

MINUTES



County of Inyo Board of Supervisors

January 15, 2019

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:31 a.m., on January 15, 2019, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Rick Pucci, presiding, Dan Totheroh, Jeff Griffiths, Mark Tillemans, and Matt Kingsley.

Public Comment Chairperson Pucci asked for public comment during the first public comment period and there was no-one wishing to address the Board.

Closed Session Chairperson Pucci recessed open session at 8:32 a.m. to convene in closed session with all Board members present to discuss the following items: No. 2 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – [Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9]** – Los Angeles Department of Water and Power v. County of Inyo, Kern Superior Court Case No. BCV-18-101513-KCT (CEQA); No. 3 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – [Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9]** – County of Inyo v. Los Angeles Department of Water and Power, Kern Superior Court Case Nos. BVC-18-101260; BVC-18-101261; and BVC-18-101262; and No. 4 **CONFERENCE WITH COUNTY’S LABOR NEGOTIATORS [Pursuant to Government Code §54957.6]** – Regarding employee organizations: Deputy Sheriff’s Association (DSA); Elected Officials Assistant Association (EOAA); Inyo County Correctional Officers Association (ICCOA); Inyo County Employees Association (ICEA); Inyo County Probation Peace Officers Association (ICPPOA); IHSS Workers; Law Enforcement Administrators’ Association (LEAA). Unrepresented employees: all. County designated representatives – Administrative Officer Clint Quilter, Assistant County Administrator Rick Benson, Deputy Personnel Director Sue Dishion, County Counsel Marshall Rudolph, and Assistant County Counsel John Vallejo.

Open Session Chairperson Pucci recessed closed session and reconvened the meeting in open session at 10:02 a.m. with all Board members present.

Pledge Chairperson Pucci led the Pledge of Allegiance.

Report on Closed Session County Counsel Rudolph reported that no action was taken during closed session that is required to be reported.

Public Comment Chairperson Pucci asked for public comment during the second public comment period.

Lynn Cooper, executive director of the Inyo Council for the Arts, presented the Board with copies of a “State of the Arts” report to be published in Saturday’s Inyo Register. She reviewed report highlights, thanking the County for its collaboration on some of the programs.

Supervisor Kingsley said he might miss the Board and Staff Reports section of the meeting later today, and thus wanted to report now on the great local showing in the Rose Parade by federal workers and volunteers with the Smokey Bear float, and also acknowledge that local rancher Mark Lacey has been named the new president of the California Cattlemen’s Association.

County Department Reports HHS Director Marilyn Mann reported that HHS issued a press release yesterday to provide critical information on program impacts as a result of the government shutdown. She also provided an update on State budget impacts on HHS and IHSS funding.

Planning Director Cathreen Richards announced that the first two Conditional Use Permit applications for commercial cannabis operations (Retail – Zone 1) would be going before the Planning Commission later this month.

Chief Probation Officer Jeff Thomson thanked Inyo Council for the Arts Executive Director Lynn Cooper for her efforts to provide art programs in the schools, invited the Board to attend a Moral Reconciliation Training graduation ceremony Friday at the jail, and offered an update on the State budget as it relates to probation programs.

*Ag Commissioner-
ESWMA –
2 Seasonal Field
Assistants*

Moved by Supervisor Tillemans and seconded by Supervisor Totheroh for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for two (2) Seasonal Field Assistants exists in the ESWMA budget as certified by the Agricultural Commissioner and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the positions, the vacancies could possibly be filled through internal recruitment, but an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of two (2) seasonal Field Assistants 01, Range 050PT (\$15.35 - \$18.63/hr.), from May 2, 2019 through October 2, 2019, contingent upon the adoption of the Fiscal Year 2019-2020 Budget. Motion carried unanimously.

*Ag Commissioner-
OVMAP –
4 Seasonal Field
Assistants*

Moved by Supervisor Kingsley and seconded by Supervisor Griffiths for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for four (4) Seasonal Field Assistants exists in the OVMAP budget as certified by the Agricultural Commissioner and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the positions, the vacancies could possibly be filled through internal recruitment, but an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of four (4) seasonal Field Assistants 01, Range 050PT (\$15.35 - \$18.63/hr.), from April 4, 2019 through October 2, 2019, contingent upon the adoption of the Fiscal Year 2019-2020 Budget. Motion carried unanimously.

