



# BUTTE COUNTY BOARD OF SUPERVISORS

## REGULAR MEETING AGENDA

**April 27, 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

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#### 1. A. CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

#### 1. B. CORRECTIONS AND/OR CHANGES TO THE AGENDA

#### 2. PUBLIC COMMENT

#### 3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

3.01 R

3.02 Contract Amendment with JW Software, Inc. for a Risk Management Information System - In 2017, the County selected JW Software, Inc. through a Request for Proposal (RFP) to provide a Risk Management Information System that integrates all of the County's claims data and insurance programs (general liability, workers' compensation, property, and medical malpractice) into one system. The software provides solutions that significantly streamline work flows, automate routine tasks, and provide easy access to actionable data and analysis. County Administration recommends amending the contract with JW Software, Inc. to extend the contract by five years through April 9, 2026, and increase the maximum payable amount by \$157,944 not-to-exceed \$265,044. All other terms remain the same – action – requested - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 3.03 PG&E Settlement Fund Policy - Butte County received a \$252 million settlement from PG&E whose criminal negligence resulted in the Camp Fire. The County's net settlement revenue after attorney's fees was \$204.4 million. At the Fiscal Year (FY) 2020-21 budget hearings on July 21, 2020, the Board of Supervisors directed that a new fund called the "PG&E Settlement Fund" be established and the settlement funds be committed to County stability, hazard mitigation, and recovery. The use of the PG&E Settlement Fund is at the sole discretion of the Board of Supervisors. County Administration recommends the Board approve a PG&E Settlement Fund Policy for the use of these funds. The proposed policy states the PG&E Settlement Fund be used for County stability, hazard mitigation and recovery as directed by the Board on July 21, 2020. Recognizing that there are more worthy projects and uses of the PG&E Settlement Fund than there are funds available, the policy states projects that address direct impacts from the Camp Fire, leverage outside funds and/or have a high level of urgency will be given priority. County Departments, on their own or at the Direction of the Board, will submit project proposals to the Chief Administrative Officer to have the use of PG&E Settlement Funds considered. The Board of Supervisors must approve any use of PG&E Settlement Funds – action requested - APPROVE PG&E SETTLEMENT FUND POLICY. (County Administration)
- 3.04 Budget Adjustment - PG&E Settlement Fund – On March 9, 2021, the Board of Supervisors approved four recommendations to use PG&E Settlement Funds toward County's financial stability initiatives including the use of PG&E Settlement Funds as cash flow to prepay the annual unfunded liability payment which will be repaid to the fund annually with interest, as well as the contribution of \$20 million to the Safety Pension Trust which is projected to stabilize the County's public safety pension costs over the next 14 years. To implement these actions staff recommend the Board approve the CalPERS prepayment for FY 2021-22, and approve the budget adjustment appropriating \$20 million in PG&E Settlement Funds for payment to the Safety Pension Trust – action requested – 1) APPROVE THE PREPAYMENT OF THE UNFUNDED LIABILITY PAYMENT AS DETAILED IN THE STAFF REPORT; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (County Administration)
- 3.05 Resolution Authorizing Federal Fiscal Year (FFY) 2021 Homeland Security Grant Application for Office of Emergency Management - In order for the Butte County Operational Area to apply for grant funds from the Department of Homeland Security/Federal Emergency Management Agency, the Board of Supervisors must adopt a resolution authorizing the Emergency Services Officer to apply. The resolution also gives authorization to the Chief Administrative Officer, Assistant Chief Administrative Officer, Deputy Chief Administrative Officers, and the Emergency Services Officer to sign grant documents. The grant application is in the amount of \$281,822, and the funds will be used to enhance prevention, preparedness, response and recovery capabilities from threats and incidents of terrorism and all hazards natural or man-made. The grant specifies that an Anti-Terrorism Approval Body (Approval Authority) will determine the best use of funds. The Approval Authority consists of the Public Health Officer, County Fire Chief, County Sheriff, a municipal Fire Chief, and a municipal Chief of Police. The Approval Authority creates sub-committees to make expenditure recommendations that will be forwarded to the Board for final approval. All expenditures for equipment, training, planning, and exercises must meet grant guidelines – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 3.06 Budget Adjustment and Subrecipient Agreement with the Oroville Rescue Mission for a Case Management Program for Homeless Individuals in South Butte County - On May 26, 2020, the Board of Supervisors approved the submittal of a grant application through the California Department of Housing and Community Development Community Development Block Grant (CDBG) Program. The proposed grant activity included expansion of case management services to individuals experiencing homelessness in south Butte County. The case management services include the following: connection with community partners, securing temporary housing, assistance locating and acquiring a rental unit, and employment search assistance. The County received formal notification of grant approval from the State on February 11, 2021. The Oroville Rescue Mission is a non-profit corporation serving individuals experiencing homelessness in the south Butte County area. Through collaboration with Butte County, utilizing CDBG funds, the Oroville Rescue Mission will act as a subrecipient providing case management, housing and resource referrals services. During the three year term of the subrecipient agreement, Oroville Rescue Mission will provide case management services to at least 2,000 individuals experiencing homelessness in south Butte County. County Administration recommends entering into an agreement with the Oroville Rescue Mission for case management services. The term of the agreement is April 13, 2021 through April 13, 2024, not-to-exceed \$399,101 – action requested - 1) APPROVE SUBRECIPIENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (County Administration)
- 3.07 Resolution Recognizing May 2021 as Building Safety Month and approval of the Expired Permit Amnesty Program for May 1 - December 31, 2021 - The Building Safety Month (May 2021) and Expired Permit Amnesty Program (May 1, 2021 through December 31, 2021) are aimed at protecting public health, home and business owner safety, and the environment by encouraging property owners to complete the County's permit process. These efforts are designed to ensure construction meets acceptable standards and to educate the public about building codes through outreach activities. The Expired Permit Amnesty Program provides property and business owners an affordable option to re-activate and complete their expired building permits under a permit renewal fee without incurring the costs associated with a new building permit. Under this program, the expired permits would be considered extended through a permit renewal fee. Completing the building permit process can assist property owners who may have their properties on the market where the sale may be jeopardized due to unpermitted or incomplete work. Residential, industrial, and non-residential permits are eligible for the Expired Permit Amnesty Program – action requested – 1) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE AN EXPIRED PERMIT AMNESTY PROGRAM FOR MAY 1, 2021 THROUGH DECEMBER 31, 2021. (Development Services)
- 3.08 Contract Amendment with Youth for Change for the CalWORKS Home Visiting Program - Youth for Change operates Parents as Teachers Home Visiting Program, a nationally recognized program designed to help expectant and new parents get their children off to a healthy start. Families participate voluntarily in the program and receive weekly home visits and service referrals from trained staff. Based on a solicitation process conducted by the Department of Employment and Social Services, Youth for Change was determined to be the best candidate to meet objectives and was selected to facilitate the CalWORKS Home Visiting Program. The Department will provide the referrals. The Department recommends amending the contract with Youth for Change to provide services for the CalWORKS Home Visiting Program. The Department estimates that Youth for Change will serve approximately 125 families with this program. The amendment extends the term of the contract by one year through June 30, 2022, and increases the maximum payable amount by \$534,093, not-to-exceed \$1,068,186. All other terms remain the same – action requested - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)

