



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

AUGUST 23, 2022

9:00 AM

MEMBERS OF THE BOARD

BILL CONNELLY, DISTRICT 1

DEBRA LUCERO, DISTRICT 2

TAMI RITTER, DISTRICT 3

TOD KIMMELSHUE, DISTRICT 4

DOUG TEETER, DISTRICT 5

ANDY PICKETT

CHIEF ADMINISTRATIVE OFFICER &
CLERK OF THE BOARD

MEETING LOCATION

BOARD OF SUPERVISORS CHAMBERS
25 COUNTY CENTER DRIVE, SUITE 205
OROVILLE, CALIFORNIA 95965-3380

BRAD STEPHENS, INTERIM COUNTY COUNSEL

1. CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

Rules of Decorum

The Board of Supervisors welcomes the public to its meetings and encourages and appreciates public engagement. The Board of Supervisors expects members of the public to act in a courteous, civil, and respectful manner. Individuals who address the Board shall not make personal, impertinent, slanderous, or profane remarks to any member of the Board, staff, or general public. The Board of Supervisors will not tolerate loud, threatening, personal or abusive language, or disorderly conduct which disrupts, disturbs, or otherwise impedes the orderly conduct of Board meetings. Violation of these rules of decorum will result in the meeting being recessed.

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

3.01 Agreement with the California Mental Health Authority (CalMHSA) for Department of Healthcare Access and Information (HCAI), Workforce Education and Training (WET) Grant for Superior Regional Program Activities - CalMHSA governs program activities through regional partnerships with California counties for the HCAI WET Grant, which aims to address the shortage of mental health practitioners in the public mental health system. Through a regional partnership framework, supports are provided to individuals through five potential categories; Pipeline Development, Undergraduate College and University Scholarships, Clinical Master and Doctoral Graduate Education Stipends, Loan Repayment Program, and Retention Activities. The State has broken counties out into five regions. Butte County is the lead county in the Superior Region, with participating counties of Colusa, Del Norte, Glenn, Humboldt, Lake, Lassen, Mendocino, Nevada, Plumas, Shasta, Sierra, Siskiyou, Tehama and Trinity. All Superior Region counties will enter into a Participation Agreement with CalMHSA who is administering the HCAI WET grant funding. The participation agreement outlines funding to the counties. The Department of Behavioral Health recommends entering into the Participation Agreement with CalMHSA for Superior Region

program activities. The term of the agreement is July 1, 2022 through June 30, 2025. The Participation agreement shall not exceed \$160,060 – action requested – APPROVE THE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)

- 3.02 Agreement with California Department of Health Care Services (DHCS) for the Mental Health Plan - DHCS administers mental health care plans for the counties of California. DHCS requires the Department of Behavioral Health to enter into an agreement, which describes terms and conditions to remain in compliance with the regulations for provision of specialty mental health services to Medi-Cal beneficiaries. DHCS requires a resolution authorizing the Director of the Department of Behavioral Health to sign the agreement. DHCS works closely with the Centers for Medicare and Medicaid Services (CMS) and the County Behavioral Health Directors Association of California on the development of this agreement. CMS approved this version of the Mental Health Plan agreement pursuant to the Medicaid Managed Care regulations. The Department recommends that the Board approve a new agreement with DHCS regarding provision of specialty mental health services to Butte County Medi-Cal beneficiaries. The term of this agreement will be July 1, 2022 through June 30, 2027 – action requested - 1) APPROVE AGREEMENT AND AUTHOIZE DIRECTOR OF BEHAVIORAL HEALTH AND THE CHAIR TO SIGN; AND 2) ADOPT THE RESOLUTION AND AUTHOIZE THE CHAIR TO SIGN. (Behavioral Health)
- 3.03 Adult Residential Services with Paramjit Singh Sandhu, dba Eldervilla - Paramjit Singh Sandhu dba, Eldervilla operates a 24-hour residential care facility for adults with persistent mental health conditions that render the individual unable to conduct life in societal conditions. This residential facility provides structure and monitoring for adults in need of mental health services, including medication support if necessary. The facility provides care and treatment needed for improved stability and potential future transition to an independent living environment. The Department recommends entering into an Agreement with Parmjit Sing Sandhu to provide 24-hour board and care and mental health services. The term of the agreement is July 1, 2022 through June 30, 2023, not to exceed \$109,686. This agreement is not measured in terms of number of clients served, as the length of stay varies based on each client's specific needs – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
- 3.04 Capital Asset purchase -Rapid Ballot Extraction Desk - During elections, the Clerk Recorder's Office is required to manually extract ballots from Vote by Mail envelopes. This is a tedious process that requires a lot of staff time. A Rapid Ballot Extractor desk automates Vote by Mail ballot opening and may reduce the number of temporary workers required for the November General Election and futures elections. The Department recommends the Board of Supervisors approve capital asset authority to purchase a Rapid Ballot Extractor desk. The cost of a Rapid Ballot Extractor desk is \$44,627. The Department has secured a Secretary of State Grant Agreement that will pay for 75% of the costs. Award will be made by purchase order – action requested – AUTHORIZE CAPITAL ASSET PURCHASE. (Clerk-Recorder)
- 3.05 Accept 2022 Local Agency Conflict of Interest Code Biennial Notices for School Districts that File Form 700s with Butte County Office of Education - The following school districts have reviewed their Conflict of Interest Codes pursuant to California Government Code section 87306.5(b) and have determined that their agency's code is current and in no need of revision. County Counsel has reviewed the 2022 Local Agency Biennial Notices and deems them to be proper: Bangor Union Elementary School District; Biggs Unified School District; Butte County Office of Education; Chico Unified School District; Durham Unified School District; Gridley Unified School District; Oroville City Elementary School District; Oroville Union High School District; Palermo Union School District; Pioneer Union Elementary School District – action requested – ACCEPT 2022 LOCAL AGENCY BIENNIAL NOTICES. (County Counsel)

