



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

MARCH 23, 2021

9:00 AM

MEMBERS OF THE BOARD

BILL CONNELLY, DISTRICT 1

DEBRA LUCERO, DISTRICT 2

TAMI RITTER, DISTRICT 3

TOD KIMMELSHUE, DISTRICT 4

DOUG TEETER, DISTRICT 5

ANDY PICKETT

CHIEF ADMINISTRATIVE OFFICER &

CLERK OF THE BOARD

MEETING LOCATION

BOARD OF SUPERVISORS CHAMBERS

25 COUNTY CENTER DRIVE, SUITE 205

OROVILLE, CALIFORNIA 95965-3380

BRUCE ALPERT, COUNTY COUNSEL

1. CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

3.01 Budget Adjustment and Grant Agreement with the Advocates for Human Potential (AHP) for Implementing California Hub and Spoke System in Chico - The AHP agreement provides funding to the Department of Behavioral Health to implement the California Hub and Spoke System to deliver opioid use disorder services. The Department was awarded State Opioid Response Round 2 funds as part of the ongoing State "Hub and Spoke" initiative to expand access to medication assisted treatment in California. Awardees are differentiated into "Hubs" and "Spokes." Under this program a "Hub" is defined as a Narcotics Treatment Program that specializes in treating patients with opioid use disorder and a "Spoke" is defined as other office based community medication assisted treatment providers. The Department will have the ability, within State guidelines, to continue to operations as a "Spoke" office providing medication assisted treatment services within the Chico community office. The Department recommends entering into a grant agreement with AHP. The term of the contract is October 1, 2020 through September 29, 2022, not-to-exceed \$416,000. This agreement funds two full time employees, extra help employees, residential treatment services, and staff training – action requested - 1) APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Behavioral Health)

- 3.02 Budget Adjustment and Grant Agreement Amendment with Advocates for Human Potential (AHP) for Implementing California Hub and Spoke System in Oroville – The AHP agreement provides funding to the Department of Behavioral Health to implement the California Hub and Spoke System to deliver opioid use disorder services. The Department was awarded State Opioid Response Round 2 funds as part of the ongoing State “Hub and Spoke” initiative to expand access to medication assisted treatment in California. Awardees are differentiated into “Hubs” and “Spokes.” Under this program a “Hub” is defined as a Narcotics Treatment Program that specializes in treating patients with opioid use disorder, and a “Spoke” is defined as other office based community medication assisted treatment providers. The Department will have the ability, within State guidelines, to continue to operate as a “Spoke” office providing medication assisted treatment services within the Oroville community office. The amendment to the original agreement is being made because AHP has separated the award for each service location under the main funding agreement. The original agreement and modification must be approved individually. The Department recommends amending the grant agreement AHP. The term of this modification agreement is October 1, 2020 through September 29, 2022, not-to-exceed \$264,000. This agreement funds one full time employee, extra help employees, residential treatment services, and staff training – action requested - 1) APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Behavioral Health)
- 3.03 Budget Adjustment and Grant Agreement with the Tulare County Superintendent of Schools (TCSS) to Support Extra-Help Staff in the Implementation of Friday Night Live (FNL) Problem Gambling Awareness and Marketing Campaigns - TCSS has an agreement with the California Office of Problem Gambling to administer project-based contracts. Through its California FNL partnership program, TCSS will provide funding to the Department of Behavioral Health to support extra-help staff in the implementation programs to reduce problem gambling. The sites that will implement this project are Fairview High School, Pleasant Valley High School, Chico High School, Oroville High School, Las Plumas High School, Gridley High School, Biggs High School, Youth Nexus, and Palermo Middle School. The target population is between 900 to 2,700 youth. The Department recommends entering into a grant agreement with the TCSS to the implementation of FNL Problem Gambling Awareness and Marketing Campaigns. The term of the agreement is September 15, 2020 through June 30, 2021, not-to-exceed \$27,000 – action requested - 1) APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Behavioral Health)
- 3.04 Adoption of an Ordinance Entitled “Ban on the Establishment and Operation of Needle Exchange or Distribution Programs” - The Board of Supervisors recognizes that the establishment and operation of needle exchange or distribution programs will increase improperly disposed needles which pose a serious risk to the public health, safety and welfare, given the potential for personal bodily injury, property damage, and contaminated waterways in the event of high-water levels. It is the purpose and intent of this Ordinance to ban the establishment, operation, engagement, use, and/or participation in needle exchange or distribution programs within the unincorporated areas of the County to protect the public health, safety, and general welfare of its residents. The Board of Supervisors considered the first reading of the ordinance on March 9, 2021 – action requested - ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Board of Supervisors)

