

# State of California, County of Siskiyou

## Board of Supervisors Minutes, August 1, 2023

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 1<sup>st</sup> day of August 2023; there being present Supervisors Brandon Criss, Michael N. Kobseff, Nancy Ogren, Ray A. Haupt and Ed Valenzuela, County Administrator Angela Davis, County Counsel Natalie E. Reed 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 and In-Home Supportive Services Public Authority. Management Analyst Annamarie Hendricks led in the salute to the flag of the United States of America.

**Invocation** - Siskiyou County Sheriff Chaplain Jim Jacobsen provided an invocation.

### **Presentations from the Public**

There were no presentations from the public.

### **Consent Agenda – Approved.**

At Supervisor Haupt's request, item 5B, County Administration/Office of Emergency Services' letter to the Office of the State Fire Marshal, and item 5Q, the Sheriff's modification to the 2020-2025 Cooperative Agreement with the US Forest Service, 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 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:

#### County Administration

Approve and sign the three-year agreement with ESRI for GIS services. Term of agreement 8/1/2023 - 7/31/2026 in the amount of \$117,900.

#### County Administration

Ratify the opposition letter to the Honorable Anna Caballero, concerning AB 1168 (Bennett).

#### County Administration - Personnel

Authorize County Administration to execute the side letter between the County of Siskiyou and the Siskiyou County Probation and Juvenile Peace Officers' Association effective March 22, 2023.

#### County Administration - Personnel

Adopt Resolution P 23-139 amending the Siskiyou County Position Allocation List, regarding Management Analyst I/II (1.0) FTE, Behavioral Health Services Crisis Worker I (6.0) FTEs, and Staff Services Analyst I/II/III (2.0) FTEs, effective August 6, 2023.

#### County Administration - Personnel

Adopt Resolution 23-140 regarding the Memorandum of Understanding by and between the County of Siskiyou and Siskiyou County Probation and Juvenile Peace Officers Association effective August 20, 2023, and adopt Resolution 23-141 amending the Siskiyou County Salary Schedule as outlined in the attached resolution.

#### County Counsel

Approve the Second Addendum to Agreement for Services with Spinelli, Donald & Nott, that amends Exhibit "A" and authorize the Board chair to execute same.

Continued...

**Consent Agenda – (continued)**

General Services - Sanitation

Approve the First Addendum to the contract with Mike Peters Inc. for the services of loading waste at Black Butte Transfer Station and allow Auditor to establish budget.

General Services - Sanitation

Approve the First Addendum to the contract with Mike Peters Inc. for the services of loading waste at Oberlin Road Transfer Station and to allow the Auditor to establish budget.

General Services - Sanitation

Approve the contract for the services with Yreka Transfer LLC. for picking up and hauling appliances, mixed metal and cardboard from Black Butte Transfer Station and allow Auditor to establish budget.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Second Addendum to Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Willow Glen Care Center, a Nonprofit Corporation.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the 3rd Addendum between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and The Sail House Inc., the term of this agreement is July 1, 2020-June 30, 2025.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the assignment / assumption of the Real Property Lease Agreement for the premises located at 1200 S. Main St, Yreka, CA.

Health and Human Services - Public Health Division

Accept and approve the Grant Agreement with the California Department of Public Health (CDPH) and County of Siskiyou for CalFresh Healthy Living Program for the term October 1, 2023 through September 30, 2026, with a total amount not to exceed \$487,170.00, authorize the Auditor to establish budget appropriations as outlined in the Agreement, and authorize the Chair to sign Grant Agreement Number 23-10350 and Exhibit F, Attachment 1, Certification Regarding Lobbying, page 9 of 13.

Health and Human Services - Public Health Division

Accept and approve the grant agreement with the California Department of Public Health (CDPH), for the California Public Health Workforce Career Ladder Education and Development Program (PH-Career Ladder), for the term February 1, 2023 to June 30, 2026, for a total amount not to exceed \$65,400.00, authorize the Auditor to establish budget appropriations as outlined in the agreement, and authorize the Chair to sign Grant Agreement #22-11325.

Health and Human Services - Social Services Division

Approve and the Chair sign the Standard Agreement (STD 213) Number 23-5029 between the California Department of Social Services (CDSS) and Siskiyou County Health and Human Services Agency for the first-level Quality Assurance review of Siskiyou County Child Welfare cases in accordance with the federal Child and Family Services Review process. Contract effective July 1, 2023 through June 30, 2028.

