



ANDY PICKETT,
CHIEF ADMINISTRATIVE OFFICER
CLERK OF THE BOARD

BUTTE COUNTY BOARD OF SUPERVISORS

Regular Meeting Agenda

September 13, 2022
9:00 AM

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

MEMBERS OF THE BOARD

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

BRAD STEPHENS, COUNTY COUNSEL

PDF of Agenda

How to Public Comment Virtually

1. CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

Item 3.24 – The extension should be through June 30, 2023 instead of 2022.

Item(s) 3.25 and 3.26 were removed from the agenda to be brought back at a later date.

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

The Consent Agenda was approved by 4-0-1 vote with the exception of Items 3.06 and 3.07, which Supervisor Kimmelshue abstained from. Ayes: Supervisors Ritter, Kimmelshue, Teeter, and Chair Connelly. Nays: None, Absent: Supervisor Lucero

3.01 Revenue Agreement with California Department of Food and Agriculture (CDFA) for the High Risk Pest Exclusion Program

The Agricultural Commissioner's Office and CDFA have participated in a long-standing revenue agreement where the Department performs high risk pest exclusion inspections and enforcement activities for parcel terminal inspections, air freight forward, and nursery stock shipments from other states and countries. The term of the revenue agreement is July 1, 2022 through June 30, 2023, not-to-exceed \$38,373. (Agriculture)

Action requested - APPROVE REVENUE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.02 Budget Adjustment for Pesticide Disposal Project and Revenue from Department of Pesticide Regulation (DPR)

On November 9, 2021, the Board of Supervisors approved a revenue agreement with DPR for a Pesticide Disposal Project to provide a safe means for farmers/growers in Butte, Glenn and Tehama Counties to dispose of unwanted pesticides. On December 14, 2021, a Tri-County Memorandum of Understanding (MOU) was approved by the Board of Supervisors. On April 26, 2022 the Board approved a vendor agreement and the Pesticide Disposal Project was completed in May 2022. On August 12, 2022, the Agricultural Commissioners Office received \$200,000 revenue as per the revenue agreement with DPR for the project. The Department recommends approving a budget adjustment to increase appropriation to pay for vendor services for the Pesticide Disposal Project and receive revenue to offset the expense (\$200,000). (Agriculture)

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

Staff Report

3.03 Resolution Setting Tax Rates in the County of Butte for Fiscal Year 2022-2023

In accordance with Government Code section 29100, the Board of Supervisors is required to adopt by resolution the rates of taxes on the secured roll. State law requires that the tax rate not exceed the 1% limit specified in the Constitution except for the voter-approved indebtedness. For voter-approved indebtedness, the Board is also required to adopt the rates necessary to support the annual debt requirement within each specific school district on or before October 3 of each year. The Board of Supervisors approved each voter approved school bond at the time of the issuance of each series. (Auditor-Controller)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-118

3.04 Vocational Rehabilitation Services through Caminar, Inc. in correlation with Department of Rehabilitation (DOR)

Caminar, Inc. provides vocational rehabilitation services. These services include Personal Vocational Social Adjustment (PVSA). PVSA services assist clients to develop or re-establish skills, attitudes, personal characteristics, interpersonal skills, work behaviors, and functional capacities to achieve and maintain positive employment outcomes. Caminar, Inc. also provides Employment Preparation Services, which include interviewing techniques, resume development, application preparation, and Job Development and Placement training. Vocational rehabilitation services are offered to clients of the Department of Behavioral Health in conjunction with the DOR funding. The Department will facilitate DOR state service goals through a contract with Caminar, Inc. to provide services to individuals recovering from and/or living with mental health issues and people with physical disabilities as they transition to independent living within their communities. The Department recommends entering into an agreement with Caminar, Inc., not to exceed \$142,371 for fiscal year 2022-23. Under the agreement, Caminar, Inc. has State-assigned, measurable goals to provide supported employment vocational training. (Behavioral Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.05 Vocational Rehabilitation Services through Dreamcatchers Empowerment Network (Dreamcatchers) in correlation with Department of Rehabilitation (DOR)

Dreamcatchers is a nonprofit organization providing employment preparation services, job placement assistance, and retention services. Dreamcatchers provides vocational support to individuals recovering from and/or living with mental health issues and people with physical disabilities as they transition to independent living within their communities. Services provided include effective communication training, multi-tasking skills, direction following, and time management skills. Services are offered to clients of the Department of Behavioral Health in conjunction with DOR funding. The Department will facilitate DOR state service goals through a contract with Dreamcatchers. The Department recommends entering into an agreement with Dreamcatchers, not-to-exceed \$147,371 for fiscal year 2022-23. Under the agreement, Dreamcatchers has a measurable goal of providing supported employment vocational training and to transition consumers to community employment and/or a higher level of vocational services. (Behavioral Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.06 Agreement with Chico State Enterprises (Foundation) for the Passages Connection Program (Passages)

The Foundation is a private non-profit corporation that serves as an auxiliary of the California State University, Chico. Passages, a program supported by the Foundation, provides information and support services to older adults and their family caregivers experiencing significant emotional disturbances or serious mental illness. Passages services seek to establish a network of information, services, and supports throughout the county designed with the unique needs of older adults in mind. The program works to reduce stigma around issues of mental illness and treatment, promote recognition and early intervention in regards to challenges to mental health, decrease the incidence of psychological crisis, and improve suicide prevention efforts. The Department of Behavioral Health recommends entering into an agreement with the Foundation to provide outreach services to older adults within the County. The term of the agreement is July 1, 2022 through June 30, 2023, not-to-exceed \$152,250. Under the agreement, the Foundation has a measurable goal of providing services to a minimum of 28 clients in the fiscal year. (Behavioral Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.07 Agreement with Chico State Enterprises (Foundation) for the Passages Older Adult Response Program

The Foundation is a private non-profit corporation that serves as an auxiliary of the California State University, Chico. Passages, a program supported by the Foundation, provides information and support services to older adults and their family caregivers experiencing significant emotional disturbances or serious mental illness. The Department of Behavioral Health was recently awarded a Substance Abuse and Mental Health Services Administration Disaster Relief Grant to serve adults, 60 years of age and over that were effected by the Camp Fire. Passages shall operate the Older Adult Disaster Response program seeking to serve older adults who are at risk, interested in learning about, exposed to, or are experiencing significant emotional disturbances, serious mental illness, and/or substance use. The program aims to significantly increase access to integrated mental health, substance abuse disorder, and medical services to the older adult population throughout the County. The collaboration seeks to enhance current outreach teams utilizing staff specially trained in serving older adults. The program plans to address these barriers by utilizing information and Assistance Outreach Specialists from Passages to connect the target population to behavioral health services and provide education to community partners. The Department recommends entering into an agreement with the Foundation to provide outreach services to older adults effected by the Camp Fire within the County. The term of the agreement is July 1, 2022 through October 29, 2022, not-to-exceed \$162,325. (Behavioral Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.08 Suicide Prevention Week

The Department of Behavioral Health recommends that the Board of Supervisors proclaim September 4th through September 10th 2022 as Suicide Prevention Week. These dates are representative of National Suicide Prevention week, which is formally acknowledged and proclaimed by counties across the United States. (Behavioral Health)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-119

Supervisor Ritter read resolution, Director Scott Kennelly received the resolution and spoke on the matter.

