



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

OCTOBER 11, 2022

9:00 AM

MEMBERS OF THE BOARD

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

ANDY PICKETT
CHIEF ADMINISTRATIVE OFFICER &
CLERK OF THE BOARD

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

BRAD STEPHENS, 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 the general public. The Board of Supervisors will not tolerate loud, threatening, personal, or abusive language, or disorderly conduct, which disrupts, disturbs, or otherwise impedes the orderly conduct of Board meetings. Violation of these rules of decorum will result in the meeting being recessed.

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

3.01 Agreement with Healthy Rural California (HRC) for the Department for Health Access and Information (HCAI) Workforce Education and Training (WET) Psychiatric Education Capacity Expansion (PECE) Psychiatry Residency Program Development - On November 16, 2020, HCAI awarded a grant to the Department of Behavioral Health for the WET PECE Residency Program. The HCAI WET PECE Residency Program is aimed at increasing the educational capacity of psychiatry and psychiatric mental health nurse practitioners trained in the Public Mental Health System (PMHS) Workforce. On October 12, 2021, the Board of Supervisors approved a contract for fiscal year 2021-22 with HRC for consulting services in order to fulfill the tasks under the HCAI WET PECE Residency Program. The Department recommends entering into an agreement with HRC for HCAI WET PECE Psychiatry for continued program development and accreditation of the Residency Program. The term of the agreement is July 1, 2022 through June 30, 2023,

not-to-exceed \$195,541 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)

- 3.02 Agreement with Healthy Rural California (HRC) for the Department of Health and Access Information (HCAI) Workforce Education and Training (WET) Psychiatric Education Capacity Expansion (PECE) Psychiatry Residency Program Implementation - On November 16, 2020, HCAI awarded a grant to the Department of Behavioral Health for the WET PECE Residency Program. The HCAI WET PECE Residency Program aims to increase the educational capacity of psychiatry and psychiatric mental health nurse practitioners trained in the Public Mental Health System Workforce. On May 18, 2021, the Board of Supervisors approved a contract for fiscal year 2021-22 with HRC for consulting services in order to fulfill the tasks under the HCAI WET PECE Residency Program. The Department recommends entering into an agreement with HRC for HCAI WET PECE Psychiatry for the continued implementation and accreditation of the Residency Program. The term of the agreement is July 1, 2022 through June 30, 2023, not-to-exceed \$114,965 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
- 3.03 Distribution of Excess Proceeds from the Sale of Tax-Defaulted Property - From June 11-14, 2021, the Treasurer-Tax Collector held a tax sale of 51 tax defaulted properties, as required by California Revenue and Taxation Code section 3691 et seq. After payment of all taxes, penalties, assessments, and costs of sale, the purchase price of some of the properties generated excess proceeds. Revenue and Taxation Code section 4674 permits any remaining excess proceeds to be claimed by parties of interest in the property, and section 4675 sets out the priorities for distribution of the claimed excess proceeds. The Treasurer-Tax Collector's Office received claims on 25 of the 51 parcels sold, and requested that County Counsel evaluate the claims received. County Counsel's review and recommendations regarding the claims are included in the Memorandum with the staff report. Pursuant to Revenue and Taxation Code section 4675, the Board of Supervisors may order distribution of the excess proceeds as recommended – action requested - 1) ADOPT RECOMMENDATIONS OF THE COUNTY COUNSEL REGARDING DISTRIBUTION OF EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY; AND 2) ORDER DISTRIBUTION PURSUANT TO REVENUE AND TAXATION CODE SECTION 4675. (County Counsel)
- 3.04 Land Conservation (Williamson) Act Contract with Brink Charlotte M Testamentary Trust Et Al - The Williamson Act Advisory Committee recommends entering into a contract to enroll approximately 305 acres owned by the Brink Charlotte M Testamentary Trust Et Al, in the Williamson Act. The enrollment consists of two unaddressed parcels (APNs: 022-070-028, 022-070-029 and 022-070-017) located north of Afton Road, 0.77 miles northwest of Biggs City limits. The two parcels will be enrolled in the Williamson Act under a contract for irrigated rice production. The application meets all requirements of the Williamson Act program. The Williamson Act Advisory Committee reviewed the application on September 12, 2022, and recommended enrollment of the two parcels subject to the applicant's payment of any outstanding fees. The creation of Williamson Act contracts is exempt from review under the California Environmental Quality Act per Categorical Exemption 15317 Open Space Contracts or Easements – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

