



BUTTE COUNTY BOARD OF SUPERVISORS

Regular Meeting Agenda

March 14, 2023

8:00 AM

ANDY PICKETT,
CHIEF ADMINISTRATIVE
OFFICER
CLERK OF THE BOARD

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

MEMBERS OF THE BOARD

BILL CONNELLY,
DISTRICT 1

PETER DURFEE,
DISTRICT 2

TAMI RITTER,
DISTRICT 3

TOD KIMMELSHUE,
DISTRICT 4

DOUG TEETER,
DISTRICT 5

BRAD STEPHENS,
COUNTY COUNSEL

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1. CALL TO ORDER

[Pledge of Allegiance](#)

[Observation of a Moment of Silence](#)

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

Item 3.07 has been removed from the Consent Agenda to come at a later date.

Item 3.09 the budget adjustment recommended the amount of \$30,846, the amount should read \$30,846.

Item 4.03 should read that there are three resolutions to be adopted and signed, not four.

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

Action: Adopt the Consent Agenda with the exception to item 3.07, which was removed, and the corrections to item 3.09.

Motion: Supervisor Teeter
Seconded: Supervisor Ritter

Motion passed unanimously.

- 3.01 Grant Agreement with California Department of Health Care Services (DHCS) for Behavioral Health Continuum Infrastructure Program (BHCIP) Grant through Advocates for Human Potential, Inc. (AHP)

In January, 2022, the DHCS through its agent, AHP has awarded a grant in the amount of \$150,000 to Butte County. This BHCIP grant is one in a series of grants to facilitate the expansion of Behavioral Health infrastructure. Butte County's award will allow the Department of Behavioral Health to conduct the planning and research required to move forward in the next phase of the grant series which will be to acquire and/or rehabilitate real estate assets or to invest in needed mobile crisis infrastructure. A new facility and infrastructure will increase capacity with more beds, units or rooms across treatment and rehabilitation programs and aim to reduce homelessness, incarceration, unnecessary hospitalizations, and inpatient days and improve outcomes for people by expanding access to community-based treatment. Due to a multitude of delays with negotiations on the grant funding agreement, the Department recommends the Board of Supervisors approve the grant agreement post expiration with concurrent action to approve an amendment extending the term of the grant. Upon execution of both grant agreement and amendment, the Department will receive grant monies. The term of the agreement is January 1, 2022 through December 31, 2022, for a total amount of \$150,000. The amendment extends the term through March 31, 2023. All other terms remain the same. (Behavioral Health)

Action Requested - APPROVE GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

Staff Report

- 3.02 Budget Amendment for Hazard Mitigation Grant Program (HMGP): Fire Protection and Prevention: Community Education

Hazard Mitigation Grant Program (HMGP) funds are made available after federally declared disasters to fund mitigation projects that will prevent future disasters. In addition, HMGP projects require a commitment of local funds for the 25% local match. On June 8, 2021 Butte County Office of Emergency Management (OEM) brought multiple HMGP funding opportunities to the Board of Supervisors for approval of the use of PG&E Settlement funds. At that time the Board approved the use of \$125,000 for the HMGP Fire Protection and Prevention: Community Education. On July 1, 2022 OEM received Notification of Sub-application approval from California Governor's Office of Emergency Services (Cal OES), allowing OEM to begin accruing costs on the HMGP Fire Protection and Prevention: Community Education grant. The total approved grant application is \$524,964.80. OEM requests the funds be appropriated for the following purposes for FY22-23: \$44,000.00 Consultant expenses (subject to the 25% cost share); and \$6,566.00 Administration

and Butte Fire personnel costs (100% reimbursable). OEM requests that the Board of Supervisors approve the budget adjustment in the amount of \$61,566.00. (County Administration)

