



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

AUGUST 24, 2021

9:00 AM

MEMBERS OF THE BOARD

BILL CONNELLY, DISTRICT 1

DEBRA LUCERO, DISTRICT 2

TAMI RITTER, DISTRICT 3

TOD KIMMELSHUE, DISTRICT 4

DOUG TEETER, DISTRICT 5

ANDY PICKETT

CHIEF ADMINISTRATIVE OFFICER &
CLERK OF THE BOARD

MEETING LOCATION

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

BRUCE ALPERT, COUNTY COUNSEL

1.A CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

Rules of Decorum

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

1.B CORRECTIONS AND/OR CHANGES TO THE AGENDA

2. Board of Supervisors Public Comment

Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. 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.

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

3.01 Resolution Recognizing Court Executive Officer Kimberly Flener Upon her Retirement from the Butte County Superior Court - County Administration recommends the Board of Supervisors adopt a resolution recognizing Court Executive Officer, Kimberly Flener on the occasion of her retirement after 14 years of service to Butte County Superior Court – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 3.02 Capital Asset Surplus - Server and Office Equipment - The Board of Supervisors has authority to declare capital assets surplus that are no longer serviceable or no longer needed by the County. The District Attorney's office recommends that the Board declare one server, one data storage device, and two document scanners surplus to the needs of the County as the items are obsolete and no longer in service – action requested - DECLARE CAPITAL ASSETS (4) SURPLUS TO THE NEEDS OF THE COUNTY. (District Attorney)
- 3.03 Resolution Recognizing August 2021 as Child Support Awareness Month - Children who are supported by their parents are more likely to perform better in school, have improved emotional development, and a stable home life. Governor Newsom has shown his support for this cause by issuing a letter celebrating August as Child Support Awareness Month. To help celebrate, the Department of Child Support Services is recommending that the Board of Supervisors adopt a resolution recognizing August 2021 as Child Support Awareness Month in Butte County – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
- 3.04 Resolution Regarding the Acquisition of 541 and 539 Pearson Road in Paradise and Authorization to Close Escrow - The 2018 Camp Fire destroyed the Public Works yard located at 711 Willow Street/5910 Almond Street in Paradise. Subsequent to the fire, the County entered into a three year lease agreement for 541 Pearson Road in Paradise to provide an operating location for the Public Works yard serving the Ridge area while determining the best course for a permanent replacement location. The Department of Public Works has determined that the best course for restoring a permanent location is to acquire 541 Pearson Road as well as the adjacent vacant property, 539 Pearson Road. On August 25, 2020, the Board of Supervisors authorized the General Services Director to negotiate the acquisition of both 539 and 541 Pearson Road. On July 15, 2021, the County executed a purchase agreement with the Edward J. Gleason and Fredalee N. Gleason Revocable Trust for 541 Pearson Road (APN 054-040-021-000) for a purchase price of \$500,000 plus \$2,000 credit towards seller attorney fees. On June 28, 2021, the County executed a purchase agreement with the Edward F. Murray Revocable Living Trust for 539 Pearson Road (APN 054-040-023-000) for a purchase price of \$60,000. Both purchase agreements are contingent upon a) successful due diligence into the condition of the properties; b) successful close of escrow of both properties; and c) approval of the conveyance by the Board of Supervisors. Due diligence is complete, including approval by the Town of Paradise for conveyance of the properties for use as a Public Works yard, and it has been determined that the properties meet the needs of the County. The Departments of General Services and Public Works recommend that the Board of Supervisors adopt a resolution approving the purchases and authorizing the General Services Director to execute any and all documents necessary to complete the purchases including the Certificates of Acceptance. The combined purchase price is \$562,000 plus title and escrow fees. This cost is fully reimbursable under the County's Camp Fire insurance claim – action requested – 1) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) AUTHORIZE THE GENERAL SERVICES DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO COMPLETE THE PURCHASE INCLUDING THE CERTIFICATES OF ACCEPTANCE. (General Services)

