

# State of California, County of Siskiyou

## Board of Supervisors Minutes, April 2, 2024

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 2<sup>nd</sup> day of April 2024; there being present Supervisors Brandon Criss, Ed Valenzuela, Michael N. Kobseff and Nancy Ogren, 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. Supervisor Ray A. Haupt was absent.

The meeting was called to order by Chair Kobseff. 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 Ogren 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**

Siskiyou dot news representative Jay Martin appeared before the Board, presenting and summarizing a four-page letter expressing concerns regarding the County's reliance on outdated public notice laws. Mr. Martin requested a future agenda item to consider establishment of a digital public notice system for the County.

Supervisor Kobseff suggested that Mr. Martin research upcoming, draft legislation related to government digital public notifications.

Participation in presentations from the public was provided via ZOOM/teleconference phone.

Caller Alice Rogers shared concerns regarding the Board's recent adoption of a state of emergency related to the Klamath River water quality following release of water from dams being removed from the river system.

### **Consent Agenda – Approved.**

At Supervisor Kobseff's request, item 5D, County Administration's request to ratify two letters of support for Simpson University's Aviation Program equipment funding and Degree Program funding, was pulled from the consent agenda for discussion.

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

#### Auditor-Controller

Approve the First addendum to the original contract for with Smith & Newell CPA's in the amount of \$114,546.00 for FY23/24 & FY24/25 for auditing services covering the FY23/24.

#### County Administration

Adopt the Resolution 24-52 allowing for Cal-Cards to be used as a form of payment for pre-employment medical background screening when authorized to do so by the County Administrator or their designee, and authorize the Chair to sign.

#### County Administration

Approve the purchase of 17 Holmatro PCT60 Combi-Tool (vehicle extraction tool), in the amount of \$252,398.06. Authorize the donation of 17 Holmatro PCT60 Combi-Tools to the fire districts from the County surplus inventory.

#### County Administration - Personnel

Adopt the Resolution P 24-53 amending the Siskiyou County Salary Schedule, Position Allocation List, and new classifications specifications for positions in County service effective April 14, 2024.

Continued...

**Consent Agenda – (continued)**

County Administration - Personnel

Adopt a CalPERS Resolution P 24-54 recognizing the Attorney Unit and setting forth health benefit coverage effective May 1, 2024.

County Counsel

Approve the First Addendum to Agreement for Services with Matheny, Sears, Linkert, Jaime, LLP, increasing the compensation under the contract by \$80,000, and authorize the Board chair to execute same.

County Counsel

Approve the Fourth Addendum to Agreement for Services with Spinelli, Donald & Nott, increasing the compensation under the contract by \$100,000, and authorize the Board chair to execute same.

Health and Human Services - Behavioral Health Division

Approve Department of Health Care Services Agreement #21-10117, A1 and authorize the Chair to sign the Standard Agreement Form STD 213A and Contractor Certification Clause, Form CCC 04/2017. The term of this agreement is July 1, 2021 to June 30, 2025.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Second Addendum to the Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Sacramento Behavioral Healthcare Hospital, LLC., incorporating rate updates for FY23/24. The contract term is July 1, 2022 to June 30, 2026.

Office of Emergency Services

Approve the Siskiyou County Office of Emergency Services receiving the 2023 Homeland Security Grant for \$116,809 and authorize the Auditor-Controller to create an activity code and establish budget as outlined in the grant guidance.

Probation

Approve rate agreement between Siskiyou County Probation and Dr. Bruce Ebert for juvenile psychological evaluations from January 1, 2024, through June 30, 2025.

Sheriff

Approve Sheriff to extend terms of contract for services with Executive Information Services, Inc through June 30, 2025 and allow the Auditor to make appropriations.

Transfer of Funds - Human Services Administration - \$40,000. Resolution 24-55 adopted.

Transfer of Funds - Predatory Animal Control - \$23. Resolution 24-56 adopted.

Transfer of Funds - Probation - \$27,909. Resolution 24-57 adopted.