*Personnel – Aaron
Steinwand Water
Director Contract*

CAO Quilter noted that the Board appointed Mr. Aaron Steinwand to be Water Director during closed session of its last meeting, directing staff to bring back a contract for approval at the next meeting. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to: A) approve the contract between the County of Inyo and Aaron Steinwand for the provision of personal services as the Water Director at a monthly salary of \$9,431 effective January 24, 2019 and authorize the Chairperson to sign; and B) approve Resolution No. 2019-03 titled, "A Resolution of the Board of Supervisors, County of Inyo, State of California, Amending Resolution 2006-06, Changing Salary and/or Terms and Conditions of Employment for Appointed Officials Employed in the Several Offices or Institutions of the County of Inyo," and authorize the Chairperson to sign. Motion carried unanimously.

*CAO-Sheriff –
Public Relations
Officer*

Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to: A) approve the job description of the Public Relations Officer, Range 78; and B) consistent with the Fiscal Year 2018-2019 Board Approved Budget, reclassify the Administrative Analyst III, Range 72 (\$4,787 - \$5,815) within the Sheriff's Office to the Public Relations Officer, Range 78 (\$5,518 - \$6,705), effective January 24, 2019. Motion carried unanimously.

*CAO-Public
Administrator/Public
Guardian – BPAR
Reclass to Full-time
Deputy*

Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to: A) consistent with the Fiscal Year 2018-2019 Board Approved Budget: A) reclassify the BPAR Public Guardian Specialist, Range 57 (\$18.03 - \$21.90/hr.) to a full-time Deputy Public Administrator/Public Guardian, Range 57 (\$3,363 - \$4,086); and B) change the authorized staffing of the Public Administrator/Public Guardian's Office as follows:

1. Delete one (1) BPAR Public Guardian Specialist, Range 57 (\$18.03 - \$21.90/hr.) and add one (1) full-time Deputy Public Administrator/Public Guardian, Range 57 (\$3,363 - \$4,086).

Motion carried unanimously.

*Treasurer-Tax
Collector – Add
Office Technician I-III*

Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to:

- A) Consistent with the Fiscal Year 2018-2019 Board Approved Budget, increase the authorized strength in the Treasurer-Tax Collector's Office by adding one (1) Office Technician I-III position at Range 55-63; and

- B) Find that, consistent with the adopted Authorized Position Review Policy:
 1. The availability of funding for one (1) Office Technician position exists in the Treasurer-Tax Collector budget, as certified by the Treasurer-Tax Collector and concurred with by the County Administrator and Auditor-Controller;
 2. Where internal candidates may meet the qualifications of the position, the vacancy could possibly be filled by an internal candidate, but an open recruitment is more appropriate to ensure qualified applicants apply; and
 3. Approve the hiring of one (1) Office Technician I-III, Range 55-63 (\$3,213 - \$4,705).

Motion carried unanimously.

Sheriff – Public Safety Dispatcher I

Moved by Supervisor Kingsley and seconded by Supervisor Griffiths for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Public Safety Dispatcher I exists in the General Fund, as certified by the Sheriff and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position, the vacancy could possibly be filled by an internal recruitment, but an open recruitment is more appropriate to ensure qualified applicants apply; and C) approve the hiring of one (1) Public Safety Dispatcher I, Range 55AC (\$3,213 - \$3,538). Motion carried unanimously.

HHS – Sierra Vista Hospital Payment

Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to authorize payment of \$13,000 to Sierra Vista Hospital for an involuntary hospitalization of an Inyo County Medi-Cal beneficiary placed in the facility pursuant to Welfare and Institutions Code (WIC) 5150. Motion carried unanimously.

Public Works-Airport – Surplus Vehicles

Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to:

- A) Declare the following County vehicles as surplus
 1. (a) County asset #6993, 1988 Ford F250, License Plate No. 370798, VIN. 1FTHF26H2JPB7058
 2. (b) County asset #5801, 1988 Chevrolet S15, License Plate No. 206817, VIN. 1GTBS14E6J8535917
 3. (c) County asset #8237, 1990 GMC Jimmy, License Plate No. 334251, VIN. 1GKCT18ZXM8517041;
- B) Authorize the County Purchasing Agent (CAO) or his designee to offer the vehicles for sale utilizing the Public Surplus auction site; and
- C) Authorize the County Purchasing Agent (CAO) or his designee to utilize either the previously approved consignment auction agreement with Enterprise Fleet Management or another auctioneer for the removal and sale of any vehicles remaining unsold after the Public Surplus process.

