

MINUTES



County of Inyo Board of Supervisors

June 15, 2021

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 June 15, 2021, 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 Jeff Griffiths, presiding, Dan Totheroh, Rick Pucci, Jennifer Roeser, and Matt Kingsley. Also present: County Administrative Officer Clint Quilter, Assistant Clerk of the Board Darcy Ellis, and County Counsel Marshall Rudolph.

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

There were no letters submitted for items not calendared on the agenda, and nobody requested to speak via Zoom.

Closed Session Chairperson Griffiths recessed open session at 8:31 a.m. to convene in closed session with all Board members present to discuss the following item(s): No. 2 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9: one potential case; and No. 3 **CONFERENCE WITH COUNTY'S LABOR NEGOTIATORS – Pursuant to Government Code §54957.6** – 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 Griffiths recessed closed session and reconvened the meeting in open session at 10:00 a.m. with all Board members present.

Pledge of Allegiance Supervisor Griffiths 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 Griffiths asked if there was any public comment pending for items not calendared on the agenda.

There were no letters submitted for items not calendared on the agenda, and nobody requested to speak via Zoom.

County Department Reports HHS Director Marilyn Mann reported on World Elder Abuse Awareness Day.

Introductions The following new employees were introduced to the Board: Janice Jackson, Office Technician II, Agricultural Commissioner; Kenneth Hernandez, Correctional Officer, Sheriff's Office; and Rodolfo Madera, Correctional Officer, Sheriff's Office.

COVID-19 Staff The Board heard staff's weekly update on the status of COVID-19 cases locally, as well as

Update

state and national trends. HHS Director Marilyn Mann said as of today, the State has moved beyond the parameters of the Blueprint for a Safer Economy, although CDC and OSHA guidelines are still in place where they apply. She reviewed the current masking guidelines, as well as local vaccination numbers. Public Health Officer Dr. James Richardson spoke to the safety of the vaccines and their high efficacy rates, citing rare instances of adverse reactions out of the 302 million doses that have been administered so far in the U.S. He said if he believed there were any safety issues relative to the vaccine, he would not have gotten one nor would he be encouraging his family members to do the same. He added that Inyo County could not have arrived at this point without the staff behind the scenes ensuring everything is running like a Swiss watch. He said Public Health and HHS staff have been impressive throughout the pandemic and it has been a pleasure working with them. Board members commended staff and Dr. Richardson for his efforts, noting that the right leadership was in place at the right time in various critical areas.

The Chair opened the floor to public comment. Wes French of Bishop thanked Dr. Richardson for reporting on his research of the vaccines' adverse impacts. He added that he remains critical of the idea of vaccinating children and exposing them to risk, when they are at the lowest risk of contracting COVID-19.

HHS-Health & Prevention – Administrative Secretary II

Moved by Supervisor Kingsley and seconded by Supervisor Roeser for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Administrative Secretary II exists in one or more non-General Fund budgets, as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Administrative Secretary II at Range 60 (\$3,758 - \$4,564). Motion carried unanimously.

Public Works – Building Maintenance Worker I/II

Moved by Supervisor Totheroh and seconded by Supervisor Roeser for to the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Building Maintenance Worker I/II exists in the General Fund and non-General Fund budgets, as certified by the Public Works Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but there is an active recruitment list for this position; and C) approve the hiring of one (1) Building Maintenance Worker I at Range 56 (\$3,425 - \$4,155) or Building Maintenance Worker II at Range 60 (\$3,758 - \$4,564) depending on qualifications. Motion carried unanimously.