Siskiyou Modoc Regional Department of Child Support Services

Approve the Lease Agreement between SMRDCSS and Golden Arrow Investments LLC.

Transfer of Funds - American Recovery Plan Act - \$34,781. Resolution 23-142 adopted.

Transfer of Funds - Public Health - \$240,996. Resolution 23-143 adopted.

Transfer of Funds - Sheriff - \$61,000. Resolution 23-144 adopted.

Continued...

**Consent Agenda – (continued)**

Transfer of Funds - Predatory Animal Control - \$4,595. Resolution 23-145 adopted.

**County Administration/Office of Emergency Services** - Approve letter to the Office of the State Fire Marshal providing comments on Updated Fire Hazard Severity Zone Map. Approved.

This item was pulled from the consent agenda at Supervisor Haupt's request. Supervisor Haupt suggested that another letter be created to call attention to Oregon's hazard zone map process that recognizes fuel work being done on individual parcels. Supervisor Haupt advised of the benefits associated with such work related to property owners' insurance rates.

Brief discussion followed between Supervisor Haupt and Deputy County Administrator Elizabeth Nielsen regarding the suggestion.

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 approve the letter and authorize the Chair to sign.

**Sheriff** - Approve modification of grant or agreement to the 2020-2025 Cooperative Agreement with US Forest Service, increasing funding to a total not to exceed \$121,000 and making administrative changes as detailed in the document, for a term ending September 30, 2023.

This item was pulled from the consent agenda at Supervisor Haupt's request. Supervisor Haupt requested that a representative from the Sheriff's Office be available to discuss the item.

Later in the meeting, Administrative Services Manager Courtney Greenley appeared before the Board.

Supervisor Haupt shared concerns that, although the Ukonom Ranger District is within the Klamath National Forest, it is administered by the Six Rivers National Forest and the possible impacts to administration of the grant agreement. Supervisor Haupt spoke in support of the Forest Service reimbursing the County for law enforcement staff's base salaries when responding during extended emergencies.

Following discussion between member of the Board and Ms. Greenley regarding the agreement development process at the US Forest Service's level, the various law enforcement staffing and patrol levels, the associated processes for reimbursing the Sheriff's Office for those services and the anticipated process to develop a new Cooperative Agreement in 2025, 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 approve and the Chair sign this modification of grant or agreement with the Forest Service for the federal fiscal year 22/23 for reimbursable supplies and activities. Allow the Auditor to make appropriations as needed.

**Public Requests** - Discover Siskiyou - Discussion, direction and possible action re Resolution designating Discover Siskiyou as the Siskiyou County Film Commission Agency. Resolution 23-146 adopted.

Discover Siskiyou representatives Program Director Heather Dodds and Jason Young provided an overview of the request for Discover Siskiyou to be designated the County's Film Commission Agency, including the potential benefits for the County and the local economy.

Supervisor Haupt shared concerns regarding an earlier adopted Resolution (Resolution 18-05, adopted January 16, 2018) that designated the Northern California Resource Center as the County's Film Commission designee (presented by Larry Alexander and the Scott Valley Film Coalition).

In response to Supervisor Haupt, County Counsel Natalie E. Reed suggested that the request and Resolution could be reviewed by County Counsel's Office and the County Administrator prior to approval of the request.

Discussion followed between members of the Board, Ms. Dodds and Mr. Young regarding attempts made to contact the previous Film Commission designee, concerns regarding unanswered calls to the designee regarding possible film locations in the County and cancelation/replacement of the previous designation should the current resolution be adopted.

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**Public Requests - Discover Siskiyou – (continued)**

Further discussion followed regarding the inability of the nearest film commission entity based in Redding to meet Siskiyou County's needs,

Supervisor Ogren shared concerns regarding the need for input from the current designee prior to her supporting the current request.

Supervisors Kobseff and Valenzuela spoke in support of the request.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Kobseff, Criss and Valenzuela voting YES and Supervisors Haupt and Ogren voting NO to adopt the Resolution 23-146 naming Discover Siskiyou the entity as the California Film Commission designee for Siskiyou County while authorizing the Chair to sign.

Chair Valenzuela requested that Discover Siskiyou keep Supervisor Haupt informed as to Discover Siskiyou's contact/discussion with the previous Film Commission designee.

**General County Fire -** Presentation of the 2022 Annual Report of the Siskiyou County Fire Departments, including response totals for fire, medical, and other emergency responses. Presentation and discussion only.

