



# INYO COUNTY BOARD OF SUPERVISORS

DAN TOTTEROH • JEFF GRIFFITHS • RICK PUCCI • JENNIFER ROESER • MATT KINGSLEY

NATE GREENBERG  
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS  
ASST. CLERK OF THE BOARD



## AGENDA

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

**NOTICES TO THE PUBLIC:** (1) 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](mailto: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.

(2) 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).

### REGULAR MEETING December 20, 2022

*(Unless otherwise specified by time, items scheduled for either the morning or afternoon sessions will be heard according to available time and presence of interested persons.)*

#### Start Time

- 8:30 A.M.**     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: *Inyo County v. Los Angeles Department of Water and Power, Kern County Superior Court* Case Nos. BCV-18-101260-TSC, BCV-18-101261-TSC, and BCV-18-101262-TSC.**
- 3)     **Conference with Legal Counsel - Anticipated Litigation - Initiation of litigation pursuant to §54956.9(d)(4) - Number of cases: one. Facts and circumstances: Fire Damage to Commander's House Property.**

- 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 – Administrative Officer Nate Greenberg, Assistant County Administrators Sue Dishion and Meaghan McCamman, Deputy Personnel Director Keri Oney, County Counsel John-Carl Vallejo, Auditor-Controller Amy Shepherd, Senior Budget Analyst Denelle Carrington, Health and Human Services Director Marilyn Mann, and Chief Probation Officer Jeff Thomson.
- 5) **Public Employee Performance Evaluation – Pursuant to Government Code §54957** – Title: County Administrator.

**OPEN SESSION** With the exception of timed items, which cannot be heard prior to their scheduled time, all open-session items may be considered at any time and in any order during the meeting at 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**

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

- 10) **Proposed Fiscal Year 2022 Emergency Management Performance Grant (EMPG) Program Application and Resolution**  
County Administrator - Emergency Services | Mikaela Torres  
  
**Recommended Action:** Request Board review the proposed Fiscal Year 2022 Emergency Management Performance Grant (EMPG) Program Application and, if deemed acceptable: A) approve the submittal of the Fiscal Year 2022 EMPG Program Application and authorize the County Administrator, as the designated Authorized Agent, to sign the grant application, as well as any and all accompanying documents, by approving the "Governing Body Resolution No. 2022-52," and B) authorize the Chairperson to sign the resolution addendum letter.
- 11) **Boardroom Multimedia Replacement Project**  
County Administrator - Information Services | Scott Armstrong  
  
**Recommended Action:** Request Board approve the agreement between the County of Inyo and Western Audio Visual and Security of Orange, CA, for the provision of the Boardroom Multimedia Replacement Project in an amount not

to exceed \$95,000 for the period of December 20, 2022 through June 30, 2023, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained.

12) **AB 361 Findings Regarding Remote Board of Supervisors Meetings**

County Counsel | John Vallejo

**Recommended Action:** 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.

13) **Appointments to the Inyo County Emergency Medical Care Committee (EMCC)**

Health & Human Services - EMCC | Marilyn Mann

**Recommended Action:** Request Board: A) appoint Peter Spiers, Southern Inyo Hospital; Lucas Reynolds, Southern Inyo Fire Protection District; Joseph Dell, Bishop Fire Department; Jacinda Thomsen, Northern Inyo Hospital District; Carl Bursell, Lone Pine Volunteer Fire Department; and LeRoy Kritz, Member-At-Large to two-year terms on the Inyo County Emergency Medical Care Committee (EMCC) ending December 31, 2024; and B) appoint Wendy Derr to an unexpired two-year Member-At-Large term on the EMCC ending December 31, 2023.

14) **Appointments to the Eastern Sierra Area Agency on Aging (ESAAA)**

Health & Human Services - ESAAA | Marilyn Mann

**Recommended Action:** Request Board: A) Change the ESAAA term of appointments from ending December 11 of a calendar year to ending on December 31 of a calendar year; and B) appoint Roger Rasche, Sandra Lund, and Heidi Dougherty to unexpired 2-year terms on the Eastern Sierra Area Agency on Aging (ESAAA) Advisory Council ending December 31, 2024.

15) **Authorizing Resolution to Apply for a Regional Early Action Grant (REAP) 2 Grant**

Planning Department | Cathreen Richards

**Recommended Action:** Request Board consider, approve, and authorize the Chairperson to sign Resolution No. 2022-53 authorizing the application and receipt of REAP 2 grant funds.

16) **Routine Maintenance Agreement with the California Department of Fish and Wildlife**

Public Works | Chris Cox

**Recommended Action:** Request Board approve the Routine Maintenance Agreement between the County of Inyo and the California Department of Fish and Wildlife for the period of January 1, 2023 through December 31, 2023,

contingent upon the Board's approval of future budgets, and authorize the Public Works Director to sign.

17) **Waste Hauler Maximum Rate Adjustments**

Public Works - Recycling & Waste Management | Michael Errante

**Recommended Action:** Request Board:

A) Approve the Consumer Price Index (CPI) adjustment of 5.34%, to the portion of the Annual Service Fee Adjustment rates not associated with the tipping fees, effective January 1, 2023, in accordance with Franchise Agreements between the County of Inyo and contract waste haulers; and B) Adopt the new schedule of Maximum Charges for Waste Hauling Services for Areas A & B in Inyo County as presented in Exhibit A.

