

# MINUTES



# County of Inyo Board of Supervisors

## October 1, 2019

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:32 a.m., on October 1, 2019, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Rick Pucci, presiding, Dan Tothoroh, Jeff Griffiths, and Matt Kingsley. Absent: Mark Tillemans

### *Public Comment*

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

Ros Gorham of Big Pine submitted a letter to the Board outlining her concerns about fire safety in the Birch Creek Road area due to heavy fuels and campfires at Tinnehama Campground.

Sydney Quinn of Big Pine expressed similar concerns about the dangers of brush fire at Tinnemeha Campground due to uncleared brush and careless campfire activity.

Another resident of Big Pine urged the County to act urgently with regard to clearing the brush at the campground, as one spark could be devastating for the entire community.

### *Closed Session*

Chairperson Pucci recessed open session at 8:41 a.m. to convene in closed session with all Board members present except Supervisor Tillemans to discuss the following items: No. 2 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – *County of Inyo et al. v. Amerisourcebergen Drug Corporation et al* (National Prescription Opiate Litigation – Northern District of Ohio. MDL 2804); No. 3 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Significant exposure to potential litigation pursuant to (2) of subdivision (d) of Government Code §54956.9 (*one case*); 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 10:04 a.m. with all Board members present except Supervisor Tillemans, who was absent.

### *Pledge*

Supervisor Kingsley 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.

Earl Wilson of Lone Pine announced that October is International Be Kind to Older People Month.

### *County Department Reports*

Emergency Services Manager Kelley Williams reminded the Board about the upcoming public meeting being hosted by Southern California Edison on October 3 regarding Public Safety Power Shutoffs, and noted that the location has been moved at the fairgrounds from the Heritage Building to the Tallman Building.

Planning Director Cathreen Richards distributed a press release from the Forest Service

announcing the release of the Final Environmental Impact Statement for the Inyo National Forest Plan Revision and a public meeting scheduled for October 2. She noted what appeared to be amenable compromises built into the final product as the result of comments made by the County, and input gathered from the recent round of working group meetings.

*Introductions*

Undersheriff Eric Pritchard introduced to the Board new Deputy Daniel Armogida and new Correctional Officer Joslyn Cash.

*Proclamation –  
Celebrating Alabama  
Hills National Scenic  
Area*

Chairperson Pucci introduced a proclamation celebrating the new Alabama Hills National Scenic Area, noting the work done by this Board and previous Boards of Supervisors lobbying lawmakers in Washington, D.C. in support of the legislation to authorize the land management designation over the past 10-plus years. Supervisor Kingsley presented the proclamation, announcing two separate events scheduled for this Saturday: a dedication ceremony/ribbon cutting in the Alabama Hills followed by a celebration at the Museum of Lone Pine Film History. He described how the proclamation captures the grassroots effort involved in achieving the designation, as well as the effort that went into gathering widespread support from user groups and stakeholders. He said he was proud of the people of Lone Pine who worked so hard over so many years, and said the National Scenic Area designation is the end of one effort and the beginning of another: figuring out how to best manage the Hills for the future to prevent them from being “loved to death.” Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve a proclamation titled, “Proclamation of the Board of Supervisors, County of Inyo, State of California Celebrating the Alabama Hills as a National Treasure by Recognizing the Dedication of the Newly Minted Alabama Hills National Scenic Area,” and to authorize Supervisor Kingsley to present it to the Alabama Hills Stewardship Group during Saturday’s dedication. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*Parks & Recreation –  
Seasonal Park &  
Campground  
Maintenance Helper*

Assistant County Administrator Leslie Chapman presented a request to hire a Seasonal Park and Campground Maintenance Helper, noting that the departmental request incorrectly listed the pay range as \$15.05 - \$18.27/hr. when it should be \$15.66-\$19.01/hr. With the correction noted, it was moved by Supervisor Griffiths and seconded by Supervisor Kingsley for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Park and Campground Maintenance Helper position exists in the General Fund as certified by the Assistant Administrator and concurred with by the County Administrator and Auditor-Controller; B) where due to the seasonal nature of the position it is unlikely that the position could be filled by internal candidates meeting the qualifications for the position, an open recruitment is appropriate to ensure qualified applicants apply; and C) approve the external recruitment and hiring of one (1) Parks and Campground Maintenance Helper at Range PT50 (\$15.66-\$19.01/hr.). Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*HHS-Social Services  
– Social Services  
Aide*

Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to approve the job description for the Social Services Aide classification and change the Department’s authorized strength by deleting one (1) Health and Human Services Specialist III at Range 57 and adding one (1) Social Services Aide at Range 60. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*Ag Commissioner –  
SNC Grant  
Application/Reso #  
2019-44*