- 3.05 Budget Adjustment for Solar Project at 155 Nelson Avenue - The Solar Project at 155 Nelson Avenue was included in the approved budget for FY 2020-21 in the amount of \$1,050,000. A portion of the original budgeted amount, \$600,000, was rolled into FY 2021-22 during the budget process to address work not completed prior to June 30, 2021. The project is now being completed in FY 2021-22, and the remaining unspent funds need to be carried forward. The Department recommends approval of a budget adjustment in the amount of \$368,500, utilizing \$165,825 from General Fund Appropriation for Contingencies and \$202,675 in Clerk-Recorder Recording Systems Fund – action requested – APPROVE BUDGET ADJUSTMENT FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES (4/5 VOTE REQUIRED). (General Services)
- 3.06 Project Plans and Specifications, Contract with Ginno Construction, and Budget Adjustment for the Chico Public Health WIC/CCS Relocation - The Department of Public Health currently operates multiple programs, including their Women, Infants, and Children (WIC) and California Children's Services (CCS) programs, in two suites at 2491 Carmichael Drive in Chico, with one lease that expired in May of 2021 and another lease that is due to expire in October 2022. The landlord has provided notice of intention to not renew the leases and an exit date for both suites of December 2021, has been established. On November 10, 2020, the Board approved a lease agreement for 2080 E. 20th Street in Chico and a design contract for the tenant infill of the space which will serve as the new location for these programs. Design is now complete and the tenant infill will consist of creating reception, office and conference room spaces, and modifications to the HVAC, ceiling grid, lighting, electrical and data to accommodate the new layout. The Department of General Services published a formal invitation for bids for construction of the tenant infill and received four bids ranging in cost from \$719,970 to \$855,414. 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, the lowest bidder, and appoint the General Services Director as the officer of the project. The term of the contract is 120 days from the Notice to Proceed date issued for a fixed fee contract of \$719,970. Additionally, to fund the cost of the contract plus the related project expenses including permitting, signage, systems furniture, moving expenses, locks and access control, project management and contingencies, the Department requests a budget adjustment in the amount of \$479,000 from Department of Public Health fund balance – action requested - 1) APPROVE THE PLANS AND SPECIFICATIONS AND AUTHORIZE THE CHAIR TO SIGN; 2) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN; 3) APPOINT THE GENERAL SERVICES DIRECTOR AS THE OFFICER OF THE PROJECT; AND 4) APPROVE BUDGET ADJUSTMENT. (General Services)
- 3.07 Budget Adjustment for Replacement of Sanitary Sewer Line Serving 25 County Center Drive and 1 Court Street - On February 23, 2021 the Board of Supervisors approved a budget adjustment utilizing General Fund Appropriation for Contingencies in the amount of \$165,000 to fund the installation of a new sewer line serving 25 County Center Drive and 1 Court Street. This project was anticipated to be completed in FY 2020-21, however was not completed prior to June 30, 2021. The remaining portion of this project is now being completed in FY 2021-22 resulting in unspent funds, available to be carried forward into FY 2021-22. The department recommends approval of a budget adjustment in the amount of \$50,000, utilizing General Fund Appropriation for Contingencies – action requested – APPROVE BUDGET ADJUSTMENT FROM THE GENERAL FUND APPROPRIATION FOR CONTINGENCIES (4/5 VOTE REQUIRED). (General Services)

- 3.08 Project Plans and Specifications, Contract with TNT Industrial Contractors Inc. and Budget Adjustment for Boiler Replacement at 9 County Center Drive, Oroville - The Department of Public Works fleet operations occupy 9 County Center Drive in Oroville. The boiler providing heat to the facility has entirely failed and is no longer functional and cannot be serviced. Plans for a replacement boiler system were drafted in 2017 though the project was deferred due to lack of sufficient funding. The County budget for Fiscal Year 2020-21 included appropriations which were re-appropriated in Fiscal Year 2021-22, to proceed with the project, and the plans were updated to current building code by Frontier Consulting Engineers Inc. In June 2020, the Department of General Services published a formal invitation for bids for construction of the replacement boiler system as well as optional additive alternates for replacing the inefficient interior lighting and the wall and ceiling insulation. A total of two bids were received ranging in cost from \$401,840 to \$431,542 including the optional additive alternative work. The Department of Public Works has selected to defer the optional additive alternative work and proceed with only the replacement boiler system. The Department of General Services 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 Sacramento based TNT Industrial Contractors Inc., the lowest bidder, and appoint the General Services Director as the officer of the project. The term of the contract is 90 days from the Notice to Proceed date issued for a fixed fee of \$275,268. Additionally, to fund the cost of the contract plus the related project expenses including permitting, abatement monitoring, project management and contingencies, the departments request a budget adjustment in the amount of \$137,000 from Department of Public Works appropriations – action requested - 1) APPROVE THE PLANS AND SPECIFICATIONS AND AUTHORIZE THE CHAIR TO SIGN; 2) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN; 3) APPOINT THE GENERAL SERVICES DIRECTOR AS THE OFFICER OF THE PROJECT; AND 4) APPROVE BUDGET ADJUSTMENT. (General Services/Public Works)

- 3.09 Resolution to Amend the Salary Ordinance per Adopted Fiscal Year 2021-22 Budget - On July 20, 2021 the Board of Supervisors adopted the FY 2021-22 Budget. Included in the budget were a number of position changes. The Department of Human Resources has prepared a resolution to amend the Salary Ordinance to 1) make the changes identified in the Adopted Budget effective September 1, 2021; 2) correct two clerical errors; and 3) adjust the flexible staffing on two positions in the Auditor-Controller's Office.

