

State of California, County of Siskiyou

Board of Supervisors Minutes, April 19, 2022

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 19th day of April 2022; there being present Supervisors Brandon Criss, Michael N. Kobseff, Nancy Ogren and Ed Valenzuela, County Administrator Angela Davis, County Counsel Edward J. Kiernan, and County Clerk and ex-Officio Clerk of the Board of Supervisors Laura Bynum by Deputy County Clerk Wendy Winningham.

The meeting was called to order by Chair Criss. Pursuant to AB23, the Clerk announced that the Board members receive no additional compensation for sitting as members of the Siskiyou County Flood Control and Water Conservation District. Supervisor Kobseff led in the salute to the flag of the United States of America. Supervisor Ray A. Haupt was absent.

Invocation - Siskiyou County Sheriff Chaplain Keith Bradley provided an invocation.

Presentations from the Public

There were no presentations from the public.

Consent Agenda – Approved.

At Chair Criss' request, item 5C, County Administration's request to ratify a letter supporting Montague Water Conservation District's Parks Creek Diversion Improvement Project grant application and item 5D, County Administration's Guzzler Rehabilitation Project Challenge Cost Share Agreement with the Siskiyou County Fish and Game Commission and Shasta-Trinity National Forest were pulled from the consent agenda for discussion.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Kobseff, Valenzuela, Ogren and Criss voting YES and Supervisor Haupt ABSENT, that the following consent agenda is approved, and the Chair and/or clerk authorized to execute/record any necessary documents:

Agriculture

Approve rate contract for Ray Morgan new copier for main AG building.

Agriculture

Approve the cooperative agreement between SRCD and Siskiyou County Department of Agriculture to treat noxious weeds in the French Creek Watershed area.

County Administration

Ratify the two letters of support.

County Library

Approve application to the State Library Broadband grant; authorize the Auditor to establish the attached budget for the funds, if awarded. Approve application to the California State Library for a Library Network Equipment Grant, in the amount of \$9,499 to purchase equipment for the Library's high-speed network.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Fourth Addendum to Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Crestwood Behavioral Health, Inc.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Participation Agreement between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and California Mental Health Services Authority, for the term of July 1, 2021 to June 30, 2022.

Continued...

Consent Agenda – (continued)

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the First Amendment to the Grant Agreement for COVID-19 Emergency Response Grant (CERG) with County Medical Services Program (CMSP) Government Board.

Health and Human Services - Public Health Division

Approve the Resolution 22-75 for another Three (3) year contract between the California Department of Public Health and Siskiyou County Health and Human Services Agency, Public Health Division and authorize the CAO to sign Standard Agreement Amendment (STD 213) and authorize the Auditor to establish budget appropriation.

Probation

Authorize Auditor to establish appropriation for Juvenile Justice Realignment Block Grant under the Chief Probation Officer budget.

Sheriff

Approve and ratify the preliminary application to the State for the OHVMR Grant for FY 22/23. Approve the Sheriff to submit a final application by June 6th, 2022 and adopt the Resolution 22-76 to permit such participation in the program. Allow the Auditor to establish appropriation under a new activity code assigned to 1002-202010.

Treasurer-Tax Collector

Adopt the Resolution 22-77 to use and promote the EasySmartPay Service as an option for taxpayers to pay property taxes in monthly installments.

Transfer of Funds - County Library - \$9,499. Resolution 22-78 adopted.

Transfer of Funds - Siskiyou County Museum - \$370. Resolution 22-79 adopted.

Transfer of Funds - Data Processing - \$1,100. Resolution 22-80 adopted.

Transfer of Funds - Emergency Services - \$21,027. Resolution 22-81 adopted.

Transfer of Funds - Emergency Services - \$5,500. Resolution 22-82 adopted.

Transfer of Funds - Public Health - \$110,000. Resolution 22-83 adopted.

County Administration - Approve request to ratify letter to Montague Water Conservation District stating support for their grant application for the Parks Creek Diversion Improvement Project. Dropped from the agenda.

This item was pulled from the consent agenda at Chair Criss' request.

Chair Criss advised that this item was dropped from the agenda.

