



BUTTE COUNTY BOARD OF SUPERVISORS

ANDY PICKETT,
CHIEF
ADMINISTRATIVE
OFFICER
CLERK OF THE BOARD

Regular Meeting Agenda August 10, 2021 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

BRUCE ALPERT,
COUNTY COUNSEL

[PDF of Agenda](#)

[How to Submit Public Comment Virtually](#)

1.A CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

1.B CORRECTIONS AND/OR CHANGES TO THE AGENDA

Item 3.05 was pulled by Supervisor Kimmelshue and placed on the regular agenda for further consideration.

Item 3.25 had a "3" in the item description that didn't belong there.

Item 6.04 was removed from the Board of Supervisors Closed Session.

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.

Public Comment Packet

The following member(s) of the Public Comment on this item: Steve Jackson, Cynthia J, Julie Castenada, Cynthia Pendery, John Miller George, Diana Dreiss, Jim Mento, Catherine Posey, Cari T, Patricia Deal, Erin, Jenna, Leanne, Jynaia and Lynne Bellante.

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

3.01 Resolution Cooperative Agreement with the California Department of Food and Agriculture (CDFA) for the Bee Safe Program

Over the last three fiscal years, Butte County and the CDFA have participated in an agreement to provide services for the State's Bee Safe Program. The objectives of the Bee Safe Program are to engage in apiary registration, training, and outreach. Additionally, the Bee Safe Program is designed to protect bees and beekeepers in preventing apiary theft, decrease apiary pest pressure, decrease apiary stress due to pesticide exposure, and increase apiary foraging opportunities. The term of the revenue agreement is July 1, 2021 through June 30, 2022, not-to-exceed \$47,751. (Agriculture)

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

Staff Report

3.02 Accept Weights and Measures Equipment Donation from Calaveras County

Calaveras County has extended an offer to donate surplus equipment to the Agriculture Commissioner's Office. The equipment is a refurbished 50 gallon diesel-gasoline weights and measures testing prover that will be utilized for testing the accuracy of high flow truck diesel and gasoline meters, and will reduce costs associated with the use of other testing equipment. The Agricultural Commissioner's Office recommends accepting the donated equipment, which has an estimated value of \$5,000. (Agriculture)

Action requested - ACCEPT DONATION

Staff Report

3.03 Grant Agreement with the U.S. Department of Housing and Urban Development (HUD) for SEARCH II Permanent Housing Bonus Program

The Department of Behavioral Health has been awarded the SEARCH II Permanent Housing Bonus Program grant from HUD for FY 2021-22. Funds from this grant will be used to contract with the Housing Authority of the County of Butte to lease three units of housing for chronically homeless individuals who are diagnosed as being mentally ill and/or having a substance use disorder. This housing will assist their transition from homelessness to permanent housing and to enable them to live as independently as possible. The Department recommends entering into a grant agreement with HUD to receive the grant funding. The term of this agreement is July 1, 2021 through June 30, 2022, with a maximum amount payable of \$34,090. (Behavioral Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.04 Grant Agreement with the U.S. Department of Housing and Urban Development (HUD) for SEARCH III Supportive Housing Program

The Department of Behavioral Health has been awarded the SEARCH III Supportive Housing Program grant from HUD for FY 2021-22. Funds from this grant will be used to contract with the Housing Authority of the County of Butte to lease three units of housing for chronically homeless individuals diagnosed as being mentally ill and/or having a substance use disorder. This housing will assist their transition from homelessness to permanent housing to enable them to live as independently as possible. The Department recommends entering into a grant agreement with HUD to receive the grant funding. The term of this agreement is July 1, 2021 through June 30, 2022, with a maximum amount payable of \$34,172. (Behavioral Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.06 Resolution Ratifying Local Disaster Proclamation and Requesting Gubernatorial Proclamation

Andy Pickett, Chief Administrative Officer, declared a local emergency on August 3, 2021, due to the Dixie Fire and evacuation of hundreds of Butte County residents. In accordance with the California Emergency Services Act Section 8630(b), the governing body must ratify the declared emergency within seven (7) days for it to remain in effect. (County Administration)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 21-106

3.07 Agreement Amendment with Griffith, Masuda & Hobbs, A

Professional Law Corporation

The County Counsel's Office recommends amending the contract with Griffith, Masuda and Hobbs, A Professional Law Corporation, previously Griffith & Masuda, A Professional Law Corporation for representation and legal services pertaining to State Water Project Table A Water Entitlement, Butte County Well Ordinance, Water Conservation Ordinance, and other water related issues as needed. This amendment increases the hourly rate as follows: Attorney/Shareholder \$250/hour to \$260/hour; Attorney/Senior Associate \$240/hour to \$250/hour; Paralegal \$84/hour to \$87/hour; and Public Entity Law Clerk \$82/hour to \$84/hour. This agreement is from July 1, 2021 to June 30, 2022 . (County Counsel)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.08 Resolution of Intent to Change the Name of Portion of Lake Madrone Road to Madrone Way in Berry Creek

The Butte County Address Coordinator has received a request to change the name of the portion of Lake Madrone Road to the new name of Madrone Way. The portion of Lake Madrone Road affected is located to the east of the Madrone Way intersection, and west of Gamble Road. The request is consistent with the requirements of Butte County Code sections 32-1, 32-4, 32-5 and 32-6 and is a County initiated road name request. The name change impacts the property located and served to the south of the Lake Madrone Road section: owned by Christi and Stephen Greiner at APN: 062-130-022. 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 to the east 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 eliminates confusion regarding addressing and serves the health and safety of the applicants where emergency services are

concerned in accordance with Butte County Code sections 32-1 and 32-4 (c). The resolution of intent sets the time and date of a public hearing to consider the road name change at the Board of Supervisors meeting on August 24, 2021 at 9:30 a.m. The resolution also directs staff to provide notice of the public hearing by posting notice in at least three places along the road proposed to be affected at least ten days before the date set for the hearing. (Development Services)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 21-107

3.09 Resolution of Intent to Change the Name of Oroville Dam Drive to Oroville Dam Crest Road in the Kelly Ridge area

The Butte County Address Coordinator has received a petition to change the name of Oroville Dam Drive to Oroville Dam Crest Road. Oroville Dam Drive is a State maintained roadway located northwest of Canyon Drive and crossing the Oroville Dam. The request is consistent with the requirements of Butte County Code section 32-6 and was submitted by the State of California Department of Water Resources. The proposed road name, Oroville Dam Crest Road, has been studied to assure it does not duplicate or sound like any existing road names in the County. The resolution of intent sets the time and date of a public hearing to consider the road name change at the Board of Supervisors meeting on August 24, 2021 at 9:30 a.m. The resolution also directs staff to provide notice of the public hearing by posting notice in at least three places along the road proposed to be affected at least ten days before the date set for the hearing. (Development Services)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 21-108

3.10 Agreement and Certification with United States Department of Justice for Federal Equitable Sharing Program

The District Attorney's Office participates in the Federal Equitable Sharing Program as part of the Department of Justice Asset Forfeiture Program, which is a nationwide law enforcement initiative that removes the tools of crime from criminal organizations, deprives wrongdoers of the proceeds of the crimes, recovers property that may be used to compensate victims, and deters crime. In order to participate in the program, an annual Equitable Sharing Agreement and Certification must be electronically filed with the U.S. Department of Justice by the County on behalf of the District Attorney's Office. The report for Fiscal Year 2021-21 has been prepared and summarizes program expenditures and revenues. No funds were used during FY 2020-21. (District Attorney)

