



ANDY PICKETT,
CHIEF ADMINISTRATIVE
OFFICER
CLERK OF THE BOARD

BUTTE COUNTY BOARD OF SUPERVISORS

Regular Meeting Agenda January 11, 2022 9:00 AM

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

MEMBERS OF THE BOARD

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

BRUCE
ALPERT,
COUNTY
COUNSEL

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[How to Submit Public Comment Virtually](#)

1. CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

A. Board of Supervisors Composition for 2022

Election of Board Chair

Motion to elect Supervisor Connelly as Board Chair. Moved by Kimmelshue, seconded by Connelly. Motion passed with a 3-2 vote. Ayes: Supervisors Kimmelshue, Teeter, and Chair Connelly. Nays: Supervisors Lucero and Ritter.

Election of Board Vice Chair

**Motion to elect Supervisor Kimmelshue as Board Vice Chair.
Moved by Supervisor Teeter, seconded by Chair Connelly.
Motion passed with a 3-2 vote. Ayes: Supervisors Kimmelshue,
Teeter, and Chair Connelly. Nays: Supervisors Lucero and Ritter.**

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

Item 3.08 should read "4/5 vote required"

Item 4.01A 1 (second half of the action requested) should read "Adopt resolution to disband committee, and direct staff to work to disband committee(s) that are no longer necessary."

Item 4.01A 6 was pulled from the agenda to be brought back at a later date.

Item 4.06 was pulled from the agenda to be brought back at a later date.

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

3.01 Agreement with Butte County Superior Court for Dispute Resolution Program

The Butte County Superior Court collects funds for the Dispute Resolution Program through a portion of filing fees. By law, these funds are received by the County and are to be used to provide dispute resolution services at the Court. The Court contracts with Cal Northern School of Law to provide these services, and the County provides the Court the funding for the program. County Administration recommends entering into an agreement with the Butte County Superior Court for the Dispute Resolution Program, funded by a dedicated portion of filing fees. The term of the agreement is January 1, 2022 through December 31, 2022, not-to-exceed \$44,000. (County Administration)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.02 Consolidated Development Impact Fee Report for Fiscal Year 2020-21

Pursuant to California Government Code section 66006(b), the Butte County Consolidated Development Impact Fee Report for Fiscal Year

2020-21 (Report) has been available for the Board of Supervisors and public review in the Office of the Clerk of the Board since December 27, 2021. The Report includes both County and Special District Development Impact Fee funds information and the required five-year findings. California Government Code Section 66001(d) sets forth the requirements of findings the Board must make in the fifth year following the first deposit into a fund and every fifth year thereafter regarding the unexpended balance in the respective fund. Department Heads and Special District Managers are responsible for the five-year findings for their Development Impact Fee funds. (County Administration)

Action requested - ACCEPT FOR INFORMATION; AND MAKE FINDINGS AS DETAILED IN THE REPORT FOR EACH OF THE REQUIRED FUNDS AS SET FORTH IN GOVERNMENT CODE 66001(d)

Staff Report

3.03 Letter of Support for Oroville Dam High Release Inundation Modeling

The private non-profit, Safer3 is applying for a CalOES Hazard Mitigation Grant to support modeling of high flow releases out of Oroville Dam. This project will develop inundation maps and associated flood-flow times for elevated releases from Oroville Dam. The current authorized maximum release from Oroville Dam is 150,000 cubic feet per second (cfs), however, the dam is designed to discharge a maximum of approximately 625,000 cfs during a Probable Maximum Flood. Currently, limited modeling has been developed to manage consequences downstream of Oroville Dam should releases greater than 150,000 cfs be required. Consequence management includes factors such as targeted evacuation zones/areas, evacuation notice time by dam owner/operator to the Sheriff's Office, and establishment of evacuation routes. The proposed Safer3 study and modeling would be available to the County to integrate into the Emergency Operations Plan and related Emergency Action Plans. (County Administration)

Action requested - APPROVE LETTER OF SUPPORT FOR SAFER3'S GRANT APPLICATION PACKAGE AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Public Comment Packet

The following member(s) of the public submitted Public Comment on this item: Jess Vranich (electronically).

3.04 Butte County Behavioral Health Board (BHB) Request of Kyle Horst for Community Member Representative, Second Term

The BHB was established pursuant to Welfare and Institutions Code section 5604 to review and evaluate the community's mental health needs, services, facilities and special problems; review County agreements entered into pursuant to Mental Health Services Act; advise the local Mental Health Director regarding the local mental health program; review and approve the procedures used to ensure resident and professional involvement of the planning process; submit an annual report on the needs and performances of the County's mental health services; review and comment on the County's performance outcome data and communicate its findings to the Behavioral Health Planning Council; and assess the impact of realignment from the State to the County on services delivered to clients and the local community. The BHB consists of 13 to 15 members, with 50% of the membership being direct consumers or family members of consumers who are receiving mental health services, with three being direct consumers and three being family members of consumers receiving mental health services; one member of the Board of Supervisors; one law enforcement representative; one youth representative; and up to six community members. The Behavioral Health Board unanimously voted to recommend Kyle Horst for a second term as a Community Member at its November 17, 2021 regular meeting. The Community Member term ends December 31, 2024. (Behavioral Health)

