



ANDY PICKETT,
CHIEF ADMINISTRATIVE OFFICER
CLERK OF THE BOARD

BUTTE COUNTY BOARD OF SUPERVISORS

Regular Meeting Agenda

April 12, 2022
9:00 AM

MEETING LOCATION
BOARD OF SUPERVISOR CHAMBERS
25 COUNTY CENTER DRIVE, SUITE 205
OROVILLE, CALIFORNIA 95965-3380

MEMBERS OF THE BOARD

BILL CONNELLY, DISTRICT 1
DEBRA LUCERO, DISTRICT 2
TAMI RITTER, DISTRICT 3
TOD KIMMELSHUE, DISTRICT 4
DOUG TEETER, DISTRICT 5

BRAD STEPHENS, INTERIM COUNTY
COUNSEL

[PDF of the Agenda](#)

[How to Submit Public Comment Virtually](#)

1. CALL TO ORDER

[Pledge of Allegiance](#)

[Observation of a Moment of Silence](#)

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

Item 3.04: Item will be pulled and placed on April 26, 2022 agenda.

Item 4.09: The date on the action requested should read "November 8, 2022".

Item 5.02 F: Pulled because a settlement was reached.

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

3.01 Annual Report Regarding Compliance with Continuing Disclosure Requirements for Debt Issuances

The County is required to meet continuing disclosure requirements for long term financings. The County's long term financings include Bonds Payable, Certificates of Participation, and Capital Leases for buildings and equipment. Each long term financing includes one or more of the following continuing disclosure requirements: 1) timely delivery of the County's Annual Budget, 2) timely delivery of the County's Annual Comprehensive Financial Report (ACFR), 3) timely delivery of the County's Annual Single Audit Report (SAR), and when applicable, 4) timely Notification of Events that could have an impact on long term financings (material events and/or voluntary events). Additionally, the County has bond financing that requires timely posting of the Budget, ACFR, and Notification of Events with the Municipal Securities Rulemaking Board (MSRB), via the Electronic Municipal Markets Access (EMMA) website. The Trustee for the bond financing acts as the Dissemination Agent and completes the EMMA postings. The County has complied with all of the continuing disclosure requirements since the last report to the Board in April 2021, with two exceptions. First, due to the combination of COVID effects and the implementation of a new requirement by the Governmental Accounting Standards Board, the County's external auditor was granted an extension from December 31, 2021 to January 31, 2022 for completion of the June 30, 2021 ACFR. Unknown to the external auditors, the extension exceeded the delivery date required by one lender. Bond Counsel was consulted about the default. Bond Counsel advised the County this was not a reportable default, but suggested considering disclosure of the default in future financing applications. Second, on March 19, 2021 the Office of Management and Budget issued a memorandum providing an extension for all single audit filings for fiscal year ends through June 30, 2021. The original due date of the County's SAR for the year ended June 30, 2021 was March 31, 2022. The extended due date is September 30, 2022. USDA requires delivery of the SAR by March 31st, but they have granted an exception for the reporting year ended June 30, 2021 to September 30, 2022 (County Administration)

Action requested - ACCEPT FOR INFORMATION.

Staff Report

3.02 Approval of Board of Supervisors Regular Meeting Minutes

Submitted for approval are the September 14, October 12, October 26, and November 9, 2021 Board of Supervisors regular meeting minutes. (County Administration)

Action requested - APPROVE SEPTEMBER 14, OCTOBER 12, OCTOBER 26, AND NOVEMBER 9, 2021 BOARD OF SUPERVISORS REGULAR MEETING MINUTES AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

[September 14, 2021 Minutes](#)

[October 12, 2021 Minutes](#)

[October 26, 2021 Minutes](#)

[November 9, 2021 Minutes](#)

3.03 Resolution Re-authorizing Continued Teleconference Meetings of the Board of Supervisors pursuant to the Ralph M. Brown Act as amended by AB 361

On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended and modified the teleconferencing requirements under the Ralph M. Brown Act (the "Brown Act") to allow local legislative bodies to hold public meetings via teleconference without meeting the traditional teleconference standards of the Brown Act as a result of the COVID-19 pandemic. On September 16, 2021, Governor Newsom signed AB 361 to amend the Brown Act to allow legislative bodies to utilize alternative standards for teleconference meetings during a proclaimed state of emergency when (1) state or local officials impose or recommend social/physical distancing or (2) the body meets for the purpose of deciding or has met to decide by majority vote that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees. The legislative body is required to reconsider and find that either the state of emergency continues to directly impact the ability of members to meet safely in person and/or that State or local officials continue to impose or recommend measures to promote social distancing, and extend the findings every 30 days to continue to meet via teleconferencing under the alternative standards. The Board previously adopted similar resolutions on October 12, 2021, November 9, 2021, November 18, 2021, December 14,

2021, January 11, 2022, February 8, 2022, March 8, 2022 and March 22, 2022. This resolution would re-authorize the ability to meet remotely via teleconference through May 11, 2022 or such time the Board adopts a subsequent resolution to continue this ability. (County Counsel/County Administration)

Action requested - APPROVE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-045

3.04 Resolution Recognizing Bruce S. Alpert upon His Retirement from Butte County

County Counsel recommends the Board of Supervisors adopt a resolution in recognition of Bruce S. Alpert, County Counsel, upon his retirement from Butte County effective April 30, 2022, after nearly 25 years of service to the County. (County Counsel)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.05 Resolution Recognizing National Crime Victims' Rights Week in Butte County

The District Attorney's Office recommends adopting a resolution recognizing April 24, 2022 through April 30, 2022 as National Crime Victims' Rights Week in Butte County. National Crime Victims' Week provides an opportunity to recognize the County's commitment to victim services and to assisting survivors with relevant services that support justice and healing of all victims of crime. (District Attorney)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-047

Supervisor Teeter read the resolution and speaker Michael Ramsey, (District Attorney) accepted the resolution.

3.06 Capital Asset Surplus

The Board of Supervisors declares assets surplus that are no longer serviceable or no longer needed by the County before auctioning or disposing of the items. The Department of Development Services recommends the Board of Supervisors declare the Bell & Howell Microfilm Reader acquired March 31, 1992; asset number 22546-000 as surplus to the needs of the County, as the equipment no longer has a useful life with the move to digital records filing and retention. (Development Services)

Action requested - DECLARE CAPITAL ASSET SURPLUS TO THE NEEDS OF THE COUNTY

Staff Report

3.07 Budget Adjustment for Electrical Service Replacement at 18 County Center Drive and Boiler Repairs at 25 County Center Drive, Oroville

In December 2021, the dedicated underground electrical service line providing power to a portion of 18 County Center Drive failed. The failure necessitated the installation of a temporary above ground line to provide immediate electrical service to the building. The temporary line does not provide enough power to support the air conditioning. The new underground service is required with an estimated cost of \$65,000. In addition, the two hydronic heating boilers in 25 County Center Drive have developed an intermittent leak causing damage in Suite 100 located below the boilers. The estimated cost to repair the boilers is \$55,000. The Department of General Services recommends a budget adjustment from General Fund Appropriation for Contingencies in the amount of \$120,000 to allow both repair projects to be completed. (General Services)

Action requested - APPROVE BUDGET ADJUSTMENT FROM GENERAL FUND APPROPRIATIONS FOR CONTINGENCIES (4/5 VOTE REQUIRED).