Action requested - APPROVE THE EQUITABLE SHARING AGREEMENT AND CERTIFICATION AND AUTHORIZE ELECTRONIC SUBMISSION

Staff Report

3.11 Real Estate Fraud Annual Report for FY 2020-21

Pursuant to Government Code section 27388, and Board of Supervisors Resolution 08-156, a fee is paid at the time of recording certain real estate documents for the purpose of providing funds for the District Attorney to deter, investigate, and prosecute real estate fraud through the Real Estate Fraud Investigation and Prosecution Program. In accordance with annual reporting requirements, the District Attorney's Office submits its annual report to the Board regarding the effectiveness of the Real Estate Fraud Investigation and Prosecution Program. (District Attorney)

Action requested - ACCEPT FOR INFORMATION

Staff Report

3.12 Contract Amendment with Oroville Rescue Mission (ORM) for COVID-19 Prevention and Containment Efforts

ORM is a nonprofit organization dedicated to assisting individuals in their efforts to achieve self-sufficiency and a more stable lifestyle. ORM provides services to clients staying at its facilities. COVID-19 prevention and containment services supports those experiencing homelessness in the community during the pandemic. The Department of Employment and Social Services received funding from the State of California Business, Consumer Services and Housing Agency to support emergency shelters and homeless service providers in their COVID-19 prevention and containment efforts. Funding can be used to expand emergency shelter space to meet social distancing requirements, move high-risk individuals into Non-Congregate Shelters (NCS), and ensure that shelter accommodations meet infection control standards. Other prevention and containment services funded by this contract include wraparound and monitoring services to qualifying homeless individuals who are placed into NCS and expand outreach services that include engagement, assessment and education on safe hygiene practices. The Department recommends amending the contract with ORM for COVID-19 prevention and containment services. The amendment increases the maximum payable by \$31,500, not-to-exceed \$256,500. All other terms remain the same. (Employment and Social Services)

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

Staff Report

3.13 Agreement with California Department of Social Services (CDSS) to Provide Legal Consultation and Legal Representation for the Resource Family Approval (RFA) Program

On January 1, 2017, CDSS mandated a non-financial agreement for the provision of receiving legal consultation and representation with administrative appeals cases that involve the child welfare RFA program. The RFA program provides a unified, family friendly and child centered approval to replace multiple processes for licensing foster homes, approving relatives and extended family members as foster care providers. Legal services and activities are provided by CDSS to expedite the delivery of RFA services to children and non-minor dependents who may reside in an approved resource family home. The Department of Employment and Social Services recommends entering into an agreement with CDSS for RFA legal consultation and representation services. The term of the agreement is July 1, 2021 through June 30, 2024. (Employment and Social Services)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.14 Lease Agreement with Palermo Union School District for 2290 Palermo Road, Palermo and Resolution

In July 1971, the County entered into a ground lease agreement with Palermo Union School District for a portion of their property commonly known as 2290 Palermo Road, Palermo, for the purpose of the County constructing and operating Fire Station 72. The term of the original 50 year lease expired June 30, 2021, for a cost of \$1.00 per year and the lease is now in holdover status. The Fire Department and the Palermo Union School District desire to enter into a new ground lease to continue operating Fire Station 72 in this location. The Department of General Services and the Fire Department recommend the Board of Supervisors execute a new ground lease, authorize the Lease to be recorded and adopt a resolution memorializing the transaction for 2290 Palermo Road, Palermo. The term of the lease is 48 years, commencing July 1, 2021 through June 30, 2069, for a cost of \$2.00 per year. (General Services)

Action requested - 1) APPROVE LEASE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; 2) AUTHORIZE THE GENERAL SERVICES DIRECTOR TO EXECUTE AND RECORD MEMORANDUM OF LEASE; and 3) ADOPT THE RESOLUTION

Staff Report

Resolution 21-109

3.15 General and Special Provisions for Job Order Contracting for the Department of General Services

Public Contract Code section 20128.5 allows the County to implement a Job Order Contract (JOC) services process to select vendors to complete specific individual projects under a single umbrella contract executed by the Board of Supervisors. This process is currently utilized in many other smaller and larger counties throughout California and reduces costs and significantly reduces the time needed to complete projects. Contractors bid on the umbrella contract and, once awarded, prices are fixed for the term of the contract for any work performed. On April 27, 2021, the Board of Supervisors approved an agreement with The Gordian Group, Inc. (Gordian) for JOC services, and instructed staff to return with JOC Umbrella Construction Contracts. Gordian has developed the necessary bid documents for Board approval along with the supplemental Construction Task Catalogue and Technical Specifications, which can be viewed at: <http://www.buttecounty.net/generalservices/Public-Projects>.

Pursuant to Public Contract Code section 22039 staff recommends that the Board of Supervisors adopt plans, specifications, and working details for up to four JOC contracts that may be awarded, each with a minimum of \$50,000. All job orders greater than the agreed upon amount of \$250,000 will require additional Board approval. Each contract will be for a term of one year, as required by Public Contract Code. (General Services)

Action requested - 1) ADOPT THE GENERAL AND SPECIAL PROVISIONS FOR JOB ORDER CONTRACTING PROJECTS; 2) AUTHORIZE THE GENERAL SERVICES DIRECTOR TO INCORPORATE FINAL CHANGES INTO THE BID DOCUMENTS BEFORE ADVERTISING

FOR BIDS; AND 3) AUTHORIZE THE DEPARTMENT OF GENERAL SERVICES TO SOLICIT FORMAL CONSTRUCTION BIDS

Staff Report

3.16 Contract with Gaynor Telesystems Inc. and Budget Adjustment for Security Camera Project at 25 County Center Drive, Oroville and Budget Adjustment

The County budget for Fiscal Year 2021-22 includes an appropriation of \$150,000 for the project of installing a security camera system covering the interior and exterior common areas and related parking areas of 25 County Center Drive, Oroville. The security camera system ("Project") will allow for real time monitoring and response to security events, enhancing protection of the public visiting the many service departments operating within the building. The Department of General Services and the District Attorney's Office solicited for proposals for Project. Three proposals were received ranging in estimated costs from \$159,995 to \$241,370. The proposal review panel comprised of General Services and District Attorney staff find the proposal by Redding based Gaynor Telesystems, Inc. to best meet the criteria for the Project and recommend entering into a contract with Gaynor Telesystems Inc. for the Project. The term of the contract is Notice to Proceed through 90 days following Notice to Proceed, not-to-exceed \$198,999. Additionally, to fund the cost of the contract plus the related project expenses including permitting, hazardous material testing and abatement, project management and contingencies, the departments request a budget adjustment in the amount of \$88,300 consisting of \$25,000 of Risk Mitigation Grant and \$63,300 of General Fund Appropriation for Contingencies, bringing the total project appropriations to \$238,300. Staff are seeking alternative sources of funding for this project and will reimburse contingencies if other sources are identified. (General Services)