Action requested - APPROVE KYLE HORST'S REQUEST FOR A SECOND TERM AS A COMMUNITY MEMBER REPRESENTATIVE WITH THE BEHAVIORAL HEALTH BOARD

Staff Report

3.05 Grant Agreement Amendment with North Valley Community Foundation (NVCF) Butte Strong Fund for Department of Behavioral Health Strengthening Families Program (SFP)

On November 10, 2020, the Butte Strong Committee of the NVCF approved a proposal to provide grant funding to the Department for the SFP. The SFP is a comprehensive approach to provide support, increase skills and knowledge, and create a learning community through growth and healing. The SFP is a science-based program with 14 sessions that focus on life skills for parents/guardians, families, and children, culminating with a graduation for the parents/guardians and children who complete the program. Each session includes a family meal, skill session, family time, and childcare with transportation available if

needed. The grant will provide services to approximately 64 individuals in various demographics. On January 12, 2021 the Board of Supervisors approved the grant agreement with NVCF for the Butte Strong grant funding. The term of the agreement is January 12, 2021 through June 30, 2021, not-to-exceed \$50,000. The Department requests to amend this agreement to extend the term of the grant through June 30, 2022, all other terms remain the same. (Behavioral Health)

Action requested - 1) APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)

Staff Report

3.06 Budget Adjustment for Tenant Improvement Project at 202 Mira Loma Drive, Oroville for Department of Public Health

The Department of Public Health requires a tenant improvement project at 202 Mira Loma Drive, Oroville to accommodate current operational needs. The department requires the installation of eight cubicle workstations with related data and electrical connection to convert a training room into dedicated work space, for an estimated cost of \$33,700. The departments of Public Health and General Services request that the Board of Supervisors approve the budget adjustment in the amount of \$33,700 from Public Health to General Services. (General Services)

Action requested - APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED).

Staff Report

3.07 Budget Adjustment for Tenant Improvement Projects at 205 Mira Loma Drive, Oroville and 7204 Skyway, Paradise for Department of Employment and Social Services

The Department of Employment and Social Services requires tenant improvement projects at two facilities to accommodate current operational needs. The Department requires the installation of an access control system, for an estimated cost of \$18,400, at 7204 Skyway in Paradise and the extension of a chain link fence within the warehouse at 205 Mira Loma, Suite 50, in Oroville, with an estimated cost of \$16,000, to improve security and inventory control. The departments of Employment and Social Services and General Services request that the Board of Supervisors approve the budget adjustment in the amount of

\$34,400 from Employment and Social Services to General Services.
(General Services)

Action requested - APPROVE BUDGET ADJUSTMENT (4/5 VOTE
REQUIRED)

Staff Report

3.08 Settlement Agreement, Conveyance Agreement, Resolutions and
Budget Adjustment for Conveyance of the Southside Oroville
Community Center to the Oroville Southside Community Improvement
Association

The Southside Oroville Community Center (SOCC), located at 2959 Lower
Wyandotte Road in Oroville, was constructed in 2002 and includes a
23,903 square foot Community Center and six partially improved parcels
of land that abut the Center. In addition to funds from the County, the
City of Oroville and community members, the Economic Development
Administration (EDA) granted funds and recorded a Covenant of
Purpose, Use and Ownership requiring the County to retain ownership
until May 29, 2021. Since March of 2011 when the Property Manager
(Private Industry Council) closed its doors, the County has spent over
\$1,100,000 in discretionary funds for facility maintenance and repairs. In
June 2016, the Oroville Southside Community Improvement Association
(OSCIA) took over managing the property and has contributed more than
\$486,000 in repairs and operating funds and has established a \$50,000
building reserve fund for future repairs. Staff recommends that the
Board of Supervisors take the necessary steps to convey the SOCC to
OSCIA with the following actions: deem the SOCC real property surplus
to the county; clear any use restrictions established by the EDA; approve
the settlement agreement with the City of Oroville addressing their
rights and interest to the facility; and approve conveyance documents of
the SOCC to the OSCIA. (General Services)

Action requested - 1) DEEM THE SOCC REAL PROPERTY, INCLUDING ALL
PARCELS, AND PERSONAL PROPERTY, INCLUDING OVERHEAD PROJECTOR
AND DISHWASHER, SURPLUS TO THE COUNTY AND REMOVE THE REAL
AND PERSONAL PROPERTY FROM THE CAPITAL ASSET LEDGER
ASSOCIATED WITH THE SOCC; 2) APPROVE THE EDA RESOLUTION AND
AUTHORIZE THE CHAIR TO SIGN; 3) APPROVE THE SETTLEMENT
AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; 4) APPROVE THE
BUDGET ADJUSTMENT(4/5 VOTE REQUIRED); AND 5) APPROVE THE
CONVEYANCE RESOLUTION AND CONVEYANCE AGREEMENT AND
AUTHORIZE THE CHAIR TO SIGN.

