



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

APRIL 26, 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

BRUCE ALPERT, 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 Clean Earth Environmental Solutions for Agriculture Pesticide Collection and Disposal - On November 9, 2021, the Board of Supervisors approved a revenue agreement with the Department of Pesticide Regulation (DPR) for a Pesticide Disposal Project to provide a safe means for farmers/growers in Butte, Glenn, and Tehama Counties to dispose of unwanted pesticides. The revenue agreement with the DPR is \$200,000 and requires a Tri-County Memorandum of Understanding (MOU). On December 14, 2021, the Board of Supervisors approved an MOU between the Butte, Glenn, and Tehama Counties. The MOU set forth a Tri-County agreement relating to the collaborative services required to establish the Pesticide Disposal Project. The term of the MOU is January 11, 2022 through June 24, 2022 and includes local costs per county to be deposited with Butte County. On February 2, 2022, the County solicited a request for proposal for a subcontractor to provide collection, transport and disposal services for a two-day event to allow farmers/growers in Butte, Glenn, and Tehama Counties to dispose of unwanted pesticides. Clean Earth Environmental Solutions of Rancho Cordova submitted a proposal and was the sole responsive bidder and was selected by the County. The

Department of Agriculture recommends that the Board of Supervisors approve an agreement with Clean Earth Environmental Solutions for agriculture pesticide collection and disposal. The term of the contract is April 26 through June 24, 2022, not-to-exceed \$200,000 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Agriculture)

- 3.02 Contract with Mark Thomas for Community Emergency Evacuation Planning and Budget Adjustment - The California Department of Housing and Community Development (HCD) receives funding from the United States Department of Housing and Urban Development (HUD) for Community Development Block Grant Mitigation (CDBG-MIT) to fund the Resilient Planning and Public Services Program (PPS). These funds are available to specific communities impacted by 2017 disasters in California, which includes the 2017 Wind Complex Fire, for the purpose of planning and public services that reduce risks of natural hazards. Eligible activities include public services targeted to low and middle-income residents mitigation planning, and capacity building. On February 9, 2021 the Board of Supervisors approved submitting a CDBG-MIT grant to HCD for a community emergency evacuation planning project (Project). Butte County was awarded \$455,000 for the Project. The Project will include updating or expanding community emergency evacuation plans for 10 rural unincorporated communities and the incorporated City of Biggs based on a community emergency evacuation analysis, which will include a traffic flow analysis. The County issued a Request for Proposals (RFP) on November 5, 2021 targeting a firm to develop community emergency evacuation plans and the solicitation was canceled so additional clarity could be added. The County issued a new RFP for services on January 14, 2022 and received one proposal. A committee composed of the Fire Department, Sheriff's Office, the Department of Development Services, the Department of Public Works and the Office of Emergency Management selected Mark Thomas of Sacramento as a qualified respondent. County staff recommends the Board of Supervisors enter into an agreement with Mark Thomas for community emergency evacuation planning. The term will be upon Execution for 24 months; not-to-exceed \$418,954. The Department also recommends the Board approve a budget adjustment in the amount of \$60,000 for the expenses related to the contract prior to June 30, 2022. The expense for the contract is eligible for reimbursement from the CDGB-MIT-PPS grant – action requested - 1) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5TH VOTE REQUIRED). (County Administration)
- 3.03 Approval of Board of Supervisors Regular Meeting Minutes - Submitted for approval are the June 22, 2021, September 28, 2021, December 14, 2021 and January 11, 2022 Board of Supervisors Regular Meeting Minutes – action requested - APPROVE JUNE 22, 2021, SEPTEMBER 28, 2021, DECEMBER 14, 2021 AND JANUARY 11, 2022 BOARD OF SUPERVISORS REGULAR MEETING MINUTES AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.04 Purchase of Capital Assets and Budget Adjustment – The Board of Supervisors authorized staff to apply for funding under the FFY 2021 HSGP on April 27, 2021. On April 5, 2022 staff received notice from the Governor's Office of Emergency Services that the grant application in the amount of \$281,822 was approved. Utilizing a portion of these funds, staff recommend submitting purchase requisitions for the following items: 1) \$4,000 Faraday Box - Sheriff's Office - An electronic shielding box for electromagnetically sensitive evidence such as cell phones. Capital Assets: 1) \$21,000 Albert System - County Administration, Information Systems - This is a network security Intrusion Detection System; 2) \$42,752 Explosive Ordnance Disposal Suit - Sheriff's Office; 3) \$20,000 Whooster – Sherriff's Office – a Social Media investigative tool – action requested - AUTHORIZE THE PURCHASES (THREE OF WHICH ARE CAPITAL ASSETS) AND APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (County Administration – Office of Emergency Management)

