

# State of California, County of Siskiyou

## Board of Supervisors Minutes, September 5, 2023

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 5<sup>th</sup> day of September 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 County Service Area 3. Chaplain Keith Bradley 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 received.

### **Consent Agenda – Approved.**

At Supervisor Valenzuela's request, item 5J, County Administration/Natural Resources' license agreement for groundwater monitoring station at the Butte Valley Airport, was pulled from the consent agenda for discussion.

At Supervisor Kobseff's request, item 5K, General Services' County of Siskiyou and Siskiyou County Flood Control and Water Conservation District Policy and Procedures for facility and property use and item 5Q, Behavioral Health's addendum to contract with Shree Sai Hospitality LLC/Budget Inn, were pulled from the consent agenda for discussion.

At Supervisor Haupt's request, item 5BB, Public Health's California Harm Reduction Initiative (CHRI) allocation award was pulled from the consent agenda for discussion.

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, that the following consent agenda is approved, and the Chair and/or clerk authorized to execute/record any necessary documents:

#### Agriculture

Approve and sign the MOU between the counties of Lassen, Shasta, Modoc, and Siskiyou to establish and Event for the disposal of unwanted pesticides.

#### Auditor-Controller

Adopt the Resolution 23-149 thereby approving the 2023/2024 property tax rates.

#### Auditor-Controller

Adopt the Resolution 23-150 thereby setting the Prop 4 Gann limit at \$68,043,817.91 for the 2023-2024 fiscal year.

#### Community Development - Planning Division

Adopt Resolution 23-151 approving an application for funding and the execution of a grant agreement and any amendments thereto in the amount of \$950,000 of Community Development Block Grant Program Income for the Slater Fire Home Replacement Program.

#### County Administration

Approve the First Addendum to the Edgewood Hospitality Group, LLC dba Trailer Lane Campground monthly rental agreement. This addendum increases the monthly rental rate an amount not to exceed One Thousand One Hundred Fifty Dollars per month per recreational vehicle space for the months of August 2023 through October 2023.

**Consent Agenda – (continued)**

County Administration

Approve the third addendum to the Liebert Cassidy Whitmore agreement increasing the hourly rates on Exhibit "A", Fee Schedule.

County Administration

Adopt Resolution 23-152 recognizing National Hunting and Fishing Day and authorize the Chair to sign.

County Administration

Approve the Resolution 23-153 recognizing California Native American Day and authorize the Chair to sign.

County Administration

Ratify letter to Senator Portantino, expressing opposition to Assembly Bill 505 (AB 505).

General Services

Approve the Public Works contract with Ray-Mac mechanical, Inc. for the Replacement of the HVAC unit in the Sheriff's Evidence Room office.

General Services - Airports

Authorize the Chair to execute the Agricultural Lease between Hanna Brothers Ranch, Inc. and County of Siskiyou.

General Services - Airports

Authorize the Chair to execute the Airport Ground Lease between the County of Siskiyou and Sherman Griffith for the term of July 1, 2023 through June 30, 2028.

General Services – Airports

Authorize the Chair to execute the Third Addendum Airport Ground Lease between the County of Siskiyou and DG Airparts, Inc. for the term of July 14, 2023 through July 14, 2029.

General Services - STAGE

Adopt and approve the Resolution 23-154 approving STAGE's Title VI Program for the three year term from 2023-2026 to establish the updated Program.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division and Restpadd Health Corporation - Red Bluff, for the term of July 1, 2023 to June 30, 2025.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division and Restpadd Health Corporation - Red Bluff, for the term of July 1, 2023 to June 30, 2025.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Empire Hotel, EHARC Inc. dba Empire Recovery Center. The term of this agreement is July 1, 2023 to June 30, 2026.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and San Jose Behavioral Health, LLC, for the term of July 1, 2023 to June 30, 2026.

**Consent Agenda – (continued)**

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Visions of the Cross, Inc.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and John Muir Behavioral Health for the term of July 1, 2023 to June 30, 2026.

Health and Human Services - Behavioral Health Division

Approve, and authorize the Chair to execute, the (2) Resolutions 23-156 and 23-157 (regarding Permanent Local Housing Allocations/Permanent Supportive Housing).