3.09 Termination of Local Health Emergency Declaration Due for Avian Influenza

A local health emergency was declared to exist in Butte County due to Avian Influenza on August 17, 2022 by the Local Health Officer. This declaration was affirmed and ratified by the Board of Supervisors on August 23, 2022. The County of Butte does hereby find the situation resulting from said health emergency to have ended and in accordance with the California Emergency Services Act, Article 14, Section 8630, the local governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant. Pursuant to this Act, this resolution will terminate the Avian Influenza Local Health Emergency. (County Administration - Office of Emergency Management)

Action requested - 1) CONFIRM THE NEED FOR TERMINATING THE LOCAL HEALTH EMERGENCY; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-120

3.10 Agency Response to 2021-22 Grand Jury Report

To comply with Penal Code Sections 933 and 933.05, staff has prepared a draft Board of Supervisors response to the findings and recommendations contained in the 2021-22 Grand Jury Report. It is recommended that the Board review, consider, and approve the attached response for submittal to the Court. Alternatively, the Board can direct staff to make specified changes to the draft response, and a revised response can be submitted to the Court. (County Administration)

Action requested - APPROVE AGENCY RESPONSE TO GRAND JURY REPORT

Staff Report

3.11 Ratification of Letter in Opposition of Assembly Bill (SB) 1951: Sales and Use Tax: Exemption: Manufacturing

On August 23, 2022 Andy Pickett, Chief Administrative Officer, sent a letter to the Honorable Timothy Grayson, bill author, opposing AB 1951. AB 1951 would exempt the local share of sales tax for manufacturing companies that purchase equipment for the next five years. These companies currently have an existing exemption for the State share of the sales tax and have the ability to request a full exemption for equipment purchases if certain requirements are met. Should this be signed by the Governor, the reduction in sales tax revenue (via 1991 Realignment and Proposition 172) coming in to Butte County is anticipated to be over \$800,000 per year, with approximately \$500,000 per year impacting Behavioral Health, Social Services and Public Health and \$300,000 per year impacting public safety (Sheriff, Fire and District Attorney). On August 29, 2022, this bill reached Governor Newsom's desk for approval. A letter requesting that the Governor veto this bill was sent out this same day under Chair Connelly's signature. (County Administration)

Action requested - RATIFY LETTER IN OPPOSITION OF ASSEMBLY BILL 1951.

Staff Report

3.12 Contract Amendment with David Kennedy for Legal Services

On July 23, 2002, the Board of Supervisors approved a contract with David Kennedy for the provision of specialized legal services to the Department of Employment and Social Services, Children's Services Division. The term of the agreement was three years, through June 30, 2005, with a monthly compensation rate of \$10,975, to be reviewed and updated annually. Since January 2004, the Board approved 14 contract amendments extending the contract through September 30, 2022, and increasing the monthly compensation rate to \$12,493. In preparation for Mr. Kennedy's upcoming retirement, County Counsel recommends amending the contract with David Kennedy for one month during the transition to new counsel. The amendment extends the term of the contract by one month, through October 31, 2022, with an increased monthly compensation of \$15,833. All other terms remain the same. (County Counsel)

Action requested - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.13 Contract with Sophia R. Meyer Law, P.C. For Legal Services

County Counsel contracts with one full-time and one half-time attorney for the provision of specialized legal services provided to the Department of Employment and Social Services, Children's Services Division. Contract attorneys provide legal representation and consultation on matters such as juvenile dependency, guardianship issues, and termination of parental rights. David Kennedy, the existing full-time attorney has announced his retirement, and Fritz Javellana, the previous half-time attorney did not renew his contract that ended on June 30, 2022. County Counsel recommends entering into a contract with Sophia R. Meyer Law, P.C. for full-time legal services for Children's Services Division matters. The term of the contract is September 13, 2022 through September 12, 2025. Compensation is set at an hourly rate of \$83.71 through November 1, 2022, as Ms. Meyer transitions into this full-time position. On November 1, 2022 compensation will be paid at a monthly rate of \$14,510. For additional representation on appeals and writs, Ms. Meyer will be compensated at a rate of \$100 per hour, up to \$1,000 per appeal as needed. (County Counsel)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.14 Contract with Angela M. Hooper for Legal Services

County Counsel contracts with one full-time and one half-time attorney for the provision of specialized legal services provided to the Department of Employment and Social Services, Children's Services Division. Contract attorneys provide legal representation and consultation on matters such as juvenile dependency, guardianship issues, and termination of parental rights. David Kennedy, the existing full-time attorney has announced his retirement, and Fritz Javellana, the previous half-time attorney did not renew his contract that ended on June 30, 2022. County Counsel recommends entering into a contract with Angela M. Hooper for half-time legal services for Children's Services Division matters. The term of the contract is September 13, 2022 through September 12, 2025, with a monthly compensation of \$5,865. For additional representation on appeals and writs, Ms. Hooper will be compensated at a rate of \$100 per hour, up to \$1,000 per appeal as needed. (County Counsel)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.15 Contract Amendment with Washington & Washington for Legal Services

On October 23, 2018, the Board of Supervisors approved a contract with Washington & Washington for representation and legal services pertaining to Public Guardian/Public Administrator duties and Lanterman-Petris-Short (LPS)/Behavioral Health Capacity Hearings. Since that time, the Board approved three contract amendments adding paralegal compensation, extending the contract term and adding expense and mileage language. County Counsel recommends amending the contract with Washington & Washington for legal services. The amendment extends the term of the contract by three years through October 23, 2025. All other terms remain the same. (County Counsel)

Action required - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.16 Accept 2022 Local Agency Conflict of Interest Code Biennial Notice for Agency that Files Form 700s with the Clerk of the Board

The following agency has reviewed its Conflict of Interest Code pursuant to California Government Code section 87306.5(b) and has determined that its code is current and in need of revision. County Counsel has reviewed the 2022 Local Agency Biennial Notice and deems it to be proper: Butte County Indian Gaming Local Benefit Committee. (County Counsel)

Action requested - ACCEPT 2022 LOCAL AGENCY BIENNIAL NOTICE

Staff Report

3.17 Resolution Authorizing the Office of the County Counsel to Retain Records Electronically on a Trusted System

County Counsel recommends approval of a resolution and policy authorizing the Department to: 1) convert hardcopy (physical) records into electronic records; 2) retain the electronic image of the records on a trusted system; and 3) destroy physical records only after compliance with the policy and procedure. The recommended resolution and policy are consistent with State requirements for the use of a trusted system for electronic records retention and were developed with consultation of the Department of Information Systems. (County Counsel)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-121

