



# INYO COUNTY BOARD OF SUPERVISORS

TRINA ORRILL • JEFF GRIFFITHS • SCOTT MARCELLIN • 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 January 10, 2023

*(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 Real Property Negotiators – Pursuant to paragraph (1) of subsection (b) of Government Code §54956.8** – Property: Bishop, Independence, and Lone Pine Landfills. Agency Negotiators: Nate Greenberg, John-Carl Vallejo, Greg James. Negotiating parties: Inyo County and Los Angeles Department of Water and Power. Under negotiation: price and terms of payment.
- 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, Senior Budget Analyst Denelle Carrington, Health and Human Services Director Marilyn Mann, and Chief Probation Officer Jeff Thomson.

- 4) **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 in the Board's discretion.)

- 10 A.M.**
- 5) **Pledge of Allegiance**
  - 6) **Report on Closed Session as Required by Law**
  - 7) **Public Comment**  
Comments may be time-limited
  - 8) **County Department Reports**

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

- 9) **Resolution Regarding Real Property Purchase**  
County Administrator | Meaghan McCamman

**Recommended Action:** Request Board approve Resolution No. 2023-02, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Authorizing the Execution of an Agreement with the Carl Shrawder Trust for the Purchase of Real Property Located at 605 S. Main Street, Lone Pine," and authorize the Chairperson to sign.

- 10) **Conflict-of-Interest Codes**  
County Counsel | John Vallejo

**Recommended Action:** Request Board:

- A) Receive and approve the 2022 Conflict of Interest Code Biennial Reports from the following local agencies and County Departments: Big Pine Community Services District, Darwin Community Services District, Tecopa Cemetery District, Starlite Community Services District, Independence Cemetery District, Sierra Highlands Community Services District; and
- B) Receive and approve the 2022 Conflict of Interest Code amendments from the following local agencies: Child Support Services and Bishop Unified School District.

11) **Appointments to Child Care Planning Council**

Clerk of the Board | Darcy Ellis

**Recommended Action:** Request Board: A) approve appointment of Shanna Johnson, M.A. Ed. to the Discretionary position on the Child Care Planning Council, to serve an unfinished three-year term ending November 4, 2024; and B) appoint Pamela Martin to the Community Representative position, to serve an unfinished three-year term ending November 4, 2024.

**REGULAR AGENDA**

12) **Update from NIH Interim CEO Chad Chadwick**

Outside Agency | Chad Chadwick

20 minutes (10min. Presentation / 10min. Discussion)

**Recommended Action:** Request Board receive a district update from interim Northern Inyo Hospital CEO Chad Chadwick.

10:30 A.M. 13) **Public Hearing and Possible Adoption of Interim Ordinance Extending the Temporary Moratorium Suspending the Establishment of New Short-Term Rentals**

Board of Supervisors | Nate Greenberg

10 minutes (5min. Presentation / 5min. Discussion)

**Recommended Action:** Request Board: A) conduct a public hearing to consider an interim ordinance extending the temporary moratorium suspending the establishment of new short-term rentals in all land use designations throughout the unincorporated area of the County; and B) adopt the ordinance (*4/5ths required*).

14) **Board of Supervisors Committee Appointments for 2023**

Board of Supervisors | Jennifer Roeser

20 minutes

**Recommended Action:** Request Board approve the 2023 Board of Supervisors committee assignments as recommended by the Chairperson.

15) **Public Meeting & COI Law Legislative Updates**

County Counsel | John Vallejo

15 minutes presentation & discussion.

**Recommended Action:** Receive a presentation regarding public meeting laws.

16) **Minutes from January 3, 2023 Board Meeting**

Clerk of the Board | Darcy Ellis

**Recommended Action:** Request Board approve the minutes from the regular Board of Supervisors meeting of January 3, 2023.

## **ADDITIONAL PUBLIC COMMENT & REPORTS**

- 17) **Public Comment**  
Comments may be time-limited
  
- 18) **Board Member and Staff Reports**  
Receive updates on recent or upcoming meetings and projects



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NATE GREENBERG  
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS  
ASST. CLERK OF THE BOARD



## AGENDA ITEM REQUEST FORM

January 10, 2023

Reference ID:  
2023-3386

### Resolution Regarding Real Property Purchase County Administrator ACTION REQUIRED

#### ITEM SUBMITTED BY

Meaghan McCamman, Assistant County Administrator

#### ITEM PRESENTED BY

Meaghan McCamman, Assistant County Administrator

#### RECOMMENDED ACTION:

Request Board approve Resolution No. 2023-02, titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Authorizing the Execution of an Agreement with the Carl Shrawder Trust for the Purchase of Real Property Located at 605 S. Main Street, Lone Pine," and authorize the Chairperson to sign.

#### BACKGROUND / SUMMARY / JUSTIFICATION:

On November 29, 2022, the Board of Supervisors authorized the execution of an agreement between the County of Inyo and the Carl Schrawder Trust for the purchase of real property located at 605 S. Main St. Lone Pine. At that same meeting, the Board certified that the purchase is exempt from CEQA pursuant to section 15061(b)(3), the Common Sense Rule. To provide time for county staff to perform due diligence on the property, the County entered an extended escrow, which will close on January 12, 2023.

The agenda item includes a resolution which will allow the County to finalize the purchase of the property and authorize the Board Chair to sign a letter of acceptance of the grant deed.

#### FISCAL IMPACT:

|                                   |                      |                    |        |
|-----------------------------------|----------------------|--------------------|--------|
| <b>Funding Source</b>             | General Fund         | <b>Budget Unit</b> | 010202 |
| <b>Budgeted?</b>                  | Yes                  | <b>Object Code</b> | 5600   |
| <b>Recurrence</b>                 | One-Time Expenditure |                    |        |
| <b>Current Fiscal Year Impact</b> |                      |                    |        |
|                                   |                      |                    |        |
| <b>Future Fiscal Year Impacts</b> |                      |                    |        |
|                                   |                      |                    |        |
| <b>Additional Information</b>     |                      |                    |        |
|                                   |                      |                    |        |

**ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:**

The Board could decide not to approve this resolution. This will prevent the County from accepting the property deed and purchasing the property at 605 S. Main Street in Lone Pine.

**OTHER DEPARTMENT OR AGENCY INVOLVEMENT:**

None.

**ATTACHMENTS:**

1. Resolution for 605 S Main

**APPROVALS:**

Meaghan McCamman

John Vallejo

Darcy Ellis

Nate Greenberg

Created/Initiated - 1/4/2023

Approved - 1/5/2023

Approved - 1/5/2023

Final Approval - 1/5/2023

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF INYO, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE CARL SHRAWDER TRUST FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 605 S. MAIN STREET, LONE PINE**

**WHEREAS**, on November 29, 2022, the Board of Supervisors of the County of Inyo authorized the execution of an agreement between the County of Inyo and the Carl Shrawder Trust for the purchase of real property located at 605 S. Main Street, Lone Pine; and

**WHEREAS**, at that same meeting on November 29, the Board of Supervisors of the County of Inyo certified that the purchase is exempt pursuant to section 15061(b)(3), the Common Sense Rule, of the California Environmental Quality Act (CEQA); and

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Board that the Board Chair or designee is hereby authorized to execute the purchase agreement on behalf of the County of Inyo, accept the Grant Deed on behalf of the County, to sign other ancillary documents as required, and to do and perform everything necessary to carry out the purpose of this resolution.

**PASSED AND ADOPTED THIS \_\_\_\_\_, 2023**, by the Inyo County Board of Supervisors, County of Inyo, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Jennifer Roeser, Chairperson  
Inyo County Board of Supervisors

ATTEST:

NATE GREENBERG  
Clerk of the Board

By: \_\_\_\_\_  
Darcy Ellis, Assistant



# INYO COUNTY BOARD OF SUPERVISORS

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NATE GREENBERG  
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS  
ASST. CLERK OF THE BOARD



## AGENDA ITEM REQUEST FORM

January 10, 2023

Reference ID:  
2022-3355

### Conflict-of-Interest Codes County Counsel ACTION REQUIRED

#### ITEM SUBMITTED BY

John Vallejo, County Counsel

#### ITEM PRESENTED BY

John Vallejo, County Counsel

#### RECOMMENDED ACTION:

Request Board:

- A) receive and approve the 2022 Conflict of Interest Code Biennial Reports from the following local agencies and County Departments: Big Pine Community Services District, Darwin Community Services District, Tecopa Cemetery District, Starlite Community Services District, Independence Cemetery District, Sierra Highlands Community Services District; and
- B) receive and approve the 2022 Conflict of Interest Code amendments from the following local agencies: Child Support Services and Bishop Unified School District.

#### BACKGROUND / SUMMARY / JUSTIFICATION:

Government Code S 87306.5 requires that the Inyo County Board of Supervisors, no later than July 1st of each even numbered year, direct every local governmental agency within the county, to review its conflict of interest code and report to the Board no later than October 1st, of each even numbered year. The report is a certification that the conflict of interest code has been reviewed and that either no changes need be made to the code or that certain changes need to be made as indicated. Inyo County Ordinance Number 931 (County Code section 2.83.050) imposes similar requirements upon each department of the County to conduct a biennial review of its conflict of interest code. On February 16, 2022, the Office of County Counsel notified each county department/local agency within Inyo County of its obligation to review its conflict of interest code and file the required biennial report on or before October 1, 2022. On June 10, 2022, the Office of County Counsel distributed a reminder notice to all county departments/local agencies who had not submitted their reports. There are a number of departments/local agencies who have not yet submitted their conflict of interest code biennial reports.

