

# MINUTES



# County of Inyo Board of Supervisors

July 7, 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 7, 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.

## *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 two comments had been submitted in writing. She read aloud letters from Monica Duarte, on behalf of Pamela Tillman and Esperansa Naranjo, IHSS caregivers urging the Board of Supervisors to consider and approve the wage and healthcare proposals presented during negotiations.

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

## *Closed Session*

Chairperson Kingsley recessed open session at 8:34 a.m. to convene in closed session with all Board members to discuss the following item(s): No. 2 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – Los Angeles Department of Water and Power v. County of Inyo, Kern Superior Court Case No. BCV-18-101513-KCT (CEQA); No. 3 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – Names of cases: *County of Inyo et al. v. Amerisourcebergen Drug Corporation et al* (National Prescription Opiate Litigation – Northern District of Ohio. MDL 2804); and *In Re Purdue Pharma, L.P., et al.*, Case No. 19-23649 (RDD) (Bankr. S.D.N.Y.); and No. 4 **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 with respect to agenda item No. 2, the Board in closed session by unanimous vote with all members present gave approval to legal counsel to seek appellate review of the trial court judgement in that case. Per the Brown Act, Rudolph identified the adverse party – LADWP – and the substance of the litigation: CEQA and the allegation regarding the County's compliance with CEQA with respect to adopting resolutions of necessity that authorized the eminent domain proceedings against certain properties owned by LADWP and used by the County as landfills.

## *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.

She said she has not received any additional written comments. Nobody requested to speak to the Board via the "hand-waving" feature on Zoom.

*County Department Reports*

The Chairperson opened the floor to County Department Reports and there was nobody wishing to address the Board.

*COVID-19 Staff Update*

Public Health Officer Dr. James Richardson provided an overview of the COVID-19 cases that Inyo County has had recently: 12 new cases from May 29 to June 29, 10 of which were discovered over a two-week period, for a total of 34 cases with test results pending on a 35<sup>th</sup>. In reference to mitigation measures he said people are going to continue traveling in and out of the county and having social gatherings if they want to, but the County can continue to emphasize the importance of masking.

Deputy HHS Director-Public Health Anna Scott reported on the activity at the state level in response to counties with booming case numbers, including the issuing of orders to close back down bars, indoor gyms, museums, and in-person dining. She said Inyo County would come under scrutiny if the county exceeded the established two-week case rate, which for Inyo County is 18 cases in 14 days.

HHS Director Marilyn Mann thanked Assistant County Administrator Leslie Chapman and her team for proactively responding to issues with the various industries, resolving complaints about masking, and getting educational material to businesses. She said the County will begin issuing formal notifications of compliance failures and working with County Counsel to take action where appropriate. She said the County would prefer voluntary compliance but does not want to risk businesses having to close back down on state orders.

Supervisor Griffiths added that there was an article in the local media recently that said Inyo County has done no enforcement, which he said is absolutely not true. He said deputies have been sent to businesses that are out of compliance and a lot of businesses have been brought back into compliance. He said the article is not factual and does not respect the work being done by the County.

Chapman thanked several employees for their outstanding work behind the scenes. She also noted that a phone line set up for calls about COVID-19 has basically become a complaint line, with most complaints coming from people upset businesses aren't following the masking order and from people upset about the masking order. She said staff is keeping a detailed log of these calls, which will help them better identify the frequent sources of business complaints.

County Counsel Rudolph provided clarification on the stepped-up enforcement efforts currently being developed. He said criminal complaints are dealt with by the Sheriff and D.A., and his office deals with civil enforcement, which would include injunctive orders as a last relief. He added that to have the best enforcement strategy, you have to have tools in place like strongly worded orders, thus staff is reviewing the current orders and determining where they need to be strengthened.

Chairperson Kingsley said he and other Board members really appreciate staff's hard work and Chapman's outreach to businesses, which is helping to build relationships. He said the County should also recognize the businesses that are working extra hard to follow the rules.

Undersheriff Eric Pritchard said the Sheriff's Office is focused on safely managing the jail population following an uptick in arrests over the weekend.

*Clerk-Recorder – Annual CRiis Payment*

Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to authorize payment to Granicus in an amount of \$10,772.00 for the annual CRiis™ Software License Maintenance and Support Fee, contingent upon the Board's adoption of the Fiscal Year 2020-2021 Budget. Motion carried unanimously.

*Environmental Health – LEA Grant App/Reso # 2020-29*

Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve Resolution No. 2020-29, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California Authorizing the Submittal of the Local Enforcement Agency Grant Application," and authorize the Chairperson to sign. Motion carried unanimously.

