

MINUTES



County of Inyo Board of Supervisors

August 1, 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 August 1, 2017, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Mark Tillemans, presiding, Dan Tothoroh, Jeff Griffiths, Rick Pucci, and Matt Kingsley.

PUBLIC COMMENT Chairperson Tillemans asked for public comment during the first public comment period and there was nobody wishing to address the Board.

CLOSED SESSION Chairperson Tillemans recessed open session at 8:34 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 Section 54956.9 (two cases); 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 10:07 a.m. with all Board members present.

PLEDGE Kelley Williams, Assistant to the County Administrator, led 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 recess to closed session later in the meeting to continue discussions.

PUBLIC COMMENT Chairperson Tillemans asked for public comment during the second public comment period.

Duane Rossi of Big Pine asked whether the Board could do anything about the Department of Fish and Wildlife dividing dove season between the first part of September and middle part of November, when he doesn't believe there are any dove around. He said he thinks the change will hurt the economy. Supervisor Pucci suggested Rossi write a letter to the Inyo County Fish and Game Commission, or send it to the Board of Supervisors for forwarding to the Commission.

Jimmy Roberts told the Board the County needs a better Veteran Service Office, with better access and generally more space. He added that there should be a conference room where veterans could meet with representatives of Veterans Helping Veterans.

Earl Wilson of Lone Pine registered a complaint about the growing number of scrolling, blinking, animated LED signs being erected along U.S. Highway 395 by businesses, particularly in the South County. He said they are a distraction to drivers and therefore a traffic hazard.

**COUNTY
DEPARTMENT
REPORTS**

Auditor-Controller Amy Shepherd provided an update on the County's CalPERS payment that the Board approved last fiscal year as part of an accelerated 20-year amortization plan to pay off the County's share of the State's unfunded pension costs. She said when her office called to set up the payment, CalPERS advised Inyo County to wait locking in its payment plan because CalPERS was in the process of updating actuarials based on its Fiscal Year 2015-2016 earnings (which were zero). The lack of earnings has increased the County's actuarial by \$11 million, meaning it will have to pay an extra \$1 million if it locks in now. Shepherd said there is a new option available to the County with regard to paying off its liability that she will be presenting to the Board in a workshop in coming weeks.

INTRODUCTIONS

Public Works Director Clint Quilter introduced the Road Department's new Equipment Operator I's to the Board: Guillermo Gutierrez, Brandon Abbott, and Kyler Hanson.

**INFO SERVICES –
PITNEY BOWES
BLANKET P.O.**

Moved by Supervisor Pucci and seconded by Supervisor Tothoroh to approve a blanket purchase order to Pitney Bowes Purchase Power in the amount of \$60,000 for postage, contingent upon the Board's adoption of the Fiscal Year 2017-2018 budget. Motion carried unanimously.

**CAO-PUBLIC
DEFENDER – STEVEN
M. PLACE CONTRACT
AMENDMENT #2**

Moved by Supervisor Pucci and seconded by Supervisor Tothoroh to approve Amendment No. 2 to the agreement between the County of Inyo and Steven M. Place for the provision of Professional Services as a Public Defender (Dependency) extending the end date to September 30, 2017 and increasing the contract amount by \$8,333.34, contingent upon the Board's adoption of the Fiscal Year 2017-2018 budget, and authorize the Chairperson to sign. Motion carried unanimously.

**PURCHASING –
OFFICE DEPOT
BLANKET P.O.**

Moved by Supervisor Pucci and seconded by Supervisor Tothoroh to approve a blanket purchase order to Office Depot through the TCPN Cooperative Purchasing Network in an amount not to exceed \$120,000 for office supplies and consumable computer/printer supplies for the 2017-2018 Fiscal Year, contingent upon the Board's adoption of the Fiscal Year 2017-2018 budget. Motion carried unanimously.

**HHS-SOCIAL
SERVICES – PITNEY
BOWES BLANKET P.O.**

Moved by Supervisor Pucci and seconded by Supervisor Tothoroh to approve a blanket purchase order to Pitney Bowes in the amount of \$15,000 for postage in the Social Services Program, contingent upon the Board's adoption of the Fiscal Year 2017-2018 budget. Motion carried unanimously.

