

SHASTA COUNTY BOARD OF SUPERVISORS

Monday, November 20, 2023

SPECIAL MEETING

9:00 a.m.: Chair Jones called the Special Session of the Board of Supervisors to order on the above date with the following present:

District No. 1 - Supervisor Crye
District No. 2 - Supervisor Garman
District No. 3 - Supervisor Rickert
District No. 4 - Supervisor Jones
District No. 5 - Supervisor Kelstrom

County Executive Officer/Clerk of the Board - David J. Rickert
Interim County Counsel - Gretchen Stuhr
Chief Deputy Clerk of the Board - Stefany Blankenship

REGULAR CALENDAR**BOARD OF SUPERVISORS****OVERVIEW OF THE LAW GOVERNING AUTHORITY OF AN ELECTED SUPERVISOR
TO MAKE WRITTEN REQUESTS
AND DISCUSSION OF A REQUEST CONCERNING ACCESS TO ZOGG FIRE RECORDS**

Supervisor Crye spoke about the recommendation from County Counsel to discuss the topic of his written requests for access to Zogg Fire records in open session at a Board of Supervisors meeting. He also stated that it was his intent to provide answers to members of the public and that the special meeting was called as it was the appropriate action to take.

Christian Gardiner, Monique Welin, Steve Kohn, Margaret Hansen, Dolores Lucero, Nick Gardner, and Richard Gallardo spoke during public comment.

The Board of Supervisors discussed the scheduling of special meetings and scheduling conflicts that arose.

Interim County Counsel Gretchen Stuhr provided a general overview of the law governing the authority of elected Supervisors to make written requests, explaining that the Board of Supervisors holds the privilege of confidential communication with the County Counsel's office.

Ms. Stuhr further explained that her office received a request from Supervisor Crye regarding Zogg Fire records, which would involve a great deal of time to complete as staff time would need to be allocated and research would have to be conducted. Ms. Stuhr expressed that she preferred obtaining direction from the Board to devote the staff time needed to complete the request from Supervisor Crye.

In response to questions by Supervisor Garman, Ms. Stuhr explained that no further funding would be needed to complete the research to identify the requested records. She clarified that the request for Zogg Fire records would reassign staff from their regular caseload, and it would take a minimum of several hours to complete, with her department already considered short-staffed close to the Thanksgiving holiday, including two vacant attorney positions.

In response to questions by Supervisor Rickert, Ms. Stuhr confirmed the Board of Supervisors did not have any jurisdiction to intervene in the settlement between the District Attorney and Pacific Gas & Electric.

Supervisor Rickert expressed her concerns over the time needed to fulfill the written request provided to County Counsel for Zogg Fire records while other items of County interest were ongoing.

The Board discussed the records request provided to County Counsel from Supervisor Crye, which included eleven bullet points for various public records that ranged from September 27, 2022, to September 27, 2023, regarding the Zogg Fire.

In response to questions by Supervisor Rickert, Ms. Stuhr stated that she had not received any response from Attorney General Bonta regarding the Zogg Fire letter that was sent by the Board of Supervisors to the Attorney General in August.

By motion made, seconded (Jones/Crye), and carried 4-1 with Supervisor Rickert voting no, the Board of Supervisors directed staff to fulfill a written request by Supervisor Crye and provide access to the requested Zogg Fire records.

CLOSED SESSION ANNOUNCEMENT

Chair Jones announced that the Board of Supervisors would recess to a Closed Session to take the following action:

Confer with legal counsel to discuss two cases of anticipated litigation, pursuant to Government Code section 54956.9, subdivision (d), paragraph (2) or (3).

Steve Kohn, Richard Gallardo, Dolores Lucero, and Monique Welin spoke during public comment.

9:53 a.m.: The Board of Supervisors recessed to Closed Session.

10:35 a.m.: The Board of Supervisors returned from Closed Session and reconvened in Open Session with all Supervisors, and County Executive Officer/Clerk of the Board David J. Rickert present.

REPORT OF CLOSED SESSION ACTIONS

Chair Jones reported that the Board of Supervisors met in Closed Session to discuss two cases of anticipated litigation; however, no reportable action was taken.

10:35 a.m.: The Board of Supervisors adjourned.

Chair

ATTEST:

DAVID J. RICKERT
Clerk of the Board of Supervisors

By _____
Deputy