



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

JANUARY 26, 2021

9:00 AM

MEMBERS OF THE BOARD

BILL CONNELLY, DISTRICT 1

DEBRA LUCERO, DISTRICT 2

TAMI RITTER, DISTRICT 3

TOD KIMMELSHUE, DISTRICT 4

DOUG TEETER, DISTRICT 5

ANDY PICKETT
CHIEF ADMINISTRATIVE OFFICER &
CLERK OF THE BOARD

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

BRUCE ALPERT, COUNTY COUNSEL

1. CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

3.01 Agreement Amendment with Department of Health Care Services (DHCS) for Performance Requirements Under Mental Health Services Act (MHSA) and Resolution Authorizing the Director of Behavioral Health to Sign the Agreement Amendment – DHCS administers the MHSA and oversees county provision of mental health services provided with realignment funds. DHCS requires the Department of Behavioral Health to enter into an agreement, which describes terms and conditions the Department is required to follow in order to remain in compliance with the regulations of providing specialty mental health services and to remain eligible for this funding. DHCS also requires a resolution authorizing the Director of Behavioral Health to sign the agreement amendment. The Board of Supervisors approved the agreement with DHCS on October 22, 2019. The Department received the draft agreement amendment from DHCS on November 18, 2020. The amendment continues DHCS efforts in streamlining the contracting process for behavioral health federal block grants by integrating the Substance Abuse Prevention and Treatment Block Grant (SABG) into the existing agreement. The Department recommends amending the agreement with DHCS for performance requirements. The term of the agreement remains July 1, 2018 through June 30, 2021 – action requested – 1) APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)

- 3.02 Agreement with Traditions Psychology Group, Inc. (Traditions Behavioral Health) for Psychiatric Services – Traditions Behavioral Health is a physician recruiting agency that provides psychiatrists for placement at hospitals and clinics on a short-term basis. Due to the shortage of psychiatrists, the Department of Behavioral Health uses Traditions Behavioral Health to supply psychiatrists to work at various sites as needed. The contract assists the Department in meeting the required level of mental health services available to the County, and is a result of a solicitation process for short-term psychiatry services. The Department recommends entering into a contract with Traditions Behavioral Health for the provision of psychiatric services. The term of this contract is date of execution through June 30, 2021, not-to-exceed \$300,000 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
- 3.03 Termination of Local Disaster Proclamation Resolution Due to the February 2019 Storms – A local emergency existed in Butte County due to the February 2019 Storms in accordance with the proclamation made by the Chief Administrative Officer on February 28, 2019, and affirmed and ratified by the Board of Supervisors on March 5, 2019. The local disaster proclamation enables the County to obtain State and federal dollars to help with the recovery. The local disaster is no longer in effect as the cleanup of the hazardous debris has been completed – action requested – 1) CONFIRM THE NEED FOR TERMINATING THE LOCAL DISASTER PROCLAMATION; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.04 Consolidated Development Impact Fee Report for Fiscal Year (FY) 2019-20 – Pursuant to California Government Code section 66006(b), the Butte County Consolidated Development Impact Fee Report for FY 2019-20 (Report) has been available for Board and public review in the Office of the Clerk of the Board since December 24, 2020. The Report includes both County and Special District Development Impact Fee funds information and the required five-year findings. California Government Code section 66001(d) sets forth the requirements of findings the Board must make in the fifth year following the first deposit into a fund and every fifth year thereafter regarding the unexpended balance in the respective fund. Department Heads and Special District Managers are responsible for the five-year findings for their Development Impact Fee funds – action requested – 1) ACCEPT FOR INFORMATION; AND 2) MAKE FINDINGS AS DETAILED IN THE REPORT FOR EACH OF THE REQUIRED FUNDS AS SET FORTH IN GOVERNMENT CODE SECTION 66001(d). (County Administration)
- 3.05 2021 State and Federal Legislative Platforms – On December 8, 2020, the Board of Supervisors discussed the draft State and federal legislative platforms and directed staff to make a couple of changes to the documents. During the January 12, 2021 Board of Supervisors meeting, additional direction was given to staff, and the platforms were updated to include language on reforestation in both documents. These documents provide a basis for advocacy throughout the year. The draft 2021 platforms were prepared in consultation with department heads, input from Board members, and assistance from the County's State and federal consultants. The draft platforms continue to address issues such as public safety, health and human services, water, public infrastructure, local government finances, and general government. In addition, the documents contain legislative matters directly related to recovering from the numerous disasters that the County has recently faced – action requested – APPROVE THE STATE AND FEDERAL LEGISLATIVE PLATFORMS. (County Administration)

