



**AGENDA**  
**BOARD OF SUPERVISORS**  
**AD HOC EMERGENCY MEDICAL SERVICES COMMITTEE**  
**COUNTY OF MONO**  
**STATE OF CALIFORNIA**

MEETING LOCATION Lee Vining Community Center, 296 Mattly Avenue, Lee Vining, CA 93541

**May 21, 2015**

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**NOTE:** 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) 932-5534. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (See 42 USCS 12132, 28CFR 35.130).

Full agenda packets are available for the public to review in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517), and in the County Offices located in Minaret Mall, 2nd Floor (437 Old Mammoth Road, Mammoth Lakes CA 93546). Any writing distributed less than 72 hours prior to the meeting will be available for public inspection in the Office of the Clerk of the Board (Annex I - 74 North School Street, Bridgeport, CA 93517). **ON THE WEB:** You can view the upcoming agenda at [www.monocounty.ca.gov](http://www.monocounty.ca.gov) . If you would like to receive an automatic copy of this agenda by email, please send your request to Bob Musil, Clerk of the Board: [bmusil@mono.ca.gov](mailto:bmusil@mono.ca.gov) .

1:00 PM          Call meeting to Order

                    Pledge of Allegiance

**1.            OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.)

**2.            AGENDA ITEMS**

**A.          Statement by Tim Fesko, Ad Hoc EMS Committee Chair**

Departments: EMS Manager

20 minutes

(Tim Fesko) - Statement by Tim Fesko, Ad Hoc EMS Committee Chairman, regarding the scope of committee.

**Recommended Action:** None.

**Fiscal Impact:** None.

**B. Introductions - Roundtable**

Departments: EMS Manager

30 minutes

(Rob DeForrest) - Roundtable introductions of committee members.

**Recommended Action:** None.

**Fiscal Impact:** None.

**C. Brown Act Overview**

Departments: Mono County Counsel

30 minutes

(Stacey Simon) - Presentation by Assistant County Counsel Stacey Simon regarding the Brown Act.

**Recommended Action:** None (informational only). Provide any desired direction to staff.

**D. Overview of Applicable Laws**

Departments: Mono County Counsel

30 minutes

(Stacey Simon) - Presentation by Assistant County Counsel Stacey Simon regarding the laws and regulations applicable to the provision of emergency medical services (EMS) in California.

**Recommended Action:** None (informational only). Provide any desired direction to staff.

**E. Future Meeting Discussion**

Departments: EMS Manager

15 minutes

(Rob DeForrest) - There will not be a meeting on June 18, 2015, however it's been suggested to have the next regular meeting on Thursday, June 4, 2015. At this time, schedule following meetings, locations and starting times, as appropriate.

**Recommended Action:** Schedule future meetings as agreed upon.

**Fiscal Impact:** None.

**ADJOURN**



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OF THE BOARD OF SUPERVISORS**

**EMS AD HOC AGENDA REQUEST**

Print

<b>MEETING DATE</b>	May 21, 2015	<b>DEPARTMENT</b>	
<b>ADDITIONAL DEPARTMENTS</b>			
<b>TIME REQUIRED</b>	20 minutes	<b>PERSONS APPEARING BEFORE THE BOARD</b>	Tim Fesko
<b>SUBJECT</b>	Statement by Tim Fesko, Ad Hoc EMS Committee Chair		

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Statement by Tim Fesko, Ad Hoc EMS Committee Chairman, regarding the scope of committee.

