

State of California, County of Siskiyou

Board of Supervisors Minutes, October 3, 2023

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 3rd day of October 2023; there being present Supervisors Brandon Criss, Michael N. Kobseff, Nancy Ogren, Ray A. Haupt and Ed Valenzuela, County Administrator Angela Davis, Assistant County Counsel William Carroll 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 and County Service Area No. 4. Chair Valenzuela 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 Criss' request, item 5K, Human Services' addendum to contract with Jones Carpet Cleaning and Janitorial, LLC, was pulled from the consent agenda for discussion.

At Supervisor Kobseff's request, item 5M2, Public Health's Transfer of Funds, in the amount of \$23,586, was pulled from the consent agenda for discussion.

At Supervisor Valenzuela's request, item 5E, County Counsel's addendum to Professional Services Retention Agreement with Nossaman, LLP, was pulled from the consent agenda for discussion.

County Counsel - Approve addendum to Professional Services Retention Agreement with Nossaman, LLP for the Klamath Basin legislation, litigation and administrative proceedings, substituting a new Exhibit A-Hourly Rates and increasing the agreement by \$30,000 to a total not to exceed \$711,000. Approved.

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

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss and Ogren voting YES and Supervisor Valenzuela voting NO, to approve the Twenty-Seventh Addendum to Professional Services Retention Agreement with Nossaman increasing the compensation under the Contract by \$30,000, amends Exhibit "A", and authorize the Board chair to execute same.

Health and Human Services - Social Services Division - Approve addendum to contract with Jones Carpet Cleaning and Janitorial, LLC, increasing the contract by \$20,322.26 to a total not to exceed \$508,008.26 and extending the term through November 17, 2023. Approved.

This item was pulled from the consent agenda at Supervisor Criss' request. Supervisor Criss recused himself from consideration of this item and left the Board Chambers.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Ogren and Valenzuela voting YES and Supervisor Criss RECUSED, to approve and the Chair sign the Second Addendum to the Contract for for janitorial services between Siskiyou County Health and Human Services Agency and Jones Carpet Cleaning and Janitorial, LLC. for a term ending November 17, 2023 with a Not to Exceed amount of \$508,008.26.

Supervisor Criss returned to the Board Chambers.

Transfer of Funds - Public Health - \$23,586. Approved; Resolution 23-172 adopted.

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

Continued...

Transfer of Funds - Public Health - \$23,586. (continued)

Supervisor Kobseff requested additional information regarding the budget transfer, sharing concerns request to budget for California Department of Motor Vehicles (DMV) fees for Public Health's mobile unit (van).

Health and Human Services Agency Director Sarah Collard appeared before the Board, advising that the budget transfer for \$23,586 was to cover DMV registration fees for the newly purchased Mobile Unit.

Following discussion between members of the Board and Ms. Collard regarding the need for additional information clarifying the total cost of the Mobile Unit and associated DMV fees/costs, 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 adopt Resolution 23-172, Transfer of Funds – Public Health, in the amount of \$23,586.

It was moved by Supervisor Valenzuela, 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:

County Administration

Ratify letter to Governor Newsom requesting veto of AB 505 (Ting) - The Office of Youth and Community Restoration.

County Administration

Approve the request for grant budget revision and authorize staff to submit documents. (CalFire's Forest Health Grant amendment).

County Administration - Natural Resources

Approve support letter for Scott Valley's Irrigation Efficiency Needs for Priority NRCS-EQIP Cost-Sharing funding for FY 2024.

County Clerk

Approve License and Annual Software Support and Maintenance agreement with Questys "QSI 2011, Inc." for the term July 1, 2023 through June 30, 2024 at the rates outlined in Schedules "A" and "C".

District Attorney

Approve the ratification for the accounting change on existing Family Carpet-N-Things contract for a capital asset purchase of carpet and installation in the amount of \$5,504.13 for accounting 2151-201160-761010.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the CalAim Behavioral Health Payment Reform IGT Agreement SMH-IGT between Siskiyou County Health & Human Services Agency, Behavioral Health Division.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the CalAim Behavioral Health Payment Reform IGT Agreement DMC-ODS between Siskiyou County Health & Human Services Agency, Behavioral Health Division.

