



BUTTE COUNTY BOARD OF SUPERVISORS

Regular Meeting Agenda

December 12, 2023

9:00 AM

ANDY PICKETT,
CHIEF ADMINISTRATIVE
OFFICER
CLERK OF THE BOARD

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

MEMBERS OF THE BOARD

BILL CONNELLY,
DISTRICT 1
PETER DURFEE,
DISTRICT 2
TAMI RITTER,
DISTRICT 3
TOD KIMMELSHUE,
DISTRICT 4
DOUG TEETER,
DISTRICT 5

BRAD STEPHENS,
COUNTY COUNSEL

[PDF of Agenda](#)

[eComment Tutorial](#)

[Electronic Public Comment Packet](#)

1. CALL TO ORDER

[Pledge of Allegiance](#)

[Observation of a Moment of Silence](#)

2A. CORRECTIONS AND/OR CHANGES TO THE AGENDA

Item 3.08 references a letter to FERC, but the letter was inadvertently left off the agenda. It has now been added and is available on Granicus. A printed copy was provided to the Board.

2B. ANNOUNCEMENT(S) OF RECUSAL

Chair Kimmelshue recused himself from item 3.18 and 3.31.

3A. SUPERVISOR COMMENTS ON CONSENT AGENDA ITEMS

Item 3.30 was pulled from the Consent Agenda and placed on the Regular Agenda for further Board consideration and discussion.

3B. ADOPT CONSENT AGENDA

Action: Approve the Consent Agenda with the attachment of the letter to item 3.08 and exception to items 3.18 and 3.31 which Chair Kimmelshue recused himself from and item 3.30 which was pulled from the Consent Agenda and placed on the Regular Agenda for further consideration.

Motion: Supervisor Durfee
Seconded: Supervisor Teeter

Motion passed unanimously
Ayes: Supervisor Connelly, Durfee, Ritter, Teeter & Chair Kimmelshue
Nays: None
Absent: None

Item 3.18
Motion passed 4-0-1
Ayes: Supervisor Connelly, Durfee, Ritter and Teeter
Nays: None
Recused: Chair Kimmelshue

Item 3.31
Motion passed 4-0-1
Ayes: Supervisor Connelly, Durfee, Ritter and Teeter
Nays: None
Recused: Chair Kimmelshue

3.01 Approval of Board of Supervisors Regular Meeting Minutes

Submitted for approval are the November 7, 2023 Board of Supervisors Regular Meeting Minutes and the November 21, 2023 Board of Supervisors Special Meeting Minutes. (County Administration)

Action Requested - APPROVE THE NOVEMBER 7, 2023 BOARD OF SUPERVISORS REGULAR MEETING MINUTES AND THE NOVEMBER 21, 2023 SPECIAL MEETING MINUTES

Minutes

3.02 Resolution Approving Application for the Fiscal Year 2023 Emergency Management Performance Grant

The Butte County Operational Area has been allocated \$164,901 by the California Office of Emergency Services through the Fiscal Year 2023 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 50% match of eligible emergency management expenses up to \$164,901. The grant and required match is included in the Fiscal Year 2023-24 Adopted Budget. Approval of the

resolution authorizes County Administration to apply for the grant and also gives authorization to the Chief Administrative Officer, Assistant Chief Administrative Officer, and Deputy Administrative Officers, to sign grant documents. (County Administration)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-145

The following member(s) of the public submitted Public Comment on this item: Julie Threet (in person)

3.03 Resolution Authorizing Fiscal Year 2024 Homeland Security Grant Application for Emergency Management

Annually, the County is eligible to receive federal grant funds to enhance prevention, preparedness, response, and recovery capabilities from threats and incidents of terrorism and all hazards natural or man-made from the Department of Homeland Security. To apply, the Board of Supervisors must approve a resolution authorizing the application, and the grant must meet the goals of the Butte County Disaster Council, which represents the incorporated and unincorporated jurisdictions of Butte County. Approval of the resolution authorizes the Chief Administrative Officer, Assistant Chief Administrative Officer, and Deputy Chief Administrative Officers to sign grant documents. The grant specifies that an Anti-Terrorism Approval Body (Approval Authority) will determine the best use of funds. The Approval Authority comprises the Public Health Officer, County Fire Chief, County Sheriff, municipal Fire Chief, and municipal Chief of Police. The Approval Authority creates sub-committees to make expenditure recommendations that will be brought before the Board for final approval. All equipment, training, planning, and exercise expenditures must meet grant guidelines - action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