- 3.06 Budget Adjustment and Capital Asset Acquisition for Capital Projects for Stand-by Generator Power at the Butte County Hall of Records – The Butte County Hall of Records located at 155 Nelson Avenue, Oroville, was constructed in 2015. Original design of the building included wiring for stand-by generator power to critical portions of the building. During construction, much of the generator infrastructure was completed as designed, though budget constraints required that installation of the generator itself be deferred. Stand-by generator power to the Hall of Records is crucial to ensure elections operations are not disrupted due to a power outage. The budget estimate to complete the installation of a 150kW stand-by generator is \$161,800 and is a capital improvement requiring a capital improvement project. County Administration, the Department of General Services, and the Clerk-Recorder's Office recommend the Board of Supervisors approve the budget adjustment for the establishment of this capital project. It is anticipated that \$102,105 of the cost will be funded by the 2020 Community Power Resiliency Allocation by California Governor's Office of Emergency Services and the remaining \$59,695 will be funded by a state elections grant – action requested – 1) APPROVE A BUDGET ADJUSTMENT (4/5 VOTE REQUIRED); AND 2) APPROVE THE ACQUISITION OF THE CAPITAL ASSET; AND 3) AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO SIGN ALL DOCUMENTS RELATED TO THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES 2020 COMMUNITY POWER RESILIENCY ALLOCATION. (County Administration and Clerk-Recorder)
- 3.07 Contract with Raney Planning & Management Inc. for Planning Services – The contract for planning services with Raney Planning & Management Inc. provides ongoing planning application processing, planning building permit review, and other planning services as needed by the Department of Development Services. Contracting planning services allows the Department to continue providing timely service to the public when staff resources are unavailable because of high demand for planning-related services. The agreement allows the Department the option to contract for planning services during an emergency or disaster recovery. The Department issued a Request for Proposals for planning services on September 26, 2020 and received five responses. Three firms were selected as the most qualified for the planning services requested. Contract negotiations are in process with one other selected firm. The Department recommends entering into a contract with Raney Planning & Management Inc. for a term of January 26, 2021 through January 25, 2026, not-to-exceed \$99,999 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

- 3.08 Contract Amendment with Jesus Provides Our Daily Bread (Jesus Center) for COVID-19 Prevention and Containment Efforts – Jesus Center is a nonprofit organization dedicated to assisting individuals in their efforts to achieve self-sufficiency and a more stable lifestyle. Jesus Center provides services to clients at its facility, to those staying in hotels through Project Roomkey, and COVID-19 prevention and containment services support for those experiencing homelessness in the community during the pandemic. The Department of Employment and Social Services received funding from the State of California Business, Consumer Services and Housing Agency to support emergency shelters and homeless service providers in their COVID-19 prevention and containment efforts. Funding can be used to expand emergency shelter space to meet social distancing requirements, move high-risk individuals into Non-Congregate Shelters (NCS), and ensure that shelter accommodations meet infection control standards. Other prevention and containment services funded by this agreement include wraparound and monitoring services to qualifying individuals experiencing homelessness who are placed into NCS and to expand outreach services that include engagement, assessment, and education on safe hygiene practices. The Department recommends amending the contract with Jesus Center for COVID-19 prevention and containment services. The amendment extends the term of the contract by six months through June 30, 2021, and increases the maximum payable by \$25,000, not-to-exceed \$75,000. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
- 3.09 Contract Amendment with True North Housing Alliance, Inc. (TNHA) for COVID-19 Prevention and Containment Efforts – TNHA is a nonprofit organization dedicated to assisting individuals in their efforts to achieve self-sufficiency and a more stable lifestyle. TNHA provides services to clients staying at the Torres Shelter and COVID-19 prevention and containment services support for those experiencing homelessness in the community during the pandemic. The Department of Employment and Social Services received funding from the State of California Business, Consumer Services and Housing Agency to support emergency shelters and homeless service providers in their COVID-19 prevention and containment efforts. Funding can be used to expand emergency shelter space to meet social distancing requirements, move high-risk individuals into Non-Congregate Shelters (NCS), and ensure that shelter accommodations meet infection control standards. Other prevention and containment services funded by this agreement include wraparound and monitoring services to qualifying individuals experiencing homelessness who are placed into NCS and expand outreach services that include engagement, assessment and education on safe hygiene practices. The Department recommends amending the contract with TNHA for COVID-19 prevention and containment services. The amendment extends the term of the contract by five months through June 30, 2021, and increases the maximum payable by \$175,000, not-to-exceed \$535,000. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)

