

MINUTES



County of Inyo Board of Supervisors

August 3, 2021

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:38 a.m., on August 3, 2021, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present in person and broadcasting over webinar per California Governor Executive Orders N-25-20 and N-08-21: Chairperson Jeff Griffiths, presiding, Dan Tothoroh, Rick Pucci, Jennifer Roeser, and Matt Kingsley. Also present: Acting County Administrative Officer Leslie Chapman, 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.

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

Closed Session

Chairperson Griffiths recessed open session at 8:39 a.m. to convene in closed session with all Board members present to discuss the following item(s): No. 2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9** – Names of cases: *Helm v. Inyo County*; and *Berrey v. Inyo County et al*; No. 3 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to potential litigation pursuant to (2) of subdivision (d) of Government Code §54956.9. Facts and circumstance: Use of force incident on July 24, 2021. Number of potential cases: one; No. 4 **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 – Acting 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 10:15 a.m. with all Board members present.

Pledge of Allegiance

Supervisor Tothoroh led the Pledge of Allegiance.

Report on Closed Session

County Counsel Rudolph reported that no action was taken in 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.

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

County Department Reports

Emergency Services Manager Kelley Williams reported that the California Fire Safe Council has opened the application period for a grant to fund a county wildfire coordinator position.

Environmental Health Director Jerry Oser gave the Board an update on the transfer of the County’s public water systems drinking program to the State.

Deputy HHS Director-Public Health & Prevention Anna Scott gave a report on COVID-19 and the significant uptick in cases (25 since last Tuesday) being experienced in Inyo County. She said the rapid spread is being seen statewide and is largely fueled by the Delta variant infecting unvaccinated individuals – including youth under 12. She said pediatric cases are on the rise, and are symptomatic. Ms. Scott also noted that while the State last week updated its masking recommendation to require them in all public places regardless of vaccination status. She said Inyo County has decided for now not to make the recommendation a Public Health Order and instead encourage voluntary masking.

Personnel – Leslie Chapman CAO Contract

Moved by Supervisor Pucci and seconded by Supervisor Tothoroh to ratify and approve the contract between the County of Inyo and Leslie Chapman for the provision of personal services as the County Administrator Officer at a monthly salary of \$16,230 effective July 27, 2021 and authorize the Chairperson to sign. Motion carried unanimously.

Environmental Health – BPAR Lab Tech, EH Specialist Trainee or Registered EH Specialist I-III

Moved by Supervisor Tothoroh 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) Laboratory Technician (BPAR) and one (1) Environmental Health Specialist Trainee or Registered Environmental Health Specialist I, II, or III exists in the Environmental Health Department, as certified by the Department Head and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the positions, the vacancies 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) Laboratory Technician (BPAR) at Range 60 (\$22.55-\$27.38/hour) and one (1) Environmental Health Specialist Trainee or Registered Environmental Health Specialist I, II, or III at Range 67 (\$4,602 - \$5,586), Range 71 (\$5,058 - \$6,150), Range 75 (\$5,563 - \$6,761), and Range 79 (\$6,110 - \$7,431), respectively. Motion carried unanimously.

HHS-Social Services – APAR PSA I-II

Moved by Supervisor Roeser and seconded by Supervisor Pucci for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of non-General Fund Community Mental Health funding for the position of A-PAR Program Services Assistant (PSA) I or II exists, as certified by the HHS Director and concurred with by the County Administrator, and Auditor-Controller; B) where due to the part-time nature of this position it is unlikely that the position could be filled by internal candidates meeting the qualifications for the position, an open recruitment would be appropriate to ensure qualified applicants apply; and C) approve the hiring of one A-PAR PSA I at Range 42PT (\$14.87-18.07 /hr.) or II at Range 44PT (\$15.57-18.96 /hr.), depending upon qualifications. Motion carried unanimously.

