

AGENDA

KEEP KERN BEAUTIFUL COMMITTEE

Regular Meeting
February 16, 2022
2:00-3:00 P.M.

This Meeting will be Conducted Virtually Pursuant To Government Code Section 54953(e)(1)(A)

The Public may observe and participate in the Virtual Microsoft Teams Meeting by using this link:

[Click here to join the meeting](#)

Or Telephone:

+1 831-296-3421

Conference ID: 197 538 359#

All agenda item supporting documentation is available for public review at Public Services Building, 2700 'M' Street, Suite 400, Bakersfield, 93301 during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, following the posting of the agenda. Any supporting documentation that relates to an agenda item for an open session of any regular meeting that is distributed after the agenda is posted and prior to the meeting will also be available for review at the same location.

PLEASE REMEMBER TO TURN OFF ALL CELL PHONES, PAGERS OR ELECTRONIC DEVICES DURING COMMITTEE MEETINGS.

1) CALL TO ORDER

Committee Members: Gary Ananian, Lynn Black, Daniel Harrison (Chairperson), David Kadel, Steve Kinsey, Lynnda Martin, Andrea Medina (Vice Chairperson), Christopher McGehee, Karen Sanders

Committee Coordinator: Alicia A. Gutierrez; Guests: Kern County Public Works staff, County Counsel's Stephanie Bouey, and guests

2) Welcome and Roll Call

3) Approve resolution for Keep Kern Beautiful Committee to hold remote meetings – **APPROVE**

4) Approve Meeting Minutes from January 19, 2022 – **APPROVE**

- 5) New Business
 - A. Upcoming Keep Kern Beautiful Clean-up Events
 - I. **Earth Day/Great American Clean-up Event**
Saturday, April 23, 2022
8 a.m.-12 p.m.
Clean-up event in each district; receive event logistics and clean-up locations from Committee Members
 - B. Share letter of support from Keep Kern Beautiful in support of Keep America Beautiful, partner agencies, and their grant application from Caltrans –
RECEIVE AND FILE
 - C. Provide Your Neighborhood Clean-up Event Recap – **RECEIVE AND FILE**
- 6) Presentation by Karina Mendez, Public Works Maintenance Worker II on recent and upcoming community clean-up efforts – **RECEIVE AND FILE**
- 7) Committee Member Announcements or Reports
- 8) Staff Comment
- 9) Public Comment
- 10) Next Regular Meeting: Wednesday, March 16, 2022 from 2-3 p.m.
- 11) ADJOURN

**AMERICANS WITH DISABILITIES ACT
(Government Code Section 54953.2)**

The Public Services Building Public Meeting Room is accessible to persons with disabilities. Disabled individuals who need special assistance to attend or participate in a meeting of the Keep Kern Beautiful Committee may request assistance at Public Services Building, 2700 'M' Street, Suite 400, Bakersfield, California or by calling (661) 862-5100. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

RESOLUTION NO. ____2022-002____

A RESOLUTION OF THE KEEP KERN BEAUTIFUL COMMITTEE

AUTHORIZING REMOTE TELECONFERENCE MEETINGS

OF THE KEEP KERN BEAUTIFUL COMMITTEE

FOR THE PERIOD OF FEBRUARY 12, 2022 THROUGH MARCH 13, 2022,

PURSUANT TO THE RALPH M. BROWN ACT.

WHEREAS, all meetings of the Keep Kern Beautiful Committee are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and view the legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and requirements; and

WHEREAS, a required condition of Government Code section 54953(e) is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558(b); and

WHEREAS, a further required condition of Government Code section 54953(e) is that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body holds a meeting to determine or has determined by a majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California Emergency Services Act (Government Code section 8625); and,

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-07-21, which formally rescinded the Stay-at-Home Order (Executive Order N-33-20), as well as the framework for a

1 gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020) but did
2 not rescind the proclaimed state of emergency; and,

