



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

FEBRUARY 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 Contract with PlaceWorks Inc. for Planning Services – The contract for planning services with PlaceWorks Inc. provides ongoing planning application processing, planning building permit review, and other planning services as needed by the Department of Development Services. Contracting planning services allows the Department to continue providing timely service to the public when staff resources are unavailable because of high demand for planning-related services. The agreement allows the Department the option to contract for planning services during an emergency or disaster recovery. The Department issued a Request for Proposals for planning services on September 26, 2020 and received six responses. Three firms, Birdseye, Raney, and now PlaceWorks, were selected as the most qualified for the planning services requested. The Birdseye and Raney planning services contracts have already been approved by the Board. The Department recommends entering into a contract with PlaceWorks Inc. for a term of January 26, 2021 through January 25, 2026, not-to-exceed \$99,999 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

- 3.02 Contract Amendment with Jesus Provides Our Daily Bread for Non-Congregate Shelter Meal Delivery Services – The County entered into a contract with Jesus Provides Our Daily Bread on May 1, 2020 to provide meal delivery services for those in non-congregate shelters related to Project Roomkey, California's effort to protect sick and medically vulnerable individuals experiencing homelessness in the COVID-19 response. The contract was amended on August 25, 2020 to extend the term and increase the maximum payable amount from \$90,000 to \$340,000. To continue this service, the Departments of Employment and Social Services and General Services recommend amending the contract extending the term of the contract by 272 days through June 30, 2021, and increasing the maximum payable amount by \$421,200, not-to-exceed \$761,200. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services and General Services)
- 3.03 Contract Amendment with Oroville Rescue Mission, Inc. for Non-Congregate Shelter Meal Delivery Services – The County entered into a contract with Oroville Rescue Mission, Inc. on September 15, 2020 to provide meal delivery services for those in non-congregate shelters related to Project Roomkey, California's effort to protect sick and medically vulnerable individuals experiencing homelessness in the COVID-19 response. To continue this service, the Departments of Employment and Social Services and General Services recommend amending the contract. The amendment extends the term by 272 days, through June 30, 2021 and increases the maximum payable amount by \$40,000, not-to-exceed \$145,000. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services and General Services)
- 3.04 Budget Adjustment - FM Global Fire Prevention Grant – In Fiscal Year 2020-21, the Fire Department applied for the FM Global Fire Prevention Grant. The Department received notice that the Grant has been awarded in the amount of \$1,770. This grant has no match, and there is no cost to the County. The funds have been received and deposited into the Fire Department budget. The Grant provides for the purchase of combustible gas detectors, which will be used for detecting propane, natural gas, and carbon monoxide leaks – action requested – APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Fire)
- 3.05 Budget Adjustment for Replacement of Sanitary Sewer Line Serving 25 County Center Drive and 1 Court Street – On February 2, 2021, the sanitary sewer line serving 25 County Center Drive and 1 Court Street that runs outside of and parallel with the Western boundary of the Cemetery on Court Street failed. Temporary repairs have been made and camera footage indicates that the 305 foot long line requires replacement. Risk Management has opened an insurance claim in an attempt to recover the costs associated with the repair. The Department recommends a budget adjustment from General Fund Appropriation for Contingencies in the amount of \$165,000 to allow General Services to complete the project, which will include installing a new sewer line. No service interruptions are anticipated. Temporary repairs of the existing line will allow service to continue until the project is complete in approximately three months – action requested – APPROVE BUDGET ADJUSTMENT FROM GENERAL FUND APPROPRIATIONS FOR CONTINGENCIES (4/5 VOTE REQUIRED). (General Services)

