

ButteCounty

CALIFORNIA



State Legislative Platform

*Strategies to Preserve a Safe,
Healthy, and Prosperous Community*

About

Butte County is a place of natural beauty with countless opportunities for recreation in both rural and urban environments. Many Butte County residents live in one of the five incorporated towns or cities: Biggs, Chico, Gridley, Oroville or Paradise. Butte County government provides services to residents through 23 diverse departments. Services include elections, road maintenance, public safety, solid waste disposal, and health and human services to name a few.

BOARD OF SUPERVISORS

Bill Connelly, District 1
Larry Wahl, District 2
Maureen Kirk, District 3
Steve Lambert, District 4
Doug Teeter, District 5

INTERIM CHIEF ADMINISTRATIVE OFFICER

Shari McCracken
25 County Center Drive, Suite 200
Oroville, CA 95965
(530) 552-3300

IN COORDINATION WITH

Shaw, Yoder, Antwih, Inc.
1415 L Street, Suite 1000
Sacramento, CA 95814
Phone (916) 446-4656 | Fax (916) 446-4318
shawyoderantwih.com

Prosperity for Butte County



Planning for our Future

Smart economic expansion, growth, and sustainability are top priorities for Butte County.



Protecting our Citizens

Butte County strives to provide a safe and healthy community for its citizens.



Preserving our Communities

Safeguarding our way of life against the challenges of today and the changes of tomorrow by protecting the County's strong agriculture roots and promoting community unity.

PLANNING FOR OUR FUTURE	5
PUBLIC INFRASTRUCTURE	5
California Water Issues.....	5
Flood Management and Flood Control.....	6
Highway and Other Infrastructure Improvements	6
Solid Waste – Renewable Energy Projects – Conversion Technology	7
Storm Water Permits	7
PROTECTING THE AGRICULTURE INDUSTRY	8
Agriculture Issues.....	8
PROTECTING OUR CITIZENS	9
ADEQUATE FUNDING FOR LOCAL SERVICES	9
Adequate Reimbursement for Activities Related to the California Department of Water Resources’ Oroville Facilities.....	9
Funding for Mental Health and Drug and Alcohol Services	10
Mental Health Services Act Funding.....	11
CalPERS Actuarial Separation of Court Employees	11
Indian Gaming Special Distribution Fund.....	12
Marketplace Equity and Consumer Protection.....	12
Community Choice Aggregation	13
Protection of Local Revenue.....	14
Timely Payment for State and Federal Programs/Mandates.....	14
2011 Realignment.....	15
CHILDREN	16
Child Support Services	16
Drug Endangered Children.....	17
FIRE/EMERGENCY SERVICES	17
Cal-Fire Contract	17
Fire Funding.....	18
HEALTH CARE	18
Changes to Welfare and Institutions Code 5150	18
County Health Care Insurance Options.....	20
LAW ENFORCEMENT	20
Vehicle License Fee.....	20
Probation – Use of Third Party Researchers	21
PRESERVING OUR COMMUNITIES	21
COMMUNITY SUPPORT	21
Efficient Operations of County Clerk-Recorder Functions	21
Election Operations.....	22

2018 State Legislative Platform

Required Public Notices 22

Housing Needs Plans..... 23

Housing Rehabilitation 23

Off-Highway Vehicles and Green Sticker Funding 24

Regulation of Cannabis Activities 24

Solid Waste Issues 25

State Funding Cuts for Community Services 26

Property Tax Administration 26

State Surcharges Collected by Counties 26

Drought Response..... 27

PUBLIC FACILITIES..... 28

Contracting for Services..... 28

Veterans’ Facilities 28

Community Facilities..... 29

Energy Efficiency in Public Facilities 29

Public Facilities – Deferred Maintenance 30

Public Facilities – Project Delivery..... 30

Alternative Energy..... 31

PLANNING FOR OUR FUTURE

PUBLIC INFRASTRUCTURE

California Water Issues

Summary of the Issue

The Northern Sacramento Valley region is the area-of-origin for much of the water that flows through the Delta. Butte County's surface water resources, including Lake Oroville and a network of creeks and rivers that are tributary to the Sacramento River, feed the Delta. Many of the streams provide invaluable habitat necessary for the sustainability of threatened and endangered species such as the Spring Run Chinook Salmon.

The Sustainable Groundwater Management Act of 2014 fundamentally changed how water resources and land use are managed. Although the Act will take many years to implement and its impact may not be felt for over a decade, many important implementation decisions will be made in the next few years. As implementation unfolds, efforts may be advanced to amend the Act to clarify its intent. Butte County should actively engage in any effort to amend the Act to preserve County police powers, land use, water management and well permitting authorities. Additionally, the State of California has a financial obligation to offset the local cost of implementing the Act. Butte County will work to assure the Act does not place any unnecessary local obligations and that the State provides funding to local agencies. The State of California, through previous water bonds and the recently enacted one, will provide an opportunity to fund projects beneficial to Butte County.

Requested Action and Strategy

- Support additional storage, protection of area of origin water rights, existing water right priorities, and local control over water management.
- Support implementation of the Sustainable Groundwater Management Act that eliminates unnecessary local obligations, provides financial assistance to local agencies and preserves county land use, water management and well permitting authorities.
- Identify and advocate for projects that will benefit Butte County and the Northern Sacramento Valley Integrated Regional Water Management efforts in the water bond and other funding opportunities.

Contact: Paul Gosselin, Water and Resource Conservation Director, 530-538-4343

Flood Management and Flood Control

Summary of the Issue

Levees in Butte County need upgrading, repair, and maintenance to meet new Federal Emergency Management Agency (FEMA) accreditation and State certification requirements. To address the new requirements by FEMA and the Central Valley Flood Protection Board, funding is needed for planning and capital improvements. Examples of areas in need of funding include the urban and non-urban levees that protect much of the Chico Urban Area, levees along the Feather River that protect south County residents, the Butte Creek Levees, the Cherokee Canal Levees and the Rock Creek/Keefer Slough area.

If levees do not meet FEMA accreditation and State certification requirements, many residents in the south County and the Chico Urban Area will face increasing annual costs for flood insurance, as well as stricter development regulations.