Local Agencies that have reviewed their conflict of interest code and submitted their biennial report to the Board indicating no changes are required include: Big Pine Community Services District, Darwin Community Services District, Tecopa Cemetery District, Starlite Community Services District, Independence Cemetery District, and Sierra Highlands Community Services District. By this Agenda Request, the Board is asked to receive and approve these biennial reports.

In conducting their biennial review, the following departments and local agencies are requesting necessary changes to their conflict of interest codes: Inyo County Child Support Services and Bishop Unified School District. This department and local agency are seeking your Board's approval as the Local Agency Code Reviewing Body.



We have reviewed the Biennial Reports and Conflict of Interest Codes submitted to your Board, and find them to be in accordance with legal requirements.

| <b>FISCAL IMPACT:</b>             |   |                    |  |
|-----------------------------------|---|--------------------|--|
| <b>Funding Source</b>             | General Fund / Non-General Fund / Grant Funded<br>(list grant funding sources here) | <b>Budget Unit</b> |  |
| <b>Budgeted?</b>                  | Yes / No  | <b>Object Code</b> |  |
| <b>Recurrence</b>                 | One-Time Expenditure / Ongoing Expenditure  |                    |  |
| <b>Current Fiscal Year Impact</b> |   |                    |  |
|                                   |   |                    |  |
| <b>Future Fiscal Year Impacts</b> |   |                    |  |
|                                   |   |                    |  |
| <b>Additional Information</b>     |   |                    |  |
|                                   |   |                    |  |

**ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:**

**OTHER DEPARTMENT OR AGENCY INVOLVEMENT:**

None.

**ATTACHMENTS:**

1. Big Pine Community Services District
2. Darwin Community Services District
3. Tecopa Cemetery District
4. Starlite Community Services District
5. Independence Cemetery District
6. Sierra Highlands Community Services District
7. Bishop Unified School District
8. Child Support Services

**APPROVALS:**

|                   |                                |
|-------------------|--------------------------------|
| Mallory Watterson | Created/Initiated - 12/28/2022 |
| John Vallejo      | Approved - 12/28/2022          |
| Darcy Ellis       | Approved - 12/29/2022          |
| Amy Shepherd      | Approved - 12/29/2022          |
| Nate Greenberg    | Approved - 12/30/2022          |
| John Vallejo      | Final Approval - 12/30/2022    |

## 2022 LOCAL AGENCY BIENNIAL REPORT

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form or you may prepare your own report. When completed, all reports must be mailed to:

County Counsel  
County of Inyo  
Post Office Box M  
Independence, CA 93526

###

This agency has reviewed its conflict of interest code and has determined that:

- (1)  Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,
- (2)  Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
- Include new positions which must be designated.
  - Make changes to the reportable sources of income, investments, business positions, or real property.
  - Make changes to the titles of positions assigned.
  - Delete positions which have been abolished or changed.
  - Change or add the provisions required by Government Code Section 87302.

Contact Person Bobbie Lovig  
Agency Big Pine Community Services District  
Mailing Address P.O. Box 639, Big Pine, Ca 93513  
Date of Review of Agencies Conflict of Interest Code 3-7-2022

By Anna Vaughan BL  
Signature of Presiding Officer

**Note:** Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

Big Pine Community Services District  
**CONFLICT OF INTEREST CODE OF THE** DISTRICT  
**COUNTY OF INYO, STATE OF CALIFORNIA**

**SECTION 1. Purpose.**

Pursuant to California Government Code section 87300, et seq., the Big Pine Community Services District District hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

**SECTION 2. Designated Positions.**

The positions listed on Appendix "A" are designated positions. Persons holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

**SECTION 3. Disclosure Statements.**

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each person in a designated position shall file a statement of financial interest disclosing that person's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the person's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Presiding Officer of the Big Pine Community Ser. District District's Governing Board may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

**SECTION 4. Place, Time and Requirements of Filing.**

(A) Place of Filing.

All persons required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Presiding Officer of the Big Pine Community Services District District's Governing Board.

(B) Time and Content of Filing.

The first statement by a person in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement by a person who assumes a designated position after the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after assuming such position with the District and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first

statement, each person in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income received, any time during the previous calendar year or since the date the person assumed the designated position during the calendar year. Every person in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

**SECTION 5. Contents of Disclosure Statement.**

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the person's position is assigned on Appendix "A".

**SECTION 6. Disqualification.**

An person in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No person in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

APPENDIX "A"  
 CONFLICT OF INTEREST CODE OF THE  
*Big Pine Community Service* DISTRICT  
 COUNTY OF INYO, STATE OF CALIFORNIA

**DESIGNATED POSITIONS**

Designated Positions

Disclosure Category

**BOARD OF DIRECTORS**

**Five members elected at large for four-year terms**

Regular Meetings: Monthly, Third Wednesday @ 6:00 P.M.

| <u>District Board Members</u> | <u>Began serving</u> | <u>Expiration of Term</u> |
|-------------------------------|----------------------|---------------------------|
| BryAnna Vaughan, President    | 2012                 | 2022                      |
| Gary Doyel, Vice-President    | 2008                 | 2024                      |
| Walter Sharer, Board Member   | 2019                 | 2024                      |
| Kent Schlick, Board Member    | 2021                 | 2024                      |
| David Allen, Board Member     | Resigned 11/21       | 2022                      |

**STAFF**

|  |                            |
|--|----------------------------|
| Roberta (Bobbie) Lovig   | General Manager            |
| Roberta (Bobbie) Lovig   | Clerk of the Board         |
| Inyo County Counsel  | Legal Counsel              |
| McMurtrie-Tanksley, Inc., Water and Sewer Maintenance<br>Water Quality/Reporting | Independent<br>Contractors |

**INFORMATION**

Year Formed: 1967

Services provided: Retail water delivery; wastewater collection, treatment and disposal

*Board Terms*

*Updated 11/3/2021*

## 2022 LOCAL AGENCY BIENNIAL REPORT

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form or you may prepare your own report. When completed, all reports must be mailed to:

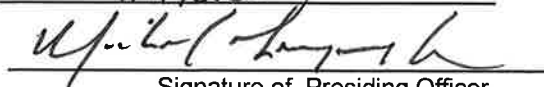
County Counsel  
County of Inyo  
Post Office Box M  
Independence, CA 93526

###

This agency has reviewed its conflict of interest code and has determined that:

- (1)  Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,
- (2)  Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
- Include new positions which must be designated.
  - Make changes to the reportable sources of income, investments, business positions, or real property.
  - Make changes to the titles of positions assigned.
  - Delete positions which have been abolished or changed.
  - Change or add the provisions required by Government Code Section 87302.

Contact Person Tamara Myers  
Agency Darwin Community Services District  
Mailing Address PO Box 5 Darwin, CA 93522  
Date of Review of Agencies Conflict of Interest Code 9/11/22

  
\_\_\_\_\_  
Signature of Presiding Officer

**Note:** Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

CONFLICT OF INTEREST CODE OF THE  
COUNTY OF INYO, STATE OF CALIFORNIA



**SECTION 1. Purpose.**

Pursuant to California Government Code section 87300, et seq., the Darwin Community Services District hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

**SECTION 2. Designated Positions.**

The positions listed on Appendix "A" are designated positions. Persons holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

**SECTION 3. Disclosure Statements.**

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each person in a designated position shall file a statement of financial interest disclosing that person's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the person's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Presiding Officer of the Darwin Community Services District's Governing Board may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

**SECTION 4. Place, Time and Requirements of Filing.**

(A) Place of Filing.

All persons required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Presiding Officer of the Darwin Community Services District's Governing Board.

(B) Time and Content of Filing.

The first statement by a person in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement by a person who assumes a designated position after the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after assuming such position with the District and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first

statement, each person in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income received, any time during the previous calendar year or since the date the person assumed the designated position during the calendar year. Every person in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

**SECTION 5. Contents of Disclosure Statement.**

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the person's position is assigned on Appendix "A".

**SECTION 6. Disqualification.**

A person in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No person in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.



**APPENDIX "A"**  
**CONFLICT OF INTEREST CODE OF THE**  
**\_\_\_\_\_ DISTRICT**  
**COUNTY OF INYO, STATE OF CALIFORNIA**

**DESIGNATED POSITIONS**

| <u>Designated Positions</u> | <u>Disclosure Category</u> |
|-----------------------------|----------------------------|
| Board Members               | 1                          |
| President of Board          | 1                          |

**APPENDIX "B"**

**CONFLICT OF INTEREST CODE OF THE  
DISTRICT  
COUNTY OF INYO, STATE OF CALIFORNIA**

**DISCLOSURE CATEGORIES**

16 December 2022

County Counsel  
County of Inyo  
Post Office Box M  
Independence, CA 93526

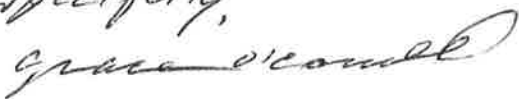
Attn: John-Carl Vallejo

The Tecopa Cemetery Board reviewed the Conflict-of-Interest code at our 5 December 22 meeting.

We know of no changes to the designated positions of our Trustees.