**RECOMMENDED ACTION:**

None.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Rob DeForrest

**PHONE/EMAIL:** x1832 / rdeforrest@mono.ca.gov

SUBMIT THE ORIGINAL DOCUMENT WITH ATTACHMENTS TO THE OFFICE OF THE COUNTY ADMINISTRATOR **PRIOR TO 5:00 P.M. ON THE FRIDAY 32 DAYS PRECEDING THE BOARD MEETING**

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**History**

Time

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Approval

5/14/2015 7:49 AM	County Administrative Office	Yes
5/14/2015 3:29 PM	County Counsel	Yes
5/14/2015 12:31 PM	Finance	Yes



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**EMS AD HOC AGENDA REQUEST**

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<b>ADDITIONAL DEPARTMENTS</b>			
<b>TIME REQUIRED</b>	30 minutes	<b>PERSONS APPEARING BEFORE THE BOARD</b>	Rob DeForrest
<b>SUBJECT</b>	Introductions - Roundtable		

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Roundtable introductions of committee members.

**RECOMMENDED ACTION:**

None.

**FISCAL IMPACT:**

None.

**CONTACT NAME:** Rob DeForrest

**PHONE/EMAIL:** x1832 / rdeforrest@mono.ca.gov

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5/14/2015 7:49 AM	County Administrative Office	Yes
5/14/2015 3:22 PM	County Counsel	Yes
5/14/2015 1:26 PM	Finance	Yes



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<b>ADDITIONAL DEPARTMENTS</b>			
<b>TIME REQUIRED</b>	30 minutes	<b>PERSONS APPEARING BEFORE THE BOARD</b>	Stacey Simon
<b>SUBJECT</b>	Brown Act Overview		

**AGENDA DESCRIPTION:**

(A brief general description of what the Board will hear, discuss, consider, or act upon)

Presentation by Assistant County Counsel Stacey Simon regarding the Brown Act.

**RECOMMENDED ACTION:**

None (informational only). Provide any desired direction to staff.

**FISCAL IMPACT:**

**CONTACT NAME:** Stacey Simon

**PHONE/EMAIL:** 760-924-1704 / ssimon@mono.ca.gov

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5/13/2015 4:33 PM	County Administrative Office	Yes
5/14/2015 3:15 PM	County Counsel	Yes
5/14/2015 1:32 PM	Finance	Yes

# Questions and Answers about the Brown Act

## 1. What is the Brown Act?

The Brown Act is state law which governs how the “legislative bodies,” and specified other groups of individuals associated with local public entities, (hereafter referred to as “covered entities”) conduct business.

## 2. What does the Brown Act require?

In the most general sense, the Brown Act requires that the business of covered entities be conducted at meetings that are open to the public. To accomplish that, the Brown Act requires that an agenda listing the items to be discussed at any meeting of a covered entity be posted prior to the meeting and that the members of the covered entity not discuss or take action on any item not listed on the agenda. However, the members of the covered entity (or staff) may make brief reports on their activities without listing those reports on the agenda.

Additionally, the Brown Act generally prohibits a majority of the members of a covered entity from discussing items within the jurisdiction of that body at any time or place other than at a meeting for which an agenda has been posted in accordance with the requirements of the Act.

## 3. How detailed does an agenda description have to be and how far in advance of the meeting does it have to be posted?

The description of an item on the agenda must be detailed enough to let the public know what will be discussed at the meeting. The Brown Act requires a “brief general description of each item of business to be transacted or discussed” and states that fewer than 20 words will generally be sufficient. Note that an agenda description merely stating “old business” is not sufficient.

For a regular meeting, the agenda must be posted 72 hours in advance. For a special meeting, the agenda must be posted 24 hours in advance.

## 4. When would a Special Meeting be appropriate?

A Special Meeting is appropriate if there is an issue which the entity wants to discuss prior to its next regularly-scheduled meeting.

## 5. Are there any exceptions to the open meeting requirements?

There are several exceptions to the open meeting requirements of the Brown Act. These exceptions apply to things such as employee negotiations, personnel



matters, litigation, and real estate negotiations. Generally, matters falling under these headings may be discussed by a local legislative body in private. Moreover, with certain exceptions, the agenda item for such matters does not need to include details but instead will generally reference the nature of the exemption claimed.