Staff Report

3.08 Change Order Ratification and Notice of Completion for Interior and Exterior Camera Project at 25 County Center Drive, Oroville

On August 10, 2021 the Board of Supervisors approved a \$198,999 contract with Gaynor Telesystems Inc. for the project of installing a security camera system covering the interior and exterior common areas and related parking areas of 25 County Center Drive, Oroville. To improve system performance and coverage, seven change orders were implemented totaling \$35,031, or 17% of the original contract, bringing the total contract cost to \$234,030. The overall project budget is \$247,900. The work has been inspected and approved by the Departments of General Services and Development Services, and the District Attorney's Office. The Department of General Services recommends that the Board of Supervisors ratify change orders 1 through 7, accept the work as complete and execute the Notice of Completion. (General Services)

Action requested - 1) RATIFY CHANGE ORDERS 1 THROUGH 7; AND 2) ACCEPT THE WORK AS COMPLETE AND EXECUTE THE NOTICE OF COMPLETION

Staff Report

3.09 Resolution Authorizing the Installation of Retired United States Army Combat Military Equipment for Static Display at the Paradise Veterans Memorial Hall, 6550 Skyway, Paradise, California

To commemorate the Paradise Veterans Memorial Hall's survival of the 2018 Camp Fire, the Paradise Veterans Organizations and their Associations wish to enhance their collection of retired military equipment and monuments by acquiring a surplus demilitarized (nonoperational) 105MM Howitzer (short barreled cannon), or similar piece of equipment, to be installed adjacent to the existing military jeep outside the County owned real property known as the Paradise Veterans Memorial Hall located at 6550 Skyway in Paradise. The Department of General Services recommends that the Board of Supervisors adopt a Resolution authorizing the placement as this is required by the Army Donations Program Office providing the equipment. Should equipment become available, the American Legion would assume full responsibility for the cost of the placement and maintenance of the equipment and ownership would remain with the US Government and it could not be relocated without US Government approval. (General Services)

Action requested - ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-048

3.10 Resolution to Amend the Salary Ordinance - The Department of Human Resources recommends the Board of Supervisors adopt a resolution amending the Salary Ordinance in the following ways:

COUNTY ADMINISTRATION: Extend 1 Account Clerk position (term to end May 9, 2022) to term date of August 9, 2022 and 1 Program Development Manager position (term to end June 1, 2023 to term date of November 17, 2023). Total allocations to remain unchanged. Funding for these position extensions are eligible for reimbursement by FEMA and the State. GENERAL SERVICES: Add 1 flexibly staffed Inventory Warehouse Specialist position and delete 1 vacant Central Services Manager position. Total allocations to remain unchanged. This will save approximately \$18,000 per year. HUMAN RESOURCES: Add 1 flexibly staffed Human Resources Technician position and delete 1 vacant flexibly

staffed Human Resources Analyst position. Total allocations to remain unchanged. This will result in a savings of \$12,574 per year. LIBRARY: Add 1 Library Assistant position. The requested position is to correct a typographical error in the September 15, 2020 Salary Ordinance. Total allocations to increase by 1 (Human Resources)

Action requested - ADOPT A RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Staff Report

Resolution 22-049

3.11 Resolution Recognizing Mary Van Gilder upon her Retirement from the Department of Information Systems

The Department of Information Systems recommends the Board of Supervisors adopt a resolution recognizing Mary Van Gilder on the occasion of her retirement after 50 years of service to Butte County. (Information Systems)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-050

Supervisor Kimmelshue read the resolution and presented by Sang Kim, (Director of Information Systems), Mary Van Gilder accepted the resolution.

3.12 Contract Amendment with Library Systems and Services for Planning and Management of Library Collections

The County Library contracts with Library Systems and Services for the use of Library IQ, a software tool that assists in the planning and management of library collections. The software uses analytics to optimize collection quality and alignment with community needs. Library Systems and Services also processes library collections materials to be shelf ready for patrons. The contract was for two years, ending February 3, 2022. The County Library worked with the Department of General Services on a sole source contract amendment to extend the contract with Library Systems and Services. The Department recommends amending the contract to extend the term by one year, through February 3, 2023, and increase the maximum payable amount by \$18,995, not-to-exceed \$206,985. (Library)

Action requested - 1) RATIFY CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.13 Agreement Amendment with the California Department of Public Health (CDPH) for the Sexually Transmitted Disease (STD) Program Management and Collaboration Project

The Department of Public Health currently has a grant agreement with CDPH for the STD Program Management and Collaboration project. The grant is an expansion of a current CDPH program administered by the Department. The Department will utilize the funds to enhance and implement public health activities to monitor, investigate and prevent STDs within the County. The proposed amendment increases funding in the amount of \$28,578 for fiscal year 2021-2022 as approved through the 2021 State Budget Act which appropriated additional local assistance funding for STD prevention and control activities. The Department recommends amending the grant agreement with CDPH for the STD Program Management and Collaboration project. The amendment increases the maximum amount receivable by \$28,578, not to exceed \$823,908. All other terms remain the same. (Public Health)

Action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.14 Grant Agreement with California Department of Public Health (CDPH) to implement a Disease Intervention Specialist (DIS) Workforce Development Program

The Department of Public Health recommends entering into a grant agreement with CDPH to implement a DIS Workforce Development program. The purpose of the program is to develop, expand, train, and sustain the DIS workforce. Funding is intended to hire personnel to address projected jurisdictional sexually transmitted disease (STD), HIV, COVID-19, and other infectious disease prevention and response needs. The program activities will focus on key strategic targets such as the increased capacity to conduct disease investigation, linkage to prevention and treatment, case management and oversight, and outbreak response for STD, HIV, COVID-19 and other infectious diseases. The term of the agreement is July 1, 2021 through December 31, 2025 with a maximum receivable amount of \$653,645. (Public Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

Staff Report

3.15 Authorization to Advertise and Solicit Bids for the Butte County 2022 Pavement Maintenance Project

The Butte County 2022 Pavement Maintenance Project identifies a total of 28 combined miles of road in Durham and Messilla Valley as well as unincorporated areas around Oroville and Gridley that require pavement surface treatment and traffic striping and markings. The engineer's estimate for construction is \$2,504,000, with the total project cost estimated at \$2,704,000. The total project cost estimate includes construction, preliminary engineering, construction engineering, and contingencies. The project is included in the recently approved Department of Public Works Capital Improvement Program and will be paid for with SB-1 funding. (Public Works)

Action requested - 1) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ADVERTISE AND SOLICIT BIDS FOR CONSTRUCTION OF THE PROJECT; AND 2) APPROVE THE PLANS AND SPECIFICATIONS.