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

Staff Report

3.03 Indigent Defense Contract

The County is required by State and federal law to provide an attorney for persons charged with a crime or in other special circumstances if they cannot afford an attorney. Butte County contracts this service with a consortium of local attorneys who provide full service public defender work. The consortium has been an effective component of the criminal justice system, and has the support of the Superior Court Bench, District Attorney, Chief Probation Officer, and Sheriff. The consortium has also been a cost effective model for the County, providing a high level of service for substantially less than similar counties pay. The County contracts with 18 full-time attorneys and 2 half-time attorneys in the consortium. Ryan Lamb, who served as a full-time attorney, resigned effective February 28, 2023. The consortium selected Larry Pilgrim to serve as a full-time attorney to fill the role held by Mr. Lamb. County Administration recommends entering into a contract with Larry Pilgrim for indigent defense services. The term of the contract is March 15, 2023 through June 30, 2024; not-to-exceed \$206,840.68, which is \$13,345 per month with the exception of March, which is \$6,672.28. (County Administration)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.04 2022 General Plan and Housing Element Annual Progress Report

The 2022 Butte County General Plan and Housing Element Annual Progress Reports are attached for the Board of Supervisors information. Both reports will be transmitted to the state prior to April 1, 2023 in accordance with state law. California Government Code 65400 mandates that all counties submit an annual progress report (APR) on the status of the General Plan and progress on its implementation to their legislative bodies, the Governor's Office of Planning and Research, and the Department of Housing and Community Development by April 1 of each year (covering the previous calendar year). The General Plan APR provides the Board and the public with information regarding the implementation of the General Plan and informs the public on the progress in meeting community goals. The Housing Element APR is focused on housing permits issued by State affordability categories and other data categories. (Development Services)

Action requested - ACCEPT FOR INFORMATION

Staff Report

3.05 Resolution Recognizing March 2023 as Social Worker Appreciation Month

The Department of Employment and Social Services recommends that the Board of Supervisors adopt a resolution recognizing March 2023 as Social Worker Appreciation Month in Butte County. (Employment and Social Services)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-023

Supervisor Ritter read the resolution. Shelby Boston, Director of Employment and Social Services, spoke and accepted the resolution.

3.06 Contract with REM Construction, Inc. for Front Lobby and Security Remodel at 78 Table Mountain Boulevard

The front lobby and security remodel at the Department of Employment and Social Services location, 78 Table Mountain Boulevard, is an improvement project that will relocate the reception area and security office to increase safety for clients and Department staff. The project will also improve the flow of traffic in the facility and make it easier for visitors to locate and receive services. On January 4, 2023, the Department published a formal invitation for bids for the project. A total of three bids were received ranging in cost from \$729,080 to \$865,350. The lowest bidder was found to be non-responsive. The lowest bid of responsive bidders was \$789,183. The Department recommends that the Board of Supervisors approve the plans and specifications which are available for review at 202 Mira Loma Drive, execute a contract with REM Construction, Inc., the lowest, responsive bidder, and appoint the Department Director as the Officer of the project. The term of contract with REM Construction, Inc. to complete the front lobby and security remodel at 78 Table Mountain Boulevard is March 13, 2023 through May 31, 2023, not-to-exceed \$789,183. (Employment and Social Services)

Action requested - 1) APPROVE THE PLANS AND SPECIFICATIONS AND AUTHORIZE THE CHAIR TO SIGN; 2) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN; AND 3) APPOINT THE DEPARTMENT DIRECTOR AS THE OFFICER OF THE PROJECT

Staff Report

3.07 Budget Adjustment for Capital Asset Purchase

The Department of Information Systems performs routine maintenance and repairs to radio towers and vault sites in remote and difficult to access locations. The Department is in need of a vehicle that can access these sites, especially when responding to emergency maintenance situations. The FY 2022-23 Adopted Budget includes capital asset authority to purchase a \$65,000 off road vehicle. When the Department was ready to purchase the vehicle, it was discovered that only a portion of the cost of the vehicle (\$15,000) was included in the budget. After reviewing the available fund balance in the Information Systems Equipment Replacement Fund, it has been determined that there is available fund balance to

make up the \$50,000. The Department recommends the Board of Supervisors approve a budget adjustment using fund balance to increase appropriations by \$50,000 in the Information Systems Equipment Replacement Fund. (Information Systems)

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

Staff Report

Item 3.07 was removed from the Consent Agenda to come at a later date.