Action requested - 1) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT

Staff Report

3.17 Contract with Frontier Consulting Engineers, Inc. for Design Services of County Server Room at 308 Nelson Ave., Oroville

The County budget for Fiscal Year 2021-22 includes the project of addressing failed HVAC equipment, server equipment and inadequate space within the County's primary server room facility. Following a solicitation for design services, two proposals were received, ranging in projected costs of \$111,208 to \$211,092. The proposal review panel comprised of General Services and Information Systems staff find the proposal by Redding based Frontier Consulting Engineers, Inc. to best meet the criteria for this project. The Department recommends entering into a contract with Frontier Consulting Engineers Inc. for design services. The term of the contract is upon execution through 394 days after execution. The fixed fee portion of the contract totals \$110,000 and the balance of the contracted work is not to exceed \$1,208, for a total contract cost of \$111,208. (General Services/Information Systems)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.18 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: Extend the term of two flexibly staffed Behavioral Health Counselor positions to end June 30, 2022. The extension of these term positions was inadvertently left out during the budget process. Funding for these grant funded term positions is included in the Fiscal Year 2021-22 Budget. Total allocations to remain unchanged. LIBRARY: Delete one vacant flexibly staffed Information Systems Technician position. The vacant position is the result of an internal promotion. Total allocations to decrease by one. PROBATION: Add two flexibly staffed Senior Administrative Assistant positions. These requested

positions are necessary to meet the increased workload and activities due to COVID-19. Additionally, these new positions will provide greater efficiency of operations and better align with the current direction of the Department. Following internal recruitments, the subsequent vacancies will be deleted at a future Board of Supervisors' Meeting. Total allocations to temporarily increase by two. The positions are funded by the General Fund and can be accommodated by the Fiscal Year 2021-22 Budget. PUBLIC HEALTH: Extend the term of one flexibly staffed Public Health Education Specialist position to end June 30, 2022. The extension of this term position was inadvertently left out during the budget process. Funding for this grant funded term position is included in the Fiscal Year 2021-22 Budget. Total allocations to remain unchanged. PUBLIC WORKS: Add a Senior level classification to 2 current flexibly staffed Surveyor positions. Public Works is requesting to add the top level within the Surveyor series as this change will better support operations, increased demand and supervisory needs of the Department. Total allocations to remain unchanged. These positions are funded by the Road Fund. (Human Resources)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 21-110

3.19 Capital Asset Surplus - Backup and Security Appliances

The Department of Information Systems recommends the Board of Supervisors declare one backup server and two network security devices, made obsolete by the Department's new backup system, surplus to the needs of the County and authorize donation to Computers for Classrooms for recycling. (Information Systems)

Action requested - 1) DECLARE CAPITAL ASSETS (3) SURPLUS TO THE NEEDS OF THE COUNTY; 2) AUTHORIZE DONATION TO COMPUTERS FOR CLASSROOMS

Staff Report

3.20 Adoption of an Ordinance Adding Article VII, Entitled "Limitations to Access to Tobacco Products" to Chapter 15 of the Butte County Code entitled "Offenses-Miscellaneous"

On March 17, 2020, the Butte County Public Health (BCPH) received the Stop Tobacco Access to Kids Enforcement (STAKE) Grant from the California Department of Public Health (CDPH). The purpose of the grant is to provide funding to local law enforcement agencies, health departments and school districts for training and enforcement of State and local laws related to the illegal sale of tobacco products to minors, increasing investigator activities and compliance checks, and other appropriate activities aimed to reduce illegal sales of tobacco products to minors. In order to fulfill the requirements of the STAKE Grant, the County Code needs to reflect the State law. The recommended ordinance will grant authority to code enforcement officers to issue citations to any clerk that illegally sells tobacco products to a minor under the age of 21. The Departments of Public Health and Development Services worked together to develop a Memorandum of Understanding to conduct compliance checks, decoy operations, and educational visits to all tobacco retailers in unincorporated Butte County. On July 20, 2021, the ordinance came before the Board of Supervisors and the Board voted unanimously to waive the first reading. It is now recommended that the Board of Supervisors adopt the ordinance. (Public Health)

Action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Ordinance 4205

3.21 Electronic Records Retention Resolution for the Department of Public Health-Environmental Health Division

The Department of Public Health-Environmental Health Division, prepared a division specific policy and procedure for electronic records retention. The proposed resolution is specific to the Environmental Health division. The Department of Public Health-Environmental Health Division used a similar approach as the policies and procedures developed by the Department of Development Services with County Counsel and Information Services in September of 2017 and the Public Works Department in May 2018. The recommended resolution and the policy and procedure are consistent with State requirements for the use of a trusted system for electronic records retention. The process would allow the Department to retain an electronic image of the hard copy file materials consistent with the County Records Retention Policy. The process also authorizes the Public Health Director to destroy the hard copy file only after compliance with the policy and procedure. (Public Health)

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

Staff Report

Resolution 21-111

3.22 Resolution Authorizing Execution of the Master Agreement, Administering Agency-State Agreement for State-Aid Projects

The County is eligible to receive State-Aid Department of Transportation reimbursement funding as an Administering Agency for certain designated transportation projects, through the State of California, Department of Transportation (Caltrans). Master Agreements need to be executed with Caltrans to establish terms and conditions applicable to the Administering Agency before qualifying transportation projects are commenced and reimbursement of funds can be claimed. Caltrans has transmitted a new Master Agreement, Administering Agency-State Agreement for State-Aid Projects, No. 03-5912S21, which incorporates the recent changes in State statutes, regulations, and policies to the County for approval and execution. This Master Agreement will replace and supersede the current Master Agreement entered into

in June 2009. The Department of Public Works is aware of the requirements in the updated Master Agreement and has implemented the changes. If the county does not execute the Master Agreement, currently programmed State-Aid funding for County projects could be de-obligated. (Public Works)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 21-112

3.23 Resolution Authorizing the Execution of the Program Supplement Agreement with the State Department of Transportation (Caltrans) for the East Foothills Metal Beam Guard Rail (MBGR) Upgrade Project

The Department of Public Works recently received a Program Supplement Agreement for the Caltrans Highway Safety Improvement Project (HSIP) - HSIPL-5912 (123) - East Foothills MBGR Upgrade Project. Caltrans requires the Board of Supervisors adopt a resolution authorizing the Director of the Department of Public Works to sign a Program Supplement Agreement for the project. This project upgrades and replaces all metal beam guard rail along Skyway from Toadtown Way to Humbug Summit Road, Forbestown Road from Rex Lane to Weiss Hill Road, all of Lime Saddle Road, Hurles Circle, Pentz Road, Humboldt Road, Stringtown Road, and Hurleton Swedes Flat. The estimated cost of the project is \$1,133,000 and are paid through the HSIP and local funding. This includes \$133,000 for the current design phase and an additional \$1 million for future construction. The Department recommends the Board adopt a resolution authorizing the Director of the Department of Public Works to sign the Program Supplement Agreement for the East Foothills MBGR Upgrade Project. (Public Works)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 21-113