- 3.06 Side Letter Agreement with Butte County - SSW (Teamsters Local 137 - Social Services Workers Unit) – The California Statewide Automated Welfare System Consortium (CalSAWS) is a longstanding collaboration between all 58 counties and the State to develop a single statewide eligibility and case management system for public assistance programs. Butte County is a member of CalSAWS, which is staffed by county employees. The employees maintain their county employment and CalSAWS reimburses the counties for their time. The County has a small number of employees assigned to CalSAWS. Approval is being requested for an updated side letter agreement with the Teamsters Local 137-Social Service Workers Unit (Butte County-SSW) on behalf of Nicole Nava. Ms. Nava is employed by the Department of Employment and Social Services as an Employment Case Manager, Senior and is currently working on the CalSAWS project. CalSAWS has asked Ms. Nava to temporarily fill a higher level role with the CalSAWS project, and Ms. Nava will receive a seven percent (7%) temporary pay upgrade while performing these higher level duties for the next 9-12 months. The updated side letter agreement includes the temporary pay upgrade. This side letter and Ms. Nava's assignment is consistent with the Memorandum of Understanding between CalSAWS and Butte County – action requested – APPROVE SIDE LETTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
- 3.07 Resolution to Amend the Salary Ordinance – The Department of Human Resources recommends the Board of Supervisors adopt a resolution amending the Salary Ordinance for the following departments:
- COUNTY ADMINISTRATION: Add 1 Management Analyst-C position (term to end May 1, 2021). The additional term position provides two months training overlap for an upcoming retirement and will support the transition of duties. Total allocations to increase by 1. The additional cost will be absorbed by the County Administration Budget due to salary savings from vacant positions.
- EMPLOYMENT AND SOCIAL SERVICES: Add 1 flexibly staffed Administrative Analyst position, 1 flexibly staffed Health and Human Services Program Analyst position, and 1 Department Maintenance Coordinator position. The Administrative Analyst position is needed to support the Fiscal division due to an increase in Department program services; the Human Services Program Analyst position is needed to assist the Children's Services Division associated with workload from the Continuum of Care Reform; and the Department Maintenance Coordinator position will better suit the Department's operational needs in coordinating facility maintenance within the Department's multiple facilities. Total allocations to increase by 3. The Analyst positions are fully funded by federal, State, and local County Realignment funds. The Department Maintenance Coordinator position is fully funded by a future deletion of a vacant Supervisor Support Services position and salary savings.
- Action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
- 3.08 Budget Adjustment for County Service Area (CSA) 149 - Biggers Glen Subdivision Street Lighting, Drainage, Police, Fire Protection and Snow Removal District – County Service Areas (CSA) 149 - Biggers Glen Subdivision is located in the unincorporated mountain community of Butte Meadows and provides services for drainage maintenance and snow removal. While previous historical annual snow removal maintenance costs ranged from \$0 to \$3,964, heavy snowstorms this winter exhausted the \$4,000 budgeted for this fiscal year. The Department recommends budgeting an additional \$6,000 this fiscal year for snow removal in anticipation of future snowstorm events and drainage maintenance in the spring. The current Fund balance is \$90,392. The expense will reduce the fund balance by \$6,000 and the estimated fund balance at the end of the current fiscal year is \$84,392 – action requested – APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Public Works)