18) **Acquisition of 2,185 Tons of Plant Mixed Asphalt**

Public Works - Road Department | Michael Errante

**Recommended Action:** Request Board: A) Declare Granite Construction of Bakersfield, CA the successful bidder for the acquisition and delivery of plant mixed asphalt per Bid Nos. RD22-04 and RD22-05; and B) Authorize the purchase of 2,185 tons of plant mixed asphalt from Granite Construction Company of Bakersfield, CA for an amount not to exceed \$339,584.55.

19) **Consideration of Payment of 2015 Invoice from Wilder Barton, Inc.**

Public Works - Town Water Systems | Grace Chuchla

**Recommended Action:** Request Board authorizing paying \$2,928 of the invoice applicable to the part, and rejecting the amount of the invoice identified as labor costs and sales tax.

20) **Sheriff Pritchard Badge Purchase**

Sheriff | Nathaniel Derr

**Recommended Action:** Request Board, pursuant to Penal Code Section 538d, authorize Undersheriff Jared Sparks to provide Retiring Sheriff Eric Pritchard with his badge.

**REGULAR AGENDA - MORNING**

21) **Amendment of Fiscal Year 2022-2023 Road Budget 034600**

Public Works - Road Department | Michael Errante  
5 minutes (1min. Presentation / 4min. Discussion)

**Recommended Action:** Request Board amend the Fiscal Year 2022-2023 Road Budget 034600 as follows: increase estimated revenue in State Other Revenue Code No. 4499 by \$310,000 and increase appropriation in North Round Valley Road Object Code 5717 by \$310,000 (*4/5ths vote required*).

**10:30 A.M. 22) Zone Text Amendment 2022-02/Inyo County - Housing Element Compliance**

Planning Department | Cathreen Richards  
10 minutes (5min. Presentation / 5min. Discussion)

**Recommended Action:** Request Board:

- A) Conduct a public hearing on proposed Ordinance 1290, titled "An Ordinance of the Board of Supervisors of the County of Inyo, State of California, Amending Inyo County Code Sections 18.03.060; 18.06.220; 18.06.225; 18.06.291; 18.06.356; 18.06.456; 18.06.466; 18.06.746; 18.06.776; 18.06.777; 18.73.030; 18.06.495; 18.78.350; 18.21.020; 18.21.040; 18.22.020; 18.22.040; 18.30.030; 18.30.040; 18.33.020; 18.34.020; 18.34.040; 18.44.020; 18.44.030; 18.45.020; 18.48.020; 18.49.020; 18.51.020; 18.54.020; 18.75.090 D; 18.75.110 A; 18.75.060 E; 18.75.100 B; 18.78.310 A; 18.78.310 B; 18.78.150 E; 18.76.060 A; and, Amending Chapters 18.36 and 18.61 of the Inyo County Code;"
- B) Make the requested findings and certify that the action is exempt from CEQA; and,
- C) Waive further reading and enact said ordinance.

**10:35 A.M. 23) Zone Text Amendment 2022-03/Reasonable Accommodation**

Planning Department | Cathreen Richards  
10 minutes (5min. Presentation / 5min. Discussion)

**Recommended Action:** Request Board:

- A) Conduct a public hearing on proposed Ordinance 1291, titled, "An Ordinance of the Inyo County Board Of Supervisors Adding Section 18.80 to the Inyo County Code, Providing a Procedure for Reasonable Accommodation in the County's Land Use and Zoning and Building Regulations Pursuant to Federal and State Fair Housing Laws;"
- B) Make the requested findings and certify that the action is exempt from CEQA; and,
- C) Waive further reading of and enact said ordinance.

**24) Electric Vehicle Charging System Streamlined Permitting Process**

County Administrator | Tyson Sparrow  
15 minutes (5min. Presentation / 10min. Discussion)

**Recommended Action:** Request Board: A) Waive the first reading of proposed Ordinance 1292, titled, "An Ordinance of the Board of Supervisors of the County of Inyo, State of California Adding Chapter 14.30 to the Inyo County Code and Setting Forth Procedures for Expediting Permitting Processing for Electric Vehicle Charging Systems;" and B) Set enactment for Tuesday, January 3, 2023 in the Board of Supervisors Chambers, Independence, CA.

**25) Proclamations Honoring Supervisors Dan Tothoroh and Rick Pucci**

Board of Supervisors | Nate Greenberg  
40 minutes (10min. Presentation / 30min. Discussion)

**Recommended Action:** Request Board approve proclamations honoring outgoing Supervisors Dan Tothoroh and Rick Pucci for their service to Inyo County.

## **LUNCH**

- 11:30 A.M.** 26) The Board will recess for a lunch break, with an anticipated return of no earlier than 1 p.m.

## **REGULAR AGENDA - AFTERNOON**

27) **Transient Occupancy Tax District Improvement Fund Budget Policy**

County Administrator | Nate Greenberg  
20 minutes (5min. Presentation / 15min. Discussion)

**Recommended Action:** Request Board review, provide comments with regard to, and approve the Transient Occupancy Tax District Improvement Fund Budget Policy.

28) **Board of Supervisors Meeting Minutes**

Clerk of the Board | Darcy Ellis  
N/A

**Recommended Action:** Request Board approve the minutes of the December 13, 2022 Board of Supervisors meeting.

## **ADDITIONAL PUBLIC COMMENT & REPORTS**

29) **Public Comment**

Comments may be time-limited

30) **Board Member and Staff Reports**

Receive updates on recent or upcoming meetings and projects