



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

MARCH 22, 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 Memorandum of Understanding (MOU) between the Department of Behavioral Health and the Community Housing Improvement Program (CHIP) - This non-financial MOU between the Department and CHIP is proposed so that both parties can work together to coordinate their resources and efforts to provide permanent affordable housing at the Creekside Place housing development to the No Place Like Home (NPLH) target population utilizing the supportive housing model. Supportive services are made available to eligible residents who may benefit from such services to help them maintain stable housing and/or achieve improvements in health, wellness, recovery, employment, income, socialization, and quality of life. The MOU outlines the roles and responsibilities of both parties. The Department recommends entering into the MOU with CHIP for affordable housing and mental health services. The term of the agreement is effective upon final execution through the conclusion of the NPLH permanent loan, which is approximately 55 years – action requested – APPROVE MOU AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)

- 3.02 Resolution Recognizing Manson Petty Upon His Retirement from the Department of Behavioral Health - The Department recommends that the Board of Supervisors adopt a resolution recognizing the retirement of Manson Petty on the occasion of his retirement on March 31, 2022 after serving as a Behavioral Health Counselor, and Senior Mental Health Counselor for 27 years – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
- 3.03 Budget Adjustment and Grant Agreement with the Mental Health Services Oversight & Accountability Commission for the Mental Health Student Services Act (MHSSA) - On February 1, 2022, Department of Behavioral Health received a Notice of Intent to Award from the Mental Health Services Oversight & Accountability Commission for the MHSSA for a grant in the amount of \$4,000,000 with a term expiring June 30, 2026. Funding under this grant program will allow the Department to expand access to mental health treatment for children and youth, including campus-based services, and should facilitate linkages and access through ongoing and sustained service. Emphasis for the grant will be placed on outreach to including those children and youth who are in foster care; those who identify as lesbian, gay, bisexual, transgender, or queer; or those who have been expelled or suspended from school. The Department recommends the Board approve the grant agreement with the Mental Health Services Oversight & Accountability Commission for the MHSSA and approve a budget adjustment in the amount of \$54,375 – action requested – 1) APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Behavioral Health)
- 3.04 Budget Adjustment and Grant Agreement with North Valley Community Foundation (NVCF) Butte Strong Fund for the Department of Behavioral Health Prevention Services - The Butte Strong Committee of NVCF approved a proposal to fund the Department with \$40,000 to engage in the development and implementation of a Wellness Center for Paradise High School. The Wellness Center will serve approximately 474 students who are struggling due to Camp Fire trauma; 247 of them are socioeconomically disadvantaged and 231 are currently receiving free and reduced lunch. The objectives of the Paradise Wellness Center are to establish a youth designed hub that will have a cafe and lounge style atmosphere where support will be available for impacted youth. Peer Support and listening circles or groups will be available for supportive interaction with other youth. A Care Team with coaches will be available for more intensive, topic-specific groups (boys, girls) for those dealing with more acute areas of stress. A third team will provide wellness counselors for students who fall outside of the scope of peers and interns needing more individual support. The focus is to allow more prevention and early intervention and expanded opportunities for interaction in a safe place with safe people. Acceptance of this grant in the amount of \$40,000 will allow the Department to fund youth staff and Peer Advocates to help develop, plan and implement daily services, as well as a Behavioral Health Education Specialist Adult staff for assistance and oversight. It will also fund the purchase of food, supplies, and materials needed for this endeavor. This grant will allow the Department to reach out to youth victims of the Camp fire so they may gain assistance with anxiety and learn coping skills that will lift, encourage, and create a potential shift towards greater life normalcy by modeling skills to assist in reducing the long term stress impact encountered by this population. The Department recommends approving a budget adjustment in the amount of \$10,000 and approving an agreement with the NVCF for the creation of a Wellness Center. The term of the agreement is one year beginning when it is executed – action requested – 1) APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Behavioral Health)

