

# State of California, County of Siskiyou

## Board of Supervisors Minutes, May 18, 2021

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 18<sup>th</sup> day of May 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 Siskiyou County Flood Control and Water Conservation District and Siskiyou Power Authority. Supervisor Criss led in the salute to the flag of the United States of America.

**Closed Session** - Conference with legal counsel, anticipated litigation pursuant to Government Code §54956.9, significant exposure to litigation pursuant to Government Code §54956.9(d)(2), one case, commenced at 8:31a.m., concluded at 8:52a.m., with no action taken.

### Report on Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 8:52a.m, with no reportable action taken.

**Invocation** - Siskiyou County Sheriff Chaplain Jim Jacobsen provided the invocation.

### Presentations from the Public

Pursuant to California Governor Newsom's Executive Order N-29-20, March 17, 2020, participation in presentations from the public by various members of the public and County staff was provided via teleconference phone.

In response to Deputy County Clerk Wendy Winningham, General Services Director Jason Ledbetter requested to drop from the agenda, consent item 7K – General Services-Sanitation and regular agenda item 10A – General Services-Sanitation.

Members of the Karuk Tribe, including Aaron Hockaday, Arch Super, Russell Attebery, Darrell Aubrey, Elizabeth Bentley and Joshua Saxon requested that the Board of Supervisors consider placing an agenda item on the June 15, 2021 Board agenda to consider a Karuk lands legislation issue.

**Consent Agenda** – Approved.

At Supervisor Valenzuela's request, item 7A, County Administration's request to appoint Melissa Cummins as Interim Director of Public Works, and item 7C, County Administration's Resolution declaring certain real property along Mott Road, Dunsmuir as surplus, were pulled from the consent agenda for discussion.

It was moved by Supervisor Kobseff, seconded by Supervisor Haupt 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:

County Administration

Approve the agreement with Xerox for the copier in the County Administrator's Office for 5 years.

County Administration

Approve and Chair to sign the letter to the Jefferson Resource Company Inc.

Continued...

**Consent Agenda – (continued)**

County Administration - Personnel

Approve Resolution 21-62 authorizing the addition of Director of Public Works (Non-Contract) to the County of Siskiyou Salary Schedule effective May 2, 2021.

County Counsel

Approve the First Addendum for Services with Downey Brand, LLP, increasing the compensation under the Contract by \$25,000 and authorize the Board Chair to execute same.

County Library

Approve and enter into the 5-year contract with Califa to deliver high-speed broadband services to the branches.

County Museum

Accept the donation for services in the amount of \$2,000 from Layton Tree Removal; authorize the CAO to sign the waiver and release of liability agreement.

General Services - Airports

Authorize the Chair to execute the Airport Ground Lease between the County of Siskiyou and David J. Baird for the term of May 1, 2021 through April 30, 2051.

General Services - Airports

Authorize the Chair to execute the Airport Ground Lease between the County of Siskiyou and Charles Jopson for the term of January 26, 2021 through January 25, 2051.

Health and Human Services - Behavioral Health Division

Approve and authorize the County Administrator to sign Amendment No. 01 to Memorandum of Understanding between Siskiyou County Health and Human Services Agency, Behavioral Health Division, and Partnership Healthplan of California.

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, Behavioral Health Division, and Crisis Support Services of Alameda County, for the term of July 1, 2021 to June 30, 2022.

Health and Human Services - Social Services Division

Approve and the Chair to sign the Contract for Services between Siskiyou County Health and Human Services Agency and the University of California at Davis, for the effective term of July 1, 2021 through June 30, 2022.

Public Works

Board Chair to sign the Resolution 21-63 adopting a list of projects for Fiscal Year 21/22 funded by SB 1: The Road Repair and Accountability Act of 2017.

Treasurer - Tax Collector

Approve the 2021 Siskiyou County Treasury Investment Policy as presented.

Treasurer - Tax Collector

Authorize the Discharge of Accountability of the attached list of 137 unsecured delinquent accounts, in the amount of \$26,139.01 per California Revenue & Taxation Code Section 2611.1.

Transfer of Funds - District Attorney - GDA003 VW - \$8,611. Resolution 21-64 adopted.

Transfer of Funds - Tobacco Prevention Program Prop 99 - \$67,605. Resolution 21- 65 adopted.

**General Services – Sanitation** - Approve Memorandum of Understanding with California Department of Forestry and Fire Protection (CalFire) to provide services to burn yard waste at the Black Butte Transfer Station, for a five year term, effective May 18, 2021. Dropped from the agenda.

