

# State of California, County of Siskiyou

## Board of Supervisors Minutes, March 15, 2022

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 15<sup>th</sup> day of March 2022; 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 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, County Service Area No. 4 and Airport Land Use Commission. 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.

**Off-Agenda Item** – 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. Item added to closed session agenda.

County Counsel Edward J. Kiernan provided an overview of the request to add an item, not on the posted agenda to the closed session agenda.

It was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to add an item, not on the posted agenda, regarding 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.

Supervisor Haupt requested consideration of an off agenda item regarding the ongoing negotiation process related to Box Canyon Dam hydroelectric/electricity rates to be added to the closed session.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to add an item, not on the posted agenda, regarding the ongoing negotiation process related to Box Canyon Dam hydroelectric electricity rates to be added to the closed session agenda.

Later in the meeting, County Counsel Edward J. Kiernan advised that after further clarification, it was not appropriate for the item related to the Box Canyon Dam to be added to closed session as an urgency/off-agenda item.

### **Presentations from the Public**

Congressional District 1 Candidate Max Steiner appeared before the Board, introducing himself and summarizing his political goals.

Fallen Heroes Project representatives Phil Anzo and Bob Singleton appeared before the Board, providing a brief status update on the progress of the Fallen Heroes Project, located at the Weed Airport, to recognize members of various emergency services agencies who have passed away on duty. Additionally, Mr. Anzo summarized challenges facing the Project, including difficulty locating aircraft (helicopters) to display at the site. Mr. Anzo requested County assistance in utilizing the Federal surplus program for possible acquisitions.

Supervisor Kobseff requested that the County Administrator's Office work with the Project representatives toward the request.

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## **Presentations from the Public – (continued)**

County resident Holly Hansard appeared before the Board, speaking in support of the Board reviewing files/videos related to the Arizona ballot audit and requested time on the Board's agenda to request that 2020 election ballots be preserved for audit/review.

Office of Emergency Services Director Bryan Schenone provided an update on wildfires that occurred over the weekend in various locations in the County, sharing concerns that wildfire season started early for 2022.

Brief discussion followed between members of the Board and Mr. Schenone regarding the possible causes of the fires, ongoing efforts to inform/educate the public regarding burn permits and allowable burning conditions and efforts being made by local firesafe councils to prepare for wildfire season.

## **Consent Agenda – Approved.**

At Supervisor Kobseff's request, item 5B, County Administration's letter to the Humane Society of the United States voicing opposition to Petition to the California Department of Fish and Wildlife: Black Bears was pulled from the consent agenda for discussion.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss 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 four letters letters of support for projects on the 2022 first quarter Schedule of Proposed Action (SOPA).

### County Administration

Approve the updated County of Siskiyou Contracting and Purchasing Policy and Procedures with its attachments.

### County Administration - Personnel

Adopt Resolution P 22-53 amending the Siskiyou County Salary Schedule and Position Allocation List to make revisions as detailed in the attached Resolution; approve job class specifications for new classification of Building Plans Examiner.

### County Administration - Personnel

Approve Resolution P 22-54 amending the Siskiyou County Salary Schedule effective February 6, 2022 for the Appointed Department Heads, Assistant Department Heads and Confidential employees.

### Community Development – Environmental Health

Approve Resolution 22-55 for Environmental Health to apply for the 2022 CUPA Forum Trust Grant(s) and authorize the Community Development Director to sign the Application Certification and associated paperwork required to implement the grant and authorize the Chair of the Board to sign the resolution, and authorized the Auditor to establish the budget.

### General Services - Sanitation

Approve the Third Addendum to the Operation Agreement with the City of Tulelake.

### General Services - Sanitation

Approve the "Free Dump Day Event" with Caltrans and allow the Auditor to establish budget appropriation.

### Community Development - Planning/Code Enforcement

Approve the addendum with Lynn Cottier for hearing officer services to extend the term of the agreement to June 30, 2023 and increase the compensation not to exceed \$65,000 and authorize the Board Chair to execute the addendum.