Staff ReportResolution 22-001Resolution 22-002

3.09 Capital Asset Purchase and Budget Adjustment - Portable Traffic Signals

When roads are damaged or in major disrepair, the Department of Public Works may rent portable traffic signals to provide short-term traffic control to ensure the safety of the traveling public. The cost to rent two portable traffic signals is currently \$8,228 per month. The cost to purchase two portable traffic signals is \$70,000. Due to recent disasters throughout the County, the Department has been renting portable traffic signals on a routine basis. Most recently, the Department has utilized two rented portable traffic signals for one-way traffic control on portions of Oro Quincy due to damage from the October atmospheric river event. The Department recommends the Board of Supervisors approve a capital asset authority and budget adjustment to purchase two portable traffic signals. (Public Works)

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

Staff Report

3.10 Capital Asset Purchase and Budget Adjustment for Chico MUD Creek Drainage Spray Rig, County Service Area (CSA) 24

On November 9, 2021, the Board of Supervisors approved a capital asset purchase and budget adjustment for the purchase of a utility vehicle for CSA 24. The Department of Public Works is requesting capital asset authority to purchase a spray rig for the utility vehicle. The total cost of the spray rig is \$7,423. The Department recommends the Board approve the capital asset purchase and budget adjustment for the purchase of a mounted spray rig for the CSA 24 utility vehicle. (Public Works)

Action requested - 1) AUTHORIZE CAPITAL ASSET PURCHASE; AND APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)

Staff Report

3.11

Budget Adjustment and Contract with Fair Street Landscaping for Landscaping Services for County Service Area (CSA) 172 Autumn Park Subdivision

CSA 172 (Autumn Park) was formed in 1999 and provides various services. Installation and maintenance of landscaping along Kittyhawk Road and Garner Lane are required as a condition of approval for the subdivision, and CSA 172 provides the annual revenue for these services. The Department of Public Works provides contract management for annual landscaping maintenance services. The County recently issued Request for Quotations 2021-14 to continue landscaping services that yielded a single bidder, Fair Street Landscaping, Chico for \$1,656 per month. The Department recommends awarding the contract to Fair Street Landscaping, for a not-to-exceed amount of \$32,000 for a term of one year, with the option of two one-year extensions. Monthly maintenance costs are estimated at \$1,656 per month. The contract includes additional funding for non-routine repairs (i.e. irrigation system repairs) on an as-needed basis. It is anticipated that half of this contract will be applicable in the next (FY 2022/23) fiscal year. Public Works will incorporate these costs as part of the FY 2022/23 budgetary process for CSA 172. With significant increases in maintenance efforts and a corresponding increase in communications and staff support this past fiscal year, administrative costs for CSA 172 have exceeded previously budgeted totals and additional funds are required. The Department anticipates that administrative needs will decrease for the remainder of the fiscal year since most of the significant maintenance work has been completed. The Department recommends the Board of Supervisors approve a budget adjustment for landscaping maintenance and administrative costs. (Public Works)

Action requested - 1) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN; AND APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)

Staff Report

- 3.12 Contract with Compliance SFO, Inc. for Completion of Investigative Final Report (IFR) at the Neal Road Recycling and Waste Facility (NRRWF)

On November 18, 2020, the California State Water Resources Control Board (SWRCB) issued an Investigative Work Order requiring NRRWF to prepare an Investigative Work Plan (IWP) to assess the environmental, stormwater, soils, biological, and human health and safety risks posed by leachate seeps discharges at NRRWF in 2019. The IWP was completed and submitted to the SWRCB for review on August 23, 2021. The SWRCB

approved the IWP on September 30, 2021, which requires the completion of an IFR. The IFR requires multiple soil and stormwater samples, a human health and safety risk evaluation, threatened and endangered species evaluation, wetlands delineation, and biological assessment. The County retained Compliance SFO, Inc. to prepare the IWP and recommends entering into a new contract with Compliance SFO, Inc. to complete the IFR. The term of the contract will be for one year from January 11, 2022, through January 10, 2023, not-to-exceed \$200,000. (Public Works)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Public Comment Packet

The following member(s) of the public submitted Public comment on this item: Holly Nielsen

3.13 Contracts for On-Call Floodplain and Watershed Management

The Department of Public Works needs on-call experts to provide services to support ongoing operations, development review, and the delivery of current and future floodplain and watershed management projects and programs. The Department released a Request for Qualifications on September 7, 2021. Four firms submitted a Statement of Qualifications that the Department evaluated and ranked based on experience, capacity, and overall professional qualifications. Three firms have the qualifications to perform the on-call flood management services: Peterson Brustad, Inc. of Folsom; Kjeldsen, Sinnock & Neudeck of West Sacramento; and Environmental Science Associates of San Francisco. Technical and administrative support for specific projects during the contract term will be procured through the task-order process with funding budgeted in the fiscal year in which the work is scheduled. Task orders that result from this solicitation will provide primary technical and administrative support for the Department's flood management responsibilities and may play an active role in making recommendations on flood management-related actions. The County has also included contract language to ensure these services may be utilized during disaster events where FEMA reimbursement may be available. The Department recommends a contract with each firm for on-call floodplain and watershed management services. The term of each contract is five years from January 11, 2022, to January 11, 2027, not-to-exceed \$500,000. (Public Works)

Action requested - APPROVE CONTRACTS (3) AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.14 Budget Adjustment for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program

The City of Chico and the Butte County Sheriff jointly applied for funds under the JAG Program. The City of Chico is the designated grant administrator, and it receives the funds and then enters into an MOU to disburse the funds. The Chico Police Department will receive \$39,602 to purchase equipment for its use. The Sheriff's Office will receive \$19,312 to fund the purchase of miscellaneous computer and camera equipment, tablets, and rifles with related attachments. On December 14, 2021, the County entered into the MOU with the City of Chico for distribution of JAG funds. The Sheriff's Office recommends a budget adjustment in the amount of \$19,312(Sheriff)

Action requested - APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED).

