

# MINUTES



# County of Inyo Board of Supervisors

**March 16, 2021**

The Board of Supervisors of the County of Inyo, State of California, met in regular session at the hour of 8:33 a.m., on March 16, 2021, 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 Jeff Griffiths, presiding, Dan Totheroh, Rick Pucci, Jennifer Roeser, and Matt Kingsley. Also present: County Administrative Officer Clint Quilter, Assistant Clerk of the Board Darcy Ellis, and County Counsel Marshall Rudolph.

***Public Comment***

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

The Assistant Clerk of the Board said she had not received any written comments as of then. Nobody requesting to speak via Zoom.

***Closed Session***

Chairperson Griffiths recessed open session at 8:34 a.m. to convene in closed session with all Board members present except Supervisor Kingsley to discuss the following item(s): No. 2 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9** – Names of cases: *LADWP v. Inyo County et al.* (CA 5th District Court of Appeal Case No. F081389) and *Inyo County v. LADWP* (Kern County Sup. Ct. Case Nos. BCV-18-101260-TSC, BCV-18-101261-TSC, and BCV-18-101262-TSC); No. 3 **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9: two potential cases; 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 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 Griffiths recessed closed session and reconvened the meeting in open session at 10:03 a.m. with all Board members now present.

***Pledge of Allegiance***

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

The Assistant Clerk of the Board said she had received no written comments as of right then.

Kristen Stipanov addressed the Board to note a letter to the editor that was recently published and signed by several local educators in response to three Supervisors' votes to oppose the carefully crafted homeless safe parking plan. She said 71 children experienced homelessness in 2020, and said educators and others are encouraging the Board to address the problem it created by blocking the project, including looking at county parking lots as alternate sites.

Alex Heath, Vice President of Corporate Development for Mojave Precious Metals, a subsidiary of K2 Gold out of Canada, introduced the company to the Board and invited the supervisors to an online town hall meeting where they will address concerns related to the Conglomerate Mesa project.

Supervisor Totheroh reported there is a blood drive going on in Bishop this week.

*County Department Reports*

HHS Director Marilyn Mann introduced Paulette Erwin, ESAAA- LTC Ombudsman Program Coordinator, who presented a PowerPoint to the Board on long-term ombudsman care activities in 2020.

*COVID-19 Staff Update*

The Board heard staff's weekly update on the status of COVID-19 cases locally, as well as state and national trends. Staff also updated the Board on the distribution on vaccines and ongoing testing. HHS Director Marilyn Mann noted that as more community members receive the vaccine, the more Inyo County can develop herd immunity. She added that Inyo County's cases are trending down and toward Red Tier status in the State's Roadmap for Recovery. Deputy HHS Director-Public Health Anna Scott reported on the past weekend's successful second-dose mass vaccination clinic. Public Health Officer Dr. Richard Johnson spoke about the new Johnson & Johnson vaccine and noted the potential for future mandates at the federal level. Assistant CAO Leslie Chapman listed the various business sectors eligible for financial aid under the federal stimulus bill.

*Ag-Cannabis – ShadeGrown Farms License Modification*

The Chairperson opened a public hearing at 11:23 a.m. Ag Commissioner Nate Reade presented a request from commercial cannabis business licensee ShadeGrown Farms, LLC to change their existing cultivation license type of less than 5,000 square feet to the cultivation in excess of 5,000 square feet license type. Nobody from the public requested to speak. The Chairperson closed the hearing at 11:31 a.m. Moved by Supervisor Kingsley and seconded by Supervisor Roeser to authorize a change to ShadeGrown Farms LLC's existing cultivation license type of less than 5,000 square feet to the cultivation in excess of 5,000 square feet license type, subject to the licensee's express agreement to hold the County harmless from any challenges resulting from the license modification. Motion carried unanimously.

*HHS-Social Services – Social Service Aide*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Social Service Aide exists in one or more 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 as a State Merit System position, an open recruitment is more appropriate to ensure qualified applicants apply; C) approve the hiring of one (1) Social Service Aide at Range 60 (\$3,758 - \$4,564); and D) if an internal candidate is hired as a result of the open recruitment, authorize HHS to backfill the resulting vacancy. Motion carried unanimously.

*Public Works – Airport Technician I-II*

Moved by Supervisor Totheroh and seconded by Supervisor Roeser for the Board to find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for one (1) Airport Technician I or II exists in the Bishop Airport Budget, as certified by the Public Works 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 applicants apply; and C) approve the hiring of one (1) Airport Technician I, Range 56 (\$3,425 - \$4,155) or an Airport Technician II, Range 60 (\$3,758 - \$4,564), depending on qualifications. Motion carried unanimously.

