

MINUTES



County of Inyo Board of Supervisors

October 10, 2017

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:32 a.m., on October 10, 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 no-one wishing to address the Board.
- CLOSED SESSION** Chairperson Tillemans recessed open session at 8:32 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 (one case); No. 3 **PUBLIC EMPLOYMENT [Pursuant to Government Code §54957]** – Title: Health and Human Services Director; 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); 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 10:14 a.m. with all Board members present.
- PLEDGE** Supervisor Pucci 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 and there was no-one wishing to address the Board.
- MEMORIAL ADJOURNMENT REQUEST** Supervisor Kingsley reported that as of today, the death toll from the wildfires raging in Mendocino and Napa counties was 11, and he asked that today’s meeting be adjourned in memory of those victims.
- COUNTY DEPARTMENT REPORTS** Chairperson Tillemans opened the floor to County Department Reports and there was no-one wishing to address the Board.
- CAO-FILM COMMISSION – FY 17-18 QUARTERLY ORAL REPORT** Film Commissioner Chris Langley presented his Fiscal Year 2017-2018 Quarterly Oral Report, beginning with updates about recent television commercial shoots in the area, including one for a national professional sports association being directed by a feature film director. He also mentioned a major motion picture is being filmed at Pine Creek Pine but noted he could not reveal anything about it due to having signed a non-disclosure agreement. Langley also informed the Board he has been asked by the Alabama Hills Stewardship Group to write a letter of support for current proposed legislation to designate the Hills a National Scenic Area, and

said he would model his letter after recent letters sent by the Board, with its tacit approval. Supervisor Kingsley said he appreciated Langley asking and suggested he work with the CAO and County Counsel as he proceeded. Langley continued his report with news that the Langley Graphics Library, located behind the Museum of Lone Pine Film History and not yet open to the public, will feature thousands of stills from motion pictures and TV shows shot locally, and that recent donations have bolstered the collection. He reported that LADWP has offered the museum a bungalow used by Frank Sinatra on a studio lot in Los Angeles, and that the recent Lone Pine Film Festival seemed to have a good turnout. Langley said the theme for next year will be "Hell Bent for Westerns," and noted that longtime Film Museum Director Bob Sigman has retired and his replacement is actively being sought. He concluded that overall, the level of filmmaking in Inyo County has been steady, with maybe 70 projects a year taking advantage of local scenery and other resources.

HHS-SOCIAL SERVICES – IHSS ADMIN. RATE INCREASE

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve the In-Home Supportive Services (IHSS) administrative rate increase from \$0.48 to \$0.58 for IHSS effective November 1, 2017. Motion carried unanimously.

HHS-WORKFORCE INVESTMENT ACT – PHASE II MOU

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve Phase II of a Memorandum of Understanding between and among Kern, Inyo and Mono counties outlining the provision of services under the Federal Workforce Innovation and Opportunity Act, formerly named the Workforce Investment Act of 1998, for the period of January 1, 2018 through August 31, 2020. Motion carried unanimously.

PUBLIC WORKS – QUALCON AMENDMENT 1

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to: A) approve Amendment No. 1 to the contract between the County of Inyo and Qualcon Contractors, Inc. of Minden, NV for the construction of the West Bishop Roadway Reconstruction Project, changing the Scope of Work to increase the contract amount by \$83,600.44, for a total amount not to exceed \$2,493,837.94; B) authorize the Chairperson to sign Contract Amendment No. 1, contingent upon all appropriate signatures being obtained; and C) 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 laws. Motion carried unanimously.

PUBLIC WORKS – 2017-18 EXHIBIT 9 LOCAL AGENCY DBE

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve the Exhibit 9-B Local Agency Disadvantaged Business Enterprise Annual Submittal Form for the 2017-2018 Federal Fiscal Year and authorize the Chairperson to sign. Motion carried unanimously.

BOS-CHAIRPERSON – CSAC BOARD REP NOMINATIONS

Chairperson Tillemans presented a request from the California State Association of Counties (CSAC) for the Board to nominate from among its membership a director and alternate to serve on the CSAC Board of Directors for the 2017-2018 Association Year, beginning November 28, 2017. He noted that Supervisors Griffiths and Totheroh have been serving as the director and alternate, respectively, for the 2016-2017 Association Year and opened the floor to nominations. Moved by Supervisor Kingsley and seconded by Supervisor Pucci to continue having Supervisors Griffith and Totheroh represent the Inyo County Board of Supervisors on the CSAC Board of Directors by serving as the director and alternate, respectively, for the 2017-2018 Association Year. Motion carried unanimously.