- 3.05 Contract with HQE Systems, Inc. for Early Warning System Assessment - Butte County has gained significant knowledge and experience over the past several year of disasters. The Butte County Office of Emergency Management in partnership with the Butte County Sheriff's Office have recommended the implementation of an early warning system to be utilized during emergencies in the unincorporated areas of the County. Butte County Office of Emergency Management issued a Request for Proposal to identify a firm to assess the County's early warning system needs. Three proposals were received that met the minimum qualifications. HQE Systems, Inc. was selected as the vendor best able to meet the needs of the County. Staff recommend approval of the contract with HQE Systems, Inc. with a term of April 26, 2022 through June 15, 2022 and a not to exceed amount of \$31,064. Funding for this project will be provided by Hazard Mitigation Grant Program (HMGP) and requires a 25% match totaling \$7,766. Grant funds and the required match are included in the FY 2021-22 Adopted Budget – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration – Office of Emergency Management)
- 3.06 Resolution Recognizing Bruce S. Alpert Upon His Retirement from Butte County - County Counsel's Office 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 – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Counsel)
- 3.07 Resolution Recognizing May 2022 as Building Safety Month and Approval of the Expired Permit Amnesty Program for May 1, 2022 Through June 30, 2022 - The Building Safety Month (May 2022) and Permit Amnesty Program (May 1, 2022 through June 30, 2022) are aimed at protecting public health, home and business owner safety, and the environment by encouraging property owners to complete the County's permit process. These efforts are designed to ensure construction meets acceptable standards and to educate the public about building codes through outreach activities. The Amnesty Program provides property and business owners the opportunity to apply for permits for buildings, additions, and remodels not previously permitted with the following assistance: the 60% investigative building permit penalty fees would not be imposed; and a staff member will be assigned to assist the property owners through the application process. Completing the building permit process can assist property owners who may have their properties on the market where the sale may be jeopardized due to unpermitted or incomplete work. Residential, industrial, and non-residential permits are eligible for the Permit Amnesty Program – action requested - 1) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE A BUILDING PERMIT AMNESTY PROGRAM FOR MAY 1, 2022 THROUGH JUNE 30, 2022 IN WHICH THE 60% PENALTY FEE WOULD NOT BE IMPOSED TO ELIGIBLE APPLICANTS. (Development Services)

- 3.08 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:

LIBRARY: Add 1 Account Clerk position and delete 1 vacant Senior Library Assistant position. This request will better suit the current and future operational/fiscal needs of the Department. Total allocations to remain unchanged. Total cost will result in an annual decrease of approximately \$1,934 compared to the amount that was budgeted for the Senior Library Assistant position in the FY 2021-22 Adopted Budget.

SHERIFF'S OFFICE: Add 1 Financial Technician position and delete 1 vacant flexibly staffed Administrative Analyst position effective May 1, 2022. This request will address operational needs of the Sheriff's Office. Total allocations to remain unchanged. The recommended action will result in an annual decrease of approximately \$24,000 compared to the amount that was budgeted for the Administrative Analyst position in the FY 2021-22 Adopted Budget.

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

- 3.09 Contract with Craig Frederick, CivicPlus (CivicPlus) for Website Upgrade and Content Migration - On October 12, 2021, the Board of Supervisor's approved \$140,000 in one-time American Rescue Plan Act (ARPA) funding to upgrade the County Website and license it for two years. The Department of Information Systems issued a Request for Proposal (RFP) in August 2021, and received eight proposals ranging from \$71,481 to \$77,500. Four proposals met the minimum qualifications. CivicPlus, Manhattan, KS was selected as the vendor best able to meet the needs of the County. The proposal included reliable messaging during disasters, accessibility for disabled residents, and site wide encryption. The Department of Information Systems recommends the Board of Supervisors enter into a contract with CivicPlus for website upgrade and content migration. The term of the contract is 12 months from the date of execution, not-to-exceed \$71,481 – action requested – APPROVE THE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Information Systems)