Enclosed is the annual form indicating this for your records. We ask you to please excuse our delay.

Respectfully,



Grace O'Connell

Secretary, Tecopa Cemetery District

en: c-of-i update

**2022 LOCAL AGENCY BIENNIAL REPORT**

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form, or you may prepare your own report. When completed, all reports must be mailed to:

County Counsel  
County of Inyo  
Post Office Box M  
Independence, CA 93526

###

This agency has reviewed its conflict-of-interest code and has determined that:

- (1)  Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,
- (2)  Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
  - Include new positions which must be designated.
  - Make changes to the reportable sources of income, investments, business positions, or real property.
  - Make changes to the titles of positions assigned.
  - Delete positions which have been abolished or changed.
  - Change or add the provisions required by Government Code Section 87302.

Contact Person Grace O'Connell  
Agency Therapy Community District  
Mailing Address P.O. Box 295, Therapa CA 92389  
Date of Review of Agency's Conflict of Interest Code 5 Dec 22

Grace O'Connell Secretary,  
Signature of Presiding Officer Trustee

**Note:** Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

## 2022 LOCAL AGENCY BIENNIAL REPORT

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form or you may prepare your own report. When completed, all reports must be mailed to:

County Counsel  
County of Inyo  
Post Office Box M  
Independence, CA 93526

###

This agency has reviewed its conflict of interest code and has determined that:

- (1)  Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,
- (2)  Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
- Include new positions which must be designated.
  - Make changes to the reportable sources of income, investments, business positions, or real property.
  - Make changes to the titles of positions assigned.
  - Delete positions which have been abolished or changed.
  - Change or add the provisions required by Government Code Section 87302.

Contact Person CATHERINE STRAND  
Agency STARLITE CSD  
Mailing Address P.O. Box 1434 Bishop, CA 93514  
Date of Review of Agencies Conflict of Interest Code 5/23/22

  
\_\_\_\_\_  
Signature of Presiding Officer

**Note:** Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

**2022 LOCAL AGENCY BIENNIAL REPORT**

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form, or you may prepare your own report. When completed, all reports must be mailed to:

County Counsel  
County of Inyo  
Post Office Box M  
Independence, CA 93526

###

This agency has reviewed its conflict-of-interest code and has determined that:

- (1)  Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,
- (2)  Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
- Include new positions which must be designated.
  - Make changes to the reportable sources of income, investments, business positions, or real property.
  - Make changes to the titles of positions assigned.
  - Delete positions which have been abolished or changed.
  - Change or add the provisions required by Government Code Section 87302.

Contact Person Sandra Bilyeu Board Clerk/Secretary  
Agency Independence Cemetery District  
Mailing Address P.O. Box 219 Independence, CA 93526  
Date of Review of Agency's Conflict of Interest Code 11-27-22 Nov. 27, 2022

  
Signature of Presiding Officer  
*Acting*

**Note:** Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

**2022 LOCAL AGENCY BIENNIAL REPORT**

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form, or you may prepare your own report. When completed, all reports must be mailed to:

County Counsel  
County of Inyo  
Post Office Box M  
Independence, CA 93526

###

This agency has reviewed its conflict-of-interest code and has determined that:

- (1)  Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,
- (2)  Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
  - Include new positions which must be designated.
  - Make changes to the reportable sources of income, investments, business positions, or real property.
  - Make changes to the titles of positions assigned.
  - Delete positions which have been abolished or changed.
  - Change or add the provisions required by Government Code Section 87302.

Contact Person Diane M. Finkbeiner, Secretary  
Agency Sierra Highlands Community Services District  
Mailing Address P.O. Box 782 Bishop, CA 93515  
Date of Review of Agency's Conflict of Interest Code 12-08-2022

John Thompson  
Signature of Presiding Officer

**Note:** Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

**CONFLICT OF INTEREST CODE OF THE  
SIERRA HIGHLANDS COMMUNITY SERVICES DISTRICT  
COUNTY OF INYO, STATE OF CALIFORNIA**

**SECTION 1. Purpose.**

Pursuant to California Government Code section 87300, et seq., the Sierra Highlands Community Services District District hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

**SECTION 2. Designated Positions.**

The positions listed on Appendix "A" are designated positions. Persons holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

**SECTION 3. Disclosure Statements.**

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each person in a designated position shall file a statement of financial interest disclosing that person's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the person's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Presiding Officer of the Sierra Highlands Community Services District District's Governing Board may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

**SECTION 4. Place, Time and Requirements of Filing.**

(A) Place of Filing.

All persons required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Presiding Officer of the Sierra Highlands Community Services District District's Governing Board.

(B) Time and Content of Filing.

The first statement by a person in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement by a person who assumes a designated position after the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after assuming such position with the District and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first



statement, each person in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income received, any time during the previous calendar year or since the date the person assumed the designated position during the calendar year. Every person in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

**SECTION 5. Contents of Disclosure Statement.**

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the person's position is assigned on Appendix "A".

**SECTION 6. Disqualification.**

An person in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No person in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

**APPENDIX "A"**  
**CONFLICT OF INTEREST CODE OF THE**  
**SIERRA HIGHLANDS COMMUNITY SERVICES \_\_\_\_\_ DISTRICT**  
**COUNTY OF INYO, STATE OF CALIFORNIA**

**DESIGNATED POSITIONS**

| <u>Designated Positions</u>            | <u>Disclosure Category</u> |
|--|----------------------------|
| Member of the SHCSD Board of Directors | One (1)                    |
| District Secretary                     | Two (2)                    |
| General Manager                        | Three (3)                  |

**APPENDIX "B"**

**CONFLICT OF INTEREST CODE OF THE  
SIERRA HIGHLANDS COMMUNITY SERVICES DISTRICT  
COUNTY OF INYO, STATE OF CALIFORNIA**

**DISCLOSURE CATEGORIES**

Disclosure Category One (1)

Designated employees shall report all investments, business positions, interest in real property and sources of income.

Disclosure Category Two (2)

Designated employees shall disclose all investments, business positions, interest in real property and sources of income, regardless of where located, if the business entity in which the investment or business position is held, the interest in real property, the income or source of income, is from any of the following businesses which have done business in Inyo County at any time during the two (2) years prior to the time the statement is filled, currently does any business in Inyo County, or currently has plans to do business in Inyo County:

- a. General Office Services;
- b. Office and Clerical Supplies;
- c. Office Equipment, Business Machines, Computer Hardware and Software

Disclosure Category Three (3)

Designated employees shall disclose all investments, business positions, interest in real property and sources of income, regardless of where located, if the business entity in which the investment or business position is held, the interest in real property, the income or source of income, is from any of the following businesses which have done business in Inyo County at any time during the two (2) years prior to the time the statement is filled, currently does any business in Inyo County, or currently has plans to do business in Inyo County:

Services, Supplies, Materials, Machinery or equipment of a type purchased, leased, used, or administered by the District.

RECEIVED

MAR - 4 2022

Office of Superintendent

JOHN-CARL VALLEJO  
*County Counsel*

CHRISTIAN MILOVICH  
*Assistant County Counsel*

GRACE CHUCHLA  
*Deputy County Counsel*



CORI ELLIS  
*Administrative Legal Secretary*

P.O. Box M, 224 N. Edwards St.  
Independence, CA 93526  
760 878-0229

1360 N. Main Street  
Bishop, CA 93514

OFFICE OF THE  
COUNTY COUNSEL

February 15, 2022

Local School Districts  
Inyo County, California

Subject: CONFLICT OF INTEREST CODE: REQUIREMENT TO REVIEW, AMEND OR REPORT

Dear Governing Board Members:

Government Code Section 87306.5 requires every local agency's code reviewing body to, bi-annually on or before July 1 of every even-numbered year, direct every local government agency which has adopted a conflict of interest code to review its conflict of interest code and either amend the code or report to the respective code reviewing body that no amendment is necessary. This letter constitutes the official notification pursuant to Government Code section 87306.5. Pursuant to that Government Code section, the report must be submitted to the agency's code reviewing body no later than October 1 of each even-numbered year.

County records indicate that the Inyo County Board of Supervisors is your agency's code reviewing body. Under the provisions of Government Code section 87306.5 you are required to review your conflict of interest code and amend it as required by Government Code section 87306, or submit a written statement to the Office of County Counsel no later than October 1, 2022 that no change in your code is required.

We are enclosing a revised County of Inyo Standardized Conflict of Interest Code Form should your Agency's Conflict of Interest Code need revision or amendment. To assist your agency in making its biennial report, we are enclosing a Local Agency Biennial Report form, which should be completed and returned to the Office of County Counsel by **October 1, 2022**. Early responses are appreciated, especially if you anticipate amending your code, to give our office an adequate opportunity for review. We have the forms in a PDF format. If you would rather have them emailed to you please contact Cori at either 760 878-0229 or [cellis@inyocounty.us](mailto:cellis@inyocounty.us).

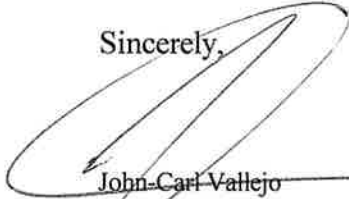
*MWatterson@*

*emailed mallory 9/28/22*

*emailed revision 11/29/22*

On an unrelated ethics note, in addition to updating the Conflict of Interest Form, if your agency provides compensation, salary, stipend, or reimburses the expenses of, the members of your governing body, your agency must ensure those persons receive ethics training every two years. Training is available at the following websites: <http://www/localethics.fppc.ca.gov> or <http://localethics.fppc.ca.gov>. You should document that the training was received.