- 3.09 Contract with Dawson Landscaping for Landscaping Services for County Service Area (CSA) 172 Autumn Park Subdivision – The Autumn Park subdivision is located north of Chico. A County Service Area (CSA) for the subdivision was formed in 1999 that provides fire suppression, storm drainage maintenance, street lighting, and landscape maintenance services. Installation and maintenance of landscaping along Kittyhawk Road and Garner Lane are required as a condition of approval for the subdivision, and the CSA provides the annual revenue for these services. Landscaping services before 2018 were provided by the Work Training Center (WTC) for \$550 per month until the WTC terminated the contract. Since that time, the Department of Public Works has solicited bids for annual maintenance agreements. Previous solicitations yielded a single bidder, Dawson Landscaping for \$1,600 and \$1,300 per month respectively. The current agreement expires at the end of February 2021. The County issued a Request for Quotations for services for a term of three years, and no bids were submitted. Consistent with Public Contract Code 22038(c), the Department directly negotiated with other vendors. Only two bidders expressed interest, with Dawson Landscaping providing the lowest bid for these services. The Department recommends awarding the contract to Dawson Landscaping for a not-to-exceed amount of \$60,000 for a term of three years. Monthly maintenance costs will continue to remain at \$1,300 per month for an annual amount of \$15,600. The remaining funding may be utilized for other non-routine repairs as needed. Dawson Landscaping has been performing these services successfully for the past two years – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.10 Capital Asset Purchase - Crash Attenuators – The Department of Public Works budgeted \$30,000 for the purchase of two Crash Attenuators in the current fiscal year. The Department of General Services posted an Invitation for Bids that resulted in four bids received, and the lowest bid was \$31,360, which does not include tax. The total anticipated overage for this purchase with tax is \$4,000, which exceeds the capital asset by more than 10%. In accordance with Budget Policy, the purchase requires Board of Supervisors approval. The Department recommends an increase in capital asset authority for the two Crash Attenuators in the amount of \$4,000, for a revised authority of \$34,000. The expense for the equipment will be accommodated by savings from other budgeted capital assets – action requested – APPROVE CAPITAL ASSET (2) PURCHASES. (Public Works)
- 3.11 Capital Asset Purchase - SUV Vehicle and Budget Adjustment – Sheriff's Office Vehicle 2203 was damaged beyond repair and needs to be replaced this fiscal year. The cost of the replacement will be offset by insurance claim proceeds. The Sheriff's Office recommends capital asset authority of \$36,850 for the purchase of the replacement vehicle and related equipment along with the associated budget adjustment for the expense – action requested – 1) APPROVE CAPITAL ASSET PURCHASE; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Sheriff)
- 3.12 Resolution Honoring DC Jones – DC Jones served on a number of Butte County advisory committees since 2002 including the Butte County Water Commission. Mr. Jones passed away in January 2021. On February 3, 2021, the Butte County Water Commission voted unanimously to recommend that the Board of Supervisors adopt a resolution honoring DC Jones. The Department recommends that the Board of Supervisors adopt the resolution honoring DC Jones – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Water and Resource Conservation)
- 3.13 Resolution Recognizing February 11, 2021 as National 211 Day – 2-1-1 requests the Board of Supervisors adopt a resolution recognizing February 11, 2021 as National 2-1-1 Day – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Other - Butte 2-1-1)

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 Board of Law Library Trustees (Board of Trustees)
 – The Board of Trustees was established to govern the Butte County Public Law Library (BCPLL) under the provisions of Business and Professions Code sections 6300 et seq. The membership of the Board of Trustees consists of seven voting members and one advisory member. Pursuant to the Board of Trustees Bylaws, the Law Library Director serves as the advisory member and Secretary. The Judges of the Superior Court, who shall elect either four or five Judges from the County to serve as trustees and may appoint designees in their place, have appointed Judge Deems, Commissioner Worley (Designee for Judge Lucena), and Gary Knippen (Designee for Judge McLean), to serve on the Board of Trustees in 2021. The Board of Supervisors shall appoint as many additional trustees as may be necessary to constitute a board of at least six, and no more than seven members. No more than two trustees may be appointed who are not Judges, members of the State Bar, or members of the County Board of Supervisors. The Chair of the Board of Supervisors is an ex officio trustee pursuant to Business and Professions Code section 6301(a)(4), but may request the Board appoint a trustee in place of the Chair. The Board may appoint a member of the State Bar, any other member of the Board of Supervisors, or a resident of the County to serve as trustee in place of the Chair. On January 23, 2018, the Board of Supervisors reappointed R. Bruce Finch, as Chair-Designee to the Board of Trustees. The appointment expired on January 12, 2021, when Supervisor Connelly was selected as the new Chair of the Board of Supervisors. The BCPLL requests the Board of Supervisors reappoint R. Bruce Finch, as Chair-Designee and Raoul J. LeClerc, as At-Large Designee, with terms ending January 11, 2022. Mr. Finch and Mr. LeClerc are both active members of the State Bar – action requested – 1) REAPPOINT R. BRUCE FINCH AS CHAIR-DESIGNEE TO THE BUTTE COUNTY BOARD OF LAW LIBRARY TRUSTEES, WITH A TERM ENDING JANUARY 11, 2022; AND 2) REAPPOINT RAOUL J. LECLERC AS AT-LARGE DESIGNEE BUTTE COUNTY BOARD OF LAW LIBRARY TRUSTEES, WITH A TERM ENDING JANUARY 11, 2022. (County Administration)