- 3.05 Land Conservation (Williamson) Act Contract with Brink Charlotte M Testamentary Trust Et Al -
The Williamson Act Advisory Committee recommends entering into a contract to enroll approximately 758 acres owned by the Brink Charlotte M Testamentary Trust Et Al, in the Williamson Act. The enrollment consists of one unaddressed parcel (APN: 022-120 -024) located north of Afton Road, 1.8 miles northwest of Biggs City limits. The parcel will be enrolled in the Williamson Act under a contract for irrigated rice production. The application meets all requirements of the Williamson Act program. The Williamson Act Advisory Committee reviewed the application on September 12, 2022, and recommended enrollment of the parcel subject to the applicant's payment of any outstanding fees. The creation of Williamson Act contracts is exempt from review under the California Environmental Quality Act per Categorical Exemption 15317 Open Space Contracts or Easements – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 3.06 Land Conservation (Williamson) Act Contract with Brink Charlotte M Testamentary Trust Et Al -
The Williamson Act Advisory Committee recommends entering into a contract to enroll approximately 758 acres owned by the Brink Charlotte M Testamentary Trust Et Al, in the Williamson Act. The enrollment consists of two unaddressed parcels (APNs: 022-040-042, 022-050-024, 022-050-025, and 022-300-001) located 1 mile north of Colusa Highway, approximately 5 miles northwest of Gridley City limits. The two parcels will be enrolled in the Williamson Act under a contract for irrigated rice production. The application meets all requirements of the Williamson Act program. The Williamson Act Advisory Committee reviewed the application on September 12, 2022, and recommended enrollment of the two parcels subject to the applicant's payment of any outstanding fees. The creation of Williamson Act contracts is exempt from review under the California Environmental Quality Act per Categorical Exemption 15317 Open Space Contracts or Easements – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 3.07 Land Conservation (Williamson) Act Contract with Farmland Reserve, Inc. - The Williamson Act Advisory Committee recommends entering into a contract to enroll approximately 36 acres owned by Farmland Reserve, Inc., in the Williamson Act. The enrollment consists of one parcel (APN 047-060-022) located at 15265 Yuhnke Lane, 4,150 feet east of Cana Pine Creek Road, approximately 6 miles northwest of Chico City limits. The parcel will be enrolled in the Williamson Act under a contract for orchard production. The application meets all requirements of the Williamson Act program. The Williamson Act Advisory Committee reviewed the application on September 12, 2022 and recommended enrollment of the parcel subject to the applicant's payment of any outstanding fees. The creation of Williamson Act contracts is exempt from review under the California Environmental Quality Act per Categorical Exemption 15317 Open Space Contracts or Easements – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

- 3.08 Land Conservation (Williamson) Act Contract with the John and Margo Konyn Trust and Konyn Orchards Inc. - The Williamson Act Advisory Committee recommends entering into two contracts to enroll approximately 34 acres (APN 038-180-016) owned by The John and Margo Konyn Trust and approximately 40 acres (APN 038-180-017) owned by Konyn Orchards Inc., in the Williamson Act. The parcels are located on the north side of White Drive, between Taylor Avenue and Midway, approximately two miles south of Durham. APN 038-180-016 has an address of 8579 Midway. The parcels will be enrolled in the Williamson Act under contracts for orchard production. The application meets all requirements of the Williamson Act program. The Williamson Act Advisory Committee reviewed the application on September 12, 2022 and recommended enrollment of the parcels in separate contracts based on ownership, subject to the applicant's payment of any outstanding fees. The creation of Williamson Act contracts is exempt from review under the California Environmental Quality Act per Categorical Exemption 15317 Open Space Contracts or Easements – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 3.09 Land Conservation (Williamson) Act Contract with Pacific Realty Associates, LP. - The Williamson Act Advisory Committee recommends entering into a contract to enroll approximately 107 acres owned by Pacific Realty Associates, LP., in the Williamson Act. The enrollment consists of one parcel with two APNs (039-160-002 and 039-140-007) located 192 feet southwest of the corner of Taffee Avenue and Chico Avenue, 0.5 miles west of Crouch Avenue, 2.64 miles southwest of Chico City limits. The parcel will be enrolled in the Williamson Act under a contract for orchard production. The application meets all requirements of the Williamson Act program. The Williamson Act Advisory Committee reviewed the application on September 12, 2022 and recommended enrollment of the parcel subject to the applicant's payment of any outstanding fees. The creation of Williamson Act contracts is exempt from review under the California Environmental Quality Act per Categorical Exemption 15317 Open Space Contracts or Easements – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 3.10 Contract Amendment with Raney Planning & Management, Inc. for Planning Services - On January 26, 2021, the Board of Supervisors approved a contract with Raney Planning & Management, Inc. for planning services. The contract provides ongoing planning application processing, planning building permit review, and other planning services as needed by the Department of Development Services. Contracting for planning services allows the Department to continue providing timely service to the public for high demand planning-related services. The original term of the contract is January 26, 2021 through January 26, 2026; not to exceed \$99,999. The Department received an application for a new housing project that requires California Environmental Quality Act (CEQA) analysis. On October 8, 2021, the contract was amended to increase the maximum amount payable by \$210,001; not-to-exceed \$310,000. The cost to provide the analysis exceeds the amended contract amount. The Department recommends amending the contract with Raney Planning & Management, Inc. to provide planning services and CEQA analysis for this large housing project. The amendment increases the maximum payable by \$86,087 not-to-exceed \$396,087. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