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve Resolution No. 2019-44, titled "A Resolution of the Board of Supervisors, County of Inyo, State of California Approving the Application for Grant Funds from the Sierra Nevada Conservancy for the Eastern Sierra Noxious Weeds Project," and authorize the Chairperson to sign. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*CAO – Prior-Year  
ESCOG Invoice*

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to authorize payment to the Town of Mammoth Lakes for a prior-year invoice in the amount of \$5,000 as part of Inyo County’s share of reimbursement for clerking activities related to the Eastern Sierra Council of Governments. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*CAO – Board Letter  
Supporting ESTA  
Grant Application*

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve and authorize the Chairperson to sign a letter of support for Eastern Sierra Transit Authority’s FTA Section 5304 grant application to plan future transportation services. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*CAO-Advertising*  
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Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve final payments

<i>County Resources – Final FY 18-19 CPSP Payments</i>	from the 2018-19 Advertising County Resources Budget in the following amounts: \$3,357 to the Lone Pine Chamber of Commerce for the 2019 Images of Inyo Shoot Out Photo Contest; \$1,416.50 to the Lone Pine Chamber of Commerce for Concerts in the Courtyard; and \$1,300 to the Friends of the Inyo for the 2019 Owens Lake Bird Festival. Motion carried unanimously 4-0, with Supervisor Tillemans absent.
<i>Information Services – Amending July 9, 2019 Minutes and Board Order</i>	Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to amend the July 9, 2019 minutes and corresponding Board Order for the Canon Financial Services Contract Amendment approved by your Board, to add a "not to exceed" contract amount of \$100,800 not included in the original departmental request. Motion carried unanimously 4-0, with Supervisor Tillemans absent.
<i>HHS-Behavioral Health – PEI Early Intervention Evaluation Report</i>	Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the Prevention Early Intervention (PEI) Three Year Evaluation Report as a supplement of the Mental Health Services Act (MHSA) Plan Update for Fiscal Year 2018-2019 and authorize the HHS Deputy Director Behavioral Health Division, as the Mental Health Director, to submit the report to the California Mental Health Services Oversight and Accountability Commission (MHSOAC). Motion carried unanimously 4-0, with Supervisor Tillemans absent.
<i>HHS-Health/Prevention – Amending August 6, 2019 Minutes and Board Order</i>	Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to: A) approve an amendment to the August 6, 2019 minutes and Board Order regarding Standard Agreement No. 18-10869 between the County of Inyo and the California Department of Public Health; and B) authorize the HHS Director to sign a current Contract Certification Clause for resubmittal to the State. Motion carried unanimously 4-0, with Supervisor Tillemans absent.
<i>Public Works – Mazourka Shop Fencing Plans &amp; Specs</i>	Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to: A) approve the plans and specifications for the Mazourka Shop Fencing Project; and B) authorize the Public Works Director to advertise and bid the project. Motion carried unanimously 4-0, with Supervisor Tillemans absent.
<i>Road Dept. – Caterpillar Wheel Loader Purchase</i>	Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the purchase of one Caterpillar Inc. Model 918M Wheel Loader from Quinn Company of City of Industry, CA in an amount not to exceed \$157,322.00. Motion carried unanimously 4-0, with Supervisor Tillemans absent.
<i>Road Dept. – Temporary Closure of Line St., Lone Pine</i>	Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the closure of a portion of Line Street in Lone Pine on Wednesday, October 2, 2019 between the hours of 12:30 p.m. and 1:30 p.m. Motion carried unanimously 4-0, with Supervisor Tillemans absent.
<i>Road Dept. – Temporary Closure of School St., Big Pine</i>	Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the closure of a portion of School Street in Big Pine from 8:45 a.m. to 10:00 a.m. on October 12, 2019 for the purpose of the Big Pine Homecoming Parade. Motion carried unanimously 4-0, with Supervisor Tillemans absent.
<i>Road Dept. – Temporary Closure of Bartell Rd., Big Pine</i>	Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the closure of a portion of Bartell Road on October 5, 2019 between the hours of 8:00 a.m. and 12:00 p.m. for the purpose of the Big Pine Paiute Tribe's Fall Fandango. Motion carried unanimously 4-0, with Supervisor Tillemans absent.
<i>HHS-Health/Prevention – HIV Surveillance Services Contract Ratification</i>	Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to ratify and approve Standard Agreement Number 19-10419 between the County of Inyo and the California Department of Public Health for the provision of HIV surveillance services for a total grant amount of \$23,340 from the period of July 1, 2019 through June 30, 2024, contingent upon the Board's approval of future budgets, and authorize the Chairperson to sign the Standard Agreement, Contractor Certification, Civil Rights Form, and the Darfur Contracting Act Certification. Motion carried unanimously 4-0, with Supervisor Tillemans absent.
<i>Sheriff – Budget Amendment/DEA Agreement</i>	Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to: <ul style="list-style-type: none"> <li>A) amend the Fiscal Year 2019-2020 Sheriff Safety Budget 022710 as follows: increase estimated revenue in Federal Grants Revenue Code No. 4555 by \$2,500 and increase appropriation in Overtime Object Code 5003 by \$2,500 (<i>4/5ths vote required</i>); and</li> </ul>

