

# State of California, County of Siskiyou

## Board of Supervisors Minutes, April 6, 2021

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 6<sup>th</sup> day of April 2021; there being present Supervisors Brandon Criss, Michael N. Kobseff, Ray A. Haupt, Nancy Ogren and Ed Valenzuela, County Administrator Angela Davis, County Counsel Edward J. Kiernan, and County Clerk and ex-Officio Clerk of the Board of Supervisors Laura Bynum by Deputy County Clerk Wendy Winningham.

The meeting was called to order by Chair Haupt. Pursuant to AB23, the Clerk announced that the Board members receive no additional compensation for sitting as members of the County Service Area No. 4 and Siskiyou County Flood Control and Water Conservation District. County Counsel Edward J. Kiernan led in the salute to the flag of the United States of America.

**Invocation** - Siskiyou County Sheriff Chaplain Keith Bradley provided the invocation.

**Consent Agenda** – Approved.

At County Administrator Angela Davis' request, item 4R the Sheriff's grant agreement with the Drug Enforcement Administration, in the amount of \$130,000, was pulled from the consent agenda for discussion.

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

Community Development - Planning

Approve Resolution 21-41 to amend Coronavirus Response Round 1 Standard Agreement to add additional funding from the Coronavirus Response Round 2 and 3 NOFA dated December 18, 2020.

Community Development - Planning

Approve adoption of Resolution 21-42 to apply for CDBG-CV2 and CV3 grant funds, and enter into a Memorandum of Understanding with other Siskiyou County jurisdictions to collectively administer the grant funds.

Community Development - Planning

Approve the attached Resolution 21-43 authorizing the commitment of up to \$150,000 Program Income from the County's Community Development Block Grant Program to fund a Housing Rehabilitation Woodsmoke Reduction and Heating Replacement Program.

County Administration

The County Administrator, or designee, is authorized to execute the Purchase and Sale agreement with Siskiyou Golden RV Park for a Boundary Line Adjustment (BLA); to execute and submit a BLA application to the City of Yreka, and any other applications, escrow instructions or other agreements necessary to complete the contemplated transaction.

County Administration

Ratify the County Administrator's signature dated March 17, 2021 on Memorandum of Understanding by and between the County of Siskiyou and California Government Operations Agency for the effort to provide for the vaccination of Californians.

County Administration - Personnel

Adopt Resolution 21-44 authorizing the deletion of (1.0 FTE) Staff Services Analyst I and the creation of (1.0 FTE) Staff Services Analyst I - Confidential, effective May 2, 2021.

Continued...

**Consent Agenda – (continued)**

County Counsel

Approve the twenty-third addendum to professional services retention agreement with Nossaman increasing the compensation under the contract by \$50,000 and authorize the Board Chair to execute same.

County Library

Approve first addendum to extend contract through June 30, 2023, for a value of Not-to-Exceed of \$18,200 per fiscal year, for a total not-to-exceed value of \$72,800 for the entire term of the contract.

General Services - Communications

Approve first addendum to the ConvergeOne contract, Inc.

General Services - Sanitation

Approve 10<sup>th</sup> addendum with Dry Creek Landfill, Inc.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the contract for services between Siskiyou County Health and Human Services Agency, Behavioral Health Division, and Kings View Professional Services, Inc. for the term of July 1, 2020 to June 30, 2021.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the second amendment master services agreement between Siskiyou County Health and Human Services Agency, Behavioral Health Division, and Relias LLC.

Health and Human Services - Social Services Division

Approve and authorize the Chair to sign the first addendum to the contract for services between Siskiyou County Health and Human Services Agency and Siskiyou Child Care Council, effective July 1, 2020 through June 30, 2021.

Office of Emergency Services

Pass 3rd amended Local Emergency Proclamation for the Slater Fire to continue our local emergency for the Slater Fire.

Office of Emergency Services

Pass 2nd amended Local Health Emergency Proclamation for the Slater Fire to continue our local emergency for the Slater Fire.