- 3.11 Resolution Recognizing October 10, 2022 through October 14, 2022 as Code Enforcement Officer Appreciation Week - Code Enforcement Officer Appreciation Week honors Code Enforcement Officers that serve local communities and acknowledges their role in leading the way to improve the quality of life of residents. Code Enforcement Officers are dedicated, highly qualified, and highly trained professionals who share the goals of preventing neighborhood deterioration, enhancing communities, ensuring safety, and preserving property values through knowledge, training, and application of housing, zoning, and nuisance laws – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 3.12 Grant Agreement with the Department of Forestry and Fire Protection for the Volunteer Fire Assistance Program and Resolution Approving Grant Award - The Department of Forestry and Fire Protection awarded the Fire Department a grant for the Volunteer Fire Assistance Program in the amount of \$40,000. The Grant provides for wildland personal protective equipment (PPE) to replace old and worn out PPE, safety helmets, gloves, and hoods for Volunteer Firefighters. The grant requires a \$20,000 local match, which is included in the Department's fiscal year 2022-23 budget. The Department recommends approval of a grant agreement with the California Department of Forestry and Fire Protection for the Volunteer Fire Assistance Program and adoption of a resolution authorizing the acceptance of the grant agreement. The term of the grant agreement is from approval through June 30, 2023 – action requested - 1) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE AGREEMENT AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO SIGN. (Fire)
- 3.13 Contract with Ginno Construction, Inc. for Construction of Temperature Controlled Storage Facility for Department of Public Health - Medical equipment and supplies are required to be utilized by the Department of Public Health and partner agencies in response to emergency events. Exposure to extreme temperature conditions (heat or cold) lead to equipment and supplies not functioning properly, prematurely expiring or compromising the sterility of the packaging. A capital project was established with the FY 2021-22 budget for design and construction of an approximately 3,000 square foot temperature controlled storage building to be located on County-owned property at 2091 2nd Street, Oroville. In April 2021, the Department of General Services (Department) contracted with Nichols, Melburg & Rossetto for design of the new facility, and in September 2022, the Department published a formal invitation for bids for construction. A total of three bids were received ranging in cost from \$993,456 to \$1,080,977. The Department recommends that the Board of Supervisors approve the plans and specifications which are available for review at the General Services office located at 2081 2nd Street in Oroville, execute a contract with Chico based Ginno Construction, Inc., the lowest bidder, and appoint the General Services Director as the officer of the project. The term of the contract is 365 days from Notice to Proceed for a fixed fee of \$993,456. The project budget of \$1,606,600 funds the cost of the contract plus the related project expenses including permitting, inspections, PG&E engineering, project management and contingencies, and is funded via a combination of ARPA, non-profit Direct Relief, and Public Health Realignment funds – action requested - 1) APPROVE THE PLANS AND SPECIFICATIONS AND AUTHORIZE THE CHAIR TO SIGN; 2) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN; AND 3) APPOINT THE GENERAL SERVICES DIRECTOR AS THE OFFICER OF THE PROJECT. (General Services)

3.14 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:

AUDITOR-CONTROLLER: Add 1 Business Systems Supervisor position and delete 1 vacant flexibly staffed Auditor-Accountant position and 1 vacant flexibly staffed Accounting Technician position. The requested allocation changes will allow additional supervisory support during the stabilization period of the Workday implementation. Total allocations to decrease by one.

EMPLOYMENT AND SOCIAL SERVICES: Add 1 Housing and Homeless Services Supervisor position and delete one vacant Support Services Supervisor. The requested changes are needed for direct supervision to the Department's Housing Navigator staff that provide services to those experiencing, and at risk, for homelessness. Total allocations to remain unchanged. The new position will be funded by current fiscal year Housing and Homeless funding sources.

HUMAN RESOURCES: Amend Section 280 of the Salary Ordinance No. 4213 of the County of Butte entitled "Classifications with Flat Rate Assignments" by adding Class Code 6836-Correctional Technician I, Class Code 6835-Correctional Technician II, and Class Code 6834-Correctional Technician III. The employees in these classifications and all applicable parties have agreed to a bargaining unit modification that will move them from BCCOA-General Unit to the Teamster's General Unit. This requested change will preserve the current salary schedules for these classifications until the unit modification is recommended to be finalized at a future Board meeting.