Requested Action and Strategy

- Pursue budget action and/or legislation to provide access to funding for the improvement, repair and maintenance of levees in Northern California.
- Continue to advocate for inclusion of local water quality and flood control projects in Butte County to be funded from voter-approved bonds.

Contact: Dennis Schmidt, Public Works Director, 530-538-7681

Tom Fossum, Deputy Director-Public Works Department, 530-538-7266

Highway and Other Infrastructure Improvements

Summary of the Issue

Reliable, safe, and modern public infrastructure is vital to the economic development of the County. Upgrading and maintaining our roads, water supply, and wastewater infrastructure not only helps the County provide basic services to our current citizens, but also provides the foundation for future economic growth and business development.

From the Butte County line to Highway 162 in Oroville, Highway 70 has seen numerous fatalities since 1992. Between 2003 and 2009 there were 286 collisions recorded on Highway 70 between Oroville and Marysville, based upon data available from the Highway Patrol. From January 1, 2017 through December 8, 2017, 13 fatal collisions occurred on this section of the highway. This critical trade and travel corridor connects Butte County with Yuba, Sutter, and the Greater Sacramento Valley. Additional improvements are needed for the safety of those traveling Highway 70.

Requested Action and Strategy

- Identify and pursue funding for economic development and infrastructure improvement opportunities.
- Support the Butte County Association of Governments (BCAG) and CalTrans in their efforts to secure funding for Highway improvements.
- Support CSAC efforts to fund necessary road upgrades and repairs.

Contact: Dennis Schmidt, Public Works Director, 530-538-7681

Solid Waste – Renewable Energy Projects – Conversion Technology

Summary of the Issue

State and federal mandates require local jurisdictions to increase waste diversion and decrease greenhouse gas emissions. New, green technology can be highly effective in helping jurisdictions achieve the mandates, but currently there are many obstacles preventing the development of facilities utilizing new conversion technologies. Obstacles include lack of proper definitions for new technologies, improper placement in CalRecycle's hierarchy of waste handling priorities, unclear permitting pathways, inability to qualify as a renewable energy project and inability for a conversion technology facility to qualify for diversion credits. Developing facilities that convert waste to energy are often infeasible without economic and other incentives. Currently, it is not feasible to implement some new, green technologies either due to the cost or an inability to qualify for financial incentives, or compliance programs. For example, conversion of solid waste to energy reduces dependence on landfills and creates a fuel source for renewable energy; however, such technology does not currently qualify for AB 939 diversion credits or renewable energy credits, making it infeasible to implement.

Requested Action and Strategy

- Support the passage of State and Federal legislation and regulations that would establish a clear pathway to encourage the development of conversion technologies; including clarification of the definition of conversion technologies and ensuring they qualify for appropriate renewable energy project status, financial and other incentives for producing renewable energy, reducing landfill disposal, and producing low carbon fuels.
- Support efforts to grow markets for renewables, especially those that create jobs in California.
- Oppose any increase in the State's tipping fee that only supports State functions and/or does not adequately provide for assistance to local governments.

Contact: Deputy Director, Waste Management Division, 530-879-2350

Storm Water Permits

Summary of the Issue

California's Water Resources Board has adopted changes to its Industrial and Municipal General Storm Water Permits. In the opinion of a broad coalition of stakeholders, including the Rural County Representatives of California and the California State Association of Counties, the changes are above and beyond what the U.S. Environmental Protection Agency mandates and will result in hundreds of millions of dollars in additional costs with no proven environmental benefits.

Requested Action and Strategy

- Support efforts by CSAC to create a new funding method for local agencies to finance storm water management and flood control projects.

Contact: Deputy Director, Waste Management Division, 530-879-2350
Tom Fossum, Deputy Director-Public Works Department, 530-538-7266

PROTECTING THE AGRICULTURE INDUSTRY

Agriculture Issues

Summary of the Issue

Agriculture is one of the primary economic drivers in Butte County. Reductions in funding and services, or increased costs to agricultural businesses, can cause harm to the local economy.

Requested Action and Strategy

- Support efforts to prevent the introduction and potential spread of invasive pests and diseases harmful to agriculture, including strengthening inspections at borders.
- Support an Irrigated Lands Program that will not increase costs to the growers and will provide reasonable, regulatory oversight in agricultural practices that may affect water quality of the state.
- Support proposals that maintain or increase funding for pesticide regulatory activities to protect the safety of workers, the public, and the environment, including funding for education, outreach, and compliance assessment activities related to the safe use of pesticides.

Contact: Louie B. Mendoza, Jr., Agricultural Commissioner, 530-538-7381



PROTECTING OUR CITIZENS

ADEQUATE FUNDING FOR LOCAL SERVICES

Adequate Reimbursement for Activities Related to the California Department of Water Resources' Oroville Facilities

Summary of the Issue

Butte County has been the host jurisdiction to the California Department of Water Resources' (DWR) Oroville Facilities for over 50 years and during that time Butte County taxpayers have been subsidizing DWR's operation of the facilities. To date, the State has not properly compensated the residents of Butte County for the costs incurred by the County providing services supporting the construction and operation of the Oroville facilities. The County and its residents experience an annual loss of between \$3.6 million and \$8.3 million in property tax revenue because the state is not currently required to pay property taxes on the 41,000 acres of land associated with the Project. In addition, the County incurs costs of more than \$5 million per year for local law enforcement, criminal justice, road maintenance, and fire and emergency response related to the facilities with no reimbursement from DWR. In February 2017 both the primary and emergency spillways failed, resulting in the evacuation of over 180,000 people downstream from the facilities and significant social, economic, and environmental impacts to the communities and the County.

DWR is currently seeking a renewal of its license for the facilities through the Federal Energy Regulatory Commission (FERC) and the County has asked that any new license include a provision of benefits to the County and its residents for the financial drain the project has had, and will continue to have, over the life of a new license. The facilities have been operating under annual extensions to the old license for the past 10 years, with no estimate on when FERC might consider issuing a new license.

DWR does generate revenue and inexpensive power from these facilities for the benefit of itself and others outside of Butte County.