HHS-BEHAVIORAL HEALTH – ES STRENGTHS MODEL COLLABORATIVE CONTRACT

HHS Senior Management Analyst Melissa Best-Baker presented a contract for an evidenced-based learning collaborative with Inyo, Mono, and Alpine counties. She said HHS would also be inviting Toiyabe Family Services staff to participate. Supervisor Pucci said he thinks the collaborative was is a perfect use of the available State funding. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to: A) ratify and approve the contract between the County of Inyo and California Institute of Behavioral Health Solutions for participation in an Eastern Sierra Strengths Model Collaborative in the amount of \$115,000 for the period of October 1, 2017 to June 30, 2019 and authorize the Chairperson to sign the contract and the HIPPA Business Association Agreement; and B) amend the Fiscal Year 2017-2018 CMH budget (Budget 045200) as follows: increase estimated revenue in State Grants (Revenue Code 4498) by \$95,000 and increase appropriation in Professional Services (Object Code 5265) by \$95,000 (4/5ths vote required). Motion carried unanimously.

HHS-AGING/SOCIAL SERVICES – PHILIPS

HHS Senior Management Analyst Melissa Best-Baker presented a contract for approval that she said was coming to the Board late because the vendor forgot to sign it. Moved by

LIFELINE CONTRACT Supervisor Griffiths and seconded by Supervisor Pucci to ratify and approve the contract between the County of Inyo and Philips Lifeline of Framingham, MA for the provision of Emergency Response Monitoring System services in an amount not to exceed \$6,000 for the period of July 1, 2017 through June 30, 2018, and authorize the Chairperson to sign. Motion carried unanimously.

CAO-MOTOR POOL – VEHICLE DONATION TO LP CSD Assistant County Administrator Rick Benson said that after the Board the recently declared several vehicles surplus, the Lone Pine Community Services District contacted the County and asked if one could be donated. Benson said the CSD has undergone some changes and needs a vehicle with which to carry out business. Moved by Supervisor Kingsley and seconded by Supervisor to donate a surplus 2010 Ford F250, asset No. 8832, to the Lone Pine Community Services District (*4/5ths vote required*). Motion carried unanimously.

CAO-PUBLIC WORKS – REVIEW OF MIAWG AGENDA/PROPOSED FRAMEWORK CAO Carunchio presented to the Board for its review and discussion a proposed Framework for a Cooperation Agreement For Flexibility in the Provision of Reliable and Expanded Commercial Air Service, which was scheduled to be considered by the Mammoth Inyo Airport Working Group (MIAWG) at its meeting scheduled for 9 a.m. on Friday, October 13, 2017 in Mammoth Lakes. He also distributed to the Board copies of an email sent to him yesterday by community member Steven Kalish in response to today’s agenda item, wherein Kalish offers suggestions for very clearly delineating critical funding and other issues in the Framework in order to move the discussion forward among those less familiar with various nuances and their implications. Carunchio also presented proposed revisions to the MIAWG agenda, including moving the discussion of the Framework to the start of the meeting and the MIAWG organizational items to the end. After giving the Board time to digest the new material, Carunchio provided an overview of the draft Framework, explaining that it is a non-binding document that presents the parameters by which Inyo County and the Town of Mammoth Lakes, as well as any other interested stakeholders, would work cooperatively to accelerate development of the Bishop Airport if and when it makes sense for the parties to do so. He said the Framework also takes into consideration the fact that Inyo County’s operations and maintenance costs will increase if it becomes a weather-alternate for Mammoth Yosemite Airport, but being able to reach the 10,000 enplanement threshold needed for FAA dollars would alleviate those cost issues. Carunchio noted that the County will have a better idea of its potential costs in the next three months, about the same time Mammoth Lakes Tourism’s (MLT) 5- to 10-year Strategic Plan is complete. Supervisor Griffiths asked whether Bishop Airport is included in the MLT study. Public Works Director Clint Quilter said the Scope of Work indicates the investigation of Bishop Airport’s potential is minimal, but good questions are being asked, such as what types of fleets airlines will continue to have. He said the County’s consultants will be in Bishop next week to gather information and train staff as part of the effort to develop a Draft 139 Certification Manual, which will ultimately provide staff with better estimates on the certification timeline and requirements. Discussion among the Board ensued, with members supportive of the Framework as a means of moving the process along in a more formalized manner. Supervisor Kingsley said there is frustration on both sides of the County line with regard to a lack of reliable air service, and combining forces could be in everyone’s best interest when money is subsidizing flights that are being canceled a third of the time (out of an estimated 20,000 to 30,000 flights a year). Chairperson Tillemans said the Framework was transparent and fair and he supported ongoing development at the Bishop Airport at the current pace but also hoped other partners would be willing to invest their resources as well. Supervisor Griffiths noted that there could be pent-up demand as a result of travelers wary of the Mammoth-Yosemite cancellation rate, and said an important fact-building and myth-busting phase is underway. He said Inyo County has demonstrated it is ready to move forward, as have Mono County supervisors and members of the Mammoth Town Council.