This item was dropped from the agenda at General Services Director Jason Ledbetter's request.

**County Administration** - Authorize the appointment of Melissa Cummins as the Interim Director of Public Works, effective April 30, 2021. Approved.

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

In response to Supervisor Valenzuela, County Administrator Angela Davis advised of the ongoing efforts to recruit for the position of Public Works Director.

Following discussion between members of the Board and Ms. Davis regarding the anticipated process to appoint a Road Commissioner upon current Public Works Director Scott Waite's retirement, it was moved by Supervisor Criss and seconded by Supervisor Ogren to authorize the appointment of Melissa Cummins as the Interim Director of Public Works effective April 30, 2021. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

**County Administration** - Adopt Resolution declaring certain County-owned real property located near Mott Road in Dunsmuir as surplus to the needs of the County in order to facilitate the disposal of said property identified as Assessor's Parcel Number 030-230-460-000. Resolution 21-66 adopted.

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

Following discussion between Supervisor Valenzuela and Project Coordinator Elizabeth Nielsen regarding the subject property near Mott Road in Dunsmuir and the anticipated process for the City of Dunsmuir to consider obtaining the surplus property, it was moved by Supervisor Valenzuela and seconded by Supervisor Kobseff to approve the Resolution declaring certain real property near Mott Road as surplus property. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to adopt Resolution 21-66 carried unanimously.

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

Pursuant to California Governor Newsom's Executive Order N-29-20, March 17, 2020, participation in this agenda item by County staff and various members of the public was provided via teleconference phone.

Siskiyou County Public Health Officer Dr. Aaron Stutz provided an update regarding the various coronavirus/COVID-19 statistics, including vaccination statistics.

Discussion followed between members of the Board and Dr. Stutz regarding the County's current vaccine supply, a current surge in COVID-19 cases, relation to the County's tier position and vaccination rates, upcoming/scheduled vaccine clinics, efforts to provide vaccines to the homeless population, the State's recommendation related to masks and opening up the State and the process for identifying coronavirus variants within the County.

**Natural Resources / Community Development Department** - Presentation of a report from Larry Walker Associates regarding the tools developed to help the County evaluate potential impacts of proposed new wells in the Scott Valley. Presentation and discussion only.

Pursuant to California Governor Newsom's Executive Order N-29-20, March 17, 2020, participation in this agenda item by County staff and various members of the public was provided via teleconference phone.

Assistant County Counsel Natalie Reed and Natural Resource Policy Specialist Matt Parker provided a brief overview of the request, and introduced Larry Walker Associates' representative Dr. Laura Foglia, who participated via ZOOM/teleconference phone.

Dr. Foglia presented the powerpoint entitled: Demonstration of Groundwater Modeling Results of Potential Groundwater Pumping Impacts on Scott Valley Streamflow. Included in the powerpoint was the project background, the impact of groundwater pumping on streamflow and the various hypothetical scenarios developed to determine the impacts associated with a single six-inch diameter well with a 50 gallon per minute pumping capacity. In addition, the powerpoint included maps to indicate those areas most impacted by groundwater pumping in various locations around the Scott Valley. Continued...

## **Natural Resources / Community Development Department – (continued)**

Dr. Foglia summarized various model/scenario results, (i.e. the locations impacted by groundwater pumping, timing of groundwater pumping) and take-home messages related to the Scott Valley Instream Hydrologic Model.

Discussion followed between members of the Board and Dr. Foglia regarding the hypothetical six-inch diameter groundwater well pumping 50 gallons per minute, the definition of continuous pumping during irrigation season, the recharge rate of the Scott River groundwater basin and the various locations valley/basin wide to analyze the hypothetical pumping scenarios.

**Public Requests - Siskiyou Community Resource Collaborative -** Discussion and possible direction re presentation of an overview of the Siskiyou Community Resource Collaborative and request for funding for Fiscal Year 2021/2022. Presentation and discussion only.

Siskiyou Community Resource Collaborative Executive Director Michelle O’Gorman provided an overview of the request and distributed a 12-page powerpoint presentation regarding the Collaborative. Ms. O’Gorman summarized various collaborative efforts and funding provided by local jurisdictions.

Discussion followed between members of the Board and Ms. O’Gorman regarding the services and resources provided by the Collaborative to various local cities, new activities that have been added, grant funding opportunities, partnerships and the funding provided by the County each year. In addition, Ms. O’Gorman provided an overview of outreach and services provided to the McCloud area and Scott Valley.