3.24 Capital Asset Surplus - Land Survey Equipment

The Board of Supervisors declares equipment surplus that are no longer serviceable or no longer needed by the County prior to auctioning the items. The Department of Public Works recommends the Board declare various land surveying equipment that is no longer in use surplus to the needs of the County and authorize the County Purchasing Agent to auction the items. (Public Works)

Action requested - DECLARE CAPITAL ASSETS (5) SURPLUS TO THE NEEDS OF THE COUNTY

Staff Report

3.25 Amendment to Blanket Purchase Agreement (BPA) with Holt of California for Equipment Rental

On September 15, 2020, the Board of Supervisors entered into a BPA with Holt of California for the purposes of renting additional equipment necessary to supplement County-owned equipment. The agreement can be utilized by both the Road and Enterprise Funds. The original term of the agreement was for a period of three years from date of execution through September 15, 2023, not-to-exceed \$250,000. The agreement was amended in May 2021 to update the equipment rental rates and include language required by FEMA to qualify for reimbursement for equipment rented in response to the North Complex Fire. The Department of Public Works spends approximately \$170,025 on equipment rentals necessary the for response and clean up efforts of the North Complex Fire. The remaining funds are not sufficient to meet the 3.Department's need for the remaining term. The Department recommends amending the agreement with Holt of California to increase the maximum amount payable by \$250,000, not-to-exceed \$500,000. All other terms remain the same. (Public

Works)

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

Staff Report

3.26 Memorandum of Understanding (MOU) Between the Sheriff's
Office and the Butte County Superior Court for Court Security
Service Funding

Pursuant to the 2011 Realignment Act (AB118), the majority of security funding was removed from the Court's budget and allocated directly from the State of California Controller (State) to the County Trial Court Security Account (TCSA). Commencing July 1, 2012, all security funding was meant to be allocated directly to the TCSA by the State; however, in the case of Butte County, funding continues to be sent to the Superior Court. As the Sheriff's Office is responsible for providing all court security services, the Court agrees to pay the Sheriff's Office \$481,445 in Fiscal Year 2021-22. The sole purpose of the MOU is to provide a mechanism to transfer the funds from the Court to the County. The Sheriff's Office recommends entering into a MOU with the Butte County Superior Court for Court Security Services. The term of the MOU is July 11, 2021 through June 30, 2022; not-to-exceed \$481,445. (Sheriff-Coroner)

Action requested - APPROVE THE MOU AND AUTHORIZE THE
CHAIR TO SIGN

Staff Report

3.27 Agreement and Certification with the U.S. Department of Justice
for the Federal Equitable Sharing Program

The Sheriff's Office and the Butte Interagency Narcotics Task Force (BINTF) participate in the Federal Equitable Sharing Program as part of the Department of Justice Asset Forfeiture Program, which is a nationwide law enforcement initiative that removes the tools

of crime from criminal organizations, deprives wrongdoers of the proceeds of the crimes, recovers property that may be used to compensate victims, and deters crime. In order to participate in the program, an annual Equitable Sharing Agreement and Certification must be electronically filed with the U.S. Department of Justice by the County on behalf of the Sheriff's Office and BINTF. The agreement and certification for FY 2020-21 have been prepared and summarize program expenditures and revenues. In FY 2020-21, BINTF received \$3,568 and expended \$4,458 on office furniture. (Sheriff-Coroner)

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

Staff Report

3.28 Acceptance of Donation from PG&E and Budget Adjustment for the Alert FM Receiver Distribution Program

On June 22, 2021, the County entered into an agreement for use of Alert FM, a radio based emergency alert system that can be used to alert residents of threats posed by wildfire or other dangers that is not reliant on power or cell phone service. Alert FM contributes to the County's hazard mitigation efforts by increasing its ability to communicate vital information to the public during emergencies. An essential component of the Alert FM system is the placement of a receiver in homes so emergency communication can be received by residents. While the receivers are available for purchase by the public at a reasonable cost, County Administration, the Sheriff's Office, and Department of Employment and Social Services desire to facilitate the distribution of the receivers to residents in areas impacted by Public Safety Power Shutoffs and have weak or not telecommunications access. The Sheriff worked with PG&E to obtain a \$100,000 donation to fund an Alert FM receiver distribution program for up to 1,000 receivers that will help individuals in need obtain the receivers on a first-come, first-served basis. The donated funds will be used to purchase receivers and provide outreach to the community regarding this opportunity. (Sheriff-Coroner)

Action requested - 1) ACCEPT DONATION; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)

Staff Report

Public Comment Packet

3.29 Contract Amendment with Reliance Industrial Laundry Repair, Inc. for Maintenance of Jail Laundry Machines

In August 2018, the Sheriff's Office entered into a contract with Reliance Industrial Laundry Repair, Inc. for maintenance and repair of laundry machines used in the Jail. The Sheriff's Office recommends amending the contract. The amendment extends the term of the contract by two years through August 12, 2023 and increases the maximum payable amount by \$15,000; not-to-exceed \$39,999. All other terms remain the same. (Sheriff-Coroner)

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

Staff Report

3.30 Professional Service Contract with First Corporate Solutions, Inc. for Tax Auction Parties of Interest Search

The Treasurer-Tax Collector's Department intends to conduct an annual public auction of tax defaulted properties. As part of the auction preparation process, the owners and other parties with a financial interest in the properties must be notified of the sale date and the deadline to redeem the taxes. The Department requested quotes from companies to conduct the parties of interest title searches for each auction parcel. Two bids were received ranging from \$118,125 to \$129,975. First Corporate Solutions, Inc. was selected as the lowest responsive bidder. Annually, owners of tax-defaulted properties are notified of their tax delinquency and how to redeem their property. If taxes remain unpaid five years after the date of default, the property will be subject to the Tax

Collector's power to sell and may subsequently be sold at public auction. Prior to conducting a tax auction, the Department notifies the owner and other parties of interest that an auction date has been set and the deadline to redeem the property is 5:00 pm on the last business day prior to the scheduled sale. The Department's primary goal during the auction preparation process is to secure the payment of outstanding property taxes. The most recent tax auction was conducted in June 2021. Initially there were 207 properties on the tax auction list. Prior to the sale, 72 were redeemed, generating \$730,000 in outstanding property tax revenue for the County. During the online auction, 212 bidders participated and 51 properties were sold. The purchase price ranged from \$2,700 to \$222,500 and generated \$1,528,690 in excess proceeds. Excess proceeds from the tax auction will be distributed to owners and parties of interest in accordance with Section 4675 of the California Revenue and Taxation Code. The Department recommends entering into a contract with First Corporate Solutions, Inc. to conduct the tax auction parties of interest t searches. The term of the contract is August 10, 2021 through June 30, 2024, not-to-exceed \$118,125. (Treasurer-Tax Collector)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.31 Contract with City of Yuba City for a Gilsizer North Detention Basin Improvement Project and Trash Capture Project in Gilsizer Slough at Lincoln Road Funded by Proposition 1 Round 1 Integrated Regional Water Management Grant

On April 13, 2021 the Board of Supervisors approved an agreement with the California Department of Water Resources (DWR) for the County to administer a Proposition 1, Round 1 Integrated Regional Water Management (IRWM) Implementation Grant on behalf of the Northern Sacramento Valley Regional Water Management Group. The grant agreement includes five projects by four different Local Project Sponsors: 1) Canal Pre-screen Project by Orland-Artois Water District; 2) Rock and Sand Creek Flood