- 3.09     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 Department of General Services in the following ways: Add 1 Financial Technician position and 2 Capital Improvement Project Manager positions. These positions are necessary to manage increased workloads due to an unprecedented number of public projects. Total allocations to increase by 3. The costs for these positions are covered by project budgets and are included in the General Services budget – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
  
- 3.10     Butte County Library Advisory Board (LAB) Annual Report - Pursuant to its bylaws, the LAB is required to provide an annual report to the Board of Supervisors. This year's report highlights new library staff, newly appointed LAB members, the beginning of implementation of the strategic plan, and North Valley Community Foundation grant – action requested - ACCEPT FOR INFORMATION. (Library)
  
- 3.11     Resolution Honoring Dr. James B. Wood Upon his Retirement - Dr. James B. Wood has provided services as a contractor to the Butte County–California Children's Services (CCS) program since 1978 and is retiring on April 30, 2021. Dr. Wood has served in the capacity of CCS Medical Therapy Clinic Physician, CCS Medical Director, and CCS Medical Consultant for nearly 43 years. The Department of Public Health expresses its appreciation for his service to Butte County and the contributions he has made to improve medical care and access to medical services for all children in Butte County. The Department recommends that the Board of Supervisors adopt a resolution honoring Dr. James B. Wood – action requested - ADOPT RESOLUTION AND AUTHORIZE CHAIR TO SIGN. (Public Health)
  
- 3.12     Agreement Amendment with the California Department of Public Health (CDPH) for the local Women, Infants and Children (WIC) Program - The Department of Public Health currently has a grant agreement with CDPH to participate in the WIC program. WIC is a federally-funded program that provides supplemental nutritious foods to mothers, infants and young children. Services provided through the program include nutrition education and the provision of a voucher booklet containing coupons that can be exchanged for designated food items from authorized WIC food vendors. Participants must meet income guidelines and be a pregnant woman, new mother, infant or child under age 5. The Department of Public Health has received funding to participate in this program as the local WIC agency for many years. CDPH is amending the current grant agreement to make an additional \$42,775 available in Year 2 (FFY 2020-21) and \$39,469 in Year 3 (FFY 2021-22) to better support WIC families during the COVID-19 pandemic. The term of the agreement remains October 1, 2019 to September 30, 2022, with a new maximum amount receivable of \$4,716,301 (\$1,548,019 for FFY 2019-20; \$1,585,794 for FFY 2020-21; and \$1,582,488 for FFY 2021-22) – action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN. (Public Health)

