



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

FEBRUARY 14, 2023

9:00 AM

MEMBERS OF THE BOARD

BILL CONNELLY, DISTRICT 1

PETER DURFEE, 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

BRAD STEPHENS, COUNTY COUNSEL

1. CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

Rules of Decorum

The Board of Supervisors welcomes the public to its meetings and encourages and appreciates public engagement. The Board of Supervisors expects members of the public to act in a courteous, civil, and respectful manner. Individuals who address the Board shall not make personal, impertinent, slanderous, or profane remarks to any member of the Board, staff, or the general public. The Board of Supervisors will not tolerate loud, threatening, personal, or abusive language, or disorderly conduct, which disrupts, disturbs, or otherwise impedes the orderly conduct of Board meetings. Violation of these rules of decorum will result in the meeting being recessed.

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

3.01 Amendment to Mental Health Services Agreement with North Valley Community Foundation (NVCF) - NVCF is a community integrated youth service provider with the capacity and relationship through its Community, Assessment, Response and Education (CARE) Team to support Paradise Unified School District and the Butte County Office of Education. NVCF provides outreach and mental health services for youth on campus fitting the demographic criteria under the Mental Health Services Oversight & Accountability Commission (MHSOAC) Mental Health Student Services Act (MHSSA) grant. NVCF's CARE Team provides support when a young person is suicidal, has attempted suicide or has taken their life by suicide. The targeted population includes those children and youth who are in foster care, those who identify as lesbian, gay, bisexual, transgender, or queer, and those who have been expelled or suspended from school. On July 26, 2022 the Board of Supervisors approved a Mental Health Services agreement with NVCF for CARE team support. The term of the contract is July 1, 2022 through June 30, 2023, with a not-to-exceed of \$163,368. The need for CARE team support is great and the work is difficult, a core piece of the

program is hours dedicated to coaching by a caring, protective adult. The Department of Behavioral Health recommends amending the agreement with NVCF for outreach and mental health services. The amendment increases the maximum payable amount by \$128,939, not-to-exceed \$292,307. All other terms remain the same – action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)

- 3.02 Approval of the Butte County Board of Supervisors Regular Meeting Minutes - Submitted for approval are the August 23, 2022, and September 13, 2022 Board of Supervisors Regular Meeting Minutes – action requested - APPROVE AUGUST 23, 2022 AND SEPTEMBER 13, 2022 BOARD OF SUPERVISORS REGULAR MEETING MINUTES. (County Administration)
- 3.03 Contract Amendment with Land Logistics, Inc. for Planning Services - On April 13, 2021 the Board of Supervisors approved a contract with Land Logistics, Inc. for planning services. The contract provides planning application processing, planning building permit review, and other planning services as needed by the Department of Development Services. Contracting for planning services allows the Department to continue providing timely service to the public for high demand planning-related services. The term of the original contract is April 13, 2021- April 13, 2026, the maximum not-to-exceed amount is \$99,999. The Department recommends amending the contract with Land Logistics, Inc. to support additional volume of applications for mining operations and provide ongoing planning services to the community. The amendment increases the maximum payable by \$150,001 not-to-exceed \$250,000. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 3.04 Land Conservation (Williamson) Act Contract Rescissions and New contracts with Meyer Family Farms, Inc., Chambers, Davis and Meyer, Inc., and the Meyer Family Trust of 2020 - Walter Meyer applied on behalf of owners Meyer Family Farms, Inc. and Chambers, Davis and Meyer, Inc. for a lot line adjustment on APNs 029-050-011 and 029-060-015. The parcels are located on the north side of Butte City Highway, 0.92 miles northeast of Aguas Frias Road, approximately 6 miles northwest of the City of Biggs limits. The Land Conservation Act Advisory Committee reviewed the lot line adjustment (LCA22-0013) on November 7, 2022 and found it consistent with Butte County Uniform Rules and Procedures for Implementing the California Land Conservation (Williamson) Act. The Committee recommended rescission of the existing Land Conservation Agreements, recorded document No. 89-005684 (029-060-015) and 89-005685 (029-050-011 and 029-050-012 as it is part of the recorded contract) and simultaneous entry into three new separate contracts for rice production, based on the three parcels being held in different ownership, Meyer Family Farms, Inc., Chambers, Davis and Meyer, Inc., and The Meyer Family Trust of 2020. The making of Williamson Act contracts is exempt from review under the California Environmental Quality Act per Categorical Exemption 15317 Open Space Contracts or Easements – action requested - 1) DETERMINE THAT THE LOT LINE ADJUSTMENT IS CONSISTENT WITH THE WILLIAMSON ACT; 2) RESCIND EXISTING CONTRACTS (2); AND 3) APPROVE CONTRACTS (3) AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