Staff Report

3.16 Resolution Authorizing the Director of Public Works to Act as Official Representative for the County in Executing Program Supplements for Master Agreement with the California Department of Transportation (Caltrans)

On May 9, 2017, the Board of Supervisors executed a Federal Master Agreement with Caltrans for certain designated transportation projects receiving federal aid. Caltrans requires the County to execute agreements that are supplemental to the Federal Master Agreement (program supplements) for each project. For the Director of Public Works to execute program supplements, Caltrans requires a resolution authorizing the Director of Public Works as the official representative for the County. Adoption of the resolution will ensure consistency with the Federal Master Agreement within the Department and allow program supplements to be executed with expediency. The Board of Supervisors adopted a similar resolution for State Master Agreements on February 22, 2022. The Department of Public Works recommends the Board adopt the resolution authorizing the Director of Public Works to act as the official representative for the County in executing program supplements for the Federal Master Agreement with Caltrans No. 03-S912F15. (Public Works)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-051

3.17 Budget Adjustment and Capital Asset Purchase for Front Line Law Enforcement (FLLE) Vehicles

The Sheriff's Office has been working with General Services for the last several months to meet new deadlines set by the vehicle manufacturer to order new FLE vehicles that are needed to replace existing vehicles. A solicitation was performed for FLE vehicles and the bid was awarded to the lowest bidder. Purchase orders must be issued to the winning vendor so they can place the vehicle order with the manufacturer before May 4, 2022 with expected delivery of the vehicles in April or May of 2023. If the order is not placed by the deadline in May, the Sheriff's Office will not be able to order the needed vehicles until 2023, which will postpone the receipt of the vehicles to 2024. Due to the new manufacturer deadline, the Sheriff's Office requests a budget adjustment in the amount of \$897,000 and capital asset authority for 12 vehicles that are included in the Department's fiscal year 2022-23 budget request. The equipment is funded by the Department's equipment replacement fund and special revenue. The appropriation and capital asset authority will also be included in the FY 2022-23 Recommended Budget so the purchase can be completed next FY. (Sheriff)

Action requested - 1) APPROVE CAPITAL ASSET PURCHASE (12); AND 2) APPROVE BUDGET ADJUSTMENT (4/5TH VOTE REQUIRED).

Staff Report

- 3.18 Agreement with California Department of Parks and Recreation and Resolution Authorizing an Application for the Division of Boating and Waterways (DBAW) Boating Safety and Enforcement Aid Program

The Sheriff's Office was awarded \$159,342 in grant funds from DBAW for year-round patrols of the Feather River, Sacramento River, and Lake Oroville. The Sheriff is charged with the enforcement of boating laws and regulations by means of vessel, foot, and vehicle patrol. Uniformed law enforcement personnel will provide year-round patrols on all waterways, provide education to the public on State and local boating laws, conduct vessel inspection programs for compliance with required safety equipment and vessel registration, and provide supervision of on-the-water boating activities. The program funds a full-time uniformed Deputy Sheriff, a leased patrol vehicle, marine equipment, and supporting program services. The State requires the County to utilize annual boat tax revenue of \$102,573 prior to utilizing the grant funds. Boat tax revenue is used to partially fund a full-time Sheriff's Sergeant to oversee the water enforcement program. The State also requires a resolution in support of the Boating Enforcement Program. The term of the agreement is July 1, 2022 through June 30, 2023, not-to-exceed \$159,342. (Sheriff)

Action requested - 1) APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-052

- 3.19 Indigent Defense Contracts

The County is required by State and federal law to provide an attorney for persons charged with a crime or in other special circumstances if they cannot afford an attorney. Butte County contracts this service with a consortium of local attorneys who provide full service public defender work. The consortium has been an effective component of the criminal justice system, and has the support of the Superior Court Bench, District Attorney, Chief Probation Officer, and Sheriff. The consortium has also been a cost effective model for the county, providing a high level of service for substantially less than similar counties pay. The County contracts with 18 full-time attorneys and 2 half-time attorneys in the consortium. Chris Caraway, who served as a full-time attorney, will resign from the consortium effective April 22, 2022. The consortium selected Benjamin Williams to serve as a full-time attorney to fill the role held by Mr. Caraway. County Administration recommends entering into a contract with Mr. Williams for indigent defense services. The term of the contract is April 25, 2022 through June 30, 2024; not-to-exceed \$349,677, which is \$13,345 per month. (County Administration)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

- 3.20 Resolution Recognizing James Edwards upon his Retirement from the Oroville Cemetery District and South Feather Water and Power Agency

Supervisor Connelly recommends the Board of Supervisors adopt a resolution recognizing James Edwards on the occasion of his retirement after 32 years of service to the Oroville Cemetery District and 17 years of service to the South Feather Water and Power Agency (District 1)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Staff Report

Resolution 22-053

Chair Connelly read the resolution and speaker James "Jim" Edwards accepted the resolution.

- 3.21 Resolution Recognizing April 2022 as Genocide Awareness and Prevention Month

Supervisor Kimmelshue and Chair Connelly recommend that the Board of Supervisors adopt a resolution recognizing April 2022 as Genocide Awareness and Prevention Month. (Districts 1 and 4)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-054

Public Comment Packet

Chair Connelly read the resolution and Dr. Catherine Posey accepted the resolution.

The following member(s) of the public submitted Public Comment for Item 3.21: Jim Brobeck (electronic).

- 3.22 Resolution Recognizing April 2022 as National County Government Month

At the request of Supervisor Lucero, it is recommended that the Board of Supervisors adopt a resolution recognizing April 2022 as National County Government Month. (District 2)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-055

Supervisor Lucero read the resolution and Andy Pickett, (Chief Administrative Officer) accepted the resolution on behalf of all County employees.

- 3.23 Resolution Recognizing April 2022 as Child Abuse Prevention Month

Welfare and Institutions Code section 18980 et seq. established the Child Abuse Prevention Coordinating Council Act, which funds child abuse prevention coordinating councils in each county. The purpose of these councils is to coordinate the community's efforts to prevent and respond to child abuse. The Butte County Child Abuse Prevention Council requests that the Board of Supervisors adopt a resolution recognizing April 2022 as Child Abuse Prevention Month. (Other - Child Abuse Prevention Council)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-056

Supervisor Ritter read the resolution and Wendy Brown, (Executive Director of Butte County Child Abuse Prevention Council) accepted the resolution.

Motion: Approve Consent Agenda with corrections to Items 3.04, 4.09 and 5.02 F made.

Motion moved by Supervisor Lucero; Seconded by Supervisor Teeter.

Motion passed unanimously.

4. REGULAR AGENDA

4.01 Boards, Commissions, and Committees (List available at www.buttecounty.net/clerkoftheboard/appointmentslist)

A. Appointments to Listed Vacancies

B. Board Member / Committee Reports and Board Member Comments (Pursuant to California State law, the Board is prohibited from taking action on any item not listed on the agenda)

Supervisor Ritter: Butte County Association of Government (BCAG) air quality meeting, Advisory Meeting with Diversability Advocacy Network (D.A.N.) Coalition, LGBTQ Coalition, People of Color Sub Committee on Continuum of Care, Behavioral Health, spoke at a Butte College class.

Supervisor Kimmelshue: Participated in the ground breaking of the Renewal Jesus Center in Chico. Was a part of the ribbon cutting of the Midway Bridge.

Supervisor Teeter: Butte County Association of Government (BCAG) air quality meeting, Met with Teri DuBose Congress LaMalfa's district representative. Meeting with Town of Paradise on California Housing and Community Development (HCD), housing site development and tour. Discussion to come on the effectiveness of this program.

Supervisor Lucero: Attended the Youth for Changes grand opening and ribbon cutting ceremony, Met with Teri DuBose and discussed regional mental Health opportunities and puff unit capacity, Met with Butte County Investment Pool Oversight Committee and Assessor's office discussed better interest rate options for PG&E funds. Discussed school attendance and how that is affecting school funding.

4.02 Employment Amendment with Mark Lundberg, M.D. for Addiction Treatment Services

Mark Lundberg, M.D. is a licensed physician who provides services specializing in substance abuse addiction. The Department of Behavioral Health recommends amending the employment agreement with Dr. Lundberg at his request. The current agreement is July 1, 2020 through June 30, 2022, not-to-exceed \$177,811 per year at 80% employment. The amendment decreases the employment status from 80% to 60% of full time equivalent, not-to-exceed \$133,358. The Department will pay the full portion of health and welfare premiums. All other benefits will be prorated at 60% full time equivalent. All other terms remain the same. (Behavioral Health)

Action requested - APPROVE EMPLOYMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Speaker(s): Scott Kennelly, Director of Behavioral Health.