Staff Report

Resolution 23-146

The following member(s) of the public submitted Public Comment on this item: Julie Threet (in person)

3.04 Presentation of the Rural County Representatives of California (RCRC) Nonprofit Contributions

RCRC is an organization comprised of forty counties, that champions policies on behalf of California's rural counties. The RCRC Board of Directors elected Supervisor Teeter to be the RCRC Chair for 2023. During the Annual RCRC Conference, attendees raised \$68,000 to support nonprofit organizations in California's rural counties. As the Chair of RCRC, Supervisor Teeter has the privilege of selecting which nonprofit organizations will receive a contribution. Supervisor Teeter selected

six local nonprofit organizations, including Chico Velo Trailworks, Honey Run Covered Bridge Association, Magalia Community Park, Barry R. Kirshner Wildlife Foundation, Butte County Search and Rescue, and Four Winds of Indian Education. RCRC representatives will be in attendance for a ceremonial check presentation with representatives of the selected nonprofit organizations. (County Administration)

Action Requested - ACCEPT FOR INFORMATION

Staff Report

PowerPoint

Supervisor Teeter introduced Pat Blacklock, CEO and President of Rural County Representatives of California (RCRC), who presented donations to the following nonprofit organizations: Barry R, Kirshner Wildlife Foundation, Chico Velo Trailworks, Honey Run Covered Bridge Association, Magalia Community Park, Butte County Sheriff's Search & Rescue, and Four Winds of Indian Education, Inc.

- 3.05 Memorandum of Understanding (MOU) with City of Oroville (City) for the Use of American Rescue Plan Act (ARPA) Funding to Support Oroville Rescue Mission Expansion

On May 23, 2023, the Board of Supervisors committed \$500,000 of one-time American Rescue Plan Act (ARPA) funding to the City to assist in expanding the Oroville Rescue Mission's emergency shelter services in conjunction with an Encampment Resolution grant and other funding sources. Specifically, the funding will go toward the purchase of 30 pallet shelters and provide 40 congregate beds, five safe tent sites, five parking spaces, and wraparound services for those experiencing homelessness. County Administration recommends the approval of an MOU between the County and the City that defines the responsibilities of each party. (County Administration)

Action Requested - APPROVE THE MOU AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

- 3.06 Annual Report from Explore Butte County

The Board of Supervisors adopted Resolution 15-166 on November 10, 2015, establishing the Butte County Tourism Business Improvement District (TBID) now known as Explore Butte County. The Board adopted Resolution 20-089 on August 11, 2020, renewing the TBID for a ten year term beginning December 1, 2020 through November 30, 2030. Explore Butte County's primary activity is marketing Butte County as a tourism destination. Explore Butte County has prepared an Annual Report for the Board of Supervisors as required by their agreement with the County. (County Administration)

Action Requested - ACCEPT FOR INFORMATION

Staff Report

3.07 Letter of Opposition for AB 702 (Jackson) Local Government Financing: Juvenile Justice

AB 702 would redirect 95% of Juvenile Justice Crime Prevention Act (JJCPA) funds to non-profit or non-law enforcement entities (not probation), revise the composition of local Juvenile Justice Coordinating Councils (JJCC), and recast various elements of required multi agency juvenile justice plans. JJCPA funding was realigned to the County in 2011 and remains a core funding source for juvenile probation activities. In Butte County it is over \$1 million per year and is used for services at community based organizations, a contract therapist, and staff working in this area. Not unlike AB 505 (Ting), AB 702 (Jackson) makes changes to a realigned program that is contrary to the goals of realignment and is particularly problematic during the ongoing implementation of interrelated juvenile justice reforms and closure of the state Division of Juvenile Justice. Approval of a letter of opposition is recommended. (County Administration)

Action Requested - APPROVE LETTER OF OPPOSITION

Staff Report

3.08 Ratify letter to the Federal Energy Regulatory Commission (Commission) regarding PG&E's lack of progress on the Poe Hiking Trail

