

State of California, County of Siskiyou

Board of Supervisors Minutes, October 18, 2022

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 18th day of October 2022; there being present Supervisors Brandon Criss, Michael N. Kobseff, Ray A. Haupt 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. Supervisor Nancy Ogren was absent.

The meeting was called to order by Chair Criss. 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 Valenzuela led in the salute to the flag of the United States of America.

Invocation - Siskiyou County Sheriff Chaplain Keith Bradley provided an invocation.

Off-Agenda Item – 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. Added to closed session agenda.

County Counsel Edward J. Kiernan advised of the need to consider 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, that came to the County's attention after the posting of the October 18, 2022 agenda and requiring input/direction from the Board prior to the next regular Board meeting on November 1, 2022.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Criss voting YES and Supervisor Ogren ABSENT, to consider 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, and add to the closed session agenda.

Presentations from the Public

Office of Emergency Services Director Bryan Schenone provided an update regarding recovery and other efforts under way following the McKinney, Mill and Mountain wildfires, including an overview of mobile trailers and other options and associated 'move-in kits' being made available to house fire survivors, and anticipated cleanup efforts and timelines. Mr. Schenone shared concerns regarding the potential for weather related impacts (i.e. rain caused mud and/or rock slides) in the McKinney Fire area.

Discussion followed between members of the Board, Mr. Schenone and County Administrator Angela Davis regarding the need to address right-of-entry permissions in wildfire affected areas, the processes related to outreach and communication between those affected by wildfires and local government agencies, the need to address the lack of hazard tree removal by the Forest Service in various burned areas and the need to provide outreach to the Hornbrook area regarding their water system issues.

Consent Agenda – Approved.

At Supervisor Criss' request, item 5C, County Administration's Memorandum of Understanding with the Governor's Office of Emergency Services (OES), was pulled from the consent agenda for discussion.

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

County Administration

Approve the renewal (of Master Services agreement with DocuSign, Inc.) and authorize the Chair to sign.

Continued...

Consent Agenda – (continued)

County Administration

Adopt the Resolution 22-169 to recognize Childhood Cancer Awareness Week and authorize the Chair to sign.

County Administration - Personnel

Adopt Resolution P 22-170 amending the Siskiyou County Position Allocation List as detailed in the attached Resolution effective October 30, 2022.

County Museum

Approve MOU with the Friends of the Museum for term July 1, 2021 through June 30, 2025.

General Services - Airports

Authorize the Chair to retroactively execute the First Addendum between the County of Siskiyou and Duane Brooks for the term of September 10, 2022 through September 9, 2025.

General Services/County Jail

Approve contract with Inline Fence for the Jail. This will allow the employee parking to be enclosed.

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 BHC Sierra Vista Hospital, Inc. for the term of July 1, 2020 to June 30, 2025.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the amendment for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and California Mental Health Services Authority (CalMHSA) for the term commencing on August 8 through June 30, 2024.

Health and Human Services - Behavioral Health Division

Approve the amendment to the grant with the Mental Health Services Oversight and Accountability Commission/MH Student Services Act and authorize the Chair to sign the Standard Agreement Form STD 213.

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 Marin General Hospital Corp for the term of December 1, 2021 to June 30, 2026.

Probation

Approve the Contract with J. Reid McKellar, Ph.D. to provide psychological evaluations for minors for the term of July 1, 2022, through June 30, 2023.

Probation

Approve the First Addendum to the MOU with Siskiyou County Superior Court, adding the procedures required to manage major purchases for all parties.

Sheriff

Approve the Sheriff's Office to extend the term of the service contract with Siskiyou Hospital Inc., dba Fairchild Medical Center through June 30, 2025.

Transfer of Funds - Plant Acquisition - \$5,860. Resolution 22-171 adopted.

Transfer of Funds - Road Department - \$10,500. Resolution 22-172 adopted.