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**Consent Agenda – (continued)**

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 San Jose Behavioral Health, LLC for the term of July 1, 2021 to June 30, 2026.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Wellness and Recovery Quality Improvement Grant Services Agreement between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Partnership Healthplan of California for the term of July 1, 2021 to June 30, 2022. In addition authorize the Auditor to establish budget appropriation and set expenditures per grant guidelines.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the 3rd Addendum between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Thomas Milam MD, Inc. DBA Iris Telehealth Medical Group for the term of July 1, 2020 through June 30, 2022.

Health and Human Services - Social Services Division

Approve the Resolution 22-56 to allow the Norcal Continuum of Care to apply for HHAP-3 funds on behalf of Siskiyou County and to enter into a contract with the State of California to administer the funds.

Office of Emergency Services

Approve Resolution 22-57 designating the Director of Emergency Services, the Deputy Director of Emergency Services, and the County Administrative Officer as authorized agents for the 2021 Homeland Security Grants Program; 2021 Emergency Management Performance Grant; 2021 Emergency Management Performance Grant American Rescue Plan; 2022 Homeland Security Grants Program; 2022 Emergency Management Performance Grant; 2023 Homeland Security Grants Program (HSGP) 2023 Emergency Management Performance Grant (EMPG).

Probation

Authorize the Chair to execute the Second Amendment to the Lease Agreement between Ray Morgan and Siskiyou County Probation for the term July 1, 2020 to June 30, 2025.

Probation

Approve First Addendum to the contract between Community Corrections Partnership and Rose Therapy to add a Business Associates Agreement in order to support additional mental health services.

Probation

Approve MOU between Siskiyou County Superior Court and Probation for implementation and expansion of pretrial services and to restore previously cut services to the pretrial release program beginning July 1, 2021 and to continue each year upon allocation of funds to the Court and allow Auditor to work with Probation to establish budget.

Probation

Approve amendment to the agreement between BI, Incorporated and Siskiyou County Probation for electronic monitoring, extending the term through June 30, 2022.

Public Works

Authorize the Chairperson to sign the Resolution 22-58 certifying maintained mileage within the County of Siskiyou.

Sheriff

Approve the Sheriff's Office to enter a new maintenance contract with Avtec as well as the purchase of new hardware and software to support Dispatch upgrades. Approve increase assigned to this capital asset. Allow the Auditor to make the necessary appropriations.

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**Consent Agenda – (continued)**

Sheriff

Approve the Sheriff's Office's application for funding the 22/23 Boating Safety and Enforcement Financial Aid Program with the California Department of Boating and Waterways; authorize the Sheriff to sign any documents required and operate the program per State guidelines and the Board to adopt the Resolution 22-59.

Sheriff

Approve the donation of law enforcement mutual aid services provided by the Lassen County Sheriff's Office.

Sheriff

Approve the donation of law enforcement mutual aid services provided by Shasta County.

Sheriff

Approve the donation of law enforcement mutual aid services provided by the Redwood City Police Department.

Sheriff

Approve the donation of law enforcement mutual aid services provided by Tehama County Probation.

Transfer of Funds - ELC Expansion - \$604,642. Resolution 22-60 adopted.

Transfer of Funds - Planning - \$10,000. Resolution 22-61 adopted.

Transfer of Funds - Solid Waste Disposal - \$150,000. Resolution 22-62 adopted.

Transfer of Funds - Sheriff - \$7,050. Resolution 22-63 adopted.

**County Administration** - Approve letter to the Humane Society of the United States voicing opposition to Petition to the California Department of Fish and Wildlife: Black Bears. Approved.

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

Following discussion between Supervisor Kobseff and Deputy County Administrator Elizabeth Nielsen regarding various edits to the draft letter, including addressing the letter to the California Fish and Game Commission rather than the Humane Society of the United States, it was moved by Supervisor Ogren, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to approve the letter as modified.

**Public Requests** - American Red Cross - Discussion, direction, and possible action re Proclamation proclaiming March 2022 as American Red Cross Month in Siskiyou County. Approved.