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

- 4.03 Agreement with Department of Health Care Services (DHCS) for Drug Medi-Cal (DMC) Treatment Program Substance Use Disorder (SUD) Services and Resolution Authorizing the Director of Behavioral Health to Sign the Agreement – The DHCS standard agreement for DMC Treatment Program SUD services provides State and federal funding for a majority of the Department of Behavioral Health's substance use disorder programs. The agreement allows the Department to provide substance use treatment services available to Medi-Cal beneficiaries in Butte County. The Department recommends entering into a revenue agreement with DHCS. The term of this agreement is July 1, 2020 through June 30, 2023, not-to-exceed \$16,146,746 broken down as follows: \$6,920,034 for FY 2020-21; \$4,613,356 for FY 2021-22; and \$4,613,356 for FY 2022-23 – action requested – 1) APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
- 4.04 Resolution Establishing the Deadline for Acceptable Alternative Debris Removal Program Applications – On November 4, 2020, the Board of Supervisors adopted Urgency Ordinance No. 4190, amending Chapter 54 “North Complex Fire Recovery” of the Butte County Code. Chapter 54 prohibits the removal of wildfire ash and debris from private property that contains structural debris from a qualifying structure, unless removed by contractors through the (1) Government Program or (2) County's Alternative Program. Section 54-17(A) provides that the Board of Supervisors may set a deadline for submission of an acceptable application for the Alternative Program. The County's Fire Debris Removal Division recommends that the Board set this deadline for April 1, 2021. Chapter 54-17(C) addresses enforcement of the requirements. If a property owner has structural fire debris from a qualifying structure and has not submitted an approved Right of Entry (ROE) form or an acceptable County Alternative Program application by the required deadlines, the debris may be declared a nuisance and health hazard. California Office of Emergency Services (Cal OES) has set a deadline of February 15, 2021 for the submission of ROEs for the Government Program. The resolution sets the County's deadline for submission of acceptable applications in the Alternative Program for April 1, 2021. Once deadlines have passed, properties declared a nuisance and health hazard may then be abated by the County, and all costs of abatement will be charged to the property owner. Ultimately, the costs may be filed as a lien against the property. Based on the request made by the County and past practice, it is anticipated that Cal OES will conduct fire debris removal for abated properties using government-hired debris removal contractors who have been utilized for the Government Program in Butte County – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 4.05 Financial Report for the Second Quarter of Fiscal Year 2020-21 – The Financial Report for the Second Quarter of FY 2020-21 provides an economic update, summarizes the quarterly analysis of expenditures and revenues, provides an update on disaster impacts, budget outlook, cash balances and reports on current pension, retiree health liabilities and long-term debt obligations for the period ending December 31, 2020 – action requested – ACCEPT FOR INFORMATION. (County Administration)

4.06 Budget Adjustment - Additional State Allocations – Each year, the Department of Employment and Social Services prepares a budget for its various programs based on anticipated funding allocations from the State. Since the State funding allocations are not finalized until after the Board approves the Recommended Budget, a budget adjustment is often required during a fiscal year. For FY 2020-21, the Department received additional allocations totaling \$2,208,715 for programs including: California Work Opportunity and Responsibility to Kids (CalWORKS), CalWORKS Housing Support Program, Medi-Cal, Child and Family Team Program (CFT), Commercially Sexually Exploited Children Program (CSEC), Family Urgent Response System (FURS), Private Adoption Agency Reimbursement Program (PAARP), Child Welfare Services Augmentation, Level of Care Protocol Tool, and Project Roomkey and Rehousing Strategy funding. The Department also received a grant from North Valley Community Foundation for North Complex fire survivor needs. These additional allocations will support ongoing efforts for contracted CalWorks Child Care, CSEC and CFT needs, Housing Support program rental assistance, PAARP payments to adoption agencies as well as overtime costs related to CalWorks, Medi-Cal and Child Welfare Services efforts. The allocations also support the new program FURS which will provide a coordinated effort for phone-based and in-person mobile response for foster caregivers and youth, funding for Project Roomkey expenses, and grant funding for unmet needs for North Complex Fire survivors – action requested – APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Employment and Social Services)

4.07 Contracts Related to Homeless Emergency Aid Program (HEAP) Funding – On December 21, 2020, the Butte Countywide Continuum of Care (CoC) awarded a total of \$224,329 in HEAP funding to the following agencies to address the homelessness crisis in Butte County.

- 1) Caminar, Avenida Apartments for fencing and heat pump for community room for \$21,172 (new contract);
- 2) Oroville Rescue Mission, Inc. for the Mission Outreach Center for \$100,000 (contract amendment); and
- 3) Oroville Southside Community Improvement Association, Inc. for the Haven of Hope Housing Program for \$103,157 (contract amendment).

