



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

OCTOBER 26, 2021

9:00 AM

MEMBERS OF THE BOARD

BILL CONNELLY, DISTRICT 1

DEBRA LUCERO, DISTRICT 2

TAMI RITTER, DISTRICT 3

TOD KIMMELSHUE, DISTRICT 4

DOUG TEETER, DISTRICT 5

ANDY PICKETT
CHIEF ADMINISTRATIVE OFFICER &
CLERK OF THE BOARD

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

BRUCE ALPERT, COUNTY COUNSEL

1. CALL TO ORDER

Pledge of Allegiance
Observation of a Moment of Silence

Rules of Decorum

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

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

- 3.01 Behavioral Health Capital Asset Surplus - The Board of Supervisors has authority to declare capital assets surplus that are no longer serviceable or no longer needed by the County. The Department of Behavioral Health recommends that the Board declare one photocopier (asset number 27315) surplus to the needs of the County as the item is no longer needed by the Department – ACTION REQUESTED – DECLARE CAPITAL ASSET SURPLUS TO THE NEEDS OF THE COUNTY. (Behavioral Health)

- 3.02 Resolution Authorizing the Submittal of an Application for Funding from the CalHome Program for Disaster Assistance for First-Time Homebuyer Mortgage Assistance - In October 2017, November 2018 and September 2020 Butte County experienced wildfires that destroyed a significant number of homes in the unincorporated area of Butte County. The State Department of Housing and Community Development (HCD) issued a Notice of Funding Availability for disaster assistance from its CalHome Program. The County received similar CalHOME disaster assistance funds in 2019 as a result of the 2017 La Porte and Cherokee fires, but the funds have been turned back as they went unspent due to program constraints. The County has an open grant with similar CalHOME disaster assistance funds as a result of the 2018 Camp Fire and the funds have gone unspent so far primarily due to program constraints. Another round of funding is now available as a result of the 2020 North Complex Fire, which Butte County is eligible for up to \$2,650,000. Eligible activities include: first-time homebuyer mortgage assistance, owner-occupied rehabilitation assistance, accessory dwelling units or junior accessory dwelling units, technical assistance for self-help housing projects, technical assistance for shared housing programs, and homeownership project development loans. After coordination with other eligible jurisdictions and non-profits, County staff recommends the County apply for funding for first-time homebuyer mortgage assistance in the amount of \$800,000. A separate resolution will be presented to the Board for consideration of an application seeking funding for owner-occupied rehabilitation assistance and accessory dwelling units or junior accessory dwelling units. The available grant funds do not cover the full cost to administer the program and will require approximately \$10,000 in General Fund if awarded – ACTION REQUESTED –ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.03 Resolution Authorizing the Submittal of an Application for Funding from the CalHome Program for Disaster Assistance for Owner Occupied Housing Rehabilitation and Accessory Dwelling Units or Junior Accessory Dwelling Units Technical Assistance - In October 2017, November 2018 and September 2020 Butte County experienced wildfires that destroyed a significant number of homes in the unincorporated area of Butte County. The State Department of Housing and Community Development (HCD) issued a Notice of Funding Availability for disaster assistance from its CalHome Program. The County received similar CalHOME disaster assistance funds in 2019 as a result of the 2017 La Porte and Cherokee fires, but the funds have been turned back as they went unspent due to program constraints. The County has an open grant with similar CalHOME disaster assistance funds as a result of the 2018 Camp Fire and the funds have gone unspent so far primarily due to program constraints. Another round of funding is now available as a result of the 2020 North Complex Fire, which Butte County is eligible for up to \$2,650,000. Eligible activities include: first-time homebuyer mortgage assistance, owner-occupied rehabilitation assistance, accessory dwelling units or junior accessory dwelling units, technical assistance for self-help housing projects, technical assistance for shared housing programs, and homeownership project development loans. After coordination with other eligible jurisdictions and non-profits, County staff recommends the County apply for funding for Owner-Occupied Housing Rehabilitation and the Accessory Dwelling Units or Junior Accessory Dwelling Units in the amount of \$1,850,000. A separate resolution will be presented to the Board for consideration of an application for first-time homebuyer mortgage assistance. The available grant funds do not cover the full cost to administer the program and will require approximately \$75,000 in General Fund if awarded – ACTION REQUESTED – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 3.04 Resolution Designating Authorized Agents for Butte County - State law requires designation of Authorized Agents for purposes of engaging with FEMA and CalOES regarding grants and financial assistance related to Public Law 93-288 (Stafford Act) and the California Disaster Assistance Act. This resolution designates the Assistant Chief Administrative Officer and Deputy Administrative Officers as Authorized Agents for Butte County – ACTION REQUESTED – APPROVE THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.05 Budget Adjustment - Additional State Allocations - Each year, the Department of Employment and Social Services prepares a budget for its various programs based on anticipated funding allocations from the State. Since the State funding allocations are not finalized until after the Board approves the Recommended Budget, a budget adjustment is often required during a fiscal year. For FY 2021-22, the Department received additional allocations totaling \$6,902,034 for programs including: California Work Opportunity and Responsibility to Kids (CalWORKs) Housing Support Program (HSP), CalWORKs Mental Health and Substance Abuse (MH/SA), CalWORKs Home Visiting Program (HVP), CalWORKs Expanded Subsidized Employment (ESE), Adult Protective Services (APS) Covid-19, CalWORKs Pandemic Emergency Assistance Fund (PEAF), Medi-Cal, Housing and Disability Advocacy Program (HDAP) and Homeless Housing, Assistance, and Prevention Program (HHAP). These additional allocations will support ongoing efforts for contracted CalWORKs MH/SA, HVP, and ESE, HSP and HDAP financial assistance to support housing, APS Covid-19 expenses, overtime costs related to Medi-Cal efforts, and funding for HHAP. HHAP is a one-time block grant to large cities, counties, and local Continuum of Care agencies to support regional coordination and expand or develop local capacity to address the immediate homelessness challenges. Also included in the budget adjustment is the allocation for the PEAF payment. CalWORKs families with an active CalWORKs case, as determined by the Statewide Automated Welfare System on July 10, 2021 received a one-time PEAF payment of \$640. Butte County had approximately 2,000 CalWORKs households eligible to receive payment which was fully funded by federal funds – ACTION REQUESTED – APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Employment and Social Services)
- 3.06 Resolution Authorizing Application and Acceptance of the Housing Navigators Program (HNP) Allocation Award - The California Department of Housing and Community Development made \$5 million available to counties to help young adults (18 to 21 year olds) secure and maintain housing, with priority given to young adults formerly in the foster care system. The Department of Employment and Social Services received the first allocation of \$35,505 in FY 2019-20, and will receive a second allocation of \$35,505 paired with additional resources that will support a Housing Navigator position that was added during FY 2020-21. Funds must be expended by June 30, 2022. The role of a Housing Navigator is to act as a housing specialist to assist young adults locating available housing and overcoming barriers to locating housing. Housing Navigator activities may include, but are not limited to the following: 1) Assist young adults secure and maintain housing; 2) Provide housing case management which includes essential services in emergency supports to foster youth; 3) Prevent young adults from becoming homeless; and 4) Improve coordination of services and linkages to key resources across the community, including those from within the child welfare system and the local Continuum of Care. The Department recommends adopting a resolution authorizing the application and acceptance of the HNP allocation award – ACTION REQUESTED – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)