3.18 Budget Adjustment for Victim Restitution Collections and Disbursement Program to Treasurer Tax Collector

The District Attorney's Office (DA), Treasurer Tax Collector (TTC) and Butte County Superior Court have entered into a Memorandum of Understanding for the Victim Restitution Collections and Disbursement Program, which collects funds from criminal cases and then disburses them to victims of the crime. The Departments and the Court share the cost

of this program, up to a not-to-exceed amount of \$26,666 each fiscal year. The fiscal year 2022-23 budget includes a transfer of \$22,454 from the DA to the TTC for the program. The DA now recommends increasing the transfer amount by \$4,212. The DA recommends the Board of Supervisors approve a budget adjustment transferring \$4,212 to the TTC. (District Attorney)

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

Staff Report

3.19 Change Order Ratifications and Notice of Completion for Boiler Replacement at 9 County Center Drive, Oroville

On August 24, 2021 the Board of Supervisors approved a \$275,268 contract with TNT Industrial Contractors Inc. for replacement of the failed boiler system serving 9 County Center Drive, in Oroville, occupied by the Department of Public Works fleet operations. During construction, a total of 8 change orders were necessary to complete the project in a manner that best meets the County needs. The change orders total \$11,610, or 4.2% of the original contract amount, bringing the total cost of the contract to \$286,878, which is within budget for this project. The work has been inspected and approved by the Departments of General Services and Development Services. The Department of General Services recommends that the Board ratify change orders 1 through 8, accept the work as complete and execute the Notice of Completion. (General Services)

Action requested - 1) RATIFY CHANGE ORDERS 1 THROUGH 8; 2) ACCEPT THE CONTRACT WORK AS COMPLETE; AND 3) AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION

Staff Report

3.20 Lease Agreement with Enloe Medical Center for 560 Cohasset Road Suite 100, Chico, for Department of Behavioral Health

The Department of Behavioral Health currently occupies six leased suites in 560 Cohasset Road, Chico for the delivery of various programs and services. To accommodate their new Resiliency Empowerment Support Team (REST) program, the Department requires additional space proximate to Everhart Village which the REST program will support. The Departments of General Services and Behavioral Health recommend entering into a new lease agreement with Enloe Medical Center for 560 Cohasset Road Suite 100, Chico. The lease terms include 4,000 square feet of medical office space with an initial term commencing on September 15, 2022 and terminating August 31, 2027, and an option to extend an additional five years at the same rent rate. The rent rate of \$1.50 per square foot is inclusive of all utilities and common area maintenance costs. The cumulative cost of the lease over the initial term is \$360,000. (General Services)

Action requested - APPROVE LEASE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.21 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:

BEHAVIORAL HEALTH: Add 1 flexibly staffed Administrative Analyst II position (sunset to end June 30, 2027) and delete 2 vacant .5 FTE flexibly staffed Administrative Analyst II positions (sunset to end June 30, 2026 and June 30, 2027). The Department has determined that one full-time position will better meet the operational needs within the Department that are associated with the Crisis Care Mobile Units grant and the Mental Health Services Act (MHSA) Resiliency Empowerment Support Team (REST) program. Total allocations to remain unchanged. There are no cost increases for FY 2022-23 - FY 2025-26 associated with the requested change. The cost to extend the position to June 30, 2027 for FY 2026-27 is \$41,945 and will be funded by MHSA. HUMAN RESOURCES: Amend Section 28C "General Unit" by adding Class Code 10231-Senior Property Appraiser Range 60 effective September 17, 2022, Range 64 July 2023, and Range 67 July 2024 to coincide with the remaining salary increases related to the Class/Comp Study and updating Class Code 11852-Senior Nutrition Assistant to Range 27 effective June 28, 2022. Amend Section 28O of the Salary Ordinance No. 4213 of the County of Butte entitled "Classifications With Flat Rate Assignments" by deleting Class Code 4927-Associate Contracts/Procurement Agent Flat Rate \$22.55-\$30.22/HR, Class Code 1211-Principal Property Appraiser Flat Rate \$25.51-\$34.20/HR, Class Code 4076-Public Health Education Specialist Flat Rate \$22.00-\$29.49/HR, and Class Code 4075-Senior Public Health Education Specialist Flat Rate \$24.29-\$32.56/HR. Employees in these classifications as part of the Class/Comp Study implementation have been reclassified into a new classification within a bargaining unit. PUBLIC WORKS: Add 1 Department Fleet Technician position. This position will better suit the current and future needs of the Department and following an internal recruitment, the resulting vacancy will be deleted at a future Board Meeting. Total allocations to temporarily increase by 1. Add 1 Land Development Deputy Director position. Delete 1 vacant Waste Management Deputy Director position, which was added to the Department's FY 2022-23 budget until the Land Development Deputy Director position was available. This change will meet the current needs of the Department and provide ongoing expertise and oversight of the County's MS4 Program, support for floodplain management, special districts, county service areas, Stormwater plan development, Local Area Formation Commission, and related grant program activities. Total allocations remain unchanged. The proposed change will result in an annual increase of approximately \$23,608. The cost increase will be paid by eliminating an extra help position staffing the Land Development Division and decreasing the Department's use of on-call contracts for land development services. (Human Resources)

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

Staff Report

Resolution 22-122

3.22 Resolution Recognizing October 2022 as Cybersecurity Awareness Month

Cybersecurity Awareness Month was launched by the National Cyber Security Alliance and the United States Department of Homeland Security in October 2004 and has been observed every October since. Now in its 19th year, Cybersecurity Awareness Month was created as a collaborative effort between government and industry to ensure every American has the resources they need to stay safer and more secure online. Cybersecurity Awareness Month aims to promote cybersecurity awareness, education, and resources that empower individuals and organizations to make their interconnected world safer and more resilient. The Department of Information Systems recommends the Board of Supervisors adopt a resolution recognizing October 2022 as Cybersecurity Awareness Month in Butte County. (Information Systems)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-123

Supervisor Kimmelshue read resolution, Mike Wright, Information Systems Security Officer received the resolution and spoke on the matter.

3.23 Resolution Recognizing September 2022 as Library Awareness Month

The County Library recommends that the Board of Supervisors adopts a resolution recognizing the month of September 2022 as Library Awareness Month in Butte County. Nationwide this month is celebrated as Library Card Sign-Up Month. The County Library invites everyone to visit their library and sign up for a free library card to explore all the library has to offer, like new books, new technology, and educational programming. The resolution also recognizes the valuable contribution of library workers, volunteers and Friends of the Library in the Butte County. (Library)

Action requested - APPROVE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-124

Supervisor Teeter read resolution, and Narinder Sufi, County Librarian Director received the resolution and spoke to the matter.

