

Agenda



County of Inyo Board of Supervisors

Board of Supervisors Room
County Administrative Center
224 North Edwards
Independence, California

NOTICE TO THE PUBLIC: In order to minimize the spread of the COVID-19 virus, Governor Newsom signed Assembly Bill 361 – Brown Act: Remote Meetings During a State of Emergency that suspends certain requirements of the Brown Act. Please be advised that the Board of Supervisors Chambers are closed to the public, and the Board will be conducting its meetings online.

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The meeting may also be accessed by telephone at the following numbers: (669) 900-6833; (346) 248-7799; (253) 215-8782; (929) 205-6099; (301) 715-8592; (312) 626-6799. Webinar ID: 868 254 781.

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Public Notices: (1) In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (760) 878-0373. (28 CFR 35.102-35.104 ADA Title II). Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Clerk of the Board 72 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format. (Government Code Section 54954.2). (2) If a writing, that is a public record relating to an agenda item for an open session of a regular meeting of the Board of Supervisors, is distributed less than 72 hours prior to the meeting, the writing shall be available for public inspection at the Office of the Clerk of the Board of Supervisors, 224 N. Edwards, Independence, California and is available per Government Code § 54957.5(b)(1).

Note: Historically the Board does break for lunch; the timing of a lunch break is made at the discretion of the Chairperson and at the Board's convenience.

December 7, 2021 - 8:30 AM

1. **PUBLIC COMMENT** (Comments may be time-limited)

CLOSED SESSION

2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9** – Names of cases: *LADWP v. Inyo County* (Kern County Sup. Ct. Case Nos. BCV-18-101260-TSC, BCV-18-101261-TSC, and BCV-18-101262-TSC).
3. **CONFERENCE WITH LEGAL COUNSEL – SIGNIFICANT EXPOSURE TO LITIGATION – Pursuant to paragraph (2) of subdivision (d) of Government Code §54956.9** – Number of cases: 1

OPEN SESSION (With the exception of timed items, all open-session items may be considered at any time and in any order during the meeting in the Board's discretion.)

- 10 A.M.
4. **PLEDGE OF ALLEGIANCE**
 5. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW**

6. **PROCLAMATION** - Request Board approve a proclamation declaring December 7, 2021 Pearl Harbor Remembrance Day in Inyo County.
7. **PUBLIC COMMENT** (*Comments may be time-limited*)
8. **COUNTY DEPARTMENT REPORTS** (*Reports limited to two minutes*)
9. **COVID-19 STAFF REPORT**

DEPARTMENTAL - PERSONNEL ACTIONS

10. **Health & Human Services - Behavioral Health** - Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Addictions Counselor I-III exists in the non-General Fund Substance Use Disorder budget, as certified by the HHS 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) Addictions Counselor I at Range 59 (\$3,816 - \$4,636), Addictions Counselor II at Range 62 (\$4,093 - \$4,977), or Addictions Counselor III at Range 66 (\$4,489 - \$5,464), dependent upon qualifications.
11. **Health & Human Services - Health/Prevention** - Request Board:
 - A) Change the Authorized Strength in the HHS Women, Infants, and Children (WIC) Program by:
 1. Deleting one full-time HHS Specialist I-IV at Range 50-60 (\$3,094 - \$4,747); and
 2. Adding one full-time Prevention Specialist I-II at Range 60-63 (\$3,908 - \$5,091); and
 - B) Find that, consistent with the adopted Authorized Position Review Policy
 1. The availability of funding for one vacant Prevention Specialist I-III position exists, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller; and
 2. Where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment; though an open recruitment would be more appropriate to ensure qualified applicants apply; and
 - C) Approve the hiring of one bilingual required Prevention Specialist I at Range 60 (\$3,908 - \$4,747) or a Prevention Specialist II Range 63 (\$4,184 - \$5,091) in the WIC Program, and if an internal candidate is hired as a result of the open recruitment, authorize HHS to backfill the resulting vacancy.
12. **Public Works** - Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Custodian I exists in the General Fund, 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 an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Custodian I at Range 50 (\$3,094 - \$3,764).