Sincerely,



John-Carl Vallejo  
County Counsel

JV/ce

Enclosures

- Local Agency Biennial Form
- Standard Conflict of Interest Code Form

s/COCO/CIC/SchoolDistBd.Ltr22

**2022 LOCAL AGENCY BIENNIAL REPORT**

Government Code Section 87306.5 requires local agencies to submit to their code reviewing body a biennial report identifying changes in its code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval. You may use this form or you may prepare your own report. When completed, all reports must be mailed to:

County Counsel  
County of Inyo  
Post Office Box M  
Independence, CA 93526

###

This agency has reviewed its conflict of interest code and has determined that:

(1)  Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,

(2)  Our agency's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):

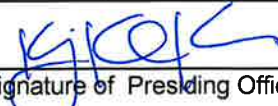
- Include new positions which must be designated.
- Make changes to the reportable sources of income, investments, business positions, or real property.
- Make changes to the titles of positions assigned.
- Delete positions which have been abolished or changed.
- Change or add the provisions required by Government Code Section 87302.

Contact Person Katherine Kolker

Agency Bishop Unified School District

Mailing Address 656 W. Pine St., Bishop, CA 93514

Date of Review of School Districts Conflict of Interest Code September 7, 2022

  
\_\_\_\_\_  
Signature of Presiding Officer

**Note:** Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

**CONFLICT OF INTEREST CODE OF THE**  
**BISHOP UNIFIED SCHOOL DISTRICT**  
**COUNTY OF INYO, STATE OF CALIFORNIA**

**SECTION 1. Purpose.**

Pursuant to California Government Code section 87300, et seq., the Bishop Unified School District hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

**SECTION 2. Designated Positions.**

The positions listed on Appendix "A" are designated positions. Persons holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

**SECTION 3. Disclosure Statements.**

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each person in a designated position shall file a statement of financial interest disclosing that person's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the person's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Presiding Officer of the Bishop Unified School Districts Governing Board may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

**SECTION 4. Place, Time and Requirements of Filing.**

(A) Place of Filing.

All persons required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Presiding Officer of the Bishop Unified School Districts Governing Board.

(B) Time and Content of Filing.

The first statement by a person in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement by a person who assumes a designated position after the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after assuming such position with the

District and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each person in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income received, any time during the previous calendar year or since the date the person assumed the designated position during the calendar year. Every person in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

**SECTION 5. Contents of Disclosure Statement.**

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the person's position is assigned on Appendix "A".

**SECTION 6. Disqualification.**

An person in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No person in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.



**APPENDIX "A"**  
**CONFLICT OF INTEREST CODE OF THE**  
**BISHOP UNIFIED SCHOOL DISTRICT**  
**COUNTY OF INYO, STATE OF CALIFORNIA**

**DESIGNATED POSITIONS**

| <u>Designated Positions</u>                                   | <u>Disclosure Category</u> |
|---|----------------------------|
| Board Members   | 1                          |
| Superintendent  | 1                          |
| CBO (Chief Business Officer)                                  | 1                          |
| MOT Director (Maintenance/Operations/Transportation Director) | 2                          |
| Site Principals   | 2                          |
| Director of Food Services                                     | 2                          |

**APPENDIX "B"**

**CONFLICT OF INTEREST CODE OF THE  
BISHOP UNIFIED SCHOOL DISTRICT  
COUNTY OF INYO, STATE OF CALIFORNIA**

**DISCLOSURE CATEGORIES**

**Category I**

- A. Interests in real property, which is located in whole or in part either within the boundaries of the County, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
- B. Investments in business positions or income from business entities, which are contractors or subcontractors, which are or have been within the previous two-year period engages in the performance of building construction or design within the County.
- C. Investments in business positions or income from persons or business entities engages in the acquisition or disposal of real property within the jurisdiction.

**Category II**

Investments in business position or income from business entities which manufacture or sell supplies, books, machinery or equipment of the type utilized by the department for which the designated employee is Manager or Director. Investments include interests described in Category I.

## 2022 DEPARTMENTAL CONFLICT OF INTEREST CODE BIENNIAL REPORT

Inyo County Ordinance No. 931 requires each department submit to the Board of Supervisors a biennial report identifying changes in its Conflict of Interest Code, or a statement that their code is not in need of amendment. Such reports shall be submitted to the Office of County Counsel for approval no later than October 1, of each even-numbered year. Once reviewed, the Office of County Counsel will submit all reports to the Board for their approval.

###

This department has reviewed its conflict of interest code and has determined that:

- (1)  Our department's code accurately designates all positions which make or participate in the making of governmental decisions; that the disclosure assigned those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foreseeably be affected materially by the decisions made by those designated positions; and further that the code includes all other provisions required by Government Code Section 87302; or,
- (2)  Our department's code is in need of amendment. We have determined that the following amendments are necessary (check applicable items):
- Include new positions which must be designated.
  - Make changes to the reportable sources of income, investments, business positions, or real property.
  - Make changes to the titles of positions assigned.
  - Delete positions which have been abolished or changed.
  - Change or add the provisions required by Government Code Section 87302.

Contact Person Amy Weurdig  
Department Child Support Services  
Mailing Address 1360 N. Main Street Suite 237, Bishop, CA 93514  
Date of Review of Departmental Conflict of Interest Code 17 October 26, 2022

*Amy Weurdig*

\_\_\_\_\_  
Signature of Department Head

**Note:** Government Code Section 87306 requires that when a department has determined that amendments are necessitated by changed circumstances, the amendments or revisions shall be submitted to the code reviewing body within 90 days.

**CONFLICT OF INTEREST CODE OF THE  
CHILD SUPPORT SERVICES DEPARTMENT  
COUNTY OF INYO, STATE OF CALIFORNIA**

**SECTION 1. Purpose.**

Pursuant to California Government Code section 87300, et seq., the Child Support Services Department hereby adopts the following Conflict of Interest Code. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000). The provisions of this Conflict of Interest Code are additional to California Government Code section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Conflict of Interest Code shall be interpreted in a manner consistent therewith.

**SECTION 2. Designated Positions.**

The positions listed on Appendix "A" are designated positions. Employees holding these designated positions are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest.

**SECTION 3. Disclosure Statements.**

Each designated position is assigned to one or more of the disclosure categories set forth in Appendix "B". Each employee in a designated position shall file a statement of financial interests disclosing that employee's interest in investments, business positions, real property, and income, designated as reportable under the disclosure category to which the employee's position is assigned by Appendix "A".

Notwithstanding the disclosure category to which a consultant position is assigned by Appendix "A", the Director of the Child Support Services Department may determine in writing that a particular consultant, although a "designated" position, is hired to perform a range of duties that are limited in scope and, thus, is not required to fully comply with the disclosure requirements of the category designated for consultants on Appendix "A". Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent, if any, of the disclosure requirements for such consultant. Such written determination is a public record and shall be filed and retained for public inspection in the same manner and locations as is required for statements of financial interest.

**SECTION 4. Place, Time and Requirements of Filing.**

(A) Place of Filing.

All employees required to file a statement of financial interests shall file the original with the Inyo County Clerk, and a copy with the Director of Child Support Services.

(B) Time and Content of Filing.

The first statement filed by an employee in a designated position upon the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after the effective date of this Conflict of Interest Code, and shall disclose investments, business positions, and interest in real property, held on the effective date of this Conflict of Interest Code, and income received twelve (12) months before the effective date of this Conflict of Interest Code. The first statement filed by an employee who assumes a designated position after the effective date of this Conflict of Interest Code, shall be filed within thirty (30) days after assuming such position with the County and shall disclose investments, business positions, and interests in real property held, and income received, during the twelve (12) months before the date of assuming such position. After filing the first statement, each employee in a designated position shall file an annual statement on or before April 1, disclosing reportable investments, business positions, interests in real property held, and income received, any time during the previous calendar year or since the date the employee assumed the designated

position during the calendar year. Every employee in a designated position who leaves a designated position shall file, within thirty (30) days of leaving the position, a statement disclosing reportable investments, business positions, interests in real property held, and income received, at any time during the period between the closing date of the last statement required to be filed, and the date of leaving the position.

**SECTION 5. Contents of Disclosure Statement.**

Statements of financial interest shall be made on forms supplied by the Inyo County Clerk and shall contain all of the information as required by the current provisions of Government Code sections 87206 and 87207 for interest in investments, business positions, real property, and sources of income designated as reportable under the disclosure category to which the employee's position is assigned on Appendix "A".

**SECTION 6. Disqualification.**

An employee in a designated position must disqualify himself or herself from making, or participating in the making, or using their official position to influence the making of any decision which will have a material financial effect, as distinguishable from its effect on the public generally, on any financial interest as defined in Section 87103 of the Government Code. No employee in a designated position shall be required to disqualify himself or herself with respect to any matter which could not be legally acted upon or decided without his or her participation.

