

MINUTES



County of Inyo Board of Supervisors

July 14, 2020

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 July 14, 2020, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present via videoconferencing per California Governor Executive Order N-25-20: Chairperson Matt Kingsley, presiding, Dan Totheroh, Jeff Griffiths, Rick Pucci, and Mark Tillemans. Also present: County Administrative Officer Clint Quilter, Assistant Clerk of the Board Darcy Ellis, and County Counsel Marshall Rudolph.

Public Comment

Chairperson Kingsley asked the Assistant Clerk of the Board whether there was any public comment emailed for today's meeting for items not calendared on the agenda.

The Assistant Clerk of the Board said she had received none.

Nobody requested to speak to the Board via the "hand-waving" feature on Zoom.

Closed Session

Chairperson Kingsley recessed open session at 8:30 a.m. to convene in closed session with all Board members to discuss the following item(s): No. 2 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to potential litigation pursuant to (2) of subdivision (d) of Government Code §54956.9: one potential case. Circumstances: threatened litigation regarding proposed groundwater ordinance; and No. 3 **CONFERENCE WITH COUNTY'S LABOR NEGOTIATORS** – Regarding 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. County designated representatives – Administrative Officer Clint Quilter, Assistant County Administrator Leslie Chapman, Deputy Personnel Director Sue Dishion, County Counsel Marshall Rudolph, Health and Human Services Director Marilyn Mann, and Chief Probation Officer Jeff Thomson.

Open Session

Chairperson Kingsley recessed closed session and reconvened the meeting in open session at 10:00 a.m. with all Board members present.

Pledge of Allegiance

Chairperson Kingsley led the Pledge of Allegiance.

Report on Closed Session

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

Public Comment

Chairperson Kingsley asked if there was any public comment pending for items not calendared on the agenda.

Supervisor Totheroh reported that there is a blood drive happening in Bishop today and tomorrow.

The Assistant Clerk of the Board read aloud a comment submitted by Deanna Beaver, an IHSS worker urging the Board to consider and approve the wage and health proposals presented by negotiators.

Nobody requested to speak to the Board via the "hand-waving" feature on Zoom.

Employee Service Recognition – 2020 1st and 2nd Quarters

The Board of Supervisors recognized employee service milestones reached during the 2020 First and Second Quarters. The following employees were to be presented pins commemorating their milestones by their respective department heads:

- Assessor's Office: Hayley Carter, 5 years; and Dave Stottlemyre, 5 years
- Sheriff's Office: Kim Geiger, 25 years; Chris Connolly, 15 years; Joe Seaton, 10 years; Jill Patton, 10 years; Ryan Reuther, 5 years; Nicholas Rhoads, 5 years; Jessica Allmon, 5 years
- Probation Department: Sarah Simpson, 10 years; Penni Brown, 10 years; Bryan Alex, 5 years; Bruce Donahue, 5 years; Alejandro Quezada, 5 years
- Parks & Recreation: John Jones, 25 years; and Larry Miller, 30 years
- Health & Human Services: Brittin Gillespie, 5 years; Sarah Downard, 5 years; Nora Rudder, 20 years; Gordon Greene, 10 years; and Skye Milos, 10 years
- Public Works: Chris Preter, 5 years; and Dale Renfro, 20 years
- Information Services: Lavon Sargent, 5 years

County Department Reports

Chief Probation Officer Jeff Thomson updated the Board on probation funding in the Governor's Budget and new developments for probation as a result of the severe COVID-19 spread in some California prisons.

HHS Director Marilyn Mann said her staff has postponed bringing the proposed tobacco sales and vaping products policy back to the Board in light of staff devoting much time and energy to the coronavirus pandemic and because they want to ensure the public is in a position to consider the proposed mandates and participate in discussions.

COVID-19 Staff Update

HHS Director Marilyn Mann reported that yesterday, in response to disconcerting statewide COVID-19 numbers, the Governor ordered certain businesses to close again, including bars and movie theaters, and ordered a reinstatement of the ban on dine-in services. She said this is hard news to swallow when so many local businesses stepped up to the plate and worked hard to ensure there was public health compliance.

HHS Deputy Director-Public Health and Prevention Anna Scott noted that Inyo County has stayed relatively stable with its metrics and thus has not been added to the list of 30 counties who had to shut back down even more industries. She said the State is looking at delays and testing supply issues so there could be a return to prioritized testing. She added that staff is working with Verily to get up-to-date testing numbers.

Dr. James Richardson said Inyo County is unfortunately forced to roll back its reopening because of Statewide metrics. He said California is experiencing a resurgence of the first wave, and emphasized the importance of masking.

Sheriff Hollowell said his office has received a few complaints about non-compliant businesses, but when deputies respond, the businesses appear to be adhering to the public health orders.