Health and Human Services - Public Health Division

Approve the CHDP program for FY 2023/2024 and authorize the Chair to sign the Certification Statement.

Health and Human Services - Public Health Division

Approve the HCPCFC program for FY 2023/2024 and authorize the Chair to sign the Certification Statement.

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the MOU between Health and Human Services Agency and Probation for the Health Care Program for Children in Foster Care (HCPCFC).

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the amended agreement # 21-10263-A, between California Department of Health Care Service and Siskiyou County Health and Human Services Agency Public Health Division for the Intergovernmental Transfer funding.

Health and Human Services - Social Services Division

Approve and the Chair sign the Addendum to Memorandum of Understanding between SCHSA and the Siskiyou County District Attorney to increase the staff levels from one 0.5 FTE to up to 1.5 FTE. The term of Memorandum of Understanding remains effective July 1, 2022, through June 30, 2027.

Sheriff

Approve the Sheriff to continue working with A&P Helicopters, Inc for aviation services per the original contract term in accordance with the new fee schedule listed in the 1<sup>st</sup> addendum, Exhibit A.

Sheriff/Jail

Approve and the Chair sign this agreement between the Siskiyou County Sheriff/Jail and Network Communications Internatinal Corp. dba NCIC Communications.

Transfer of Funds - Predatory Animal Control - \$14,830. Resolution 23-157 adopted.

**General Services** - Approve County of Siskiyou and Siskiyou County Flood Control and Water Conservation District Policy and Procedures for facility and property use for various facilities and amenities that are available to be reserved and/or utilized for public and private functions. Amended and approved.

This item was pulled from the consent agenda at Supervisor Kobseff's request. Supervisor Kobseff requested clarification and revision of language in the Policy and Procedures related to the required licensing to serve alcoholic beverages and related to use of the Lake Siskiyou Campgrounds during the day only.

General Services Director Joy Hall and Project Coordinator Amanda Kimball appeared before the Board.

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## **General Services – (continued)**

Following discussion between Supervisor Kobseff, Ms. Hall, Ms. Kimball County Counsel Natalie E. Reed and Deputy County Administrator Elizabeth Nielsen regarding the suggested clarification verbiage to be added/revised in Policy and Procedures Sections 2.0 (use is limited to day-use only at Lake Siskiyou) and in Section 4.5 (indicating that an Alcohol Beverage Control (ABC) license is required), 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 the Policy as amended above.

**Health and Human Services - Behavioral Health Division** - Approve addendum to contract with Shree Sai Hospitality LLC dba Budget Inn, deleting and replacing Exhibit A, Scope of Services, increasing compensation by \$349,200 to a total not to exceed \$430,800 and extending the term through June 30, 2026. Approved.

This item was pulled from the consent agenda at Supervisor Kobseff's request. Supervisor Kobseff requested information regarding the housing capacity at the Budget Inn.

Behavioral Health Clinical Director Tracie Lima appeared before the Board.

Following discussion between Supervisor Kobseff and Ms. Lima regarding the capacity and amenities available for shared housing for Behavioral Health consumers at the location, the anticipated rental rates and payment options, 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 and authorize the Chair to sign the First Addendum to the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Shree Sai Hospitality DBA Budget Inn.

**Health and Human Services - Public Health Division** - Adopt Resolution authorizing the acceptance of the allocation award under California Department of Public Health (CDPH)-Office of AIDS (OA), California Harm Reduction Initiative (CHRI) for County of Siskiyou for the period July 1, 2023 through December 31, 2023 in an amount not to exceed \$53,801. Resolution 23-158 adopted.

This item was pulled from the consent agenda at Supervisor Haupt's request. Supervisor Haupt shared concerns regarding the possible use of funding for a (used) needle exchange program.

Behavioral Health Clinical Director Tracie Lima appeared before the Board.

Brief discussion followed regarding the mobile unit that provides certain services, including needle exchange, to consumers within the County.

Participation in this item from County staff was provided via teleconference phone.

Public Health Deputy Director/Director of Nursing Brenda Harris, participating via teleconference phone, advised that the California Harm Reduction Initiative (CHRI) allocation award would be utilized to provide various items/kits for the homeless population and would not be used for a needle exchange program.

