

# MINUTES



# County of Inyo Board of Supervisors

**April 28, 2020**

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:32 a.m., on April 28, 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 Tothoroh, Jeff Griffiths, Rick Pucci, and Mark Tillemans.

- Pledge* Chairperson Kingsley led the Pledge of Allegiance.
- 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 there were not.
- County Department Reports* The Chairperson opened the floor for County Department Reports and there were none.
- COVID-19 Staff Update* HHS Director Marilyn Mann updated the Board on local COVID-19 statistics, noting that there was a fatality from the virus on Friday. She said Inyo County still has a confirmed positive rate of less than 10%, and said staff was working hard to be prepared to launch a well measured and thought-out recover plan once the Governor lifts some of the public health restrictions.
- Dr. James Richardson offered his condolences to the family and friends of the hospitalized COVID patient who died Friday. He noted the stay-at-home order has been extended to June 1 and everything the Governor orders, counties have to follow. He said new cases will hopefully be minimal to none upon reopening California.
- Assistant County Administrator Leslie Chapman said the County continues to work through its different COVID task forces to develop a solid vision for how reopening Inyo County will work. She reiterated that the foundational order is the one issued by the Governor, and Inyo County cannot be less restrictive than that order. She recommended the County focus its efforts on educating the business community and working with the medical community on widespread testing. She added that she spoke with industry representatives and is working with the Chamber of Commerce on a contact list for businesses in order to send out webinar invitations. Chapman said staff is also working on setting up an email address where business owners can send in questions.
- Sheriff Jeff Hollowell said law enforcement encountered very few problems during what would have been the fishing opener last weekend, and his personnel is continuing to aid the USFS and BLM in patrolling and monitoring closed areas. He added that most people contacted have been very cooperative.
- Information Services – Tech Refresh HP Purchase* Moved by Supervisor Tillemans and seconded by Supervisor Pucci to authorize, pursuant to the Technology Refresh Initiative, the purchase of 20 HP laptop computers and 20 HP docking stations from Southern Computer Warehouse for a total amount of \$22,159.03. Motion carried unanimously.
- HHS-Behavioral Health – CalMHSA Payment* Moved by Supervisor Tillemans and seconded by Supervisor Pucci to authorize payment of \$26,592 to California Mental Health Services Authority (CalMHSA) for participation in the Innovative Technology Suite project. Motion carried unanimously.

<i>HHS-Behavioral Health – Crestwood Contract</i>	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve the contract between the County of Inyo and Crestwood Behavioral Health, Inc. for residential placement for adults in a locked facility or an enhanced board and care, in an amount not to exceed \$23,000 for the period of July 1, 2020 to June 30, 2021, contingent upon Board's adoption of the Fiscal Year 2020-2021 Budget, and authorize Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>HHS-First 5 – Lead Agency IMPACT Grant Application</i>	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to authorize First 5 Inyo County to submit an application to be the lead agency on First 5 California IMPACT (Improve Maximize Programs so All Children Thrive) 2020 as part of the Quality Counts California Local Consortia and Partnership Grants Request for Applications, for the period of July 1, 2020 to June 30, 2023, in order to apply for \$209,772, and authorize First 5 Commission Chair Anna Scott and HHS Director Marilyn Mann to sign the application. Motion carried unanimously.
<i>HHS-Fiscal – CDA Nutrition Program Contract Amendment 3</i>	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve Amendment No. 3 to Standard Agreement for Contract Number AP-1920-16 between the County of Inyo and the California Department of Aging extending the contract term for an additional year, to June 30, 2021, for the State funded Nutrition Augmentation program, and authorize the HHS Director to sign the Standard Agreement Amendment. Motion carried unanimously.
<i>Probation – Modified Nevada County Agreement</i>	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve the modified agreement between the County of Inyo and the County of Nevada to increase the daily rate per youth to \$125.00, contingent upon the Board's approval of future fiscal year budgets. Motion carried unanimously.
<i>Public Works – Dave's Auto Parts Purchasing Increase</i>	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to authorize an increase of Road and Public Works' purchasing authority with Dave's Auto of Bishop, CA by \$10,000, to a total not-to-exceed amount of \$50,000, for the purchase or parts and shop needs in order to repair vehicles and equipment. Motion carried unanimously.
<i>Sheriff – Dooley's Enterprises Purchasing Increase</i>	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to authorize an increase of the Sheriff's purchasing authority with Dooley's Enterprises, Inc. of Anaheim, CA by \$1,200, to a total not-to-exceed amount of \$31,200, for ammunition. Motion carried unanimously.
<i>CAO – Consideration of Facility and Area Closures in INF</i>	<p>CAO Quilter introduced an item requesting the Board review and consider supporting the Inyo National Forest's closure of roads and trails in three specific areas in Inyo County – Pine Creek Road, Buttermilk Road, and Mt. Whitney area trails. He noted the fluidity of the situation, which saw the community adamant about keeping people out of recreation areas a month ago and now has residents objecting to potential closures. He clarified that Inyo County has been working closely with land management agencies but the Forest Service has not asked the County for any closures. Quilter said the only closure Inyo County has supported is the one in the Mt. Whitney area, on account of the sheer numbers of out-of-county and international visitors it attracts every spring and summer. White Mountain District Ranger Philp DeSenze explained that INF proposed closures in response to the COVID-19 outbreak, based on feedback from public and local officials, and what rangers are seeing in the field. He explained that the closure of other popular climbing and recreation spots on BLM and LADWP land has concentrated use on Forest Service land in the Pine Creek and Buttermilk areas, and while they have not seen an uptick in use, it has been consistent. With the slow pace at which the proposal has moved forward, the mixed reactions, changing situation, and the fact that the earliest it can get final approval is within three weeks to a month, DeSenze said INF is no longer interested in pursuing closures for the Pine Creek and Buttermilk areas, but will instead support any actions the County may take to limit or restrict traffic to those areas. He said people would still be able to access these areas on foot and not face citation.</p>
	<p>The Chairperson asked the Assistant Clerk of the Board whether there were any public comments for this item. The Assistant Clerk of the Board proceeded to read aloud 21 comment letters from the following individuals: Alex Vaught, Andy Selters, Barry Smith, Elaine Kabala, Jessica Johnson, Julie Allen, Lori Gable, Mark Sachs, Maya Jamal Kasberg, Mike Gable, Monica Jones, Nicholas Ingalls, Phil Wesseler, Rachel Baker, Sarah Land, Sarah Solnit, Shawn Reeder, Taimur Ahmad, Tim Golden, Bishop Climbing Coalition, and Trish McGuire. Each individual opposed the closure of road and trails, some calling it government overreach with most noting that the outdoors is the best place to social distance and recreation is good for</p>