- 3.05 Contract with Blue Flamingo Marketing for the Community Development Block Grant MIT-PPS (CDBG MIT) Butte County Fire Protection and Prevention: Community Education Project 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 CDBG-MIT to fund the Resilient Planning and Public Services (PPS) Program. 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 implementing public services that reduce risks of natural hazards. While activities must serve the most impacted disaster areas associated with the Wind Complex Fire (La Porte Road and Oro Bangor Highway), Butte County has the opportunity to extend activities beyond that geographic boundary to address county hazard mitigation priorities. These additional eligible activities include public services targeted to low- and middle-income residents and mitigation planning and capacity building. Butte County was awarded \$500,000 for the Butte County Fire Prevention and Protection: Community Education Project. The project will involve a County wide education and outreach campaign to engage property owners to prevent the spread of fire by clearing defensible spaces on their property. The County issued a Request for Proposals for a marketing agency to provide media outreach services in November 2021 and received three proposals. A committee composed of the Fire Department, the Department of Public Health, and County Administration selected Blue Flamingo Marketing of Chico as the most qualified respondent. County Administration recommends the Board of Supervisors enter into an agreement with Blue Flamingo Marketing for outreach services. The term will be upon Notice to Proceed for 36 months; not-to-exceed \$490,000. The department also recommends the Board approve a budget adjustment in the amount of \$100,000 for the expenses related to the contract prior to June 30, 2022. The expenses for the contract are 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 (4/5 VOTE REQUIRED). (County Administration)
- 3.06 Contract with RDB Consulting and Training for Incident Command System (ICS) 300 and 400 Level Courses Training - Under State law, Title I, Section 3100 of the California Government Code, all government employees are declared Disaster Service workers who can be called upon in any emergency. Recent events around the world and here in Butte County has increased awareness of the need for training and preparedness for all emergency incidents, hazards, and disasters. Butte County Office of Emergency Management issued a Request for Proposals on January 10, 2022 to identify an organization to provide required training services to County employees and other jurisdictional partners, and received three proposals. RDB Consulting and Training was selected as the most qualified respondent. Funding for this contract will be provided by FY 2020 and 2021 Homeland Security Grant Program and the Hospital Preparedness Grant Program, and is included in the current fiscal year budget. No matching County funds are required. The term of the contract is upon adoption through December 31, 2024; not to exceed \$36,709 – action requested – APPROVE THE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 3.07 Contracts for the Board of State and Community Corrections (BSCC) Public Defense Pilot Program (Program) and Budget Adjustment - The California Budget Act of 2021 established a noncompetitive Program for indigent defense providers to be utilized by public defenders, alternate defenders, and other qualifying entities that provide indigent defense services in criminal matters associated with the provisions in Penal Code (PC) sections 1170 (d)(1), 1170.95, 1473.7, and Penal Code 3051 (Franklin Hearing) as well as youthful offenders (18-25). Butte County's annual allocation is \$287,130. BSCC anticipates similar appropriations for the program in fiscal years 2022-23 and 2023-24. The Board of Supervisors approved a resolution on December 14, 2021 authorizing submission of a Program application for Project Upstream, which was developed by the County's Indigent Defense Services Consortium. The cornerstone of Project Upstream is its use of clinical and criminogenic assessments and evaluations, and case management to assist system impacted individuals in using their period of incarceration as an opportunity for transformation. An element of Project Upstream is the Prison Pre-Entry Program. The Prison Pre-Entry Program's overarching goal is to increase youthful offenders' motivation to engage in prison programming in pursuit of behavioral change and personal growth facilitating an opportunity for PC 1170(d)(1) consideration. A five member team will implement Project Upstream, including Ronald Reed and Eric Ortner as attorneys, Joaquin Jordan as an associate director, Nicolette Gillespie, Marriage and Family Therapist as a clinical evaluator, and Sarah Smith, Ph.D. as a program evaluation and data collector. County Administration recommends the Board approves contracts with each of the Project Upstream consultants with a term of April 1, 2022 through March 31, 2023. The not-to-exceed amounts are as follows: Ronald Reed, \$80,067; Eric Ortner, \$80,067; Joaquin Jordan, 72,000; Nicolette Gillespie, \$30,000; and Sarah Smith, \$21,600. The contracts will be considered by the Board for amendment if State funding is available in years two and three for the Program – action requested – 1) APPROVE CONTRACTS (3) AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.08 Approval of August 24, 2021 Board of Supervisors Regular Meeting Minutes - Submitted for approval are the August 24, 2021 Board of Supervisors regular meeting minutes – action requested – APPROVE THE AUGUST 24, 2021 BOARD OF SUPERVISORS REGULAR MEETING MINUTES AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.09 Resolution Re-authorizing Continued Teleconference Meetings of the Board of Supervisors pursuant to the Ralph M. Brown Act as amended by AB 361 - On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended and modified the teleconferencing requirements under the Ralph M. Brown Act (the "Brown Act") to allow local legislative bodies to hold public meetings via teleconference without meeting the traditional teleconference standards of the Brown Act as a result of the COVID-19 pandemic. On September 16, 2021, Governor Newsom signed AB 361 to amend the Brown Act to allow legislative bodies to utilize alternative standards for teleconference meetings during a proclaimed state of emergency when (1) state or local officials impose or recommend social/physical distancing or (2) the body meets for the purpose of deciding or has met to decide by majority vote that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees. The legislative body is required to reconsider and find that either the state of emergency continues to directly impact the ability of members to meet safely in person and/or that State or local officials continue to impose or recommend measures to promote social distancing, and extend the findings every 30 days to continue to meet via teleconferencing under the alternative standards. The Board previously adopted similar resolutions on October 12, 2021, November 9, 2021, November 18, 2021, December 14, 2021, January 11, 2022, February 8, 2022 and March 8, 2022. This resolution would re-authorize the ability to meet remotely via teleconference through April 21, 2022 or such time the Board adopts a subsequent resolution to continue this ability – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Counsel/County Administration)

