

AFFIDAVIT OF POSTING

I, Catherine Venturella, am now and at all times mentioned herein, have been employed by the County of Kings as the Clerk to the Board of Supervisors.

On March 17, 2023 at 5:00 p.m., I posted a true and correct copy of the Order of the County of Kings Board of Supervisors Regulating Flood Flows in Response to a Local Emergency due to Flooding, Date of Order: March 16, 2023- Attachment A. I posted a true and correct copy of the Action Summary dated March 16, 2023 – Attachment B. The Special Meeting Agenda notice was sent to the following persons, see attachment C, who requested to be notified of all Board of Supervisors meetings. I personally posted the attached exhibits A, B & C as notice on the bulletin board in the Administration Building, a location freely accessible to members of the public during regular business hours and in the information kiosk, located on the south side of the Administration building, a location freely accessible to members of the public at all times, both locations are at the address as follows: Kings County Government Center, 1400 West Lacey Boulevard, Hanford, California.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 17, 2023 in the City of Hanford, County of Kings, State of California.



Catherine Venturella
Clerk of the Board of Supervisors
County of Kings

**ORDER OF THE COUNTY OF KINGS BOARD OF SUPERVISORS
REGULATING FLOOD FLOWS
IN RESPONSE TO A LOCAL EMERGENCY DUE TO FLOODING**

DATE OF ORDER: MARCH 16, 2023

WHEREAS, on March 10, 2023, pursuant to Government Code Section 8630 and Section 6-7 of the County of Kings Code of Ordinances the Kings County Emergency Services Director issued Proclamation 23-01 proclaiming a local emergency in Kings County due conditions of disaster and extreme peril to the safety of persons and property caused by the large amounts of snow accumulated in the Sierra Nevada Mountains, precipitation from atmospheric river storms and imminent flooding the County will experience as a result;

WHEREAS, on March 14, 2023, Proclamation 23-01 was ratified by the Kings County Board of Supervisors and remains in full force and effect;

WHEREAS, pursuant to Government Code Section 8634, the Chairman of the Board of Supervisors is empowered to make and issue orders and regulations on matters reasonably related to the protection of life and property;

WHEREAS, flood flows within Kings County present an imminent and proximate threat to the life and property of its residents making it critical that the County ensure their health, safety and welfare; and

WHEREAS, the Board of Supervisors, after consultation with local County officials and members of the community, deems the following immediate actions necessary to mitigate the impending threat.

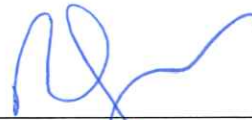
NOW, THEREFORE, it is ordered as follows:

1. Public Works is directed to reestablish cuts designed to relieve flood flows; between Excelsior Avenue and Flint Avenue on the 2000-3000 block;
2. Corcoran Irrigation District is allowed to repair its breaches;
3. Damming of the Highline Canal is prohibited at this time;
4. If any person or entity considers damming the Highline Canal in the future, or modifying any flood plain path, they will be required to notify Kings County dispatch one hour prior to commencing work. Notwithstanding the foregoing, no damming of the Highline Canal shall be commenced unless and until the Board of Supervisors revokes the order identified as number three (3) herein prohibiting such damming.

5. The Kings County Sheriff shall have authority to enforce this Order a violation of which shall be punishable as a misdemeanor pursuant to Penal Code section 19; Government Code Section 25132; and the Kings County Code of Ordinances 6-11.

6. A copy of this order shall be posted online on the Kings County Board of Supervisors web page. Copies shall additionally be posted outside in the Kings County Government Center kiosk and in one public place within any area of the County within which this order and regulation applies. Personnel of the County of Kings shall endeavor to make copies of this order and regulation available to the news media.

Date: March 16, 2023



Richard Valle, Chairman
County of Kings Board of Supervisors

Approved as to form:



Diane Freeman, County Counsel
County of Kings

Board Members

Joe Neves, District 1
Richard Valle, District 2 - Chairman
Doug Verboon, District 3 – Vice Chairman
Rusty Robinson, District 4
Richard Fagundes, District 5



Staff

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

Board of Supervisors

Special Meeting Action Summary

Date: Thursday, March 16, 2023
Time: 9:00 a.m.
Place: Board of Supervisors Chambers, Kings County Government Center
1400 W. Lacey Boulevard, Hanford, California 93230

☎ (559) 852-2362 ❖ bosquestions@co.kings.ca.us ❖ website: <https://www.countyofkings.com>

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

The meeting can be attended telephonically or by the Internet by clicking this link:
<https://countyofkings.webex.com/j.php?MTID=m8f91235945e792e88cd85e612b4814be>
or by sending an email to 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.

