

MINUTES



County of Inyo Board of Supervisors

February 6, 2018

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:33 a.m., on February 6, 2018, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Dan Totheroh, presiding, Rick Pucci, Jeff Griffiths, Mark Tillemans, and Matt Kingsley.

PUBLIC COMMENT Chairperson Totheroh asked for public comment during the first public comment period and there was no-one wishing to address the Board.

CLOSED SESSION Chairperson Totheroh recessed open session at 8:33 a.m. to convene in closed session with all Board members present except Chairperson Tillemans to discuss the following items: No. 2 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9] – County of Inyo v. Los Angeles Department of Water and Power**, Inyo County Superior Court Case No. SICVCV 18-61899; No. 3 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9 (one case); No. 4 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –** Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code §54956.9 (one case); and No. 5 **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 Totheroh recessed closed session and reconvened the meeting in open session at 10:08 a.m. with all Board members present.

PLEDGE Supervisor Tillemans 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.

PUBLIC COMMENT Chairperson Totheroh asked for public comment during the second public comment period and there was no-one wishing to address the Board.

COUNTY DEPARTMENT REPORTS Assistant County Administrator Rick Benson introduced longtime Road Department employee Cap Aubrey as the new Integrated Waste Management Superintendent.

HHS Director Marilyn Mann distributed to the Board a packet of 2017 HHS Success Stories.

Planning Director Cathreen Richards notified the Board of a Federal Register notice announcing the beginning of a scoping period to solicit public comments and identify issues related to the Desert Renewable Energy Conservation Plan Amendment. She said staff will keep the Board apprised of developments.

Clerk-Recorder-Registrar of Voters Kammi Foote said the first ballots for Southern Inyo Healthcare District's April special election will be mailed out Friday to military voters, and the June primary ballots will start going out the first week of May. She also said the Fictitious

Business Statement e-filing service is proving popular, with 14 e-filed in January.

Chairperson Totheroh reported on behalf of Information Services Director Scott Armstrong that Board meetings are now officially being streamed live over the Internet and can be accessed via a link on the County webpage.

**CHILD SUPPORT
SERVICES – INYO-
MONO MOU**

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve the 2018 Memorandum of Understanding between Inyo and Mono Counties for the Continued Operation of the Eastern Sierra Regional Department of Child Support Services, a Regional Child Support Agency, and authorize the County Administrator to sign, with an executed copy remitted to the Clerk of the Board for the Board's files. Motion carried unanimously.

**CORONER – EVA
WASEF CONTRACT
AMENDMENT 1**

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve Amendment No. 1 to the contract between the County of Inyo and Eva S. Wasef, M.D. for Autopsy services, increasing the not-to-exceed amount of the contract to \$71,000, and authorize the Chairperson to sign. Motion carried unanimously.

**CAO-ADVERTISING
COUNTY
RESOURCES – CA
VISITORS GUIDE AD**

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve a payment of \$12,280.80 from the 2017-2018 Advertising County Resources Budget to California Travel Media for an Inyo County one-third page advertisement in the 2018 California Visitors Guide. Motion carried unanimously.

**CAO-ADVERTISING
COUNTY
RESOURCES – FINAL
FY 16-17 PAYMENTS**

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve the following final payments from 2016-2017 Advertising County Resources Budget: \$1,261 to the Bishop Museum and Historical Society, Laws Railroad Museum and Historical Site for the 2017 Laws Benefit Concert; and \$1,000 to the Death Valley '49ers for the entertainment for the 2017 '49ers Encampment. Motion carried unanimously.

**PARKS & REC –
INCREASE DOUG
CLAIR P.O.**

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve an increase in the amount of the purchase order to Doug Clair Construction from \$15,000 to an amount not to exceed \$20,000 for beach excavation and improvements at Millpond Recreation Area. Motion carried unanimously.

**RECYCLING & WASTE
– KERN COUNTY
AGREEMENT**

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve the agreement with Kern County to allow for the disposal of solid waste generated within the southernmost areas of Inyo County at the Ridgecrest Sanitary Landfill; and B) authorize Integrated Waste Management to pay an annual fee, currently in the amount of \$9,263.98, to Kern County contingent upon the Board's adoption of future budgets; and C) authorize Chairperson to sign the agreement. Motion carried unanimously.