3.24 Contract with Youth for Change for Wraparound and Mental Health Services

Youth for Change specializes in social services programs which support the healing of children and families by drawing upon community resources with the goal of family reunification. Services involve families directly in identifying needs, problem solving, and decision-making to assist them in successful transition back into the community and home. The wraparound services program provides comprehensive, collaborative treatment and support services to Butte County youth and their families. Youth for Change will provide these services for youth detained in the Butte County Juvenile Hall and continue to provide them post-release. A Request for Proposal was released in November of 2021 and no providers responded. Another Request for Proposal was released in March of 2022 and Youth for Change was the only provider to respond. Youth for Change outcomes include: assisting up to 5 participants with wraparound and mental health services, creating a treatment plan to help ensure detained youth do not violate their probation once back in the community, providing referrals for vocational, educational, and social services to help with the transition back into the community, and provision of a minimum of 20 hours per week of mental health treatment. The Probation Department recommends entering into a contract with Youth for Change for Wraparound and Mental Health Services. The term of the contract from the date of execution through June 30, 2022, not to exceed \$325,150. (Probation)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.25 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) provide 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. (Public Works)

Action requested - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.26 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, expanding the propane cylinder collection program; 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 September 13, 2022, through September 30, 2024, not-to-exceed \$100,000. (Public Works)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.27 Budget Adjustment Capital Asset Authority

On June 26, 2022, the Board of Supervisors approved the Fiscal Year 2022-23 budget, which included several capital assets within the Enterprise and Road Funds. After the budget was adopted, the Department of Public Works began the procurement process and is receiving bids that are higher than 10% of the budgeted cost. Pursuant to Budget Policy, increases in capital asset appropriations of more than 10% require approval from the Board. The Department recommends the Board approve the following 10 capital asset appropriation increases: two flatbed trucks by \$18,600, for a revised total of \$138,600; one three-yard dump truck in the amount of \$15,705, for a revised total of \$105,705; five diesel 4X4 trucks by \$52,850, for a revised total of \$427,850; one truck by \$9,000, for a revised total of \$66,600, and one striper truck (change model from striper to liner model due to compatibility issues with Department Fleet) by \$90,000 for a revised total of \$190,000. The Department also recommends that the Board transfer an existing tilt bed trailer from the Enterprise Fund to the Road Fund to better meet the Department's needs. The Road Fund will reimburse the Enterprise Fund in the amount of \$19,635. (Public Works)

Action requested - 1) APPROVE CAPITAL ASSET PURCHASES (10) AND CAPITAL ASSET TRANSFER; AND 2) APPROVE A BUDGET ADJUSTMENT (4/5 VOTE REQUIRED).

Staff Report

4. REGULAR AGENDA

4.01 Boards, Commissions, and Committees (List available at www.buttecounty.net/clerkoftheboard/appointmentslist)

A. Appointments to Listed Vacancies

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

Supervisor Ritter: Since the last meeting Supv. Ritter has attended a BMB meeting, a Chili Cook Off at the Bambi Inn to benefit veterans. There was a special meeting for the Continuum of Care. Supv. Ritter is also working with local constituents related to issues going on in the senior parks.

Supervisor Kimmelshue: Thanked the group of people helping with a homelessness situation in Northern Gridley. With the assistance of the Sheriff, Supv. Kimmelshue has put together a group of folks from Code Enforcement County Counsel, DESS, BH, TTC, and Sheriff. The goal is to have them leave the property and find them an alternative living location. Supv. Kimmelshue stated he is proud of the leadership at the County to help alleviate the problem.

Supervisor Teeter: Attended a wildfire buffer meeting with Paradise Parks and Recreations. The Town of Paradise attended. Supv. Teeter mentioned that the Fire Safe Council has grown in size.

Chair Connelly: Also attended the Chili Cookoff at the Bambi Inn to benefit veterans, and assisted in judging the contest. Chair Connelly also attended a dinner for the Oroville Chamber of Commerce and the Palermo Field Days. He also traveled to Berry Creek to in regards to the Northern Complex Fire. He mentioned that the SSV EMS is the largest contract that Butte County will get for a new ambulance service.

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.

Public Comment Packet

The following member(s) of the public submitted Public Comment on this item: Diana Dreiss (electronic and in person), Ben Greenleaf, and Julie Threet

4.03 Revenue Agreements with Sierra Health Foundation: Center for Health Program Management (The Center)

On September 20, 2021, the Center entered into the Behavioral Health Telehealth Expansion Project with California Department of Health and Human Services (DHCS). DHCS is funding the Medication Assisted Treatment (MAT) State Opioid Response (SOR) 2 Coronavirus Telehealth Program, which is aimed at developing or enhancing the behavioral health telehealth infrastructure of organizations that provide mental health or substance use disorder services. The Center agreed to assist DHCS with the administration of the funds to organizations. On November 16, 2021, the Department of Behavioral Health was awarded 17 of the MAT SOR 2 Coronavirus Telehealth grants for various locations and units. The term of each grant is November 20, 2021 through November 30, 2022 for \$100,000 each, for a total grant allocation of \$1,700,000 for the MAT SOR 2 Coronavirus Telehealth Program. The Department recommends entering into the grant agreements for the following 17 units: Chico Forensic Mental Health Program Oroville Forensic Mental Health Program; Oroville Community Center; Oroville Substance Use Treatment and Recovery; Substance Treatment and Recovery Services; Community Services Center; Chico Adult Outpatient; Chico Community Counseling Center; Health Gridley Family Center; Psychiatric Health Facility; Crisis; Oroville Adult Outpatient; Oroville Wellness Residence 1; Oroville Stepping Stones; Chico Stepping Stones; Search; and Search-South. (Behavioral Health)

Action requested - APPROVE AGREEMENTS (17) AND AUTHORIZE THE CHAIR TO SIGN

Staff Report Part 1

Staff Report Part 2

Staff Report Part 3

Staff Report Part 4

Scott Kennelly, Director of Behavioral Health presented this item to the Board.

Motion: Approve Agreements (17) and Authorize the Chair to Sign.

Motioned: Supervisor Ritter

Seconded: Supervisor Kimmelshue

Motion passed by a 4-0-1 vote.

