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COVID-19 ADVISORY

Pursuant to State Public Health directives, in conjunction with the State's Stay at Home Order, and as authorized by Governor Newsom's Executive Orders N-25-20 and N-29-20, Board of Supervisor Meetings are closed to members of the public at the present time.



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SUBMIT PUBLIC COMMENT

Members of the public can submit public comment on agenda items a number of ways!

All submissions must include reference to an item number.

Please submit only one comment per item.

Submit by 4pm the Day Before the Meeting:



Voicemail

Call 530.552.3303



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25 County Center Drive, Suite 200,
ATTN: Clerk of the Board, Oroville, CA 95965



Register to Speak

- 1) Visit bcadmin.net/comments
 - 2) Find the Meeting & Item #
 - 3) Sign In (New Users Will Create an Account)
 - 4) Click **Register to Speak**
 - 5) You will receive an email with the meeting link
-
- 6) **The morning of the Board meeting, join the meeting using the emailed link beginning at 8:45am and stay tuned for your item to speak on!**



You must register by 4pm the day before the meeting to be able to speak in the meeting.

Submit by the Close of the Meeting:



eComment

- 1) Go to bcadmin.net/comments
- 2) Find the Meeting & Item # you wish to comment on
- 3) Sign In (New Users Will Create an Account)
- 4) **Submit your eComment**



Email

Email ClerkoftheBoard@buttecounty.net
(the subject should read "Public Comment for Item Number ...")

All comments received will be sent electronically to the full Board and incorporated in the public record.

Individuals who need special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the meeting materials, should contact the **Clerk of the Board** at 530.552.3300 or ClerkoftheBoard@ButteCounty.net as soon as possible to ensure arrangements for accommodation.



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

JANUARY 12, 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

A. Board of Supervisors Composition for 2021

- i. Board of Supervisors Chair and Vice Chair Selection Process – Each January, the Board of Supervisors elects the Chair and Vice Chair of the Butte County Board of Supervisors as do all of the other 58 counties in the State of California. While there is no law specifying the process (only that an election must occur), a cursory survey of counties north of Sacramento expressed the rotational basis as their course of action for these elected positions on the Board. For the past 20 years in Butte County, two districts (1 and 4) have represented the board as Chair for a combined total of 15 of those 20 years. To create a more equitable representation of Districts, Supervisor Lucero suggests that a rotation be adopted as is standard practice in dozens of counties. In the event a rotation would include a newly elected Supervisor, the next in line (not newly elected Supervisor) would take the position and the newly elected Supervisor would become Vice Chair. If any Board member declines the position of Chair or Vice Chair, it would go to the next Supervisor in rotation. It is recommended to begin with District 1 as Chair and District 2 Vice Chair, and move through the districts sequentially going forward – action requested – ADOPT ROTATIONAL ANNUAL CHAIR AND VICE CHAIR ELECTION PROCESS. (Supervisor Lucero, District 2)

ii. Election of Board Chair

iii. Election of Board Vice Chair

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

3. CONSENT AGENDA

- 3.01 Revenue Agreement with the California Department of Food and Agriculture (CDFA) for the 2021 Noxious Weed Grant Program – The Agricultural Commissioner's Office recommends entering into a revenue agreement with CDFA to provide revenue for the Noxious Weed Grant Program. The objectives of the program are to control noxious weed species, which may reduce fire hazard and fire control costs in the State, specifically in Butte County, and protect the biodiversity of native ecosystems. The term of the revenue agreement is January 15, 2021 through June 30, 2022, not-to-exceed \$31,999.25 – action requested – APPROVE REVENUE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Agriculture)

- 3.02 Resolution Recognizing Robert C. Hill Upon his Retirement from the Butte County Agricultural Commissioner's Office – The Agricultural Commissioner's Office recommends the Board of Supervisors adopt a resolution recognizing Robert C. Hill on the occasion of his retirement after 29 years of service to Butte County – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Agriculture)

- 3.03 Budget Adjustment and Grant Agreement with the Tulare County Superintendent of Schools (TCSS) to Support Extra-Help Staff in the Implementation of Friday Night Live (FNL) Underage Drinking Prevention and Traffic Safety Promotion Campaigns – The TCSS has an agreement with the California Office of Traffic Safety (OTS) to administer project-based contracts. The TCSS, through its California Friday Night Live Partnership (CFNLP) program, will provide funding to the Department of Behavioral Health to support extra-help staff in the implementation programs to reduce underage drinking. The sites that will implement this project are Central Middle School, Chico Junior High School, Marsh Junior High School, and Bidwell Junior High School. The target population is between 300 to 500 youth. The Department recommends entering into a grant agreement with the TCSS to the implementation of FNL Underage Drinking Prevention and Traffic Safety Promotion Campaigns. The term of the agreement is October 1, 2020 through September 30, 2021, not-to-exceed \$12,000 – action requested – 1) APPROVE GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Behavioral Health)

- 3.04 Budget Adjustment and Grant Agreement with North Valley Community Foundation (NVCF) Butte Strong Fund for the Strengthening Families Program (SFP) – On November 10, 2020, the Butte Strong Committee of the NVCF approved a proposal to fund the Department of Behavioral Health Prevention Services' SFP. The SFP provides a comprehensive approach to providing support, increasing skills and knowledge, and creating a learning community through growth and healing. The SFP is a science-based program with 14 sessions that increase life skills for parents/guardians, families, and children—culminating with a graduation for the parents/guardians and children who complete the program. Each session includes a family meal, skill session, family time, and childcare and transportation if needed. The grant will provide services to approximately 64 individuals in various demographics. The Department recommends entering into a grant agreement with NVCF for the Butte Strong grant funding. The term of the contract is the date of execution through June 30, 2021, not-to-exceed \$50,000 – action requested – 1) APPROVE GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (Behavioral Health)

- 3.05 Approval of Minutes for Board of Supervisors Meetings – Submitted for approval are minutes for the December 8, 2020 Board of Supervisors Meeting – action requested – APPROVE THE DECEMBER 8, 2020, BOARD OF SUPERVISORS REGULAR MEETING MINUTES AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 3.06 2021 State and Federal Legislative Platform – 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. 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)
- 3.07 Intergovernmental Agency Agreement with the Regional Housing Authority – The County executed a grant agreement with the State Department of Housing and Community Development (HCD) in the amount of \$10,080 for CalHome Disaster Assistance funding. The funding provides a loan program that offers 0% interest and deferred payment loans up to \$150,000 to assist low and moderate income households with rehabilitation or reconstruction of single-family homes. Target households include those affected by the 2018 Camp Fire. The funds may also be used to assist other low and moderate income households throughout the unincorporated communities. HCD allows jurisdictions to enter into agreements with subrecipients to execute HCD-funded activities on the jurisdiction's behalf, and these expenses are eligible for reimbursement from the grant. Subrecipient agreements with other governmental agencies are exempt from competitive solicitation procedures. Butte County has contracted with the Regional Housing Authority to administer the County's Housing Rehabilitation Assistance Program since 2007. County Administration recommends the Board of Supervisors approve the Intergovernmental Agency Agreement with the Regional Housing Authority to administer the Program. The term of the agreement is January 12, 2021 through January 27, 2025, not-to-exceed \$1,808,387 – action requested – APPROVE INTERGOVERNMENTAL AGENCY AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.08 Agreement with Butte County Superior Court for Dispute Resolution Program – The Butte County Superior Court collects funds for the Dispute Resolution Program through a portion of filing fees. By law, these funds are received by the County and are to be used to provide dispute resolution services at the Court. The Court contracts with Cal Northern School of Law to provide these services, and the County provides the Court the funding for the program. The Department recommends entering into an agreement with the Butte County Superior Court for the Dispute Resolution Program, funded by a dedicated portion of filing fees. The term of the agreement is January 1, 2021 through December 31, 2021, not-to-exceed \$45,383 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.09 Contract with Tidal Basin Government Consulting, LLC for Emergency Operation Plan (EOP) Rewrite – The current EOP was written in February 2011 and needs to be updated with experience and knowledge gained over the past several years of disasters. The Butte County Office of Emergency Management has completed the RFP process and has chosen Tidal Basin Government Consulting, LLC to assist in updating Butte County's EOP. Funding for this project will be provided by Emergency Management Performance Grant (EMPG), Fiscal Years 2019 and 2020. This grant is included in the Fiscal Year 2020-21 Adopted Budget. The total cost to complete the EOP project is \$98,360 – action requested – APPROVE CONTRACT AND AUTHORIZED THE CHAIR TO SIGN. (County Administration)