## **6. What if a member of the public attends a meeting and begins talking about a subject that is not on the agenda?**

The Brown Act requires that an item be placed on every meeting agenda allowing for public comment. This public comment period gives members of the public the opportunity to speak on matters within the jurisdiction of the entity without having to have the matter agendaized in advance.

The public comment period is a time for the covered entity to hear from the public. The members of the covered entity may ask clarifying questions, or briefly respond to statements made or questions posed, but may not enter into a discussion of the matter presented nor make any decision. If the item brought to the covered entity by the public is of interest to or requires action by the entity, then it should direct that the matter be agendaized for its next meeting.

## **7. Does the Brown Act apply to advisory bodies?**

There used to be an exemption in the Brown Act for entities that were purely advisory. That exemption no longer exists.

However, there is an exemption for advisory bodies comprised of less than a majority of the members of the legislative body that created the advisory body. This exemption does not apply if the advisory body is a committee which has continuing jurisdiction over a particular subject matter (a “standing committee”), or if the committee’s meeting schedule is fixed by formal action of the legislative body that created it.

In other words, if a legislative body created an advisory committee made up solely of less than a majority of its own members, which was not a standing committee and which had no regular meeting schedule set by the Board, then it would be exempt from the Act. However, if others were on that committee (e.g., members of the public or staff), or if the body formally set a meeting schedule for that committee, then the committee would be subject to the Act.

## **8. What is a serial meeting?**

A serial meeting is a term used to refer to a situation where less than a majority of the members of a covered entity (e.g., two of the five members of a Board) speak to each other about a matter within the jurisdiction of the Board for the purpose of building consensus on the matter. For example, if one Board member tells another “I

spoke to Board member X and he agrees and is going to vote against the project, you should vote ‘no’ too,” that is a serial meeting. Serial meetings violate the Brown Act.

In contrast, if a staff person speaks separately to more than a majority of the Board members, without revealing the opinion of any other member, such conversations do not constitute a serial meeting.

**9. What if a member of the public wants to speak to a majority (or more) of the members of the legislative body one at a time?**

The public has a constitutional right to address its local representatives. Thus, a member of the public may talk to each member of the legislative body separately without a violation of the Brown Act taking place.

**10. What are the penalties and/or remedies for violation of the Brown Act?**

Certain violations of the Act are misdemeanors. To be found guilty of a misdemeanor, the member of the covered entity must have violated the Brown Act with the intention to deprive the public of information to which the member knows the public is entitled.

In addition to criminal penalties, there are civil remedies for violation of the Act. Injunctive, mandamus, or declaratory relief is available to prevent or stop future or threatened violations. Additionally, an action may be brought to void the past acts of the covered entity. Prior to bringing such a suit, the complainant must make a written demand to the covered entity asking that it cure or correct the problem. A local legislative body has 30 days after written demand is made to cure or correct its violation of the Act by reconsidering the matter in a manner that complies with the Act.



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<b>TIME REQUIRED</b>	30 minutes	<b>PERSONS APPEARING BEFORE THE BOARD</b>	Stacey Simon
<b>SUBJECT</b>	Overview of Applicable Laws		

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(A brief general description of what the Board will hear, discuss, consider, or act upon)

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**RECOMMENDED ACTION:**

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**FISCAL IMPACT:**

**CONTACT NAME:** Stacey Simon

**PHONE/EMAIL:** 760-924-1704 / ssimon@gmail.com

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## EMS AD HOC AGENDA REQUEST

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<b>ADDITIONAL DEPARTMENTS</b>			
<b>TIME REQUIRED</b>	15 minutes	<b>PERSONS APPEARING BEFORE THE BOARD</b>	Rob DeForrest
<b>SUBJECT</b>	Future Meeting Discussion		

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(A brief general description of what the Board will hear, discuss, consider, or act upon)

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### RECOMMENDED ACTION:

Schedule future meetings as agreed upon.

### FISCAL IMPACT:

None.

**CONTACT NAME:** Rob DeForrest

**PHONE/EMAIL:** x1832 / rdeforrest@mono.ca.gov

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