*Ratification*

B) ratify and approve the agreement between the County of Inyo and Drug Enforcement Administration of United States for the provision of Organized Crime Drug Enforcement Task Forces FY 2019 Agreement in an amount not to exceed \$2,500 for the period of April 1, 2019 through September 30, 2019, and authorize the Sheriff or designee to sign, contingent upon all appropriate signatures being obtained.  
Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*CAO-Personnel –  
LEAA MOU  
Ratification*

CAO Quilter noted that the Board had previously given staff direction in Closed Session with regard to negotiations with the Law Enforcement Administrator's Association and based on the direction, negotiations were successfully concluded. Supervisor Kingsley acknowledged that the Board was well aware of the contents of the MOU being presented for approval. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to ratify and approve the July 1, 2019- June 30, 2022 Memorandum of Understanding between the County of the Inyo and the Law Enforcement Administrators Association (LEAA). Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*CAO-Emergency  
Services/Parks &  
Recreation – Green  
Waste Gate Fee  
Waivers/Reso #  
2019-45*

Emergency Services Manager Kelley Williams presented for approval a resolution authorizing the landfills to waive gate fees for green waste the first weekend in November, 2019 and then quarterly thereafter on a routine basis as part of an effort to incentivize homeowners to reduce wildfire risk in their neighborhoods. Supervisor Griffiths said the waiver is a good idea but asked whether there could be more flexibility to account for the Easter holiday falling on the waiver weekend in some years. Assistant County Administrator Leslie Chapman explained that it is the Board's pleasure how the waivers are structured, but staff believed a consistent schedule would allow the landfills to place permanent signage announcing the green waste events. Supervisor Kingsley and Totheroh added that consistency would be key to the public getting used to the idea and being able to plan for the waiver weekends. Linda Chaplin of Independence concurred and recommended the Board adopt the resolution. Supervisor Griffiths said his concern was a reduction in participation during the years when the Easter holiday coincided with the waiver. Supervisor Kingsley said the Board could always approve an additional waiver on another weekend if needed. Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to approve and authorize the Chairperson to sign Resolution No. 2019-45, waiving gate fees for green waste disposal at all Inyo County Landfills on Saturday, November 2, 2019 and Sunday, November 3, 2019 and quarterly thereafter on the third weekends of January, April, July and October of each year until changed by Board consensus. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*CAO – Contribution  
Toward Regional  
Dispatch Feasibility  
Study*

CAO Quilter presented information about a proposal to study the feasibility of a regional dispatch center serving the County, City of Bishop, Town of Mammoth Lakes, and Mono County. He explained that a consolidation of the two existing dispatch centers operated by Inyo and Mono counties could lead to more efficient staffing and a reduction in overall costs, while being able to provide better service to the public. He said each entity is being asked to contribute \$25,000 to fund 25% of the feasibility study, although they anticipate the actual cost being much less. CAO Quilter noted that the funds were already set aside in the Fiscal Year 2019-2020 Budget. Discussion ensued among the Board and with the CAO. It was the consensus of the Board for Inyo County to contribute to the study.

*Taboose Fire  
Emergency*

Emergency Services Manager Kelley Williams provided an update on the Taboose Fire, noting that there are concerns about potential flooding near the burn areas. Supervisor Griffiths said it seems appropriate to continue the emergency until at least the fire is 100% extinguished. Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to continue the local emergency that was proclaimed as the result of Taboose Fire. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*Here It Comes  
Emergency*

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to continue the local emergency known as the "Here It Comes Emergency" that was proclaimed in anticipation of run-off conditions from near-record snowpack posing extreme peril to the safety of property and persons in Inyo County. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*Rocky Road  
Emergency*

Moved by Supervisor Kingsley and seconded by Supervisor Griffiths to continue the local emergency known as the "Rocky Road Emergency" that was proclaimed as the result of flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County caused by an atmospheric river weather phenomena that began January 3, 2017 and continued

throughout February. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*Clerk of the Board –  
Approval of Minutes*

Moved by Supervisor Totheroh and seconded by Supervisor Kingsley to approve the minutes of the regular Board of Supervisors meetings of September 10, 2019 and September 17, 2019. Motion carried unanimously 3-0, with Supervisor Tillemans absent and Chairperson Pucci abstaining.