- 3.10 Contract Amendment with Best, Best and Krieger for Continued Legal Services for Butte Choice Energy Authority – The Butte Choice Energy Authority (BCEA) needs continued legal assistance in establishing structure and operations to be able to provide energy for the unincorporated area of the County along with the City of Chico and the City of Oroville. County Administration recommends amending the existing contract with Best, Best and Krieger, which started in March of 2020, to continue to provide legal services to BCEA. The amendment extends the term 16 months, through June 30, 2022; increases the not-to-exceed from \$120,000 to \$280,000; and also cleans up agreed upon hourly rates for services. Costs associated with this contract will be split between the three participating agencies and will be paid back to all agencies once BCEA has become operational and revenues are available, which is anticipated to be 18-24 months after BCEA is operational. BCEA is anticipated to begin operations in the fall of 2023 – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.11 Resolution Approving Application for the Fiscal Year 2020 Emergency Management Performance Grant – The Butte County Operational Area has been allocated \$170,566 by the California Office of Emergency Services through the Fiscal Year 2020 Emergency Management Performance Grant Program, to support activities that contribute to the mitigation, prevention, preparation, response, and recovery from emergencies and disasters whether natural or man-made. Participation in this grant requires a match and reimburses 50% of eligible emergency management expenses up to \$170,566. The grant and required match is included in the Fiscal Year 2020-21 Adopted Budget. County Administration recommends the Board of Supervisors adopt the resolution authorizing the Emergency Services Officer to apply for the grant and authorize the Chief Administrative Officer, Assistant Chief Administrative Officer, Deputy Administrative Officers, and the Emergency Services Officer to sign grant documents – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.12 Resolution Authorizing Fiscal Year 2020 Homeland Security Grant Application for Office of Emergency Management – In order for the Butte County Operational Area to apply for grant funds from the Department of Homeland Security/Federal Emergency Management Agency, the Board of Supervisors must approve a resolution authorizing the Emergency Services Officer to apply. Approval of the resolution also gives authorization to the Chief Administrative Officer, Assistant Chief Administrative Officer, Deputy Chief Administrative Officers, and the Emergency Services Officer to sign grant documents. The grant application is in the amount of \$307,317, and the funds will be used to enhance prevention, preparedness, response and recovery capabilities from threats and incidents of terrorism and all hazards natural or man-made. The grant specifies that an Anti-Terrorism Approval Body (Approval Authority) will determine the best use of funds. The Approval Authority consists of the Public Health Officer, County Fire Chief, County Sheriff, a municipal Fire Chief, and a municipal Chief of Police. The Approval Authority creates sub-committees to make expenditure recommendations that will be forwarded to the Board for final approval. All expenditures for equipment, training, planning, and exercises must meet grant guidelines – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 3.13 Contract Amendment between Butte County and Butte County Association of Governments (BCAG) for Federal Advocacy with The Ferguson Group (TFG) – The County has utilized TFG for federal legislative advocacy since 2009. In recent years (since 2014), these services have been memorialized via a contract with the BCAG to piggyback onto BCAG's contract with TFG. The most recent contract with BCAG expired in September of 2020. The contract amendment extends the relationship with TFG by 21 months, through June 30, 2022, aligning the agreement with the County's fiscal year, and increases the maximum payable amount by \$105,000, not-to-exceed \$495,000 – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.14 Accept 2020 Local Agency Conflict of Interest Code Biennial Notice for Agency that Files Form 700s Internally - The following agency has reviewed its Conflict of Interest Code pursuant to California Government Code Section 87306.5(b) and has determined that their agency's code is current and in no need of revision. County Counsel has reviewed the 2020 Local Agency Biennial Notice for the Sacramento River Reclamation District and deems it to be proper - action requested - ACCEPT 2020 LOCAL AGENCY BIENNIAL NOTICE. (County Counsel)
- 3.15 Contract with Birdseye Planning Group for Planning Services – The contract for planning services with Birdseye Planning Group 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 the two other selected firms. The Department recommends entering into a contract with Birdseye Planning Group for a term of January 12, 2021 through January 11, 2026, not-to-exceed \$99,999 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 3.16 Contract with Bureau Veritas Inc. for Building Services – The contract for building services with Bureau Veritas provides ongoing building permit application processing, building plan check, and building inspection services as needed by the Department of Development Services. Contracting building permit services allows the Department to continue providing timely service to the public when staff resources are unavailable because of high demand for building-related permits. On average, the contract services are used only when the estimated processing time for plan review exceeds three weeks. Additionally, the agreement allows the Department the option to contract for permit and inspection services during an emergency or disaster recovery. Contract service providers have committed to providing initial plan reviews within 10 working days from the date received and five days for each subsequent review. The Department issued a Request for Proposal on September 9, 2020 and received a total of eight responses, and four firms were selected as the most qualified for the services required. Contract negotiations are complete with the additional vendors for these services concluding the RFP process. The Department recommends entering into a contract with Bureau Veritas for a term of upon execution through December 31, 2023, not-to-exceed \$500,000 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

