

MINUTES



County of Inyo Board of Supervisors

October 27, 2020

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 27, 2020, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present via videoconferencing per California Governor Executive Order N-25-20: Chairperson Matt Kingsley, presiding, Dan Totheroh, Jeff Griffiths, and Rick Pucci. Also present: County Administrative Officer Clint Quilter, Assistant Clerk of the Board Darcy Ellis, and County Counsel Marshall Rudolph. Absent: Mark Tillemans.

Public Comment

Chairperson Kingsley asked the Assistant Clerk of the Board whether there was any public comment emailed for today's meeting for items not calendared on the agenda.

The Assistant Clerk of the Board said she had received none as of right then.

Nobody requested to speak to the Board via the "hand-waving" feature on Zoom.

Closed Session

Chairperson Kingsley recessed open session at 8:32 a.m. to convene in closed session with all Board members present except Supervisor Tillemans to discuss the following item(s): 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; No. 3 **CONFERENCE WITH COUNTY'S LABOR NEGOTIATORS** – 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; and No. 4 **PUBLIC EMPLOYEE EVALUATION** – Title: County Administrative Officer.

Open Session

Chairperson Kingsley recessed closed session and reconvened the meeting in open session at 10:03 a.m. with all Board members present except Supervisor Tillemans.

Pledge of Allegiance

Chairperson 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 Kingsley asked if there was any public comment pending for items not calendared on the agenda.

Mark Vincent requested to speak via the Zoom "hand-waving" feature. Mr. Vincent expressed displeasure at his application for REVIVE grant funding being denied, saying he fit all of the criteria and he believes it is unfair that he was denied, especially after making zero profit this year due to COVID-19 shutdowns.

County Department Reports

Clerk-Recorder-Registrar of Voters Kammi Foote provided an update on the November 3 General Election.

COVID-19 Staff Update

Assistant HHS Director Meaghan McCamman reported a current case rate of 234, with numbers continuing to rise at a faster rate than just a few weeks ago. She said based on the County's data, staff anticipated the State moving Inyo County back to the more restrictive "Red

Tier,” which will require businesses currently allowed to operate at 50% capacity to go back to 25% capacity, businesses operating at 25% capacity to go back to 10%, and bars that do not sell food to have to close down again. She said the earliest Inyo County could conceivably move out of the Red Tier would be November 24. McCamman noted that public health officials have noticed laxness on the part of businesses and individuals over the past two weeks – with people coming to work sick, people being forced to come to work sick, and businesses not following health precautions. She said all of these decisions do have a significant impact on the community and other businesses.

HHS Deputy Director-Public Health Anna Scott said staff anticipates being moved to the Red Tier next week, which would mean businesses would have to implement the associated changes by Friday of that week. She also discussed that Verily’s contract with the State expires at the end of the November, and said while negotiations will continue, the State is keenly aware of the need for community surveillance testing, especially in rural areas, and will continue looking for sustainable testing options.

Public Health Officer Dr. James Richardson said two days after his last report to the Board, on October 20, a student in Bishop tested positive for COVID and quarantine protocols were put in place for the classroom and other close contacts. He said there is a lot of increased COVID activity in the community – 18 new cases since last week – and additional cases will likely show up in the schools. He said the increased community activity is difficult to control and may well extend into winter as people feel the need to work when they’re sick and continue to have social gatherings. He said the increased activity is disturbing but not surprising.

Assistant County Administrator Leslie Chapman said the review of REVIVE grant applications is complete and applicants were notified on Friday whether they will be awarded funds. She shared a slide show breaking down the grant awards by amounts and communities: 1 in Big Pine; 47 in Bishop; 2 in Independence; 19 in Lone Pine; and 9 from Southeast Inyo County. She explained that 25 applications were denied, and those applicants received an email with the most common reasons applications were rejected, which she reviewed for the Board. Chairperson Kingsley said staff did a great job and put in a lot of work to figure out which applications were eligible and which were not. CAO Quilter echoed the Chairperson’s accolades and thanked Ms. Chapman for taking the lead on the project and the other four reviewers for volunteering so much work above and beyond their normal duties.