Requested Action and Strategy

- Explore all opportunities for successful resolution of this issue, including, but not limited to, provision of lower cost water and electricity for the residents and businesses in Butte County and reimbursement of costs associated with provided services to the Oroville facilities.



Contact: Shari McCracken, Interim Chief
Administrative Officer, 530-552-3300

Funding for Mental Health and Drug and Alcohol Services

Summary of the Issue

Changes to behavioral health treatment funding in the 2011 Realignment promised future improvements to funds available for both mental health and alcohol and drug treatment. For some time, the State had delayed payment to counties creating problems. It is acknowledged that these payments are now, for the most part, more timely. However, proposed changes to the Affordable Care Act (ACA) that are anticipated from the new federal administration may have significant financial impact to Behavioral Health funding and state and federal reimbursement for the newly expanded population which has grown substantially since January 2014.

Since January 2014, increased reimbursements for Medi-Cal eligible behavioral health services have allowed the County to expand services in the areas of substance use treatment, and mental health services to all adults with income below 133 percent of the poverty line (currently, 90 to 100 percent of cost for these services are now reimbursed to the County for this expanded population). This has resulted in increased services to special populations, including AB109 (early prisoner release populations), homeless youth, adults, and families. More individuals are now covered by Medi-Cal than ever before and receiving needed services with almost all costs to the County being reimbursed by state and federal dollars. Without the expansion of Medi-Cal to these individuals the entire cost of treatment and services will likely become the responsibility of local government and private institutions (counties, hospitals, law enforcement, etc.).

Requested Action and Strategy

- Advocate that any future changes to the Affordable Care Act provide adequate reimbursement of treatment to individuals with mental illness and/or substance dependence.
- Advocate for the continued inclusion of adults with income under 133 percent of the federal poverty line.

Contact: Dorian Kittrell, Behavioral Health Director, 530-891-2857

Mental Health Services Act Funding

Summary of the Issue

The Mental Health Services Act (MHSA) placed a 1 percent tax on personal income in excess of \$1 million to fund mental health services in California Counties. In Fiscal Year 15/16 MHSA provided approximately \$9 million for Butte County Department of Behavioral Health services. This act was intended solely for Counties to provide direct services to severely mentally ill clients, both youth and adult, as well as fund prevention and early intervention programming aimed at reducing serious mental illness. In 2016, for the first time, the State Legislature voted to take 7 percent of funds collected and designated for counties each year under the MHSA to fund a bond for a housing/homeless initiative. While the initiative has merit, it is anticipated to reduce funding to for mental health services in Butte County by approximately \$700,000 per year. Furthermore, and most important, it has opened the door for MHSA funds to be considered for other projects that would divert important local funding to statewide issues at the discretion of the legislature. MHSA was intended for local jurisdictions to increase and enhance mental health services. Any potential legislative action rerouting these dollars for special projects leaves counties with uncertainty of sustainability of programming, and potentially reducing effective local initiatives.

Requested Action and Strategy

- Advocate for no further reductions of MHSA funding to Counties by the legislature or special interest groups.

Contact: Dorian Kittrell, Behavioral Health Director, 530-891-2857

CalPERS Actuarial Separation of Court Employees

Summary of the Issue

In 2000, SB 2140 enacted the Trial Court Employment Protection and Governance Act, which requires a trial court and county to participate under a joint PERS contract if the trial court is located within a county that contracts with PERS for retirement benefits. This results in pooled assets and liabilities, a single employer contribution rate, and a single benefit package. Recent changes in required reporting under GASB 68 and CalPERS' separation of normal cost and required contributions against accrued liabilities have taken a difficult situation and made it unsustainable.

Requested Action and Strategy

- Support efforts to separate assets and liabilities of contracting counties from those of trial courts, including working with PERS staff to resolve this issue.

Contact: Meegan Jessee, Deputy Administrative Officer, 530-552-3312

Indian Gaming Special Distribution Fund

Summary of the Issue

The Indian Gaming State Distribution Fund (SDF) was established in 1999 as a mechanism by which Tribes operating more than 200 gaming machines would contribute a percentage of net win dollars to address the impacts of gaming. Some of these funds were designated for local government agencies to mitigate the local impacts of gaming. Over the years Butte County has designated these funds primarily for public safety functions. SDF funds had been decreasing for years, primarily due to the State renegotiating compacts with Tribes to have the percentage of net win dollars bypass the SDF and go directly to the State. In 2014, all mitigation funds from the SDF to local government ended.

Requested Action and Strategy

- Support efforts to restore funding for mitigating local impacts of gaming.
- Support provisions to increase local autonomy in how funds are spent.

Contact: Andy Pickett, Deputy Administrative Officer, 530-552-3310

Marketplace Equity and Consumer Protection

Summary of the Issue

Weights and Measures programs are important to businesses and consumers in California as they ensure a level playing field for business. These programs are also critical in providing protection for consumers. Inspection programs to verify the accuracy of weighing and measuring devices are partially funded by device registration fees. The authority for these fees, in Business and Professions Code Sections 12240 and 12246, sunsets January 1, 2019.

Requested Action and Strategy

- Support efforts to extend or eliminate the repeal date in Business and Professions Code Section 12246 pertaining to device registration fees.
- Protect local authority for device registration fees.

Contact: Louie B. Mendoza, Jr., Agricultural Commissioner, 530-538-7381

Community Choice Aggregation

Summary of the Issue

Community Choice Aggregation (CCA), authorized by AB117, allows local governments to pool their electricity load to purchase and/or develop power on behalf of their residents, businesses, and municipal accounts. CCA allows local governments to become an energy purveyor and to purchase electrical energy on the wholesale market from any source. CCA is a supply model that works in partnership with the existing utility, which continues to deliver power, maintain the grid, provide consolidated billing, and other customer services.

The County is currently exploring the feasibility of CCA formation in Butte County or partnering with an existing CCA.

Requested Action and Strategy

- Oppose legislation that would restrict CCA formation, establish an opt-in only program, or add additional fees or surcharges to which an Investor Owned Utility is not subject.
- Support efforts to protect local governments' right to participate in, or establish, community choice aggregation programs.

