BUTTE COUNTY
BOARD OF SUPERVISORS

Regular Meeting Agenda
February 22, 2022
9:00 AM

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

ANDY PICKETT,
CHIEF ADMINISTRATIVE OFFICER
CLERK OF THE BOARD

MEMBERS OF THE BOARD

BILL CONNELLY, DISTRICT 1
DEBRA LUCERO, DISTRICT 2
TAMI RITTER, DISTRICT 3
TOD KIMMELSHUE, DISTRICT 4
DOUG TEETER, DISTRICT 5

BRUCE ALPERT, COUNTY COUNCIL

PDF of Agenda

How to Submit Public Comment Virtually

1. CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

Supervisor Kimmelshue pulled item 3.14 to move to the regular agenda.

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

3.01 Agreement with Aurora Behavioral Healthcare for Inpatient Hospitalization Services

Aurora Behavioral Healthcare is a managed care hospital located in Santa Rosa that provides inpatient psychiatric hospitalization services. The State mandates that counties contract with managed care hospitals based on a county's historical utilization. The contract process includes steps that each county in which the hospital exists (host county) is required to complete to negotiate rates and fully execute a contract with the respective governing board. Once the State receives confirmation that the host county has completed this process, all other counties who contract with the hospital must utilize those rates per the direction of the State. Due to these requirements, agreements with managed care hospitals are typically approved later in the fiscal year. The Department of Behavioral Health recommends entering into an agreement with Aurora Behavioral Healthcare for inpatient psychiatric hospitalization services. The term of the Agreement is July, 1 2021 through June 30, 2023, not-to-exceed $700,000. (Behavioral Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.02 Contract with 3CORE to Administer the Butte Business Stabilization Small Business Grant Program II

On October 12, 2021, the Board of Supervisors committed $1.5M in American Rescue Plan Act funds to create the Butte Business Stabilization Small Business Grant Program II (BBSP II). The BBSPII will assist small businesses with the impacts of temporary business closures, costs associated with adherence to State requirements for safe business operations, and financial impacts due to loss of revenue as a result of COVID-19. The BBSPII will provide grants of up to $10,000 to businesses with twenty or fewer full time equivalent employees, supporting approximately 150 small business grants. Eligible applications will be pooled by the six jurisdictions (Biggs, Chico, Gridley, Paradise, Oroville, and Unincorporated Butte County), and grant awardees will be selected by a lottery system for each jurisdiction. If there are not adequate applicants to fill the per-jurisdiction allocation for any single jurisdiction at the end of the three-week application period, then businesses will be chosen randomly from the remaining businesses within the lottery pool. In 2020, the County operated the Butte Business Stabilization Small Business Grant Program funded through the Coronavirus Aid, Relief and

Economic Security Act (CARES Act) to assist Butte County businesses with COVID-19 impacts. 3CORE was contracted by Butte County to administer that program. County Administration recommends the Board of Supervisors approve the contract with 3CORE to administer the BBSPII. The term of the contract is February 22, 2022 through June 30, 2023; not to exceed $1.5M. (County Administration)

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

Staff Report

3.03 Indigent Defense Contracts

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. Desiree Vance, who serves as a full-time attorney, will resign from the consortium effective March 1, 2022. The consortium selected Jeff Raven to serve as a full-time attorney to fill the role held by Ms. Vance. County Administration recommends entering into a contract with Mr. Raven for indigent defense services. The term of the contract is March 1, 2022 through June 30, 2024; not-to-exceed $373,648, which is $13,345 per month. (County Administration)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.04 Approval of Minutes for Board of Supervisors Meeting

Submitted for approval are the minutes for the July 20, 2021 Board of Supervisors Meetings. (County Administration)

Action requested - APPROVE THE JULY 20, 2021 BOARD OF SUPERVISORS REGULAR MEETING MINUTES

Staff Report

3.05 Resolution Authorizing the Grant of a Non-Exclusive Easement from the County of Butte to the Feather River Recreation and Park District for Ingress and Egress for Public Bike Path and Walking Trail Purposes Along the Feather River