- 3.05 Resolution Recognizing March 2021 as Women's History Month and Honoring Women who Served as Butte County Board of Supervisors - Supervisor Lucero recommends adopting a resolution recognizing March 2021 as Women's History Month and honoring the women who have served as members of the Butte County Board of Supervisors – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Supervisor Lucero, District 2)
- 3.06 Approval of Minutes for Board of Supervisors Meeting - Submitted for approval are the minutes for the January 26, 2021, February 9, 2021, and February 23, 2021 Board of Supervisors Meetings – action requested - 1) APPROVE THE JANUARY 26, 2021, BOARD OF SUPERVISORS REGULAR MEETING MINUTES AND AUTHORIZE THE CHAIR TO SIGN; 2) APPROVE THE FEBRUARY 9, 2021, BOARD OF SUPERVISORS REGULAR MEETING MINUTES AND AUTHORIZE THE CHAIR TO SIGN; AND 3) APPROVE THE FEBRUARY 23, 2021, BOARD OF SUPERVISORS REGULAR MEETING MINUTES AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.07 Budget Adjustment and Subrecipient Agreement with the Oroville Southside Community Improvement Association for a Mobile Hygiene Station - On May 26, 2020, the Board of Supervisors approved the submittal of a grant application through the California Housing and Urban Development Community Development Block Grant Program. The proposed grant activity included expansion of mobile hygiene services including showers, restrooms, and laundry services to individuals experiencing homelessness, with specific focus on those areas impacted by recent wildfires. The County received formal notification of grant approval from the State on March 2, 2021. The Oroville Southside Community Improvement Association provides mobile hygiene services through the Haven of Hope on Wheels (HOHOW). Through a subrecipient agreement, HOHOW will expand existing services to additional communities with an additional staff, and is anticipated to serve an additional 1,800 additional individuals experiencing homelessness in Butte County, with the exception of the CDBG entitlement communities of Chico and Paradise, over the next three years. County Administration recommends entering into an agreement with the Oroville Southside Community Improvement Association for mobile hygiene services. The term of the agreement is March 23, 2021 through March 23, 2024, not-to-exceed \$286,000– action requested - 1) APPROVE SUBRECIPIENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (County Administration)
- 3.08 Contract for Legal Services with the Contra Costa County Water Agency, Plumas County Flood Control and Water Conservation District; the Counties of Butte, Contra Costa, Plumas, San Joaquin, Solano, and Yolo; and the Law Office of Roger B. Moore - The County Counsel's Office recommends ratification of a contract for legal services with the Law Office of Roger B. Moore for representation to the agencies in the Delta Conveyance Project bond validation action filed on August 6, 2020 by the California Department of Water Resources. The hourly rates are: Principal \$325/hr. and Paralegal \$90/hr. – action requested - RATIFY CONTRACT. (County Counsel)

- 3.09 Fee Waiver Request from the Paradise Veterans Memorial Hall for Building Permit Fees – Commander Lawrence St. Germain on behalf of American Legion Post 259 in Paradise requests that the Board of Supervisors waive County building permit fees of approximately \$853, associated with the installation of a veterans memorial monument located at the Paradise Veterans Memorial Hall. County Code, section 1-18 states: “The Board of Supervisors may waive all or part of any fee set forth in the Butte County Code that they have the legal authority to waive, if the applicant is a public entity or non-profit charitable organization or if the Board finds that it is otherwise in the public interest to do so” – action requested - AUTHORIZE THE DEPARTMENT OF DEVELOPMENT SERVICES TO WAIVE THE BUILDING PERMIT FEES FOR THE AMERICAN LEGION POST 259 FOR THE INSTALLATION OF A MONUMENT LOCATED AT THE PARADISE VETERANS MEMORIAL HALL. (Development Services)
- 3.10 Resolution Recognizing March 2021 as Social Work Appreciation Month - The Department of Employment and Social Services recommends that the Board of Supervisors adopt a resolution recognizing March 2021 as Social Work Appreciation Month in Butte County – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
- 3.11 Resolution Authorizing Application and Acceptance of the Transitional Housing Program (THP) Allocation Award - The California Department of Housing and Community Development (HCD) has made \$8 million available to counties to help young adults 18 to 25 years secure and maintain housing with priority given to young adults formerly in the foster care or probation systems. The Department of Employment and Social Services will receive \$41,600 as part of a second round of allocations that will support THP. Funds must be expended by June 30, 2022. Use of funds may include, but are not limited to the following: 1) Identifying and assisting housing services for the young adults 18 to 25 years in the community; 2) Assisting young adults to secure and maintain housing; 3) Improving coordination of services and linkages to key resources across the community including those from within the child welfare system and the local Continuum of Care; and 4) Providing engagement in outreach and targeting to serve those with the most severe needs. On August 25, 2020, the Board of Supervisors adopted Resolution No. 20-101 accepting the allocation for THP. HCD has requested that the County amend the original resolution to reflect the allocation under Budget Act of 2020. The Department recommends the Board of Supervisors adopt a resolution rescinding and replacing Resolution No. 20-101 in order to correct the language at the request of HCD – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
- 3.12 Resolution Authorizing Butte County to Participate in the State Emergency Rental Assistance Program - The County received a direct federal allocation of \$6,516,780 to operate an ERAP as part of the federal Consolidated Appropriations Act 2021. Additionally, the State received \$2.6 billion for ERAP, of which a portion was allocated to Butte County. ERAP funds are intended to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic. The State allowed jurisdictions who received direct federal allocations to direct their funds to the State and have the ERAP administered by the State in a more centralized process. On February 9, 2021, the Board decided to participate in the State program. The Department of Employment and Social Services recommends the Board of Supervisors adopt a resolution authorizing the County to participate in the State-administered program and complete all documents required, including the standard agreement – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)