Assistant County Administrator Leslie Chapman said the County found about the rollback yesterday at the same time everyone else did and staff is now working to get the word out to a broader audience and clear up confusion about the 30 counties under even more restrictions. She said staff also discussed yesterday a way to allow restaurants to serve and sell food outdoors. CAO Quilter said if businesses are interested, the County has a way to allow encroachments and Caltrans has set up an expedited process for their rights-of-way. Chapman added that the County partnered with the Bishop Chamber of Commerce to apply for a CalOES grant to obtain masks and sanitizers, which are being distributed to businesses around the county.

Chairperson Kingsley said the re-closure order is a real blow to the businesses who worked so hard to comply with health orders and feels the wrong people are being punished in Inyo County, where there hasn't been evidence that restaurants and bars are the problem. Supervisor Pucci said the Sheriff and his deputies are doing an excellent job responding to complaints, particularly a recent disturbance where a customer refused to mask up and accosted other customers about their Constitutional rights.

The Chairperson asked for public comment.

Sherri Newman, owner of Jake's Saloon in Lone Pine, implored the Board to lobby and push legislators at the federal level to convince insurance companies to pay out on loss insurance. She said the second closure is putting a lot of entrepreneurs out of business. She thanked the

staff and Board for everything they have done so far, noting it truly felt they were on the side of local businesses.

Sheriff – Food Cook Supervisor Moved by Supervisor Tillemans 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 one (1) Food Cook Supervisor exists in the General Fund, as certified by the Sheriff and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position and the position could possibly be filled by an internal candidate, an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Food Cook Supervisor, Range 58 (\$3,513 - \$4,274). Motion carried unanimously.

HHS – Social Worker IV/Psychotherapist Moved by Supervisor Griffiths and seconded by Supervisor Pucci for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for a bilingual Social Worker IV/Psychotherapist position exists in the non-General Fund Mental Health budget, as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; B) whereas it is unlikely that the bilingual Social Worker IV/Psychotherapist position could be filled by internal candidates meeting the qualifications for either level of the position, an open recruitment would be appropriate to ensure qualified applicants apply for that specialized position; and C) approve the hiring of one (1) Social Worker IV at Range 73 (\$4,998-\$6,079) or Psychotherapist at Range 81 (\$6,040-\$7,345) with a five percent bilingual pay contingent upon qualifications. Motion carried unanimously.

HHS – Office Clerk III Moved by Supervisor Totheroh and seconded by Supervisor Pucci for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested positions exists in the Behavioral Health and Drinking Driver Program budgets (no County General Funds), as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could be filled by an internal candidate; C) approve the internal recruitment and hiring of one (1) full-time Office Clerk III at Range 52 (\$3,057- \$3,714); and D) authorize the backfill of any resulting vacancy through either an internal or external recruitment as appropriate. Motion carried unanimously.

Information Services – Pitney Bowes Blanket P.O. Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to authorize, contingent upon approval of the Fiscal Year 2020-2021 Budget, issuance of a blanket purchase order in an amount not to exceed \$69,600, payable to Pitney Bowes Purchase Power of Pittsburgh, PA for the purpose of refilling the postage meter for Fiscal Year 2020-2021. Motion carried unanimously.

Motor Pool – FY 20-21 Blanket P.O.s Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to authorize, contingent upon the adoption of the Fiscal Year 2020-2021 budget, issuance of blanket purchase orders in the following amounts payable to the following vendors for vehicle maintenance, equipment maintenance and purchase of tires, for Motor Pool, Recycling Waste Management and Parks and Recreation: Bishop Ford, \$25,000; Bishop Automotive, \$50,000; Mr. K's, \$20,000; Jim Charlton Ford, \$20,000; and Britt's Diesel, \$20,000. Motion carried unanimously.

Motor Pool – FY 20-21 Inyo Mono Body Shop Blanket P.O. Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to authorize, contingent upon the adoption of the Fiscal Year 2020-2021 Budget, issuance of a blanket purchase order in an amount not to exceed \$15,000, payable to Inyo Mono Body Shop of Bishop, CA for body repairs of Motor Pool vehicles. Motion carried unanimously.

Recycling & Waste Management – FY 20-21 Blanket P.O.s Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to authorize, contingent upon adoption of the Fiscal Year 2020-2021 Budget, issuance of blanket purchase orders in the following amounts payable to the following vendors, for equipment parts, vehicle parts, maintenance of grounds and small tools for Recycling Waste Management, Motor Pool and Parks and Recreation: Steve's Auto Parts, \$15,000; Dave's Auto Parts, \$15,000; High County Lumber, \$15,000; Quinn, \$15,000; and Western Nevada Supply, \$20,000. Motion carried unanimously.

Environmental Health – IDEXX Sole-Source Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to declare IDEXX Laboratories, Inc. of Westbrook, ME a sole-source provider of Colilert reagent and other laboratory supplies used for the testing of total coliform and E. coli bacteria in water; and B)

Blanket P.O. authorize the issuance of a blanket purchase order in an amount not to exceed \$25,000, payable to IDEXX Laboratories Inc. of Westbrook, ME for laboratory supplies for the period of July 14, 2020 through June 30, 2021. Motion carried unanimously.

