

# State of California, County of Siskiyou

## Board of Supervisors Minutes, March 21, 2023

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 21<sup>st</sup> day of March 2023; there being present Supervisors Brandon Criss, Michael N. Kobseff, Nancy Ogren, 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.

The meeting was called to order by Chair Valenzuela. 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 #3 and County Service Area #4. Chaplain Keith Bradley led in the salute to the flag of the United States of America.

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

### **Presentations from the Public**

There were no presentations from the public received.

### **Consent Agenda – Approved.**

At Deputy County Clerk Wendy Winningham's request, item 5E1-2, Personnel's side letter agreements with the Organized Employees of Siskiyou County - Miscellaneous, Management and Professional Units, Operating Engineers Local No. 3 and Sheriffs Management Unit and Resolutions regarding certain terms and conditions for employment for various units, was pulled from the consent agenda for discussion.

At Supervisor Kobseff's request, item 5L, Behavioral Health's contract with Yreka Police Department for homeless liaison services, was pulled from the consent agenda for discussion.

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

#### Community Development - Environmental Health Division

Approve 1<sup>st</sup> amendment to contract between Siskiyou County Community Development and Tyler Technologies Inc. to extend years of service to FY24/25 (three years).

#### County Administration

Approve a one-time contribution to the National Center for Public Lands Counties in the amount of \$100,000.00.

#### County Administration - Personnel

Approve new job class specifications for Department Personnel Assistant I, Department Personnel Assistant II, Public Information Specialist, effective April 2, 2023; adopt Resolution P 23-44 amending the Siskiyou County Salary Schedule and Position Allocation List, regarding Department Personnel Assistant I (1.0 FTE), Department Personnel Assistant II (1.0 FTE), Public Information Specialist (1.0 FTE), Executive Secretary (1.0) FTE, Sheriff Lieutenant (1.0 FTE), and Deputy Sheriff II (6.0 FTEs) and effective April 2, 2023.

#### County Administration - Personnel

Adopt Resolution P 23-45 regarding certain terms and conditions of employment for Assistant Department Heads effective April 2, 2023; adopt Resolution P 23-46 amending the Siskiyou County Salary Schedule and Position Allocation List, regarding Assistant District Attorney (1.0 FTE), Assistant Public Defender (1.0 FTE), and Undersheriff effective April 2, 2023.

#### General Services - Airports

Approve the Public Works contract with Jon Purvis DBA Benson and Sons Roofing Sole Proprietor and to allow the Auditors to establish the budget.

Continued...

**Consent Agenda – (continued)**

General Services - Airports

Approve the Public Works contract with ARK Design Construction & Roofing Inc. for the FAA Equipment Building and to allow the Auditors to establish the budget.

General Services - Airports

Approve the Public Works contract with ARK Design Construction & Roofing Inc. for building 300 and allow the Auditors to establish budget.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the assignment and assumption of lease agreement between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Spaulding Family Trust.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the assignment and assumption of lease agreement between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Spaulding Family Trust.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the New Contract for Services between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and Crestwood Behavioral Health, Inc.

Health and Human Services - Behavioral Health Division

Approve and authorize the Chair to sign the Second Addendum to the Contract between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and North American Mental Health Services, to add Primary Care Physician training.

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the California Department of Health Care Services Medi-Cal County Inmate Program Participation Agreement 23-MCIPSISKIYOU-47, and the Program Agreement for Administrative Services 23-30052, for FY 2023 through FY 2026.

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the First Addendum to the Contract for services between Siskiyou County Health and Human Services Agency – Public Health Division and Les Hall for the term of the contract through June 30, 2028, in the amount NTE \$700,000.00.

Health and Human Services - Public Health Division

Approve and authorize the Chair to sign the First Addendum to the Contract for services between Siskiyou County Health and Human Services Agency – Public Health Division and Diamond Drugs, Inc. dba Diamond Pharmacy Services for the term of the contract through June 30, 2028, in the amount NTE \$778,500.00.

Health and Human Services – Social Services Division

Approve and the Chair sign the Grant Agreement and Resolution 23-47 to authorize the Siskiyou County Health and Human Services Agency, Social Services Division, to accept the Access to Technology Grant from the California Department of Aging.