The Chairperson asked if there was any public comment. Mark Vincent requested to speak again via the Zoom “hand-waving” feature. He thanked Ms. Scott and Dr. Richardson for working with him and the fairgrounds to allow the drive-in movie and concert nights – to which he said he has been donating his time, equipment, and services. He said he has significant problems with how the grant funding was administered, saying it came from the federal government and the President for small businesses and only a select portion of businesses are receiving any funding. (Point of fact: the money was part of a larger distribution that went to Inyo County to use for COVID related expenses. The County voluntarily decided to take a portion of that allotment and help small businesses with it.) He said with \$800,000 available, every applicant could have received at least \$5,000. He said he asked for help and was overly restricted, which he finds highly discriminatory.

*Presentation –
Assembly Resolution
for Thaddeus Taylor*

Assemblyman Devon Mathis read aloud a California State Assembly resolution honoring the late Thaddeus Taylor, former chairman of the Inyo County GOP. Chairperson Kingsley thanked Assemblyman Mathis for his effort and recognition of Mr. Taylor.

*BOS – Letter to INF
Supervisor Re:
Closures*

Supervisor Griffiths introduced an item to approve a letter to the Inyo National Forest requesting the reopening of the John Muir Wilderness. He said he thinks the closures were well accepted by the community during the severe fire danger over the summer, but now that conditions have changed, he is hearing significant feedback from constituents and guide services wondering why the wilderness areas are still closed. New INF Supervisor Lesley Yen said she can appreciate the situation that businesses, residents, and visitors are in with not being able to access the backcountry. She said the INF is taking and will continue to take a hard look at what areas can safely be reopened, slowly and deliberately. She noted that, unfortunately, the fire danger has not lessened all that much, and with new starts of wildfire around the state, INF is short on local fire resources. She said she does not have the confidence yet to reopen some areas in light of these factors. Supervisor Griffiths suggested perhaps a more surgical approach to reopening areas to lessen fire concerns. Moved by

Supervisor Griffiths and seconded by Supervisor Pucci to approve a letter to Inyo National Forest Supervisor Lesley Yen requesting the reopening of the John Muir Wilderness Area, with a typo in the second to last sentence corrected, and authorize the Chairperson to sign. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*District Attorney –
Reclass/Change in
Authorized Strength*

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to:

- A) approve job description for Senior Deputy District Attorney; and reclassify the two (2) Deputy District Attorney IV to the Senior Deputy District Attorney;
- B) approve the personal services contracts with Dana Crom and David Christensen as Senior Deputy District Attorneys, at \$10,050 per month effective October 29, 2020, and authorize the County Administrator to sign;
- C) defund the Assistant District Attorney position; and
- D) consistent with the adopted Authorized Position Review Policy, find that:
 - 1. the availability of funding for one (1) Deputy D.A. I or II exists in the General Fund, as certified by the District Attorney 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 applicants apply;
 - 3. approve the hiring of one (1) Deputy D.A. I or II at Range 81 (\$6,161 - \$7,492) or Range 83 (\$6,477 - \$7,869); and
 - 4. approve hiring up to a Step E in either Range 81 or 83.

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

*Clerk-Recorder –
Annual Granicus
Payment*

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to authorize payment to Granicus in an amount not to exceed \$10,772.00 for the annual CRiis™ Software License Maintenance and Support Fee. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*County Counsel –
Special District
Conflict of Interest
Codes*

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to: A) receive the 2020 Conflict of Interest Code Biennial Reports from the following Local Agencies: Big Pine Community Services District, Big Pine Fire Protection District, Big Pine Unified School District, Darwin Community Services District, Independence Fire Protection District, Indian Creek Westridge Community Service District, Lone Pine Fire Protection District, Lone Pine Unified School District, Mt. Whitney Cemetery District, Owens Valley Unified School District, Pioneer Cemetery District, Northern Inyo Healthcare District, Sierra Highlands Community Service District, Sierra North Community Service District, Southern Inyo Healthcare District, and Starlite Community Service District; and B) receive and approve the amended Conflict of Interest Code for the following Districts: Big Pine Unified School District and Southern Inyo Healthcare District. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*District Attorney –
Victim/Witness
Assistance Grant*