3.08 Library Budget Adjustment

The Library Department received \$80,000 in Library Services and Technology Act (LSTA) grant funds from the California State Library for the purchase of eBooks. The use of eBooks and eAudio books has increased in recent years, with these additional funds the library will be able to expand the eBooks collection for Butte County patrons. (Library)

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

Staff Report

3.09 Budget Adjustment and Contract with Carpets Galore, Inc. for Carpet Replacement

The State approved funding to provide counties with grants for juvenile facility improvements. The purpose of the grant is to repair county youth facilities and/or enhance the ability for counties to provide rehabilitative programs and services for realigned youth, including youth assigned to secure youth treatment facilities. In August, the Butte County Probation Department received \$1,131,682 in one-time funding from County Operated Juvenile Facilities, Budget Act of 2022. Funding will be used to make juvenile facility improvements. The Department intends to use the funding to upgrade areas of the building that are in need while creating a more normative space for youth. Upgrades will include replacing the carpet in each classroom pod, installing laminate flooring, and staining the concrete in each room and surrounding areas. Soundboard replacement in the gymnasium is also needed, as it has aged. The Department obtained estimates from three companies for carpet replacement in each classroom pod and Carpets Galore, Inc. was selected. The Department will follow the County's competitive solicitation process for any additional projects given the estimated cost of the projects. The Department recommends entering into an agreement with Carpets Galore, Inc. to remove old flooring and replace with carpet in each classroom. The term of the agreement begins with a notice to proceed after agreement execution through June 30, 2024 for a fixed price of \$30,846. The Department recommends the Board of Supervisors approve a budget adjustment in the amount of \$30,846 for the carpet installation work to be performed in the current fiscal year. (Probation)

Action requested - 1) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)

Staff Report

Budget adjustment is recommended in the amount of \$30,846, however it should read \$30,855.

3.10 Capital Asset Surplus - Vehicles for Auction

The Board of Supervisors declares vehicles surplus that are no longer serviceable or no longer needed by the County prior to auctioning the items. The Department of Public Works recommends the Board declare 11 vehicles as surplus to the needs of the County, as the assets no longer suit the needs of the Department's operations or the repairs exceed the value of the asset. (Public Works)

Action requested - DECLARE CAPITAL ASSETS (11) SURPLUS TO THE NEEDS OF THE COUNTY

Staff Report

The following member(s) of the public submitted Public Comment on this item: Tara Pash (electronically)

3.11 Contracts for On-Call Grant and Project Management Services

On November 14, 2022, the Department of Water and Resource Conservation issued a Request for Qualifications (RFQ) for on-call grant and project management services. The RFQ identified that the Department intended on entering into an on-call contract with one or more qualified firms to provide Groundwater Sustainability Agency (GSA) administrative services, support of Groundwater Sustainability Plan implementation activities, or grant and project management services to assist the Department. These contracts will provide administrative services, project management, and grant management to assist with the Department's support of Sustainable Groundwater Management Act (SGMA) activities and implementation of current or anticipated grant-funded projects. On December 19, 2022, the Department received five Statements of Qualifications, which were evaluated based on experience, capacity, and overall professional qualifications. The Board of Supervisors approved contracts with three of the five firms on February 28, 2023 including Dudek of Encinitas, Luhdorff & Scalmanini Consulting Engineers of Woodland, and West Yost Associates, Inc. of Davis. The Department recommends the Board enter into contracts with the two remaining firms, Errol L. Montgomery and Associates, Inc. of Sacramento, and Stantec Consulting Services Inc. of Sacramento. It is anticipated that funding for any task orders issued to contractor(s) would be covered by: 1) one-time funding from the Department's budget for administration of the GSAs for the FY 2022-23; 2) grant administration and project management costs identified in various grant applications; or 3) revenue provided from the GSAs for SGMA and Groundwater Sustainability Plan compliance. The term of each contract is upon execution through March 1, 2028, not-to-exceed \$500,000 for a total amount of \$2,500,000 for on-call services. (Water and Resource Conservation)

Action requested - APPROVE CONTRACTS (2) AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.12 Behavioral Health Board (BHB) By-Laws Revision

