



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

FEBRUARY 8, 2022

9:00 AM

MEMBERS OF THE BOARD

BILL CONNELLY, DISTRICT 1

DEBRA LUCERO, DISTRICT 2

TAMI RITTER, DISTRICT 3

TOD KIMMELSHUE, DISTRICT 4

DOUG TEETER, DISTRICT 5

ANDY PICKETT

CHIEF ADMINISTRATIVE OFFICER &
CLERK OF THE BOARD

MEETING LOCATION

BOARD OF SUPERVISORS CHAMBERS
25 COUNTY CENTER DRIVE, SUITE 205
OROVILLE, CALIFORNIA 95965-3380

BRUCE ALPERT, COUNTY COUNSEL

1. CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

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 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 Resolution and Amendment with Department of Health Care Services (DHCS) for the Mental Health Plan (MHP) Parity Agreement - DHCS administers mental health care plans for the counties of California. DHCS requires the Department of Behavioral Health to enter into an agreement which describes terms and conditions that the Department will follow regarding provision of specialty mental health services to Medi-Cal beneficiaries as well as the federal and State reimbursement for those services. DHCS has worked closely with the Centers for Medicare and Medicaid Services (CMS) and the County Behavioral Health Directors Association of California on the development of this agreement. CMS approved this version of the MHP agreement pursuant to the Medicaid Managed Care regulations. This contract is in effect retroactively to July 1, 2017 due to many of the requirements in the updated Medicaid Managed Care regulations that became effective and applicable on that date. The purpose of this amendment is to update the terms and conditions to comply with federal regulations as determined by the CMS. DHCS requires a resolution approving the MHP agreement and delegating signature authority. The Department recommends amending the MHP agreement

with DHCS for the administration of mental health care plans for the counties of California to comply with the federal regulations as determined by the CMS. The term of this agreement will be July 1, 2017 through June 30, 2022. All other terms shall remain the same – action requested – 1) APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE DIRECTOR OF BEHAVIORAL HEALTH AND THE CHAIR TO SIGN; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)