- 3.10 Contract Amendment with Oroville Rescue Mission (ORM) for COVID-19 Prevention and Containment Efforts – ORM is a nonprofit organization dedicated to assisting individuals in their efforts to achieve self-sufficiency and a more stable lifestyle. ORM provides services to clients staying at the Mission as well as COVID-19 prevention and containment services support for those experiencing homelessness in the community during the pandemic. The Department of Employment and Social Services received funding from the State of California Business, Consumer Services and Housing Agency to support emergency shelters and homeless service providers in their COVID-19 prevention and containment efforts. Funding can be used to expand emergency shelter space to meet social distancing requirements, move high-risk individuals into Non-Congregate Shelters (NCS), and ensure that shelter accommodations meet infection control standards. Other prevention and containment services funded by this agreement include wraparound and monitoring services to qualifying individuals experiencing homelessness who are placed into NCS and expand outreach services that include engagement, assessment and education on safe hygiene practices. The Department recommends amending the contract with ORM for COVID-19 prevention and containment services. The amendment extends the term of the contract by six months through June 30, 2021, and increases the maximum payable by \$150,000, not-to-exceed \$225,000. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
- 3.11 Budget Adjustment for Repair of 18 County Center Drive, Department of Behavioral Health – The Department of Behavioral Health operates program services at 18 County Center Drive in Oroville. A roof leak resulted in water intrusion into an interior wall cavity in the building. The source of the leak has been repaired, and now the interior wall requires reconstruction. Risk Management has opened an insurance claim to recover the costs associated with the repair. The Departments of General Services and Behavioral Health recommend that the Board of Supervisors approve a budget adjustment of \$25,000 to allow General Services to complete the project – action requested – APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (General Services and Behavioral Health)
- 3.12 Adoption of the Salary Ordinance – The Department of Human Resources has prepared an updated Salary Ordinance. The ordinance includes details on allocated positions, and the salary plans for classified positions, elected and appointed officials and members of the Board of Supervisors. A new salary ordinance is typically adopted once per year and is then amended with resolutions during the course of the year. The ordinance being considered incorporates changes the Board made by resolution to the salary ordinance through December 8, 2020. The Board waived the first reading of the ordinance at the January 12, 2021 Board Meeting – action requested – ADOPT SALARY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