County Administration - Approve Memorandum of Understanding with the Governor's Office of Emergency Services (OES) of the State of California of the United States of America, for assistance from Cal OES for fire survivors impacted by the Mill Fire, including an emergency sheltering program, for a term ending March 31, 2023. Approved.

This item was pulled from the consent agenda at Chair Criss' request.

Continued...

County Administration – (continued)

County Administrator Angela Davis requested that the recommended motion be amended to read: Ratify the Memorandum of Understanding (MOU) versus Approve the MOU, stating that the document had already been signed by both parties.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Criss voting YES and Supervisor Ogren ABSENT to ratify MOU between County of Siskiyou and Cal OES for assistance with emergency sheltering for Mill Fire survivors. Authorize the Board Chair to sign on behalf of the County.

County Administration - Discussion, direction and possible action re Siskiyou County's Local Assistance and Tribal Consistency Fund (LATCF) allocation, established by Section 605 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021 and request to designate one Board member to the LATCF work group. Approved and Supervisor Kobseff designated to the LATCF work group.

Deputy County Administrator Sherry Lawson provided an overview of the Local Assistance and Tribal Consistency Fund (LATCF) and the County's allocation of \$6,000,000 for Fiscal Year 2022/2023 and \$6,000,000 for Fiscal Year 2023/2024. Ms. Lawson advised that the County was eligible as a revenue sharing county to receive the funding and that there was no time limit on spending the funds nor a limit to the use of the funding for any governmental purpose, except for lobbying activities. Ms. Lawson further advised that a working group consisting of county leaders would strategize, plan and recommend the best use of the funds to benefit the County.

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

Following discussion between members of the Board and Ms. Lawson regarding the funding, supported by US Senator (Oregon) Ron Wyden's efforts, that is available to various forest/timber counties, the separate funding available to eligible Tribal governments and Supervisors Kobseff, Haupt and Criss' desire to serve on the working group.

It was the consensus of the Board to designate Supervisor Kobseff to the working group.

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Criss voting YES and Supervisor Ogren ABSENT, to designate Supervisor Kobseff to the LATCF work group, authorize the CAO to sign and execute all documents associated with the funding and authorize the Auditor to establish budget as provided by Administration.

Community Development/Office of Emergency Services - Discussion, direction and possible action re Urgency Ordinance establishing requirements for the removal of fire damaged debris from private property following the 2022 Siskiyou County fire disasters. Urgency Ordinance 22-17 adopted.

Community Development Director Rick Dean provided an overview of the draft urgency ordinance, speaking in support of the document to insure the cleanup and/or abatement of qualifying fire damaged properties as part of the State's debris and hazard tree removal program. Mr. Dean advised that adoption of the urgency ordinance would establish requirements for cleanup of fire damaged properties, should those property owners opt out of participating in the State's program.

Discussion followed between members of the Board and Mr. Dean regarding possible reasons property owners would opt out of participating in the State's program free of charge, potential issues that could be associated with efforts to rebuild in riparian and/or flood plain sensitive areas along the Klamath River (McKinney Fire) and potential negative impacts associated with possible dam removal in that area.

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Criss voting YES and Supervisor Ogren ABSENT, to approve, by a four-fifth's (4/5's) vote, the urgency ordinance 22-17 to establish requirements for the removal of fire damaged debris from private properties within Siskiyou County affected by the 2022 McKinney, Mill and Mountain wildland fires and direct the Clerk to publish notice of the ordinance within 15 days.

Appointments - County Clerk - Discussion, direction and possible action re: Appointment of a Delegate and one Alternate from the Board of Supervisors to the Rural County Representatives of California (RCRC) Board of Directors; the Golden State Finance Authority (GSFA) Board of Directors; and the Golden State Connect Authority (GSCA) Board of Directors for 2023. Supervisors Kobseff and Haupt appointed as Delegate and Alternate, respectively, to the RCRC Board of Directors and the GSFA Board of Directors for 2023. Supervisors Ogren and Kobseff appointed as Delegate and Alternate, respectively, to the GSCA Board of Directors for 2023.