Transfer of Funds - Sheriff - \$12,170. Resolution 24-58 adopted.

Transfer of Funds - Sheriff - \$4,666. Resolution 24-59 adopted.

Transfer of Funds - Solid Waste Disposal - \$303,000. Resolution 24-60 adopted.

Transfer of Funds - Local Assistance and Tribal Consistency Fund (LATCF) - \$252,399. Resolution 24-61 adopted.

**County Administration** - Ratify two letters to Congressman Doug LaMalfa expressing support for Simpson University's request for Aviation Program equipment funding and for their Aviation Degree Program funding. Approved.

This item was pulled from the consent agenda at Supervisor Kobseff's request. Supervisor Kobseff spoke in support of the efforts being made by Simpson University to provide certain aviation programming in the North State.

Continued...

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

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Valenzuela, Criss, Ogren and Kobseff voting YES and Supervisor Haupt ABSENT, to ratify the two letters offering support for Simpson University's requests for funding to support the creation of Aviation and Aviation Management Bachelor degree programs.

**Public Requests - Cal-Ore Communications - Presentation re efforts being made to bring Broadband to the residents of Siskiyou County. Presentation and discussion only.**

Cal-Ore Communications representative Rodney Wood appeared before the Board, providing a brief overview of the request to provide broadband service to various areas within Siskiyou County. Mr. Wood presented a powerpoint, including an overview of Cal-Ore's service area, service delivery types (i.e. fiber to premise, DSL (digital subscriber line), traditional fixed wireless and NextGen fixed wireless), the Company's coverage area statistics as an Incumbent Local Exchange Carrier (ILEC) (landline service), Competitive Local Exchange Carrier (CLEC) and number of customers and service territory. Mr. Wood summarized various achievements, fiber to premise locations, recent fiber builds in 2022 and 2023 and upcoming fiber builds planned for 2024.

In response to Supervisor Valenzuela, Mr. Wood summarized typical costs associated with Cal-Ore's services.

Mr. Wood continued the powerpoint, advising that Cal-Ore was awarded \$42 million from the ReConnect 3 and ReConnect 4 program for connecting to gigabit fiber service in rural areas and summarized local areas that would see development. Mr. Wood additionally summarized the process to upgrade existing fixed wireless sites and equipment to NextGen fixed wireless.

Discussion followed between members of the Board and Mr. Wood regarding typical service costs, various internet service statistics (i.e. speed, upload/download, impact of the age of a customer's equipment), the impact of the Rural Counties of California's (RCRC's) Golden State Connect Authority (GSCA) efforts to bring broadband to rural areas and Cal-Ore's impact as an employer in the Butte Valley area.

**Public Requests - Tulelake Police - Presentation of an update re public safety concerns, including damage to buildings within the City of Tulelake due to dropping water tables. Presentation and discussion only.**

Tulelake Chief of Police Thomas Hoy appeared before the Board and provided an overview of the request to update the Board on public safety concerns in the City of Tulelake. Chief Hoy provided photos (shown on the powerpoint screen) of two buildings the former Mallard Building and the Bowling Alley, that were falling apart and threatening to collapse. Chief Hoy advised of the efforts made to contact the buildings' owners, sharing concerns that one owner was not able to afford repairs and the other could not be found/contacted. Chief Hoy further advised that the City installed temporary fencing around the privately-owned buildings in order to minimize access to the collapsing structures. Chief Hoy summarized the efforts made to contact the State, sharing concerns regarding the lengthy timeframes associated with State required testing for asbestos and lead paint before any action could be taken to potentially demolish the structures and minimize the risk to member of the public. Chief Hoy requested Board input with regard to the situation.

Chief Hoy introduced Tulelake Public Works Director Jose Perez who appeared before the Board. Mr. Perez shared concerns regarding the lowering of the water table beneath the City in recent years, perhaps due to the dewatering of the surrounding farmlands and wildlife refuge. Mr. Perez voiced concerns regarding the negative impacts associated with the lowering water table on other buildings in Tulelake.