- 3.13 Resolution Authorizing Submittal of an Application for the Coronavirus Emergency Supplemental Funding (CESF) Program – The Probation Department recommends authorization to submit an application for the CESF Program. If awarded, CESF Program funds will be used to prevent, prepare for, and respond to COVID-19. Specifically, funding may be used to address the medical needs of youth at Juvenile Hall, the purchase of law enforcement equipment, hiring, overtime, supplies, training, and travel expenses due to the distribution of resources to the most impacted areas. At least 20% of the CESF Program funds will be passed through to a non-governmental, community-based organization impacted by COVID-19 and providing services within the County. If awarded, the term of the CESF Program is March 31, 2021, to January 31, 2022. The Department may request up to \$291,543 over the course of the 10 month grant period, and there is no match requirement. The Department recommends the Board of Supervisors adopt a resolution authorizing the Chief Probation Officer, or designee, to execute CESF Program documents on behalf of the County including, but not limited to, applications, payment requests, agreements, and amendments necessary to secure CESF Program funds and to implement the CESF Program if approved – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Probation)
- 3.14 Resolution Authorizing Submittal of an Application for Office of Juvenile Justice and Delinquency Prevention (OJJDP) FY 2020-21 Second Chance Act Youth Offender Reentry (Youth Reentry) Program – The Probation Department recommends authorization to submit an application for the Youth Reentry Program. If awarded, the Youth Reentry Program funds will be used to develop and implement comprehensive pre- and post-reentry plans for youth returning to the community after confinement. Specifically, funding will be used to address the needs of youth, identify and coordinate appropriate community-based program services at least 90 days prior to release, and provide case management services and evidence-based programming. The goal of the Youth Reentry Program is to increase public safety by reducing recidivism among moderate to high-risk youth following their release from the Department's Juvenile Hall Camp Program, Department of Juvenile Justice Program, and long-term detention. If awarded, the term of the Youth Reentry Program begins October 1, 2021, for a period of 36 months. The Department may request up to \$750,000 over the course of the 36 month period, with a 50% (\$375,000) match requirement. Existing Department staff assigned to Youth Reentry and Youth Reentry expenses will be calculated as an in-kind match. The Department recommends the Board of Supervisors adopt a resolution authorizing the Chief Probation Officer, or designee, to execute Youth Reentry Program documents on behalf of the County of Butte, including, but not limited to, applications, payment requests, agreements, and amendments necessary to secure funds and implement the Youth Reentry Program, if awarded – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Probation)

- 3.15 Contract with Eldco LLC for Roll Over Protective Structures (ROPS) Certification Services – As part of the Butte Regional Radio System, the Department of Public Works had radios installed in various vehicles during the summer of 2020. Radio equipment in seven Department-owned motor graders were incorrectly installed into the ROPS by the vendor. This installation damaged the ROPS and created concerns under OSHA and Federal regulations. Repairs are significantly more cost effective as opposed to replacement of the ROPS, and Federal regulations require engineering credentials and experience to certify the repairs. The motor graders are not operational until the repairs and certification are complete, which affects the Department's ability to meet service level demands. The Department researched certification vendors and Eldco LLC of Iron River, Washington is the only firm that provides service in California. Due to the specialized nature of the work and limited availability of vendors, this agreement is exempt from solicitation based on the County's procurement policy, utilizing the One-Source exemption. The cost of certifying the repairs on the ROPS is \$7,500 per grader. The Department recommends entering into a contract with Eldco LLC with a term of January 26, 2021 through June 30, 2021, not-to-exceed \$52,500. The Department is working with the radio installation vendor to reimburse the Department for the damage. However, there is need to expedite the repairs to continue snow plowing and road grading services throughout the County – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.16 Capital Asset Purchase - Asphalt Transport Trailer – The Department of Public Works budgeted \$70,000 for the purchase of an Asphalt Transport Trailer in the current fiscal year. The Department of General Services posted an Invitation for Bids that resulted in one bid received in the amount of \$81,760, which does not include tax. The total anticipated overage for this purchase with tax is \$19,000. This will be an increase of the Capital Asset appropriation of more than 10% and in accordance with Budget Policy, requires Board of Supervisors approval. The Department recommends an increase in capital asset authority for the Asphalt Transport Trailer in the amount of \$19,000, for a revised authority of \$89,000. The expense for the trailer will be accommodated by savings from other budgeted capital assets – action requested – APPROVE CAPITAL ASSET PURCHASE. (Public Works)
- 3.17 Resolution Authorizing Public Auction Sale of Tax-Defaulted Properties – The Treasurer-Tax Collector recommends the Board of Supervisors adopt a resolution to hold a tax auction and requests approval to sell at public auction via the Internet for the stated minimum price, the tax-defaulted properties which are subject to the power of sale. There are currently 209 properties on the auction list that are being offered. Annually, owners of tax-defaulted properties are notified of their tax delinquency, how to redeem their property, and that if taxes remain unpaid five years after the date of default, the property will be subject to the Department's power of sale and may subsequently be sold at public auction. A list of parcels, which became tax-defaulted and subject to the power of sale was published pursuant to Section 3361 of the California Revenue and Taxation Code in the Chico Enterprise-Record and the Oroville Mercury-Register. The assesseees of record and other parties of interest as defined in Section 4675 of the California Revenue and Taxation Code will be mailed a notice of sale of tax-defaulted property and have until 5:00 pm on Thursday, June 10, 2021, the last business day prior to the first day of the auction, to redeem their property. The Department plans to schedule the auction for June 11 through 14, 2021 – action requested – ADOPT RESOLUTION 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