The CoC was able to award these funds due to unspent HEAP funding totaling \$224,329 from previous contracts from the following agencies:

- 1) Ampla Health, Homeless Healthcare Outreach for Services: \$175,090 (out of \$971,716); and
- 2) Chico Housing Action Team, Hand Up Supportive Housing for Rental Assistance: \$49,239 (out of \$455,044).

The CoC has sole discretion over how HEAP funding is spent and who receives the funding. The Department of Employment and Social Services serves as the Administrative Entity for the CoC and will be monitoring the contracts and distributing the funding based on the CoC Council's recommendation and the terms set forth by the State of California.

Action requested – APPROVE (1) CONTRACT AND (4) CONTRACT AMENDMENTS AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)

- 4.08 Project Plans and Specifications and Contract with United Building Contractors, Inc. for the Jail Roof, Heating, Ventilation and Air Conditioning Project – The roof and heating, ventilation and air conditioning components of the main jail are no longer serviceable and require replacement. The General Services Department published a formal invitation for bids on the project and three submittals were received ranging from \$3,399,000 to \$3,799,929. The project includes demolition of the failed components, installation of a new roof, mechanical equipment and affected acoustical tile and lighting. The department recommends that the Board of Supervisors approve the plans and specifications which are available for review at the General Services office located at 2081 2nd Street in Oroville, execute a not to exceed contract of \$3,399,000 with Chico based United Building Contractors, the lowest bidder, and appoint the General Services Director as the officer of the project. The term of the project is 277 days from the Notice to Proceed date issued once insurance documents are validated. Additionally, on January 14, 2020, the Board authorized the Chief Administrative Officer to submit an application for a United States Department of Agriculture (USDA) Rural Development Community Facilities Grant in the amount of \$500,000 to be utilized for the HVAC portion of this project, as well as establishment of the HVAC portion as a capital asset in line with USDA funding requirements. It has since been determined that USDA funds will not be available for this project and that the project can be completed without USDA funds – action requested – 1) APPROVE THE PLANS AND SPECIFICATIONS AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN; AND 3) APPOINT THE GENERAL SERVICES DIRECTOR AS THE OFFICER OF THE PROJECT. (General Services)
- 4.09 Update on Flood Risk Reduction Items for the Rock Creek and Keefer Slough Watershed – On February 11, 2020, the Department of Public Works provided the Board of Supervisors with a detailed analysis of the challenges associated with the Rock Creek and Keefer Slough Watershed. The Board directed staff to pursue and implement the nine flood risk reduction activities listed below and return with a progress report in late 2020. Staff presented an update on these activities at the November 11, 2020 Board of Supervisors meeting. At the January 26, 2021 Board of Supervisors meeting, the Board directed staff to provide an update on flood risk reduction activities for the Rock Creek and Keefer Slough Watershed including development activity. The Department of Public Works will provide updates on the flood risk reduction activities, and the Department of Development Services will present updated development activity and the North Chico Specific Plan. Flood Risk Reduction Activities for the Rock Creek and Keefer Slough Watershed.
- 1) Update rainfall criteria;
 - 2) Refine Outfall Criteria and increase detention volumes;
 - 3) Update NFIP Ordinance – more resilient building requirements;
 - 4) Support Rock Creek Reclamation District – channel maintenance;
 - 5) National Flood Insurance Program (NFIP) coverage, public information;
 - 6) Update drainage improvement standards;
 - 7) Stabilize Bifurcation – design;
 - 8) Update FIRM (FEMA project); and
 - 9) Flood Risk Reduction Study – develop preferred project.
- Action requested – ACCEPT FOR INFORMATION. (Public Works)