- 3.02 Agreement with Heritage Oaks Hospital for Inpatient Hospitalization Services - Heritage Oaks Hospital is a managed care hospital located in Sacramento and provides inpatient psychiatric hospitalization services. The State mandates that counties contract with managed care hospitals based on county utilization. The contract process includes steps that the county in which the hospital exists (host county) is required 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 recommends entering into an agreement with Heritage Oaks Hospital for inpatient psychiatric hospitalization services. The term of the agreement is July, 1 2021 through June 30, 2023, not-to-exceed \$700,000 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
- 3.03 Contract Amendment with AECOM Technical Services Inc. (AECOM) for Groundwater Monitoring Services - Nitrate contamination in Chico Urban Area groundwater has been an ongoing concern for over 20 years. The Board of Supervisors adopted the Nitrate Compliance Plan on September 25, 2001, which includes an oversight and monitoring program for properties within the Chico Urban Area that have not connected to public sewer. The oversight and monitoring program provides for the continued monitoring of Chico groundwater to document the effectiveness of nitrate reduction efforts. Monitoring data from the oversight and monitoring program is reported to the Regional Water Quality Control Board (RWQCB). The County entered into a contract with AECOM in 2016 for groundwater monitoring services for the Chico Urban Area Nitrate Compliance Program (Program). The contract was amended in July 2021 to extend the term to September 9, 2021 and add a task for review and recommendations for the future of the groundwater monitoring for the Program, given the recent completion of sewer infrastructure construction for the Program. The contract was amended in September 2021 to extend the term to December 31, 2021 to allow discussions with the RWQCB. County Administration recommends extending the contract through June 30, 2022 and adding a task for AECOM to update the sampling and analysis plan as requested by the RWQCB staff. Staff will solicit for a contractor to implement the ongoing groundwater monitoring and reporting once there is agreement with the RWQCB on the sampling and analysis plan. The amendment extends the term of the contract from December 31, 2021 to June 30, 2022 and updates Task 1 to reflect the update to the sampling and analysis plan. All other terms remain the same. County activities for Nitrate Compliance Plan implementation are funded by County Service Area 114 – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 3.04 Budget Adjustment for Annual Spending Plan as Approved by the Community Corrections Partnership (CCP) - The Butte County CCP is required to adopt an annual spending plan for services related to the 2011 Public Safety Realignment Act (AB 109). At its March 17, 2021 meeting, the CCP adopted the FY 2021-22 spending plan unanimously and allocated \$9,376,887 million for services provided by the Sheriff's Office, Probation Department, Department of Behavioral Health, Department of Employment and Social Services, and the District Attorney's Office. The adopted spending plan assumed \$8,663,532 in revenue for FY 2021-22. The Board of Supervisors accepted the CCP spending plan and it was incorporated in the adopted FY 2021-22 budget. Revenue estimates were updated midway through the fiscal year and estimated revenue of \$9,819,154, which is an increase of \$1,155,622 in anticipated revenue for the CCP. The CCP established an ad hoc budget committee to consider recommend changes to the CCP for the current spending plan given the additional revenue. The CCP adopted an amended FY 2021-22 spending plan unanimously and allocated \$9,454,937 for services, which adds \$50,000 for the Department and Employment and Social Services to fund a portion of a housing navigator position and \$28,050 for the Department of Behavioral Health for a vehicle to better accommodate staff needs. The CCP recommends the Board of Supervisors accept the amended FY 2021-22 spending plan and approve a budget adjustment in the amount of \$78,050 and capital asset authority for the vehicle – action requested – 1) ACCEPT THE AMENDED CCP ANNUAL SPENDING PLAN; 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED); and 3) APPROVE CAPITAL ASSET AUTHORITY. (County Administration)
- 3.05 Community Development Block Grant (CDBG) Federal Labor Standards Compliance Policy - Butte County receives CDBG grant funding from the California Department of Housing & Community Development (HCD) to operate housing rehabilitation and reconstruction programs for eligible low to moderate income households in the unincorporated area. Program income (PI) generated by payments and pay-offs can be used to fund eligible CDBG activities which can include public facility improvements. These CDBG PI-funded projects must follow federal and state regulations. For construction projects, that includes federal labor standards, which require recipients and contractors to meet and document compliance with certain rules associated with the employment and wages of workers on construction projects. The County used CDBG PI funds for an eligible construction project in 2018. HCD monitored the grant and issued a finding which included non-compliance with federal labor standards. As a corrective action, the County is required to adopt a policy which addresses the non-compliance action, and submit the adopted policy and resolution to HCD. As an added measure for federal labor standards compliance, Butte County Department of General Services has hired a Labor Standards Compliance Officer to ensure construction projects funded by CDBG funds comply with federal labor standards. The policy has been reviewed and is considered acceptable by the California Department of Housing & Community Development, the State administrators of CDBG funds – action requested – ADOPT THE CDBG FEDERAL LABOR STANDARDS COMPLIANCE POLICY. (County Administration)

- 3.06 Budget Adjustment and Contract with Nichols Consulting Engineers (NCE) for Environmental Review Services for the Community Development Block Grant-Disaster Recovery (CDBG-DR) Multifamily Housing Program (MHP) - The California Department of Housing and Community Development (HCD) made \$250,687,114 in allocations available in 2019 CDBG-DR funding to support the MHP of which \$152,610,073 is allocated to jurisdictions within Butte County. The County's allocation is \$61,361,926. This funding is in response to the State's unmet recovery needs for Federal Emergency Management Agency Major Disaster Declarations, which includes the 2018 Camp Fire. The MHP projects are funded to meet the unmet rental housing need. Projects may include apartment complexes and mixed-use developments. The County issued a Request for Proposals for MHP projects in August 2021 and received ten project proposals. The County recommended eight of the projects to HCD for funding. The other two projects were submitted to the City of Chico as well and have been recommended by the City to HCD for funding. The County acts as the responsible entity for the compliance with the National Environment Policy Act (NEPA) when federal funds are anticipated to be contributed to a project. A Request for Proposals for an environmental consultant was issued on November 23, 2021 and the County received four proposals. A committee comprised of representatives from the Departments of Development Services and Water & Resource Conservation along with the County's CDBG-DR MHP administrator selected NCE of Sacramento as the most qualified respondent. The Chief Administrative Officer executed an agreement with NCE on January 25, 2022 to expedite the review of NEPA documents for two MHP projects. The term of the contract is January 25, 2022 through September 30, 2022; not-to-exceed \$177,970. County Administration recommends the Board of Supervisors ratify the agreement and approve a budget adjustment in the amount of \$150,000. The expense for the contract is eligible for reimbursement from the CDBG-DR grant – action requested – 1) RATIFY AGREEMENT; and 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (County Administration)
- 3.07 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. The Board approved a contract for a new Executive Director for the consortium and two new attorneys on December 14, 2021 due to recent resignations. Steven Trenholme, who served as a full-time attorney, will resign from the consortium effective January 31, 2022. The consortium selected Chris Caraway, an existing half-time attorney with the consortium, to serve as a full-time attorney to fill Mr. Trenholme's role. The consortium selected Janae Sorenson to serve as a half-time attorney to fill Mr. Caraway's half-time role. County Administration recommends amending the contract with Mr. Caraway for indigent defense services to increase it from half-time to full-time. The contract will increase by \$193,496 to \$400,337, which is \$13,345 per month, and the expiration date of June 30, 2024 will remain the same. The Department recommends entering into a contract with Ms. Sorenson for half-time indigent defense services. The term of the contract is February 1, 2022 through June 30, 2024; not-to-exceed \$193,496 which is \$6,672 per month. – action requested – 1) APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