*Info Services – Canon Lease Payment Amendment*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to amend the approved annual lease payment amount from \$125,000 plus any per copy overage fees, to \$156,000 plus any per copy overage fees, payable to Canon Financial Services for photocopy machine lease and management by American Business Machines. Motion carried unanimously.

*CAO-Risk – Angelo Kilday & Kildruff LLP Legal Services*

Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve the agreement between the County of Inyo and Angelo Kilday & Kildruff LLP of Sacramento, CA for the provision of legal services in an amount not to exceed \$75,000 for the period of March 8, 2021 until the subject litigation is completed, contingent upon the Board's approval of future budgets,

<i>Agreement</i>	and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>HHS – Jack Frost P.O.</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to authorize the issuance of a purchase order in an amount not to exceed \$35,000, payable to Jack Frost, LLC of North Las Vegas, NV for freezer trailer. Motion carried unanimously.
<i>HHS- Health/Prevention – Dwayne’s Pharmacy Amendment 1</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to approve Amendment No. 1 to the agreement between the County of Inyo and Dwayne's Friendly Pharmacy of Bishop, CA, extending the term end date from June 30, 2021 to June 30, 2022 and increasing the contract by \$125,000 for a total amount not to exceed \$775,000, contingent upon the Board's approval of future budgets, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>Public Works – SES Agreement &amp; U-Haul Rental</i>	Moved by Supervisor Kingsley and seconded by Supervisor Pucci to: A) approve the expenditure of up to \$20,000 for temporary labor to facilitate the relocation of County staff from the existing Bishop offices to the new building at 1360 N. Main Street, Bishop; B) approve an agreement between the County of Inyo and a Sierra Employment Services provider of temporary labor in Bishop, CA in an amount not to exceed \$20,000 for a three-month period, commencing from the execution of the agreement and continuing to June 30, 2021; C) authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained; and D) approve the rental of one box van and hand trucks from U-Haul Bishop for approximately six weeks. Motion carried unanimously.
<i>HHS-Behavioral Health – ICOE North Star Counseling Contract</i>	Supervisor Roeser asked that this agenda item be pulled from the Consent Agenda and placed on Departmental for further discussion. HHS Director Marilyn Mann provided additional explanation, and Supervisor Roeser was pleased to hear that HHS had closed a communication gap for going forward. Moved by Supervisor Tothoroh and seconded by Supervisor Roeser to approve the contract between Inyo County Health and Human Services Behavioral Health and Inyo County Office of Education in a total amount not to exceed \$19,340 for the implementation of the Mental Health Services Act (MHSA) Prevention Early Intervention (PEI) North Star Counseling Program for the contract period of April 1, 2021 to June 30, 2021, and authorize the Chairperson to sign contingent upon all appropriate signatures being obtained. Motion carried unanimously.
<i>CAO-Museum – Train Track Extension Project Presentation</i>	Museum Director Jon Klusmire and Carson & Colorado Railroad volunteer Randy Babcock gave the Board a presentation and update on the planned Track Extension Project at the Eastern California Museum. The Board offered its accolades and gratitude to the volunteer group for putting in so many man hours, money, vision, and dedication to the Slim Princess.
<i>CAO-Advertising County Resources – Oral Film Report</i>	Inyo Film Commissioner Chris Langley provided an oral report to the Board on local filming activities.
<i>CAO-Economic Development – Legislative Update/2021 Legislative Platform</i>	Kristi More, of The Ferguson Group, gave the Board a presentation/update on federal legislative issues relevant to Inyo County, and reviewed and discussed with the Board the Inyo County 2021 Federal Legislative Platform. The 2021 platform was approved by consensus.
<i>Recess/Reconvene</i>	The Chairperson recessed the meeting at 1:07 p.m. for a break and reconvened the meeting at 1:31 p.m. with all Board members present.
<i>Planning – 2020 General Plan APR</i>	Moved by Supervisor Tothoroh and seconded by Supervisor Roeser to accept and provide comments on the draft Inyo County 2020 General Plan Annual Progress Report (APR), and direct staff to forward the APR with any modifications to the State of California's Department of Housing and Community Development and Governor's Office of Planning and Research. Motion carried unanimously.
<i>Sheriff – Budget Amendments/Cal-</i>	Moved by Supervisor Roeser and seconded by Supervisor Kingsley to amend the Fiscal Year 2020-2021 Sheriff General Budget (022700) as follows: increase appropriations in revenue

*OES Amendment 1* code Operating Transfers In (4998) by \$8,230 and increase appropriations in expense code Professional Services (5265) by \$8,230 (4/5ths vote required); B) amend the Fiscal Year 2020-2021 Sheriff AB443 Trust (502709) as follows: increase appropriations in expense code Operating Transfers Out (5801) by \$8,230 (4/5ths vote required); and C) ratify and approve amendment number one (1) between the County of Inyo and Cal-OES for the provision of microwave link maintenance increasing the amount not to exceed from \$65,000 to \$86,667 and extend the period from December 31, 2020 through December 31, 2021 contingent upon the Board's approval of future budgets, and authorize the Sheriff or designee to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