4.10 2020 Groundwater Status Report and the Basin Management Objectives (BMO) Program – Pursuant to Chapter 33 and Chapter 33A of the Butte County Code, the Department of Water and Resource Conservation is required to collect data on groundwater conditions (elevation, water quality) and land subsidence. The Department is required to report to the Board of Supervisors each February on the status of groundwater conditions and the BMO Program. The 2020 Groundwater Status Report includes a summary of hydrologic conditions for the 2020 water year, groundwater conditions, results from the water quality trend monitoring program, and land subsidence data. Chapter 33A specifies the methodologies for setting the BMOs (i.e., desirable groundwater conditions) and alert stages (i.e. conditions relative to historical lows) for wells not meeting BMOs. The 2020 water year (WY) was classified as a dry water year in the Sacramento Valley with below average precipitation according to the Northern Sierra 8-Station index. Decreases to groundwater levels were observed from the last WY, specifically in groundwater dependent areas of the County. Close to 50% and 70% of the wells monitored which have assigned Alert Stages to them were in an Alert Stage in the Spring and Fall of 2020 respectively. Water quality results show no indication of saline intrusion into the basin. No inelastic land subsidence has been recorded in Butte County to date. The report was reviewed by the Butte County Water Commission Technical Advisory Committee on January 4, 2021 and was presented to the Water Commission on February 3, 2021 which made a recommendation to the Board of Supervisors to accept the report. The full report and the appendices are available online at: <https://www.buttecounty.net/waterresourceconservation/Groundwater-Status-Reports/Current-Groundwater-Status-Report> – action requested – ACCEPT FOR INFORMATION. (Water and Resource Conservation)

4.11 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) Sustainable Groundwater Management Act (SGMA) Implementation Status - The Groundwater Sustainability Plans are on track for completion by January 31, 2022. The Department will report on the status of Groundwater Sustainability Plan development with an emphasis on the Butte subbasin. Butte County is a groundwater sustainability agency in the Butte subbasin.
- 2) Grant Projects - The Department will provide the Board with an overview and status of the Proposition 1 Integrated Regional Water Management Grant and a grant from the Sierra Institute.
- 3) Miocene Canal - The Department will report on the status of Pacific Gas & Electric's progress to restore water to the Miocene Canal.
- 4) State Water Project Table A Lease Agreements - Butte County has agreements with Palmdale Water District and Dudley Ridge Water District (on behalf of the "Westside Districts") to lease a portion of the Butte County State Water Project Table A allocation. The term of these agreements were extended in 2017 to December 31, 2031. The long-term lease of Butte County's State Water Project Table A allocation requires separate agreements with the Department of Water Resources (DWR) to utilize the State Water Project facilities which expire on December 31, 2021. The Department will present potential steps to amend the conveyance agreements to extend the termination date and seek direction from the Board.

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

- 4.12 Introduction 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 of Butte to protect the public health, safety, and general welfare of its residents – action requested – WAIVE THE FIRST READING OF THE ORDINANCE ENTITLED "BAN ON THE ESTABLISHMENT AND OPERATION OF NEEDLE EXCHANGE OR DISTRIBUTION PROGRAMS" (Board of Supervisors)

- 4.13 Items Removed from the Consent Agenda for Board Consideration and Action

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 10:00AM – Timed Item – Resolutions Approving an Application for Funding and Execution of Grant Agreement from the 2020 Community Development Block Grant COVID Response Round 2 and 3 and Approving an Amendment to the Standard Agreement CDBG-CV Round 1 – The California Department of Housing and Community Development (HCD) receives funding from the United States Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG) Program and allocates funds to CDBG eligible non-entitlement jurisdictions. Approximately \$71 million in new Coronavirus Response Round 2 and 3 (CDBG-CV2 and CDBG-CV3) federal funds authorized by Coronavirus Aid, Relief, and Economic Security (CARES) Act will be allocated to eligible jurisdictions to perform activities related to COVID-19 response and recovery. Eligible CDBG-CV activities include: public services related to COVID-19 support; improvements and acquisition of healthcare and homeless facilities in response to COVID-19 impacts; housing assistance for vulnerable populations affected by COVID-19; and assistance to businesses and micro-enterprises impacted by COVID-19 stay-at-home orders and shut-downs. Butte County's allocation for CDBG-CV2 is \$768,276 and for CDBG-CV3 is \$250,325, totaling \$1,018,601. County Administration recommends adopting a resolution to utilize the maximum allocation for two new public service activities and one expanded public service activity from CDBG-CV1. The expanded activity requires a resolution authorizing the amendment of a Standard Agreement for CDBG-CV1 funds approved by the Board of Supervisors on August 25, 2020 to expand the Food Bank Distribution program:

- 1) Public Services (new CDBG-CV2 and CV3 activity) – Butte County Older Adult Home Delivery Nutrition Relief (\$200,101);
- 2) Public Services (new CDBG-CV2 and CV3 activity) – Butte County Public Health COVID Testing and Vaccination Response (\$392,634);
- 3) Public Services (expansion of CDBG-CV1 activity) – Butte County Food Bank Distribution Expansion (\$293,448); and
- 4) General Administration (\$132,418).

