

State of California, County of Siskiyou

Board of Supervisors Minutes, February 7, 2023

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 7th day of February 2023; there being present Supervisors Brandon Criss, Michael N. Kobseff, Nancy Ogren, Ray A. Haupt 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 Valenzuela. 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 Criss led in the salute to the flag of the United States of America.

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 Supervisor Kobseff's request, items 5B, Community Development's Resolution rescinding Resolution 17-60 and setting aside the approval of Use Permit UP-16-03 and 5H, General County Fire's FY 22/23 agreement with California Department of Forestry and Fire Protection, were pulled from the consent agenda for discussion.

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

Agriculture

Ratify and Approval from the Board of Supervisors to authorize the Agricultural Commissioner to sign and accept UC Davis Koret Shelter Grant in the amount of \$53,000.00, and authorize the Auditor to establish budget. Authorize Agricultural Commissioner and Animal Control Officer James Smith to execute grant and shelter agreement.

County Administration

Approve 2nd Addendum to the contract with Siskiyou Domestic Violence & Crisis Center extending the term to June 30, 2023.

County Administration - Personnel

Approve new job class specifications for Eligibility/Social Services Support Supervisor, General Services Technician I, General Services Technician II, and Grant Coordinator, effective February 19, 2023; adopt Resolution P 23-19 amending the Siskiyou County Salary Schedule and Position Allocation List, regarding Eligibility/Social Services Support Supervisor - 1.0 FTE, Deputy Director of General Services – 1.0 FTE, Grant Coordinator – 1.0 FTE, General Services Technician I – 1.0 FTE, General Services Technician II – 2.0 FTE, Project Coordinator – 1.0 FTE, and Bus Driver – 0.60 FTE, and other labor distribution requests effective February 19, 2023.

County Administration - Personnel

Approve and authorize County Administration to execute side letter agreements between the County of Siskiyou and the Organized Employees of Siskiyou County - Miscellaneous, Management and Professional Units re retention bonus incentives for Child Welfare Services staff in the Health and Human Services Agency.

County Clerk

Approve appointment of Supervisor Valenzuela to the Sierra Nevada Conservancy Governing Board as an active/voting member for 2023/2024.

Continued...

Consent Agenda – continued

Office of Emergency Services

Approve the Siskiyou County Office of Emergency Services receiving the 2021 Emergency Management Performance Grant grant and authorize the Auditor-Controller to establish budget as outlined within the grant.

General Services

Approve the Service contract with Ray-Mac Mechanical to move forward with the Audit Report for the County's HVAC systems.

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the First Addendum to the Contract for Services between California Health Collaborative Corporation and Siskiyou County Health and Human Services Agency, Public Health Division for the period of July 15, 2022 through January 31, 2025, with a total amount of the Contract not to exceed \$211,250.00.

Transfer of Funds - Behavioral Health - Local MHPA - \$36,946. Resolution 23-20 adopted.

Transfer of Funds - Emergency Services - \$60,335. Resolution 23-21 adopted.

Transfer of Funds - District Attorney - Public Admin - \$29,107. Resolution 23-22 adopted.

Transfer of Funds - General County Fire - \$15,550. Resolution 23-23 adopted.

Transfer of Funds - Human Services Administration - \$11,315. Resolution 23-24 adopted.

Transfer of Funds - Human Services Administration - \$10,669. Resolution 23-25 adopted.

Transfer of Funds - Courthouse & Grounds - \$40,000. Resolution 23-26 adopted.

Community Development - Adopt Resolution rescinding Resolution 17-60 and setting aside the approval of Use Permit UP-16-03 and certification of the associated Final Environmental Impact Report (SCH#2016062056) for a caretaker's residence at 210 Ski Village Drive, Mt. Shasta, CA (Crystal Geyser Project) per the order of the trial court. Resolution 23-27 adopted.

This item was pulled from the consent agenda at Supervisor Kobseff's request. Supervisor Kobseff voiced his opposition to the draft Resolution.

It was moved by Supervisor Valenzuela, seconded by Supervisor Criss and carried following a roll call vote with Supervisors Haupt, Criss, Ogren and Valenzuela voting YES and Supervisor Kobseff voting NO to adopt Resolution 23-27 rescinding Resolution 17-60 and setting aside the approval of the use permit for a caretaker's residence at 210 Ski Village Drive, Mt. Shasta, California, and certification of the associated Final Environmental Impact Report per the order of the trial court.

General County Fire - Approve FY 22/23 agreement with California Department of Forestry and Fire Protection for staffing of the Hornbrook Station and Yreka Interagency Command Center, in an amount not to exceed \$615,334. Approved.