PUBLIC HEALTH: Add 1 flexibly staffed Principal Information Technology Analyst position, 1 Program Coordinator position, 1 flexibly staffed Senior Health and Human Services Program Analyst position, and 1 flexibly staffed Senior Program Manager position. Delete 1 vacant Health Scientist position, 1 vacant Public Health Division Director (term to end June 30, 2023), 1 vacant flexibly staffed Senior Information Technology Specialist position and 1 vacant Assessment and Equity Coordinator position (term to end June 30, 2023). The proposed staff changes better suit the current and future needs of the Department and are necessary to manage workloads appropriately. Total allocation to remain unchanged. The requested changes will result in an annual increase of \$85,885. The increased costs for the current fiscal year is approximately \$57,250. There are adequate appropriations to cover the increase due to vacancies in the Department. The increased costs will be covered by Public Health Realignment and grant funding.

SHERIFF: Add 1 Sheriff's Lieutenant and delete 1 vacant Deputy Sheriff position and 1 vacant Sheriff's Sergeant position. The requested change will better meet the operational needs of the Department. Total allocations to decrease by 1. This will result in an annual savings of approximately \$87,000.

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

- 3.15 Contract with Columbia Telecommunications Corporation (CTC) Technology and Energy for High-Speed Broadband - On March 14, 2017, the Board of Supervisors approved a contract with the Califa Group, which connected the County Library to California's public library high-speed data network. This statewide initiative increased the bandwidth at library locations and enabled the streaming of educational content at the libraries. The contract ended June 30, 2022. The California State Library has announced that CTC, an experienced and recognized expert in complicated technology projects, has been selected as its partner for the High-Speed Broadband Program in California State Libraries for the next five years. In this role, CTC will coordinate the high-speed broadband initiatives for all local libraries in California. High-speed broadband has been expanded to six library locations, and is in the process of being expanded to one satellite location. As part of the transition from Califa to CTC, libraries will need to execute a contract with CTC. The County Library recommends the Board enter into a contract with CTC Technology and Energy for the administration of connection to the California Research and Education Network (CalREN) via Corporation for Education Network Initiatives in California (CENIC). The term of the contract is July 1, 2022 through July 1, 2027, not-to-exceed \$321,807 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Library)
- 3.16 Allocation Agreement with the California Department of Public Health (CDPH) for Tobacco Control Education Program - CDPH provides funding to local agencies for tobacco control education programs from Proposition 99 (Tobacco Tax and Health Promotion Act of 1988) and Proposition 56 (Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research and Law Enforcement). The focus of the tobacco control program for fiscal year 2022-2023 in Butte County is as follows: 1) Complete 21 activities with at least one jurisdiction in Butte County that may lead to policy change to eliminate the sale and/or distribution of flavored tobacco products and ban smoking and tobacco use in outdoor public places, including: parks, sidewalks, and events; 2) Complete 17 activities with at least one jurisdiction in Butte County that may lead to policy change to prohibit smoking and vaping of all products in multi-unit housing of two or more units; 3) Maintain a community coalition with a minimum of eight diverse organizations in rural Butte County, at least half of which will represent priority populations as defined by the Tobacco Education and Research Oversight Committee's Master Plan. The Department of Public Health recommends entering into an allocation agreement with CDPH to provide services through the Tobacco Education Program. The term of the allocation agreement is July 1, 2022 through June 30, 2023 with a maximum amount receivable of \$302,390 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)
- 3.17 Budget Adjustment and Capital Asset Purchase - Aggregate Conveyor Shoulder Machine - On July 2022, the Board of Supervisors adopted the FY 2022-23 budget, which included an aggregate conveyor shoulder machine as a capital asset within the Road Fund Budget. After adoption, the Department of Public Works began the procurement process for an aggregate conveyor shoulder machine and received bids that were higher than 10% of the budgeted cost. Under Budget Policy, increases in capital asset appropriations of more than 10% require approval from the Board. The Department recommends the Board approve a capital asset appropriate increase for an aggregate conveyor shoulder machine by \$10,000 for a revised total price of \$30,000. Savings from other budgeted capital assets will pay for the increase in expense – action requested - 1) APPROVE CAPITAL ASSET APPROPRIATION INCREASE; AND 2) APPROVE BUDGET AMENDMENT. (Public Works)