Ag Commissioner-OVMAP – Sole-Source ADAPCO Purchase

Moved by Supervisor Tothoroh and seconded by Supervisor Pucci to declare ADAPCO the sole-source provider of Guardian 190G4; B) approve the purchase of two (2) Guardian 190 G4 foggers from ADAPCO by the Owens Valley Mosquito Abatement Program in an amount not to exceed \$19,620.50, contingent upon the Board's approval of the Fiscal Year 2021-2022 Budget; and C) authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

Emergency Services – Navigating Preparedness Contract Amendment 1

Moved by Supervisor Tothoroh and seconded by Supervisor Pucci to approve Amendment No. 1 to the contract between the County of Inyo and Navigating Preparedness Associates, LLC of Lafayette, CA, extending the term end date from August 31, 2021 to December 31, 2021, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

Public Works – ESE Contract Amendment 1

Moved by Supervisor Tothoroh and seconded by Supervisor Pucci to approve Amendment No. 1 to the Contract between the County of Inyo and Eastern Sierra Engineering of Bishop, CA, amending the approved Schedule of Fees, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

Sheriff – Lexipol Sole-Source Blanket P.O.

Moved by Supervisor Tothoroh and seconded by Supervisor Pucci to declare Lexipol LLC of Aliso Viejo, CA, a sole-source provider of law enforcement policy maintenance, updates, and daily training bulletins; and B) authorize the issuance of a blanket purchase order in an amount not to exceed \$23,000, payable to Lexipol for Law Enforcement Policy Updates and Training Bulletins. Motion carried unanimously.

*Sheriff –
Wye Road
Blanket P.O.*

Moved by Supervisor Totheroh and seconded by Supervisor Pucci to authorize the issuance of a blanket purchase order in an amount not to exceed \$20,000, payable to Wye Road of Bishop, CA for the purchase of food and supplies for animal care at the county animal shelter. Motion carried unanimously.

*BOS-Griffiths –
ESCOG Redistricting
Letter*

Elaine Kabala, executive director of the Eastern Sierra Council of Governments, requested the Board review the recommendations and comment letter of the ESCOG on State Representation Redistricting, and provide authorization for the ESCOG Board to submit as is, or provide modifications to the proposed redistricting requests. The Board engaged in discussion about redistricting priorities and county characteristic. Based on Board feedback, Ms. Kabala noted she would fix a typo on page 2 and alter the letter to emphasize the unique similarities of the Eastern Sierra agricultural community and the power of advocacy needed to engage with the City of Los Angeles. Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to authorize ESCOG to submit the letter with the changes as directed, and with the latitude to make additional adjustments as necessary, based on other ESCOG members' feedback and within the guidelines of the Board's discussion. Motion carried unanimously.

*Water Department –
IWWVD Urban Water
Management Plan
Comments*

Water Director Dr. Aaron Steinwand sought direction from the Board regarding commenting on the Indian Wells Valley Water District's Draft 2020 Urban Water Management Plan. He said, essentially, the County's position is and has been that it wants to assist and support the District's efforts to gain sustainability in the groundwater basin, but opposes any projects to supply water to the district from the Los Angeles Aqueduct. He said staff prefers the other option in the plan – importing water from the State Water Project (SWP) – and would ask that the Aqueduct option be removed from the plan before the final draft is released next week. The Board concurred with staff. Supervisor Kingsley noted that Inyo County has consistently advocated for Indian Wells Valley and is committed to supporting it, but not at the expense of water from Inyo County. Philip Anaya of Bishop said he does not want a plan that exacerbates groundwater issues in Inyo County, and perhaps the best way to help Indian Wells Valley is advocating for the SWP option as well as financial support to make it happen. Sally Manning of Bishop questioned whether the County feels some kind of responsibility to help Indian Wells Valley since part of the basin is located in Inyo County. She said inter-basin transfers are generally not preferred but might be the best solution in the short-term. Supervisor Kingsley reiterated that Inyo County has positioned itself to support Indian Wells Valley in becoming sustainable, but it's not in Inyo's best interests to have another entity reliant on its water.