Contact: Brian Ring, Assistant Chief Administrative Officer, 530-552-3311



Protection of Local Revenue

Summary of the Issue

The State has chosen in the past to use local County resources to balance its budget. Historical efforts have included suspension of Proposition 1A and Proposition 42 - two initiatives that were approved by the voters to safeguard local property tax revenues and transportation monies from being used to balance the State Budget. In 2010, California voters passed Proposition 22, which protects gas tax funds from being taken by the State, further narrowing the State's options for balancing its budget, as well as Proposition 26, which reduces the State's ability to adopt new fees and revenues. The State is left with few options for reducing its gap between on-going expenditures and revenues, which puts local County resources further at risk.

Local resources are the primary funding source for public safety programs at the County level.

Requested Action and Strategy

- Oppose any effort by the State to borrow, defer, or take local discretionary revenue.
- Oppose the redirecting of existing revenues and/or the creation of additional unfunded mandates.
- Support efforts to generate new intergovernmental revenue and/or enhance existing revenue and reimbursement levels.

Contact: Shari McCracken, Interim Chief Administrative Officer, 530-552-3300

Timely Payment for State and Federal Programs/Mandates

Summary of the Issue

Butte County provides a variety of public services on behalf of the State and Federal governments including, but not limited to, mental health, elections, social services, and roads. During the Great Recession, the State delayed payment of millions in State and Federal funds to Butte County. When the State delays payment, the County has difficulty meeting all its obligations. This could delay payments to vendors (ranging from landlords to supply stores to child care providers to non-profit agencies providing services); contractors; and ultimately employees. The State has historically had an unfortunate tendency to pass cash flow problems on to counties. Although things have improved dramatically since the Great Recession, there are insufficient protections in place to shield the County in the event of another significant downturn.

Requested Action and Strategy

- Advocate for payment of remaining SB 90 claims and oppose actions to eliminate, delay or reduce payments to counties.

Contact: Shari McCracken, Interim Chief Administrative Officer, 530-552-3300

2011 Realignment

Summary of the Issue

In the 2011 Legislative session, the State Legislature transferred responsibility for providing many public services from state government to counties and other local governments. The transferred responsibilities included law enforcement and public safety services, care for abused and neglected seniors and children, mental health and substance abuse recovery programs, and monitoring and detaining specified felony offenders. Though funding is provided for the realigned programs, it may not be sufficient to implement all programs fully, especially the realignment of felony offenders.

Requested Action and Strategy

- Advocate for full funding of realigned programs and a local funding allocation formula that provides a fair share to cover realigned programs in Butte County.
- Support legislation to prohibit the State from passing any new law or regulation that imposes additional costs on local governments to provide services unless the State provides a source of state funding to pay the additional costs.

Contact: Andy Pickett, Deputy Administrative Officer, 530-552-3310

CHILDREN

Child Support Services

Summary of the Issue

The Child Support system in California has made great improvements and can continue to do so with some meaningful changes. Current law provides that the filing of abstracts be handled within each county and that each Local Child Support Agency issue income withholding orders to employers for child support obligors with cases in the child support enforcement program. A central statewide system to centrally house all state filings related to Child Support Services would be more cost-effective and would help facilitate services more efficiently.

Additionally, the current 10% interest rate on child support obligations is so high that balances are nearly impossible for parents to pay off, even if they are making sincere efforts. The result is many of these parents become discouraged and stop making payments altogether.

Many employers in California pay their employees in cash, enabling those employees who owe child support to avoid their legal obligations. Penalties for this practice should be instituted to create a disincentive for allowing parents to avoid their financial responsibility to their children.

Requested Action and Strategy

- Support legislation to amend Family Code Section 4506, to require that all abstracts for Child Support Services be filed in a central statewide system.
- Support legislation to add a Family Code Section to require that all income withholding orders for child support obligations be filed in a central statewide system.
- Support legislation to eliminate or decrease the amount of interest on Child Support arrears.
- Support legislation to amend current law to increase the civil liability and penalties to employers who pay their employees cash.

Contact: Sang Kim, Deputy Administrative Officer, 530-552-3313

Drug Endangered Children

Summary of the Issue

The Drug Endangered Children (DEC) Program started in Butte County in 1993 and has been a model throughout the country. On average 200-300 children are removed from drug endangered living conditions each year. In drug raids prior to DEC, children at the scene—which was their home and included drugs, violence, chemical exposure, and filth—were not cared for as a priority. DEC involves personnel at the scene with the sole priority to remove the children safely and render immediate assessment and services. The DEC Team includes personnel from law enforcement, social services, the District Attorney's Office, medical services and the Fire Department. All personnel assigned to the DEC Team require special and exceptional training.

Children removed from drug endangered homes have been found to have serious respiratory problems, delayed development, malnutrition, injuries from abuse and lack of medical treatment, emotional trauma and damaged internal organs. DEC provides interdisciplinary assessment, immediate services, referrals for specialist care and case management to ensure ongoing care and treatment.

Requested Action and Strategy

- Explore options for the State to fund the DEC program including providing a means of reimbursing county staff to periodically train personnel in other counties with respect to DEC procedures and processes.

Contact: Mike Ramsey, District Attorney, 530-538-7411

FIRE/EMERGENCY SERVICES

Cal-Fire Contract

Summary of the Issue

Butte County contracts with CAL FIRE to provide personnel to the Butte County Fire Department for countywide fire suppression and emergency response services. While this arrangement proved to be cost-effective in the past for both the County and the State, there are inherent issues that cause fiscal stress in the relationship. The State continues to pass on higher overhead rates every year in the form of a pro-rata statewide share of costs in addition to the Cal-Fire Admin Fee. The resultant increases in contract payments for fire services are paid from discretionary revenues at the County level.

Requested Action and Strategy

- Oppose legislative or administrative actions that will increase costs borne by the County.