the physical and mental wellbeing of residents cooped up during the quarantine. They advocated for at least keeping the areas open to local residents.

Mt. Whitney District Ranger David Anderson noted that it's not the Forest Service's job to differentiate between local and out-of-towner use, so any closures would apply to everyone. He said INF received more than 20,000 permit applications for Mt. Whitney alone, with the number of successful applications representing 26,160 people. He noted the figure does not include day use and other activities not requiring a permit, and he encouraged the Board to consider what is happening with Southern California beaches being overwhelmed. He said the Forest Service is expecting 12,000 climbers in just May and June, and noted that the INF simply lacks the manpower right now to handle permits and monitor the visitation. Anderson said he recommended the County close its gate to vehicles at Hog's Back on Whitney Portal Road to discourage visitation during the pandemic.

Sheriff Hollowell weighed in from a law enforcement/Search and Rescue team perspective, noting that access to any trailhead will increase calls for the SAR Team, which will be unable to receive air support from the CHP due to COVID-related cutbacks. He said the team would have to hike in, endangering their lives and breaking social distancing protocols which will result in their removal from the field for two weeks. He asked the Board to consider closing the gate to Whitney Portal.

Lengthy Board discussion ensued, with the Supervisors concurring with DeSenze, Anderson, and Hollowell that the number of visitors who will potentially flock to the Whitney Portal area is cause for concern, while usage in the Buttermilk and Pine Creek areas does not warrant restriction of access. The Board also agreed with the commenters on the importance of outdoor recreation for physical and mental health during this stressful time. The Board ultimately reached consensus to direct County staff to close the gate at Hog's Back to restrict access to the Portal and continue to work with INF on the best time to reopen it. The Supervisors also supported leaving the Buttermilk and Pine Creek areas unrestricted, with the INF and local law enforcement monitoring the situation and continued messaging from the Bishop Climbing Coalition.

*Recess/Reconvene* The Chairperson recessed the meeting at 10:45 a.m. for a break and reconvened the meeting at 10:54 a.m. with all Board members present.