1. Reappointments 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 reappoint Debrah Gavett and Nancy Rogers as Trustees, with terms ending January 31, 2024 – action requested – 1) REAPPOINT DEBRAH GAVETT TO THE PARADISE CEMETERY DISTRICT AS A TRUSTEE, WITH A TERM ENDING JANUARY 31, 2024; AND 2) REAPPOINT NANCY ROGERS TO THE PARADISE CEMETERY DISTRICT AS A TRUSTEE, WITH A TERM ENDING JANUARY 31, 2024. (Other - Paradise Cemetery District)

2. Appointments to the Solid Waste Enforcement and Appeal Independent Hearing Panel (Solid Waste Hearing Panel) – The Board of Supervisors established the Solid Waste Hearing Panel through Chapter 31A of the Butte County Code. Although historically there have been very few solid waste appeals, it is necessary to maintain a viable hearing panel in order to meet legal requirements upon receipt of an appeal. The Department of Public Health, Environmental Health Division is the responsible agency. Pursuant to the provisions of Public Resources Code sections 44308(a)(2) et seq., the hearing panel consists of the following three members appointed by the Board of Supervisors: 1) One member of the Board of Supervisors; 2) a subject matter expert in solid waste; and 3) a member of the public. Additionally, the Board of Supervisors may appoint alternate members to provide for a full hearing panel in the event a primary member declares a conflict of interest or is otherwise unavailable. There are currently two member vacancies and three alternate member vacancies. The Department requests the Board of Supervisors appoint the following individuals to four year terms, ending January 25, 2025: 1) One member of the Board of Supervisors to serve as the Primary member; 2) One member of the Board of Supervisors to serve as the Alternate member; 3) William (Bill) Mannel to serve as Subject Matter Expert, Alternate; 4) Mark Adams to serve as Public Representative, Primary; and 5) Richard Coon to serve as Public Representative, Alternate – action requested – 1) APPOINT A SUPERVISOR TO THE SOLID WASTE HEARING PANEL AS A PRIMARY MEMBER, WITH A TERM ENDING JANUARY 25, 2025; 2) APPOINT A SUPERVISOR TO THE SOLID WASTE HEARING PANEL AS THE ALTERNATE MEMBER, WITH A TERM ENDING JANUARY 25, 2025; 3) APPOINT WILLIAM (BILL) MANNEL TO THE SOLID WASTE HEARING PANEL AS SUBJECT MATTER EXPERT, ALTERNATE, WITH A TERM ENDING JANUARY 25, 2025; 4) APPOINT MARK ADAMS TO THE SOLID WASTE HEARING PANEL AS PUBLIC REPRESENTATIVE, PRIMARY, WITH A TERM ENDING JANUARY 25, 2025; AND 5) APPOINT RICHARD COON TO THE SOLID WASTE HEARING PANEL AS PUBLIC REPRESENTATIVE, ALTERNATE, WITH A TERM ENDING JANUARY 25, 2025. (Public Health)

