

**Board Members**

Joe Neves, District 1 - Chairman  
Richard Valle, District 2  
Doug Verboon, District 3  
Craig Pedersen, District 4  
Richard Fagundes, District 5- Vice Chairman



**Staff**

Edward Hill, County Administrative Officer  
Diane Freeman, County Counsel  
Catherine Venturella, Clerk of the Board

## **Board of Supervisors**

### **Special Meeting Agenda**

**Date:** Thursday, February 24, 2022  
**Time:** 10:00 a.m.  
**Place:** Board of Supervisors Chambers, Kings County Government Center  
1400 W. Lacey Boulevard, Hanford, California 93230

☎ (559) 852-2362 ❖ FAX (559) 585-8047 ❖ website: <https://www.countyofkings.com>

#### **COUNTY OF KINGS PUBLIC MEETING PROTOCOL IN RESPONSE TO CORONAVIRUS COVID-19**

California Governor Gavin Newsom signed into Law AB 361 on September 16, 2021, relating to the convening of public agency meetings via teleconference in light of the COVID-19 pandemic. Under this authority, the Board of Supervisors will convene its public meetings via video and teleconference. Pursuant to AB 361, and as advised by local Health Officials, the Kings County Board of Supervisors, County staff and interested members of the public may attend the meeting in person.

The meeting can also be attended telephonically or by the Internet by clicking this link:

<https://countyofkings.webex.com/countyofkings/j.php?MTID=mf7b5e085a220d2ee546b26ac7bc3cbca>  
or by sending an email to [bosquestions@co.kings.ca.us](mailto:bosquestions@co.kings.ca.us) on the morning of the meeting for an automated email response with the WebEx meeting link information. Members of the public attending via WebEx will have the opportunity to provide public comment during the meeting.

Members of the public who wish to view/observe the meeting virtually can do so via the worldwide web at: [www.countyofkings.com](http://www.countyofkings.com) and click on the "Join Meeting" button or by clicking this link: <https://youtu.be/kBDBmlaxY4M>

Members of the public viewing the meeting through YouTube will not have the ability to provide public comment.

Members of the public who wish to comment may submit written comments on any matter within the Board's subject matter jurisdiction, regardless of whether it is on the agenda for the Board's consideration or action, and those comments will become part of the administrative record of the meeting. Comments will not be read into the record, only the names of who have submitted comments will be read into the record. Written comments received by the Clerk of the Board of Supervisors no later than 8:30 a.m. on the morning of the noticed meeting will be included in the record, those comments received after 8:30 a.m. will become part of the record of the next meeting. Email is not monitored during the meeting. To submit written comments by email, please forward them to [bosquestions@co.kings.ca.us](mailto:bosquestions@co.kings.ca.us) or by U.S. Mail, please forward them to: Clerk of the Board of Supervisors, County of Kings, 1400 W. Lacey Blvd., Hanford, CA 93230.



**I. 10:00 AM CALL TO ORDER**  
**ROLL CALL – Clerk of the Board**  
**PLEDGE OF ALLEGIANCE**

**II. UNSCHEDULED APPEARANCES**  
*Any person may directly address the Board at this time on any item on the agenda, or on any other items of interest to the public, that is within the subject matter jurisdiction of the Board. Two (2) minutes are allowed for each item.*

**III. REGULAR CALENDAR**

**A. County Counsel:**

1. Consider Adopting a Resolution making the findings required by AB 361, and bring a Resolution to the Board within thirty (30) days to continue meeting under its abbreviated teleconferencing provisions.

**IV. CLOSED SESSION**

- ♦ **Significant exposure to litigation: (1 case) Whole Person Care Program Funds – North Star Courts: [Govt. Code Section 54956.9 (d)(2)(e)(2)]**

**V. ADJOURNMENT**

The next regularly scheduled meeting will be held on Tuesday, March 1, 2022 at 9:00 a.m.

***FUTURE MEETINGS AND EVENTS***

March 1	9:00 AM	Regular Meeting
March 8	9:00 AM	Regular Meeting
March 15	9:00 AM	Regular Meeting
March 22	9:00 AM	Regular Meeting
March 29	9:00 AM	Regular Meeting

*Agenda backup information and any public records provided to the Board after the posting of the agenda will be available for the public to review at the Board of Supervisors office, 1400 W. Lacey Blvd, Hanford, for the meeting date listed on this agenda.*



# COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362  
Catherine Venturella, Clerk of the Board of Supervisors

## AGENDA ITEM February 24, 2022

**SUBMITTED BY:** County Counsel – Diane Freeman

**SUBJECT:** RESOLUTION TO CONTINUE TELECONFERENCED MEETINGS UNDER THE PROVISIONS OF AB 361

**SUMMARY:**

**Overview:**

On October 26, 2021, the Board of Supervisors began holding public meetings under the abbreviated teleconference provisions of AB 361. To continue holding teleconferenced meetings under these provisions, the Board must find within thirty (30) days and every thirty (30) days there after that the conditions necessary to invoke such provisions continue to exist. More than thirty (30) days have passed since the Board authorized continuing to meet under AB 361. The Board is meeting via teleconference on today's date. To continue using the abbreviated teleconferencing for Board meetings, a resolution will be brought before the Board within thirty (30) days.

**Recommendation:**

Adopt a resolution making the findings required by AB 361, and bring a resolution to the Board within thirty (30) days to continue meeting under its abbreviated teleconferencing provisions.