- 3.13 Contract Amendments with Record Xpress of California LLC for Document Shred and Storage Services - Record Xpress of California LLC provides confidential storage and paper waste shredding services at various Department of Employment and Social Services locations. Storage and shredding of paper waste is required for historical records and to maintain the integrity of client confidentiality. The Department recommends amending two contracts with Record Xpress of California LLC for document storage services and document shred services. Both amendments for storage and shred services extend the term of the contract by 12 months through January 31, 2022. The storage amendment increases the maximum payable by \$40,000 not-to-exceed \$160,000. The shred amendment increases the maximum payable by \$25,697, not-to-exceed \$101,027. All other terms remain the same – action requested - APPROVE CONTRACT AMENDMENTS (2) AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
- 3.14 Resolution to Amend the Salary Ordinance - The Department of Human Resources recommends the Board of Supervisors adopt a resolution amending the Salary Ordinance for the Probation Department as follows: Flexibly staff 1 vacant Senior Cook position to include Cook. This change will better suit the operational needs of the Department and may create savings in the Department's budget. Allocations to remain unchanged – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
- 3.15 Budget Adjustment and Capital Asset Purchase - Rubrik Backup Solution – The Department of Information Systems recommends the purchase of a data backup solution that will scale with the County's disaster recovery needs and provide additional protection from ransomware. The current backup solution provides limited cloud archives for disaster recovery; however, the Department has noticed service deterioration during recent server recovery operations and can no longer rely on the vendor's restoration service for fast recovery. The Department recommends the purchase of a Rubrik backup solution to substantially shorten recovery times, enhance flexibility of cloud backup storage, and provide additional protection from ransomware through immutable archives. Three bids were received with prices ranging from \$275,058 to \$305,045. The lowest bid was selected, and with sales tax and shipping the total cost of the new system is \$278,386. Included in the total cost is three years of product support. This price reflects more than a 50% cost savings for annual product support fees over the current system. The expense for the Rubrik backup solution will be accommodated by savings in the Department's budget and through the use of the Equipment Replacement Fund – action requested – 1) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED); AND 2) APPROVE CAPITAL ASSET PURCHASE. (Information Systems)
- 3.16 Blanket Purchase Agreements with Ed Brown Trucking, Pro Aggregate, Inc. and MoreTrucks, Inc. for Trucking Services - On February 2, 2021, the Department of Public Works issued an Invitation for Bids (IFB) for trucking services to haul aggregate materials for chip seal projects, gravel road maintenance, asphalt delivery, landfill projects and for debris resulting from local storms and emergencies that do not receive a state or federal declaration. The Department anticipated awarding an agreement to more than one vendor and included language in the IFB allowing the selection of more than one vendor if it was in the best interest of the County. On February 16, 2021, the Department received three valid bids from Ed Brown Trucking, Pro Aggregate, Inc. and MoreTrucks, Inc. The Department recommends entering into an agreement with Ed Brown Trucking, Pro Aggregate, Inc. and MoreTrucks, Inc. for trucking services. Ed Brown Trucking was the lowest bid and cost will continue to be a determination in prioritizing contract usage. The term of each agreement is March 23, 2021 through March 23, 2026, not-to-exceed \$250,000. Entering into an agreement with all three contractors will increase the amount of trucking resources available to the Department, providing an increase in productivity and efficiency – action requested - APPROVE BLANKET PURCHASE AGREEMENTS (3) AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