Discussion followed between members of the Board, Chief Hoy, Mr. Perez and Office of Emergency Services (OES) Director Bryan Schenone regarding similar impacts seen at the Tulelake High School, concerns regarding the deteriorating condition of the two buildings, the State's inability or unwillingness to assist other than suggesting the City apply for grant opportunities, concerns regarding the need for a quicker solution for the two buildings, concerns regarding soil compaction in the surrounding farm lands and the OES Department's need for current and continuing costs associated with mitigation of the deteriorating buildings in order to assist with possible grant funding.

Supervisor Kobseff suggested drafting a letter to State representatives regarding the urgent nature/status of the two buildings in Tulelake and possible exemption to State regulations. Continued...

**Public Requests - Tulelake Police – (continued)**

Further discussion followed, including Tulelake Mayor Tom Cordonier, regarding a similar public safety issue in the City of Mount Shasta City, the need to contact legislators for assistance, the imminent nature of the public safety concerns as children walk to/from school close to the Bowling Alley building, the City's emergency declaration related to the impacts of the lack of water and sinking buildings, the need to advocate for measures to rehydrate the water table/system current and in the future and the potential for the Board to view the buildings during a tour planned for April 30<sup>th</sup>.

**Office of Emergency Services - Presentation re ReadySiskiyou**, an upgrade to the Public Alert and Warning System for emergency notifications to Siskiyou County public. Presentation and discussion only.

Office of Emergency Services (OES) Director Bryan Schenone appeared before the Board, providing a brief overview of the request to upgrade the County's public alert warning system from CodeRED to ReadySiskiyou. Mr. Schenone spoke in support of the ReadySiskiyou system and the improved notification response times.

Staff Service Analyst Adam Heilman appeared before the Board and presented a powerpoint presentation on the ReadySiskiyou – Alerts system, advising that the data/information in CodeRED for those members of the public signed up for CodeRED, was migrated to the ReadySiskiyou – Alerts system. Mr. Heilman advised that the Department planned to outreach to the public to sign up for ReadySiskiyou – Alerts and spoke in support of the various partner agencies assisting OES in this effort.

Disaster Services Coordinator Owen Cabo Dal Molin appeared before the Board, continuing the powerpoint and demonstrating the process to sign up for ReadySiskiyou - Alerts.

Discussion followed between members of the Board and Mr. Schenone regarding the anticipated process for outreaching the public to sign up, the need to get the word out to various city, special districts, firesafe councils and volunteer groups and the need for Sheriff or OES approval prior to the State pushing out notifications to Siskiyou County residents.

**General Services – Airports - Presentation of an update re all Siskiyou County Airport activities since March 19, 2024.** Presentation and discussion only.

General Services Director Joy Hall appeared before the Board, advising that there was no update for the Butte Valley Airport and of being unable to contact the Forest Service with regard to the Happy Camp Airport abandonment plan. With regard to Scott Valley Airport, Ms. Hall advised that the Forest Service decided not to increase their footprint at the airport, and that the Department was working to update the Forest Service's contract concerning helicopter landings during fire season.

Ms. Hall additionally provided an update regarding the Siskiyou County Airport, advising of an upcoming meeting to update the Airport Layout Plan (ALP) and that grant paperwork had been returned to the State for their review/approval. With regard to the Weed Airport, Ms. Hall summarized the anticipated timeframe related to the taxiway/apron reconstruction project, including an anticipated 17-day closure of the runway during a portion of the construction and the process for notifying concerned parties.

Discussion followed between members of the Board and Ms. Hall regarding the anticipated process to develop a contract with the Forest Service for the Scott Valley Airport, fuel deliveries during Weed Airport construction, the potential need to address lost income by the Weed Fixed Base Operator (FBO) should the construction delay last longer than 17 days, the anticipated strategy to combine certain segments of construction to minimize the impact, the need for possible development of similar contingency in future construction contracts and the ongoing efforts related to maintaining the Siskiyou County Airport's minimum runway length.