13. **Public Works - Road Department** - Request Board find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Road Maintenance Supervisor exists in the Road Fund, as certified by the Public Works Director and concurred with by the County Administrator and Auditor-Controller; B) the vacancy can be filled by internal candidates meeting the qualifications for the positions; C) approve the internal recruitment and hiring of one (1) Road Maintenance Supervisor at Range 71 (\$5,058 - \$6,150); and D) authorize Public Works - Road Department to backfill the resulting vacancy.

CONSENT AGENDA (Items that are considered routine and are approved in a single motion; approval recommended by the County Administrator)

14. **County Administrator - Risk Management** - Request Board ratify and approve the agreement/contract between the County of Inyo and Baker&Hostetler LLP of New York, NY, for the provision of legal services in an amount not to exceed \$50,000 for the period of December 1, 2021 through June 30, 2022, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained.
15. **Health & Human Services - ESAAA** - Request Board: A) ratify and approve Amendment No. 2 to Standard Agreement for Contract Number AP-2122-16, between the County of Inyo and the California Department of Aging, increasing the overall allocation by \$26,185 for a total contract amount of \$1,401,871; B) and authorize the HHS Director to sign the Standard Agreement Amendment.
16. **Health & Human Services - Health/Prevention** - Request Board ratify and approve the Allocation Agreement between the County of Inyo and California Department of Public Health for the provision of the local Tobacco Control Program, in an amount not to exceed \$150,000 for the period of July 1, 2021 through December 31, 2021, and authorize the HHS Director to sign Allocation Agreement No. CTCP-17-14 and Prospective Payment Invoices.
17. **Health & Human Services - Health/Prevention** - Request Board: 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/Nicotine Prevention and Cessation Program and Substance Use Disorder (SUD) Prevention Program in an amount not to exceed \$21,181.00 for the period of December 23, 2021 through June 8, 2022; and C) authorize the County Administrator to sign, contingent upon all appropriate signatures being obtained.
18. **Probation** - Request Board: A) appoint the Chief Probation Officer and the Sheriff as Co-County Correctional Administrators; B) review, make comments, changes, additions, modifications, and/or omissions to the rules, regulations and administrative policy for the Probation Department's electronic monitoring program and thereafter; and C) approve the Probation Department's electronic monitoring program.
19. **Public Works** - Request Board: A) rescind Resolution No. 2020-01; and B) approve Resolution No. 2021-53, titled, "A Resolutions of the Board of Supervisors, County of Inyo, State of California, Authorizing Submittal of Application for Payment Programs and Related Authorizations" in relation to CalRecycle grants, and authorize the Chairperson to sign.

20. **Sheriff** - Request Board: A) declare American Security Group of Vista, CA a sole-source provider of maintenance of security surveillance system equipment; B) ratify and approve payment to American Security Group of Vista, CA in the amount of \$12,344.00 for annual maintenance for the period of July 1, 2021 through June 30, 2022; and C) authorize the Sheriff or his designee to sign, contingent upon all appropriate signatures being obtained.
21. **Sheriff** - Request approval to increase spending authority with MRA/Raycom from \$264,838.00 to \$314,890.03 and authorize the purchase of 69 Kenwood mobile two-way radios in the amount of \$50,052.03 from MRA/Raycom.
22. **Sheriff** - Request Board authorize an increase of the Sheriff's purchasing authority with Lexipol of Aliso Viejo, CA by \$4,000, to a total not-to-exceed amount of \$27,000, for the purchase of law enforcement policy maintenance, updates, and daily training bulletins.
23. **Sheriff** - Request Board: A) determine that Sheriff Jeffery R. Hollowell's duty weapon is no longer required for public use pursuant to Inyo County Code Section 6.28.040.B; and B) pursuant to Penal Code Section 26615, authorize Undersheriff Pritchard to sell a Glock Model 23 and badge to Retiring Sheriff Jeffery R. Hollowell for fair market value.
24. **Treasurer-Tax Collector** - Request Board: A) approve Resolution No. 2021-54 to accept Treasury Oversight Committee member's resignation; B) consider Treasurer's nomination for appointment to the Treasury Oversight Committee; and C) appoint Mr. Robert Sharp to the Treasury Oversight Committee. (*Notice of Vacancy resulted in requests for appointment from Mr. Sharp.*)

DEPARTMENTAL (To be considered at the Board's convenience)