Mitigation by Rock Creek Reclamation District; 3) Primary Influent Pump Station by Sewage Commission-Oroville Region; and 4) Two trash capture projects by Yuba City. The combined grant award is \$5,000,739 with the term of the grant agreement beginning on June 27, 2020. The Department of Water and Resource Conservation recommends entering into a subrecipient agreement with City of Yuba City for a Gilsizer North Detention Basin Improvement Project and Trash Capture Project in Gilsizer Slough at Lincoln Road. The agreement includes the project's work plan, schedule and budget as originally outlined in the DWR grant agreement. The term of the contract begins June 27, 2020 and ends three years after the final payment; not-to-exceed \$970,000. All work must be completed by June 30, 2022. (Water and Resource Conservation)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.32 Contract with Orland-Artois Water District for a Canal Pre-Screen Project Funded by Proposition 1 Round 1 Integrated Regional Water Management Grant

On April 13, 2021 the Board of Supervisors approved an agreement with the California Department of Water Resources (DWR) for the County to administer a Proposition 1, Round 1 Integrated Regional Water Management (IRWM) Implementation Grant on behalf of the Northern Sacramento Valley Regional Water Management Group. The grant agreement includes five projects by four different Local Project Sponsors: 1) Canal Pre-screen Project by Orland-Artois Water District; 2) Rock and Sand Creek Flood Mitigation by Rock Creek Reclamation District; 3) Primary Influent Pump Station by Sewage Commission-Oroville Region; and 4) Two trash capture projects by Yuba City. The combined grant award is \$5,000,739 with the term of the grant agreement beginning on June 27, 2020. The Department of Water and Resource Conservation recommends entering into a subrecipient agreement with Orland-Artois Water District for their Canal Pre-Screen Project 35.2. The agreement includes the project's work plan, schedule

and budget as originally outlined in the DWR grant agreement. The term of the contract begins June 27, 2020 and ends three years after the final payment; not-to-exceed \$75,000. All work must be completed by May 30, 2022. (Water and Resource Conservation)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Item 3.05 was pulled from the Consent Agenda and placed on the Regular Agenda for further Board discussion and action.

The following member(s) of the public submitted Public Comment on this item: Cynthia Pendery (electronically and in person), Julie Castenada (electronically), Steve Jackson, John Miller-George, Jim Minto, Catherine Posey, Erin, Jenna, Leanne, Patricia Deal, Lynne Bellante, Jynaia, Cari T., and Diana Dreiss.

Item 3.05 was pulled by Supervisor Kimmelshue and put on the regular agenda.

Motion to approve the Consent Agenda: Motioned by Supervisor Lucero, Seconded by Supervisor Ritter with the exception of Item 3.13, in which Supervisor Ritter abstained. Consent agenda was unanimously approved.

4. REGULAR AGENDA

4.01 Boards, Commissions, and Committees (List available at <http://www.buttecounty.net/clerkoftheboard/AppointmentsList.aspx>)

4.01. A. Appointments to Listed Vacancies

4.01. A1. Appointment to the Gridley-Biggs Cemetery District

The Gridley-Biggs Cemetery District is an independent special district of the State of California, formed by approval of the Butte County Board of Supervisors in 1927 to provide a respectful, low-cost place of burial to meet the needs of the communities of Gridley, Biggs, and Richvale. The District owns and maintains four active cemeteries and various inactive pioneer and historic cemeteries. The District is managed by three trustees appointed by the Board of Supervisors, who serve four-year terms. Trustees must be registered to vote within the District boundaries. Supervisor Kimmelshue nominates Larry Evans to be appointed to the Gridley-Biggs Cemetery District as a Trustee, with a term ending May 1, 2023. (District 4)

Action requested - APPOINT LARRY EVANS TO THE GRIDLEY-BIGGS CEMETERY DISTRICT AS A TRUSTEE, WITH A TERM ENDING MAY 1, 2023

Staff Report

Motion to appoint Larry Evans to the Gridley-Biggs Cemetery District as a Trustee, with a term ending May 1, 2023. Moved by Supervisor Kimmleshue, and seconded by Supervisor Lucero. Motion passed unanimously.

- 4.01. 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 Kimmelshue called upon Amy Jernigan, from the Butte County Fair Association to present on the 2021 Butte County Fair.

Amy Jernigan from the Butte County Fair Association invited the Board to the Directors Reception as well as listed the themes of each day of the Fair.

Supervisor Ritter reported that she attended the Local Government Committee meeting where they discussed the status of the sheltering operations in the City of Chico.

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

4.02. A. COVID-19 Update by the Public Health Director

Public Comment Packet

Danette York, Director of Public Health, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Druska Dupont (electronically), Diana Dreiss (in person and electronically), and Jynaia.

4.02. B. North Complex Fire Recovery Update

Anna Loughman, Assistant Director of Employment and Social Services, presented this item to the Board.

4.02. C. Camp Fire Recovery Update

Casey Hatcher, Deputy Administration Officer, presented this item to the Board.

4.02. D. Drought-Emergency Water Update

Josh Jimerfield, Deputy Administrative Officer Office of Emergency Management, presented this item to the Board.

4.03 Agreement with Aegis Treatment Centers, LLC (Aegis) for Narcotic Replacement Therapy (NRT)

Aegis operates one of the largest networks of Narcotic Treatment Programs (NTP) in the nation. This is a State-mandated service. Aegis' goal is to support the successful recovery of clients and improve the quality of lives through the provision of evidence-based comprehensive treatment. To receive NRT in a licensed NTP, all clients are required to participate in a comprehensive treatment program which includes a medical evaluation and screening for diseases that are overly represented in the opiate-addicted population. Clients are evaluated and provided counseling for medical, alcohol, criminal, and psychological problems. Aegis currently has licensed capacity to serve up to 580 clients at any given time. This agreement is not specifically measured in terms of number of clients served, as the length of services vary based on each client's specific needs. The Department of Behavioral Health recommends entering into an agreement with Aegis to provide NRT. The term of the agreement is July 1, 2021 through June 30, 2022, not-to-exceed \$2,013,480. (Behavioral Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

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

Motion to Approve Agreement and Authorize the Chair to Sign. Moved by Supervisor Ritter, Seconded by Supervisor Kimmelshue.

Motion Approved Unanimously.

4.04 Resolution Extending a Shelter Crisis Declaration in Butte County

On September 25, 2018, the Board of Supervisors adopted resolution declaring a shelter crisis in Butte County. The resolution made one-time Homeless Emergency Aid Program (HEAP) funding available to local Continuums of Care (CoC) to provide immediate emergency assistance to those who were experiencing homelessness or at risk of homelessness. The Butte Countywide

Homeless CoC received \$4.9 million in HEAP funding as a result of the resolution. The resolution also allowed the Board, on a case-by-case basis, to authorize the use of vacant or underutilized County property for purposes of emergency sheltering. In addition, the resolution allowed the use of alternate health, housing, and safety standards for facilities in lieu of State and local statutes, regulations, or ordinances. The resolution expired on June 30, 2021. Subsequent to the adoption of the resolution, the shelter crisis situation in Butte County worsened as the Camp Fire and the North Complex Fire destroyed thousands of homes. The bi-annual 2019 Homeless Point in Time Census showed 2,304 homeless persons (891 unsheltered, 420 sheltered, and 993 sheltered with FEMA support) within Butte County, which was 16% higher than 2017. County Administration recommends adopting a new resolution extending the shelter crisis declaration. The resolution will expire on June 30, 2024. (County Administration)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 21-114

Don Taylor, Housing and Homeless Administrator Employment and Social Services, presented this item to the Board.

