

Agenda



County of Inyo Board of Supervisors

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

NOTICE TO THE PUBLIC: This meeting is accessible to the public both in person and via Zoom webinar. Individual Board members may participate remotely in accordance with applicable open meeting law requirements. In-person meetings will be conducted in accordance with local and State Department of Public Health orders and guidance and requirements of the California Division of Occupational Safety and Health (CalOSHA).

The Zoom webinar is accessible to the public at <https://zoom.us/j/868254781>. 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.

Anyone unable to attend the Board meeting in person who wishes to make either a general public comment or a comment on a specific agenda item prior to the meeting, or as the item is being heard, may do so either in writing or by utilizing the Zoom "hand-raising" feature when appropriate during the meeting (the Chair will call on those who wish to speak). Generally, speakers are limited to three minutes. Written public comment, limited to **250 words or less**, may be emailed to the Assistant Clerk of the Board at boardclerk@inyocounty.us. Your comments may or may not be read aloud, but all comments will be made a part of the record. Please make sure to submit a separate email for each item that you wish to comment upon.

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.

October 4, 2022 - 8:30 A.M.

AMENDED

1. ***PUBLIC COMMENT ON CLOSED SESSION ITEM(S)*** (*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*** – Name of case: *Hollowell v. County of Inyo et al.* (ICSI-CVCV-2021-66822).
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 Nate Greenberg, Assistant County Administrators Sue Dishion and Meaghan McCamman, Deputy Personnel Director Keri Oney, County Counsel John-Carl Vallejo, Health and Human Services Director Marilyn Mann, and Chief Probation Officer Jeff Thomson.

4. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –**
Significant exposure to potential litigation pursuant to paragraph (2) of subdivision (d) Government Code §54956.9: one potential case. Facts and circumstances:
CalRecycle Threatened Compliance Order for Mandatory Commercial Recycling Program Implementation Gap(s).
5. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Pursuant to Government Code §54957 –** Title: County Administrator.

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.**
6. **PLEDGE OF ALLEGIANCE**
 7. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW**
 8. **PUBLIC COMMENT** (Comments may be time-limited)
 9. **COUNTY DEPARTMENT REPORTS**
 10. **PROCLAMATION** - Request Board approve a proclamation declaring October 10, 2022 as Indigenous People's Day in Inyo County.

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

11. **Clerk-Recorder** - Request Board approve Resolution No. 2022-37, titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California, authorizing the Inyo County Clerk-Recorder to establish an Electronic Recording Delivery System," and authorize the Chairperson to sign.
12. **Clerk-Recorder** - Request Board, pursuant to Elections Code section 10515, appoint in-lieu of election nominees who filed Declarations of Candidacy during the filing period for the November 8, 2022 General Election and/or interested, qualified candidates who did not submit Declarations of Candidacy as indicated on the attached Clerk's Certificates.
13. **Health & Human Services - Behavioral Health** - Request Board ratify and approve Modification No. 1 to the Subcontract Agreement and HIPAA Privacy Compliance Agreement between the County of Inyo and Advocates for Human Potential of Sudbury, MA, effective July 21, 2022, and authorize the HHS Director to sign the modification and Business Associate Agreement.

ADDENDUM 1 13a. **County Counsel** - Request Board adopt findings pursuant to AB 361 that: A) the Board reconsidered the circumstances of the existing State of Emergency issued on March 4, 2020, in response to the COVID-19 pandemic; and B) local officials continue to recommend measures to promote social distancing, and/or the state of emergency continues to directly impact the ability of the members to meet safely in person.

ADDENDUM 2 13b. **Public Works – Recycling & Waste Management** - Request Board approve Resolution No. 2022-39, titled "A Resolution of the Board of Supervisors, County of Inyo, State of California, Waiving Solid Waste Disposal and Gate Fees for the Disposal of Items Associated with the Fairview Fire Clean Up," and authorize the Chairperson to sign.

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

14. **County Administrator - Economic Development** - Request Board receive presentation/update from Kristi More, of The Ferguson Group, on legislative issues relevant to Inyo County.
15. **Treasurer-Tax Collector** - Request Board waive further reading of the proposed ordinance titled, "An Ordinance of the Inyo County Board of Supervisors, State of California, Rescinding Section 3.20.035 of the Inyo County Code," and schedule enactment for October 11, 2022, in the Board of Supervisors Chambers, County Administrative Center, Independence.
16. **Health & Human Services - Health/Prevention** - Request Board amend the Fiscal Year 2022-2023 Tobacco Budget (Budget 640322) as follows: increase revenue in Operating Transfer In (4998) by \$43,463 and increase appropriation in Prior Year Refund (5499) by \$43,463 (*4/5ths vote required*) and approve the return of funds to the California Department of Public Health (CDPH) in the amount of \$43,463.00 for unspent grant funds from the Inyo Tobacco Prevention and Education Program.
17. **Health & Human Services - Social Services** - Request Board change the Authorized Strength in the Health and Human Services Department by modifying one (1) FIRST Supervisor at Range 78 (\$6,210 - \$7,545) to a FIRST Supervisor at Range 76 (\$5,923 - \$7,202).
18. **Water Department** - Request Board: A) approve revised job description for the Research Assistant position to include saltcedar control duties and training requirements; and B) change the Authorized Strength in the Water Department by modifying one Research Assistant, Range 62 (\$4,257-\$5,176), to a Research Assistant, Range 64 (\$4,461-\$5,419).
19. **Public Administrator-Public Guardian** - Request Board receive a presentation on the Office of the Public Guardian.
20. **Clerk of the Board** - Request Board approve the minutes of the regular meeting of September 20, 2022 and the budget hearings of September 20, 2022.

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

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

BOARD MEMBERS AND STAFF REPORTS