- 3.06 Accept 2022 Local Agency Conflict of Interest Code Biennial Notices for Agencies that File Form 700s with the Clerk of the Board - The following agencies have reviewed their Conflict of Interest Codes pursuant to California Government Code section 87306.5(b) and have determined that their agency's code is current and in no need of revision. County Counsel has reviewed the 2022 Local Agency Biennial Notices and deems them to be proper: Butte Choice Energy; Butte County Consolidated Oversight Board; Butte County Housing Authority; Butte County Parole Board, Chico Urban Area Joint Powers Financing Authority; Durham Mosquito Abatement District; First Five Butte County Children and Families Commission ; Gridley Biggs Cemetery District; Kimsheew Cemetery District; Oroville Cemetery District; Paradise Cemetery District – action requested – ACCEPT 2022 LOCAL AGENCY BIENNIAL NOTICES. (County Counsel)
- 3.07 Accept 2022 Local Agency Conflict of Interest Code Biennial Notices for Agencies that File Form 700s with the Clerk-Recorder - The following agencies have reviewed their Conflict of Interest Codes pursuant to California Government Code section 87306.5(b) and have determined that their agency's code is current and in no need of revision. County Counsel has reviewed the 2022 Local Agency Biennial Notices and deems them to be proper: Berry Creek Community Services District; Butte County Air Quality Management District; Butte County Association of Governments; Durham Recreation and Park District; Lake Madrone Water District; Paradise Recreation and Park District; Richardson Springs Community Services District; Richvale Sanitary District; Sewerage Commission - Oroville Region; Thermalito Water and Sewer District – action requested – ACCEPT 2022 LOCAL AGENCY BIENNIAL NOTICES. (County Counsel)
- 3.08 Accept 2022 Local Agency Conflict of Interest Code Biennial Notice for Agencies that File Form 700s Internally - The following agencies have reviewed their Conflict of Interest Codes pursuant to California Government Code section 87306.5(b) and have determined that their agency's code is current and in no need of revision. County Counsel has reviewed the 2022 Local Agency Biennial Notices and deems them to be proper: Butte Creek Drainage District; Ipakanni Early College Charter School; Nord Country School; Sacramento River Reclamation District – action requested – ACCEPT 2022 LOCAL AGENCY BIENNIAL NOTICES. (County Counsel)
- 3.09 Accept 2022 Local Agency Biennial Reports for Exempt Agencies - The following agencies have reviewed their Conflict of Interest Code exemption status and have determined that the conditions for exemption from compliance with California Government Code section 87300 still exist. County Counsel has reviewed the 2022 Local Agency Biennial Reports and deems them to be proper: Bangor Cemetery District; Drainage District No. 2; Drainage District No. 100; Pine Creek Cemetery District; Thompson Flat Cemetery District – action requested – ACCEPT 2022 LOCAL AGENCY BIENNIAL REPORTS. (County Counsel)