- 3.13 Resolution Certifying the Annual Changes to the Butte County Maintained Mileage for 2021 - California Streets and Highways Codes section 2121 and Chapter 18 of the Caltrans Local Assistance Procedures Manual requires that counties submit a listing of changes that have occurred to their list of maintained roads by May of each year. The County's submitted data is then forwarded by Caltrans to the State Controller for the allocation of State Gas Tax Funds. Caltrans District 3 Office of Local Assistance has requested that the Board of Supervisors approve a resolution prior to May 15, 2021, for the new maintained mileage. The County maintained mileage for the previous year was determined to be 1,285.319 miles. The calculated mileage to be submitted this year is 1,278.949 miles, which is a decrease of 6.370 miles. This decrease is primarily due to annexations by the City of Chico in the Chapman and Mulberry areas. The subtractions are shown in red in the document entitled, Summary of Butte County Maintained Mileage Changes for 2021 – action requested - ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.14 Memorandum of Understanding (MOU) with the Bureau of Land Management (BLM) Northern California District - Arcata and Redding Field Offices – BLM Arcata and Redding field offices are developing the Northwest California Integrated Resource Management Plan (NCIP), which provides for the ways in which public lands will be managed for public access and will cover both offices. BLM anticipates that the NCIP and associated environmental impact statement (EIS) may take two or more years to complete. Butte County is eligible to become a Cooperating Agency under the Code of Federal Regulation, Title 40, part 1508.1(e) for the duration of the NCIP and EIS process. Cooperating Agency status provides an opportunity for BLM, Butte County and other Cooperating Agencies to work together to enhance the planning efforts. The Board of Supervisors previously approved and executed an MOU in August of 2017 for this process; however, the NCIP development was put on hold in 2019 due to extensive fire damage to BLM lands in Northern California, and BLM terminated the Cooperating Agency MOU. BLM has now re-initiated the NCIP process and has provided a new MOU, which has been reviewed by the County's Federal and State Land Use Coordinating Committee (Coordinating Committee) and County Counsel. The MOU sets forth roles and responsibilities for the Cooperating Agencies as agreed upon between Butte County and the BLM Northern California District for the purposes of collaborative planning and production of the NCIP and EIS. The Coordinating Committee believes it is in the best interest of the public to remain invested in the NCIP planning process as a Cooperating Agency – action requested - APPROVE THE MOU AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.15 Budget Adjustment for County Service Area (CSA) 169 Zone 1 - Pheasant Landing Subdivision – CSA 169 Zone 1 - Pheasant Landing Subdivision is located on the east side of Garner Lane across from Kathy Lane in the north Chico area, and provides services for street lighting, stormwater drainage, fire suppression, and onsite wastewater maintenance. A section of the leach lines are failing due to root intrusion and a sand filter system needs repairs. Approximately 140 feet of infiltrator needs to be removed and replaced. The existing intermittent sand filter needs to be replaced. The consultant will conduct a site visit and design a solution for the construction and repairs being done by contractor. The Department of Public Works recommends increasing appropriations in CSA 169 Zone 1 by \$17,450 for repairs to the sewer leach lines and wastewater system design. The anticipated 2020-21 year ending fund balance will be reduced by \$17,450, from \$71,845 to \$54,395 – action requested - APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Public Works)

