



# CITY *of* CLOVIS

AGENDA • CITIZENS' ADVISORY COMMITTEE

California Health Sciences University (CHSU), 2500 Alluvial, Clovis, CA 93611  
(559) 324-2060

[www.cityofclovis.com/cac](http://www.cityofclovis.com/cac)

February 23, 2022

6:00 PM

CHSU

In compliance with the Americans with Disabilities Act, if you need special assistance to access the California Health Sciences University (CHSU) campus to participate at this meeting, please contact the City Clerk at (559) 324-2060 (TTY – 711). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the CHSU campus.

The Clovis Citizens' Advisory Committee meetings are open to the public at the physical address listed above. There are numerous ways to participate in the Citizens' Advisory Committee meetings: you are able to attend in-person; you may participate virtually by joining the WebEx meeting (see "WebEx Participation" below); and you may view the meeting which is webcast and accessed at [www.cityofclovis.com/cac](http://www.cityofclovis.com/cac).

## **WebEx Participation**

Members of the public will be able to make verbal comments via WebEx by using the raise hand function or by messaging the Host to join the queue to speak. Participants wishing to make a verbal comment via WebEx will need to ensure that they accessed the meeting with audio transmission capabilities.

## **CALL TO ORDER**

## **FLAG SALUTE**

## **ROLL CALL**

## **OPENING BUSINESS**

1. Approve Minutes from the February 9, 2022, Citizens' Advisory Committee Meeting

**REGULAR AGENDA** – Regular Agenda Items are matters on the Citizens' Advisory Committee Agenda which are open to public for comments. Members of the public will have an opportunity to comment on each individual item. Public comments will be heard after the presentation of an item and before the Committee take an action.

2. Consider Approval – CAC Res. 22-02, A Resolution of the Citizens' Advisory Committee of the City of Clovis Authorizing Continued Use of Remote Teleconferencing for Committee Meetings During Declared State of Emergency in Accordance with Government Code Section 54953 (AB 361).

3. Overview of City Management with a Focus on the Police Department Presented by City of Clovis Staff.

**ADJOURNMENT**

<b>FUTURE MEETINGS</b>		
March 9, 2022 (Wed.)	6:00 P.M.	CHSU Alluvial Campus
March 23, 2022 (Wed.)	6:00 P.M.	CHSU Alluvial Campus
April 20, 2022 (3 <sup>rd</sup> Wed. due to Spring Break)	6:00 P.M.	CHSU Alluvial Campus
April 27, 2022 (Wed.)	6:00 P.M.	CHSU Alluvial Campus
May 11, 2022 (Wed.)	6:00 P.M.	CHSU Alluvial Campus
May 25, 2022 (Wed.)	6:00 P.M.	CHSU Alluvial Campus

**CITIZENS' ADVISORY COMMITTEE MEETING**

**February 9, 2022**

**6:00 P.M.**

**CHSU**

6:03 – Meeting called to order by Chair Chris Casado  
Flag Salute led by CAC Member LaDonna Snow

6:03 – Roll Call

Present: Chair Chris Casado, Vice-Chair Greg Newman, Stephanie Babb, Karen Bak, Adriana Boyajian, Stacey Brinkley, Lauren Butler, Karen Chisum, Noha Elbaz, Elba Gomez, Eulalio Gomez, Thomas Klose, Chris Milton, Drew Mosher, Diane Pearce, LaDonna Snow, Jacob Ulam, Woua Vang, Jim Verros, Jay Virk, Rachel Youdelman, Blake Zante

Absent: Enrique Avila, Kintutu Kalibi

**OPENING BUSINESS**

6:04 – ITEM 1. TECHNOLOGY REVIEW BY CITY CLERK  
City Clerk, Karey Cha, reviewed the audio system and WebEx protocols with the CAC members.

6:04 – ITEM 2. APPROVED MINUTES FROM THE JANUARY 26, 2022, CITIZENS' ADVISORY  
Motion for approval by CAC Member LaDonna Snow, seconded by CAC  
Member Jim Verros. Motion carried by unanimous vote.

**REGULAR AGENDA**

6:06 – ITEM 3. PRESENTATION OF CURRENT POLICE DEPARTMENT STATUS BY POLICE  
CHIEF, CURT FLEMING  
Police Chief, Curt Fleming, presented information on the status of the Police  
Department. CAC members asked questions regarding the challenges that the  
Police Department is facing in which the Police Chief answered.