Contact: Andy Pickett, Deputy Administrative Officer, 530-552-3310



Fire Funding

Summary of the Issue

Butte County was subjected to a number of wildfires during the 2017 fire season. Fire activity was extreme in part due to the high fuel load and vegetation available. Without adequate funding for prevention and resource management these extreme conditions are going to continue. National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) requirements can be burdensome, time consuming and costly. In addition, the reduction of grant funds available to agencies would also have a negative impact on fire prevention measures.

Requested Action and Strategy

- Support legislation that will increase fire prevention funding in a fair and equitable manner.
- Support legislation that streamlines NEPA and CEQA requirements with regard to forest management.
- Support legislation to maintain existing fire grants (including but not limited to Assistance to Firefighters Grant and the Staffing for Adequate Fire and Emergency Response grant programs).

Contact: Andy Pickett, Deputy Administrative Officer, 530-552-3310

HEALTH CARE

Changes to Welfare and Institutions Code 5150

Summary of the Issue

Welfare and Institutions Code 5150 *et seq* has provided a confusing and at times conflicting set of codes to provide for involuntary detainment and evaluation of individuals who are at immediate risk of harm due to a mental illness. While SB 364 was signed into law in 2013, clarifying a few points of contention, there continue to be challenges to the process and resources related to involuntary detention and treatment of individuals with mental illness. SB 82 has also provided for short term funding to improve the crisis outreach and response system in the State. However positive this attention to mental health response to persons in crisis has been, there are continuing concerns related to an insufficient number of psychiatric hospital beds, inadequate funding for locked placements (IMD's), and emergency departments struggling to work with psychiatric patients while awaiting placement. Compounding these issues are refusals of many psychiatric inpatient units who have capacity (open beds) to accept patients who are considered "too acute" or "treatment resistant".

Requested Action and Strategy

- Continue to advocate for sufficient funding and resources to improve access and continued care for individuals in crises.
- Address resource issues related to unengaged individuals who come to the attention of law enforcement either through homelessness or criminal behavior due to untreated mental illness or alcohol and drug abuse, including the need for transitional housing.
- Continue to support efforts to further clarify the 5150 statutes.
- Support State efforts to modify Federal Medicaid regulations, Title 42, CFR, §35.1009/1010 (known as the “Institute of Mental Disease [IMD] Exclusion”) that prohibits federal reimbursement for mental health treatment in psychiatric inpatient facilities that have more than 16 beds. California is currently participating in a Federal demonstration project (sponsored under the Affordable Care Act and spearheaded by Senator Matsui in Sacramento and Contra Costa) to show the clinical and fiscal benefits of short-term emergency inpatient psychiatric care for individuals who receive these services in free-standing psychiatric hospitals that have more than 16 beds. Counties currently pay the entire cost when residents are served in these facilities which make up most inpatient beds in the State. This regulation, enacted in 1965, has not kept up with the modernization of inpatient psychiatric care and should be modified so that these services are eligible for Medicaid reimbursement when provided in licensed, Medicaid eligible, psychiatric hospitals that are greater than 16 beds.
- Support legislation that prohibits psychiatric hospitals from refusing treating individuals when there is capacity at their facility.

Contact: Dorian Kittrell, Behavioral Health Director, 530-891-2857

County Health Care Insurance Options

Summary of the Issue

The County currently contracts with California Public Employees' Retirement System (PERS) for the provision of employee health insurance. In recent years, PERS has implemented significant health insurance premium increases, especially for the Northern California region. The County has requested rate setting and utilization information to better understand the extraordinary increases, and PERS claims it is unable to provide the requested information due to prohibition by State law. The County believes aggregate data should be available to contracting agencies to analyze health care utilization trends and to allow contracting agencies to seek other options on the market. Lack of aggregate data makes it impossible for contracting agencies to launch effective, targeted wellness programs that could positively impact future utilization and premiums, as well as seek quotes from other providers. Without utilization data, any quotes the County receives are estimates at best, and pure conjecture at the worst. Absent firm quotes, the County cannot make informed decisions regarding other options.

Requested Action and Strategy

- Continue advocacy efforts to compel PERS to release aggregate data and information to contracting agencies, including legislative efforts to modify the Government Code, where applicable.
- Advocate for moving Butte County to a more appropriate region.

Contact: Meegan Jessee, Deputy Administrative Officer, 530-552-3312
Joe Ambrosini, Labor Relations Officer, 530-552-3545

LAW ENFORCEMENT

Vehicle License Fee

Summary of the Issue

In 2009, the State passed legislation increasing Vehicle License Fees (VLF) from 0.65% of the purchase price to 1.15% of purchase price. Of that increase, 0.15% was dedicated to support a range of local public safety programs that were formerly supported by the State General Fund. Local programs included the Citizens' Option for Public Safety (COPS), Rural and Small County Sheriffs Assistance Grants, and various intervention and prevention services for juvenile offenders. The increased VLF went away on June 30, 2011, reducing funding again for these vital local criminal justice programs.

Requested Action and Strategy

- Protect funding for local law enforcement efforts and support legislation to provide additional funding to rural areas.

Contact: Kory Honea, Sheriff, 530-538-6759
Mike Ramsey, District Attorney, 530-538-7411

Probation – Use of Third Party Researchers

Summary of the Issue

Probation departments have a long-standing history of contracting with researchers to evaluate the effectiveness of their programs. Research and evaluation is often a requirement of state and federal grant programs. Welfare and Institutions Code (WIC) 827 provides a list of individuals and agencies that may access confidential juvenile case records. Third party researchers are not included in the WIC827 list. WIC787 allows access to “sealed records” by researchers if the court is satisfied that the project includes a methodology for the protection of confidentiality.

WIC787 applies only to sealed records and does not include access to unsealed records. The inability to use third party researchers restricts the ability to pursue certain grant opportunities and effectively implement evidence-based programs and practices.



Requested Action and Strategy

- Support efforts to amend WIC827 and/or WIC787 to allow third party researchers access to confidential case records to evaluate program effectiveness and meet grant requirements.

Contact: Steve Bordin, Chief Probation Officer, 530-538-7661

PRESERVING OUR COMMUNITIES

COMMUNITY SUPPORT

Efficient Operations of County Clerk-Recorder Functions

Summary of the Issue

Current laws lead to inefficiencies in the Clerk-Recorder functions, as well as additional unfunded mandates that will lead to further decline in the services the County is able to provide with discretionary revenue sources. There are many changes to laws that, if enacted, would help these aspects of county government function more efficiently.

