

# Agenda



## County of Inyo Board of Supervisors

Board of Supervisors Room  
County Administrative Center  
224 North Edwards  
Independence, California

**NOTICE TO THE PUBLIC:** In order to minimize the spread of the COVID-19 virus, Governor Newsom signed Assembly Bill 361 – Brown Act: Remote Meetings During a State of Emergency that suspends certain requirements of the Brown Act. Please be advised that the Board of Supervisors Chambers are closed to the public, and the Board will be conducting its meetings online.

Board Members and Staff will participate via Zoom webinar, accessible to the public at <https://zoom.us/j/868254781>. Individuals will be asked to provide their name and an email address in order to access the videoconference. Anyone who does not want to provide their email address may use the following generic, non-functioning address to gain access: [donotreply@inyocounty.us](mailto:donotreply@inyocounty.us).

The meeting may also be accessed by telephone at the following numbers: (669) 900-6833; (346) 248-7799; (253) 215-8782; (929) 205-6099; (301) 715-8592; (312) 626-6799. Webinar ID: 868 254 781.

Anyone wishing to make either a general public comment or a comment on a specific agenda item prior to the meeting or as the item is being heard, may do so either in writing or by utilizing the Zoom "hand-raising" feature when appropriate during the meeting (the Chair will call on those who wish to speak). Generally, speakers are limited to three minutes. Written public comment, limited to **250 words or less**, may be emailed to the Assistant Clerk of the Board at [boardclerk@inyocounty.us](mailto:boardclerk@inyocounty.us). Your comments may or may not be read aloud, but all comments will be made a part of the record. Please make sure to submit a separate email for each item that you wish to comment upon.

**Public Notices:** (1) In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (760) 878-0373. (28 CFR 35.102-35.104 ADA Title II). Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Clerk of the Board 72 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format. (Government Code Section 54954.2). (2) If a writing, that is a public record relating to an agenda item for an open session of a regular meeting of the Board of Supervisors, is distributed less than 72 hours prior to the meeting, the writing shall be available for public inspection at the Office of the Clerk of the Board of Supervisors, 224 N. Edwards, Independence, California and is available per Government Code § 54957.5(b)(1).

**Note:** Historically the Board does break for lunch; the timing of a lunch break is made at the discretion of the Chairperson and at the Board's convenience.

**February 15, 2022 - 8:00 A.M.**

**SPECIAL MEETING**

1. ***PLEDGE OF ALLEGIANCE***

**CONSENT AGENDA** (Items that are considered routine and are approved in a single motion; approval recommended by the County Administrator)

2. **Clerk of the Board** - Request Board reappoint Ms. Serena Johnson to a three-year term on the Child Care Planning Council ending November 4, 2024, under the "Representing Community" category; and reappoint Ms. Kat Duncan to a three-year term on the Child Care Planning Council ending November 4, 2024, under the "Representing Public Agency" category. (*Notice of Vacancy resulted in requests for reappointment from Ms. Johnson and Ms. Duncan.*)
3. **County Counsel** - Request Board adopt findings pursuant to AB 361 that: A) the Board reconsidered the circumstances of the existing State of Emergency issued on March 4, 2020, in response to the COVID-19 pandemic; and B) local officials continue to recommend measures to promote social distancing, and/or the state of emergency continues to directly impact the ability of the members to meet safely in person.

## **COMMENT**

4. **COMMENT ON CLOSED SESSION ITEM(S)**

## **CLOSED SESSION**

5. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to paragraph (1) of subdivision (d) of Government Code §54956.9 – *The City of Los Angeles, acting by and through its Department of Water and Power v. County of Inyo, Kern County Superior Court Case No. BCV-18-101513-KCT, CA Court of Appeal (5th Dist.) Case No. F081389, CA Supreme Court Case No. S271309; Inyo County v. Los Angeles Department of Water and Power, Kern County Superior Court Case Nos. BCV-18-101260-TSC, BCV-18-101261-TSC, and BCV-18-101262-TSC.***

## **OPEN SESSION**

6. **REPORT ON CLOSED SESSION AS REQUIRED BY LAW**



# County of Inyo

## Clerk of the Board

### CONSENT - ACTION REQUIRED

**MEETING:** February 15, 2022

**FROM:** Assistant Clerk of the Board

**SUBJECT:** Reappointments to Child Care Planning Council

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**RECOMMENDED ACTION:**

Request Board reappoint Ms. Serena Johnson to a three-year term on the Child Care Planning Council ending November 4, 2024, under the "Representing Community" category; and reappoint Ms. Kat Duncan to a three-year term on the Child Care Planning Council ending November 4, 2024, under the "Representing Public Agency" category. (*Notice of Vacancy resulted in requests for reappointment from Ms. Dennis and Ms. Duncan.*)

**SUMMARY/JUSTIFICATION:**

The Inyo County Board of Supervisors has sole appointing authority over two seats on the Child Care Planning Council: one "Representing Community" and one "Representing Public Agency." The terms for these expired in November. A Notice of Vacancy resulted in requests for reappointment from Ms. Serena Dennis ("Representing Community") and Ms. Kat Duncan ("Representing Public Agency"). If reappointed, both individuals' new terms would expire November 4, 2024.

