

MINUTES



County of Inyo Board of Supervisors

March 19, 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 March 19, 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**; No. 4 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9 (one case); No. 5 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –** Significant exposure to potential litigation pursuant to (2) of subdivision (d) of Government Code §54956.9 (two cases); and No. 6 **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 10:09 a.m. with all Board members present.

Pledge Supervisor Totheroh 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, but noted the Board would be returning to closed session to continue discussions later in the meeting.

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

County Department Reports Public Works Director Mike Errante provided a status update on the West Jay Street Project in Bishop.

HHS Director Marilyn Mann passed out flyers advertising events in April as part of Child Abuse Prevention Month.

Ag Commissioner Nate Reade reported on last week's annual pesticide seminar attended by 110 people, two training events last week on combating credit card skimmer theft featuring an individual from the Division of Measurement Standards, and the County of Monterey taking the

position last Tuesday to regulate hemp the same as cannabis.

Introduction

Assistant County Administrator Rick Benson introduced Librarian Emily Lanphear to the Board.

*CAO-Inyo Film
Commissioner –
Spring Oral Report*

Inyo Film Commissioner Chris Langley gave his spring oral report on local filming activity, noting a lull in activity earlier this year because of the government shutdown but a steady stream of car commercials and small productions since then. Museum of Western Film History Director Shawn Lum helped Langley show some pieces from the Museum collection, and distributed cards advertising the upcoming Concert in the Rocks fundraiser.

*Assessor – Auditor-
Appraiser I Reclass*

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to, consistent with the Fiscal Year 2018-2019 Board Approved Budget, reclassify the Real Property Appraiser, Range 68 (\$4,357 - \$5,294) to an Auditor-Appraiser I, Range 70 (\$4,569 - \$5,557). Motion carried unanimously.

*Assessor – Office
Technician I*

Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to: A) consistent with the Fiscal Year 2018-2019 Board Approved Budget, reclassify the BPAR Office Technician I, Range 55 (\$17.22 - \$20.93/hr.) to a full-time Office Technician I, Range 55 (\$3,213 - \$3,907); and B) consistent with the adopted Authorized Position Review Policy, find that: 1. the availability of funding for the requested position exists in the Assessor's budget, as certified by the Assessor and concurred with by the County Administrator and Auditor-Controller; 2. where internal candidates may meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment is more appropriate to ensure qualified candidates apply; and 3. approve the hiring of one (1) Office Technician I, Range 55 (\$3,213 - \$3,907). Motion carried unanimously.

*CAO-Museum –
Curator of Collections
and Exhibits*

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 one (1) Curator of Collections and Exhibits exists in the Museum budget, as certified by the Department Head and concurred with by the County Administrator and Auditor-Controller; B) where there are internal candidates for the position, the vacancy can be filled through an internal recruitment; and C) approve the hiring of one (1) Curator of Collections and Exhibits, Range 60 (\$3,612 - \$4,387). Motion carried unanimously.

*Personnel – Leslie
Chapman Assistant
County Administrator
Contract*

CAO Quilter reported that staff, in association with the firm Prothman, undertook a nationwide search for the new Assistant CAO and was fortunate to find Leslie Chapman as the most qualified of all the applicants. Supervisor Griffiths thanked current Assistant Administrator Rick Benson for his two stints with the County. Moved by Supervisor Tillemans and seconded by Supervisor Kingsley to approve the personal services contract with Leslie Chapman as the Assistant County Administrator, at \$10,402 per month effective May 23, 2019, and authorize the County Administrator to sign. Motion carried unanimously.

*HHS-Public Health –
Human Services
Supervisor*

Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to approve the modified Human Services Supervisor job description, and find that, consistent with the adopted Authorized Position Review Policy:

- A) The availability of funding for one (1) Human Services Supervisor exists in non-General Fund budgets, as certified by the HHS Director and concurred with by the County Administrator and Auditor-Controller;
- B) Where internal candidates may meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an open recruitment is more appropriate to ensure qualified candidates apply; and
- C) Approve the hiring of one (1) Human Services Supervisor at Range 70 (\$4,569 - \$5,557).

Motion carried unanimously.