- 3.07 Resolution Authorizing Application and Acceptance of the Transitional Housing Program (THP) Allocation Award - The California Department of Housing and Community Development made \$8 million available to counties for the purpose of housing stability to help young adults (18 to 25 years olds) secure and maintain housing, with priority given to young adults formerly in the foster care or probation systems. The Department of Employment and Social Services received the first and second allocations of \$41,600 in FY 2019-20 and FY 2020-21. The Department will receive a third allocation of \$41,600 that will support a Transitional Housing Program. Funds must be expended by June 30, 2024. Funds will be used to help young adults secure and maintain housing. Use of funds may include, but are not limited to: 1) Identify and assist housing services for this population in the community; 2) Assist this population to secure and maintain housing with priority given to those in the State's foster care or probation system; 3) Improve coordination of services and linkages to community resources within the child welfare system and the Homeless Continuum of Care; and 4) Provide engagement in outreach and targeting to serve those with the most severe needs. The Department recommends adopting a resolution authorizing the application and acceptance of the THP allocation award – ACTION REQUESTED – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
- 3.08 Budget Adjustment and Capital Asset Authority for Purchase of a Vehicle for the Fire Prevention and Safety Program - The Fire Department's fiscal year 2021-22 budget includes appropriation and capital asset authority for a vehicle in the amount of \$36,663. Revenue from the Fire Prevention and Safety Grant Program offsets the expense for the vehicle. The vehicle was ordered from Bob Wondries Motors, but it was canceled because the vendor can no longer provide the vehicle. A vehicle can be provided by Downtown Ford Sales based on a State contract. The new price to purchase and fully outfit the emergency vehicle with emergency lighting, radios, camper shell, and vehicle striping is \$50,000. The Department recommends the Board of Supervisors authorize the purchase of the vehicle and approve a budget adjustment in the amount of \$13,337 for the additional vehicle expense – ACTION REQUESTED – 1) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED); AND 2) AUTHORIZE CAPITAL ASSET PURCHASE. (Fire)
- 3.09 Contract Amendment with Ray Morgan Company for County-wide Multi-Function Copier Services - The County entered into a contract with Ray Morgan Company on March 8, 2016 to provide county-wide multi-function copier services. The contract was amended in 2017, and again in 2018, to update the model numbers serviced with no changes to the rates in either amendment. The third contract amendment increased the not-to-exceed price by \$650,000 and the fourth contract amendment extended the term by 115 days and increases the not-to-exceed amount by \$250,000, bringing the contract total to \$3,300,000. The Department of General Services recommends a fifth amendment to the contract with Ray Morgan Company extending the term by 365 days through June 30, 2022, and increasing the maximum payable by \$535,580, not-to-exceed \$3,835,580. Beginning November 1, 2021 a new rate structure was negotiated for an estimated monthly savings of \$9,000. All other terms remain the same – ACTION REQUESTED – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (General Services)