Butte County, along with other stakeholders, submitted a letter to the Commission on November 30th regarding continuing concerns that PG&E has not followed the approved plan for the Poe Hiking Trail. The concerns relate to 1) PG&E not making the required progress on the Poe Hiking Trail project to meet the 30% progress report requirement, 2) PG&E resisting the Commission's order to build the Poe Hiking Trail by challenging its feasibility and instead proceeding to design an alternate trail, and 3) inadequate efforts to contact a private property owner along the trail route. The stakeholders recommend: 1) the Commission address the inadequacy of PG&E's October 1 progress report, 2) remind PG&E of its obligation to construct the Poe Hiking Trail in a manner consistent with the two design options analyzed in the Poe Hiking Trail Feasibility Study, 3) modify the Poe Hiking Trail Plan and Schedule to require an adequate private landowner outreach effort and to establish the 60% design milestone as the decision-making point for final trail design options and 4) encourage PG&E to contract with a trail design and construction entity that has bona fide trail building experience. Due to the time sensitive nature of the filing to Commission, the letter, which is consistent with the Board of Supervisor's adopted Legislative Platform, was signed by the CAO. Staff recommends the Board ratify the letter. (County Administration)

Action Requested - RATIFY LETTER OF CONCERN

Staff Report

The following member(s) of the public submitted Public Comment on this item: John Stonebraker (electronically)

3.09 Resolution Recognizing Charmaigne Damron For 39 Years of Service to the Butte County Agricultural Commissioner's Office

The Butte County Agricultural Commissioner's Office recommends that the Board of Supervisors adopt a resolution (posthumously) recognizing Charmaigne E. Damron for her 39 years of service to the Agricultural Commissioner's Office until her untimely passing on November 24, 2023. (Ag Commissioner)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-147

Chair Kimmelshue read the resolution and Louie Mendoza, Agricultural Commissioner, spoke. Chris Damron, Charmaigne Damron's son accepted the resolution.

3.10 Revenue Agreement with California Department of Food and Agriculture (CDFA) for the High Risk Pest Exclusion Program

The Agricultural Commissioner's Office and CDFA have participated in a long-standing revenue agreement where the Department performs high risk pest exclusion inspections and enforcement activities for parcel terminal inspections, air freight forward, and nursery stock shipments from other states and countries. The term of the revenue agreement is July 1, 2023 through June 30, 2024, not-to-exceed \$39,409. (Ag Commissioner)

Action Requested - APPROVE REVENUE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.11 Resolution Recognizing Dr. Mark Lundberg Upon Retirement from Butte County Department of Behavioral Health

The Department of Behavioral Health recommends that the Board of Supervisors adopt a resolution recognizing the retirement of Dr. Mark Lundberg upon his retirement on December 30, 2023, after 27 years of service. (Behavioral Health)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-148

Supervisor Ritter read the resolution and Scott Kennelly, Director of Behavioral Health, spoke. Dr. Mark Lundberg spoke and accepted the resolution.

3.12 Amendment to Fee and Cost Sharing Agreement with Minasian Law, LLP for Legal Services

In December 2021, the County of Butte and 10 other agencies designated as Groundwater Sustainability Agencies (GSAs) approved a collectively developed Groundwater Sustainability Plan (GSP) for the Butte subbasin. In February 2022, AquAlliance and other plaintiffs filed litigation in Butte County Superior Court to challenge the GSP. On May 10, 2022, the Board of Supervisors approved a Fee and Cost Sharing Agreement with the law firm of Minasian Law, LLP (Minasian), previously Minasian, Meith, Soares, Sexton & Cooper, LLP, and nine of the GSAs to appoint the firm to act as lead defense counsel in the litigation and to share the costs of litigation with the other GSAs on a pro rata basis. In October 2022, a tenth agency joined the agreement as a party pursuant to an amendment to the agreement. County Counsel recommends amending the agreement with Minasian for legal services. The amendment increases the maximum hourly rate to \$405, which is an increased rate of \$20. All other terms to remain the same. (County Counsel)

Action Requested - APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.13 Land Conservation (Williamson) Act Contract with Alfredo and Carolina Santillan

The Williamson Act Advisory Committee recommends entering into a contract to enroll approximately 122 acres owned by Alfredo and Carolina Santillan, in the Williamson Act. The enrollment consists of one parcel (APN: 047-190-026) located at 12797 Hamilton-Nord-Cana Hwy, approximately 4,000 feet north of Highway 32, west of Chico. The parcel will be enrolled in the Williamson Act under a contract for orchard production. The application meets all requirements of the Williamson Act program. The Williamson Act Advisory Committee reviewed the application (LCA23-0004) on November 6, 2023, and recommended enrollment of the parcel subject to the applicant's payment of any outstanding fees. The creation of Williamson Act contracts is exempt from review under the California Environmental Quality Act per Categorical Exemption 15317 Open Space Contracts or Easements. (Development Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.14 Land Conservation (Williamson) Act Contract with Pacific Realty Associates L.P.