COUNTY COUNSEL – ADOPTION OF ORDINANCE 1209 (FIRST 5 COMM. ALTERNATES) County Counsel Marshall Rudolph recapped the purpose of the proposed ordinance, which was introduced on September 19. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to adopt an ordinance titled, “An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Section 2.50.060 of the Inyo County Code, Pertaining to the Membership of the Children and Families Commission.” Motion carried unanimously.

CLERK-RECORDER – ADOPTION OF ORDINANCE 1210 (REAL PROPERTY TAX TRANSFER) Clerk-Recorder Kammi Foote summarized the purpose of the proposed ordinance, noting that in addition to no comments being made during the public hearing held at last week’s meeting, she has not personally received any comments about the ordinance either. Supervisor Griffiths said he has not received any feedback either. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to adopt an ordinance titled, “An Ordinance of the Inyo County Board of Supervisors Amending Sections 3.24.020, 3.24.040, 3.24.050, 3.24.060, 3.24.080, 3.24.100,

3.24.100, 3.24.150, and Adding Section 3.24.180 to the Inyo County Code Pertaining to Real Property Tax Transfer.” Motion carried unanimously.

*PLANNING –
ADOPTION OF
ORDINANCE 1211
(SILCOTT PARCEL)*

Planning Director Cathreen Richards reminded the Board that the proposed ordinance is the result of property owners applying to the County to change zoning and designations on their property to best fit current use and plans for the future. Supervisor Totheroh said he had heard no negative comments about the ordinance since it was introduced at last week’s meeting. Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to adopt an ordinance titled, “An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Approving Zone Reclassification No. 2017-02/Silcott and Amending the Zoning Map of the County of Inyo by Rezoning a 8.92-Acre Parcel Located Between South Lake Road and Mt. Tom View Drive, West of the Community of Bishop (APN 014-270-18) from Open Space with a 40-Acre Minimum (OS-40) and OS-40 with a Snow Avalanche Hazard Overlay (SAHO) To Rural Residential with a 5-Acre Minimum (RR-5.0) And RR-5.0 SAHO; and Rural Residential with a 2.5-Acre Minimum (RR-2.5) and RR-2.5 SAHO.” Motion carried unanimously.

*PROBATION –
ADOPTION OF
ORDINANCE 1212
(FEE REVISION)*

Chief Probation Officer Jeff Thomson asked the Board whether it had any questions about the proposed ordinance, which was introduced and discussed at last week’s meeting. Supervisor Griffiths said he had received no feedback from the public on the ordinance. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to adopt an ordinance titled, “An Ordinance of the Board of Supervisors, County of Inyo, State of California, Revising Inyo County Probation Department Fee Schedule.” Motion carried unanimously.

*SHERIFF – ADOPTION
OF ORDINANCE 1213
(SHELTER FEE
REVISION)*

Sheriff Bill Lutze told the Board that, per its direction last week when the proposed ordinance was introduced, the new adoption fee at the County Animal Shelter was lowered from \$50 to \$40. Supervisor Totheroh asked whether the Sheriff had received any other comments since last week and Sheriff Lutze said he had not. Supervisor Kingsley said he wanted to resurrect his comments from last week that \$40 is a reasonable fee for adopting a dog, but seems high for cats. He asked the Sheriff to watch the fee’s impact on adoption rates and consider bringing the fee back for adjustment if needed. Sheriff Lutze said his department will be tracking adoptions to determine if the fee is having a negative impact. Supervisor Griffiths said he had heard negative feedback from residents worried the rate increase (from the current \$10) will become a barrier to adoptions. He said he agrees the \$40 will be the least a pet owner pays after a single trip to the vet but it is nevertheless an overall increase to the cost in exchange for a minimal increase in revenue for the County. He said the issue was hashed out last week and an agreement reached to lower the fee to \$40, but he’d like the Sheriff to return in the spring with a report on adoption impacts. Sheriff Lutze said he would have shelter staff do a comparison to last year’s figures. Supervisor Totheroh said just as important as the numbers will be hearing anecdotal reports of prospective adopters and adopters’ reactions to the fee increase. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to adopt an ordinance titled, “An Ordinance of the Inyo County Board of Supervisors Amending Section 8.28.040 to the Inyo County Code Pertaining to Animal Control Shelter Fees,” acknowledging that the fees can be changed by resolution at a later time and with instructions for the Sheriff to return with status update in the spring. Motion carried unanimously.