County Administration - Approve Challenge Cost Share Agreement with the Siskiyou County Fish and Game Commission and Shasta-Trinity National Forest for the Siskiyou County Guzzler Rehabilitation Project, for payment/reimbursement in an amount not to exceed \$112,500.

This item was pulled from the consent agenda at Chair Criss' request.

Deputy County Administrator Sherry Lawson distributed and briefly summarized an updated agreement, advising that the Chair's signature page was inadvertently left out of an earlier version of the document.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Kobseff, Valenzuela, Ogren and Criss voting YES and Supervisor Haupt ABSENT, to retroactively approve the Cost Share Agreement between the Siskiyou County Fish and Game Commission and the USDA, Forest Service, Shasta-Trinity National Forest, authorize the Chair to sign, and authorize the Auditors Office to establish budget, as amended.

Public Requests - Fallen Heroes Memorial/General County Fire - Discussion, direction and possible action re an update on the Fallen Hero Memorial Project and request for the County to renew its application as a Federal donee of surplus property through the California Department of General Services, Office of Fleet and Asset Management. Presentation and discussion only.

Fallen Hero Memorial Project representatives County Fire Warden Phil Anzo, Sheriff Jeremiah LaRue and Project Chairman Bob Singleton appeared before the Board. Additional Fallen Hero Memorial Project members in the audience introduced themselves, including Steve Serdahl, Mark Dean, Joe Schettino and Darryl Laws.

Mr. Anzo distributed and presented a PowerPoint presentation regarding the Project, including a history of the Project to create a Memorial located at the Weed Airport property to recognize and honor those fallen heroes from the Armed Forces, law enforcement and fire agencies. Mr. Anzo provided an overview of the Project site plan and design concept to anchor two helicopters, in addition to a retired CDF air tanker located at the Memorial site. Mr. Anzo additionally provided the status of various accomplishments made (i.e. environmental compliance, placement of fencing, silhouettes, flagpoles and helicopter anchors).

Continuing the PowerPoint, Mr. Anzo summarized the Project's next steps, including installation of granite tablets, flagpoles, various signs, an Americans with Disabilities Act (ADA) accessible walkway and directional traffic signs. Mr. Anzo additionally advised of the need to procure one UH-1D Huey helicopter and one OH-6 Cayuse/Loach helicopter that would be anchored on the existing pedestals.

Mr. Anzo requested that the County become a Federal donee of excess/surplus property in order to seek and possibly procure the helicopters through the California Department of General Service, Office of Fleet and Asset Management (CA DGS), as the Project group could not.

Supervisor Kobseff confirmed that the County was renewing its application as a Federal donee of surplus property through CA DGS, Office of Fleet and Asset Management.

Members of the Fallen Heroes Memorial Project thanked the Board and County for the efforts being made to support the project.

General Services - Second reading of an ordinance adopting Sections 5-14.01 through 5-14.04 of Chapter 14 of Title 5 of the Siskiyou County Code regarding opting in to the Siskiyou County Integrated Solid Waste Management Regional Agency's Edible Food Recovery Ordinance. Continued to May 3, 2022.

The Chair advised that General Services requested to continue this item to the May 3rd Board meeting.

In response to Supervisor Valenzuela, General Services Director Joy Hall advised that General Services and County Counsel continue to work on the ordinance language, including working with representative from CalRecycle.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisor Kobseff, Valenzuela, Ogren and Criss voting YES, and Supervisor Haupt ABSENT, to continue this item to the May 3, 2022 meeting.

General Services - Discussion, direction and possible action re Memorandum of Understanding by and between the County of Siskiyou and the cities of Dunsmuir, Weed, Mt. Shasta, Yreka, Montague, Fort Jones, Etna, Dorris and Tulelake for the establishment of an Edible Food Recovery Program consistent with California Code of Regulations, Title 14, Division 7, Chapter 12 Short-lived Climate Pollutants. Continued to May 3, 2022.

The Chair advised that General Services requested to continue this item to the May 3rd Board meeting.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisor Kobseff, Valenzuela, Ogren and Criss voting YES, and Supervisor Haupt ABSENT, to continue this item to the May 3, 2022 meeting.

Auditor-Controller - Presentation of a status update regarding the Office of the Auditor-Controller. Presentation and discussion only.