Public Works

Approve and sign the addendum to the contract by and between Waste Recovery West, Inc. and Siskiyou County Public Works for the name change of Waste Recovery West, Inc. to Castle Tire Disposal, LLC dba Waste Recovery, LLC and Tire Disposal & Recycling, LLC.

Public Works

Authorize the Chairperson to sign the Resolution 21-45 certifying maintained mileage with the County of Siskiyou.

Transfer of Funds - Human Services - \$7,376. Resolution 21-46 adopted.

Transfer of Funds - Communications - \$8,351. Resolution 21-47 adopted.

**Sheriff** - Approve request to accept grant funds from the Drug Enforcement Administration, in the amount of \$130,000 and approve associated agreement to locate and eradicate illicit cannabis plants, for the term October 1, 2020 through September 30, 2021. Approved.

This item was pulled from the consent agenda at County Administrator Angela Davis' request. Ms. Davis presented and summarized a 34-page document entitled: Fiscal Year 2021 Annual Strategic Plan document, which was revised to correct typographical errors and the signature page. Continued...

## **Sheriff – (continued)**

It was moved by Supervisor Kobseff and seconded by Supervisor Criss to ratify the grant application for the Sheriff to accept funds, in the amount of \$130,000 from the Drug Enforcement Administration for law enforcement services covering the period October 1, 2020 through September 30, 2021. Authorize the Sheriff to sign agreement and Auditor to establish budget appropriations per grant guidelines, including the revised Fiscal Year 2021 Annual Strategic Plan document. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried.

## **Presentations from the Public**

County Administrator Angela Davis introduced new Deputy Director of Office of Emergency Services Bryan Schenone.

Members of the Board welcomed Mr. Schenone to the County.

Mr. Schenone provided a brief update regarding a wildfire burning near Happy Camp, advising that additional updates would be provided as needed.

**Public Requests - Siskiyou Media Council - Discussion and possible direction re presentation concerning Siskiyou Media Council services provided within the County and request for support and funding. Presentation and discussion only.**

Siskiyou Media Council Executive Director Paris Petrick provided a brief overview of the Siskiyou Media Council (SMC) which manages Public Access Television stations YCTV4 and MCTV15. Ms. Petrick presented a videoed public service message detailing the various services provided by SMC, including a weekly news program entitled Inside Siskiyou, that is filmed live in studio each Friday.

Discussion followed between members of the Board and Ms. Petrick regarding SMC's programming and partnership with the College of the Siskiyous (COS) studio, the various sources to view SMC programs and the County's 'contribution to others' budgetary process.

**Public Health - Presentation of an update regarding COVID-19 and vaccinations as they pertain to Siskiyou County. Presentation and discussion only.**

Emergency Preparedness Coordinator Jonathan Himbert provided statistics related to vaccines that have been administered in the County, upcoming vaccination clinics, including a clinic utilizing the Public Health Mobile Van, the availability of vaccines for those persons aged 16 and older, ongoing outreach efforts to underserved populations regarding the vaccine availability and the County's planned move to the 'Orange' tier under the State's Blueprint for a Safer Economy, effective April 7, 2021.

Supervisor Kobseff requested data/statistics related to influenza in the County (i.e. number of cases, deaths, etc.) for the last 10 years.

Discussion followed between members of the Board and Mr. Himbert regarding the lack of influenza data on the State's website, the efforts being made by rural California counties to address and manage the Coronavirus pandemic and the efforts made to provide outreach and vaccines for farm laborers in East County.

The Chair opened the item to public comment and no public comments were received.

**County Counsel** - Discussion, direction and possible action re an Urgency Ordinance granting a 180 day extension to Pacificorp of a previously granted right, privilege and franchise of erecting, constructing, installing and maintaining electric lines consisting of poles, conduits, and/or other suitable structures with wires, cables, and/or other appliances installed thereon or therein, including communication circuits, in so many and in such parts of the public highways, streets, roads, and places of the County of Siskiyou, State of California, as the grantee of said right, privilege and franchise, its successors or assigns, may from time to time elect to use for the following purposes, and of using such electric lines for transmitting, conveying, distributing, and supplying electricity to the public for any and all purposes and declaring the urgency thereof, extending the term under Ordinance 05-17 and as extended by Ordinance 20-19. Ordinance 21-04 adopted.