**PUBLIC COMMENTS**

7:55 – Resident, asked if the Police Department has considered bicycle units in which the Police  
Chief answered and provided additional information.

**PRELIMINARY - SUBJECT TO APPROVAL**

**ADJOURNMENT**

Chair Chris Casado adjourned the meeting of the CAC to February 23, 2022.

Meeting adjourned: 7:57 p.m.

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Chair

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City Clerk



# CITY *of* CLOVIS

## REPORT TO CITIZENS' ADVISORY COMMITTEE

TO: Citizens' Advisory Committee

FROM: Administration

DATE: February 23, 2022

SUBJECT: Consider Approval – CAC Res. 22-02, A Resolution of the Citizens' Advisory Committee of the City of Clovis Authorizing Continued Use of Remote Teleconferencing for Committee Meetings During Declared State of Emergency in Accordance with Government Code Section 54953 (AB 361).

ATTACHMENTS: 1. CAC Res. 22-02

### RECOMMENDATION

Consider approving the Resolution if there is a desire for Committee members to be able to attend Committee meetings via remote teleconferencing rather than all Committee members having to attend meetings in person. The Resolution contains the necessary findings to allow Committee members and members of the public to attend meetings via remote teleconferencing pursuant to AB 361 (Government Code Section 54953) without following typical Brown Act requirements for teleconference participation by members of a committee.

### BACKGROUND

The Citizens' Advisory Committee (CAC) is subject to the Ralph M. Brown Act, and CAC meetings must be conducted in accordance with applicable Brown Act requirements. The Brown Act generally requires committee members to attend committee meetings in person but does offer a teleconferencing option if certain requirements are satisfied. Those typical requirements are as follows – a majority of the committee members must participate from locations within the City limits; each teleconference location must be identified on the agenda; the agenda must be posted at each teleconference location; each teleconference location must be accessible to the public so that members of the public can attend and participate from the remote teleconference location; and all votes must be by roll call.

Through a series of executive orders issued by the Governor after the initial COVID-19 emergency declaration in March 2020, the teleconferencing requirements of the Brown Act were

relaxed so that local agency meetings, such as CAC meeting, could be conducted via teleconference or internet-based services such as Zoom or Webex, and members could attend remotely without having to identify each remote location or open each remote location to members of the public. As a result, some agencies began conducting meetings entirely remote, others continued to have in-person meetings or operated a “hybrid” model with some members attending in person and others attending remotely.

The last of the executive orders relaxing the teleconferencing requirements for local agency meetings expired last September. In anticipation of that expiration, AB 361 was enacted in September as urgency legislation and became effective immediately. AB 361 amends the Brown Act and provides an option for local legislative bodies such as the CAC to continue holding meetings remotely without satisfying the typical Brown Act teleconferencing requirements.

Initial reliance on the relaxed teleconferencing requirements of AB 361 is allowed as follows: (1) the legislative body meeting is held during a proclaimed state of emergency; and (2) either of the following circumstances exist – (a) state or local officials have imposed or recommended measures to promote social distancing, or (b) the legislative body has determined by majority vote that, as a result of the emergency, meeting in person would present imminent risk to the health or safety of attendees. (Gov. Code Section 54953(e)(1).) Both the Governor’s state of emergency declaration on March 4, 2020, and the City of Clovis’ declaration of local emergency issued on March 16, 2020, remain in place. Although State or Fresno County officials are not currently imposing or recommending social distancing measures to prevent the spread of COVID-19, the other finding - meeting in person would present imminent risk to the health or safety of attendees - could be made by the majority of the CAC if teleconferencing for CAC meetings is desired.

If the Resolution is approved and the AB 361 option is selected, CAC members may participate in meetings via teleconference or the internet-based service option without having to identify the remote location on the agenda or allowing the public to attend the meeting from the remote location. City staff will ensure that all necessary requirements are satisfied. However, it must be noted that if the AB 361 option is selected, and there is any disruption that prevents the CAC meeting from being broadcast (i.e. audio problems or teleconference line disconnection), or there is a disruption that prevents members of the public from offering public comments using the call-in option or internet-based service option, the CAC would be prohibited from taking any further action on items appearing on the meeting agenda until public access to the meeting is restored. This would mean that if there are technical difficulties which prevent the public from being able to call-in to offer comments, the CAC meeting would have to be stopped until the call-in feature is restored despite the fact many members of the CAC and members of the public may be attending in person.

