotline. He reminded the Board that current enforcement of the ban on short-term vacation rentals is complaint-driven, and also suggested a form to explain this particular code enforcement process, including the type of information needed. He said this will allow people to file complaints and staff to follow up on them in a reasonable manner. He also mentioned that right now LADWP is spreading water throughout the valley out of necessity, but this doesn't necessarily mean the Department would be amenable to doing so later this year. He also forewarned the Board that delays with the franchise agreement with waste haulers would likely mean a delay in implemented the gate fee rate adjustment until April.

Chairperson Tillemans said, regarding short-term vacation rentals, it is not just one website anymore helping to make them available, but a lot of them. He said he is getting a lot of complaints and knows a lot of staff time is being spent on the matter. He said it seems like having a process in place for dealing with them in a streamlined fashioned would be worthwhile.

*ADJOURN*

Chairperson Tillemans adjourned the meeting at 1:07 p.m. in memory of Marta Becket, to 8:30 a.m. Tuesday, February 14, 2017 in the County Administrative Center in Independence.

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Chairperson, Inyo County Board of Supervisors

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

*by: \_\_\_\_\_  
Darcy Ellis, Assistant*