Feather River Recreation and Park District (FRRPD), the City of Oroville and the County of Butte (County) have worked together over several years to develop a Public Class 1 Bike Path and Walking Trail, to be known as the "Nature Center Trail" (Trail), a portion of the Feather River Trail System. When completed, the Trail would be approximately 3.25 miles long and would connect Riverbend Park at the west end of Montgomery Street to the Feather River Nature Center at Montgomery Street and Old Ferry Road in Oroville. To accomplish this task, FRRPD must obtain easements from the property owners between the two points. The County is the owner in fee of five parcels along Montgomery Street and under the Upper Thermalito Bridge commonly known as Table Mountain Bridge, identified as Assessor's Parcel Numbers: 012-041-004, 012-041-005, 012-041-006, 012-041-019 and 013-010-026 (Property). To provide the public with access to the Trail, FRRPD requests that the County execute a non-exclusive Grant of Easement across a portion of the Property. FRRPD retained a licensed surveyor to prepare the legal descriptions of the easement area. Once executed and accepted, the Grant of Easement will constitute a covenant that will run with the land for the benefit of FRRPD in perpetuity. In return, FRRPD will develop, maintain and repair the easement area. (General Services)

Action requested - 1) APPROVE THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) AUTHORIZE THE DIRECTOR OF GENERAL SERVICES TO EXECUTE ALL DOCUMENTS TO FACILITATE THE CONVEYANCE OF THE REAL PROPERTY RIGHTS INCLUDING THE GRANT OF EASEMENT

Staff Report

Resolution 22-021

3.06 Lease Amendment #4 with Performance Modular, Inc. for the Neal Road Recycling and Waste Facility (NRRWF) Offices

The Butte County Department of Public Works has occupied a 2,000 square foot manufactured office building installed at the NRRWF by lease from Performance Modular, Inc. since 2010. The lease has been amended three times to extend the term. Most recently Amendment #3 was approved by the Board of Supervisors on April 25, 2017 to extend the term to February 28, 2022. To continue to meet the needs of the Department, and while the Department pursues a master plan evaluating its longer term facility needs, the Departments of Public Works and General Services recommend approval of Amendment #4 to extend the lease term to February 29, 2024. The amendment terms continue the current rent cost of $1,750.00 per month plus applicable taxes, for a total monthly cost of $1,876.88 or $0.93844 per square foot, as well as an option to extend for two additional twelve month terms. Funding for the lease is included in the budget. (General Services)

Action requested - APPROVE LEASE AMENDMENT #4 AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.07 Resolution Authorizing the Director of General Services to Accept and Record the Quitclaim Deed from the City of Oroville for the Southside Oroville Community Center

On January 11, 2022, the Butte County Board of Supervisors executed the County of Butte Contract No. X24600 entitled "Settlement Agreement and Release of All Claims Between the County of Butte and the City of Oroville" (Agreement) for the County owned real property, together with its improvements, commonly referred to as the Southside Oroville Community Center (SOCC) located at 2959 Lower Wyandotte Road in Oroville. Pursuant to the Agreement, the County plans to convey the SOCC to the Oroville Southside Community Improvement Association (OSCIA). In order to ensure that the County has clear and equitable title to convey, the City of Oroville (City) has agreed to execute a Quitclaim Deed in favor of the County to release any interest that they may have in the SOCC real property. Staff recommends that the Board of Supervisors accept any SOCC real property rights that the City may have via Quitclaim Deed, approve the Resolution and authorize the Director of General Services, to execute the Certificate of Acceptance. (General Services)

Action requested - 1) APPROVE THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2. AUTHORIZE THE DIRECTOR OF GENERAL SERVICES TO EXECUTE THE CERTIFICATE OF ACCEPTANCE

Staff Report

Resolution 22-022

3.08 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:

DEPARTMENT OF BEHAVIORAL HEALTH: Add 1 flexibly staffed Administrative Analyst position and delete 1 vacant flexibly staffed Behavioral Health Education Specialist position. The change will better meet the operational needs of the Department's Compliance Unit and the position will be assigned Cultural Compliance Coordinator and grant writing duties. Total allocations to remain unchanged. This change will result in an annual increase of $3,000 funded by salary savings within the Department. (Human Resources)