- 3.10 Budget Adjustment and Capital Asset Purchase for the Pretrial Release Program - The Butte County Superior Court (BCSC) and the Probation Department are in the process of developing a Memorandum of Understanding (MOU) to define the ongoing collaboration for pretrial release program, which is set to begin July 1, 2022. The Department will provide supervised pretrial release services to participants. It is anticipated the program will serve approximately 300 individuals a year with an average daily population of 100 individuals under pretrial supervision services. Implemented services will assist in strengthening pretrial services currently being offered to participants. The BCSC received a one-time allocation and anticipates an ongoing annual allocation from the Judicial Council of California (JCC) to implement and operate pretrial services. Ongoing pretrial funds distributed to BCSC for fiscal year 2021-22 must be encumbered or expended by the end of the fiscal year (June 30, 2022) or funds will revert back to the State. The BCSC intends to provide the Department reimbursement for expenses incurred up to \$336,073 from the fiscal year 2021-22 allocation. The Department will use funding for staff training, participant bus passes and bicycles, staff computer set up, instant drug tests, office expenses, drug testing lab confirmations, residential treatment, recovery residences, court reminder software, and a database integration with BCSC. The Department recommends the purchase three (3) vehicles for pretrial release program. A solicitation was performed by General Services for vehicles and the bid was awarded to the lowest bidder. Purchase orders must be issued to the winning vendor to place the vehicle order with the manufacturer before May 4, 2022 with expected delivery of the vehicles in April or May of 2023. The Department recommends the

Board of Supervisors approve the capital asset purchase of three vehicles and a budget adjustment in the amount of \$336,073 for pretrial services and equipment – action requested – 1) APPROVE CAPITAL ASSET PURCHASES (3); AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Probation)

- 3.11 Capital Asset Disposal – Centrifuge - The Board of Supervisors has authority to declare capital assets surplus that are no longer serviceable or no longer needed by the County. The Department of Public Health recommends the Board of Supervisors declare Capital Asset #23273 (Jouan Refrigerated Centrifuge) surplus to the needs of the County and provide approval for disposal at the Neal Road Landfill. The Capital Asset was purchased in 1993 and is no longer repairable or utilized by the Department – action requested – 1) DECLARE CAPITAL ASSET SURPLUS TO THE NEEDS OF THE COUNTY; and 2) APPROVE DISPOSAL OF CAPITAL ASSET. (Public Health)
- 3.12 Resolution Recognizing National Therapy Animal Day in Butte County - The Departments of Public Health, Behavioral Health and The Sheriff's Office recommend adopting a resolution recognizing April 30, 2022 as National Therapy Animal Day. National Therapy Animal day provides an opportunity to recognize the time and commitment it takes for a Therapy Animal team (the animal and their handler) to provide comfort and healing to those in need – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)
- 3.13 Authorization to Advertise and Solicit Bids for Module 5 Phase D Base Liner Project at the Neal Road Recycling and Waste Facility and Approve Project Plans and Specifications - On January 21, 2021, the Board of Supervisors accepted a Notice of Completion for the Module 5 Phase C Base liner Project. The Phase D Base Liner Project further develops Module 5 for future landfill municipal solid waste disposal. Upon completion, Module 5 Phase D will provide 1.1 million cubic yards of airspace for future solid waste disposal operations. The project includes preparing the sub-grade for construction of the landfill liner; furnishing and installing the landfill liner and its components; placement of fill, furnishing and installing landfill leachate collection piping; and further developing water pollution controls and traffic controls. The engineer's estimate for construction is \$1,175,647. The Department of Public Works recommends the Board of Supervisors approve plans and specifications and authorize the Director of Public Works to advertise and solicit bids for the Module 5 Phase D Base Liner Project – 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. (Public Works)
- 3.14 Contract Amendment with Cundiff and Associates for Polygraph Examination Services - In 2017, the Sheriff's Office and Probation Department entered into a contract with Cundiff and Associates for specialized pre-employment polygraph examination services. The Sheriff's Office and Probation Department recommend amending the contract with Cundiff and Associates for polygraph examination services to allow continuation of services while staff perform a solicitation to locate qualified vendors who can provide this service and enter into a new contract. The proposed amendment extends the term of the contract by six months through October 10, 2022 and increases the cost of each polygraph from \$300 to \$325. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff-Coroner)