- 3.10 2021 Annual Butte County General Plan and Housing Element Progress Reports - California Government Code (GC) 65400 mandates that all counties submit an annual progress report (APR) on the status of the General Plan and progress on its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD) by April 1 of each year. The General Plan APR provides the Board of Supervisors and the public with information regarding the implementation of the General Plan and informs the public on the progress in meeting community goals. California's Housing Element law acknowledges that in order for the private market to adequately address the State's housing needs, local governments must adopt plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, housing policy rests largely on the effective implementation of local general plans and housing elements. State law further requires all counties to create an annual progress report concerning implementation of their Housing Element. The Housing Element APR must also be submitted to OPR and HCD by April 1 of each year. The Housing Element APR includes the following tables: Table A: Housing Development Applications Submitted; Table A-2: Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units; Table B: Regional Housing Needs Allocation Progress, Permitted Units Issued by Affordability; Table C: Sites Identified or Rezoned to Accommodate Shortfall Housing Need; Table D: Program Implementation Status Pursuant to GC Section 65583; Table E: Commercial Development Bonus Approved pursuant to GC Section 65915.7; Table F: Units Rehabilitated; and, Table G: Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of, pursuant to GC Section 65400.1 – action requested – ACCEPT FOR INFORMATION. (Development Services)
- 3.11 Resolution Recognizing March 2022 as Women's History Month - Supervisor Lucero recommends adopting a resolution recognizing March 2022 as Women's History Month – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (District 2 – Supervisor Lucero)
- 3.12 Contract Amendment with Ampla Health for Street Outreach Services - The Coronavirus Aid, Relief, and Economic Stimulus Act made federal funds available to prevent, prepare for, and respond to COVID-19 among individuals and families who are experiencing homelessness or receiving homeless assistance, and support additional homeless assistance and homeless prevention activities to mitigate the impacts created by COVID-19. The funds are awarded to Continuum of Care (CoC) service areas and contracted to the designated administrative entity. The County of Butte is the administrative entity for the local CoC. The Department of Employment and Social Services recommends amending the contract with Ampla Health for street outreach services. The amendment decreases the maximum payable amount by \$175,000, not-to-exceed \$200,000 due to a decreased need for services. The term of this contract remains July 1, 2021 through June 30, 2022. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)