- 3.17 Contract with CSG Consultants Inc. for Building Services – The contract for building services with CSG Consultants Inc. provides ongoing building permit application processing, building plan check, and building inspection services as needed by the Department of Development Services. Contracting building permit services allows the Department to continue providing timely service to the public when staff resources are unavailable because of high demand for building-related permits. On average, the contract services are used only when the estimated processing time for plan review exceeds three weeks. Additionally, the agreement allows the Department the option to contract for permit and inspection services during an emergency or disaster recovery. Contract service providers have committed to providing initial plan reviews within 10 working days from the date received and five days for each subsequent review. The Department issued a Request for Proposal on September 9, 2020, and received a total of eight responses, and four firms were selected as the most qualified for the services required. Contract negotiations are complete with the additional vendors for these services concluding the RFP process. The Department recommends entering into a contract with CSG Consultants Inc. for a term of January 1, 2021 through December 31, 2023, not-to-exceed \$500,000 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 3.18 Resolution Authorizing Acceptance of the Homeless Housing, Assistance, and Prevention (HHAP) Program Round 2 Funding – The California Homeless Coordinating and Financing Council in the Business, Consumer Services, and Housing Agency has made a second round of funding available through a one-time block grant to large cities, counties, and local continuum of care agencies to support regional coordination and expand or develop local capacity to address the immediate homelessness challenges. HHAP Round 2 funding totaling \$1,337,259 was awarded to the Butte region, including \$705,655 for the Butte Countywide Continuum of Care (CoC) and \$631,604 for Butte County. The Butte Countywide CoC has designated Butte County as the administrative entity. The designation allows the County to receive the HHAP funding and distribute it through a County Request for Proposal process. The Department of Employment and Social Services recommends the Board of Supervisors adopt a resolution authorizing the acceptance of the HHAP funds and authorizing the Director of the Department of Employment and Social Services to execute the agreement and all related documents – action requested – 1) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) AUTHORIZE THE DIRECTOR OF EMPLOYMENT AND SOCIAL SERVICES TO ENTER INTO AND EXECUTE THE AGREEMENT AND ALL RELATED DOCUMENTS. (Employment and Social Services)
- 3.19 Budget Adjustment for Building Security Improvements for the Department of Behavioral Health Security enhancements are necessary at Department of Behavioral Health facilities located at 3221 Cohasset Road and 592 Rio Lindo Avenue in Chico. The Departments of Behavioral Health and General Services request that the Board of Supervisors approve the \$15,700 budget adjustment so the security enhancements can be completed – action requested – APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (General Services and Behavioral Health)
- 3.20 Budget Adjustment for Replacement of Evaporative Coolers at Department of Public Works Fleet Services Building – The Department of Public Works operates their fleet and mechanical maintenance shop at 9 County Center Drive. The facility is cooled via nine evaporative cooling units. Several of the units have failed and cannot be repaired and the balance of the units will not function through next summer. Replacing the units before summer will be less expensive and will not negatively impact the operation due to excess heat in the shop. Staff is recommending that the Board of Supervisors approve the \$42,600 budget adjustment so the work can be completed this spring – action requested – APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (General Services)

- 3.21 Budget Adjustment for North Complex Fire Expenses – The North Complex Fire response required various supplies and services to be provided under resource requests from the Emergency Operations Center (EOC). The response also required various hazard mitigation efforts such as ash removal from county parking lots and roofs as well as air scrubbers placed in county buildings. To cover these costs, the Department recommends a budget adjustment from General Fund Appropriation for Contingencies in the amount of \$1,500,000 as well as \$1,800,000 unanticipated revenue from insurance proceeds for costs associated with air scrubbers, cleaning ash off parking lots/walkways and cleaning ash off roofs of county buildings. This results in a total appropriation increase of \$3,300,000. The current General Fund Appropriations for Contingencies balance is \$7.6 million – action requested – APPROVE BUDGET ADJUSTMENT FROM GENERAL FUND APPROPRIATIONS FOR CONTINGENCIES (4/5 VOTE REQUIRED). (General Services)
- 3.22 Change of Capital Asset Purchase from Utility Truck to Commercial Cargo Van – The approved FY 2020-21 budget included the purchase of one utility truck from the General Services Equipment Replacement Fund. Due to the operational needs of the Department of General Services, the Department recommends changing the vehicle type from a utility truck to a commercial cargo van. A commercial cargo van will diversify the fleet utilized by Facilities Services and allow for safe and secure transportation of equipment and materials. No additional funds are needed with this change – action requested – APPROVE CAPITAL ASSET CHANGE. (General Services)
- 3.23 Resolution Establishing Updated Rules for the Administration of the Merit System and Personnel Program to Include Appendix XI-Lactation Accommodation Policy – The Butte County Merit System and Personnel Rules (Personnel Rules) establishes the Merit System and Human Resources Program that regulates the terms and conditions of employment for employees of the County including Countywide policies. The Department of Human Resources recommends the Personnel Rules be updated to include a new appendix, Appendix XI-Lactation Accommodation Policy. The purpose of this policy is to advise employees of their legal right to reasonable lactation breaks during the workday (also referred to as a lactation accommodation), the process by which the employee may request an accommodation under this policy, the County's obligation to respond to such a request, and an employee's right to file a complaint for violation of this policy and or the applicable labor code. The proposed policy has been reviewed and approved by all labor groups – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
- 3.24 Capital Asset Surplus - Computer Servers - The Department of Public Health recommends the Board of Supervisors declare four computer servers as surplus and remove the servers from the capital asset ledger. The servers were purchased 9 to 18 years ago and are no longer in use by the Department – action requested - DECLARE CAPITAL ASSETS (4) SURPLUS TO THE NEEDS OF THE COUNTY. (Public Health)
- 3.25 Capital Asset Surplus - Vehicle Returned to State - The Department of Public Health purchased a vehicle with grant funds through the Women, Infants and Children's (WIC) program. The use of WIC funds for the purchase required the State of California to be the lien holder of the vehicle. In September 2020, the car was vandalized and the cost of repairs would have exceeded the value of the vehicle. The vehicle was not repaired, and in compliance with WIC procedures and policies, the vehicle was recently surrendered to the State of California to be sold at auction. The Department recommends the Board of Supervisors declare the vehicle as surplus to the needs of the County, and remove the vehicle from the Capital Asset Ledger – action requested - DECLARE CAPITAL ASSET SURPLUS TO NEEDS OF THE COUNTY. (Public Health)

- 3.26 Acceptance of Donations from Northern Valley Community Foundation (NVCF) and Addition of Laboratory Equipment in the Capital Asset Ledger - The Department of Public Health recommends accepting a donation from NVCF in the amount of \$250,000. The donation is to assist in the Department's response to the COVID-19 pandemic by providing additional support to the Public Health Laboratory and other functions of the Department's response. As part of this donation, NVCF purchased two pieces of laboratory equipment to increase Real Time Polymerase Chain Reaction (PCR) testing capabilities for SARS-CoV-2 (COVID 19). The cost of the equipment meets the threshold for the equipment to be placed on the Capital Asset Ledger – action requested – 1) ACCEPT DONATIONS; AND 2) ADD CAPITAL ASSETS (2) TO CAPITAL ASSET LEDGER. (Public Health)
- 3.27 Butte County Children and Families Commission (First 5 Butte County) FY 2019-20 Annual Audit and Financial Statements – Butte County Code section 2-100.70 (d) requires First 5 Butte County to submit its annual audit to the Board of Supervisors for information. First 5 Butte County submits for information the FY 2019-20 annual audit report and financial statements. First 5 Butte County Commissioners held a public hearing and accepted the audit report in compliance with the Butte County Code – action requested – ACCEPT FOR INFORMATION. (Public Health)
- 3.28 Butte County Children and Families Commission (First 5 Butte County) 2021-2026 Strategic Plan- First 5 Butte County submits for Butte County Board of Supervisors information its 2021-2026 Strategic Plan as submitted to First 5 California. First 5 Butte County was created by the Board of Supervisors in 1999 to facilitate the distribution and utilization of Proposition 10 tobacco tax revenue for programs and services benefiting children ages 0-5 and their families. First 5 Butte County Commissioners have authority for the distribution and utilization of Proposition 10 funds, which are guided by a multi-year, Commission-adopted strategic plan. First 5 Butte County underwent an extensive strategic planning process in 2020, engaging parents, community members, providers, Commissioners, and stakeholders. County and State data were analyzed, and strategic priorities were identified and aligned with First 5 California's established Result Areas. As required by First 5 California, all local investments shall align with the adopted strategic plan. According to County Code section 2-100, First 5 Butte County is required to submit the strategic plan, and annual revisions, to the Board of Supervisors for information – action requested - ACCEPT FOR INFORMATION. (Public Health)
- 3.29 Contract with Compliance SFO, Inc. for Professional Environmental Compliance Services at the Neal Road Recycling and Waste Facility (NRRWF) – Compliance SFO, Inc. was retained to assist with the County's response to the State Water Resources Control Board (Water Board) Notice of Violation, dated June 11, 2020. The Notice of Violation stems from the off-site discharge of storm water caused by a series of atmospheric rivers that crossed over Butte County in the months following the Camp Fire. The County contracts with Compliance SFO to develop technical reports and professional services to support the Department's response to the Notice of Violation, and was most recently amended on September 15, 2020. The Water Board requested additional investigations be conducted within 60 days, which requires an additional contract with Compliance SFO for services. The new, proposed contract with Compliance SFO is to perform professional and technical investigative biological and soil sampling. The contract was executed by the Chief Administrative Officer on December 22, 2020 in order to allow the work to begin quickly to meet the 60 day requirement. The Department recommends the Board of Supervisors ratify the contract. The term of contract is December 28, 2020 through December 28, 2021, not-to-exceed amount of \$85,000 – action requested – RATIFY CONTRACT. (Public Works)

