
From: Phoebe Seaton <pseaton@leadershipcounsel.org>
Sent: Monday, June 22, 2020 4:53 PM
To: BOSComments
Cc: Cederborg, Daniel; Leslie Martinez; Veronica Garibay
Subject: Leadership Counsel Comments re Agenda Item 3
Attachments: Leadership Counsel Comments_Item 3_6.23.20.pdf

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To the Fresno County Board of Supervisors,

I am submitting these comments on behalf of Leslie Martinez.

We ask that these comments be considered and discussed during agenda item 3 regarding telephonic participation in Board of Supervisors meetings.

Thank you so much,

Phoebe

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Chairman Buddy Mendes,
Vice Chairman Steve Brandau,
Supervisor Brian Pacheco,
Supervisor Sal Quintero,
Supervisor Nathan Magsig

June 22nd, 2020

Re: Agenda Item 3. Discuss and determine whether to continue telephonic participation by Board Members in the Board of Supervisor meetings

Dear Chairman Mendes and Fresno County Supervisors,

Over the past several months, we have continuously attempted to work with Fresno County to establish a system of participation that is responsive to the needs of residents, stakeholders, staff, and the Board. As this Board discusses telephonic participation for Board members in the midst of a steady increase in COVID-19 cases and hospitalizations in Fresno County, we once again respectfully urge Fresno County to establish and implement a policy that will allow members of the community to participate telephonically and that facilitates participation of both English and non-English speaking residents through translation support. Doing so will uphold the basic principles of a functioning democracy, protect vulnerable, at-risk and immunocompromised individuals from contracting COVID-19, allow you to respond appropriately to community concerns and ultimately, communicate leadership during unprecedented times.

Increase in COVID-19 Cases

Over the past week, the county has averaged 77 new cases and 1.6 new deaths per day.¹ The number of confirmed infections is currently doubling every 18.9 days.² On June 19th, local outlets reported, "Fresno County followed up its biggest week of reported coronavirus cases by exceeding that number - 287 more positive cases in the past two days."³ One metric as to whether and how counties should open is the number of new cases reported over the last 14 days to less than 25 per 100,000 residents. Fresno County currently fails that test. Over the last two weeks, officials have confirmed 1,123 new cases, which amounts to 114.8 per 100,000.⁴ Fresno County has also been identified for targeted

¹ <https://www.latimes.com/projects/california-coronavirus-cases-tracking-outbreak/fresno-county/>

² *Id.*

³ <https://abc30.com/fresno-county-coronavirus-covid/6257184/>

⁴ <https://www.latimes.com/projects/california-coronavirus-cases-tracking-outbreak/fresno-county/>

technical assistance by the California Department of Public Health due to an uptick in cases and variance from submitted attestation.⁵ Additionally, as evidenced by both local and statewide data, older and immunocompromised people remain especially vulnerable to dying of COVID-19.⁶

COVID-19 Disproportionately Impacts Latino Residents

Fresno County's Data and Surveillance Dashboard demonstrates disproportionate impact to the Latino community. According to available data, Latinos in Fresno County are almost three times as likely as white residents to contract COVID-19.⁷ We are concerned that Fresno County's actions to discourage and eliminate remote participation, (or inaction with respect to facilitating remote participation) will lead to increased infections and will perpetuate or even exacerbate COVID-19's disproportionate impact on people of color.

Taken together - a steady increase in cases and hospitalizations, the vulnerability of older and immunocompromised residents, and disproportionate impacts on people of color - the County must take action to establish protective measures to protect the health of its population. While the County can and must increase access to testing and personal protective equipment, it can also take action to ensure its constituents can meaningfully engage in policy and investment decisions. Fresno County residents should not have to choose between participating in the public process or protect their health. Allowing for telephonic contemporaneous participation can contribute rich dialogue and perspectives to public decision making as has been demonstrated by public participation protocols established by San Joaquin Valley jurisdictions including the City of Fresno, County of Madera, County of Tulare and County of Kern.

Equitable and Just Public Participation Recommendations

We respectfully request the County immediately establish a policy allowing for telephonic participation and immediately direct staff to:

- Provide multiple options for teleconferencing, with *two-way* communication options that allows either computer-users or phone-users to engage
- Provide an adequate telephone option—available in multiple languages—and ensure that comments can be made via phone to ensure all residents have access to participate in commission and board meetings

⁵ <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/CountyMonitoringDataStep2.aspx>

⁶ <https://www.latimes.com/projects/california-coronavirus-cases-tracking-outbreak/>

⁷ <https://cofgisonline.maps.arcgis.com/apps/MapSeries/index.html?appid=1f82e8eb24c0403c90e774202c5dafea>

- Require the County Clerk to ensure sufficient time for public comment during *each* agenda item during the meeting, and allow sufficient time for live comments to be submitted either electronically or via telephone.
- Engage community-based organizations and other stakeholders who are in direct communication with residents to ensure that residents are informed and notified through multiple channels about remote options for public meetings.
- Send any relevant preparatory materials and other necessary documents to community-based stakeholders to share with residents before meetings.
- Notify the public of all hearing/meeting times, topics, and detailed information regarding participation. All translated preparatory materials and documents will be made available at the time meeting notices are posted. Notices will be easy to find on state or local jurisdiction websites, and disseminated *at least* 72 hours in advance. Notices will clearly show how public comments will be received.
- Develop a voice message system so the public will have the ability to leave voice message comments, which can be limited to 3 minutes, and played during the comment period. Messages will be received in multiple languages and interpreted as needed.
- Provide ample time for the public to submit comments prior to the meeting's start time, such as via email or a dedicated phone number. Comments will not be limited to only email and avoid implementing arbitrary word limits on email comments. All email comments to be read aloud on the record by staff during the live meeting, for transparency and consideration by the full board/commission.
- Establish separate teleconference lines or audio channels to meet language access needs. Interpreters should be available--for Spanish and/or other languages that are needed--for residents to understand and participate in the meeting.

* * *

If any questions are to arise or staff would like to collaborate on next steps, do not hesitate to reach me at 559-920-0558.

Respectfully,



Leslie Martinez, Policy Advocate
Leadership Counsel for Justice and Accountability