- 3.05 Resolution Honoring Butte County Employees for Dedicated Years of Service - Each year, the Board of Supervisors recognizes employees who have reached service increments of 30, 35, 40, and 45 years of continuous service to Butte County for dedicated years of service. For 2022, the County recognizes Sotero Amaya, Yesenia Moretti, and Cynthia Pustejovsky, for 30 years of service, Leslie Roberts for 35 years of service, and Carol Gresehover for 45 years of service – action requested - ADOPT RESOLUTIONS (5) AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

- 3.06 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:

HUMAN RESOURCES: Amend Section 28F of Salary Ordinance No. 4224 of the County of Butte titled “Confidential Employees” changing the salary range of classification “Senior Information Technology Manager-Confidential” from Range 117 to Range 118 and classification “Information Technology Manager-Confidential” from Range 110 to Range 113; both changes requested due to a previous omission. The proposed changes are to be retroactively effective to August 6, 2022 to align with Section 28E titled “Mid-Management” classifications “Senior Information Technology Manager” (Range 118) and “Information Technology Manager” (Range 113).

Amend Section 28E “Mid-Management” of Salary Ordinance No. 4224 of the County of Butte to add a new classification titled “Cash Management and Banking Supervisor” at Range 79; the associated bargaining group has agreed to the additional classification and range placement.

Amend Section 28C of Salary Ordinance No. 4224 of the County of Butte titled “General Unit” changing the classification title of Agricultural Biologist Technician to Agricultural Biologist Weights and Measures Technician; the associated bargaining group has agreed to the name change and job specification update.

PUBLIC HEALTH: Convert 1 vacant flexibly staffed Administrative Assistant Senior position to a Term position with an end date of August 30, 2023. The proposed change will better suit the future needs of the Department. The current position is vacant and upon the end date of the proposed term, the annual salary savings is approximately \$69,888.

PUBLIC WORKS: Delete 2 vacant flexibly staffed Landfill Maintenance Worker II positions and add 2 Recycling Attendant positions. The proposed change is required to meet the increased need to process recycling materials, maintain the recycling area, and meet the ongoing needs of Neal Road Recycling and Waste Facility (NRRWF). Total allocations to remain unchanged. This change will result in an annual increase of approximately \$16,973 (\$8,486 per position) to the Enterprise fund.

TREASURER-TAX COLLECTOR: Delete 1 vacant Banking and Investment Manager position and add 1 Banking and Cash Management Supervisor position. The proposed change will better suit the needs of the Department. Total allocations remain unchanged. The proposed change will not result in any expense change or salary savings as positions are offset by revenue received.

Action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

- 3.07 Resolution to Amend the Salary Ordinance and Budget Adjustment for California Home Visiting Program State General Fund Expansion (CHVP SGF EXP) Funding - The Department of Public Health recently received notice of an additional funding allocation from the California Department of Public Health (CDPH) for the CHVP SGF EXP program to increase the number of families participating in evidence-based home visiting models approved by CDPH/CHVP. Current approved models include: Healthy Families of America, Nurse Family Partnership, and Parents as Teachers. Funding is to be used for home visiting program expansion, planning, and/or special support activities. The Department has been allocated \$459,728 for FY 2022-23, with continued funding through June 30, 2029 of \$562,487 per fiscal year. The Department currently supports the Healthy Families of America and Parents as Teachers models with CHVP funding. Additional funds of \$262,720 in FY 2022-23 will be used to plan and implement the Nurse Family Partnership model, including hiring dedicated staff. The Department recommends the Board of Supervisors adopt a resolution amending the Salary Ordinance to include the addition of 4 regular help, flexibly staffed Public Health Nurse positions and approve a budget adjustment to cover the associated costs. The Department allocation will increase by 4 – action requested – 1) APPROVE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTES REQUIRED). (Public Health)
- 3.08 Amendment to Non-Financial Memorandum of Understanding (MOU) with Enloe Medical Center (Enloe) - Under Section 340B of the Public Health Services Act (340B Program), healthcare providers may participate in the drug discount program. Participation requires healthcare providers to contract with a unit of state or local government in which the provider commits to provide healthcare services to low-income individuals who are neither entitled to benefits under Medicare (Title XVIII of the Social Security Act (SSA)) nor eligible for assistance under Medicaid (Title XIX of the SSA). In November of 2020, Enloe entered into a non-financial MOU with the Department of Public Health. The MOU outlines the commitment of Enloe to provide healthcare services to low-income individuals who do not qualify for Medicaid or Medicare and acceptance by the Department to fulfill the requirement of the 340B program. The term of the MOU is November 1, 2020 through October 31, 2025. Enloe requested an amendment to the non-financial MOU to include an evergreen clause. The Health Resources and Services Administration (HRSA) which oversees the 340B program strongly recommends an evergreen clause that continues the MOU until terminated by either party with 60 day notice to ensure for continuity of medical services. The department recommends amending the agreement to extinguish, Section 4. Term and Termination and replace it with evergreen language – action requested – APPROVE MOU AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)