- 3.10 Contract Amendment with Ray Morgan Company for Desktop Printers, Scanners and Service - The County entered into a contract with Ray Morgan Company on January 24, 2017 to provide county-wide desktop printers, scanners and service. The contract was amended in 2018 to change the billing frequency and allow for updates to the model numbers of the printers and scanners, and again in 2020, to update the pricing sheet and to extend the term by 730 days and increase the not-to-exceed amount by \$160,000, bringing the contract total to \$250,000. The Department of General Services recommends a third amendment to the contract with Ray Morgan Company for desktop printers, scanners and service to update the pricing structure with a minimal reduction in monthly cost, extend the term by 157 days through June 30, 2022, and increase the maximum payable by \$80,000, not-to-exceed \$330,000. All other terms remain the same – ACTION REQUESTED – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (General Services)
- 3.11 Non-exclusive Easement Grant Deed with Thermalito Water and Sewer District for a New Water Line to Service the Evidence Storage and Morgue at 1 Gillick Way, Oroville - The County is in the process of constructing Evidence Storage and Morgue facilities (ESM) located at 1 Gillick Way in Oroville. In order to provide a new water line to serve the ESM, the Thermalito Water and Sewer District (TWSD) requires that the County grant a non-exclusive easement across a portion of County owned real property for the construction, installation, use and continued maintenance of a new water line. The Department of General Services contracted with NorthStar Engineering to survey and prepare the legal description of the easement and a plat map depicting the easement location. The Department recommends that the Board of Supervisors adopt a resolution authorizing the Director of General Services or their designee to execute the Easement Grant Deed and any other documents necessary to facilitate the conveyance to TWSD on behalf of the County. Once executed and accepted, the Easement Grant Deed will constitute a covenant and will run with the land for the benefit of TWSD – ACTION REQUESTED – 1) ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) AUTHORIZE THE DIRECTOR OF GENERAL SERVICES TO SIGN ALL DOCUMENTS TO FACILITATE THE CONVEYANCE OF THE REAL PROPERTY RIGHTS INCLUDING THE EASEMENT GRANT DEED. (General Services)
- 3.12 Side Letter Agreement with all Bargaining Units Expanding Vacation Buy-Back - The Human Resources Department recommends a temporary expansion of the existing vacation buy-back option currently in place with all bargaining units via side letter agreement. All bargaining units have agreed to the proposed expansion, which increases the maximum allowable buy-back amount by 80 hours, from a maximum of 144 hours of vacation per year to a maximum of 224 hours per year subject to individual department head approval and the availability of funds. The recommended expansion also allows for the buy-back of excess accrued administrative leave in addition to accrued vacation not to exceed the total additional 80 hours. The recommended buy-back expansion will be in place until December 2022 with final requests under the agreement to be submitted no later than December 21, 2022. The recommended expansion of the vacation buy-back option seeks to reduce current and future unfunded liabilities resulting in potential future budget savings by allowing employees the opportunity to cash out select accruals in excess of the 144 hours of vacation identified in the current Memoranda of Understanding (MOUs) – ACTION REQUESTED – APPROVE THE SIDE LETTER AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

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

DEPARTMENT OF BEHAVIORAL HEALTH: Add 1 flexibly staffed Behavioral Health Education Specialist position and delete 1 vacant flexibly staffed Behavioral Health Clinician position. The requested change will address operational needs within the Quality Management/Patient's Rights Division. Total allocations to remain unchanged. There is a net savings of \$26,716 for Fiscal Year 2021-22 as result of the requested change.

CLERK-RECORDER: Add 2 Deputy County Clerk-Recorder positions (1 term to end May 1, 2022 and 1 term to end November 1, 2022). The Elections Division is preparing for the 2022 California Primary Elections and requires additional short-term support to meet the operational needs of the Department. Total allocations to temporarily increase by 2. The cost of the term positions will be covered by salary savings within the Department's budget.

DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES: Convert 2 flexibly staffed Health & Human Services Program Analyst positions (term to end June 30, 2022) to regular help positions. Add 1 Housing Navigator position (sunset to end October 31, 2024) and 1 flexibly staffed Information Systems Analyst position. These positions are needed to support the various program services available to those in the community who are experiencing homelessness. The additional costs for these positions are funded by federal and State allocations and have been budgeted in the Fiscal Year 2021-22 budget. Add 2 flexibly staffed Social Worker positions and 3 flexibly staffed Inventory Warehouse Specialist positions. Delete 2 vacant Social Worker Supervisor positions and 3 vacant flexibly staffed Office Specialist positions. These changes better suit the current and future needs of the Department and there are no additional costs for the requested changes. Total allocations to increase by 2.

DEPARTMENT OF HUMAN RESOURCES: Amend Section 28O of the Salary Ordinance No. 4198 of the County of Butte entitled "Classifications with Flat Rate Assignments" by adding the Class Code 6862 "Aircraft Pilot" Flat Rate Range \$29-\$49 per hour. This classification is Extra Help and utilized by the Sheriff's Office.

ACTION REQUESTED – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

- 3.14 Contracts for On-Call Engineering Services - The Department of Public Works issued a Request for Qualifications (RFQ) on May 14, 2021, for on-call engineering services. The RFQ identified that the Department intended on issuing five on-call contracts to the top firms selected, and services would be provided as-needed with work performed on a task order basis. These contracts will provide the Department with additional capacity to meet emerging needs and recently approved Board of Supervisor priorities, with project funding identified in the current operating budget. On June 14, 2021, the Department received 13 Statement of Qualifications, which were evaluated and ranked based on experience, capacity, and overall professional qualifications. The Department invited eight of the 13 firms to participate in a final selection interview, and selected Dewberry Drake Haglan of Rancho Cordova, Nichols Consulting Engineers CHTD of Sacramento, Dokken Engineering of Folsom, Mark Thomas of Sacramento, and Quincy Engineering, Inc. of Rancho Cordova, as the top five firms. The Department recommends entering into a contract with Nichols Consulting Engineers CHTD, Dokken Engineering, and Mark Thomas for on-call engineering services. Each five-year contract will run from October 26, 2021, through October 26, 2026, for a maximum not-to-exceed amount of \$500,000. The Department prepared these contracts for potential use on federally funded programs and projects. Part of this process requires contract review and approval from the Caltrans Office of Audits and Investigations. While the Department has received authorization for three of these firms from Caltrans, it is still waiting on contract approval for Dewberry Drake Haglan and Quincy Engineering, Inc. The Department anticipates this contracts coming before the Board of Supervisors for consideration at its meeting in November. – ACTION REQUESTED – APPROVE CONTRACTS (3) AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.15 Revenue Contract with California Department of State Hospitals for Jail Based Competency Treatment (JBCT) and Resolution - The Sheriff's Office recommends entering into a revenue contract with the California Department of State Hospitals for JBCT program. The purpose of the program is to provide treatment services in an effort to restore competency to inmates that have been found by the courts to be incompetent to stand trial under Penal Code section 1370. The State requested a resolution from the Board of Supervisors authorizing the contract. The term of the contract is November 1, 2021 through October 31, 2024, not-to-exceed \$2,106,348 – ACTION REQUESTED – 1) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff-Coroner)
- 3.16 Contract with NMS Labs for Forensic Toxicology Services - The Coroner's Office is required to perform autopsies and inquests into certain deaths under Government Code sections 27460 et seq. Most forensic examinations and autopsies necessitate biological samples be removed from the deceased and tested for a variety of intoxicants to assist in determining the cause of death. Laboratories with accreditation required to perform forensic toxicology are limited. Solano County performed a solicitation in October 2020 and selected NMS Labs, which resulted in a contract that permits the use of its terms by other local government agencies in need of the same services as allowed by State law. Due to the urgent need for services, the Sheriff's Office recommends entering into a contract with NMS Labs for forensic toxicology services. The term of the contract begins upon execution through June 30, 2023, not to exceed \$350,000 – ACTION REQUESTED – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff)