It was moved by Supervisor Haupt, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to approve and authorize the Chair to sign the Governing Board Resolution 23-158 with the National Harm Reduction Coalition (NHRC), for an additional six months of funding for the California Harm Reduction Initiative (CHRI), authorize the County Administrator to act on behalf of the County to execute any and all program award documents as outlined in Section 2 of the Resolution and authorize the Auditor to establish budget appropriation and set expenditures per the agreement guidelines, for the allocation of \$53,801.00, with spending authority through December 31, 2023.

**County Administration - Natural Resources** - Approve license agreement for groundwater monitoring station on County-owned property located at the Butte Valley Airport with the California Department of Water Resources for the term detailed in the agreement. Approved.

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

Natural Resource Policy Specialist Matt Parker appeared before the Board.

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## **County Administration - Natural Resources – (continued)**

Mr. Parker provided a brief overview of the license agreement, advising of the need to amend the document on page 7, item 12 – Notices to revise the 'If to Licensor' by removing Ed Valenzuela, Chair and replacing with County Administration and the 'If to Cooperator' by removing Ed Valenzuela, Chair and replacing with GSA Plan Manager.

In addition, Deputy County Administrator Elizabeth Nielsen advised that the associated email addresses would be amended.

It was moved by Supervisor Valenzuela, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to approve the "License Agreement" with DWR and authorize the Board Chair to sign.

**Public Requests** - Siskiyou County Fish and Game Commission/US Fish and Wildlife Service - Presentation of an update on the status of Tule Lake and Lower Klamath National Wildlife Refuges and impacts to waterfowl and the Pacific Flyway. Presentation and discussion only.

Siskiyou County Fish and Game Commissioner Steve Pigoni appeared before the Board, briefly summarizing a letter emailed to the Board that detailed the Commission's concerns regarding the ongoing water management crisis in the Klamath Basin. Mr. Pigoni introduced Klamath Basin National Wildlife Refuge Complex Supervisory Biologist John Vradenburg.

Mr. Vradenburg appeared before the Board and provided a brief history of the Klamath Basin National Wildlife Refuge that was established in 1908. Mr. Vradenburg presented a powerpoint presentation entitled: Wetland Systems are the Key to Ecosystem and Fish Recover in the Klamath Basin, including the history of the Klamath Basin as an ecologically resilient system. Mr. Vradenburg shared concerns regarding the modern Klamath Basin that is not ecologically resilient due to loss of the wetland systems.

Mr. Vradenburg continued the powerpoint, including an overview of the hydrologic processes of the wetland system in the pre-altered Upper Klamath Basin and the wetland systems as the lynchpin for species survival, hydrology reliability and enhancement/maintenance of water quality and supply in the Klamath Basin. Mr. Vradenburg voiced concerns regarding the wetland systems that were not integrated into the recovery of the Klamath Basin ecosystem and the need to recognize the role of the wetlands with the ongoing removal of Klamath Dams. Additionally, Mr. Vradenburg shared concerns regarding the wetlands' limitations due to increased water withdrawal demands, curtailed water delivery and the increased amount of water in Klamath Lake and in the Klamath River and the associated negative impacts of a less resilient system on fish, wildlife and people.

Mr. Vradenburg advised of the need for a paradigm shift in how water is managed (mathematically versus ecologically) in order to promote resiliency and focus on restoring an integrated ecosystem. Mr. Vradenburg spoke in support of utilizing policy, law and decision making to manage water to support a resilient wetland system for the benefit of fish/wildlife species recovery, water supplies and water quality.

Discussion followed between members of the Board and Mr. Vradenburg regarding various efforts being made to capture more water for the Klamath Basin, a potential that the wetlands could benefit sucker fish population recovery, the negative impacts associated with the Refuge's water rights that are junior to the Klamath Project's water rights, the Executive Order and Congressional Acts that established the Wildlife Refuge, the impact of the Endangered Species Act and a biological opinion on Klamath Basin water, the relationship between US Fish and Wildlife Service and the Bureau of Reclamation and presentation of the powerpoint and engagement with local Native American Tribes.