3.08 Contract with Russell Gallaway Associates, Inc. (RGA) for Design Services for the Front Lobby Project for the Department of Employment and Social Services at 78 Table Mountain Boulevard in Oroville - The Department of Employment and Social Services' budget includes a tenant improvement project to the front lobby to improve wayfinding and navigation of services at 78 Table Mountain Boulevard in Oroville. Following evaluation of design firms in the area, the department recommends entering into an \$88,000 fixed price contract with Russell Gallaway Associates, Inc. for design services. The term of the contract is Notice to Proceed through December 31, 2022 – action required – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (General Services)

3.09 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 5 flexibly staffed Behavioral Health Counselor I/II positions, 1 Behavioral Health Program Manager position and delete 5 vacant flexibly staffed Behavioral Health Clinician I/II positions. The requested changes will better meet the operational and staffing needs of the Department. The additional Program Manager position is to support implementation deadlines for CalAIM. Total allocations to increase by 1. The proposed changes will result in a decrease of initial annual costs by approximately \$1,224 due to salary savings and will ultimately result in an estimated increase of \$37,856 annually. State funding pays the expense of the position.

DEPARTMENT OF CHILD SUPPORT SERVICES: Add 1 flexibly staffed Child Support Specialist position and delete 1 vacant Support Services Supervisor position. The requested changes will better meet the needs of the Department. Total allocations to remain unchanged. There is an annual salary savings of approximately \$6,000 resulting from the proposed change. State funding pays the expense of the position.

LIBRARY: Add .5 Administrative Assistant position and 1 Librarian position. Delete .5 vacant Library Assistant position and 1 vacant Senior Library Assistant position. The requested changes will better meet the current and future operational needs of the Department. Total allocations to remain unchanged. There is an annual cost increase of \$9,381 resulting from the requested changes and is offset by salary savings within the Department.

DEPARTMENT OF PUBLIC HEALTH: Add 1 Personnel Operations Specialist position, 1.5 flexibly staffed Public Health Education specialist positions, and 1 flexibly staffed Public Health Nurse position. Delete 2 vacant flexibly staffed Administrative Assistant position and two .5 vacant flexibly staffed Public Health Nurse positions. The proposed changes will better meet the current and future needs of the Department's Emergency Preparedness program and support administrative workload increases related to personnel. Total allocations to increase by .5. There is a total annual cost increase of \$65,477 that will be covered by grant funding (\$63,519) and Public Health Realignment (\$1,958).

TREASURER-TAX COLLECTOR: Delete 2 vacant Banking and Cash Management Supervisor positions and 1 vacant Assistant Treasurer-Tax Collector position. This request is to correct an error on the adopted Salary Ordinance that was approved by the Board at the January 25, 2022 Board of Supervisors' Meeting.