- 3.18 Contract Amendment with R3 Consulting Group, Inc. for Technical Assistance at the Neal Road Recycling and Waste Facility (NRRWF) Related to CalRecycle Senate Bill (SB) 1383 Requirements - On October 8, 2019, the Board of Supervisors entered into a contract with R3 Consulting Group, Inc., of Roseville, for professional services to perform rate calculations, rate planning, and provide technical assistance for landfill planning and operations related to SB 1383. The term of the contract is October 8, 2019, through October 8, 2022, not-to-exceed \$249,410. R3 Consulting Group, Inc. is assisting the Department of Public Works to meet SB 1383 requirements. Current efforts include working with community partners to develop an edible food recovery program, secure edible food capacity planning, compost procurement, education, outreach, and evaluating proposed franchise hauler rate costs triggered by SB 1383. The Department recommends the Board amend the contract with R3 Consulting Group, Inc. The amendment adds the following to the statement of work: 1) draft an edible food recovery Memorandum of Understanding; 2) increase edible food recovery support; 3) provide bi-weekly meetings with Department staff; and 4) assist the County with any requested support specific to the County's compliance with SB 1383. The amendment extends the term of the contract through December 31, 2024, and increases the maximum payable amount by \$243,700, not-to-exceed \$493,110 – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.19 Budget Adjustment and Capital Asset Purchase for Wildland Urban Interface Green Waste Disposal Program - On February 8, 2022, the Board of Supervisors adopted a resolution authorizing the Department of Public Works to apply for two CAL FIRE California Climate Investments Fire Prevention Grants. On August 4, 2022, the Department entered into a grant agreement with CAL FIRE to fund the WUI Green Waste Disposal Project. The grant funds will be used to purchase an air curtain burner (\$206,000), two message boards (\$16,500 each), an ash rake (\$5,335), and staff time and supplies (\$30,000) to manage the Green Waste Disposal Project for the remainder of FY 2022-23. The grant provides \$176,000 of the \$206,000 anticipated cost of the air curtain burner, the balance will be paid from the FY 2022-23 Enterprise Fund budget. The Department recommends the Board authorize the capital asset purchase of an air curtain burner and approve the budget amendment for \$244,335 – action requested – 1) APPROVE CAPITAL ASSET PURCHASE; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Public Works)
- 3.20 Contract with California Product Stewardship Council, Inc. (CPSC) for Household Hazardous Waste (HHW) Grant Management Services - On July 7, 2022, the Department of Public Works issued a Request for Proposals for HHW grant management services and received one proposal from CPSC of Sacramento. The Department reviewed the proposal and determined that CPSC met the qualification criteria. Under the contract, CPSC will provide HHW education and outreach within the County. This includes promotion of HHW proper disposal and handling, hosting four collection and exchange events where refillable cylinders will be made available to County residents, and maintaining compliance with all requirements for successful completion of CalRecycle's HHW Grant Program. The Department recommends that the Board of Supervisors enter into a contract with CPSC for HHW grant management services. The term of the contract is October 11, 2022, through September 30, 2024, not-to-exceed \$100,000 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

- 3.21 Contract for Herbicide Application Services - Herbicide application is provided by the Department of Public Works Road Division. The Department identified a need to contract for herbicide application services. On June 24, 2022, the Department of Public Works released a Request for Proposals for herbicide application services. On July 19, 2022, the Department received two proposals, and after evaluation and ranking, Pestmaster Services, L.P. of Reno, Nevada, was the highest-ranked firm. The Department recommends that the Board of Supervisors enter into a contract with Pestmaster Services, L.P., for herbicide application services. The term of the contract is upon execution through October 31, 2025, not-to-exceed \$250,000 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.22 Approve the Final Contract Change Order (CCO) and Notice of Completion for Skyway Rehabilitation Project - On April 12, 2022, the Board of Supervisors awarded the Skyway Rehabilitation Project to Knife River Construction of Chico. The project consisted of removing three inches of existing asphalt and replacing it with five inches of new asphalt concrete on Skyway from the Chico City limits at Potter Road to Paradise Town limits at Cross Roads. The contract award amount was \$10,580,073. All contract work has been completed per the project plans and specifications. One final CCO needs approval before the project can be deemed complete. CCO No. 1 provides for changes in contract quantities to match actual quantities at the contract unit prices for the various line items, approves miscellaneous extra work items, and compensates the contractor for asphalt price index fluctuation per Caltrans Standard Specifications. CCO No. 1 increases the contract amount by \$651,230, bringing the total cost of the project to \$11,231,303. The engineer's estimate at the time of the project bidding was \$14,400,000. The Department of Public Works recommends that the Board approve the CCO No. 1, accept the work as complete, and authorize the Chair to sign the Notice of Completion – action requested – 1) APPROVE CCO NO. 1 AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ACCEPT THE CONTRACT WORK AS COMPLETE AND AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION. (Public Works)
- 3.23 Capital Asset Surplus - Vehicles for Auction - The Board of Supervisors declares vehicles surplus that are no longer serviceable or no longer needed by the County before auctioning the items. The Department of Public Works recommends the Board declare eight vehicles and three assets as surplus to the needs of the County, as the assets are either in poor condition, no longer utilized, or the repairs exceed the value of the asset – action requested – DECLARE CAPITAL ASSETS (11) SURPLUS TO THE NEEDS OF THE COUNTY. (Public Works)
- 3.24 Resolution Recognizing Steve Collins Upon his Retirement - The Sheriff's Office recommends that the Board of Supervisors adopt a resolution recognizing Steve Collins on the occasion of his retirement after 26 years of service to Butte County – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff)
- 3.25 Contract with Cundiff and Associates for Pre-Employment Polygraph Services - The Sheriff's Office and the Probation Department utilize certified polygraph examiners to perform pre-employment examination of prospective employees. The Departments performed a solicitation for polygraph services and received one response from Cundiff and Associates. The Departments recommend entering into a contract with Cundiff and Associates for pre-employment polygraph services. The term of the contract is October 11, 2022 through October 10, 2027, not to exceed \$215,000 (\$165,000 for Sheriff; \$50,000 for Probation) – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff)