Requested Action and Strategy

- Support efforts to protect all vital and official records against fraud, while ensuring their availability to authorized users.
- Support greater flexibility in the use of electronic recording for real property records that include appropriate precautions to protect consumers and homeowners against fraud.
- Oppose changes in the required format of public records that impose an unfunded mandate on counties.
- Oppose the addition of state fees to recordings where no clear nexus is drawn between the instrument and the proposed use of funds.
- Oppose decreasing the definition of reasonable response, which is currently defined as 10 days.
- Oppose a state mandated retention schedule for general documents.
- Seek grant funding for the preservation and storage of county archives.

Contact: Candace Grubbs, Clerk-Recorder, 530-538-7654

Election Operations

Summary of the Issue

Increasing rules and regulations at the State level regarding elections are costing local jurisdictions. Voting equipment and upgrades to electronic voting equipment currently approved by the Federal government are not allowed to be used in California, which further increases the costs of elections, restricts services to voters, and negatively impacts the discretionary resources available to all local governments to fund local programs such as law enforcement, fire and emergency services, and libraries.

Requested Action and Strategy

- Oppose legislation and administrative actions that increase the local cost of elections.
- Oppose legislation that does not lead to improvements in the election process.
- Support efforts to allow counties to fully utilize federally approved electronic voting systems and upgrades within California.
- Support legislation to hold election-by-mail in counties where the Board of Supervisors chooses to do so.
- Oppose legislation that increases local costs or administrative burdens if no funding is provided.
- Support funding for new voting equipment and systems that would enable more efficient elections at a reduced cost.

Contact: Candace Grubbs, Clerk-Recorder, 530-538-7654

Required Public Notices

Summary of the Issue

Current laws require public notices to be published in newspapers within the County for a variety of notifications. SB 653 requires the notice information to be provided online so that anyone with internet access may view this information, not just those that read the local newspaper. With the advent and continually increasing use of mobile devices from smartphones to tablets, traditional newspapers continue to experience a declining readership base. Online publication also makes the information available continuously for the entire required period. Publishing in newspapers is costly and reaches a limited amount of the public. Therefore, the ultimate objective is website postings only as a cost savings measure.

Requested Action and Strategy

- Support legislation allowing agencies to meet state noticing requirements by posting detailed information on agency websites.

Contact: Tim Snellings, Development Services Director, 530-538-6821
Peggy Moak, Treasurer-Tax Collector, 530-538-7443
Shari McCracken, Interim Chief Administrative Officer, 530-552-3300

Housing Needs Plans

Summary of the Issue

State law requires the Department of Housing and Community Development and councils of governments/metropolitan planning organizations to prepare a Regional Housing Needs Allocation (RHNA) Plan to allocate a share of the regional housing need to each city and county. These allocation plans do not adequately recognize the limited availability of necessary public infrastructure in unincorporated portions of counties, particularly community sewer systems, community water systems, and public transportation. Regional Housing Needs Allocation Plans conflict with efforts to develop and implement the Sustainable Communities Strategy required by Government Code §65080 *et seq*, resulting in counties being unable to take advantage of streamlining in the California Environmental Quality Act and being at a disadvantage in transportation funding decisions in the Regional Transportation Plan process.

With the changes in the 2017 Housing Bills, jurisdictions that fail to meet their Regional Housing Needs Allocation are penalized with the loss of discretionary approval over housing projects. This presents challenges especially for rural counts that do not have the infrastructure in place for high-density residential developments.

Requested Action and Strategy

- Support legislation to require the Department of Housing and Community Development and councils of government/metropolitan planning organizations to consider availability of necessary infrastructure and the Sustainable Community Strategy in the preparation of Regional Housing Needs Allocation Plans or pursue a process to exempt counties that are members of the Rural County Representatives of California from the requirement for Regional Housing Needs Allocation Plans.
- Support legislation that recognizes infrastructure issues that exist in rural counties.

Contact: Tim Snellings, Development Services Director, 530-538-6821

Housing Rehabilitation

Summary of the Issue

To assist in bringing the housing stock in the unincorporated area of the County up to current health and safety standards, the County offers a housing rehabilitation loan program for qualifying low and moderate-income property owners. Assistance is provided to homeowners in the form of small grants or low interest loans. The program is typically funded through grants obtained through the State Community Development Block Grant (CDBG) program and the State HOME Investment Partnerships Program (HOME), as well as payments and payoffs from existing loan recipients. Due to a reduction in the amount available from CDBG, HOME, and other State grant programs, and the level of competition for the funds that do exist, it has been difficult for the County to secure the amount of grant funds necessary to respond to requests for assistance from County property owners. The types of improvements needed range from roof repair, to heating, to failed septic systems, to adequate cooking facilities.

Requested Action and Strategy

- Support efforts to provide adequate and equitable funding to local jurisdictions for housing rehabilitation.

Contact: Casey Hatcher, Economic and Community Development Manager, 530-552-3336

Off-Highway Vehicles and Green Sticker Funding

Summary of the Issue

Green Sticker funds are collected from Off Highway Vehicles (OHV's) and used by various State agencies to operate the OHV program with the remaining going to grants to enhance OHV opportunities throughout the state. Recently there have been attempts to use green Sticker funds for programs not related to the OHV program. OHV opportunities typically help support rural business by purchasing fuel and other supplies.

Requested Action and Strategy

- Protect green sticker funding for OHV program use only.
- Require the U. S. Forest Service to partner with local non-profits or governmental agencies to apply for green sticker funding.

Contact: Dennis Schmidt, Public Works Director, 530-538-7681

Regulation of Cannabis Activities

Summary of the Issue

Proposition 215 (the Compassionate Use Act of 1996) allows patients with a valid doctor's recommendation, and the patient's designated Primary Caregivers, to possess and cultivate marijuana for personal medical use, and has since been expanded to protect a growing system of collective and cooperative distribution. The initiative was partially implemented through the California Medical Marijuana Program created by SB 420 (2003). Since SB 420, the production of medical marijuana has developed into a model that is functionally indistinguishable from a for-profit business. What the State of California has failed to realize is that marijuana, not just medical marijuana, has grown into a full-fledged industry in the State, yet there is no infrastructure designed to regulate such a complex issue.