**HHS-EMS – MEDICAL
CARE COMMITTEE
APPOINTMENTS**

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to appoint or re-appoint the following individuals to the Emergency Medical Care Committee: A) Judd Symons, Michael Patterson, Lloyd Wilson, Steve Davis, Phil Ashworth, Joe Cappello, Lisa Davis, and Gina Reische, each to two-year terms ending December 31, 2019; and B) Andrew Stevens and LeRoy Kritz, each to two-year terms ending December 31, 2018. Motion carried unanimously.

**PROBATION – EPICS
TRAINING SOLE-
SOURCE CONTRACT**

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to: A) declare University of Cincinnati Research Institute a sole-source provider of training on Effective Practices for Correctional Supervision (EPICS); B) approve the contract between the County of Inyo and University of Cincinnati Research Institute for the provision of EPICS training for Inyo County Probation Officers and Rehabilitation Specialists, in an amount not to exceed \$14,500 for the period of April 1, 2018 through December 31, 2018, contingent upon the Board's adoption of future budgets; and C) authorize Chief Probation Officer Jeff Thomson to sign the contract, with an executed copy remitted to the Clerk of the Board for the Board's files. Motion carried unanimously.

**PW – COUNTY
BUILDINGS ROOFING
PROJECT
N.O.C./RESO# 2018-
07**

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans 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 County Buildings Roofing Project," and authorize the Chairperson to sign. Motion carried unanimously.

*PW – MANOR TRUE
VALUE JANITOR
SUPPLIES BID
AWARD*

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to award a bid in the amount of \$75,000 to Manor True Value Hardware of Bishop, CA as the successful bidder to provide janitorial supplies; B) approve a contract between the County of Inyo and Manor True Value Hardware for the provision of janitorial supplies in an amount not to exceed \$75,000 for the period of January 20, 2018 through January 19, 2021, contingent upon the Board's adoption of future budgets; and C) authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

*PW – SHOSHONE
RUNWAY REPAIR
PLANS & SPECS*

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve the plans and specifications for the Shoshone Airport-Runway 15-33 Crack Repairs, Slurry Seal, Markings Project, and authorize the Public Works Director to advertise and bid the project. Motion carried unanimously.

*SHERIFF – SUN
RIDGE SYSTEMS
SOLE-SOURCE & P.O.*

Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to: A) declare Sun Ridge Systems, Inc. of El Dorado Hills, CA a sole-source provider of support services for the Jail Records Management and Computer Aided Dispatch System; and B) approve a purchase order and payment to Sun Ridge Systems, Inc. of El Dorado Hills, CA in the amount of \$22,588 for RIMS annual support services from July 1, 2017 through June 30, 2018. Motion carried unanimously.

*BOS – DISTRICT 4
PLANNING
COMMISSIONER*

Supervisor Tillemans thanked Ross Corner for providing many years of dedicated service to the Planning Commission as its District 4 representative up until his retirement and said he looked forward to having Scott Stoner take his place with the support of the rest of the Board. Moved by Supervisor Tillemans and seconded by Supervisor Pucci to appoint Scott Stoner to the District 4 vacancy on the Inyo County Planning Commission, to serve an unexpired four-year term ending January 4, 2021. Motion carried unanimously. Mr. Stoner was given an opportunity to address the Board and thanked the Supervisors for the opportunity to serve his community in the capacity of a Planning Commissioner and said he hoped to affect positive change.

*BOS – INDY
CEMETERY BOARD
APPOINTMENT*

Supervisor Tillemans supported the re-appointment of Rick Cromer to the Independence Cemetery District Board of Trustees, noting that Mr. Cromer is a very active volunteer in his community. Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to re-appoint Rick Cromer to a four-year term on the Independence Cemetery District Board of Trustees, ending January 31, 2022. Motion carried unanimously. Supervisor Tillemans also took the opportunity to advertise two vacancies on the Big Pine Cemetery District Board of Trustees and said anyone appointed would be joining an organization that does good work for the community.

*TREASURER-TAX
COLLECTOR –
OFFICE TECH I, II, III*

Joey Peterson, Assistant Treasurer-Tax Collector, presented a request to fill an Office Technician vacancy through internal recruitment because the office is hoping to hire at the journey level, wants to support promotional opportunities, and finds there is less financial risk in hiring internal applicants. 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 one (1) Office Technician I, II or III exists, as certified by the Treasurer-Tax Collector and concurred with by the County Administrator and Auditor-Controller; where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment; and C) approve the hiring of one (1) Office Technician I at Range 55 (\$3,150 - \$3,830), Office Technician II at Range 59 (\$3,457 - \$4,201) or Office Technician III at Range 63 (\$3,709 - \$4,520), depending on qualifications. Motion carried unanimously.