WebEx will be available for access at 8:50 a.m.

Members of the public who wish to view/observe the meeting virtually can do so via the worldwide web at: www.countyofkings.com and click on the “Join Meeting” button or by clicking this link: <https://youtube.com/live/iedU9xCPFgl?feature=share>

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 8:00 a.m. on the morning of the noticed meeting will be included in the record, those comments received after 8:00 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 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. 9:00 AM CALL TO ORDER
ROLL CALL – Clerk of the Board
ALL MEMBERS PRESENT
Pledge of Allegiance



Diane Freeman, County Counsel stated that the Board of Supervisors has convened pursuant to Government Code Section 54956.5, which authorizes the Board to hold a special meeting without complying with the normal the 24 – hour notice and posting requirements when a majority of its members find an emergency exists that severely impairs the public health and involves matters upon which prompt action is necessary due to the disruption or threatened disruption of public services and facilities. In order to strictly comply with the statutory requirements, I am asking at the commencement of this meeting that the Board consider making findings that:

- 1) There is an emergency due to in Kings County due to floods that severely impairs the public health and safety.
- 2) That the emergency involves matters upon which prompt action is necessary due to the disruption or threatened disruption of public services.

ACTION: APPROVED AS PRESENTED (JN, DV, RR, RF, RV-Aye)

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.

Catherine Venturella, Clerk of the Board stated that the Board received correspondence from Nathan Heeringa and it was distributed electronically and in hardcopy and it will be part of the permanent record of the minutes from today's meeting.

Don Veenendaal, Kings County resident stated that he has concerns for the untraditional flows of water and for flooding of his property and neighbors and their livestock as well as hazards with flooding at the dairies.

Joe Faulkner, Corcoran City Public Works Director and Cross Creek Flood Control District Trustee, explained the location of channels of their district and issues with water coming east towards the City of Corcoran. He stated that there is an armed guard at the levee to keep it from being touched and asked the Board to leave that levee intact.

TJ Dykstra, Kings County resident stated that he has a waste management plan and asked the Board to allow the water to flow into the canals and not restrict them, which could have the potential to flood homes and livestock mortality.

Jared DeGroot, Kings County resident stated that he has 600 acres under water currently and stated that Highline canal is in the flood zone and should be utilized for the flood waters to protect properties and livestock.

Devin Eagle, Corcoran Irrigation District General Manager stated that Highline canal has been accepting water from St. Johns river, 2500 cfs is hitting their weir at Kansas Avenue, when it's being held in Cross Creek it's manageable but Highline has no check systems to control the water and is now above their staff gauges and with no demand for water, all ponds are full so all of these issues are concerns for flooding within the City of Corcoran.

Tony DeGroot, Kings County resident stated that two breaches were cured and there is another breach that is taking on more water than yesterday and everyone who is in the know should have prepared for taking the flood waters. He stated that the Army Corps of Engineers are the main players in where the water flows and should have been preparing in advance of the issues that arose yesterday.



Joe Mendes, Kings County resident stated that water was already flowing into Highline and the farmers placed a levee on Grangeville to divert the water into Highline and the amount of water would have been catastrophic for the property owners in the area. There were not any malicious thoughts to the actions only to save the properties and dairies all before still going to the Highline canal. He stated that he has concerns that the armed guard is posted and forcing property owners to just let the floods take over the property doesn't seem right.

Phil Hansen, Kings County resident stated that Corcoran Irrigation District is a private canal and has never been use for flood.

Mario Cifuentes, Hanford City Manager stated that he feels the County should stand up the Emergency Opertations Center, and he would be a partner with staff and resources. He stated that a few of the ponding basins in the City are concerning the surrounding property owners and feels that this would give a voice to get the Army Corps of Engineers to act and allow for communications for the citizens in our area.

Supervisor Verboon asked Tony DeGroot if the breach video that he sent this morning could be repaired. Mr. DeGroot stated that it could be repaired with excavators and dozers and it's approximately $\frac{3}{4}$ to a mile into the flooding.