Auditor-Controller Diane Olson appeared before the Board, introducing several Auditor staff members in attendance. Ms. Olson summarized various positions in the Auditor-Controller's Office were in the recruitment and hiring process, including Auditor and Payroll staff. Ms. Olson shared concerns regarding the amount of time the Office's staff spends on processing/reporting Payroll and the need to work with various special districts. Ms. Olson advised of plans to visit special districts to provide education and guidance related to their reports, budgets, etc.

Members of the Board, County Administrator Angela Davis and Agricultural Commissioner James Smith thanked Ms. Olson for her ongoing efforts in the Auditor-Controller's Office.

Office Of Emergency Services/Agriculture/Cooperative Extension - Discussion, direction and possible action re the Siskiyou County Ag Pass Program to provide annual training for livestock operators to feed, provide medical treatments and move livestock in an evacuation zone during a disaster and request to designate the Agricultural Commissioner to administer the Program.

Agricultural Commissioner James Smith, Deputy Director Office of Emergency Services Bryan Schenone and University of California Cooperative Extension (UCCE) Livestock and Natural Resources Advisor Grace Woodmansee appeared before the Board.

Mr. Smith and Ms. Woodmansee provided an overview of the Ag/Livestock Pass Program, including an overview of the efforts made by various County and State agencies/entities to develop a program to address commercial livestock wellbeing during a natural disaster (i.e. wildfires, etc.). Ms. Woodmansee summarized the process for commercial agriculture/livestock operators to be issued the voluntary Pass prior to the event of a natural disaster, including the required application and training process, and the limitations associated with the Pass (i.e. access is subject to fire/emergency personnel evaluation).

Discussion followed between members of the Board, Ms. Woodmansee, Mr. Schenone and Mr. Smith regarding the annual Pass renewal process, the Pass Program's no-fee for livestock operators, livestock operators' acceptance of the Program and educational opportunities and anticipated inclusion of the Pass Program into the 211 information system.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Kobseff, Valenzuela, Ogren and Criss voting YES and Supervisor Haupt ABSENT to approve the Ag Pass Program and designate the Agricultural Commissioner to administer the Program.

County Administration – Personnel - Discussion, direction and possible action re the following: Resolution adopting the comprehensive Memorandum of Understanding with the Siskiyou County Correctional Peace Officer Association and implementing the provisions thereof, for the term effective April 19, 2022 ending September 21, 2024; request to approve updates to Correctional Deputy Trainee, Correctional Deputy, Correctional Corporal and Correctional Sergeant job class specifications; Resolution amending the Siskiyou County Salary Schedule, effective May 15, 2022, May 14, 2023 and May 12, 2024 as detailed in the Resolution. Resolutions P 22-84 and P 22-85 adopted; job class specifications approved.

Deputy County Administrator Melissa Cummins distributed and summarized an updated Resolution adopting the comprehensive Memorandum of Understanding with the Siskiyou County Correctional Peace Officer Association, advising of minor typographical errors that were corrected. In addition, Ms. Cummins provided an overview of the request to update various Correctional job class specifications and the Resolution amending the County's Salary Schedule to provide salary increases, effective in 2022, 2023 and 2024.

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County Administration – Personnel – (continued)

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Kobseff, Valenzuela, Ogren and Criss voting YES, and Supervisor Haupt ABSENT, to adopt Resolution 22-84 regarding the amended Memorandum of Understanding by and between the County of Siskiyou and Siskiyou County Peace Officers Association effective April 19, 2022; approve updates to job class specifications for Correctional Deputy Trainee, Correctional Deputy, Correctional Corporal and Correctional Sergeant; and adopt Resolution 22-85 amending the Siskiyou County Salary Schedule as outlined in the attached resolution.

County Administration - Presentation of an update re fisheries conditions in the Shasta and Scott Rivers systems, and estimated Coho and Chinook Salmon out-migrating numbers. Presentation and discussion only.