The Williamson Act Advisory Committee recommends entering into a contract to enroll approximately 31.32 acres owned by Pacific Realty Associates L.P., in the Williamson Act. The enrollment consists of one parcel (APN: 039-160-010) located at the southwest corner of Edgar Avenue and Crouch Avenue, southwest of Chico. The parcel will be enrolled in the Williamson Act under a contract for orchard

production. The application meets all requirements of the Williamson Act program. The Williamson Act Advisory Committee reviewed the application (LCA23-0005) on November 6, 2023, and recommended enrollment of the parcel subject to the applicant's payment of any outstanding fees. The creation of Williamson Act contracts is exempt from review under the California Environmental Quality Act per Categorical Exemption 15317 Open Space Contracts or Easements. (Development Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.15 Contract with Butte-Glenn Community College District for Training Services

The Training Place, operated by Butte-Glenn Community College District, has a team of professional instructors who create education programs that meet the needs of the Department of Employment and Social Services. The educational programs include a variety of courses such as Business Writing for Supervisors, Business Writing for Analysts, Breaking Cycles and Creating Change, Generational Diversity, and Color with Path to Success. These courses are held in person and virtually to strengthen natural assets and build on underdeveloped areas including; business writing skills, effective communication, working with teams, re-framing stress, and working with and leading cross-generational teams. The Training Place services are expected to serve approximately 540 individuals. The Department of Employment and Social Services recommends the Board of Supervisors approve a contract with The Training Place for training services. The term of the contract is December 12, 2023, through June 30, 2024, not-to-exceed \$72,900. (Employment & Social Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.16 Resolution Recognizing Erik Gledhill Upon His Retirement from the Department of Employment and Social Services

The Department of Employment and Social Services recommends that the Board of Supervisors adopt a resolution recognizing the retirement of Erik Gledhill upon his retirement on December 29, 2023 after 26 years of service. (Employment & Social Services)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-149

Supervisor Connelly read the resolution and Shelby Boston, Director of Employment and Social Services, spoke. Erik Gledhill spoke and accepted the resolution.

3.17 Contract with Social Change Partners, LLC for Consultation Services to Implement and Operationalize the Title IV-E Prevention Plan

The Family First Prevention Services Act (FFPSA) was signed into federal law in February 2018 as part of the Bipartisan Budget Act. The law aims to promote the well-being of children and families by providing new federal funding opportunities through Title IV-E. Social Change Partners, LLC specializes in collaborating with public agencies to maximize reach and impact of policy solutions and to practice innovations within child-serving systems. Additionally, Social Change Partners, LLC provides support to counties by providing technical assistance, stakeholder engagement and facilitation, and project management. Social Change Partners, LLC will provide assistance to implement and operationalize a Title IV-E Prevention Plan by establishing screening to determine eligibility and services for families, implement federal claiming procedures, and guide the Department of Employment and Social Services on how to leverage federal funds to access programs that can provide sustainable evidence-based program models. The Department recommends the Board of Supervisors approve the contract with Social Change Partners, LLC to provide consultation services to implement and operationalize a Title IV-E Prevention Plan. The term of the contract is January 1, 2024 through June 30, 2025, not-to-exceed \$230,004. (Employment & Social Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.18 Contract with Chico State Enterprises for Adult Protective Services Client Prevention and Support Services