*County Counsel/CAO
– Title 22 Workshop*

Deputy County Counsel Grace Chuchla and Code Enforcement Officer Steven Rennie provided the Board with a presentation on and sought input regarding updates to Title 22 of the Inyo County Code regarding code enforcement procedures and priorities. Discussion ensued between staff and the Board, which ultimately supported a proposed faster timeline for code enforcement, some sort of graduated penalty, a special assessment, and keeping the system complaint-driven but also giving the Code Enforcement Officer the discretion to lengthen the time period for the notice that could trigger accrual of administrative penalties. Ms. Chuchla said staff would be returning soon with an ordinance for the Board's consideration.

Recess/Reconvene

Chairperson Griffiths recessed the meeting at 12:23 p.m. for a break and reconvened the meeting at 12:45 p.m. with all Board members present except Supervisor Pucci.

*Public Works – MGE
Engineering Contract
Amendment 3*

Moved by Supervisor Totheroh and seconded by Supervisor Roeser to ratify and approve Amendment No. 3 to the contract between the County of Inyo and MGE Engineering, Inc. of Sacramento, CA, extending the term end date from June 30, 2021 to December 31, 2022, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Pucci absent.

Item Pulled

The following item was pulled from the agenda at the request of the department:

22. **Planning Department** - Request Board ratify and approve the Joint Funding Agreement with the U.S. Geological Survey for Wells and Springs Monitored in the Amargosa Desert in the amount of \$8,000 for the period of October 1, 2021 through September 30, 2022, and authorize the Chairperson to sign.

Sheriff – Idemia Sole-Source Contract Moved by Supervisor Roeser and seconded by Supervisor Kingsley to declare Idemia Identity & Security of Bloomington, MN, a sole-source provider of Livescan Machine maintenance; B) ratify and approve the agreement between the County of Inyo and Idemia for the provision of Livescan Machine maintenance in an amount not to exceed \$12,000 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 C) authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Pucci absent.

Recycling & Waste – 5-Year Equipment Replacement Plan Workshop Administrative Analyst Miquela Beall and Recycling and Waste Management Superintendent Cap Aubrey presented to the Board a Recycling and Waste Management program update and 5-year equipment replacement plan workshop. The Board supported the plan, with kudos to staff for the comprehensive work.

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-raising” feature on Zoom.

Board Member and Staff Reports Assistant Clerk of the Board Ellis sought and received Board consensus to cancel the September 28 Board meeting to accommodate members’ attendance of the annual Rural County Representatives of California.

Supervisor Totheroh reported attending the Northern Inyo Airport Advisory Commission meeting.

Supervisor Kingsley commented that the services for Clint in Tonopah last weekend were beautiful, and it was good to honor Clint where he grew up.

Chairperson Griffiths agreed with Supervisor Kingsley, saying it was also nice to hear stories from Clint’s high school days. He also proposed naming the Consolidated Office Building in Bishop the “Clint Quilter Administrative Center.”

CAO Chapman reported she is taking time off next week and Deputy Personnel Director Sue Dishion will serve as Acting CAO in her absence. She also asked the Board its preference for continuing Board meetings now that face masks are again required in all County buildings. Despite its desire to continue meeting in person, the Board ultimately decided to resume Zoom-only meetings in light of reports from the public that the masks made much of what they said today indecipherable over the webinar broadcast.

Closed Session Chairperson Griffiths recessed open session at 1:33 p.m. to convene in closed session with all Board members present except Supervisor Pucci to continue discussion and possible action as appropriate on previously noted closed session items.

Open Session Chairperson Griffiths recessed closed session and reconvened the meeting in open session at 2:11 p.m. with all Board members present except Supervisor Pucci.

Report on Closed Session County Counsel Rudolph reported that no action was taken in Closed Session that is required to be reported.

Adjournment Chairperson Griffiths adjourned the meeting at 2:11 p.m. to 8:30 a.m. Tuesday, August 10, 2021 in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

*Attest: LESLIE CHAPMAN
Clerk of the Board*

*by: _____
Darcy Ellis, Assistant*