

Inyo-Mono Resource Conservation District

Meeting Minutes

June 10, 2024

Board Members: Jarret Phillips, Chance Rossi, Katie Doonan, Graham Meese, and Kay Ogden- quorum present.

Public Attendance: Mikhala Bornstein, Aaron Wilcher, Dustin Blakey, John Vallejo, Elain Kabala, Dale Pierce, Erasmo Viveros

Meeting called to order at 5:31 by Jarret Phillips.

Agenda Items:

Brown Act Training

John Vallejo, Inyo County Counsel, administered training on the California Brown Act with overviews on proper meeting administration, publication, and what constitutes a violation of the Act. Training slides were presented to the Board and are available in Appendix A.

California Special District Association Speaker

Erasmo Viveros from the California Special District Association (CSDA) presented on the resources available to IMRCD as a special district member. This includes: a large library of templates including agendas, board policies and procedures, a policy handbook that gets updated yearly in conjunction with updated laws and regulations. CSDA also contracts with external services to provide capacity and personnel services at a discounted rate, including grant writing, banking, human resources, and more.

Erasmo also presented the benefits of being a member of the CSDA and external services it provides, including lobbying in Sacramento in special districts' interest and tracking bills on the special districts' behalf. CSDA also has a community forum where members can pose questions and gain access to resources from other special districts.

Erasmo will be in Bishop on Thursday and would be happy to answer any further questions from IMRCD. Contact: Erasmo Viveros, Public Affairs Field Coordinator for the Central Network, CSDA - erasmov@csda.net 650.350.0572

Review Policies and Updates

Katie presented the status of the upcoming IMRCD employee handbook. The handbook is still in review and undergoing changes but will be available on the IMRCD website by 6/15 for Board review. The recommended action to approve the handbook is tabled to the July meeting, after Board members are able to review changes.

Approve 5/21 Meeting Minutes

Meeting minutes received no additional edits from the Board. Chance moved to approve minutes; Kay seconded. Ayes carried and minutes were approved.

Update on Potential Funding of a Part-Time Staff Position

Katie read written update from Rick Kattleman on the status of Sierra Nevada Conservancy grant funding: “Whitebark seemed to have cleared the final administrative hurdle during a call with SNC yesterday, and the grant agreement that contains potential funding for a staff position at the RCD is on its way through SNC’s hierarchy of approvals. No word yet on when that will be final.”

Sign Payment Documents for Range Camp Scholarship

No documents were made available at this meeting. Ziani will provide invoice to be paid out by IMRCD at the next regular meeting, and Jarret will provide a W-9 to facilitate payment.

Opportunity to Support COCOO CNP Grant for Catalyst Funding

Katie read project summary of the COCOO CNP Grant: “Inyo County seeks funding support to enhance wildfire resilience through capacity-building initiatives focused on staffing. This project aims to strengthen organizational capabilities, improve community partnerships, and increase readiness to implement wildfire mitigation strategies.” The grant request is for \$149,996.

Jarret presented the drafted letter of support (Appendix B), with the recommendation that IMRCD moves forward to support this funding opportunity.

Kay moved to approve the letter of support; Katie seconded. Ayes carried and the letter of support was approved.

Wrap-Up: Facilitation Exercise

Aaron presented culminating thoughts and future actions stemming from the facilitated strategy sessions. Aaron stated that notes from last meeting will be finished and shared soon, including the PowerPoint presentation, the matrix that Kristen and Aaron codeveloped, and a set of meeting notes from the two meetings. Aaron stated that this was a good chance to prioritize some of the projects that surface, and though each project may be complex and a lot of partnerships, they all hold value. Dustin and Aaron will be able to come back in the future for more strategic planning and visioning, with the intent to provide continued support to IMRCD.

Graham and Kay suggested that culminating documents be conserved as a strategic outline and plan for the future that the IMRCD can come back to and revise as necessary.

Public Comment

Elain Kabala, Eastern Sierra Council of Governments:

Presented the California Jobs First initiative, which includes statewide subregional funding and implementation funding. Inyo, Mono, Alpine and more counties are in the process of developing a strategy of baseline, regional needs. They are currently in the strategic phase

working with communities to prepare the state for climate change. The state has allocated \$9 million to be invested in projects from five industry sectors: recreation and tourism, healthcare, energy, forestry and working lands, and agriculture.