- 3.16 Budget Adjustment for County Service Area (CSA) 172- Autumn Park Subdivision – CSA 172 - Autumn Park Subdivision is located on the west side of Garner Lane and north of Kittyhawk Drive, north of Chico and provides services for street lighting, stormwater drainage, fire suppression, and landscape maintenance. The Department of Public Works received a resident complaint that two Sycamore trees were dead and causing a threat to public safety. The Department Superintendent conducted a site visit and agreed that the trees were hazardous and require immediate removal. The Department recommends increasing appropriations in CSA 172 by \$3,100 for removal of the two Sycamore trees. The anticipated 2020-21 year ending fund balance will be reduced by \$3,100, from \$63,427 to \$60,327 – action requested - APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Public Works)
- 3.17 Contract Change Order (CCO) No. 4 Midway Road Bridge Replacement Project – On May 26, 2020, the Board of Supervisors awarded the Midway Road Bridge Replacement Project to MCM Construction of North Highlands, California. The project provides for replacement of the Midway Road Bridge across Butte Creek and Butte Creek Overflow south of the town of Durham. The contract award amount was \$19,600,643.50. CCO No. 4 provides for estimated increases in quantities at the contract unit prices for water quality sampling and analysis and steel pilings in the contract. The net change of CCO No. 4 is an estimated increase in the contract amount in the amount of \$71,540 – action requested - APPROVE CONTRACT CHANGE ORDER NO. 4 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.18 Authorization to Advertise the Off-System Emergency Road Guardrail Repair Project at Bald Rock Road and Lumpkin Road - As a result of the North Complex Fire, Bald Rock Road and Lumpkin road sustained extensive guardrail damage. This project is eligible for FEMA reimbursement under the Federal Disaster Declaration, (DR-4558-CA). The Department of Public Works recommend the Board of Supervisors approve the plans and specifications for the project and authorization to advertise for the off-system road guardrail repairs due to damage resulting from the North Complex Fire along portions of Bald Rock Road and Lumpkin road (County Project 533-5321-23). The Department of Public Works recommends that the project be added to the Fiscal Year 2020-21 work program. The engineer's estimate for the project is approximately \$150,000 – action requested – 1) AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO ADVERTISE AND SOLICIT BIDS FOR CONSTRUCTION OF THE PROJECT; 2) APPROVE THE PLANS AND SPECIFICATIONS; AND 3) APPOINT THE PUBLIC WORKS DIRECTOR AS OFFICER OF THE PROJECT. (Public Works)
- 3.19 Contract with Tetra Tech BAS, Inc., for Module 4 Landfill Gas System Expansion Project at the Neal Road Recycling and Waste Facility (NRRWF) – On March 9, 2021 the Board of Supervisors authorized the Department of Public Works to advertise for bids for the Module 4 Landfill Gas Collection System Expansion Project at NRRWF. The expansion project involves drilling and installing seven additional landfill gas wells, abandoning and decommissioning a damaged extraction well, installing vertical and horizontal landfill gas wellheads, installing various pipes fitting and fixtures, and restoring soil erosion cover. The work will help NRRWF comply with existing air emissions requirements. The engineer's estimate for construction is \$281,748. The expansion project was advertised on March 10, 2021, and a total of three bids were received on April 7, 2021, ranging from a low of \$295,213. to a high of \$355,999. The lowest responsive and responsible bidder was Tetra Tech BAS, Inc., of Diamond Bar, California, with a bid amount of \$295,213. The Department of Public Works recommends that the Board of Supervisors award the contract to Tetra Tech BAS, Inc. and authorize the Director of Public Works to sign the contract – action requested - 1) AWARD THE CONTRACT TO TETRA TECH BAS, INC.; AND 2) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN THE CONTRACT. (Public Works)

- 3.20 Resolution Recognizing May 15, 2021 as Peace Officers Memorial Day and the Week of May 9 through May 15, 2021 as Police Week - May 9, 2020 through May 15, 2020 is National Peace Officer Memorial Week, a time to honor and remember those law enforcement officers who have died in the line-of-duty protecting their communities. In 2020, 14 California peace officers died in the line-of-duty, and 295 officers died nationally while protecting their communities, 182 of which were COVID-19 related. The 14 California officers will be memorialized in Sacramento and the 295 officers killed nationwide will be memorialized in Washington D.C. These memorial ceremonies are a time to remember the brave and dedicated peace officers who accept a job that is difficult and dangerous – action requested - ADOPT RESOLUTION AND AUTHORIZE CHAIR TO SIGN. (Sheriff-Coroner)
- 3.21 Agreement with California Department of Parks and Recreation and Resolution Authorizing an Application for the Division of Boating and Waterways (DBAW) Boating Safety and Enforcement Aid Program - The Sheriff's Office was awarded \$159,342 in grant funds from DBAW for year-round patrols of the Feather River, Sacramento River, and Lake Oroville. The Sheriff is charged with the enforcement of boating laws and regulations by means of vessel, foot, and vehicle patrol. Uniformed law enforcement personnel will provide year-round patrols on all waterways, provide education to the public on State and local boating laws, conduct vessel inspection programs for compliance with required safety equipment and vessel registration, as well as, provide supervision of on-the-water boating activities. The program funds a full-time uniformed Deputy Sheriff, a leased patrol vehicle, marine equipment, and supporting program services. The State requires the County to utilize annual boat tax revenue of \$102,573 prior to utilizing the grant funds. Boat tax revenue is used to partially fund a full-time Sheriff's Sergeant to oversee the water enforcement program. The State also requires a resolution in support of the Boating Enforcement Program. The term of the agreement is July 1, 2021 through June 30, 2022, not-to-exceed \$159,342 – action requested - 1) APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE 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

