

MINUTES



County of Inyo Board of Supervisors

November 12, 2024

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 November 12, 2024, in the Board of Supervisors Room, County Administrative Center, Independence, with the following Supervisors present: Chairperson Matt Kingsley, presiding, Scott Marcellin, Jeff Griffiths, Jennifer Roeser and Trina Orrill. Also present: County Administrator Nate Greenberg, County Counsel John-Carl Vallejo, and Assistant Clerk of the Board Darcy Ellis.

Closed Session Public Comment

The Chairperson asked for public comment related to closed session items and there was no one wishing to speak.

Closed Session

Chairperson Kingsley recessed open session at 8:33 a.m. to convene in closed session with all Board members present to discuss the following item(s): No. 2 **Conference with County's Labor Negotiators – Pursuant to Government Code §54957.6** – Regarding employee organizations: Deputy Sheriff's Association (DSA); 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 Nate Greenberg, Deputy Personnel Director Keri Oney, County Counsel John-Carl Vallejo, Assistant County Counsel Christy Milovich, Assistant County Counsel Grace Weitz, Auditor-Controller Amy Shepherd, and Assistant CAO Denelle Carrington; No. 3 **Public Employee Performance Evaluation – Pursuant to Government Code §54957** – Title: County Counsel; and No. 3A **Conference with Legal Counsel - Anticipated Litigation** – Significant exposure to potential litigation pursuant to (2) of subdivision (d) of Government Code §54956.9: one potential case. Facts and Circumstances: Challenges to solar project approval.

Open Session

Chairperson Kingsley recessed closed session and reconvened the meeting in open session at 10:04 a.m. with all Board members present.

Pledge of Allegiance

Supervisor Marcellin led the Pledge of Allegiance.

Report on Closed Session

County Counsel Vallejo reported that the Board met under Item Nos. 2 and 3A and said that with regard to No. 3A, the Board authorized the County to defend litigation regarding challenges to solar project approval. Vallejo reported that the Board would meet later in the meeting for item No. 3.

Introductions

The following new employees were introduced to Board:

- Clerk-Recorder: Katie Sutton, Office Technician;
- Health & Human Services: Cory Mann, Addictions Counselor; and
- Information Services: Amanda Lane, Office Technician III.

Public Comment

The Chairperson asked for public comment related to items not calendared on the agenda and public comment was received from Lauralyn Hundley, Oscar Maciel, Alicia McMurtrie, Trevor Warner, Ted Rasoumoff, and Mark Robinson.

Assistant Clerk of the Board/Public Relations Liaison Darcy Ellis informed the Board that correspondence had been received from Lynn Boulton regarding agenda item 24 (direction to the County's Standing Committee reps in advance of the November 14 meeting). She said the letter was distributed to Board members and, due to its length, would not be read aloud but will become part of the record. She then read aloud a written comment from Cindy Freeman.