An RFP for Sierra Business Council catalyst funding was released, and the application period starts in September. The opportunities for funding are broad and can fund physical and soft infrastructure, planning, permitting, engineering, and more. For more information, IMRCD can visit ww.sierrajobs.org. There is an opportunity within the next few weeks as stakeholders and leaders to participate in workshops to provide direct feedback. The first opportunity is Thursday, June 13th at 5:30 to provide feedback to this process and provide nuance and context to the funding priorities. An initial report will be published on June 21st with a two- week public comment period, with a second round later in July. Please attend the workshop on Thursday, welcome to contact Elain with additional questions and provide context on the funding opportunity.

Aaron stated that he will make sure an invitation is sent to IMRCD. The plan will live on a document for future funding opportunities, and there may be future funding on the project implementation side in addition to this \$9 million.

Dale Pierce, El Dorado Resource Conservation District:

Dale wanted to make contact with IMRCD and potentially Mono RCD to give future support to the advancement of the District. He will stay in contact with Katie and provide resources as needed, as well as connection with staff through his RCD.

Jarret announced that scholarships will be distributed by recommendation of local FFA advisors, and scholarships will be presented on June 29th at the Junior Livestock Auction to increased IMRCD visibility.

Adjournment

Chance moved to adjourn the meeting; Graham seconded. Ayes carried and the meeting was adjourned at 7:21pm.

Declaration of Public Policy

Government Code § 54950

- ▶ In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.
- ▶ The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

Purpose



- To facilitate public participation in local government decisions
- To curb misuse of the democratic process by public bodies

Application

➤ The Brown Act applies to:

- Local agencies
- Legislative bodies (and subsidiary bodies) and their members
- Persons elected or appointed to legislative bodies, even prior to assuming office
- Boards and commissions created by statute or ordinance

Open Meetings

All of the deliberative processes of legislative bodies, including discussion, debate and the acquisition of information, must be open and available for public scrutiny (limited exceptions are discussed later in this presentation).



Public Participation

- Members of the public can attend and testify, without giving their names.
- Information given to the legislative body in connection with an open meeting must be equally available to members of the public.
- Unless it's disruptive, any person may record (video or audio) or broadcast an open meeting.

Reasonable Voting Regulations



- No private votes (except for closed session matters)
- The legislative body must publicly report actions taken and the vote or abstention on that action of each member present during open session – and for specified closed session actions.

Opportunity to Speak

- Every regular meeting agenda must provide opportunity for the public to speak:
 - On items on the agenda
 - Before, or during consideration of, each item
 - On items not on the agenda (but within the jurisdiction of the legislative body)

Reasonable Regulations



- ▶ The legislative body may not:
- ▶ Prohibit a speaker from criticizing the policies, procedures, programs or services of the agency or the acts or omissions of the legislative body.

Public Access

- Agendas or any other writings, unless exempt from disclosure, distributed to all or a majority of the members of a legislative body for discussion or consideration at a public meeting are disclosable to the public upon request.

Meeting

Any congregation of a majority of the members of a legislative body to hear, discuss, deliberate or take action on a matter within the subject matter jurisdiction of the agency



Serial Meetings Prohibited

- Serial meetings – a series of communications, each of which involves less than a quorum of the legislative body, but when taken as a whole, involve a majority of the body's members
 - Conducted through direct communications, personal intermediaries or technological devices to discuss, deliberate or take action on any item of business that is within the SMJ of the legislative body

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Examples of Serial Meetings



- ▶ Chain (A-B-C)
- ▶ A talks to B
- ▶ B talks to C
- ▶ Hub (A-B, A-C)
- ▶ A talks to B
- ▶ A talks to C

E-mail deliberations Prohibited

A quorum of members may not e-mail each other about a topic within the jurisdiction of the body without violating the Brown Act

ATTENTION
NOTHING GOOD
EVER COMES
FROM HITTING
"REPLY ALL".