Health and Human Services - Behavioral Health Division

Approve the First addendum to the Memorandum of Understanding with the Siskiyou County Office of Education and authorize the Chair to sign the agreement.

Health and Human Services - Social Services Division

Approve and the Chair sign the Contract for Services between the Siskiyou County Health and Human Agency and Fiscal Experts, Inc. for the term of July 1, 2023 through June 30, 2028, with a not to exceed amount of \$87,500.00.

Continued...

Consent Agenda – (continued)

Sheriff

Approve the Agreement between the Siskiyou County Sheriff's Office and Siskiyou Joint Community College District not to exceed \$240,000.00 for the period July 1st, 2023 through June 30th, 2025. Authorize the Chair to sign.

Transfer of Funds - District Attorney - \$5,505. Resolution 23-173 adopted.

Transfer of Funds - Public Health CDC Base - \$1,198. Resolution 23-174 adopted.

Transfer of Funds - Public Health - Whole Person Care Program - \$32,191. Resolution 23-175 adopted.

Transfer of Funds - Solid Waste Disposal - \$121,946. Resolution 23-176 adopted.

Transfer of Funds - Community Development - \$300,000. Resolution 23-177 adopted.

Transfer of Funds - Courthouse and Grounds - \$9,100. Resolution 23-178 adopted.

Transfer of Funds - Sheriff - \$2,720. Resolution 23-179 adopted.

Community Development - Discussion, direction and possible action re request to reaffirm Proclamation of Local Health Emergency by the County Health Officer for the Happy Camp Fire Complex. Proclamation of Local Health Emergency reaffirmed/continued for another 30 days.

Community Development Director Rick Dean appeared before the Board and provided an overview of the request. Mr. Dean requested that the Proclamation of Local Health Emergency be continued for another 30 days.

Following brief discussion between Supervisor Haupt and Mr. Dean regarding the need to possibly modify the Proclamation to address the negative impacts of the smoke on downriver residents, it was moved by Supervisor Haupt, seconded by Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to re-affirm for approval the subject 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 2023 Happy Camp wildland fires.

Community Development - Presentation re pre-approved building plans that can be used for development in the County and incorporated cities free of charge. Presentation and discussion only.

Community Development Director Rick Dean appeared before the Board, providing a brief overview of the request and introducing Senior Planner Rachel Jereb to continue the presentation.

Ms. Jereb appeared before the Board, presenting a powerpoint, which included various building plans ranging from the smallest home, an efficiency studio at 396 square feet (sf) to the largest 3 bedroom/2 bath home at 1,650 sf in size. Ms. Jereb additionally provided an overview of certain aspects of each plan, including one available two-story home plan, those plans that were Americans with Disabilities Act (ADA) accessible and the various plans that provide optional garage space. Ms. Jereb advised that most of the plans included six-foot wide (or larger) porches to provide livable, outside space.

Discussion followed between members of the Board, Ms. Jereb and Chief Building Inspector Glenn Shockency regarding the anticipated benefits associated with the pre-approved plans for customers and the Building Department, the possibility for plans to be modified, the majority of the plans qualifying as Accessory Dwelling Units (ADUs) and the plans being available to Siskiyou County and local city/town residents free of charge.

County Administration – Personnel - Discussion, direction and possible action re Resolution regarding certain terms and conditions of employment for the Attorney Unit, effective October 29, 2023 through January 31, 2027. Dropped from the agenda.

County Administrator Angela Davis requested that this item be dropped from the agenda, advising that there was no anticipated date for the Board to consider the request.

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

County Administration – Personnel - Discussion, direction and possible action re Resolution amending the Siskiyou County Salary Schedule and Position Allocation List, with regard to positions in the Attorney Unit, effective October 29, 2023. Dropped from the agenda.

County Administrator Angela Davis requested that this item be dropped from the agenda, advising that there was no anticipated date for the Board to consider the request.