*Probation – ICA Contract*

Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve Amendment No. 1 to the contract between the County of Inyo and Inyo Council for the Arts of Bishop, CA,

<i>Amendment 1</i>	to extend the term end date from August 31, 2020 to December 31, 2020, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>Public Works – Rocking W Maintained Mileage Adoption/Reso # 2020-30</i>	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve Resolution No. 2020-30, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Adopting Rocking W Drive into the Inyo County Maintained Mileage," and authorize the Chairperson to sign. Motion carried unanimously.
<i>Public Works – Fountainhead Consulting Contract</i>	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to approve the contract between Inyo County and Fountainhead Consulting Services of Anaheim, CA for the performance of construction management services for the North Round Valley Bridge Construction Project in an amount not to exceed \$339,928.37 for the period of July 7, 2020 through December 31, 2021, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>Public Works – Increasing FY 19-20 Purchasing Authority</i>	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to authorize an increase of Public Works' Fiscal Year 2019-2020 purchasing authority with Britt's Diesel of Bishop, CA by \$15,000 to a total not-to-exceed amount of \$80,000, Quinn Company by \$20,000 to a total not-to-exceed amount of \$40,000 and Western Nevada Supply by \$20,000 to a total not-to-exceed amount of \$50,000 for the purchase of auto and building repair items. Motion carried unanimously.
<i>Public Works – FY 20-21 Blanket P.O.s</i>	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to authorize issuance of blanket purchase orders for Fiscal Year 2020-2021 in the following amounts payable to the following vendors, for vehicle and building repair items for Public Works, totaling \$490,000: Britt's Diesel, \$70,000; Silverstate International, \$30,000; Bishop Welding, \$20,000; High Country Building & Lumber, \$30,000; Mission Linen, \$40,000; Coastline Equipment, \$40,000; Snow Survey Associates, \$20,000; Quinn Company, \$30,000; Environmental Concepts, \$40,000; Dave Auto Parts, \$50,000; Western Nevada Supply, \$50,000; Steve's Auto & Truck Parts, \$40,000, and High Desert Trucking School, \$30,000. Motion carried unanimously.
<i>Public Works – CDFW Incidental Take Permit</i>	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to: A) authorize Public Works personnel to sign the California Department of Fish and Wildlife's Incidental Take Permit for the Walker Creek Road Bridge Project; and B) authorize a purchase order in an amount not to exceed \$39,100, payable to West Mojave Conservation Bank-Natural Resources Group, Inc. of West Sacramento, CA for the mitigation credits required by the permit. Motion carried unanimously.
<i>Sheriff – CA DOJ Sole-Source P.O.</i>	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to: A) declare California Department of Justice a sole-source provider of fingerprint verification services; and B) authorize a purchase order in an amount not to exceed \$15,000, payable to California Department of Justice for livescan services, contingent upon the Board's adoption of the Fiscal Year 2020-2021 budget. Motion carried unanimously.
<i>Sheriff – Office Depot Blanket P.O.</i>	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to authorize issuance of a blanket purchase order in an amount not to exceed \$20,000, payable to Office Depot for the purchase of office supplies. Motion carried unanimously.
<i>Sheriff – Wye Road Feed Blanket P.O.</i>	Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to authorize issuance of a blanket purchase order in an amount not to exceed \$20,000, payable to Wye Road Feed of Bishop, CA for the purchase of animal supplies, feed and vaccines, contingent upon the Board's adoption of the Fiscal Year 2020-2021 budget. Motion carried unanimously.
<i>Water Department – OVGA Rep Directions</i>	Staff requested direction for the Owens Valley Groundwater Authority representatives in advance of the OVGA meeting scheduled for July 9, 2020. Water Department Director Dr. Aaron Steinwand reviewed the items on the agenda and provided an update on the status of the Groundwater Sustainability Plan. Supervisor Totheroh said with respect to the scheduled agenda items, the County's position has not changed and he has appropriate direction from prior discussions.