Sheriff – Investigator, Corporal, Deputy Sheriffs

Moved by Supervisor Kingsley and seconded by Supervisor Roeser to:

- A) Find that, consistent with the adopted Authorized Review Policy, the availability of funding for these requested positions comes from the General Fund, as certified by the Sheriff, and concurred by the County Administrator and Auditor-Controller;
- B) Find that where internal candidates may meet the qualifications for the positions and the positions could possibly be filled by an internal recruitment for the Corporal and Investigator vacancies, the Deputy Sheriff positions will be filled through an open recruitment; and
- C) Approve the filling of one (1) Investigator position at Range 71SB - 71SD (\$5,617 - \$7,513);
- D) Approve the filling of three (3) Corporal positions at Range 70SA - 70SD (\$5,079 - \$7,133); and
- E) Approve the open recruitment and hiring of three (3) Deputy Sheriff positions at Range 67SA - 67SC (\$4,624 - \$6,351) and authorize up to the E step for a qualified lateral applicant.

Motion carried unanimously.

Item Pulled

Staff requested that the following item be pulled from the agenda:

20. **County Counsel** - Request approve Amendment No. 2 to the contract between the County of Inyo and Gregory L. James, Attorney at Law, decreasing the contract amount to an amount not to exceed \$60,000.00 and extending the term end date from June 30, 2021 to June 30, 2022, contingent upon the Board's approval of the

Fiscal Year 2021-2022 Budget, and authorize the Chairperson to sign.

- Emergency Services – FEMA Grant Subapplication/ Reso #2021-34* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to: A) approve the submittal of the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program Planning Subapplication on behalf of the County of Inyo; and B) authorize the County Administrator as the designated Authorized Agent, to sign the grant subapplication, as well as any and all accompanying documents, by approving the "Designation of Subrecipient's Agent Resolution No. 2021-34." Motion carried unanimously.
- CAO-Personnel – NEOGOV Contract* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve Agreement with NEOGOV from June 15, 2021 through June 30, 2023 in the amount of \$25,986.26, contingent upon the adoption of future budgets, and authorize the Deputy Director of Personnel to sign. Motion carried unanimously.
- CAO-Personnel – Prothman Company Contract* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the agreement between the County of Inyo and The Prothman Company for the provision of executive recruitment services, in an amount not to exceed \$17,500, and authorize the County Administrator to sign. Motion carried unanimously.
- CAO-Purchasing – Annual Office Depot Blanket P.O.* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve a blanket purchase order not to exceed \$130,000 annually from the Purchasing Revolving Budget to be issued to Office Depot through the OMNIA Partners Public Sector for office supplies and consumable computer/printer supplies for Fiscal Year 2021-2022. Motion carried unanimously.
- CAO-Purchasing – Hanigan Company Bid Award* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to: A) award Bid No. 2021-07 Print Bid for Fiscal Year 2021-2022 to the Hanigan Company Inc., and authorize purchase orders to be approved for various County Departments to order items from this Bid; and B) authorize Purchasing to exercise the option to renew the bid through Fiscal Year 2023-2024. Motion carried unanimously.
- CAO-Purchasing – Office Pal Bid Award* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to: A) award Bid No. 2021-08 HP Toner Cartridges to The Office Pal for Fiscal Year 2021-2022; B) authorize purchase orders to be issued to The Office Pal for Fiscal Year 2021-2022 from the Purchasing Revolving Budget in an amount not to exceed \$30,000; and C) authorize Purchasing to exercise the option to extend the bid through Fiscal Year 2023-2024. Motion carried unanimously.
- County Counsel – Greg James Environmental Contract Amendment 2* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve Amendment No. 2 between the Office of County Counsel and Gregory L. James, Attorney at Law, for the provision of Environmental Attorney services, extending the term of the contract for the period of July 1, 2019 through June 30, 2022, contingent upon the Board's approval of the Fiscal Year 2021-2022 Budget, and authorize the Chairperson to sign. Motion carried unanimously.
- County Counsel – Greg James Yucca Mountain Contract Amendment 3* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve Amendment No. 3 to the contract between County of Inyo and Gregory L. James, Attorney at Law, for the provision of legal services to the County related to the Yucca Mountain Repository Licensing Proceedings before the Nuclear Regulatory Commission and related Court actions, extending the term of the contract for the period of July 1, 2019 through June 30, 2022, contingent upon the Board's adoption of the Fiscal Year 2021-2022 Budget, and authorize the Chairperson to sign. Motion carried unanimously.
- County Counsel – GBUAPCD Contract* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the agreement between Great Basin Unified Air Pollution Control District and the County for the County Counsel's Office to provide certain legal services to the District during the period of July 1, 2021 to June 30, 2022, for the sum of \$13,500, contingent upon the Board's adoption of the Fiscal Year 2021-2022 Budget, and authorize the Chairperson to sign. Motion carried unanimously.
- HHS-Behavioral Health – Iris Telehealth Contract* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the agreement between the County of Inyo and Iris Telehealth Medical Group of Austin, Texas for the provision of telepsychiatry services in an amount not to exceed \$265,824 for the period of July 1, 2021 through June 30, 2022, contingent upon the Board's approval of the Fiscal Year 2021-2022 Budget, and authorize the Chairperson to sign, contingent upon all appropriate signatures