*PROBATION –
HEALTHY
COMMUNITIES
DELINQUENCY
PROGRAM
RATIFICATION*

Chief Probation Officer Jeff Thomson presented for approval an annual contract with Healthy Communities of Southern Inyo County. He explained the funds come to the Probation Department from the Juvenile Justice Crime Prevention Act and Probation divides them between programs in the north and south end of the county, taking nothing for administrative costs. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to ratify and approve the contract between the County of Inyo and Healthy Communities of Southern Inyo County for a Delinquency Prevention Program in an amount not to exceed \$31,840 for the period of July 1, 2017 through June 30, 2018, contingent upon receipts from the California State Controller's Office, and authorize the Chairperson to sign. Motion carried unanimously.

*PROBATION – ICSOS
EXTENDED DAY
PROGRAM
RATIFICATION*

Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to ratify and approve the contract between the County of Inyo and Inyo County Superintendent of Schools for an Extended Day Program in an amount not to exceed \$21,227 for the period of July 1, 2017 through June 30, 2018, contingent upon receipts from the California State Controller's Office, and authorize the Chairperson to sign. Motion carried unanimously.

*CAO – GREAT BASIN
BLOCK GRANT
EXTENSION*

CAO Carunchio reviewed for the Board the history of the Big Pine Veterans Path Project, including the extensions that have been granted by Great Basin Unified Air Pollution Control District to expend its Environmental Public Benefit (EPB) block grant funds. He provided an update on the status of negotiations with LADWP, whose Assistant General Manager is currently reviewing a license agreement in which the City proposes charging an annual license fee of \$1,416 for the ¼-acre easement. He explained that even if the license agreement were approved by the end of the month, completing the project by the end of June would be a challenge, and he recommended at the very least requesting another extension from Great Basin. Carunchio also said that, given the deadline and lack of progress on the Veterans Path Project, both Supervisor Tillemans and Supervisor Kingsley identified paving the Lone Pine VFW parking lot as a Plan B for use of the County's remaining EPB funds. Supervisor Tillemans said the Veterans Path Project was first conceived in 2007, and expressed frustration at the many delays and road blocks. He also voiced support for Supervisor Kingsley's project in Lone Pine. Supervisor Kingsley similarly voiced support for the Veterans Path Project, and noted that the Town Fathers, who own the parking lot property, are supportive of the paving project. Ezra Tsosie, Commander of the Lone Pine VFW Post, noted that many community groups use the parking lot and it is riddled with potholes and creates dust issues. Supervisor Kingsley said he hoped whichever project did not get funded would be added to a priority list for the future. There was additional discussion about timelines, with Public Works Director Clint Quilter acknowledging either project would take about 150 days to complete and being able to start at the end of February would be ideal. Supervisor Griffiths said he didn't realistically see any agreement coming together in time to allow the County to complete either project by the funding deadline. He also bemoaned LADWP wanting to charge the Big Pine American Legion \$1,500 a year to use a quarter-acre of their land. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to authorize the County Administrator to draft a letter for Great Basin's consideration at its March 8 meeting, asking for an extension to the end of December 2018 to expend the County's remaining block grant funds and as part of that request, ask that the Lone Pine VFW parking lot be added as an alternate project, noting that either project will require a minimum of 150 days. Motion carried unanimously. Carunchio said that if Great Basin is unable to authorize the extension through the end of December, he will ask to be notified of the deadline that has been chosen and will return to the Board for additional discussion. He said hopefully by that time, LADWP will have returned the license agreement or some other approval instrument for the Board to consider with regard to the Veterans Path.

