

State of California, County of Siskiyou

Board of Supervisors Minutes, June 1, 2021

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 1st day of June 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. County Counsel Edward J. Kiernan led in the salute to the flag of the United States of America.

Invocation - Siskiyou County Sheriff Chaplain Jim Jacobsen provided an invocation.

Presentations from the Public

County Administrator Angela Davis advised those in attendance that the Board Chambers were currently at capacity and unable to accommodate additional audience members until others left the room.

Audience member Ed Szendrey presented and summarized a 17-page letter of concerns regarding the County's regulations prohibiting groundwater transportation via water truck in certain circumstances, advising that the prohibition was affecting people that were not cultivating cannabis illegally in the Shasta Vista subdivision.

Audience member Peter Tao spoke on behalf of Asian Americans in Siskiyou County, voiced concerns regarding the County's regulations prohibiting groundwater transportation via water truck on certain County roads.

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 was provided via teleconference phone.

County resident Nick Joslin shared concerns regarding the negative impacts associated with irrigation diversions from the Shasta River.

County resident Ginger Sammito spoke in support of the County's regulations related to groundwater extraction and transportation of such, and shared concerns regarding the potential for negative environmental impacts associated with illegal cultivation of cannabis in the County.

Copco Lake resident Chrissie Reynolds voiced concerns regarding the County's recent approval of a Memorandum of Understanding (MOU) with the Klamath River Renewal Corporation (KRRC) with regard to the Klamath dam removal project, including concerns regarding potential impacts to ingress/egress during the dam removal project.

Siskiyou Water Users Association representative Richard Marshall voiced concerns regarding the County's recent approval of a Memorandum of Understanding (MOU) with the Klamath River Renewal Corporation (KRRC) with regard to the Klamath dam removal project, including concerns regarding potential impacts to wildlife habitat. Mr. Marshall suggested that the County consider developing a water policy.

County resident Jennifer Dickinson shared concerns regarding the County's regulations prohibiting groundwater transportation via water truck on certain County roads and the negative impacts associated with illegal cannabis cultivation. In addition, Ms. Dickinson voiced concerns regarding the County's recent approval of a Memorandum of Understanding (MOU) with the Klamath River Renewal Corporation (KRRC) with regard to the Klamath dam removal project and the need for public outreach regarding the issue.

Public Hearings - County Counsel - Public hearing for the second reading of an ordinance adding Article 15 to Chapter 4 of Title 3 of the Siskiyou County Code relating to water trucks and regulating their use upon certain County roads. Public hearing continued to July 6, 2021.

This was the time set for a public hearing for the second reading of an ordinance adding Article 15 to Chapter 4 of Title 3 of the Siskiyou County Code relating to water trucks and regulating their use upon certain County roads, having been introduced on May 4, 2021.

Chair Haupt opened the public hearing and opened the item to public comments.

Anonymous audience member voiced concerns regarding possible racial profiling happening within the County and requested that the Board reconsider their decision with regard to regulations prohibiting groundwater transportation via water truck on certain County roads.

Attorneys James Rosa Lawrence and Allison Margolin advised of plans to file a federal lawsuit with regard to the County's regulations prohibiting groundwater extraction and transportation via water truck on certain County roads and shared concerns regarding the possible racial profiling and treatment of Hmong people living within the County.

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 was provided via teleconference phone.

Big Springs resident Charlene Watkins voiced concerns regarding the ongoing negative impacts associated with illegal cannabis cultivation taking place within the local area.

It was moved by Supervisor Haupt and seconded by Supervisor Kobseff to continue the public hearing to July 6, 2021 at 9a.m., or as soon thereafter as may be heard.

Following brief discussion between members of the Board and County Counsel Edward J. Kiernan regarding the requested July meeting date, and following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

Public Hearings - Community Development - County Counsel - Public hearing for the second reading of an ordinance adding Article 3.5 to Chapter 13 of Title 3 of the Siskiyou County Code regarding administrative permit required for use of groundwater off the parcel from which it was extracted and clarifying and amending Section 3-13.601 of said chapter and title related to fines for violation of the Groundwater Management Ordinance. Public hearing continued to July 6, 2021.