Also, if the Resolution is approved, to continue with the relaxed teleconferencing requirements for CAC meetings, the CAC must make findings every 30 days that (1) it has reconsidered the circumstances of the state of emergency, and either (a) the state of emergency continues to directly impact the ability of the members to meet safely in person, or (b) state or local officials continue to impose or recommend measures to promote social distancing. A simple “continuing”

resolution could be prepared for this purpose and appear on future CAC meeting agendas for consideration.


The way CAC meetings will be conducted will provide the public with the ability to attend either in person or via teleconference or internet-based service and will comply with all applicable legal requirements. However, if the Resolution is not approved, Committee members must either attend CAC meetings in person or the typical Brown Act requirements for teleconference attendance by any Committee member must be followed. Those typical requirements are – a majority of the Committee must participate from locations within the City limits; each teleconference location must be identified on the agenda; the agenda must be posted at each teleconference location; each teleconference location must be accessible to the public so that the public can attend and participate from the remote teleconference location; and all votes must be by roll call.

While attending CAC meetings in person is an option, the proclaimed COVID-19 emergency is still in effect and there may be occasions when the emergency directly impacts the ability of Committee members to meet safely in person (i.e. when isolation or quarantining is required). As a result, the necessary AB 361 findings can be made, if desired.

#### **ACTIONS FOLLOWING APPROVAL**

Staff will return next month for the CAC to consider reapproval of the resolution to continue offering remote teleconferencing option for CAC members and the public for another 30 days.

Prepared by: Scott Cross, City Attorney

Reviewed by: City Manager 

**CAC RESOLUTION NO. 22-02**

**A RESOLUTION OF THE CITIZENS' ADVISORY COMMITTEE OF THE CITY OF CLOVIS AUTHORIZING CONTINUED USE OF REMOTE COMMITTEE MEETINGS DURING DECLARED STATE OF EMERGENCY IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953 (AB 361)**

**WHEREAS**, on March 4, 2020, the Governor of California declared a state of emergency in the State as a result of the COVID-19 pandemic; and

**WHEREAS**, pursuant to Resolution 20-20 approved by the Clovis City Council on March 16, 2020, the City Council declared a local emergency as a result of the threatened spread of COVID-19 in the City, surrounding areas, and the state; and

**WHEREAS**, on March 17, 2020, with the issuance of Executive Order N-29-20, the Governor suspended certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other remote means; and

**WHEREAS**, on June 11, 2021, the Governor issued Executive Order N-08-21, which placed an end date of September 30, 2021, for agencies to meet remotely; and

**WHEREAS**, AB 361 was enacted on September 16, 2021, enacting certain changes to the Brown Act for teleconferencing and remote participation at public meetings as set forth in Government Code Section 54953; and

**WHEREAS**, neither the state of emergency proclaimed by the Governor on March 4, 2020, nor the state of emergency declared by the Clovis City Council on March 16, 2020, has been rescinded and the state of emergency remains in effect; and

**WHEREAS**, the Committee has determined that teleconferencing from remote locations by the public and members of the Committee will not limit attendance or participation of members of the public or Committee members at Committee meetings; and

**WHEREAS**, On January 26, 2022, the Committee approved CAC Resolution No. 22-01 authorizing remote teleconferencing for Committee meetings in accordance with Government Code Section 54953 as amended by AB 361; and

**WHEREAS**, Government Code Section 54953, as amended by AB 361, requires the Committee to make certain findings every 30 days after approving CAC Resolution No. 22-01 in order to continue with remote teleconferencing.

**NOW, THEREFORE, THE CITIZENS' ADVISORY COMMITTEE OF THE CITY OF CLOVIS RESOLVES AS FOLLOWS:**

1. The Committee has reconsidered the circumstances of the COVID-19 state of emergency and finds that the following circumstance exist:



A. The state of emergency continues to directly impact the ability of members of the public and Committee members to meet safely in person; and

2. This Resolution shall be effective immediately and a similar resolution shall be a standing item on Committee meeting agendas each month to reconsider the circumstances of the COVID-19 state of emergency and determine whether the state of emergency continues to directly impact the ability of members of the public or Committee members to meet safely in person, or whether state or local officials continue to impose or recommend measures to promote social distancing, until the necessary findings required for continuing remote teleconferencing are no longer approved by the Committee.

\* \* \* \* \*

The foregoing resolution was duly and regularly approved at a meeting of the Citizens' Advisory Committee on February 23, 2022, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: February 23, 2022

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Chair

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City Clerk