- 3.15 Resolution Recognizing May 15, 2022 as Peace Officers Memorial Day and the Week of May 11 through May 17, 2022 as National Peace Officer Memorial Week - May 11, 2022 through May 17, 2022 is National Peace Officer Memorial Week, a time to honor and remember those law enforcement officers who have died in the line-of-duty protecting their communities. In 2021, 24 California peace officers died in the line-of-duty, and 458 officers died nationally while protecting their communities, 301 of which were COVID-19 related. The 24 California officers will be memorialized in Sacramento and the 458 officers killed nationwide will be memorialized in Washington D.C. These memorial ceremonies are a time to remember the brave and dedicated peace officers who accept a job that is difficult and dangerous – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff-Coroner)
- 3.16 Agreement Amendment with Employment Development Department (EDD) for Wage and Employment Data - The Treasurer-Tax Collector has a current agreement with EDD that ends on June 30, 2022, and requests approval to renew and extend this agreement until June 30, 2025. The purpose of this agreement with EDD is to obtain wage and employment verification data used in the pursuit and collection of delinquent court fines and fees through the wage garnishment process. These services are crucial to the revenue generation efforts of the Central Collections Division of the Treasurer-Tax Collector's Office. The Central Collections Division estimates 14,000 requests for data will be submitted each quarter for the term of the agreement. The new term of the agreement is July 1, 2022 through June 30, 2025, and is not-to-exceed \$4,646.40. In addition to the Board of Supervisor's approval of the agreement, the Employment Development Department requires that the Department submit a resolution, order, motion or ordinance approved by the local governing body to enter into the agreement. A minute order from the Clerk of the Board will meet the requirement – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Treasurer-Tax Collector)
- 3.17 Contract Amendment with Stanley Convergent Security Solutions for Alarm Monitoring Services - Stanley Convergent Security Solutions, Inc. (Stanley) currently provides technical repair assistance and monitors the alarm system for the Treasurer-Tax Collector's office. The Department recommends amending the contract with Stanley for alarm monitoring services. The amendment extends the term of the contract by five years through June 30, 2027, and increases the maximum payable amount by \$8,478.27. The new not-to-exceed amount is \$29,169. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Treasurer-Tax Collector)

4. REGULAR AGENDA

4.01 Boards, Commissions, and Committees

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

A. Appointments to Listed Vacancies

1. Reappointment to the Butte County Resource Conservation District - Resource Conservation Districts are special districts that help private landowners protect soil, water, wildlife habitat, and other natural resources. Resource Conservation Districts make available technical, financial and educational resources and focus or coordinate them so that they meet the needs of the local land manager with conservation of soil, water and related natural resources. The Butte County Resource Conservation District is governed by a five-member Board of Directors appointed by the Board of Supervisors, with one member being appointed by each supervisorial district. Terms of member of the Board of Directors coincide with the term of the appointing Supervisor. Supervisor Connelly recommends the Board reappoint John Christofferson to the District 1 Director seat with a term ending January 6, 2025 – action requested - REAPPOINT JOHN CHRISTOFFERSON TO THE DISTRICT 1 DIRECTOR SEAT WITH A TERM ENDING JANUARY 6, 2025. (County Administration)

2. Appointment of Delegate and Alternate Member to the Golden State Connect Authority (GSCA) Board of Directors - The GSCA requests confirmation of each member county's Delegate and Alternate to the GSCA Board of Directors. The GSCA requires that both the Delegate and Alternate appointments be members on the County's Board of Supervisors. Additionally, because the GSCA Board of Directors meetings are held in conjunction with the RCRC Board of Directors meeting, GSCA Member Counties are encouraged to consider appointing the same Delegates and Alternates for both of these entities. Supervisor Teeter requests to be appointed as the Delegate to the GSCA Board of Directors, with Supervisor Connelly serving as an Alternate for the remainder of the 2022 year – action requested - APPOINT SUPERVISOR TEETER AS THE DELEGATE TO THE GSCA BOARD OF DIRECTORS, WITH SUPERVISOR CONNELLY SERVING AS AN ALTERNATE FOR THE REMAINDER OF THE 2022 YEAR. (County Administration)

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 Termination of Local Disaster Proclamation Resolution Due to COVID-19 - A local emergency presently exists in Butte County due to COVID-19 in accordance with the proclamation made by the Chief Administrative Officer on March 6, 2020, and affirmed and ratified by the Board of Supervisors on March 10, 2020. The local disaster proclamation enables the County to obtain State and federal dollars to help with the recovery. The County of Butte does hereby find the situation resulting from said conditions of extreme peril are now deemed to be within the control of the normal protective services, personnel, equipment and facilities within the County of Butte. In accordance with the California Emergency Services Act, Article 14, Section 8630, the local governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant. Pursuant to this Act, this resolution will terminate the COVID-19 local emergency proclamation – action requested – 1) TERMINATE THE LOCAL EMERGENCY PROCLAMATION; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration – Office of Emergency Management)