- 3.13 Contract Amendment with Catalyst Domestic Violence Services to Provide Domestic Violence Prevention and Support Services - The mission of Catalyst Domestic Violence Services is to reduce the incidence of intimate partner violence through crisis intervention, community education and the promotion of healthy relationships. A lack of safe and accessible housing options can be a barrier to leaving an abusive partner, which is why domestic violence is one of the leading causes of homelessness for women. All services, including housing, are available to survivors of all genders and their children. Between October and December of 2021, Catalyst Domestic Violence Services received 275 crisis calls and provided 300 individual counseling sessions. The Department of Employment and Social Services entered into a contract with Catalyst Domestic Violence Services for or domestic violence prevention and support services in July 2021. The Department recommends amending the contract to extend the term of the contract by two years through June 30, 2024, and increase the maximum payable amount by \$110,000, not-to-exceed \$165,000. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
- 3.14 Contract Amendment with United Way for Emergency Shelter Services - Under the Coronavirus Aid, Relief, and Economic Stimulus (CARES) Act Title XII, Homeless Assistance Grants Section, federal funds for the Emergency Solutions Grants Program, Round 2 (ESG CV-2) funds were made available and administered by the California Department of Housing and Community Development (DHCD). The purpose is to prevent, prepare for, and respond to coronavirus among individuals and families who are experiencing homelessness or receiving homeless assistance, and to support additional homeless assistance and prevention activities to mitigate the impacts created by coronavirus. Funding is prioritized to serve those most in need through Rapid Rehousing (RRH) efforts and emergency shelter services, and to ensure all eligible persons receive equitable services with dignity, respect and compassion regardless of circumstance, ability, or identity. The funds were awarded to Continuum of Care (CoC) service areas and contracted to the designated Administrative Entity. The County of Butte is the Administrative Entity for the local CoC. United Way was contracted to manage and oversee the Non-Congregate Shelter (NCS) and RRH operations in Butte County. A contract amendment with United Way appeared on the January 25, 2022 Board of Supervisors Agenda, but was pulled from the agenda so funding sources and service delivery could be further evaluated. The Department of Employment and Social Services recommends amending the contract with United Way for emergency shelter services to extend NCS operations from January 31, 2022 to June 30, 2022, and to manage NCS and RRH operations in south Butte County only starting February 1, 2022. Additional funds in the amount of \$160,000 will be transferred from their RRH allocation to increase emergency shelter funds allowing the continuation of emergency NCS services to meet the needs of the community. The term of the contract remains June 1, 2021 through June 30, 2022 with a maximum not-to-exceed price of \$2,000,000. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)

- 3.15 Contract with United Way for Project Roomkey Non-Congregate Shelter - All County Welfare Directors received a letter dated July 29, 2021 from the California Department of Social Services (CDSS) regarding Project Roomkey (PRK) allocations made available for fiscal year (FY) 2021-22. There was a one-time allocation of \$150M in State General Fund for continuing the PRK and Rehousing Strategy program for FY 2021-22. Communities across California began operating locally driven and State supported PRK initiatives to provide emergency non-congregate shelter (NCS) protective placements such as hotels, motels and meals for people experiencing homelessness for public health-related reasons associated with COVID-19. United Way manages and oversees NCS operations and services in north Butte County. NCS operations began March 1, 2022 and will continue through June 30, 2022 unless funds are expended sooner. On December 14, 2021, The Board of Supervisors directed staff to continue providing PRK services predicated on receiving reimbursement from FEMA for the expenses. FEMA reimbursement is not certain for these costs. The services in this contract will be funded with PRK funds and will not be funded with FEMA funds. The United Way amendment, also appearing on the March 22, 2022 Board of Supervisors agenda, is funded with ESG CV-2 funds whereas this new United Way contract is funded with PRK funds and has different requirements for administering the program. Instead of providing services to the same groups/individuals, and having to separate parts of service that should be billed to ESG CV-2 and parts of service that should be billed to PRK, United Way services are separated by location based on funding for billing purposes with PRK funding for north county and ESG CV-2 funding for south county. The Department of Employment and Social Services recommends entering into a contract with United Way for PRK NCS service. The term of this contract is March 1, 2022 through June 30, 2022, not-to-exceed \$500,000 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
- 3.16 Contract Amendment with Wayfinder Family Services for the Kinship Support Services Program (KSSP) - Wayfinder Family Services is an agency licensed by the State of California that serves children by offering foster, adoption, and kinship care services in multiple counties. Wayfinder Family Services offers programs and initiatives that provide a strong foundation for children and their families to ensure that children who enter the foster care system are placed with lifelong families as quickly as possible. The KSSP provides nonfinancial support services to relative caregivers and the children placed in their homes. The goal of this program is to further strengthen these families and help them maintain supportive and stable environments for children in their care. The Board of Supervisors approved a contract with Wayfinder Family Services in July 2021 for a one-year term. In the first two quarters of fiscal year 2021-22, Wayfinder Family Services provided KSSP services for 61 families. The Department of Employment and Social Services recommends amending the contract with Wayfinder Family Services for KSSP. The amendment extends the term of the contract by two years through June 30, 2024, and increases the maximum payable amount by \$300,000, not-to-exceed \$450,000. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)

- 3.17 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:

COUNTY ADMINISTRATION: Extend 1 flexibly staffed Management Analyst position (term to end March 31, 2022) and convert it to .5 flexibly staffed Management Analyst position (term to end June 30, 2023). The requested change is to address needs related to the implementation of Workday. Total allocations to decrease by .5.