Local resident Bennie Davidson appeared before the Board, representing the American Red Cross.

Following brief discussion between members of the Board and Ms. Davidson regarding the process to access information concerning how to designate aid to Ukraine, it was moved by Supervisor Kobseff, seconded by supervisor Valenzuela and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to adopt the March 2022 American Red Cross Proclamation by publicly reciting it and having each Supervisor sign it.

**Community Development** - Discussion, direction and possible action re first reading of an uncodified ordinance temporarily restricting new production well permits, with specified exemptions, in the Scott Valley Watershed pending the County's further study and consideration of regulations. First reading continued to April 5, 2022.

Community Development Director Rick Dean appeared before the Board, advising that Dr. Thomas Harder and Dr. Laura Foglia were available via ZOOM/teleconference phone should the Board have questions concerning this item.

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## **Community Development – (continued)**

Mr. Dean provided an overview of the request, advising that Resolution 22-07, which made Public Trust findings with regard to the Environmental Health Division's issuance of certain water well permits, also directed staff to bring forward a moratorium on new production well permits in the Scott Valley. Mr. Dean defined production and non-production wells, recommending a two-year temporary moratorium. In addition, Mr. Dean provided an overview of various categories of production wells that were exempt from the moratorium, specified in Section 4 of the draft ordinance.

Discussion followed between members of the Board, Mr. Dean, Assistant County Counsel Natalie Reed and Natural Resource Policy Specialist Matt Parker regarding the anticipated process to verify that an exemption is allowable by utilizing groundwater modeling information and the County's Natural Resources, the need for clarification of the various water right decrees identified in Section 4A3 of the draft ordinance and, the need for additional information regarding the map in Exhibit A and the disconnect zone (defined in ELF litigation).

Ms. Reed requested to strike the word 'urgency' in two locations within Sections 1 and 2 on page 3 of the draft ordinance.

Further discussion followed regarding additional factors that could be considered in examining allowable exemptions to the moratorium and the anticipated process to develop similar county-wide regulations concerning the Public Trust and water after addressing the Scott Valley.

Participation in this item by various members of the public was provided via teleconference phone.

In response to Mr. Dean, Dr. Foglia, participating via ZOOM/teleconference phone, provided information regarding the aquifer and disconnect zone in relation to the flow of the Scott River and potential impact of new production wells on the river's flow.

Discussion followed, including County Counsel Edward J. Kiernan, regarding the potential impact of the moratorium/ordinance on the Sustainable Groundwater Management Act (SMGA) requirements in Scott Valley, anticipated information on the local aquifer from the Water Resources Board's geologic mapping of the Scott Valley and the recommended continuation of the first reading to allow time for staff to provide additional information/answers to various Board members' questions and concerns.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to continue the first reading of the uncodified ordinance temporarily restricting new production well permits, with specified exemptions, in the Scott Valley Watershed pending the County's further study and consideration of regulations.

**County Administration - Natural Resources** - Presentation of a staff report re a request that the County submit to the National Register of Historic Places a request to consider the Ancient Beswick Forest area as a historic place. Presentation and discussion only.

Deputy County Administrator Elizabeth Nielsen provided an overview of the request, advising that various members of the public, and specifically the Siskiyou County Water Users Association (SCWUA) requested that the County (Board of Supervisors and/or Flood Control District) adopt a Resolution to establish the Ancient Beswick Forest area as a candidate for consideration as a historic place. In addition, Ms. Nielsen advised that the County was requested to submit, as a Certifying Authority, this request to the National Register of Historic Places for consideration under the National Historic Preservation Act. Ms. Nielsen further advised that the State Historic Preservation Officer (SHPO) is the Certifying Agency in California, and that the County, as a local government, would have an opportunity to comment to the SHPO on an application for nomination or recommendations are made to the National Register.