3. Appointments to the Wastewater Advisory Committee (WAC) – The Board of Supervisors established the WAC to conduct the following: development and maintenance of the On-Site Wastewater Manual; application of new on-site collection, treatment, conveyance, and dispersal technology; development and oversight of a system for assuring that on-site wastewater systems are appropriately operated, maintained, and monitored; future revisions to Butte County Code, Chapter 19, and the On-Site Wastewater Manual; and development of policies, practices, and procedures to improve protection of public health and delivery of customer service pertaining to the implementation of Chapter 19 of the County Code and the On-Site Wastewater Manual. The WAC consists of ten members composed of the following: a member from the Board of Realtors or Association of Realtors; a member from the Building Industry Association; a certified on-site wastewater operation and maintenance specialist; an engineer specializing in environmental consultation; an engineer specializing in on-site wastewater consulting; a certified septic tank pumper or septic tank manufacturer; a certified installer; a registered Environmental Health Specialist; a wastewater component vendor or proprietor; and a member of the public. Currently there are three vacancies on the WAC, and three residents have applied to be appointed to the vacancies. The Department of Public Health recommends the Board appoint the following with a term ending May 31, 2024: 1) Robert Crandall as the Certified Septic Tank Manufacturer Representative; 2) Wesley Gilbert as the Engineer Specializing in Environmental Consultation Representative; and 3) Rick McCauley as the Wastewater Component Vendor Representative – action requested – 1) APPOINT ROBERT CRANDALL TO THE WAC AS THE CERTIFIED SEPTIC TANK MANUFACTURER REPRESENTATIVE WITH A TERM ENDING MAY 31, 2024; 2) APPOINT WESLEY GILBERT TO THE WAC AS THE ENGINEER SPECIALIZING IN ENVIRONMENTAL CONSULTATION REPRESENTATIVE WITH A TERM ENDING MAY 31, 2024; AND 3) APPOINT RICK MCCAULEY TO THE WAC AS THE WASTEWATER COMPONENT VENDOR REPRESENTATIVE WITH A TERM ENDING MAY 31, 2024. (Public Health)

4. Designation of 2021 Delegate and Alternate for the Rural Counties Environmental Services Joint Powers Authority (ESJPA) – The Rural County Representatives of California has requested the annual designation of a delegate and alternate to the ESJPA. ESJPA bylaws require that a Board of Supervisors member be the delegate. Alternates are generally a staff member who is in charge of solid waste/recycling programs for the County. Supervisor Doug Teeter is the Board of Supervisors representative on the RCRC and the current delegate to the ESJPA. Eric Miller, Solid Waste Manager, is the current appointed alternate member to the ESJPA. Public Works proposed replacing Eric with Craig Cissell, Solid Waste Deputy Director – action requested – 1) APPOINT ONE MEMBER OF THE BOARD OF SUPERVISORS TO THE ESJPA, AS THE DELEGATE MEMBER, WITH A ONE YEAR TERM; 2) APPOINT CRAIG CISSELL, SOLID WASTE DEPUTY DIRECTOR, TO THE ESJPA, AS ALTERNATE MEMBER, WITH A ONE YEAR TERM; AND 3) AUTHORIZE THE CHAIR TO SIGN THE DESIGNATION FORM. (Public Works)

B. Board Member / Committee Reports and Board Member Comments

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

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

- A. COVID-19 Update by the Public Health Director
- B. North Complex Fire Recovery Update