- 3.17 Notice of Completion for the Pulga Metal Beam Guard Rail (MBGR) Replacement Project - On October 27, 2020, the Board of Supervisors awarded the Pulga Road MBGR Replacement Project to Dirt and Aggregate Interchange, Inc. of Fairview, Oregon. The project provided for the removal and replacement of 0.34 miles of metal beam guardrail damaged during the Camp Fire near the community of Pulga. The contract award amount was \$357,500. All contract work is completed in accordance with the project plans and specifications at a total cost of \$305,256.25 – action requested - ACCEPT THE CONTRACT WORK AS COMPLETE AND AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION. (Public Works)
- 3.18 Contract Amendment with Waste Tire Products (WTP) for Tire Removal and Recycling Services at the Neal Road Recycling and Waste Facility (NRRWF) - The NRRWF recycles source-separated tires and receives an average of 450 tires per month. The average increased in 2020 to 660 tires per month. Pursuant to the solid waste facility permit issued by CalRecycle, the NRRWF is allowed to store up to 500 tires. On January 9, 2020, the Department of Public Works released a solicitation for the removal of waste tires from the NRRWF. Two bids were received on January 23, 2020 and WTP of Orland was the lowest bidder. The Board of Supervisors previously approved a contract with WTP to provide these services. The Department recommends amending the existing contract with WTP to continue providing tire removal and recycling services at the NRRWF. The contract amendment increases the maximum amount payable by \$160,000, not-to-exceed \$280,000. All other terms remain the same including the expiration date of February 11, 2023 – action requested - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.19 Resolution Recognizing Trina Wehle Upon her Retirement - The Sheriff's Office recommends the Board of Supervisors adopt a resolution recognizing Trina Wehle on the occasion of her retirement after 30 years of service to Butte County – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff-Coroner)
- 3.20 Memorandum of Understanding (MOU) with the City of Chico for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Distribution and Budget Adjustment - The City of Chico and the Butte County Sheriff jointly applied for funds under the JAG Program. The City of Chico is the designated grant administrator, and it receives the funds and then enters into an MOU to disburse the funds. The Sheriff's Office recommends entering into an MOU with the City of Chico for distribution of JAG funds. The term of the grant is October 1, 2019 through September 30, 2023, in the amount of \$42,666. The Chico Police Department will receive \$28,265 to purchase software and chairs for their detective bureau. The Sheriff's Office will receive \$14,401 to fund the purchase of specialized uniforms, personal protective equipment, and trauma kits for the SWAT team – action requested - 1) APPROVE MOU AND AUTHORIZE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (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. Reappointments to the Butte County Fair Association Board of Directors - The Butte County Fair Association Board of Directors acts in an advisory capacity to the Board of Supervisors regarding the conduct and management of the fairgrounds and the Butte County Fair. The Board of Directors consists of eight members appointed by the following: one resident from within Supervisorial District boundaries 1, 2, 3, and 5 appointed by the corresponding District Supervisor, for a total of 4 members; and four residents from within Supervisorial District 4, appointed by the District 4 Supervisor. The term of each Board of Director shall coincide with the term of the appointing Board of Supervisor member. Supervisor Connelly nominates Amy Jernigan as the District 1 Representative, with a term ending January 6, 2025. Mrs. Jernigan has served on the Board of Directors since 2013. Supervisor Kimmelshue nominates Tom Donati, Leigh Ann Jones, and Dax Kimmelshue as the District 4 Representatives, with all terms ending January 6, 2025. Mr. Donati has served on the Board of Directors since 1989; Mrs. Jones has served on the Board of Directors since 2009; and Mr. Dax Kimmelshue has served on the Board of Directors since 2017 – action requested - 1) REAPPOINT AMY JERNIGAN TO THE BOARD OF DIRECTORS, WITH A TERM ENDING JANUARY 6, 2025; 2) REAPPOINT TOM DONATI TO THE BOARD OF DIRECTORS, WITH A TERM ENDING JANUARY 6, 2025; 3) REAPPOINT LEIGH ANN JONES TO THE BOARD OF DIRECTORS, WITH A TERM ENDING JANUARY 6, 2025; AND 4) REAPPOINT DAX KIMMELSHUE TO THE BOARD OF DIRECTORS, WITH A TERM ENDING JANUARY 6, 2025. (Board of Supervisors – Supervisor Connelly, District 1; and Supervisor Kimmelshue, District 4)