ADOPTED BUDGET POSITION CHANGES:

BEHAVIORAL HEALTH: Add 1 flexibly staffed Behavioral Health Counselor II position, 1 flexibly staffed Senior Medical Records Technician position, and 2 Peer Support Specialist positions.

DEVELOPMENT SERVICES: Add 2 Code Enforcement Officer positions and 1 flexibly staffed Senior Planner position.

EMPLOYMENT AND SOCIAL SERVICES: Add 2 Flexibly staffed Health and Human Services Program Analyst positions.

GENERAL SERVICES: Add 1 Financial Technician position, 1 flexibly staffed Lead Facilities Maintenance Specialist position and delete 1 flexibly staffed Senior Buildings Craft Worker position.

HUMAN RESOURCES: Add .5 flexibly staffed Senior Administrative Assistant-C position. Amend the following Sections 28A, 28B, 28C, 28D, 28F, 28G, 28H, 28I, 28J, 28K, 28L, 28N of the Salary Ordinance, please see Attachment A of this report.

PROBATION DEPARTMENT: Add 1 flexibly staffed Probation Officer III (sunset to end August 31, 2024) position.

PUBLIC HEALTH: Delete 1 vacant Therapy Aide position.

PUBLIC WORKS: Add 2 Landfill Maintenance Worker positions.

SHERIFF'S OFFICE: Add 1 Coroner's Investigator position and 1 Morgue Technician position.

CORRECTIONS:

Correct a rounding error in Sections 28A, 28B, 28C, 28D, 28F, 28G, 28H, 28I, 28J, 28K, 28L, 28N of the July 20, 2021 Board Adopted Salary Ordinance Amendment Resolution in which the bi-weekly amounts were not correct. The hourly rates were correct and this error did not have any payroll impacts. The attached salary schedules (Attachment A) show the corrected bi-weekly rates.

Delete 1 vacant Deputy Director, Public Works position. This action is to correct a clerical error made on the November 19, 2019 Board Adopted Salary Ordinance Amendment Resolution where the position was eliminated by the board, but the position was not removed from the Salary Ordinance. The position has remained vacant.

DEPARTMENT REQUESTED CHANGES:

AUDITOR CONTROLLER: The department has requested a change to the position in the office that is flexibly staffed to the Governmental Accounting Manager level from the Auditor-Accountant Supervisor position to the Internal Auditor Position. These changes will better suit the needs of the Department by aligning the flexibly staffed Manager of Government Accounting classification with the Internal Auditor position. Total allocations to remain unchanged. The position is funded by the General Fund and allocated through the cost plan, no additional appropriation is needed.

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

- 3.10 Contract with Chico Scrap Metal, Inc., for Metal Recycling and Appliance Processing Services at Neal Road Recycling and Waste Facility (NRRWF)- The NRRWF receives over 250 appliances per month that contain either freon or compressor oil. The Department of Public Works released an Invitation for Bids on June 8, 2021 to address the removal of whole appliance units from NRRWF for off-site appliance processing and metal recycling. The Invitation for Bids closed on June 22, 2021 and two bids were received. Chico Scrap Metal, Inc. of Durham provided the lowest bid and offered a payment to NRRWF for the metals recycled in the amount of \$155 per ton. The Department of Public Works recommends entering into an contract with Chico Scrap Metal, Inc. for metal recycling and appliance processing services. The term of the contract is August 24, 2021 through August 24, 2024, not-to-exceed \$252,000 – action requested – APPROVE THE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

- 3.11 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 23 vehicles as surplus to the needs of the County because the vehicles are in poor conditions, repair costs exceed the value of the vehicles, the vehicles have high mileage, or the vehicle was involved in an accident – action requested - DECLARE CAPITAL ASSETS (23) SURPLUS TO THE NEEDS OF THE COUNTY. (Public Works)
- 3.12 Contract Amendment with Golder Associates, Inc. (Golder) for Landfill Gas Well Design Services at the Neal Road Recycling and Waste Facility (NRRWF) - On June 11, 2019, the Board of Supervisors entered into a contract with Golder to consolidate multiple ongoing contracts for design engineering services at the NRRWF. The term of the contract is June 14, 2019 through June 14, 2022; not-to-exceed \$400,000. On December 8, 2020, the Board amended the contract with Golder for an additional \$60,000 to design additional landfill gas wells and address additional needs for landfill methane requirements. The amendment increased the maximum payable amount to \$460,000. The Department recommends amending the contract with Golder to provide additional design and engineering services for Module 5D liner design, a leachate wind-aided intensified evaporation system design, and additional landfill methane monitoring. The amendment increases the maximum payable amount by \$66,000, not-to-exceed \$526,000. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.13 Contract Amendments with Dokken Engineering Inc. for Design Services Related to the East Bonito Road Bridge Replacements Across Sutter Butte Canal and Hamilton Slough - On September 27, 2016, the Board of Supervisors entered into two contracts with Dokken Engineering for the development of contract plans, specifications, and estimates related to the replacement of adjacent sub-standard bridges on East Rio Bonito Road across the Sutter Butte Canal and Hamilton Slough. The term of the contract relating to the Sutter Butte Canal was for five years from the Notice to Proceed; not-to-exceed \$409,938. The term of the contract relating to the Hamilton Slough was for five years from the Notice to Proceed; not-to-exceed \$209,470. In November 2017, both contracts were amended to update the terms and conditions to include language regarding disadvantaged business enterprise commitment. Due to extended review times by Caltrans Local Assistance, the Department of Public Works recommends amending the contracts to provide additional time to complete the design, environmental, and permitting; update the project to incorporate the most recent design guideline and re-validate compliance with the National Environmental Policy Act; and extend the required permits necessary for construction. The Department recommends extending the term of the contract relating to the Sutter Butte Canal by three years through September 30, 2024, and increasing the maximum payable amount by \$55,163, not-to-exceed \$465,101. Additionally, the Department recommends extending the term of the contract relating to Hamilton Slough by three years through September 30, 2024, and increasing the maximum payable amount by \$19,934, not to exceed \$229,404 – action requested – APPROVE THE CONTRACT AMENDMENTS (2) AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