4. REGULAR AGENDA**4.01 Boards, Commissions, and Committees**(List available at <http://www.buttecounty.net/clerkoftheboard/AppointmentsList.aspx>)**A. Appointments to Listed Vacancies**

1. Appointment to Drainage District 200 in Lieu of Election - In Drainage District 200, the number of qualified candidates filing for the Board of Directors did not exceed the number of positions to be filled and no petition calling for election was submitted. Pursuant to California Elections Code section 10515, the Butte County Board of Supervisors shall appoint nominees to the Board of Directors in lieu of election. Drainage District 200 requests that the Board of Supervisors appoint both Brad Mattson and Audrey Stephens with a term of four years each, in lieu of an election pursuant to Elections Code section 10515 – ACTION REQUESTED – APPOINT BRAD MATTSON AND AUDREY STEPHENS TO THE DRAINAGE DISTRICT 200, WITH A TERM OF FOUR YEARS EACH. (Other – Drainage District 200)
2. Appointment to Lake Madrone Water District in Lieu of Election - In the Lake Madrone Water District, the number of qualified candidates filing for the Board of Directors did not exceed the number of positions to be filled and no petition calling for election was submitted. Pursuant to California Elections Code section 10515, the Butte County Board of Supervisors shall appoint nominees to the Board of Directors in lieu of election. The Lake Madrone Water District requests that the Board of Supervisors appoint Michael Camodeca, with a term of four years, in lieu of an election pursuant to Elections Code section 10515 – ACTION REQUESTED – APPOINT MICHAEL CAMODECA TO THE LAKE MADRONE WATER DISTRICT, TO A TERM OF FOUR YEARS. (Other - Lake Madrone Water District)
3. Appointment to Richvale Irrigation District in Lieu of Election - In the Richvale Irrigation District, the number of qualified candidates filing for the Board of Directors did not exceed the number of positions to be filled and no petition calling for election was submitted. Pursuant to California Elections Code section 10515, the Butte County Board of Supervisors shall appoint nominees to the Board of Directors in lieu of election. The Richvale Irrigation District requests that the Board of Supervisors appoint Walt Meyer, with a term of four years, in lieu of an election pursuant to Elections Code section 10515 – ACTION REQUESTED – APPOINT WALT MEYER TO THE RICHVALE IRRIGATION DISTRICT TO A TERM OF FOUR YEARS. (Other – Richvale Irrigation District)
4. Appointment to Western Canal Water District in Lieu of Election - In the Western Canal Water District, the number of qualified candidates filing for the Board of Directors did not exceed the number of positions to be filled and no petition calling for election was submitted. Pursuant to California Elections Code section 10515, the Butte County Board of Supervisors shall appoint nominees to the Board of Directors in lieu of election. The Western Canal Water District requests that the Board of Supervisors appoint Correen Davis to a 2 year term, and Josh Sheppard and W. Gregory Johnson to a 4 year term each in lieu of an election pursuant to Elections Code section 10515 – ACTION REQUESTED - APPOINT CORREEN DAVIS TO A 2 YEAR TERM, AND JOSH SHEPPARD AND W. GREGORY JOHNSON TO A 4 YEAR TERM EACH TO THE WESTERN CANAL WATER DISTRICT. (Other – Western Canal Water District)

5. Appointment to Election Board of Rock Creek Reclamation District - On September 30, 2021 the Board of Trustees of Rock Creek Reclamation District unanimously adopted a resolution that, among other things, recommended for appointment by the Butte County Board of Supervisors three landowners to serve on the Election Board for Rock Creek Reclamation District's 2021 election to be held on November 2, 2021. The three landowners recommended for appointment, and their respective election board positions, are Richard Wallace (Inspector), Jeff Shimizu (Judge), and Kevin Rice (Judge). Pursuant to Water Code Section 50700, the election board "shall be appointed by the Board of Supervisors and shall consist of one inspector, and two judges." The Rock Creek Reclamation District requests that the Board of Supervisors appoint Richard Wallace, Jeff Shimizu, and Kevin Rice to serve on the Rock Creek Reclamation District Election Board – ACTION REQUESTED - APPOINT RICHARD WALLACE (INSPECTOR), JEFF SHIMIZU (JUDGE), AND KEVIN RICE (JUDGE) TO SERVE ON THE ROCK CREEK RECLAMATION DISTRICT ELECTION BOARD. (Other – Rock Creek Reclamation District)

B. Board Member / Committee Reports and Board Member Comments

(Pursuant to California State law, the Board is prohibited from taking action on any item not listed on the agenda)