County Fire Warden Darryl Laws, South Yreka Fire Chief Bernie Paul and Montague Fire Chief Jason Vela appeared before the Board.

Mr. Laws summarized Annual Report, including an overview of impacts associated with three major wildfires that occurred in 2022 in Siskiyou County.

Chief Paul continued the Annual Report, sharing concerns regarding the struggles encountered by several fire departments within the County (lack of sufficient number of volunteer firefighters) and provided an overview of the efforts being made to provide training for volunteer firefighters and the cooperative assistance provided by neighboring fire departments. Chief Paul additionally provided an overview of various equipment provided by a Memorandum of Understanding (MOU) with the Klamath River Renewal Corporation (KRRC), including water tenders, a chipper, dump trailer and helicopter dip tanks that provide access to water when helicopters initially take off to respond to a fire.

Chief Paul further shared concerns regarding the potential negative impacts associated with recent legislation under the California Division of Occupational Safety and Health (Cal OSHA) requiring the purchase of additional Personal Protective Equipment (PPE) for all local and state firefighters going into effective in 2024. Chief Paul additionally provided an overview of the efforts being made to provide a secondary network/frequency (Commandnet) associated with fire/emergency response calls.

Chief Vela requested the Board/County's assistance in seeking help from legislators to address the concerns regarding the Cal OSHA PPE requirements.

Discussion followed between members of the Board and those present regarding the difficulties associated with providing fire/emergency response services to areas that are not supported by property taxes, the need to seek funding (through ballot measures) to provide paid employees at local fire departments rather than relying on volunteers, anticipated reactivation of the Siskiyou County Fire Chiefs Association steering committee to address various consolidation/annexation concerns and the upcoming process related to a municipal services review.

Mr. Laws summarized various Fire Response Zone and Hose Company responses provided by cooperative agreements, various County Service Area No. 4 (CSA4) equipment utilized by local fire departments and the County's funding provided for dispatch services.

Supervisor Valenzuela requested information related to emergency response service call trends for the last five years.

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## **General County Fire – (continued)**

Further discussion followed regarding the benefits associated with utilizing a grant writer's services, the need to apprise Pacific Power of the efforts being made related to the secondary network/frequency equipment, the difficulties associated with fire department consolidation efforts, the processes related to medical emergency responses and the need to continue efforts to fund paid firefighters.

**Appointments - County Clerk -** Appointment of two members to the scheduled vacancies on the Siskiyou County Range Advisory Board, for terms ending July 28, 2025. Gary Rainey and Jim Morris re-appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that incumbents Gary Rainey and Jim Morris were interested in re-appointment to the Range Advisory Board.

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 appoint Gary Rainey and Jim Morris to the scheduled vacancies on the Siskiyou County Range Advisory Board, for term ending July 28, 2025.

**Minute Approval -** July 11, 2023. Approved.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to approve the July 11, 2023 minutes as presented.

**Closed Session -** Liability claims pursuant to Government Code §54956.95, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Ger Chong Ze Chang, et al., v. County of Siskiyou, et al., United States District Court, Eastern District of California, Sacramento Division, Case No. 2:22-cv-01378, commenced at 10:12 a.m., concluded at 10:54 a.m., with no action taken.

### **Report On Closed Session**

County Counsel Natalie E. Reed announced that closed session concluded at 10:54 a.m., with no reportable action taken.

**Public Hearings -** Community Development - Planning Division - Public hearing to consider three Resolutions approving an amendment to an existing Agricultural Preserve and finding the project exempt from CEQA, approving the rescission and re-entry of existing Williamson Act Contract and directing staff to issue a Notice of Non-renewal for approximately 1,036 acres under Williamson Act Contract No. 78019 under the Application APA-22-09 Wildlands Conservancy Project. Public hearing continued to September 5, 2023.

This was the time set for a public hearing to consider three Resolutions approving an amendment to an existing Agricultural Preserve and finding the project exempt from CEQA, approving the rescission and re-entry of existing Williamson Act Contract and directing staff to issue a Notice of Non-renewal for approximately 1,036 acres under Williamson Act Contract No. 78019 under the Application APA-22-09 Wildlands Conservancy Project.

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

Chair Valenzuela opened the public hearing.

Assistant Planner Bernadette Cizin appeared before Board and provided an overview of the request, advising of various substandard parcels that did not meet the minimum parcel size or were not allowed to remain under Williamson Act contract. Ms. Cizin recommended that those parcels, totaling 1018 acres, be processed via non-renewal. Additionally, Ms. Cizin requested approval of Resolutions amending an existing Agricultural Preserve, rescinding and re-entry of the applicable Williamson Act contract and directing staff to process the Notice of Non-Renewal and determining the project exempt under CEQA, Open Space Easements or Contracts rule.