The BHB was established pursuant to Welfare and Institutions Code section 5604 to review and evaluate the community's mental health needs, services, facilities and special problems; review County agreements entered into pursuant to the Mental Health Services Act; advise the local Mental Health Director regarding the local mental health program; review and approve the procedures used to ensure resident and professional involvement of the planning process; submit an annual report on the needs and performances of the County's mental health system; review and make recommendations on applications for appointment of a local Mental Health Director; review and comment on the County's performance outcome data and communicate its findings to the Behavioral Health Planning Council; and assess the impact of realignment from the State to the County on services delivered to clients and the local community. Due to recent changes within Welfare and Institutions Code section 5604, it was necessary to update the By-Laws to include the new position of Veteran / Veteran Advocate. Other changes to the by-laws include: Minimum membership requirement reduction to 10 members; Executive Committee Membership; Updated name to become Behavioral Health Advisory Board; and, other general revisions. The Behavioral Health Board (BHB) met for a regular meeting on February 15, 2023. At this meeting, the BHB voted unanimously to recommend the revised By-Laws to the Butte County Board of Supervisors for approval. (Other - Behavioral Health Board)

Action requested - APPROVE THE BEHAVIORAL HEALTH BOARD BY-LAWS

Staff Report

3.13 Resolution Recognizing March 2023 as American Red Cross Month

In times of crisis, people in Butte County come together to care for one another. This humanitarian spirit is part of the foundation of our community and is exemplified by American Red Cross volunteers and donors. In 1881, Clara Barton founded the American Red Cross, turning her steadfast dedication for helping others into a bold mission of preventing and alleviating people's suffering. Today, more than 140 years later, we honor the kindness and generosity of American Red Cross volunteers here in Butte County who continue to carry out Clara's lifesaving legacy. They join the millions of people across the United States who volunteer, give blood, donate financially or learn vital life-preserving skills through the American Red Cross. In Butte County, the contributions of local American Red Cross volunteers give hope to the most vulnerable in their darkest hours - whether it's providing emergency shelter, food and comfort for families devastated by local disasters like home fires and large devastations like the Camp, North Complex, and Dixie Fires; supporting service members and veterans, along with their families and caregivers, through the unique challenges of military life; helping to save the lives of others with first aid, CPR and other skills; or delivering international humanitarian aid. (Other - American Red Cross)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-024

Supervisor Durfee read the resolution. Vernon Englund, volunteer with the American Red Cross of Northern California, spoke and accepted the resolution.

4. REGULAR AGENDA

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

A. Appointments to Listed Vacancies

4.01. A1. Appointment to the In-Home Supportive Services (IHSS) 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 IHSS. Additionally, the Committee provides recommendations to any administrative body in the County that is related to the delivery and administration of IHSS 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 IHSS recipients, providers, community/agency members, and/or County staff. The Committee recommends the Board of Supervisors appoint Delcie Mills as Provider Representative, with a term ending December 31, 2025. (Employment and Social Services)

Action requested - APPOINT DELCIE MILLS TO THE IHSS ADVISORY COMMITTEE AS A PROVIDER REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2025

Staff Report

Kayla Reaster, Assistant Clerk of the Board, presented this item to the Board.

No public comment was submitted for this item.

Action: APPOINT DELCIE MILLS TO THE IHSS ADVISORY COMMITTEE AS A PROVIDER REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2025.