Ayes: Supervisors Ritter, Kimmelshue, Teeter, and Chair Connolly. Nays: None, Absent: Supervisor Lucero

4.04 PG&E Settlement Fund Requests

4.04. A. Request for PG&E Settlement Funds for Land Management Software, Capital Asset, Resolution to Amend Salary Ordinance, and Budget Adjustments

The County's land management software is at end of life and no longer supported by its platform. Recent wild fire rebuild efforts remain on-going and a comprehensive and a functional land management software system is critical. Land management software is the instrument for tracking permit applications and permit workflow across County Departments in a cohesive and efficient manner. To date, only 19% of the 3,238 homes lost in the unincorporated area of the County from the Camp Fire have applied for permits to rebuild. Staff anticipates an increased volume of permits over the next several years to rebuild the estimated 2,600 homes damaged/destroyed by the Camp Fire. In April 2021, the County issued a Request for Proposals for compatible land management software as part of the Enterprise Resource Planning (ERP) project. Three vendors responded. Joint vendors, Accela of San Ramon and SEPTech of New York were chosen as the most qualified and responsive vendors. The Accela Program Board (APB) was created to provide leadership for the land management software migration and implementation. The APB is comprised of stakeholders from the Departments of Administration, Development Services, Public Health, Public Works, Assessors Office, Fire, Information Systems, Agriculture, and General Services. Implementation of a new system and migration of data is a large undertaking that will require dedicated staff time. The APB recommends that the Board 1) approve land management software contracts with Accela and SEPTech and approve third party administrator contract with Open Cities for an online permit portal 2) adopt resolution to add one full time term Information Technology Manager to oversee the installation of the new software 3) approve the capital purchase 4) commit \$1,520,047 of PG&E Settlement funds for the first year installation and migration, three years of user licenses, software maintenance and online permit portal, and one year term full time Information Technology Manager. As of June 30, 2022 there was \$146,330,117 in available, un-programmed PG&E Settlement funds, which included interest earned to date. (County Administration)

Action requested - 1) APPROVE CONTRACTS AND AUTHORIZED THE CHAIR TO SIGN; 2) APPROVE CAPITAL ASSET PURCHASE; 3) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; 4) COMMIT \$1,520,047 OF PG&E SETTLEMENT FUNDS FOR INITIAL INSTALLATION AND MIGRATION AND FIRST THREE YEARS OF COSTS FOR LAND USE MANAGEMENT SOFTWARE; ONE FTE TERM FOR INFORMATION TECHNOLOGY MANAGER AND 5) APPROVE BUDGET ADJUSTMENTS (2) (4/5 VOTE REQUIRED).

Staff Report

Resolution 22-125

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

Motion: 1) Approve contracts and authorize the Chair to sign; 2) Approve Capital Asset Purchase; 3) Adopt resolution and authorize the Chair to sign; 4) Commit \$1,520,047 of PG&E Settlement Funds for Initial Installation and Migration, One FTE Term Information Technology Manager and First Three Years of Costs for Land Use Management Software; and 5) Approve Budget Adjustments (2).

Motioned: Supervisor Teeter

Seconded: Supervisor Kimmelshue

Motion passed by a 4-0-1 vote.

Ayes: Supervisors Ritter, Kimmelshue, Teeter, and Chair Connolly. Nays: None, Absent: Supervisor Lucero

4.04. B. PG&E Settlement Fund Investment Alternative: Finance Probation Building

The County's Probation Building is comprised of multiple mobile structures combined with site improvements that are failing. The County's Capital Improvement Program (CIP), is the spending plan for infrastructure improvements and includes use of long-term financing. The County could seek financing from a private lender; however, borrowing from the PG&E Settlement Fund would allow the project to realize substantial savings in interest expense and other financing costs. Current estimated savings of this recommendation totals \$14.3 million over the life of the loan. The PG&E Settlement Fund would be repaid over a term of thirty years at an interest rate equal to the average County Treasury Pool rate for the four quarters immediately preceding each established annual payment date. Financing would include interest only payments during construction and principal and interest payments beginning after project completion. Total project costs as of the current date are estimated to be \$26.5 million. Financing of \$24 million will be needed. As of June 30, 2022 there was \$146,330,117 in available, un-programmed PG&E Settlement funds, which included interest earned to date of \$3,580,702. (County Administration)

Action requested - 1) COMMIT UP TO \$24 MILLION FROM THE PG&E SETTLEMENT FUND TO PROVIDE THE INTERFUND LOAN FOR THE PURPOSE OF FINANCING CONSTRUCTION OF THE PROBATION BUILDING; AND 2) DIRECT STAFF TO DRAFT A RESOLUTION FOR BOARD CONSIDERATION TO SPECIFY REPAYMENT TERMS

Staff Report

Public Comment Packet

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

The following member(s) of the public submitted Public Comment on this item: John Stonebraker (electronic).

Motion: 1) Committed up to \$24 million from the PG&E Settlement Fund to provide the Interfund loan for the purpose of financing construction of the Probation building; and 2) Direct staff to draft a resolution for Board consideration to specify repayment terms.

Motioned: Supervisor Teeter
Seconded: Supervisor Ritter

Motion passed by a 4-0-1 vote.

Ayes: Supervisors Ritter, Kimmelshue, Teeter, and Chair Connelly. Nays: None, Absent: Supervisor Lucero

4.05 Chapter 53 Camp Fire Disaster Recovery Urgency Ordinance Review (Chapter 53)

Chapter 53 of the Butte County Code was first adopted on December 11, 2018 and has been amended numerous times to address changing conditions and needs. Chapter 53 is set to expire on December 31, 2022, if no further action is taken. Article III was enacted for the purpose of temporarily modifying various Zoning Ordinance regulations and policies to allow the fastest possible transition of residents made homeless or displaced by the Camp Fire to interim and long-term housing. Article III relaxes certain standards in the Zoning Ordinance to allow for additional temporary housing opportunities outside of the boundaries of the Camp Fire to meet the urgent need for housing of displaced persons. Since its adoption, Chapter 53 has been extended several times by the Board of Supervisors in recognition of the unprecedented nature of this disaster, its impact on the community, and the public health, safety and welfare. The Department of Developmental Services has prepared information to discuss the current recovery status, review Chapter 53 and receive Board direction. (Development Services)

Action requested - PROVIDE DIRECTION TO STAFF

Staff Report

Power Point

Public Comment Packet

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

The following member(s) of the public submitted Public Comment on this item: John Stonebraker (electronic).

Direction provided to staff.

4.06 Successor Memorandum of Understanding (MOU) between the County and Butte County Professional Employees Association (PEA)

The County and the bargaining team for PEA have met and conferred over a successor MOU. Consistent with Board of Supervisors 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 October 2022, one-time payment of \$2,000 in July 2023; 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 Bilingual Premium; 6) Term is from Board adoption through September 30, 2025. (Human Resources)

Action requested - 1) APPROVE MOU; AND 2) ADOPT RESOLUTION TO AMEND THE SALARY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-126

Sheri Waters, Director of Human Resources presented this item to the Board.

Motion: 1) Approve MOU; and 2) Adopt resolution to amend the salary ordinance and authorize the chair to sign.

Motioned: Supervisor Ritter
Seconded: Supervisor Kimmelshue

Motion passed by a 4-0-1 vote.

Ayes: Supervisors Ritter, Kimmelshue, Teeter, and Chair Connelly. Nays: None, Absent: Supervisor Lucero

4.07 Successor Memorandum of Understanding (MOU) between the County and Butte County Probation Peace Officers Association Unit (PPOA)

The County and the bargaining team for PPOA have met and conferred over a successor MOU. Consistent with Board of Supervisors 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 October 2022, one-time payments of \$1,000 in July 2023 and 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 Bilingual Premium; 6) Term is from Board adoption through September 30, 2025. (Human Resources)

Action requested - 1) APPROVE MOU; AND 2) ADOPT RESOLUTION TO AMEND THE SALARY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-127

Sheri Waters, Director of Human Resources presented this item to the Board.