In response to Chair Valenzuela, Deputy County Clerk Wendy Winningham advised that the Clerk's Office received two public hearing notification letters related to this item addressed to Michael and Mary Driggers and to Eric and Crystal Dobbs.

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

Wildlands Conservancy Deputy Director Landon Peppel appeared before the Board, providing a brief overview of the Wildlands Conservancy property and advising of plans to continue utilizing the property as an active cattle ranch. Mr. Peppel requested that the Board consider directing staff to work with the property owners in order for the non-renewable parcels to be kept in Ag Preserve/Williamson Act contract.

Ms. Cizin advised that the process would include a Boundary Line Adjustment (BLA) and would take approximately six months to complete.

The Chair closed the public hearing.

Discussion followed between members of the Board and Ms. Cizin regarding possibly continuing consideration of the Resolution directing staff to issue a Notice of Non-Renewal and the location of the subject property.

Supervisor Haupt shared concerns regarding Hunt Club activity that had been occurring on a portion of the property and the potential that activity was not an Ag Preserve compatible use.

Community Development Director Rick Dean advised that Mr. Peppel could speak to that issue.

The Chair reopened the public hearing to receive additional public comment.

In response to Supervisor Haupt, Mr. Peppel advised that the Hunt Club activity was no longer occurring on the property and that the road leading to Hayden Ridge was open and the public could access/enter the property.

Brief discussion followed between members of the Board, Ms. Cizin and Ms. Winningham regarding Community Development's requested motion, and possible continuation of the non-renewal request.

Chair Valenzuela closed the public hearing.

It was moved by Supervisor Valenzuela 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 approving the amendment of the existing Agricultural Preserves and establish a new Agricultural Preserve, adopt the attached resolution approving the rescission and reentry of the applicable Williamson Act contract and continue the public hearing and the resolution authorizing staff to process the Notice of Non-Renewal for the substandard and portion parcels.

The motion died for lack of a second.

Supervisors Haupt and Kobseff advised of the need for additional research and information regarding the potential impact of the land use (hunt club) and water rights on the property as compatible uses for the property to continue under the Williamson Act in order to better consider the request.

County Counsel Natalie E. Reed recommended that the public hearing be re-opened and continued to allow staff to further research the Board's questions and concerns regarding the Wildlands Conservancy Project.

Chair Valenzuela opened the public hearing, advising that the public hearing was continued to September 5, 2023.

**Public Hearings - Community Development - Planning Division -Public hearing to consider Resolution approving the rescission and re-entry of an existing Williamson Act Contract under Application APA-23-04 Sweet Darlings Sales Inc. Project. Resolution 23-147 adopted.**

This was the time set for a public hearing to consider Resolution approving the rescission and re-entry of an existing Williamson Act Contract under Application APA-23-04 Sweet Darlings Sales Inc. Project.

Chair Valenzuela opened the public hearing.

Supervisor Criss was recused from consideration of this item and remained outside of the Board Chambers.

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

Assistant Planner Bernadette Cizin appeared before Board and provided an overview of the request, advising that the property was utilized to grow field crops (strawberries) and recommending that the project be considered exempt pursuant to the CEQA Open Space Easements or Contracts rule.

In response to the Chair, Deputy County Clerk Wendy Winningham advised that the Clerk's Office had not received any correspondence related to this item.

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

In response to Supervisor Kobseff regarding the property taxes associated with the purchase price of Williamson Act properties, Ms. Cizin advised that the Assessor and/or Treasurer-Tax Collector would be best to answer the question.

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 23-147 approving the rescission & reentry of the applicable Williamson Act contract.

Supervisor Criss returned to the Board Chambers.

**Public Hearings - County Counsel - Public hearing for the second reading of an ordinance repealing Article 15 of Chapter 4 of Title 3 of the Siskiyou County Code regarding restrictions of water trucks. Ordinance 23-07 adopted.**

This was the time set for a public hearing for the second reading of an ordinance repealing Article 15 of Chapter 4 of Title 3 of the Siskiyou County Code regarding restrictions of water trucks, having been introduced on July 11, 2023.

Chair Valenzuela opened the public hearing.

Deputy County Counsel William Carroll provided an overview of the request to adopt an ordinance repealing water truck permitting in portions of the Siskiyou County Code.