**PUBLIC WORKS –
ANNEX BUILDING
FLOORING PROJECT
N.O.C./RESO #2017-31**

Moved by Supervisor Pucci and seconded by Supervisor Tothoroh 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 Annex Building Flooring Project." Motion carried unanimously.

**PUBLIC WORKS – BP
TOWN HALL HEATER
PROJECT
N.O.C./RESO #2017-32**

Moved by Supervisor Pucci and seconded by Supervisor Tothoroh 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 Big Pine Town Hall Heater Replacement Project." Motion carried unanimously.

**SHERIFF (ANIMAL
SERVICES) – KMART
BLANKET P.O.**

Moved by Supervisor Pucci and seconded by Supervisor Tothoroh to approve a blanket purchase order to Kmart in the amount of \$13,000 for food and supplies for Animal Services, contingent upon the Board's adoption of the Fiscal Year 2017-2018 budget. Motion carried unanimously.

**SHERIFF – OFFICE
DEPOT BLANKET P.O.**

Moved by Supervisor Pucci and seconded by Supervisor Tothoroh to approve a blanket purchase order to Office Depot in the amount of \$15,000 for office supplies for the Sheriff's Department administration and substations, contingent upon the Board's adoption of the Fiscal Year 2017-2018 budget. Motion carried unanimously.

**HHS – CA DEPT. OF
SOCIAL SERVICES
LEGAL CONSULT
CONTRACT**

Interim HHS Director Marilyn Mann introduced the agenda item as part of the State's ongoing efforts to implement the full scope of Continuum of Care Reform. She said Inyo County historically uses the no-cost legal service for its foster care licensing program. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to ratify and approve the contract between the County of Inyo and State of California Department of Social Services for the

provision of legal consultation and representation in administrative action appeals associated with the Resource Family Approval program, for the period of January 1, 2017 through June 30, 2019, and authorize Interim HHS Director Marilyn Mann to sign. Motion carried unanimously.

*HHS-FISCAL – ECHO
GROUP CONTRACT*

HHS Senior Management Analyst Melissa Best-Baker explained that HHS previously used Echo Group for electronic health record storage and is in the process of finding alternatives to their services altogether. She explained a less expensive version of previous contracts is necessary this fiscal year so that HHS can still access data remaining on their system. Moved by Supervisor Pucci and seconded by Supervisor Totheroh to ratify and approve the agreement between the County of Inyo and the Echo Group for a total amount not to exceed \$18,125 for the period of July 1, 2017 to June 30, 2018, contingent upon the Board's adoption of the Fiscal Year 2017-2018 budget, and authorize the Chairperson to sign the contract and the HIPAA Business Association Agreement. Motion carried unanimously.

*HHS-FISCAL – OFFICE
TECHNICIAN III*

HHS Senior Management Analyst Melissa Best-Baker said an Office Tech III vacancy was created by a staff member leaving the area and there is a chance an existing staff member may apply to fill the vacancy. 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 a full-time Office Technician III exists in various non-General Fund HHS budgets, as certified by the Acting Director of Health and Human Services and concurred with by the County Administrator and the 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 candidates apply; C) approve the hiring of one (1) Office Technician III at Range 63 (\$3,716 - \$4,522); and D) if an internal candidate is hired within the division, authorize HHS to backfill the resulting vacancy. Motion carried unanimously.

*HHS-PUBLIC HEALTH
– PREVENTION
SPECIALIST*

HHS Deputy Director - Public Health and Prevention Anna Scott said a Prevention Specialist vacancy was created as the result of a promotion to another division, and requested authorization to backfill the position. Moved by Supervisor Griffiths 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 a full-time Prevention Specialist exists in non-General Fund budgets, as certified by the Interim 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, however an open recruitment would be more appropriate to ensure qualified candidates apply; and C) approve the hiring of one (1) Prevention Specialist at Range 60 (\$3,471 - \$4,216). Motion carried unanimously.