Motion: Supervisor Durfee
Seconded: Supervisor Ritter

Motion passed unanimously

4.01. A2. Appointment to the Butte County Consolidated Oversight Board

The Butte County Consolidated Oversight Board supervises the winding down of affairs of the former Redevelopment Agencies. These agencies include the City of Chico, City of Oroville, City of Gridley, and the Town of Paradise. When redevelopment agencies dissolved, oversight boards were established to supervise the activities of the successor agencies that assumed the assets and responsibilities of the former Redevelopment Agencies. Within Butte County, individual jurisdictions each have their own successor agency and oversight board, with the exception of the City of Biggs. In accordance with Senate Bill No. 107 (SB107), Health and Safety Code Section 34179(j), the four oversight boards in Butte County consolidated into one oversight board commencing July 1, 2018. The Butte County Consolidated Oversight Board consists of the following appointments: One member appointed by the Board of Supervisors, one member appointed by the City Selection Committee, one member appointed by the Independent Special Districts Selection Committee, one member appointed by the County Superintendent of Education, one member appointed by the Chancellor of the California Community Colleges, one member of the public appointed by the Board of Supervisors, one member appointed by the largest recognized employee organization. The Consolidated Oversight Board requests that the Board of Supervisors appoint Ron Lassonde to the Member of the Public Seat with no specified term end date. (Other - Oversight Board)

Action requested - APPOINT RON LASSONDE TO THE MEMBER OF THE PUBLIC SEAT WITH NO SPECIFIED TERM END DATE

Staff Report

Kayla Reaster, Assistant Clerk of the Board, presented this item to the Board.

No public comment was submitted for this item.

Action: APPOINT RON LASSONDE TO THE MEMBER OF THE PUBLIC SEAT WITH NO SPECIFIED TERM END DATE

Motion: Supervisor Connelly
Seconded: Supervisor Ritter

Motion passed unanimously

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

Supervisor Ritter – attended first Local Agency Formation Commission (LAFCO) meeting, attended the Butte County Air Quality Management District Executive meeting, and the agenda review for Air Quality.

Supervisor Connelly – attended the Sierra Sacramento Valley Emergency Medical Services (EMS) meeting, met with Miocene group and District Attorney, attended the Fire Safe Council meeting, Sutter Butte Flood Control meeting, met with a fire victim regarding clean up on their property, taught a high school government class in Paradise, and attended the Concow Maidu meeting.

Supervisor Durfee – met with Chris Norden Public Affairs Field Coordinator California Special Districts – Northern Network, attended the board meeting for Valley Contractors Exchange, attended a Special Board meeting, met with Luis Espino California Cooperative Extension of Butte County, and attended Butte College's gala recognizing Tod Kimmelshue as an outstanding alumnus.

Supervisor Teeter – attended Rural County Representatives of California (RCRC) board meeting, PG&E and RCRC monthly meeting, Special Board meeting acknowledging the Emergency Declaration, and met with constituents and Director of Water on Tuscan Water District.

Chair Kimmelshue – attended the Vina Ground Water Sustainability Agency (GSA) meeting, California State Associate of Counties (CSAC) meeting, and the Sutter Butte Blood Control Agency meeting.

- 4.02 Board of Supervisors Public Comment - Comments to the Board on issues and items not listed on the agenda. Pursuant to California State law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda. Please note that Public Comment is in two separate sections. One, as the first regular item on the agenda, which will last a maximum of 15 minutes, with another to follow as the last item on the regular agenda with no time limits.

The following member(s) of the public submitted Public Comment on this item: Diana Dreiss (electronically) Diana Dreiss, Julie Threet, Amy Rohrer and John Stonebraker (in person)

- 4.03 Resolutions Approving Three Applications for a CAL FIRE California Climate Investments Fire Prevention Grant

The California Department of Forestry and Fire Protection (CAL FIRE) California Climate Investments Fire Prevention Grants Program provides funding for fire prevention projects and activities in and near fire-threatened communities. It

focuses on increasing the protection of people, structures, and communities while reducing greenhouse emissions. Eligible project areas are hazardous fuels reduction, wildfire prevention planning, and wildfire prevention education. The maximum funding per project is \$5,000,000 with a \$750,000 maximum for equipment purchases. Grant funds are available for five years. Three (3) projects with estimated budgets are being recommended for submission: 1) Community Wildfire Protection Plan (CWPP) Update & Enhancement will fund a consultant to develop the State required five-year update of the CWPP, annual Fire Plan updates, and an online digitized "story map" of the plans. With the addition of data tracking software, this comprehensive planning process will allow fire prevention partners and county residents to access and utilize current Butte County fire prevention plans to improve county-wide strategic fire prevention approaches (\$730,000; Butte County Fire); 2) Surveillance & Clearing Of Unaccessible Terrain (SCOUT) Project equips Butte County Fire with four surveillance equipment packages to improve and streamline fuel reduction missions in remote foothill areas. Each package includes two state-of-the-art drones, a five-person side-by-side utility terrain vehicle, and an enclosed trailer (\$1,200,000; Butte County Fire); 3) Critical Fire Debris Abatement Project will remove hazardous fuel that poses an imminent threat to Butte County foothill communities, on properties owned by significantly disadvantaged residents. In addition, a Sustainable Abatement Fund process will be developed to maintain funding for this purpose in the future (\$4,700,000; Butte County Department of Development Services). (County Administration)