being obtained. Motion carried unanimously.

HHS-Health & Prevention – Lamar Companies Sole-Source Contract

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to: A) declare The Lamar Companies (a.k.a. Lamar) of Lancaster, CA a sole-source provider of billboard advertising; B) approve the contract between the County of Inyo and Lamar of Lancaster, CA for the provision of two vinyl panel billboards for the Tobacco Education Program in an amount not to exceed \$18,900.00 for the period of July 8, 2021 through December 22, 2021, contingent upon the Board's approval of the Fiscal Year 2021-2022 Budget; and C) authorize the County Administrator to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

HHS-Social Services – ICOE Contract

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the contract between the County of Inyo and the Inyo County Office of Education for the provision of Stage I Child Care Services, in an amount not to exceed \$170,000.00, for the period of July 1, 2021, through June 30, 2022, and authorize Chairperson to sign. Motion carried unanimously.

Planning – LAFCo Contract

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the contract between the County of Inyo and the Inyo Local Agency Formation Commission to provide staff services in the amount not to exceed \$13,207.60 for the period of July 1, 2021 through June 30, 2022; authorize the Chairperson to sign; and direct the Planning Department and County Counsel to provide services as outlined in the contract, contingent upon the Board's adoption of the Fiscal Year 2021-2022 Budget. Motion carried unanimously.

Planning – Roux Associates/Andy Zdon Sole-Source Contract

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to: A) declare Roux Associates, Inc./Andy Zdon a sole-source provider of independent contractor services; and B) approve Standard Contract No. 156 between the County of Inyo and Roux Associates, Inc. /Andy Zdon for the provision of hydrological services including but not limited to the review of any new groundwater data and/or modeling relevant to the the County's previous comments on the Supplemental Environmental Impact Statement and long standing contentions related to the proposed Yucca Mountain high-level radioactive waste repository. Motion carried unanimously.

Planning-Yucca Mountain – Hydrodynamics Group Contract Amendment 5

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve Amendment No. 5 to the contract between County of Inyo and the Hydrodynamics Group (Hydrodynamics) to amend Section 2 – Term of the agreement to be July 1, 2016 through June 30, 2022, contingent upon the Board's adoption of the Fiscal Year 2021-2022 Budget, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

Probation – Tuolumne County Contract Amendment 3

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve Amendment No. 3 to the Agreement between the County of Inyo and the County of Tuolumne to extend the Agreement from July 1, 2021 to June 30, 2022 with the daily rate per youth placed at the Mother Lode Regional Juvenile Detention Facility at \$175.00 per day with a guarantee of one (1) bed at the Tuolumne Juvenile Hall at a daily rate of \$150.00 and \$175.00 per day for every subsequent bed used by Inyo County, contingent upon the Board's approval of the Fiscal Year 2021-2022 Budget, and authorize the Chairperson and Chief Probation Officer to sign. Motion carried unanimously.

