



**Eastern Sierra Council of Governments (ESCOG)
Joint Powers Authority Special Meeting Agenda**

Friday, December 3, 2021, 8:30 a.m.

437 Old Mammoth Road, Suite Z, Mammoth Lakes

Members of the Board

City of Bishop Councilmember Karen Schwartz - Chair,
Town of Mammoth Lakes Councilmember John Wentworth - Vice Chair,
Mono County Supervisor Stacy Corless, Mono County Supervisor Bob Gardner,
Inyo County Supervisor Jeff Griffiths, Inyo County Supervisor Dan Tothoroh,
City of Bishop Councilmember Jim Ellis, Town of Mammoth Lakes Councilmember Lynda Salcido

NOTE: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Assistant Clerk at (760) 965-3615. Notification prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 13.102-35.104 ADA Title II)

NOTE: Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public inspection in the Town Offices located at 437 Old Mammoth Road, Suite 230 during normal business hours. Such documents are also available on the ESCOG website at www.escog.ca.gov subject to staff's ability to post the documents before the meeting.

NOTE: This will be a Zoom meeting and will be conducted pursuant to the provisions of Assembly Bill 361 (AB 361) which amends certain requirements of the Ralph M. Brown Act. It is strongly encouraged that you watch this meeting on the Town of Mammoth Lakes' (TOML) website at www.townofmammothlakes.ca.gov or on TOML's local government cable channel 18. Public comments may be submitted to the ESCOG Clerk at clerk@townofmammothlakes.ca.gov before and during the meeting or may be made via Zoom or in person.

ZOOM INFORMATION

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://monocounty.zoom.us/j/92421427651>

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799 ***To raise your hand press *9, To Unmute/Mute press *6**

Webinar ID: 924 2142 7651

International numbers available: <https://monocounty.zoom.us/j/92421427651>

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENTS

Notice to the Public: This time is set aside to receive public comment on matters not calendared on the agenda. When recognized by the Chair, please state your name and address for the record and please limit your comments to three minutes. Under California law the Eastern Sierra Council of Governments Board is prohibited from generally discussing or taking action on items not included in the agenda; however, the Eastern Sierra Council of Governments Board may briefly respond to comments or questions from members of the public. Therefore, the Eastern Sierra Council of Governments Board will listen to all public comment but will not generally discuss the matter or take action on it.

4. ASSEMBLY BILL 361 (AB 361) FINDINGS

4.1. Discussion and direction regarding Brown Act Compliance under AB 361

5. ADJOURNMENT

The ESCOG will adjourn to the next regular meeting scheduled to be held on December 10, 2021.



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STAFF REPORT

To: ESCOG Joint Powers Authority
From: Grace Chuchla, ESCOG Counsel
Subject: Consideration of a resolution regarding virtual meetings for the protection of public health pursuant to AB 361
Meeting date: December 3, 2021
Prepared on: November 18, 2021
Attachments: A) Resolution of the Board of Directors of the Eastern Sierra Council of Governments Regarding the Need for Continued Virtual Meetings to Protect Public Health

BACKGROUND/HISTORY:

Since March 2020, legislative bodies in California have been permitted to meet virtually without following certain requirements of the Brown Act due to an executive order from Governor Newsom. That executive order expires on September 30, 2021, and in its place, the Governor has signed AB 361, which modifies the Brown Act in a manner to permit continued virtual meetings in certain circumstances.

During the special meeting held November 5, 2021, the ESCOG Board made certain findings by resolution that:

1. The Board has considered the circumstances of the state of emergency related to COVID-19 and declared by Governor Newsom.
2. The Board finds that the above-mentioned state of emergency directly impacts the ability of ESCOG to meet safely in person because in person meetings, particularly with the public present, increase the likelihood that COVID-19 will be transmitted throughout the community.
3. Local officials—specifically the Health Officers of Inyo and Mono Counties—continue to recommend measures to promote social distancing.

The Board agreed to meet every 30 thirty to make findings to continue virtual meetings as appropriate.

BUDGET IMPACTS:

None.