*CC/BOARD CLERK –
ADOPTION OF
ORDINANCE 1215
(REPEAL ORD. 37)*

Assistant County Counsel John Vallejo said today’s request for adoption is a follow-up to last week’s introduction of a proposed ordinance to repeal another, ordinance. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to adopt an ordinance titled, “An Ordinance of Inyo County, State of California, Repealing Inyo County Ordinance No. 37 (1951).” Motion carried unanimously.

PUBLIC COMMENT

Chairperson Tillemans asked for public comment during the final public comment period and there was no-one wishing to speak to the Board.

*CORRESPONDENCE-
ACTION – FISH &
WILDLIFE DONATION
REQUEST*

Supervisor Pucci reported that the Inyo Fish and Wildlife Commission recommended a \$2,500 donation from the fine fund for Eastern Sierra Wildlife Care (ESWC) in response to the organization’s request for \$3,000. He noted ESWC has traditionally received \$2,500 and was more than agreeable to the lesser amount. Moved by Supervisor Pucci and seconded by Supervisor Griffiths to approve a \$2,500 expenditure from the Fiscal Year 2017-2018 Fine Fund Budget to Eastern Sierra Wildlife Care for the rehabilitation of injured and orphaned wildlife. Motion carried unanimously.

CORRESPONDENCE-

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to approve the re-scheduling

**ACTION – STARLITE
CSD ELECTIONS**

of Starlite Community Service District Governing Board Elections from odd-numbered years to even-numbered years in accordance with Elections Code 1303(b) and Senate Bill 415 (2015-2016 Regular Session), and approve the consolidation of the District’s Governing Body Elections with the Statewide General Election pursuant to Elections Code 10404. Motion carried unanimously.

**BOARD AND STAFF
REPORTS**

Supervisor Kingsley said the 2017 Lone Pine Film Festival went off without a hitch and the parade was particularly good, with a float featuring other elected officials from the County.

Supervisor Pucci said the Choo-Choo Swap Meet and Fall Colors Car Show were both successful over the past weekend. He noted the Car Show organizers changed some things for 2017 and had one of their biggest turn-outs yet.

Supervisor Totheroh said he attended the inaugural Owens Valley Groundwater Sustainability Agency (OVGSA) meeting last week and it went the same as some of the previous, less formal meetings held with the same parties. He said the Board of Supervisors would have an item on its next agenda as the result of some OVGSA members wanting to revisit the JPA they signed. He said he also attended a Behavioral Health Advisory Committee meeting yesterday, where successful outreach efforts were reported, including a river clean-up hosted by Progress House. He also noted that a State review of Progress House was so favorable, it may be used as a model for other counties, large and small.

Supervisor Griffiths said he has two meetings in Mammoth this week, with the Airport Working Group and Sierra Nevada Conservancy, and then this weekend will be attending a special anniversary celebration at Edwards Airforce Base with Supervisor Kingsley.

CAO Carunchio was very pleased and blessed to report on the birth of his daughter at 4:03 a.m. Sunday, October 8, 2017.

CLOSED SESSION

Chairperson Tillemans recessed open session at 12:02 p.m. to convene in closed session with all Board members present to continue discussion and possible action as appropriate on previously noted closed session items.

OPEN SESSION

Chairperson Tillemans recessed closed session and reconvened the meeting in open session at 1:10 p.m. with all Board members present.

**REPORT ON CLOSED
SESSION**

No action was taken during closed session that is required to be reported.

ADJOURN

Chairperson Tillemans adjourned the meeting at 1:10 p.m. to 8:30 a.m. Tuesday, October 17, 2017 in the County Administrative Center in Independence, in memory of the victims of the wildfires in Northern California.

Chairperson, Inyo County Board of Supervisors

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

by: _____
Darcy Ellis, Assistant