- 4.02 Agreement with the California Mental Health Services Authority (CalMHSA) for Mental Health Services Act (MHSA) Workforce Education and Training Program (WET) Superior Region Program Fund Management - The 2021-2025 Statewide Mental Health Services Act (MHSA) Workforce Education and Training (WET) program aims to address the shortage of mental health practitioners in the public mental health system through a framework that engages regional partnerships and supports individuals through five potential categories including: pipeline development, undergraduate college and university scholarships, clinical master and doctoral graduate education stipends, loan repayment program, and retention activities. As outlined in the California Office of Statewide Health Planning and Development 5-year WET Plan, California is separated into five different regions with each region designating its local priorities within the five categories. Butte County is serving as the lead agency for the Superior Region Partnership consisting of Butte, Colusa, Del Norte, Glenn, Humboldt, Lake, Lassen, Mendocino, Modoc, Nevada, Plumas, Shasta, Sierra, Siskiyou, Tehama, and Trinity counties. The Superior Region has selected three categories as their local priorities that include loan repayment, educational stipends, and peer scholarships. CalMHSA will provide the management of these funds for the Superior Region. The Department recommends entering into an agreement with the CalMHSA for fiduciary management of WET Superior Region program activities. The term of the agreement is July 1, 2021 through June 30, 2025, not-to-exceed \$2,860,245 – ACTION REQUESTED – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)

- 4.03 Comment Letter Regarding State Assembly and Senate Redistricting Visualizations - At the request of Supervisor Kimmelshue, staff prepared a comment letter regarding proposed changes to the existing State Assembly and Senate district composition during the redistricting process – ACTION REQUESTED – APPROVE LETTER AND AUTHORIZE THE CHAIR TO SIGN. (Board of Supervisors – District 4)
- 4.04 Employment Contract for Director - Child Support Services - County Administration recommends entering into a new employment contract with Sean Farrell as Director - Child Support Services. The term of the contract is February 13, 2022 through February 12, 2025. The contract includes a proposed salary of \$164,164, the same as his current salary – ACTION REQUESTED – APPROVE EMPLOYMENT CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 4.05 Introduction of an Ordinance Repealing Section 2-25 of the Butte County Code Relating to Boundaries of the Supervisorial Districts - Every ten years following the federal census, the boundaries of the supervisory districts of the County must be adjusted so that the districts are similar in population. The existing district boundaries are codified in section 2-25 of the Butte County Code. This ordinance would repeal section 2-25 effective December 9, 2021, or the effective date of a resolution adopted by the Board of Supervisors establishing new supervisorial boundaries, whichever is later – ACTION REQUESTED – WAIVE THE FIRST READING OF THE ORDINANCE. (County Administration)
- 4.06 Resolution Authorizing Submittal of Grant Application for Small Community Drought Relief Program (SCDR) with California Department of Water Resources (DWR) - Two hundred million dollars have been appropriated for the Department of Water Resources Small Community Drought Relief Program. This grant opportunity is intended to fund programs for interim and immediate drought relief. The Office of Emergency Management proposes applying for \$2,000,000 to fund a two-year program providing temporary storage tanks and contracted water hauling to residents of Butte County experiencing residential water loss due to dry wells and springs. The Temporary Tank and Water Delivery Program will serve as a bridge to more permanent and drought resilient solutions. Expenditures for FY21 are estimated at \$1,000,000. Pending continuation of drought conditions, expenditures for FY22 are also estimated to be \$1,000,000. Funds will be available for encumbrance or expenditure until June 30, 2024 – ACTION REQUESTED – ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 4.07 Miocene Canal Acquisition Follow Up Discussion - The Miocene Canal system is a PG&E hydroelectric water conveyance facility that includes PG&E’s Upper Miocene and Middle Miocene Canals and California Water Service’s Lower Miocene. The 2018 Camp Fire destroyed the Upper Miocene, thus, preventing water from entering the Miocene Canal system and ceasing hydro-power operations. As the cost of repairs and operation have become a prohibitive factor, PG&E is actively pursuing an entity to acquire the Upper and Middle- portions of the Miocene Canal. On June 22, 2021, your Board directed staff to look into three specific questions regarding the potential acquisition of the Miocene canal. Staff are returning with these answers – ACTION REQUESTED – PROVIDE DIRECTION TO STAFF. (County Counsel/County Administration)

