

# KINGS COUNTY AREA PUBLIC TRANSIT AGENCY

## Board of Directors

610 W. 7<sup>th</sup> Street - Hanford, California 93230 (559) 852-2692 [www.kartbus.org](http://www.kartbus.org)

**Meeting Date:** December 8, 2021  
**Time:** 3:30 PM  
**Place:** Virtual Meeting  
Please call (415) 655-0003  
Participant Code: 2467 548 2051#

*If you need special assistance to participate in this meeting or language assistance, please contact the Clerk of the Board at (559)852-4623 by 4:00 PM on the Monday before this meeting. Agenda backup information and any public records provided to the Board after the posting of the agenda for this meeting will be available for public review at 610 W. 7<sup>th</sup> Street, Hanford, CA 93230.*

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## SPECIAL VIRTUAL-MEETING BOARD AGENDA

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California Governor Gavin Newsom issued Executive Order N-25-20 on March 12, 2020, relating to the convening of public meetings in light of the COVID-19 pandemic. On March 17, 2020, the County of Kings adopted a Resolution ratifying the Health Office's declaration of a local health emergency regarding the Coronavirus (COVID-19). The Kings County Area Public Transit Agency (KCAPTA) hereby provides notice that it will continue to convene its regularly scheduled public meetings via telecommuting until further notice.

Pursuant to the Executive Order, Kings County Resolution, and to maintain the orderly conduct of the meeting, the KCAPTA will allow Board Members to attend the meeting telephonically and to participate in the meeting to the same extent as if they were present.

- **WEB ACCESS:** To access the meeting via computer, please visit KART's website at <https://www.kartbus.org/category/board/> and click on the link that says **Join Meeting**. You may also join from your smartphone by downloading the WebEx Meetings app. After opening the app, click on **Join Meeting**, and enter the meeting information. The meeting number is 2467 548 2051 and the password is **Kart1208**
- If you have trouble logging in through the internet, you may join the meeting via telephone by calling **(415) 655-0003**, then enter the access code of **2467 548 2051#**
- For members of the public who wish to participate but not to attend in person, you may submit written comments on any matter within the Board's subject matter jurisdiction, regardless of whether it is on the agenda for Board consideration or action. Those comments will be entered into the administrative record of the meeting. To submit written comments by U.S. Mail or email for inclusion in the meeting record, they must be received

by the Clerk of the Board of KCAPTA no later than 11:00 AM on the morning of the noticed meeting. To submit written comments by email, please forward them [info@kartbus.org](mailto:info@kartbus.org). To provide such comments by U.S. Mail, please send them to:

Clerk of the Board of KCAPTA, 610 W. 7<sup>th</sup> St., Hanford, CA 93230

**AGENDA ADDENDUM**

**URGENT ITEM**

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<b><u>ITEM #</u></b>	<b><u>DESCRIPTION</u></b>
	<b><u>ACTION</u></b>

<b>6.1</b>	FINDING OF NECESSITY AND REAFFIRMING RESOLUTION NO. 22-03 AUTHORIZING USE OF REMOTE TELECONFERENCING PROVISION OF AB361 <b>ACTION</b>
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## STAFF REPORT

### 6.1. FINDING OF NECESSITY AND REAFFIRMING RESOLUTION NO 22-03 AUTHORIZING USE OF REMOTE TELECONFERENCING PROVISIONS OF AB361 (Angie Dow):

This item is being added to the Agenda as an urgency item.

California remains under the declared state emergency due to the COVID-19 pandemic. California Governor Newsom signed AB 361 into law on September 15, 2021 that allows the continuance of remote meeting with relaxed Brown Act requirements during the declared state emergency. AB 361 requires the legislative body to take a formal action to invoke AB361 for the first time. The KCAPTA Board adopted Resolution No. 22-03 on October 27, 2021 authorizing the KCAPTA Board to meet by remote teleconference, subject to the requirements of AB 361.

After the initial action adopting Resolution No 22-03, the KCAPTA Board may continue to use AB 361 only if there is still an active state of emergency. The legislative body is required to make a finding every 30 days that exemption from the traditional teleconference is still necessary due to the state of emergency. Under the provision of AB 361, legislative bodies can continue to utilize modified Brown Act requirements for virtual/remote meetings if:

1. The legislative body had reconsidered the circumstances of state of emergency;
2. Any of the following circumstance exist:
  - a. The state of emergency continues to directly impact the ability of the members to meet safely in person.
  - b. State or local officials continue to impose or recommend measures to promote social distance.

No continuing under the provision of AB 361 will require members to disclose their teleconference location as well as require it to be open to the public. This poses a health and safety concern for the members and their families. The purpose of this item is for the KCAPTA Board to consider whether circumstances remain Present that require the continuation of remote teleconference meetings at this time under the requirement so of AB 361.

#### Recommendation

Staff recommends that the KCAPTA Board reaffirm all facts and findings in Resolution No 22-03, authorizing the KCAPTA Board to continue to meet by remote teleconference, subject to the requirements of Assembly Bill 361.