This was the time set for a public hearing for the second reading of an ordinance adding Article 3.5 to Chapter 13 of Title 3 of the Siskiyou County Code regarding administrative permit required for use of groundwater off the parcel from which it was extracted and clarifying and amending Section 3-13.601 of said chapter and title related to fines for violation of the Groundwater Management Ordinance, having been introduced on May 4, 2021.

Chair Haupt opened the public hearing and opened the item to public comments.

There were no public comments received.

It was moved by Supervisor Haupt and seconded by Supervisor Kobseff to continue the public hearing to July 6, 2021 at 9a.m., or as soon thereafter as may be heard. Following brief discussion between members of the Board and County Counsel Edward J. Kiernan regarding the requested July meeting date, and following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

Consent Agenda – Approved.

At Supervisor Haupt request, item 5I, Community Development-Planning Resolution to approve the Program Income-Housing Rehabilitation Slater Fire Manufactured Home Replacement grant application, was pulled from the consent agenda for discussion. Continued...

Consent Agenda – (continued)

Supervisor Haupt thanked County Administration for drafting the letter to the Klamath National Forest and the Rogue-Siskiyou National Forest regarding re-opening Greyback Road.

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

Ratify the two letters to the California Deer Association and the California Department of Forestry and Fire Protection in support of their Climate Control Initiative (CCI) Forest Health Grant Project Proposal.

County Administration

Approve with the Chair to sign letter to the Yreka Fire Department expressing support for the proposed City of Yreka New Yreka Fire Station (CDBG) Planning Grant application.

County Administration

Approve and the Chair signs and adopts Resolution 21-68 for funding from the Forest Health Grant Program as provided through California Climate Investments.

County Administration - Natural Resources

Approve and ratify letter to the USDA Risk Management Agency requesting an earlier date for utilization of cover crops by Klamath Project irrigators.

County Administration - Office of Emergency Services

Approve letter to the Klamath National Forest and the Rogue-Siskiyou National Forest regarding Greyback Road and authorize the Chair to sign.

County Administration - Personnel

Approve and the Chair sign the contract with LCW and County Administration for Labor Negotiation Services.

Community Development - Planning Division

Approve Resolution 21-69 declaring the Board's intent to name an unnamed private road in Supervisorial District 3, as "Cranberry Court", with the Chair authorized to sign the resolution and with direction to Staff to set and notice the Public Hearing on July 6, 2021 at 9:00a.m., or as soon thereafter as may be heard on the proposed road name.

Community Development - Planning Division

Approve adoption of Resolution 21-70 to administer \$942,000 CDBG program income, authorize the Auditor to establish budget, and authorize the Community Development Director to produce third-party contractor(s) to conduct regular administration, management, implementation of current PI funding, and create future applications for the Community Development Block Grant.

District Attorney

Approve third addendum to increase funding of contract between Siskiyou County District Attorney and Karpel Solutions for case management system software, in the amount of Four Thousand Five Hundred Dollars and No/100 (\$4,500) for intangible assets.

Health and Human Services - Social Services Division

Adopt Resolution 21-71 designating First 5 Siskiyou Children and Families Commission as the new Siskiyou County Child Abuse Prevention Council and approve Memorandum of Understanding between the Siskiyou County Health and Human Services Agency and the First 5 Siskiyou Children and Families Commission, effective February 1, 2021 through June 30, 2024.

Continued...

Consent Agenda – (continued)

Public Defender

Approve and Chair to sign contract with Thomson Reuters for the terms July 1, 2021 through June 30, 2026, with a total not to exceed of \$36,891.