**General Services – Sanitation -** Discussion, direction and possible action re first reading of an Ordinance amending Title 5, Chapter 6.1 Section 5-6.102 of the Siskiyou County Code regarding green and wood waste (clean) fees. Dropped from the agenda.

This item was dropped from the agenda at General Services Director Jason Ledbetter’s request.

**General Services / County Counsel -** Discussion, direction and possible action re Resolution of Intent to grant Utility Franchise to Pacificorp with regard to electrical distribution and transmission lines and related appurtenances for a 15-year term. Resolution 21-67 adopted.

Assistant County Counsel Natalie Reed provided an overview of the request, summarizing the anticipated process to set a public hearing on June 15, 2021 to consider protests to the proposed franchise and the process to consider adopting an ordinance approving the franchise.

It was moved by Supervisor Kobseff and seconded by Supervisor Valenzuela to adopt the Resolution of Intention to Grant Utility Franchise to PacifiCorp. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to adopt Resolution 21-67 and set a public hearing on June 15, 2021 carried unanimously.

**County Administration – Personnel -** Discussion, direction and possible action re first reading of an Ordinance amending Chapter 3 of Title 7 Section 7-3.03 of the Siskiyou County Code regarding the Director of the Department of Public Works Director qualifications. First reading approved; public hearing for the second reading set on June 15, 2021 at 9:00a.m., or as soon thereafter as may be heard.

Personnel/Risk Manager Melissa Cummins provided an overview of the request and the draft ordinance to amend the Public Works Director qualifications.

Following discussion between members of the Board and Deputy County Clerk Wendy Winningham regarding potential dates/times to hold a public hearing, it was moved by Supervisor Criss and seconded by Supervisor Haupt to introduce, and approve the first reading of the ordinance to amend Chapter 3 of title 7 section 7-3.03 The Department of Public Works Director Qualifications, and direct the Clerk to schedule a public hearing on, and second reading of, the ordinance on June 15, 2021, at 9a.m., or as soon thereafter as may be heard. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

**Minute Approval** - April 20, 2021. Approved.

It was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to approve the April 20, 2021 minutes as presented.

**Public Hearings** - Community Development – Planning Division - Public hearing for the first reading of an ordinance reclassifying 39.4 acres of land west of the City of Weed, from Non-Prime Agricultural, 40 acre minimum (AG-2-B-40) to Non-Prime Agricultural (AG-2) on APN 021-121-560; Section 4, Township 41 North, Range 5 West, MDB&M, for the Berger Minor Zone Change (Z-20-02). First reading approved; public hearing continued to June 1, 2021 at 9a.m., or as soon thereafter as may be heard.

This was the time set for a public hearing for the first reading of an ordinance reclassifying 39.4 acres of land west of the City of Weed, from Non-Prime Agricultural, 40-acre minimum (AG-2-B-40) to Non-Prime Agricultural (AG-2) on APN 021-121-560; Section 4, Township 41 North, Range 5 West, MDB&M, for the Berger Minor Zone Change (Z-20-02).

Chair Haupt opened the public hearing.

Pursuant to California Governor Newsom's Executive Order N-29-20, March 17, 2020, participation in this agenda item by County staff and various members of the public was provided via teleconference phone.

Senior Planner Rachel Jereb provided an overview of the request to split an existing parcel within the Weed City sphere of influence. Ms. Jereb advised that a neighboring property owner shared objection to the proposal and that the staff report included comments from various agencies, including the California Water Board, Environmental Health, Public Works and Treasurer's Office, among others. Ms. Jereb the Planning Commission recommended approval of the project.

In response to Chair Haupt, Deputy County Clerk Wendy Winningham advised that no correspondence related to the project had been received by the County Clerk's Office, although one notification letter had been returned as the address was not deliverable.

There were no public comments received.

It was moved by Supervisor Kobseff and seconded by Supervisor Ogren to introduce, waive, and approve the first reading of the proposed Berger rezoning to amend Zoning District Map 10-6.205-411; 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 10-6.205-411 on June 1, 2021 at 9a.m., or as soon thereafter as may be heard. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

### **Board and Staff Reports**

Supervisor Valenzuela advised of discussions at California State Association of Counties (CSAC) regarding the Governor's budget, including potential recall election costs, costs related to wolf depredation and costs specific to the Klamath River.

**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), one case, 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 11:44a.m., concluded at 1:32p.m., with no action taken.

### **Report On Closed Session**

County Counsel Edward J. Kiernan announced that closed session concluded at 1:32p.m., with no reportable action taken.

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

Attest:  
Laura Bynum, County Clerk

\_\_\_\_\_  
Ray A. Haupt, Chair

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