Staff Report

3.15 Budget Adjustment for the California Off-Highway Motor Vehicle Division Grant

On December 14, 2021, the Board adopted a resolution to allow the Sheriff's Office to accept grant funding from the California Department of Parks and Recreation, Off-Highway Motor Vehicle Division in the amount of \$30,893. The grant funds patrol and law enforcement efforts to designated service areas including the Plumas and Lassen National Forests, the Jonesville Sno-Park, and Butte Meadows. Grant funds will reimburse expenses for salaries and benefits and the purchase of a new snowmobile with an estimated cost of \$14,200. The Sheriff's Office recommends a budget adjustment in the amount of \$30,893. (Sheriff)

Action requested - APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED).

Staff Report

3.16 Accept Donation from Metal Cloak

Metal Cloak has donated thirteen vehicle parts with a total value of \$12,917 to the Sheriff's Office. Parts will be installed on a 2021 Jeep Wrangler already owned by the Sheriff's Office to provide protection to the vehicle when it is used in off-road conditions. The Sheriff's Office recommends accepting the donated parts. (Sheriff)

Action requested - ACCEPT DONATION

Staff Report

Motion to approve consent agenda. Moved by Supervisor Ritter, seconded by Supervisor Kimmelshue.

Motion passed unanimously.

4. REGULAR AGENDA

4.01 Boards, Commissions, and Committees (List available at <http://www.buttecounty.net/clerkoftheboard/AppointmentsList.aspx>)

A. Appointments to Listed Vacancies

4.01.1 2022 Board Member Committee Assignments

Each year at its first meeting, the Board of Supervisors appoints Board Members to various standing committees. In addition to assigning Board Members to those terms which have expired, the Board may amend committee assignments and/or disband any committee that is no longer necessary. (County Administration)

Action requested - 1) APPOINT BOARD MEMBERS TO COMMITTEES AS DETAILED IN THE STAFF REPORT; 2) AMEND BOARD MEMBER COMMITTEE ASSIGNMENTS, IF DESIRED; AND DISBAND ANY COMMITTEE THAT IS NO LONGER NECESSARY

Staff Report

Resolution 22-003

Andy Pickett (Chief Administrative Officer) presented this item to the Board.

Motion for Board members to keep their current appointments; and adopt resolution to disband committee, and direct staff to work to disband committee(s) that are no longer necessary.

Moved by Supervisor Kimmelshue, seconded by Kimmelshue.

Motion passed unanimously.

4.01.2. Reappointment to the Assessment Appeals Board (AAB)

The AAB is a governing body provided for under the Constitution of the State of California, as well as Article IV of the Butte County Code. The AAB is an independent entity whose function is to resolve disputes between the County Assessor and taxpayers over values of locally assessed property. The AAB consists of three members appointed by the Board of Supervisors. Members must have at least five years of experience as either a lawyer, Certified Public Accountant, licensed real estate broker, property appraiser, or is a person who the nominating member of the Board of Supervisors has reason to believe possesses competent knowledge of property appraisal and taxation. AAB members serve for a period of three years, and continue to serve until their successor is appointed. The AAB is requesting that the Board of Supervisors reappoint Jodi White as a Regular Member of the AAB, with a term ending January 11, 2023. (Other - Assessment Appeals Board)

Action requested - REAPPOINT JODI WHITE TO THE ASSESSMENT APPEALS BOARD WITH A TERM ENDING JANUARY 11, 2023

Staff Report

Kayla Reaster (Assistant Clerk of the Board) presented this item to the Board.

Motion to reappoint Jodi White to the Assessment Appeals Board with a term ending January 11, 2023.

Moved by Supervisor Kimmelshue, seconded by Supervisor Teeter.

Motion passed unanimously.

**4.01.3. Butte County Behavioral Health Board (BHB)
Appointment of Toby Dowd Consumer Representative,
First Term Request**

The BHB was established pursuant to Welfare and Institutions Code section 5604 to: review and evaluate the community's mental health needs, services, facilities and special problems; review County agreements entered into pursuant to Mental Health Services Act; advise the local Mental Health Director regarding the local mental health program; review and approve the procedures used to ensure resident and professional involvement of the planning process; submit an annual report on the needs and performances of the County's mental health services; review and comment on the County's performance outcome data and communicate its findings to the Behavioral Health Planning Council; and assess the impact of realignment from the State to the County on services delivered to clients and the local community. The BHB consists of 13 to 15 members, with 50% of the membership being direct consumers or family members of consumers who are receiving mental health services, with three being direct consumers and three being family members of consumers receiving mental health services; one member of the Board of Supervisors; one law enforcement representative; one youth representative; and up to six community members. The Behavioral Health Board unanimously voted to recommend Toby Dowd to fill a Consumer Representative position vacated by Curt Brinson at its November 17, 2021 regular meeting. This Consumer Representative position term ends December 31, 2023. (Behavioral Health)

Action requested - APPOINT TOBY DOWD TO THE BEHAVIORAL HEALTH BOARD AS A FIRST TERM CONSUMER REPRESENTATIVE, TERM ENDING DECEMBER 31, 2023.