- 3.30 Adoption of an Ordinance Amending Butte County Code Chapter 13 Entitled, "Grading and Mining" to Allow an Exemption for Filling of Soil into Previously Excavated Land after Removal of a Building Destroyed by Fire – Butte County Code Chapter 13 Grading and Mining requires a grading permit and environmental review for filling of soil that exceeds 50 cubic yards unless there is an exemption. Property owners whose structures are destroyed by a fire are required to remove ash and debris which may leave an excavated area. Filling an excavated area with soil that was created by removal of a building is desirable and does not typically create environmental impacts, but it is not currently considered exempt by Chapter 13 unless approved through a grading permit or approved in conjunction with a building permit. Many property owners desire to fill the excavated area before obtaining a building permit. California Code of Regulations Title 14, section 15304 considers filling of soil into previously excavated land with material compatible with the natural features of the site, a minor alteration that is categorically exempt from CEQA. The proposed ordinance amends Chapter 13 to allow property owners to fill in the excavation left by the removal of a building without applying for a grading or building permit. Property owners must properly document compaction at the time of future building permit issuance in accordance with current building codes. The proposed ordinance also adds the requirement in Section 13-6 that a "Certified Storm Water Developer" prepare and sign erosion and sediment control plans because they are similarly qualified to produce the required plans. A licensed civil engineer is still required to prepare and sign engineering plans, specifications, and soils engineering report. A licensed civil engineer may also prepare erosion and sediment control plans if they hold certification for storm water development. The proposed ordinance also removes an outdated and unnecessary reference for the year 2007 as it applies to California Building Code. The Board of Supervisors considered the first reading of the ordinance on December 8, 2020 – action requested – ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 3.31 Contract Change Order (CCO) and Notice of Completion for Module 4 Landfill Gas Collection System (GCS) Expansion at the Neal Road Recycling and Waste Facility (NRRWF) – The Module 4 GCS expansion is the next phase in the development of Module 4 to capture, collect, and convey landfill gas (methane) to the Ameresco landfill-gas-to-energy power plant located on-site at NRRWF. The work will help NRRWF comply with existing federal and State air emissions requirements. The contract was awarded to Tetra Tech BAS, Inc. of Diamond Bar in the amount of \$599,545.44 at the June 9, 2020 Board Meeting. CCO No. 1 made adjustments to the engineer's estimate and added items to the contract to accommodate the future compost operations on the top deck of Module 4, which increased the contract by \$45,162.59. CCO No. 1 was approved on September 29, 2020. CCO No. 2 provides for minor changes in quantities used and settles extra work items, which increases the contract by \$38,195.35. The total cost of the contract including CCO Nos. 1 and 2 is \$682,903.38. All contract work has been completed in accordance with the project plans and specifications – action requested – 1) APPROVE CONTRACT CHANGE ORDER NO. 2 AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ACCEPT THE CONTRACT WORK AS COMPLETE AND AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION. (Public Works)
- 3.32 Capital Asset Purchase - Heavy Equipment Trailer Acquisition – The Department of Public Works needs a heavy equipment trailer to transport multiple pieces of equipment around the County. The Department has one other trailer with similar heavy capacity, and due to age it is frequently under repair. The estimated cost of the new trailer is \$120,000, and the expense for the trailer will be accommodated by savings from other budgeted capital assets – action requested – AUTHORIZE CAPITAL ASSET PURCHASE. (Public Works)

- 3.33 Contract Change Order (CCO) and Notice of Completion for Module 5, Phase C Base Liner Project at the Neal Road Recycling and Waste Facility (NRRWF) – Phase C is the next phase in the development of Module 5 and is estimated to provide 1.9 million cubic yard for municipal solid waste disposal at the NRRWF, which add about two to three years of additional airspace. The project included preparing the subgrade for construction of the landfill liner; excavation; furnishing and installing landfill liner components, the leachate collection and removal system components, landfill gas collection piping and related items, and a leak detection sump; culvert abandonment; removal and salvage of existing storm water drainage structures; installation of new storm water drainage structures; and traffic control. The contract was awarded to RCI General Engineering of Oroville in the amount of \$2,811,616 at the April 28, 2020 Board Meeting. CCO No. 1 provides for minor changes in quantities used, settles extra work items, and provides for an adjustment of compensation, which increases the contract by \$152,134.72. The total cost of the contract including CCO No. 1 is \$2,963,750.72. All contract work has been completed in accordance with the project plans and specifications – action requested – 1) APPROVE CONTRACT CHANGE ORDER NO. 1 AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ACCEPT THE CONTRACT WORK AS COMPLETE AND AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION. (Public Works)
- 3.34 Membership Composition of the Local Planning Council (LPC) – The Butte County Office of Education submits its annual request for Board of Supervisors’ certification of the composition of the LPC membership – action requested – APPROVE MEMBERSHIP COMPOSITION OF THE LPC AND AUTHORIZE THE CHAIR TO SIGN THE CERTIFICATION STATEMENT. (Other – Butte County Office of Education)
- 3.35 U.S. Department of the Treasury Emergency Rental Assistance Allocation Award for Butte County Renter Assistance – The National Council of State Housing Agencies with administration provided by the U.S. Treasury Department has made funding available to States through their local governments for emergency rental assistance. Total program funding of \$25 billion is provided by the Consolidated Appropriations Act of 2021. Funding is to be distributed to States based on the State's proportional rate of the total U.S. population according to 2019 Census data and may be accessed by local governments with a population above 200,000. Butte County, an eligible unit of local government, is expected to receive approximately \$7.1 million and must obligate funds by September 30, 2021. The Emergency Rental Assistance funding will be administered locally by the Department of Employment and Social Services and is intended for renter households in Butte County with incomes no more than 80 percent of area median income and that meet additional program conditions. Eligible activities for the funds include: rent, rental arrears, utilities and home energy costs; utilities and home energy arrears; or other expenses related to housing incurred directly or indirectly due to COVID-19. Funds may also be used for housing stability services including case management or other services related to the coronavirus pandemic as defined by the Treasury Secretary. The Department of Employment and Social Services recommends the authorization and acceptance of the Emergency Rental Assistance funds and authorize the Chief Administrative Officer to execute the agreement and all related documents – action requested – 1) AUTHORIZE ACCEPTANCE OF THE EMERGENCY RENTAL ASSISTANCE FUNDING; AND 2) AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO ENTER INTO AND SIGN THE EMERGENCY RENTAL ASSISTANCE AGREEMENT AND ALL RELATED DOCUMENTS. (Employment and Social Services)