Roger Dutra, Kings County resident stated that in the 1980's during the flooding the Bureau of Reclamation cut gaps that were always supposed to be there and the County was to ensure that they stayed open and that hasn't happened, and two were closed last week by a property owner and this is why there are issues happening now.

Supervisor Verboon asked Mr. Dutra to give his name and number to the staff so that he may be called to get that information . He stated that those with historical knowledge at the County level have retired or passed away leaving the current Board of Supervisors without that information. He stated that staff would come out to assess the issue and see what could be done.

Supervisor Valle asked County Counsel what and if any report out will be handled today.

Diane Freeman, County Counsel stated that if any reportable action is taken today and the Board directs staff to report out the decision if any are made today.

Johnny Gailey, Tulare County resident stated that the Lake Kaweah Dam is at capacity and inflows are dropping but this is the highest it has ever been but more will be coming in the near future and stated that there are a lot of dry canals or water ways that could be taking on water to manage the flows in Tulare County but they are not and there is another storm coming.

Joe Mendes, Kings County resident asked the Board to keep them from being flooded by opening the canals to allow the water to flow. He stated that he would like some direction as to where to move his cows so he doesn't lose livestock.

Dave Robinson, Kings County Sheriff stated that there were several breaches in canals yesterday and there is a lot of pressure going towards Corcoran. His goal is to protect the residents of Corcoran and thanked the Board for holding the meeting today so that actions can be taken and this is something that will be ongoing for months. He stated that he was part of the team to get money for the levee system in Corcoran and that was done to protect the City of Corcoran and it needs to be utilized and communication has to take place with County staff to protect the citizens of our County and the greater good.



Supervisor Valle stated that at the regular Board meeting on March 14, 2023 there was nothing stated that this eminent issue was brewing. He stated that this is critical and we all need to work together and the Board and the Sheriff worked together to go to Sacramento to ask for funding for the levee raising to protect the City of Corcoran and feels it should be utilized to do what the money that the residents and the State of California Department of Corrections helped to to fund the project.

Supervisor Verboon asked Devon Eagle to give his name and number to staff and to stay in case the Board has questions.

Dave Robinson, Kings County Sheriff stated that he would like to see an announcement after the closed session today for everyone who took the time to attend today.

Diane Freeman, County Counsel stated that there will be information that will be important to report out to the public whether a decision is made by the Board or not in closed session.

III.

CLOSED SESSION

- ♦ Threat to Public Services or Facilities – Consultation with:
 David Robinson, Sheriff
 Diane Freeman, County Counsel
 [Govt. Code Section 54957(a)]

Report out: Diane Freeman, County Counsel stated that the following actions were taken in closed session by the Board:

1. Public Works is instructed to reestablish cuts between Excelsior and Flint on the 2000-3000 block designed to relieve flood flows.
2. Corcoran Irrigation District will be allowed to repair its breaches.
3. There will be no damming of the Highline Canal at this time.
4. In the event any person or entity considers damming the Highline Canal or modifying any flood plan path, they will be required to notify Kings County dispatch one hour prior to commencing work.
5. A written order officially documenting the Board’s decision will be forthcoming.
6. This is an ongoing situation which the County will be monitoring.
7. The Board may call another emergency meeting at any time and its orders are subject to change.

IV.

ADJOURNMENT

The next regularly scheduled meeting will be held on Tuesday, March 21, 2023 at 9:00 a.m.

FUTURE MEETINGS AND EVENTS

March 21	9:00 AM	Regular Meeting
March 21	2:00 PM	Board of Equalization Regular Meeting
March 28	9:00 AM	Regular Meeting
April 4	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.

Sent via email 3/16/2023

Dear Supervisor Doug Verboon,

Thank you for visiting with the citizens of Kings County last night as the community is facing life treating challenges from recent flooding. It is nice that our supervisors meet with us in our time of need and we can see your face.

I will do my best to attend the special meeting scheduled at 9:00 am today at:

Kings County Government Center
1400 West Lacey Boulevard
Administration Building #1
Hanford, CA 93230

In case I cannot make it or I am not able to speak, please accept this email for public comment.