Staff Report

Supervisor Ritter presented this item to the Board.

Motion to appoint Toby Dowd to the Behavioral Health Board as a First Term consumer representative with a term ending December 31, 2023.

Moved by Supervisor Ritter, seconded by Supervisor Lucero.

Motion passed unanimously.

4.01.4. Appointments to the Butte County Children and Families Commission (First 5)

First 5 is part of a Statewide effort to create a seamless system of integrated and comprehensive programs and services by establishing community-based programs to provide parental education and family support services relevant to effective childhood development; encouraging pregnant women and parents of young children to quit smoking; and educating the public on the importance and the benefits of nurturing, health care, family support, and child care. First 5 is comprised of a nine-member commission including a member of the Board of Supervisors, the Directors of the Department of Public Health and the Department of Employment and Social Services, and six members of the public appointed by the Board of Supervisors. In addition, the Board of Supervisors appoints five alternates to the First 5 commission. Commissioner Valdez requested to convert from a regular Commissioner to an alternate. Therefore, First 5 recommends the Board of Supervisors make the following appointments: Dr. Lourdes Valdez as an alternate Commissioner, with a term ending June 30, 2023. Dr. Valdez is a practicing pediatrician and fulfills the role of representative of local medical, pediatric or obstetric association. Matthew Reddam as a regular Commissioner, with a term ending June 30, 2022. Mr. Reddam previously served as an alternate Commissioner, is a mental health advisor for Butte County Office of Education, and fulfills the role of representative of a local school district - action requested. (Other - Butte County Children and Families Commission - First 5)

APPOINT DR. LOURDES VALDEZ TO THE BUTTE COUNTY CHILDREN AND FAMILIES COMMISSION AS AN ALTERNATE COMMISSIONER WITH A TERM ENDING JUNE 30, 2023; AND APPOINT MATTHEW REDDAM TO THE

BUTTE COUNTY CHILDREN AND FAMILIES COMMISSION
AS A COMMISSIONER WITH A TERM ENDING JUNE 30,
2022

Staff Report

Supervisor Ritter presented this item to the Board.

Motion to appoint Dr. Lourdez Valdez to the Butte County Children and Families Commission as an Alternate Commissioner with a term ending June 30, 2023; and appoint Matthew Reddam to the Butte County Children and Families Commission as Commissioner with a term ending June 30, 2022.

Moved by Supervisor Ritter, seconded by Supervisor Lucero.

Motion passed unanimously.

4.01.5. Reappointments to the Durham Mosquito Abatement District (District)

The mission of the District is primarily to suppress mosquito-transmitted disease and to also reduce the annoyance levels of mosquitoes and diseases associated with ticks, fleas and other vectors through environmentally compatible control practices and public education. Trustees must be registered to vote within the County and a resident of that portion of the County that is within the District's service area. The term of office for a Trustee shall be for a term of two or four years at the discretion of the Board of Supervisors. The District recommends that the Board of Supervisors reappoint William Dempsey and Sandra Atteberry as Regular members to the Durham Mosquito Abatement District for a term of 2 or 4 years. (Other - Durham Mosquito Abatement District)

Action requested - THE DISTRICT RECOMMENDS THAT THE BOARD OF SUPERVISORS REAPPOINT WILLIAM DEMPSEY AND SANDRA ATTEBERRY AS REGULAR MEMBERS TO THE DURHAM MOSQUITO ABATEMENT DISTRICT FOR A TERM OF 2 OR 4 YEARS

Staff Report

Supervisor Kimmelshue presented this item to the Board.

Motion to reappoint William Dempsey and Sandra Atteberry as Regular members to the Durham Mosquito Abatement District for a term of 4 years.

Moved by Supervisor Kimmelshue, seconded by Supervisor Teeter.

Motion passed unanimously.