- 3.14 Authorization to Award Contract to Knife River Construction for the Foothill Boulevard FDR-C Rehabilitation Project – On April 23, 2019, the Board of Supervisors authorized the Department of Public Works to advertise for bids for the Foothill Boulevard Rehabilitation Project. The project will provide a full-depth rehabilitation treatment of Foothill Boulevard from the Oroville City Limits to approximately 350 Feet south of Greenbank Avenue to tie into the new roadwork installed with the Foothill Bridge Project. The engineer's estimate for construction is \$946,910. The project was advertised on July 22, 2021 and a total of five bids were received on August 5, 2021 ranging from a low of \$796,616 to a high of \$1,253,312. The lowest responsive and responsible bidder is Knife River Construction, of Chico, with a bid amount of \$796,616. The Department recommends that the Board award the contract to Knife River Construction and authorize the Director of Public Works to sign the contract. – action requested – 1) AWARD THE CONTRACT TO KNIFE RIVER CONSTRUCTION; and 2) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN. (Public Works)
- 3.15 Revenue Contract with Keefe Commissary Network, LLC for Jail Commissary Services - The Sheriff's Office provides inmates the opportunity to order commissary through a private company. In March 2021, the Sheriff's Office published a Request for Proposals (RFP) for jail commissary and optional inmate services. The only response to the RFP was from Keefe Commissary Network, LLC (Keefe). Keefe will provide jail commissary and other services, such as access to email and video visitation, to inmates at no cost to the County. The contract includes provisions that a portion of all commissary and services sales be paid to the County as revenue. Revenue generated by the contract is deposited to the Inmate Welfare Fund, which is used primarily for the benefit, education and welfare of the inmates confined within the jail. The Sheriff's Office recommends entering into a contract with Keefe Commissary Network, LLC jail commissary services. The term of the contract is September 1, 2021 through August 31, 2026 – action requested – APPROVE CONTRACT AND AUTHORIZE CHAIR TO SIGN. (Sheriff-Coroner)

4. REGULAR AGENDA

- 4.01 Boards, Commissions, and Committees
(List available at <http://www.buttecounty.net/clerkoftheboard/AppointmentsList.aspx>)
- 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)
- 4.02 Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer
- A. COVID-19 Update by the Public Health Director
- B. North Complex Fire Recovery Update
- C. CAO Comment
- 4.03 Letter of Concern Regarding Plumas National Forest Wildfire Management - At the request of Supervisor Connelly, staff prepared a letter of concern regarding Plumas National Forest wildfire management decisions – action requested – APPROVE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN. (District 1)