Sheriff

Ratify the Sheriffs application in the amount of \$153,000.00 to the Drug Enforcement Administration covering the period of October 1<sup>st</sup>, 2022 through September 30<sup>th</sup>, 2023.

Sheriff

Approve the first addendum between the Sheriff's Office and Axon Enterprise, Inc. and allow the Auditor to make appropriations.

Continued...

**Consent Agenda – (continued)**

Sheriff - Jail

Approve 1<sup>st</sup> addendum to add additional funds to the contract between the Siskiyou County Jail and allow the Auditor to make appropriations.

Transfer of Funds - Airports - \$21,000. Resolution 23-48 adopted.

Transfer of Funds - Risk Management - Liability - \$148,670. Resolution 23-49 adopted.

Transfer of Funds - Sheriff - \$5,712. Resolution 23-50 adopted.

Transfer of Funds - Sheriff - \$45,000. Resolution 23-51 adopted.

Transfer of Funds - Sheriff - \$28,000. Resolution 23-52 adopted.

Transfer of Funds - Juvenile Hall - \$89,000. Resolution 23-53 adopted.

**Health and Human Services - Behavioral Health Division** - Approve contract with the Yreka Police Department, for City of Yreka, to provide Homeless Liaison Officer services, in an amount not to exceed \$160,000, for the term October 1, 2022 through June 30, 2023. Approved.

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

In response to Supervisor Kobseff, Behavioral Health Clinical Director Tracie Lima appeared before the Board and summarized the process to develop the contract with Yreka Police Department for provision of Homeless Liaison Officer services.

Following discussion between members of the Board and Ms. Lima regarding the process to encumber the total contract amount for the current fiscal year, the anticipated process to train an officer and staff and the percentage of the contract set aside for administrative costs, it was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES to approve and authorize the Chair to sign the MOU between Siskiyou County Health & Human Services Agency, Behavioral Health Division, and the City of Yreka for the term listed above.

**County Administration – Personnel** - Approve three side letter agreements with the Organized Employees of Siskiyou County for the Miscellaneous, Management and Professional Units; one with the Operating Engineers Local No. 3; and one with the Sheriffs Management Unit, effective March 22, 2023; adopt Resolutions regarding certain terms and conditions for employment for Appointed Department Heads, Assistant Department Heads; Elected Department Heads; and Confidential Unit, with regard to referral and signing bonus, effective March 22, 2023. Agreements approved; Resolutions P 23-54 (Appointed), P 23-55 (Assistant), P 23-56 (Elected) and P 23-57 (Confidential) adopted.

This item was pulled from the consent agenda at Deputy County Clerk Wendy Winingham's request.

Deputy County Administrator-Personnel and Risk Manager Melissa Cummins appeared before the Board, presenting a revised version of the side letter agreement with the Sheriff's Management Unit. Ms. Cummins noted a typographical error that was corrected.

It was moved by Supervisor Kobseff, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to authorize County Administration to execute all side letters between the County of Siskiyou and the Organized Employees of Siskiyou County – Miscellaneous, Management & Professional Units, Operating Engineers Local No. 3, and Sheriffs Management Unit effective March 22, 2023; and adopt Resolutions P 23-54, P 23-55, P 23-56 and P 23-57 between the County of Siskiyou and the Appointed Department Heads, Assistant Department Heads, Elected Department Heads and Confidential Employees, effective March 22, 2023.

**Public Requests** - First 5 Siskiyou Children and Families Commission - Discussion, direction and possible action re Proclamation proclaiming April as Child Abuse Prevention and Sexual Assault Awareness Month and April 15-21, 2023 as Week of the Young Child in Siskiyou County. Proclamation adopted.

First 5 Siskiyou Children and Families Commission Executive Director Karen Pautz and Siskiyou Domestic Violence and Crisis Center (SDVCC) Executive Director Carla Charraga appeared before the Board.

Ms. Pautz and Ms. Charraga provided an overview of the request to adopt a Proclamation to recognize Child Abuse Prevention and Sexual Assault Awareness Month in Siskiyou County as well as the Week of the Young Child. A one-page flyer regarding SDVCC Open House/Denim Day event in April and a 16-page First 5 programming information packet were presented and distributed.