Motion: Approve updated employment agreement and authorize the Chair to sign.

Motion moved by Supervisor Ritter; Seconded by Supervisor Lucero.

Motion passed unanimously.

4.03 Employment Contract for Director - Information Systems

County Administration recommends entering into an employment contract with Paul LaValley as Director - Information Systems. The term of the contract is April 18, 2022 through April 17, 2025. The contract includes a salary of \$155,000. (County Administration)

Action requested - APPROVE EMPLOYMENT CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Speaker(s): Andy Pickett, Chief Administrative Officer.

Motion: Approve employment contract and authorize the Chair to sign.

Motion moved by Supervisor Lucero; Seconded by Supervisor Ritter.

Motion passed unanimously.

4.04 Diversability Advocacy Network (DAN) Presentation and Advisory Committee Appointment

DAN (formed 2012 in partnership by Disability Action Center and the State Council on Developmental Disabilities North State office) is committed to ensuring the individuals of all ages who experience disabilities, functional limitations or chronic conditions achieve access to quality healthcare, affordable housing and social/emotional support. At the request of Supervisor Ritter and supported by Chair Connelly, representatives from the DAN will provide information on the services they provide to the community, and request the Board of Supervisors appoint a Board member to sit on the Advisory Committee for the Rural Master Plan for Aging. (District 3)

Action requested - APPOINT BOARD MEMBER TO THE ADVISORY COMMITTEE FOR THE RURAL MASTER PLAN FOR AGING

Staff Report

Power Point Presentation

Speaker(s): Supervisor Ritter and Carolyn Nava, Senior Systems Change Representative for the Independent Living Center, Disability Actions Center, Chair Diversability Advocacy Network.

Motion: Appoint Supervisor Ritter and Lucero to sit on the Advisory Committee for the Rural Master Plan for Aging.

Motion moved by Supervisor Ritter; Seconded by Supervisor Kimmelshue.

Motion passed unanimously.

4.05 Budget Adjustment for Planning and Design of Recreational Trail and Skill Features in the Yellowstone Kelly Trail Corridor

Paradise Recreation and Parks District leases County owned property for park purposes at a current lease rate of \$5,150 per year. These lease payments are to be used to enhance services and/or programs in the Paradise Recreation and Park District. Supervisor Teeter requests that \$20,000 be utilized to help fund the planning and design of a recreational trail and skill features in the Yellowstone Kelly Trail Corridor in Paradise. The funds would come from previously collected and not used lease payments of \$10,000 received in FY 2019-20 and FY 2020-21, along with \$5,000 of appropriations from the FY 2021-22 budget and \$5,000 of appropriations that will be included in the FY 2022-23 budget. (District 5)

Action requested - APPROVE BUDGET ADJUSTMENT FROM GENERAL FUND APPROPRIATION FOR CONTINGENCIES (4/5 VOTE REQUIRED).

Staff Report

Public Comment Packet

Speaker(s): Brian Ring, Assistant Chief Administrative Officer and Kevin Phillips, Manager of the Town of Paradise.

The following member(s) of the public submitted Public Comment for Item 4.05: John Stonebraker (electronic), Thad Walker (electronic), Carolyn Denero (electronic), Mooretown Rancheria (electronic), Sarah Hoffman (electronic), Paradise Park and Recreation District (electronic), and Chico Velo (electronic).

Motion: Approve budget adjustment from general fund appropriation for contingencies (4/5 vote required).

Motion moved by Supervisor Lucero; Seconded by Supervisor Teeter.

Motion passed unanimously.

4.06 Ratification of Letter in Support for Golden State Natural Resources' (GSNR) Community Project Funding and Congressional Directed Spending Requests for Wood Pellet Production Facilities

GSNR is a nonprofit 501(c)(3), tax-exempt, forest resiliency company created in 2018 for the purposes of working to achieve forest resiliency and restoration on a large scale. At their request, staff prepared a letter in support of their request for federal assistance to help fund the development of two industrial wood pellet production facilities. Construction and operation of these facilities will create and support local and regional jobs & economies via forest treatment and pellet production. Due to the timing of this request, a letter was sent on April 1, 2022 under Chief Administrative Officer Pickett's signature. (County Administration)

Action requested - RATIFY LETTER OF SUPPORT

Staff Report

Speaker(s): Brian Ring, Assistant Chief Administrative Officer.

Motion: Move to take staff recommendation and send letter out by April 1st, 2022.

Motion moved by Supervisor Teeter; Seconded by Supervisor Kimmelshue.

Motion passed unanimously.

4.07 Redistricting Independent Commission Overview

At the request of Supervisor Lucero and supported by Supervisor Ritter, staff have put together a report summarizing the key components of a redistricting independent commission. In addition, the report includes a summary of the County jurisdictions throughout that State that utilized an independent commission, as well as a summary regarding how other County jurisdictions throughout the State recently addressed redistricting. (County Administration)

Action requested - ACCEPT FOR INFORMATION

Staff Report

Public Comment Packet

Speaker(s): Brian Ring, Assistant Chief Administrative Officer.

The following member(s) of the public submitted Public Comment for Item 4.07: John Stonebraker (electronic).

Information accepted.

4.08 Office of Emergency Management Drought Update

The Office of Emergency Management will provide the Board of Supervisors with an update on the current drought status that will include updates on the measures implemented with the Small Community Drought Relief Program Grant: Emergency Water Hauling Program; Temporary Residential Water Storage Program; and Emergency Water Filling Station. In addition, updates will be provided on the current water year outlook from local water providers; CalWater conservation programs and other water conservation outreach and education programs. Finally, there will be an update on the suspension of restrictions that apply to water hauled outside the water's basin of origin. (County Administration - Office of Emergency Management)

Action requested - ACCEPT FOR INFORMATION

Staff Report

Speaker(s): Joshua Jimerfield, Deputy Administrative Officer for the Office of Emergency Management.

Accepted for Information.

4.09 Extension of the Abandoned Vehicle Abatement Program

The Abandoned Vehicle Abatement (AVA) Program in Butte County operates pursuant to a Joint Powers Authority (JPA) formed in 2003 that includes Butte County, City of Biggs, City of Chico, City of Gridley, City of Oroville, and the Town of Paradise. The program uses the \$1 tax on vehicle registration within the County and municipalities to cover the costs associated with removal of abandoned vehicles. The AVA Program was originally set up by each member jurisdiction adopting resolutions to enter the program. Under State law, all AVA programs expire after ten years and must be renewed by member agencies. Butte County's AVA program was last renewed on November 6, 2012 and will expire on December 31, 2022. AVA program extensions fall under Proposition 26, which requires certain local fees to be approved by a super-majority vote of two-thirds. The Department of Development Services recommends that the Board of Supervisors approve the placement of the AVA Program extension on the November 8, 2022 Ballot and direct staff to return with a Resolution at a subsequent meeting. (Development Services)

Action requested - DIRECT COUNTY STAFF TO PRESENT A RESOLUTION TO THE BUTTE COUNTY BOARD OF SUPERVISORS TO PLACE THE EXTENSION OF THE AVA PROGRAM ON THE NOVEMBER 6, 2022 BALLOT

Staff Report

Speaker(s): Paula Daneluk, Director of Development Services, Curtis Johnson, Assistant Director of Development Services and Kenneth Cohell, Fiscal Manager for Development Services.