**Fiscal Impact:**

None

**BACKGROUND:**

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in response to the COVID-19 pandemic. Thereafter, he issued Executive Orders N-29-20 and N-08-21 collectively suspending the teleconferencing rules set forth in Government Code Section 54950 et seq. (the "Brown Act") provided certain requirements were met. N-29-20 and N-08-21 expired on September 30, 2021. On September 16, 2021, Governor Newsom signed into law AB 361 which provides that a legislative body subject to the Brown Act may

**BOARD ACTION:**

APPROVED AS RECOMMENDED: \_\_\_\_\_ OTHER: \_\_\_\_\_

I hereby certify that the above order was passed and adopted  
on \_\_\_\_\_, 2022.

CATHERINE VENTURELLA, Clerk to the Board

By \_\_\_\_\_, Deputy.

## **Agenda Item**

### **RESOLUTION TO CONTINUE TELECONFERENCED MEETINGS UNDER THE PROVISIONS OF AB 361**

**February 22, 2022**

**Page 2 of 2**

#### **(Cont'd)**

continue to meet after September 30, 2021 without fully complying with the Brown Act's teleconferencing rules provided there continues to be proclaimed a state of emergency and either: (1) State or local officials have imposed or recommended measures to promote social distancing; or (2) the legislative body determines that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

On September 22, 2021, the County's Public Health Officer, Dr. Milton Teske, issued a recommendation which remains in effect that all county public meetings be allowed to continue to operate and carry on their business in the same manner as they are currently doing in response to COVID-19, including the option to meet remotely. His recommendation is made due to the continued threat of COVID-19 to the community, the unique characteristics of public governmental meetings, and the continued increased safety protection that social distancing provides as one means by which to reduce the risk of COVID-19 transmission.

On October 5, 2021, the Board of Supervisors began holding public meetings under the abbreviated teleconference provisions of AB 361. To continue holding teleconferenced meetings under these provisions, the Board must find within thirty (30) days and every thirty (30) days thereafter that the conditions necessary to invoke such provisions continue to exist.

At its regular meetings on October 26, 2021, November 23, 2021, December 21, 2021, and January 11, 2022, the Board reconsidered the State of Emergency and passed a resolution with the required findings. With thirty (30) days approaching, the State of Emergency is again brought to your board for consideration. No resolution was brought within thirty (30) days of January 11, 2022, and therefore the Board makes the following findings:

- (A) The legislative body has considered the circumstances of the state of emergency; and
- (B) The following circumstances exist:
  - (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; or
  - (ii) State or local officials continue to impose or recommend measures to promote social distancing.

If the circumstances necessitate continued teleconference meetings under AB 361, this Board will reconsider the above findings and approve a resolution to continue within thirty (30) days of today's date.

,

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF KINGS, STATE OF CALIFORNIA

\* \* \* \* \*

IN THE MATTER OF CONTINUED  
TELECONFERENCED MEETINGS  
UNDER THE PROVISIONS OF AB 361 /

RESOLUTION NO. 2022-

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the “Brown Act”), provided certain requirements were met and followed; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 that provides that a legislative body subject to the Brown Act may continue to meet without fully complying with the teleconferencing rules in the Brown Act when there is a proclaimed state of emergency and either state or local officials have imposed or recommended measures to promote social distancing, or the legislative body determines, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, Governor Newsom’s Proclamation of State of Emergency due to COVID-19 continues in effect; and

WHEREAS, on September 22, 2021, the County’s Public Health Officer, Dr. Milton Teske, recommended that all County public meetings be allowed to continue to operate and carry on their business in the same manner as they are currently doing, including the option to meet remotely, due to the increased safety protection that social distancing provides as a means to reduce the risk of COVID-19 transmission; and

WHEREAS, the Board held its first teleconferenced meeting pursuant to AB 361 on October 5, 2021; and

WHEREAS, to continue meeting via teleconference under the abbreviated teleconferencing procedures of AB 361, the Board must make findings no later than 30 days after the first teleconferenced meeting, and every 30 days thereafter, that the conditions necessary to hold teleconferenced meetings under AB 361 continue to exist.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Kings:

1. The recitals set forth above are true and correct.
2. The Board finds:
  - a. It has reconsidered the circumstances of the COVID-19 state of emergency, which continues to exist; and
  - b. State or local officials continue to impose or recommend measures to promote social distancing;
3. These findings apply to all County of Kings related legislative bodies subject to the Brown Act, including but not limited to, Board standing committees, the Planning Commission, the Board of Equalization, and all other committees and commissions established by the County Code or Board of Supervisors and subject to the Brown Act;
4. Staff is directed to return no later than thirty (30) days after the adoption of this resolution with an item for the Board to again consider making the findings required by AB 361 in order to continue meeting under its provisions.

The foregoing Resolution was PASSED AND ADOPTED upon motion by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, at a regular meeting held on the 24th day of February 2022, by the following vote:

AYES: Supervisors  
NOES: Supervisors  
ABSENT: Supervisors  
ABSTAIN: Supervisors

By: \_\_\_\_\_  
Chairperson of the Board of Supervisors  
County of Kings, State of California

WITNESS my hand and seal of said Board of Supervisors this 24th day of February, 2022.

By: \_\_\_\_\_  
Clerk of the Board of Supervisors