Action requested - ACCEPT FOUR RESOLUTIONS AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-025

Resolution 23-026

Resolution 23-027

Sherisse Allen, Program Development Manager, presented this item to the Board.

The Action item should read three resolutions to be adopted, not four.

**The following member(s) of the public submitted Public Comment on this item:
John Stonebraker (in person)**

Action: ACCEPT THREE RESOLUTIONS AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Teeter

Seconded: Supervisor Ritter

Motion passed unanimously

- 4.04 Job Order Contract with Mesa Energy Systems Inc. dba Emcor Services Mesa Energy (Emcor) for HVAC Replacement at Juvenile Hall

The heating, ventilation and air conditioning (HVAC) system serving Juvenile Hall at 41 County Center Drive is comprised of nine independent HVAC units all of which are past their serviceable life, are partially or entirely failed, do not meet modern requirements for air filtration, and utilize coolant that is no longer available in California. Replacement of these HVAC units is included in the Countywide HVAC Replacement project funded by the American Rescue Plan Act. On January 10, 2023, the Board of Supervisors approved a Job Order Contract (JOC) with Emcor. The contract allows for individual job orders to be issued utilizing a prepriced catalog of materials and equipment. JOC policy requires that any individual job order over \$250,000 return to the Board for approval. The Department of General Services recommends that the Board approve the Notice to Proceed for Emcor to replace the HVAC units serving Juvenile Hall and appoint the Director of General Services as the officer of the project. The term of the job order is 275 days from execution of the Notice to Proceed for a fixed cost of \$1,110,497. (General Services)

Action requested - 1) APPROVE NOTICE TO PROCEED AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPOINT DIRECTOR OF GENERAL SERVICES AS OFFICER OF THE PROJECT

Staff Report

Mike Hodson, Director of General Services, presented this item to the Board.

No public comment was submitted for this item.

Action: 1) APPROVE NOTICE TO PROCEED AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPOINT DIRECTOR OF GENERAL SERVICES AS OFFICER OF THE PROJECT.

Motion: Supervisor Teeter

Seconded: Supervisor Durfee

Motion passed unanimously

4.05 Grant Agreement with California Department of Public Health (CDPH) for Emergency Preparedness Program

CDPH provides grant funding to local health departments for Emergency Preparedness, Pandemic Influenza and Hospital Preparedness Programs. Funds from the grant are utilized to develop and implement specific activities related to emergency preparedness that are in accordance with the requirements of the Centers for Disease Control and Local Grant Application guidance. The Department of Public Health recommends entering into a grant agreement with CDPH for the Emergency Preparedness Program, grant activities include health care system preparedness, emergency operations coordination, information sharing, community preparedness, bio-surveillance and program management. The term of the agreement is July 1, 2022 through June 30, 2027, with a maximum amount receivable of \$2,494,003. (Public Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

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

The following member(s) of the public submitted Public Comment on this item: Sascha Anya and Julie Threet (electronically) Julie Threet and Diana Dreiss (in person)

Action: APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Ritter

Seconded: Supervisor Connelly

Motion passed unanimously

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

4.07 Board of Supervisors Public Comment (Continuation as Needed) - Comments to the Board on issues and items not listed on the agenda. Please note that pursuant to California State law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda.