- 3.10 Approval of Board of Supervisors Regular Meeting Minutes - Submitted for approval are the May 24, 2022, June 14, 2022 and June 28, 2022 Board of Supervisors Regular Meeting Minutes – action requested - APPROVE MAY 24, 2022, JUNE 14, 2022 AND JUNE 28, 2022 BOARD OF SUPERVISORS REGULAR MEETING MINUTES AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.11 Resolution of Intent to Change the Name of A D Lane to Gillette Way in the North Gridley Area - The Butte County Address Coordinator has received a petition to change the name of A D Lane, a privately-maintained roadway located north of Colusa Highway, approximately three miles northwest of the City of Gridley, consistent with the requirements of section 32-6 of Butte County Code. On July 26, 2022, the Board of Supervisors adopted a Resolution of Intent to change the name of A D Lane to Gillette Way and setting the time and date for the public hearing. The petitioners' preferred road name has been reviewed by the Department of Public Works and does not conflict with, duplicate or sound like any existing road names in the County. Section 32-6 specifies, "At the time set for the hearing or at any time to which the hearing may be continued, the Board shall hear and consider proposals to change the name of such road and upon adoption of the change thereof, shall make a resolution officially designating the name for said road; thereafter, such road shall be known by the name so designated" – action requested – ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 3.12 Land Conservation (Williamson) Act Contract with Rasmussen Family Trust - The Williamson Act Advisory Committee recommends entering into a contract to enroll approximately 708 acres owned by Rasmussen Family Trust, in the Williamson Act. The enrollment consists of one parcel (two APNs 027-230-012 and 027-230-111) located at 2360 Cox Lane, approximately two miles east of Palermo Honcut Highway, southeast of Palermo. The parcel will be enrolled in the Williamson Act under a contract for dry grazing. The application meets all requirements of the Williamson Act program. The Williamson Act Advisory Committee reviewed the application (LCA16-0003) on June 6, 2022, and recommended enrollment of the parcel subject to the applicant's payment of any outstanding fees. Williamson Act contracts are exempt from review under the California Environmental Quality Act per Categorical Exemption 15317 Open Space Contracts or Easements – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 3.13 Agreement and Certification with United States Department of Justice (DOJ) for Federal Equitable Sharing Program - The District Attorney's Office participates in the Federal Equitable Sharing Program. The DOJ Asset Forfeiture Program is a nationwide law enforcement initiative that removes the tools of crime from criminal organizations, deprives wrongdoers of the proceeds of the crimes, recovers property that may be used to compensate victims, and deters crime. An Equitable Sharing Agreement and Certification is required annually to be filed with the DOJ. The report for Fiscal Year 2021-22 has been prepared and summarizes program expenditures and revenues. In FY 2021-22 the Department received \$2,374, and \$7,033 was expended to enhance computer storage for the Department's case management system – action requested – 1) APPROVE THE EQUITABLE SHARING AGREEMENT AND CERTIFICATION; AND 2) AUTHORIZE ELECTRONIC SUBMISSION. (District Attorney)
- 3.14 Real Estate Fraud Annual Report for FY 2021-22 - Pursuant to Government Code section 27388, and Board of Supervisors Resolution 08-156, a fee is paid at the time of recording certain real estate documents for the purpose of providing funds for the District Attorney to deter,

investigate, and prosecute real estate fraud through the Real Estate Fraud Investigation and Prosecution Program. In accordance with annual reporting requirements, the District Attorney's Office submits its annual report to the Board of Supervisors regarding the effectiveness of the Real Estate Fraud Investigation and Prosecution Program – action requested – ACCEPT FOR INFORMATION. (District Attorney)

- 3.15 Resolution to Amend the Salary Ordinance - The Department of Human Resources recommends the Board of Supervisors adopt a resolution amending the Salary Ordinance for the following departments:

SHERIFF-CORONER: Add 1 Sheriff's Captain position and delete 1 vacant position of Deputy Sheriff and 1 vacant position of Sheriff's Lieutenant. These changes better meet the operational needs of the Sheriff's Office. Total allocations to decrease by 1. There is a net savings of approximately \$30,000 for Fiscal Year 2022-23 as a result of the request – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

- 3.16 Resolution to Amend the Salary Ordinance per Adopted Fiscal Year 2022-23 Budget - On June 28, 2022 the Board of Supervisors adopted the FY 2021-22 Budget. Included in the budget were a number of position changes. The Department of Human Resources has prepared a resolution to amend the Salary Ordinance to make the changes identified in the Adopted Budget effective September 1, 2022.

BEHAVIORAL HEALTH: Add 1 flexibly staffed Information Technology Analyst I/II position, 1 flexibly staffed Information Technology Specialist I/II position, 1 Accounting Technician, and 3 flexibly staffed Behavioral Health Worker I/II positions.

CHILD SUPPORT SERVICES: Delete 1 vacant flexibly staffed Senior Office Assistant position and 1 vacant flexibly staffed Child Support Specialist III position.

CLERK-RECORDER: Add 1 flexibly staffed Deputy County Clerk-Recorder position.

COUNTY ADMINISTRATION: Extend the term of 1 Account Clerk position from August 12, 2022 to June 30, 2023.

DEVELOPMENT SERVICES: Convert 1 vacant Senior Planner to a flexibly staffed position of Principal Planner, Senior Planner, Associate Planner and Assistant Planner and add 1 flexibly staffed Principal Information Technology Analyst (sunset to end September 1, 2025) position.

EMPLOYMENT AND SOCIAL SERVICES: Add 1 flexibly staffed Social Worker position.

PUBLIC WORKS: Add 1 Waste Management Deputy Director position and delete 1 vacant flexibly staffed Senior Civil Engineer position.

SHERIFF-CORONER: Add 1 Administrative Analyst I position (sunset to end September 1, 2025).