****ITEM 3.35 WAS INLUDED ON THE SUPPLMENETAL AGENDA RELEASED FRIDAY, JANUARY 8, 2021****

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. 2021 Board Member Committee Assignments – Each year at its first meeting, the Board of Supervisors appoints Board Members to various standing committees. In addition to assigning Board Members to those terms which have expired, the Board may amend committee assignments and/or disband any committee that is no longer necessary – action requested – 1) APPOINT BOARD MEMBERS TO COMMITTEES AS DETAILED IN THE STAFF REPORT; 2) AMEND BOARD MEMBER COMMITTEE ASSIGNMENTS, IF DESIRED; AND 3) DISBAND ANY COMMITTEE THAT IS NO LONGER NECESSARY. (County Administration)

2. Appointment and Reappointments to the Butte County Behavioral Health Board (BHB) – The BHB was established pursuant to Welfare and Institutions Code section 5604 to: review and evaluate the community's mental health needs, services, facilities and special problems; review County agreements entered into pursuant to the Mental Health Services Act; advise the BHB and the local Mental Health Director regarding the local mental health program; review and approve the procedures used to ensure resident and professional involvement of the planning process; submit an annual report on the needs and performances of the County's mental health system; review and make recommendations on applications for appointment of a local director of mental health services; review and comment on the County's performance outcome data and communicate its findings to the Behavioral Health Planning Council; and assess the impact of realignment from the State to the County on services delivered to clients and the local community. The BHB consists of 13 to 15 members, with 50% of the membership being direct consumers or family members of consumers who are receiving mental health services, with three being direct consumers and three being family members of consumers receiving mental health services; one member of the Board of Supervisors; one law enforcement representative; one youth representative; and community members (up to six). The BHB recommends the Board of Supervisors: 1) Appoint Jacob Boyles to the BHB as a Community Member Representative, with a term ending December 31, 2023; 2) Reappoint Curt Brinson to the BHB as Consumer Representative, with a term ending December 31, 2023; and 3) Reappoint Butte County Sheriff's Lieutenant Jarrod Agurkis to the BHB as the Law Enforcement Representative, with a term ending December 31, 2023 – action requested – 1) APPOINT JACOB BOYLES TO THE BHB AS A COMMUNITY MEMBER REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2023; 2) REAPPOINT CURT BRINSON TO THE BHB AS CONSUMER REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2023; AND 3) REAPPOINT BUTTE COUNTY SHERIFF'S LIEUTENANT JARROD AGURKIS TO THE BHB AS THE LAW ENFORCEMENT REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2023. (Behavioral Health)

3. Reappointments to the In-Home Supportive Services Advisory Committee (Committee)
Established pursuant to Welfare and Institutions Code section 12301.2, the Committee provides recommendations and initiates proposals and forwards them to the Board of Supervisors on the preferred modes of service to be utilized in the County for 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 IHSS Advisory Committee recommends the Board of Supervisors reappoint Talmadge House as a Recipient Representative, Sarah May as an Agency Representative, and Crystal Mourad as a Recipient Representative, each with terms ending December 31, 2023 – action requested – 1) REAPPOINT TALMADGE HOUSE TO THE IHSS ADVISORY COMMITTEE AS A RECIPIENT REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2023; 2) REAPPOINT SARAH MAY TO THE IHSS ADVISORY COMMITTEE AS AN AGENCY REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2023; AND 3) REAPPOINT CRYSTAL MOURAD TO IHSS ADVISORY COMMITTEE AS A RECIPIENT REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2023. (Employment and Social Services)
4. Reappointments to the Library Advisory Board (LAB) – The Board of Supervisors established the LAB through Resolution No. 02-006 to provide the following: update and annually maintain a strategic plan for the Butte County Library; develop and maintain a long range library financial plan; advise the Board of Supervisors on issues and trends impacting the Library; monitor technology that will affect the operation of the Library and provide guidance to the Board of Supervisors; develop and oversee public relations campaigns in support of the Library; and encourage in every possible way the development and advancement of the public library system. The LAB is an 11 member board composed of two members from each supervisorial district for a total of 10 members, and the County Librarian who serves as a non-voting member. All members of the LAB are nominated by the County Librarian and appointed by the Board of Supervisors. The County Librarian recommends the Board of Supervisors reappoint Joey Brett as the District 4 representative, with term ending January 6, 2025 – action requested – REAPPOINT JOEY BRETT TO THE BUTTE COUNTY LIBRARY ADVISORY BOARD AS A DISTRICT 4 REPRESENTATIVE, WITH A TERM ENDING JANUARY 6, 2025. (Library Administration)

5. Appointment to the Butte County Water Commission – The Commission was initially formed by Board of Supervisors resolution in 1983 to provide advice to the Board of Supervisors on water matters; assist in the development of water policies; monitor State and federal legislation and water policy and inform the Board of Supervisors regarding the same by way of summary reports; review the concerns of the water industry and water users in the County; and make recommendations to the Board of Supervisors. The Commission may act as a liaison between local water agencies and the Board of Supervisors; create and maintain a library of water documents which shall be available to the public; and perform all tasks delegated to the Water Commission pursuant Butte County Code Chapter 33A. The Commission consists of nine members appointed by the Board of Supervisors: Five members, each nominated by their District Supervisor; and Four At-Large Landowner Commissioners, two served by private wells and two served by district water. All terms of office are four years. One of the At-Large Landowner Served by Private Well Commissioner positions became vacant effective January 1, 2021, and a vacancy notice was posted December 4, 2020. George "Ernie" Washington submitted an application for appointment, with a term ending March 1, 2021. No other applications were received. The Department of Water and Resource Conservation recommends the Board of Supervisors appoint George "Ernie" Washington to the Butte County Water Commission as a At-Large Landowner Served by Private Well Commissioner, with a term ending March 1, 2021 – action requested – APPOINT ERNIE WASHINGTON TO THE BUTTE COUNTY WATER COMMISSION AS A LANDOWNER - PRIVATE WELL, AT-LARGE COMMISSIONER, WITH A TERM ENDING MARCH 1, 2021. (Water and Resource Conservation)