3 **WHEREAS**, on June 11, 2021, Governor Newsom also issued Executive Order N-08-21, which set
4 expiration dates for certain paragraphs of the State of Emergency Proclamation dated March 4, 2020 and
5 other Executive Orders but did not rescind the proclaimed state of emergency; and,

6 **WHEREAS**, as of the date of this Resolution, neither the Governor nor the state Legislature have
7 exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency
8 either by proclamation or by concurrent resolution the state Legislature; and,

9 **WHEREAS**, the California Department of Industrial Relations has issued regulations related to
10 COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of
11 Regulations, Section 3205(5)(D) specifically recommends physical (social) distancing as one of the
12 measures to decrease the spread of COVID-19 based on the fact that particles containing the virus can travel
13 more than six feet, especially indoors; and,

14 **WHEREAS**, on January 19, 2022, the Keep Kern Beautiful Committee previously adopted
15 Resolution No. 2021-____, finding that the requisite conditions existed for the Keep Kern Beautiful
16 Committee to conduct remote teleconference meetings without compliance with Government Code section
17 54953 (b)(3), as authorized by Section 54953(e); and,

18 **WHEREAS**, as a condition of extending the use of the teleconferencing provisions for another 30
19 days beyond the Resolution No. 2021-____ adopted on January 19, 2022, pursuant to Government Code
20 section 54953(e), the Keep Kern Beautiful Committee must reconsider the circumstances of the state of
21 emergency that exists and find that either the state of emergency continues to directly impact the ability of
22 the members to meet safely in person or state or local officials continue to impose or recommend measures
23 to promote social distancing; and,

24 **WHEREAS**, the Keep Kern Beautiful Committee has reconsidered the circumstances of the state
25 of emergency and finds that state or local officials continue to impose or recommend measures to promote
26 social distancing, based on the California Department of Industrial Relations regulations related to COVID-
27 19 Prevention, specifically, Title 8 of the California Code of Regulations, Section 3205(5)(D), continuing
28

1 to remain in effect; and,

2 **WHEREAS**, as a consequence, the Keep Kern Beautiful Committee does hereby find that it may
3 continue to conduct its meetings by teleconferencing without compliance with Government Code section
4 54953 (b)(3), pursuant to Section 54953(e), and that the Keep Kern Beautiful Committee shall comply with
5 the requirements to provide the public with access to the meetings as prescribed by Government Code
6 section 54953(e)(2).

7 **NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED** by the Keep Kern
8 Beautiful Committee in regular session assembled on February 16, 2022 does hereby resolve as follows:

9 Section 1. Recitals. All of the above recitals are true and correct and are incorporated into this
10 Resolution by this reference.

11 Section 2. Reconsideration of the State of Emergency. The Keep Kern Beautiful Committee has
12 reconsidered the circumstances of the state of emergency that continues to exist and was proclaimed by the
13 Governor through a State of Emergency Proclamation on March 4, 2020.

14 Section 3. State or Local Officials Continue to Impose or Recommend Measures to Promote
15 Social Distancing. The Keep Kern Beautiful Committee hereby proclaims that state officials continue to
16 impose or recommend measures to promote social (physical) distancing based on the continuance of
17 California Department of Industrial Relations regulations related to COVID-19 Prevention through Title 8
18 of the California Code of Regulations, Section 3205(5)(D).

19 Section 3. Remote Teleconference Meetings. The Keep Kern Beautiful Committee is hereby
20 authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution
21 including, conducting open and public meetings in accordance with Government Code section 54953(e)
22 and other applicable provisions of the Brown Act.

23 Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption and
24 shall be effective until the earlier of (i) March 13, 2022, or (ii) such time as the Keep Kern Beautiful
25 Committee adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to
26 extend the time during which it may continue to teleconference without compliance with Section
27 54953(b)(3).

ADOPTED this 16th day of February, 2022, by the Keep Kern Beautiful Committee, by the following vote:

YES:

NO:

ABSENT:

ABSTAIN:

25U5523_smb