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

Staff Report

Resolution 22-023

3.09 Resolution and Cost Sharing Agreement Amendments with the State of California Department of Transportation (Caltrans) for State Highway Electrical Facilities

The County has historically entered into cost-sharing agreements with Caltrans to reimburse the State for operational and maintenance expenditures attributable to County roadways that intersect State highways at Caltrans-operated intersections. In 2017, the Board of Supervisors adopted a resolution and entered into a cost-sharing agreement with Caltrans for State highway electrical facilities within the County, which is to remain in effect until amended or terminated. In 2018, the Board entered into an updated agreement and resolution to include updated terms and conditions and reflect the State's current contract language. In 2020, Caltrans requested an amendment to the cost-sharing agreement to add assets and update asset numbers at Ophir Road, Palermo Road, and Hollis Lane. This amendment was signed and executed by the Director of Public Works. Earlier this year, the Department of Public Works received a subsequent request to amend the cost-sharing agreement to reflect additional assets and updated asset numbers. To ensure appropriate authority of current and future amendments to the cost-sharing agreement, the Department recommends that Board ratify the 2020 cost-sharing agreement amendment, sign the 2022 cost-sharing agreement amendment, and adopt a resolution authorizing the Director of Public Works to execute future cost-sharing agreement amendments. (Public Works)

Action requested - 1) RATIFY AGREEMENT; 2) APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 3) ADOPT A RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-024

3.10 Contract Change Order (CCO) and Notice of Completion for Las Plumas Avenue and Lincoln Boulevard Safe Routes to School (SRTS) Project

On October 27, 2020, the Board of Supervisors awarded the Las Plumas Avenue and Lincoln Boulevard SRTS Project to Knife River Construction of Chico. The project provided for minor widening of both roadways and construction of pedestrian safety improvements on Las Plumas Avenue including new curb, gutter, sidewalks, installation of pedestrian crosswalks, radar speed feedback signs, and drainage system improvements. Additionally, the existing pedestrian ramps adjacent to the Las Plumas School were upgraded. The project reconstructed the roadway to strengthen the road's foundation on Las Plumas Avenue and resurfaced both roadways. The contract award amount was $2,918,636. CCO No. 1 increased the contract by $52,421, which covers increases to the original engineer's estimate and settles all verified extra work claims. The total cost of work is $2,971,057. All contract work has been completed per the project plans and specifications. (Public Works)

Action requested - 1) APPROVE CONTRACT CHANGE ORDER NO.1 AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ACCEPT THE CONTRACT WORK AS COMPLETE AND AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION

Staff Report

Chair Connelly abstained from voting on item 3.10.

3.11 Contract Amendment with M.T. Hall and Associates for On-Call Construction Material Testing

The Department of Public Works utilizes specialized contract services to perform quality control on materials and construction projects provided by contractors. These testing services are required to be independent of the contractor's quality assurance process to avoid any potential conflicts of interest. On May 26, 2020, the Board of Supervisors entered into a contract with M.T. Hall and Associates for compaction testing, concrete testing, steel rebar testing, R-value testing, asphalt cores, and various soils and asphalt materials testing. The Department has experienced an increase in the volume of paving projects that are scheduled for the Summer of 2022 and the beginning of 2023. The increase in projects has resulted in a need to add appropriations to the existing agreement. The Department recommends amending the agreement by increasing the maximum payable amount by $85,000, not to exceed $225,000. All other terms remain the same. (Public Works)

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

Staff Report

3.12 Resolution and Introduction of an Ordinance Amending Chapter 14, Article XI by adding Section 14-41.6 "Parking Prohibited on Paved Portions of Cherokee Road"