6. Reappointment to the Butte County Mosquito and Vector Control District (BCMVCDD) – The mission of BCMVCDD to suppress mosquito-transmitted disease and to reduce the annoyance levels of mosquitoes and diseases associated with ticks, fleas and other vectors through environmentally compatible control practices and public education. The BCMVCDD Board of Trustees consists of eleven member comprised of: one Trustee appointed by each City/Town Council within the County, for a total of five; five Trustees appointed by the Board of Supervisors, one to represent each supervisorial district within BCMVCDD service boundaries; and one Trustee appointed by the Glenn County Board of Supervisors. Trustees must be registered to vote within Butte County and a resident of that portion of the County that is within the District's service area. The term of office for a Trustee shall be for a term of two or four years at the discretion of the Board of Supervisors. BCMVCDD requests the Board of Supervisors reappoint Carl Starkey as the Trustee representing District 2, with a term ending December 31, 2024 – action requested – REAPPOINT CARL STARKEY TO THE BCMVCDD AS THE TRUSTEE REPRESENTING DISTRICT 2, WITH A TERM ENDING DECEMBER 31, 2024. (Other – Butte County Mosquito and Vector Control District)

7. Reappointments to the Housing Authority of the County of Butte (HACB) – The HACB assists low and moderate income residents of Butte County to secure and maintain high quality affordable housing. Subsidized housing is provided to families, seniors and disabled individuals whose income is between 50% and 80% of median area income. Funding for the various programs is provided by the U.S. Department of Housing and Urban Development and the USDA Rural Development. The HACB is governed by a seven-member Board of Commissioners appointed by the Board of Supervisors and comprised of the following: one member appointed by each member of the Board of Supervisors, whose terms coincide with the appointing Supervisors; and two Tenant Commissioners (one Tenant Commissioner, At-Large; and one Tenant Commissioner, Over the Age of 62), appointed by the full Board to two year terms. Supervisor Connelly recommends the Board of Supervisors reappoint David Pittman as District 1 Commissioner, with a term ending January 6, 2025. Supervisor Kimmelshue recommends the Board reappoint Larence Hamman as the District 4 Commissioner, with a term ending January 6, 2025. Supervisor Teeter recommends the Board reappoint Kate Anderson as the District 5 Commissioner, with a term ending January 6, 2025 – action requested – 1) REAPPOINT DAVID PITTMAN TO THE HACB AS THE DISTRICT 1 COMMISSIONER, WITH A TERM ENDING JANUARY 6, 2025; 2) REAPPOINT LARENCE HAMMAN TO THE HACB AS THE DISTRICT 4 COMMISSIONER, WITH A TERM ENDING JANUARY 6, 2025; AND 3) REAPPOINT KATE ANDERSON TO THE HACB AS THE DISTRICT 5 COMMISSIONER, WITH A TERM ENDING JANUARY 6, 2025. (Other – Housing Authority of the County of Butte)

8. Reappointment to the Oroville 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 1928 to provide a respectful, low-cost place of burial to meet the needs of the diverse, local communities of Oroville, Palermo, Thermalito, and the surrounding areas. The District owns and maintains the Memorial Park Cemetery, the Oroville Cemetery, the Jewish Cemetery, and Wyandotte Cemetery. The District is managed by five trustees appointed by the Board of Supervisors, who serve four-year terms, and must be registered to vote within the District boundaries. The District requests the Board of Supervisors reappoint James Edwards as a Trustee, with a term ending January 1, 2025 – action requested – REAPPOINT JAMES EDWARDS TO THE OROVILLE CEMETERY DISTRICT AS A TRUSTEE, WITH A TERM ENDING JANUARY 1, 2025. (Other – Oroville Cemetery District)

B. Board Member / Committee Reports and Board Member Comments

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

4.02 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 Resolution Authorizing the County to Participate in the No Place Like Home (NPLH) Program and to Apply for Additional NPLH Funding – The Department of Behavioral Health is applying for the third round of NPLH competitive funds through the California Department of Community Development (HCD) to develop permanent supportive housing for individuals with severe mental health disabilities who are 18 years of age or older and are either chronically homeless, homeless, or at-risk of chronic homelessness. The Department, in collaboration with Pacific West Communities (PWC), is proposing to develop Prospect View Apartments, an affordable housing apartment complex that will serve extremely low and low-income homeless adults. The three-acre site is owned by PWC and located off Nelson Avenue in Oroville (APN 031-150-079) adjacent to the Hall of Records. This 40-unit gated project consists of 36 one-bedroom units and four two-bedroom units (one reserved for the on-site resident manager). Fifteen of the one-bedroom units will serve NPLH eligible tenants. The balance of the available units will be available to homeless adults. The Department will provide supportive services to the 15 supportive housing tenants and submit a joint application with PWC to the State Housing and Community Development NPLH Program. PWC will be the developer and form a Limited Partnership and coordinate the architectural design, local project approvals, and secure other affordable housing funding for the pre-development, construction, provide project management throughout the building and close the permanent loans. The Butte County Affordable Housing Development Corporation (BCAHDC) will act as the Managing General Partner and own and operate the project. A third party, Cambridge Management, Inc., will provide the property management for the apartment complex. The Department will access the Butte Countywide Homeless Continuum of Care's Coordinated Entry System for tenant referrals, document NPLH eligibility for homelessness and severe mental health disabilities, and provide supportive services NPLH eligible tenants. It is anticipated that the Department will apply for a total of \$2,734,975 in grant funds – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)

- 4.04 Contract with PlaceWorks Inc. to Update Butte County General Plan 2030 – The General Plan must be updated to address various State legislative requirements, changes in population distribution, and current conditions and needs of the County. The following major tasks are part of the General Plan update:

- 1) An update to the General Plan's 2007 Setting and Trends Report
- 2) General Plan Environmental Impact Report (EIR) pursuant to CEQA
- 3) General Plan Outreach and Public Engagement Plan
- 4) General Plan Action Plan Update
- 5) Health and Safety Element Update
- 6) Land Use Element
- 7) Climate Change Adaptation Policies (SB 379, Jackson)
- 8) Revised Climate Change Vulnerability Assessment
- 9) Fire Hazard Impacts (SB 1241, Kehoe)
- 10) Evacuation routes capacity, safety, viability, and modeling (AB 747, Eggman)
- 11) Emergency evacuation routes identification (SB 99, Nielson)
- 12) Environmental Justice Element (SB 1000, Leyva)
- 13) Water Resources Element
- 14) Online General Plan

The Department estimates discussion items related to the project will be agendized for the Board of Supervisors starting this fall. A Request for Proposals to update the General Plan was released on June 11, 2020. A total of two responses were received, and one firm was selected as the most qualified for the services required. The Department recommends entering into a contract with PlaceWorks for General Plan updates for a term of January 12, 2021 through September 30, 2022, not-to-exceed \$1,405,208 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

- 4.05 Introduction and Adoption of an Urgency Ordinance Pertaining to Chapter 53, "Camp Fire Recovery" Establishing a Transitory Temporary Housing Administrative Permit for the Duration of the Transitory Period – Pursuant to California Constitution Art. XI, section 7 and Government Code sections 25123(d) and 25131, the Department of Development Services proposes the adoption of an Urgency Ordinance, as directed by the Board of Supervisors, pertaining to Butte County Code Chapter 53, "Camp Fire Recovery", as follows: 1) Amending the "transitory period" definition in Section 53-53 to require an Administrative Permit free of charge for transitory temporary housing; and 2) Amending Section 53-54 to establish the transitory housing Administrative Permit standards. The urgency ordinance will take effect immediately upon a four-fifths approval of the Board – action requested – 1) WAIVE THE FIRST READING OF THE URGENCY ORDINANCE AMENDING CHAPTER 53, ENTITLED "CAMP FIRE RECOVERY," OF THE BUTTE COUNTY CODE TO REQUIRE A TRANSITORY ADMINISTRATIVE PERMIT FOR INDIVIDUALS RESIDING IN THE CAMP FIRE AREA UNDER THE TRANSITORY PERIOD AND WAIVING FEES FOR THE PERMIT; AND 2) ADOPT THE URGENCY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN (4/5 VOTE REQUIRED). (Development Services)