Deputy County Administrator Elizabeth Nielsen provided an overview of the request, advising of the efforts made to research data related to Chinook and Coho salmon (salmonids) produced in the Shasta and Scott Rivers. Ms. Nielsen provided information regarding the salmonids that migrated out of both the Shasta and Scott River systems in during the years from 2000 to 2022, including out-migrating data for 'high' and 'low' water years. Ms. Nielsen advised that, although the County produces large numbers of out-migrating juvenile salmonid, there are fewer numbers returning to the rivers. Additionally, Ms. Nielsen advised that research would continue into water storage and groundwater recharge project opportunities and development of charts related to out-migrating salmonid numbers.

The Chair opened the item to public comment.

Scott Valley resident Sari Sommarstrom appeared before the Board, sharing concerns regarding the potential negative impacts associated with the California State Water Resources Control Board's recent curtailments of irrigation water in the Scott Valley. Ms. Sommarstrom additionally voiced concerns regarding the use of Department of Fish and Wildlife's Shasta and Scott River juvenile salmonids data in evaluating the need for the curtailment orders and the need for better communication and a voice for Scott Valley ranchers/farmers. Ms. Sommarstrom advised that the Scott Valley Agriculture Water Alliance group had been formed to provide that voice for water users and presented the group's eight-page AgWA White Paper #1 and a four-page document entitled: 'Are Curtailments a Balanced Water Use?' to the Board and the Clerk.

Participation in this agenda item by various member of the public was provided via teleconference phone.

Caller Theo Johnson advised that the Scott Valley Agriculture Water Alliance group was developing a press release and launching a website as a platform to provide a voice to farmers/ranchers/water users and disseminate facts related to Scott and Shasta Valley water usage and agriculture to the Water Board and other State agencies.

Discussion followed between members of the Board, Ms. Nielsen and Ms. Sommarstrom regarding the need to develop water beneficial projects at the County level, the California Governor's Order related to groundwater recharge, potential difficulties related to developing/implementing various water related projects, the need for political assistance in promoting those projects, the benefits to fish habitat from safe harbor agreements, concerns regarding negative impacts associated with the curtailment orders on the Scott Valley groundwater and the need to relay the County's water message through national media outlets.

County Administration - Presentation of an update re comments provided by the County concerning the Draft Environmental Impact Statement for License Surrender and Decommissioning of the Lower Klamath Project. Presentation and discussion only.

Deputy County Administrator Elizabeth Nielsen provided an overview of the request, advising that the County provided comments on the Draft Environmental Impact Statement for License Surrender and Decommissioning of the Lower Klamath Project to the Federal Energy Regulatory Commission (FERC) on April 18, 2022.

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County Administration – (continued)

Ms. Nielsen further advised that there was public access to those comments on the County's website. Ms. Nielsen summarized several County concerns relayed in those comments to FERC.

Discussion followed between members of the Board and Ms. Nielsen regarding FERC's recent extension of the deadline for receipt of comments and the format of the County's comments.

County Administration - Discussion, direction, and possible action re first reading of an ordinance amending Chapter 8 of Title 2 of the Siskiyou County Code regarding the County Purchasing System. First reading approved; public hearing for second reading set on May 17, 2022.

Deputy County Administrator Elizabeth Nielsen provided an overview of the request and the proposed ordinance associated with updating the County's Purchasing System.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Kobseff, Valenzuela, Ogren and Criss voting YES and Supervisor Haupt ABSENT, to introduce, waive, and approve the first reading of the Ordinance amending Section 2-8.07 of the Siskiyou County Code regarding the County Purchasing System, and direct the Clerk to schedule a public hearing on, and second reading of the Ordinance on May 17, 2022.

Public Hearings - Community Development - Planning Division - Public hearing to consider the Manley Agricultural Preserve Amendment Project (APA 2101). Public hearing canceled/dropped from the agenda.

Deputy County Clerk Wendy Winningham advised that the Planning Department requested cancellation as the Applicant withdrew the Project.

Chair Criss advised that the public hearing was canceled and the item was dropped from the agenda.

Public Hearings - Community Development - Planning Division - Public hearing for the first reading of an ordinance reclassifying land in the unincorporated area of Fort Jones from Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80), to Rural Residential Agricultural, 10-acre minimum parcel size (R-R-B-10) on APNs: 014-130-490 and 014-361-420; Township 44 North, Range 9 West, Section 30, MDB&M, for the Menne Zone Change project (Z-22-02), and to consider associated Resolutions approving an amendment to two existing Agricultural Preserves, and approving the rescission and re-entry of existing Williamson Act Contracts under Application APA-21-02. First reading approved; public hearing for the ordinance second reading continued to May 3, 2022; public hearing to consider associated Resolutions continued to June 14, 2022.

