

MINUTES



County of Inyo Board of Supervisors

February 18, 2020

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:30 a.m., on February 18, 2020, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Matt Kingsley, presiding, Dan Tothoroh, Jeff Griffiths, Rick Pucci, and Mark Tillemans.

- Public Comment* Chairperson Kingsley asked for public comment during the first public comment period and there was no-one wishing to address the Board.
- Closed Session* Chairperson Kingsley recessed open session at 8:30 a.m. to convene in closed session with all Board members present to discuss the following items: No. 2 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9 (one potential case); and No. 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 Clint Quilter, Assistant County Administrator Leslie Chapman, Deputy Personnel Director Sue Dishion, County Counsel Marshall Rudolph, Health and Human Services Director Marilyn Mann, and Chief Probation Officer Jeff Thomson.
- Open Session* Chairperson Kingsley recessed closed session and reconvened the meeting in open session at 10:09 a.m. with all Board members present.
- Pledge* Supervisor Pucci led the Pledge of Allegiance.
- Report on Closed Session* County Counsel Marshall Rudolph reported with regard to agenda item #2 that, by unanimous vote of all members present, the Board authorized legal counsel to initiate litigation. He said per the Brown Act, the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry. The Board would be returning to closed session at some point to continue discussions.
- Public Comment* Chairperson Kingsley asked for public comment during the second public comment period and there was no-one wishing to address the Board.
- County Department Reports* Clerk-Recorder Kammi Foote reported that last week, Governor Newsom signed into law emergency legislation that will affect how citizens can vote at the polls on March 3. She said in response, her office is working to get the proper processes in place before the election.
- Water Director Dr. Aaron Steinwand reported that the testing of Well 385 ends today, and provided an overview of preliminary results. He also discussed the Lower Owens River Project.
- Chief Probation Officer Jeff Thomson invited Board members to a Drug Court graduation Wednesday at 8:30 a.m. and the Bishop Courthouse.
- Personnel – Personnel Analyst I-III* Moved by Supervisor Griffiths and seconded by Supervisor Tillemans for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Personnel Analyst I/II/III exists in the General Fund, as certified 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 applicants apply; and C) approve the hiring of one (1) Personnel Analyst I at Range 68 (\$4,444 - \$5,400), Personnel Analyst II at Range 70 (\$4,660 - \$5,668), or a Personnel Analyst III, Range 72 (\$4,883 - \$5,931), depending on qualifications. Motion carried unanimously.

*Ag Commissioner-
ESWMA – Sierra
Nevada AmeriCorp
Letter of Intent*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to authorize the Agricultural Commissioner to sign a Letter of Intent between the County of Inyo and Sierra Nevada Alliance for the provision of two Field Assistants from the Sierra Nevada AmeriCorp Membership in an amount not to exceed \$13,750 for the period of April 6, 2020 through September 19, 2020. Motion carried unanimously.

*HHS-EMCC –
EMCC Appointments*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to appoint Gina Riesche and Lisa Davis to two unexpired two-year terms as At-Large Members on the Emergency Medical Care Committee ending December 31, 2021. Motion carried unanimously.

*Road Department –
Diesel Lift Truck
Purchase*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to authorize a purchase order in an amount not to exceed \$60,255.41, payable to Quinn Lift of Bakersfield, CA for one (1) new 10,000 pound capacity diesel lift truck. Motion carried unanimously.

*Road Department –
Filing Cabinet
Purchase*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve the purchase of five rotating and six standard legal size file cabinets from Machabee Office Environments of Sparks, NV in an amount not to exceed \$22,513.74. Motion carried unanimously.

*Public Works –
Temporary Round
Valley Road Closure*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve the closure of a portion of Round Valley Road during the morning of May 15, 2020 for the purpose of the annual Round Valley Jog-a-thon. Motion carried unanimously.

*Sheriff – OHV Grant
Application/Reso #
2020-08*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to approve Resolution No. 2020-08, titled, "A Resolution of the Board of Supervisors of the County of Inyo, State of California, Authorizing the Submittal of the State of California, Department of Parks and Recreation, Off-Highway Vehicle Grant Application," and authorize the Chairperson to sign. Motion carried unanimously.

*Sheriff – ProForce
Sole-Source P.O.*

Moved by Supervisor Tillemans and seconded by Supervisor Pucci to: A) declare ProForce Law Enforcement of Prescott, AZ a sole-source provider of Taser International equipment; and B) authorize the issuance of a purchase order in an amount not to exceed \$26,663 payable to ProForce Law Enforcement of Prescott, AZ for Taser International equipment. Motion carried unanimously.

*CAO – Mid-Year
Financial Report*

CAO Quilter introduced the Fiscal Year 2019-2020 Mid-Year Financial Report, offering effusive thanks and praise to the rest of the Budget Team: Budget Analyst Denelle Carrington and Auditor-Controller Amy Shepherd. He also thanked department heads and their staff for continued efforts to adhere to budget control policies. CAO Quilter reviewed for the Board the changes between the Board Approved Budget, the Working Budget, and the Mid-Year Budget. He also reviewed and discussed significant issues impacting the budget, including higher Transient Occupancy Taxes, declining geothermal revenue, ongoing labor negotiations, and costs associated with bringing commercial air service to the Bishop Airport – a lot of which will likely be reimbursed by FAA grants. Shepherd provided additional details about the geothermal revenue. There was no additional discussion by the Board and no comments from audience members. Moved by Supervisor Pucci and seconded by Supervisor Tillemans to: A) accept the Fiscal Year 2019-2020 Mid-Year Financial Report as presented; B) approve the specific budget action items and recommendations discussed in the report, and represented in Attachments A & B (4/5's vote required); and, C) direct staff to continue emphasis on revenue attainment and expense savings in order to maximize year-end Fund Balances. Motion carried unanimously.