1. Reappointment to the Butte County Fish and Game Commission (Commission) - The Commission investigates and advises the Board of Supervisors of legislation, administrative regulations, and other matters affecting propagation of fish and game within the County. The Commission consists of five members, with each member representing each of the County's Supervisorial Districts. Each County Supervisor shall nominate one member to serve on the Commission, however all members shall be appointed by the full Board. Supervisor Kimmelshue recommends appointing Harold Hamman to the Commission as the District 4 Representative, with a term ending January 6, 2025. Mr. Hamman has previously served on the Commission since 1997 – action requested – APPOINT HAROLD HAMMAN TO THE BUTTE COUNTY FISH AND GAME COMMISSION AS THE DISTRICT 4 REPRESENTATIVE, WITH A TERM ENDING JANUARY 6, 2025. (Supervisor Kimmelshue, District 4)

2. Appointment to the In-Home Supportive Services Advisory Committee (Committee) - Established pursuant to Welfare and Institutions Code section 12301.2, the Committee provides recommendations and initiates proposals and forwards them to the Board of Supervisors on the preferred modes of service to be utilized in the County for in-home supportive services. Additionally, the Committee provides recommendations to any administrative body in the County that is related to the delivery and administration of in-home supportive services, including the governing body and administrative agency of the Public Authority, nonprofit consortium, contractor, and public employees. The Committee consists of 11 members composed of a combination of in-home supportive services recipients, providers, community/agency members, and/or County staff. The Committee recommends the Board of Supervisors appoint Carnella Marks as an Agency Representative with a term ending December 31, 2023 – action requested - APPOINT CARNELLA MARKS TO THE IHSS ADVISORY COMMITTEE AS AN AGENCY REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2023. (Employment and Social Services)
  
3. Appointment to the Butte County Children and Families Commission (First 5) - First 5 is part of a Statewide effort to create a seamless system of integrated and comprehensive programs and services by establishing community-based programs to provide parental education and family support services relevant to effective childhood development; encouraging pregnant women and parents of young children to quit smoking; and educating the public on the importance and the benefits of nurturing, health care, family support, and child care. First 5 is a nine member commission comprised of the following: One member of the Board of Supervisors, the Director of the Department of Public Health, the Director of the Department of Employment and Social Services, and six members appointed by the Board of Supervisors chosen from the following groups: recipients of project services as set forth in the County strategic plan; educators specializing in early childhood development; representatives of a local group for prevention or intervention for families at risk; representatives of community-based organizations that have a goal of promoting nurturing and early childhood development; Representatives of local school districts; representatives of local medical, pediatric, or obstetric associations or societies; the County Health Officer; representatives of a local child care resource or referral agency; a local child care coordinating group; or an elected official of local government. Currently, Supervisor Ritter serves on First 5 with a term ending June 30, 2021 – action requested - APPOINT A MEMBER OF THE BOARD OF SUPERVISORS TO FIRST 5, WITH A TERM ENDING JUNE 30, 2023. (Butte County Children and Families Commission)
  
4. Reappointments to the Pine Creek Cemetery District (District) - The District is an independent special district of the State of California, formed under Health & Safety Code, and approved by the Butte County Board of Supervisors in 1937 to provide a respectful, low-cost place of burial to meet the needs of the residents. The District owns and maintains the Cana Pine Creek Cemetery. The District is managed by three trustees appointed by the Board of Supervisors, who serve four-year terms. Members must be registered to vote within the District boundaries. Current Trustees J Knight, Dan Marron, and Philip Wilson have submitted applications to be reappointed to the District – action requested - 1) REAPPOINT J KNIGHT AS TRUSTEE TO THE DISTRICT, WITH A TERM ENDING APRIL 22, 2025; 2) REAPPOINT DAN MARRON AS TRUSTEE TO THE DISTRICT, WITH A TERM ENDING APRIL 22, 2025; AND 3) REAPPOINT PHILIP WILSON AS TRUSTEE TO THE DISTRICT, WITH A TERM ENDING APRIL 22, 2025. (Other – Pine Creek Cemetery District)

B. Board Member / Committee Reports and Board Member Comments

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

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

A. COVID-19 Update by the Public Health Director

B. Syringe Access / Harm Reduction Programs Update by the Public Health Director

C. North Complex Fire Recovery Update

4.03 Contract Amendment with California Locums, P.C. for Psychiatric Services - California Locums, P.C. is a physician recruiting agency that provides psychiatrists for placement at hospitals and clinics on a short-time basis. Due to the shortage of psychiatrists, the Department of Behavioral Health uses California Locums, P.C. to supply psychiatrists to work at various outpatient clinics either on site or via telehealth. These psychiatrists provide clinical psychiatric services. Additionally, this contract assists the Department in meeting the required level of mental health services available to the County. The Department recommends amending the contract with California Locums, P.C. for additional services in the current year. The amendment increases the maximum payable amount by \$1,065,000, not-to-exceed \$2,155,000. All other terms remain the same – action requested - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)