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## **County Administration - Natural Resources – (continued)**

Ms. Nielsen summarized the criteria that must be met in order for private land or non-federal public-owned land to be considered for nomination (i.e. the age of the property/site (50 years or more), historical use of the property/site, significant architectural/landscape history, etc.), and advised that the property/site owner(s) would need to be informed of the intention to apply for registration. Ms. Nielsen shared concerns that a Historic Place listing would not prevent a property/site/area from being changed or destroyed. Ms. Nielsen recommended that SCWUA, or a member or members of the public, take the steps necessary to submit a nomination and that County staff would be available to provide additional documentation which could be used during the nomination process.

Discussion followed between members of the Board and Ms. Nielsen regarding the possible lengthy process for the SHPO to make a decision regarding a nomination, the County's ability to comment on a nomination during a 60-day comment period, the ownership composition of the Ancient Beswick Forest area (public or private) and the need for a majority of property owners to agree to a possible nomination application.

Participation in presentations from the public by various members of the public was provided via teleconference phone.

The Chair opened the item to public comment.

Caller Chrissie Reynolds shared concerns regarding the unknowns related to what type of project is the Klamath Dam Removal Project (a federal or state project) with regard to the process for nominating an area for consideration as a Historic Place.

Supervisor Haupt advised that the SHPO would have authority to consider either a state or federal project in the nomination process.

County resident Richard Marshall appeared before the Board, speaking in support of the efforts made by local Copco Lake citizens to organize various historical information related to the Ancient Beswick Forest area and withdrew the request that the County adopt a Resolution to establish the area as a candidate for consideration as a historic place. In addition, Mr. Marshall requested that the County/Board possibly consider a letter of position or recommendation regarding the Ancient Beswick Forest area.

**Public Hearings - Community Development - Planning Division - Continued public hearing for the second reading of an ordinance reclassifying land adjacent to Dunsmuir Municipal-Mott Airport from Rural Residential Agricultural (R-R) to Planned Development (P-D) on APN: 037-410-230; Township 40 North, Range 4 West, Section 35, MDB&M for the Purvis Zone Change (Z-21-07). Ordinance 22-06 adopted.**

This was the time set for a continued public hearing for the second reading of an ordinance reclassifying land adjacent to Dunsmuir Municipal-Mott Airport from Rural Residential Agricultural (R-R) to Planned Development (P-D) on APN: 037-410-230; Township 40 North, Range 4 West, Section 35, MDB&M for the Purvis Zone Change (Z-21-07), having been continued from March 1, 2022.

Participation in this item by County staff was provided via teleconference phone.

Community Development Director Rick Dean appeared before the Board, advising that Senior Planner Rachel Jereb would be participating via ZOOM/teleconference phone.

Ms. Jereb provided a brief overview of the zone change project, advising that Planning staff recommended that the project be deemed exempt from the California Environmental Quality Act (CEQA) pursuant to their common sense exemption. In addition, Ms. Jereb recommended approval of the zone change project and adoption of the associated ordinance.

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, the public hearing was declared closed.

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**Public Hearings** - Community Development - Planning Division – *(continued)*

It was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES to determine the project exempt from CEQA in accordance with Section 15061(b)(3) and Section 15303(c); and waive the second reading of the draft ordinance amending Zoning Sectional District Map 10-6.205-526; and adopt the draft Ordinance 22-06 amending Zoning Sectional District Map 10-6.205-526.

**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 Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to extend the local emergency related to the proliferation of illegal cannabis cultivation as declared by Resolution 20-18.

**Board of Supervisors' Requests** - Board of Supervisors - Review status of local emergency related to catastrophic wildfire as declared by Resolution 21-77, adopted on June 1, 2021; action to extend or terminate local emergency. No action was taken.

Office of Emergency Services Director Bryan Schenone advised that the efforts were underway to draft a revised Resolution/Declaration related to wildfire and that this emergency declaration was no longer needed.

Discussion followed between members of the Board and Mr. Schenone regarding the anticipated process to draft a Resolution/Declaration to address the upcoming wildfire season, the need to include verbiage concerning the negative impacts associated with management of wildfires at the State and Federal level and the effect of not extending the emergency declaration within 60 days.