*HHS-PUBLIC HEALTH
– FREESTANDING
NON-HOSPITAL
REIMBURSEMENT
PROGRAM*

HHS Senior Management Analyst Melissa Best-Baker provided an explanation of the Public Freestanding Non Hospital-Based Clinics Supplemental Reimbursement Program, which would provide supplemental reimbursement to HHS' health clinic based on uncompensated costs for providing Medi-Cal fee services. She said the reimbursements would cover 2006 to 2015-2016 and while it's still unknown how much the County will receive at this time, she believes the payment could be significant. Moved by Supervisor Griffiths and seconded by Supervisors Pucci to ratify and approve Health and Human Services' participation in the Public Freestanding Non Hospital-Based Clinics Supplemental Reimbursement Program and authorize the Interim HHS Director to sign the provider participation agreement, effective July 1, 2015 until the agreement is terminated or the Program ends. Motion carried unanimously.

*HHS-PUBLIC HEALTH
– CDPH EMERGENCY
PREPAREDNESS
CONTRACT*

HHS Deputy Director - Public Health and Prevention Anna Scott introduced the agreement as being part of a series of three disaster preparedness grants the County has received for the past 16 years. She said this grant allows the County to work with hospital and pre-hospital providers on disaster response, particularly scenarios involving hospitals reaching capacity during large public health emergencies. Moved by Supervisor Totheroh and seconded by Supervisor Pucci to ratify and approve Standard Agreement No. 17-10159 between the County of Inyo and California Department of Public Health (CDPH) for the provision of Local Public Health Emergency Preparedness, in an amount not to exceed \$1,426,710 for the period of July 1, 2017 through June 30, 2022, contingent upon the Board's approval of future budgets; and authorize Interim HHS Director Marilyn Mann to sign Standard Agreement No. 17-10159, the Civil Rights Laws attachment, the Non-Supplantation form, the Contract Certification Clauses, and the Lobbying Certificate. Motion carried unanimously.

*HHS-PUBLIC HEALTH
– SIERRA CLINICA
CONTRACT*

Chairperson Tillemans noted that the agenda language needed to include the request to “authorize the Chairperson to sign.” HHS Deputy Director - Public Health and Prevention Anna Scott introduced a contract between the County and a small clinic in Shoshone, owned by a larger company based in Bakersfield. She said the County has had a small contract with the clinic for more than a decade to provide a wide variety of services to the residents in Southeast Inyo. She noted that after being closed for eight months, a new nurse practitioner is on board and considering expanding to Furnace Creek. Supervisor Kingsley added that residents in that region have to go to Pahrump, NV for the health care services they cannot find in their own communities. Scott said HHS is acutely aware of the lack of medical coverage in Southeast Inyo and in addition to keeping a close eye on the situation, tried to entice providers to offer coverage during Sierra Clinica’s coverage. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to ratify and approve the agreement between the County of Inyo and Clinica Sierra Vista of Bakersfield, CA for the provision of medical services in an amount not to exceed \$7,500 for the period of July 1, 2017 through June 30, 2018, and authorize the Chairperson to sign. Motion carried unanimously.

*INFO SERVICES –
CREST AGREEMENT
RENEWAL*

Information Services Director Scott Armstrong brought forward the renewal of the County’s Property Tax Management System software maintenance agreement, which he said would hopefully last long enough to allow the County to move on to a different system. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to ratify and approve the renewal of a Software Maintenance Agreement between Crest Software Corporation and the County of Inyo for the County’s enterprise Property Tax Management System in an amount not to exceed \$34,040 for the period of July 1, 2017 through June 30, 2018, contingent upon the Board’s adoption of the Fiscal Year 2017-2018 budget. Motion carried unanimously.

*INFO SERVICES –
MS-ISAC AGREEMENT*

Information Services Director Scott Armstrong said a free, federally funded program could be a valuable resource for the County as it works to make its systems and users more secure in their operations. Moved by Supervisor Pucci and seconded by Supervisor Griffiths to ratify and approve a no-cost Member Agreement between the Multi-State Information Sharing Analysis Center of the United States and the County of Inyo, and authorize the Chairperson to sign. Motion carried unanimously.