- 3.26 Consideration of an Ordinance Amending Article XIII.5, Entitled "Children and Families Commission," of Chapter 2, Entitled, "Administration" - In 1998, California Voters approved Proposition 10, which applied a tax on tobacco products to fund improved outcomes for young children. First 5 Butte County Children and Families Commission (First 5 Commission) uses these tax dollars to fund local programs and services for young children to enhance their health and early growth experiences. First 5 Commission is part of a Statewide effort to create a seamless system of integrated and comprehensive programs and services by establishing community-based programs to provide parental education and family support services relevant to effective childhood development; encouraging pregnant women and parents of young children to quit smoking; and educating the public on the importance and the benefits of nurturing, health care, family support, and child care. The Board of Supervisors passed an ordinance in 1998 after the passage of Proposition 10 establishing Article XIII.5 - Children and Families Commission within Chapter 2 of the Butte County Code. The original ordinance was developed before the First 5 Commission had established a staff structure, policies and procedures, a strategic plan, or a funding plan. The proposed ordinance aligns the Butte County Code with the Proposition 10 statutes, establishes the Department of Behavioral Health Director or designee as a permanent member, and streamlines strategic plan, budget and annual reporting requirements. The First 5 Commission recommends the Board adopt the proposed ordinance amending Article XIII.5 - Children and Families Commission. The Board waived the first reading of the proposed ordinance on August 23, 2022 – action requested – ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Other – Children and Families Commission)
- 3.27 Resolution Recognizing October 2022 as Domestic Violence Awareness Month - As domestic violence affects people of all genders, sexual orientations, ages, racial, ethnic, cultural, social, religious, and economic groups in the United States and in California, Catalyst Domestic Violence Services requests the Board of Supervisors adopt a resolution recognizing October 2022 as Domestic Violence Awareness Month – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Other – Catalyst Domestic Services)
- 3.28 Resolution Supporting Operation Green Light for Veterans - America's counties have a long and proud history of serving our nation's veterans, a legacy that continues to this day as we work with our federal, State and local partners to ensure that the former service members in our communities have access to the resources they need to thrive. This coming Veterans Day, the National Association of Counties (NACo) and the National Association of County Veteran Service Officers (NACVSO) invite the nation's 3,069 counties, parishes, and boroughs to join Operation Green Light and show support for veterans by lighting our buildings green from November 7 to November 13. By shining a green light, county governments and our residents will let veterans know that they are seen, appreciated and supported – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Other – District 2)

4. REGULAR AGENDA

4.01 Boards, Commissions, and Committees

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

A. Appointments to Listed Vacancies

1. Appointment to the Butte County Behavioral Health Board (BHB) - The BHB was established pursuant to Welfare and Institutions Code section 5604 to: review and evaluate the community's mental health needs, services, facilities and special problems; review County agreements entered into pursuant to the Mental Health Services Act; advise the local Mental Health Director regarding the local mental health program; review and approve the procedures used to ensure resident and professional involvement of the planning process; submit an annual report on the needs and performances of the County's mental health system; review and make recommendations on applications for appointment of a local Mental Health Director; review and comment on the County's performance outcome data and communicate its findings to the Behavioral Health Planning Council; and assess the impact of realignment from the State to the County on services delivered to clients and the local community. The BHB consists of 13 to 15 members, with 50% of the membership being direct consumers or family members of consumers who are receiving mental health services, with three being direct consumers and three being family members of consumers receiving mental health services; one member of the Board of Supervisors; one law enforcement representative; one youth representative; and community members (up to six). The Behavioral Health Board recommends appointing Lizz Watling to a Community Member seat with a term ending October 11, 2024 – action requested - APPOINT LIZZ WATLING TO A COMMUNITY MEMBER SEAT WITH A TERM ENDING OCTOBER 11, 2024. (Other – Behavioral Health Board)

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 Board of Supervisors Public Comment** - Comments to the Board on issues and items not listed on the agenda. Pursuant to California State law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda. Please note that Public Comment is in two separate sections. One, as the first regular item on the agenda, which will last a maximum of 15 minutes, with another to follow as the last item on the regular agenda with no time limits.