Public Works-Road Department – Valsoft Corporation Contract

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the agreement between the County of Inyo and Valsoft Corporation Inc., dba Cascade Software Systems, Inc. (CSS) of Montreal, Quebec, Canada for the provision of Road Department cost accounting software in an amount not to exceed \$19,653.08 for the period of July 1, 2021 through June 30, 2022, contingent upon the Board's approval of the Fiscal Year 2021-2022 Budget, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

Public Works-Road Department – FY 21-22 Caltrans Agreement

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to: A) approve the 2020/2021 Federal Apportionment Program Federal Exchange and State Match Program, Agreement No. X21-5948 (100), with the California Department of Transportation in the amount of \$673,353 plus a State match of \$100,000 for a total not-to-exceed amount of \$773,353; and B) authorize the Chairperson to sign. Motion carried unanimously.

Sheriff – Siemens

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve Amendment No.

*Contract
Amendment 1*

1 to the contract between the County of Inyo and Siemens Inc. of Fresno, CA, increasing the contract to an amount not to exceed \$94,987 and extending the term end date from June 30, 2021, to June 30, 2022, contingent upon the Board's approval of the Fiscal Year 2021-2022 Budget, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

*Sheriff – Velocity
Systems Bid Award*

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to: A) declare Velocity Systems of Dulles, VA the successful bidder for Special Enforcement Detail Equipment per Bid No. 2021-09; and B) authorize the purchase of all items (see attached) in an amount not to exceed \$23,983.45. Motion carried unanimously.

*CAO – Preliminary
FY 21-22 Budget*

Moved by Supervisor Totheroh and seconded by Supervisor Roeser to adopt the modified Fiscal Year 2020-2021 Board Approved Budget as the Preliminary Budget for Fiscal Year 2021-2022 and approve the Fixed Assets as recommended by staff (*4/5ths vote required*). Motion carried unanimously.

*CAO – Consolidated
Office Building Lease
Commencement*

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to authorize the County Administrative Officer to determine the lease commencement date for the Consolidated Office Building and to sign such documents and take such actions as may be necessary to effectuate lease commencement. Motion carried unanimously.

*Personnel –
Ordinance 1266
(Elected Dept. Head
Salary Adjustments)*

CAO Quilter reviewed the process to adjust the salaries of appointed and elected department heads, noting that the Board approved the increases for appointed department heads last week. Supervisor Kingsley spoke to the necessity of both the equity study and resulting salary increases, calling the process used to conduct the study and arrive at the raises fair and equitable and noting that the County needs to have the ability to attract and retain qualified officials. Supervisor Pucci also weighed in on the process, which began in 2019. He noted that he and Supervisor Kingsley were assigned to the subcommittee tasked with tackling the salary inequity that had existed for the past 11 years and with overseeing the new study with the knowledge and support of the full Board. He said it was made clear from the outset that if any or all of the elected officials did not agree with any of the findings, they could discuss their concerns with the subcommittee. He said it was also made clear that the new salaries are being assigned to positions, not individuals, and every elected official was given the option of donating the money back. CAO Quilter noted that the ordinance putting the new salaries in place will not go into effect until 30 days after approval to allow opportunity for a citizen referendum (the ordinance for the proposed Board of Supervisors raises allows a 60-day window).

Supervisor Roeser said that from she read and was briefed on, the mechanism used to determine increases was methodical and well thought-out, and it's important to have compensation rates at the higher levels attractive enough to entice in-house employees to seek advancement. Supervisor Griffiths said he appreciates the value of the work put in by the negotiating subcommittee. He said the process used before for elected official pay increases was flawed, since it required those officials to request raises and politics and personalities would get involved even though the salaries are tied to the positions and not individuals. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to adopt proposed Ordinance 1266 titled, "An Ordinance of the Board of Supervisors, County of Inyo, State of California, Amending Section 2.88.040 of the Inyo County Code to Provide for Increases in the Salary for Certain Elected County Officials, Excluding Members of the Board of Supervisors." Motion carried unanimously.