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

County Administration – Personnel - Discussion, direction and possible action re Resolution electing to be subject to Public Employees' Medical and Hospital Care Act at an unequal amount for employee and annuitants with respect to a recognized employee organization, for Attorney Unit effective November 1, 2023. Dropped from the agenda.

County Administrator Angela Davis requested that this item be dropped from the agenda, advising that there was no anticipated date for the Board to consider the request.

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

Appointments - County Clerk - Appointment of one member to an unscheduled vacancy on the Copco Lake Fire Protection District, for a short term ending December 5, 2025 to establish a quorum. Susan Ikenberry appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request to appoint one member to the unscheduled vacancy on the Copco Lake Fire Protection District in order to establish a quorum due to the recent passing of District Board member Tori Belongie. Ms. Winningham advised that the Clerk's Office received a letter of interest in serving on the District Board from local resident Susan Ikenberry who was eligible to serve as an active voter residing within the District boundaries.

It was moved by Supervisor Criss, seconded by Supervisor Valenzuela and carried following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to appoint Susan Ikenberry to an unscheduled vacancy on the Copco Lake Fire Protection District, for a short term ending December 5, 2025, to establish a quorum.

Minute Approval - September 19, 2023. Approved

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 ABSTAINING, to approve the September 19, 2023 minutes as presented.

Public Hearings - Community Development – Planning - Public hearing to consider two Resolutions approving an amendment to an existing Agricultural Preserve and approving the rescission and re-entry of existing Williamson Act contract under Application APA-23-01 for the W R Willow Creek LLC Agricultural Preserve Amendment Project and a Resolution directing staff to issue a Notice of Non-renewal for 6 acres under Williamson Act Contract for same, for property located near Airport and York Roads, Montague CA. Resolutions 23-180 (rescind) 23-181 (amend) 23-182 (directing non-renewal) 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 an amendment to an existing Agricultural Preserve and approving the rescission and re-entry of existing Williamson Act contract under Application APA-23-01 for the W R Willow Creek LLC Agricultural Preserve Amendment Project and a Resolution directing staff to issue a Notice of Non-renewal for 6 acres under Williamson Act Contract for same, for property located near Airport and York Roads, Montague CA.

Chair Valenzuela opened the public hearing.

Assistant Planner Bernadette Cizin appeared before the Board and provided an overview of the request to amend an existing Agricultural Preserve and approve the rescission and re-entry of an existing Williamson Act contract for property north and east of the City of Montague.

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Public Hearings - Community Development – Planning – (continued)

Ms. Cizin continued the overview, advising that one 6.5 acre parcel was substandard in size. Ms. Cizin recommended that the project be considered exempt under the California Environmental Quality Act (CEQA) pursuant to the Open Space and Easements or Contracts Section and requested adoption of the Resolutions to amend the existing Agricultural Preserve, to rescind and re-enter an existing Williamson Act contract and to direct staff to issue a notice of non-renewal for the 6.5 acre substandard parcel.

In response to the Chair, Deputy County Clerk Wendy Winningham advised that the Clerk's Office did not receive any correspondence related to this item, although one public hearing notification letter was returned as undeliverable from the Post Office.

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

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt 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 23-181 approving the amendment of the existing Agricultural Preserves and establish a new Agricultural Preserve, adopt the attached Resolution 23-180 approving the rescission and reentry of the applicable Williamson Act contract and adopt the attached Resolution 23-182 directing staff to process the Notice of Non-Renewal for the 6-acre parcel.

Public Hearings - Community Development – Planning - Public hearing to consider two Resolutions approving an amendment to two existing Agricultural Preserves and approving the rescission and re-entry of existing Williamson Act contracts under Application APA-23-12, for the Outpost M-R LLC Project, located west of the community of Edgewood CA. Continued to November 7, 2023.

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 two Resolutions approving an amendment to two existing Agricultural Preserves and approving the rescission and re-entry of existing Williamson Act contracts under Application APA-23-12, for the Outpost M-R LLC Project, located west of the community of Edgewood CA, having been continued from September 19, 2023.