Cross Creek is receiving unprecedented flow rates that exceed the river channel's capacity. Water is now flowing through crop land and will continue its destructive path to do what water does, flow downhill. In that pathway, a Flood zone, are various infrastructure that have been designed and permitted to operate in the flood zone. Houses are built on raised pads to keep the people living there and their things safe. Animal facilities are also designed to care for their animals in the event of a flood.

In Kings County, just to the East of Cross Creek, is a water transfer canal that is built in the Flood Zone called the Lakeland Canal. This canal runs parallel to the East side of Cross Creek by Grangeville Ave and is owned and operated by Corcoran Irrigation District. When water expanded outside of the Cross Creek banks, water flowed downhill and into the Lakeland Canal.

On Wednesday afternoon, Corcoran Irrigation District and Kings County brought in heavy machinery and load after load of rock and sand to stop the flow of water into the Lakeland Canal. There was pending action to stop all flows of water down the Lakeside Canal. Those actions are and will cause increased flooding to the residence, farmers, and dairies in and outside that flood zone Northeast Kings County.. Instead of the water flowing downhill, water is being backed up to homes and animal corrals. This is putting the lives at risks.

The Kings County Sheriff assessed the situation last night and has instructed all parties to stop all efforts that may change the natural path of the water. Thank you!

Moving forward, we ask the Board of supervisors and the Sheriff to protect the families, farms, and dairies in this region. Corcoran Irrigation District should not be allowed to impend water from flowing downhill through the Lakeside canal that is in the flood zone. We and Kings County should be supporting Corcoran Irrigation District ability to transfer the water downhill and into the natural lake bottom. That is where this water is supposed to and wants to go. The water should not be backed up into homes on raised pads, and not into the raised corrals and feed that house and care for livestock.

Whether the water flows down Cross Creek or flows down the Highline Canal, the water ends up in the same place. In fact, these two water ways meet again around 10 miles to the South by Nevada Avenue

just West of Highway 43. From there, the water will continue to flow downhill and at that point the water is West of the city of Corcoran and water has various routes downhill to the Tulare Lake.

While past flood events have faced similar challenges, today's circumstances are different. We have an unprecedented amount of snow, and we are expected to have historic flow rates, both in flow rates and longevity. This flood is also different, in that we have Highway 198 that is changing the natural flow of water. If water does not flow down Cross Creek and Highline Canal, the water will be backed up at Highway 198 and the banks of Highline Canal. This will cause significant damage to those homes, farms and dairies in this region. If Corcoran Irrigation District is allowed to build up its banks to keep water from entering its canal, then State Highway 198 will be destroyed.

Please allow the water to flow downhill and do not allow the water to be impeded in this region.

On a long-term point, I also I request the Kings County Office of Emergency Services and the Board of Supervisors to seek FEMA support to the individual level. For that to occur, the Governor's State Office of Emergency Services need to petition the Biden Administration and FEMA to designate Kings County not just under a State of Emergency, but also designated it as a Major Disaster area.

Thank you for taking my comments and for the challenging work you do for our community.

Nathan Heeringa
Concern citizen and property owner in Northeast King County

From: [Badasci, Diane](#)
To: [Venturella, Catherine](#)
Subject: Email
Date: Friday, March 17, 2023 4:13:10 PM