2. Appointment to the Butte County Airport Land Use Commission (ALUC) - ALUC was created by the State of California as found in Public Utilities Code Section 21674, and is tasked with protecting the public health, safety, and welfare by ensuring the orderly expansion of airports in the County and the adoption of land use measures that minimize public exposure to excessive noise and safety hazards within areas around public airports. ALUC is a seven member commission comprised of the following: two members appointed by the Board of Supervisors; two members by the City Selection Committee; two members representing the airports within the county appointed by a selection committee comprised of the managers of all the public airports within the County; and one member representing the general public appointed by the other six members of ALUC. While all members are appointed to four year terms, members of ALUC continue to serve until their successor is appointed. The Department of Development Services recommends that the Board of Supervisors reappoint Jim Ledgerwood, who currently serves on ALUC, and appoint George Arvonen, both with a term ending on May 5, 2025 – action requested - 1) REAPPOINT JIM LEDGERWOOD TO ALUC WITH A TERM ENDING ON MAY 5, 2025; AND 2) APPOINT GEORGE ARVONEN TO ALUC WITH A TERM ENDING ON MAY 5, 2025. (Development Services)

3. Appointment to the Library Advisory Board (LAB) - The Board of Supervisors established the LAB through Resolution No. 02-006 to provide the following: update and annually maintain a strategic plan for the Butte County Library; develop and maintain a long range library financial plan; advise the Board of Supervisors on issues and trends impacting the Library; monitor technology that will affect the operation of the Library and provide guidance to the Board of Supervisors; develop and oversee public relations campaigns in support of the Library; and encourage in every possible way the development and advancement of the public library system. The LAB is an 11 member board composed of two members from each supervisorial district for a total of 10 members, and the County Librarian who serves as a non-voting member. All members of the LAB are nominated by the County Librarian and appointed by the Board of Supervisors. The County Librarian recommends the Board of Supervisors appoint Hilary Herman to the LAB as the District 4 representative, with term ending January 6, 2025 – action requested - APPOINT HILARY HERMAN TO THE LAB AS THE DISTRICT 4 REPRESENTATIVE, WITH A TERM ENDING JANUARY 6, 2025. (Library)

4. Appointment to the Biggs-West Gridley Water District (District) Board of Directors – On January 14, 2021, an office seat was forfeited leaving a vacancy on the District Board of Directors. The District Board of Directors was unsuccessful in appointing a candidate from the four individuals that applied for this vacant seat. Pursuant of Government Code section 1780(f), if the vacancy is not filled by the District Board of Directors by appointment, the Board of Supervisors may appoint a candidate within 90 days of the date of vacancy (April 14, 2021), or order the District to hold an election. If the Board decides to order the District hold an election, the election will be conducted by the District and not the County Elections Office. The following individuals have expressed interest for filling the vacant seat by applying to the District: Clark Becker, Cheryl A. Gorden, Douglas Rudd, and Eric J. Sligar. The term will run until the results of the November 2021 District election are certified. If the appointee wishes to continue in office, they must run for a two-year term in the November 2021 District election_– action requested – 1) MAKE AN APPOINTMENT TO THE BIGGS-WEST GRIDLEY WATER DISTRICT; OR 2) ORDER AN ELECTION PURSUANT TO GOVERNMENT CODE SECTION 1780(f). (Other – Biggs-West Gridley Water District)