*HERE IT COMES
EMERGENCY*

CAO Carunchio reported that the snow pillow is finally diminishing, the water levels in most ditches throughout the valley are subsiding, and creek flows between Bishop Creek and Cotton Creek have dropped dramatically. He provided updates from yesterday’s Unified Command meeting, including the report from LADWP that Crowley Lake is at 151,000 acre-feet, with enough capacity for 30,000 more acre-feet and thus no likelihood of spilling. He said Southern California Edison will be providing the County with details on its intentional spilling of Lake Sabrina. Carunchio also reported that mosquitoes have tested positive for West Nile Virus for the first time since 2011, and the Ag Commissioner has been working with Public Health to get good, timely information out to the public. He explained that in order to address the problem, Owens Valley Mosquito Abatement will need to conduct aerial applications of larvacide on multiple geographic locations that cannot be accessed by ground because of flooding from LADWP’s water-spreading efforts. He said the County does not have the \$250,000 in its budget for the aerial applications, but there are potential funding sources: from the State, if the Governor declares a State of Emergency in support of the local Here It Comes Emergency; from FEMA, if the State finds the runoff emergency is covered under the Governor’s two proclamations for the January winter storm emergencies, which were reaffirmed by Presidential Declarations of Emergency; or from LADWP, to whom Ag Commissioner Nate Reade sent a funding request last week. Carunchio noted that while LADWP’s water-spreading efforts have been tremendously successful in stemming the tide of the massive runoff, and are continuing at a rate of about 1,000 acre-feet a day, they have also created the massive mosquito breeding grounds. Public Works Director Clint Quilter provided an update on local roads, noting that everything previously closed is now open, with the exception of Brockman Lane, North Round Valley Road, and McDonald Road, which will be opened to one lane tomorrow. He said staff is now moving on to repairs and paperwork necessary to apply for funding through either the State or Federal government. He also said staff will be meeting with the Forest Service to discuss a plan for repairing Buttermilk Road. Moved by Supervisor Totheroh and seconded by Supervisor Pucci to continue the local emergency known as the “Here It Comes Emergency” that was proclaimed in anticipation of run-off conditions from near-record snowpack posing extreme peril

to the safety of property and persons in Inyo County. Motion carried unanimously.

*ROCKY ROAD
EMERGENCY*

Moved by Supervisor Griffiths and seconded by Supervisor Pucci to continue the local emergency known as the “Rocky Road Emergency” that was proclaimed as the result of flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County caused by an atmospheric river weather phenomena that began January 3, 2017 and continued throughout February. Motion carried unanimously.

*LAND OF EVEN LESS
WATER EMERGENCY*

Moved by Supervisor Kingsley 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 existed until recently in the County, while considering how to address the ongoing hydrologic issues in West Bishop. Motion carried unanimously.

*GULLY WASHER
EMERGENCY*

Moved by Supervisor Griffiths 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.

*DV DOWN BUT
NOT OUT
EMERGENCY*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci 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.

*CLERK OF THE
BOARD – APPROVAL
OF MINUTES*

Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to approve the minutes of the regular Board of Supervisors meetings of June 27, 2017, July 11, 2017, and July 18, 2017. Motion carried unanimously.

RECESS/RECONVENE

Chairperson Tillemans recessed the meeting at 11:10 a.m. and reconvened the meeting at 11:23 a.m. with all members present.