**APPENDIX "A"**  
**CONFLICT OF INTEREST CODE OF THE**  
**CHILD SUPPORT SERVICES DEPARTMENT**  
**COUNTY OF INYO, STATE OF CALIFORNIA**

**DESIGNATED POSITIONS**

| <u>Designated Positions</u> | <u>Disclosure Category</u> |
|-----------------------------|----------------------------|
| Regional Director           | 1                          |
| Child Support Attorney      | 1                          |
| Program Manager             | 1                          |

**APPENDIX "B"**

**CONFLICT OF INTEREST CODE OF THE  
CHIL SUPPORT SERVICES DEPARTMENT  
COUNTY OF INYO, STATE OF CALIFORNIA**

**DISCLOSURE CATEGORIES**

**Category One (1):**

Designated employees shall report as required by Government Code Section 87200, et.seq.

**Category Two (2):**

Designated employees shall report all investments, business positions, interest in real property, and sources of income within Inyo County and two miles therefrom.

**Category Three (3):**

Designated employees shall disclose all investments, business positions, interest in real property, our sources of income, regardless of where located, if the business entity in which the investment or business position is held, the interest in real property the income or source of income, is from any of the following businesses which have done business in Inyo County at any time during the two (2) years prior to the time the statement is filed, currently does any business in Inyo County, or currently has plans to do business in Inyo County:

General Office Services;

Office Supplies

Office Equipment, business machines, computer hardware and software;

Vehicle maintenance equipment and supplies

Vehicles and/or vehicle supplies, including petroleum products;

Food preparation and/or delivery services or supplies and

Printing and/or publication services or supplies, sales of books, periodicals or other items printed and made available for sale



# INYO COUNTY BOARD OF SUPERVISORS

TRINA ORRILL • JEFF GRIFFITHS • SCOTT MARCELLIN • JENNIFER ROESER • MATT KINGSLEY

NATE GREENBERG  
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS  
ASST. CLERK OF THE BOARD



## AGENDA ITEM REQUEST FORM

January 10, 2023

Reference ID:  
2023-3388

### Appointments to Child Care Planning Council Clerk of the Board ACTION REQUIRED

#### ITEM SUBMITTED BY

Assistant Clerk of the Board

#### ITEM PRESENTED BY

Darcy Ellis, Assistant Clerk of the Board/Public Relations Liaison

#### RECOMMENDED ACTION:

Request Board: A) approve appointment of Shanna Johnson, M.A. Ed. to the Discretionary position on the Child Care Planning Council, to serve an unfinished three-year term ending November 4, 2024; and B) appoint Pamela Martin to the Community Representative position, to serve an unfinished three-year term ending November 4, 2024.

#### BACKGROUND / SUMMARY / JUSTIFICATION:

The Inyo County Office of Education (ICOE) Early Care & Education Division oversees the Child Care Planning Council and the ICSOS and Inyo County Board of Supervisors each appoint a portion of the Council in addition to making a joint appointment. The member serving in the jointly appointed Discretionary Category resigned last year, as did the individual serving in the Board of Supervisors-appointed Community Representative position.

In collaboration with the ICOE, the vacancies were subsequently advertised per your Board's policy. Requests for appointment was received from Ms. Shanna Johnson, M.A. Ed. for the Discretionary position and Ms. Pamela Martinez for the Community Representative seat. The ICOE and Board of Supervisors must both approve the appointments to the Discretionary Category, and Inyo County Superintendent of Schools Barry Simpson has provided his written approval.

It is now recommended your Board also approve the appointment, so that the vacancy can be filled, as well as appoint Ms. Martinez.

#### FISCAL IMPACT:

|                                   |     |                    |  |
|-----------------------------------|-----|--------------------|--|
| <b>Funding Source</b>             | N/A | <b>Budget Unit</b> |  |
| <b>Budgeted?</b>                  | N/A | <b>Object Code</b> |  |
| <b>Recurrence</b>                 | N/A |                    |  |
| <b>Current Fiscal Year Impact</b> |     |                    |  |
|                                   |     |                    |  |
| <b>Future Fiscal Year Impacts</b> |     |                    |  |
|                                   |     |                    |  |



|                               |
|-------------------------------|
|                               |
| <b>Additional Information</b> |

**ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:**

Your Board may choose not to make the appointments and ask staff to readvertise the vacancies but this is not recommended.

**OTHER DEPARTMENT OR AGENCY INVOLVEMENT:**

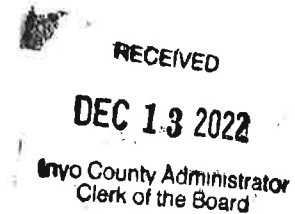
None.

**ATTACHMENTS:**

1. Shanna Johnson - Child Care Planning Council
2. Pamela Martinez - Child Care Planning Council

**APPROVALS:**

|             |                              |
|-------------|------------------------------|
| Darcy Ellis | Created/Initiated - 1/5/2023 |
| Darcy Ellis | Final Approval - 1/5/2023    |



December 13, 2022

Inyo County Board of Supervisors  
Attn: Darcy Ellis, Assistant Clerk of the Inyo County Board of Supervisors  
P.O. Drawer N  
224 North Edwards St.  
Independence, CA 93526

Dear Inyo County Board of Supervisors,

This letter is to express my interest in the Discretionary Representative vacancy of the Inyo County Child Care Planning Council. Currently, I own and operate Discovery Point Preschool and Early Learning Center as well as Discovery Point Kidz Early Learning Center and After School Program. I started the preschool in August of 2010 partnering with agencies such as Great Steps Ahead through Kern Regional Center. Before expanding and opening my doors as a center-based program, I held a home daycare license and ran a preschool program in my home, Small School on Sycamore. Prior to holding a daycare or preschool license I worked for Mono County Office of Education for First 5 as the School Readiness Coordinator, partnering with the Mono County Child Care Planning Council, and overseeing grants and implementing quality enhancements and trainings for home daycare programs as well as center-based programs throughout Mono County.

I have a passion for the children in Inyo County and would like to support the Local Planning Council on expanding opportunities for not only providers but children in Inyo County. Although I am a private program, I strongly believe in the need to support all programs and understand that it takes all types of programs to have a well-rounded source of opportunity for our families. I love to partner with agencies and use our best resources to help one another for the goal of providing the best possible care for our youth.

Thank you for your consideration and I look forward to hearing from you.

Sincerely,

Shanna Johnson, Maed.  
Owner/Director  
Discovery Point Preschool & ELC  
Discovery Point Kidz

Think  
Play  
Create  
Discover



# BISHOP PAIUTE TRIBE

*Social Services Department*

December 20, 2022

Darcy Ellis  
Assistant Clerk of Board of Supervisors  
PO Box N  
Independence, CA 93526

Dear Darcy,

I would like to express my interest in the Child Care Planning Council as a Community Representative on behalf of Bishop Paiute Tribe Social Services Department.

Through my role as a Program Coordinator for the Child Care and Development Fund Program, I have relevant experience and knowledge of childcare needs and programs. I am excited for this opportunity to advocate on behalf of our Tribal families.

I can be notified via telephone number at (760) 873-4414 extension 2830 or by email at [pamela.martinez@bishoppaiute.org](mailto:pamela.martinez@bishoppaiute.org) if there are any further questions.

Sincerely,

*Pamela Martinez*  
Program Coordinator



# INYO COUNTY BOARD OF SUPERVISORS

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NATE GREENBERG  
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS  
ASST. CLERK OF THE BOARD



## AGENDA ITEM REQUEST FORM

January 10, 2023

Reference ID:  
2022-3380

### Update from NIH Interim CEO Chad Chadwick Outside Agency NO ACTION REQUIRED

**ITEM SUBMITTED BY**

Outside Agency

**ITEM PRESENTED BY**

Chad Chadwick

**RECOMMENDED ACTION:**

Request Board receive a district update from interim Northern Inyo Hospital CEO Chad Chadwick.

**BACKGROUND / SUMMARY / JUSTIFICATION:**

Chad Chadwick, interim CEO of Northern Inyo County Local Hospital District, has asked for an opportunity to update your Board on district status, projects, and activities.

**FISCAL IMPACT:**

|                                   |     |                    |  |
|-----------------------------------|-----|--------------------|--|
| <b>Funding Source</b>             | N/A | <b>Budget Unit</b> |  |
| <b>Budgeted?</b>                  | N/A | <b>Object Code</b> |  |
| <b>Recurrence</b>                 | N/A |                    |  |
| <b>Current Fiscal Year Impact</b> |     |                    |  |
|                                   |     |                    |  |
| <b>Future Fiscal Year Impacts</b> |     |                    |  |
|                                   |     |                    |  |
| <b>Additional Information</b>     |     |                    |  |
|                                   |     |                    |  |

**ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:**

**OTHER DEPARTMENT OR AGENCY INVOLVEMENT:**

None.

**ATTACHMENTS:**

**APPROVALS:**

Darcy Ellis  
Darcy Ellis

Created/Initiated - 1/4/2023  
Final Approval - 1/4/2023



# INYO COUNTY BOARD OF SUPERVISORS

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COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS  
ASST. CLERK OF THE BOARD



## AGENDA ITEM REQUEST FORM

January 10, 2023

Reference ID:  
2023-3319

### Public Hearing and Possible Adoption of Interim Ordinance Extending the Temporary Moratorium Suspending the Establishment of New Short-Term Rentals

#### Board of Supervisors

ACTION REQUIRED

#### ITEM SUBMITTED BY

Nate Greenberg, County Administrative Officer

#### ITEM PRESENTED BY

Nate Greenberg, County Administrative Officer

#### RECOMMENDED ACTION:

Request Board: A) conduct a public hearing to consider an interim ordinance extending the temporary moratorium suspending the establishment of new short-term rentals in all land use designations throughout the unincorporated area of the County; and B) adopt the ordinance (4/5ths required).