THIS ITEM WAS INCLUDED ON THE SUPPLEMENTAL AGENDA RELEASED FRIDAY, MARCH 19, 2021

B. Board Member / Committee Reports and Board Member Comments

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

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

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

- B. North Complex Fire Recovery Update

- C. Camp Fire Recovery Update

- 4.03 Letter of Opposition for Assembly Bill 1344 - State Department of Public Health: Needle and Syringe Exchange Services - At the request of Supervisor Kimmelshue, staff prepared a letter in opposition of Assembly Bill 1344 - State Department of Public Health: needle and syringe exchange services. AB 1344 would exempt Syringe Exchange Programs authorized by the California Department of Public Health, from complying with the California Environmental Quality Act (CEQA) review process – action requested - APPROVE LETTER OF OPPOSITION AND AUTHORIZE THE CHAIR TO SIGN. (Supervisor Kimmelshue, District 4)
- 4.04 Letter of Opposition for Proposed Changes to California Code of Regulations, Title 17, Section 7000, 7002 and 7014 as proposed by the California Department of Public Health Regarding Syringe Exchange Regulatory Consistency – At the request of Supervisor Kimmelshue, staff prepared a letter in opposition of proposed changes to the California Code of Regulations, Title 17, Section 7000, 7002 and 7014 as proposed by the California Department of Public Health (CDPH) regarding syringe exchange regulations. Such changes would exempt the CDPH from adhering to any local ordinances or land use decisions with regard to Syringe Exchange Programs – action requested - APPROVE LETTER OF OPPOSITION AND AUTHORIZE THE CHAIR TO SIGN. (Supervisor Kimmelshue, District 4)
- 4.05 Employment Agreement Amendment for County Counsel – County Administration recommends the approval of the eighth amendment to the employment agreement for County Counsel Bruce S. Alpert. This amendment extends the term of the agreement by one year and does not provide for any change in salary or benefits. Annual salary remains at \$231,943. The term of this amendment is May 1, 2018 through April 30, 2022 – action requested - APPROVE EMPLOYMENT AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN. (County Administration)
- 4.06 2020 Butte County General Plan and Housing Element Annual Progress Reports (APR) - California Government Code 65400 mandates that counties submit an APR to legislative bodies, the Governor's Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD) by April 1 of each year. The General Plan APR provides the Board of Supervisors and the public with information regarding the implementation of the General Plan and informs the public on the progress in meeting community goals. California's Housing Element law acknowledges that in order for the private market to adequately address the State's housing needs, local governments must adopt plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, housing policy rests largely on the effective implementation of local general plans and housing elements. The Housing Element APR must be submitted to OPR and HCD by April 1 of each year. HCD requires this report to be in their table format for reporting consistency. The report is focused on housing permits issued, sorted by State affordability categories. Using the State criteria for 2020, there were a total of 342 permits issued in Butte County with 159 of those as "Moderate" and 183 as "Above Moderate". Butte County's average for housing permits issued over the past three years is approximately 150 – action requested - ACCEPT FOR INFORMATION. (Development Services)

- 4.07 Board of Forestry (BOF) Rule Making for Development in the High Fire Severity Areas - The BOF began the rule making process to amend the Fire Safe Regulations that establish the State rules and regulations for developing in the State Responsibility Area. As of July 1, 2021, the existing Fire Safe Regulations will also apply in the Local Responsibility Area. In 2020, with the use of the emergency rule making process, the BOF amended the regulations to specifically exempt Accessory Dwelling Units and some aspects of wildfire rebuilds. These emergency regulations are in place until the BOF replaces them with permanent rule making. BOF staff has been working on the latest draft regulations since the fall of 2020 and plans to move the regulations forward this year. The Department of Development Services and Fire Department staff have been participating in stakeholder conversations and monitoring the progress of the proposed regulations. The draft regulations are still being revised. Staff will update the Board of Supervisors on the status of the regulations – action requested - PROVIDE DIRECTION TO STAFF. (Development Services)
- 4.08 Memorandum of Understanding (MOU) for Inter-Agency System of Care for Children, Youth, and Families - As required by Assembly Bill 2083 (Foster youth: trauma-informed system of care), the Inter-Agency System of Care MOU seeks to ensure a coordinated, integrated, and effective delivery of services for children, youth and families. The partner agencies (Butte County Departments of Probation, Employment and Social Services, Behavioral Health, and Public Health, as well as Butte County Office of Education, Butte County Superior Court, Far Northern Regional Center, and local tribes) have been designated to provide oversight and accountability for certain State and federally funded programs and services, and to otherwise act as a coordinating council and planning body related to the programs and services. The partner agencies agree that consistent interdepartmental and inter-agency leadership is essential to successful collaboration on behalf of youth and families. The goal of this MOU is to address systemic barriers to the traditional provision of inter-agency services. It is the intent of the agency partners to create a single service plan and maintain an administrative team with collaborative authority over the interrelated child welfare, juvenile justice, education, and mental health children's services. The agencies do not delegate their legal authority with respect to any core function or power of their agency, office, department or position. The agency partners are not establishing policies that are intended to be averse to any relevant agency-wide policies, rules, or agreements. Rather, it is the intent of the agency partners to fully support the structure and processes contained in this MOU and to provide the framework that will guide their operations and the activities, decisions, and direction of each of their employees regarding children, youth and family programming. The Department of Employment and Social Services recommends entering into this inter-agency MOU to provide the aforementioned services collaboratively with other agency partners. The term of the non-financial MOU is July 1, 2020 through June 30, 2023 – action requested - APPROVE THE MOU AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
- 4.09 Budget Adjustment - Golden State Grant (GSG) Program for CalWORKs Families - On February 17, 2021, the State announced the GSG Program to be made available to eligible CalWORKs households. The program will aid California households that have endured an economic burden because of the COVID-19 Pandemic. The GSG Program will provide a one-time \$600 relief payment to eligible CalWORKs households through the Statewide Automated Welfare System (SAWS). SAWS will process payments on March 27, 2021, making funds available before mid-April. Butte County has approximately 2,000 CalWORKs households eligible to receive the \$600 one-time payment for an estimated total cost of \$1,200,000 to be fully funded by State and federal funds. The Department of Employment and Social Services recommends approving the budget adjustment to increase the appropriations by \$1,200,000 for the GSG Program for CalWORKs households – action requested - APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Employment and Social Services)