Assistant Planner Bernadette Cizin appeared before the Board and provided an overview of the request to amend two existing Agricultural Preserves and approve the rescission and re-entry of an existing Williamson Act contract for property located west of the community of Edgewood CA. Ms. Cizin advised that the project included a proposed addition of 193.7 acres, approximately 7.5% of a legal parcel, which was consistent with the County's Agricultural Preserve/Williamson Act contract rules.

Ms. Cizin presented and summarized a map (shown to the Board and the public on the powerpoint screen) which identified various Outpost M-R LLC parcels that were within Agricultural Preserve and the proposed 193.7 acres proposed for addition. Ms. Cizin advised that staff recommended inclusion of the 193.7 acres, which would not be considered a significant increase. Ms. Cizin additionally advised that the project applicant requested continuation of the public hearing to November 7, 2023.

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.

Discussion followed between members of the Board and Ms. Cizin regarding the location of the proposed additional acreage on the map, unknowns related to the 193.7 acres that were not originally placed into Agricultural Preserve/Williamson Act contract, an associated Boundary Line Adjustment (BLA) that cannot proceed until the Agricultural Preserve Amendment project is completed and Planning's process for evaluating entire parcels for various details (i.e. soils types, etc.).

Supervisors Kobseff and Haupt requested Planning's evaluation of the soils types in the 193.7 acres and whether the acreage was located within a floodplain.

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Public Hearings - Community Development – Planning – (continued)

Further discussion followed, including Community Development Director Rick Dean regarding a potential loss of tax revenue should the 193.7 acres be added to Agricultural Preserve/Williamson Act contract, the request for additional information regarding the acreage, soils types and possible floodplain location, the vagueness of the term 'significant increase' concerning adding acreage and the need to address the questions regarding significant increase and the definition of 'legal parcel' within the County's rules related to establishing agricultural preserves and Williamson Act contracts.

Chair Valenzuela advised that the public hearing was continued to November 7, 2023 at the Applicant's request.

Supervisor Criss returned to the Board Chambers.

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), three cases, conference with labor negotiators pursuant to Government Code §54957.6, commenced at 9:45a.m., concluded at 10:35a.m., with no action taken.

Report On Closed Session

Assistant County Counsel William Carroll announced that closed session concluded at 10:35a.m., with no reportable action taken.

Board and Staff Reports

Supervisor Ogren advised of her attendance at the Rural County Representatives of California (RCRC) Annual meeting in Monterey CA, an agricultural tour near Tennant, the Siskiyou County Public Health Drive-Thru Flu Shot Clinic and a Scott Valley water tour with members of the State Water Resources Control Board. Supervisor Ogren additionally advised of speaking at a Siskiyou County Patriots meeting and reported on her attendance at a meeting of the Shasta Cascade Accelerate California Inclusive Innovation Hub group at 5 Marys Farm in Fort Jones.

Supervisor Criss advised of his attendance for the agriculture tour in Tennant and a County-facilitated meeting of the Klamath River Renewal Corporation (KRRC) with the Copco Lake community/residents.

Supervisor Haupt reported on his attendance for a California Licensed Foresters (CLFA) meeting in Weed, an RCRC meeting via ZOOM, the Cattleman's tour in east County and the water tour with members of the State Water Resources Control Board. Supervisor Haupt further advised of working with the Scott Valley Agriculture Water Alliance (AgWa) and advised of meeting with the new Manager at JH Ranch.

Supervisor Kobseff advised of his attendance for a tour of the Shasta Valley system with members of the State Water Resources Control Board and reported on the meeting of the Shasta Cascade Accelerate California Inclusive Innovation Hub group at 5 Marys Farm in Fort Jones with Supervisor Ogren.

Supervisor Valenzuela reported on his attendance at a Dunsmuir Friends of the Library meeting, the RCRC Annual meeting in Monterey CA and a tour with Chelsea Murphy from CKM Environmental and the County's Public Information Officer (PIO) Ali Kutzer around Copco Lake to view the ongoing dam removal project.

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