Deputy County Clerk Wendy Winningham provided an overview of the request to appointment members of the Board of Supervisors to the Rural County Representatives of California (RCRC) Board of Directors, the Golden State Finance Authority (GSFA) Board of Directors and the Golden State Connect Authority (GSCA) Board of Directors for 2023, advising that Supervisors Kobseff and Haupt were appointed as Delegate and Alternate, respectively, to all three Boards for 2022.

Supervisor Valenzuela recommended that the Alternate to those Boards participate in meetings/activities provided by RCRC.

Following discussion between members of the benefits associated with the Delegate and Alternate participating in various RCRC meetings/activities and the ability to participate in those meetings/activities via teleconference phone (ZOOM), it was moved by Supervisor Valenzuela, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Criss voting YES and Supervisor Ogren ABSENT, to appoint Supervisor Kobseff as Delegate to the Rural County Representatives of California (RCRC) Board of Directors for 2023.

It was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Criss voting YES and Supervisor Ogren ABSENT, to appoint Supervisor Haupt as Alternate to the Rural County Representatives of California (RCRC) Board of Directors for 2023.

Following brief discussion regarding the Golden State Finance Authority (GSFA) and Supervisor Kobseff's anticipated process to notify the Alternate of the possible need to participate, it was moved by Supervisor Criss, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Criss voting YES and Supervisor Ogren ABSENT, to appoint Supervisor Kobseff as Delegate and Supervisor Haupt as Alternate to the Golden State Finance Authority (GSFA) Board of Directors for 2023.

Discussion followed regarding the Golden State Connect Authority (GSCA) that was formed to advance the development of and increase access to high-speed broadband in rural communities and Supervisor Ogren's interest in the issue of broadband access.

It was moved by Supervisor Criss, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Criss voting YES and Supervisor Ogren ABSENT, to appoint Supervisor Ogren as Delegate and Supervisor Kobseff as Alternate to the Golden State Connect Authority (GSCA) Board of Directors for 2023.

Appointments - County Clerk - Appointment of one Delegate and one or two Alternates to the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) Board of Directors for 2023. Supervisor Kobseff appointed as Delegate; General Services Director Joy Hall and Project Coordinator Amanda Kimball appointed as First and Second Alternates, respectively.

Deputy County Clerk Wendy Winningham provided an overview of the request to appoint one member of the Board of Supervisors and one or two staff members in charge of solid waste/recycling programs for the County to the Environmental Services Joint Powers Authority (ESJPA) Board.

Ms. Winningham advised that Supervisor Kobseff was previously appointed as Delegate to the ESJPA Board of Directors for 2022 and that General Services Director Joy Hall was interested in appointment as First Alternate for 2023. Ms. Winningham further advised that Ms. Hall recommended Project Coordinator Amanda Kimball for appointment as Second Alternate.

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Appointments - County Clerk – (continued)

Ms. Winningham advised that Supervisor Kobseff was previously appointed as Delegate to the ESJPA Board of Directors for 2022 and that General Services Director Joy Hall was interested in appointment as First Alternate for 2023. Ms. Winningham further advised that Ms. Hall recommended Project Coordinator Amanda Kimball for appointment as Second Alternate.

It was moved by Supervisor Criss, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Criss voting YES and Supervisor Ogren ABSENT to appoint Supervisor Kobseff as Delegate, General Services Director Joy Hall as First Alternate and Project Coordinator Amanda Kimball as Second Alternate to the Rural Counties' Environmental Services Joint Powers Authority (ESJPA) Board of Directors for 2023.

Minute Approval - October 4, 2022. Approved.

It was moved by Supervisor Haupt, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Valenzuela and Criss voting YES, Supervisor Kobseff ABSTAINING and Supervisor Ogren ABSENT, to approve the October 4, 2022 minutes as presented.