SB 643 and AB 243 and AB 266 enact the Medical Cannabis Regulation and Safety Act (MCRSA) of 2015 and Proposition 64, passed by voters on November 8, 2016, enacts the Adult Use of Marijuana Act (AUMA). The MCRSA provides a licensure and regulatory scheme for medical cannabis activities and AUMA provides the same for adult cannabis uses, including: cultivation, manufacturing, testing, distribution, transportation, and retail sales. SB 94, passed in 2017, aligned regulation of medical cannabis with those established for adult use cannabis. The legislation and the voter-approved measure each provide local control for licensing commercial cannabis activities. The new regulations are not yet operational, but the intention is to provide comprehensive, statewide regulations that effectively deal with cannabis activities and assist local governments with managing the myriad effects of this burgeoning industry.

Local government agencies continue to face many impacts arising from the cultivation and distribution of cannabis including the potential effects on the environment caused by cultivation (i.e., excessive water usage, uncontrolled pesticide use, and erosion); the creation of public and private nuisances due to strong odors; the heightened risk of electrical fires presented by indoor grows; negative health impacts, including those related to unregulated edible cannabis products; and safety concerns created by a high value crop or retailer inventory. In addition to addressing

these concerns, local agencies must balance the concern of availability to qualified patients. Regulation at the local level is more effective because the potential impacts of cannabis vary broadly depending upon the geography and urban versus rural nature of counties and cities throughout California. Uncertainty in State legislation needs to be addressed to help guide local jurisdictions in balancing these concerns.

Requested Action and Strategy

- Support legislation that creates specific statutory authority preserving local control to ban or regulate commercial cannabis activities but also establishes supportive, compatible State regulation regarding environmental, health, and safety standards for medical cannabis activities.

Contact: Shari McCracken, Interim Chief Administrative Officer, 530-552-3300

Solid Waste Issues

Summary of the Issue

In the County's experience, the State Legislature passes bills that ban certain products from disposal without having a plan to finance the diversion of such products from disposal. What results is that the County becomes responsible for the costs through its Waste and Recycling Facility and those costs are passed on to consumers through the gate fees that support the Facility.

Currently, the County's Waste Management Division spends upwards of \$700,000 per year to manage household hazardous and other prohibited waste properly. In addition, costs of solid waste regulatory compliance are disproportionately high in rural areas of the State.

Requested Action and Strategy

- Support statewide planning for convenient identification and recovery of all material and products banned from California landfill disposal or requiring separate handling or processing and producer responsibility for financing and arranging for the collection and recycling of their products at end-of-life.
- Support the proper disposal of prohibited waste through programs that place the cost of compliance on manufacturers and consumers, rather than on county-operated landfills or waste management programs.
- Support efforts to ensure that costs of complying with regulations are commensurate with environmental and public health risks associated with solid waste operations.

Contact: Deputy Director, Waste Management Division, 530-879-2350

State Funding Cuts for Community Services

Summary of the Issue

State funding for public libraries and other community services has been eliminated over the years. The County has backfilled these lost State dollars with County General Fund dollars; funding that could have been used for other local priorities.

Requested Action and Strategy

- Pursue full funding for library programs including, but not limited to, adult literacy and technological enhancements to support public learning.

Contact: Melanie Lightbody, Library Director, 530-538-7525

Property Tax Administration

Summary of the Issue

The County is responsible for all property tax administration activities, including apportionment and distribution of funds to all taxing agencies. The County recovers less than half of the more than \$2.5 million annual cost of property tax administration because schools are included in the calculation, but exempted from collection. This exemption costs the County over \$2.5 million dollars every year, funds that could otherwise be spent on county services, including libraries, fire, and police protection.

Requested Action and Strategy

- Advocate for fuller allocation of Property Tax Administration costs, with schools or the State on behalf of the schools, paying a reasonable share of the cost to assess, collect, and distribute taxes.

Contact: Diane Brown, Assessor, 530-538-7314
Peggy Moak, Treasurer-Tax Collector, 530-538-7443
David A. Houser, Auditor-Controller, 530-538-7607

State Surcharges Collected by Counties

Summary of the Issue

There is a growing trend by State agencies to add an administrative surcharge to local fee-based programs. This practice places additional hardships on local businesses and gives the appearance that the County is charging higher fees. There are existing state surcharges on local fees related to land use, agriculture, and recording of documents, to name a few. Not all State surcharges provide for the administrative costs incurred by counties to collect the fees on the State's behalf.

Requested Action and Strategy

- Oppose legislation that places a state surcharge on local fee-based programs and requires counties to act as collection agencies for the State.
- For mandated surcharges, support full funding by the State for the administrative overhead the County incurs for collecting the fees.

Contact: Shari McCracken, Interim Chief Administrative Officer, 530-552-3300

Drought Response

Summary of the Issue

California has been experiencing drought conditions of historic proportions over the past decade. Although precipitation in 2017 was significant, there is no guarantee that drought conditions have disappeared. Butte County, through its Drought Preparedness and Mitigation Plan and the Emergency Operations Center, has identified local drought impacts and taken steps to mitigate and/or secure resources as they arise. The primary impacts are expected to be to individual and small community water supply wells. Broad economic impacts may occur from surface water cutbacks and changes to the reservoir operations of Lake Oroville. In cases of long-term droughts, the impact to water supply reliability and the local economy will increase substantially. State and Federal assistance should include funding to mitigate the local impacts of the drought.

Requested Action and Strategy

- Support legislation that will assist Butte County in addressing localized drought impacts.
- Support legislation that will protect the local agricultural economy and local water supply needs.
- Oppose legislation that weakens area of origin water rights and water right priorities.