*COUNTY
COUNSEL/CAO/
WATER DEPT. – JPA
TO FORM GSA*

CAO Carunchio presented the question before the Board: whether to join eight other local governments and special districts that have voted to participate in a Joint Powers Authority (JPA) intended to serve as a regional Groundwater Sustainability Agenda (GSA) in conformance with the requirements of the State Groundwater Management Act (SGMA). He said if the Board chooses not to join the JPA, Inyo County would remain the GSA for the portions of the Owens Valley Groundwater Basin not covered by another GSA, and the Board would become its governing board. He noted that the State identified a total of 13 local agencies that were eligible to form GSAs in the Owens Valley, and four of those (including Inyo County) have filed to become GSAs for portions of the basin; the remaining three have opted to join the JPA. Carunchio offered some history on the JPA, including the Board approving a Governance and Financing Framework for the JPA on February 21 and principals by which the County would work with other GSAs to develop a single Groundwater Sustainability Plan. Carunchio noted that the Board received correspondence from constituents on today’s agenda item, which was distributed by staff. Assistant County Counsel John Vallejo presented the articles of the JPA. He noted first that the process developing the JPA was long and involved, with several agencies proposing numerous revisions. He said the changes that were incorporated ultimately made the JPA a better document. Other changes were not incorporated because staff decided they either ran contrary to the goals of the JPA partnership or created the potential for unintended consequences down the road. He said staff set out to create a JPA that at the end of the day would ensure the entities could accomplish the primary goal of sustainability, but which was also fair and inclusive of the variety of entities involved, and also strived to balance the disparate sizes, stakes, and resources of the numerous agencies eligible to participate. Vallejo then reviewed the JPA’s six articles, the first of which covers membership. He said the County gave the agencies an August 1 deadline to join. New members can join after August 1 but the existing members must concur. He said as of today, nine agencies have voted to join the JPA. He said Article II addresses the purpose, powers and duties of the JPA, most of which have been set forth by SGMA and include charging fees and implementing a Groundwater Sustainability Plan. Article II also outlines the process by which the JPA becomes the GSA for the basin, and how those agencies who have already filed to become GSAs rescind their applications. Vallejo discussed the issue of budgets. He said the initial GSP development budget being prepared by the Water Department will essentially serve as a road map for the other eligible agencies to decide whether they want to contribute funds or not. Agencies may

participate without providing funds. He said the budget can be amended by the JPA later on. Article III addresses officers and staff. Vallejo said Inyo County will be the Treasurer, and the JPA will have to select an Executive Manager. Article IV deals with member funding and voting, which Vallejo said was a major topic of discussion during development of the JPA. He explained that staff worked to create an equitable framework to ensure nobody was excluded for lack of funding, but also avoid conferring outsized voting rights on small, non-contributing agencies. The JPA includes a sliding scale for votes based on contributions, with the minimum number of votes set at 2 for zero funding contributions. Contributing equal funding shares is worth 4 votes. Together, all eligible agencies will have control of a minimum of 70 percent of the votes. Vallejo said one of the main concerns expressed to the County is that an entity can "buy up" all the votes. He said this is a legitimate concern, but the alternative is Inyo County being the sole GSA with all of the voting power. He said the JPA and its attempt at equity shares some of the decision-making power. Supervisor Griffiths said one way to look at it is that half of the available votes are apportioned based on membership and the other half according to funding. CAO Carunchio added that, under the JPA's voting mechanism, very small Community Service Districts without the resources to become GSAs can still participate as voting members without having to contribute funding. He said the "vote-buying" concept is nonsense, because the only way any member will have more voting authority than another is by those members choosing not to contribute an equal amount of funding. Vallejo said there are also "Associate members" invited to the table of the JPA who are not eligible to form GSAs, including Tribes (2 votes with no required funding), a federal agency (2 votes with no funding required), LADWP (4 votes with funding required), and three Mutual Water Companies (2 votes each with funding required). He also cited a list of potentially interested parties who will be allowed to sit on the JPA Board with one vote, as decided by the JPA. He said there is also the possibility the interested parties can be assigned to commissions that report back to the JPA.

RECESS/RECONVENE Chairperson Tillemans recessed the meeting at 12 p.m. so that the Board could attend the public swearing-in ceremony for the 2017-2018 Grand Jury, and take a lunch break. Chairperson Tillemans reconvened the meeting at 1:10 p.m.