Public Works

Approve and authorize chairperson to sign the Local Transportation Fund Claim for FY 20/21 in the amount of \$263,378.07 and authorize the Auditor to adjust the budget for the Road Department.

Transfer of Funds - District Attorney - Public Administration - \$2,250. Resolution 21-72 adopted.

Transfer of Funds - General County Fire - \$500. Resolution 21-74 adopted.

Transfer of Funds - Courthouse & Grounds - \$2,500. Resolution 21-73 adopted.

Community Development - Planning Division - Adopt Resolution approving an application for funding and the execution of a grant agreement and any amendments thereto from the 2020-2021 funding year of the State CDBG Program for the Program Income-Housing Rehabilitation Slater Fire Manufactured Home Replacement Project, in an amount not to exceed \$680,340. Resolution 21-75 adopted.

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

It was moved by Supervisor Haupt, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to approve the Resolution 21-75 authorizing the commitment of Program Income, not to exceed \$680,340 from the County's community Development Block Grant Program to fund the Housing Rehabilitation Slater Fire Manufactures Home Replacement Project.

Public Requests - Siskiyou Outdoor Recreation Alliance - Presentation of an overview regarding the Siskiyou Stewardship Corps project proposal. Presentation and discussion only.

Siskiyou Outdoor Recreation Alliance (SORA) Executive Director Justi Hansen provided an overview of SORA's efforts to create the Siskiyou Stewardship Corps (SSC) to promote responsible recreation on both private and public lands in the County. Ms. Hansen summarized the results of a survey completed by County residents to gather information on the impact of visitor use of local recreation areas, including concerns related to increased fire hazards, overloaded infrastructure (i.e. garbage containers), alienated locals, degraded visitor experience (due to garbage, noise, human waste, etc.) and damage to nature/natural resources. Ms. Hansen provided an overview of the process to create the SSC and their Mission to provide outreach to educate visitors toward responsible use of recreation areas. Ms. Hansen summarized the anticipated process to utilize volunteers to provide outreach at various high-use recreation area (i.e. trail heads, campsites) and to also provide trash cleanup in those areas.

Discussion followed between members of the Board and Ms. Hansen regarding the County-wide survey process, the initial focus of the program in South County, possible opportunities to partner on stewardship work, possible recreation information available through the Forest Service, the need to consider recreation locations off of the I-5 corridor, the need to research possible grant/funding opportunities, ongoing efforts to include Siskiyou County in the Sierra Nevada Conservancy and the need to consider the Collier Interpretive and Information Center (Collier Rest Stop) as a location to provide outreach materials.

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

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

Senior Public Health Nurse Brenda Harris provided an update regarding various coronavirus/COVID-19 statistics, including vaccination statistics (i.e. the number of doses available, doses administered, clinics provided).

Continued...

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

Brief discussion followed between members of the Board and Ms. Harris regarding the anticipated process to re-open the State and County, including elimination of the ‘tier’ system and many current restrictions.

County Administration - Discussion, direction and possible action re first reading of an Ordinance amending Chapter 8 of Title 2 of the Siskiyou County Code regarding the County Purchasing System. First reading approved; second reading to be brought back before the Board on June 15, 2021.

Project Coordinator Elizabeth Nielsen provided an overview of the request to revise the County Code with regard to establishing purchasing limits, advising that a revised Purchasing Policy would be brought before the Board at a later date for approval.

In response to Supervisor Haupt, Ms. Nielsen advised that the \$10,000 limitation identified in Section II (e) of the Ordinance, was specific to real property and was being updated to match State Code.

It was moved by Supervisor Haupt and seconded by Supervisor Kobseff to introduce and approve the first reading and hearing of the ordinance to add amend Chapter 8 of Title 2 of the Siskiyou County Code Regarding the County Purchasing System, and direct staff to bring back the ordinance for a second reading, and waive the second hearing.

In response to Deputy County Clerk Wendy Winningham, Ms. Nielsen advised that the second reading of the Ordinance would not require a public hearing.

Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to approve the first reading and bring the Ordinance back before the Board on June 15, 2021 carried unanimously.

County Administration - Discussion, direction and possible action re proposed project to establish an Agricultural Learning Center located in Scott Valley. Consensus of the Board for staff to move forward with the proposed project.

Project Coordinator Elizabeth Nielsen provided an overview of the request, advising of the efforts being made to work with College of the Siskiyous (COS) and the Scott Valley Unified School District toward establishing an Agricultural Learning Center at the Quartz Valley School. Ms. Nielsen summarized possible programs and uses for the facility (i.e. forestry/forest management training, agriculture and natural resource degree/certificate programs) and advised of the preliminary estimate of approximately \$700,000 to purchase the property, complete minor alternations, furnish the building and manage the facility initially. Ms. Nielsen summarized the anticipated ‘next steps’, including an environmental assessment, repairs/renovations assessment, development of a management/staffing/maintenance plan, outline programs to be offered and engage the community.

Following discussion between members of the Board and Ms. Nielsen regarding the potential benefits associated with higher education opportunities in the Scott Valley and possible funding opportunities, it was the consensus of the Board to support the proposed project and direct staff to move forward with the proposed project.

County Administration - Natural Resources - Discussion, direction and possible action re cover letter and Technical Memorandum providing comments on the Final Design and Management Plans, Lower Klamath Project, submitted by the Klamath River Renewal Corporation to the Federal Energy Regulatory Commission as part of KRRC's efforts to remove the four Lower Klamath River Dams.

Project Coordinator Elizabeth Nielsen provided a brief history of the Klamath Dam removal project, including various actions related to a draft Environmental Impact Report (EIR), a final EIR, the roles/responsibilities of Pacificorp, the states of California and Oregon, and the Klamath River Renewal Corporation (KRRC). Ms. Nielsen provided an overview of the request regarding a cover letter and Technical Memorandum related to the Final Design and Management Plans, Lower Klamath Project, that was drafted by the County’s consultants Nossaman, LLP and SWCA Environmental Consultants.

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County Administration - Natural Resources – (continued)

Ms. Nielsen summarized various comments contained in the cover letter and Technical Memorandum, including but not limited to, aquatic resources, erosion/sediment control, hatcheries management and reservoir area management.

Discussion followed between members of the Board and Ms. Nielsen regarding a draft Memorandum of Understanding (MOU) with the KRRRC concerning mitigation measures for potential impacts associated with the dam removal project, and the need to reiterate the County's opposition to dam removal on the Klamath.

The Chair opened the item to public comments.

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

County resident Jennifer Dickinson shared concerns regarding the recent approval of the MOU with the KRRRC concerning mitigation measures for potential impacts associated with the dam removal project, advising of the need for a public hearing before the Board could consider approval of the MOU.

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, to approve Paul Weiland with Nossaman LLP to sign and submit the letter and Technical Memorandum.

Community Development / County Counsel - Hold a hearing and consider any protests to proposed lien amounts for unpaid administrative fines pursuant to Chapter 10.14 of the Siskiyou County Code; consider protests, then confirm, discharge or modify the proposed lien amounts; discussion, direction and possible action re a Resolution certifying the amount of liens sought to be collected from property owners for unpaid administrative fines pursuant to Siskiyou County Code §10-14.100. Resolution 21-76 adopted.

Deputy County Counsel William Carroll appeared before the Board and provided an overview of the request to adopt a Resolution certifying the amount of property liens for unpaid administrative fees associated with violations under Siskiyou County Code Chapter 10.14. Mr. Carroll advised that this was an opportunity for property owners to protest the proposed liens, that the protests were limited to the proposed liens and not the administrative fine(s) and that no oral or written protests to the proposed liens had been received by County Counsel's Office.

Chair Haupt opened the item to those property owners, who were previously notified by mail, to make oral protests, either in person or via teleconference phone.

No oral protests were received.