**County Administration** - Discussion and possible direction re a request from the City of Yreka to perform an appraisal of County property, APNs: 053-642-580 and 053-651-760, for potential purchase of the property for the City to develop housing and/or a mixed use project. Staff directed to work with the City on an appraisal of the property.

Deputy County Administrator Elizabeth Nielsen appeared before the Board and provided an overview of the City of Yreka's request to access certain County-owned property. Continued...

## **County Administration – (continued)**

Ms. Nielsen provided an overview of the property located on Foothill Drive in Yreka, advising that the City was interested in accessing the property in order to perform an appraisal of the single parcel identified as Assessor Parcel Numbers (APNs): 053-642-580 and 053-651-760.

In response to Supervisor Ogren, Ms. Nielsen advised that she was not aware that the City had a project planned for the property.

Discussion followed between members of the Board, Ms. Nielsen, Community Development Director Rick Dean and County Counsel Natalie E. Reed regarding the property's current M1 mixed-use zoning, the potential that certain types of construction projects may not produce property taxes, the few properties zoned M1, the County's attempts to market excess properties for sale, the County's investment when purchasing the property for a Jail construction project that was not realized, a real estate agent/firm Request for Proposals (RFP) recently released, the uses approved under the M1 zoning designation and the Surplus Land Act that was considered during the City's possible purchase of the property a year or more previously.

Supervisor Haupt shared concerns regarding the potential negative impacts of selling the property and diminishing the tax base.

Supervisor Kobseff requested additional information regarding the purchase value of a nearby parcel being used for a supportive housing project (under construction).

Following further discussion regarding the City request to access the property and conduct an updated appraisal at the City's expense and the need for housing development in the County, it was moved by Supervisor Ogren and seconded by Supervisor Valenzuela to direct staff to continue to work with the City for the purposes of the City performing an appraisal of the property allowing the City to access the property.

Further discussion followed regarding the request for the Board's input concerning disposition of the county-owned property, the anticipated type of public record documentation that could be provided to the City and the potential revenue that the property could generate.

The Chair called for the motion and following a roll call vote with Supervisors Kobseff, Criss, Ogren and Valenzuela voting YES and Supervisor Haupt voting NO, the motion carried.

**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 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 the proliferation of illegal cannabis cultivation as declared by Resolution 20-18.

**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 Haupt, seconded by Supervisor Ogren 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.

**Off-Agenda Item** – Ratification of the Public Health Officer's Proclamation of a Local Public Health Emergency Related to the Happy Camp Complex Fire. Proclamation ratified.

County Counsel Natalie E. Reed provided a brief overview of the request for consideration of an urgency item related to a Proclamation of local health emergency related to the Happy Camp Complex Fire to be added to the Board's regular agenda.

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 add an item not on the posted agenda with regard to ratification of the Public Health Officer's Proclamation of a Local Public Health Emergency Related to the Happy Camp Complex Fire.

Continued...

**Off-Agenda Item – (continued)**

Community Development Director Rick Dean appeared before the Board and provided an overview of the Public Health Officer's Emergency Proclamation. Mr. Dean advised that the proclamation would need to be reaffirmed within 30 days after ratification.

It was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to ratify the Public Health Officer's Proclamation of a Local Public Health Emergency related to the Happy Camp Complex Fire.

**Minute Approval** - August 1 and 8, 2023. Approved.

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 approve the August 1 and August 8, 2023 minutes as presented.

**Public Hearings** - County Administration - Public hearing to consider authorized uses of FY 21/22 and FY 22/23 Secure Rural Schools and Community Self-Determination Act Title III funding, in a total amount of \$578,382. Authorized uses approved.

This was the time set for a public hearing to consider authorized uses of FY 21/22 and FY 22/23 Secure Rural Schools and Community Self-Determination Act Title III funding, in a total amount of \$578,382.

The Chair opened the public hearing.

Deputy County Administrator Sherry Lawson appeared before the Board and provided an overview of the request, including the recommended uses for the Secure Rural Schools and Community Self-Determination Act Title III funding. Ms. Lawson briefly summarized the authorized/allowed uses of the Title III funding.