- 4.08 Resolution and Ordinance Authorizing an Amendment to Butte County Code Chapter 24, Zoning Ordinance – Agricultural Buffers (Sections 24-83, 24-84, and 24-266 A) and the Agricultural Buffer Implementation Guidelines - On February 9, 2021 the Department of Development Services held a workshop for the Board of Supervisor to discuss the exceptions for agricultural buffer setbacks to discretionary and ministerial permits. On April 27, 2021 the Board directed the Department to amend the Zoning Ordinance, Article 17, Agricultural Buffers, and the Agricultural Buffer Implementation Guidelines to remove the exception allowance and unusual circumstance process for discretionary permits. On April 22, 2021 the Board directed the Department to amend the Zoning Ordinance, Article 17, Agricultural Buffers, and the Agricultural Buffer Implementation Guidelines. At a public hearing held on September 23, 2021, the Butte County Planning Commission unanimously recommended adoption of the amendments to the Zoning Code and the Agricultural Buffer Implementation Guidelines to the Board of Supervisors. The following amendments are proposed: 1) Amend the Agricultural Buffer Sections 24-83 and 24-84 to eliminate the unusual circumstances request option for discretionary projects in or adjacent to Agriculturally zoned parcels; 2) Amend the Appeal Subjects and Jurisdiction Section 24-266.A to add "exceptions to agricultural buffer setbacks" for ministerial actions to Zoning Administrator Decisions; 3) Amend the Agricultural Buffer Implementation Guidelines to eliminate reference to unusual circumstances for discretionary projects and identify that non-agricultural intervening features, such as roads, railroads and canals provide separation and/or barriers and serve as part of the buffer area. In addition to the proposed amendments, the Planning Commission recommends that the Board adopt Section 15061(b)(3) exemption ("Common Sense") in accordance with the California Environmental Quality Act (CEQA) – ACTION REQUESTED – 1) ADOPT AN ORDINANCE AMENDING CHAPTER 24, (ZONING ORDINANCE) MAKING TEXT AMENDMENTS TO SECTIONS 24-83, 24-84 AND 24-266 AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT A RESOLUTION AMENDING THE AGRICULTURAL BUFFER IMPLEMENTATION GUIDELINES AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 4.09 Job Order Contracts (JOC) with Hignell, Inc. DBA Experts in Your Home, Staples Construction Company, Inc. and North Star Construction and Engineering, Inc. - JOC is an alternative project delivery process that allows contractors to complete a substantial number of individual projects with a single bid. Public Contract Code section 20128.5 allows the County to implement a JOC services process to select vendors to complete specific individual projects for repairs, maintenance and other repetitive work to be done according to fixed unit prices under a single umbrella contract executed by the Board of Supervisors. On August 10, 2021, the Board of Supervisors authorized the Department of General Services to advertise for bids for JOC. JOC was advertised on August 27, 2021 and five bids were received on September 28, 2021. The lowest responsive and responsible bidder was Hignell, Inc. DBA Experts in Your Home of Chico. The second lowest responsive and responsible bidder was Staples Construction Company, Inc., which holds multiple office locations in Northern California. The third lowest responsive and responsible bidder was North Star Construction and Engineering, Inc. of Yuba City. Pursuant to Public Contract Code section 20128.5 and current California Consumer Price Index, each contract is for a period of one year, and carries a minimum work guarantee of \$25,000 and has a maximum value of \$2,000,000. Per prior direction, any proposed JOC work orders in excess of \$250,000 will require additional Board of Supervisors approval. The Department recommends that the Board award JOC contracts to Hignell, Inc. DBA Exerts in Your Home, Staples Construction Company, Inc. and North Star Construction and Engineering,

Inc. – ACTION REQUESTED – AWARD JOC CONTRACTS (3) AND AUTHORIZE THE CHAIR TO SIGN.
(General Services)

- 4.10 Update on Water Activities - Department of Water and Resource Conservation will provide the Board of Supervisors with an update on the following water resource activities: 1) Sustainable Groundwater Management Act (SGMA) Implementation Status: a) Report on the status of GSP public review and adoption process. The GSPs are on track for submittal by January 31, 2022. b) Inter-Basin Coordination - an overview of the Northern Sacramento Valley (NSV) Inter-Basin Coordination Report and facilitation services of Consensus Building Institute, review of the framework for inter-basin coordination and how the framework can be used by the GSAs to support GSP implementation. 2) General Plan Water Resources Element Update: At the October 6, 2021 Water Commission meeting, the Commission formed an ad hoc committee to discuss, identify, and summarize recommendations so that the Water Commission can provide input on policy options. 3) Drought Task Force - Met on September 7, 2021 with an update provided to the Board on September 28, 2021: a) The RFP for the Drought Impacts Analysis Study was issued on October 15, 2021 to solicit proposals for the Study and the proposal submission deadline is November 15, 2021. b) Small Community Drought funding for four small water systems are underway. 4) Palermo Clean Water Consolidation Project: The consultant Ludhorff Scalmanini Consulting Engineers initiated work on the project and is planning to conduct a public meeting in Palermo by mid-November 2021. 5) NSV Integrated Regional Water Management Board and Technical Advisory Committee Vacancies: The County's appointed seats on the NSV IRWM Board and TAC are vacant; staff will provide a summary of the process, activities, and status for filling these seats. 6) Table A Agreements: The County has at least 3,050 acre feet of Table A water available for in-County use and staff is exploring options for Table A water to bring forward to the Board for discussion. 7) Paradise Irrigation District Options Identification Report: Discuss current status of the study and next steps – ACTION REQUESTED – ACCEPT FOR INFORMATION. (Water and Resource Conservation)
- 4.11 Contract with Public Health Institute, Inc. (PHI) for Case Investigation, Contact Tracing (CI/CT) and epidemiological services - The Department of Public Health has received funding to support CI/CT and epidemiological work in response to the COVID-19 pandemic. Since the start of the pandemic, the Department has utilized redirected State staff to support the local CI/CT work. The State is now ending the redirected staff program. To continue supporting counties in CI/CT work, the California Department of Public Health (CDPH) was expected to enter into a single contract with Public Health Institute (PHI) on behalf of counties. However, the Department was informed in late August 2021 that individual counties needed to contract directly with PHI. PHI uses specialists with training, supervision, and access to California's contact tracing and data management system used to submit COVID-19 data to CDPH. The Department does not have sufficient specialized staff to support the CI/CT function and are unable to hire and train quickly enough to fill this gap. Contracting with PHI to complete this work is the best action to support the COVID-19 response efforts for the community. The Department recommends entering into a contract with PHI for CI/CT and epidemiological services. The term of the contract is November 1, 2021 through April 30, 2022, not-to-exceed \$1,170,911 – ACTION REQUESTED – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)
- 4.12 Items Removed from the Consent Agenda for Board Consideration and Action