- 3.09 Contract with Northern Valley Catholic Social Service (NVCSS) to implement the California Home Visiting Program (CHVP) Maternal, Infant and Early Childhood Visiting (MIECHV) American Rescue Plan project - The Department of Public Health has received grant funding to implement the CHVP MIECHV American Rescue Plan project. The purpose of the one-time funding is to support parents and children enrolled in a CHVP MIECHV funded program and to provide workforce development of CHVP MIECHV funded staff. The funding is made available under section 9101 of the American Rescue Plan Act, P.L. 1172-2 to entities that currently receive CHVP MIECHV program funding. The Department currently receives CHVP MIECHV funding through California Department of Public Health (CDPH) for a home visiting program. The Department contracts with NVCSS to provide the home visiting services, making NVCSS the only eligible entity to receive the additional funds for this special project. Funds must be used to address the immediate and ongoing needs related to the COVID 19 pandemic. The allowed spending categories are limited and include: hazard pay and staff costs, home visitor staff training, technology, emergency supplies and prepaid grocery cards. The Department recommends entering into a contract with NVCSS to implement the CHVP MIECHV American Rescue Plan project. The term of the contract is February 14, 2023 through July 31, 2023, not-to-exceed \$97,739 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)
- 3.10 Agreement Amendment with the California Department of Public Health (CDPH) for the local Women, Infants and Children (WIC) program - The Department of Public Health has a grant agreement with CDPH to participate in the WIC Program. WIC is a federal and State funded program that provides supplemental nutritious foods to mothers, infants and young children. Services provided through the program include nutrition education, outreach and Electronic Benefits Transfer (EBT) cards with funds for designated food items from authorized WIC food vendors. Participants must meet income guidelines and be a pregnant woman, new mother, infant, or child under age 5. The Department has received funding to participate in this program as the Local WIC Agency for many years. CDPH is amending the current agreement to make an additional \$923,644 available over the contract period October 1, 2022- September 30, 2025 to better support program needs for childhood literacy through the Books for Kids program. The maximum receivable will increase by \$923,644, not-to-exceed \$6,138,319 (\$2,065,181 for FY 2022-23, \$2,036,569 for FY 2023-24 and \$2,036,569 for FY 2024-25). All other terms remain the same. The Department recommends approving the amendment and adding 2 regular positions to support the enhanced program: 1 full time Program Supervisor and 1 full time, flexibly staffed Nutrition Assistant – action requested – 1) APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; 2) APPROVE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 3) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Public Health)
- 3.11 Notice of Completion for Bald Rock Road Rehabilitation Project – On July 26, 2022, the Board of Supervisors authorized the Department of Public Works to advertise for bids for the Bald Rock Road Rehabilitation Project. The project reconstructed the roadway by strengthening the road foundation, replacing the pavement surface and driveway aprons, replacing fire-damaged cross culverts, rehabilitating roadside ditches, and placing new striping and pavement markings. The contract award amount was \$2,950,759.30. All contract work has been completed per the project plans and specifications. One contract change order (CCO No. 1) was executed during the contract, which decreased the contract amount by \$28,811.73. The final cost to complete the project was \$2,921,947.57 – action requested – ACCEPT THE CONTRACT WORK AS COMPLETE AND AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION. (Public Works)