Action requested – 1) ADOPT RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND EXECUTION OF GRANT AGREEMENT FROM THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT COVID RESPONSE ROUND 2 AND 3 AND AUTHORIZE CHAIR TO SIGN; AND 2) ADOPT RESOLUTION APPROVING AN AMENDMENT TO THE STANDARD AGREEMENT CDBG-CV ROUND 1 AND AUTHORIZE CHAIR TO SIGN. (County Administration)

- 5.02 10:20AM – Timed Item – Letter of Support and Informational Presentation by Assemblyman Gallagher's Office for Assembly Bill 36 - Design-build Contracting: Town of Paradise – At the request of Supervisor Kimmelshue, District 4 and Supervisor Teeter, District 5, staff prepared a letter in support of Assembly Bill 36 - Design-build contracting: Town of Paradise. AB 36 would help the Town of Paradise recover from the devastating impacts of the Camp Fire by authorizing the use of the design-build project delivery method for a water pipeline and a sewer treatment project – action requested – APPROVE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN. (Supervisor Kimmelshue, District 4 and Supervisor Teeter, District 5)
- 5.03 1:15PM – Timed Item – Housing and Homelessness Programs Overview – The Departments of Employment and Social Services and Behavioral Health operate programs that provide services for Butte County residents in regards to housing and homelessness. These programs vary in the eligible activities and population served based on requirements from the funding sources. Individuals and households served could be homeless or at risk of homelessness. The programs provide resources, services and supports aimed at relieving the stress, insecurity and trauma of experiencing homelessness or housing instability. The Directors of Employment and Social Services and Behavioral Health will provide presentations with information about the various programs offered within their respective Departments – action requested – ACCEPT FOR INFORMATION. (Employment and Social Services and Behavioral Health)

RECESS

Recess as the Butte County Board of Supervisors and convene as the Thompson Flat Cemetery District Board of Trustees.

THOMPSON FLAT CEMETERY DISTRICT
BOARD OF TRUSTEES
FEBRUARY 23, 2021

1. CALL TO ORDER

2. CONSENT AGENDA (NO ITEMS)

3. REGULAR AGENDA

- 3.01 Nomination of one Special District Regular Non-Enterprise member and one Special District Alternate Enterprise or Non-Enterprise Member to the Butte Local Agency Formation Commission (LAFCO) – LAFCO is calling for nominations for one Special District Regular Non-Enterprise Member and one Special District Alternate Enterprise or Non-Enterprise Member to serve on the Commission through May 31, 2025. The Thompson Flat Cemetery District Board of Trustees may submit nominations, however is not required to. Currently, Al McGreehan from the Paradise Recreation and Park District holds the Regular Non-Enterprise seat until May 2021; and Larry Bradley from the Durham Recreation & Park District holds the Alternate Enterprise or Non-Enterprise seat until May 2021. If nominations are made, a written nomination letter must be provided to LAFCO no later than Thursday March 11, 2021 – action requested – 1) NOMINATE ONE SPECIAL DISTRICT REGULAR NON-ENTERPRISE MEMBER TO LAFCO, OR NOT; AND 2) NOMINATE ONE SPECIAL DISTRICT ALTERNATE ENTERPRISE OR NON-ENTERPRISE MEMBER TO LAFCO, OR NOT. (General Services)

4. PUBLIC COMMENT

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

5. CLOSED SESSION (NO ITEMS)

ADJOURNMENT

Adjourn as the Thompson Flat Cemetery District Board of Trustees and reconvene as the Butte County Board of Supervisors.

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. *Cody Ray Pettigrew v. County of Butte*; USDC-Eastern District Court Case No. 2:20-CV-00927-MCE-KJN;
- B. *Christine Bryan/Meagan Ramsey v. County of Butte*, et al.; Butte County Superior Court Case No. 19CV03490;
- C. *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; and
- D. *Andy Estrada v. Butte County, et al.*; Butte County Superior Court Case No. 19CV00668.

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