Motion: 1) Approve MOU; and 2) Adopt resolution to amend the salary ordinance and authorize the chair to sign.

Motioned: Supervisor Kimmelshue
Seconded: Supervisor Ritter

Motion passed by a 4-0-1 vote.

Ayes: Supervisors Ritter, Kimmelshue, Teeter, and Chair Connelly. Nays: None, Absent: Supervisor Lucero

4.08 Successor Memorandum of Understanding (MOU) between the County and Butte County Probation Peace Officers Association Management Unit (PPOA-Mgmt)

The County and the bargaining team for PPOA-Mgmt have met and conferred over a successor MOU. Consistent with Board of Supervisors 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 October 2022, one-time payments of \$1,000 in July 2023 and 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 Bilingual Premium; 6) Term is from Board adoption through September 30, 2025. (Human Resources)

Action requested - 1) APPROVE MOU; AND 2) ADOPT RESOLUTION TO AMEND THE SALARY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-128

Sheri Waters, Director of Human Resources presented this item to the Board.

Motion: 1) Approve MOU; and 2) Adopt resolution to amend the salary ordinance and authorize the chair to sign.

Motioned: Supervisor Ritter

Seconded: Supervisor Kimmelshue

Motion passed by a 4-0-1 vote.

Ayes: Supervisors Ritter, Kimmelshue, Teeter, and Chair Connelly. Nays: None, Absent: Supervisor Lucero

4.09 Contract with Russell Galloway Associates, Inc. Architectural and Engineering Services for the New Probation Building

The main Probation administrative facility, in Oroville, suffers from structural issues and functional obsolescence with a higher cost to cure than to construct a new facility. The design and construction phases of a new Probation facility, to be located in the Public Safety section of the Oroville government campus, is included in the Capital Improvement Plan. The Department considered a number of potential service providers and determined Chico based Russell Galloway Associates, Inc. (RGA) to be best suited to meet the needs of the County. The Department of General Services recommends entering into a contract with RGA for architectural and engineering services. The term of the contract is notice to proceed through December 31, 2023, with a fixed cost of \$1,349,800. This contract is for complete architectural and engineering services for all phases of the project ranging from schematic design and potentially through construction administration. (General Services)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Grant Hunsicker, Director of General Services presented this item to the Board.

Motion: Approve contract and authorize the Chair to sign.

Motioned: Supervisor Ritter

Seconded: Supervisor Kimmelshue

Motion passed by a 4-0-1 vote.

Ayes: Supervisors Ritter, Kimmelshue, Teeter, and Chair Connelly. Nays: None, Absent: Supervisor Lucero

4.10 Contract with Knife River Construction for the Bald Rock Road Rehabilitation Project

On July 26, 2022, the Board of Supervisors authorized the Department of Public Works to advertise for bids for the Bald Rock Road Rehabilitation Project. The project will reconstruct the roadway by strengthening the road foundation, replacing the pavement surface and driveway aprons, replacing fire-damaged cross culverts, rehabilitating roadside ditches, and placing new striping and pavement markings. The engineer's estimate for construction is \$3,094,829, which was adjusted slightly from the previous engineer's estimate (\$3,200,000) due to updated project information. The project was advertised on July 28, 2022, and a total of three bids were received on August 23, 2022. The lowest responsive and responsible bidder was Knife River Construction of Chico, with a bid amount of \$2,950,759. The Department recommends that the Board award the contract to Knife River Construction and authorize the Director of Public Works to sign the contract and order changes or additions in work being performed per Public Contract Code Section 20142. (Public Works)

Action requested - 1) AWARD CONTRACT TO KNIFE RIVER CONSTRUCTION; AND 2) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN THE CONTRACT AND ORDER CHANGES OR ADDITIONS IN THE WORK BEING PERFORMED

Staff Report

Joshua Pack, Director of Public Works presented this item to the Board.

Motion: 1) Award Contract to Knife River Construction; and 2) Authorize the Director of Public Works to Sign the Contract and Order Changes or Additions in the Work Being Performed.

Motioned: Supervisor Kimmelshue

Seconded: Supervisor Ritter

Motion passed by a 4-0-1 vote.

Ayes: Supervisors Ritter, Kimmelshue, Teeter, and Chair Connelly. Nays: None, Absent: Supervisor Lucero

4.11 Job Order Contracts (JOC) with RCI General Engineering, Knife River Construction, Franklin Construction, 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 July 26, 2022, the Board of Supervisors authorized the Department of Public Works to advertise for bids for JOC. Up to four JOC contracts may be awarded through this solicitation. While there is no minimum guarantee, each contractor will have an opportunity to perform job orders totaling at least \$50,000 each during the term of the contract. All individual job orders greater than \$500,000 will return to the Board for additional approval. JOC was advertised on July 27, 2022, and a total of 5 bids were received on August 23, 2022. The four lowest responsive and responsible bidders were RCI General Engineering of Oroville, Knife River Construction of Chico, Franklin Construction, Inc. of Chico, and North Star Construction and Engineering, Inc. of Yuba City. Under Public Contract Code section 20128.5 and the current California Consumer Price Index, each contract is for a term of one year with a maximum contract value of \$5,402,866. The Department recommends that the Board award JOC contracts to RCI General Engineering, Knife River Construction, Franklin Construction, Inc., and North Star Construction and Engineering, Inc. (Public Works)

Action requested - 1) AWARD CONTRACTS (4); AND 2) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN THE CONTRACTS

Staff Report

Joshua Pack, Director of Public Works presented this item to the Board.

Motion: 1) Award Contracts (4); and 2) Authorize the Director of Public Works to Sign the Contracts.

Motioned: Supervisor Ritter

Seconded: Supervisor Kimmelshue

Motion passed by a 4-0-1 vote.

Ayes: Supervisors Ritter, Kimmelshue, Teeter, and Chair Connelly. Nays: None, Absent: Supervisor Lucero

4.12 Update on Water Activities - The 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) Sustainable Groundwater Management Grant Program Application process, b) Long-Term Financing Request for Proposal, and c) Annual Reports Request for Proposal; 2) Northern Sacramento Valley (NSV) Integrated Regional Water Management (IRWM): The NSV IRWM Technical Advisory Committee is scheduled to meet September 22, 2022 and the NSV IRWM Board is scheduled to meet October 3, 2022; 3) Drought Response Activities: a) DWR Small Community Drought Relief Funding Program, the Berry Creek School project received notice of funding for \$894,060, b) Drought Outreach and Assistance to Butte County Residents, c) Drought Related Interdepartmental Coordination, and d) Well Permitting Review Pertaining to Executive Order N-7-22; 4) Palermo Clean Water Consolidation Project: update on grant application and associated processes including the annexation application that was approved by the Local Agency Formation Commission on September 1, 2022 and the project is a candidate for congressionally directed funding through federal EPA Community Project Funding program; 5) Groundwater Monitoring Update: status on groundwater level and water quality monitoring activities; 6) Correspondence from the Department of Water Resources regarding Water Conservation Actions for 2023. (Water and Resource Conservation)

Action requested - ACCEPT FOR INFORMATION

Staff Report

Accepted for information.