Action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

- 3.17 Child Health and Disability Prevention (CHDP), CHDP Childhood Lead Poisoning Prevention Program (LPP) and Health Care Program for Children in Foster Care (HCPCFC) Annual Plan for Fiscal Year 2022-23 - Per California Department of Health Care Services (DHCS) guidelines and regulations, each year the Department of Public Health is required to prepare a Systems of Care Division (SCD) Plan for the CHDP, CHDP LPP and HCPCFC programs. SCD of DHCS is committed to assuring the health of California children through access to services for all children, in partnership with families and communities. The SCD plan summarizes program activities within the CHDP, CHDP LPP, and HCPCFC programs for the year. The CHDP program focuses on complete health assessments for the early detection and prevention of disease and disabilities in children and youth. In addition, CHDP focuses on medical provider resource development, informing about CHDP services to eligible families, and health education activities during community outreach events to help link families to Medi-Cal services for their children. As part of the medical provider resource development, the LPP program is for CHDP staff to verify that providers are following the established health care standards for blood testing of children for lead exposure by conducting chart reviews. The HCPCFC program administratively coordinates the health care needs of children in foster care, such as their development, dental, and mental health needs. A Public Health Nurse (PHN) ensures that identified health needs are monitored and support the continuity of health care services while in foster care placements. The PHN consults with physicians and other medical and non-medical professionals regarding the health and well-being of children in the HCPCFC program and in coordinating appropriate medical treatment – action requested - 1) APPROVE SUBMISSION OF THE FY 2022-23 PLAN TO THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES FOR CHDP, CHDP LPP AND HCPC; AND 2) AUTHORIZE THE CHAIR TO SIGN PLAN DOCUMENTS. (Public Health)
- 3.18 Agreement Amendment with the California Department of Public Health (CDPH) for Supplemental Nutrition Assistance Program-Education (SNAP-Ed) through the CalFresh Healthy Living Program The Public Health Department has received grant funding from CDPH to provide SNAP-Ed allowable nutrition education and obesity prevention activities for low-income Butte County residents through the CalFresh Healthy Living Program. The focus of the program is health promotion and community change efforts. The goal is to assist the CalFresh Healthy Living program target audience to establish and maintain healthy eating habits and a physically active lifestyle to assist in the prevention of nutrition-related chronic disease. The Department has participated in providing SNAP-Ed nutrition, education, and obesity prevention activities since 2012. The Department has a grant agreement with CDPH for the SNAP-Ed program. The term of the agreement is October 1, 2019 through September 30, 2022, with a maximum amount receivable of \$1,042,587. The Department recommends amending the grant agreement with CDPH for the SNAP-Ed program. The amendment extends the term by one year through September 30, 2023 and increases the maximum amount receivable by \$347,529, not to exceed \$1,390,116. All other terms remain the same – action requested – APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)

- 3.19 Contract with Apex Fence Co. Inc., for the Cohasset Metal Beam Guard Rail (MBGR) Highway Safety Improvement Program (HSIP) Project - On June 14, 2022, the Board of Supervisors authorized the Department of Public Works to advertise bids for the Cohasset MBGR HSIP Project. The project will remove the existing, outdated MBGR and replace it with the current standard Midwest Guardrail System (MGS), which has a taller height, improved end treatments, and additional design features that enhance motorist safety. Approximately 2.7 miles of new MGS will be installed along the outer edges of the westbound and southbound lanes along Cohasset Road between Nicalog Road and Jack Rabbit Flat Road. The engineer's estimate for construction is \$900,000. That estimate included the total project costs, with construction costs estimated at \$743,173. The Department advertised the project on July 14, 2022, and received six bids on August 2, 2022. The lowest responsive bidder was Apex Fence Co. Inc., of Anderson, with a bid amount of \$439,100. Department staff acknowledges the need to conservatively bid federally funded projects to ensure adequate construction project funding is available. In addition, the highly competitive nature of this project resulted in bids that were lower than the engineer's estimate. The Department recommends that the Board award the contract to Apex Fence Co. Inc. for \$439,100 and authorize the Director of Public Works to sign the contract and order changes or additions in the work being performed per Public Contract Code section 20142 – action requested - 1) AWARD THE CONTRACT TO APEX FENCE CO. INC.; AND 2) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN THE CONTRACT AND ORDER CHANGES OR ADDITIONS IN THE WORK BEING PERFORMED. (Public Works)
- 3.20 Contract with Knife River Construction for New Skyway Rehabilitation - On January 25, 2022, the Board of Supervisors authorized the Department of Public Works to advertise for bids for the New Skyway Rehabilitation Project. The project will consist of removing 3 inches of existing asphalt concrete and replacing it with 3 inches of new asphalt concrete on New Skyway from the Paradise town limits, 415 feet north of Pentz Road to Coutolenc Road. The revised engineer's estimate for construction at the time of project advertisement was \$1,172,713, which was an increase from the January engineer's estimate of \$900,000 due in part to the current economic climate and the volatile state of crude oil prices. The project was advertised on July 7, 2022, and a total of two bids were received on July 28, 2022. The lowest responsive and responsible bidder was Knife River Construction of Chico with a bid of \$603,740. The Department acknowledges the need to conservatively bid federally funded projects to ensure adequate construction project funding is available. In addition, due to an unpredictable market and numerous influencing factors, bids were lower than engineer's estimate. The Department recommends the Board award the contract to Knife River Construction and authorizes the Director of Public Works to sign the contract and order changes or additions in the work being performed per Public Contract Code section 20142 – action requested - 1) AWARD THE CONTRACT TO KNIFE RIVER CONSTRUCTION; AND 2) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN THE CONTRACT AND ORDER CHANGES OR ADDITIONS. (Public Works)