- 4.04 General Plan Outreach - The Department of Development Services is in the process of updating the General Plan as well as the encompassed Upper Ridge Community Plan and Climate Action Plan. Since the General Plan was adopted, the devastating Camp and North Complex Fires destroyed nearly 21,000 structures, including more than 15,000 homes, and displaced many more residents. A number of State laws changed since the General Plan was adopted, which require modifications to the Housing Element and Safety Element as well addressing Environmental Justice among other issues. The updated General Plan will support the County's efforts to rebuild and create a more resilient future. To achieve these goals, the County is working closely with community members and stakeholders to understand community needs and opportunities and how to address them. Outreach has been ongoing since the beginning of 2020 and will continue through 2022 – action requested – ACCEPT FOR INFORMATION. (Development Services)
- 4.05 Red Tag Process for Unsafe Structures - On June 22, 2021 the Board of Supervisors directed staff to prepare a discussion of the current Red Tag process for unsafe structures including the timeline and steps taken to ensure voluntary compliance or formal abatement. The process includes the coordination with the public and the property owners of identified unsafe structures. The timelines are dictated by a combination of County policies and legal requirements during the abatement process. Code Enforcement promotes voluntary compliance and provides opportunities for property owners to resolve the problems identified whenever possible prior to entering into the formal County abatement process – action requested – ACCEPT FOR INFORMATION. (Development Services)
- 4.06 Update on Defensible Space and Hazardous Vegetation Reduction Inspection and Enforcement Program Pursuant to Chapter 38A of Butte County Code, entitled "Fire Prevention and Protection" - On June 9, 2020, the Board of Supervisors directed staff to amend Chapter 38A of the Butte County Code, entitled "Fire Prevention and Protection" to add wildfire safety requirements and enforcement provisions in order to mitigate the impacts of future wildfires to Butte County communities. On February 9, 2021, the Board repealed and replaced Chapter 38A to include enhancements and provide a mechanism for the Butte County Fire Department and the Department of Development Services to implement a defensible space and hazardous vegetation reduction inspection and enforcement program (Program). Enhanced requirements include a 5-foot ember resistant zone around structures; neighboring parcel owners to complete fuel reduction to provide defensible space for adjacent properties that cannot achieve 100 feet; fuel reduction along public and private roads, driveways, and designated evacuation routes. In June 2021, the Board requested an update on the Program. The Departments recommend the Board accept the presentation for information – action requested – ACCEPT FOR INFORMATION. (Fire/Development Services)

- 4.07 Appointed Department Head Contract Amendments and Resolution to Amend the Salary Ordinance - The Chief Administrative Officer in coordination with the Human Resources Department is requesting the Board of Supervisors approve amendments to the employment contracts for fourteen (14) Appointed Department Heads to amend the following: 1) 3% wage adjustment; and 2) a one-time payment in the amount of \$1,500 in recognition for the essential work performed during the COVID 19 pandemic. These changes are consistent with what other employee groups have received through labor contract negotiations. Based on these adjustments and contract amendments the adjusted annual salary for the incumbent in each classification is as follows: Agricultural Commissioner/Director of Weights & Measures - \$147,833, Chief Administrative Officer - \$239,874, Chief Probation Officer - \$158,492, County Counsel - \$238,901, Director-Behavioral Health - \$154,500, Director-Child Support Services - \$164,164, Director-Development Services - \$169,950, Director-Employment & Social Services - \$162,636, Director-General Services - \$143,575, Director-Human Resources - \$152,878, Director-Information Systems - \$144,200, Director-Libraries - \$108,150, Director-Public Health - \$154,500, Director-Public Works - \$173,975. – action requested - 1) APPROVE CONTRACT AMENDMENTS (14) AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT THE RESOLUTION TO AMEND THE SALARY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
- 4.08 Successor Resolution Regarding the Salary and Benefits of Butte County Elected Department Heads and Resolution to Amend the Salary Ordinance – County Administration in coordination with Human Resources Department is requesting the Board of Supervisors adopt a successor Salary and Benefits resolution that will supersede and replace Resolution No. 19-008. The agreed upon changes contained in the resolution are 1) 3% wage adjustment; and 2) a one-time payment of \$1,500 in recognition for the essential work performed during the COVID 19 pandemic. These terms are consistent with what other employee groups have received through labor contract negotiations. Based on these adjustments the adjusted annual salary for the incumbent in each classification is as follows: Assessor - \$150,009, Auditor-Controller - \$145,803, Clerk-Recorder- \$155,966, District Attorney - \$225,885, Sheriff-Coroner - \$198,938, Treasurer- Tax Collector - \$132,549.- 1) ADOPT SUCCESSOR SALARY AND BENEFITS RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT RESOLUTION TO AMEND THE SALARY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