- 4.03 Call for Mailed Ballot Election for the Formation of the Tuscan Water District - The Butte Local Agency Formation Commission (LAFCO) adopted Resolution 11 2021/22 approving the application for the formation of the Tuscan Water District on February 3, 2022, subject to a protest hearing and a landowner election. The Protest Proceedings were concluded on April 5, 2022, and there was insufficient protest to terminate the formation application and therefore, an election must be called. The California Water Code (34000) establishes that a mailed ballot election be held on the formation question, to include also a parcel assessment and selection of directors. The Cortese Knox Hertzberg Local Government Reorganization Act of 2000 (GC57000(d)) directs the following: (d) When the commission makes a determination pursuant to this division that will require an election to be conducted, it shall inform the board of supervisors and the elections official of the affected county of that determination and request the board to direct the elections official to conduct the necessary election. (e)(1) When a board of supervisors is informed by the commission that a determination has been made that requires an election, it shall, within 45 days of receipt of the notification, direct the elections official to conduct the necessary election. The board shall do all of the following: (A) Call, provide for, and give notice of a special election or elections upon that question. (B) Fix a date of election. (C) Direct the elections official to designate precincts and polling places and to take any other action necessary to call, provide for, and give notice of the special election or elections and to provide for the conduct and the canvass of returns of the election, as determined by the commission. Butte LAFCO requests that the Board of Supervisors direct the elections official to conduct the necessary election; provide a date of the election; direct elections official to conduct the mailed ballot election and take action necessary to call, provide for, and give notice of the special election and to provide for the conduct and the canvass of returns of the election, as determined by LAFCO – action requested - 1) CALL FOR A MAILED BALLOT ELECTION FOR THE FORMATION OF THE TUSCAN WATER DISTRICT; 2) PROVIDE A DATE FOR THE MAILED BALLOT ELECTION; AND 3) DIRECT THE ELECTIONS OFFICIAL TO CONDUCT THE MAILED BALLOT ELECTION FOR THE FORMATION OF THE TUSCAN WATER DISTRICT ELECTION. (Butte LAFCO)
- 4.04 Employment Contract for Director - Public Health - County Administration recommends entering into a new employment contract with Danette York, Director - Public Health. The term of the contract is June 29, 2022 through June 28, 2025. The contract includes a salary of \$163,434, an annual increase of \$8,934. The salary range for this classification is \$144,350 to \$176,429 – action requested – APPROVE EMPLOYMENT CONTACT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 4.05 Resolution, Promulgation and Approval Letter Adopting Updated Emergency Operation Plan - The Butte County Operational Area (OA) Emergency Operations Plan (EOP) provides direction for those with emergency management responsibilities in the Butte OA. The EOP provides year-round preparedness guidance as well as specific guidance to emergency personnel activated in the event of an emergency to save lives, protect the health of its citizens, protect property and the environment, and preserve local culture and heritage. Under State guidelines EOPs are reviewed annually and updated after every disaster event. Lessons learned from major disasters required a significant rewrite of the County EOP. A Request for Proposal was initiated in 2020 and in early 2021 Tidal Basin Government Consulting, LLC was awarded the contract to rewrite the County EOP. Tidal Basin has completed its update and the Office of Emergency Management is requesting the Board of Supervisors approve and adopt the plan. The updated EOP complies with and is consistent with California's Standardized Emergency Management System (SEMS), the National Incident Management System (NIMS), California Assembly Bill 2386 (CA-AB 2386), the standards of the Emergency Management Accreditation Program (EMAP), and the Federal Emergency Management Agency's (FEMA's) standards on EOP organization for a local jurisdiction. It establishes an emergency management organization, addresses the roles and responsibilities of government organizations, and provides a link to local, State, federal, and private organizations

and resources that may be activated to address and support disasters and emergencies in the Butte OA – action requested - 1) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; 2) AUTHORIZE THE CHAIR TO SIGN PROMULGATION STATEMENT; AND 3) AUTHORIZE THE CHAIR TO SIGN OA EOP APPROVAL STATEMENT. (County Administration – Office of Emergency Management)