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| <i>Clerk of the Board – Approval of Minutes</i> | Moved by Supervisor Roeser and seconded by Supervisor Marcellin to approve the minutes from the regular Board of Supervisors meetings of November 5. Motion carried unanimously. |
| <i>Board of Supervisors – Letter to BLM</i> | Moved by Supervisor Roeser and seconded by Supervisor Marcellin to approve and authorize the Chairperson to sign a letter urging the Bureau of Land Management to develop a comprehensive management plan for the Amargosa Wild and Scenic River. Motion carried unanimously. |
| <i>HHS – FY 20-22 CA Dept. of Aging Audit Findings & Payback</i> | Moved by Supervisor Roeser and seconded by Supervisor Marcellin to authorize payment to California Department of Aging for prior-year audit findings in the amount of \$74,109. Motion carried unanimously. |
| <i>HHS – FY 17-18 CDPH Disaster Preparedness Audit Findings & Payback</i> | Moved by Supervisor Roeser and seconded by Supervisor Marcellin to authorize payment to California Department of Public Health for prior-year audit findings in the amount of \$15,546. Motion carried unanimously. |
| <i>Public Works – Sierra Forever MOU</i> | Moved by Supervisor Roeser and seconded by Supervisor Marcellin to approve the Memorandum of Understanding between the County of Inyo and Sierra Forever of Bishop, CA for the provision of volunteer services such as trash clean-ups, picnic table maintenance, etc. for a period of time to be determined by Sierra Forever and authorize the Chairperson to sign. Motion carried unanimously. |
| <i>Public Works – Friends of the Inyo MOU</i> | Moved by Supervisor Roeser and seconded by Supervisor Marcellin to approve the Memorandum of Understanding between the County of Inyo and Friends of the Inyo of Bishop, CA for the provision of volunteer services such as trash clean-ups, picnic table maintenance, etc. for a period of time to be determined by Friends of the Inyo and authorize the Chairperson to sign. Motion carried unanimously. |
| <i>Public Works – North Lake Road Closure</i> | Moved by Supervisor Roeser and seconded by Supervisor Marcellin to approve the temporary closure of North Lake Road just west of State Route 168 to allow Southern California Edison to replace a deteriorated power pole on November 14, 2024. Motion carried unanimously. |
| <i>Sheriff – K9 Police Vehicle Purchase</i> | Moved by Supervisor Roeser and seconded by Supervisor Marcellin to, pursuant to Inyo County Code Section 6.26.020, accept a K9 police vehicle from the Murrieta Police Department on behalf of the County for \$1 (one dollar). Motion carried unanimously. |
| <i>Public Works-Road – Walker Creek Bridge Project Highway Easement Deed Acquisition</i> | <p>The agenda item was moved from the Consent Agenda to the Regular Agenda for further discussion. Public Works Director Mike Errante noted revisions made to original documents concerning the purchase price of the highway easement deed.</p> <p>Moved by Supervisor Orrill and seconded by Supervisor Roeser to:</p> <ul style="list-style-type: none"> A) Approve the purchase agreement between the County of Inyo and Rafael M. Padilla and Maria G. Padilla for the purchase of a highway easement deed in an amount not to exceed \$2,000 plus escrow fees and closing costs, and authorize the Deputy Director of Public Works - Airports to sign; and B) Approve Resolution No. 2024-37, titled, "A Resolution of the Board of Supervisors of the County of Inyo Accepting a Highway Easement Deed Across APN 033-400-10 for the Realignment of a Portion of Walker Creek Road," and authorize the Chairperson to sign. <p>Motion carried unanimously.</p> |
| <i>HHS-Behavioral Health – CARE Act Presentation</i> | Health & Human Services Director Anna Scott provided the Board with a presentation and answered questions about the Community Assistance, Recovery, and Empowerment (CARE) Act. |

*Treasurer-Tax
Collector –
Proposed Ordinance
Repealing Subsection
16.32.330(D)*

Moved by Supervisor Griffiths and seconded by Supervisor Roeser to waive the first reading of a proposed ordinance titled, "An Ordinance of the Inyo County Board of Supervisors Repealing Subsection 16.32.330(D) of the Inyo County Code Pertaining to Taxes and Assessments for Subdivisions," and set enactment for December 3, 2024, in the Board of Supervisors Room, County Administrative Center, Independence. Motion carried unanimously.

*County Counsel –
Proposed Ordinance
Amending Inyo County
Code Sections
2.04.010 and 2.04.020*

Moved by Supervisor Roeser and seconded by Supervisor Orrill to waive further reading of the proposed ordinance titled, "An Ordinance of the Board of Supervisors, County of Inyo, State of California, Amending Sections 2.04.010 and 2.04.020 of the Inyo County Code," and schedule enactment for December 3, 2024, in the Board of Supervisors Chambers, County Administrative Center, Independence. Motion carried unanimously.

*CAO –
VB BTS III, LLC Option
& License Agreement*

Deputy CAO Meaghan McCamman provided background information on the project and noted changes to the licensing agreement which had been updated to include a 3-year option period, not the 4-year option, which had been previously provided in the published backup.

The Chairperson asked for Board input and Supervisor Roeser asked for consideration of incoming revenues generated, suggesting the allocation of those funds be put toward shelter improvements, as the cell tower build will be adjacent to the property. Supervisor Kingsley suggested revenues could be used for the continued maintenance of cell tower improvements and in any circumstance where County property is utilized for communications improvements. CAO Greenberg suggested further discussion on the matter be brought to the Board as agenda items at a future meeting.