- 3.12 Approve Contract Change Order (CCO) and Notice of Completion for Butte County 2022 Pavement Maintenance Project - On June 14, 2022, the Board of Supervisors awarded the 2022 Pavement Maintenance Project to American Pavement Systems, Inc. of Modesto, CA. The project provided for various surface treatments on County roads. The contract award amount was \$2,917,665.00. All contract work has been completed per the project plans and specifications. One final contract change order (CCO) needs approval before the project can be deemed complete. CCO No. 1 provides for changes in contract quantities to match actual quantities at the contract unit prices for the various line items. CCO No. 1 increased the contract by \$63,900.46, for a total cost of work of \$2,981,565.46. The Department of Public Works recommends that the Board take concurrent action to approve the contract change order, accept the work as complete, and authorize the Chair to sign the Notice of Completion – action requested – 1) APPROVE CCO 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. (Public Works)
- 3.13 Real Property Conveyance Agreement Between the City of Gridley and the County of Butte – The Department of Public Works currently operates a maintenance facility site at 860 Cedar Street in Gridley, APN 010-123-007 (Gridley Yard). The Gridley Yard is limited in size at 0.2 acres and requires significant restoration and improvements to meet the Department’s needs. Over the past year, the Department has studied the options to overcome these conditions, including renovating or replacing the current Gridley Yard building. The City of Gridley recently expressed interest in acquiring the Gridley Yard into the City’s real property holdings, as the Gridley Yard abuts two properties owned by the City. In return, the City would divest a portion of a parcel within the City’s Industrial Sports Complex and transfer to the County approximately 2.5 acres of unimproved real property located in Gridley. The parcel will then be developed into a new maintenance facility over the next few years. The new fully enclosed maintenance facility will accommodate the current and future needs of the Department and will include a shop with two bays, a private office, locker rooms, and a small conference room. The Gridley City Council approved the real property conveyance agreement on February 6, 2023. The Department recommends the Board approve the real property conveyance agreement and authorize the Director of Public Works to sign the agreement – action requested – APPROVE THE REAL PROPERT CONVEYANCE AGREEMENT AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN. (Public Works)
- 3.14 Contract with Waste Tire Products for Tire Removal and Recycling Services at the Neal Road Recycling and Waste Facility (NRRWF) – NRRWF has recycled source-separated tires since the 1990s and receives an average of 450 tires per month. Under a solid waste facility permit issued by Cal Recycle, NRRWF is allowed to store up to 500 tires on-site. On December 9, 2022, the Department of Public Works released an Invitation for Bids for waste tires from NRRWF to be transported to licensed permitted facilities for recycling and other reuse purposes. One bid was received on January 3, 2023, from Waste Tire Products of Orland. The Department recommends entering into a contract with Waste Tire Products for tire removal and recycling services. The term of the contract is February 14, 2023, through February 14, 2026, not-to-exceed \$280,000 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

- 3.15 Accept CalOES High Frequency Communications Grant Funds and Budget Adjustment – The Butte County Sheriff's Office (BCSO) has been awarded \$45,426 through the CalOES High Frequency Communications Equipment Program (PSC1) grant. This grant provides funding for equipment, installation, and training necessary for BCSO to adopt and utilize High Frequency communications systems, including SHARES and STACOM, as requested and outlined by CalOES. This equipment is needed for BCSO to be able to communicate with CalOES and/or other mutual aid agencies during an emergency that requires coordination with outside agencies for effective response. The BCSO recommends authorizing Sheriff to sign all documents related to accepting grant funds and approving a budget adjustment in the amount of \$45,426 – action requested – 1) AUTHORIZE THE SHERIFF TO SIGN ALL GRANT RELATED DOCUMENTS; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Sheriff)
- 3.16 Membership Certification of the Local Planning Council (LPC) - The Butte County Office of Education submits its annual request for Board of Supervisors' certification of the composition of the LPC membership for the Butte County Local Child Care Planning Council – action requested - APPROVE MEMBERSHIP COMPOSITION OF THE LPC AND AUTHORIZE THE CHAIR TO SIGN THE CERTIFICATION STATEMENT. (Other – Butte County Office of Education)