*CAO-Economic
Development –
Ferguson Group
Legislative
Report/2020 Platform
Adoption*

Assistant County Administrator Leslie Chapman introduced Kristi More of The Ferguson Group, who provided the Board with a brief update on legislative issues relevant to the County, including the President's Budget Request, funding for the Olancho-Cartago project, rural health coordination grants, opportunity zones, and rural broadband. She also presented the Inyo County 2020 Federal Legislative Platform, which, after another round of meetings with department heads and Board members, was not changed in any substantive way from the 2019 platform. Chairperson Kingsley said he looked forward to discussing the above-

mentioned issues when he and CAO Quilter travel to D.C. in March. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to adopt the Inyo County 2020 Federal Legislative Platform. Motion carried unanimously.

County Counsel – ESCOG General Legal Counsel Discussion

County Counsel Marshall Rudolph engaged the Board in a discussion regarding the concept of having the Inyo County Counsel's office provide general counsel legal services (under contract, for compensation) to the Eastern Sierra Council of Governments (ESCOG) Joint Powers entity. He said he believes ESCOG's preference is for one of the member agencies to provide legal services, and the other members have declined or are unable to take on the additional workload. He said his office currently provides legal counsel to other Joint Powers entities, such as Eastern Sierra Transit Authority, Great Basin Unified Air Pollution Control District, and the Owens Valley Groundwater Authority. Rudolph said he discussed the matter with his staff and concluded his office is able and willing to provide additional legal counsel to ESCOG. He said if the Board is in support of the idea, he will bring back a services agreement for approval at a future meeting. Supervisors Pucci, Totheroh, Tillemans, and Griffiths were in support of the move. Chairperson Kingsley was not in favor of County Counsel provide legal services to ESCOG, saying ESCOG member agencies are represented on some of the other JPAs already being serviced by the County, and this is an opportunity for one of the other three to step up. Rudolph noted there was a majority consensus to move forward, and said he will return with a contract for approval.

Sheriff – DEA Grant Ratification

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to ratify and approve the Domestic Cannabis Eradication/Suppression Program Agreement No. 2020-17 between the County of Inyo and U.S. Department of Justice, Drug Enforcement Administration for the provision of illegal cannabis eradication and detection grant funding in an amount not to exceed \$10,000 for the period of October 1, 2019 through September 30, 2020, contingent upon the Board's approval of the Fiscal Year 2020-2021 Budget; B) authorize the Sheriff or Designee to sign all necessary documents; and C) authorize the Treasurer-Tax Collector to sign as the authorized agency representative to enable electronic fund transfer, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

HHS-Behavioral Health – Proposed BHAB Codification Ordinance

Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to waive further reading of the proposed ordinance titled, "An Ordinance of the Board of Supervisors, County of Inyo, State of California, Amending Title 2 of the Inyo County Code to Add a Chapter Pertaining to the County Behavioral Health Advisory Board," and schedule enactment for 10:30 a.m. on February 25, 2020 in the Board of Supervisors Chambers, County Administrative Center, Independence. Motion carried unanimously.

Probation – CCI Purchase Ratification

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to ratify and approve purchases during Fiscal Year 2019-2020 from Correctional Counseling, Inc. of Germantown, TN in the total amount of \$14,460.76. Motion carried unanimously.

HHS-Behavioral Health – ESCoC MOU

Out of an abundance of caution, Supervisor Griffiths recused himself from the following agenda item because he also serves on the Inyo-Mono Advocates for Community Action Board of Directors. Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to: A) approve the Memorandum of Understanding between the County of Inyo and the Eastern Sierra Continuum of Care Services to redirect and encumber Homeless Mentally Ill Outreach and Treatment funds to support outreach and implementation of the Homeless Management Information System Coordinated Entry System; B) authorize payment of \$70,000 to Inyo-Mono Advocates for Community Action, per the MOU; and C) authorize the HHS Director to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0.

Clerk of the Board – Approval of Minutes

The Assistant Clerk of the Board noted that there was an incorrect date list under the adjournment portion of the minutes but it has now been fixed. Moved by Supervisor Totheroh and seconded by Supervisor Tillemans to approve the minutes of the regular Board of Supervisors meeting of February 11, 2020, as corrected. Motion carried unanimously.

Public Comment

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

Emergency Services Manager Kelley Williams gave a quick update on efforts with community partners to publish articles in the newspaper focused on emergency preparedness and planning, Public Safety Power Shut-offs, and, at the suggestion of Chairperson Kingsley, the use of backup generators.

Closed Session Chairperson Kingsley recessed open session at 11:14 a.m. to convene 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 Kingsley recessed closed session and reconvened the meeting in open session at 12:02 p.m. with all Board members present.

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

Board Member and Staff Reports Supervisor Griffiths reported he traveled to Sacramento last week where, on Wednesday and Thursday, he led a delegation to meet the new statewide First 5 director and attended a California State Association of Counties Board of Directors meeting. He also said he attended last Friday's ESTA/ESCOG meetings and went to Inyo Associates last night in Independence.

County Counsel Rudolph shared that the County had received a check from the California Municipal Finance Authority in the amount of \$7,328.63.

CAO Quilter reported that he, Public Works Director Mike Errante, and Associate Engineer Ashley Helms will be making their monthly trip to El Segundo to meet with the FAA next week.

Chairperson Kingsley reminded the Board that he will not be in attendance at the February 25 meeting.

Adjournment Chairperson Kingsley adjourned the meeting at 12:05 p.m. to 8:30 a.m. Tuesday, February 25, 2020 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