Public Works – Granite Construction Bid Award & Contract Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to award the contract for the Runway 12-30 Rehabilitation Project at the Bishop Airport to Granite Construction Co. of Watsonville, CA as the successful bidder; B) approve the construction contract between the County of Inyo and Granite Construction Co. of Watsonville, CA in the amount of \$6,487,274, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained; and C) authorize the Public Works Director to execute all other project 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 – Terra Verde Contract Amendment 1 Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to: A) approve Amendment No. 1 to the contract between the County of Inyo and Terra Verde Renewable Partners, LLC of Larkspur, CA, approving the consent form authorizing the assignment to Terra Verde Energy, LLC of San Francisco, CA, retroactively effective January 1, 2018, with no other change in terms, conditions, or responsibilities as stated in the current contract dated April 17, 2017; and B) authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

Sheriff – Lexipol Sole-Source P.O. Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to declare Lexipol of Aliso Viejo, CA a sole-source provider of policy manual updates and daily training bulletins; and B) authorize the issuance of a purchase order in an amount not to exceed \$21,639, payable to Lexipol of Aliso Viejo, CA for policy manual updates and daily training bulletins. Motion carried unanimously.

Probation – Probation Services Week 2020 Chief Probation Officer Jeff Thomson presented to the Board an annual proclamation recognizing the probation industry and all the men and women who work so hard in the probation field. He read the proclamation aloud. Chairperson Kingsley and Supervisor Griffiths said the proclamation was very well-written and asked Thomson to pass along their appreciation to his staff. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to approve a proclamation declaring July 19th through 25th, 2020 as Probation Services Week in Inyo County. Motion carried unanimously.

Water Department – MOU Consultants Contracts Moved by Supervisor Pucci and seconded by Supervisor Totheroh to ratify and approve the contracts between the County of Inyo and Lower Owens River Project Memorandum of Understanding consultants Mark Hill and Bill Platts (dba Platts Consulting), serving as individual independent contractors, for the provision of LORP Biological Resources Consulting Services in the amount of \$15,220.00 for Mark Hill and \$15,220.00 for Bill Platts for a total combined amount not to exceed \$30,440.00 for the period of July 1, 2020 to June 30, 2021; and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.

Public Works – Continuation of Birchim Lane Emergency Action Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to determine that there is a need to continue the emergency action approved at the July 7, 2020 meeting in regards to the repaving of Birchim Lane, in accordance with Public Contract Code Section 22050 (4/5ths vote required). Motion carried unanimously.

HHS-Public Health & Prevention – CMSP Grant Agreement Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to ratify and approve the Local Indigent Care Needs Program Grant Program agreement between the County of Inyo and the County Medical Services Program (CMSP) for a planning grant of \$50,000 to develop a financial and operational pro forma for a mobile health clinic, and authorize the HHS Director to sign. Motion carried unanimously.

HHS – Bakersfield Behavioral Health Contract Moved by Supervisor Pucci and seconded by Supervisor Totheroh to ratify and approve the contract between the County of Inyo and Bakersfield Behavioral Healthcare Hospital, LLC for acute psychiatric inpatient services in an amount not to exceed \$50,000 for the period of July 1, 2020 to June 30, 2021, and authorize Chairperson to sign the contract and HIPAA Business Associate Agreement. Motion carried unanimously.

Clerk of the Board – Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the minutes of

Approval of Minutes the regular Board of Supervisors meeting of July 7, 2020. Motion carried unanimously.

*Correspondence-
Action – City of
Bishop Election
Consolidation* Inyo County Clerk-Recorder Kammi Foote introduced a request from the City of Bishop to consolidate its election with Statewide General Election. She said she supported the action and noted that the City does pay for the actual costs accrued by the County. City Administrator Ron Phillips said the closing of Kmart and COVID-19 business closures have caused significant budget issues for the City, and he would appreciate any help from the County in getting a proposed Transaction and Use Tax Measure on the November ballot. Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to consolidate the General Municipal Election for City Council, Treasurer, and a Transaction and Use Tax Measure with the Statewide General Election to be held on November 3, 2020. Motion carried unanimously.

Public Comment The Chairperson solicited public comment for the final public comment period. No additional comments had been emailed and nobody requested to speak to the Board via the “hand-waving” feature on Zoom. Supervisor Griffiths did not that for everyone who took advantage of the income tax extension, the new deadline is tomorrow.

*Board Member and
Staff Reports* Chairperson Kingsley noted this should be an interesting week and some trying times for the county and local businesses, in the wake of the Governor’s new shutdown order. He said he hoped Inyo can through this phase as quickly as possible and that he was really proud of staff for their work.

CAO Quilter the staff working on COVID-19 issues, and their support staff, do understand the plight of local businesses and have empathy that shows in their work.

Adjournment Chairperson Kingsley adjourned the meeting at 12:30 p.m. to 8:30 a.m. Tuesday, July 28, 2020 in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

*Attest: CLINT G. QUILTER
Clerk of the Board*

by: _____
Darcy Ellis, Assistant