Action Requested – APPROVE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

- 3.10 Capital Asset Purchase- Enclosed Cargo Trailer - The Department of Public Health recommends the purchase of an enclosed cargo trailer to haul equipment for the Injury Prevention Program car seat technician trainings that are held no less than 8 times per year. The Department has had a trailer on loan for this use that will no longer be available. The estimated cost of the new trailer is \$7,000. The purchase will be made with federal grant funds as part of the Department's Child Passenger Safety Program through the California Office of Traffic Safety – action requested – AUTHORIZE CAPITAL ASSET PURCHASE. (Public Health)
- 3.11 Grant Agreement with California Department of Public Health (CDPH) for a Comprehensive Suicide Prevention Program - The Department of Public Health recommends entering into a grant agreement with CDPH for a Comprehensive Suicide Prevention Program. The purpose of the program is aimed at reducing suicide morbidity and mortality by creating protective environments, supporting people at risk and strengthening access and delivery of services. The program will work in coordination with the Suicide Prevention Program established with PG&E Settlement Funds awarded to the Department. The program will involve public education on suicide prevention, gatekeeper training for community members to identify and support others who are in crisis and collaboration with various agencies to strengthen response and prevention. The term of the agreement is January 1, 2022 through August 31, 2022 with a maximum receivable amount of \$50,000 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)
- 3.12 Allocation Agreement with the California Department of Public Health (CDPH) for Tobacco Control Education Program - CDPH provides funding to local agencies for tobacco control education programs from Proposition 99 (Tobacco Tax and Health Promotion Act of 1988) and Proposition 56 (Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research and Law Enforcement). The goals of the tobacco control program for fiscal year 2021-2022 in Butte County include the completion of various activities with at least one jurisdiction in Butte County that may lead to policy changes to eliminate the sale and/or distribution of flavored tobacco products; to ban smoking and tobacco use in outdoor public places such as parks, sidewalks, and events; to prohibit smoking and vaping of all products in multi-unit housing of two or more units; and to maintain a community coalition with a minimum of eight diverse organizations in rural Butte County, at least half of which will represent priority populations as defined by the Tobacco Education and Research Oversight Committee's Master Plan. The Department of Public Health recommends entering into an allocation agreement with CDPH to provide services through the Tobacco Education Program. The term of the allocation agreement is January 1, 2022 through June 30, 2022 with a maximum amount receivable of \$164,639 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)

- 3.13 Resolutions Approving Two Applications for California Department of Forestry and Fire Protection (CAL FIRE) California Climate Investments Fire Prevention Grants - The CAL FIRE California Climate Investments Fire Prevention Grants Program provides up to three years of funding for fire prevention projects, and activities in and near fire threatened communities. The focus of the grant program is increasing the protection of people, structures, and communities, including hazardous fuels reduction, wildfire prevention planning, and wildfire prevention education. The Department of Public Works recommends two fire prevention projects for submission of grant funding that support fuel reduction and hazardous vegetation disposal: 1) the Roadside Fuel Reduction Project; and 2) the Wildland urban Interface (WUI) Green Waste Disposal Project. The total grant application is \$923,463. The Roadside Fuel Reduction Project will prevent the growth of vegetation along evacuation roadways. Grant funds will be used to purchase a flatbed truck and herbicide spray equipment to be used along various county-maintained evacuation roads in high fire risk areas. The grant will also cover various related resources such as weather protection for the spray equipment, herbicide products, vehicle fuel, and staff time. The estimated total project cost is \$459,652. On January 11, 2022, the Board of Supervisors directed the Department to continue the WUI Green Waste Disposal Program that provides free green waste disposal opportunities for residents living in WUI areas. The Department recommends that this program be submitted as a grant project. Grant funds will be used to purchase an air curtain burner to be used in accordance with the current Butte County Air Quality Management District permit to reduce green waste by up to 98% while reducing greenhouse gas emissions and particulate matter by up to 80% compared to alternative methods. The purchase of the curtain burner will allow the Department to expand the program and mitigate future costs to ensure sustainability. The grant will also fund digital signage, supplies, and staff time. The total project cost is \$463,811 – action requested – ADOPT RESOLUTIONS (2) AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.14 Resolution Authorizing Submission of Applications and Administration for the Department of Resources Recycling and Recovery (CalRecycle) for Payment Programs - CalRecycle administers payment programs to provide opportunities for local governments to receive payments for used oil and used oil filter collection and recycling programs. Eligible applicants are limited to local governments who provide a local used oil collection program that includes used oil and used oil filter collection opportunities and a public education element. The CalRecycle Payment Program funds public outreach materials and participation fees, K-12 classroom education, public outreach to civic groups and the general public, supplies, and media advertisements. The funding amount varies between \$9,000 and \$30,000 per payment program cycle. To qualify for the payment program, the applicant's governing body must adopt a resolution authorizing the administration of the payment programs. Currently, the Department of Public Works operates a program for waste agriculture oil and public used oil collection at the Neal Road Recycling and Waste Facility that is currently funded by the CalRecycle Used Oil Payment Program. The Department recommends that the Board of Supervisors adopt a resolution authorizing the submittal of applications to CalRecycle for all available county-eligible payment programs and authorize the Director of Public Works to execute all program-related documents – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