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

- 3.18 Contract with TechOps Specialty Vehicle, LLC for Mobile Library and Literacy Vehicle (Mobile Library Coach) - On October 27, 2020, the Board of Supervisors approved a contract with Summit Bodyworks to build a hybrid mobile library and literacy vehicle. The contract was terminated on September 28, 2021, after Summit Bodyworks submitted a 30-day notice to terminate due to vehicle supply chain issues. The County was able to maintain legal possession of the chassis. In FY 2019-20 the County Library received a Shared Vision State Library Grant of \$250,000 for the Mobile Library Coach and for the early learning program. The State Library has agreed that all the remaining funds can now be used for the Mobile Library Coach. The County Library worked with the Department of General Services on a sole source contract, for the transport of the chassis and full body construction per initial specifications within the funding timeline. The County Library recommends approval of a contract with TechOps Specialty Vehicle, LLC of Maryland to finish the hybrid mobile library and literacy vehicle. The term of the contract is upon execution through February 24, 2023, not-to-exceed \$331,494 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Library)

- 3.19 Contract Change Orders (CCO) for Midway Road Bridge Replacement Project at Butte Creek - On May 26, 2020, the Board of Supervisors awarded the Midway Road Bridge Replacement Project to MCM Construction of North Highlands. The project provides for the replacement of the Midway Road Bridge across Butte Creek and Butte Creek Overflow south of the town of Durham. The contract award amount was \$19,600,644. In 2021, several CCO were approved by the Board for a total net increase of \$437,004. Two CCO are required to complete the project. CCO No. 7 provides for changes in metal beam guardrail and roadway striping and delineation. The net change of CCO No. 7 is an increase in the contract amount of \$46,343. CCO No. 8 provides for changes in the final job site for erosion control and plant establishment in accordance with the project's Riparian Restoration Plan. The net change of CCO No. 8 is an increase in the contract amount of \$9,962. The total net increase for CCO No. 7 and No. 8 is \$56,305. The Midway Bridge reopened March 9, 2022 – action requested – APPROVE THE CONTRACT CHANGE ORDERS (2) AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

- 3.20 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 of Supervisors declare eight vehicles as surplus to the needs of the County, as the vehicles are either in poor condition, repair costs exceed the value of the vehicles, or the vehicles have high mileage – action requested - DECLARE CAPITAL ASSETS (8) SURPLUS TO THE NEEDS OF THE COUNTY. (Public Works)

- 3.21 PG&E Settlement Fund Request and Hazard Mitigation Grant Program (HMGP) Application Match Commitment Letter - Hazard Mitigation Program (HMGP) funds are made available after federally declared disasters to fund mitigation projects that will prevent future disasters. The County submitted a Notice of Interest to the Governor's Office of Emergency Services (CalOES) for an FM Receiver Alert Project and was approved to submit a full application. The FM Receiver Alert Project is a radio based emergency alert system that can be used to notify residents of threats posed by wildfire or other dangers and is not reliant on power or cell phone service. The system will expand the County's hazard mitigation efforts by increasing its ability to communicate vital information to the public during emergencies. The Board of Supervisors approved the use of \$500,000 in PG&E Settlement funds on May 22, 2021 to purchase the system infrastructure so the Sheriff's Office can deliver emergency alerts. Residents must have an in-home unit to receive the alerts during and emergency. PG&E directly funded 1,000 in-home units through a donation to the County. The proposed HMGP project would fund: 1) distribution of 3,500 in-home receivers and 350 congregate-living receivers county wide, 2) the annual system infrastructure maintenance for three years, 3) an outreach campaign to target vulnerable county residents, and 4) staff time to fulfill orders and coordinate the project. The total HMGP grant request is \$957,127 and a local match of \$239,282 is required. The Sheriff's Office and the Department of Employment and Social Services recommend the Board commit PG&E Settlement Funds for the local match. There is \$145,833,305 in available, un-programmed PG&E Settlement funds, which includes interest earned to date of \$2,844,608. The Board has approved the use of \$61,426,997 in PG&E Settlement Funds to date and the total request for the local match for the HMGP grant is \$239,282 – action requested - 1) COMMIT \$239,282 OF PG&E SETTLEMENT FUNDS AS THE LOCAL MATCH FOR THE HMGP GRANT; 2) APPROVE FUNDING COMMITMENT LETTER, AND 3) APPROVE THE AUTHORIZED AGENT FOR THE HMGP TO SIGN GRANT APPLICATION SUBMISSION DOCUMENTS. (Sheriff/Employment and Social Services)