25. **County Administrator** - Request Board approve a letter to Senator Dianne Feinstein expressing support for S. 1877, Hazard Eligibility and Local Projects Act.
26. **Agricultural Commissioner - Cannabis** - Request Board receive presentation on the current status of commercial cannabis business licenses in Inyo County.
27. **Water Department** - Request Board provide direction to the Owens Valley Groundwater Authority representatives in advance of the Owens Valley Groundwater Authority special meeting scheduled for December 9, 2021.
28. **Public Works** - Request Board:
 - A) Amend the Fiscal Year 2021-2022 State Funded Road Budget 034601 as follows: increase estimated revenue in State Other - 4499 by \$137,957.00 and increase appropriation in Onion Valley Guardrail Project - 5715 by \$137,957.00 (*4/5ths vote required*);
 - B) Declare Eastern Sierra Engineering of Bishop, CA a sole-source provider of Environmental and Engineering Consultant Services;
 - C) Approve the contract between the County of Inyo and Eastern Sierra Engineering of Bishop, CA for the provision of Environmental and Engineering Consultant Services in an amount not to exceed \$137,956.17 for the period of December 7, 2021 through July 31, 2023, contingent upon the Board's approval of future budgets; and
 - D) authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained.

29. **Clerk of the Board** - Request Board approve the minutes of the regular Board of Supervisors meetings of November 9, November 16, and November 30, 2021.

TIMED ITEMS (Items will not be considered before scheduled time but may be considered any time after the scheduled time.)

30. **11 a.m. - Planning** - Request Board:
- A) Receive a presentation from staff;
 - B) Conduct a public hearing on the following actions:
 - Approval of General Plan Amendment (GPA) 2021-02/711 Materials Inc.
 - Approval of an Ordinance - Zone Reclassification (ZR) 2021-02/711 Materials Inc., amend the Zoning Map of the County of Inyo and Enact said Ordinance (attached); and
 - C) Certify that the Provisions of the California Environmental Quality Act (CEQA) have been met.
31. **11:05 a.m. - County Counsel** - Request Board conduct a noticed public hearing as part of the 2021 redistricting process.
32. **11:15 a.m. - Ag Commissioner-Cannabis** - Request Board: A) conduct a public hearing on the consideration of county commercial cannabis licenses for non-storefront retail classification licenses in cannabis Zone 1, and cultivation in excess of 5,000 square feet in cannabis Zone 5C; B) conditionally approve those applications that exceeded the 80% minimum scoring threshold as set forth in Inyo County Code section 5.40.090(H) and authorize issuance of licenses contingent on the applicant paying the fees established as well as payment of all other required fees and taxes; and C) deny those applications that failed to meet the 80% minimum scoring requirement and authorize final letters of rejection.
33. **1 p.m. - Board of Equalization** - The Board will recess and reconvene as the Inyo County Board of Equalization (separate agenda).

CORRESPONDENCE - ACTION

34. **Inyo County Fish & Wildlife Commission** - Request Board approve a \$1,000 expenditure from the Fiscal Year 2021-2022 Fine Fund Budget to the Wildcare Eastern Sierra for the rehabilitation of injured and orphaned wildlife.

COMMENT (Portion of the Agenda when the Board takes comment from the public and County staff)

35. **PUBLIC COMMENT**

BOARD MEMBERS AND STAFF REPORTS

CORRESPONDENCE - INFORMATIONAL

36. **California Fish & Game Commission** - Agenda for the California Fish & Game Commission scheduled for December 15-16.

Agenda

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December 7, 2021

- 1:00 p.m.**
1. **ELECTION OF OFFICERS** – The Board will elect a Chairperson and Vice Chairperson of the Board of Equalization for calendar 2021.
 2. **MINUTE APPROVAL** – Request approval of the minutes of the Board of Equalization meeting of December 15, 2020.
 3. **OATHS** – The Assistant Clerk of the Board will administer oaths to all parties planning to provide testimony during today's proceedings, as well as anyone who will give evidence during the assessment appeal hearing.
 4. **ASSESSMENT APPEAL HEARING** to consider Assessment Appeal No. 2020-07, concerning Assessor Parcel No. 023-210-0802, submitted by Mark Stevens.
 5. **ADJOURN**