- 4.03 Employment Contract for Director - Information Systems – County Administration recommends entering into an employment contract with Dino Cabal as the Director - Information Systems. The term of the contract is February 8, 2021 through February 7, 2024. The contract includes a proposed salary of \$140,000 – action requested – APPROVE EMPLOYMENT CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 4.04 Butte Business Stabilization Program Final Report – At the direction of the Board of Supervisors during the approval of the CARES Act spending plan, which was presented at the regularly scheduled August 11, 2020 Board of Supervisors meeting, \$5 million was allocated to the Butte Business Stabilization Program. The program consisted of two components: \$100,000 in grant funds to business assistance organizations including Chambers of Commerce and Downtown Associations; and \$4,900,000 in grant funds to small businesses of 10 or fewer employees that were directly impacted by COVID-19. A contract with 3CORE for implementation and administration of the small business grant program was approved by the Board on August 25, 2020. As a result of the program, 285 businesses in Butte County received grant funds in the amount of \$15,000 - \$25,000 to assist with the fiscal impacts of COVID-19, modify their businesses practices, and adhere to the State Guidance. In addition, Chambers of Commerce and Downtown Associations provided information, education, training, and other resources for small businesses to respond to the challenges of COVID-19 – action requested – ACCEPT FOR INFORMATION. (County Administration)
- 4.05 Resolution Approving an Allocation of Funding and Execution of a Grant Agreement and any Amendments for the Community Development Block Grant-Disaster Recovery (CDBG-DR) Multifamily Housing Program for the 2018 Disasters – The California Department of Housing and Community Development (HCD) made available \$250,687,114 in allocations in 2019 CDBG-DR funding to support the Multifamily Housing Program (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 DR-4382, which includes the July-September 2018 wildfires, and DR-4407, which includes the Camp Fire. The MHP projects are funded to meet the unmet rental housing need, including the needs of individuals displaced from rental mobile homes and individuals made homeless as a result of the disasters. Projects may include apartment complexes and mixed-use developments. The MHP will also include small rental assistance open to landlords with one to four units. A separate allocation of \$205,107,638 is available Statewide to assist property owners with repair and reconstruction of single-family housing units, and the program will be administered solely by HCD. Additionally, Statewide allocations for economic and workforce revitalization, infrastructure, and planning will make grant opportunities available to the County in 2021. The MHP is administered by HCD, and it requests local jurisdictions to rank and submit developer project applications to prioritize local community housing needs. In preparation for securing the allocation through a master standard agreement between HCD and each local jurisdiction, HCD requests jurisdictions develop and submit readiness documents including a due diligence application along with a Request for Proposal that will be utilized to solicit for local development projects. County staff is in the process of preparing the due diligence application. Once the due diligence application is approved by HCD, staff recommend entering into a Master Standard Agreement with HCD to facilitate the development of multifamily housing (rehabilitation, reconstruction, or new construction), pursuant to the MHP Policies and Procedures – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 4.06 2021 Redistricting Process – Every ten years, following the conclusion of the United States Census work, local jurisdictions are required to analyze their local population data and make adjustments to district boundaries to ensure there is approximately equal representation of the population throughout each of the districts. These adjustments will determine the district within which a citizen votes beginning with the next statewide Primary Election. During this process, maps of current districts are traditionally provided, with population data and overlays of other data elements. Public hearings will be held to receive input from the Board and the public. At the conclusion of this process, districts are redrawn to ensure equal populations throughout. Time-lines during the census process this cycle have been extended as a result of COVID-19. Whereas traditionally draft district plans must be selected by July 1, and final plans enacted by August 15, deadlines for 2021 are November 1 and December 15. Should there be further delays of receiving the census data from the federal government, additional extensions could be considered. County Administration recommends issuing a Request for Proposals to secure a consultant to manage this process due to the significant population shifts in the region associated with multiple wildfires. In addition, legislation has been enacted (Fair Maps Act) increasing the complexity of this process. Staff have reached out to other jurisdictions and have identified a number of potential firms that could assist with leading this project to ensure a transparent, unbiased process that will include coordination with other local jurisdictions and districts – action requested – PROVIDE DIRECTION TO STAFF WITH REGARD TO ANY DESIRED ELEMENTS TO BE INCLUDED WITHIN THE SCOPE OF THE RFP. (County Administration)
- 4.07 Introduction of an Ordinance Repealing and Replacing Chapter 38A, Entitled "Fire Prevention and Protection" of the Butte County Code and related Budget Adjustment and Capital Asset Purchase - Truck – At the June 9, 2020 Board Meeting, the Board of Supervisors directed staff to amend Chapter 38A of the Butte County Code, entitled "Fire Prevention and Protection" to add wildfire safety requirements and enforcement provisions in order to mitigate the impacts of future wildfires to Butte County communities. The additional requirements include: true defensible space past the property line with a five foot non-combustible zone around structures; 10 feet of vegetation removal from the edge of the travel way along means of ingress and egress; 20 feet of vegetation removal from the edge of travel way along established community evacuation routes; and enforcement of the requirements county-wide. The proposed ordinance provides a mechanism for the Butte County Fire Department and the Department of Development Services to implement a defensible space and hazardous vegetation reduction inspection and enforcement program. The current language in Chapter 38A is difficult to understand in various sections. In order to add requirements and change the language for the enforcement program to keep it consistent with similar enforcement practices, significant changes are needed. It was determined the appropriate method is to repeal and replace the current code, which provides a simpler and more understandable code while ensuring only Board-directed actions are added. The District Attorney's secured settlement funds from PG&E after the 2017 Honey Fire, and these funds are focused on wildfire prevention. The settlement funds will offset some of the costs for the program inspections and enforcement. The Fire Department secured a FEMA fire prevention and safety grant, which will fund Fire Department costs for the program for a period of two years. Together, the funding sources provide revenue to the program for approximately four and half years of operations, after which time the Departments will need to identify funding to extend the program. The County is applying for a mitigation grant to assist with program costs, but has not yet submitted the application – action requested – 1) WAIVE THE FIRST READING OF THE ORDINANCE ENTITLED "FIRE PREVENTION AND PROTECTION"; 2) APPROVE THE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED); AND 3) APPROVE CAPITAL ASSET PURCHASE. (Development Services and Fire)