- 4.10 Budget Adjustment - COVID-19 Response Expenses for Project Roomkey – In response to the COVID-19 pandemic, Butte County, through Project Roomkey, has been providing non-congregate sheltering in hotel rooms, meal delivery, and other essentials to vulnerable individuals experiencing homelessness. To cover costs incurred to date, the Departments of General Services, Employment and Social Services, and County Administration recommend a budget adjustment from General Fund Appropriation for Contingencies in the amount of \$3,000,000. It is expected that an additional budget adjustment will be needed for ongoing expenses, and anticipated that the County will receive emergency reimbursement for these expenditures. The current General Fund Appropriations for Contingencies balance is \$3,867,213 – action requested - APPROVE BUDGET ADJUSTMENT FROM GENERAL FUND APPROPRIATION FOR CONTINGENCIES (4/5 VOTE REQUIRED). (General Services, Employment and Social Services, and County Administration)
- 4.11 Contracts for On-Call Professional Land Surveying Services - The removal of FEMA eligible hazard trees from County right-of-way in the North Complex Fire footprint by CalOES was approved on February 24, 2021. To facilitate the removal efforts by CalOES, the County needs to delineate the public road right-of-way. The Department of Public Works lacks staff capacity to complete the right-of-way delineation in the required time frame and contract support is needed. The Department recently solicited a Request for Qualifications to provide various land surveying services for up to five years on an on-call, as-needed basis with work performed on a task order basis. The Department received 11 Statement of Qualifications from land surveying firms and were evaluated and ranked based on experience, capacity, and overall professional qualifications consistent with County Code. Based on the level effort for the removal of hazard trees for North Complex Fire, the Department is requesting approval of six on-call agreements to the following firms: 1) R.E.Y. Engineers from Folsom; 2) BKF Engineers from Sacramento; 3) Psomas from Auburn; 4) NorthStar from Chico; 5) Rolls Anderson and Rolls from Chico; and 6) RFE Engineers from Roseville. Typically, the Department requests contract execution by the Chair of the Board of Supervisors. With an impending deadline to perform this work and the need to expedite contract execution, the Department requests approval of template contracts which will allow the Department to expedite the work. The final versions of each template contract require additional approvals by both County Counsel and Public Works staff. Any substantive changes proposed by individual firms would be brought back to the Board and approved by subsequent action. The term of each agreement is four years from date of execution, not-to-exceed \$400,000 – action requested - APPROVE CONTRACTS (6) AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 4.12 Employment Agreement Amendment for Chief Deputy District Attorney - The District Attorney recommends amending the employment agreement for Chief Deputy District Attorney Mark Murphy. This amendment does not provide for any change in salary or benefits. Annual salary remains at \$186,971.20. The term of this amendment is from March 27, 2018 through September 30, 2021 – action requested - APPROVE EMPLOYMENT AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (District Attorney)
- 4.13 Update on Water Issues - The Department of Water and Resource Conservation will provide the Board of Supervisors with an update on the following water resource issues:
- 1) Miocene Canal - The Department and the District Attorney Ramsey will report on the status of PG&E's progress to restore water to the Miocene Canal from their settlement of involuntary manslaughter charges resulting from the Camp Fire.

- 2) 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 in the Vina, Wyandotte Creek and Butte subbasins.
- 3) Northern Sacramento Valley Integrated Regional Water Management (NSV IRWM) Board Appointment Criteria - The Department will discuss the recommendation from the Water Commission on proposed criteria for appointing the second Butte County member to the NSV IRWM Board.
- 4) 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.
- 5) Brown Bag Seminar Series - On March 10th the Department hosted a seminar on three analyses of land use changes in Butte County. The Department plans to hold seminars on other topics in the future.