*PLANNING – SHORT-
TERM RENTAL
PROPOSED
ORDINANCE/RESO#
2018-09*

Planning Director Cathreen Richards offered the Board a refresher on the background of the short-term rental issue in Inyo County and previous discussions before discussing highlights of a proposed ordinance based on both Board and public feedback. The proposed ordinance would allow for short-term rentals in the following zoning districts only: One Family Residential (R-1), Single Residence and Mobile Home Combined (RHM), Rural Residential (RR), Rural Residential Starlite Estates (RR-Starlite), and Open Space (OS). She said it also proposed definitions and regulations for both hosted (when the owner is on the property at the same the rental is occurring) and non-hosted short-term rentals (which will require a property manager to deal with complaints, whose phone number will be posted and shared with neighbors within a 300-foot radius, and who must be able to respond within 45 minutes/24 hours a day). She also reviewed quiet hours, parking and trash bin regulations, the limit on 2 renters per room and other limits on the numbers of rentals permitted per parcel and guestroom rentals permitted per dwelling. Supervisor Tillemans expressed concerns about the preclusion of tents, RVs, treehouses, and other structures, R-2 zoning districts not being included, and wanted to know whether overlays were considered. Richards explained that the ordinance was strictly focused on single-family homes that are running a commercial activity within and an attempt to allow that activity while preserving affordable housing and long-term rentals, which are primarily located in R-2 districts. She said overlays were ultimately rejected in favor of a permitting process that requires neighbor notification prior to Planning Commission approval, similar to a Conditional Use Permit process, and allows for public comment and possible addition of conditions to the permits. Supervisor Pucci said it's critical residents have the ability to comment or register concerns on a potential commercial business in their neighborhood, and

applauded the proposed notification process in the ordinance. Supervisor Griffiths said he worried about exacerbating the existing lack of housing, and especially affordable housing, in the Bishop area if people were allowed to purchase homes as investment properties to operate as short-term rentals. He said he already knows of teachers and nurses sleeping in their cars because they have nowhere to live. Possible solutions were discussed and it was noted that the proposed ordinance allows one hosted and one non-hosted rental per parcel, with a maximum of two parcels total to a common owner. Assistant County Counsel John Vallejo warned against restricting rentals only to a person's primary residence, as it raises interstate commerce issues.

Chairperson Totheroh opened the public hearing at 11:41 a.m.

Ted Pederson of Independence said he owns two properties and operates short-term vacation rentals on one of them fairly regularly. He said the renters are pleasant and responsible, and he has the support of his neighbors. He said he has no interest in renting the home on a long-term basis, and asked whether he could request variances to the ordinance's parking requirements and was told he could.

Another resident said she and her wife also purchased the property next to theirs for entrepreneurial purposes. She said it was too cost prohibitive to build a traditional structure on the property so they decided to purchase a vintage trailer and place it on a permanent foundation. She said it doesn't seem like a good idea to rent to visitors sight unseen, but residents should be able to rent their property to make additional income. Richards clarified that mobile homes are eligible but trailers are not.

Beth Niehaus addressed the Board on behalf of Realtor Jenifer Castaneda, reading from a letter Castaneda sent to the Board.

Paul Payne, retired after 20-plus years as a hospitality operator/provider in Mammoth, thanked staff for its amazing work on the ordinance, which he said has teeth to give the County a remedy to address bad operators. Regarding investors buying homes for rentals, he said those properties will be fixed up and the owners might find it more appealing to turn them into long-term rentals. He said his gut reaction is there won't be too many investment-property rentals, and those that do crop up will ultimately improve their communities and surrounding property values. He noted that most vacationers prefer non-hosted rentals, which is why having good property managers will be critical. He said ultimately it will come down to what the market will bear, but staff has created a great starting point for the County to begin accepting the income stream it is entitled to and legitimizing an activity that is already occurring.

Chairperson Totheroh closed the public hearing at 11:58 a.m.

The Board proceeded with discussion and deliberations, with Supervisor Griffiths renewing concerns about the housing shortage in the Bishop area. Supervisor Kingsley noted many municipalities are struggling to address short-term vacation rentals from many different angles, and he advocated for starting small and not rushing. He added that while Bishop may have a housing shortage, in Lone Pine, there are at least 18 vacant homes that the owners are not doing anything with. CAO Carunchio said he conferred with Assistant County Counsel Vallejo and a possible way to limit the number of non-hosted rentals without conflicting with the commerce clause of the U.S. Constitution is requiring a property owner to first possess a hosted rental permit before applying for a non-hosted permit. Chairperson Totheroh said the suggestion only partially addresses Supervisor Griffiths' concerns and said the easiest solution is to start small. Supervisor Tillemans said the smallest way to start would be allowing hosted rentals only. Supervisor Pucci disagreed that the County should move slowly on the issue, noting that a lot of people are making money off of an illegal activity and it's time for the County to start regulating it. Richards suggested only allowing owners to rent on one parcel instead of two. Chairperson Totheroh supported the idea. Supervisor Tillemans noted it would not benefit areas like Lone Pine where there are vacant homes and suggested putting caps on the number of short-term rentals allowed instead, but recognized he was in the minority on the issue. After additional discussion, CAO Carunchio suggested adding in a requirement for recycling containers, making some clarifications in the enforcement section and suggesting that the Planning Department, in any notice to surrounding neighbors, encourages them to report any issues to the Department in addition to the property owner or manager, so that staff knows whether it should be receiving a report from a permittee. The Board agreed to break for lunch

and return to review the suggested revisions.

