

State of California, County of Siskiyou

Board of Supervisors Minutes, December 14, 2021

The Honorable Board of Supervisors of Siskiyou County, California, met in regular session this 14th day of December 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. Supervisor Valenzuela led in the salute to the flag of the United States of America.

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

Presentations from the Public

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

Mt. Shasta resident Alice Rogers voiced concerns regarding the redistricting process for County Supervisorial District boundaries.

Consent Agenda – Approved.

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

County Administration

Approve the addendum and authorize the Chair to sign.

County Counsel

Approve the third addendum to agreement for services with Downey Brand, LLP, increasing the compensation under the contract by \$25,000 and authorize the Board Chair to execute same.

First 5 Children & Families Commission

Approval of CAPC proposal for fiscal year 21-22 as required by the grant between Siskiyou Health and Human Services and First 5 Siskiyou Children & Families Commission.

Health and Human Services – Behavioral Health Division

Approve the Construction Loan Agreement between Siskiyou Crossroads Association LP and County of Siskiyou. The Board further authorizes the County Administrator to approve any amendments to the agreement.

Health and Human Services - Social Services Division

Approve and the Chair sign the Contract for Services in the amount not to exceed \$37,193.18 with Edgewood Custom Interiors for the tear-out of existing carpeting and installation of new carpeting at 818 South Main Street, Yreka, CA.

Local Child Care Planning Council

Approve Annual Certification Statement regarding composition of LPC membership.

Continued...

Consent Agenda – (continued)

Office of Emergency Services

Approve contract with Genasys Inc for the use of ZoneHaven SaaS and authorize the Director of Emergency Services to act as the authorized agent for the implementation of said contract, and accept the donation from the Gordon and Betty Moore Foundation who will pay the \$18,450 1st year total cost (Set-up plus license).

Treasurer-Tax Collector

Approve the sale of the attached list of tax-defaulted properties via Chapter 7 Sale, or Chapter 7 Sealed Bid Sale, at the minimum bids set pursuant to Section 3698.5 of the California Revenue & Taxation Code, and authorize the Tax Collector to re-offer any unsold properties at a subsequent sale for a price that stimulates competitive bidding.

Transfer of Funds - Planning Projects - \$18,000. Resolution 21-178 adopted.

Transfer of Funds - Planning - \$4,935. Resolution 21-179 adopted.

Transfer of Funds - Emergency Services - \$88,117. Resolution 21-180 adopted.

Transfer of Funds - Behavioral Health - Local Mental Health Services Act (MHSA) - \$61,573. Resolution 21-181 adopted.

Off-Agenda item – County Administration – Consider public employee performance evaluation for the position of County Administrative Officer, Angela Davis.

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

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 consider an item not on the posted agenda regarding public employee performance evaluation for the position of County Administrative Officer, Angela Davis.

Presentations from the Public

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

Mt. Shasta resident Andrew Pelkofter advised that he would be available via teleconference phone should the Board have questions related to a Flood District item related to proposed kayak and paddle board rental business at Lake Siskiyou.

Public Hearings – County Clerk - Continued public hearing to consider adoption of a proposed Resolution adopting Supervisorial District boundaries based on 2020 census data. Resolution 21-182 adopted.

This was the time set for a continued public hearing to consider adoption of a proposed Resolution adopting Supervisorial District boundaries based on 2020 census data, having been continued from December 7, 2021.

Supervisor Kobseff recused himself from consideration of this item and left the Board Chambers.

County Clerk Laura Bynum appeared before the Board and provided a brief overview of the request.

In response to Chair Haupt, Deputy County Clerk Wendy Winingham advised that the Clerk's Office received correspondence related to this issue from Gwen Kraft and Scott Quinn/Karuk Tribe.

The Chair opened this item to public comments.

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

Caller Robin Richards spoke in opposition to the Board's chosen Draft Plan 4, speaking in support of Draft Plan 2.

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Public Hearings – County Clerk – (continued)

Caller Nick Joslin spoke in opposition to the Board's chosen Draft Plan 4 and the possible political nature of the chosen Plan/Map.

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

Members of the Board shared concerns regarding the difficulties associated with redistricting efforts in rural counties.

It was moved by Supervisor Haupt, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Criss, Ogren and Haupt voting YES, Supervisor Valenzuela voting NO, and Supervisor Kobseff RECUSED, to adopt Resolution 21-182 adopting supervisorial district boundaries based on 2020 census data.

Supervisor Kobseff returned to the Board Chambers.

Board and Staff Reports

Supervisor Valenzuela advised of an upcoming California State Association of Counties (CSAC) retreat and reported on issues that could be discussed. In addition, Supervisor Valenzuela advised of a recent meeting with Sisqtel Chief Executive Officer Mr. Elliott regarding internet fiber and broadband in the County.