- 3.21 Contracts for On-Call Tree Removal and Vegetation Management Services - On June 24, 2022, the Department of Public Works released a Request for Proposals (RFP) for on-call tree removal and vegetation management services. The RFP identified that the Department intended to award an initial contract to one or more firms that met the qualification criteria and have successfully performed services on similar projects in the past. The contracts will provide additional capacity to supplement personnel with day-to-day operations and provide emergency services during storm events. On July 19, 2022, the Department received two proposals which were evaluated based on experience, capacity, and overall qualifications. The Department determined that both firms meet the qualification criteria. The Department recommends that the Board of Supervisors enter into a contract with P31 Enterprises, Inc. of Oroville, and West Coast Arborist, Inc. of Stockton for on-call tree removal and vegetation management services. The term of each contract is August 23, 2022, through August 23, 2025, not-to-exceed \$250,000 –action requested – APPROVE CONTRACTS (2) AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.22 Capital Asset Surplus - Vehicles for Auction - The Board of Supervisors declares vehicles surplus that are no longer serviceable or no longer needed by the County before auctioning the items. The Department of Public Works recommends the Board declare nine vehicles and four capital assets as surplus to the needs of the County, as the assets are either outdated, in poor condition, or the repair costs exceed the value of the asset – action requested - DECLARE CAPITAL ASSETS (13) SURPLUS TO THE NEEDS OF THE COUNTY. (Public Works)
- 3.23 Agreement with US Department of Justice and Certification for Federal Equitable Sharing Program The Sheriff's Office and the Butte Interagency Narcotics Task Force (BINTF) participate in the Federal Equitable Sharing Program as part of the Department of Justice Asset Forfeiture Program, which is a nationwide law enforcement initiative that removes the tools of crime from criminal organizations, deprives wrongdoers of the proceeds of the crimes, recovers property that may be used to compensate victims, and deters crime. In order to participate in the program, an annual Equitable Sharing Agreement and Certification must be electronically filed with the U.S. Department of Justice by the County on behalf of the Sheriff's Office and BINTF. The agreement and certification for FY 2021-22 have been prepared and summarize program expenditures and revenues. In FY 2021-22, BINTF and the Sheriff's Office received \$99,242 and expended \$0. In addition a revision to the certificate for FY2020-21 has been prepared to correct a clerical error made on the amount of Other Income. Other Income was reported as \$0 on the certificate that was submitted last year but should have been reported as \$1,596.88. The department recommends approving the Equitable Sharing Agreement and Certifications for FY 2021-22 and the revised version for FY 2020-21 and authorizing electronic submission by staff – action requested - 1) APPROVE AGREEMENT AND CERTIFICATIONS AND AUTHORIZE THE CHAIR TO SIGN; AND 2) AUTHORIZE ELECTRONIC SUBMISSION. (Sheriff)

- 3.24 Budget Adjustment for Helicopter Maintenance and Repair - The Sheriff's Office utilizes four aircraft in the performance of its day to day public safety operations and costs related to routine maintenance of each aircraft are included in the recommended budget each year. At times, unexpected repairs are needed on an aircraft that exceed the funds that were budgeted in a given year. The Sheriff's Office established Air Operation Program funds, which primarily consists of revenue received from outside agencies for use of the aircraft, in order to offset the cost of unexpected major maintenance and repair items when needed that are held within the Sheriff's Equipment Replacement Fund. During a recent routine maintenance check, it was determined that an overhaul of major engine and drive shaft components is needed on one of the helicopters that was not included in the budget this fiscal year. The department recommends allocating \$74,000 in accordance with the related budget adjustment to pay for necessary helicopter maintenance and repair – action requested – APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED) (Sheriff)
- 3.25 Contract Amendment with Katherine Raven, MD for Forensic Pathology Services - The County Coroner is required to perform autopsies and inquests into certain deaths under Government Code sections 27460 et seq. There are circumstances during which the Coroner must work in consultation with a board-certified forensic pathologist certified by the American Board of Pathology. The Sheriff's Office currently contracts with two pathologists for forensic pathology services. Estimates for Dr. Raven's contract amount were based on her providing services only when the other pathologist was not available. Dr. Raven is now being used as the primary pathologist and the maximum amount payable for her contract needs to be increased to accommodate the additional services she will be providing for the balance of the term of the contract. The Sheriff's Office recommends amending the contract with Katherine Raven, MD for Forensic Pathology Services. The amendment increases the maximum payable amount by \$452,872, not-to-exceed \$977,872. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff)
- 3.26 Surplus Capital Assets - The Sheriff's Office identified several capital assets that have reached the end of their useful life, which includes a helicopter acquired through Federal 1033 program. The helicopter and related parts are to be disposed of in accordance with 1033 program guidelines. The Sheriff's Office recommends declaring seven capital assets as surplus. Sirron civil software (Asset# 26309); HP DL370 server (Asset# 27579); 1972 Bell 058 Helicopter and related parts (Asset #s: 24365, 24365.1, 24366, 24366.1, 24366.2) – action requested – DECLARE CAPITAL ASSETS (7) TO THE NEEDS OF THE COUNTY. (Sheriff)