- 4.03 Appointments to Special District Boards in Lieu of Election Due to Insufficient Nominees in Various Districts - There are eight Special District Boards that had positions subject to election in the November 8, 2022 General Election. There were an insufficient number of candidates who filed a Declaration of Candidacy for these offices during the candidate filing period and therefore the positions will be vacant, as indicated in the Certificate of Facts. The current incumbent(s) have terms of office that expire on December 2, 2022. California Elections Code section 10515 (b), provides for the Board of Supervisors to appoint any qualified person no later than the November 8, 2022 Board Meeting. Once the appointment is made, the Clerk of the Board of Supervisors must issue the Certificate of Appointment and Oath of Office to the appointee, who must take office at noon, December 2, 2022 and serve exactly as if elected. In the event that the Board of Supervisors does not make appointment by November 8, 2022, the District Board will fill the vacancy as provided in section 1780 of the Government Code – action requested – APPOINT ANY QUALIFIED PERSON TO OFFICE(S) LISTED ON CERTIFICATE OF FACTS ON OR BEFORE THE NOVEMBER 8, 2022 BOARD MEETING. (Clerk-Recorder)
- 4.04 Successor Memorandum of Understanding (MOU) between the County and Butte County Correctional Officers Association-General Unit (BCCOA-Gen) - The County and the bargaining team for BCCOA-Gen have met and conferred over a successor MOU. Consistent with Board direction the agreed upon significant changes in the successor MOU are 1) Implementation of the Koff & Associates Classification and Compensation Study; 2) a one-time payment of \$2,000 in November 2022, one-time payment of \$1,000 in July 2023 and one-time payment of \$1,000 in July 2024; 3) Increase to the County Contribution to the Health Plan; 4) Increase to the Cashback amount for both employee tiers; 5) Increase to the amount for Standby Pay; 6) Term is from Board adoption through September 30, 2025 – action requested – 1) APPROVE MOU; AND 2) ADOPT RESOLUTION TO AMEND THE SALARY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
- 4.05 Successor Memorandum of Understanding (MOU) between the County and Butte County Correctional Officers Association-Supervisory Unit (BCCOA-Sup) - The County and the bargaining team for BCCOA-Sup have met and conferred over a successor MOU. Consistent with Board direction the agreed upon significant changes in the successor MOU are 1) Implementation of the Koff & Associates Classification and Compensation Study; 2) a one-time payment of \$2,000 in November 2022, one-time payment of \$1,000 in July 2023 and one-time payment of \$1,000 in July 2024; 3) Increase to the County Contribution to the Health Plan; 4) Increase to the Cashback amount for both employee tiers; 5) addition of Detention Services Premium Pay; 6) Term is from Board adoption through September 30, 2025 – action requested – 1) APPROVE MOU; AND 2) ADOPT RESOLUTION TO AMEND THE SALARY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

- 4.06 Resolution to Amend the Salary Ordinance and Budget Appropriation for Future of Public Health Funding - The Department of Public Health recently received notice of a funding allocation from the State of California to strengthen public health capacity and preparedness to respond to future emergencies by enhancing the public health workforce and infrastructure. These funds are considered ongoing state funding. As a condition of the funding, the Department is required to submit a public health plan by December 30, 2023 to the California Department of Public Health and every 3 years thereafter. The Department must dedicate at least 70% of the funds to support the hiring of permanent county staff and the remaining 30% may be used for equipment, supplies and other administrative costs. The Department is allocated \$1,224,383, for FY 22-23 and recommends spending \$873,225 of the allocation in current fiscal year and any unspent funds will be rolled into the FY 23-24 allocation. The Department recommends the Board of Supervisors adopt a resolution amending the Salary Ordinance to include the addition of 7.0 FTE permanent positions and to approve a budget adjustment of \$873,225 – action requested – 1) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTES REQUIRED). (Public Health)
- 4.07 Nomination of California State Association of Counties (CSAC) Board of Directors Members - Under provisions of the CSAC Constitution, members of the Board of Directors and alternates are nominated by their respective Board of Supervisors to one-year terms of office commencing the first day of the CSAC annual conference. The 2022 conference begins November 14, 2022. Any member of the Board of Supervisors is eligible to be nominated as Director. Appointments will be done by the CSAC Executive Committee. Currently, Supervisor Lucero is the Delegate Member, and Supervisor Ritter is the Alternate Member – action requested - 1) NOMINATE ONE MEMBER OF THE BOARD OF SUPERVISORS TO THE CSAC BOARD OF DIRECTORS, FOR A TERM OF ONE YEAR BEGINNING NOVEMBER 14, 2022; AND 2) NOMINATE ONE MEMBER OF THE BOARD OF SUPERVISORS AS THE ALTERNATE TO THE CSAC BOARD OF DIRECTORS, FOR A TERM OF ONE YEAR BEGINNING NOVEMBER 14, 2022. (Other – CSAC)
- 4.08 Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer
- A. Mechoopda MOU Update from County Counsel
 - B. CAO Comment
- 4.09 Board of Supervisors Public Comment (Continuation as Needed) - Comments to the Board on issues and items not listed on the agenda. Please note that pursuant to California State law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda.
- 4.10 Items Removed from the Consent Agenda for Board Consideration and Action