This item was pulled from the consent agenda at Supervisor Kobseff's request.

Supervisor Kobseff's shared concerns regarding the County's costs associated with paying for a CalFire firefighter position within the agreement.

Discussion followed between members of the Board and County Administrator Angela Davis regarding the need for additional information regarding the paid CalFire position and possible future agenda item related to CalFire's staffing at the Hornbrook Station.

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to approve contract and authorize the County Administrative Officer to sign and the County Auditor to pay for services provided under Agreement 2CA05979 for \$615,334.00 for CAL FIRE contracted services for staffing of the Hornbrook Station and Yreka Interagency Command Center for the 22/23 fiscal year from July 1st, 2022, through June 30th, 2023.

Public Requests - Pacific Power - Presentation re vegetation management program for Siskiyou County and 2023 plan. Presentation and discussion only.

Pacific Power Business Manager Todd Andres appeared before the Board, introducing Pacific Power Senior Forester Lorelei Phillips to present Pacific Power's vegetation management efforts in Siskiyou County.

Ms. Phillips presented a powerpoint presentation, including an overview of recent California Public Utilities Commission (CPUC) regulations related to vegetation management in/around power transmission lines and poles.

Discussion followed between members of the Board and Ms. Phillips regarding the impact of the condition of power poles located in/around trees and vegetation being managed and the process for working with property owners during tree management and possible removal of trees from private property.

Ms. Phillips continued the powerpoint, including an overview of Pacific Power's process to inspect trees/vegetation in certain areas annually and to coordinate ground inspections, spring helicopter patrols and ongoing fuel reduction projects.

Further discussion followed, including Mr. Andres regarding public lands inspections, underground facilities versus overhead transmission lines and public and private lands rights of way and easements.

Public Requests - Grenada Irrigation District - Discussion, direction and possible action re appointment of Eldon Beck and Terry Smith to four year terms on the Grenada Irrigation District Board of Directors in lieu of an election pursuant to CA Elections Code §10515. Eldon Beck and Terry Smith appointed in lieu of election.

Grenada Irrigation District representative Rod Dowse appeared before the Board and provided an overview of the request.

It was moved by Supervisor Kobseff, seconded by Supervisor Criss and carried following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to appoint Eldon Beck and Terry Smith, each to a four year term on the Board of Directors for Grenada Irrigation District in lieu of an election pursuant to California Elections Code Section 10515.

Public Hearings - Community Development - Planning Department - Public hearing to consider adopting Resolution approving the Rescission and Re-Entry of Existing Williamson Act Contracts under Application APA-22-16 and finding the project exempt from the California Environmental Quality Act for the Acord Williamson Act Rescission and Re-entry project. Resolution 23-28 adopted.

This was the time set for a public hearing to consider adopting Resolution approving the Rescission and Re-Entry of Existing Williamson Act Contracts under Application APA-22-16 and finding the project exempt from the California Environmental Quality Act for the Acord Williamson Act Rescission and Re-entry project.

Supervisor Criss recused himself from consideration of this item and left the Board Chambers.

Assistant Planner Bernadette Cizin appeared before the Board, providing an overview of the request to rescind an existing Williamson Act (WA) contract and reissue a new WA contract, with no increase in the property acreage within the contract. Ms. Cizin additionally recommended that the project be considered exempt under the California Environmental Quality Act (CEQA) guidelines, Open Space Contracts or Easements section.

Deputy County Clerk Wendy Winningham advised that the Clerk's Office had not received correspondence related to this project. Continued...

Public Hearings - Community Development - Planning Department – *(continued)*

There being no public comments received, the public hearing was declared closed.

Supervisor Haupt was temporarily excused.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried following a roll call vote with Supervisors Kobseff, Ogren and Valenzuela voting YES, Supervisor Haupt ABSENT and Supervisor Criss RECUSED to determine the project exempt from the California Environmental Quality Act (CEQA)

pursuant to CEQA Guidelines section 15317, Open Space Easements or Contracts; and adopt the attached Resolution 23-28 approving the rescission and reentry of the applicable Williamson Act contract.

Supervisor Haupt returned to the Board Chambers.

Public Hearings - Community Development - Planning Department - Public hearing to consider adopting Resolutions approving the Rescission and Re-Entry of Existing Williamson Act Contracts under Application APA-22-15 and approving an Amendment to Two Existing Agricultural Preserves and finding the project exempt from the California Environmental Quality Act for the Shasta Valley Holdings Williamson Act Rescission and Re-entry and Agricultural Preserve Amendment project. Resolutions 23-29 and 23-30 adopted.