Social Media

- AB 992 (2020)
- Under new rules, Board Members may use “publicly open and accessible” social media to:
 - Answer questions posed by the public
 - Provide information to the public
 - Solicit information from the public
- Board Members may not respond to the posts of other Board Members (no “likes” or emojis either)

“Meeting” does not include:

- Contacts by individual board members with the public
- Attendance at a standing committee meeting (observation only)
- Purely social or ceremonial occasions
- ▶ Attendance at open & noticed meetings of other local agencies
- ▶ Attendance at conferences open to the public on issues of general interest to the public or public agencies
- ▶ Town meetings or similar gatherings which are open, noticed and organized by a person or organization other than the local agency

But, don't talk shop outside of the program!

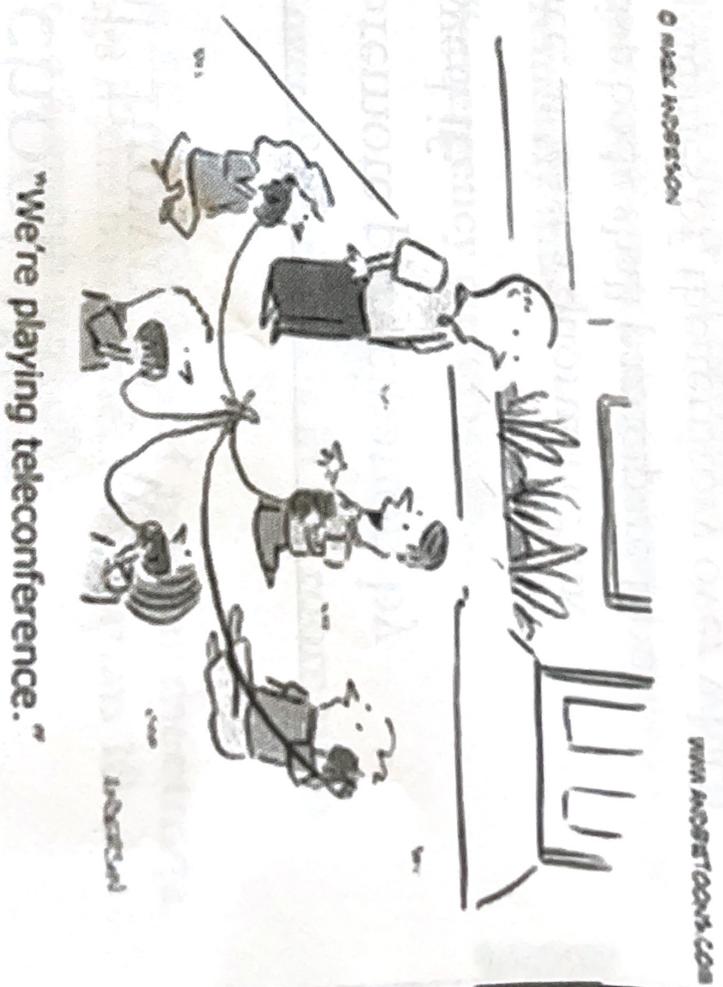
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Teleconferencing

Government Code § 54953(b)

- ▶ Since COVID, there are two ways to hold a teleconferenced meeting:
- ▶ the 'old school' way; or
- ▶ the AB 2449 way.



The Old School Way

AKA the "Normal" Brown Act Way

- Under the original rules, remote participation by board member(s) is allowed if:
 - During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction; and
 - Agendas are posted at each teleconference location and the public is able to attend and/or address the board from each teleconference location.

AB 2449

- Effective until January 1, 2026
- Permits remote participation by board member(s) if:
 1. At least a quorum of the board is there in person
 2. The board votes on the remote appearance request and approves it
 3. The member participating remotely must
 - a. Have “just cause” or an “emergency circumstance”
 - b. Use both video and audio
 - c. Disclose whether anyone over 18 years old is in the room with them
 4. A commissioner may only use AB 2449 for 20% of regular meetings in a calendar year or 2 meetings if the board meets less than 10 times in a year. Also limited to a 3-month stretch.