Assistant County Counsel Natalie Reed provided an overview of the proposed urgency ordinance to extend the franchise granted to Pacificorp for 180 days to allow staff to continue to work with Pacificorp toward a new franchise.

It was moved by Supervisor Kobseff and seconded by Supervisor Valenzuela to approve, by a four-fifth' (4/5's) vote, the urgency ordinance extending the term of the Pacificorp's franchise under Ordinance No. 05-17, as extended by Ord. 20-19, for 180 additional days; direct the Clerk to publish notice of the ordinance within 15 days. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to adopt Ordinance 21-04 carried unanimously.

**County Administration** - Discussion, direction and possible action re options concerning vacation rental policy and/or associated vacation rental moratorium. Staff directed to establish an all-County vacation rental moratorium for those parcels with less than a 2.5 acre parcel.

County Administrator Angela Davis provided an overview of the request and requested Board input with regard to three options related to vacation rental permits, including establishment of an all-County moratorium on vacation rental permits; establishment of a moratorium on vacation rentals within the McCloud Community Services District (CSD) only; or to make no changes to the current vacation rental policy.

Chair Haupt opened this item to public comment.

Pursuant to California Governor Newsom's Executive Order N-29-20, March 17, 2020, various members of the public participated via teleconference phone.

McCloud Elementary School Principal Shelly Cain spoke in favor of a moratorium on vacation rental permits, sharing concerns regarding lack of suitable housing (for purchase or to rent) for families in the McCloud area.

Community Development Director Rick Dean appeared before the Board.

In response to Supervisor Criss, Mr. Dean advised that there were currently 53 permitted vacation rentals in the McCloud CSD area and three located outside of the CSD boundaries.

Supervisor Criss spoke in support of establishing a moratorium on vacation rental permits within the CSD boundaries, as a means to benefit local housing availability.

In response to Supervisor Kobseff, Mr. Dean advised that establishment of an all-County moratorium on vacation rentals on parcels less than 2.5 acres in size would have a similar effect in McCloud as a McCloud CSD moratorium only.

Supervisor Kobseff spoke in support of establishing an all-County moratorium on vacation rental permits on parcels less than 2.5 acres, advising of the need to limit vacation rentals to commercial zones.

Supervisors Valenzuela and Ogren spoke in support of establishing a moratorium on vacation rental permits within the CSD boundaries to allow staff to gather data for the upcoming Housing Element plan/project.

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### **County Administration - (continued)**

Supervisor Haupt spoke in opposition to an all-County moratorium on vacation rental permits, advising of the need for increased recreational opportunities and tourism in particular in Supervisorial District 5.

Discussion followed between Supervisor Haupt and Mr. Dean regarding the current building activity status in the McCloud area.

It was moved by Supervisor Kobseff to establish an all-County vacation rental moratorium on those parcels with less than a 2.5 acre parcel for a period of 18 months.

Following brief discussion between members of the Board and Ms. Davis regarding the anticipated timeframe and process to establish the vacation rental moratorium Ordinance, including the Planning Commission's process/timeframe, Supervisor Criss seconded the motion.

Following a roll call vote with Supervisors Criss, Kobseff and Valenzuela voting YES and Supervisors Ogren and Haupt voting NO, the motion carried.

### **Presentations from the Public**

Big Springs resident Ginger Sammito shared concerns regarding the amount of groundwater being extracted and utilized in the Big Springs area, advising that the use should be deemed unreasonable.

**County Administration** - Discussion, direction and possible action re the viability of transitioning from County owned fleet vehicles to leased fleet vehicles which would include County Department, Public Works and Safety vehicles. Consensus of the Board to proceed with transitioning to leased fleet vehicles.

County Administrator Angela Davis provided an overview of the request, advising of the efforts made by staff to research cost savings associated with leased vehicles. Ms. Davis requested the Board's input before proceeding with additional staff time.