*COUNTY
COUNSEL/CAO/
WATER DEPT. –
JPA TO FORM GSA*

Assistant County Counsel Vallejo continued his discussion of the JPA articles. Chairperson Tillemans opened the floor to public comment. Earl Wilson of Lone Pine spoke about his experiences observing the formation of a JPA in Indian Wells Valley. He said he believes the budget needs more work, but it is important the County is involved because of the town water systems. He said the document is in need of editing and is inconsistent with its references to state agencies. CAO Carunchio said the Board is not in a position to be making changes to the final document. He also recommended including California-recognized Tribes in addition to federally-recognized Tribes in the Memorandum of Understanding. The Board asked for clarification and he said he would return after looking for his documentation. April Zrelak of the Lone Pine Paiute Shoshone Reservation asked whether Article V 1.2.2 would apply to Tribes and was told yes. She said the Tribe was concerned about the language in Article V 1.3.3 that exempts LADWP from complying with the GSP if it directly conflicts with the Water Agreement, and suggested a change that would require both LADWP and the County agreeing to the existence of a conflict. County Counsel Rudolph reiterated the point that the JPA cannot be changed at this juncture; the Board is being asked to sign something that has already been signed by other agencies. He said the JPA Board can agree to make amendments to the document at a later time. Zrelak said she made the same comment when a draft was being circulating but never received any response. CAO Carunchio noted that in forming the JPA, the focus was on the eligible agencies that SGMA allows or obligates to form GSAs, but her comment is a good one. Zrelak suggested the sentence about exemptions be stricken from the document altogether. Philip Anaya of Bishop said nearly every domestic water supply derives from the non-adjudicated portion of the water basin which should make the number-one priority of the GSP protection of the water table for domestic water use, which he said is not an interest shared by LADWP. He said as a stakeholder he was not consulted about the development of the JPA, which he said is not required by SGMA. He said the idea was for a local entity to become a GSA to develop a GSP that stakeholders could put what they wanted in it to control the water table. He sees a conflict with LADWP's involvement. Anaya also took issue with the August 1 deadline and lack of public meetings, and agreed with the Big Pine Tribe's request for a delay of the vote in lieu of a workshop. Supervisor Griffiths clarified that the issue at hand is whether or not the Owens Valley should have one entity drafting a GSA or 13 separate entities drafting 13 separate GSAs. He also noted that the Board held two public workshops on the matter. Anaya said his issue is with LADWP being allowed to "play for pay," to which Supervisor Griffiths reminded him that LADWP would get 4 votes out of a total of potentially dozens. Anaya