REGULAR AGENDA

- 4.01 Boards, Commissions, and Committees
(List available at www.buttecounty.net/clerkoftheboard/appointmentslist)
- A. Appointments to Listed Vacancies
1. 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 Christine Bonilla as Provider Representative, with term ending December 31, 2025 – action requested - APPOINT CHRISTINE BONILLA TO THE IHSS ADVISORY COMMITTEE AS A PROVIDER REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2025. (Employment and Social Services)

2. Appointments to the Butte County Behavioral Health Board (BHB)- 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. The BHB consists of 13 to 15 members, with 50% of the membership being direct consumers or family members of consumers who are receiving mental health services, with three being direct consumers and three being family members of consumers receiving mental health services; one member of the Board of Supervisors; one law enforcement representative; one youth representative; one Veteran or Veteran Advocate; and community members (up to five). Staff recommends appointing Timothy Hawkins to the Veteran/Veteran Advocate seat with a term ending February 28, 2025 and appointing Angel Calderon to a Community Member seat with a term ending February 28, 2025 – action requested - APPOINT TIMOTHY HAWKINS FOR THE VETERAN/VETERAN ADVOCATE REPRESENTATIVE SEAT WITH A TERM ENDING FEBRUARY 28, 2025 AND APPOINT ANGEL CALDERON TO A COMMUNITY MEMBER SEAT WITH A TERM ENDING FEBRUARY 28, 2025. (Other – BHB)

3. Appointment to the Housing Authority Board of the County of Butte (HACB) - The HACB assists low and moderate income residents of Butte County to secure and maintain high quality affordable housing. Subsidized housing is provided to families, seniors and disabled individuals whose income is between 50% and 80% of median area income. Funding for the various programs is provided by the U.S. Department of Housing and Urban Development and the U.S. Department of Agriculture Rural Development. The HACB is governed by a seven-member Board of Commissioners appointed by the Board of Supervisors and is comprised of five commissioners, one recommended by each Board member, and two Tenant Commissioners, with one Tenant Commissioner being over the age of 62. The terms of Commissioners appointed by the Board of Supervisors shall coincide with the term of the recommending Supervisor. The HACB is requesting that the Board of Supervisors appoint a member to the District 4 seat – action requested – APPOINT ONE QUALIFIED CANDIDATE TO THE HACB DISTRICT 4 SEAT WITH A TERM ENDING JANUARY 6, 2025. (Other – HACB)

4. Appointment to the Paradise Cemetery District (District) - The District is an independent special district of the State of California, formed under Health & Safety Code by approval of the Butte County Board of Supervisors in 1930 to provide a respectful, low-cost place of burial to meet the needs of the Town of Paradise. The District owns and maintains the Paradise Cemetery and is managed by three trustees appointed by the Board of Supervisors, who serve four-year terms. The District requests that the Board of Supervisors appoint Vivian Cleveland as a Trustee with a term ending in February 14, 2027 – action requested – APPOINT VIVIAN CLEVELAND TO THE PARADISE CEMETERY DISTRICT AS A TRUSTEE, WITH A TERM ENDING FEBRUARY 14, 2027. (Other – Paradise Cemetery District)