Cherokee Road is a rural, remote, and narrow, two-lane county-maintained paved road with dirt shoulders. The area attracts a large amount of visitors each year for the scenic and recreational opportunities. Overflow parking results in vehicles that are densely parked on both sides of the paved road, which limits sight distance and affects pedestrian access. Specifically, vehicles parked in a manner that encroach upon the paved portion of the narrow roadway create hazardous conditions for bicycles, pedestrians, and vehicles. The parking congestion and pedestrian traffic further create a safety hazard by inhibiting the free access of emergency vehicles. In response, California Highway Patrol has requested the County place "No Parking On Pavement - Tow-Away Zone" signs on portions of the road to help reduce future hazards in this area. Under Vehicle Code sections 22504, 22507, and 22651 (n) a local authority may, by resolution or ordinance, prohibit or restrict the stopping, parking, or standing of vehicles on certain streets or highways or portions thereof. The Department of Public Works recommends that the Board of Supervisors adopt a resolution implementing the parking prohibition on the paved portion of Cherokee Road, beginning 2.9 miles north of the intersection of Oregon Gulch Road, to a point ending 1.28 miles north of the point of beginning, at its intersection with Derrick Road, with future action to adopt an ordinance to codify the parking prohibition specific to the paved portion of the road into County Code 30 days from the date of adoption. (Public Works)

Action requested - 1) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) WAIVE THE FIRST READING OF THE ORDINANCE ENTITLED "AN ORDINANCE AMENDING CHAPTER 14, ARTICLE XI

ENTITLED "PARKING UPON THE PUBLIC HIGHWAYS" TO ADD SECTION 14-41.6 "PARKING PROHIBITED ON PAVED PORTIONS OF CHEROKEE ROAD."

Staff Report

Resolution 22-025

3.13 Resolution Authorizing the Director of Public Works to Act as Official Representative for the County in Executing Program Supplements for Master Agreement with the California Department of Transportation (Caltrans)

On August 10, 2021, the Board of Supervisors executed a Master Agreement with Caltrans for certain designated transportation projects receiving State and federal aid. Caltrans requires the County to execute agreements that are supplemental to the Master Agreement (program supplements) for each project. In order for the Director of Public Works to execute program supplements, Caltrans requires a resolution authorizing the Director of Public Works as the official representative for the County. Adoption of the Resolution will ensure consistency with Master Agreements within the Department and allow program supplements to be executed with expediency. The Department of Public Works recommends the Board adopt the resolution authorizing the Director of Public Works to act as the official representative for the County in executing program supplements for the Master Agreement with Caltrans No. 03-5912S21 (Public Works)

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

Staff Report

Resolution 22-026

3.14 Contract Amendment with Butte Environmental Council (BEC) for Public Outreach and Education Services for Recycling and Solid Waste/Household Hazardous Waste Reduction

The Department of Public Works receives grant funding from the California Department of Resources Recycling and Recovery (CalRecycle) to provide public education and outreach services to promote recycling and solid waste and household hazardous waste management. On February 26, 2019, the Board of Supervisors entered into a contract with BEC for public outreach and education services, with a term of March 12, 2019 through March 12, 2022, not-to-exceed $83,087. In March 2020, the contract was amended to adjust the rate sheet, which did not affect the maximum payable amount. In 2021, public outreach faced delays due to COVID-19 related impacts such as school closures. In addition, the Department received subsequent grant funding from CalRecycle for public education and outreach services. The Department recommends amending the contract with BEC to fully meet the requirements of both rounds of grant funding. The amendment extends the contract term by 15 months through June 12, 2023, and increases the maximum payable amount by $27,339, not-to-exceed $110,426. All other terms remain the same. (Public Works)

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

Staff Report

Supervisor Kimmelshue pulled item 3.14 to move to the regular agenda.

3.15 Contract Amendment with Axon Enterprise, Inc. for Body-Worn Cameras and Related Services

In April, 2018, the Sheriff's Office contracted with Vievu, LLC (Vievu) for body-worn cameras and cloud based services for management and storage of video evidence. In October 2021, Axon Enterprise, Inc. (Axon) notified the Sheriff's Office it purchased Vievu and subsequently signed an amendment taking responsibility for the existing contract with the County. Due to the change in ownership, existing body-worn cameras and related software originally purchased from Vievu have reached end of life and will no longer be supported. Axon provided a quote for new body worn cameras and related accessories as well as a cloud based software solution for video evidence storage at a discounted rate based on pricing established in the existing contract. Procuring these items requires an extension to the term of the contract and increases the cost. The Department of General Services granted a 10 year standardization on the use of Axon for body-worn cameras and related services due to the volume of work that would otherwise be required to transition all sworn staff to new body-worn cameras and migrate all video evidence to a new platform as well as the cost savings provided by terms of the existing contract. The Sheriff's Office recommends amending the contract with Axon Enterprise, Inc. for body-worn cameras and related services. The amendment extends the contract expiration from April 23, 2023 to March 14, 2027 and increases the maximum payable amount by $863,876, not-to-exceed $1,244,435. (Sheriff)