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

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

Following discussion between members of the Board and Ms. Lawson regarding the need to follow up with the Forest Service with regard to whether a current Resource Advisory Committee (RAC) exists, it was moved by Supervisor Haupt, seconded by Supervisor Ogren and carried with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to authorize the use of the FY 21/22 and FY 22/23 Title III funds and any applicable interest to reimburse the County for training, equipment, search and rescue, and emergency response activities on Federal lands. Authorize the Auditor to establish budget for departmental reimbursements as provided by Administration.

**Public Hearings** - Community Development - Planning Division - Public hearing to consider two Resolutions approving the rescission and re-entry of existing Williamson Act contracts and approving an amendment to an existing agricultural preserve and finding the project exempt from CEQA under Application APA-23-09 for the MMZ, LLC Project, on APNs: 041-301-260, 041-301-280 and 041-301-320. Resolutions 23-159 (rescind) and 23-160 (amend) adopted.

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

This was the time set for a public hearing to consider two Resolutions approving the rescission and re-entry of existing Williamson Act contracts and approving an amendment to an existing agricultural preserve and finding the project exempt from CEQA under Application APA-23-09 for the MMZ, LLC Project, on APNs: 041-301-260, 041-301-280 and 041-301-320.

The Chair opened the public hearing.

Assistant Planner Bernadette Cizin appeared before the Board and provided an overview of the request, recommending approval as the proposal did not increase or decrease the number of acres in the Agricultural Preserve. Ms. Cizin additionally requested that the project be considered exempt from the California Environmental Quality Act (CEQA) Guidelines Section 15317, Open Space Easements or Contracts.

Continued...

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

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

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

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried 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 23-159 approving the rescission & reentry of the applicable Williamson Act contract; and adopt the attached Resolution 23-160 approving the amendment of the existing Agricultural Preserve and establish a new Agricultural Preserve.

**Public Hearings - Community Development - Planning Division - Continued 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 was recused from consideration of this item and remained outside of the Board Chambers.

This was the time set for a continued 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, having been continued from August 1, 2023.

Assistant Planner Bernadette Cizin appeared before the Board and provided two-pages of updated detail map of the Wildlands Conservancy Project APA-22-09. Ms. Cizin provided an overview of the Board's previous request for additional information regarding a Hunt Club that had been operated on the property, advising that the Hunt Club no longer existed or no longer in operation. Ms. Cizin advised that the property owner would need to apply to the Agricultural Preserve Administrator for review and/or approval to operate in the future. Ms. Cizin additionally commented regarding the Board's previous questions concerning water rights and usage, grazing operations on the property and the reduced tax rate related to the verified Commercial Agriculture Use occurring on the property.

Ms. Cizin requested consideration of adding 15.5 acres and not be considered a significant increase to the total project acreage. Ms. Cizin recommended approval and requested that staff be directed to return with a non-renewal recommendation for any remaining parcels no later than September of 2024.

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

Project Proponent Landon Peppel, The Wildlands Conservancy Resource Conservation Director, spoke in support of Ms. Cizin's requested approval of the project and to add additional acreage.

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

Supervisors Kobseff and Haupt shared concerns regarding The Wildlands Conservancy's commitment to leave 50% of their water rights instream for salmon benefit and potential negative impact to agriculture in the area.

Discussion followed between members of the Board and Ms. Cizin regarding Planning's process for determining and verifying compatible uses for property proposed to be set aside in Agricultural Preserve.

Supervisor Haupt further shared concerns regarding an Agricultural Preserve that operated under non-compatible use.

Continued...



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

It was moved by Supervisor Valenzuela to Determine the project exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15317; and adopt the attached resolution approving amendment to the existing Agricultural Preserves and establishment of a new preserve which includes the 15.5 acres previously not within a preserve; and adopt the attached resolution approving the rescission and reentry of the applicable Williamson Act contract which includes the 15.5 acres previously not encumbered by Williamson Act Contract; and direct staff to bring back a recommendation for non-renewal of any substandard or portion parcels no later than September 2024.

The motion died for lack of a second.

In response to Ms. Cizin, County Counsel Natalie E. Reed advised that the request was not approved.