It was moved by Supervisor Criss, seconded by Supervisor Ogren and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to adopt Resolution 21-76, certifying the amount of liens sought to be collected from property owners for unpaid administrative fines.

County Counsel - Discussion, direction, and possible action re first reading of an ordinance adding Chapter 39 to Title 2 of the Siskiyou County Code regarding copy fees for Public Records Act requests. First reading approved; public hearing for the second reading set on July 6, 2021 at 9a.m., or as soon thereafter as may be heard.

County Counsel Edward J. Kiernan provided an overview of the request, advising of the ongoing efforts and staff time required to address Public Records Act (PRA) requests received by various County departments.

Deputy County Clerk Wendy Winningham advised that the Clerk's Office received email correspondence from local residents Anne Marsh and Dale La Forest voicing opposition to the request to increase copy fees related to PRA requests.

Brief discussion followed between members of the Board, Mr. Kiernan and Ms. Winningham regarding the proposed copy charges/fees, the process to notify requestors of the availability of online resources and the July 6, 2021 as the earliest Board meeting date for a second reading.

Continued...

County Counsel – (continued)

It was moved by Supervisor Criss and seconded by Supervisor Kobseff to introduce, waive, and approve the first reading of an ordinance adding Chapter 29 to Title 2 of the Siskiyou County Code regarding copy fees for Public Record Act requests; and direct the Clerk to schedule a public hearing on, and second reading of, the ordinance on July 6, 2021 at 9a.m., or as soon thereafter as may be heard.

The Chair opened the item to public comments.

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

Local resident Anne Marsh voiced concerns regarding the request to increase copy charges/fees related to producing Public Records Act requests from members of the public.

Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

County Counsel - Discussion, direction and possible action re possible outreach to qualified vendors to provide California Public Records Act (PRA) support, technology, and processing services to County departments. Consensus to direct County Counsel to conduct outreach to qualified vendors for California Public Records Act (PRA) services.

County Counsel Edward J. Kiernan provided an overview of the request, advising of vendors that can assist counties with processing Public Records Act (PRA) requests, including services related to the release of certain legally required law enforcement records (i.e. body-cam footage).

Discussion followed between members of the Board and Mr. Kiernan regarding potential cost and time saving benefits associated with utilizing the services of an outside vendor, the possible costs associated with the necessary software and the ability of various County departments to utilize the services.

It was the consensus of the Board to direct County Counsel to conduct outreach to qualified vendors who provide PRA support, technology and processing services and report back to the Board regarding qualified vendors for further discussion.

Board of Supervisors' Requests - Board of Supervisors - Review status of local emergency related to drought as declared by Resolution 21-48, adopted on April 6, 2021; action to extend or terminate local emergency. Local emergency extended.

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, to extend the local emergency related to drought as declared by Resolution 21-48.

Board of Supervisors' Requests - Board of Supervisors - Discussion, direction and possible action re status of local emergency related to the threat of catastrophic wildfire as declared by Resolution 19-159 and consideration of adopting an updated Resolution continuing the Board's declaration of a wildfire emergency. Resolution 21-77 adopted.

Project Coordinator Elizabeth Nielsen provided an overview of a revised Resolution to continue a declaration of an emergency related to the threat of catastrophic wildfire, including statistics related to recent wildfires (i.e. Slater/Devil fire) that have burned within the County.

It was moved by Supervisor Kobseff and seconded by Supervisor Haupt to adopt Resolution 21-77 continuing the declaration of a wildfire emergency with the Resolution to be brought back before the Board every 60 days. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion carried unanimously.

Appointments - County Clerk - Appointment of one member to the unscheduled vacancy on the South Yreka Fire Protection District for a short term ending December 2, 2022. No action was taken.

Deputy County Clerk Wendy Winningham provided an overview of the request, advising that the South Yreka Fire Protection District was unable to appoint to fill the vacancy by their May 3, 2021 deadline. Ms. Winningham further advised that the Board of Supervisors had until June 2, 2021 to make an appointment, and that the Clerk's Office had not received any letters of interest in serving.