<i>Sheriff – Idemia Sole-Source Agreement</i>	Moved by Supervisor Pucci and seconded by Supervisor Totheroh 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 Identity & Security of Bloomington, MN for the provision of annual livescan machine maintenance in an amount not to exceed \$12,000 for the period of July 1, 2020 through June 30, 2021, contingent upon the Board's approval of the Fiscal Year 2020-2021 Budget; and C) authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>Public Works – Emergency Qualcon Contract/Reso #2020-31</i>	Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to approve Resolution No. 2020-31, titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Authorizing Emergency Pavement Repair and Construction on Birchim Lane," and authorize the Chairperson to sign ( <i>4/5ths vote required</i> ); and B) approve the Agreement between the County of Inyo and Qualcon Contractors, Inc. for the provision of emergency paving services in the amount not to exceed \$383,628.96 for the period of July 7, 2020 to August 7, 2020, and authorize the Chairperson to sign, contingent upon the appropriate signatures being obtained. Motion carried unanimously.
<i>Environmental Health – Mono County CUPA Contract</i>	Moved by Supervisor Totheroh and seconded by Supervisor Pucci to ratify and approve the contract between the County of Inyo (contractor) and the County of Mono (contractee) allowing the contractor to provide personnel services required by Mono County to operate their CUPA program for the period of July 1, 2020 through June 30, 2023, at the rate of \$88/hour, not to exceed \$100,000 in any Fiscal Year, and authorize the Chairperson to sign. Motion carried unanimously.
<i>Probation – Noble Software Group Amendment 5</i>	Moved by Supervisor Griffiths and seconded by Supervisor Pucci to ratify and approve Amendment No. 5 to the Agreement between the County of Inyo and Noble Software Group, LLC. of Redding, California, to extend the Agreement from July 1, 2020 to June 30, 2021 with the same cost \$5,719 for the annual hosting fee (up to 16 Users) and \$800 for quality assurance (IRR Site Access, 8 Users), remove Section 23- Limitation of Liability of the original Agreement, and add Section 22.5 to the Agreement - Inyo County, its officers, officials, employees, and volunteers are covered as additional insureds on the general liability policy with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts, or equipment furnished in connection with such work or operations, contingent upon the Board's approval of the Fiscal Year 2020-2021 Budget, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>Probation – Siemens Industry Amendment 1</i>	Moved by Supervisor Pucci and seconded by Supervisor Griffiths to ratify and approve Amendment No. 1 to the Agreement between the County of Inyo and Siemens Industry Inc. of Fresno, CA, to extend the Agreement from July 1, 2020 to June 30, 2021 with the same cost of \$7,242 paid in two installments per year for the semi-annual inspection and maintenance of equipment services (fire and safety equipment – fire suppression system), contingent upon the Board's approval of the Fiscal Year 2020-2021 Budget, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>HHS-Health &amp; Prevention – DHCS Reimbursement</i>	Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to ratify and approve agreement 20-10220 between the County of Inyo and the California Department of Health Care Services (DHCS) for the reimbursement of administrative costs for the Medi-Cal Inmate Program (MCIP) to DHCS in an amount not to exceed \$2,500 for the period of July 1, 2020 to June 30, 2023, contingent upon the Board's approval of future budgets, and authorize the HHS Director to sign 2 copies. Motion carried unanimously.
<i>HHS-Health &amp; Prevention – CDPH AIDS Program Agreement</i>	Moved by Supervisor Totheroh and seconded by Supervisor Pucci to ratify and approve the Standard Agreement Between the County of Inyo and California Department of Public Health, AIDS Drug Assistance Program, Office of AIDS, Agreement 20-10139, to continue Inyo County HHS/Public Health as an Enrollment site, for the period of July 1, 2020 through June 30, 2023 and authorize the HHS Director to sign the Standard Agreement, Contractor Certification CCC-307 form and Darfur Contracting Act form. Motion carried unanimously.
<i>HHS-Social Services – Kern County Adoption MOU</i>	Moved by Supervisor Tillemans and seconded by Supervisor Pucci to ratify and approve the Memorandum of Understanding with Kern County for provision of Adoptions Services for the period July 1, 2020 through June 30, 2025, and authorize the Chairperson to sign four (4) original copies. Motion carried unanimously.

<i>Recycling &amp; Waste Management – Brown’s Supply Contract</i>	Moved by Supervisor Totheroh and seconded by Supervisor Pucci to ratify and approve the contract between the County of Inyo and Brown’s Supply of Bishop, CA for the provision of cardboard processing in an amount not to exceed \$126,000 for the period of July 1, 2020 through June 30, 2023, contingent upon the Board’s approval of future budgets, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>Clerk of the Board – Approval of Minutes</i>	Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to approve the minutes of the regular Board of Supervisors meetings of June 9, 2020 and June 16, 2020, and the special Board meeting of June 30, 2020. Motion carried unanimously.
<i>Road Department – Ordinance 1257 (Right-of-Way Vegetation)</i>	Moved by Supervisor Totheroh and seconded by Supervisor Totheroh to approve an ordinance titled, "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Adding Chapter 12.20 to the Inyo County Code and Amending Chapter 12.08 of the Inyo County Code Related to Vegetation Management within the Right-of-Way." Motion carried unanimously.
<i>Correspondence-Action – IMACA Grant Application</i>	Supervisor Griffiths recused himself from the discussion due to his membership on the IMACA Board of Directors. Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to authorize the County Administrator’s signature on Attachment C to Inyo-Mono Advocates for Community Action’s Grant Application for funding services and activities for homeless and at-risk of homelessness populations. Motion carried unanimously.
<i>Public Comment</i>	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 nothing additional had been submitted. Nobody requested to speak to the Board via the “hand-waving” feature on Zoom.
<i>Board Member and Staff Reports</i>	Supervisor Totheroh reported he has an Owens Valley Groundwater Authority meeting on Thursday, and noted there will be blood drive by appointment in Bishop July 14-15.  Supervisor Griffiths said he has attended several ESTA and ESCOG meetings lately, as well as a meeting yesterday of the Eastern Sierra Sustainable Recreation Partnership.  Chairperson Kingsley reported attending a Great Basin Unified Air Pollution Control District meeting last Thursday. He also commented on the tremendous amount of visitors seen in Inyo County over the holiday weekend.
<i>Closed Session</i>	Chairperson Kingsley recessed open session at 11:32 a.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.
<i>Open Session</i>	Chairperson Kingsley recessed closed session and reconvened the meeting in open session at 12:33 p.m. with all Board members present, except Supervisor Tillemans.
<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 12:33 p.m. to 8:30 a.m. Tuesday, July 14, 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*