4.01.6. Appointment to the Housing Authority of the County of Butte (HACB)

The Housing Authority of the County of Butte (HACB) assists low and moderate income residents of Butte County to secure and maintain high quality affordable housing. Subsidized housing is provided to families, seniors and disabled individuals whose income is between 50% and 80% of median area income. Funding for the various programs is provided by the U.S. Department of Housing and Urban Development and the USDA Rural Development. The HACB is governed by a seven-member Board of Commissioners appointed by the Board of Supervisors. Each Supervisor appoints one commissioner. In addition, the Board also appoints two Tenant Commissioners, with one of the Tenant Commissioner being over the age of 62-years-old. Tenant Commissions shall serve two-year terms. The Housing Authority of the County of Butte is requesting that the Board appoint Bonnie Leschner to the vacant Tenant Commissioner Over 62 years-old seat on the Housing Authority of the County of Butte, with a term ending January 11, 2023; and appoint Robert Crowe to the vacant Regular Member District 3 Seat with a term ending January 11, 2023. (Other - Housing Authority of the County of Butte)

Action requested - APPOINT BONNIE LESCHNER TO THE VACANT TENANT COMMISSIONER OVER 62 YEARS-OLD SEAT ON THE HOUSING AUTHORITY OF THE COUNTY OF BUTTE, WITH A TERM ENDING JANUARY 11, 2023; AND APPOINT ROBERT CROWE OR SARAH RICHTER AS THE

DISTRICT 3 REPRESENTATIVE WITH A TERM ENDING JANUARY 11, 2023.

Staff Report

This item was pulled to be brought back at a later date.

4.01.7. Appointment to the Butte County Library Advisory Board (LAB)

The Board of Supervisors established the Butte County Library Advisory Board (LAB) for the following purposes: 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 consideration; provide oversight of the funds deposited with the North Valley Community Foundation on behalf of the Butte County Libraries, 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; and encourage in every way possible the development and advancement of the public library system. The LAB is composed of 10 voting members appointed by the Board of Supervisors. Each member of the Board of Supervisors shall appoint two members to the LAB, with each member residing within supervisorial district of the appointing Supervisor. In addition, the County Librarian shall serve as a non-voting member on the LAB. Meetings are held the third Wednesday of each month at 3:00 p.m. The LAB is requesting that the Board of Supervisors appoint Margaret Bomberg to a District 2 Library Advisory Board seat with a term ending January 9, 2023. (Other - Butte County Library Advisory Board)

Action requested - APPOINT MARGARET BOMBERG TO A DISTRICT 2 LIBRARY ADVISORY BOARD SEAT WITH A TERM ENDING JANUARY 9, 2023

Staff Report

Kayla Reaster (Assistant Clerk of the Board) presented this item to the Board.

Motion to appoint Margaret Bomberg to a District 2 Library Advisory Board seat with a term ending January 9, 2023.

Moved by Supervisor Lucero, seconded by Supervisor Kimmelshue.

Motion passed unanimously.

4.01.8. Appointments to the Reclamation District 833 Board of Trustees

In the Reclamation District 833, the number of qualified candidates filing for the Board of Trustees did not exceed the number of vacant positions to be filled and no petition calling for election was submitted. Pursuant to California Water Code section 50742, the Butte County Board of Supervisors shall appoint nominees to the Board of Trustees in lieu of election. The Reclamation District 833 requests that the Board of Supervisors appoint Jerry Davis and Ralph Wilkerson, each to four year terms, and John Moss, to a two year term. (Other - Reclamation District 833)

Action requested - APPOINT JERRY DAVIS AND RALPH WILKERSON, EACH TO FOUR YEAR TERMS, AND JOHN MOSS, TO A TWO YEAR TERM ON THE RECLAMATION DISTRICT 833

Staff Report

Kayla Reaster (Assistant Clerk of the Board) presented this item to the Board.

Motion to appoint Jerry Davis and Ralph Wilkerson, each to four year terms, and John Moss to a two year term on the Reclamation District 833.

Moved by Supervisor Kimmelshue, seconded by Supervisor Teeter.

Motion passed with a 3-2 vote.

Ayes: Supervisors Kimmelshue, Teeter, and Chair Connelly.

Nays: Supervisors Lucero and Ritter.

4.01.9. Appointments to the Sacramento River Reclamation District Board of Trustees

In the Sacramento River Reclamation District, the number of qualified candidates filing for the vacant Board of Trustees did not exceed the number of positions to be filled and no petition calling for election was submitted. Pursuant to California Water Code section 50742, the Butte County Board of Supervisors shall appoint nominees to the Board of Trustees in lieu of election. The Sacramento River Reclamation District requests that the Board of Supervisors appoint Richard Wright, Peter Peterson, and Jay Payne each as to a four (4) year term on the Board of Trustees of the Sacramento River Reclamation District. (Other - Sacramento River Reclamation District Board of Trustees)

Action requested - APPOINT RICHARD WRIGHT, PETER PETERSON, AND JAY PAYNE EACH AS TO A FOUR (4) YEAR TERM ON THE BOARD OF TRUSTEES OF THE SACRAMENTO RIVER RECLAMATION DISTRICT

Staff Report

Kayla Reaster (Assistant Clerk of the Board) presented this item to the Board.

Motion to appoint Richard Wright, Peter Peterson, and Jay Payne each to a 4 year term on the Board of Trustees of the Sacramento River Reclamation District.

Moved by Supervisor Lucero, seconded by Supervisor Kimmelshue.

Motion passed unanimously.

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

Supervisor Lucero: reported her participation in a Water Education for Latino Leaders Session in southern California.

Supervisor Teeter: reported his participation in witnessing a couple of Bill hearings. It included bills AB1519, AB 1154, and AB 1259. Teeter requested that the Board direct staff to find ways the County can notify fire survivors know about AB 1259. Chair Connelly supported his request.