Action requested - PROVIDE DIRECTION TO STAFF. (Water and Resource Conservation)

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

- 4.15 Discussion on Community Project Funding Program and County Project Priorities - Congress is in the process of reinstating a form of community project funding, previously referred to as earmarks, this coming fiscal year. The process provides funding directly to certain local projects in the annual federal appropriations bills. Congressional representatives from the House are required to submit projects for consideration by the week of April 26, 2021, and are limited to submitting 10 projects for the district they represent. Similar deadlines are expected to be set for the Senate as well. Funds for projects must be spent within the federal fiscal year (by September 30, 2022) and can target a variety of issue areas including transportation, water and sewer infrastructure, natural resources, public safety, broadband, flood control, education, health and human services, and workforce development. It is anticipated that projects which address disaster mitigation or recovery, economic recovery and development, climate resiliency, and environmental justice will be priorities. Staff have prepared a list of potential projects for consideration – action requested – 1) DIRECT STAFF TO RETURN TO THE BOARD ON APRIL 13 WITH MORE INFORMATION ON PARTICULAR PROJECTS; OR 2) DIRECT STAFF TO SUBMIT A LETTER OF SUPPORT FOR SPECIFIC PROJECTS. (County Administration)

****THIS ITEM WAS INCLUDED ON THE SUPPLEMENTAL AGENDA RELEASED FRIDAY, MARCH 19, 2021****

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 9:30 AM – Public Hearing - Inmate Access by U.S. Immigration and Customs Enforcement (ICE) Agents - Pursuant to California Government Code section 7283.1(d), the Board of Supervisors will hold a public hearing to receive information from the Sheriff regarding access to individuals housed in the Butte County Jail, by agents of the U.S. Immigration and Customs Enforcement. The Board will also receive and consider public comment related to this issue – action requested – ACCEPT FOR INFORMATION. (Sheriff-Coroner)

- 5.02 9:40 AM– Timed Item – Medi-Cal Managed Care Model Transition - In 2013, the State transitioned Butte County from a Medi-Cal Fee for Service (FFS) model to a Medi-Cal Managed Care Plans (MCPs) model. Under the MCPs model, approximately 64,000 Butte County Medi-Cal beneficiaries are assigned to a health plan who contracts with health care providers and hospitals to provide care to the beneficiaries. Payments to contracted health care providers and hospitals are made by the health plans. At the time that MCPs were expanded to rural counties, Butte County was placed in the "Regional Expansion" model which included 18 counties. There are six State approved models. After several years of experience with the regional expansion model and review of other models, it has become evident that Butte County Medi-Cal recipients and health care providers would be better served to transition to a County Organized Health System (COHS) operated by Partnership HealthPlan of California (PHC). PHC is a COHS that has consistently received higher quality scores than other plans. Along with providing health care, they work to improve the coordination of care, conduct outreach to enroll uninsured populations and support population based initiatives. The Department of Public Health recommends the Board of Supervisors authorize the Chair to sign the joint letter of intent to submit to the State Department of Health Care Services showing Butte County's intent to transition to the PHC COHS model, along with 10 other counties – action requested - AUTHORIZE CHAIR TO SIGN JOINT LETTER OF INTENT. (Public Health)

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

- 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

7.03 Actual Litigation Pursuant to Government Code Section 54956.9(d)(1):

A. *California Open Lands, a Non Profit Land Trust Organization v. Butte County Department of Public Works, et al.*; USDC - Eastern District Court Case No. 2:20-CV-00123-KJM-DMC.

RECESS

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

IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD AGENDA
MARCH 23, 2021

1. CALL TO ORDER

2. CONSENT AGENDA

- 2.01 Contract Amendment with Liebert Cassidy Whitmore for Butte County In-Home Supportive Service (IHSS) Public Authority (PA) Labor Negotiations – Liebert Cassidy Whitmore provides legal services to the IHSS PA for labor negotiations. These services include consulting, representation, and legal services pertaining to IHSS PA employment relations matters. The Department of Employment and Social Services recommends amending the contract with Liebert Cassidy Whitmore to modify the rate sheet, extend the term of the contract by two years through March 27, 2023, and increase the maximum payable amount by \$40,000, not-to-exceed \$100,000. All other terms remain the same – action requested - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)

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

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, you can do so by following the public comment protocol which can be found at bcadmin.net/PublicComment. 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 public 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. Due to COVID-19, the Board of Supervisors Chambers is closed to members of the public. For the latest information on how to submit public comment and/or participate virtually at the meeting, visit bcadmin.net/meetings or contact the Clerk of the Board. 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 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.

Clerk of the Board of Supervisors
County Administration Office
25 County Center Drive, Suite 200, Oroville, CA 95965
530.552.3300