Motion to Adopt the Resolution extending the Shelter Crisis and Authorize the Chair to Sign. Moved by Supervisor Ritter, Seconded by Supervisor Lucero. Motion passed by a 4-1 vote. Ayes: Supervisors Lucero, Ritter, Kimmelshue and Chair Connelly; Nays: Supervisor Teeter.

4.05 Discussion of Potential Termination of Local Disaster Proclamation Resolution Due to COVID

On July 20, 2021, the Board of Supervisors directed staff to bring back for discussion the COVID proclamation that was ratified by the Board on March 10, 2020. Since then the nation, State, and the County initially experienced significant spread of COVID and later a

steady decrease in infections. The federal government has passed several acts to provide relief from and mitigate and recover from the impacts of COVID. These programs and funding sources come from six different federal acts: Coronavirus Preparedness and Response Supplemental Appropriations Act; Families First Coronavirus Response Act; Coronavirus Aid, Relief, and Economic Security Act; Paycheck Protection Program and Health Care Enhancement Act; Continuing Appropriations Act, and American Rescue Plan. These acts include programs such as distribution and administration of vaccines; emergency medical care costs; purchase and distribution of food; alternate care sites; non-congregate sheltering; purchase and distribution of PPE; moratoriums on evictions; assistance related to telecommunications programs (including support for broadband); assistance related to public transit or other transportation programs; and a number of resources from the State, such as contact tracers and case investigation workers. Some of these programs may likely be able to continue without a local proclamation of emergency, while others may not continue. The complexity of enabling statutes and funding authorities means that in many cases, the County will not know whether certain costs and programs are eligible until an audit is concluded many years later. County employees are designated as disaster service workers pursuant to State law, and under a local disaster proclamation, may be assigned to perform disaster work. Without a local disaster proclamation, County employees may not qualify for disaster worker funding under the American Rescue Plan. As residents return to life with fewer COVID-related restrictions, some have expressed a desire to end the COVID proclamation. However recently, infection rates have started to increase among those who are not vaccinated. There is also a growing concern about the spread the Delta variant of COVID. Ending the COVID proclamation could end supports to the COVID response and recovery that it provides. Terminating the COVID proclamation may delay or disrupt the acquisition of goods and services that are expedited under an emergency contract. Due to these concerns, the County Administration recommends not terminating the COVID proclamation. (County Administration)

Action requested - 1) TAKE NO ACTION; OR 2) ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Public Comment Packet

The following member(s) of the public submitted Public Comment on this item: Alison Doyle (electronically), Terace Lee (electronically), Kirsten Southam (electronically), Carrie Vanella (electronically), Cynthia Pendery (electronically), Antoinette Pepler (electronically), Julie Castenada (electronically), Cheryl Downey (electronically), Diana Dreiss (in person and electronically), Jim Minto, Catherine Posey, Pat Jones, Erin, Jenna, Jynaia and Corine Taylor.

Motion to take no action. Unanimously voted to bring it back at a later date.

4.06 Letter of Support for Town of Paradise Sewer Project

At the request of Supervisor Teeter, staff prepared a letter of support for the Town of Paradise Sewer Project, which would create a regional connection between the Town of Paradise and the City of Chico Water Pollution Control Plant. (District 5)

Action requested - APPROVE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Public Comment Packet

Motion to Approve the Letter of Support for the Town of Paradise Sewer Project and Authorize the Chair to Sign. Moved by Supervisor Teeter, Seconded Supervisor Kimmelshue. Motion passed by a 3-0-2 vote. Ayes: Supervisors Kimmelshue, Teeter and Chair Connelly; Nays: None; Abstain: Supervisors Lucero and Ritter.

4.07 Butte County Community Wildfire Protection Plan

A Community Wildfire Protection Plan (CWPP) is a written plan describing wildfire hazards and mitigation measures for a community. The Butte County Community Wildfire Protection Plan has been developed upon the goals and objectives identified by local fire departments, Butte County Fire Safe Council, and other stakeholders. The plan identifies strategic sites and methods for fuel reduction projects across the landscape and jurisdictional boundaries to reduce the risks associated with wildfire. The CWPP offers the opportunity for all stakeholders, government and non-government, to play a role in reducing wildfire threats to their communities. The Butte County CWPP plan was first adopted in 2006 and is periodically updated. 2021 updates include: Butte Unit executive summary; Fire department capabilities updates for CAL FIRE/Butte County Fire, Chico Fire Department and Oroville Fire Department; CAL FIRE/Butte County Fire programs and battalions; Project list updated for planned, active and completed fuels projects by all cooperators in Butte County; Butte Unit goals, objectives, and ignition analysis; and Butte Unit Annual Report . (Fire)

Action requested - ADOPT PLAN AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

John Messina, Butte County Fire Chief, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Jim Minto.

Motion to adopt the plan and authorize the Chair to sign. Moved by Supervisor Teeter, seconded by Supervisor Lucero. Motion passed unanimously.

4.08 Airflow and Filtration Enhancements and Funding Plan

The General Services Department operates, repairs and maintains over 250 moderately sized commercial Heating, Ventilation and Air Conditioning (HVAC) units and over 35 large HVAC installations that utilize complex combinations of chillers, boilers and air handling units. These units span over 135 facilities throughout the County connected to an Energy Management System (EMS). A large portion of the HVAC units are not able to provide adequate outside airflow or filtration offered in contemporary HVAC equipment and the entire EMS system cannot provide adequate climate/fresh airflow controls. The department requests that the Board of Supervisors approve \$2,980,000 from the General Fund Appropriations for Contingencies to begin a first phase of HVAC related airflow and filtration enhancements planning and construction efforts immediately. Staff are seeking alternative sources of funding for this project and will reimburse contingencies if other sources are identified. See the staff report for additional information. (General Services)

Action requested - 1) APPROVE THE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED); 2) AUTHORIZE ESTABLISHMENT OF THE CAPITAL PROJECT; 3) GRANT CAPITAL ASSET AUTHORITY FOR THE PROJECT; 4) AUTHORIZE GENERAL SERVICES TO SOLICIT FOR THE REPLACEMENT OF THE JUVENILE HALL HVAC EQUIPMENT AND MULTIPLE FAILED PACKAGE UNITS AND RETURN TO THE BOARD TO EXECUTE THE CONSTRUCTION CONTRACTS; AND 5) AUTHORIZE GENERAL SERVICES TO SOLICIT FOR AN HVAC CONSULTANT, EMS SYSTEM AND NECESSARY DESIGN SERVICES AND RETURN TO THE BOARD TO EXECUTE THE CONTRACTS

Staff Report

Motion to approve the budget adjustment, authorize the establishment of the capital project, grant capital asset authority for the project, authorize General Services to solicit for the replacement of the Juvenile Hall HVAC equipment and return to the Board with construction contracts and authorize General Services to solicit for an HVAC consultant, EMS system and necessary design services and return to the Board to Execute Contracts. Moved to approve by Supervisor Ritter, Seconded by Supervisor Kimmelshue. Motion passed unanimously.