**BACKGROUND/HISTORY OF BOARD ACTIONS:**

N/A

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Your Board may decline to make appointments in favor of another recruitment but this is not recommended.

**OTHER AGENCY INVOLVEMENT:**

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**FINANCING:**

N/A

**ATTACHMENTS:**

1. Letter of Interest - Serena Johnson
2. Letter of Interest - Kat Duncan

**APPROVALS:**

Darcy Ellis  
Darcy Ellis

Created/Initiated - 2/10/2022  
Final Approval - 2/10/2022



*County of Inyo*

**HEALTH & HUMAN SERVICES DEPARTMENT**

Prevention- WIC, First 5, Tobacco & Other Prevention, Suite 203-D  
1360 N. Main Street, Bishop CA 93514  
TEL: (760) 873-3305 FAX: (760)873-6505

**Marilyn Mann, Director**  
*mmann@inyocounty.us*

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January 26, 2022

Darcy Ellis  
Assistant Clerk of the Board of Supervisors

Dear Darcy:

I would like to express my interest in being reappointed to the Child Care Planning Council as a Community Representative.

I have served on the Council as Community Representative since March 2019, and have served as Chair of the Council since August 2019.

In my role as First 5 Director for First 5 Inyo County, I have relevant experience and knowledge of early childhood needs and programs. I am excited for this opportunity to advocate on behalf of our birth to five children and their families.

Sincerely,

Serena Johnson

RECEIVED

JAN 26 2022

Inyo County Administrator  
Clerk of the Board

# CHILD CARE CONNECTION

164 Grandview Drive  
Bishop, California 93514



Child Development  
Division of the Inyo  
County Office of Education

Child Care Referrals

Subsidized Care

Provider Training

Development  
Resources

Book & Toy Lending  
Library

State Preschool  
Program



Phone: (760) 873-5123  
Toll-Free: (888) 999-5669  
Fax: (760) 873-5017

January 20, 2022

Inyo County Board of Supervisors  
P.O. Drawer N  
Independence, CA 93526

RECEIVED

JAN 26 2022

Inyo County Administrator  
Clerk of the Board

Dear Board,

I respectfully submit my request to be considered for re-appointment to the Inyo County Child Care Planning Council as a Public Agency Representative Member, to complete a new three-year term ending on November 4, 2024.

If you have any questions, please feel free to call me at 873-5123 x2152

Sincerely,

Kat Duncan, Child Development Administrator  
Inyo County Office of Education, Child Development Division  
164 Grandview Drive



# County of Inyo



## County Counsel

### CONSENT - ACTION REQUIRED

**MEETING:** February 15, 2022

**FROM:** County Counsel

**SUBJECT:** Findings Pursuant to AB 361 Authorizing Remote Board of Supervisors Meeting

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**RECOMMENDED ACTION:**

Request Board adopt findings pursuant to AB 361 that: A) the Board reconsidered the circumstances of the existing State of Emergency issued on March 4, 2020, in response to the COVID-19 pandemic; and B) local officials continue to recommend measures to promote social distancing, and/or the state of emergency continues to directly impact the ability of the members to meet safely in person.

**SUMMARY/JUSTIFICATION:**

On March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic. That Proclamation remains in effect. Subsequently, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which modified the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), in order to allow legislative bodies to meet from remote locations without opening those locations to the public or complying with certain agenda requirements. Those modifications remained in effect through September 30, 2021.

In anticipation of the expiration of the applicable provisions of Executive Order N-29-20, the California legislature adopted, and Governor Newsom signed, AB 361. AB 361 amended the Brown Act to allow local legislative bodies to continue to meet under the modified teleconferencing rules until January 1, 2024, if the meeting occurs during a proclaimed state of emergency and the legislative body finds that it has reconsidered the circumstances of the state of emergency and either: measures to promote social distancing have been imposed or recommended by local health officials; and/or the state of emergency continues to directly impact the ability of the members to meet safely in person.

The Inyo County Health Officer currently recommends that measures be implemented to promote social distancing, including the holding of virtual meetings. A copy of the memo memorializing that recommendation is included in your agenda materials. Adopting the recommended action would therefore make the required findings that the Board has reconsidered the circumstances of the emergency and that local health officials have recommended measures to promote social distancing or the state of emergency continues to directly impact the ability of the members to meet safely in person. In order to continue to meet under those modified rules, the Board will again need to reconsider the circumstances of the state of emergency and again make at least one of the additional findings required by AB 361.

**BACKGROUND/HISTORY OF BOARD ACTIONS:**

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

If your Board chooses to not make the required findings, the Board must meet in person as required by the Brown Act, and any Board Member participating via teleconference must make their location open and available to the public during the meeting.

**OTHER AGENCY INVOLVEMENT:**

**FINANCING:**

**ATTACHMENTS:**

1. AB 361 Public Meeting Recommendations

**APPROVALS:**

Darcy Ellis  
John Vallejo

Created/Initiated - 2/9/2022  
Final Approval - 2/9/2022





*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*

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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