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

Staff Report

3.16 Resolution Recognizing the Month of February as Black History Month

Black History Month is a time to celebrate and remember those important black figures that have changed the lives of not only the African American community, but the nation as a whole. Individuals like Martin Luther King Jr., Harriet Tubman, and Rosa Parks have all demonstrated a fearless dedication to the pursuit of equality. It is a time to recognize pioneers of equality as well as the countless others who have lived and died for the same pursuit. Black History Month is also a time of reflection and remembrance; a time to look back at the difficult parts of the past and recommit to the changes that are still needed. The African American Family and Cultural Center (AAFCC) is dedicated to being a positive part of Black History and is committed to the demonstration of a future focus and unconditional support for individuals regardless of race, gender, social class, age, or circumstance. The AAFCC requests that the Board of Supervisors join in the continued effort and proclaim the month of February as Black History Month. (Other - African American Family Cultural Center)

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

Staff Report

Resolution 22-027

Chair Connelly read the resolution, and Tiffanee Carter, Executive Director of the African American Family Cultural Center accepted the resolution.

3.17 Children and Families Commission (First 5 Butte County) Fiscal Year 2020-21 Annual Audit and Financial Statements

First 5 Butte County submits the FY 2020-21 annual audit report and financial statements to the Board of Supervisors pursuant to County Code, which requires the Commission to submit its annual audit for information. The Commission held a public hearing and accepted the audit report in compliance with the County Code . (Other- Butte County Children and Families Commission)

Action requested - ACCEPT FOR INFORMATION

Staff Report

3.18 Resolution Designating the Friends of the Arts as the Local Partner for the California Arts Council's State/Local Partnership Program

Friends of the Arts requests that the Board of Supervisors adopt a resolution designating the organization as the State/Local partner to the California Arts Council for Butte County for the period of 2022 through 2025. This designation will allow the Friends of the Arts to request grant funds each year to assist with various activities the organization helps to administer in Butte County. (Other - Friends of the Arts)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-028

Supervisor Lucero abstained from voting on item 3.18.

Supervisor Kimmelshue read and Supervisor Lucero accepted the resolution for the Friends of the Arts.

Motion to approve the consent agenda with item 3.14 pulled, item 3.10 Chair Connelly abstained from and item 3.18 Supervisor Lucero abstained from.

Motion moved by Supervisor Ritter; Seconded by Supervisor Kimmelshue.

Motion passed unanimously.

4. REGULAR AGENDA

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

A. Appointments to Listed Vacancies

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

Supervisor Kimmelshue: Asked to welcome the California Secretary of State Dr. Shirley Webber at CSU Chico. She was there presenting an award to the students of Chico State for registering more voters than any other institution of higher education in California.

Supervisor Ritter: Met with the Juvenile Justice, Restorative Justice group and listened to a presenter from Oakland about potential programs to bring into the County. Attended the Cohasset Planning Meeting regarding fire preparedness with Cal Fire, local Fire Safe Counsel and other partners. Their was also the Passages Adult Resource Center Advisory Board Meeting, Behavioral Health Advisory Board Meeting and met with area two Director about Master Plan and the DAN Coalition. The DAN Coalition would like to request at least one Board member appointed.

Supervisor Teeter: Went to D.C. as a officer of R.C.R.C. and met with Congress and Senate members. Met with Chief Moore and talked about Broadband, funding for schools, zero emission vehicle infrastructure, farm bill and forest management. Infrastructure and Jobs Act to provide to R.C.R.C Counties $5.5 billion over five years to wildfire risk mitigation, $2 billion for rural broadband programs at the department of Agriculture, $8.3 billion for Western water including $1 billion for rural water projects and establishes an inter-governmental commission on wild fire mitigation prevention. Attended NACO and Western Interstate Region Committee and they discussed worker housing which applied to homeless housing as well.