4.04 Direction for Amendments to Article 3 of the Zoning Ordinance, Agricultural Buffer Setbacks and Exceptions for Unusual Circumstances - On February 9, 2021, the Board of Supervisors conducted a workshop to review and provide direction to staff on the Zoning Ordinance, Article 3, section 24-84, Exceptions to Agricultural Buffer Setbacks. The workshop served as an opportunity to discuss the use of exceptions to the 300 foot Agricultural Buffer Setback, and issues that have arisen in processing exceptions. At the conclusion of the workshop, the Board of Supervisors gave initial direction to remove the ability to apply an exception to the Agricultural Buffer Setbacks to discretionary permits such as subdivision maps and use permits and continue the applicability of exceptions for ministerial permits, such as building permits. One additional issue that staff requests Board direction on concerns how roads that may be within a private easement, or that have dedicated right of way to the County, or another type of undevelopable feature that may factor into the measurement of the 300 foot Agricultural Buffer. Upon direction from the Board of Supervisors, staff will prepare an amendment to the Zoning Ordinance, and an update to the Agricultural Buffer Guidelines for future consideration by the Planning Commission and Board of Supervisors – action requested – 1) DIRECT STAFF TO AMEND THE ZONING ORDINANCE, ARTICLE 3, SECTION 24-84, EXCEPTIONS TO THE AGRICULTURAL BUFFER SETBACK, AND THE AGRICULTURAL BUFFER IMPLEMENTATION GUIDELINES (BOARD RESOLUTION NO. 08-166) BY REMOVING THE EXCEPTION ALLOWANCE AND UNUSUAL CIRCUMSTANCE PROCESS FOR DISCRETIONARY PERMIT APPLICATIONS; AND, 2) PROVIDE DIRECTION ON UTILIZING PRIVATE ROAD EASEMENTS OR DEDICATED RIGHT OF WAY, AND OTHER UNDEVELOPABLE FEATURES IN MEASURING THE WIDTH OF THE 300 FOOT AGRICULTURAL BUFFER. (Development Services / Agricultural Commissioner's Office)

- 4.05 Contract Amendment with Chico Housing Action Team (CHAT) to the Site License Agreement for a Portion of 556 Cohasset Road in Chico and Contract with CHAT for Project Delivery and Operations for Emergency Shelter Units - CHAT previously executed a long-term site license agreement with the County allowing it to occupy a portion of 556 Cohasset Road, Chico, for the purpose of delivering site improvements and emergency shelter services to the community. The Department of Behavioral Health recommends approval of an amendment to the site license agreement to update changes in insurance requirements, indemnification language, and the term and holdover dates. The change in term and holdover dates is to more closely align them with the anticipated commencement of services by CHAT. Additionally, the Department recommends entering into a Project Delivery and Operations Agreement, which defines how CHAT will work with the County in a collaborative, interactive, and iterative manner to ensure the improvements and emergency shelter units of the project are completed through the conceptualization, design and construction phases of the project. It is anticipated that CHAT will be able to provide between 20 to 30 individual emergency shelter units. The Department and CHAT are in the process of completing a separate agreement that defines the referral process for the individuals and further outlines the roles and responsibilities of each party for the project operations – action requested - 1) APPROVE CONTRACT AMENDMENT FOR THE SITE LICENSE AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE CONTRACT FOR EMERGENCY SHELTER UNITS AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
- 4.06 Overview of Point of Contact Agreement for Outreach Services - Point of Contact is a local non-profit organization dedicated to outreach that assists individuals experiencing homelessness locate a shelter, rehab, detox, or mental health treatment. Point of Contact conducts outreach by canvassing areas and making contact with individuals experiencing homelessness. The goal is to connect these individuals with various services, and provide a positive support system. The Department of Employment and Social Services will provide an overview of the Point of Contact contract to provide outreach and survey of homeless encampments throughout the greater Chico area – action requested - ACCEPT FOR INFORMATION. (Employment and Social Services)
- 4.07 Contracts with The Gordian Group, Inc. (Gordian) for Job Order Contracting (JOC) Services for the Departments of General Services and Public Works – Public Contract Code section 20128.5 allows the County to implement a 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 get projects completed. Contractors bid on the umbrella contract and, once awarded, prices are fixed for the term of the contract for any work performed. The Departments of General Services and Public Works solicited for the services of a JOC consultant to assist the County in soliciting for the best price umbrella contracts, and to assist the County in confirming work released under any umbrella contract is completed within the established price. Two proposals were received and the Departments recommend entering into two contracts with Gordian of South Carolina for JOC services; one contract is for General Services and the other is for Public Works. The term of each contract is May 3, 2021 through April 29, 2022, each not-to-exceed \$250,000. Funding is included within each project budget and payment to Gordian is based only on work completed under the umbrella contracts. If no work is completed under an umbrella contract, no fee is due to Gordian – action requested – 1) ACCEPT FOR INFORMATION; 2) APPROVE CONTRACTS (2) AND AUTHORIZE THE CHAIR TO SIGN; AND 3) DIRECT STAFF TO RETURN TO THE BOARD WITH JOC UMBRELLA CONSTRUCTION CONTRACTS. (General Services)