Supervisor Kobseff advised that the Rural County Representatives of California (RCRC) was working on broadband access in rural counties.

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

Public Health Director Shelly Davis provided an update regarding current statistics related to COVID-19 in the County, including active cases, hospitalizations, recent deaths, testing and positivity rates. Ms. Davis additionally summarized vaccination rates and provided an overview of efforts being made to provide a satellite clinic in Yreka to provide vaccinations and COVID-19 testing services and the State's guidance related to wearing masks.

Discussion followed between members of the Board and Ms. Davis regarding various COVID-19 data, the availability of therapeutic therapies, vaccinations related to school age children and the possibility of the satellite clinic providing services after work hours (after 5pm).

Board of Supervisors / County Administrator - Discussion, direction and possible action re Resolution recognizing Mr. Wayne Hammar upon the occasion of his retirement. Resolution 21-183 adopted.

Treasurer-Tax Collector Wayne Hammar appeared before the Board.

Supervisor Ogren read the Resolution honoring Mr. Hammar on the occasion of his retirement into the record.

Mr. Hammar thanked the Board, his Office staff and the County Administrator's Office for their support during his tenure.

Members of the Board congratulated Mr. Hammar on his retirement.

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, adopt the Resolution 21-183 recognizing Mr. Wayne Hammar upon the occasion of his retirement.

Public Requests - Siskiyou Water Users Association - Presentation re the Ancient Beswick Forest and Shasta Nation cultural sites located in the Klamath River Basin. Presentation and discussion only.

Siskiyou Water Users Association President Richard Marshall and Bob Rice appeared before the Board.

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Public Requests - Siskiyou Water Users Association – (continued)

Mr. Marshall shared a Youtube video with the Board regarding the Copco Lake area and distributed an 11 page powerpoint presentation and a three-page draft Resolution for the creation and preservation of the Ancient Beswick Forest and Cultural Areas of the Shasta Tribe.

Mr. Marshall presented the powerpoint presentation, including an overview of ancient lakes (Lake Wanaka and Lake Clammittee) and a forest that existed in/around Irongate and Copco Lakes, and shared concerns that those ancient resources would be destroyed when the Klamath River dams are removed. Mr. Marshall spoke in support of the County and Board protecting those ancient resources. Mr. Marshall further advised of the remnants of lava dikes, formed by volcanic activity and that dammed up the Klamath River, which were documented by J.C. Boyle who placed the first hydroelectric dam on the Klamath.

Mr. Rice continued the powerpoint, including an overview of the seven reaches of the Klamath River, the biomes (a community of plants/flora and animals/fauna in a habitat) and Native American cultural resources (villages) to be found within those reaches.

Discussion followed between members of the Board, Mr. Marshall and Mr. Rice regarding support for County/Board of Supervisors/Flood District action to declare the area historical to provide protection of those ancient resources, the need for input from the Shasta Indian Tribes, the Environmental Impact Study (EIS) process related to Klamath dam removal efforts, previous species protection efforts made in local National Forests, and resources along the Klamath River and a Texas study developed on the Klamath River Basin.

The Chair opened the item for public comment.

Copco Lake resident Chrissie Reynolds appeared before the Board spoke in support of the efforts made to identify the cultural resources and the request for the Board to protect the area's historical resources.

Public Requests - Siskiyou Golden Fairgrounds - Presentation re Fairgrounds activities and the progress of transitioning away from the State Fair system. Presentation and discussion only.

Siskiyou Golden Fair Chief Executive Officer (CEO) Cliff Munson appeared before the Board and presented a powerpoint presentation on the efforts being made to transition the governance of the California fairs (District Agricultural Associations (DAAs)) to form a Joint Powers Authority (JPA). Mr. Munson provided an overview of the fair's history, advising that Siskiyou Golden Fair and the Merced District Fair were selected to pilot the transition to a JPA as California fairs were defunded in the State's budget in 2010. Mr. Munson further advised that one-time funding in the amount of \$50 million was available to assist in the transition efforts and summarized the goals of transitioning to the proposed California Authority of Fairgrounds & Expositions (CAFÉ) JPA and its anticipated structure and government.

Continuing the powerpoint, Mr. Munson summarized possible services CAFÉ could provide and the benefits associated with the transition, advising that transition is governance reform, not privatization and that each fair can decide to join the JPA or not with its own governance under the JPA 'umbrella'. Mr. Munson summarized the anticipated timeline and next steps in the transition process.

Brief discussion followed between members of the Board and Mr. Munson regarding the efforts being made toward the transition and the anticipated process for continuing providing a space for emergency services at the fairgrounds property.