Motion: Direct County staff to present a resolution to the Butte County Board of Supervisors to place the extension of the AVA program on the November 6, 2022 ballot.

Motion moved by Supervisor Lucero; Seconded by Supervisor Kimmelshue.

Motion passed unanimously.

4.10 Letter of Opposition to Alternative Health Care Service Plan Proposal for Statewide Medi-Cal Services

The State is proposing that Kaiser will be able to operate as a Medi-Cal Managed Care Plan in any county in which they are able to establish a contract with any single entity. Butte County has worked for years to transition from the current Regional Managed Care Plan model that has two commercial Managed Care Plans operating in the County to a Community Organized Health System (COHS). Butte County along with nine other Northern California counties were recently granted conditional approval to join Partnership HealthPlan of California (PHC or "Partnership") with the transition taking place in 2024. If the proposed Kaiser Plan is implemented, Kaiser will have the ability to choose which members it wants in its plan and will most likely choose members who are healthier, forcing local health plans such as PHC, our safety net providers, and community clinics to disproportionately care for those who are more ill and complex. This is especially concerning with Kaiser's well-documented history of underserving members experiencing complex physical health, mental health and social conditions including those experiencing homelessness, individuals with serious mental health conditions, individuals with multiple co-morbidities and complex care needs, and justice involved individuals. (Public Health)

Action requested - APPROVE LETTER AND AUTHORIZE THE CHAIR TO SIGN.

Staff Report

Public Comment Packet

Speaker(s): Danette York, Director of Public Health.

Motion: Approve letter and authorize the Chair to sign.

Motion moved by Supervisor Kimmelshue; Seconded by Supervisor Lucero.

Motion passed unanimously.

The following member(s) of the public submitted Public Comment for Item 4.10: John Stonebraker (electronic), Andrew Miller (electronic) and Mike Wiltermood (electronic).

4.11 Contract with Knife River Construction for Skyway Rehabilitation

On January 25, 2022, the Board of Supervisors authorized the Department of Public Works to advertise for bids for the Skyway Rehabilitation Project. The project will consist of removing 3 inches of existing asphalt concrete and replacing it with 5 inches of new asphalt concrete on Skyway from the Chico City limits at Potter Road to Paradise Town limits at Cross Roads. The engineer's estimate for construction was \$14,400,000. The project was advertised on February 24, 2022, and a total of four bids were received on March 17, 2022, ranging from a low of \$10,580,073 to a high of \$14,323,003. The lowest responsive and responsible bidder was Knife River Construction of Chico with a bid amount of \$10,580,073. In February 2022, this project was fully funded by the Federal Highways Administration and Caltrans. The Department recommends that the Board award the contract to Knife River Construction and authorize the Director of Public Works to sign the contract. (Public Works)

Action requested - 1) AWARD THE CONTRACT TO KNIFE RIVER CONSTRUCTION; AND 2) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN THE CONTRACT

Staff Report

Public Comment Packet

Speaker(s): Joshua Pack, Director of Public Works.

The following member(s) of the public submitted Public Comment for Item 4.11: John Stonebraker (electronic).

Motion: Award the contract to Knife River Construction; and 2) authorize the Director of Public Works to sign the contract.

Motion moved by Supervisor Teeter; Seconded by Supervisor Ritter.

Motion passed unanimously.

4.12 Contract Amendment with the Gordian Group, Inc. (Gordian) for Job Order Contracting (JOC) Consulting Services

On April 27, 2021, the Board of Supervisors entered into a contract with Gordian to provide JOC Consulting services for the Department of Public Works. The term of the contract is May 03, 2021 through April 29, 2022, not-to-exceed \$250,000. This program has proven to benefit the Department by streamlining maintenance projects and construction projects and getting projects completed in a timely matter. The Department recommends amending the contract with Gordian to extend the contract term by four years, through April 29, 2026, and increasing the maximum payable amount by \$1,000,000, not-to-exceed \$1,250,000. (Public Works)

Action Requested - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Speaker(s): Joshua Pack, Director of Public Works.

Motion: Approve contract amendment and authorize the Chair to sign.

Motion moved by Supervisor Lucero; Seconded by Supervisor Kimmelshue.

Motion passed unanimously.

4.13 Update on Water Activities - The Department of Water and Resource Conservation will provide the Board of Supervisors with an update on the following water resource activities.

- A. Sustainable Groundwater Management Act (SGMA) Implementation Status: a) The GSAs for the Butte, Vina, and Wyandotte Creek subbasins submitted a Groundwater Sustainability Plans (GSP) by the January 31, 2022 deadline; Department of Water Resources (DWR) has a 75-day public review period for each GSP. b) Lawsuits were filed against the Vina Subbasin and Butte Subbasin GSP, the co-plaintiffs challenge the validity of the two GSPs. c) Annual Report - SGMA requires GSAs to submit annual reports to the DWR by April 1st following adoption of a GSP. The Annual Reports also meet the requirements of Chapter 33 of Butte County Code, Groundwater Conservation.
- B. Northern Sacramento Valley (NSV) Integrated Regional Water Management (IRWM): The Board and TAC met in February to discuss potential projects, including the Palermo Water Consolidation Project, which will be included in an application for IRWM funds.
- C. Drought Activities and Projects: a) a Drought Impacts Analysis Study will be presented to the Board of Supervisors at the April 26, 2022 meeting to obtain input and recommendations. b) DWR Small Community Drought Funding - the applications for three of four projects that have been submitted.
- D. Palermo Water Consolidation Project grant applications have been submitted for the DWR Small Community Drought Fund for \$4.9M and the Drinking Water State Revolving Fund Program for \$11.4M. The Board of Supervisors allocated up to \$3M in American Rescue Plan Act funds toward this project. In addition, the project has been selected to be included in an application to receive IRWM funds for up to \$525,000.
- E. Paradise Options Study: the Study should be available for public review in April followed by a public meeting to receive comments on the document. (Water and Resource Conservation)

Action requested - ACCEPT FOR INFORMATION.

Staff Report

Public Comment Packet

Speaker(s): Kamie Loeser, Director of Water and Resource Conservation and Danette York, Director of Public Health.

The following member(s) of the public submitted Public Comment for Item 4.13: Pam Stoesser (WebEx) and Jim Brobeck (electronic).

Information accepted.

4.14 Butte County Groundwater Status Report for the 2021 Water Year

Pursuant to Chapter 33 of the Butte County Code, the Department of Water and Resource Conservation is required to collect data on groundwater levels and report to the Board of Supervisors each year on the status of groundwater conditions. On September 16, 2014, Governor Brown signed into law a package of bills collectively called the Sustainable Groundwater Management Act (SGMA), which requires Groundwater Sustainability Agencies (GSAs) in a subbasin to adopt and implement a Groundwater Sustainability Plan (GSP). GSAs must also submit annual reports to the Department of Water Resources (DWR) by April 1st each year. The Department, in cooperation with the GSAs in the three subbasins, prepared an annual report for each subbasin to meet the requirements of SGMA. These reports are submitted to the DWR SGMA Portal (<https://sgma.water.ca.gov/portal/>). This is the first Butte County Groundwater Status Report (Report) since adoption of the GSPs in the three subbasins in the County: Butte, Vina, and Wyandotte Creek Subbasins. The Report contains an overview of the hydrologic conditions of the 2021 water year and a high level description of conditions in each subbasin based on content in their individual annual reports. The subbasin specific annual reports are included as attachments to the Report and contain an executive summary, general information and a location map for the subbasin, groundwater level data shown as graphs and contour maps, estimated groundwater extractions, surface water supply, total water use in the subbasin, and an estimate of change in groundwater storage. The annual reports also describe progress made toward implementing the GSP with an update on projects and management actions. The Report is provided with the agenda items materials to the Board of Supervisors to meet the reporting requirements of Chapter 33. The Report was presented to the Water Commission for information on April 6, 2022. The full report and the appendices are available online at: <https://www.buttecounty.net/waterresourceconservation/Groundwater-Status-Reports/Current-Groundwater-Status-Report>. (Water and Resource Conservation)

Action requested - ACCEPT FOR INFORMATION

Staff Report

Power Point Presentation

Public Comment Packet

Speaker(s): Dr. Christina Buck, Assistant Director of Water and Resource Conservation.