4.08 Resolution Regarding the Appointment and Tenure of the Butte County Members to the Northern Sacramento Valley Integrated Regional Water Management Governing Board - The County is a member of the Northern Sacramento Valley (NSV) Integrated Regional Water Management (IRWM) Group and appoints members to the NSV IRWM Board. In March 2020, the NSV IRWM Board adopted updated bylaws that changed the composition of the NSV IRWM Board. Changes reduced the number of appointees from each County from three to two, required an appointment of an alternate, and added two Tribal Representative members. These changes prompt a necessary reevaluation of the Butte County specific appointment criteria specified in Resolution No. 10-135. On March 3, 2021 the Butte County Water Commission reviewed the existing criteria and NSV IRWM Board bylaws and unanimously recommended the newly established criteria be as unrestrictive as possible allowing the Board of Supervisors to appoint a qualified individual with interest in the NSV IRWM who would therefore be more likely to participate regularly. The proposed resolution outlines criteria consistent with the Water Commission's recommendation and the current bylaws – action requested - ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Water and Resource Conservation)

4.09 Update on Water Issues - Department of Water and Resource Conservation will provide the Board of Supervisors with an update on the following water resource issues:

1. Sustainable Groundwater Management Act (SGMA) Implementation Status - The Groundwater Sustainability Plans are on track for completion by January 31, 2022. The Department will report on the status of Groundwater Sustainability Plan development with an emphasis on the Butte subbasin. Butte County is a groundwater sustainability agency in the Butte subbasin. The Department will provide the Board with a proposed framework for inter-basin coordination. The Department requests direction from the Board on what approach should be taken for interbasin coordination.
2. Miocene Canal - The Department will report on the status of PG&E's progress to restore water to the Miocene Canal. The Miocene Canal Workgroup held its tenth meeting on April 12, 2021. The Department will report on the outcome of the meeting.
3. Drought Conditions - The 2021 Water Year began on October 1, 2020 and will end on September 30, 2021. The 2021 Water Year is likely to be a critically dry year. The Department will provide the Board with an overview of the Butte County Drought Preparedness and Mitigation Plan and potential drought impacts in Butte County. A Drought Task Force meeting is scheduled for May 18, 2021. The meetings will be noticed and conducted per the Brown Act.

Action requested - PROVIDE DIRECTION, AS APPROPRIATE, REGARDING INTER-BASIN COORDINATION. (Water and Resource Conservation)

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

## 5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 9:30 AM – Public Hearings – Itemized Costs and Penalties Related to Nuisance Abatement to Record a Lien and Impose a Special Assessment
- A. Code Enforcement Case No. CE20-00653; 0 Bamford Way in Forbestown; APN: 073-300-017 - On October 20, 2020, a Hearing Officer declared a public nuisance existed on the property listed. 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 No. CE20-00653 at 0 Bamford Way in Forbestown (APN: 073-300-017) in the amount of \$82,960.49 (\$75,000 for penalties, and \$7,960.49 for cost recovery) – action requested – APPROVE THE PROPOSED LIEN OF \$75,000 AND A SPECIAL ASSESSMENT OF \$7,960.49. (Development Services)
  - B. Code Enforcement Case No. CE20-00804; 1021 Encina Grande Road in Berry Creek; APN: 061-590-001 - On September 23, 2020, a Hearing Officer declared a public nuisance existed on the property listed. 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 No. CE20-00804 at 1021 Encina Grande Road in Berry Creek (APN: 061-590-001) in the amount of \$30,543.22 (\$25,000 for penalties, and \$5,543.22 for cost recovery) – action requested - APPROVE THE PROPOSED LIEN OF \$25,000 AND A SPECIAL ASSESSMENT OF \$5,543.22. (Development Services)
  - C. Code Enforcement Case No. CE20-00535; 88 Hobble Bush Lane in Bangor; APN: 028-330-041 - On August 20, 2020, a Hearing Officer declared a public nuisance existed on the property listed. 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 No. CE20-00535 at 88 Hobble Bush Lane in Bangor (APN: 028-330-041) in the amount of \$128,314.81 (\$123,000 for penalties, and \$5,314.81 for cost recovery) – action requested – APPROVE THE PROPOSED LIEN OF \$123,000 AND A SPECIAL ASSESSMENT OF \$5,314.81. (Development Services)
  - D. Code Enforcement Case No. CE20-00842 at 0 Bardolino Lane in Oroville; APN: Number 072-200-034 - On October 6, 2020, a Hearing Officer declared a public nuisance existed on the property listed. 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 No. CE20-00842 at 0 Bardolino Lane, Oroville (APN: Number 072-200-034) in the amount of \$36,479.55 (\$31,500 for penalties, and \$4,979.55 for cost recovery) – action requested – APPROVE THE PROPOSED LIEN OF \$31,500 AND A SPECIAL ASSESSMENT OF \$4,979.55. (Development Services)
  - E. Code Enforcement Case No. CE20-00498; 0 Crystal Ranch Road in Feather Falls; APN: 071-270-024 - On August 12, 2020, a Hearing Officer declared a public nuisance existed on the property listed. 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 No. CE20-00498 at 0 Crystal Ranch Road in Feather Falls (APN: 071-270-024) in the amount of \$79,014.62 (\$69,500 for penalties, and \$9,514.62 for cost recovery) – action requested - APPROVE THE PROPOSED LIEN OF \$69,500 AND A SPECIAL ASSESSMENT OF \$9,514.62. (Development Services)