- 4.06 Letter of Opposition to Senate Bill (SB) 1186 - Medicinal Cannabis Patients' Right of Access Act (SB 1186) - At the request of Chair Connelly and Vice Chair Kimmelshue, staff have prepared a letter in opposition of SB 1186, which would severely undermine local decision-making under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). SB 1186 would restrict local jurisdictions from adopting or enforcing any regulation that prohibits the sale of medicinal cannabis to medicinal cannabis patients or their primary caregivers. In addition, it prohibits the application of California Environmental Quality Act as specified for local ordinances related to medicinal cannabis – action requested – APPROVE LETTER OF OPPOSITION AND AUTHORIZE THE CHAIR TO SIGN. (Districts 1 and 4)

- 4.07 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 department:

BEHAVIORAL HEALTH: Add 9 sunset positions (sunset to end June 30, 2026); 1.5 flexibly staffed Administrative Analyst positions, 3 flexibly staffed Behavioral Health Education Specialist positions, .5 flexibly staffed Information Systems Analyst position, 1 Behavioral Health Counselor Supervisor position, and 3 Peer Support Specialist positions. Add 13 regular help positions; 2 Medical Records Technician positions, 1 Support Services Supervisor position, 1 Behavioral Health Facilities Manager position, 4 Peer Support Specialist positions, 1 flexibly staffed Administrative Analyst position, 1 flexibly staffed Behavioral Health Clinician position, 1 flexibly staffed Behavioral Health Counselor position, 1 flexibly staffed Psychiatric Nurse/Staff Nurse/Licensed Vocational Nurse/Psychiatric Technician position, and 1 Contract Specialist position. Regular help positions are requested to meet operational needs within the Department's Quality Management, Substance Use Disorder Treatment Centers, Youth Services Outpatient Centers, and the Administrative Support Division. The 9 sunset positions are to support two new grants recently awarded to the Department; 4 positions are funded with a Mental Health Student Services grant that will provide suicide prevention services in collaboration with Paradise Unified School District and Butte County Office of Education; 5 sunset positions are funded with Crisis Care Mobile Units grant. This grant will expand mobile crisis response services throughout the County in collaboration with the Butte County Sheriff's Office, Chico, Oroville, and Paradise Police Departments. Total allocations to increase by 22. The requested changes will result in an estimated annual increase of \$1,729,294. Two new grant awards (\$704,769) fund the 9 sunset positions, and the 13 regular help positions are funded by state funding (\$1,024,525). The department plans on recruiting for regular help positions during FY 2021-22, the positions will not start until FY 2022-23 and the funding is included in the FY 2022-23 budget request submission.

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

- 4.08 Employment Agreement with David Bruce Canton D.O., M.P.H., J.D. - David Bruce Canton D.O., M.P.H., J.D. (Dr. David Canton) currently serves as the Interim Health Officer for Butte County. A recruitment was conducted and the Department of Public Health has made an employment offer to Dr. David Canton. Through the act of novation, the County and Dr. David Canton desire to discharge the current County Contract. Additionally, parties mutually agree to replace all obligations of parties, without recourse, with the valid terms, conditions and consideration contained in the employment agreement. Pursuant to Article IV of the County Charter, the Health Officer is an appointed position whose term is not to exceed four years. The Department recommends entering into an employment agreement with Dr. David Canton to serve as the Health Officer for Butte County. The annual salary of the position is \$207,729. The term of the agreement is April 30, 2022 through April 29, 2025 – action requested - APPROVE EMPLOYMENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)
- 4.09 Introduction of an Ordinance Amending Chapter 31 of the Butte County Code Entitled "Solid Waste Collection, Management and Recycling" Relating to the Disposal of Organic Waste - In September 2016, Governor Brown signed Senate Bill (SB) 1383: Reduction of Short-Lived Climate Pollutants, which establishes Statewide organic waste reduction targets of 50% in 2020 and 75% in 2025 for the Statewide disposal of organic waste. These reduction targets support the State's effort to reduce emissions of short-lived climate pollutants in California and support the recovery of edible food waste to reduce food insecurity. In January 2021, the Department of Public Works and the Department of Public Health partnered with CalRecycle to provide a presentation to the Board of Supervisors to review the requirements of the law, which included updating the Butte County Code. On February 8, 2022, the Board approved a resolution authorizing the Department of Public Works to submit a notification of intent to comply with SB 1383. This action provides additional time to comply with SB 1383, including the recommendation to amend Chapter 31 of the Butte County Code to reflect SB 1383 requirements. The Department worked with R3 Consulting Group, Inc. to develop the proposed ordinance to include the requirements related to compliance with the organic waste disposal; edible food recovery; monitoring; reporting; and enforcement, as prescribed by SB 1383. The Department recommends the Board waive the first reading of the ordinance – action requested – WAIVE THE FIRST READING OF THE ORDINANCE. (Public Works)
- 4.10 Drought Impact and Analysis Study - On December 14, 2021, the Board of Supervisors approved a contract with Luhdorff and Scalmanaini Consulting Engineers to conduct the drought impact analysis study. The study is needed to understand the impacts of drought conditions in 2021 and to identify recommendations to the Board, through the Drought Task Force, for actions the County may take to respond to the continued drought emergency in 2022. A presentation of content from the draft report will be given to the Board for information and discussion. The final report is expected to be released in May with discussion by the Drought Task Force thereafter. Recommendations from the Drought Task Force based on the report are expected to come back to the Board in early June. The presentation will provide pertinent information to the Board and the public ahead of the irrigation season of a third drought year. The presentation will contain information from the draft report including: 1) Overview of 2021 conditions; 2) Water transfers in the Northern Sacramento Valley (NSV); 3) Groundwater demand; 4) Groundwater levels in the NSV; 5) Evaluation of drought impacts; and 6) Next steps to improve drought resiliency – action requested – ACCEPT FOR INFORMATION. (Water and Resource Conservation)