- 3.15 Contract with Golder Associates, Inc. (Golder) for Landfill Gas Compliance Monitoring at the Neal Road Recycling and Waste Facility (NRRWF) - The NRRWF is required to provide landfill gas monitoring services to comply with air quality permits issued by the U.S. Environmental Protection Agency and California Air Resources Board. These permits require monthly air emissions and air quality monitoring and are administered by the Butte County Air Quality Management District. Historically, the NRRWF contracts out these services. On February 12, 2019, the Board of Supervisors entered into a three-year contract with Golder to provide landfill gas monitoring services. A standardization exemption to solicitation was used to procure Golder's services that is valid for 10 years. The current contract expires on February 12, 2022. The Department of Public Works recommends the Board enter into a new contract with Golder to continue landfill gas monitoring services. The term of the contract is three years from the date of execution, not to exceed \$91,384 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.16 Contract Amendment with Employment Development Department (EDD) for Wage and Employment Data Verification - The Treasurer-Tax Collector requests approval to increase the maximum amount payable on the agreement with EDD to obtain wage and employment verification data used in the pursuit and collection of delinquent court fines and fees through the wage garnishment process. These services are crucial to the revenue generation efforts of the Central Collections Division of the Treasurer-Tax Collector's Office. The Central Collections Division estimates 14,000 requests for data will be submitted each quarter for the term of the agreement. The term of the agreement is July 1, 2019 through June 30, 2022. The Department recommends amending the contract with EDD for wage and employment data verification services. The amendment increases the maximum payable amount by \$1,084, not-to-exceed \$4,078. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Treasurer-Tax Collector)

4. REGULAR AGENDA

- 4.01 Boards, Commissions, and Committees
(List available at <http://www.buttecounty.net/clerkoftheboard/AppointmentsList.aspx>)
- 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)

- 4.02 Letter in Support for Assembly Bill (AB) 1599 - Proposition 47: Repeal - At the request of Vice Chair Kimmelshue and Chair Connelly, staff prepared a letter in support for AB 1599 - Proposition 47: repeal. AB 1599 would replace Proposition 47, known as the "Safe Neighborhoods and Schools Act," which changed felony sentencing laws in California's criminal justice system – action requested – APPROVE LETTER OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN. (Board of Supervisors – District(s) 1 and 4)
- 4.03 Resolution Authorizing the Neal Road Recycling and Waste Facility (NRRWF) to Submit a Notification of Intent to Comply with Senate Bill (SB) 1383 (Laura) Short-Lived Climate Pollutants: Methane Emissions: Dairy and Livestock: Organic Waste: Landfills - All jurisdictions in California were required to comply with SB 1383 by January 1, 2022. Agencies throughout California have struggled to meet these new requirements, and most have communicated the need for additional time to complying with the new regulations. Butte County has made substantial progress to comply with these new regulations but requires additional time to complete the work. On October 5, 2021, Senate Bill 619 Organic Waste Reductions Regulations: Local Jurisdiction Compliance was passed in an effort to provide jurisdictions temporary variance to complete the work required in order to comply with the new regulations set forth by SB 1383. The variance requires the Board of Supervisors to adopt a resolution acknowledging that the County has not completed the work and authorizes the submission of a Notice of Intent to Comply. The request must be submitted to the Department of Resources Recycling and Recovery by March 1, 2022. The Department of Public Works recommends the Board adopt a resolution authorizing the Public Works Director to submit the Notice of Intent to Comply application – action requested – ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 4.04 Contract with Steams, Conrad and Schmidt (SCS) Consulting Engineers for Master Planning Services for the Neal Road Recycling and Waste Facility (NRRWF) - On August 27, 2021, the Department of Public Works released a Request for Qualifications for the preparation of a Master Plan for NRRWF. Three firms submitted their Statements of Qualifications on September 27, 2021, and all three firms were invited to a subsequent interview. Based upon experience and qualifications, the Department selected SCS Engineers of Sacramento to develop a Master Plan for NRRWF. Preparation of the Master Plan will include estimating future waste generation and disposal; conducting regulatory permit review; evaluating current NRRWF operations and facilities; preparing a waste residuals management plan; preparing a site development plan; estimating NRRWF's remaining site life and capital expenditure projections; developing a capital improvement plan and strategic plan; conducting a rate analysis; managing the project; and assisting to present at public meetings. Optional work tasks include preparing a landfill gas generation analysis, preparing a three-dimensional overview of NRRWF for the County website, and presenting information to the Board of Supervisors. The preparation of the Master Plan is anticipated to require up to 18 months of work and will likely involve outreach with external stakeholders. The Department recommends that the Board approve a contract with SCS Engineers for the development of the Master Plan. The term of the contract is upon execution through August 8, 2023, not-to-exceed \$328,757 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 4.05 Presentation from John Miller-George Regarding His Rapid Wildfire Recovery Plan - Mr. Miller-George requested time to present his plan for Rapid Wildfire Recovery to the Board of Supervisors. On December 6, 2021, the Board agreed to agendize a presentation from Mr. Miller-George – action requested – ACCEPT FOR INFORMATION. (Other- Board of Supervisors)
- 4.06 Items Removed from the Consent Agenda for Board Consideration and Action