No action was taken with regard to this item.

Minute Approval - May 4, 2021. Approved.

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, to approve the May 4, 2021 minutes with the following correction:

May 4, 2021, Volume 77, page 60

County Counsel / Community Development - Discussion, direction and possible action re an urgency ordinance adding Article 3.5 to Chapter 13 of Title 3 of the Siskiyou County Code regarding the administrative permit required for use of groundwater off the parcel from which it was extracted and clarifying and amending Section 3-13.601 of said chapter and title related to fines for violation of the Groundwater Management Ordinance. Ordinance 21-07 adopted.

Corrected from:

Supervisor Haupt spoke in support of creating permit fees prior to adopting the urgency ordinance.

Corrected to:

Supervisor Haupt suggested discussing/addressing the potential permit fees prior to adopting the urgency ordinance.

Public Hearings - Community Development - Planning Division - Public hearing to consider a Resolution determining a public convenience or necessity for Dollar General to allow off-sale beer and wine sales located at 20639 Big Springs Road; APN: 020-510-290. Resolution 21-78 adopted.

This was the time set for a public hearing to consider a Resolution determining a public convenience or necessity for Dollar General to allow off-sale beer and wine sales located at 20639 Big Springs Road; APN: 020-510-290.

Chair Haupt opened the public hearing.

Deputy Director of Planning Kirk Skierski provided an overview of the request, advising that the Dollar General store located on Big Springs Road, Weed, was requesting to be allowed off-sale beer and wine sales at that location. Mr. Skierski further advised that the Department of Alcohol Beverage Control (ABC) determined that the location is within a census tract considered to have an over-concentration of alcohol licenses and that the Board of Supervisors was being asked to provide a finding that a public convenience of necessity exists and that issuance of a license would not negatively impact the area/neighborhood.

In response to Chair Haupt, Deputy County Clerk Wendy Winningham advised that no correspondence regarding this item had been received in the Clerk's Office.

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

Following discussion between members of the Board and Mr. Skierski regarding the current locations selling beer and wine alcohol within the census tract and the process to determine over-concentration, it was moved by Supervisor Kobseff and seconded by Supervisor Haupt to determine the issuance of Public Convenience or Necessity to be categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15061(b)(3); and approve the issuance of Determination of Public Convenience or Necessity for Dollar General.

Continued...

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

Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to adopt Resolution 21-78 carried unanimously.

Public Hearings - Community Development - Planning Division - Continued public hearing for the second 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). (Continued from May 18, 2021) Ordinance 21-09 adopted.

This was the time set for a continued public hearing for the second 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), having been continued from May 18, 2021.

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

Senior Planner Rachel Jereb provided an overview of the request to make a minor zone change to a parcel with an existing single-family dwelling and other accessory structures.

In response to Chair Haupt, Deputy County Clerk Wendy Winningham advised that no correspondence regarding this item had been received in the Clerk's Office.

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

It was moved by Supervisor Kobseff and seconded by Supervisor Ogren to determine the project exempt from CEQA in accordance with Section 15061(b)(3); and waive the second reading of the draft ordinance amending Zoning District Map 10-6.205-4511; and adopt the draft ordinance amending Zoning District Map 10-6.205-411. Following a roll call vote with Supervisors Criss, Kobseff, Valenzuela, Ogren and Haupt voting YES, the motion to adopt Ordinance 21-09 carried unanimously.

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), two cases, 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 real property negotiators pursuant to Government Code §54956.8, commenced at 12:40p.m., concluded at 1:50p.m., commenced at 2:00p.m., concluded at 2:40p.m., with no action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 2:40p.m., with no reportable action taken. In addition, Mr. Kiernan advised that item 13H, Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of County Counsel, was postponed to a later date.

Board and Staff Reports

There were no board or staff reports given.

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