- 4.06 Introduction and Adoption of Urgency Ordinance Amending Article V Chapter 53 - "Camp Fire Recovery" to add Nuisance Abatement Procedures for Hazard Trees on Noncompliant Parcels and Budget Adjustment for Enforcement Activities, and Budget Adjustment – On October 22, 2019, the Board of Supervisors established the requirements for a mandatory hazard tree removal program for trees threatening either roads and/or rights-of-way of County-maintained roads and improved public property. The removal of these hazardous trees addresses numerous health and safety matters and promote the region's recovery from the Camp Fire. The Board added the requirement for hazard tree removal for trees threatening eligible private roads on March 10, 2020. Eligible property owners may comply by either: 1) submitting a Right-of-Entry permit to enter the Government Tree Program; or 2) registering to participate in the Private Tree Program by submitting an Inspection Access Form and then identifying and removing their own hazard trees or submitting a certification of completion from a qualified Arborist or Registered Professional Forester. The Board set the deadline of October 30, 2020 to enroll in the Private Tree Program, and set December 4, 2020 as the date for trees to be removed. The State set the deadline of December 31, 2020 to enroll in the Government Tree Program. All deadlines have passed. As of January 6, 2021, 186 of the total 4,721 parcels in the unincorporated area have yet to enroll in a hazard tree removal program, and 33 of the 1,841 parcels enrolled in the Private Program have not yet completed tree removal. County Code Chapter 53, Article V - Mandatory Hazard Tree Removal Program outlines that properties that still have hazard trees after all deadlines have passed are a public nuisance and health hazard and such properties may be abated. Pursuant to California Government Code sections 25123(d) and 25131, County Administration and County Counsel recommend the adoption of an urgency ordinance adding nuisance abatement procedures for hazard trees on noncompliant parcels inside the Camp Fire area. The urgency ordinance would take effect immediately. The nuisance abatement procedures include inspections, notices to the property owner, and a hearing before an administrative hearing officer. The exact expenses for the nuisance abatement activities are unknown because the time to conduct each activity and the number of properties may vary or change. The expenses will include extra-help staff, contract staff, and hearing officers. County Administration recommends a budget adjustment of \$300,000 from General Fund Appropriation for Contingencies for these costs and anticipates submitting these expenses for reimbursement to FEMA, which could include a local match of 2.5%. The current General Fund Appropriations for Contingencies balance is \$7.6 million – action requested – 1) WAIVE THE FIRST READING OF THE URGENCY ORDINANCE ENTITLED "AN URGENCY ORDINANCE OF THE COUNTY OF BUTTE AMENDING ARTICLE V OF CHAPTER 53, "CAMP FIRE RECOVERY" OF THE BUTTE COUNTY CODE TO ADD NUISANCE ABATEMENT PROCEDURES FOR HAZARD TREE ON NONCOMPLIANT PARCELS; 2) ADOPT URGENCY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN (4/5 VOTE REQUIRED); AND 3) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED) FROM GENERAL FUND APPROPRIATIONS FOR CONTINGENCIES. (County Administration / County Counsel)

- 4.07 Introduction and Adoption of an Urgency Ordinance Amending Chapter 54, entitled "North Complex Fire Recovery" Relating to Temporary Truck Laydown Yards and Basecamp Features as well as Limited Density Owner-Built Rural Dwelling Regulations – Pursuant to Government Code sections 25123(d) and 25131, the Department of Development Services proposes the adoption of an Urgency Ordinance pertaining to Butte County Code Chapter 54, "North Complex Fire Recovery." The proposed ordinance makes the following amendments:

- 1) Adds Article III sections 54-39 and 54-67 allowing Temporary Truck and Equipment Staging and Laydown Yards on approved mining sites and on TM (Timber Mountain), TP (Timber Production), GC (General Commercial), GI (General Industrial), and HI (Heavy Industrial) zones with a temporary administrative permit;
- 2) Amends Article III sections 53-34 and 54-59 to allow Basecamp Features in the TM (Timber Mountain) and TP (Timber Production) zones with a temporary administrative permit; and
- 3) Amends Article IV section 54-68 by extending regulations for Limited Density Owner-Built Rural Dwellings to parcels in the North Complex Fire area.

The provisions shall remain in effect from the date of adoption until December 31, 2023 unless extended or modified by the Board of Supervisors. The urgency ordinance will take effect immediately upon a four-fifths approval of the Board – action requested – 1) Waive the first reading of ordinance entitled, "AN URGENCY ORDINANCE OF THE COUNTY OF BUTTE AMENDING ARTICLES III AND IV OF CHAPTER 54, "NORTH COMPLEX FIRE RECOVERY" OF THE BUTTE COUNTY CODE, RELATING TO TEMPORARY TRUCK AND EQUIPMENT LAYDOWN YARDS, BASECAMP LOCATIONS AND LIMITED DENSITY OWNER-BUILT RURAL DWELLING REGULATIONS; AND 2) ADOPT THE URGENCY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN (4/5 VOTE REQUIRED). (Development Services)

- 4.08 Introduction of the Salary Ordinance – The Department of Human Resources has prepared an updated Salary Ordinance., which 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 of Supervisors has made by resolution to the salary ordinance through December 8, 2020 – action requested – WAIVE THE FIRST READING OF THE ORDINANCE. (Human Resources)

- 4.09 Resolution Authorizing Paradise Unified School District (District) to Issue Bonds Directly – On November 6, 2018, voters in the District approved issuance of \$61,000,000 in bonds for various purposes set forth in the ballot to the voters pertaining to educational facilities within the District. The Board of Supervisors has received a certified, adopted copy of a resolution (District Resolution) of the Board of Trustees of the District, authorizing the issuance of the 1st series of bonds pursuant to the Bond Measure in an aggregate principal amount not-to-exceed \$10,000,000 to be designated the "Paradise Union School District General Obligation Bonds Election of 2018, Series A" (Bonds). The District Board is requesting the Board of Supervisors adopt a resolution allowing the District to issue General Obligation Bonds directly, without the involvement of the Board as a conduit issuer, under Government Code section 15140 (b). Pursuant to the District Resolution, the District is formally requesting the Auditor-Controller of the County to levy ad valorem taxes in an amount sufficient to fulfill the requirements of the debt service schedule for the Bonds, which will be provided by the District following the sale of the Bonds. The resolution also authorizes officers of the County to execute any documents necessary to accomplish the transaction – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Treasurer-Tax Collector)