Public Requests - California Department of Fish and Wildlife / Natural Resources - Presentation of the Siskiyou Deer-Mountain Lion Study (2015-2020) related to deer population. Presentation and discussion only.

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

Natural Resource Policy Specialist Matt Parker appeared before the Board, providing a brief overview of the request, and introducing wildlife ecologist Heiko Wittmer who participated via ZOOM/teleconference phone.

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Public Requests - California Department of Fish and Wildlife / Natural Resources – (continued)

Mr. Wittmer presented a powerpoint presentation entitled: Siskiyou Deer-Mountain Lion Study (2015-2020), including an overview of the study objectives and methods utilized to monitor deer, both migrant and resident deer, in summer and winter ranges. Mr. Wittmer summarized survival and mortality (i.e. predation, natural, roadkill etc.) statistics for fawns and adult deer. Mr. Wittmer summarized female pregnancy rates and the population growth data gathered from the study.

Continuing the powerpoint, Mr. Wittmer summarized various statistics related to mountain lions (pumas), including the methods used to monitor/track the animals. Mr. Wittmer summarized various management recommendations, advising that deer appear to be increasing approximately 3% per year and that investigation related to the impacts of road crossings and impacts associated with local wildfires is needed.

Discussion followed between members of the Board, Mr. Wittmer and Siskiyou County Fish and Game Commission alternate member Steve Pigoni regarding the need to study/address road mortality, the risks associated with migrating deer populations, possible efforts to include California Department of Transportation (CalTrans) to reduce road mortality, the predation pressures on deer, the buck/doe ratio in various areas of the County and the challenges encountered during the study.

Closed Session - Conference with labor negotiators pursuant to Government Code §54957.6, 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, 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), two cases, commenced at 12:40p.m., concluded at 2:00p.m., with no action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 2:00p.m., with no reportable action taken. In addition, Mr. Kiernan advised that the Board did not discuss item 12M, conference with legal counsel, existing litigation pursuant to Government Code §54956.9(d)(1), name of case: Dilevon Lo, et al., v. County of Siskiyou, et al., United States District Court, Eastern District of California, Sacramento Division, Case No. 2:21-CV-00999-KJM-DMC.

Closed Session - Conference with labor negotiators pursuant to Government Code §54957.6, 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, 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), two cases, commenced at 2:20p.m., concluded at 3:00p.m., with no action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 3:00p.m., with no reportable action taken. In addition, Mr. Kiernan advised that he and Assistant County Counsel Natalie Reed recused themselves from discussion of the closed session labor negotiations.

Chair Haupt advised that Supervisor Valenzuela was excused from the Board meeting and left the Board Chambers at 2:55p.m.

Public Hearings - Community Development – Planning Division - Public hearing for the first reading of an ordinance reclassifying land in the unincorporated community of McCloud from Limited Industrial (M-L) to Neighborhood Commercial (C-U), and from Neighborhood Commercial (C-U) to Rural Residential Agricultural (R-R), and from Non-Prime Agricultural (AG-2) to Rural Residential Agricultural (R-R) on APN: 049-062-500; Township 39 North, Range 2 West, Sections 6 and 7, MDB&M, for the Tyhurst Zone Change (Z-20-04). First reading approved; public hearing continued to January 4, 2022 for the second reading.

This was the time set for a public hearing for the first reading of an ordinance reclassifying land in the unincorporated community of McCloud from Limited Industrial (M-L) to Neighborhood Commercial (C-U), and from Neighborhood Commercial (C-U) to Rural Residential Agricultural (R-R), and from Non-Prime Agricultural (AG-2) to Rural Residential Agricultural (R-R) on APN: 049-062-500; Township 39 North, Range 2 West, Sections 6 and 7, MDB&M, for the Tyhurst Zone Change (Z-20-04).

Chair Haupt opened the public hearing.

Senior Planner Rachel Jereb provided a staff report, advising that the applicants propose to rezone the property in conjunction with a tentative parcel map. Ms. Jereb further advised that the Planning Commission and staff recommended approval of the request.

In response to Chair Haupt, Deputy County Clerk Wendy Winningham advised that the Clerk's Office received correspondence related to this item from Squaw Valley Riding Club/Peter Tolosano and from the applicant Josh Tyhurst.

There were no public comments received.

In response to Supervisor Kobseff regarding the letter from Squaw Valley Riding Club, Ms. Jereb advised that Mr. Tolosano did not oppose the Tyhurst proposed project, but requested that historical access to the Riding Club's property not be impeded. Ms. Jereb further advised that the project applicant would not be granting an easement to the Riding Club, although there was existing access and an easement on the property which allowed access by the Riding Club to their property. Ms. Jereb advised that the easement would be part of the tentative parcel map.