Supervisor Ritter: reported her participation in a Behavioral Health Board meeting, Passages Adult Center Resource meeting, First 5 Commission meeting, NAACP Continuum of Care meeting, and explained the issues with broadband that people in her district are having.

Supervisor Kimmelshue: reported that he was happy with the Department of Public Works and their prompt handling of the historic snow and rains. He reminded the community that the Chico Homeless Settlement have been made and there is expected to be a press conference on it later in the week.

Chair Connelly: reported his participation in multiple constituent meetings, and he commended the Department of Public Works for their hard work. He stated that he traveled around the county and noticed that the many roads are in terrible condition. He stated that the County needs to find funding for the roads to be fixed. He then thanked the Board for reelecting him as the Chair.

4.02 Agricultural Hoop Structures

At the September 14, 2021, the Board of Supervisors directed the Department of Development Services to return with draft criteria for review and approval of a potential exemption of hoop structures from building permits. Upon further discussion with stakeholders and other County agencies, the Department recommends a simplified permit process for pre-manufactured hoop structures that do not exceed 24 feet in width and 2,000 square feet in area. (Development Services)

Action requested - APPROVE THE SIMPLIFIED PERMIT PROCESS FOR PRE-MANUFACTURED AGRICULTURAL HOOP STRUCTURES OF LIMITED SIZE

Staff Report

Public Comment Packet

Paula Daneluk (Director of Development Services) and Curtis Johnson (Assistant Director of Development Services) presented this item to the Board.

The following member(s) of the public submitted Public comment on this item: John Stonebraker (electronically), Richard Coon (electronically and in person), and John Miller-George.

Motion to approve the simplified permit process for premanufactured agricultural hoop structures of limited size and clarify hoop house definition. moved by Supervisor Teeter, seconded by Supervisor Kimmelshue. Motion passed with a 3-2 vote. Ayes: Supervisors Kimmelshue, Teeter, and Chair Connelly. Nays: Supervisors Lucero and Ritter.

4.03 Introduction of the Salary Ordinance

The Department of Human Resources has prepared an updated Salary Ordinance. The ordinance includes details on allocated positions, and the salary plans for classified positions, elected and appointed officials and members of the Board of Supervisors. A new salary ordinance is typically adopted once per year and is then amended with resolutions during the course of the year. The ordinance being considered incorporates changes the Board of Supervisors has made by resolution to the salary ordinance through December 14, 2021. (Human Resources)

Action requested - INTRODUCE THE SALARY ORDINANCE AND WAIVE THE FIRST READING

Staff Report

Andy Pickett (Chief Administrative Officer) presented this item to the Board.

The following member(s) of the public submitted Public comment on this item: John Miller-George.

Motion to introduce the Salary Ordinance and waive the first reading. Moved by Supervisor Lucero, seconded by Supervisor Ritter. Motion passed unanimously.

4.04 Butte County Public Works Disaster Project Delivery Cash Flow Needs for 2022

Butte County has been significantly impacted by multiple disasters. Two catastrophic and life-altering events - the Camp Fire and the North Complex Fire - have fundamentally affected the County, while multiple storm-related disasters have also had impacts on area communities. County-maintained roads and infrastructure have sustained significant damage from disasters since 2017. On August 10, 2021, the Department of Public Works presented a Road Recovery and Restoration report to the Board of Supervisors that quantified cumulative disaster impacts to County-maintained roads and presented priorities and funding considerations for the Board's information. FHWA distributes funding for planning, design, building, repairing, and rehabilitation of roads and has provided consistent funding to the Department across many projects. In recent months, permanent Camp Fire road restoration projects have been approved by Caltrans and the Federal Highways Administration (FHWA) on Skyway, New Skyway, and Pence Road. Caltrans and FHWA have also given authorization for repairs to Miners Ranch Road stemming from the North Complex Fire. The Department plans to begin work on these repairs in 2022. The total estimated cost of these projects is approximately \$24.3 million. The projects may require the County to provide local funds for short-term cash flow until the necessary funding can be allocated by our partners. The Department does not have the resources to provide \$24.3 million in cash flow for the projects. The Department has identified several cash flow scenarios for Board consideration with plans to return with a future action item in alignment with Board direction. (Public Works)

Action requested- PROVIDE DIRECTION TO THE DEPARTMENT OF PUBLIC WORKS ON A CASH FLOW SOURCE FOR APPROVED CALTRANS AND FHWA PROJECTS.

Staff Report

Public Comment Packet

Josh Pack (Director of Public Works) presented this item to the Board.

The following member(s) of the public submitted Public comment on this item: John Stonebraker (electronically) and John Miller-George.

Motion: If market interest can be recovered use PGE Settlement funding, if that is not possible and insurance and fees can be reimbursed option two (external financing) and if that can not be reimbursed then use option one as a cash flow source to approve CalTrans and FHWA Projects.

Moved by Supervisor Teeter, seconded by Chair Connelly.

Motion passed unanimously.

Direction provided to staff; Public Works to work with Administration to bring back the best option.