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

5. PUBLIC HEARINGS AND TIMED ITEMS

5.01 9:20AM - Timed Item - Budget Adjustment and Contract with Butte County Mounted Sheriff Posse (Posse) for Wellness Program Services

In October 2019, the Posse was awarded a \$1 million grant by the North Valley Community Foundation to establish a Health and Wellness Program (Wellness Program) for first responders in Butte County. Since that time, the Posse has established a successful multiagency Wellness Program that works to improve first responder mental health and wellness by providing physical and mental health resources, such as counselors, physical therapy, and other wellness support, such as peer support training and peer support events. The Wellness Program is available to all members of the Butte County Sheriff's Office and all other law enforcement and first responder agencies in Butte County. On December 21, 2022, the State of California, through the Board of State and Community Corrections (BSCC) allocated \$122,163 to the Sheriff's Office through an Officer Wellness grant for the sole purpose of improving officer wellness and expanding mental health sources. One of the allowable uses of the BSCC Officer Wellness grant is to expand existing multiagency mutual aid programs focused on officer wellness and mental health. The Sheriff's Office recommends entering into a contract with the Posse to provide Wellness Program services. The term of the contract begins on the date of execution through December 31, 2025, not to exceed \$122,163. The Sheriff's Office recommends the Board of Supervisors approve a budget adjustment in the amount of \$122,163. (Sheriff)

Action requested - 1) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN;
AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)

Staff Report

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

Supervisor Durfee recused himself from this item.

**The following member(s) of the public submitted Public Comment on this item:
Julie Threet (in person)**

**Action: 1) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN; AND 2)
APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)**

Motion: Supervisor Connelly

Seconded: Supervisor Ritter

Motion passed

Ayes: Supervisor Connelly, Ritter, Teeter and Chair Kimmelshue

Nays: None

Recusal: Supervisor Durfee

**5.02 9:25AM - Timed Item - Contract with D. H. Slater & Son, Inc. for Construction of
Butte County SB 863 Jail Project**

The County is constructing a new 39,232 square foot stand-alone detention facility consisting of new medical/mental health housing, medical clinic, programming space, and general housing (Project.) On February 23, 2016, the Board of Supervisors approved Resolution No. 16-026 which appropriated to the Project \$4,445,000 as In-Kind and Cash Match to the \$40,000,000 that was conditionally awarded to Butte County by the Board of State and Community Corrections for the Project. The matching funds include In-Kind funds of \$1,080,000 derived from the value of the land and staff time, and the remainder Cash Match funds of \$3,365,000 derived from Jail Impact Fees, Sheriff Impact Fees, and Local Assistance for Rural and Small County Law Enforcement funds. As part of the bid process, General Services pre-qualified ten contractors. Following solicitation for construction services, the Department of General Services received bids from three of the ten pre-qualified contractors ranging from \$37,127,948 to \$32,999,000. Due to the fact that this project is partially funded through the State of California lease-revenue bond program and is required to be approved through the California Department of Finance (DOF) and the State Public Works Board (SPWB,) the Department of General Services and the Sheriff's Office recommend that the Board approve a resolution providing conditional award of a construction contract to D. H. Slater & Son, Inc. of Chico contingent upon approval by the DOF and SPWB. The term of the contract is two years from the date of SPWB approval to award contract, currently scheduled for May 22, 2023, for a fixed cost of \$32,999,000. The departments will return to the Board for final approval and execution of the construction contract following review and approval by DOF and prior to approval by SPWB. Additionally, due to the duration of the Project, staff time will now account for the total amount

appropriated for In-Kind matching and the departments recommend that the Board authorize In-Kind match to be derived from the value of staff time and not from the value of land. Cash match will remain the same. (Sheriff and General Services)

Action requested - 1) ADOPT RESOLUTION AND AUTHROIZE THE CHAIR TO SIGN; AND 2) AUTHORIZE THE CHANGE IN APPROPRIATIONS FOR THE PROJECT

Staff Report

Resolution 23-028

Sheriff, Kory Honea, presented this item to the Board. Barbara Norman, Capital Improvement Project Manager, spoke to this item.

