

October 27, 2026

Board of Supervisors
Kern County Administrative Center
1115 Truxtun Avenue
Bakersfield, CA 93301

APPROVAL OF UNCONDITIONAL BROWN ACT COMMITMENT LETTER
(Fiscal Impact: None)

On September 30, 2026, the Clerk of the Board of Supervisors received, on behalf of your Board, a “Formal Demand to Cure and Correct and Cease and Desist Violation of the Ralph M. Brown Act (Gov. Code §§54960.1 and 54960.2)” letter from David Abbasi dated September 24, 2026. The letter alleges that on September 15, 2026, at the 2:00 p.m. meeting of the Board of Supervisors, the County engaged in “deliberate suppression” of remote public comment in violation of Government Code section 54953(e) regarding teleconferenced meetings, and violation of Government Code section 54954.3(a), which guarantees the public the right to directly address the legislative body on matters within its jurisdiction.

The County denies “deliberate suppression” of remote public comment in violation of the Brown Act but has nonetheless taken numerous actions to assist Mr. Abbasi in conveying his statement to the Board and the public. First, Mr. Abbasi’s written statement of what he intended to say at the September 15, 2026 meeting was added to the official minutes of the September 15, 2026, 2:00 p.m. meeting and is thereby made publicly available. Second, Mr. Abbasi’s written statement was also added as a miscellaneous filing on the October 13, 2026, 2:00 p.m. agenda and is publicly available by a link on that agenda. Third, the County looked into this matter by way of contacting its remote phone system provider, PublicInput, to inquire why the system showed Mr. Abbasi as disconnected when he claims to have still been on the line. After extensive review, PublicInput informed the Clerk of the Board that the cause for showing Mr. Abbasi as disconnected during the September 15, 2026 Board meeting was “a timing issue in our system’s start-time call, and we’ve corrected it.” PublicInput provided detail as to how the system incorrectly recorded Mr. Abbasi as disconnected and has stated the error has been

GROUND  BOUNDLESS

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corrected so that it does not occur again.

From PublicInput's response, it is clear that the County did not intentionally or negligently keep Mr. Abbasi on mute or deny his right to speak. Rather, there was a system error which the County was not aware of at the time. PublicInput has corrected the error so that it does not occur again. Nonetheless, in order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the Kern County Board of Supervisors may unconditionally commit that it will cease, desist from, and not repeat the challenged past action as described above.

Therefore, IT IS RECOMMENDED that your Board approve the Unconditional Brown Act Commitment Letter, authorize the Chairman to sign the Letter, and direct the Clerk of the Board to deliver the Letter.

Sincerely,



Kendra L. Graham,
County Counsel

Attachment

Doc #2962204

**BOARD OF SUPERVISORS
COUNTY OF KERN**

SUPERVISORS

PHILLIP PETERS	District 1
CHRIS PARLIER	District 2
JEFF FLORES	District 3
DAVID COUCH	District 4
LETICIA PEREZ	District 5



CLERK OF THE BOARD OF SUPERVISORS
Kern County Administrative Center
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Bakersfield, CA 93301
Telephone (661) 868-3585
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October 27, 2026

David Abbasi
P.O. Box 30021
Bakersfield, CA 93385

(Via First Class U.S. Mail and Email)

Email: Davidabbasi777@gmail.com

Re: Unconditional Brown Act Commitment Letter

Dear Mr. Abbasi:

The Kern County Board of Supervisors has received your “Formal Demand to Cure and Correct and Cease and Desist Violation of the Ralph M. Brown Act (Gov. Code §§54960.1 and 54960.2)” letter mailed to the County of Kern on September 25, 2026, and received by the Kern County Clerk’s office on September 30, 2026.

Your letter alleges that on September 15, 2026, at the 2:00 p.m. Board of Supervisors meeting, you “. . . properly registered to provide public comment. During the meeting, I called into the teleconference line as instructed and waited in the queue to address the Board regarding the unabated biohazards at a property managed by the Housing Authority of the County of Kern (HACK), and the Board’s funding and oversight of Golden Empire Affordable Housing, Inc. (GEAHI).” You further alleged that, “Despite being registered, called in, and actively waiting in the queue, I was intentionally or negligently kept on mute and denied my right to speak. Compounding this violation, the clerk falsely stated on the public record that there were no speakers registered and that no one was on the line.” You allege “deliberate suppression” of remote public comment in violation of Government Code section 54953(e) regarding teleconferenced meetings, and violation of Government Code section 54954.3(a), which guarantees the public the right to directly address the legislative body on matters within its jurisdiction.

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the Kern County Board of Supervisors hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above.

The County, after subsequently receiving a written copy of what you had intended to present orally at the meeting, added your written statement into the official minutes of the September 15, 2026, 2:00 p.m. meeting, and made your statement publicly available for inspection. In addition, your statement was added as a miscellaneous filing on the October 13, 2026, 2:00 p.m. agenda which allowed your statement to be viewed via a link on the Agenda. Of course, you may also attend any subsequent Board of Supervisors meeting and provide your statement (oral or written) during the public presentation item on an agenda. In addition, the County looked into this matter by way of contacting our remote phone system provider, PublicInput, who indicated that there was “a timing issue in our system’s start-time call, and we’ve corrected it.” It was this “timing issue” which resulting in the system showing you as having disconnected though you had not (a more thorough explanation as already been provided to you).

The County did not intentionally or negligently keep you on mute and deny your right to speak. Rather, there was a system error which the County was not aware of until PublicInput investigated your concerns and reported back to the County about its findings. PublicInput has corrected the error so that it does not occur again.

This Board may rescind this Commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as “Rescission of Brown Act Commitment.” You will be provided with written notice, sent by any means of media you provide in response to this message, to whatever address or addresses you specify, of any intention to consider rescinding this Commitment at least 30 days before any such regular meeting. In the event that this Commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this Commitment or may be mailed to an address that you have designated in writing.

Sincerely,

Kern County Board of Supervisors

Phillip Peters, Chairman of the Board

cc: Clerk of the Board of Supervisors