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 Bangor Cemetery District Board of Trustees - The Bangor Cemetery District is a Public Cemetery District formed in 1945 under Health and Safety Code section 9000, funded by property tax assessments to provide a place of burial at a low cost to local residents and is governed by a Board of Trustees appointed by the Board of Supervisors. Trustees must be registered to vote within the District boundaries. The District recommends the Board of Supervisors appoint John Lucas, Les Rominger, and Paul Sommers each to a Trustee seat with terms ending March 22, 2026 – action requested - APPOINT JOHN LUCAS, LES ROMINGER, AND PAUL SOMMERS EACH TO A TRUSTEE SEAT WITH TERMS ENDING MARCH 22, 2026. (Other – Bangor Cemetery District)

2. Appointment to the Kimsheew Cemetery District - The Kimsheew Cemetery District is an independent special district of the State of California, formed under Health & Safety Code, by approval of the Butte County Board of Supervisors in 1952 to provide a respectful, low-cost place of burial to meet the needs of the diverse, local communities of Magalia, Stirling City, Nimshew, and Coutolenc. The District owns and maintains four active cemeteries and various inactive pioneer and historic cemeteries. The District is managed by five trustees appointed by the Board of Supervisors, who serve two-year terms. Trustees must be registered to vote within the District boundaries. Staff is working with the Kimsheew Cemetery District to update their bylaws to allow staggered terms. Supervisor Teeter requested that the vacant Trustee seat be filled, of which there are two qualified applicants: Merle Loomis and Catherine Armstrong – action requested – APPOINT MERLE LOOMIS OR CATHERINE ARMSTRONG TO THE KIMSHIEW CEMETERY DISTRICT BOARD OF TRUSTEES WITH A TERM ENDING MARCH 22, 2024. (Other – Kimsheew Cemetery District)

3. Appointment to the Butte County Library Advisory Board (LAB) - The LAB was created for the following purposes: to update and annually maintain a strategic plan for the Butte County Library, develop and maintain a long range library financial plan, provide an annual statement/report on the state of the Library for the past year, develop fundraising plans for the Board of Supervisors approval, provide oversight of the funds deposited with the North Valley Community Foundation on behalf of the Butte County Libraries, as authorized on May 15, 2002 by the Board of Directors of the Butte County Library Foundation and prior to the closure of the Foundation, oversee the development of relationships with community partners, such as schools and business, assist with the relationships with the cities and towns in the County, advise the Board of Supervisors on issues and trends impacting the Library, monitor technology that will affect the operation of the Library and provide guidance to the Board of Supervisors, develop and oversee public relations campaigns in support of the library, encourage in every possible way the development and advancement of the public library system. The LAB is composed of 10 voting members, composed of two members residing in each supervisorial district, appointed by the Board of Supervisors. Additionally, the County Librarian shall serve as a non-voting member on the LAB. Supervisor Lucero requests that the Board appoint Eva Sheperd-Nicoll to the District 2 Representative seat with a term ending 03/22/2026 – action requested - APPOINT EVA SHEPERD-NICOLL TO THE DISTRICT 2 REPRESENTATIVE SEAT, WITH A TERM ENDING MARCH 22, 2026. (Other – Library Advisory Board)

4. Appointment to the Solid Waste Enforcement and Appeal Independent Hearing Panel (Hearing Panel) - The Board of Supervisors established the Hearing Panel through Chapter 31A of the County code. Although historically there have been very few solid waste appeals, it is necessary to maintain a viable Hearing Panel in order to meet legal requirements upon receipt of an appeal. The Department of Public Health, Environmental Health Division is the responsible agency. Pursuant to the provisions of Public Resources Code Sections 44308(a)(2), 44308(b) and Section 18060, Title 14, California Code of Regulations, the Hearing Panel consists of three members appointed by the Board of Supervisors: a Butte County Supervisor, a subject matter expert in solid waste, and a representative of the public. The Board of Supervisors may appoint alternate members to provide for a full hearing panel in the event that a primary member declares a conflict of interest or is otherwise unavailable. The subject matter expert position is currently vacant. The Department recommends the appointment of Doug Ames to serve as a primary member in the position of subject matter expert for a four year term, effective March 26, 2022 and ending March 25, 2026 – action requested – APPOINT DOUG AMES TO THE SOLID WASTE ENFORCEMENT AND APPEAL INDEPENDENT HEARING PANEL AS A SUBJECT MATTER EXPERT, PRIMARY MEMBER, WITH A TERM ENDING MARCH 25, 2026. (Public Health)