'/o=KCGC/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=32e58deff1a24983bca9224545f26afa-anvaldez'; 'Amial-Cota, Yadira' Yadira.Amial-Cota@co.kings.ca.us; Amith, Angela Angela.Amith@co.kings.ca.us; Arnst, Katie Katie.Arnst@co.kings.ca.us; Avalos, Melissa Melissa.Avalos@co.kings.ca.us; Bailey, Joyce Joyce.Bailey@co.kings.ca.us; Bakker, Leonard Leonard.Bakker@co.kings.ca.us; Bealer, Stephanie Stephanie.Bealer@co.kings.ca.us; 'Botill, Tina' tbotill@hotmail.com; Boyett, Matthew Matthew.Boyett@co.kings.ca.us; Campbell, Megan Megan.Campbell@co.kings.ca.us; Coffey, Christine Christine.Coffey@co.kings.ca.us; Connor, Monica Monica.Connor@co.kings.ca.us; 'Corcoran Chamber of Commerce' Corcoranchamber@gmail.com; Cruz, Domingo Domingo.Cruz@co.kings.ca.us; Cunningham, Josh Josh.Cunningham@co.kings.ca.us; 'David Merritt' dmerritt@krcd.org; De La Rosa, Maricela Maricela.DeLaRosa@co.kings.ca.us; 'Deanna Jackson' (djackson@tcwater.org); Devlin, John John.Devlin@co.kings.ca.us; 'Downey Brand' KingsRiverNotices@DowneyBrand.com; 'Dusty Ference' dusty.ference@kcfb.org; 'Edgar Escobedo' eescobedo@americanambulance.com; Eggert, Kimberlee Kimberlee.Eggert@co.kings.ca.us; 'Eric Osterling' eosterling@greaterkaweahgsa.org; 'ErikGonzalez' erik.gonzalez@co.kings.ca.us; Fagundes, Richard Richard.Fagundes@co.kings.ca.us; Flores, Charlie Charlie.Flores@co.kings.ca.us; 'Frank Gornick' frankgornick@comcast.net; 'fresno bee' mllloyd@fresnobee.com; 'Garrett Jones' gjones@hanfordsentinel.com; 'Gazarek, Elizabeth' Elizabeth.Gazarek@co.kings.ca.us; Giron, Lillie Lillie.Giron@co.kings.ca.us; Gomez, Alfred Alfred.Gomez@co.kings.ca.us; 'Gonzales-Gomez, Mary' Gomez3323@comcast.net; Guzman, Aida Aida.Guzman@co.kings.ca.us; Hall, Elizabeth Elizabeth.Hall@co.kings.ca.us; 'Halvorsen, Kathleen' khalvorsen@kdwcd.com; 'Hanford Community Hospital' pickercm@ah.org; 'Harp, Sarah' sarah.harp@co.kings.ca.us; 'Henry, Bob' bhenry3@wm.com; Hill, Edward Edward.Hill@co.kings.ca.us; Hook, Jimmy Jimmy.Hook@co.kings.ca.us; 'Hope Hernandez' hhernandez@kings.courts.ca.gov; 'Jacinto, Donna' Donna.Jacinto@co.kings.ca.us; Jackson, Brionne Brionne.Jackson@co.kings.ca.us; 'Jamie Bell' jamiell2015@gmail.com; 'Jeanette Todd' jmstnews@yahoo.com; 'Jeff, America Refuse' jeff@americanrefuse.co; 'Jennifer Molina' jmolina@hakc.com; 'Jewell, Mary' Mary.Jewell@co.kings.ca.us; 'Joanne Doerter' jdoerter@hanfordmall.com; 'Joe Neves' (joen@sti.net); 'John Kinsey' jkinsey@wjhattorneys.com; Jury, Grand Grand.Jury@co.kings.ca.us; 'Justin Mendes' jmendes@tlbwsd.com; 'Kalanni Young' kalanni@vistaconsultinginc.com; 'Katie Marjanovic' katiemarjanovic@lacs.org; Kemp Van Ee, Amy Amy.KempVanEe@co.kings.ca.us; 'Kevin O'Brien' kobrien@downeybrand.com; King, Terri Terri.King@co.kings.ca.us; Kinney, Chuck Chuck.Kinney@co.kings.ca.us; Kliever, Cindy Cindy.Kliever@co.kings.ca.us; Kliever, Richard Richard.Kliever@co.kings.ca.us; Knudson, Robert Robert.Knudson@co.kings.ca.us; 'Kristi Marshall' kmarshall@wtjlaw.com; Lacle, Nanthanael Nanthanael.Lacle@co.kings.ca.us; 'Laura Brown' lbrown@jgboswell.com; 'Leap, Danyeale' danyeale.leap@co.kings.ca.us; Lee, Kristine Kristine.Lee@co.kings.ca.us; Leist, Carolyn Carolyn.Leist@co.kings.ca.us; Levy, Rick Rick.Levy@co.kings.ca.us; Lewis, Lisa Lisa.Lewis@co.kings.ca.us; Lizaola, Francesca Francesca.Lizaola@co.kings.ca.us; 'Lupkes, Christi' Christi.Lupkes@co.kings.ca.us; Lynch, Bill Bill.Lynch@co.kings.ca.us; 'Mann, Rhonda' Rhonda.Mann@co.kings.ca.us; 'Mark Pratter' vhlfuture93@gmail.com; Martinez, Kyria Kyria.Martinez@co.kings.ca.us; 'Matt Bao'

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