

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 21, 2023 at 11:00 a.m., I posted a true and correct copy of the Second 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 18, 2023- Attachment A. I posted a true and correct copy of the Action Summary dated March 18, 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 21, 2023 in the City of Hanford, County of Kings, State of California.



Catherine Venturella
Clerk of the Board of Supervisors
County of Kings

Attachment A

**SECOND 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 18, 2023

WHEREAS, on March 10, 2023, the Kings County Emergency Services Director issued Proclamation 23-01 pursuant to Government Code Section 8630 and Section 6-7 of the County of Kings Code of Ordinances proclaiming a local emergency in Kings County due to 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 Board of Supervisors is empowered to make and issue orders and regulations on matters reasonably related to the protection of life and property;

WHEREAS, on March 16, 2023, the Board of Supervisors issued an order regulating flood flows;

WHEREAS, since the Board of Supervisor issued its March 16, 2023, order, emergency conditions have evolved making further action necessary;

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

NOW, THEREFORE, it is ordered as follows:

1. The order and regulations issued on March 16, 2023, by the Board of Supervisors remain in full force and effect, except as modified by this order and the regulations contained herein.
2. The Public Works Director has delegated authority to make flood water flow alterations relative to the Board of Supervisors' orders and may consult with Supervisor Verboon, the Community Development Agency Director, and any other agencies or individuals, as necessary. Should the Public Works Director not be available within 15 minutes, the Community Development Agency Director is provided with the same delegated authority as a back up alternate. Should Supervisor Verboon not be available with 15 minutes, Supervisor Neves is provided with the same responsibility.

3. Planned flooding of the Tulare Lake Reclamation District No. 749 shall occur by cutting the levee at the highest point.
4. A copy of this order shall be posted online on the Kings County Board of Supervisors web page. Copies shall additionally be posted outside at the Kings County Government Center 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 18, 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: Saturday, March 18, 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=m7907d17185979352372646406c7e466d>

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/Y58YrySOCQo?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
Pledge of Allegiance
ALL MEMBERS PRESENT



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)

Supervisor Verboon stated that the Board cannot interact during unscheduled appearances at the podium unless its for clarifying questions. He asked the audience to share information with the Board so they can make informed decisions.

Supervisor Valle stated that the Board made a decision in closed session at the March 17, 2023 meeting and new information has been discovered since that meeting. In order for the Board to either keep the original order or to amend the order and for transparency this meeting was called to discuss the new information, get new information and give the Board a foundation to make a decision.

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.

Dominic Sween, Water Engineer with J.G. Boswell presented information on water run off, current procedures and projects being handled and future issues due to flooding including Cross Creek, Tule River and Higline Canal. He stated that currently their company has 20,000 acres of farmland under water.

Motion was approved by a unanimous vote to add an item to the agenda pursuant to Gov. Code 54954.2(b)(1) to allow the Board to discuss the information and options presented during public comment by members of the public and interested parties. **ACTION: (JN, DV, RR, RF, RV-Aye)**

Mark Unruh, Water Department Manager with J.G. Bowell gave an update on flooding and stated that immediate relief for Corcoran would be to cut the levee SouthEast side of Corcoran and a discussion continued with use of a map of the levees shared by Dominic Sween.

George Wurzel, Chief Operating Officer with J.G. Boswell explained that the companies plans were to fill the south end first and then cut 749 if there was no water in the SouthEast and stated that they are not maliciously trying to flood the neighbors. He stated that if the County directs staff to break levees it will an unprecedented move and asked to all their staff to execute the plan for the levee break at the Boards direction.

Phil Hansen, Kings County resident explained where water should be directed to in order to save areas that have never flooded before and that there are breaches on the Tule and El Rico already.



Erik Hansen, Kings County resident stated that the current breaches are flooding areas and a cut to 749 would save the City of Corcoran and needs to be completed soon before all roads into Corcoran are inaccessible.

Discussion by the Board and audience members continued to include canals and channels and how the cutting of the 749 levee would impact the City of Corcoran and residents of Kings County . There was also discussion on how the cuts need to be upstream to get the water levels down minimizing the risk to the City of Corcoran.

Jim Verboon, Kings County resident stated that there are agreements in place from 1983 between the Kings River Association and the State Water Control Board regarding storing flood waters in the Tulare Lake bed and they should be honored and this flood has not been managed well and steps need to be in place to manage the lake and plan for future flooding so we are not in the same place as today. He asked who wants to assume the liability from the floods when there are homes, communities and lives lost and asked everyone to stop using politics and start using science to deal with the issues.

Gabe Cooper, Corcoran Ranch Manager with J.G. Boswell stated that assumption that Tule River East of Corcoran has high flows feeding into our systems and that is where the issues are and levee breaches.

TJ Dystra, Kings County resident stated that the cut to the 749 would relieve issues on the flooding to the City of Corcoran area.

Ceil Howe, Westlake Farms stated that the issues have been controlled by pumping water to where Boswell wants and the natural flow isn't being utilized and his concerns are that Orange County Sanitation has property in the area and haven't stepped up to the table to discuss their impacts.

Discussion by the Board and audience members continued to how technology has changed the landscape and access to information is available 24/7 and how working together will help the Board to be informed and make proper decisions for everyone in Kings County. The Board asked clarifying questions of the audience members who have presented information to better understand the locations of the proposed levee breaches with the potential by the end of the season that there could be 1.2 million acre feet of water flowing through the regions channels, water ways and canals.

George Wurzel, Chief Operating Officer with J.G. Boswell stated that from January 2023 to present the reservoirs under United States Army Corps of Engineers should have had water released to lessen the impact on the residents of the County and to protect the citizens of Corcoran.

III.

CLOSED SESSION

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

ACTION: THE BOARD ISSUED A SECOND ORDER REGULATING FLOOD FLOWS IN RESPONSE TO A LOCAL EMERGENCY DUE TO FLOODING DATED MARCH 18, 2023. (DV, RR, RF, RV-Aye, JN-No)



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.

Attachment C

jtbleeker@aol.com; hollandsdairy@outlook.com; mendesm99@gmail.com; joelcallison@aol.com; bochamplinfarms@yahoo.com; donveenendaal@gmail.com; pisttrky@yahoo.com; jared.degrootdairies@gmail.com; greenacresag@gmail.com; jimmendes02@aol.com; termitemfg@gmail.com; douma@lemoorenet.com; jack@rrrfarms.org; staci@tcwater.org; degrootdairies@gmail.com; nheeringa@innovativeag.net; deagle@corcoranid.com; jtbleeker@aol.com; jwyrick@jgbosewell.com; pbowman@hanfordsentinel.com; /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@jgbosewell.com; Leap, Danyele danyele.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 mbao@lacs.org; McKay, Kristina Kristina.McKay@co.kings.ca.us; Melissa Scheffel melissa.scheffel@co.kings.ca.us; Mello, Veronica Veronica.Mello@co.kings.ca.us; Miguel Ramirez MRamire6@socialgas.com; Mills, Dennis dennis.kingscwg@outlook.com; Nancy@ourvalleyvoice.com; Natalie Rencher

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