#### BACKGROUND / SUMMARY / JUSTIFICATION:

On November 29, 2022, your Board adopted Ordinance 1289, temporarily suspending the establishment of new short-term rentals in all land use designations throughout the unincorporated area of the County, with an effective date of December 6, 2022. The Board adopted this ordinance in order to preserve residential housing for potential long-term use while staff and decision makers study the impact of short-term rentals on residential and workforce housing and develop a comprehensive housing strategy for the unincorporated county, including the creation of designated areas, specific to Short-Term Rentals, and any adjustments to the regulation of short-term rentals vis a vis current County Code. Staff need more time to accomplish these goals and, in the meantime, request an extension of the current moratorium. The request is for a 10 month, 15 day extension (until November 25, 2023). Adoption of the ordinance requires a 4/5 vote. The moratorium can be lifted at any time by Board action.

#### FISCAL IMPACT:

|                                   |   |                    |  |
|-----------------------------------|---|--------------------|--|
| <b>Funding Source</b>             | General Fund / Non-General Fund / Grant Funded<br>(list grant funding sources here) | <b>Budget Unit</b> |  |
| <b>Budgeted?</b>                  | Yes / No  | <b>Object Code</b> |  |
| <b>Recurrence</b>                 | One-Time Expenditure / Ongoing Expenditure  |                    |  |
| <b>Current Fiscal Year Impact</b> |   |                    |  |
|                                   |   |                    |  |
| <b>Future Fiscal Year Impacts</b> |   |                    |  |
|                                   |   |                    |  |

**Additional Information****ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:**

Do not adopt ordinance

**OTHER DEPARTMENT OR AGENCY INVOLVEMENT:**

None.

**ATTACHMENTS:**

1. Ordinance Extending STR Moratorium

**APPROVALS:**

|                |                              |
|----------------|------------------------------|
| Darcy Ellis    | Created/Initiated - 1/5/2023 |
| Darcy Ellis    | Approved - 1/5/2023          |
| John Vallejo   | Approved - 1/5/2023          |
| Nate Greenberg | Final Approval - 1/5/2023    |

ORDINANCE NO. \_\_\_\_\_

**AN INTERIM ORDINANCE OF THE INYO COUNTY BOARD OF SUPERVISORS EXTENDING THE TEMPORARY MORATORIUM SUSPENDING THE ESTABLISHMENT OF NEW SHORT-TERM RENTALS IN ALL LAND USE DESIGNATIONS THROUGHOUT THE UNINCORPORATED AREA OF THE COUNTY**

**WHEREAS**, Government Code §65858(a) authorizes the adoption of an interim ordinance as an urgency measure, without following the procedures otherwise required prior to the adoption of a zoning ordinance, to prohibit any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the Board of Supervisors, planning commission or planning department is considering or studying or intends to study within a reasonable time, when necessary to protect the public safety, health, and welfare; and

**WHEREAS**, the lack of existing affordable housing for workforce and full-time residents in Inyo County is a current and immediate threat to the public health, safety and welfare, and may be intensified by the loss of residential units to nightly rental uses; and

**WHEREAS**, the Board has identified a need to preserve the availability of existing long-term residential housing by limiting its use for short-term rentals; and

**WHEREAS**, on November 29, 2022, in order to preserve residential housing for potential long-term use while staff and decision makers study the impact of short-term rentals on residential and workforce housing and develop a comprehensive housing strategy for the unincorporated county, including the creation of designated areas, specific to Short-Term Rentals, and any adjustments to the regulation of short-term rentals, the Board of Supervisors adopted Ordinance 1289, temporarily suspending the establishment of new short-term rentals in all land use designations throughout the unincorporated area of the County, with an effective date of December 6, 2022; and

**WHEREAS**, on January 10, 2023, the Board held a duly noticed public hearing pursuant to Government Code section 65858(a); and

**WHEREAS**, the Board now wishes to further extend the restrictions imposed by Ordinance 1289 for up to 10 months and 15 days, until November 25, 2023, unless sooner terminated by this Board.

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO FINDS AND ORDAINS AS FOLLOWS:**

**SECTION ONE:** There is a current and immediate threat to the public health, safety and welfare as a result of the continuing use of existing single-family residential housing units within unincorporated Inyo County for short-term rentals. Such use

negatively impacts the amount of available long-term housing for residents. Therefore, County processing and/or approval of short-term or transient rental applications for single-family residential units must be temporarily suspended in order to preserve existing housing inventory and protect the public safety, health, and welfare of the residents of Inyo County while the County creates designated, short-term rental areas, and analyzes possible revisions to its regulations regarding such uses including but not limited to Chapter 18.73 of the Inyo County Code related to short-term rentals.

**SECTION TWO:** The moratorium on establishments of new short-term rentals within the unincorporated area of the County is hereby extended to allow for the proper study of modification and/or alternatives to the current system to address the issues identified above and other matters directed by the Board.

**SECTION THREE:** No applications for short-term rentals under Chapter 18.73 of the Inyo County Code shall be accepted for processing as of the effective date of this Ordinance. Any application received prior December 6, 2022, shall be processed in accordance with County standards in effect at the time of submission.

**SECTION FOUR:** During the suspension, staff shall evaluate short-term rental areas throughout the unincorporated area of the County, analyze the impacts of short-term rentals on long-term housing availability within Inyo County and evaluate possible modification to Chapter 18.73 of the Inyo County Code or other applicable regulations.

**SECTION FIVE:** This ordinance shall become effective January 10, 2023, pursuant to Government Code section 65858(a), and shall remain in effect for 10 months and 15 days (until November 25, 2023), unless extended as allowed by law or earlier rescinded by the Board. The Clerk of the Board of Supervisors shall post this ordinance and also publish it or a summary thereof in the manner prescribed by Government Code section 25124 no later than 15 days after the date of its adoption.

PASSED, APPROVED AND ADOPTED THIS \_\_ DAY OF \_\_\_\_\_, 2023.

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Jennifer Roeser, Interim Chair  
Inyo County Board of Supervisors

ATTEST:

By: \_\_\_\_\_





# INYO COUNTY BOARD OF SUPERVISORS

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NATE GREENBERG  
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS  
ASST. CLERK OF THE BOARD



## AGENDA ITEM REQUEST FORM

January 10, 2023

Reference ID:  
2022-3379

### Board of Supervisors Committee Appointments for 2023 Board of Supervisors ACTION REQUIRED

**ITEM SUBMITTED BY**

Board of Supervisors

**ITEM PRESENTED BY**

Jennifer Roeser, Supervisor

**RECOMMENDED ACTION:**

Request Board approve the 2023 Board of Supervisors committee assignments as recommended by the Chairperson.

**BACKGROUND / SUMMARY / JUSTIFICATION:**

Each year the newly elected Chairperson makes recommendations for Board of Supervisors appointments to the various boards, committees, and commissions upon which the Board of Supervisors has representation. The requirement for County Supervisor representation on the various boards, committees, and commissions comes from a variety of sources, including but not limited to State law, County law, and/or Inyo County Board of Supervisors order.

At this time your Board is asked to make the necessary appointments as recommended by this year's Chairperson, Jennifer Roeser, who will present the recommendations during today's discussion.

Last year's committee assignments are attached.

**FISCAL IMPACT:**

|                                   |     |                    |  |
|-----------------------------------|-----|--------------------|--|
| <b>Funding Source</b>             | N/A | <b>Budget Unit</b> |  |
| <b>Budgeted?</b>                  | N/A | <b>Object Code</b> |  |
| <b>Recurrence</b>                 | N/A |                    |  |
| <b>Current Fiscal Year Impact</b> |     |                    |  |
|                                   |     |                    |  |
| <b>Future Fiscal Year Impacts</b> |     |                    |  |
|                                   |     |                    |  |
| <b>Additional Information</b>     |     |                    |  |
|                                   |     |                    |  |

**ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:**

Your Board may propose changes to the Chairperson's recommendations.

**OTHER DEPARTMENT OR AGENCY INVOLVEMENT:**

None.