*Sheriff – Mobile Relay Associates Sole-Source Contract* Moved by Supervisor Pucci and seconded by Supervisor Roeser to: A) declare Mobile Relay Associates, LLC of Paramount, CA a sole-source supplier of two-way radios/programming, and service provider for a UHF trunked radio system; B) approve contract with Mobile Relay Associates, LLC for their services of providing a UHF trunked radio system for the period of March 9, 2021 through March 9, 2024 in an amount not to exceed \$26.50 per radio, per month, for access on their system, contingent upon adoption of future budgets; and C) authorize the Sheriff or designee to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

*Public Works – Budget Amendment/Eldridge Electric Contract* Moved by Supervisor Kingsley and seconded by Supervisor Roeser to amend the Fiscal Year 2020-2021 Deferred Maintenance Budget (011501) as follows: increase estimated revenue in Operating Transfers In (4998) by \$17,440 and decrease appropriation in Maintenance of Structures (5191) by \$14,000 and increase appropriation in Equipment (5650) by \$31,440 (4/5ths vote required); B) award the contract for the Progress House Generator Project (Project) to Eldridge Electric & Son, Inc. of Bishop, CA as the successful bidder; C) approve the construction contract between the County of Inyo and Eldridge Electric & Son, Inc. of Bishop, CA in the amount of \$31,439.89, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained; and D) authorize the Public Works Director to execute all other project contract documents, including contract change orders, to the extent permitted by Public Contract Code Section 20142 and other applicable laws. Motion carried unanimously.

*Public Works – ESE Amendment 2* Moved by Supervisor Roeser and seconded by Supervisor Pucci to ratify and approve Amendment 2 to the contract between the County of Inyo and Eastern Sierra Engineering of Reno, NV for the provision of material testing services in an amount not to exceed \$13,950 for the period of December 15, 2020 through May 31, 2021, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

*Public Works – USDA Grant Agreement* Moved by Supervisor Totheroh and seconded by Supervisor Roeser to ratify and approve the grant agreement between the County of Inyo and the United States Department of Agriculture's Rural Development Program in the amount of \$145,478 for the Independence Water Main Installation Project, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained. Motion carried unanimously.

*HHS-Behavioral Health – Dr. Goshgarian Amendment 1* Moved by Supervisor Pucci and seconded by Supervisor Totheroh to ratify and approve Amendment Number 1 to the contract between Inyo County Health and Human Services Behavioral Health and Dr. Goshgarian in a total amount not to exceed \$16,325 for an extension of the original contract period from December 31, 2020 to June 30, 2021, and authorize the Chairperson to sign. Motion carried unanimously.

*Item Pulled* Per the department head, the following item was pulled from the agenda:

28. **County Administrator - Information Services** - Request Board approve the contract between the County of Inyo and Inyo Networks of Rancho Cucamonga, CA, for the provision of Dark Fiber Construction to extend the County's dark fiber network backbone in an amount not to exceed \$64,257.75 for the period of March 16, 2021 through June 30, 2021, and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained.

*Info Services – Laptops and Docking Stations Purchase* Moved by Supervisor Kingsley and seconded by Supervisor Pucci to ratify and approve purchases from Strictly Tech for an amount not to exceed \$115,000 for the purchase of 100 HP ProBook 450 laptop computers with 3-year warranties and 100 Kensington docking stations, pursuant to the Technology Refresh Initiative. Motion carried unanimously.

*Clerk of the Board – Approval of Minutes* Moved by Supervisor Totheroh and seconded by Supervisor Roeser to approve the minutes of the regular Board of Supervisors meetings of February 16, 2021 and March 2, 2021. Motion carried unanimously.

*Public Comment* The Chairperson solicited public comment for the final public comment period.  
The Assistant Clerk of the Board did not receive any emailed comments and nobody requested to speak to the Board via the “hand-waving” feature on Zoom.

*Board Member and Staff Reports* Supervisor Kingsley reported attending an RCRC and a Western Interstate Region NACo meeting, and a Great Basin Air Pollution District board meeting last week.

Supervisor Roeser reported taking the new VSO to a couple of veterans meetings last week where he was well received.

Chairperson Griffiths reported having a busy week, attending the NACo Rural Action Caucus, CSAC Executive Board meeting, a conference call with the California HHS Secretary. He said he also has a meeting tonight to discuss the veterans housing project.

*Adjournment* Chairperson Griffiths adjourned the meeting at 2:55 p.m. to 8:30 a.m. Tuesday, April 6, 2021 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*