**Probation - Discussion, direction and possible action re request to pay Shasta County outside the agreement for placement of juvenile court wards at Shasta County Juvenile Rehabilitation Facility at the previously agreed upon daily rates until an addendum can be executed.** Approved.

Chief Probation Officer Mike Coley appeared before the Board, advising of a recent uptick in juvenile detentions and providing an overview of the Department's current status regarding housing for juveniles in Tehama and Shasta counties.

Continued...

**Probation – (continued)**

Mr. Coley further advised of efforts being made to work with Shasta County to develop an addendum to their contract and requested authorization to pay Shasta County outside of the contract until an addendum can be executed.

Following discussion between members of the Board, Mr. Coley and County Administrator Angela Davis regarding the current status of juveniles being housed and Ms. Davis' awareness and agreement with the request, it was moved by Supervisor Criss, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Valenzuela, Criss, Ogren and Kobseff voting YES and Supervisor Haupt ABSENT to pursuant to Welfare & Institutions Code Section 850-852, authorize Probation Department to pay Shasta County for youth facility Board and Care costs, outside the contract, at the daily rate determined by the type of detention utilized, as described in §1.A of our fully executed agreement, until an addendum can be executed.

**County Administration** - Discussion, direction and possible action re first reading of an Ordinance of the County of Siskiyou adding Title 2 "Administration", Chapter 40 "Contractor Debarment", Sections 2-40.01 through 2-40.34 to the Siskiyou County Code regarding the County's Administrative Contractor Debarment Proceedings. First reading approved; public hearing for the second reading set on May 7, 2024.

Deputy County Administrator Elizabeth Nielsen appeared before the Board, providing an overview of the request to establish a process for contractor debarment, including the right to due process which was in the draft ordinance language.

County Counsel Natalie E. Reed advised of the need to correct minor typographical errors in the draft document and read those corrections into the record as follows: Page 2 (Council corrected to: Counsel and deletion of the word 'of' in Section 2-40.05(a) Causes for Debarment) and on page 10 (Section XII to read: Section III and Section XII to read: Section IV).

It was moved by Supervisor Criss and seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Valenzuela, Criss, Ogren and Kobseff voting YES and Supervisor Haupt ABSENT, to introduce, waive and approve the first reading of the Ordinance adding Section 2-40.01 through 2-40.34 to the Siskiyou County Code regarding the County's Administrative Contractor Debarment Proceedings, with the amendments as presented and direct the Clerk to schedule a public hearing on, and second reading of the Ordinance on May 7, 2024.

**County Counsel** - Discussion, direction and possible action re Resolution adopting an electronic records retention policy for the County of Siskiyou effective January 1, 2025. Dropped from the agenda.

Following brief discussion between members of the Board and County Administrator Angela Davis and County Counsel Natalie E. Reed regarding the need for additional time to discuss the proposal with employee unions and anticipated necessary training, the Chair advised that this item was dropped from the agenda at Ms. Davis' request.

**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 and seconded by Supervisor Valenzuela to extend the local emergency related to the proliferation of illegal cannabis cultivation as declared by Resolution 20-18.

In response to Supervisor Valenzuela's request for an update from the Sheriff regarding the current status of the emergency declaration, County Administrator Angela Davis advised that the Sheriff was working to bring an update and revised declaration before the Board.

The Chair called for the question and the motion to extend the local emergency carried, following a roll call vote with Supervisors Valenzuela, Criss, Ogren and Kobseff voting YES and Supervisor Haupt ABSENT.

**Minute Approval** - March 12, 2024. Approved.

It was moved by Supervisor Ogren, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Valenzuela, Criss, Ogren and Kobseff voting YES and Supervisor Haupt ABSENT, to approve the March 12, 2024 minutes with the following correction: Continued...