The following member(s) of the public submitted Public Comment for Item 4.14: Jim Brobeck (electronic).

Information accepted.

4.15 Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer

Speaker(s): Andy Pickett, Chief Administrative Officer.

Motion: Agenda ending the emergency proclamation for the April 26th, 2022.

Motion moved by Chair Connolly; seconded by Supervisors Kimmelshue and Teeter.

4.16 Board of Supervisors Public Comment - Comments to the Board on issues and items not listed on the agenda. Please note that pursuant to California State law the Board of Supervisors is prohibited from taking action on any item not listed on the agenda.

Public Comment Packet

The following member(s) of the public submitted Public Comment for Item 4.16: Julie Threet (WebEx & electronic), Kathy Brazil (electronic), Diana Dreiss (electronic & in-person) and Catherine Posey.

4.17 Items Removed from the Consent Agenda for Board Consideration and Action

No items removed from the Consent Agenda at this meeting.

5. PUBLIC HEARINGS AND TIMED ITEMS

5.01 9:30AM - Timed Item - Prioritization and Support for County Projects

Congress is continuing Community Project Funding (CPF), previously referred to as earmarks, in federal FY 2023. The process provides funding directly to certain local projects in the annual federal appropriations bills. Congressional representatives from the House are required to submit projects for consideration to the House Appropriations Committee the week of April 27, and are limited to submitting 15 projects for the district they represent. Senators are required to submit projects for consideration to the Senate Appropriations Committee throughout the month of May. As both project funding processes advance, staff is seeking direction from the Board of Supervisors to work with Congressman LaMalfa, Senator Feinstein, and Senator Padilla to continue to seek funding for the following projects that were approved last year, and prepare letters and materials signed by the Board Chair as appropriate and as needed to help advance the projects: County Road Vegetation and Brush Removal and Fire Suppression, Cohasset Road Widening and Fire Safety Project, and the Palermo Drinking Water Project. (County Administration)

Action requested - 1) AUTHORIZE STAFF TO WORK WITH CONGRESSIONAL DELEGATION ON SELECTED PROJECTS; AND 2) DIRECT STAFF TO PROVIDE LETTERS OF SUPPORT AND REQUIRED MATERIALS TO CONGRESSIONAL DELEGATION AS NEEDED

Staff Report

Speaker(s): Brian Ring, Assistant Chief Administrative Officer and Kristi Moore, Lobbyist from Ferguson Group.

Motion: Give direction.

Motion moved by Supervisor Kimmelshue; Seconded by Supervisor Lucero.

Motion passed unanimously.

5.02 10:00AM - Timed Item - Itemized Costs and Penalties Related to Nuisance Abatement to Record a Lien and Impose a Special Assessment

- 5.02. A. Code Enforcement Case No. CE21-00642 at 88 Melody Lane, Palermo; APN: 027-360-118 - On August 25, 2021, a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE21-00642 at 88 Melody Lane, Palermo (Assessor's Parcel Number 027-360-118) in the amount of \$25,981.72 (\$19,500 for penalties and \$6,481.72 for cost recovery). (Development Services)

Action requested - APPROVE THE PROPOSED LIEN OF \$19,500 AND A SPECIAL ASSESSMENT OF \$6,481.72

Staff Report

Power Point Presentation

Speaker(s) Paula Daneluk, Director of Development Services and Chris Jellison, Code Enforcement Manager.

Motion: Approve the proposed lien of \$19,500 and a special assessment of \$6,481.72

Motion moved by Supervisor Kimmelshue; Seconded by Supervisor Teeter.

Motion passed 4-1.

Ayes: Supervisors Lucero, Kimmelshue, Teeter and Chair Connelly
Nays: Supervisor Ritter

- 5.02. B. Code Enforcement Case No. CE21-00953 at 0 Boardman Lane, Concow; APN: 058-330-038 - On October 22, 2021, a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE21-00953 at 0 Boardman Lane, Concow (Assessor's Parcel Number 058-330-038) in the amount of \$68,045.70 (\$61,000 for penalties and \$7,045.70 for cost recovery). (Development Services)

Action requested - APPROVE THE PROPOSED LIEN OF \$61,000 AND A SPECIAL ASSESSMENT OF \$7,045.70.

Staff Report

Power Point Presentation

Speaker(s) Paula Daneluk, Director of Development Services and Chris Jellison, Code Enforcement Manager.

Motion: Approve the proposed lien of \$61,000 and a special assessment of \$7,045.70

Motion moved by Supervisor Teeter; Seconded by Supervisor Kimmelshue.

Motion passed 4-1.

Ayes: Supervisors Lucero, Kimmelshue, Teeter and Chair Connelly
Nays: Supervisor Ritter

- 5.02. C. Code Enforcement Case No. CE21-00987 at 0 Hershel Lane, Oroville; APN: 072-480-011 - On October 12, 2021, a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE21-00987 at 0 Hershel Lane, Oroville (Assessor's Parcel Number 072-480-011) in the amount of \$98,990.94 (\$91,500 for penalties and \$7,490.94 for cost recovery). (Development Services)

Action requested - APPROVE THE PROPOSED LIEN OF \$91,500 AND A SPECIAL ASSESSMENT OF \$7,490.94

Staff Report

Power Point Presentation

Speaker(s) Paula Daneluk, Director of Development Services and Chris Jellison, Code Enforcement Manager.

Motion: Approve the proposed lien of \$91,500 and a special assessment of \$7,490.94

Motion moved by Supervisor Ritter; Seconded by Supervisor Lucero.

Motion passed unanimously.

- 5.02. D. Code Enforcement Case No. CE21-00706 at 917 Oregon City Trail, Oroville; APN: 041-240-099 - On September 17, 2021, a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE21-00706 at 917 Oregon City Trail, Oroville (Assessor's Parcel Number 041-240-099) in the amount of \$54,240.95 (\$48,500 for penalties and \$5,740.95 for cost recovery). (Development Services)

Action requested - APPROVE THE PROPOSED LIEN OF \$48,500 AND A SPECIAL ASSESSMENT OF \$5,740.95.

Staff Report

Power Point Presentation

Speaker(s) Paula Daneluk, Director of Development Services and Chris Jellison, Code Enforcement Manager.

Motion: Approve the proposed lien of \$48,500 and a special assessment of \$5,740.95.

Motion moved by Supervisor Kimmelshue; Seconded by Supervisor Teeter.

Motion passed 3-2.