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 9:00am – Timed Item - Public Hearing for the Palermo Clean Water Consolidation Project Environmental Document - The Palermo Clean Water Consolidation Project (Project) will connect parcels within the project area in the Palermo community to the South Feather Water and Power Agency's (SFWPA) water system to provide a safe, reliable drinking water supply to households. The SFWPA is the logical water solution for the Palermo community given the existing distribution system in the area, which already serves 110 parcels. At its September 28, 2021 meeting, the Board of Supervisors approved a contract to develop all elements of a Drinking Water State Revolving Fund (DWSRF) application for the Project as well as up to three additional grant applications to assist with funding the Project. Also at its September 28, 2021 meeting, the Board approved an MOU between the County and SFWPA establishing roles and responsibilities for the County and SFWPA from grant application to Project implementation. At its October 12, 2021 meeting, the Board obligated three million of the County's American Rescue Plan Act dollars to the Project and directed staff to identify grant funding for the remainder of the Project. At its January 25, 2022 meeting, the Board adopted a resolution authorizing a construction application and execution of a grant agreement for funding from the DWSRF program and a resolution authorizing submission and execution of a grant agreement with the DWR Small Community Drought Relief Funding Program. Environmental documentation is prepared in compliance with the California Environmental Quality Act (CEQA) as part of the grant application submittal packet. A Draft Initial Study and Proposed Mitigated Negative Declaration (IS/MND) for the Project has been prepared and circulated for public review and comment. The IS/MND was filed with the State Clearinghouse. The County, as the lead agency, initiated a 30-day public review period and published a Notice of Availability and Intent to Adopt on December 27, 2021. The 30-day public review commenced on December 23, 2021 and extended to January 21, 2022 allowing for concerned individuals and public agencies to submit written comments on the document. The State's 30-day review period began on January 7, 2022 and ended on February 7, 2022, allowing for State agency input. No public comment has been received as of the posting of this agenda. The Department of Water & Resource Conservation recommends the Board adopt a resolution adopting the Mitigated Negative Declaration pursuant to the CEQA for the Project – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Water and Resource Conservation)