Chico State Enterprises through its Passages Local Area Agency on Aging (Passages) coordinates a variety of prevention and support services for older adults, adults with disabilities, informal caregivers, and family caregivers. These services include senior food and nutrition programs, family caregiver services, Medicare and health insurance counseling advocacy program, multipurpose senior services program, and connections prevention and early intervention mental health outreach program. The primary function of Passages is to advocate, plan, and administer services for older adults and adults with disabilities within the community to help them remain safely and independently in their homes. The provision of these services helps to support or prevent the need for Adult Protective Services intervention services. In Fiscal Year 2022-23, Adult Protective Services received reports on 1,213 individuals age 60 years or older, 441 individuals needing assistance with Activities of Daily Living, and 341 reported Medicare recipients who meet eligibility requirements for programs provided by Passages. The Department of Employment and Social Services recommends the Board of Supervisors approve a contract with Chico State Enterprises for Adult Protective Services client prevention and support services. The term of the contract is January 1, 2024, through June 30, 2025, not-to-exceed \$249,000. (Employment & Social Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.19 Budget Adjustment for the Purchase of Rescue Apparatus

On June 27, 2023, the Board of Supervisors approved the Recommended Budget for FY 2023-24. The Recommended Budget included capital asset purchase for the Butte County Fire Department in the amount \$750,000 to purchase one Rescue Apparatus. The actual cost of the Rescue Apparatus has increased due to the increase in industry prices bringing the total purchase to \$901,746. Staff is working structurally to correct this issue in the event of future overages. The Department is requesting the additional funds from the Community Cost Share account that was established to improve the fire department's ability to purchase new fire equipment to deploy to volunteer companies throughout the county. The plan may be modified by the fire chief as needed based on changes in company capabilities, emergency replacement needs, availability of CCSA funds and other unforeseen events or needs. The Fire Chief has determined the replacement of the current Rescue Apparatus as an urgent replacement need. The current fund balance of the Community Cost Share account is \$3,218,000. The Butte County Fire Department requests approval for a budget adjustment to increase appropriation in capital asset acquisition from the Community Cost Share account in the amount of \$151,747 to cover the increased cost of the Rescue Apparatus, increase the capital asset authority, and authorize the Fire Chief to sign Apparatus Agreement. (Fire)

Action Requested - APPROVE BUDGET ADJUSTMENT AND INCREASE CAPITAL ASSET AUTHORITY (4/5 VOTE REQUIRED)

Staff Report

3.20 Budget Adjustment for FY 2023-24 General Services Equipment and Vehicle Replacement

On June 27, 2023, the Board of Supervisors approved the Recommended Budget for FY 2023-24. The Recommended Budget included equipment and vehicle replacement for the Department of General Services in the amount of \$77,478 for one 2023 4X4 (\$55,365), one flatbed trailer (\$11,995), and one vertical personnel lift (\$10,118). The actual cost of these items is higher than the initial request due to the increase in industry prices bringing the total purchase to \$96,222. The Department of General Services requests approval of a budget adjustment from the General Services Equipment and Vehicle Replacement fund balance in the amount of \$18,744 for the to purchase the three items. (General Services)

Action Requested - APPROVE BUDGET ADJUSTMENT AND INCREASE CAPITAL ASSET AUTHORITY. (4/5 VOTE REQUIRED)

Staff Report

3.21 Resolution Recognizing Deborah Heath Upon Her Retirement from the Butte County Department of General Services

The Director of the Department of General Services recommends that the Board of Supervisors adopt a resolution recognizing the retirement of Deborah Heath upon her retirement on December 30, 2023, after 22 years of dedicated service to Butte County. (General Services)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE CHAIR TO SIGN

Staff Report

Resolution 23-150

Supervisor Durfee read the resolution and Michael Hodson, Director of General Services, spoke. Deborah Heath spoke and accepted the resolution.

- 3.22 Contract with Butte-Glenn Community College District to Provide a Leadership Academy training to Butte County Employees

The Training Place at Butte College provides a wide array of professional development trainings conducted by qualified, professional trainers. Human Resources has sought out this organization to provide training opportunities for the upcoming County-wide Leadership Academy. With 22% of the workforce eligible to retire within the next two years, succession planning is an important priority of the County. A Leadership Academy will provide one of many critical resources for the County's succession planning efforts. Participants for the Leadership Academy will be selected by Department Heads to participate in the year-long academy. Human Resources recommends entering into a contract with Butte College to conduct trainings for this program. The term of the contract is January 1, 2024 through December 31, 2024, not-to-exceed \$95,525. (Human Resources)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

- 3.23 Contract for Workers' Compensation Claims Administration Services with LWP Claims Solutions