## **Minute Approval – (continued)**

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### **Board and Staff Reports**

Corrected from:

Supervisor Criss advised of his attendance at a Butte Valley Cattleman's Social, Butte Valley Coffee with a Cop event, a Sierra Sacramento Valley Emergency Medical Services (EMS) Agency JPA meeting, a Volcanic Legacy Board meeting, a California State Association of Counties (CSAC) meeting in Sacramento and a meeting with the Agricultural Commissioner regarding grasshoppers in the County.

Corrected to:

Supervisor Criss advised of his attendance at a Butte Valley Cattleman's Social, Butte Valley Coffee with a Cop event, a Sierra Sacramento Valley Emergency Medical Services (EMS) Agency JPA meeting, a Volcanic Legacy Board meeting, a California State Association of Counties (CSAC) meeting in Sacramento and a meeting with the California Department of Agriculture regarding grasshoppers in the County.

**Off agenda item – County Counsel – Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), one case.**

County Counsel Natalie E. Reed provided an overview of the request to add an item to the closed session agenda, advising that an issue came to the County's attention after posting of the April 2, 2024 agenda. Ms. Reed advised that Board direction was needed prior to the next regular Board meeting on April 16, 2024.

It was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Valenzuela, Criss, Ogren and Kobseff voting YES and Supervisor Haupt ABSENT, to add an item not on the posted agenda regarding conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), one case, to the closed session agenda.

### **Board and Staff Reports**

Supervisor Valenzuela advised of plans to attend a California Wildfire and Forest Resilience Task Force meeting in Escondido, CA and advised of meeting with representatives of the Mount Shasta Resort with regard to their lease.

Supervisor Ogren advised of her attendance at a Collier Interpretive and Information Center (CIIC) meeting, a Siskiyou Economic Development Council Zero Emission Vehicle (ZEV) meeting, a Rocky Mt. Elk Foundation event and a recent Farm Bureau Dinner. Supervisor Ogren additionally advised of her participation in a Rural County Representatives of California (RCRC) legislative call.

Supervisor Criss advised of his attendance for the Farm Bureau Dinner, Klamath Environmental Species Act (ESA) meetings and the official opening of Pumping Plant D with the County's Public Information Officer Ali Kutzer.

Supervisor Kobseff advised of attending the Siskiyou County Farm Bureau Dinner.

**Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), four cases, commenced at 11:04 a.m., concluded at 11:21 a.m., with action taken.**

### **Report On Closed Session**

County Counsel Natalie E. Reed announced that closed session concluded at 11:21 a.m., with the following reportable action taken:

With regard to item 11B, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Kevin Loynachan, et al., v. Darlene Smiley, in her official capacity as a law enforcement officer for Siskiyou County Sheriff's Office, et al., United States District Court, Eastern District of California, Sacramento Division, Case No. 2:22-cv-00841-WBS-JDP, Ms. Reed advised that Supervisor Ogren recused herself, exiting closed session at 11:06 a.m., and returning at 11:07 a.m.

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**Report On Closed Session – (continued)**

With regard to item 11C, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Her Seng Yang, v. County of Siskiyou, et al., United States District Court, Eastern District of California, Case No. 2:24-cv-00251, Ms. Reed advised that it was moved by Supervisor Criss and seconded by Supervisor Ogren and carried, with a vote of YES by Supervisors Criss, Ogren, Valenzuela and Kobseff, with Supervisor Haupt ABSENT, to authorize defense of suit and representation by the firm Marie & Deedon.

With regard to item 11D, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Chan Lor, v. County of Siskiyou, et al., United States District Court, Eastern District of California, Case No. 2:24-cv-00274, Ms. Reed advised that it was moved by Supervisor Valenzuela and seconded by Supervisor Kobseff and carried, with a vote of YES by Supervisors Criss, Ogren, Valenzuela and Kobseff, with Supervisor Haupt ABSENT, to authorize defense of suit and representation by the firm Marie & Deedon.

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

Attest:  
Laura Bynum, County Clerk

\_\_\_\_\_  
Michael N. Kobseff, Chair

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

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