Following brief discussion between members of the Board and Ms. Jereb regarding the need for a response from the Riding Club with respect to the easement issue, it was moved by Supervisor Criss and seconded by Supervisor Kobseff to introduce, waive, and approve the first reading of the proposed Tyhurst rezoning to amend Zoning District Map 10-6.205-529; and direct the Clerk to schedule a continued public hearing on adoption of the CEQA exemption and a second reading of the ordinance amending Zoning District Map 10-6.205-529 on January 4, 2022.

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

Public Hearings - Natural Resources / Mbk Engineers - Public hearing to consider Resolution adopting the Tulelake Subbasin Groundwater Sustainability Plan. Resolution 21-184 adopted; submission of the Groundwater Sustainability Plan to the Department of Water Resources authorized.

Supervisor Valenzuela was excused at 2:55p.m. for the remainder of the meeting.

This was the time set for a public hearing to consider a Resolution adopting the Tule Lake Subbasin Groundwater Sustainability Plan.

The Chair opened the public hearing.

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

Natural Resource Policy Specialist Matt Parker appeared before the Board, providing a brief overview of the request, and introducing MBK Engineers representative Kyle Knutson who participated via ZOOM/teleconference phone.

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Public Hearings - Natural Resources / MBK Engineers – (continued)

Mr. Knutson presented a powerpoint presentation, including an overview of the Tule Lake Subbasin and the four Groundwater Sustainability Agencies (GSAs) responsible for development and approval of the Groundwater Sustainability Plan (GSP) for the area. Mr. Knutson summarized various sections of the GSP, including the public review period, and revisions/responses to public comments received. Mr. Knutson advised that a comment was received timely, but not included in the GSP comments section from Tulelake resident Jacqui Krizo.

Continuing the powerpoint, Mr. Knutson summarized the timeline and estimated costs associated with implementation of the GSP.

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

The Chair opened the item to public comments.

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

Discussion followed between members of the Board and Mr. Parker regarding possible juniper tree removal in upper watersheds, the impact of the Lost River and the Klamath Refuge on water supply for Tulelake, the possible impact of the sumps not being filled and impact on groundwater recharge and the anticipated process to identify issues at the time of the first annual GSP report.

Mr. Parker requested that the Board's motion include verbiage that the comment received from Ms. Krizo be included in the Plan's public comments appendix.

It was moved by Supervisor Criss and seconded by Supervisor Kobseff to adopt the Resolution approving and adopting the Groundwater Sustainability Plan for the Tulelake groundwater subbasin and authorizing its submission to the Department of Water Resources with the comment received from Ms. Krizo to be included in the Plan's comments appendix. Following a roll call vote with Supervisors Criss, Kobseff, Ogren and Haupt voting YES and Supervisor Valenzuela ABSENT, the motion to adopt Resolution 21-184 carried.

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 Criss, seconded by Supervisor Haupt and carried, following a roll call vote with Supervisors Criss, Kobseff, Ogren and Haupt voting YES and Supervisor Valenzuela ABSENT, 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, 2020; action to extend or terminate local emergency. Local emergency extended.

Following brief discussion between members of the Board and County Administrator Angela Davis regarding the need to extend the emergency, it was moved by Supervisor Kobseff, seconded by Supervisor Criss and carried, following a roll call vote with Supervisors Criss, Kobseff, Ogren and Haupt voting YES and Supervisor Valenzuela ABSENT, to extend the local emergency related to catastrophic wildfire as declared by Resolution 21-77.

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.

Brief discussion followed between members of the Board and County Administrator Angela Davis regarding current weather conditions and the need to extend the emergency at Office of Emergency Services' request.

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Board of Supervisors' Requests - Board of Supervisors – (continued)

In response to Supervisor Haupt, Ms. Davis suggested that the emergency Resolution be brought back before the Board on January 4th for further discussion of the need to continue or not.

It was moved by Supervisor Criss, seconded by Supervisor Kobseff and carried, following a roll call vote with Supervisors Criss, Kobseff, Ogren and Haupt voting YES and Supervisor Valenzuela ABSENT, to extend the local emergency related to drought as declared by Resolution 21-48.

Closed Session - Conference with labor negotiators pursuant to Government Code §54957.6, 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, 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), two cases, commenced at 3:33p.m., concluded at 3:56p.m., with no action taken.

Report On Closed Session

County Counsel Edward J. Kiernan announced that closed session concluded at 3:56p.m., with no reportable action taken.

Board and Staff Reports

There were no Board or staff report 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