B. Board Member / Committee Reports and Board Member Comments

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

- 4.02 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.
- 4.03 Library and County Revenue Alternatives - At the June 28, 2022 Board of Supervisors Meeting, staff presented a report outlining the costs and funding structure of the Butte County Library. During deliberation, the Board raised a number of questions and staff returned on December 12, 2022 with responses to those questions. At that December 12, 2022 meeting, additional questions were raised and staff were directed to research the questions raised as well as review funding alternatives for both the Library and general government purposes. Staff are returning with this information – action requested – PROVIDE DIRECTION TO STAFF. (County Administration)
- 4.04 Resolution for Exemption to the 180-Day Wait Period to hire CalPERS Retiree - The California Public Employees' Pension Reform Act (PEPRA) of 2013 requires newly retired persons to "sit out" for a period of 180 days before returning to work for an employer in the same retirement system which they receive a retirement. An exemption to this rule is permitted by Government Code section 7522.56(f)(1), if approved by the governing body in a public meeting on the regular agenda. Linda Schulken retired as a Paralegal Supervisor-Confidential from the County Counsel's Office on December 31, 2022. The County Counsel's Office recommends the Board of Supervisors approve a resolution to allow the extra-help hiring of Linda Schulken as a Paralegal Supervisor-Confidential commencing February 15, 2023. The County Counsel's Office has several vacant positions. The County Counsel intends for Linda Schulken to work on special research projects and annual assignments she is familiar with. The Director of Human Resources has reviewed the facts and concurs that the request is consistent with Government Code section 7522.56(f)(1) – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Counsel)
- 4.05 Authorization to Advertise Projects for Bid in the 2023 Public Works Infrastructure Master Plan (IMP) - On November 8, 2022, the Board of Supervisors approved the 2023 IMP, which represents a five-year, \$109 million investment in the community, and establishes a planning and programming process to address community needs and improve transparency and accountability. The 2023 IMP includes a list of projects that may begin construction in 2023. Under the Government and Public Contract Code, the Department of Public Works traditionally requests authorization from the Board to advertise projects for bid and to adopt the project plans and specifications on a project-by-project basis. To improve efficiency in the delivery of Public Works projects, the Department is requesting broader authorization to advertise for projects scheduled for construction in the 2023 IMP. Projects and project details are included in the attached document. Approving an authorization to advertise projects for bid in this manner will allow the Department to begin advertising projects for construction immediately after project design is complete. Upon completion of the bidding process, the Department would request that the Board approve the construction contract and the project plans and specifications per the Public Contract Code. Any projects not identified in the attached document would require separate action by the Board on a case-by-case basis – action requested – 1) AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO ADVERTISE AND SOLICIT BIDS FOR CONSTRUCTION OF PROJECTS INCLUDED IN THE 2023 IMP; AND 2) APPOINT THE PUBLIC WORKS DIRECTOR AS OFFICER OF THE PROJECTS. (Public Works)

- 4.06 Blanket Purchase Agreement (BPA) with Ferreira Water Service, Inc. for Soil Stabilization Product
The Department of Public Works issued an Invitation for Bids (IFB) on December 8, 2022, to establish a new five-year agreement for the purchase and application of a soil stabilization product to be applied to County-owned gravel roads. The application of soil stabilization products helps reduce the washboard and formation of potholes on more heavily traveled and steeper gravel roads, helps save on gravel replacement costs, and improves air quality by reducing the dust generated by vehicles. The IFB closed on December 29, 2022. The County received two bids and the lowest, most responsible bidder is Ferreira Water Service, Inc. of Chico at \$220 per ton. The County estimates needing approximately 1,350 tons of soil stabilization material per year. The Department recommends the Board of Supervisors approve a BPA with Ferreira Water Service, Inc. for soil stabilization product on County-maintained gravel roads. The term of the BPA is five years from the date of execution, with a not-to-exceed \$1,512,000 – action requested – APPROVE BPA AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 4.07 Update on Water Activities - The Department of Water and Resource Conservation will provide the Board of Supervisors with an update on the following water resource activities: 1) Sustainable Groundwater Management Act (SGMA) Implementation Status: a) Sustainable Groundwater Management Grant Program Application submittals for the Vina, Wyandotte Creek, and Butte subbasins with a combined total request of \$22.7 million, b) initiation of long-term funding mechanisms for the Vina Groundwater Sustainability Agency (GSA) and Wyandotte Creek GSA, and c) progress on the GSAs' Annual Reports and Chapter 33 Groundwater Status Summary Report; 2) Surface Water Related Contracts: a) Department of Water Resources State Water Project (SWP) Contract Extension Amendment, b) the current 2023 Table A Allocation as of January 26, 2023 is 30 percent, c) overview of SWP Long-Term Leases, d) Local SWP Contracts for in-County use, and e) Non-project Water contractors; 3) Integrated Regional Water Management (IRWM): a) Northern Sacramento Valley (NSV) IRWM Round 1 grant-funded projects and upcoming Round 2 applications; the next meeting of the IRWM Technical Advisory Committee is February 15, 2023 and Board is March 6, 2023 and b) Upper Feather River (UFR) IRWM is anticipated to meet in the spring of 2023; 4) Clean Drinking Water Compliance Projects: overview and update of a) Feather Ridge Estates Water System Improvement Project, b) Berry Creek School Water System Improvement Project, c) Foothills Solar Community Drinking Water Compliance Project, d) Palermo Clean Water Consolidation Project, and e) Palermo Drainage Study; 5) Outreach and Education: ongoing Department activities engaging the public and stakeholders – action requested – ACCEPT FOR INFORMATION. (Water)
- 4.08 Drought Update – Severe dry weather throughout California from 2020 through the fall of 2022 led to Extreme Drought conditions in Butte County and the North State. In response to this evolving disaster several County Departments are working together to address immediate needs, gather data for analysis, and provide drought relevant and information to the public. The Environmental Health Division of the Public Health Department is tracking well permits, reporting on dry wells, and is working with local small water systems to address drought-related well issues. The Division is also working to integrate data collected at the County level with State-run programs. The County Office of Emergency Management (OEM) continues to work on the immediate drought relief program. This program provides hauled water and temporary water storage tanks to County residents with drought-related well issues. As of February 1, 2023, 225 households have applied for and are receiving assistance. The Department of Water Resource and Conservation has been working with OEM and the Division of Environmental Health to ensure the County website, www.buttecounty.net/drought, is up to date with current County and State resource information. In addition, the Department applied for several grants to repair and update small community water systems – action requested – ACCEPT FOR INFORMATION. (County Administration)