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 10:00 – Timed Item - Resolution Approving an Amendment to the Standard Agreement 2020 Community Development Block Grant COVID Response Round 2 and 3, CDBG-CV-2/3-000011 - The California Department of Housing and Community Development (HCD) receives funding from the United States Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG) Program and allocates funds to CDBG eligible non-entitlement jurisdictions. Approximately \$71 million in Coronavirus Response Round 2 and 3 (CDBG-CV2 and CDBG-CV3) federal funds authorized by Coronavirus Aid, Relief, and Economic Security (CARES) Act were allocated to eligible jurisdictions to perform activities related to COVID-19 response and recovery. Butte County received CDBG-CV2/3 grant funding totaling \$1,018,601 for three projects including the Public Health COVID Testing and Vaccination Response delivered by the Public Health Department, grant award: CDBG-CV-2/3-00011. Due to changes in COVID response that have occurred since these CV-2/3 grants were secured, Public Health staff no longer considers the Public Health COVID Testing and Vaccination Response Program to be an eligible project due to the availability of other funds to cover these services and the potential for duplication of benefits. As opposed to returning the funds to the grantor, County Administration recommends adopting a resolution to amend the Standard Agreement for this grant. The only project eligible and ready for these grant funds is the South County Food Pantry Project to be delivered by Community Action Agency (CAA). The funds remaining in the grant total \$428,783 and will be used to reconfigure approximately 1500 square feet of CAA's existing food bank facility located in Oroville into a publicly-accessed food pantry. The proposed project details are still being finalized and staff will return to the Board to disencumber the funds should the South County Food Pantry Project not be approved by HCD – action requested – ADOPT RESOLUTION APPROVING AN AMENDMENT TO STANDARD AGREEMENT CDBG-CV-2/3-00011 AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

6. BOARD OF SUPERVISORS CLOSED SESSION

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

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

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

Negotiators:	Jack Hughes, Sheri Waters, and Casey Hatcher
Employee Organizations:	Teamsters - General Unit; Teamsters - Social Services Workers' Unit; Butte County Management Employees Association; Butte County Probation Peace Officers Association; Butte County Probation Peace Officers Association - Management Unit; Butte County Professional Employees' Association; Butte County Deputy Sheriff's Association - General Unit; Butte County Deputy Sheriff's Association - Management/Supervisory Unit; Butte County Correctional Officers Association - General Unit; Butte County Correctional Officers Association - Supervisory Unit; UPEC Local 792 - Skilled Trades Unit; Butte County Deputy District Attorneys Association - Attorney Unit; Confidential Unit; Non-Represented Unit; Board of Supervisors Executive Assistants

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

- A. Property APN:
035-240-099

Agency Negotiator: Grant Hunsicker
Negotiating Party: Feather River Recreation and Park District
Negotiations: Terms and Conditions of Conveyance of Real Property Rights
- B. Property APN:
053-030-054

Agency Negotiator: Grant Hunsicker
Negotiating Party: Youth for Change
Negotiations: Terms and Conditions of Conveyance of Real Property Rights

Recess as the Butte County Board of Supervisors and Convene as the Butte County Groundwater Sustainability Agency

County of Butte Groundwater Sustainability Agency
REGULAR MEETING AGENDA
OCTOBER 11, 2022

1. **CALL TO ORDER**
2. **CORRECTIONS AND/OR CHANGES TO THE AGENDA** (NONE)
3. **CONSENT AGENDA** (NONE)
4. **REGULAR AGENDA** (NONE)
5. **COUNTY OF BUTTE GROUNDWATER SUSTAINABILITY AGENCY CLOSED SESSION**

5.01 **ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(D)(1) - ONE CASE:**

A. AQUALLIANCE ET AL. V. BUTTE COUNTY, ET AL., BUTTE COUNTY SUPERIOR COURT, CASE NO. 22CV00348

Recess as the County of Butte Groundwater Sustainability Agency and reconvene as the Butte County Board of Supervisors

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:
Melissa Romero

Child Support Services:
Sean Farrell

Clerk-Recorder /
Registrar of Voters*:
Candace Grubbs

County Counsel:
Brad Stephens

Development Services:
Paula Daneluk

District Attorney*:
Mike Ramsey

Employment & Social
Services:
Shelby Boston

Fire Chief:
Garrett Sjolund

General Services:
Grant Hunsicker

Human Resources:
Sheri Waters

Information Systems:
Paul LaValley

Library:
Narinder Sufi

Public Health:
Danette York

Public Works:
Joshua Pack

Sheriff-Coroner*:
Kory Honea

Treasurer-Tax Collector*:
Troy Kidd

UC Cooperative
Extension Advisor:
Luis Espino

Water & Resource
Conservation:
Kami Loeser

*Elected Official

Information and Procedures Concerning the Agenda and
Board of Supervisors Meetings

Meeting Information:

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

Agenda Information:

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

Agenda Format and Meeting Order:

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

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

Public Participation:

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

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

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