- 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 Memorandum of Understanding Appointing Interim County Counsel - The Chief Administrative Officer (CAO) recommends that the Board of Supervisors enter into a memorandum of understanding appointing Brad Stephens, Assistant County Counsel, as Interim County Counsel, effective May 1, 2022 through January 31, 2023. The CAO recommends setting the salary at \$229,413/year as listed in section 29, Reference A, of the Butte County Salary Ordinance. In addition, the CAO recommends providing the Appointed Department Head mileage allowance of \$620/month. Mr. Stephens will retain all other rights and benefits of his current position in the Non Represented Unit and the right to return to his current position of Assistant County Counsel when the interim assignment is completed – action requested – APPROVE MOU AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 4.03 CalPERS Post Retirement Employment Exemption for Mary E Van Gilder - The California Public Employees' Pension Reform Act (PEPRA) of 2013 requires newly retired persons to "sit out" for a period of 180 days before returning to work for an employer in the same retirement system which they receive a retirement. An exemption to this rule is permitted by Government Code section 7522.56(f)(1), if approved by the governing body in a public meeting on the regular agenda. The Department of Information Systems recommends approval of a resolution to allow the extra-help hiring of Mary Van Gilder as Accounting Systems Analyst. She retired as a regular-help employee on February 25, 2022, after working 50 years for the County. Mary Van Gilder has intimate knowledge of the County's legacy financial system. Even though the County has finished the first phase of the Workday implementation and is preparing for Phase 2, there is an ongoing need to extract data from the legacy system. Her knowledge and experience is crucial as the County transitions to the new system. It is anticipated that Mary will assist periodically during the transition, which could be approximately a year. The Director of Human Resources has reviewed the facts and concurs that the request is consistent with the Government Code section 7522.56(f)(1) – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Information Systems)

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

- 4.05 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.

- 4.06 Items Removed from the Consent Agenda for Board Consideration and Action

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 9:30AM – Timed Item - Consideration of Options for the Use of Land Adjacent to the Neal Road Recycling and Waste Facility (NRRWF) - In recent months, staff has been in conversation with a for-profit company expressing interest in operating a biomass-to-hydrogen facility in partnership with the Butte County Fire Safe Council (BCFSC). Part of those discussions has included the potential sale or lease of property adjacent to the NRRWF recently acquired by Butte County for the future expansion of landfill operations. Various Butte County departments including County Counsel, General Services, the Department of Public Works, and the Department of Development Services have reviewed the proposal and concur that State law most likely requires a competitive solicitation process for the sale or lease of county property. On February 8, 2022, the Board of Supervisors approved a contract to prepare a Master Plan for the NRRWF. The Master Plan includes an analysis to address future operational needs that address regulatory requirements, increase diversion and recycling, and improve core operational efficiencies. Potential uses for the recently acquired property are included as part of the Master Plan. Until this analysis is complete, it is unclear what potential uses of this property may be. Staff are seeking Board direction on the potential use of this land before completion of the Master Plan - 1) DIRECT STAFF TO PURSUE POTENTIAL OPTIONS FOR THE USE OF RECENTLY PURCHASED LAND ADJACENT TO THE NRRWF; OR 2) TAKE NO FURTHER ACTION AT THIS TIME. (County Administration)
- 5.02 10:00AM – Public Hearing - Itemized Costs and Penalties Related to Nuisance Abatement to Record a Lien and Impose a Special Assessment –
- A. Code Enforcement Case No. CE21-00984 at 9625 Cohasset Road in Cohasset; APN: 056-140-052 - On December 1, 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 CE21-00984 at 9625 Cohasset Road in Cohasset (Assessor's Parcel Number 056-140-052) in the amount of \$100,017.64 (\$92,000 for penalties and \$8,017.64 for cost recovery) – action requested – APPROVE THE PROPOSED LIEN OF \$92,000 AND A SPECIAL ASSESSMENT OF \$8,017.64. (Development Services)
- B. Code Enforcement Case No. CE21-00696 at 0 Blackhawk Trail in Feather Falls; APN: 071-280-030 - On November 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 CE21-00696 at 0 Blackhawk Trail in Feather Falls (Assessor's Parcel Number 071-280-030) in the amount of \$71,244.33 (\$65,000 for penalties and \$6,244.33 for cost recovery) – action requested – APPROVE THE PROPOSED LIEN OF \$65,000 AND A SPECIAL ASSESSMENT OF \$6,244.33. (Development Services)
- C. Code Enforcement Case No. CE21-01797 at 256 Bangor Park Road in Bangor; APN: 028-300-015 - On November 17, 2021, a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE21-01797 at 256 Bangor Park Road in Bangor (Assessor's Parcel Number 028-300-015) in the amount of \$30,342.87 (\$24,500 for penalties and \$5,842.87 for cost recovery) – action requested – APPROVE THE PROPOSED LIEN OF \$24,500 AND A SPECIAL ASSESSMENT OF \$5,842.87. (Development Services)
- D. Code Enforcement Case No. CE21-00930 at 14 Maple Lane in the Oroville area; APN: 072-380-007 - 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 CE21-00930 at 14 Maple Lane in the