Moved by Supervisor Roeser and seconded by Supervisor Orrill to approve the option and license agreement between the County of Inyo and VB BTS III, LLC, a Delaware limited liability company, for a portion of real property located at 1001 County Road in Big Pine, CA, for a three-year option period, followed by a 10-year license, with option to renew up to six additional five-year terms (for a total potential license term of up to 40 years), and authorize the County Administrator to sign and execute any additional paperwork. Motion carried unanimously.

*HHS-Fiscal –
County Medical
Services Program
Grant Budget
Amendment*

Moved by Supervisor Orrill and seconded by Supervisor Griffiths to:

- A) Amend the Fiscal Year 2024-25 Health Budget (045100) as follows: increase estimated revenue in Operating Transfer In (4998) by \$54,986 and increase appropriation in Other Agency Contributions (5539) by \$54,986; and Amend the Fiscal Year 2024-25 HHS Suspense Trust (505104) as follows: increase appropriation in Operating Transfer Out (5801) by \$54,986; and
- B) Approve payment of the invoice from County Medical Services Program Grant, in an amount not to exceed \$54,985.86.

Motion carried unanimously.

*Public Works –
Walker Creek Road
Bridge Budget
Amendment*

Moved by Supervisor Marcellin and seconded by Supervisor Orrill to:

- A) Amend the Fiscal Year 2024-2025 State Funded Road Budget 034601 as follows: increase estimated revenue in Federal Funds Revenue Code 4552 by \$700,000 and increase appropriation in Walker Creek Object Code 5736 by \$700,000;
- B) Approve the construction contract between the County of Inyo and Steelhead Constructors of Redding, CA in the amount of \$3,354,777, and authorize the Chairperson to sign; and
- C) 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.

*Water Department –
Inyo County/Los*

Water Director Dr. Holly Alpert provided an overview and requested Board direction in advance of the Inyo County/Los Angeles Standing Committee meeting scheduled for November 14, 2024 in Inyo County.

*Angeles Standing
Committee Meeting*

Board members directed staff to communicate concern regarding the following topics:

- A) Continued diligence regarding vegetation management and wildfire fuel reduction;
- B) Status of mitigation projects;
- C) Land use and the necessity of additional housing options for Inyo residents; and
- D) Additional information on water banking.

County Counsel Vallejo highlighted and cited specific provisions within the Long-Term Water Agreement regarding groundwater banking facilities and said that there is a right for negotiation included within the parameters of the agreement.

Public comment was received from Sally Manning.

Public Comment

Chairperson Kingsley asked for public comment related to items not calendared on the agenda and comment was provided by Clerk-Recorder-Registrar of Voters Danielle Sexton, who gave an update on the recent election and ongoing tally.

*Board Member & Staff
Reports*

CAO Greenberg said that the remaining class for the California State Association of Counties was held last week and announced that there will be a Leadership Panel meeting tomorrow with guest speakers District Attorney Tom Hardy and 5th District Supervisor Matt Kingsley. Greenberg said he will attend a CSAC Conference next week where Supervisor Griffiths will be sworn in as President and wished everyone a Happy Thanksgiving.

Supervisor Griffiths said he attended a C5 fundraiser last weekend for those affected by the Willow Fire.

Supervisor Kingsley said he attended the Death Valley 49ers 75th Anniversary Encampment and went to the dedication of Desolation Canyon.

Supervisor Orrill wished everyone in attendance a Happy Thanksgiving and encouraged locals to shop locally this holiday season.

Supervisor Marcellin wished everyone a Happy Thanksgiving and encouraged people to drop off non-perishable items to the Salvation Army.

Supervisor Roeser wished everyone a Happy Thanksgiving.

Recess/Reconvene

The Chairperson recessed the meeting to return to closed session at 12:48 p.m. and reconvened the meeting at 1:18 p.m. with all Board members present.

*Report on Closed
Session*

County Counsel Vallejo reported that the Board met under Item No. 3 and that no action was taken during closed session that is required to be reported.

Adjournment

The Chairperson adjourned the meeting at 1:18 p.m. to 8:30 a.m. Tuesday, December 3, 2024, in the County Administrative Center in Independence.



Chairperson, Inyo County Board of Supervisors

Attest: NATE GREENBERG
Clerk of the Board

by: 
Darcy ~~Ellis~~ Assistant