- 4.09 Introduction of an Ordinance Regarding Compensation of Members of the Board of Supervisors - The salary of members of the Board of Supervisors (Board Members) is set by ordinance. The current ordinance, Ordinance No. 4148, specifies that upon notification of any increase in the salary of the judges, the Board of Supervisors may adopt an ordinance or amended ordinance increasing the salaries of each Board Member by the same percentage increase as the judges, as long as the increase does not exceed 5%. The increase shall not be effective prior to the effective date of the related increases in salary for the judges. The County received notification of increases to the judicial salaries in the amount of .778% effective July 1, 2018, 3.46% effective July 1, 2019 and 4.3% effective July 1, 2021. To date, the Board has taken no action on these increases totaling 8.538%. Staff recommend implementing a 3% increase at this time, while retaining the ability to take additional actions at a later date with the remaining 5.538%. With the current annual salary set at \$60,997, the increase of 3% will increase the annual salary of Board Members by \$1,830 to \$62,827 per year, effective November 27, 2021. The new ordinance replaces Ordinance No. 4148 to reflect the new annual salary of Board Members. The new ordinance will return to the Board of Supervisors for adoption on September 14, 2021 and will become effective November 15, 2021, which is greater than 60 days after adoption as required by law – action requested – WAIVE THE FIRST READING OF THE ORDINANCE. (Human Resources/County Administration)
- 4.10 Introduction of an Ordinance entitled "Authorizing Butte County to Join the Partnership Healthplan of California Commission and Establishing the Standards Pertaining to Butte County's Commissioners" - In 2013, Medi-Cal Managed Care was expanded to 28 rural California counties, including Butte County. Butte County was assigned the Regional Model in which the State contracts with two commercial plans, Anthem Blue Cross and California Health & Wellness, to administer Medi-Cal benefits in the County. After several years of experience with the Regional Model and review of other models, it has become evident that Butte County Medi-Cal recipients and health care providers would be better served to transition to a County Organized Health System (COHS) operated by PHC. PHC is a COHS that has consistently received higher quality scores than other plans. Along with providing health care, PHC works to improve the coordination of care, conducts outreach to enroll uninsured populations and supports population based initiatives. At the March 23, 2021 Board Meeting, a Letter of Intent to the State Department of Health Care Services (DHCS) was approved and signed by the Board to demonstrate Butte County's intent to transition to the PHC COHS. The transition was recommended by all three hospitals in Butte County. The next step of the transition to the PHC COHS is the adoption of an ordinance authorizing Butte County to join the PHC Commission and establish standards pertaining to Butte County's Commissioners. DHCS requires that all counties that desire to change Medi-Cal Managed Care models adopt an ordinance approved by the Board of Supervisors no later than October 1, 2021 – action requested – WAIVE THE FIRST READING OF THE ORDINANCE. (Public Health)
- 4.11 Items Removed from the Consent Agenda for Board Consideration and Action

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 9:30AM – Timed Item - Resolution Adopting Service Charges in the County of Butte for Fiscal Year 2021-22 – A County Service Area (CSA) or Permanent Road Division (PRD) is 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 2021-22 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 FY 2021-22 Budget, number of parcels in the area, and other available resources. 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 and two proposed decreases. These charges may also be found online at www.buttecounty.net/CSAcharges - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 5.02 9:30AM – Timed Item - Resolution Changing the Road Name of Portion of Lake Madrone Road to Madrone Way in Berry Creek - Pursuant to Butte County Code section 32-6, the Department of Development Services is undertaking a County Initiated project to change the name of a portion of Lake Madrone Road located to the east of the Madrone Way intersection and west of Gamble Road to Madrone Way. Lake Madrone Road and Madrone Way are both private roads located near the Feather River Forest Homes, Cascade Addition subdivision (Book 9 M.O.R. 32A/33A) in Berry Creek. The request relates to a washed out portion of Lake Madrone Road near the Gamble Road intersection, and an impassible section, which does not connect to the existing Lake Madrone Road to the north. Re-naming this section of Lake Madrone Road to the existing Madrone Way serves the health and safety of the applicants where emergency services are concerned. On August 10, 2021, the Board of Supervisors adopted a Resolution of Intent to change the name this portion of Lake Madrone Road to Madrone Way and setting August 24, 2021 at 9:30 a.m. for the public hearing. Section 32-6 specifies, "At the time set for the hearing or at any time to which the hearing may be continued, the Board shall hear and consider proposals to change the name of such road and upon adoption of the change thereof, shall make a resolution officially designating the name for said road; thereafter, such road shall be known by the name so designated" – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