This was the time set for a public hearing to consider adopting Resolutions approving the Rescission and Re-Entry of Existing Williamson Act Contracts under Application APA-22-15 and approving an Amendment to Two Existing Agricultural Preserves and finding the project exempt from the California Environmental Quality Act for the Shasta Valley Holdings Williamson Act Rescission and Re-entry and Agricultural Preserve Amendment project.

Supervisor Criss recused himself from consideration of this item and left the Board Chambers.

Assistant Planner Bernadette Cizin appeared before the Board, providing an overview of the request to rescind an existing Williamson Act (WA) contract and reissue a new WA contract, with no increase in the property acreage within the contract. Ms. Cizin additionally recommended that the project be considered exempt under the California Environmental Quality Act (CEQA) guidelines, Open Space Contracts or Easements section.

Deputy County Clerk Wendy Winingham advised that the Clerk's Office had not received correspondence related to this project.

There being no public comments received, the public hearing was declared closed.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried following a roll call vote with Supervisors Haupt, Kobseff, Ogren and Valenzuela voting YES and Supervisor Criss RECUSED to determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15317, Open Space Easements or Contracts; and adopt the attached Resolution 23-29 approving the rescission and reentry of the applicable Williamson Act contract; and adopt the attached Resolution 23-30 approving the amendment of the existing Agricultural Preserves and establish a new Agricultural Preserve.

Supervisor Criss returned to the Board Chambers.

Auditor-Controller - Presentation of an update re current operations and activities within the Department. Presentation and discussion only.

Auditor-Controller Diane Olson appeared before the Board, providing an update regarding the status of a reorganization within the Department, including an overview of certain additional staff positions. Ms. Olson summarized the efforts made to update the Banner financial system and shared concerns regarding issues that the update created for the Auditor and other County departments. Ms. Olson advised of ongoing efforts being made by the Department and Information Technology (IT) to work through issues. Ms. Olson further advised that the Department would be developing a Request for Proposals (RFP) to research the availability and costs associated with new financial system to replace Banner.

Ms. Olson additionally provided an overview of the Department's efforts to work with the Community Development Department concerning recovery of various costs associated with cleanup efforts related to recent, local wildfires and to develop trainings that could be utilized by all County departments.

Discussion followed between members of the Board and Ms. Olson regarding the status of Accounts Payable and the need for additional information regarding timeframes associated with payments being made to vendors.

Community Development/Office of Emergency Services - Discussion, direction and possible action request to reaffirm continuation of the Proclamation of Local Health Emergency by the County Health Officer associated with the health and safety issues caused by the destruction of structures from the 2022 McKinney, Mill and Mountain wildland fires. Proclamation extended.

Community Development Director Rick Dean appeared before the Board, providing an overview of the request and asking that the Proclamation be extended for another 30 days.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to re-ratify for an additional 30 days the subject proclamation of local health emergency that was proclaimed by the Siskiyou County Health Officer associated with the health and safety issues caused by the destruction of structures from the 2022 McKinney, Mill and Mountain wildland fires.

Community Development - Discussion and possible direction following staff presentation regarding draft groundwater well application processing guidelines and staff recommendation to share the draft protocol (dictated by the Governor's Executive Order N-7-22) with the local Groundwater Sustainability Agency advisory committees. Presentation, discussion and direction provided.

Community Development Director Rick Dean appeared before the Board and provided an overview of the request to provide the draft groundwater well application processing guidelines to local Groundwater Sustainability Agency (GSA) Advisory Committees. Mr. Dean summarized the draft guidelines, including the anticipated process for review and processing of production well permit requests (Guidelines Attachment 2). In addition, Mr. Dean advised that indemnification agreements related to larger well permits were being considered as part of the permitting process.

Supervisors Haupt and Kobseff voiced concerns regarding the proposed indemnity agreement as part of the permitting process. Both spoke in support of the draft guidelines being shared with the GSA Advisory Committees.

Discussion followed between members of the Board, Mr. Dean and Natural Resource Policy Specialist Matt Parker regarding the anticipated process to share the draft with the three local Groundwater Basin Advisory Committees and the Tulelake GSA and Advisory Committee, potential negative impacts associated with the lack of surface water to recharge groundwater aquifers and the unknowns associated with climate change.

Supervisors Ogren and Valenzuela voiced concerns regarding the proposed indemnity agreement as well.

Public participation in this agenda item by various members of the public was provided via teleconference phone.

Mt. Shasta resident Nick Joslin spoke in support of the County addressing the needs of surface water users in addition to groundwater users.