4.13 Drought Update

Continued dry weather throughout California has led to Extreme Drought conditions in Butte County and the North State. In response to this evolving disaster several County Departments are working together to address immediate needs, gather data for analysis, and provide drought relevant information to the public. The Environmental Health Division of the Public Health Department is tracking well permits, dry well reports, and is working with local small water systems to address drought related well issues. The Division is also working to integrate data collected at the County level with State run programs. The County Office of Emergency Management (OEM) executed phase 1 of the immediate drought relief program. This program provides hauled water to County residents with drought related well issues. As of September 6, 2022, 167 households have applied for the assistance. Water deliveries began on July 13, 2022. Phase 2 of the program is scheduled to begin in late September and will provide 2,500 gallon storage tanks to residents who do not currently have water storage capacity. The Department of Water Resource and Conservation has been working with OEM and the Division of Environmental Health to ensure the County website, www.buttecounty.net/drought, is up to date with current County and State resource information. In addition, the Department applied for several grants to repair and update small community water systems. (County Administration)

Action requested - ACCEPT FOR INFORMATION

Staff Report

Accepted for information.

4.14 Letter of Support for Removal of Butte County from Future California Executive Orders Regarding Rental Housing Price Gouging

At the request of the North Valley Property Owners Association and with the support of Chair Connelly and Supervisor Teeter, staff prepared a letter requesting that Butte County be removed from the State Executive Order addressing rental housing price gouging, should Executive Order N-13-22 be extended. While Butte County emphatically opposes all who look to exploit community members, the California Tenant Protection Act of 2019 is in place to provide rent increase protections. Continued restrictions provided under the State Executive Order are adversely impacting housing management companies' ability to maintain their facilities, which further exacerbates the amount and quality of housing available. (Other - Chair Connelly and Supervisor Teeter)

Action requested - APPROVE LETTER AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Public Comment Packet

Supervisor Teeter and Chair Connelly presented this item to the Board.

Motion: Approve Letter and Authorize the Chair to Sign.

Motioned: Supervisor Teeter

Seconded: Supervisor Kimmelshue

Motion passed by a 3-1-1 vote.

Ayes: Supervisors Kimmelshue, Teeter, and Chair Connelly

Nays: Supervisor Ritter

Absent: Supervisor Lucero

The following member(s) of the public submitted Public Comment on this item: Jennifer Morris, Sharon Anea, Saulo Londano, Eric Wells, and John Kressin.

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

A live crop update was provided to the Board by Louie Mendoza, Director of Agriculture.

4.16 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.

4.17 Items Removed from the Consent Agenda for Board Consideration and Action

5. PUBLIC HEARINGS AND TIMED ITEMS

5.01 10:00AM Timed Item - Resolution to Vacate a Portion of an Unnecessary Public Service Easement in the Orville Area

On August 23, 2022, the Board of Supervisors adopted a resolution setting a public hearing to consider a request to abandon portions of a public service easement located along Fig Street between Gold Avenue and Lakeland Boulevard area north of Oroville. The hearing was properly noticed and posted at the site location according to California Streets and Highways Code section 8320. The Department of Public Works has no objection to the abandonment. The unimproved easement was created as part of Block 15 of the Western Pacific Addition to Oroville by a map that was filed with the County Recorder on November 14, 1905 (Book 4 of Maps, pg. 16). The applicant, Amadu Kamara, is the property owner of two affected parcels (APNs: 033-027-002, 033-027-003) and intends to merge both parcels upon approval of the proposed road abandonment. The owner of the other affected parcel (APN: 033-027-004) is Russell Grimenstein. The Planning Commission reviewed this request on November 18, 2021, and December 9, 2021, and determined that the request was in conformance with the Butte County General Plan. (Public Works)

Action requested - 1) OPEN PUBLIC HEARING FOR THE ABANDONMENT OF AN UNNECESSARY PUBLIC RIGHT OF WAY IN THE WESTERN PACIFIC ADDITION LOCATED WEST OF FIG STREET AND BETWEEN GOLD AVENUE AND LAKELAND BOULEVARD IN THE OROVILLE AREA; 2) FIND THAT THE PUBLIC SERVICE EASEMENT DESCRIBED IN THE NOTICE OF HEARING IS UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC VEHICLE USE; AND 3) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-129

Joshua Pack, Director of Public Works presented this item to the Board.

Motion: 1) Open public hearing for the abandonment of an unnecessary public right of way in the western pacific addition located west of Fig Street between Gold Avenue and Lakeland Boulevard in the Oroville area; 2) Find that the public service easement described in the Notice of Hearing is unnecessary for present or prospective public vehicle use; and 3) Adopt resolution and authorize the Chair to sign.

Motioned: Kimmelshue
Seconded: Teeter

Motion passed by a 4-0-1 vote.

Ayes: Supervisors Ritter, Kimmelshue, Teeter, and Chair Connelly. Nays: None, Absent: Supervisor Lucero

5.02 10:15AM - Timed Item - Public Hearing and Resolution Adopting Service Charges in the County of Butte for Fiscal Year 2022-23

On August 23, 2022, the Board of Supervisors directed staff to set a public hearing to consider the adoption of service charges for the County's County Service Areas (CSA) and Permanent Road Divisions (PRD). CSAs and PRDs are a type of dependent special district governed by the Board of Supervisors. Some CSAs and PRDs are funded by service charges to property owners within the district. These service charges are set annually by the Board based on need as anticipated in the adopted CSA and PRD budgets. The process for setting these charges is laid out in Government Code section 25215.5 for CSAs, and Streets and Highway Code section 1178 for PRDs. Annually, the Department of General Services, the Department of Public Health, and the Department of Public Works manage the areas funded with service charges and prepare a budget for anticipated expenses in that given year, which is part of the FY 2022-23 Budget. Each of these departments calculate the requested parcel charges not-to-exceed the maximum voter approved amount previously established pursuant to Proposition 218 (the Right to Vote on Taxes Act). These charges may fluctuate year by year depending on the anticipated funding needs as approved in the annual budget, the number of parcels in the area, and other available resources. For CSAs with a recommended increase to service charges, email communication went out directly to all impacted property owners, in addition to required public notices. Staff recommends the Board adopt the proposed per parcel service charges as laid out in Exhibit A of the resolution, which includes one proposed increase. These charges may also be found online at www.buttercounty.net/CSAcharges. (County Administration)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-130

The following member(s) of the public submitted Public Comment on this item: Marilyn Rees

Danielle Nurum, Deputy Chief Administrative Officer presented this item to the Board.