Contact: Paul Gosselin, Water and Resource Conservation Director, 530-538-3804
Cindi Dunsmoor, Emergency Management Officer, 530-552-3333



PUBLIC FACILITIES

Contracting for Services

Summary of the Issue

AB 1250 would establish burdensome contract/procurement requirements for counties including an extensive cost/benefit analysis prior to contracting for professional and personal services. This analysis would be costly to perform and delay the delivery of services (healthcare, social services, mental health services, public safety services) to citizens.

Requested Action and Strategy

- Support efforts to defeat AB 1250 and similar legislation that adds costs and delays to the delivery of services to county citizens.

Contact: Grant Hunsicker, General Services Director, 530-538-2511

Veterans' Facilities

Summary of the Issue

The County is responsible for a variety of community facilities utilized by the residents of Butte County. Included in that responsibility are facilities that support veterans and veterans' organizations, as well as facilities with local historical importance. The County is responsible for provision and maintenance of Veterans Halls for veterans in Butte County. Most of the halls are in aging buildings that require extensive maintenance and need upgrades to meet Americans with Disabilities (ADA) requirements. Along with the Veterans Halls, the County acquired property in 2008 to allow development of a Veterans Memorial Park in Oroville. Although the County does not develop or operate parks, it does wish to support the Veterans Memorial Park Committee and the future operator in seeking funding for development of the proposed Park.

The County also owns a unique, historical building located at 900 Esplanade in the City of Chico. The building was built in 1926 as a Veterans Memorial Building and is located on the premier central boulevard of the City, enhancing its importance to the community. Numerous civic, philanthropic, cultural and education organizations would benefit from the rehabilitation of the hall and the use of this building's large auditorium and performance stage. The only other structure with similar qualities in this community of nearly 100,000 people, and a region of over 200,000, is Laxson Auditorium on the campus of CSU-Chico. The lack of large meeting facilities limits the cultural and economic life of Chico.

Requested Action and Strategy

- Pursue funding to support the maintenance and upgrades of the County's Veterans Halls.
- Pursue funding to support the Veterans Memorial Park Committee and future operator in their efforts to develop a Veterans Memorial Park.
- Pursue funding to support restoration of the facility located at 900 Esplanade in the City of Chico.

Contact: Grant Hunsicker, General Services Director, 530-538-2511

Community Facilities

Summary of the Issue

The County owns Southside Oroville Community Center in Oroville, home to the Boys & Girls Club and E-Center (the local Head Start program), as well as a community resource center and culturally appropriate behavioral health services. The facility is also used for a variety of community purposes including weddings, meetings, community band practice, senior dances and cooking classes. While only twelve years old, those in the community are unable to afford rental rates sufficient to properly maintain the building and no capital reserves have been accumulated for any form of maintenance program.

Requested Action and Strategy

- Pursue funding to support the operation and upgrades of community facilities/centers.

Contact: Grant Hunsicker, General Services Director, 530-538-2511

Energy Efficiency in Public Facilities

Summary of the Issue

In delivering services to the public, Butte County staff occupy more than 1 million square feet of office space in more than 100 buildings spread across the entire county. Given the age of most County buildings and limited funding, facilities budgets are not able to accommodate anything other than the most urgent major maintenance projects. This leaves no funding for installation of energy-saving fixtures and equipment that can save money in the long run. Funding is necessary for the replacement of aged electrical, heating, ventilation and air conditioning systems and energy efficient roofing components throughout the County inventory.

Requested Action and Strategy

- Support efforts to provide funding to local jurisdictions for the replacement of energy related furniture and fixtures in public facilities.

Contact: Grant Hunsicker, General Services Director, 530-538-7064

Public Facilities – Deferred Maintenance

Summary of the Issue

The average age of County facilities is nearly 50 years old with millions in deferred maintenance, inefficient building components and inadequate accessibility. Libraries top the list with law enforcement and general government facilities also in need of major renovation. In addition, facilities funding is often required to construct new facilities to accommodate state and federal mandated responsibilities. Local revenue sources are not sufficient to fully modernize existing County facilities, improve accessibility, and minimize unplanned service interruptions to the public.

Requested Action and Strategy

- Support efforts to provide funding to local jurisdictions for Facility Condition Assessments to aid County's in planning methodology to address deferred maintenance.
- Support efforts to provide funding to local jurisdictions to modernize dated facilities with building envelope, energy and accessibility improvements.

Contact: Grant Hunsicker, General Services Director, 530-538-7064

Public Facilities – Project Delivery

Summary of the Issue

Public Contract Code 22162(a) allows entities other than local government to utilize the Design – Build project delivery method when delivery both Infrastructure and Communications Projects. This forces local government to utilize the Design – Bid – Build project delivery method in these cases which are less effective for complicated projects.

Pursuant to Public Contract Code 20128.5, the Board of Supervisors in counties only with a population exceeding 6M can delegate the release of specific projects within a Board approved Job Order Contract. In all other counties, the Board cannot delegate releases regardless of project cost. This makes delivering projects using the Job Order Contract cost prohibitive as even the smallest projects must be considered and released by the Board.

Requested Action and Strategy

- Support modifications to SB 854 in two ways:
 - Allow the use of Design-Build project delivery method for infrastructure and communications projects.
 - Allow the Board of Supervisors to delegate the release of small projects from a master Job Order Contract when the Board authorized the master Job Order Contract and when the project cost does not exceed the dollar amount which requires formal solicitation as defined and periodically updated by the California Uniform Cost Accounting Commission.

Contact: Grant Hunsicker, General Services Director, 530-538-7064

Alternative Energy

Summary of the Issue

When the County completed the solar array installation in Oroville in 2004, it was the fourth largest in the nation at the time. The solar array powers portions of the main administration building, the main jail and other facilities on the Oroville government campus. In addition to \$1 million in County funds, the project included \$4.2 million in the form of a PG&E Grant and \$3.2 million from a low interest loan from the California Energy Commission. Although a second phase was planned, the County lacks funds for the design and construction of additional solar arrays.

Requested Action and Strategy

- Support efforts to provide funding in the form of Grants or low-cost loans to local jurisdictions for the design and installation of alternative energy production including solar.

Contact: Grant Hunsicker, General Services Director, 530-538-7064