Ayes: Supervisors Kimmelshue, Teeter and Chair Connelly

Nays: Supervisors Lucero and Ritter

- 5.02. E. Code Enforcement Case No. CE21-01114 at 0 Summer View Drive, Oroville; APN: 072-280-012 - On August 9, 2021, a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE21-01114 at 0 Summer View Drive, Oroville (Assessor's Parcel Number 072-280-012) in the amount of \$44,148.80 (\$35,500 for penalties and \$8,648.80 for cost recovery). (Development Services)

Action requested - APPROVE THE PROPOSED LIEN OF \$35,500 AND A SPECIAL ASSESSMENT OF \$8648.80

Staff Report

Power Point Presentation

Speaker(s) Paula Daneluk, Director of Development Services and Chris Jellison, Code Enforcement Manager.

Motion: To give the gentleman present a month to work with the County on a payment plan for the lien and special assessment and agendaize this for the second meeting in May (May 24th, 2022) to follow up.

Motion moved by Supervisor Lucero; Seconded by Supervisor Kimmelshue.

Motion passed unanimously.

- 5.02. F. Code Enforcement Case No. CE21-00701 at 213 Red Tape Road, Oroville; APN: 041-360-026 On September 3, 2021, a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE21-00701 at 213 Red Tape Road, Oroville (Assessor's Parcel Number 041-360-026) in the amount of \$29,043.20 (\$23,000 for penalties and \$6,043.20 for cost recovery). (Development Services)

Action requested - APPROVE THE PROPOSED LIEN OF \$23,000 AND A SPECIAL ASSESSMENT OF \$6,043.20.

Staff Report

Power Point Presentation

Item was pulled because a settlement was reached prior to the meeting.

- 5.02. G. Code Enforcement Case No. CE21-01088 at 0 Sandra Lane, Oroville; APN: 072-450-044 - On December 2, 2021, a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE21-01088 at 0 Sandra Lane, Oroville (Assessor's Parcel Number 072-450-044) in the amount of \$51,231.85 (\$43,500 for penalties and \$7,731.85 for cost recovery). (Development Services)

Action requested - APPROVE THE PROPOSED LIEN OF \$43,500 AND A SPECIAL ASSESSMENT OF \$7,731.85

Staff Report

Power Point Presentation

Speaker(s) Paula Daneluk, Director of Development Services and Chris Jellison, Code Enforcement Manager.

Motion: Approve the proposed lien of \$43,500 and a special assessment of \$7,731.85.

Motion moved by Supervisor Kimmelshue; Seconded by Supervisor Teeter.

Motion passed 4-1.

Ayes: Supervisors Lucero, Kimmelshue, Teeter and Chair Connelly

Nays: Supervisor Ritter

- 5.02. H. Code Enforcement Case No. CE18-01598 at 17025 Skyway, Stirling City; APN: 059-093-005 - On June 18, 2021, a Hearing Officer declared a public nuisance existed on the property listed under Butte County Code Chapter 32A - Property Maintenance and Abatement of Nuisances. This hearing has been scheduled to authorize the

Board of Supervisors to record a lien and special assessment to recover the County's costs for Code Enforcement Case Number CE18-01598 at 17025 Skyway, Stirling City (Assessor's Parcel Number 059-093-005) in the amount of \$70,883.53. (Development Services)

Action requested - APPROVE THE PROPOSED LIEN AND SPECIAL ASSESSMENT IN THE AMOUNT OF \$70,883.53

Staff Report

Power Point Presentation

Speaker(s) Paula Daneluk, Director of Development Services and Chris Jellison, Code Enforcement Manager.

Motion: Approve the proposed lien and special assessment in the amount of \$70,883.53.

Motion moved by Supervisor Teeter; Seconded by Supervisor Ritter.

Motion passed unanimously.

- 5.02. 1. Code Enforcement Case No. CE19-00451 at 24 Thompson Flat Cemetery Road, Oroville; APN: 031-060-050- On August 24, 2021, a Hearing Officer declared a public nuisance existed on the property listed under Butte County Code Chapter 32A - Property Maintenance and Abatement of Nuisances. This hearing has been scheduled to authorize the Board of Supervisors to record a lien and special assessment to recover the County's costs for Code Enforcement Case Number CE19-00451 at 24 Thompson Flat Cemetery Road, Oroville (Assessor's Parcel Number 031-060-050) in the amount of \$84,675.85. (Development Services)

Action requested - APPROVE THE PROPOSED LIEN AND SPECIAL ASSESSMENT IN THE AMOUNT OF \$84,675.85

Staff Report

Power Point Presentation

Speaker(s) Paula Daneluk, Director of Development Services and Chris Jellison, Code Enforcement Manager.

The following member(s) of the public submitted Public Comment for Item 5.02 I: Raoul LeClerc, Attorney.

Motion: Allow the attorney to review the cost break down with the County and bring it back the second meeting in May (May 24th, 2022).

Motion moved by Supervisor Ritter; Seconded by Supervisor Kimmelshue.

Motion passed 4-1.

Ayes: Supervisors Lucero, Ritter, Kimmelshue and Chair Connelly

Nays: Supervisor Teeter

5.03 10:45AM – Public Hearing – Applications for Outdoor Festival Licenses -

- 5.03. A. Application for Outdoor Festival License for From the Ground Up Farms, Inc. (MISC22-0001)

From the Ground Up Farms, Inc. has submitted an application for an Outdoor Festival License per Chapter 12, Article III Outdoor Festivals. The festival is proposed to be for three days (Friday, Saturday and Sunday, June 3 - June 5, 2022) from 3:00 p.m. to 12:00 a.m. on Friday and Saturday and 3:00 p.m. to 10:00 p.m. on Sunday. They anticipate to have a total of 100 attendees each day. The festival site will be on four parcels (APN 058-350-001, -002, -003 and 058-230-010), totaling 77.5 acres. The parcels are located on the west side of Concow Road, directly across from Ishi Trail, at the Lake Concow Campground (12967 Concow Road, Concow). The festival will include outdoor art, music, and healing-related activities. The Department of Development Services completed an environmental review of the application, completed a site visit and determined since no permanent structures will be built, the project is categorically exempt from the California Environmental Quality Act, per Section 15304 (e) of the CEQA Guidelines - "Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, etc." (Development Services)

Action requested - FIND THE FESTIVAL TO BE CATEGORICALLY EXEMPT UNDER SECTION 15304(E) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVE THE APPLICATION FOR AN OUTDOOR FESTIVAL LICENSE (MISC22-0001), SUBJECT TO THE RECOMMENDED CONDITIONS.

Staff Report

Power Point Presentation

Speaker(s): Curtis Johnson, Assistant Director of Development Services and Austin Forde, Assistant Planner of Development Services.

Motion: Approve festival application.

Motion moved by Supervisor Teeter; Seconded by Supervisor Lucero.

Motion passed unanimously.

- 5.03. B. Application for Outdoor Festival License for Indigenous Warrior Enterprise (MISC22-0003)

Indigenous Warrior Enterprise has submitted an application for an Outdoor Festival License per Chapter 12, Article III Outdoor Festivals. The festival is proposed to be for three days (Friday, Saturday and Sunday, June 24 - June 26, 2022) from 4:00 p.m. to 12:00 a.m. on Friday, 12:00 p.m. to 12:00 a.m. on Saturday, and 12:00 p.m. to 6:00 p.m. on Sunday. They anticipate to have a total of 100-150 attendees each day. The festival site will be on four parcels (APN 058-350-001, -002, -003 and 058-230-010), totaling 77.5 acres. The parcels are located on the west side of Concow Road, directly across from Ishi Trail, at the Lake Concow Campground (12967 Concow Road, Concow). The festival will include outdoor art, culture, music, and healing-related activities. The Department of Development Services completed an environmental review of the application, completed a site visit and determined since no permanent structures will be built, the project is categorically exempt from the California Environmental Quality Act, per Section 15304 (e) of the CEQA Guidelines - "Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, etc." (Development Services)

Action requested - FIND THE FESTIVAL TO BE CATEGORICALLY EXEMPT UNDER SECTION 15304(E) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVE THE APPLICATION FOR AN OUTDOOR FESTIVAL LICENSE (MISC22-0003), SUBJECT TO THE RECOMMENDED CONDITIONS.