- 4.09 Fire Victim Trust Letter - At its June 14, 2022 meeting, the Board of Supervisors directed staff to develop a voluntary, anonymous survey to be sent out to all Camp Fire survivors to gather input on their interactions with the Fire Victim Trust. Staff developed the Camp Fire Claims Public Survey to understand the status of claims and payments resulting from Camp Fire losses and the overall fairness of the private claims process being used. Survey questions were developed to help the County better understand the concerns of claimants, and determine whether any particular concerns are widely held. The survey opened on September 8th and closed on Tuesday, October 25, 2022, after running for more than four weeks. An Executive Summary of survey results was presented to the Board on December 13, 2022. At that meeting, the Board gave staff direction to evaluate the laws governing the Trust to ensure they are being applied correctly, particularly on claims related to minors, and to continue working with the Fire Victim Trust Administrator. The results of those actions are presented here in a letter to the Fire Victim Trust – action requested – APPROVE THE LETTER TO THE FIRE VICTIM TRUST AND AUTHORIZE THE CHAIR TO SIGN. (Other – Board of Supervisors)
- 4.10 Honey Run Covered Bridge Association (HRCBA) Proposal to Incur a Loan from Butte County from the PG&E Settlement Fund - Butte County received a \$252 million settlement from PG&E to compensate the County for the impacts of the Camp Fire, which was caused by PG&E's criminal negligence. The County's net settlement after attorney fees is \$206.5 million dollars. On July 21, 2020, the Board of Supervisors directed the PG&E Settlement Fund (PG&E Fund) be established and committed to County stability, hazard mitigation, and disaster recovery. These funds can be used on matters throughout the County, with priority given to projects in the Camp Fire burn area, projects that leverage other funding, and projects with an urgent timeline. The Board has committed funds to 25 projects for a total of \$89.3 million since adopting the policy. The HRCBA, a 501(c)3 non-profit, owns the land associated with the Honey Run Covered Bridge which was destroyed during the 2018 Camp Fire. The HRCBA was deeded the land at the October 27, 2020 Board meeting after the Federal Emergency Management Agency approved an Alternate Project for the County. The grant deed between the County and HRCBA states that if reconstruction is not completed within seven years the County has the right to terminate it and reconvey ownership. The HRCBA filed a claim with the Fire Victim Trust (FVT) for \$3,767,150. To date, the HRCBA has not received a determination letter nor first payment from the FVT for their claim. Using privately raised funds, Phase I of bridge reconstruction was completed in November 2020. To proceed with the Phases II and III, completing the rebuild, the HRCBA Board of Directors is requesting a \$2.5 million unsecured loan from the PG&E Fund. If the Board approves and provides direction to draft a \$2.5 million interest-bearing loan agreement with the HRCBA, County Administration recommends requiring a long-term plan with annual repayments to the PG&E Fund until the loan is repaid. Setting a reasonable time frame for repayment is essential to minimize opportunity costs and have funds be available for additional use. HRCBA would repay this loan through FVT settlement funds and/or private funds raised by way of weddings, golf tournaments, pancake breakfasts, and other fundraising. The HRCBA proposes an alternative structure, a forgivable loan whereby they submit any FVT settlement funds received to the County, and the County forgives the remaining balance – action requested – PROVIDE DIRECTION TO STAFF. (Other – Board of Supervisors)
- 4.11 Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer
- 4.12 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.
- 4.13 Items Removed from the Consent Agenda for Board Consideration and Action