Discussion followed between members of the Board and Ms. Davis regarding the potential for long-term cost savings, including maintenance costs, by utilizing a Sourcewell vendor, the increased staff safety from utilizing newer vehicles, the various types of County vehicles that would be leased (i.e. safety vehicles, Public Works vehicles, County Department vehicles, etc.), the potential for higher upfront costs with decreasing maintenance costs over time and the need to research possible specialty needs with regard to Safety (Sheriff's Office) vehicles.

It was the consensus of the Board to direct staff to proceed with transitioning from County owned fleet vehicles to leased fleet vehicles.

The Chair opened the item to public comment and not public comments were received.

**Natural Resources** - Discussion, direction and possible action re Resolution to proclaim the existence of a local emergency related to drought. Resolution 21-48 adopted.

Project Coordinator Elizabeth Nielsen provided an overview of the request to proclaim the existence of a local emergency related to drought conditions, sharing concerns regarding the current extreme and severe drought designations within the County. Ms. Nielsen additionally shared concerns regarding the potential negative impact of a drought on local irrigation and domestic water needs.

It was moved by Supervisor Criss and seconded by Supervisor Kobseff to approve the drought Resolution and direct staff to bring the Resolution back every sixty days for consideration of extension.

Supervisor Haupt voiced concerns regarding the low vegetation moisture levels and decreased snow pack for 2021.

The Chair opened this item for public comments.

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## **Natural Resources – (continued)**

Pursuant to California Governor Newsom’s Executive Order N-29-20, March 17, 2020, various members of the public participated via teleconference phone.

County resident Charlene Watkins voiced concerns regarding the extraction of groundwater for non-agricultural uses in the A-12/Big Springs area.

Following brief discussion between members of the Board regarding the need to research fuels reduction projects that could prevent wildfire activity and to outreach to the public regarding safety measures to take during wildfire season, the Chair called for the question. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to adopt Resolution 21-48 carried unanimously.

**Natural Resources** - Presentation of an update on the Klamath River Renewal Corporation's applications to the Federal Energy Regulatory Commission to remove the four lower Klamath River dams. Update and discussion only.

Project Coordinator Elizabeth Nielsen provided an update regarding the Klamath River dams removal efforts, including a history of the efforts by Pacificorp and the Klamath River Renewal Corporation (KRRC) to transfer facility licenses, decommission and remove three dams within Siskiyou County along the Klamath River. Ms. Nielsen additionally summarized County staff and consultants’ efforts to remain engaged in the Federal Energy Regulatory Commission (FERC) processes and to review/comment on various Environmental Impact documents that have been developed by the KRRC.

Discussion followed between members of the Board and Ms. Nielsen regarding the various draft documents that the County and consultants have reviewed and provided comments, California and Oregon’s involvement in the dam decommission/removal process, the ongoing National Environmental Policy Act (NEPA) process and the need for additional information regarding the associated indemnification process.

**Appointments** - County Clerk - Appointment of one alternate member to represent Supervisorial District 3 to the scheduled vacancy on the Siskiyou County Fish and Game Commission, with a term ending January 2, 2023. Harold Duchi appointed.

Deputy County Clerk Wendy Winningham provided an overview of the request and advised of working with County Counsel’s Office regarding the alternate member appointment process (previously an alternate for Supervisorial District 2 was appointed without an ordinance amendment). Ms. Winningham advised that former Fish and Game Commissioner Harold Duchi was interested in serving in the alternate capacity for Supervisorial District 3.

Following brief discussion between members of the Board, County Counsel Edward J. Kiernan and Ms. Winningham regarding the process to provide an appointee with an Oath of Office and the effective date of him/her taking office, it was moved by Supervisor Kobseff and seconded by Supervisor Haupt to appoint Harold Duchi as alternate member to the scheduled vacancy on the Siskiyou County Fish and Game Commission for a representative from Supervisorial District 3, with a term ending January 2, 2023. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

**Minute Approval** - March 2, 2021. Continued to April 20, 2021.

Chair Haupt advised that this item was continued at the Clerk’s request.