Staff Report

Power Point Presentation

Speaker(s): Curtis Johnson, Assistant Director of Development Services and Austin Forde, Assistant Planner of Development Services.

Motion: Approve festival application.

Motion moved by Supervisor Lucero; Seconded by Supervisor Ritter.

Motion passed unanimously.

5.03 C. Application for Outdoor Festival License for Spencer Rouse (MISC22-0005)

Spencer Rouse has submitted an application for an Outdoor Festival License per Chapter 12, Article III Outdoor Festivals. The festival is proposed to be for three days (Friday, Saturday and Sunday, August 12 - August 14, 2022) from 2:00 p.m. to 12:00 a.m. on Friday, 11:00 a.m. to 12:00 a.m. on Saturday, and 11:00 a.m. to 10:00 p.m. on Sunday. They anticipate to have a total of 800 attendees, with 400-500 each day. The festival site will be on four parcels (APN 058-350-001, -002, -003 and 058-230-010), totaling approximately 77.5-acres. The parcels are located on the west side of Concow Road, directly across from Ishi Trail, at the Lake Concow Campground (12967 Concow Road, Concow). The festival (For the Funk of It) will include outdoor music and overnight camping. The Department of Development Services completed an environmental review of the application, completed a site visit and determined since no permanent structures will be built, the project is categorically exempt from the California Environmental Quality Act, per Section 15304 (e) of the CEQA Guidelines - "Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, etc." (Development Services)

Action requested - FIND THE FESTIVAL TO BE CATEGORICALLY EXEMPT UNDER SECTION 15304(E) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVE THE APPLICATION FOR AN OUTDOOR FESTIVAL LICENSE (MISC22-0005), SUBJECT TO THE RECOMMENDED CONDITIONS.

Staff Report

Power Point Presentation

Speaker(s): Curtis Johnson, Assistant Director of Development Services and Austin Forde, Assistant Planner of Development Services.

Motion: Approve festival application.

Motion moved by Supervisor Teeter; Seconded by Supervisor Lucero.

Motion passed unanimously.

The following member(s) of the public submitted Public Comment for Item 5.03: Christopher Matlock.

6. BOARD OF SUPERVISORS CLOSED SESSION

6.01 Public Employee Employment, Appointment, Recruitment, Performance Evaluations, Including Goals, Pursuant to Government Code Section 54957:

- A. Agricultural Commissioner
- B. Behavioral Health Director
- C. Chief Administrative Officer
- D. Chief Probation Officer
- E. Child Support Services Director
- F. County Counsel
- G. Development Services Director
- H. Employment and Social Services Director
- I. General Services
- J. Human Resources Director
- K. Information Services Director
- L. Library Director
- M. Public Health Director
- N. Public Works Director
- O. Water and Resources Conservation Director

6.02 Conference with Labor Negotiator Pursuant to Government Code Section 54957.6: Negotiators: Jack Hughes, Sheri Waters, and Casey Hatcher Employee Organizations: Teamsters - General Unit; Teamsters - Social Services Workers' Unit; Butte County Management Employees Association; Butte County Probation Peace Officers Association; Butte County Probation Peace Officers Association - Management Unit; Butte County Professional Employees' Association; Butte County Deputy Sheriff's Association - General Unit; Butte County Deputy Sheriff's Association - Management/Supervisory Unit; Butte County Correctional Officers Association - General Unit; Butte County Correctional Officers Association - Supervisory Unit; UPEC Local 792 - Skilled Trades Unit; Butte County Deputy District Attorneys Association - Attorney Unit; Confidential Unit; Non-Represented Unit; Board of Supervisors Executive Assistants

6.03 Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8:

- A. Property APN: 003-171-014

6.04 Actual litigation pursuant to Gov. Code Sec. 54956.9(d)(1) - one case:

Nothing to report from closed session.

Information and Procedures Concerning the Agenda and Conduct of
the Board of Supervisors Meetings

Meeting Information:

Meetings are generally held the second and fourth Tuesday of each month. Meetings start at 9:00 a.m. and are held in the Board of Supervisors Chambers, County Administration Building, 25 County Center Drive, Oroville. At the end of each year the Board adopts a meeting schedule for the upcoming year. Meeting dates can be changed as a result of holidays or other events so please check the meeting calendar to be certain. Copies of the adopted meeting calendar for the year are available in the County Administrative Office or at the Clerk of the Board website at www.buttecounty.net/cob.

Agenda Information:

The agenda for every meeting of the Board is posted in front of the County Administration Building at least 72 hours before each meeting, and is available by mail subscription, e-mail subscription, or at the Clerk of the Board website. A copy of the agenda and supporting materials provided to the Board of Supervisors members to explain each agenda item (excluding documents that are not a public record within the meaning of the Public Records Act) are available for your review at the County Administrative Office, the Chico, Oroville, and Paradise libraries (please do not remove items from these files), and at the Clerk of the Board website. Copies of supporting materials can be made for you at a charge to cover costs. The list of communications included with the agenda packages is not comprehensive. Additional communications to the Board of Supervisors may have been received but not included in the agenda supporting material. Copies of all communications received by the Board of Supervisors (excluding documents that are not a public record within the meaning of the Public Records Act) are available at the Administrative Office upon request. An (*) appearing before an agenda item signifies that material has been provided to the Board of Supervisors members to explain that item.

Agenda Format and
Meeting Order:

The agenda is usually organized into the following areas and meetings generally proceed in the following order:

1. Consent Agenda, these are items that are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.
2. Regular Agenda, this is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.
3. Public Hearing and Timed Items, this is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.
4. Public Comment, this is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction.
5. Closed Session, the Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the closed session.

Public Participation:

It is the policy of the Board of Supervisors, and a requirement of the California Open Meetings Law, to allow members of the public the opportunity to comment on all matters before the Board. Public participation is limited to matters within the subject matter jurisdiction of the Board pursuant to Government Code Section 54954.3. The Board has adopted policy and procedures to facilitate the meeting process and conduct. A complete listing of these policies and procedures can be found in the printed booklet agenda, obtained at the County Administrative Office, or viewed at the Clerk of the Board website. The Board of Supervisors is also committed to making its proceedings accessible to all citizens. Individuals with special needs should call the Clerk of the Board at 530.552.3300, Monday through Friday, 8:00 a.m. to 5:00 p.m. to request disability-related modifications/accommodations or to request materials in alternate formats. All requests for special accommodations and/or alternative format documents must be made 48 hours prior to the meeting.

For further information contact the:

Clerk of the Board of Supervisors
County Administrative Office
25 County Center Drive, Oroville, CA 95965
530.552.3300
www.buttecounty.net/cob

Bill Connelly

Bill Connelly, Chair
Butte County Board of Supervisors

ATTEST:

Andy Pickett, Chief Administrative
Officer and Clerk of the Board

Shaina Pickett
Deputy