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 9:15AM – Timed Item - General Plan Amendment (GPA21-0001) and Rezone (REZ21-0001) -
 Applicant Jim Miller requests a General Plan Amendment (GPA21-0001), from a Very Low Density Residential (VLDR) to an Industrial (I) General Plan designation, and a Rezone (REZ21-0001) from a VLDR to a Light Industrial (LI) zone on a 3.55-acre eastern portion of parcel located at 200 Speedway Avenue south of the City of Chico, within its sphere of influence; APN 040-030-104. There is no industrial development proposal associated with this project at this time. The Planning Commission considered this item at a public hearing held on September 23, 2021 and recommended approval of the General Plan Amendment and Rezone to the Board of Supervisors on a 5-0 vote. This amendment would be the first General Plan Amendment in the 2021 calendar year, and its approval would not exceed the four total amendments allowed under Government Code section 65358 (b) – ACTION REQUESTED - 1) ADOPT THE RESOLUTION APPROVING A NEGATIVE DECLARATION AND AMENDING THE GENERAL PLAN LAND USE MAP AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT THE ORDINANCE AMENDING THE ZONING MAP AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 5.02 9:30AM – Timed Item - Presentation on the Butte Subbasin Draft Groundwater Sustainability Plan - Butte County is one of eleven Groundwater Sustainability Agencies (GSAs) in the Butte Subbasin. Through a Cooperation Agreement executed in 2019, the eleven GSAs agreed to develop and adopt a single Groundwater Sustainability Plan (GSP) for the Butte Subbasin by the statutory deadline of January 31, 2022, which is established by the Sustainable Groundwater Management Act. The GSAs in the Butte Subbasin announced the draft GSP is available for public review and comment. The public comment period began on September 7, 2021 and will end October 31, 2021. During this time, individual GSAs are receiving an overview presentation of the draft GSP and are encouraged to provide input and recommendations on the draft plan. The Butte Advisory Board, comprised of a representative from each GSA Board, will consider all public comments and GSA Board input when they meet on November 18, 2021 and will make final recommendations on revisions to the GSP. The Board of Supervisors will consider adoption of the GSP in December 2021. The Department of Water & Resource Conservation recommends the Board of Supervisors receive information about the draft GSP and either provide direction to staff or provide direction to the County's representative on the Butte Advisory Board regarding public comment – ACTION REQUESTED – PROVIDE DIRECTION TO STAFF OR TO THE COUNTY'S REPRESENTATIVE ON THE BUTTE ADVISORY BOARD. (Water and Resource Conservation)

- 5.03 10:30AM – Timed Item - Resolutions Amending the Master Fee Schedule with the Employment Cost Index (ECI) - The Master Fee Schedule is made up of user fees charged for services or products that benefit individuals or businesses. On June 13, 2017, proposed changes to the Master Fee Schedule, which were based on a comprehensive user fee study, were adopted by the Board of Supervisors. User fees may be amended periodically, to more accurately reflect actual costs, by applying the change in the ECI pursuant to County Code section 3-331. Traditionally the annual ECI recommendation is brought before the Board in the fall, and the fees become effective around the beginning of the calendar year. On November 10, 2020 the Board of Supervisors approved resolutions amending the Master Fee Schedule based on the net percentage increase in the ECI through the second quarter of 2020. The ECI in the second quarter of 2020 was 142.9 and the ECI in the second quarter of 2021 was 145.8, with a net percentage increase of 2.03%. The Department of Agriculture, Assessor's Office, Clerk-Recorder's Office, Department of Development Services, Fire Department, Department of Information Systems, County Library, Probation Department, Department of Public Health, Department of Public Works, Sheriff's Office, and Treasurer-Tax Collector's Office recommend that the 2.03% ECI increase be applied to their eligible user fees, and County Administration supports the recommendation. Pursuant to County Code section 3-331, a fee mandated by another jurisdiction will be automatically adjusted to reflect the adjustments made to the fee by the other jurisdiction. The Department of Agriculture, Clerk-Recorder's Office, Probation Department, and the Sheriff's Office are applying changes to State mandated fees and general cleanup of fees to their fee schedules. The proposed changes in user fees will be implemented by adopting resolutions amending the Master Fee Schedule, and will become effective January 1, 2022 – ACTION REQUESTED – ADOPT RESOLUTIONS (2) AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 5.04 11:00AM – Timed Item - Update from the Alliance for Workforce Development on Operations in Butte County - As part of the Northern Rural Training and Employment Consortium, the Alliance for Workforce Development delivers the federal Workforce Investment Act programs for Adults, Youth, Dislocated Workers, and Businesses throughout Butte County. The Director of Business Services, Amy Velazquez, will provide the Board of Supervisors with an update on the status of services provided in Butte County – ACTION REQUESTED – ACCEPT FOR INFORMATION. (Other- Alliance for Workforce Development)
- 5.05 11:10AM – Timed Item – Appeal of Planning Commission's approval of Minor Use Permit (MUP20-0002) - A hearing to consider an appeal of the Planning Commission's August 19, 2021, approval of Minor Use Permit MUP20-0002 for Carl and Nicole Hickman to establish a Special Event Facility in the AG-40 (Agriculture-40 acre minimum parcel size) zone. The project site encompasses a portion of a 10.38-acre property located at 400 Marmore Road, west of the intersection of Marmore Road and Morehead Avenue, and approximately 1.6 miles west from the City of Chico city limits; APN: 039-570-032 – ACTION REQUESTED - ADOPT A RESOLUTION DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF MINOR USE PERMIT (MUP20-0002) AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

- 5.06 1:45PM – Timed Item – Butte County 2020 Crop and Livestock Report - In accordance with the California Food and Agriculture Code, section 2279, Butte County Agricultural Commissioner prepares an annual crop and livestock report that shows the agriculture production and agriculture value in Butte County. The Agriculture Commissioner will present the Butte County 2020 Crop & Livestock Report to the Board of Supervisors – ACTION REQUESTED – ACCEPT FOR INFORMATION. (Agriculture)
- 5.07 2:00PM – Timed Item - Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer
- A. North Complex Fire Recovery Update
 - B. Camp Fire Update
 - C. COVID-19 Update by Director of Public Health
 - D. CAO Comment
- 5.08 2:15PM – Timed Item - Board of Supervisors Public Comment