Oroville area (Assessor's Parcel Number 072-380-007) in the amount of \$48,605.94 (\$41,500 for penalties and \$7,105.94 for cost recovery) – action requested – APPROVE THE PROPOSED LIEN OF \$41,500 AND A SPECIAL ASSESSMENT OF \$7,105.94. (Development Services)

- E. Code Enforcement Case No. CE21-01137 at 0 Dunstone Drive in Palermo; APN: 027-230-099 – On September 21, 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 CE21-01137 at 0 Dunstone Drive in Palermo (Assessor's Parcel Number 027-230-099) in the amount of \$13,419.17 (\$6,500 for penalties and \$6,919.17 for cost recovery) – action requested – APPROVE THE PROPOSED LIEN OF \$6,500 AND A SPECIAL ASSESSMENT OF \$6,919.17. (Development Services)

- F. Code Enforcement Case No. CE21-01375 at 0 Encina Grande Road in Berry Creek; APN: 061-470-004 – On October 25, 2021, a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE21-01375 at 0 Encina Grande Road in Berry Creek (Assessor's Parcel Number 061-470-004) in the amount of \$51,709.14 (\$44,000 for penalties and \$7,709.14 for cost recovery) – action requested – APPROVE THE PROPOSED LIEN OF \$44,000 AND A SPECIAL ASSESSMENT OF \$7,709.14. (Development Services)

- G. Code Enforcement Case No. CE21-01510 at 0 Issaquah Road in Berry Creek; APN 061-350-062 - On September 16, 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 CE21-01510 at 0 Issaquah Road in Berry Creek (Assessor's Parcel Number 061-350-062) in the amount of \$59,029.30 (\$54,000 for penalties and \$5,029.30 for cost recovery) – action requested – APPROVE THE PROPOSED LIEN OF \$54,000 AND A SPECIAL ASSESSMENT OF \$5,029.30. (Development Services)

- H. Code Enforcement Case No. CE21-01115 at 81 Little Oak Road in Oroville; APN: 072-240-014 - On October 19, 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 CE21-01115 at 81 Little Oak Road in Oroville (Assessor's Parcel Number 072-240-014) in the amount of \$63,366.68 (\$55,600 for penalties and \$7,766.68 for cost recovery) – action requested – APPROVE THE PROPOSED LIEN OF \$55,600 AND A SPECIAL ASSESSMENT OF \$7,766.68. (Development Services)

- I. Code Enforcement Case No. CE21-00464 at 244 Culet Ranch Road, Bangor; APN: 028-360-003 - 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 CE21-00464 at 244 Culet Ranch Road, Bangor (Assessor's Parcel Number 028-360-003) in the amount of \$62,201.88 (\$56,000 for penalties and \$6,201.88 for cost recovery) – action requested – APPROVE THE PROPOSED LIEN OF \$56,000 AND A SPECIAL ASSESSMENT OF \$6,201.88. (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) - four cases:

- A. Byers v. County of Butte, et al., U.S. District Court, Eastern District, Case No. 21-cv-02119.
- B. AquAlliance et al. v. Butte County, et al., Butte County Superior Court, Case No. 22CV00347.
- C. Jamee Windsor v. Butte County; Workers' Compensation Appeals Board Case No. ADJ11115246 (Claim No.: BUAN-550420).
- D. Phyllis Black v. Butte County; Workers' Compensation Appeals Board Case No. ADJ12685020 (Claim No: BAUO-550710)

6.04 Significant Exposure to Litigation pursuant to Gov. Code Sec. 54956.9(d)(2) - one potential case

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

Interim Information
Systems:
Sang Kim – Interim

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. **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