*Public Works – Town  
Water System Prop  
218 Hearing*

Public Works Director Mike Errante introduced a hearing being held to consider input on proposed increases in the County's rates and charges for water service in Lone Pine, Independence, and Laws. He noted that the County has received 9 protest letters thus far, and can receive them up until the conclusion of the hearing. Deputy Public Works Director Chris Cash offered a review of the history and current status of the Town Water Systems. Sanjay Gaur of Raftelis International presented to the Board information on the rate study the firm conducted and the rate design recommendation that is proposed to take effective today if approved by the Board per Prop 218 standards. He noted he was amazed at the level of public involvement in Inyo County, and residents' recognition of the importance of raising rates in order for the County to be able to continue operating and maintaining the systems.

The Chairperson opened the public hearing at 11:20 a.m. Earl Wilson of Lone Pine said one of the slides in staff's presentation showed an incorrect number for the amount of water LADWP has allotted Lone Pine's system. He was informed the number is correct, and that it is the amount the County is allowed to use at no charge. The Chairperson closed the public hearing at 11:22 a.m.

Board members praised the process that staff and Raftelis underwent with regard to the rate study and public engagement, which they said made the increases more palatable to the public. The Chairperson announced the need to determine whether a majority of parcel owners had submitted formal protests, which would prevent the rate increases from being approved. The Assistant Clerk of the Board announced that she had received 9 total, and Errante said 419 would have constituted a majority. CAO Quilter thanked staff and Mr. Gaur for their hard work, noting the unusual nature of this rate structure and how not many companies with Raftelis' expertise would normally be willing to take on such a task. County Counsel Marshall Rudolph noted an amendment to Exhibit A to the resolution up for Board approval, which includes lower rates for fire services. Moved by Supervisor Kingsley and seconded by Supervisor Totheroh to find and determine that the Board has not received written protests to the proposed rates and charges from a majority of the affected parcels, and to approve and authorize the Chairperson to sign Resolution No. 2019-46, with the amended Exhibit A, approving new or increased rates for town water system services. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*Public Comment*

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

Deena Davenport of Independence gave the Board an update on the campaign for safer streets/crosswalks in Inyo County. She noted a video produced by the Bishop CHP and Caltrans on crosswalk safety, as well as a bill to require Caltrans to consider crosswalks and bike lanes when planning road projects.

Linda Chaplin of Independence and Earl Wilson of Lone Pine both shared their experiences with traffic not stopping for pedestrians in crosswalks in Independence and Lone Pine, and driving too fast through the small towns.

*Board Member and  
Staff Reports*

Chairperson Pucci reported on the upcoming opportunity to apply for grants to address brownfields. He also noted that, with Supervisor Kingsley as its Chairperson, RCRC raised more than \$60,000 at the recent conference for local charities.

Supervisor Kingsley said he attended the RCRC Annual Conference last week, and reminded everyone about the upcoming Alabama Hills celebration this weekend.

Supervisor Totheroh said he also attended the RCRC conference and thanked Supervisor Kingsley for his part in providing a good event, and noted he also attended the Eastern Sierra Sustainable Recreation Partnership meeting yesterday.

Supervisor Griffiths said he attended a meeting on veterans housing in Bishop, the Millpond

Music Festival, a Chamber of Commerce mixer at the Joseph House Inn, a Moral Reconciliation Training graduation at the jail, and the RCRC Conference, where the idea arose of consolidating fire safe councils.

Emergency Services Manager Kelley Williams noted she is currently working with local communities on the issue of fire safe councils.

CAO Quilter reported that the California Chief Appraisers Conference will be held in Bishop this Thursday and Friday, and he'll be giving a welcome address Thursday. He also noted that Assistant CAO Chapman attended last week's Eastern Sierra Sustainable Recreational Partnership while the Board was at the RCRC Conference, and said there is a 10K for the John Wayne Foundation this weekend in Lone Pine.

*Adjournment*

Chairperson Pucci adjourned the meeting at 12:02 p.m. to 8:30 a.m. Tuesday, October 8, 2019 in the County Administrative Center in Independence.

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Chairperson, Inyo County Board of Supervisors

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

by: \_\_\_\_\_  
*Darcy Ellis, Assistant*