**Public Hearings** - Community Development - Public hearing for the second reading of an Ordinance of the County of Siskiyou adding Section 95 of Chapter 14 of Title 10 of the Siskiyou County Code regarding abatement by owner or occupant in relation to illegal cannabis cultivation. Ordinance 21-05 adopted.

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

This was the time set for a public hearing for the second reading of an Ordinance of the County of Siskiyou adding Section 95 of Chapter 14 of Title 10 of the Siskiyou County Code regarding abatement by owner or occupant in relation to illegal cannabis cultivation, having been introduced on March 2, 2021.

Chair Haupt opened the public hearing.

Community Development Director Rick Dean and Deputy County Counsel William Carroll appeared before the Board. Mr. Carroll provided an overview of the request, advising of the anticipated process that Code Enforcement would utilize to determine if/when a property owner has abated illicit cannabis plants.

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

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

It was moved by Supervisor Criss and seconded by Supervisor Haupt to introduce, waive, and approve the second reading and adopt the proposed ordinance adding Section 10-14.095 (Section 95 of Chapter 14 of Title 10) of the Siskiyou County Code regarding abatement by owner or occupant. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to adopt Ordinance 21-05 carried unanimously.

**Public Hearings - Community Development - Building Division - Public hearing for the second reading of an uncodified ordinance establishing a fee waiver for owner-built dwellings under Chapter 4 of Title 9 of the Siskiyou County Code with respect to the Slater Fire disaster. Ordinance 21-06 adopted.**

This was the time set for a public hearing for the second reading of an uncodified ordinance establishing a fee waiver for owner-built dwellings under Chapter 4 of Title 9 of the Siskiyou County Code with respect to the Slater Fire disaster, having been introduced on March 2, and March 16, 2021.

Chair Haupt opened the public hearing.

Community Development Director Rick Dean appeared before the Board and provided an overview of the proposed ordinance, including the suggested fee waiver three-year limitation.

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

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

It was moved by Supervisor Haupt and seconded by Supervisor Kobseff to introduce, waive, and approve the second reading and adopt the ordinance entitled "An Uncodified Ordinance of the County of Siskiyou establishing a fee waiver for owner-built dwellings under Chapter 4 of Title 9 of the Siskiyou County Code. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to adopt Ordinance 21-06 carried unanimously.

## **Board and Staff Reports**

Supervisor Kobseff reported on his attendance at a Siskiyou County Fish and Game Commission meeting and advised of ongoing fuels projects in the Shasta Trinity National Forest, including the need for grazing assistance.

Supervisor Criss advised of ongoing OreCal RC&D and the Goosenest Ranger District's Grazers Association efforts to address fuels reduction via grazing and the efforts being made by the McCloud Community Services District (CSD) and McCloud fire department to address fire season coverage and reimbursement. In addition, Supervisor Criss reported on his attendance at a Community Corrections Partnership (CCP) meeting and advised of the status of the Montague Resiliency efforts and an upcoming Tulelake Irrigation District meeting.

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**Board and Staff Reports – (continued)**

Supervisor Valenzuela advised of completing a California State Association of Counties (CSAC) online class.

Supervisor Haupt reported on his attendance at a grazing meeting with Project Coordinator Elizabeth Nielsen and advised on an upcoming teleconference meeting with Federal government staff to discuss various County issues.

**Closed Session** - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), two cases, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), two cases, conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), two cases, conference with labor negotiators pursuant to Government Code §54957.6, Personnel pursuant to Government Code §54957, commenced at 11:10a.m., concluded at 2:08p.m., (with a recess taken from 12:28p.m. to 12:45p.m. for Flood District closed session/discussion) with action taken.

**Report On Closed Session**

County Counsel Edward J. Kiernan announced that closed session concluded at 2:08p.m., with reportable action taken.

With regard to item 13E, Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, initiation of litigation pursuant to Government Code §54956.9(d)(4), two cases, Supervisor Haupt made the motion, seconded by Supervisor Kobseff and passed on a vote of 5/0, to initiate litigation with the parties in the suit will be available upon request once the parties have been served appropriate paperwork.

**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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Ray A. Haupt, Chair

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