Discussion followed between members of the Board, Ms. Pautz, Ms. Charraga and Social Services Division Deputy Director Susan Cervelli regarding the County's investment in activities to prevent child abuse and sexual abuse, Siskiyou County's statewide ranking with regard to various factors (i.e. child abuse, physical and mental health, etc.), the status of children in foster care, child welfare 'hotspots' within the County and the benefits associated with the various child abuse prevention activities provided by First 5.

Ms. Charraga invited members of the Board to the SDVCC Annual Open House, taking place on April 26, 2023 "Denim Day".

Following additional discussion regarding a possible future Board agenda item concerning child abuse data, it was moved by Supervisor Kobseff, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to adopt the April 2023 Siskiyou Child Abuse Prevention Council Collaborative Proclamation by publicly reciting it and having each Supervisor sign it.

**Health and Human Services** - Public Health Division - Presentation re rising Syphilis rates in the County and the Department's plans to address the issue. Presentation only.

County Public Health Officer Dr. Aaron Stutz appeared before the Board, presenting and summarizing a one-page document on rising Syphilis rates by type, gender and age group. Dr. Stutz voiced concerns regarding the rising rates in the County as well as statewide. Dr. Stutz advised of efforts being made to address the issue, including task force meetings to discuss/develop strategies (i.e. free testing, treatment options).

Discussion followed between members of the Board and Dr. Stutz regarding rarely seen congenital Syphilis, the rates identified for the northern California region, various outreach efforts being made and the difficulties associated with homelessness and isolation in providing testing and treatment options.

**General Services** - Presentation of an update re current operations and activities within the General Services Department, including Box Canyon Dam and Flood Control. Presentation and discussion only.

General Services Director Joy Hall appeared before the Board, providing an update on each of the various divisions within General Services, including Communications, Airports, Transportation/STAGE, Facilities and Sanitation. Ms. Hall summarized staffing, services, achievements, current and upcoming projects, challenges and goals and funding opportunities for each division. Additionally, Ms. Hall introduced new General Services Deputy Director Steve Serdahl.

Ms. Hall provided an update regarding staffing, achievements and various challenges facing the Siskiyou Power Authority (Box Canyon Dam) and Flood Control and Water Conservation District.

Discussion followed between members of the Board, Ms. Hall, Mr. Serdahl and Project Coordinator Amanda Kimball regarding the weather and water disbursements from the Box Canyon Dam to produce hydroelectric power, the work being done at various County airports, the FAA's funding process, possible airport revenue generating opportunities, the need to research Automated Surface Observing System (AWOS) for the Weed Airport, the anticipated future of electric or alternate fuel for STAGE buses, upcoming household and green waste removal events and the anticipated restoration of bus service to the Happy Camp area.

**Public Hearings** - Community Development - Public hearing to consider the Kidder Creek Orchard Camp Zone Change (Z-14-01) and Use Permit (UP-11-15) for project located at the west end of South Kidder Creek Road, approximately 2 miles west of State Hwy 3, south of the community of Greenview, CA; APNs 025-370-040 and 380; 024-440-140, 150, 310, 320 and 330; 024-450-390, 400 and 590. Public hearing continued to April 18, 2023.

This was the time set for a public hearing to consider the Kidder Creek Orchard Camp Zone Change (Z-14-01) and Use Permit (UP-11-15) for project located at the west end of South Kidder Creek Road, approximately 2 miles west of State Hwy 3, south of the community of Greenview, CA; APNs 025-370-040 and 380; 024-440-140, 150, 310, 320 and 330; 024-450-390, 400 and 590.

Chair Valenzuela opened the public hearing.

Community Development Director Rick Dean appeared before the Board and provided a brief overview of the request to continue the public hearing to April 18, 2023 to allow staff to incorporate fire modeling into the project's staff report.

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to continue the public hearing to April 18, 2023.

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

Caller Anne Marsh shared concerns that the project's Initial Study/Mitigated Negative Declaration and Environmental Impact Report should be revisited to address possibly understated number of people with regard to the septic, traffic and noise.

The public hearing was continued to April 18, 2023.

**Public Hearings** - Community Development - Continued public hearing for discussion, direction and possible action re presentation of a vacation rental analysis report and identified policy recommendations. Continued to May 2, 2023.