4.09 Side Letter Agreement with the Butte County Skilled Trades Unit (STU) and Resolution to Amend the Salary Ordinance

The County and the bargaining team for STU have met and conferred over a successor Memorandum of Understanding (MOU). This Side Letter Agreement identifies those articles, sections and subsections of the MOU between the County and STU that the parties have mutually agreed to revise. All other terms of the MOU will remain in full force and effect. Consistent with direction from the Board of Supervisors, the agreed upon changes contained in the Side Letter Agreement are: 1) a 3% wage adjustment; 2) a one-time payment of \$1,500 in recognition for the essential work performed during the COVID-19 pandemic; and 3) the term is from Board adoption through June 30, 2022. (Human Resources)

Action requested - 1) APPROVE THE SIDE LETTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 21-115

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

Motion to approve the side letter agreement and adopt a resolution and authorize the Chair to sign. Moved by Supervisor Ritter, seconded by Supervisor Kimmelshue. Motion passed unanimously.

4.10 Side Letter Agreement between County and Butte County Management Employees Association (BCMEA)

The County and the bargaining team for BCMEA have met and conferred over a successor Memorandum of Understanding (MOU). This Side Letter Agreement identifies those articles,

sections and subsections of the MOU between the County and BCMEA that the parties have mutually agreed to revise. All other terms of the MOU will remain in full force and effect. Consistent with direction from the Board of Supervisors, the agreed upon changes contained in the Side Letter Agreement are: 1) a 3% wage adjustment; 2) a one-time payment of \$1,500 in recognition for the essential work performed during the COVID-19 pandemic; and 3) the term is from Board adoption through June 30, 2022. (Human Resources)

Action requested - 1) APPROVE THE SIDE LETTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; and 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Resolution 21-116

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

Motion to approve the side letter agreement and adopt the resolution and authorize the Chair to sign. Moved by Supervisor Ritter, seconded by Supervisor Kimmelshue. Motion passed unanimously.

4.11 Resolution to Amend the Salary Ordinance-Flat Rate Classifications

The Human Resources Department recommends that the classification of Deputy Sheriff, Trainee from Section O: Flat Rate Classifications of the Salary Ordinance receive the following: 1) a 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 changes are consistent with what other employee groups have received through labor contract negotiations. (Human Resources)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 21-117

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

**Motion to adopt the resolution and authorize the Chair to sign.
Moved by Supervisor Ritter, seconded by Supervisor Lucero.
Motion passed unanimously.**

4.12 Appointed Officials Contract Amendments and Resolution to Amend the Salary Ordinance

The Human Resources Department in consultation with the applicable Department Head recommends the Board of Supervisors approve amendments to the employment contracts for five (5) Appointed Officials to include the following agreed upon changes: 1) a 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 by classification is as follows: Contracted Physician \$177,811.09, Medical Director \$328,157.86, Assistant County Clerk-Recorder \$104,613.34, Chief Deputy District Attorney \$192,580.44, and County Surveyor \$115,210.42. (Human Resources)

Action requested - 1) APPROVE CONTRACT AMENDMENTS AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 21-118

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

Motion to approve the Contract Amendments and adopt the

resolution and authorize the Chair to sign. Moved by Supervisor Lucero, seconded by Supervisor Ritter. Motion passed unanimously.

4.13 Butte County Public Works Road Recovery and Restoration Report

Butte County has been significantly impacted by multiple disasters. Two catastrophic and life-altering events - the Camp Fire and the North Complex Fire - have fundamentally affected the County, while multiple storm-related disasters have also had impacts on area communities. County-maintained roads and infrastructure have sustained more than \$155 million worth of damage from disasters since 2017. In June 2021, the Board of Supervisors directed staff to quantify impacts to County-maintained roads from the Camp Fire and other disasters. The Road Recovery and Restoration Report quantifies those impacts and presents priorities and funding considerations for Board information. (Public Works)

Action requested - ACCEPT THE REPORT FOR INFORMATION.

Staff Report

PowerPoint

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

**The following member(s) of the public submitted comment:
Walter S Chafer.**

Accepted for information.

4.14 Compost Facility Development at Neal Road Recycling and Waste Facility_(NRRWF).

In 2019, the Department of Resources Recycling and Recovery (CalRecycle) acknowledged a shortage of composting facilities throughout California to meet the goal of Senate Bill (SB) 1383 (Short-Lived Climate Pollutants) to reduce organics from landfills

Statewide by 50% by January 1, 2022. During this time, the County determined the composting infrastructure was not present in the community to fulfill CalRecycle's goal. In an attempt to fulfill this shortfall, CalRecycle offered grants to various public agencies throughout California to reduce greenhouse gas emissions by expanding organic processing to reduce the number of green waste materials, food materials, or alternative daily cover buried in landfills. On November 5, 2019, the Board of Supervisors adopted a resolution authorizing the Department of Public Works to submit a grant application to CalRecycle for the Organics Grant. In April 2020, the Department was awarded \$3 million in grant funding to develop a Covered Aerated Static Pile (CASP) compost system at the NRRWF, purchase a van with refrigeration and heating cabinets, and provide wages for two positions for two years as part of the food recovery piece of SB 1383. The initial project cost estimate was \$5 million, with a local cost share of \$2 million in NRRWF Enterprise funds. As the project progressed, staff identified unforeseen infrastructure needs such as a solar power array at a cost of \$1 million and increases in processing equipment costs. As a result, project costs estimates have increased to \$8 million, increasing local cost share from \$2 million to \$5 million. The County applied for this grant funding due to a lack of agencies located in the County that could help meet the State green and food waste reduction requirements. Since the original grant application process, additional third party providers have risen to meet the State requirements. With significant project cost increases and the recent availability of private third-party providers to provide these services in the future, the Department recommends discontinuing the project and rescinding the grant. (Public Works)

Action requested - DIRECT STAFF TO RECIND THE CALRECYCLE GRANT AWARD AND DISCONTINUE THE PROJECT

Staff Report

PowerPoint

Josh Pack, Director of Public Works, and Craig Cissell, Deputy Director of Waste Management, presented this item to the

Board.

Motion to direct staff to rescind the CalRecycle Grant Award and discontinue the project. Moved by Supervisor Ritter, Seconded by Supervisor Teeter. Motion passed unanimously.

4.15 Contract with US Ecology, dba NRC Environmental Services, Inc. (NRC), for Household Hazardous Waste (HHW) Collection Facility Operations and Management Services

On April 21, 2021, the Department of Public Works released a solicitation to operate the Butte Regional HHW Collection Facility and provide for the disposal of hazardous and universal waste resulting from the Neal Road Recycling and Waste Facility's prohibitive waste load-check program. The only bid received was from NRC Environmental Services, Inc. (NRC). Based upon their qualifications, experience, and cost estimate, the Department recommends the Board of Supervisors entered into a contract with NRC to perform the work. The term of the contract is the date of execution through August 22, 2031, for a maximum not-to-exceed amount of \$12,000,000. The Department anticipates an annual cost of the program at \$1 million and will review the contract annually to evaluate any changes in materials and pricing for managing the Butte Regional HHW Collection Facility. The anticipated costs represent an increase from the prior contract due to the closure of an HHW facility in the Town of Paradise combined with an upward trend in visitations in recent years that have dramatically increased the number of materials brought to the HHW. Disposal costs have also increased in recent years and are anticipated to continue their upward trend. (Public Works)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

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

Motion to approve contract and authorize the Chair to sign.