- 4.11 Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer
- 4.12 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.
- 4.13 Items Removed from the Consent Agenda for Board Consideration and Action

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 9:20AM – Timed Item - Application for Outdoor Festival License for Debra Humes (MISC22-0007)
Debra Humes has submitted an application for an Outdoor Festival License per Chapter 12, Article III. Outdoor Festivals. The event is proposed for one day (Saturday, April 30, 2022) from 12:00 p.m. to 4:00 p.m. They anticipate a total of 300 ticketed guests with 125 sponsors/participants. The festival site will be on one parcel (APN: 007-420-006), totaling approximately 4.83-acres. The parcel is located at 13512 Highway 99, Chico, CA 95973, approximately 0.4 miles north of Chico city limits. The festival will include the tasting of beer from local microbreweries, food vendors, and live music. 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." - 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 (MISC22-0007), SUBJECT TO THE RECOMMENDED CONDITIONS. (Development Services)
- 5.02 9:30AM – Timed Item - Resolution Adopting an Interim Transportation Thresholds of Significance Under the California Environmental Quality Act (CEQA) for Vehicle Miles Traveled (VMT) - On September 27, 2013, Governor Jerry Brown signed California Senate Bill 743, Steinberg (SB 743) into law which changed the environmental emphasis under CEQA from vehicle level of service to VMT. A reduction in VMT is intended to further a State goal of reducing greenhouse gas emissions and improving air quality by reducing the emissions associated with the length and number of vehicle trips. The State Office of Planning and Research has published guidelines with recommendations on how VMT might be reduced. Most of the recommendations can be applied to urban or built areas where land uses are closer together, mixed use is economically viable, and transit is more accessible. Many of the recommendations are unlikely to apply to rural county areas. The interim threshold corrects this oversight and explains why most of the County remains rural. This threshold is considered interim as modifications will occur over time, and State initiatives may change how the County will need to consider VMT for development projects. This action complies with SB 743 and applies VMT thresholds that are appropriate for the unique needs of the County. On March 24, 2022 the Planning Commission held a public hearing and unanimously recommended approval of the interim transportation thresholds for VMT – action requested – ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

5.03 10:00AM – Timed Item - Itemized Costs and Penalties Related to Nuisance Abatement to Record a Lien and Impose a Special Assessment