4. REGULAR AGENDA

4.01 Boards, Commissions, and Committees

(List available at www.buttecounty.net/clerkoftheboard/appointmentslist)

A. Appointments to Listed Vacancies

1. Appointments to the Butte County Behavioral Health Board (BHB)

The BHB was established pursuant to Welfare and Institutions Code section 5604 to: review and evaluate the community's mental health needs, services, facilities and special problems; review County agreements entered into pursuant to the Mental Health Services Act; advise the local Mental Health Director regarding the local mental health program; review and approve the procedures used to ensure resident and professional involvement of the planning process; submit an annual report on the needs and performances of the County's mental health system; review and make recommendations on applications for appointment of a local Mental Health Director; review and comment on the County's performance outcome data and communicate its findings to the Behavioral Health Planning Council; and assess the impact of realignment from the State to the County on services delivered to clients and the local community. The BHB consists of 13 to 15 members, with 50% of the membership being direct consumers or family members of consumers who are receiving mental health services, with three being direct consumers and three being family members of consumers receiving mental health services; one member of the Board of Supervisors; one law enforcement representative; one youth representative; and community members (up to six). Staff recommends appointing Jessi Wallis to the Youth Representative seat with a term ending August 23, 2024 and appointing Bobby O'Reilly to a Community Member seat with a term ending August 23, 2024 – action requested - APPOINT JESSI WALLIS TO THE YOUTH REPRESENTATIVE SEAT WITH A TERM ENDING AUGUST 23, 2024 AND APPOINT BOBBY O'REILLY TO A COMMUNITY MEMBER SEAT WITH A TERM ENDING AUGUST 23, 2024. (Other – Butte County Behavioral Health Board)

2. Reappointment to the Housing Authority of the County of Butte - The Housing Authority of the County of Butte (HACB) assists low and moderate income residents of Butte County to secure and maintain high quality affordable housing. Subsidized housing is provided to families, seniors and disabled individuals whose income is between 50% and 80% of median area income. Funding for the various programs is provided by the U.S. Department of Housing and Urban Development and the USDA Rural Development. The HACB is governed by a seven-member Board of Commissioners appointed by the Board of Supervisors. Five of the seven commissioners are appointed by the Board of Supervisors, with each Supervisor recommending one member. The Board of Supervisors also appoints two Tenant Commissioners, with one Tenant Commissioner being over the age of 62-years-old. The terms of Commissioners appointed by the Board of Supervisors shall coincide with the term of the recommending Supervisor. Tenant Commissioners shall serve two-year terms. The HACB requests that the Board of Supervisors reappoint Charles Alford as the Tenant Commissioner with a term ending August 23, 2024 – action requested - REAPPOINT CHARLES ALFORD AS THE TENANT COMMISSIONER WITH A TERM ENDING AUGUST 23, 2024. (Other – Housing Authority of the County of Butte)

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)

- 4.02 Board of Supervisors Public Comment - Comments to the Board on issues and items not listed on the agenda. Pursuant to California State law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda. Please note that Public Comment is in two separate sections. One as the first regular item on the agenda, which will last a maximum of 15 minutes, with another to follow as the last item on the regular agenda with no time limits.

- 4.03 Employment Contract for County Counsel - Approval is requested for the employment contract with Brad Stephens, County Counsel. The term of the contract is from August 23, 2022 through August 22, 2026. The proposed annual salary is \$229,413 – action requested – APPROVE THE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 4.04 Amendment to Employment Contract for Human Resources Director - Approval is requested to amend the employment contract with Sheri Waters, Human Resources Director, to extend the expiration date from September 23, 2022 to December 23, 2022. All other terms, including the salary of \$148,425, remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 4.05 Consideration of Special District Service Charges for Fiscal Year 2022-23 - A County Service Area (CSA) or Permanent Road Division (PRD) is a type of dependent special district governed by the Board of Supervisors. Some CSAs and PRDs are funded by service charges to property owners within the district. These service charges are set annually by the Board based on anticipated expenses included in the adopted CSA and PRD budgets. The charges must be approved by mid-September in order for the Auditor-Controller to deliver the assessment roll timely to the Treasurer-Tax Collector, in accordance with Revenue & Taxation Code section 2601(c), for the preparation of tax bills. Staff have put together the proposed per parcel service charges for Board input and will be returning with a public hearing on September 13, 2022, for consideration of the annual establishment of per parcel services charges to be placed on the tax roll. These charges are available for public viewing at the County Administration Office, and may also be found online at www.buttecounty.net/CSAcharges - action requested - PROVIDE DIRECTION TO STAFF. (County Administration)