Supervisor Lucero: Attended NACO touched on the zero emission vehicle infrastructure and the U.S. Treasury Final Rule. Spent time at Disaster Resiliency Day and talked about strategies and recovery. Sat as Vice Chair on Rural Action Caucus and discussed the 2023 Farm Bill. Asked about the Food Stability Grant put in by Butte County and there were 26 collaborators and Morrison Company wrote the Grant and San Diego, UC Davis and San Francisco received the grant and although we did not receive the grant Supervisor Lucero got the notes as to why it was not granted. Discussed leveraging Federal funding to strengthen mental health in schools. Attended a workshop in cannabis banking, Secure and Fair

Enforcement Banking Act that is being considered by Congress. Request for concerns about RV living around Butte County and to establish a plan for RV's.

Chair Connelly: Met with Josh Pack, Director of Public Works about the conditions of roads and funding issues. Met with Feather River Recovery Alliance about dam safety and that local are heard at Citizens Advisory's Commission. Reached out to Senator Nielsen's office to make sure public is heard and requested an inundation map based on different conditions, main dam gate repair information, Palermo tunnel examination and more details about dam infrastructure. Met with the City of Oroville Manager about Almada Fire and fee collection services that are suppose to be provided. Cal LAFCO hired a new Director. Attended a legislative meeting about provisions in the law that allow slippery language stating that you can provide service outside of a district, and ignore the LAFCO process. Settled on the fact that it will be changed. Taught a government class at Paradise High School about what Supervisors do.

4.02 Letter in Support for Assembly Bill (AB) 1773 - Williamson Act: Subvention payments: appropriation

Staff prepared a letter in support for AB 1773 - Williamson Act: Subvention payments: appropriation. This bill would appropriate forty million dollars in the 2022-23 State budget to make subvention payments to counties in proportion to the losses incurred by those counties by reason of reduction in assessed property taxes. It is estimated this would bring in an additional $300,000 in property tax revenue to the County, while providing additional savings to property owners in the program. (County Administration)

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

Staff Report

Speaker(s): Brian Ring, Assistant Chief Administrative Officer, and Blake Bailey, Assistant Director, Assessor's office.

The following member(s) of the public submitted public comment for item 4.02: John Miller-George and Mr. Laughlin.

Motion: Approve letter of support and authorize the Chair to sign.

Motion moved by Supervisor Kimmelshue; Seconded by Supervisor Teeter.

Motion passed unanimously.

4.03 Letter in Support for Assembly Bill (AB) 2020 Mental health services: gravely disabled

At the request of Chair Connelly and Vice Chair Kimmelshue, staff prepared a letter in support for AB 2020 - Mental health services: gravely disabled. AB 2020 would clarify and fine tune the definition of "gravely disabled", which is used to evaluate the needs to establish a Lanterman-Petris-Short Conservatorship. This change would work to ensure individuals suffering from serious mental illness receive the support they need. (County Administration)

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

Staff Report

Public Comment Packet

Speaker(s) Chair Connelly, Supervisors Kimmelshue and Lucero, Michael Ramsey, District Attorney, and Scott Kennelly, Director of Behavioral Health.

The following member(s) of the public submitted public comment for item 4.03: Nichole Nava (electronic) John Miller-George and Catherine Posey.

Motion: Approve letter of support and add opt-in opt-out language for billable services from Prop 30, and authorize the Chair to sign.

Motion moved by Supervisor Ritter; Seconded by Supervisor Kimmelshue.

Motion passed unanimously.