5. PUBLIC HEARINGS AND TIMED ITEMS
(NONE)

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) - one case:

A. California Department of Water Resources v. All Persons Interested in the Matter, Sacramento County Superior Court, Case No. 34-2018-00246183

BUTTE COUNTY PUBLIC FACILITIES FINANCING CORPORATION

REGULAR MEETING

FEBRUARY 14, 2023

1. CALL TO ORDER

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

3. CONSENT AGENDA

3.01 Butte County Public Facilities Financing Corporation - Annual Meeting - The Butte County Public Facilities Financing Corporation (Corporation) was formed on November 9, 1993. The Corporation is a nonprofit public benefit corporation organized under the Nonprofit Public Benefit Corporation Law of the State of California to provide financial assistance to the County, by acquiring, constructing, remodeling, rehabilitating, equipping, improving, and financing various public facilities, land, and equipment and by leasing certain facilities, land, and equipment for the use, benefit, and enjoyment of the public served by the County or any other purpose incidental thereto. The Board of Directors of the Corporation (Board) consists of the same individuals comprising the Board of Supervisors of Butte County. The Board must hold an annual meeting following the first scheduled County Board of Supervisors' meeting in February of each year to approve the Corporation Minutes from the prior year's meeting and transact other necessary business. Consistent with Section 4.02 of the Amended Bylaws of the Corporation, dated February 10, 2015, (Bylaws) the Board shall recognize the following officers of the Corporation: Tod Kimmelshue, President; Doug Teeter, Vice President; and Bill Connelly, Secretary/Treasurer. Pursuant to Section 4.07 of the Bylaws, the Board is asked to appoint the following subordinate officers as Lessee Representatives of the Corporation: Matt Michaelis, Deputy Administrative Officer; Rob Freitas, Principal Management Analyst; and Denise Baldwin, Management Analyst III. In accordance with Section 5.01 of the Bylaws, the Board is being asked to authorize the filing of the bi-annual Statement of Information, providing the names of the current officers of the Corporation, with the California Secretary of State during the period July 1, 2023 to November 30, 2023 and to approve the execution of the Certificate of Authorized Officers authorizing the named officers to sign written instructions, consents, certificates, and other necessary documents on behalf of the Corporation – action requested – 1) APPROVE THE CORPORATION MINUTES OF THE FEBRUARY 8, 2022 MEETING; 2) RECOGNIZE THE NEW OFFICERS OF THE CORPORATION; 3) APPOINT THE SUBORDINATE OFFICERS OF THE CORPORATION; 4) AUTHORIZE THE FILING OF THE STATEMENT OF INFORMATION WITH THE CALIFORNIA SECRETARY OF STATE; 5) AUTHORIZE THE EXECUTION OF THE CERTIFICATE OF AUTHORIZED OFFICERS DATED FEBRUARY 14, 2023. (County Administration)

4. REGULAR AGENDA (NONE)

**RECESS AS THE BUTTE COUNTY PUBLIC AUTHORITY FINANCING AUTHORITY BOARD AND RECONVENE
AS THE BUTTE COUNTY BOARD OF SUPERVISORS**

**Butte County
Department Heads**

Agricultural
Commissioner:
Louie Mendoza

Assessor*:
Alyssa Douglass

Auditor-Controller*:
Graciela Gutierrez

Behavioral Health:
Scott Kennelly

Chief Administrative
Officer:
Andy Pickett

Chief Probation Officer:
Melissa Romero

Child Support Services:
Sean Farrell

Clerk-Recorder /
Registrar of Voters*:
Keaton Denlay

County Counsel:
Brad Stephens

Development Services:
Paula Daneluk

District Attorney*:
Mike Ramsey

Employment & Social
Services:
Shelby Boston

Fire Chief:
Garrett Sjolund

General Services:
Michael Hodson

Human Resources:
Sheri Waters

Information Systems:
Paul LaValley

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:
Kami Loeser

*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. **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. Public Comment is limited to 3 minutes, and may be adjusted at the discretion of the Chair.
2. **Consent Agenda:** These items 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.
3. **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.
4. **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.
5. **Closed Session:** The Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the Closed Session.

Public Participation:

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

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

For further information contact the:
Clerk of the Board of Supervisors
County Administration Office
25 County Center Drive, Suite 200, Oroville, CA 95965
530.552.3300