**Public Hearings - Community Development - Continued public hearing for discussion, direction and possible action re presentation of a vacation rental analysis report and identified policy recommendations. (Continued from July 11, 2023)**

This was the time set for a continued public hearing for discussion, direction and possible action re presentation of a vacation rental analysis report and identified policy recommendations, having been continued from July 11, 2023.

Planning Director Hailey Lang appeared before the Board advising that she was informed that Supervisor Criss would be able to participate in discussions regarding vacation rentals, but may be prohibited in participating in discussions related to the Williamson Act (being considered as a possible compatible use in vacation rental permitting).

County Counsel Natalie E. Reed clarified that Supervisor Criss has property ownership under the Williamson Act which prohibited his participation as a member of the Board. Ms. Reed requested the Board's input with regard to continuing further discussion regarding vacation rentals with Supervisor Criss able to participate and putting the Williamson Act portion of the vacation rentals on hold or asking Supervisor Criss to recuse and then the Board could continue discussing vacation rentals and associated Williamson Act.

Discussion followed between members of the Board, Ms. Reed and Ms. Lang regarding Supervisor Criss' previous recusal during vacation rental discussions, the recusal advice Supervisor Criss received from the Fair Political Practices Commission (FPPC) and the anticipated timeframe for Community Development to establish a vacation rental ordinance.

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

Ms. Lang provided an overview of two proposed options for the permit workflow process, requesting input with regard to how a vacation permit application is approved or denied at the staff level or at the Board of Supervisors' level following review of the application and notification of neighboring properties. In addition, Ms. Lang recommended that the 2.5 acre minimum parcel size requirement be removed for the Mc Cloud Region and advised that the 2-year residency requirement be removed as there was a recent Court decision deeming the requirement unconstitutional.

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

There were no public comments received.

Discussion followed between members of the Board and Ms. Lang regarding possible denial of an application should 50% or more of the noticed neighboring residents submit protest/opposition letters to the Department, an appeal process in place with either permit workflow process, support for the option in which the Department reviews and considers whether to grant or deny a permit and the complaint process utilized for permit revocation.

It was the consensus of the Board to remove the cap on the number of permits from the McCloud Region.

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**Public Hearings - Community Development - (continued)**

Ms. Lang requested input regarding 'grandfathering in' previously approved vacation rental Use Permits. Supervisors Kobseff and Valenzuela spoke in support of the request.

Assistant County Counsel William Carroll advised that vacation rentals operating currently with Conditional Use Permits could be revoked following a complaint driven revocation process.

Following further discussion regarding the recommendation to remove the 2-year residency requirement, it was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried following a roll call vote with Supervisors Haupt, Kobseff, Ogren and Valenzuela voting YES and Supervisor Criss RECUSED to continue the public hearing to October 17, 2023.

Supervisor Criss returned to the Board Chambers.

**Closed Session** - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), four cases, commenced at 11:26 a.m., concluded at 11:50 a.m., with action taken.

**Report On Closed Session**

County Counsel Natalie E. Reed announced that closed session concluded at 11:50 a.m., with reportable action taken.

With regard to item 13D, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Peggy Sykora v. State of California, et al, Siskiyou County Superior Court, Case No. 23CV07392, Ms. Reed advised that it was moved by Supervisor Haupt and seconded by Supervisor Kobseff and carried with a unanimous vote of YES to authorize defense of suit and counter-complaint against the defendant and to authorize representation through Scott Donald of Spinelli, Donald and Nott.

**Board and Staff Reports**

Supervisor Haupt advised of his attendance at and plans to attend various upcoming meetings concerning local wildfires.

Supervisor Kobseff reminded members of the Board to provide items for the Rural County Representatives of California (RCRC) Annual Meeting gift basket to Tonya Dowse at the Siskiyou Economic Development Counsel (EDC).

Supervisor Valenzuela thanked Public Works staff who cleared debris during recent flooding on Everitt Memorial Highway and advised of his attendance at a California State Association of Counties (CSAC) meeting. Supervisor Valenzuela additionally advised of plans to attend an upcoming Sierra Nevada Conservancy meeting in Kernville California.

**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