*HHS-Behavioral
Health – Ratify DMC
Substance Use
Disorder Services
Contract
Amendment 1*

Moved by Supervisor Griffiths and seconded by Supervisor Tillemans to ratify and approve Amendment A01 to the Standard Agreement between the County of Inyo and the Department of Health Care Services for Drug Medi-Cal Substance Use Disorder Services, recognizing an increase of \$23,422 for years two and three of the contract resulting in a total contract amount of \$257,653 for the period of July 1, 2017 through June 30, 2020, and authorize the Chairperson to sign five original signature pages plus one Certification form and one California Civil Rights Law Certification. Motion carried unanimously 4-0, with Supervisor Kingsley out of the room at the time of the vote.

*Public Works –
Treasury
Loan/Reso#2019-10*

Engineering Assistant Ashley Helms presented for approval a treasury loan for Public Works in order to purchase pipe for the Independence Water System. Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to: A) approve Resolution No. 2019-10 authorizing and approving a treasury loan to the Public Works Department for the Independence Water System in the amount of \$78,000, and authorize the Chairperson to sign; B) authorize the Chairperson to sign the Inyo County Treasury Loan Agreement and Promissory Note; and C) authorize the Public Works Director to accept the loan on behalf of the Public Works Department. Motion carried unanimously.

*Public Works –
Budget Amendment/
HercRentals Sole-
Source P.O.*

Engineering Assistant Ashley Helms presented for approval a request to purchase HDPE pipe and fittings for the Independence Water System, noting that the County is currently renting pipe from HercRentals and so will be purchasing the pipe from them as well. Moved by Supervisor Tillemans and seconded by Supervisor Totheroh to:

- A) Amend the Independence Water System budget (152101) by:
 - 1. Increasing appropriations in Loan Proceeds (Object Code 4990) by \$78,000;
 - 2. Decreasing appropriations in Rents and Leases of Equipment (Object Code 5281) by \$647; and
 - 3. Increasing appropriations in Infrastructure (Object Code 5620) by \$78,647 (4/5ths vote required); and
- B) Declare HercRentals as a sole-source provider for the supply of 2,840 feet of 12-inch HDPE pipe and fittings; and
- C) Approve a purchase order for HercRentals in the amount of \$78,646.55.

Motion carried unanimously.

*Public Works –
Temporary Closure
of Round Valley Rd.*

Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to approve the closure of the portion of Round Valley Road between Pine Creek Road and Vanadium Ranch Road between the hours of 8 a.m. and 10:30 a.m. on May 31, 2019 for the purpose of the Round Valley Jog-a-thon. Motion carried unanimously.

*Ag Commissioner –
Workshop on
Cannabis Permit
Program*

Supervisor Tillemans recused himself from the following discussion at 10:59 a.m.

Ag Commissioner Nate Reade presented a workshop for the Board to discuss and provide direction to staff on several aspects of Inyo County's Commercial Cannabis Permitting Program in anticipation of forthcoming license issuance. He provided a brief overview of the first license issuance cycle, explaining that staff noticed where areas of the program could be improved. He discussed existing license allocation and went over recommended code amendments so that the local tax, cannabis business license, and zoning code are aligned. He also discussed the possibility of introducing two new license types in Inyo County: Infusion and Non-Storefront Residential. There was lengthy discussion among the Board and with staff regarding the license types, and the pros and cons of both in Inyo County. The Board eventually directed Reade to return at a future meeting with an ordinance that makes changes to County Code as he recommended in his presentation, at which time the Board will also determine what if any leftover licenses should be shifted to different zones. The Board also directed staff to explore the possibility of adding Infusion and Non-Storefront Residential license types after issuing the next round of existing license types this spring.

Public Comment

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

*Board Member and
Staff Reports*

Supervisor Griffiths reported attending the Community Reads kick-off dinner, Owens Valley Groundwater Authority meeting, a meeting between Laws Museum and County staff, and the Inyo Associates dinner in Big Pine.

Supervisor Kingsley reported attending the RCRC Board meeting last week and a not very fruitful meeting yesterday with the other objectors to the proposed South Sierra Wilderness in the Inyo National Forest Plan Revision.

Supervisor Totheroh reported attending the Owens Valley Groundwater Authority meeting and said there is more work to be done for the group to be functional.

Recess for Lunch

Chairperson Pucci recessed open session for lunch at 12:24 p.m.

Closed Session Chairperson Pucci convened the meeting in closed session at 1 p.m. in closed session with all Board members present to continue discussion and possible action as appropriate on previously noted closed session items.

Open Session Chairperson Pucci recessed closed session and reconvened the meeting in open session at 2 p.m. with all Board members present.

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

Adjournment Chairperson Pucci adjourned the meeting at 2 p.m. to 8:30 a.m. Tuesday, March 26, 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