*Personnel –
Ordinance 1267
(BOS Salary
Adjustments)*

Chairperson Griffiths introduced the item and said he was not clear enough on his position last week when the Board waived the first reading of the ordinance. He said he heard the insinuation that he was being disingenuous by voting no on the raises last week after the other supervisors voted yes, and did it for appearances' sake. Chairperson Griffiths called the insinuation hurtful and inaccurate, and said he meant no disrespect to the negotiating subcommittee. He reiterated his position from last week that he was uncomfortable giving himself a large raise and still is. Supervisor Kingsley said he knows the prospect is a difficult one but still thinks the increases are fair and necessary, and he will gladly explain to his constituents how hard he works. Supervisor Totheroh said he, too, is uncomfortable but his discomfort is eased by a process that can stand up to scrutiny.

Supervisor Roeser also called the situation uncomfortable but said she appreciated the work

that went into the equity study and its implementation. She said Board meetings are but a very small part of doing the job of a County Supervisor. She said she is comfortable with the fiscal impacts and also invites her constituents to discuss this with her, but given her relatively new tenure on the Board would like to postpone receipt of her salary increase for one year. She invited Chairperson Griffiths to join her in declining the raise for a period of time. Chairperson Griffiths said he will not be declining the raise, but donating it to various organizations. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to adopt proposed Ordinance 1267 titled, "An Ordinance of the Inyo County Board of Supervisors, State of California Amending Section 2.04.040 (A) of the Inyo County Code to Provide for Increases in the Salary for Members of the Board of Supervisors." Motion carried 4-1, with Chairperson Griffiths voting no.

CAO – Golden State Finance Authority MOU

Moved by Supervisor Kingsley and seconded by Supervisor Roeser to approve and authorize the County Administrative Officer to sign a Memorandum of Understanding with the Golden State Finance Authority regarding development of a Broadband Strategic Plan. Motion carried unanimously.

HHS – Foster Care Budget Amendment

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to amend the Fiscal Year 2020-2021, Foster Care Budget 056400 as follows: increase estimated revenue in Foster Care-Object Code (4427) by \$25,000 and Federal Foster Care-Object Code (4512) by \$25,000 and increase appropriation in Support and Care Object Code (5501) by \$50,000 (*4/5ths vote required*). Motion carried unanimously.

Sheriff – Ratify MRA Payments

Moved by Supervisor Roeser and seconded by Supervisor Pucci to ratify and approve payments to Mobile Relay Associates of Paramount, CA in a total amount not to exceed \$22,814.23. Motion carried unanimously.

CAO-Risk – Records Retention Policy/ Reso# 2021-35

Moved by Supervisor Roeser and seconded by Supervisor Kingsley to approve and authorize the Chairperson to sign Resolution No. 2021-35, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Declaring a Risk Management Department Records Retention Policy." Motion carried unanimously.

Public Comment

The Chairperson solicited public comment for the final public comment period.

The Assistant Clerk of the Board did not receive any emailed comments and nobody requested to speak to the Board via the "hand-waving" feature on Zoom.

Board Member and Staff Reports

Supervisor Kingsley said he has a Rural County Representatives of California meeting this week in Mammoth – the first in-person meeting in over a year.

Supervisor Roeser said she attended the California High School Rodeo Association Finals and the Concert in the Rocks last week, as well as the Big Pine Civic Club meeting last night. She noted that yesterday was Flag Day.

Assistant Clerk of the Board Ellis mentioned the need to schedule a special meeting on June 29 and to cancel the meeting of July 13 as Board members will be returning from the National NACo Conference. The Board was in agreement.

Public Comment

The Chairperson reopened the final public comment period. Lynne Greer asked when the Board planned to return to in-person meetings. CAO Quilter said the plan is for the Board to return to the Board Room the first meeting in July, depending on health or other guidelines.

Adjournment

Chairperson Griffiths adjourned the meeting at 11:57 a.m. to 8:15 a.m. Tuesday, June 29, 2021 (Special Meeting) in the County Administrative Center in Independence.

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

*by: _____
Darcy Ellis, Assistant*