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to authorize acceptance of the Inyo County Victim/Witness Assistance Program (VW 20 29 0140) Grant from the Governor's Office of Emergency Services (CalOES) for Fiscal Year 2020-2021; and B) authorize the District Attorney to sign any documentation to accept and utilize the grant on behalf of the County. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*Environmental Health
– MBC Subcontract*

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the contract between the Inyo County Environmental Health Department (Subcontractor) and MBC Aquatic Sciences (Contractor) for the provision of microbiological laboratory services, effective upon execution of the subcontract and Task Orders through August 12, 2025, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*Public Works –
Plans & Specs for N.
Round Valley Road
Bridge Project*

Moved by Supervisor Pucci and seconded by Supervisor Totheroh to approve the plans and specifications for the North Round Valley Road Bridge Replacement Over Pine Creek Project and authorize the Public Works Director to advertise and accept bids for the project. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*Sheriff – ONSOLVE
LLC Sole-Source
Payment*

Moved by Supervisor Griffiths and seconded by Supervisor Pucci to: A) declare ONSOLVE LLC of Ormand Beach, FL a sole-source provider of CodeRED Emergency Notification System/Integrated Public Alert Warning System (IPAWS); and B) ratify and approved payment

to ONSOLVE LLC of Ormand Beach, FL in the amount of \$12,500 for CodeRED Emergency Notification System/IPAWS. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*HHS-Fiscal – Mono
County ESAAA
Agreement
Amendment 4*

Moved by Supervisor Totheroh and seconded by Supervisor Griffiths to ratify and approve Amendment No. 4 to the four-year agreement with the County of Mono for the provision of Eastern Sierra Area Agency on Aging (ESAAA) services to Mono County eligible residents, in the total amount not to exceed \$144,421 for the period beginning July 1, 2019 through June 30, 2020 and not exceeding the total four-year amount of \$429,388 for the period of July 1, 2016 through June 30, 2020, and authorize the Chairperson to sign. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*HHS-Social Services
– Life Remedies &
Celebrations MOU*

The Board accepted public comment from Monica Duarte of SEIU Local 2015, who clarified that the supplemental wage increases included in the new MOU for In-Home Support Services staff will be on top of state/federal minimum wage increases over the next two years. Mike Noda, representative of the County's contracted non-profit Life Remedies & Celebrations consortium, thanked the Board for participating in a bargaining process that was sometimes long and arduous, and filled with complex IHSS financing. He also thanked Deputy Personnel Director Sue Dishion for her efforts. Moved by Supervisor Griffiths and seconded by Supervisor Pucci to ratify and approve the Memorandum of Understanding between the County of Inyo's contracted non-profit consortium, Life Remedies & Celebrations, and SEIU Local 2015, the In Home Supportive Services providers bargaining representative, which includes a negotiated supplement of \$.50 above minimum wage effective January 1, 2021 (or as soon as possible thereafter) and an additional \$.25 supplement effective July 1, 2021 (bringing the total supplement to \$.75 above minimum wage) for the period of September 20, 2021 through September 30, 2023, contingent upon the Board's approval of future budgets, and authorize the Chairperson to sign. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

*Clerk of the Board –
Approval of Minutes*

Moved by Supervisor Griffiths and seconded by Supervisor Totheroh to approve the minutes of the regular Board of Supervisors meeting of October 20, 2020. Motion carried unanimously 4-0, with Supervisor Tillemans absent.

Recess/Reconvene

The Chairperson recessed the Board of Supervisors meeting at 12:02 p.m. and reconvened it as a meeting of the Capital Asset Leasing Corporation (separate minutes). The Chairperson reconvened the Board of Supervisors meeting at 12:07 p.m. with all members present except Supervisor Tillemans.

Public Comment

The Chairperson solicited public comment for the final public comment period. No additional comments had been emailed and nobody requested to speak to the Board via the "hand-waving" feature on Zoom.

*Board Member and
Staff Reports*

Chairperson Kingsley reported making a trip out to Southeast Inyo last week to meet with constituents and tour China Ranch Date Farm and a large commercial cannabis operation in Sandy Valley.

Adjournment

Chairperson Kingsley adjourned the meeting at 12:10 p.m. to 8:30 a.m. Tuesday, November 3, 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