- 5.02 9:30AM– Timed Item - Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer
- A. COVID-19 Update by the Public Health Director
 - B. Resolution Re-authorizing Continued Teleconference Meetings of the Board of Supervisors pursuant to the Ralph M. Brown Act as amended by AB 361 - On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended and modified the teleconferencing requirements under the Ralph M. Brown Act (the "Brown Act") to allow local legislative bodies to hold public meetings via teleconference without meeting the traditional teleconference standards of the Brown Act as a result of the COVID-19 pandemic. On September 16, 2021, Governor Newsom signed AB 361 to amend the Brown Act to allow legislative bodies to utilize alternative standards for teleconference meetings during a proclaimed state of emergency when (1) state or local officials impose or recommend social/physical distancing or (2) the body meets for the purpose of deciding or has met to decide by majority vote that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees. The legislative body is required to reconsider and extend the findings every 30 days to continue to meet via teleconferencing under the alternative standards. The Board adopted a resolution on October 12, 2021 to continue to have the ability to meet remotely via teleconference by making the findings required by AB 361, and re-authorized the finding on November 9, 2021, November 18, 2021, December 14, 2021 and January 11, 2022. This resolution would re-authorize the ability to meet remotely via teleconference through March 9, 2022 or such time the Board adopts a subsequent resolution to continue this ability – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Counsel/County Administration)
 - C. Discussion of Potential Termination of Local Disaster Proclamation Resolution Due to COVID-19 - The Board of Supervisors ratified an Emergency Proclamation due to COVID-19 on March 10, 2020. Since then the Nation, State, and the County have experienced periods of high and low infection rates. The federal government has passed several acts to provide relief, mitigation, and recovery from the impacts of COVID. These programs and funding sources come from six different federal acts: Coronavirus Preparedness and Response Supplemental Appropriations Act; Families First Coronavirus Response Act; Coronavirus Aid, Relief, and Economic Security Act; Paycheck Protection Program and Health Care Enhancement Act; Continuing Appropriations Act, and American Rescue Plan. These acts include programs such as distribution and administration of vaccines; emergency medical care costs; purchase and distribution of food; alternate care sites; non-congregate sheltering; purchase and distribution of PPE; moratoriums on evictions; assistance related to telecommunications programs (including support for broadband); assistance related to public transit or other transportation programs; and a number of resources from the State, such as contact tracers and case investigation workers. Early in the pandemic receipt of certain funding required a local emergency proclamation. Subsequent funding streams are less clear, although it is likely that the State Declaration of Emergency is sufficient. The complexity of enabling statutes and funding authorities means that in many cases, the County will not know whether certain costs and programs are eligible until an audit is concluded many years later. Currently, 53 out of 58 California Counties have a declaration in place. The following counties have terminated theirs: Colusa, Fresno, Glenn, Lassen and Placer. Federal and State declarations are anticipated to end on April 1, 2022. Staff recommends aligning Butte County's termination with the Federal and State's – action requested – 1) TAKE NO ACTION; or 2) TERMINATE LOCAL DISASTER PROCLAMATION, ADOPT RESOLUTION AND AUTHORIZE CHAIR TO SIGN; OR 3) DIRECT STAFF TO ALIGN BUTTE COUNTY'S LOCAL DISASTER

PROCLAMATION TERMINATION WITH THE FEDERAL AND STATE'S TERMINATION. (County Administration)

D. CAO Comment

- 5.03 9:45AM– 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.

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, and Meegan Jessee
Employee Organizations:	Teamsters - General Unit; Teamsters - Social Services Workers' Unit; Butte County Management Employees Association; Butte County Probation Peace Officers Association; Butte County Probation Peace Officers Association - Management Unit; Butte County Professional Employees' Association; Butte County Deputy Sheriff's Association - General Unit; Butte County Deputy Sheriff's Association - Management/Supervisory Unit; Butte County Correctional Officers Association - General Unit; Butte County Correctional Officers Association - Supervisory Unit; UPEC Local 792 - Skilled Trades Unit; Butte County Deputy District Attorneys Association - Attorney Unit; Confidential Unit; Non-Represented Unit; Board of Supervisors Executive Assistants

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

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

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

6.05 Conference with real property negotiators pursuant to Gov. Code Sec. 54956.8
Property:

Assessor Parcel Number of Property: 052-250-038
 Agency Negotiator: Grant Hunsicker
 Negotiating Party: Pacific Gas and Electric
 Negotiations: Terms and Conveyance of Real Prop

RECESS

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

IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD AGENDA
FEBRUARY 8, 2022

1. CALL TO ORDER

2. CONSENT AGENDA

- 2.01 Appointments to the In-Home Supportive Services Advisory (IHSS) 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 in-home supportive services. Additionally, the Committee provides recommendations to any administrative body in the County that is related to the delivery and administration of in-home supportive services 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 in-home supportive services recipients, providers, community/agency members, and/or County staff. The Committee recommends the Board of Supervisors appoint Kristi Sherer as a County Representative and reappoint Mark Gordon as a Recipient Representative, with terms ending December 31, 2024 – action requested – 1) APPOINT KRISTI SHERER TO THE IHSS ADVISORY COMMITTEE AS A COUNTY REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2024; AND 2) REAPPOINT MARK GORDON TO THE IHSS ADVISORY COMMITTEE AS A RECIPIENT REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2024. (Department of Employment and Social Services)

3. REGULAR AGENDA (NO ITEMS)

4. PUBLIC COMMENT

Comments to the In-Home Supportive Services Public Authority Board on issues and items not listed on the agenda. Presentations will be limited to 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.