Motion carried unanimously.

BOS-Pucci – 2019 Committee Assignments

Chairperson Pucci presented his recommended committee assignments for members of the Board of Supervisors for calendar 2019. Moved by Supervisor Tillemans and seconded by Supervisor Griffiths to accept the 2019 Board of Supervisors committee assignments as recommended by the Chairperson, excluding those for the Eastern Sierra Transit Authority Board of Directors, Great Basin Air Pollution Control District Board of Directors, and Local Agency Formation Commission, which, for the purposes of Form 806 reporting, require confirmation through individual separate motions. Motion carried unanimously.

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to appoint Supervisors Totheroh and Griffiths to the Eastern Sierra Transit Authority Board of Directors for calendar 2019. Motion carried unanimously.

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to appoint Supervisors Kingsley and Totheroh to the Great Basin Air Pollution Control District Board of Directors, with Supervisor Griffiths as an alternate for calendar 2019. Motion carried unanimously.

Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to appoint Supervisors Pucci and Griffiths to the Local Agency Formation Commission, with Chairperson Totheroh as an alternate, for calendar 2019. Motion carried unanimously.

Planning – Tribal Consultation Committee Appointments

Planning Director Cathreen Richards presented a request for the Board to make its annual appointments of two Supervisors to serve on the Tribal Consultation Committees for each of the five Tribes located in Inyo County, per the County's Tribal Consultation Policy. Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to re-appoint the following Board members to the following Tribal Consultation Committees:

- Bishop Paiute Tribe - Supervisors Totheroh and Pucci
- Big Pine Paiute Tribe of the Owens Valley- Supervisors Tillemans and Totheroh
- Fort Independence Indian Community of Paiutes - Supervisors Tillemans and Kingsley
- Lone Pine Paiute-Shoshone Tribe - Supervisors Kingsley and Tillemans
- Timbisha Shoshone Tribe - Supervisors Kingsley and Griffiths

Motion carried unanimously.

Planning – Scheduling Tribal Consultation Meeting

Planning Director Cathreen Richards sought direction from the Board on scheduling a meeting between the Board and local tribes, per the County's Tribal Consultation Policy which states such meetings can either be held individually or with all the Tribes together. Richards said staff recommended the latter based on feedback from Tribal staff, who thought it a good way to get common issues on the table. She said staff also recommended a neutral location for the meeting, which would be subject to the Brown Act. The Board agreed a larger meeting is a good idea, but preferred to start at the one-on-one level, and directed staff to initiate meetings with individual Tribes and then work on scheduling a larger meeting if the Tribes so desired.

Planning – Census 2020 Complete Count

Planning Director Cathreen Richards presented for the Board's consideration the possibility of opting in to a State program that would make funds available to plan and implement a strategy for reaching populations that are considered "hard to count." She said Inyo County would be eligible for a \$25,000 grant if it met stringent program requirements, including the development and submission of a comprehensive Strategic Plan, along with continuing reporting milestones. Richards said the grant might not cover the County's costs to develop the plan or conduct subsequent outreach. She said that although IMACA is attempting to lobby for additional funding for Inyo County, if the Board chose to opt-in, it should do so without the expectation of no additional funding and the understanding that General Fund dollars would likely have to be expended on the effort. Supervisor Griffiths said while it is annoying the County would have to spend the majority of its grant developing a plan for spending that money and then reporting how that money was spent, any General Fund dollars above and beyond the grant is ultimately a relatively small investment in exchange for a complete count that will yield critical demographic information. Supervisor Kingsley concurred, noting the Fifth District will be an especially difficult area to canvas and he hopes Planning will be able to bring on additional and/or outside help. Supervisor Griffiths suggested possibly contracting work to IMACA to ease staff's workload. The Board directed Planning to prepare and bring back for approval a resolution and opt-in letter for participation in the County-Optional Agreement to Conduct Outreach Related to the California Complete Count.

Planning – ABC Letter of Necessity (Independence)

Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to approve and authorize the Chairperson to sign a Letter of "Public Convenience or Necessity" for an Alcoholic Beverage License Application for the convenience store located at 133 South Edwards Street, Independence, CA. Motion carried unanimously.