- 4.10 Letters of Support for Assembly Bill (AB) 34 - Communications: Broadband for All Act of 2022 and Senate Bill (SB) 4 - Communications: California Advanced Services Fund – Staff prepared letters of support for AB 34 and SB 4 at the request of Supervisor Lucero. AB 34 would enact the Broadband for All Act of 2022, to become operative only if approved by the voters at the November 8, 2022, Statewide General Election, to authorize the issuance of State general obligation bonds to fund increased access to broadband services to rural, urban, suburban, and tribal unserved and under-served communities. SB 4 would require enhanced coordination with other relevant State and local agencies and national organizations to explore ways to facilitate the streamlining of local land use approvals and construction permit processes for projects related to broadband infrastructure deployment and connectivity – action requested – 1) APPROVE LETTER OF SUPPORT FOR ASSEMBLY BILL 34 - COMMUNICATIONS: BROADBAND FOR ALL ACT OF 2022; AND 2) APPROVE LETTER OF SUPPORT FOR SENATE BILL 4 - COMMUNICATIONS: CALIFORNIA ADVANCED SERVICES FUND. (Supervisor Lucero, District 2)
- 4.11 Resolution Supporting Healthy Communities Approach to COVID-19 Local Restrictions – On October 29, 2020, State Assemblymembers Gallagher, Kiley, and Dahle, along with State Senators Nielsen and Dahle, held a conference with delegates from North State Board of Supervisors. The purpose of the conference was to seek common ground on topics such as the re-opening of the economy and our civic life, the re-opening of our schools, and actions in response to the State of California’s threat to withhold entitled funds of the counties. The Board appointed Supervisor Ritter as its delegate. Subsequent to the conference, the organizers sent a draft resolution for Board consideration – action requested – CONSIDER RESOLUTION. (Supervisor Ritter, District 3)
- 4.12 Items Removed from the Consent Agenda for Board Consideration and Action

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 10:00 AM - Public Hearing – Application for General Plan Amendment 1 and Rezone from Jatinder Kullar – The applicant requests a General Plan Amendment (GPA20-0002) from an Industrial (I) to a Commercial (C) General Plan designation, and a Rezone (REZ20-0001) from a Heavy Industrial (HI) to a General Commercial (GC) zone on a 1.79-acre parcel (APN: 021-170-052) located at the southwestern corner of the West Liberty Road/State Route 99 signalized intersection south of the City of Gridley. There is no commercial development proposal associated with the project at this time. The Planning Commission considered this item at a public hearing held on October 22, 2020, and recommended approval of the General Plan Amendment and Rezone to the Board of Supervisors on a 5-0 vote. This amendment is the first General Plan Amendment in the 2021 calendar year, and its approval would not exceed the four total amendments allowed under Government Code section 65358 (b) – action requested – 1) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT ORDINANCE AMENDING THE ZONING MAP TO CHANGE THE ZONING OF THE PROJECT PARCEL AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

5.02 10:20 AM – Public Hearing – County Initiated Amendments to Butte County Code Chapter 24, Zoning Ordinance - Second Units and Accessory Dwelling Units – The Department of Development Services proposes repealing and replacing Butte County Code Chapter 24, Zoning Ordinance, Section 24-172, Second Units and Accessory Dwelling Units, with an Accessory Dwelling Unit and Junior Accessory Dwelling Unit (ADU/JADU) Ordinance. In order for the County to maintain a local ordinance addressing ADU and JADU regulation, the existing code must be amended in accordance with the State ADU legislation, which became effective January 1, 2020. The following list provides a summary of the proposed amendments to the Zoning Ordinance and other parts of Butte County Code:

- 1) Replacement of Butte County Code Chapter 24, Zoning Ordinance, Section 24-172, Second Units and ADU, with a new ADU/JADU provisions in accordance with State law, specifically updating regulations pertaining to location of ADU/JADU, densities, impact fees, types and sizes, setbacks, parking, fire sprinklers, drainage, rental term, and deed restrictions;
- 2) Amendments to Section 24-46 –Watershed Protection Overlay Zone, including the removal of a requirement for a conditional use permit for an ADU, inclusion of a requirement for erosion and sediment control plans for ADU/JADU development including new, modified, or expanded septic systems within the Watershed Protection Overlay Zone;
- 3) Amendments to Section 24-172.1 –Butte County Short-Term Rental Ordinance. Allowance for ADU/JADU to be used as short-term rentals regardless of the size of the unit;
- 4) Elimination of Section 24-174 F. – provisions for Temporary Mobile Homes also referred to as “Aunt Minnies;” and
- 5) Amendment of definitions and reference language throughout the Zoning Ordinance and Butte County Code to ensure consistency with State law and the new ADU/JADU Ordinance.

On October 22, 2020, the Planning Commission unanimously recommended approval of the amendments to the Butte County Code – action requested – 1) WAIVE THE FIRST READING OF THE ORDINANCE ENTITLED “AN ORDINANCE OF THE COUNTY OF BUTTE REPEALING AND REPLACING SECTION 24-172, ENTITLED “SECOND UNITS AND ACCESSORY DWELLING UNITS,” OF CHAPTER 24, ENTITLED “ZONING ORDINANCE,” OF THE BUTTE COUNTY CODE, AS WELL AS AMENDING NUMEROUS OTHER SECTIONS FOR CONSISTENCY”; AND 2) ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

5.03 10:50 AM – Public Hearing – Appeal of Planning Commission's inclusion of Condition No. 22 for Tentative Parcel Map TPM19-0009 – Gini Fiero, the applicant for the Gini Fiero Tentative Parcel Map TPM19-0009, has filed an appeal of Condition No. 22, as defined below, included in the Planning Commission's approval of this project on September 24, 2020. Condition No. 22: Prior to Parcel Map recording, obtain an encroachment permit and improve the existing road encroachment of Bryden Way onto Dunstone Drive or Bethridge Road onto Dunstone Drive to the County's S-18A standard, as specified in the County improvement standard and the terms of the encroachment permit – action requested – ADOPT A RESOLUTION APPROVING THE APPEAL OF CONDITION NO. 22 FOR THE GINI FIERO TENTATIVE PARCEL MAP (TPM19-0009) AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

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

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
JANUARY 12, 2021

1. CALL TO ORDER

2. CONSENT AGENDA

- 2.01 Contract Amendment with Pan American Life Insurance (PALIC) Group for Health Insurance Policy and Administrative Services - The Butte County Public Authority and United Domestic Workers have agreed to the health plan contract for the In-Home Supportive Services (IHSS) workers for the new plan year starting February 1, 2021. The cost remains \$285.79 per month for each eligible provider up to a maximum of 525 providers. The Department of Employment and Social Services recommends amending the contract with PALIC for Health Insurance Policy and Administrative Services, to extend the term of the contract by 12 months through February 1, 2022, and increase the maximum payable amount by \$1,800,477, not-to-exceed \$5,371,254. All other terms remain the same – action requested – 1) APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) AUTHORIZE THE DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES DIRECTOR, IN HER CAPACITY AS THE EX-OFFICIO IHSS PUBLIC AUTHORITY DIRECTOR, TO SIGN ALL ADMINISTRATIVE DOCUMENTS WHICH ARE NECESSARY TO IMPLEMENT THE INSURANCE PROGRAM. (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 five 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.

ADJOURN

Adjourn as the In-Home Supportive Services Public Authority Board and reconvene as the Butte County Board of Supervisors, and adjourn to the Butte County Board of Supervisors Closed Session.

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