RECESS

Recess as the In-Home Supportive Services Public Authority Board and reconvene as the Butte County Public Facilities Financing Corporation

BUTTE COUNTY PUBLIC FACILITIES FINANCING CORPORATION AGENDA
FEBRUARY 8, 2022

1. CALL TO ORDER

2. CONSENT AGENDA

2.01 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: Bill Connelly, President; Tod Kimmelshue, Vice President; and Andy Pickett, 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: Meegan Jessee, Deputy Administrative Officer; Rob Freitas, Principal Management Analyst; and Denise Baldwin, Senior Management Analyst. In accordance with Section 5.01 of the Bylaws, the Board is being asked 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 FEBRUARY 9, 2021 MEETING; 2) APPOINT THE SUBORDINATE OFFICERS OF THE CORPORATION; AND 3) APPROVE THE EXECUTION OF THE CERTIFICATE OF AUTHORIZED OFFICERS DATED FEBRUARY 8, 2022. (County Administration)

3. REGULAR AGENDA (NO ITEMS)

4. PUBLIC COMMENT

Comments to the Butte County Public Facilities Financing Corporation 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 Butte County Public Facilities Financing Corporation is prohibited from taking action on any item not listed on the agenda.

5. Closed Session (No Items)

6. MEETING ADJOURNED

Butte County
Department Heads

Agricultural
Commissioner:
Louie Mendoza

Assessor*:
Diane Brown

Auditor-Controller*:
Graciela Gutierrez

Behavioral Health:
Scott Kennelly

Chief Administrative
Officer:
Andy Pickett

Chief Probation Officer:
Wayne Barley

Child Support Services:
Sean Farrell

Clerk-Recorder /
Registrar of Voters*:
Candace Grubbs

County Counsel:
Bruce Alpert

Development Services:
Paula Daneluk

District Attorney*:
Mike Ramsey

Employment & Social
Services:
Shelby Boston

Fire Chief:
John Messina

General Services:
Grant Hunsicker

Human Resources:
Sheri Waters

Interim Information
Systems:
Sang Kim – Interim

Library:
Narinder Sufi

Public Health:
Danette York

Public Works:
Josh 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 limited to 3 minutes, and may be adjusted to 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



BUTTE COUNTY BOARD OF SUPERVISORS

SUPPLEMENTAL AGENDA

FEBRUARY 8, 2022

9:00 AM

MEMBERS OF THE BOARD

BILL CONNELLY, DISTRICT 1

DEBRA LUCERO, DISTRICT 2

TAMI RITTER, DISTRICT 3

TOD KIMMELSHUE, DISTRICT 4

DOUG TEETER, DISTRICT 5

ANDY PICKETT
CHIEF ADMINISTRATIVE OFFICER &
CLERK OF THE BOARD

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

BRUCE ALPERT, COUNTY COUNSEL

4. **REGULAR AGENDA**

- 4.07 Board Comment Letter-California Natural Resources Agency (CNRA) Pathways to 30x30 Draft (30x30) - In October 2020, Governor Newsom signed the Nature Based Solutions Executive Order N-82-20. The Executive Order directs the CNRA to coordinate the execution of a strategy to preserve 30% of lands and coastal waters by 2030. The CNRA 30x30 draft strategy has been released and is open for public comment until February 15, 2022. The 30x30 divides California into nine regions and places Butte County in the Sacramento Valley Region which focuses on urban expansion, competing agriculture priorities, and regulatory barriers as conservation challenges. Additionally, priorities for access to conservation focus on public green space in the larger urban areas of Sacramento and Redding. The placement of Butte County wholly into Sacramento Valley Region fails to recognize the conservation challenges faced as result of intensifying wildfires, drought and extreme weather and places a heavy focus on urban versus rural land management. County Departments have reviewed the 30x30 and recommend the Board approve the draft comment letter for submission to the CNRA public comment period – action requested - DIRECT STAFF TO SUBMIT A COUNTY LETTER OF COMMENT BY THE FEBRUARY 12, 2022. (Board of Supervisors – Supervisor Connelly District 1)
- 4.08 Employment Contract for Chief Probation Officer - County Administration recommend entering into a new employment contract with Chief Probation Officer, Wayne Barley. The term of the contract is March 26, 2022 through March 25, 2025. The contract includes a proposed salary of \$158,492, the same as his current salary – action requested – APPROVE EMPLOYMENT CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)