This was the time set for a continued public hearing for discussion, direction and possible action re presentation of a vacation rental analysis report and identified policy recommendations, having been continued from February 21, 2023.

Supervisor Criss recused himself from consideration of this item, advising that he was the owner of a bed and breakfast in Dorris, and left the Board Chambers.

Planning Director Hailey Lang appeared before the Board, summarizing various recommendations following an earlier discussion of vacation rentals on February 21, 2023. Ms. Lang recommended splitting the County into seven geographic zones, which would incorporate policies for the varying interests and factors within each zone, removal of the 2.5 acre minimum parcel size from certain zones, change vacation rentals from a land use entitlement to an Activity Permit that would stay with the property owner, a three-year inspection cycle for all zones, a 10% cap on permits issued in the McCloud zone and a 5% cap on permits in the South County zones.

In addition, Ms. Lang requested input regarding suggestion that a property owner live in the home before creating a vacation rental and potential modification of the zones to be consolidated into three zones total. Ms. Lang provided an update regarding Code Enforcement calls to various vacation rental locations, advising that five cases occurred in the last three years.

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

Caller Missi Bullington voiced concerns regarding the suggested requirement for property owners to live in the residence before creating a vacation rental and the lack of representation for the McCloud area with Supervisor Criss' recusal from consideration of the item and leaving the Board Chambers.

In response to Chair Valenzuela, County Counsel Edward J. Kiernan advised that a Board member leaving the room was the best practice with regard to recusal from a certain agenda item's consideration.

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

Supervisor Haupt spoke in support of Department's recommendations detailed in the staff report.

Supervisor Kobseff spoke in support of creating three zones versus splitting the County by Supervisorial District and the suggested two-year residency requirement. Supervisor Kobseff advised of the need for input from the McCloud area as to the possible impact of vacation rental permitting on the community and spoke in support of the three-year inspection timeframe. Supervisor Kobseff shared concerns regarding the recommended cap on the number of permits and removal of the 2.5 acre minimum parcel size from certain zones.

In response to Supervisor Kobseff, Community Development Director Rick Dean briefly summarized the protocol for the Auditor's Office to determine fees based on ICRP analysis.

Supervisor Ogren spoke in support of the two-year residency requirement, the cap on the number of permits and consolidation of the zones.

Supervisor Valenzuela spoke in support of the 2.5 acre minimum parcel size in the Mt. Shasta zone and consolidation of the zones.

Discussion followed between members of the Board, Mr. Dean, Ms. Lang and Deputy County Clerk Wendy Wingham regarding the potential impact of the 2.5 acre minimum and vacation rental rules on rebuilding permanent and temporary housing following recent wildfires, the suggested change from a land use entitlement to an activity permit, the need for the complaint process to be explained at the next public hearing and the public hearing being continued to the May 2, 2023 meeting date.

Supervisor Criss returned to the Board Chambers.

**Board of Supervisors' Requests - Supervisor Ed Valenzuela - Discussion and possible direction regarding the use of ZOOM for Board meetings.**

Supervisor Valenzuela provided a brief overview of the request, speaking in support of continuing to provide a teleconference option for members of the public to participate in Board meetings.

County Administrator Angela Davis advised that the ZOOM teleconference platform continues to evolve with regard to limiting the amount of interference from those using the platform to be disruptive during meetings. Ms. Davis further advised that County staff was working toward a process for monitoring the platform during Board meetings.

Discussion followed between members of the Board, Ms. Davis and County Counsel Edward J. Kiernan regarding potential for including video conferencing when the new Board Chambers is completed, possible methods for monitoring and stopping disruption during a meeting and potential agenda language that would warn participants that public participation in the ZOOM/teleconference option could be stopped during a meeting in certain circumstances.

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

Caller Alice Rogers spoke in support of continued use of the ZOOM platform for public participation in Board meetings and the possible use of a video option. Ms. Rogers shared concerns regarding the sound quality while listening to Board meetings on ZOOM.

Brief discussion followed regarding the need for County Counsel to draft agenda language that would warn participants that public participation in the ZOOM/teleconference option could be stopped during a meeting in certain circumstances and the future of video ZOOM in the new Board Chambers.