No action was taken with regard to the emergency declaration.

**Board of Supervisors' Requests** - Board of Supervisors - Review status of local emergency related to drought declared by Resolution 22-22, adopted on January 18, 2022; action to extend or terminate local emergency. Local emergency extended.

Office of Emergency Services Director Bryan Schenone requested extension of the emergency declaration, advising that a revised Resolution/Declaration would be presented to the Board at a later meeting.

Following brief discussion between members of the Board and Mr. Schenone regarding the efforts being made to revise the Resolution language to update current drought conditions and the need to assess the potential impact of the State Department of Water Resources' curtailment orders for irrigation water, it was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to extend the local emergency related to drought declared by Resolution 22-22.

**Minute Approval** - February 1, 15, 2022 and March 1, 2022. Approved.

It was moved by Supervisor Valenzuela, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to approve the February 1, 2022 minutes as presented.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Ogren and Criss voting YES and Supervisor Valenzuela ABSTAINING, to approve the February 15, 2022 minutes as presented.

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Valenzuela, Ogren and Criss voting YES, to approve the March 1, 2022 minutes as presented.

## **Board and Staff Reports**

Supervisor Valenzuela reported on his participation at a Rural County Representatives of California (RCRC) meeting and Officers Installation ceremony in Sacramento, a recent trip to Washington DC and a California State Association of Counties (CSAC) meeting.

Supervisor Haupt advised of not being able to participate in a fire roundtable with Congress as it was cancelled and reported on his attendance at a recent Patriots meeting.

Supervisor Kobseff reported on his participation in a Rural County Representatives of California (RCRC) meeting via ZOOM and a RCRC Environmental Services Joint Powers Authority (ESJPA) meeting via ZOOM, which included Supervisor Valenzuela, who also participated via ZOOM.

Supervisor Ogren reported on efforts being made with the North Coast Resource Partnership (NCRP) Executive Board toward grant funding for fire mitigation projects, and efforts being made by the Continuum of Care (COC) Board and the Office of Emergency Services to address the need for emergency warming centers and the issue of fire (homeless camp warming fires) in Yreka.

Supervisor Criss reported on the water situation in Montague, Tulelake, Dorris and McCloud, including Montague Water Conservation District's recent drought emergency declaration, the anticipated reduction of Tulelake's irrigation water allocation and the City of Dorris' receipt of a grant award to extend Butte Valley wells. In addition, Supervisor Criss advised of holding a Town Hall meeting at Copco Lake.

**Public Hearings - General Services -** Public hearing for the second reading of an ordinance adopting Sections 5-14.01 through 5-14.04 of Chapter 14 of Title 5 of the Siskiyou County Code regarding opting in to the Siskiyou County Integrated Solid Waste Management Regional Agency's Edible Food Recovery Ordinance. Second reading continued to April 19, 2022.

This was the time set for a public hearing for the second reading of an ordinance adopting Sections 5-14.01 through 5-14.04 of Chapter 14 of Title 5 of the Siskiyou County Code regarding opting in to the Siskiyou County Integrated Solid Waste Management Regional Agency's Edible Food Recovery Ordinance, having been introduced on February 15, 2022.

The Chair opened the public hearing.

General Services Director Joy Hall appeared before the Board, advising that the draft ordinance was developed to comply with the State's mandate related to Edible Food Recovery under Senate Bill 1383 (SB1383). Ms. Hall provided an overview of the ordinance, advising that, by opting in to the Siskiyou County Integrated Solid Waste Management Regional Agency's (SCWMA) Edible Food Recovery Ordinance, the County would act as the Enforcement Agency to carry out the responsibilities in the Ordinance and be authorized to level penalties for violations as well. Ms. Hall further advised that various CalRecycle representatives and consultants were available via ZOOM/teleconference phone, should the Board have questions/concerns.

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

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

Supervisor Kobseff advised that Rural County Representatives of California (RCRC) Environmental Services Joint Powers Authority (ESJPA) representatives, Staci Heaton and Larry Switzer, would be participating via ZOOM/teleconference phone.