Public Hearings – Community Development - Planning Division - Public hearing for the first reading of an ordinance reclassifying approximately 691 acres of land south and west of the community of Grenada, from Prime Agricultural (AG-1) and Non-Prime Agricultural, 40 acre minimum (AG-2-B-40) to Timberland Production District (TPZ) on APNs 022-010-200 and 022-010-220; Township 43 North, Range 7 West, Section 1, MDB&M, for the Dobson Zone Change (Z-21-08) Project. First reading approved; public hearing continued to November 1, 2022 for the second reading.

This was the time set for a public hearing for the first reading of an ordinance reclassifying approximately 691 acres of land south and west of the community of Grenada, from Prime Agricultural (AG-1) and Non-Prime Agricultural, 40 acre minimum (AG-2-B-40) to Timberland Production District (TPZ) on APNs 022-010-200 and 022-010-220; Township 43 North, Range 7 West, Section 1, MDB&M, for the Dobson Zone Change (Z-21-08) Project.

Chair Criss opened the public hearing.

Deputy County Clerk Wendy Winningham briefly summarized the order of presentation.

Associate Planner Bernadette Cizin provided a staff report regarding the project, advising of the request to change Prime Agricultural and Non-Prime Agricultural land to the Timberland Production District for property located near the community of Grenada. Ms. Cizin recommended that the project be considered exempt from the California Environmental Quality Act (CEQA) requirements related to preparation of an Environmental Impact Report (EIR) or a Negative Declaration. Ms. Cizin requested approval of the first reading of the proposed zone change ordinance.

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

In addition, there were no public comments received.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Criss voting YES and Supervisor Ogren ABSENT, to introduce, waive, and approve the first reading of the proposed ordinance rezoning approximately 691 acres of land to Timberland Production District (TPZ) and amending Zoning District Map 10-6.205-250; and direct the Clerk to schedule a continued public hearing on adoption of the CEQA exemption and a second reading of the ordinance amending Zoning District Map 10-6.205-250 on November 1, 2022.

Public Hearings - Health and Human Services - Behavioral Health Services - Public hearing to consider amending the Mental Health Service Act Annual Update, Innovation Section, and request to authorize the Department to proceed with the Electronic Health Record Multi-County Innovation Project Amendment. Approved.

This was the time set for a public hearing to consider amending the Mental Health Service Act Annual Update, Innovation Section, and request to authorize the Department to proceed with the Electronic Health Record Multi-County Innovation Project Amendment.

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Public Hearings - Health and Human Services - Behavioral Health Services – (continued)

Chair Criss opened the public hearing.

Health and Human Services Agency Director Sarah Collard appeared before the Board and provided a brief overview of the request to amend the Mental Health Services Act Annual Update to add an Innovation Project related to creation of a semi-statewide Electronic Health Record. Ms. Collard summarized the process to provide outreach through the Mental Health Services Act (MHSA) regarding the proposed project and advised that payment reform (i.e. billing for services) would take place in July 2023.

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

Supervisor provided an overview of the process to

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

Following discussion between members of the Board and Ms. Collard regarding the anticipated process to streamline the billing/payment process and the software at the State level, it was moved by Supervisor Kobseff, seconded by Supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Criss voting YES and Supervisor Ogren ABSENT to give approval to proceed with the Electronic Health Record (EHR) Multi-County Innovation Project Amendment.

Public Hearings - Health and Human Services - Behavioral Health Division - Public hearing to consider Resolutions authorizing the application and adopting the PLHA Plan for the Permanent Local Housing Allocation Program, for the cities of Yreka, Weed, Mount Shasta, Montague, Etna, Dunsmuir and Dorris and the Town of Fort Jones to delegate their allocations to the County and approving associated agreements with each jurisdiction, for a total grant amount of up to \$3,673,117. Resolutions 22-173, 22-174, 22-175, 22-176, 22-177, 22-178, 22-179 and 22-180 adopted.