**Minute Approval - March 7, 2023. Approved.**

It was moved by Supervisor Valenzuela, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, to approve the March 7, 2023 minutes as presented.

**Closed Session** - Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), two cases, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(a), one case, commenced at 11:35a.m., concluded at 11:52a.m., with action taken.

### **Report On Closed Session**

County Counsel Edward J. Kiernan announced that closed session concluded at 11:52a.m., with reportable action taken.

With regard to item 14A, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: National Prescription Opiate Litigation, United States District Court for the Northern District of Ohio, Case No. 1-17-MD-2804, Supervisor Kobseff made the motion, Supervisor Ogren seconded it and on a vote of 5/0 the Board approved approving the various settlement proposals in those suits and designated County Counsel to sign the necessary documentation for purposes of effectuating those settlements.

With regard to item 14C, Conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Jeremiah Ayala v. Siskiyou County Sheriff's Department, Siskiyou County Superior Court, Case No. 23cv01395, the Board approved by a vote of 5/0, with Supervisor Haupt making the motion and Supervisor Kobseff seconding it, to defend that suit and to hire counsel to assist with that.

**Community Development** - Discussion, direction and possible action re an Urgency Ordinance amending Chapter 4 of Title 9 of the Siskiyou County Code regarding limited density owner-built dwellings, modifying building codes to assist rebuilding within Wildfire Impacted Areas.

Community Development Director Rick Dean appeared before the Board, providing an overview of the request to adopt an urgency ordinance to assist with rebuilding efforts following recent wildfires. Mr. Dean requested Board input with regard to topics within the ordinance, including the timing associated with the Board declaring and ratifying a local emergency due to wildfire and the building codes associated with solar and fire sprinklers.

It was consensus of the Board to support a four-year timeframe for declaration of a local emergency and using the 2008 California Building Code to determine criteria for compliance for rebuilding (solar and fire sprinklers not required).

Discussion followed between members of the Board, Mr. Dean, Planning Director Hailey Lang and County Counsel Edward J. Kiernan regarding the possible impacts associated with local floodplains in rebuilding efforts, the definition of wildfire impact areas (rural areas) in the County, the proposed ability of the Building Official to waive certain fees and the impact of insured properties versus uninsured properties with regard to those fees.

Mr. Kiernan presented and summarized a one-page document that included proposed language, to add at the end of the ordinance, with regard to constitutionality, exemption from the California Environmental Quality Act (CEQA) and detailing pertinent Government Codes, and requested that the language be included in the urgency ordinance.

It was moved by Supervisor Kobseff and seconded by Supervisor Haupt to approve, by a four-fifth's (4/5's) vote, the urgency ordinance adding Chapter 4 Title 9 of the Siskiyou County Code and titled "REGARDING LIMITED DENSITY OWNER-BUILT RURAL DWELLINGS"; including the additional language provided by County Counsel, and direct the Clerk to publish notice of the ordinance within 15 days. Following a roll call vote with Supervisors Haupt, Kobseff, Criss, Ogren and Valenzuela voting YES, the motion to adopt Urgency Ordinance 23-02 carried unanimously.

### **Board and Staff Reports**

Supervisor Haupt advised of his attendance with Supervisor Kobseff at California Fish and Wildlife monthly meeting, a Licensed Foresters meeting and water tour.

Continued...

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

Supervisor Kobseff advised of his attendance at meeting, via ZOOM, of the Rural County Representatives of California (RCRC) at the Board of Supervisors' Chambers and his attendance, with Supervisor Haupt, at the California Fish and Wildlife monthly meeting, a Licensed Foresters meeting and water tour that was provided by County for Department of the Interior and other agencies.

Supervisor Criss advised of his attendance at a Sierra Sacramento Valley (SSV) Lemsas meeting and an OreCal RC&D meeting.

Supervisor Valenzuela advised of his attendance at a PSA2 Area on Agency Executive Board meeting via ZOOM and advised of plans to attend an upcoming California State Association of Counties (CSAC) meeting.

County Administrator Angela Davis advised of the California Governor's plans to modify San Quentin (prison) as a mental health rehabilitation center.

**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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Ed Valenzuela, Chair

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