4.08 Update on Water Issues – The Department of Water and Resource Conservation will provide the Board of Supervisors with an update on the following water resource issues:

1. Sustainable Groundwater Management Act (SGMA) Implementation Status – The Groundwater Sustainability Plans are on track for completion by January 31, 2022. The Department will report on the status of Groundwater Sustainability Plan development with an emphasis on the Butte subbasin. Butte County is a groundwater sustainability agency in the Butte subbasin. A sustainability goal statement for the Butte Subbasin Groundwater Sustainability Plan has been drafted.
2. Wildlife Prevention, Safe Drinking Water, Drought Preparation and Flood Protection Act of 2022 (Senate Bill 45)
3. Miocene Canal – The Department will report on the status of Pacific Gas & Electric's (PG&E) progress to restore water to the Miocene Canal.
4. Annual Groundwater Status Report – Pursuant to the Groundwater Conservation Ordinance, the Department will present a report on groundwater conditions to the Board of Supervisors at their second meeting in February.

Action requested – ACCEPT FOR INFORMATION. (Water and Resource Conservation)

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

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 10:00AM – Timed Item – Presentation by CalRecycle Regarding Senate Bill (SB) 1383 (Lara), Reducing Short-Lived Climate Pollutants in California – In September 2016, California passed SB 1383: Short-lived climate pollutants: methane emissions: dairy and livestock: organic waste: landfills, commonly called SB 1383, to address the reduction of short-lived climate pollutants to reduce greenhouse gas generation and their emissions. Sources of these gases, such as methane, include organic waste materials disposed in solid waste landfills. SB 1383 targets a 50% reduction in organic waste material disposed in solid waste landfill facilities by 2020, and a 75% reduction by 2025. CalRecycle, which is the State agency responsible for implementing SB 1383 will provide a presentation to the Board of Supervisors about the requirements. One strategy for the Neal Road Recycling and Waste Facility to address necessary waste diversion is through the implementation of a grant awarded by CalRecycle to Butte County, in the amount of \$3 million, to develop an interim compost facility located on top of the Module 4 waste unit. The feedstock, as part of a pilot study, includes commercial food waste mixed with urban yard waste. The grant will cover a portion of the capital costs such as equipment, instrumentation, vehicles, and technology and the funding for an edible food rescue component – action requested – ACCEPT FOR INFORMATION. (Public Works)

6. BOARD OF SUPERVISORS PUBLIC COMMENT

Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California State law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda.

7. BOARD OF SUPERVISORS CLOSED SESSION

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

- A. Agricultural Commissioner
- B. Behavioral Health Director
- C. Chief Administrative Officer
- D. Chief Probation Officer
- E. Child Support Services Director
- F. County Counsel
- G. Development Services Director
- H. Employment and Social Services Director
- I. Human Resources Director
- J. Information Services Director
- K. Library Director
- L. Public Health Director
- M. Public Works Director
- N. Water and Resources Conservation Director

7.02 Conference with Labor Negotiator Pursuant to Government Code Section 54957.6:

Negotiators: Jack Hughes, Sheri Waters, and Meegan Jessee

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

7.03 Actual Litigation Pursuant to Government Code Section 54956.9(d)(1)

- A. *Greg Reeves v. Butte County*; Workers' Compensation Appeals Board Case No. ADJ12876741 (Claim Number: BAUP-550879).

7.04 Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)

One potential case.

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:
Josh Kincheloe

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:
Paul Gosselin

*Elected Official

Information and Procedures Concerning the Agenda and
Board of Supervisors Meetings

Meeting Information:

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

Agenda Information:

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

Agenda Format and Meeting Order:

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

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

Public Participation:

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

The Board of Supervisors is also committed to making its proceedings accessible to all 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