**ATTACHMENTS:**

1. 2022 Committee Appointments

**APPROVALS:**

|             |                              |
|-------------|------------------------------|
| Darcy Ellis | Created/Initiated - 1/4/2023 |
| Darcy Ellis | Final Approval - 1/4/2023    |

**2022 BOARD APPOINTMENTS to COMMITTEES for ACTIVE and AD HOC COMMITTEES ONLY**

*Approved by the Board of Supervisors on 01.11.22 unless noted otherwise*

| <b>Board/Committee/Commission</b>  | <b>Position(s)</b>  | <b>Appointments</b>   |
|--|---|---|
| Agricultural Resources Advisory Board  | 1 member<br>1 alternate   | Rick Pucci – member<br>Jennifer Roeser - alternate  |
| Aviation Advisory Committee - Northern   | 2 members   | Rick Pucci – member<br>Dan Tothoroh – member  |
| Aviation Advisory Committee - Southern   | 2 members   | Matt Kingsley – member<br>Jennifer Roeser – member  |
| Behavioral Health Advisory Board   | 1 member<br>1 alternate   | Dan Tothoroh – member<br>Rick Pucci – alternate   |
| BLM Resource Steering Committee  | 1 member  | Jennifer Roeser – member  |
| California State Association of Counties (CSAC)  | 1 member<br>1 alternate   | Jeff Griffiths – member<br>Rick Pucci – alternate<br><b>(Appointments Made by Board Order 10.05.21)</b> |
| Child Care Planning Council  | 1 member  | Jeff Griffiths – member   |
| Child Support Services Regional Oversight Committee                                    | 1 member<br>plus CAO  | Jennifer Roeser – member  |
| Children and Families Commission – First 5   | 1 member<br>1 alternate <i>(created by Board Order 12-19-17)</i>  | Jeff Griffiths – member<br>Jennifer Roeser - alternate  |
| City of Bishop Liaison Committee   | 2 members plus CAO  | Jeff Griffiths – member<br>Rick Pucci – member  |
| County Service Area #2 (Bishop Creek Sewer) Advisory Board                             | 1 member  | Jennifer Roeser – member  |
| Eastern Sierra Area Agency on Aging Advisory Council                                   | 1 member  | Dan Tothoroh – member   |
| Eastern Sierra Council of Governments (ESCOG)/Eastern Sierra Transit Authority (ESTA)* | 2 members <i>(cannot serve simultaneously on LTC)</i>   | Dan Tothoroh – member<br>Jeff Griffiths – member  |
| Eastern Sierra InterAgency Visitor Center Board of Directors                           | 1 member<br>1 alternate <i>(created by Board Order 2-21-17)</i>   | Dan Tothoroh – member<br>Jennifer Roeser – alternate  |
| Eastern Sierra Subregional Committee – Sierra Nevada Conservancy                       | 1 member <i>(rotated among Inyo, Mono &amp; Alpine every two years)</i>                                 | Inyo appointee: Jeff Griffiths  |
| Emergency Medical Care Committee   | 1 member  | Jennifer Roeser – member  |
| Environmental Services JPA   | 1 member<br>1 alternate   | Matt Kingsley – member<br>Cap Aubrey – alternate<br><b>(Appointments made by Board Order 11.16.22)</b>  |
| Foster Care Commission   | 1 member  | Jeff Griffiths – member   |
| Financial Advisory Committee   | 2 members   | Rick Pucci – member<br>Jeff Griffiths – member  |
| Great Basin Unified Air Pollution Control District *                                   | 2 members<br>1 alternate  | Matt Kingsley – member<br>Jennifer Roeser – member<br>Dan Tothoroh – alternate                          |
| Inyo-Mono Advocates for Community Action   | 1 member  | Jeff Griffiths – member   |
| Indian Gaming Local Community Benefit Committee  | 2 members   | Jennifer Roeser – member<br>Jeff Griffiths – member   |
| Indian Wells Valley Groundwater Authority Board <i>(added by Board Order 07-26-16)</i> | 1 member<br>1 alternate   | Matt Kingsley – member<br>John Vallejo – alternate  |
| Integrated Solid Waste Management Task Force   | 1 member  | Dan Tothoroh – member   |
| Integrated Solid Waste Management Hearing Panel  | 1 member  | Dan Tothoroh – member   |
| InterAgency Committee on Owens Valley Land & Wildlife                                  | 1 member  | Jennifer Roeser – member  |
| Inyo Fish & Wildlife Commission  | 1 member  | Rick Pucci – member   |
| Juvenile Justice Coordinating Committee (2000)   | 1 member  | Jeff Griffiths – member   |
| Law Library Board of Trustees  | 1 member  | Rick Pucci – member   |
| Local Agency Formation Commission (LAFCo)*   | 2 members<br>1 alternate  | Rick Pucci – member<br>Jeff Griffiths – member<br>Dan Tothoroh – alternate                              |
| Local Transportation Commission (LTC)  | 2 members <i>(cannot serve simultaneously on ESTA Board)</i>  | Rick Pucci – member<br>Jennifer Roeser – member<br>Matt Kingsley – alternate                            |
| National Association of Counties (NACo)  | 1 member<br>1 alternate   | Rick Pucci – member<br>Jennifer Roeser – alternate  |
| Owens Valley Groundwater Authority <i>(added 08-01-17)</i>                             | 1 member<br>1 alternate   | Dan Tothoroh – member<br>Jennifer Roeser – alternate  |
| Random Access Network Board (R.A.N.)   | 1 member  | Rick Pucci – member   |
| Rural Counties Representatives of California (RCRC)                                    | 1 member<br>1 alternate<br><i>(also serve as reps for Golden State Financial Authority Board, GSCA)</i> | Matt Kingsley – member<br>Rick Pucci – alternate<br><b>(Appointments Made by Board Order 11.16.21)</b>  |
| Standing Committee   | 2 members   | Matt Kingsley – member<br>Rick Pucci – member   |
| Yucca Mountain Program Representatives   | 2 members   | Matt Kingsley – member<br>Dan Tothoroh - member   |
| Western Counties Alliance Board of Directors   | 1 member  | Jennifer Roeser – member  |

\*denotes committee assignment requiring filing of Form 806 (reporting of paid appointed positions)



# INYO COUNTY BOARD OF SUPERVISORS

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NATE GREENBERG  
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS  
ASST. CLERK OF THE BOARD



## AGENDA ITEM REQUEST FORM

January 10, 2023

Reference ID:  
2022-3320

### Public Meeting & COI Law Legislative Updates County Council NO ACTION REQUIRED

#### ITEM SUBMITTED BY

John Vallejo, County Counsel

#### ITEM PRESENTED BY

John Vallejo, County Counsel

#### RECOMMENDED ACTION:

Receive a presentation regarding public meeting laws.

#### BACKGROUND / SUMMARY / JUSTIFICATION:

This presentation will provide the Board of Supervisors with a general overview of changes to the Brown Act provisions for Board Members' ability to meet remotely. Additionally we will do a quick review of SB 1439, which affecting Board Members' (and other County officers') ability to take part in license, permit, or other entitlement proceedings when accepting financial contributions from any party to the proceedings.

#### FISCAL IMPACT:

|                                   |   |                    |  |
|-----------------------------------|---|--------------------|--|
| <b>Funding Source</b>             | General Fund / Non-General Fund / Grant Funded<br>(list grant funding sources here) | <b>Budget Unit</b> |  |
| <b>Budgeted?</b>                  | Yes / No  | <b>Object Code</b> |  |
| <b>Recurrence</b>                 | One-Time Expenditure / Ongoing Expenditure  |                    |  |
| <b>Current Fiscal Year Impact</b> |   |                    |  |
|                                   |   |                    |  |
| <b>Future Fiscal Year Impacts</b> |   |                    |  |
|                                   |   |                    |  |
| <b>Additional Information</b>     |   |                    |  |
|                                   |   |                    |  |

#### ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:

#### OTHER DEPARTMENT OR AGENCY INVOLVEMENT:

None.

#### ATTACHMENTS:

1. Remote Meetings - Legal Overview

2. Bill Text - SB 1439 Campaign Contributions - Agency Officers
3. SB 1439 PowerPoint

**APPROVALS:**

|              |                               |
|--------------|-------------------------------|
| John Vallejo | Created/Initiated - 12/9/2022 |
| John Vallejo | Approved - 12/9/2022          |
| Darcy Ellis  | Approved - 12/9/2022          |
| John Vallejo | Final Approval - 1/5/2023     |

# Remote Meetings and the Brown Act

# AB 361

- Effective until January 1, 2024
- Permits remote participation by board member(s) if :
  1. The governor has declared a state of emergency
  2. Local officials have recommended social distancing recommendations OR the legislative body itself makes a finding that meeting remotely is necessary for health reasons
  3. The legislative body makes a finding every 30 days that they've assessed the situation and still determine remote meetings to be necessary
- The state-level state of emergency related to COVID will be rescinded on February 18, 2023 → boards cannot meet condition #1

# AB 2449

- Effective until January 1, 2026
- Permits remote participation by board member(s) if:
  1. At least a quorum of the board is there in person
  2. The board votes on the remote appearance request and approves it
  3. The member participating remotely must
    - a. Have “just cause” or an “emergency circumstance”
    - b. Use both video and audio
    - c. Disclose whether anyone over 18 years old is in the room with them
  4. A board member may only use AB 2449 for 20% of regular meetings in a calendar year or 2 meetings if the board meets less than 10 times in a year. Also limited to a 3-month stretch.



# The “Normal” Brown Act

- Even pre-COVID, there was a remote meeting option in the Brown Act.
- Permits remote participation by board member(s) if:
  1. At least a quorum of the board is there in person
  2. Each teleconference location is posted on the agenda and open to the public
  3. Agendas are posted at each teleconference location
  4. The public is able to address the board from each teleconference location

# Bottom Line

- AB 361 will no longer be available on February 18, 2023
- AB 2449 is intended to permit remote participation in one-off or emergency circumstance. Unlike AB 361, it does not permit ongoing, fully remote board meetings.
- The pre-COVID remote meeting rules are not practical if the board member is seeking to participate remotely from a non-public location. Its primary function is to allow boards to offer satellite locations where the public may view or participate in the meeting.

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## SB-1439 Campaign contributions: agency officers. (2021-2022)

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### Senate Bill No. 1439

#### CHAPTER 848

An act to amend Section 84308 of the Government Code, relating to the Political Reform Act of 1974.

[ Approved by Governor September 29, 2022. Filed with Secretary of State  
September 29, 2022. ]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1439, Glazer. Campaign contributions: agency officers.