Moved by Supervisor Ritter, Seconded by Supervisor Kimmelshue. Motion passed unanimously.

4.16 Agreement with California Department of Water Resources for Provision of Marine and Security Services

In June, 2019, the Sheriff's Office entered into a two-year agreement with the California Department of Water Resources (DWR) for uniformed law enforcement vehicle patrols, security services, boating patrols, water safety, emergency response and preparedness coordination at various locations under the jurisdiction of DWR. The Sheriff's Office recommends entering into a new agreement with DWR, for the same services, which provides revenue to fund salary and benefits for six full-time positions, costs related to training, equipment, and miscellaneous operating expenses necessary for the provision of marine and security services. The term of the agreement is July 1, 2021 through June 30, 2023, with revenue not-to-exceed \$2,610,643. (Sheriff-Coroner)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Kory Honea, Sheriff, presented this item to the Board.

Motion to approve the agreement. Moved by Supervisor Ritter and seconded by Supervisor Lucero. Motion passed unanimously.

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

3.05 Contract Amendment with Shaw, Yoder, Antwih, Schmelzer and Lange for State Legislative Advocacy Services

County Administration recommends amending the contract with Shaw, Yoder, Antwih, Schmelzer and Lange for State legislative

advocacy services. The amendment extends the term of the contract by three years through September 30, 2024, and increases the maximum payable amount by \$120,000, not-to-exceed \$400,000. Paul Yoder remains the County's principal contact for state advocacy services. All other terms remain the same. (County Administration)

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

Staff Report

Motion to approve Contract Amendment and authorize the Chair to sign. Moved by Supervisor Lucero, Seconded by Supervisor Teeter. Motion passed by a 4-1 vote. Ayes: Supervisors Lucero, Ritter, Teeter and Chair Connolly; Nays: Supervisor Kimmelshue.

5. PUBLIC HEARINGS AND TIMED ITEMS

5.01 9:50AM - Timed Item - Itemized Cost and Penalties Related to Nuisance Abatement to Record a Lien and Impose a Special Assessment

On January 14, 2021, a Hearing Officer declared a public nuisance existed on the property listed under Butte County Code Chapter 32A - Property Maintenance and Abatement of Nuisances. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Numbers CE19-00515 and CE20-00103 at 50 District Center Drive, Palermo (APN 027-030-007) in the amount of \$35,304.39. (Development Services)

Action requested - APPROVE THE PROPOSED LIEN AND SPECIAL ASSESSMENT IN THE AMOUNT OF \$35,304.39

Staff Report

PowerPoint

Chris Jellison, Code Enforcement Division Manager, presented this item to the Board.

Motion to approve the proposed lien and special assessment in the amount of \$35,304.39. Moved by Supervisor Kimmelshue, seconded by Supervisor Ritter. Motion passed unanimously.

5.02 10:00AM - Timed Item - Appeal of Planning Commission's approval of Conditional Use Permit UP20-0001

Dan Gobba, Wally Bird, and Jade Enos (Appellants) filed an appeal of the Planning Commission's May 20, 2021 approval (3-0-1 vote) of Conditional Use Permit UP20-0001 (Peter Ferreri on behalf of Verizon Wireless with SAC Wireless). A Conditional Use Permit to construct a wireless telecommunication facility that includes a 90-foot-tall faux pine tower, with 9 panel antennas, associated ground equipment and a 30kw backup diesel generator (with 210 gallon capacity tank). The facility will be located within a 625 square foot (25x25) lease area. The lease area will be enclosed with a six-foot chain link fence. An easement for access and underground utilities is provided to the PG&E power supply and to Shorthorn Drive. An Initial Study and Mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA) Guidelines were prepared for the project. The project site is located on the north side of Shorthorn Drive, approximately 650 feet east of Hereford Drive, at 4338 Shorthorn Drive, north and west of Chico. (Development Services)

Action requested - ADOPT THE RESOLUTION FOR THE DENIAL AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

PowerPoint

Public Comment Packet

Mark Michelena, Senior Planner, Paula Daneluk, Director of Development Services, and Peter Ferreri, of Verizon Wireless, presented this item to the Board.

The following member(s) of the public submitted public comment on this item: Red Fox Court Chico(electronically), Matt McGuire (electronically), Christine Gobba (electronically), Wally Bird (in person and electronically), Robin McGuire, Peter Ferreri (electronically), 2 comments from Londa Coy (electronically), Jane Enos (electronically), Rachael and Ryan Moretti (electronically), Ann and Pat Patterson (electronically), Dan Vilva, and Duncan Way.

Motion to uphold the appeal and direct the staff to find findings on where cell towers are appropriate in that area. Moved by Supervisor Lucero, seconded by Supervisor Kimmelshue. Motion passed by a 3-2 vote. Ayes: Supervisors Lucero, Ritter and Kimmelshue. Nays: Supervisor Teeter and Chair Connelly.

5.03 1:00PM - Timed Item - Federal Legislative Update

Kristi More of The Ferguson Group will provide a federal legislative update, including the latest on federal appropriations, the infrastructure package and the outlook for fall. (County Administration)

Action requested - ACCEPT FOR INFORMATION

Staff Report

Accepted for information.

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): 3 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.

C. Dennis Armstrong v. Butte County; Workers Compensation Appeals Board Case No. ADJ9256732 (Claim Number: BUAH-549707).

6.03 Significant Exposure to litigation pursuant to Gov. Code Sec. 54956.9(d) (2) - one potential case

A. Timothy Espinosa; Worker's Compensation Claim, Claim Number: BAUP-550812).

6.04 Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8

Item removed from the agenda.

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

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

BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD AGENDA

1. CALL TO ORDER
2. CONSENT AGENDA (NONE)
3. REGULAR AGENDA (NONE)
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 (To be held concurrently with the Board of Supervisors Closed Session)

5.01 Conference with Labor Negotiator Pursuant to Government Code Section 54957.6

Labor Negotiators: Shelby Boston, Sheri Waters, Jack Hughes, and Meegan Jessee

4.05 Discussion of Potential Termination of Local Disaster Proclamation Resolution Due to COVID

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 54954.3. 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.

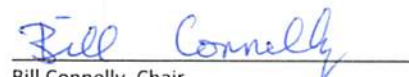
The Board of Supervisors is also committed to making its proceedings accessible to all citizens. Individuals with special needs should call the Clerk of the Board at 530.552.3300, Monday through Friday, 8:00 a.m. to 5:00 p.m. to request disability-related modifications/accommodations or to request materials 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



Kayla Reaster, Deputy
Associate Clerk of the Board


Bill Connelly, Chair
Butte County Board of Supervisors