*Water Department – Review of LADWP Annual Operations Plan* Water Department Director Dr. Aaron Steinwand gave a presentation on the LADWP Proposed Annual Operations Plan, to which the County must respond within 10 days of receipt (April 27). He explained the Water Commission met to discuss the plan and staff has completed the majority of its analysis. He said staff's analysis will go into a comment letter that they hoped to submit to LADWP tomorrow, and per the Long-Term Water Agreement, a meeting of the Inyo-L.A. Technical Group must be held within 10 days after that. He said the plan must then be finalized within 10 days of the Tech Group meeting (traditionally a Standing Committee meeting is held during this time), unless the County opts to submit any part of the plan for dispute resolution. Dr. Steinwand went through staff's analysis, which revealed two areas of concern in particular, given LADWP's proposed pumping of up to 93,000 acre-feet of water and runoff only being 74% of normal: the Independence Oak and Symmes-Shepherd wellfields. He also noted that the Thibaut-Sawmill wellfield will be the only one above baseline groundwater levels next year if LADWP pumps the full amount (it proposes a range from 75,000 acre-feet to 93,000 acre-feet). Dr. Steinwand said that, based on its analysis of water levels, the Water Department is recommending 71,545 acre-feet of pumping – just under the long-term average of 72,000 acre-feet. Chairperson Kingsley asked why LADWP is proposing such a large number. Dr. Steinwand said staff has not had that discussion with LADWP yet. Supervisor Tillemans said LADWP's proposed pumping is alarming, and while what staff has recommended is also substantial, it's reasonable.

*CAO-Advertising County Resources – Meredith Corp. Payment Ratification* Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to ratify and approve payment of \$12,520.00 from the 2019-20 Advertising County Resources Budget to Meredith Corporation for an Inyo County one-third page advertisement in the 2020 California Visitor Guide and website. Motion carried unanimously.

*CAO-Emergency Services –* Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to declare Navigating Preparedness Associates, LLC, of Lafayette, CA, the successful respondent to Inyo County

<i>NPA LLC Contract</i>	RFP NO. OES-2020-02-01 Inyo County Emergency Operations Plan & Annexes Update; B) authorize a contract be entered into with Navigating Preparedness Associates, LLC in an amount not to exceed \$77,100 for the term of May 1, 2020 through August 31, 2021, contingent upon the Board's adoption of future budgets; and C) authorize the Chairperson to sign the contract, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>CAO-Emergency Services &amp; HHS – Emergency Occupancy Agreement</i>	Emergency Services Manager Kelley Williams presented for approval an Emergency Occupancy Agreement with three local motels to provide non-congregate sheltering (where patients can quarantine) in the event Northern Inyo Hospital becomes overwhelmed during the COVID-19 outbreak. Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the Emergency Occupancy Agreement between the County of Inyo Department of Emergency Services and the Bishop Motel 6, Bishop Vagabond Inn, and Bishop Travelodge and authorize the County Administrative Officer to sign. Motion carried unanimously.
<i>HHS-Health &amp; Prevention – Infectious Disease CDPH Agreement Ratification</i>	Moved by Supervisor Totheroh and seconded by Supervisor Pucci to ratify and approve the grant agreement between the County of Inyo and the California Department of Public Health for the provision of Infectious Disease Prevention and Local Control - Infrastructure Grant funding in an amount not to exceed \$112,644.01 for the period of February 1, 2020 through June 30, 2023, contingent upon the approval of future budgets, and authorize the Chairperson to sign two copies of the Grant Agreement and one copy of the Contractor Certification Clause. Motion carried unanimously.
<i>Clerk of the Board – Approval of Minutes</i>	Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the minutes of the regular Board of Supervisors meeting of April 21, 2020. Motion carried unanimously.
<i>Public Comment</i>	Chairperson Kingsley asked the Assistant Clerk of the Board whether any additional public comment for items not calendared on the agenda had been emailed during the meeting.  The Assistant Clerk of the Board said that none had.
<i>Board Member and Staff Reports</i>	Supervisor Griffiths reported attending Financial Advisory Committee, First 5 Commission and CSAC Executive Board meetings last week, participating in a Zoom webinar with Assistant CAO Leslie Chapman regarding local businesses, and  CAO Quilter said staff is working to schedule a Standing Committee meeting with Los Angeles, and should have a date pinned down later this week.
<i>Closed Session</i>	The Assistant Clerk of the Board read a statement submitted as public comment for item 22 from SEIU Local 215 Statewide Bargaining Director David Werlin. Mr. Werlin expressed concerns regarding the County's IHSS program and its workers and clients, and noted that as they start working with Life Remedies & Celebrations on negotiations, they looked forward to speaking to the County about solutions.  Chairperson Kingsley recessed open session at 12:01 p.m. to convene in closed session with all Board members to discuss the following item(s): No. 22 <b>CONFERENCE WITH COUNTY'S LABOR NEGOTIATORS</b> – 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.
<i>Open Session</i>	Chairperson Kingsley recessed closed session and reconvened the meeting in open session at 1:06 p.m. with all Board members present.
<i>Report on Closed Session</i>	County Counsel Rudolph reported that no action was taken during closed session that is required to be reported.
<i>Adjournment</i>	Chairperson Kingsley adjourned the meeting at 1:06 p.m. to 8:30 a.m. Tuesday, May 5, 2020 in

the County Administrative Center in Independence.

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Chairperson, Inyo County Board of Supervisors

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

by: \_\_\_\_\_  
*Darcy Ellis, Assistant*