- A. Code Enforcement Case No. CE21-00460 at 0 Craig Access Road, Feather Falls; APN: 071-150-005
- On July 8, 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 CE21-00460 at 0 Craig Access Road, Feather Falls (Assessor's Parcel Number 071-150-005) in the amount of \$53,090.69 (\$47,000 for penalties and \$6,090.69 for cost recovery) – action requested - APPROVE THE PROPOSED LIEN OF \$47,000 AND A SPECIAL ASSESSMENT OF \$6,090.69. (Development Services)
- B. Code Enforcement Case No. CE21-00461 at 0 Craig Access Road, Feather Falls; APN: 071-150-004
- On June 30, 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 No. CE21-00461 at 0 Craig Access Road, Feather Falls (Assessor's Parcel Number 071-150-004) in the amount of \$39,755.24 (\$35,000 for penalties and \$4,755.24 for cost recovery) – action requested - APPROVE THE PROPOSED LIEN OF \$35,000 AND A SPECIAL ASSESSMENT OF \$4,755.24. (Development Services)
- C. Code Enforcement Case No. CE21-00461.2 at 0 Craig Access Road, Feather Falls; APN: 071-150-004
- On November 23, 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 CE21-00461.2 at 0 Craig Access Road, Feather Falls (Assessor's Parcel Number 071-150-004) in the amount of \$59,063.40 (\$53,500 for penalties and \$5,563.40 for cost recovery) – action requested - APPROVE THE PROPOSED LIEN OF \$53,500 AND A SPECIAL ASSESSMENT OF \$5,563.40. (Development Services)
- D. Code Enforcement Case No. CE21-00462 at 0 Craig Access Road, Feather Falls; APN: 071-150-006
- On July 14, 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 CE21-00462 at 0 Craig Access Road, Feather Falls (Assessor's Parcel Number 071-150-006) in the amount of \$24,326.28 (\$18,500 for penalties and \$5,826.28 for cost recovery) – action requested - APPROVE THE PROPOSED LIEN OF \$18,500 AND A SPECIAL ASSESSMENT OF \$5,826.28. (Development Services)
- E. Code Enforcement Case No. CE21-01416 at 7 Bob Way, Palermo; APN: 025-030-066
- On October 7, 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 CE21-01416 at 7 Bob Way, Palermo (Assessor's Parcel Number 025-030-066) in the amount of \$26,809.23 (\$21,000 for penalties and \$5,809.23 for cost recovery) – action requested - APPROVE THE PROPOSED LIEN OF \$21,000 AND A SPECIAL ASSESSMENT OF \$5,809.23. (Development Services)

- F. Code Enforcement Case No. CE21-01095 at 75 Summer View Drive, Oroville; APN: 072-280-010 - 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 CE21-01095 at 75 Summer View Drive, Oroville (Assessor's Parcel Number 072-280-010) in the amount of \$76,002.26 (\$70,000 for penalties and \$6,002.26 for cost recovery) – action requested - APPROVE THE PROPOSED LIEN OF \$70,000 AND A SPECIAL ASSESSMENT OF \$6,002.26. (Development Services)

- G. Code Enforcement Case No. CE21-00958 at 205 Edgehill Drive, Feather Falls; APN: 071-190-024 - On September 30, 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 CE21-00958 at 205 Edgehill Drive, Feather Falls (Assessor's Parcel Number 071-190-024) in the amount of \$75,283.74 (\$68,500 for penalties and \$6,783.74 for cost recovery) – action requested - APPROVE THE PROPOSED LIEN OF \$68,500 AND A SPECIAL ASSESSMENT OF \$6,783.74. (Development Services)

- H. Code Enforcement Case No. CE21-01685 at 9 Shores Lane, Oroville; APN: 041-80-190 - 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 CE21-01685 at 9 Shores Lane, Oroville (Assessor's Parcel Number 041-280-190) in the amount of \$33,441.24 (\$27,500 for penalties and \$5,941.24 for cost recovery) – action requested - APPROVE THE PROPOSED LIEN OF \$27,500 AND A SPECIAL ASSESSMENT OF \$5,941.24. (Development Services)

- I. Code Enforcement Case No. CE21-01772 at 3120 Bald Rock Road, Berry Creek; APN: 061-320-008 - On October 27, 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 CE21-01772 at 3120 Bald Rock Road, Berry Creek (Assessor's Parcel Number 061-320-008) in the amount of \$28,277.48 (\$22,000 for penalties and \$6,277.48 for cost recovery) – action requested - APPROVE THE PROPOSED LIEN OF \$22,000 AND A SPECIAL ASSESSMENT OF \$6,277.48. (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 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 Actual litigation pursuant to Gov. Code Sec. 54956.9(d)(1) - one case:

- A. Estrada v. Butte County, et al., Butte County Superior Court, Case No. 19CV00668.

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:
Wayne Barley

Child Support Services:
Sean Farrell

Clerk-Recorder /
Registrar of Voters*:
Candace Grubbs

County Counsel:
Bruce Alpert

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

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. **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 near the chamber entrance) 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. Public Comment limited to 3 minutes, and may be adjusted to the discretion of the Chair.
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