Motion: Adopt Resolution and Authorize the Chair to sign.

Motion passed by a 3-1-1 vote.
Ayes: Supervisors Kimmelshue, Teeter, and Chair Connelly
Nays: Supervisor Ritter
Absent: Supervisor Lucero

5.03 10:30AM - Timed Item - Public Hearing and Resolution Outlining Accomplishments for Community Development Block Grant (CDBG) 20-CDBG-CV1-00086

Butte County received a Community Development Block Grant (CDBG) in 2020 from the State Department of Housing and Community Development (HCD) to respond to the coronavirus. The Grant Agreement with HCD was in the amount of \$279,919 to expand "tailgate" distribution (food provision from a truck parked at community locations) to low-to-moderate income households in Riggs, Clipper Mills, Concow, Forbestown, Gridley, Northeast Magalia, Palermo, South Oroville, Thermalito, and Yankee Hill communities. The activities funded by the 20-CDBG-CV1-00086 grant are complete and funds are fully expended. Grant recipients are required to collect information on each activity funded by a Grant Agreement and provide it to HCD when a grant is complete. Grantees are also required to hold a public hearing before the Board of Supervisors and public to discuss the accomplishments of the grant. (County Administration)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-131

Katie Simmons, Deputy Chief Administrative Officer presented this item to the Board.

Motion: Adopt Resolution and Authorize the Chair to sign.

Motioned: Supervisor Ritter
Seconded: Supervisor Teeter

Motion passed by a 4-0-1 vote.

Ayes: Supervisors Ritter, Kimmelshue, Teeter, and Chair Connelly. Nays: None, Absent: Supervisor Lucero

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:
- Staff Report
- 6.04 Actual litigation pursuant to Gov. Code Sec. 54956.9(d)(1) - two cases:
- A. Jeffrey Hayes v. Butte County; Workers' Compensation Appeals Board Case No. AD111297832 (Claim No.: BUAK-550666).
 - B. County of Butte, et al., v. Amerisourcebergen Drug Corporation, et al., U.S. District Court, Northern District of Ohio, Eastern Division, Case No. 18-op-45627.

COUNTY OF BUTTE GROUND WATER SUSTAINABILITY AGENCY REGULAR MEETING AGENDA SEPTEMBER 13, 2022

- 1. CALL TO ORDER
 - 2. CORRECTIONS AND/OR CHANGES TO THE AGENDA (NONE)
 - 3. CONSENT AGENDA
- 3.01 County of Butte GSA - Cooperation Agreement Amendment No. 1 for Allocation of Implementation Costs

The Butte Subbasin is comprised of 11 Groundwater Sustainability Agencies (GSAs), including: Biggs-West Gridley Water District, County of Butte, Butte Water District, City of Biggs, City of Gridley, Colusa Groundwater Authority, County of Glenn, Reclamation District 1004, Reclamation District 2106, Richvale Irrigation District, and Western Canal Water District. In November of 2019, the GSAs signed a Cooperation Agreement to develop, adopt and implement a single Groundwater Sustainability Plan (GSP) for the Butte Subbasin as outlined in the Sustainable Groundwater Management Act (SGMA) in 2014. The Butte Subbasin GSA Managers - comprised of representatives from each GSA - and the Work Plan Subcommittee identified three tasks requiring timely consideration and action within the next six to eight months. The tasks include: 1) retaining a grant writer to prepare an application for the SGMA grant program; 2) preparation of an Annual Report due April 1, 2023; and 3) procuring on-call technical assistance. The GSA Managers identified that an equal contribution of \$8,000 per Butte Subbasin GSA would be necessary for this initial year to complete the identified tasks. In addition, given the County's role in the preparation of the GSP and the 2021 Annual Report, the GSA Managers determined the County of Butte GSA would be the most appropriate agency to serve as the Fund Administrator for at least the first year of implementation. A draft amendment to the Cooperative Agreement was prepared and circulated to the GSA Managers for review and comment prior to review and comment by their respective legal counsels. At the August 25, 2022 Butte Subbasin Advisory Board (BAB) meeting, the BAB agreed to bring to their respective Boards and Councils an amendment to the Cooperation Agreement for an equal contribution of \$8,000 from each Butte Subbasin GSA with the County of Butte GSA serving as Fund Administrator. The Department of Water and Resource Conservation budgeted \$10,000 in fiscal year 2022-23 for the County of Butte GSA's contribution for implementation of the GSP. The Department recommends the Board of Supervisors approve the amendment to the Cooperative Agreement. (Water and Resource Conservation)

action requested - APPROVE COOPERATION AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Kamie Loser, Director of Water and Resource Conservation and Dr. Christina Buck, Assistant Director of Water and Resource Conservation presented this item to the Board.

Motion: Approve Cooperation Agreement and authorize the Chair to sign.

Motion passed by a 3-1-1 vote.

Ayes: Supervisors Kimmelschue, Teeter, and Chair Connelly

Nays: Supervisor Ritter

Absent: Supervisor Lucero

4. REGULAR AGENDA (NONE)

Information and Procedures Concerning the Agenda and Conduct of
the 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 at the Clerk of the Board website at www.buttecounty.net/cob.

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 Administrative Office upon request. An (*) appearing before an agenda item signifies that material has been provided to the Board of Supervisors members to explain that item.

Agenda Format and
Meeting Order:

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

1. Consent Agenda: these are items that 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.
2. 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.
3. 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.
4. 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.
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.

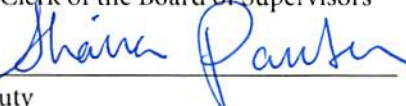
Public Participation:

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 54954.1. 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 citizens. 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.

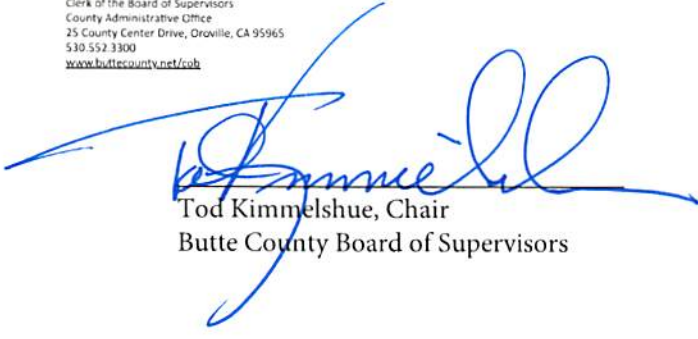
For further information contact the:
Clerk of the Board of Supervisors
County Administrative Office
25 County Center Drive, Oroville, CA 95965
530.552.3300
www.buttecounty.net/cob

ATTEST:

Andy Pickett, Chief Administrative Officer
and Clerk of the Board of Supervisors

By: 

Deputy


Tod Kimmelschue, Chair
Butte County Board of Supervisors