- 4.06 Successor Memorandum of Understanding (MOU) between the County and Butte County Deputy District Attorney's Association-Attorney's Unit (BCDDAA) - The County and the bargaining team for BCDDAA have met and conferred over a successor MOU. Consistent with Board direction the agreed upon significant changes in the successor MOU are: 1) Implementation of the Koff & Associates Classification and Compensation Study; 2) a one-time payment of \$2,000 in September 2022, one-time payments of \$1,000 in July 2023 and 2024; 3) Increase to the County Contribution to the Health Plan; 4) Increase to the Cashback amount for both employee tiers; 5) Increase to the amount for Bilingual Premium; 6) Term is from Board adoption through September 30, 2025 – action requested – 1) APPROVE MOU; AND 2) ADOPT RESOLUTION TO AMEND THE SALARY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

- 4.07 Criminal Justice Case Management System Contract - The Probation Department currently utilizes a Case Management System and Juvenile Detention Management System to manage offenders under the care of the Probation Department. The current contract for such services is set to expire, which necessitated the renewal of another contract with Tyler Technologies. The Probation Department has utilized Tyler Technologies, formerly CaseloadPro, since 2016. It was determined by General Services Department that it is in the best interest of the County to standardize these services from Tyler Technologies through May 11, 2032. Tyler Technologies will host a Criminal Justice Case Management System and Juvenile Detention Management System that has been written specifically for the needs of a Probation Department and a Juvenile Detention Facility. The system is designed to interface and share data among other agencies and law enforcement as well as calendar systems. The Department recommends entering into a contract with Tyler Technologies for a Criminal Justice Case Management System. The term of the contract is August 30, 2022 through August 31, 2027, not-to-exceed \$1,151,940 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Probation)
- 4.08 Resolution Giving Notice of Hearing to Vacate an Unnecessary Public Service Easement West of Fig Street in the Western Pacific Addition of Oroville - The Department of Public Works has received a petition to abandon portions of an unnecessary public service easement located between Fig Street and Lakeland Boulevard, northeast of Oroville. The Department has evaluated the request and determined that the easement is not needed for public purposes. The affected parcels are located along Fig Street between Gold Avenue and Lakeland Boulevard, northeast of Oroville. On November 14, 1905, the unimproved easement was created by a map (Book 4 of Maps, pg. 16) as part of Block 15 of the Western Pacific Addition to Oroville. The applicant, Amadu Kamara, is the property owner of two affected parcels (APNs: 033-027-002 and 033-027-003) and intends to merge both parcels after the proposed road abandonment is approved. The owner of the other affected parcel (APN: 033-027-004) is Russell Grimenstein. Under Streets and Highways Code section 8321, a petition for vacation was signed by 11 freeholders and submitted on November 6, 2020. Government Code Section 65402 requires that the proposed road abandonment be presented to the Planning Commission to determine consistency with the General Plan. On December 9, 2021, the Planning Commission adopted a resolution verifying that it conformed with the County's General Plan. The Department recommends the Board adopt a resolution setting the public hearing to consider the easement abandonment on September 13, 2022 – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