6. BOARD OF SUPERVISORS CLOSED SESSION

6.01 Public Employee Employment, Appointment, Recruitment, Performance Evaluations, Including Goals, Pursuant to Government Code Section 54957:

- A. Agricultural Commissioner
- B. Behavioral Health Director
- C. Chief Administrative Officer
- D. Chief Probation Officer
- E. Child Support Services Director
- F. County Counsel
- G. Development Services Director
- H. Employment and Social Services Director
- I. Human Resources Director
- J. Information Services Director
- K. Library Director
- L. Public Health Director
- M. Public Works Director
- N. Water and Resources Conservation Director

6.02 Conference with Labor Negotiator Pursuant to Government Code Section 54957.6:

Negotiators: Jack Hughes, Sheri Waters, and Meegan Jessee

Employee Organizations: Teamsters - General Unit; Teamsters - Social Services Workers'

Unit; Butte County Management Employees Association; Butte County Probation Peace Officers Association; Butte County Probation Peace Officers Association - Management Unit; Butte County Professional Employees' Association; Butte County Deputy Sheriff's Association - General Unit; Butte County Deputy Sheriff's Association - Management/Supervisory Unit; Butte County Correctional Officers Association - General Unit; Butte County Correctional Officers Association - Supervisory Unit; UPEC Local 792 - Skilled Trades Unit; Butte County Deputy District Attorneys Association - Attorney Unit; Confidential Unit; Non- Represented Unit; Board of Supervisors Executive Assistants

6.03 Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8:

Assessor Parcel Numbers:

013-310-024
013-310-027
013-310-036
013-310-037
013-300-098

Agency Negotiator: Grant Hunsicker

Negotiating Parties: County of Butte, City of Oroville, Oroville Southside Community Improvement Association

Negotiations: Terms and Conditions of Conveyance of Real Property Rights

6.04 Actual litigation pursuant to Gov. Code Sec. 54956.9(d)(1) - 1 case:

A. Doherty, et al. v. County of Butte, et al., Butte County Superior Court Case No. 19CV02464.

Butte County
Department Heads

Agricultural
Commissioner:
Louie Mendoza

Assessor*:
Diane Brown

Auditor-Controller*:
Graciela Gutierrez

Behavioral Health:
Scott Kennelly

Chief Administrative
Officer:
Andy Pickett

Chief Probation Officer:
Wayne Barley

Child Support Services:
Sean Farrell

Clerk-Recorder /
Registrar of Voters*:
Candace Grubbs

County Counsel:
Bruce Alpert

Development Services:
Paula Daneluk

District Attorney*:
Mike Ramsey

Employment & Social
Services:
Shelby Boston

Fire Chief:
John Messina

General Services:
Grant Hunsicker

Human Resources:
Sheri Waters

Information Systems:
Dino Cabal

Library:
Narinder Sufi

Public Health:
Danette York

Public Works:
Joshua Pack

Sheriff-Coroner*:
Kory Honea

Treasurer-Tax Collector*:
Troy Kidd

UC Cooperative
Extension Advisor:
Luis Espino

Water & Resource
Conservation:
Kamie Loeser

*Elected Official

Information and Procedures Concerning the Agenda and
Board of Supervisors Meetings

Meeting Information:

Meetings are generally held the second and fourth Tuesday of each month. Meetings start at 9:00 a.m. and are held in the Board of Supervisors Chambers, County Administration Building, 25 County Center Drive, Oroville. At the end of each year the Board adopts a meeting schedule for the upcoming year. Meeting dates can be changed as a result of holidays or other events so please check the meeting calendar to be certain. Copies of the adopted meeting calendar for the year are available in the County Administrative Office or on the Clerk of the Board website page.

Agenda Information:

The agenda for every meeting of the Board is posted in front of the County Administration Building at least 72 hours before each meeting, and is available by mail subscription, e-mail subscription, or at the Clerk of the Board website. A copy of the agenda and supporting materials provided to the Board of Supervisors members to explain each agenda item (excluding documents that are not a public record within the meaning of the Public Records Act) are available for your review at the County Administrative Office, the Chico, Oroville, and Paradise libraries (please do not remove items from these files), and at the Clerk of the Board website. Copies of supporting materials can be made for you at a charge to cover costs. The list of communications included with the agenda packages is not comprehensive. Additional communications to the Board of Supervisors may have been received but not included in the agenda supporting material. Copies of all communications received by the Board of Supervisors (excluding documents that are not a public record within the meaning of the Public Records Act) are available at the County Administrative Office upon request.

Agenda Format and Meeting Order:

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

1. **Public Comment:** this is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction.
2. **Consent Agenda:** These items are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.
3. **Regular Agenda:** this is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.
4. **Public Hearing and Timed Items:** this is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.
5. **Closed Session:** The Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the closed session.

Public Participation:

It is the policy of the Board of Supervisors, and a requirement of the California Open Meetings Law, to allow members of the public the opportunity to comment on all matters before the Board. Public participation is limited to matters within the subject matter jurisdiction of the Board pursuant to Government Code Section 54954.3. The Board has adopted policy and procedures to facilitate the meeting process and conduct. A complete listing of these policies and procedures can be found in the printed booklet agenda, obtained at the County Administrative Office, or viewed at the Clerk of the Board website.

The Board of Supervisors is also committed to making its proceedings accessible to all residents. Individuals with special needs should call the Clerk of the Board at 530.552.3300, Monday through Friday, 8:00 a.m. to 5:00 p.m. to request disability-related modifications/accommodations, or to request materials in alternate formats. All requests for special accommodations and/or alternative format documents must be made 48 hours prior to the meeting.

For further information contact the:
Clerk of the Board of Supervisors
County Administration Office
25 County Center Drive, Suite 200, Oroville, CA 95965
530.552.3300