This was the time set for a public hearing to consider Resolutions authorizing the application and adopting the PLHA Plan for the Permanent Local Housing Allocation Program, for the cities of Yreka, Weed, Mount Shasta, Montague, Etna, Dunsmuir and Dorris and the Town of Fort Jones to delegate their allocations to the County and approving associated agreements with each jurisdiction, for a total grant amount of up to \$3,673,117.

Chair Criss opened the public hearing.

Health and Human Services Agency Director Sarah Collard and Housing Coordinator Maddelyn Bryan appeared before the Board. Ms. Collard provided a powerpoint presentation regarding the Permanent Local Housing Allocation (PLHA) Program, including an overview of the program funding, the two types of allocations (Siskiyou County was not participating in the competitive allocation) and the population targeted by the Program funds, which included those who are homeless.

Ms. Bryan advised that the deadline for submitting a 5-year Plan and Application for formula funds was recently extended from October 31, 2022 to December 31, 2022.

Continuing the powerpoint, Ms. Collard advised that the Department reached out to local jurisdictions/cities in order to partner with the County to access their PLHA formula allocations/funds, with all local cities/towns delegating their PLHA allocations, except for the City of Tulelake (will develop their own housing projects). Ms. Collard advised that the County may retain 5% of the cities/towns allocations (approximately \$180,000) the Program's administrative costs. Additionally, Ms. Collard shared concerns regarding the struggle to hire/retain housing program staff, advising of possible use of a contractor to assist the Department.

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

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

Continued...

Public Hearings - Health and Human Services - Behavioral Health Division – (continued)

Discussion followed between members of the Board, Ms. Collard and Ms. Bryan regarding ongoing efforts by the County and local cities/towns to update their housing elements, the possible impact of those housing element updates on PLHA funding eligibility, the annual efforts made to identify homeless populations (locals and transients) within the County through the Point In Time survey and the anticipated process to partner with cities toward their housing projects.

It was moved by Supervisor Valenzuela, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela and Criss voting YES and Supervisor Ogren ABSENT to adopt Resolutions 22-173, 22-174, 22-175, 22-176, 22-177, 22-178, 22-179 and 22-180, authorize the Chair to execute agreements with the Cities of Dorris, Dunsmuir, Etna, Fort Jones, Montague, Mount Shasta, Weed, and Yreka, authorize the County Administrator to submit applications on behalf of the above cities for the Permanent Local Housing Allocation, and approve the Auditor to set appropriations and expenditures.

Board and Staff Reports

Supervisor Valenzuela advised of his attendance at a California State Association of Counties (CSAC) Executive Board retreat in Monterey.

Supervisor Haupt reported on his participation in a discussion/meeting with the County's Community Development/Building Department and reported on his participation in a tour, with Natural Resource Policy Specialist Matt Parker, at the Big Springs Ranch.

Supervisor Criss advised of his attendance at the Apple Harvest Festival in McCloud, a Klamath Water Users tour and a Volcanic Scenic Legacy meeting.

Closed Session - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), one case, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), four cases, 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, commenced at 10:37a.m., concluded at 1:15p.m., with action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 1:15p.m., with reportable action taken.

With regard to item 11C, 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, Mr. Kiernan advised that Supervisor Haupt made the motion to bring suit, Supervisor Kobseff seconded it, and approval to bring suit was by a vote of 4/0 vote with Supervisor Ogren absent. The details regarding the suit will become available upon request once service had been made. In addition, Mr. Kiernan advised that Supervisor Haupt stepped out of the Board Chambers during discussion of item 11F, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Siskiyou Hospital, Inc., dba Fairchild Medical Center v. County of Siskiyou, et al., Siskiyou County Superior Court Case No. SCCVPT 19-01501, from 1:12p.m. to 1:15p.m.

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

Attest:
Laura Bynum, County Clerk

Brandon A. Criss, Chair

By: _____
Deputy