This was the time set for a public hearing for the first reading of an ordinance reclassifying land in the unincorporated area of Fort Jones from Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80), to Rural Residential Agricultural, 10-acre minimum parcel size (R-R-B-10) on APNs: 014-130-490 and 014-361-420; Township 44 North, Range 9 West, Section 30, MDB&M, for the Menne Zone Change project (Z-22-02).

The Chair opened the public hearing.

Deputy County Clerk Wendy Winningham summarized the order of presentation.

Assistant Planner Bernadette Cizin provided a staff report for the request, advising that the Planning Commission conditionally approved the Project to correct a mapping error. Ms. Cizin requested that the Project be found exempt under the California Environmental Quality Act (CEQA) common sense exemption. Ms. Cizin additionally summarized the process to record the associated Boundary Line Adjustment and to consider amendment to two existing Agricultural Preserves/Williamson Act contracts, which would not be eligible for action until the zone change ordinance has become effective.

In response to Chair Criss, Ms. Winningham advised that the County Clerk's Office had not received any correspondence related to the issue.

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Public Hearings - Community Development - Planning Division – (continued)

There were no public comments received.

Following brief discussion between members of the Board, Ms. Cizin and Ms. Winningham regarding the timing associated with approval of the ordinance and consideration of the associated Resolution approving amendments to two existing Agricultural Preserves/Williamson Act contracts, it was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Kobseff, Valenzuela, Ogren and Criss voting YES and Supervisor Haupt ABSENT, to introduce, waive, and approve the first reading of the proposed Menne rezoning to amend Zoning District Map 10-6.205-284; and direct the Clerk to schedule a continued public hearing on adoption of the CEQA exemption and a second reading of the ordinance amending Zoning District Map 10-6.205-284 on May 3, 2022, and to direct the Clerk to schedule a continued public hearing on adoption of the CEQA exemption and Resolution amending the agricultural preserves and Williamson Act contacts on June 14, 2022.

Minute Approval - March 29, 2022.

It was moved by Supervisor Ogren, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Kobseff, Valenzuela, Ogren and Criss voting YES and Supervisor Haupt ABSENT, to approve the March 29, 2022 minutes as presented.

Board and Staff Reports

Supervisor Valenzuela advised that he would be traveling to Sacramento for the California State Association of Counties (CSAC) and to meet with the Chief at CalFire.

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), one case, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), one case, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), one case, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(d)(2), three cases, liability claims pursuant to Government Code §54956.95, conference with labor negotiators pursuant to Government Code §54957.6, commenced at 10:56a.m., concluded at 1:12p.m., with action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 1:12p.m., with reportable action taken.

With regard to agenda item 11C, Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), one case, Mr. Kiernan advised that Supervisor Ogren recused herself from 11:00a.m. to 11:33a.m.

With regard to agenda item 11E, Liability claims pursuant to Government Code §54956.95, Claimant: Theodore DeLong, Agency claimed against: County of Siskiyou, Mr. Kiernan advised that there was a motion by Supervisor Valenzuela and seconded by Supervisor Kobseff to approve a settlement agreement of that matter. The vote was 4/0. (Supervisor Haupt was ABSENT).

With regard to agenda item 11D, Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(d)(2), three cases, Mr. Kiernan advised that there was agreement to settle a matter which will become public once the settlement agreement has been fully signed by those parties. Motion was made by Supervisor Criss and seconded by Supervisor Ogren, Supervisor Valenzuela had stepped out and that agreement to settle the matter was by a vote of 3/0. (Supervisor Haupt was ABSENT).

Mr. Kiernan further advised that Supervisor Valenzuela was excused at 12:20p.m. and left the meeting.

Adjournment - There being no further business to come before the Board of Supervisors, the meeting was adjourned.

Attest:
Laura Bynum, County Clerk

Brandon A. Criss, Chair

By: _____
Deputy

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