- 5.03 9:30AM – Timed Item - Resolution Changing the Road Name of Oroville Dam Drive in the Kelly Ridge Area of Oroville to Oroville Dam Crest Road - Pursuant to Butte County Code section 32-6, the Butte County Address Coordinator received a petition to change the name of Oroville Dam Drive, a State-maintained roadway located northwest of Canyon Drive and crossing the Oroville Dam, submitted by the California Department of Water Resources. On August 10, 2021, the Board of Supervisors adopted a Resolution of Intent to change the name of Oroville Dam Drive to Oroville Dam Crest Road and setting August 24, 2021 at 9:30 a.m. for the public hearing. The petitioners' preferred road name has been reviewed by the Department of Public Works and does not conflict with, duplicate or sound like any existing road names in the County. Section 32-6 specifies, "At the time set for the hearing or at any time to which the hearing may be continued, the Board shall hear and consider proposals to change the name of such road and upon adoption of the change thereof, shall make a resolution officially designating the name for said road; thereafter, such road shall be known by the name so designated" – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 5.04 9:50AM – Timed Item – Application for Outdoor Festival License for Sierra Nevada Connections Running with the Bears Marathon Event – Sierra Nevada Connection submitted an application for an Outdoor Festival License per Chapter 12, Article III. Outdoor Festivals. The festival, Running with the Bears Marathon, is proposed for two days, Friday, March 11, 2022 from 1:00 pm to 8:00 pm (pre-registration) and Saturday, March 12, 2022, from 3:00 am to 12:00 am (marathon and expo). The applicant anticipates 2,500 attendees including participants, workers and volunteers. The festival is a marathon, a Boston Marathon qualifying race, and half-marathon race in the area south and west of Chico, including Durham, and an expo at Patrick Ranch. The races will begin and end at Patrick Ranch. Due to the use of County roads for the marathon, road closures will occur along the route. The race routes will include rest and water stations with music. Pre-registration will be on Friday, March 11 at the Silver Dollar Fairgrounds in Chico. The races and expo will be on Saturday, March 12. The expo will include music and food vendors. The primary festival site is located at 10381 Midway (Patrick Ranch), south of Chico (APN 039-060-088) with limited parking. The primary parking will be in Chico at the Silver Dollar Fairgrounds (APNs 005-500-001 and 005-490-014), with shuttles to and from Patrick Ranch. The Department of Development Services completed an environmental review of the application and a site visit, and determined that since the use is temporary and no permanent structures will be built, the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to section 15304 (e) of the CEQA Guidelines - "Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, etc." – action requested – FIND THE FESTIVAL TO BE CATEGORICALLY EXEMPT UNDER SECTION 15304 (e) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVE THE APPLICATION FOR AN OUTDOOR FESTIVAL LICENSE (MISC21-0011), SUBJECT TO THE RECOMMENDED CONDITIONS . (Development Services)

- 5.05 10:10AM – Timed Item – Update on Drought Conditions and Response - In 2004, Butte County adopted the Drought Preparedness and Mitigation Plan by Resolution 04-200. A key element of the Plan was the creation of the Drought Task Force (DTF). The charge of the DTF is to monitor hydrologic conditions throughout the water year and report the findings to the Water Commission and the Board of Supervisors biannually, quarterly, or monthly as needed. The DTF met for the second time this year on July 13, 2021 to discuss current conditions, state actions and to consider whether to make recommendations to the Board of Supervisors. The DTF recommended Butte County declare a local drought emergency proclamation, which the Board of Supervisors did with Resolution No. 21.085 on July 20, 2021. Since the DTF met, Office of Emergency Management staff has been working to establish a Drought-Emergency Water Supply Program to provide access to water for residents experiencing dry wells or unreliable water supplies from domestic well. The Board will receive an update on this effort as well as on current drought conditions and emerging issues of concern related to drought impacts to County residents – action requested – ACCEPT FOR INFORMATION. (Water and Resource Conservation)
- 5.06 10:30AM – Timed Item – Update on Flood Risk Reduction Items for the Rock Creek and Keefer Slough Watershed - On February 11, 2020, the Department of Public Works presented the Board of Supervisors with a detailed analysis of the challenges associated with the Rock Creek and Keefer Slough Watershed. The Board subsequently directed staff to pursue and implement nine flood risk reduction activities. One flood risk reduction activity has been completed. Staff presented updates on the remaining eight activities at the November 10, 2020 and February 23, 2021 Board Meetings. The Board requested an additional update at its July 20, 2021 Meeting. The Department of Public Works will provide a presentation updating the Board on remaining flood risk reduction activities for the Rock Creek and Keefer Slough Watershed. 1) Update rainfall criteria (complete); 2) Refine Outfall Criteria and increase detention volumes; 3) Update NFIP Ordinance – more resilient building requirements; 4) Support Rock Creek Reclamation District – channel maintenance; 5) National Flood Insurance Program (NFIP) coverage, public information; 6) Update drainage improvement standards; 7) Stabilize Bifurcation – design; 8) Update FIRM (FEMA project); and 9) Flood Risk Reduction Study – develop the preferred project – action requested – ACCEPT FOR INFORMATION. (Public Works)

6. BOARD OF SUPERVISORS CLOSED SESSION

(To be held concurrently with the In-Home Supportive Services Public Authority Board Closed Session)

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

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

6.02 Actual litigation pursuant to Government Code Section 54956.9(d)(1): 2 Cases

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

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

Item 1:

Property APN's:

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

Agency Negotiator: Grant Hunsicker

Negotiations: Terms and Conditions of Conveyance or Real Property Rights

RECESS

Recess as the Butte County Board of Supervisors and convene as the In-Home Supportive Services Public Authority Board.

IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD AGENDA
AUGUST 24, 2021

1. CALL TO ORDER

2. CONSENT AGENDA

- 2.01 Contract with Walker Insurance Solutions, LLC for Affordable Care Act Health Insurance Compliance - The Affordable Care Act requires health insurers to provide proof of health insurance coverage forms to In-Home Support Service (IHSS) care providers. There are approximately 650 IHSS care providers in Butte County who receive health insurance and require proof of coverage forms each year. Walker Insurance, LLC, through third-party vendor NavigateHCR, compiles a list of IHSS care providers, prepares and mails 1095 forms, and files 1094 forms with the Internal Revenue Service in compliance with Affordable Care Act health insurance reporting requirements. Walker Insurance, LLC was able to negotiate a lower fee with NavigateHCR through a commitment to a multi-year agreement, creating a savings to the County. The Department of Employment and Social Services recommends entering into a contract with Walker Insurance Solutions, LLC for Affordable Care Act health insurance compliance. The term of the contract is August 24, 2021 through June 30, 2024, not-to-exceed \$3,356 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)

3. REGULAR AGENDA

- 3.01 Successor Memorandum of Understanding (MOU), Butte County In-Home Supportive Services Public Authority (IHSS) - The County and the Butte County In-Home Supportive Services Public Authority (IHSS) bargaining team have met and conferred over a successor MOU with the United Domestic Workers of America (UDW). UDW has ratified the terms of the jointly agreed-to successor MOU that will supersede and replace the MOU that expired on September 30, 2012. The term of the successor MOU shall be from Board of Supervisors adoption up to and including December 31, 2023. The successor MOU includes: 1) a \$0.50 per hour supplemental wage increase in compensation for covered providers. This amount will be in addition to the State minimum wage; 2) \$5,000 per fiscal year for training; 3) An increase in the number of providers that can have health insurance from 525 to 625; 4) \$30,000 for the protective supplies for providers and; 5) other non-financial terms and conditions and general cleanup of the expired MOU – action requested - ADOPT THE SUCCESSOR MOU AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

4. PUBLIC COMMENT

Comments to the In-Home Supportive Services Public Authority Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California State law, the In-Home Supportive Services Public Authority Board is prohibited from taking action on any item not listed on the agenda.

5. CLOSED SESSION (NONE)

RECESS

Recess as the In-Home Supportive Services Public Authority Board and convene as the Thompson Flat Cemetery District Board of Trustees.

THOMPSON FLAT CEMETERY DISTRICT
BOARD OF TRUSTEES AGENDA
AUGUST 24, 2021

1. CALL TO ORDER

2. CONSENT AGENDA

- 2.01 Thompson Flat Cemetery District Five Year Financial Audit – In accordance with requirements of Section 26909 of the California Government Code, the Thompson Flat Cemetery District contracted with Matthews, Hutton & Warren, CPAs (MHW) to perform a 5-year independent audit of the general purpose financial statements of the District, as of and for the years ending June 30, 2016, 2017, 2018, 2019 and 2020. MHW expressed their opinion on these statements in the attached "Financial Statements with Independent Auditor's Report", dated July 14, 2021. The results of this audit revealed no instances of noncompliance, deficiency or material weakness. The financial statements present fairly, in all material respects, the respective financial position of the District. This report was provided to the California State Controller's Officer, per regulation. In addition, MHW provided a report to the District Board of Trustees in a letter dated July 14, 2021, regarding management's participation related to this audit in which he expressed finding no difficulties. The District was charged \$2,900.00 for the audit. The next audit will be for the five years ending June 30, 2021, 2022, 2023, 2024 and 2025 – action requested – ACCEPT FOR INFORMATION. (General Services)

3. REGULAR AGENDA (NONE)

4. PUBLIC COMMENT

Comments to the Thompson Flat Cemetery District Board of Trustees on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California State law, the Thompson Flat Cemetery District Board of Trustees is prohibited from taking action on any item not listed on the agenda.

5. CLOSED SESSION (NONE)

ADJOURN

Adjourn as the Thompson Flat Cemetery District Board of Trustees 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:
Wayne Barley

Child Support Services:
Sean Farrell

Clerk-Recorder /
Registrar of Voters*:
Candace Grubbs

County Counsel:
Bruce Alpert

Development Services:
Paula Daneluk

District Attorney*:
Mike Ramsey

Employment & Social
Services:
Shelby Boston

Fire Chief:
John Messina

General Services:
Grant Hunsicker

Human Resources:
Sheri Waters

Information Systems:
Dino Cabal

Library:
Narinder Sufi

Public Health:
Danette York

Public Works:
Joshua Pack

Sheriff-Coroner*:
Kory Honea

Treasurer-Tax Collector*:
Troy Kidd

UC Cooperative
Extension Advisor:
Luis Espino

Water & Resource
Conservation:
Interim-Director
Dr. Christina Buck

Information and Procedures Concerning the Agenda and
Board of Supervisors Meetings

Meeting Information:

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

Agenda Information:

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

Agenda Format and Meeting Order:

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

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

Public Participation:

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

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

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

*Elected Official