4.04 Introduction and Adoption of an Urgency Ordinance (UO) Pertaining to Chapter 53, "Camp Fire Recovery", Extending the Period for Reconstruction of Legal Nonconforming Structures

Pursuant to California Constitution Article XI, section 7 and Government Code sections 25123(d) and 25131, the Department of Development

Services proposes the adoption of an UO pertaining to Butte County Code Chapter 53, "Camp Fire Recovery". Chapter 53 requires the reconstruction of legal nonconforming structures two years after certification of fire debris removal. The UO extends the period of reconstruction to the end of the effective period; December 31, 2022. The urgency ordinance will take effect immediately upon a four-fifths approval of the Board of Supervisors. (Development Services)

Action requested - ADOPT THE URGENCY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (4/5 VOTE REQUIRED)

Staff Report

Speaker(s): Paula Daneluk, Director of Development Services and Josh Pack, Director of Public Works.

The following member(s) of the public submitted public comment for item 4.04: John Miller-George.

Motion: Adopt the urgency ordinance and authorize the Chair to sign. (4/5 vote required) Motion moved by Supervisor Teeter; Seconded by Supervisor Ritter.

Motion passed unanimously.

4.05 Employment Contract - Butte County Surveyor

Under Article IV, Section 1 of the Butte County Charter, the County Surveyor shall be a County Officer, appointed by the Board of Supervisors. On April 10, 2018, the Board of Supervisors adopted a resolution appointing Bill Bridgnell as County Surveyor and entered into an employment contract with Mr. Bridgnell for a term of four years, through April 21, 2022. Bill Bridgnell has been employed by the County since December 2004 and became licensed as a California Land Surveyor in November 2005. In August 2007, Bill Bridgnell was assigned to the position of Deputy County Surveyor by the Department and has performed the duties of the County Surveyor position since that time. As County Surveyor, Bill Bridgnell has gained the respect of his peers in the local surveying community as well as his co-workers in the Department of Public Works. The Department recommends the Board enter into an employment contract with Bill Bridgnell for County Surveyor. The salary of the position is $115,210. The term of the contract is April 22, 2022, through April 21, 2026. (Public Works)

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

Staff Report

Speaker(s): Josh Pack, Director of Public Works and Ashley Snyder, Administration Coordinator, Public Works.

The following member(s) of the public submitted public comment for item 4.05: John Miller-George.

Motion: Approve the employment contract and authorize the Chair to sign.

Motion moved by Supervisor Lucero; Seconded by Supervisor Kimmelshue.

Motion passed unanimously.

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

Item 3.14: **Contract Amendment with Butte Environmental Council (BEC) for Public Outreach and Education Services for Recycling and Solid Waste/Household Hazardous Waste Reduction**

Motion: Adopt resolution and authorize the Chair to sign.

Motion moved by Supervisor Lucero; Seconded by Supervisor Ritter.

Motion passed unanimously.

5. PUBLIC HEARINGS AND TIMED ITEMS

5.01 9:30AM - Timed Item - General Plan Amendment and Rezone (McLaughlin, GPA20-0004/REZ20-0002)

The applicant, Ed McLaughlin requests a General Plan Amendment (GPA20-0004) from Agriculture to an Agriculture Services and a Rezone (REZ20-0002) from Agriculture 40-acre minimum to an Agriculture Services zone on a 9.89-acre (eastern) portion of the subject 19.88-acre parcel (APN 039-170-012). The parcel is located at 2376 and 2384 Dayton Road, 1.5 miles south of the City of Chico. There is no Agricultural Services development proposal associated with the project at this time. The Planning Commission considered this item at a public hearing held on January 27, 2022 and recommended approval of the General Plan

Amendment and Rezone to the Board of Supervisors on a 5-0 vote. This amendment would be the first General Plan Amendment in the 2022 calendar year, and approval would not exceed the four total amendments allowed under Government Code section 65358 (b). (Development Services)

Action requested - 1) ADOPT THE RESOLUTION APPROVING A NEGATIVE DECLARATION AND AMENDING THE GENERAL PLAN LAND USE MAP AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT THE ORDINANCE AMENDING THE ZONING MAP AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 22-029

Ordinance 4215

Speaker(s): Dan Breedon, Planning Manager and Tristan Weems (presenter).

Motion: Adopt the resolution approving a negative declaration and amending the general plan land use map; and 2) adopt the ordinance amending the zoning map.

Motion moved by Supervisor Lucero; Seconded by Supervisor Ritter.

Motion passed unanimously.