RECESS FOR LUNCH Chairperson Totheroh recessed the meeting for lunch at 12:26 p.m. and reconvened the meeting at 1:37 p.m. with all Board members present.

PLANNING – SHORT-TERM RENTAL PROPOSED ORDINANCE/RESO# 2018-09 Supervisor Griffiths thanked staff for making the changes on short notice. Supervisor Kingsley said he was sympathetic to those who wanted to offer short-term rentals of tents, trailers, and yurts and believed there was a way to address the issue in the future, but felt it was time to move forward. He said perhaps re-zoning might work for some proponents. Richards said a Conditional Use Permit could be applied for and no zoning change would be needed. One proponent commented that Inyo County is ideal for yurts, glamping, and trailers, and people are going to rent them in L.A., bring them here, and the County will see no revenue. Supervisor Kingsley said he wanted to start at a minimum level. Supervisor Tillemans said he liked the remedy of the Conditional Use Permit. Supervisor Totheroh said Planning had done an excellent job of trying to provide an ordinance that addressed as many of the competing needs as possible. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to: A) approve a resolution titled, “A Resolution of the Board of Supervisors of the County of Inyo, State of California, Finding the Proposed Project Exempt from the Requirements of the California Environmental Quality Act, and Making Certain Findings with Respect to and Approving Zone Text Amending No. 2017-04 Inyo County”; and B) introduce and waive further reading of the ordinance titled, “An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Adding Chapter 18.73 Short-Term Rental of Residential Property to the Inyo County Code,” as amended, and schedule enactment for 11 a.m. Tuesday, February 13, 2018 in the Board of Supervisors Room, County Administrative Center, Independence. Motion carried unanimously.

PW – BUILDING & MAINTENANCE WORKER I-II Deputy Public Works Director Shannon Williams presented a request to backfill a vacancy. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Building and Maintenance Worker I/II exists in the Building and Maintenance Budget, as certified by the Public Works Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply; and C) authorize the hiring of one (1) Maintenance Worker I at Range 56 (\$3,227 - \$3,916) or one (1) Maintenance Worker II at Range 60 (\$3,541 - \$4,301). Motion carried unanimously.

PW – ENGINEERING ASSISTANT I-II Deputy Public Works Director Shannon Williams presented a request to backfill a vacancy. Moved by Supervisor Tillemans and seconded by Supervisor Pucci for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Engineering Assistant I or II exists in the Public Works Budget, as certified by the Public Works Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment would be more appropriate to ensure qualified applicants apply; and C) authorize the hiring of one (1) Engineering Assistant I at Range 71 (\$4,583 - \$5,572) or one (1) Engineering Assistant II at Range 75 (\$5,040 - \$6,126). Motion carried unanimously.

ROAD DEPT. – SEASONAL WORKER SCHEDULE CHANGE/4 HIRE REQUESTS Deputy Public Works Director Shannon Williams presented a request to move the time frame for hiring seasonal Road Department workers back to the original schedule, and also to hire for the season. Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve a change to the Road Department seasonal worker schedule from January 1 through June 30 to April 1 through September 30, and then find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for four (4) seasonal workers exists in the Road Department Budget, as certified by the Public Works Director and concurred with by the County Administrator and Auditor-Controller; B) where due to the seasonal nature of the positions it is unlikely they could be filled by internal candidates meeting the qualifications for the positions, an open recruitment would be appropriate to ensure qualified applicants apply; and C) authorize the hiring of four (4) seasonal workers at Range 50PT (\$15.05/hr. - \$18.27/hr.). Motion carried unanimously.