Agendas – Posting & Notice Requirements

- Agendas must be posted in a location freely accessible to the public 24 hours a day and on the Agency's website
- Regular meeting - 72 hours prior
- Special meeting - 24 hours prior

Agenda Contents

- Time and place of meeting
- Public comment period
- Brief general description (20 words or less) of every item of business to be discussed or transacted
- For closed session items, there is suggested agenda language in the Brown Act which should be followed
- CEQA Findings (pursuant to recent case law)

Agenda Packets

- ▶ Agenda packets should be made available to the public at time agenda is posted or when the materials are distributed to all or a majority of the legislative body, whichever is first
- ▶ Must post on the Agency's website
- ▶ Materials distributed during a meeting:
 - ▶ If prepared by the local agency, must be made available for public inspection at the meeting
 - ▶ If prepared by some other person, must be made available for public inspection after the meeting

Agendas

With limited exceptions related to emergencies, no action or discussion is allowed on any item not listed on an agenda.

No

SURPRISE!

Toval.com

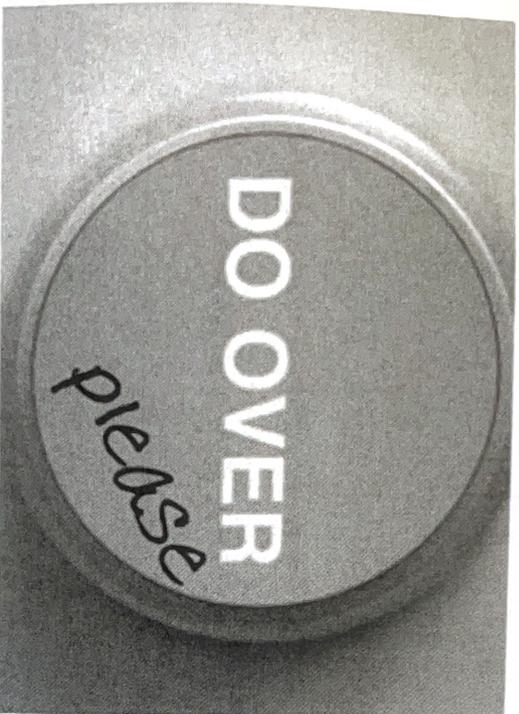
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Penalties & Remedies

- Opportunity to Cure
- Cease and Desist/Unconditional Commitment
- Injunction
- Court Costs & Attorneys' Fees
- Criminal penalties

Opportunity to Correct

Government Code § 54960.1



This time we will get it right.

- Written demand to cure or correct the alleged violation
 - 90 days from the date action was taken
 - 30 days if action was taken in open session
- Failure to correct may lead to judicial determination that action taken is null and void.

Penalties & Remedies

- A person who violates the Brown Act is guilty of a misdemeanor if action is taken and the person intended to deprive the public of information to which the person knows of or has reason to know the public is entitled.





RESOURCE
CONSERVATION DISTRICTS

June 6, 2024

Dear Tess and CoCo CNP team,

I am writing to express the Inyo-Mono Resource Conservation District's (RCD) strong support for Inyo County's Community Navigator Program Community Catalyst funding proposal with an emphasis on the Capacity – Staffing category, which focuses on hiring staff positions, contractors, or supporting existing staff to cater to priority populations and organizations.

This initiative is allocated for a contract with the Inyo-Mono Resource Conservation District. The funds will be used to hire personnel dedicated to partner engagement and coordination of the Eastern Sierra Wildfire Alliance, ensuring effective collaboration across multiple jurisdictions and stakeholders. The RCD is re-emerging, and these funds are vital for enhancing outreach and engagement efforts within Inyo County, particularly with the five local tribes: the Bishop Paiute Tribe, Big Pine Paiute Tribe of the Owens Valley, Fort Independence Indian Community of Paiute Indians, Lone Pine Paiute-Shoshone Tribe, and Timbisha Shoshone Tribe, and local and regional Fire Safe Councils and Fire Wise Communities.

The Inyo-Mono Resource Conservation District is committed to advancing these goals and is excited about the potential impact of this funding initiative on the resilience of our local communities. We appreciate your consideration and support for this important endeavor. Should you have any questions or require further information, please do not hesitate to contact me.

Thank you for your time and support.

Sincerely,

Jarett Phillips

President

Inyo-Mono Resource Conservation District

jbar1979@icloud.com