said the number doesn't matter; the one entity with cross-purposes to the others should not be allowed to join. Supervisor Totheroh said there has to be some mechanism for bringing the different eligible agencies together. CAO Carunchio offered a recap for perspective, noting that four local eligible agencies stepped up by the State's June 30 deadline to become GSAs for the local water basin to prevent the State from coming in and levying fees. He said the County could have joined the other nine local eligible agencies in doing nothing and not have to worry about the funding obligations that came with becoming a GSA. He said numerous considerations will be taken up in time. He said the comment regarding LADWP being allowed to "pay to play" was unfounded, although not new. He said LADWP's minimum contribution, as stated in the agreement, will be determined by a majority vote of the members of the JPA. Ken Toy of the Meadowcreek Water Association submitted a letter that he wanted entered into the record as part of his public comment. He also wanted the record corrected, in reference to an earlier comment from staff that the mutual water companies believed they were authorized under SGMA to form GSAs, to reflect the fact that the Meadowcreek Water Association never believed it could form a GSA per SGMA. Rather, he said, the Association asserts it has standing to fully participate in whatever GSA is formed. He said the Association objects to the limit of the number of mutuals allowed to participate in the JPA and the fact that the JPA must vote to allow their participation. He says both provisions are in conflict with statute. He also said this has not been a transparent or inclusive process with regard to mutual water companies. CAO Carunchio reiterated that the focus in preparing the JPA has been with the other eligible agencies that are allowed under law to form GSAs or participate in forming a JPA. He said the Association was nevertheless represented at some of those meetings, with Mr. Toy in attendance at one. He said the end result is a more robust role for the mutual water companies than was originally discussed. Burt Almond of Park West Mutual Company said the Company is opposed to not having representation on the JPA board until later in the process, and not as full members, and said the lawyers will have to sort it out. Earl Wilson of Lone Pine returned to continue his comments regarding section 2.1.19 and the need to include reference to California-recognized Tribes. He also asked that "Environmental User" be defined in Attachment A. He encouraged the County to join the JPA. CAO Carunchio discussed the timeline for the process again, which includes the Water Department developing a budget for the GSP development, developing an RFP for a consultant to develop the plan, then applying for grant funding, which could be available in December or January. Vallejo then addressed some of the comments made during public comment. He said the JPA gives LADWP a reason to collaborate on groundwater management of the non-adjudicated areas of the basin. And while the JPA is not a mandated entity, the County is not mandated to become a GSA. The State can come in and take over with onerous fees. He also noted that Tribal consultation on the JPA is not mandated by law. CAO Carunchio noted that there was a substantial amount of outreach that involved Tribes. Vallejo said an agreement must be created in order for mutuals to participate, and that agreement lies with the JPA Board. He said there was extensive discussion about the number of seats for mutuals, and other associates, considering there could be a maximum of 26 seats and quorum challenges will already be an issue. County Counsel Rudolph noted that all of the agencies who have signed on to the JPA already have not been completely happy with the agreement but they recognized it as being better than the alternative of the State coming in and taking over. He said the JPA is a compromise package deal with tradeoffs that the parties can accept or not. Vallejo said the bottom line is the County strove for maximum participation and transparency. He said without the JPA option, there would be four GSAs vying for limited grant funding to complete individual GSPs and if the County had done nothing, the State would be establishing water rates. The Board weighed in next. Supervisor Kingsley said the County's ultimate goal is sustainable groundwater. He said he doesn't like the implication that some members of the public were excluded from the process. He also noted that including the mutual water companies is above and beyond what other jurisdictions have done. Supervisor Pucci said forming the JPA allows for the input of more than just one agency and creates stronger leadership through a group dynamic. Supervisor Totheroh said he wished SGMA were a simpler law, but said the JPA is as good an option as the County is going to get right now. He said he did have concerns with the number of voices at the table but it's time to move ahead and let the JPA Board tweak as necessary. Supervisor Griffiths thanked those in attendance and all who participated throughout the JPA formation process. He said Kern County's GSA process was much more contentious. He said he is proud of the effort staff put forward in including as many agencies as are included and said it will create a strong voice with LADWP. He said it's time for the County to move on. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) join the Owens Valley Groundwater Authority; B) authorize and direct the Board Chairperson to sign the "Joint Exercise of Powers Agreement Creating the Owens Valley Groundwater Authority" (JPA); C) designate Supervisor Totheroh a Primary Director and Supervisor Griffiths

Alternate Director to represent the County of Inyo on the Owens Valley Groundwater Authority Board; and D) direct staff to proceed, according to the JPA to form the Owens Valley Groundwater Authority, to take steps necessary to become the Groundwater Sustainability Agency for the Owens Valley Groundwater Basin, in cooperation with other JPA signatories. Motion carried unanimously.

- PUBLIC COMMENT* Chairperson Tillemans asked for public comment during the final public comment period.
- Earl Wilson of Lone Pine reiterated his concerns about lighted signs along U.S. Highway 395, and encouraged the Board to check out the sign at the south end of Independence as an example.
- CLOSED SESSION* Chairperson Tillemans recessed open session at 3:15 p.m., to continue discussion and possible action as appropriate on previously noted closed session items with all Board members present.
- OPEN SESSION* Chairperson Tillemans recessed closed session and reconvened the meeting at 3:40 p.m. with all Board members present.
- REPORT ON CLOSED SESSION* County Counsel Rudolph reported no action was taken during closed session that is required to be reported.
- CORRESPONDENCE-ACTION – MILLPOND CLOSURE* Moved by Supervisor Totheroh and seconded by Supervisor Pucci to authorize the closure of Millpond Recreation Area to the public from 7 a.m. on Friday, September 15, 2017 through 11 p.m. on Sunday, September 17, 2017 so that Inyo Council for the Arts can hold the 26th Annual Millpond Music Festival. Motion carried unanimously.
- ADJOURN* Chairperson Tillemans adjourned the meeting at 3:50 p.m. to 8:30 a.m. Tuesday, August 8, 2017 in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

Attest: KEVIN D. CARUNCHIO
Clerk of the Board

by: _____
Darcy Ellis, Assistant