The following member(s) of the public submitted Public Comment on this item: Julie Threet (in person)

Action: 1) ADOPT RESOLUTION AND AUTHROIZE THE CHAIR TO SIGN; AND 2) AUTHORIZE THE CHANGE IN APPROPRIATIONS FOR THE PROJECT

Motion: Supervisor Durfee

Seconded: Supervisor Connelly

Motion passed unanimously

5.03. 9:30AM - Timed Item - 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. (Sheriff)

Action requested - ACCEPT FOR INFORMATION

Staff Report

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

No public comment was submitted for this item.

Action: ACCEPT FOR INFORMATION.

Motion: Supervisor Connelly

Seconded: Supervisor Durfee

Motion passed unanimously

5.04. 9:40AM - Timed Item - Presentation from the Rural County Representatives of California (RCRC) on their 2022-25 Strategic Plan

The RCRC is a forty member strong county service organization that champions policies on behalf of California's rural counties. Founded in 1972, RCRC works with its membership to advocate on behalf of rural issues at the state and federal levels. RCRC provides the rural county perspective on a myriad of issues during the legislative and regulatory process, including land use, water and natural resources, housing, transportation, wildfire protection policies, and health and human services. The core of RCRC's mission is to improve the ability of small, rural California county government to provide services by reducing the burden of State and federal mandates, and promoting a greater understanding among policy makers about the unique challenges that face California's small population counties. The 2022-2025 RCRC Strategic Plan serves as a guiding document for the organization from which the RCRC Board of Directors set policies and priorities. (Other - RCRC)

Action requested - ACCEPT FOR INFORMATION

Staff Report

Patrick Blacklock, Rural County Representatives of California (RCRC), presented this item to the Board.

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

Action: ACCEPT FOR INFORMATION.

- 4.02 Board of Supervisors Public Comment - Comments to the Board on issues and items not listed on the agenda. Pursuant to California State law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda. Please note that Public Comment is in two separate sections. One, as the first regular item on the agenda, which will last a maximum of 15 minutes, with another to follow as the last item on the regular agenda with no time limits.

6. BOARD OF SUPERVISORS CLOSED SESSION

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

- A. Agricultural Commissioner
- B. Behavioral Health Director
- C. Chief Administrative Officer

- D. Chief Probation Officer
- E. Child Support Services Director
- F. County Counsel
- G. Development Services Director
- H. Employment and Social Services Director
- I. General Services
- J. Human Resources Director
- K. Information Systems Director
- L. Library Director
- M. Public Health Director
- N. Public Works Director
- O. Water and Resources Conservation Director

6.02 Conference with Labor Negotiator Pursuant to Government Code Section 54957.6: Negotiators: Jack Hughes, Sheri Waters, and Casey Hatcher Employee Organizations: Teamsters - General Unit; Teamsters - Social Services Workers' Unit; Butte County Management Employees Association; Butte County Probation Peace Officers Association; Butte County Probation Peace Officers Association - Management Unit; Butte County Professional Employees' Association; Butte County Deputy Sheriff's Association - General Unit; Butte County Deputy Sheriff's Association - Management/Supervisory Unit; Butte County Correctional Officers Association - General Unit; Butte County Correctional Officers Association - Supervisory Unit; UPEC Local 792 - Skilled Trades Unit; Butte County Deputy District Attorneys Association - Attorney Unit; Confidential Unit; Non-Represented Unit; Board of Supervisors Executive Assistants

6.03 Actual litigation pursuant to Gov. Code Sec. 54956.9(d)(1) - two cases:

- A. County of Butte, et al., v. Amerisourcebergen Drug Corporation, et al., U.S. District Court, Northern District of Ohio, Eastern Division, Case No. 18-op-

45627.

- B. Meyer, Neil, et al vs Butte County Board of Supervisors, Butte County Superior Court, Case No. 23CV00477.

Staff Report

**The following member(s) of the public submitted Public Comment on this item:
Neil Meyer (in person)**

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

**Meeting
Information:**

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

**Agenda
Information:**

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

**Agenda
Format and
Meeting
Order:**

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

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

**Public
Participation:**

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

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

All requests for special accommodations and/or alternative format documents must be made 48 hours prior to the meeting.

For further information contact the:

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