Planning – ABC Letter of Necessity (Bishop Creek)

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve and authorize the Chairperson to sign a Letter of "Public Convenience or Necessity" for an Alcoholic Beverage License Application for the Creekside RV Park Store, located in the Bishop Creek Area. Motion carried unanimously.

CAO – Consolidated Office Building Lease/Purchase Agreement

CAO Quilter presented for Board approval a proposed Build-to-Suit Lease Agreement with Wolverine/Inyo LLC for the Inyo County Consolidated Office Building. He reviewed the history of the project from as far back as 2010, to when it stalled out in 2013 and was revived in 2016, to the County's real estate consultant's updated financial/cost analysis in 2018 when the Board directed staff to proceed with development of a lease, which also required intensive work to finalize the designs. He said he was pleased with the cooperation of and support from the departments who would be relocating to the C.O.B. and who worked diligently on floor plan elements. CAO Quilter reviewed for the Board the details of the lease agreement, as well as other options the County had pursued that proved either infeasible, not cost effective, or both, with none of the property owners interested in selling to the County.

Supervisor Tillemans said the County will want to own, not rent, the C.O.B. for the sake and benefit of future generations. Supervisor Totheroh said aside from the financial benefits of owning versus renting, it is important for him that the C.O.B. will allow the public a single location from which to access services, allow the County to better manage its departments operationally, and be a legitimate government office building. Supervisor Kingsley said the C.O.B. has been a controversial topic for 10 years and fears may linger about services moving from the South County to Bishop, but he wanted it on the record that county services would remain in Independence. He said the policy of owning instead of renting is a good one and cautioned against pressure to lease additional office space in Bishop in the future. He said the Board is making the right move for the County's future. Supervisor Griffiths acknowledged the concern about the County creating additional vacancies in Bishop when it moves its office spaces to the C.O.B. He said there was discussion at last night's City Council about the possibility of the City re-zoning and employing mixed use zoning to use some of those buildings to alleviate the housing shortage, and he was confident the County and City could work together for their mutual benefit. Chairperson Pucci thanked previous Boards for keeping the project alive and the current Board for pushing it to fruition, acknowledging County Counsel Rudolph and other staff for their diligent efforts in moving the project along. He echoed the sentiment that the County, as government entity with requirements beyond those of the private sector, is better served by owning a building constructed to specifications.

Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to approve County entry into a proposed Build-to-Suit Lease Agreement with Wolverine/Inyo LLC for the Inyo County Consolidated Office Building and authorize the Board Chair to sign said Agreement on behalf of the County. Motion carried unanimously. Moved by Supervisor Kingsley and seconded by Supervisor Tillemans to find that entry into said Lease Agreement is categorically exempt from review under the California Environmental Quality Act (CEQA) as a Class 32 in-fill development project and direct staff to file a Notice of Exemption. Motion carried unanimously. Supervisor Kingsley acknowledged and commended CAO Quilter's work on the project, first as Public Works Director and now as CAO. CAO Quilter similarly acknowledged his predecessor, Kevin Carunchio.

Public Comment

Chairperson Pucci asked for public comment during the final public comment period.

HHS Director Marilyn Mann reported that health officials are becoming extremely concerned about the lack of foresight for infrastructure planning for the aging community, and asked Board members to bring up the subject with their state and national organizations.

Earl Wilson of Lone Pine said he appreciated Supervisor Kingsley's comments about keeping County services in Independence, as it is important for the Fifth District.

Board Member and Staff Reports

Supervisor Kingsley said he will be traveling to Sacramento this afternoon, and reported he attended an Alabama Hills Stewardship Group meeting last Wednesday.

Supervisor Griffiths said he attended meetings of the Owens Valley Groundwater Authority, Eastern Sierra Transit Authority, and Bishop City Council, and provided updates on each.

Supervisor Totheroh said he also attended the Eastern Sierra Transit and Owens Valley Groundwater Authority meetings, and gave an update on the Continuum of Care.

CAO Quilter said he had a good meeting with the new Eastern Sierra Transit Authority director about ESTA relocating out of the Bishop airport terminal building, and said the County has some grant funding available for the project.

Adjournment

Chairperson Pucci adjourned the meeting at 12 p.m. to 8:30 a.m. Tuesday, February 5, 2019 in the County Administrative Center in Independence.

Chairperson, Inyo County Board of Supervisors

*Attest: CLINT G. QUILTER
Clerk of the Board*

*by: _____
Darcy Ellis, Assistant*