- 4.09 Neal Road Recycling and Waste Facility (NRRWF) Wildfire Resiliency and Fuels Management Request for Qualifications (RFQ) - On March 22, 2022, the Board of Supervisors discussed the potential use of recently acquired properties adjacent to the NRRWF for projects that can support wildfire resiliency and fuels management. The Board directed the Department of Public Works to prepare an RFQ soliciting proposals for projects that can utilize one or all of these properties to support sustainable fuels management and wildfire resiliency efforts in Butte County. The RFQ was released on May 5, 2022 and sought to explore the highest and best use of the properties to process and/or utilize woody biomass fuels to improve wildfire resiliency and support fuels reduction efforts in Butte County. Additional goals of the RFQ included the project's economic benefit to Butte County, reduction in greenhouse gas emissions, opportunities to develop sustainable sources of renewable energy, direct and indirect job creation, and compatibility/integration with NRRWF goals and objectives such as compliance with Senate Bill 1383. On June 21, 2021, the Department received one Statement of Qualification. The Department invited the firm to participate in a selection interview that included panelists from the Department of Public Works and County Administration. SWCA Environmental Consultants of Half Moon Bay, provided the sole proposal, which proposed to provide the County with a feasibility study to explore a potential biomass facility on the proposed project site at a cost of approximately \$175,000. The proposed feasibility study may not be aligned with the Board's goals or the intent of the RFQ and the Department requests additional feedback and direction from the Board – action requested – PROVIDE DIRECTION TO STAFF. (Public Works)
- 4.10 Consideration of an Ordinance Amending Article XIII.5, Entitled "Children and Families Commission," of Chapter 2, Entitled, "Administration" - In 1998, California Voters approved Proposition 10, which applied a tax on tobacco products to fund improved outcomes for young children. First 5 Butte County Children and Families Commission (Commission) uses these tax dollars to fund local programs and services for young children to enhance their health and early growth experiences. First 5 is part of a Statewide effort to create a seamless system of integrated and comprehensive programs and services by establishing community-based programs to provide parental education and family support services relevant to effective childhood development; encouraging pregnant women and parents of young children to quit smoking; and educating the public on the importance and the benefits of nurturing, health care, family support, and child care. The Board of Supervisors passed an ordinance in 1998 after the passage of Proposition 10 establishing Article XIII.5 - Children and Families Commission within Chapter 2 of the Butte County Code. The original ordinance was developed before the Commission had established a staff structure, policies and procedures, a strategic plan, or a funding plan. The proposed ordinance aligns the Butte County Code with the Proposition 10 statutes, establishes the Department of Behavioral Health Director or designee as a permanent member, and streamlines strategic plan, budget and annual reporting requirements. The First 5 Commission recommends the Board adopt the proposed ordinance amending the Butte County Code for the Children and Families Commission – action requested – WAIVE THE FIRST READING OF THE ORDINANCE. (Other – First 5)
- 4.11 Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer
- A. North Complex Fire Update
 - B. CAO Comment
- 4.12 Board of Supervisors Public Comment (Continuation as Needed) - 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.

4.13 Items Removed from the Consent Agenda for Board Consideration and Action5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 9:05AM – Timed Item – Application for Outdoor Festival License for the Forest Ranch Lions Club (MISC22-0021) - Fire Volunteer Fundraiser BBQ - The Forest Ranch Lions Club has submitted an application for an Outdoor Festival License per Chapter 12, Article III. Outdoor Festivals. The event, called the Fire Volunteer Fundraiser BBQ, is proposed for one day (Saturday, September 10, 2022) from 11:00 a.m. to 3:00 p.m. The applicant anticipates a maximum of 200 attendees, with a maximum of 45 people helping to set up and work the event. The festival site is located at 15456 Forest Ranch Way, Forest Ranch, at the intersection of Forest Ranch Way (State Highway 32) and Nopel Avenue, approximately 12 miles northeast of the City of Chico (APN: 063-230-021). The festival is proposed to benefit Forest Ranch Volunteer Fire Co. #24, and will consist of a lunchtime meal and 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, and temporary nature of the project is categorically exempt from the California Environmental Quality Act (CEQA), 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." The Department recommends that the Board of Supervisors approve the application for an outdoor festival license, subject to the recommended conditions related to: submittal of a formal site plan, hours of operation/amplified noise, potable water, solid waste management, restroom and hand washing stations, waste water management, dust & traffic control, fire management, and insurance requirements – 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 (MISC22-0021), SUBJECT TO CONDITIONS. (Development Services)

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 Systems 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 Actual litigation pursuant to Gov. Code Sec. 54956.9(d)(1) - two cases:

- A. Beaver, et al, v. County of Butte, et al., U.S. District Court, Eastern District, Case No. 20-cv-00279
- B. Murphy v. Butte County Department of Employment & Social Services, et al., Butte County Superior Court, Case No. 18CV01893.

Butte County
Department Heads

Agricultural
Commissioner:
Louie Mendoza

Assessor*:
Diane Brown

Auditor-Controller*:
Graciela Gutierrez

Behavioral Health:
Scott Kennelly

Chief Administrative
Officer:
Andy Pickett

Chief Probation Officer:
Melissa Romero

Child Support Services:
Sean Farrell

Clerk-Recorder /
Registrar of Voters*:
Candace Grubbs

Interim County Counsel:
Brad Stephens

Development Services:
Paula Daneluk

District Attorney*:
Mike Ramsey

Employment & Social
Services:
Shelby Boston

Fire Chief:
Garrett Sjolund

General Services:
Grant Hunsicker

Human Resources:
Sheri Waters

Information Systems:
Paul LaValley

Library:
Narinder Sufi

Public Health:
Danette York

Public Works:
Joshua Pack

Sheriff-Coroner*:
Kory Honea

Treasurer-Tax Collector*:
Troy Kidd

UC Cooperative
Extension Advisor:
Luis Espino

Water & Resource
Conservation:
Kami Loeser

*Elected Official

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Information and Procedures Concerning the Agenda and
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 on the Clerk of the Board website page.

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 County Administrative Office upon request.

Agenda Format and Meeting Order:

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

1. **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. Public Comment limited to 3 minutes, and may be adjusted to the discretion of the Chair.
2. **Consent Agenda:** These items 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.
3. **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.
4. **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.
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 residents. 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 Administration Office
25 County Center Drive, Suite 200, Oroville, CA 95965
530.552.3300