5.02 10:15AM - Timed Item - Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer

5.02. A. Update on Pallet Shelter Site

Speaker(s): Mark Orme, City Manager for the City of Chico.

The following member(s) of the public submitted public comment for item 5.02 A: Julie Threet, Trish Carson and John Miller-George.

5.02. B. COVID-19 Update by the Public Health Director

Speaker(s): Danette York, Director for Public Health and Dr. David Canton, Interim Health Officer.

The following member(s) of the public submitted public comment for item 5.02 B: Julie Threet, Diana Dreiss, Catherine Posey and John Miller-George.

5.02. C. CAO Comment

Speaker(s): Andy Pickett, Chief Administrative Officer and Katie Simmons, Deputy Administrative Officer Economic and Community Development, Butte County Administration.

5.03 10:20AM - Timed Item - Board of Supervisors Public Comment - 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.

The following member(s) of the public submitted public comment for item 5.03: Mike Reams (Water Commission vacancy) Diana Dreiss, Julie Threet, Catherine Posey and John Miller-George.

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 Services 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, Meegan Jessee, 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. Jackson v. Butte County, U.S. Dept. of Labor, OSHA Case No. 9-3290-19-712.

B. Marten v. Butte County; Workers' Compensation Appeals Board Case No. ADJ12754126 (Claim Number: BAUQ-550906).

6.04 Significant exposure to litigation pursuant to Gov. Code Sec. 54956.9(d)(2) - two potential cases.

BUTTE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD FEBRUARY 22, 2022 MEETING

1. CALL TO ORDER

2. CONSENT AGENDA

2.01 Contract Amendment with Pan American Life Insurance (PALIC) Group for Health Insurance Policy and Administrative Services

The County and the Butte County In-Home Supportive Services (IHSS) Public Authority (PA) bargaining team agreed on a successor MOU with United Domestic Workers of America (UDW). The IHSS Public Authority Board ratified the agreement on August 24, 2021. The No Surprises Act of the 2021 Consolidated Appropriations Act addresses "surprise" medical bills received by members for services provided by out-of-network providers in connection with a member's visit at an in-network facility. Health plans are required to pay out-of-network providers in accordance with the methodology and dispute resolution alternatives established by the No Surprises Act effective January 1, 2022. The Self-Funded Employee Welfare Benefit Plan, for which PALIC serves as the Claims Administrator, requires an amendment to the health care plan contract to bring the plan into compliance with the Employee Retirement Income Security Act (ERISA) and the No Surprises Act. The Department of Employment and Social Services recommends amending the contract with PALIC for health insurance policy and administrative services to comply with the changes to the ERISA through the No Surprises Act. The term of the contract remains February 1, 2019 through February 1, 2023, with no change to the contract amount. All other terms remain the same. (IHSS)

action requested - 1) APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) AUTHORIZE THE DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES DIRECTOR, IN HER CAPACITY AS THE EX-OFFICIO IHSS PUBLIC

AUTHORITY DIRECTOR, TO SIGN ALL ADMINISTRATIVE DOCUMENTS WHICH ARE NECESSARY TO IMPLEMENT THE INSURANCE PROGRAM.

Staff Report

Speaker(s): Chair Connelly.

Motion: Approve contract amendment and 2) authorize the Department of Employment and Social Services Director, in her capacity as the Ex-officio IHSS Public Authority Director, to sign all administrative documents which are necessary to implement the insurance program.

Motion moved by Supervisor Ritter; Seconded by Supervisor Lucero.

Motion passed unanimously.

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 three 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.

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

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

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

Agenda Format and Meeting Order:

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

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

Public Participation:

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

The Board of Supervisors is also committed to making its proceedings accessible to all citizens. Individuals with special needs should call the Clerk of the Board at 530.552.3300, Monday through Friday, 8:00 a.m. to 5:00 p.m. to request disability-related modifications/accommodations or to request materials in alternate formats. All requests for special accommodations and/or alternative format documents must be made 48 hours prior to the meeting.

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

ATTEST:
Andy Pickett, Chief Administrative Officer and
Clerk of the Board
Shaina Paul
Deputy

Bill Connelly
Bill Connelly, Chair
Butte County Board of Supervisors