**CAO-WATER-CC –
COUNTY OVGA
FUNDING
COMMITMENT &
ALTERNATIVES**

Water Director Dr. Bob Harrington briefed the Board on the December 14, 2017 Owens Valley Groundwater Authority meeting where members were supposed to come prepared to make their funding commitments to fully constitute the Board, but decided instead to defer the decision to the February meeting. He presented the Board with a series of recommendations for proceeding. CAO Carunchio said he could understand the perspective of members hesitant to make funding commitments until it was known whether Inyo County received a grant from the Department of Water Resources, but he said the grant will be awarded in arrears and at no point has the Board of Supervisors indicated it wanted the County Treasury to fund the OVGA's cash flow as it develops a Groundwater Sustainability Plan. Supervisor Griffiths said he wanted it made clear at the next OVGA meeting that the County's funding commitment stands only if the OVGA becomes fully constituted. Moved by Supervisor Griffiths and seconded by Supervisor Kingsley to authorize the County's OVGA Director to represent the County's annual funding commitment for the OVGA's three-year Groundwater Sustainability Plan Development Budget (GSPDB) to the OVGA Board of Directors pursuant to Article IV of the joint powers agreement, to be at least \$22,654/year and not to exceed 50% of the annual GSPDB (\$124,596/year) contingent upon 1.) all Members of the OVGA making their respective commitments at the February 8, 2018 meeting, 2.) the OVGA adopting the OVGA funding agreement without any substantial changes from the draft presented to the OVGA Board at its December 14, 2017 meeting, and 3.) all Members' duly authorized representatives executing the funding agreement by March 2, 2018. Supervisor Pucci thanked staff for its efforts, noting that if the County had not moved to get the OVGA formed, the State would be coming in to take over, and he appreciated the options presented to the Board in the event the process is once again stalled. It was then moved by Supervisor Griffiths and seconded by Supervisor Kingsley to: B) If, at the February 8, 2018 OVGA meeting, all Members of the OVGA make their respective funding commitments and adopt the OVGA funding agreement, and execute the funding agreement by March 2, 2018, thereby fully-constituting the OVGA, authorize the County Administrator to sign the funding agreement, on behalf of the County of Inyo, to enter into a legally binding obligation to fund the OVGA's Groundwater Sustainability Plan Development Budget pursuant to Article IV of the joint powers agreement, subject to the adoption of future County Budgets and County Budget amendments; and C) If, at the February 8, 2018 OVGA meeting, the Members fail or vote to defer fully constituting the OVGA by 1.) not making their respective funding commitments, 2.) and/or not adopting the OVGA funding agreement, and/or 3.) failing to execute the funding agreement by March 2, 2018, consider alternatives, including directing staff to explore, with other Inyo Members of the OVGA, interest in reforming the OVGA as a JPA comprised only of eligible Members representing jurisdictions in Inyo County and providing for the participation of eligible Associates and Interested Parties within Inyo County. Motion carried unanimously.

**PARKS & REC –
CAMPGROUND
RESERVATION
POLICY DISCUSSION**

Assistant County Administrator Rick Benson sought direction from the Board regarding how to handle rare requests from the public to reserve entire campgrounds. He said there is some ambiguity in the current County ordinance which states that County parks and buildings may be made available for the exclusive use of individuals or groups for a limited time upon issuance of a use permit and payment of a designated fee, but also states that campground facilities shall not be closed to the general public. He said there is some question as to whether reserving entire campgrounds is allowed. He said the Parks Department receives maybe two requests a year for entire campgrounds and charges a flat fee corresponding to what it charges for park reservations. He also said that through Reserve America, an individual can go online and reserve all the spaces available except for those that have been set aside by the department for walk-ins per policy. Supervisor Griffiths said rentals of entire campgrounds should be encouraged as economic development. Supervisor Kingsley said a policy should be in place where guests are required to make the reservations well in advance, and the County should be charging a fee equal to what it would have made were all the sites reserved by other parties. CAO Carunchio said a fee schedule for group use could be developed, but other issues cited are already addressed in other sections of County code. He also said it's his interpretation that a campground is not closed to the public just because every site is reserved, and noted that the ordinance delegates a lot of the decision-making regarding reservations to the director of Parks & Recreation. After additional discussion, Benson said he had the direction he requested and would return at a later date.