Participation in this item by various members of the public was provided via teleconference phone.

In response to Supervisor Kobseff regarding the timeframe associated with ordinance adoption and possible grant funding opportunities, CalRecycle representative Marshalle Graham advised that, even though the County missed the deadline for the first round of grant funding, it would be eligible for a second round of grant funding, with a June 14, 2022 deadline for adoption of the ordinance. Continued...



**Public Hearings - General Services – (continued)**

In response to Ms. Hall, Ms. Graham advised that the County would be eligible for at least the same or larger amount of funding during the grant funding's second round.

Discussion followed between members of the Board, Ms. Hall, Ms. Graham, Mr. Switzer and County Counsel Edward J. Kiernan regarding the County's flexibility related to delegation of inspection/enforcement responsibilities in the draft ordinance, the anticipated process for the County to verify that edible food generators comply with the regulations for donating edible food to foodbanks, the need to clarify various City and County enforcement responsibilities under the ordinance and the County's ability to modify the ordinance language prior to adoption before the June 14<sup>th</sup> deadline for grant funding.

Ms. Graham advised that CalRecycle would not penalize the County as long as steps are being made to come into compliance with the legislation, including efforts being made related to green/organic waste collection/composting.

Further discussion followed, including Community Development Director Rick Dean, regarding the various City and County roles that would be detailed in a Memorandum of Understanding (MOU) (to be considered later in the agenda), Environmental Health Division's potential role related to inspection of food facilities, the anticipated General Services Department costs associated with education/outreach efforts required by the ordinance and legislation and the potential for any changes made to the ordinance to impact and/or change the draft MOU with local cities.

In response to Supervisor Criss, Ms. Hall advised that she was able to contact and discuss the draft ordinance with some of the local food businesses that would be impacted, with few having complaints or issues with the draft ordinance. In addition, Ms. Hall advised that each of the nine incorporated cities had adopted similar ordinances, although not all had approved the associated MOU.

Discussion followed regarding possible modifications that could be made to the draft ordinance with regard to the City and County enforcement roles, those roles/responsibilities that could be outlined in the associated MOU, the need to continue this item to allow staff time to research which modifications to the draft ordinance would be allowed under the legislation and the possibility that significant changes to the draft ordinance would require another first reading.

In response to Ms. Winningham, Mr. Kiernan advised that the public hearing was closed, although the second reading could be continued to a later meeting date.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Kobseff, Valenzuela, Ogren and Criss voting YES and Supervisor Haupt voting NO to continue the second reading of an ordinance adopting Sections 5-14.01 through 5-14.04 of Chapter 14 of Title 5 of the Siskiyou County Code regarding opting in to the Siskiyou County Integrated Solid Waste Management Regional Agency's Edible Food Recovery Ordinance to April 19, 2022.

In response to Chair Criss, Mr. Kiernan advised that one or two members of the Board could assist County Counsel's Office in reviewing/revising the draft ordinance language. Supervisors Kobseff and Ogren volunteered to assist.

**General Services** - Discussion, direction and possible action re Memorandum of Understanding by and between the County of Siskiyou and the cities of Dunsmuir, Weed, Mt. Shasta, Yreka, Montague, Fort Jones, Etna, Dorris and Tulelake for the establishment of an Edible Food Recovery Program consistent with California Code of Regulations, Title 14, Division 7, Chapter 12 Short-lived Climate Pollutants. Continued to April 19, 2022.

See discussion in the previous agenda item regarding the Edible Food Recovery Program and this item.

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Kobseff, Valenzuela, Ogren and Criss voting YES and Supervisor Haupt voting NO to continue this item to April 19, 2022.

**Closed Session** - Conference with labor negotiators pursuant to Government Code §54957.6, 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, Liability claims pursuant to Government Code §54956.95, one claim, 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 12:30p.m., concluded at 2:38p.m., with no action taken.

**Report On Closed Session**

County Counsel Edward J. Kiernan announced that closed session concluded at 2:38p.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

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Brandon A. Criss, Chair

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