LEGAL REVIEW:

ESCOG Counsel Grace Chuchla has reviewed this item and found that it complies with the law.

RECOMMENDATION:

Staff recommends that the Board adopt a resolution regarding virtual meetings for the protection of public health pursuant to AB 361.

RESOLUTION NO. 2021-_____

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EASTERN SIERRA COUNCIL OF GOVERNMENTS
REGARDING THE NEED FOR CONTINUED VIRTUAL MEETINGS TO
PROTECT PUBLIC HEALTH**

WHEREAS, the COVID-19 pandemic continues to threaten the health and safety of communities within ESCOG’s jurisdiction since its inception in March 2020; and

WHEREAS, Governor Newsom has declared a state of emergency related to the COVID-19 pandemic; and

WHEREAS, the Health Officers for Inyo and Mono Counties have recommended social distancing and continued virtual meetings as a means to limit the spread of COVID-19, particularly the highly contagious Delta variant. These recommendations are attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of ESCOG that

1. The Board has considered the circumstances of the state of emergency related to COVID-19 and declared by Governor Newsom.
2. The Board finds that the above-mentioned state of emergency directly impacts the ability of ESCOG to meet safely in person because in person meetings, particularly with the public present, increase the likelihood that COVID-19 will be transmitted throughout the community.
3. Local officials—specifically the Health Officers of Inyo and Mono Counties—continue to recommend measures to promote social distancing.

PASSED AND ADOPTED 3rd day of December, 2021 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: _____

Secretary

Karen Schwartz
Chairperson



County of Inyo

HEALTH & HUMAN SERVICES DEPARTMENT

Public Health, Suite 203-C
1360 N. Main Street, Bishop CA 93514
TEL: (760) 873-7868 FAX: (760) 873-7800

Marilyn Mann, Director
mmann@inyocounty.us

Date: September 23, 2021

To: Inyo County Local Agency Governing Bodies

From: Dr. James Richardson, Inyo County Public Health Officer

Re: Continued Recommendation Re Social Distancing and Remote Meetings

In order to help minimize the spread of COVID-19, I recommend that physical/social distancing measures continue to be practiced throughout our Inyo County communities, including at public meetings of the Board of Supervisors and other public agencies. Individuals continue to contract COVID-19 and spread the infection throughout our communities. Social distancing, masking, and vaccination are crucial mitigation measures to prevent the disease's spread. Remote public agency meetings allow for the participation of the community, agency staff, presenters, and board members in a safe environment, with no risk of contagion. As such, and since this disease negatively and directly impacts the ability of public agencies to conduct public meetings safely in person, it is my recommendation that local public agencies conduct their public meetings remotely.

This recommendation will remain in place until further notice.

Dr. James A. Richardson
Inyo County Health Officer



MONO COUNTY HEALTH DEPARTMENT

Public Health

P.O. BOX 476, BRIDGEPORT, CA 93517 PHONE (760) 932-5580 • FAX (760) 932-5284
P.O. BOX 3329, MAMMOTH LAKES, CA 93546 PHONE (760) 924-1830 • FAX (760) 924-1831

To: Board of Supervisors

From: Bryan Wheeler, Director of Public Health

Re: Recommendation regarding Social Distancing and Virtual Meetings

Both Mono County “covering” Health Officer Dr. Rick Johnson and I strongly recommend that physical/social distancing measures continue to be practiced throughout our Mono County communities, including at meetings of the Board of Supervisors and other County-related legislative bodies subject to the Brown Act, to minimize the spread of COVID-19.

Whether vaccinated or not, positive individuals are contracting the Delta variant and infecting others in our communities. Social distancing and masking are crucial mitigation measure to prevent the disease’s spread. Virtual board meetings allow for the participation of the community, county staff, presenters, and board members in a safe environment, with no risk of contagion. It is recommended that legislative bodies in Mono County implement fully-remote meetings to the extent possible.

If you have any questions regarding this recommendation, please do not hesitate to contact me. We will continue to evaluate this recommendation on an ongoing basis and will communicate when there is no longer such a recommendation with respect to meetings for public bodies.