4.05 Results from the Wildland Urban Interface (WUI) Green Waste Removal Pilot Program Offered at the Neal Road Recycling and Waste Facility (NRRWF)

On May 11, 2021, the Board of Supervisors directed the Department of Public Works to bring back an agenda item to discuss possible roles for the NRRWF to support residential efforts to dispose of green waste generated during fire prevention efforts. On June 8, 2021, the Board of Supervisors authorized a pilot program to provide free green waste disposal for Butte County residents living in the Wildland Urban Interface (WUI). The Department of Public Works advertised 11 designated disposal days beginning June 30, 2021 and ending November 7, 2021, for residents living in the WUI area to dispose of up to three yards of green waste at the NRRWF free of charge. A total of 672 residents participated in the program with 331.2 tons of green waste received. The total cost to operate the pilot program was \$42,906. The Department of Public Works requests the Board provide direction on future programs to support residential green waste disposal. (Public Works)

Action requested - PROVIDE DIRECTION TO STAFF ON FUTURE PROGRAMS TO SUPPORT RESIDENTIAL GREEN WASTE DISPOSAL

Staff Report

Power Point

Josh Pack (Director of Public Works) presented this item to the Board.

The following member(s) of the public submitted Public comment on this item: John Miller-George.

Motion: To continue the program next year with lessons learned.

Moved by Supervisor Ritter, seconded by Supervisor Lucero.

Motion passed unanimously.

4.06 Hmong Cultural Center of Butte County Transitional Age Youth Report

At the request of Supervisor Lucero, representatives from the Hmong Cultural Center of Butte County will present a report on their work with Transitional Age Youth. (Other - Hmong Cultural Center)

Action requested - ACCEPT FOR INFORMATION

Staff Report

This item was pulled to be brought back at a later date.

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

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 10:00 AM- Timed Item - 2022 State and Federal Legislative Platform Discussion

Action requested - PROVIDE DIRECTION TO STAFF.

Each year, the Board of Supervisors considers and adopts platforms establishing priorities with regard to State and federal legislation and regulation. These platforms provide a basis for advocacy throughout the year. The draft 2022 platforms were prepared in consultation with Department Heads, input from Board members and assistance from the County's State and federal consultants. The draft platforms continue to address issues such as public safety, health and human services, water, public infrastructure, local government finances, and general government. In addition, the documents contain legislative matters directly related to recovering from the numerous disasters that the County has recently faced. Paul Yoder of Shaw/Yoder/Antwih/Schmelzer and Lange will discuss the State platform and provide updates regarding current legislative activities at the State level. Kristi More of The Ferguson Group will discuss the federal platform and legislative activities at the federal level. Final State and federal platform documents will be brought back before the Board at the second meeting in January for consideration based on direction provided to staff. (County Administration)

Action requested - PROVIDE DIRECTION TO STAFF

Public Comment Packet

Brian Ring, (Assistant Chief Administrative Officer) presented this item to the Board.

The following member(s) of the public submitted Public comment on this item: John Stonebraker (electronically) and John Miller-George.

Direction provided to the staff.

Staff Report

5.02 11:30 AM - Timed Item - Resolution Granting the Appeal to modify Condition No. 16 for Tentative Subdivision Map TSM20-0003

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

Matt Shelton and Mike and Julie Jackson, the applicants for Tentative Subdivision Map TSM20-0003, filed an appeal of Condition No. 16 included in the Planning Commission's approval of this project on October 28, 2021. Condition No. 16 requires road and street frontage improvements along Garner Lane. The appellants proposed an alternative to Condition No. 16, indicating the condition of the existing roadway does not warrant additional improvements and that the proposed improvements would conflict with existing high voltage power poles. The Board of Supervisors conducted a hearing on December 14, 2021 on the appeal and made a motion of intent to grant the appeal to modify Condition No. 16 to reflect the appellants request with the inclusion of the Department of Public Works modification. The Department of Development Services and the Department of Public Works present the resolution granting the appeal of Condition No. 16 for Tentative Subdivision Map TSM20-0003 following the motion of intent by the Board of Supervisors. (Development Services)

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

Staff Report

Resolution 22-004

Paula Daneluk (Director of Development Services) presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: John Miller-George.

Motion: Adopt resolution and authorize the Chair to sign.

Motion moved by Supervisor Lucero; Seconded by Supervisor Ritter.

Motion passed unanimously.

- 5.03 1:00 PM – Timed Item - Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer

5.03. A. COVID-19 Update by the Public Health Director

Public Comment Packet

Danette York (Director of Public Health) presented this item to the Board.

The following member(s) of the public submitted Public comment on this item: Diana Dreiss (electronically and in person), John Miller-George, Julie Threet, and Catherine Posey.

5.03. B. North Complex Fire Recovery Update

Anna Loughman (Assistant Director of Employment and Social Services) presented this item to the Board.

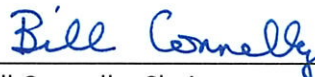
- 5.03. C. Resolution Re-authorizing Continued Teleconference Meetings of the Board of Supervisors pursuant to the Ralph M. Brown Act as amended by AB 361

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

ATTEST:

Andy Pickett, Chief Administrative Officer and
Clerk of the Board

Deputy



Bill Connelly, Chair
Butte County Board of Supervisors