The Political Reform Act of 1974 prohibits an officer of an agency from accepting, soliciting, or directing a contribution of more than \$250 from any party, participant, or a party or participant's agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 3 months following the date a final decision is rendered in the proceeding, if the officer knows or has reasons to know that the participant has a financial interest, as defined. The act also prohibits a party, participant, or participant's agent from making a contribution of more than \$250 to an officer of the agency during the proceeding and 3 months following the date a final decision is rendered. The act defines "agency" for these purposes to mean any state or local government agency, except certain entities, including local government agencies whose members are directly elected by the voters.

This bill would remove the exception for local government agencies, thereby subjecting them to the prohibition described above. The bill would extend the prohibition on contributions from 3 to 12 months following the date a final decision is rendered in the proceeding. The bill would permit an officer who does not willfully and knowingly accept, solicit, or direct a prohibited contribution to cure the violation by returning it. The bill would require the party to a proceeding to disclose whether the party or the party's agent has made a contribution of more than \$250 in the 12 months before the proceeding.

A violation of the act is punishable as a misdemeanor. By expanding the scope of restrictions on contributions, this bill would expand the scope of an existing crime, and therefore would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a  $\frac{2}{3}$  vote of each house of the Legislature and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: yes

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 84308 of the Government Code is amended to read:

**84308.** (a) The definitions set forth in this subdivision shall govern the interpretation of this section.

(1) "Party" means any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.

(2) "Participant" means any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision, as described in Article 1 (commencing with Section 87100) of Chapter 7. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.

(3) "Agency" means an agency as defined in Section 82003 except that it does not include the courts or any agency in the judicial branch of government, the Legislature, the Board of Equalization, or constitutional officers. However, this section applies to any person who is a member of an exempted agency but is acting as a voting member of another agency.

(4) "Officer" means any elected or appointed officer of an agency, any alternate to an elected or appointed officer of an agency, and any candidate for elective office in an agency.

(5) "License, permit, or other entitlement for use" means all business, professional, trade, and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises.

(6) "Contribution" includes contributions to candidates and committees in federal, state, or local elections.

(b) While a proceeding involving a license, permit, or other entitlement for use is pending, and for 12 months following the date a final decision is rendered in the proceeding, an officer of an agency shall not accept, solicit, or direct a contribution of more than two hundred fifty dollars (\$250) from any party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest, as that term is used in Article 1 (commencing with Section 87100) of Chapter 7. This prohibition shall apply regardless of whether the officer accepts, solicits, or directs the contribution on the officer's own behalf, or on behalf of any other officer, or on behalf of any candidate for office or on behalf of any committee.

(c) Prior to rendering any decision in a proceeding involving a license, permit, or other entitlement for use pending before an agency, each officer of the agency who received a contribution within the preceding 12 months in an amount of more than two hundred fifty dollars (\$250) from a party or from any participant shall disclose that fact on the record of the proceeding. An officer of an agency shall not make, participate in making, or in any way attempt to use the officer's official position to influence the decision in a proceeding involving a license, permit, or other entitlement for use pending before the agency if the officer has willfully or knowingly received a contribution in an amount of more than two hundred fifty dollars (\$250) within the preceding 12 months from a party or a party's agent, or from any participant or a participant's agent if the officer knows or has reason to know that the participant has a financial interest in the decision, as that term is described with respect to public officials in Article 1 (commencing with Section 87100) of Chapter 7.

(d) (1) If an officer receives a contribution which would otherwise require disqualification under this section, and returns the contribution within 30 days from the time the officer knows, or should have known, about the contribution and the proceeding involving a license, permit, or other entitlement for use, the officer shall be permitted to participate in the proceeding.

(2) (A) Subject to subparagraph (B), if an officer accepts, solicits, or directs a contribution of more than two hundred fifty dollars (\$250) during the 12 months after the date a final decision is rendered in the proceeding in violation of subdivision (b), the officer may cure the violation by returning the contribution, or the portion of

the contribution in excess of two hundred fifty dollars (\$250), within 14 days of accepting, soliciting, or directing the contribution, whichever comes latest.

(B) An officer may cure a violation as specified in subparagraph (A) only if the officer did not knowingly and willfully accept, solicit, or direct the prohibited contribution.

(C) An officer's controlled committee, or the officer if no controlled committee exists, shall maintain records of curing any violation pursuant to this paragraph.

(e) (1) A party to a proceeding before an agency involving a license, permit, or other entitlement for use shall disclose on the record of the proceeding any contribution in an amount of more than two hundred fifty dollars (\$250) made within the preceding 12 months by the party or the party's agent.

(2) A party, or agent to a party, to a proceeding involving a license, permit, or other entitlement for use pending before any agency or a participant, or agent to a participant, in the proceeding shall not make a contribution of more than two hundred fifty dollars (\$250) to any officer of that agency during the proceeding and for 12 months following the date a final decision is rendered by the agency in the proceeding.

(3) When a closed corporation is a party to, or a participant in, a proceeding involving a license, permit, or other entitlement for use pending before an agency, the majority shareholder is subject to the disclosure and prohibition requirements specified in this section.

(f) This section shall not be construed to imply that any contribution subject to being reported under this title shall not be so reported.

**SEC. 2.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

**SEC. 3.** The Legislature finds and declares that this bill furthers the purposes of the Political Reform Act of 1974 within the meaning of subdivision (a) of Section 81012 of the Government Code.

# SB 1439

“Pay To Play” Prohibitions

# Overview

- Amendment of the Political Reform Act provision regarding prohibition from accepting/soliciting/directing \$250 contribution during the pendency of a proceeding involving a:
  - License;
  - Permit;
  - Other entitlement for use.
- Adds local government agency officer to those covered by the prohibition.
- Extends duration to 12 months following final decision. Also reaches back 12 months.
- Provides a cure process (return the money).

# Government Code 84308:

- While a **proceeding** involving a license, permit, or other entitlement for use is pending, and for 12 months following the date a final decision is rendered in the proceeding, an **officer** of an agency shall not accept, solicit, or direct a contribution of more than **\$250** from [anyone] if the officer knows or has reason to know that the [anyone] has a financial interest...



# Proceeding

- Proceeding defined via 2 CCR 18438.2(b)(2):
  - the type of proceeding where the officers of the agency are required by law to make a decision, or the matter has been otherwise **submitted to the officers of the agency** for their decision
- *Not triggered unless the officer needs to decide (i.e. Purchasing Policy is a buffer).*

# “Officer”

- FPPC General Counsel Office Advice:
  - It is clear from the Legislature’s analysis of the bill that County Supervisors are subject to the new requirements.
- There is no indication that “other officers” would be treated differently than a County Supervisor, or that any of the other officials would be exempt from the new prohibition. To clarify this point, it is anticipated that the Commission will consider additional regulations including but not limited to defining if any officers (e.g. Constitutional Officers) are exempt in early 2023.

# Procedural Requirements

- If > \$250 contribution received within preceding 12 months.
- Prior to rendering decision, officer shall disclose that fact on the record of the proceeding.
- Shall not make, participate in decision, or influence decision.

# Cure

- Return a prior contribution within 30 days of knowledge (or constructive knowledge) about the contribution and the proceeding.
- Return a future contribution (made within 12 months after decision) within 14 days only if officer did not knowingly and willfully accept...

# If you need advice

- Contact the FPPC: <https://www.fppc.ca.gov/advice.html>



# INYO COUNTY BOARD OF SUPERVISORS

TRINA ORRILL • JEFF GRIFFITHS • SCOTT MARCELLIN • JENNIFER ROESER • MATT KINGSLEY

NATE GREENBERG  
COUNTY ADMINISTRATIVE OFFICER

DARCY ELLIS  
ASST. CLERK OF THE BOARD



## AGENDA ITEM REQUEST FORM

January 10, 2023

Reference ID:  
2023-6

### Minutes from January 3, 2023 Board Meeting

Clerk of the Board

ACTION REQUIRED

#### ITEM SUBMITTED BY

Clerk of the Board

#### ITEM PRESENTED BY

Darcy Ellis, Assistant Clerk of the Board/Public Relations Liaison

#### RECOMMENDED ACTION:

Request Board approve the minutes from the regular Board of Supervisors meeting of January 3, 2023.

#### BACKGROUND / SUMMARY / JUSTIFICATION:

The Board is required to keep minutes of its proceedings. Once the Board has approved the minutes as requested, the minutes will be made available to the public via the County's webpage, [www.inyocounty.us](http://www.inyocounty.us).

#### FISCAL IMPACT:

|                            |     |             |  |
|----------------------------|-----|-------------|--|
| Funding Source             | N/A | Budget Unit |  |
| Budgeted?                  | N/A | Object Code |  |
| Recurrence                 | N/A |             |  |
| Current Fiscal Year Impact |     |             |  |
|                            |     |             |  |
| Future Fiscal Year Impacts |     |             |  |
|                            |     |             |  |
| Additional Information     |     |             |  |

#### ALTERNATIVES AND/OR CONSEQUENCES OF NEGATIVE ACTION:

N/A

#### OTHER DEPARTMENT OR AGENCY INVOLVEMENT:

None.

#### ATTACHMENTS:

**APPROVALS:**

Darcy Ellis

Created/Initiated - 1/4/2023

Darcy Ellis

Final Approval - 1/4/2023