- 5.02     10:00 AM – Public Hearing – Appeal of Planning Commission's Approval of Conditional Use Permit UP18-0002 - Rick and Sheyenne Shanks, and Erick Shanks filed an appeal of the Planning Commission's February 25, 2021, approval of Condition Use Permit UP18-0002 (Old Durham Wood, Inc.). Conditional Use Permit UP18-0002 is a proposed amendment of approved Conditional Use Permits UP14-0002 and UP15-0005, for the Old Durham Wood facility, a green waste, composting, and firewood processing facility situated in the Agriculture, 40-acre minimum parcel size zone, located at 1156 Oroville-Chico Highway, in the unincorporated community of Durham, California; APN: 040-120-036 – action requested - 1) ADOPT A RESOLUTION DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT (UP18-0002) AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 5.03     11:30 AM – Timed Item - Community Wildfire Safety Plan Report from PG&E - Dan Blair, Local Government Relations from PG&E will provide the Board of Supervisors an update on PG&E's Community Wildfire Safety Plan and the Public Safety Power Shutoff program. Additional resources will be available to discuss adjunct services – action requested - ACCEPT FOR INFORMATION. (Other – PG&E)

**6.     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.

**7.     BOARD OF SUPERVISORS CLOSED SESSION**

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

- 7.01     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

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

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

**RECESS**

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

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**IN-HOME SUPPORTIVE SERVICES**  
**PUBLIC AUTHORITY BOARD AGENDA**  
**APRIL 27, 2021**

1. **CALL TO ORDER**

2. **CONSENT AGENDA** (NO ITEMS)

3. **REGULAR AGENDA** (NO ITEMS)

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

**RECESS**

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

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**THOMPSON FLAT CEMETARY DISTRICT**  
**BOARD OF TRUSTEES**  
**APRIL 27, 2021**

**1. CALL TO ORDER**

**2. CONSENT AGENDA (NO ITEMS)**

**3. REGULAR AGENDA**

- 3.01 Election of a Special District Regular Non-Enterprise Member and an Alternate Enterprise/Non-Enterprise Member to the Butte Local Agency Formation Commission (LAFCo) - LAFCo is calling for votes for one Special District Regular "Non-Enterprise" Member and one Special District Alternate Enterprise or Non-Enterprise Member to serve on LAFCo for a term beginning June 1, 2021 through May 31, 2025. Al McGreehan from the Paradise Recreation and Park District will hold the Regular "Non-Enterprise" seat until May 2021. Larry Bradley will hold the Alternate "Enterprise/Non-Enterprise" seat on the LAFCo until May 2021. The Thompson Flat Cemetery District Board of Trustees may vote for one member to the Regular "Non-Enterprise" seat on LAFCo. The two nominated candidates on the ballot are Dave Donnan (Chico Area Recreation and Park District) and Al McGreehan (Paradise Recreation and Park District). The Thompson Flat Cemetery District Board of Trustees may also vote for one member to the Alternate "Enterprise/Non-Enterprise" seat on LAFCo. The two nominated candidates on the ballot are Larry Bradley (Durham Recreation and Park District) and Bruce Wristen (Thermalito Water and Sewer District). Ballots are due to LAFCo no later than 4:00 pm, Friday, May 14, 2021 – action requested - 1) VOTE FOR ONE SPECIAL DISTRICT REGULAR NON-ENTERPRISE MEMBER TO LAFCO; AND 2) VOTE FOR ONE SPECIAL DISTRICT ALTERNATE ENTERPRISE OR NON-ENTERPRISE MEMBER TO LAFCO; OR 3) DECLINE TO VOTE. (General Services)

**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:  
Paul Gosselin

\*Elected Official

**Information and Procedures Concerning the Agenda and**  
**Board of Supervisors Meetings**

**Meeting Information:**

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

**Agenda Information:**

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

**Agenda Format and Meeting Order:**

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

1. **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 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