**RECYCLING & WASTE
– PARADIGM
SOFTWARE
AGREEMENTS**

Assistant County Administrator Rick Benson presented for approval three separate agreements that would allow the County to install software at the Bishop Landfill that fully integrates the gatehouse scale with billing and reporting functions, generally automating many functions currently being done manually. He said the proposal submitted by Paradigm Software includes an Escrow Agreement whereby the company will put a copy of the source code into

an escrow account and Inyo County will have access to it should Paradigm ever go out of business. He said about 50% of their clients take advantage of the escrow option. Benson also noted that the software will integrate with a credit card payment system when the landfills eventually go “cashless.” Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve three separate agreements with Paradigm Software of Cockeysville, MD in the total amount of \$24,200 for the purchase of landfill gatehouse software and authorize the Chairperson to sign two (2) copies of a System Implementation Agreement and Standard Support Services Agreement and three (3) copies of an Escrow Agreement. Motion carried unanimously.

*RECYCLING & WASTE
– OWENS RIVER
CLEANUP
WAIVER/RESO#
2018-08*

Assistant County Administrator Rick Benson presented a request from the California Waterfowl Association for County Landfill disposal and gate fees to be waived for waste collected from its Owens River clean-up event. He said this is the fourth year for the event, which has become a successful endeavor of the community. Supervisor Pucci called it a great program in which he has personally participated. Moved by Supervisor Pucci and seconded by Supervisor Kingsley to approve a resolution titled, “A Resolution of the Board of Supervisors, County of Inyo, State of California, Waiving Solid Waste Disposal and Gate Fees for Trash and Little Removal During the Lower Owens River Clean Up” and authorize the Chairperson to sign. Motion carried unanimously.

*ROCKY ROAD
EMERGENCY*

Emergency Services Specialist Kelley Williams reported that CalOES notified her on Friday that repairs of Onion Valley Road and the Round Valley Road Pine Creek Bridge had qualified for emergency funding. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to continue the local emergency known as the “Rocky Road 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.

*HERE IT COMES
EMERGENCY*

Moved by Supervisor Pucci and seconded by Supervisor Tillemans to continue the local emergency known as the “Here It Comes 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 Tillemans 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 Tillemans 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 Tillemans 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 Tillemans and seconded by Supervisor Griffiths to approve the minutes from the regular Board of Supervisors meeting of December 19, 2017. Motion carried unanimously 4-0, with 1 abstention from Supervisor Pucci. Moved by Supervisor Pucci and seconded by Supervisor Griffiths to approve the minutes from the regular Board of Supervisors meeting of January 2, 2018. Motion carried unanimously 4-0, with 1 abstention from Supervisor Tillemans. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to approve the minutes from the regular Board of Supervisors meeting of January 9, 2018. Motion carried unanimously. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve the minutes from the regular Board of Supervisors meeting of January 16, 2018 and special meeting of December 21, 2017. Motion carried unanimously 4-0, with 1 abstention from Supervisor Tillemans.

PUBLIC COMMENT

Chairperson Totheroh asked for public comment during the second public comment period and there was no-one wishing to address the Board.

*MEMORIAL
ADJOURNMENT*

Supervisor Pucci asked that the meeting be adjourned in honor of longtime Bishop resident, and former Bishop Police Chief, City Councilman and Inyo County Water Commissioner Bruce Dishion, who passed away last week. He said Mr. Dishion was not only a friend to him but to the whole county.

*CORRESPONDENCE-
ACTION – SIHD
SPECIAL PARCEL
TAX ELECTION*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to call a special parcel tax election on April 10, 2018, pursuant to Southern Inyo Healthcare District Resolution No. 18-1. Motion carried unanimously.

*BOARD MEMBER AND
STAFF REPORTS*

Supervisor Griffiths reported on the recent visit from FAA representatives and tours of both the Mammoth and Bishop airports, as well as the positive developments in moving forward cooperatively toward reliable regional air service.

CAO Carunchio advised the Board of possible timing adjustments for next week's meeting due to the juggling of conflicting agenda items.

Chairperson Totheroh said he attended the airport tours as well in addition to the meeting of the Northern Inyo Airport Advisory Committee. He said he also is reaching out to the U.S. Forest Service in response to the Film Commissioner's report on permitting issues.

CLOSED SESSION

Chairperson Totheroh recessed open session at 3:12 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 Totheroh recessed closed session and reconvened the meeting in open session at 5:09 p.m. with all Board members present.

*REPORT ON CLOSED
SESSION*

County Counsel Rudolph reported no action was taken in closed session that is required to be reported.

ADJOURNMENT

Chairperson Totheroh adjourned the meeting in memory of Bruce Dishion at 5:09 p.m. to 8:30 a.m. Tuesday, February 13, 2018 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