

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 has issued Executive Orders that temporarily suspend 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 exclusively online. Board Members and Staff will participate via Zoom videoconference from individual, separate locations. The videoconference is 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.

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 “**hand-waving**” feature when appropriate in the Zoom meeting (the Board Chair will call on those who wish to speak). Written public comment, limited to **250 words or less**, may be emailed to the Assistant Clerk of the Board at boardclerk@inyocounty.us. Your emailed 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.

July 23, 2020 - 8:30 AM

SPECIAL MEETING

1. **PLEDGE OF ALLEGIANCE**
2. **PUBLIC COMMENT**
3. **COVID-19 STAFF UPDATE**

DEPARTMENTAL (To be considered at the Board's convenience)

4. **Health & Human Services** - Request Board approve a letter to the State Department of Public Health and State Health and Human Services Agency in support of County local determination for the opening and closure of industry sectors to prevent the spread of COVID-19, and authorize the Chairperson to sign.

COMMENT (Portion of the Agenda when the Board takes comment from the public and County staff)

5. **PUBLIC COMMENT**



County of Inyo



Health & Human Services

DEPARTMENTAL - ACTION REQUIRED

MEETING: July 23, 2020

FROM:

SUBJECT: Approval of letter to State Department of Public Health and State Health and Human Services Agency

RECOMMENDED ACTION:

Request Board approve a letter to the State Department of Public Health and State Health and Human Services Agency in support of County local determination for the opening and closure of industry sectors to prevent the spread of COVID-19, and authorize the Chairperson to sign.

SUMMARY/JUSTIFICATION:

On Monday, July 13, Governor Newsom announced the Statewide (including Inyo County) closure of all indoor operations for several business sectors, including dine-in restaurants (outdoor dining and take out is still allowed), wineries and tasting rooms, movie theaters, family entertainment centers, zoos and museums, card rooms, and indoor and outdoor operations for bars, pubs, and breweries that do not serve food. Additional sectors were closed in other counties who are on the statewide County Monitoring List.

Overall, the State of California is seeing a spike in cases of COVID-19, and in many counties the closure of business sectors may make sense given excessive growth in community-transmitted cases. In contrast, Inyo County continues to experience a relatively low number of cases and has worked closely with our business community to ensure broad adherence to State COVID guidance. We have instituted local public health orders and developed a robust contact tracing capacity which shows that most of our cases can be traced to private gatherings and travel, rather than patronizing local businesses. Some of the business sectors which were closed statewide do not make sense for Inyo County, given our small numbers, our ability to physically distance, and the careful implementation of COVID precautions by the majority of local businesses.

Governor Newsom has previously embraced a policy of "local determinism," where local governments have the flexibility to open and close local business sectors based on local data. This letter requests that the Governor return the right of "local determinism" to counties who are not on the County Monitoring List, and who have thus far been successful at locally containing the spread of the virus. This would allow Inyo County to look carefully at our own data and determine when business sectors may be able to reopen, with precautions, while still maintaining the health and safety of Inyo County residents.

BACKGROUND/HISTORY OF BOARD ACTIONS:

N/A

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The Board could decide not to authorize the chairperson to sign the letter, which may result in either the County Health Officer forwarding a letter under his authority or it may not be sent at all. Not sending a letter would result in the State maintaining its current actions without the voice of the County Health Officer and County Governing Board being considered.

OTHER AGENCY INVOLVEMENT:

California Health and Human Services Agency, California Dept of Public Health

FINANCING:

There are no fiscal impacts

ATTACHMENTS:

1. 7.23.2020 Letter to State

APPROVALS:

Meaghan McCamman
Darcy Ellis
Marshall Rudolph
Clint Quilter
Marilyn Mann

Created/Initiated - 7/21/2020
Approved - 7/21/2020
Approved - 7/21/2020
Approved - 7/21/2020
Final Approval - 7/21/2020



EL CAMINO SIERRA

BOARD OF SUPERVISORS COUNTY OF INYO

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Assistant Clerk of the Board

July 23, 2020

Dr. Mark Ghaly,
Secretary of Health & Human Services
California Health & Human Services Agency
1600 Ninth Street, Room 460
Sacramento, CA 95814

Dr. Sonia Y. Angell,
State Public Health Officer
California Department of Public Health
P.O. Box 997377, MS 0500
Sacramento, CA 95899-7377

Dear Secretary Dr. Ghaly and Dr. Angell,

The State's recent closure of indoor activities in industries such as restaurants, movie theaters, family entertainment centers, and museums statewide is not in the spirit of Governor Newsom's policy of local determination. It is viewed by many of our local residents as arbitrary in nature and not tied to the scientific data points to support such a statewide closure. In fact, our local data shows a much greater risk occurring as a result of individuals violating the guidance around gatherings.

As the Chair of our Board of Supervisors and the Health Officer for the County of Inyo, we are submitting a formal request to return to the policy of local determination rather than sweeping those counties not on the State's "watch" list into a broad stroke order for industry closures. Our county has continued to closely monitor the metrics identified in our attestation to the State of our readiness to reopen at our own pace. We require our local industries to formally attest to meeting the state-issued industry guidelines prior to opening their businesses. We have local public health orders in place to support our efforts, including a local order on masking that provides us a legal foundation for civil and criminal enforcement. We also have developed contact tracing capacity which has allowed us to quickly isolate cases and quarantine their close contacts. While we have experienced an increase in cases over the past several weeks, the numbers have been well within the state's "watch list" guidelines and have primarily been connected to individuals who have engaged in family or group gatherings out of the area or with visitors from out of the area. Contact tracing has not resulted in a positive case being tied to any specific industry, which makes the statewide closing of industries that have not resulted in any cases feel arbitrary and punitive. Our

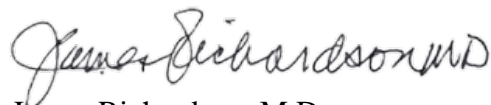
Dr. Ghaly
Dr. Angell
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County's response coupled with the responsible action taken by the vast majority our business owners and our residents has helped us to reduce the transmission rate of COVID-19. Given the volume of people who travel to and through here regularly, is quite an accomplishment.

Inyo County recognizes the importance of remaining vigilant in the fight against COVID-19. However, we find it difficult to tell a business owner who has diligently followed all of the State recommended guidelines to reopen safety that they have to close again, given the lack of data connecting any cases to those specific sectors. The economic impact is severe to the individual business owner and to the economic health of our County. We encourage you to reconsider your most recent actions and return to your policy of local determination.

Respectfully,

Matthew Kingsley, Chairperson
Inyo County Board of Supervisors



James Richardson, M.D.
Inyo County Public Health Officer