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

In response to the Chair, Deputy County Clerk Wendy Winningham advised that the Clerk's Office had not received any correspondence related to this item.

It was moved by Supervisor Valenzuela, seconded by Supervisor Criss to introduce, waive the second reading of, and adopt an ordinance repealing Article 15 of Chapter 4 of Title 3 of the Siskiyou County Code regarding restrictions of water trucks and find that the ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3). Following a roll call vote with Supervisors Haupt, Criss, Ogren and Valenzuela voting YES and Supervisor Kobseff voting NO the motion to adopt Ordinance 23-07 carried unanimously.

**Public Hearings - County Counsel - Public hearing for the second reading of an ordinance amending Sections 3-13.601 and 3-13.702 and repealing Article 3.5 of Chapter 13 of Title 3 of the Siskiyou County Code regarding regulation of groundwater. Ordinance 23-08 adopted.**

This was the time set for a public hearing for the second reading of an ordinance amending Sections 3-13.601 and 3-13.702 and repealing Article 3.5 of Chapter 13 of Title 3 of the Siskiyou County Code regarding regulation of groundwater, having been introduced on July 11, 2023.

Chair Valenzuela opened the public hearing.

Deputy County Counsel William Carroll provided an overview of the request to adopt an ordinance repealing certain permitting requirements for the export of groundwater offsite and amending portions of the Siskiyou County Code related to the use of groundwater for illegal cannabis cultivation and associated penalty.

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**Public Hearings - County Counsel – (continued)**

In response to the Chair, Deputy County Clerk Wendy Winningham advised that the Clerk’s Office had not received any correspondence related to this item.

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

It was moved by Supervisor Valenzuela, seconded by Supervisor Criss to introduce, waive the second reading of, and adopt an ordinance amending Sections 3-13.601 and 3-13.702 and repealing Article 3.5 of Chapter 13 of Title 3 of the Siskiyou County Code regarding regulation of groundwater and find the ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3). Following a roll call vote with Supervisors Haupt, Criss, Ogren and Valenzuela voting YES and Supervisor Kobseff voting NO the motion to adopt Ordinance 23-08 carried unanimously.

**Board and Staff Reports**

Assessor-Recorder Craig Kay provided a brief overview of the process and associated rules for assessing property tax for property within Agricultural Preserve/Williamson Act contract.

Supervisor Kobseff requested presentation of information related to the fiscal/tax impacts associated with property in Agricultural Preserve/Williamson Act contracts, including the associated State or Federal rules/regulations.

Supervisor Haupt reported on a meeting regarding regulations associated with bears with County Counsel, Elizabeth Nielsen and Supervisor Kobseff. In addition, Supervisor Haupt advised of his attendance for a water tour related to the Petition for flow restrictions on the Scott River with County staff, California Department of Water Resources and Regional Water Quality Control Board representatives.

Supervisor Kobseff advised of his attendance at a Rural County Representatives of California (RCRC) in Sacramento, a meeting with Lake Shastina Community Services District (CSD) staff concerning dogs in the area, a Golden State Natural Resource (GSNR) meeting in Bieber, a County Fish and Game Commission meeting and a Tri Counties meeting with Supervisor Criss. In addition, Supervisor Kobseff advised of his attendance for the water tour with Supervisor Haupt and a dinner afterward with the Water Resources Control Board Chair.

Supervisor Criss advised of his attendance at a North Coast Resource Partnership (NCRP) annual meeting, the Mt. Shasta Forest Property Owners annual meeting, a fund raiser for the Montague Pool, a Tiny Mighty Strong meeting, an Ag event with the Tulelake Extension office and the Lumberjack Fiesta in McCloud. Supervisor Criss announced that he would not be seeking another term as Supervisor.

Supervisor Ogren advised of her attendance at a Rural County Representatives of California (RCRC) Golden State Connect Authority (GSCA) meeting regarding broadband, the North Coast Resource Partnership (NCRP) meeting and a Siskiyou County Fish and Game Commission meeting. In addition, Supervisor Ogren advised of the upcoming National Night Out in Yreka for the public and various law enforcement agencies.

Supervisor Valenzuela advised of his attendance at a National Associated of Counties (NACo) annual meeting in Austin, TX and of teaching at a California State Association of Counties (CSAC) New Supervisor Institute.

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

Attest:  
Laura Bynum, County Clerk

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Ed Valenzuela, Chair

By: \_\_\_\_\_  
Deputy