Caller John Bennett questioned the composition of the Tulelake Groundwater Sustainability Agency (GSA) and associated lead agency.

Caller Angelina Cook spoke in support of the County embracing surface and groundwater conservation efforts Countywide versus only in the groundwater basins.

Audience member Theo Johnson shared concerns regarding the potential impacts to the groundwater permitting if/when the Governor's drought emergency declaration is withdrawn.

Brief discussion followed regarding the anticipated timeframe for the draft guidelines to be returned to the Board for further consideration and possible adoption of a Resolution and the parts of the well permitting process that would remain should the Governor's drought emergency declaration be withdrawn.

It was moved by Supervisor Kobseff, seconded by Supervisor Criss and carried following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to direct staff to share the draft groundwater well application processing guidelines with the County's GSAs and their advisory committees.

Presentations from the Public

Participation in presentations from the public by various members of the public was provided via teleconference phone.

Caller Brandon Bieber voiced concerns regarding Del Norte County and Siskiyou County sharing Public Health Officer services from Dr. Aaron Stutz during the COVID pandemic.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to drought declared by Resolution 22-74, adopted on April 5, 2022; action to extend or terminate local emergency. Local emergency extended.

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to extend the local emergency related to drought declared by Resolution 22-74.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to the proliferation of illegal cannabis cultivation as declared by Resolution 20-18, adopted on January 21, 2020; action to extend or terminate local emergency. Local emergency extended.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to extend the local emergency related to the proliferation of illegal cannabis cultivation declared by Resolution 20-18.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to Mud Creek Debris Flows declared by the Director of Emergency Services on July 27, 2022; action to extend or terminate local emergency. Local emergency extended.

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to extend the local emergency related to Mud Creek Debris Flows declared by the Director of Emergency Services.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to McKinney Fire burn scar and debris flows declared by the Director of Emergency Services; action to extend or terminate local emergency. Local emergency extended.

It was moved by Supervisor Ogren, seconded by Supervisor Haupt and carried following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to extend the local emergency related to McKinney Fire burn scar and debris flows declared by the Director of Emergency Services.

Appointments - County Clerk - Appointment of one member to an unscheduled vacancy on the Shasta Valley Resource Conservation District, for a term ending November 26 2026. James Perkins appointed.

Deputy County Clerk Wendy Winingham provided an overview of the request, advising that local resident James Perkins was interested and eligible to serve on the Shasta Valley Resource Conservation District Board.

It was moved by Supervisor Ogren, seconded by Supervisor Kobseff and carried following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to appoint James Perkins to the scheduled vacancy on the Shasta Valley Resource Conservation District, for a term ending November 26, 2026.

Minute Approval - January 17 and 24, 2023. Approved.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to approve the January 17, 2023 minutes with the following correction:

January 17, 2023, Book 78, page 90

Board of Supervisors - Discussion, direction and possible action regarding members of the Board of Supervisors committee selections for 2023. Continued...

Minute Approval – (continued)

Change from:

Supervisor Valenzuela advised that Supervisor Ogren would now be the delegate, and he the alternate, to the PSA II Area Agency on Aging Executive Board. Supervisor Ogren advised that she would be delegate to the RCRC Golden State Natural Resources and Supervisor Kobseff would be the alternate.

Change to:

Supervisor Valenzuela advised that Supervisor Ogren would now be the delegate, and he the alternate, to the PSA II Area Agency on Aging Executive Board. Supervisor Ogren advised that she would be delegate to the RCRC Golden State Connect Authority and Supervisor Kobseff would be the alternate.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to approve the January 24, 2023 minutes as presented.

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), two cases, liability claims pursuant to Government Code §54956.95, commenced at 12:02p.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 the following reportable action taken:

With regard to item 13A, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), name of case: We Advocate Thorough Environmental Review, et al. v. County of Siskiyou, et al., Siskiyou County Superior Court, Case No. SCCV PT 18-0041, Mr. Kiernan advised that a motion was made by Supervisor Valenzuela and seconded by Supervisor Kobseff to approve settlement of that matter under condition and terms which will be made public if and when that matter does settle.

With regard to item 13D, Liability claims pursuant to Government Code §54956.95, Claimant: Robert Hansen, Agency claimed against: County of Siskiyou, Mr. Kiernan advised the motion was made by Supervisor Kobseff, and seconded by Supervisor Ogren and approved by the Board 5/0 to resolve that matter which will be made public to the extent allowed by law if and when that settlement is entered into.

Board and Staff Reports

There were no board or staff reports given.

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

Attest:
Laura Bynum, County Clerk

Ed Valenzuela, Chair

By: _____
Deputy