The County contracts with a workers' compensation third party administrator for claims administration services for the County's self-insured Workers' Compensation Program. These services include such activities as: investigating claims, adjusting and settling claims, maintaining claim documentation, monitoring defense plans and costs for litigated claims, reporting claims to the County's excess insurer, and maintaining an automated claims reporting system. Since 2005, claims administration services have been provided by Sedgwick (formerly York Risk Services Group and Gregory B. Bragg and Associates). When the most recent contract expired in June 30, 2023, the decision was made to not renew with Sedgwick due to a 65% compliance rating and issue a Request for Proposal. The Board approved an additional 6 month contract with Sedgwick through December 31, 2023 to allow time to complete the process. A total of six proposals were received and three were invited to an interview panel comprised of representatives from Human Resources, Sheriff, and General Services. LWP Claims Solutions

provided the best overall response factoring in costs, program philosophy, and strong references from their existing clients. Staff anticipates LWP Claims Solutions will provide enhanced communication and collaboration opportunities to provide responsive services to the County's injured workers. The Department recommends entering into a contract with LWP Claims Solutions to provide workers' compensation claims administration services for an initial 18 month term from January 1, 2024 through June 30, 2025, an amount not to exceed \$478,075. (Human Resources)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.24 Appointment to the Public Risk Innovation, Solutions, and Management (PRISM) Board of Directors Alternate Member

PRISM, previously known as CSAC Excess Insurance Authority (CSAC-EIA), was formed as a joint powers authority in 1979. It is a member-directed risk sharing pool of counties and other public entities providing risk coverage programs and risk management services. PRISM offers volume discounts and strategic blending of self-insurance and insurance to its member agencies, including workers' compensation, general liability, property, medical malpractice, employee health and benefits, and many other coverages for public entity exposures. Its services include loss prevention, online training, technology support, legislative review, and several cost containment service programs. Pursuant to Article 7 of PRISM's Joint Powers Agreement, the Board of Supervisors of each member county shall appoint two County employees to serve as a board member and alternate board member for the PRISM Board of Directors. On June 28, 2022, the Risk Manager position was appointed the board member and the Deputy Chief Administrative Officer assigned to Risk Management was appointed the alternate member. With Risk Management's transition from County Administration to Human Resources effective October 1, 2023, it is recommended that the Director of Human Resources or designee be appointed as the alternate member. (Human Resources)

Action Requested - APPOINT THE DIRECTOR OF HUMAN RESOURCES OR DESIGNEE AS THE ALTERNATE MEMBER TO THE PRISM BOARD OF DIRECTORS

Staff Report

3.25 Resolution to Amend the Salary Ordinance

The Department of Human Resources recommends the Board of Supervisors adopt a resolution amending the Salary Ordinance for the following departments:
EMPLOYMENT AND SOCIAL SERVICES: Add 3 Social Services Associate positions to assist Social Workers in ensuring that essential paperwork is tracked and submitted timely enabling youth to receive needed services timely. Delete 1 vacant, flexibly staffed Account Clerk I / Account Clerk II / Senior Account Clerk position. On September 12, 2023, the department added 1 flexibly staffed Administrative Assistant / Senior Administrative Assistant position which better suits the needs of the department. An existing staff member was promoted and the vacated position

is being deleted. The total estimated annual cost for these changes is \$159,000 that will be paid for with salary savings in the current fiscal year and with realignment funds in the future. Total allocations to increase by 2. GENERAL SERVICES: Add 1 Administrative Analyst Supervisor position and delete 1 vacant Accounting Technician position. These changes will better address the operational and supervisory needs of the Department. Upon completion of an internal recruitment, the Department will return to delete the vacated position. The estimated temporary annual increase is \$51,408. Total allocations to remain unchanged. HUMAN RESOURCES: Requests to change the classification title of Human Resources Supervisor to Human Resources Manager and change the classification entitled Senior Human Resources Analyst to Human Resources Analyst III. This change is the result of the risk management program moving from County Administration to Human Resources. The respective salary ranges for these classifications will remain the same. These changes have been agreed to by the applicable employee unit. In addition, the department requests that five (5) allocations in the Human Resources Department that are currently flexibly staffed be changed to Human Resources Analyst I / Human Resources Analyst II and Human Resources Analyst III classification levels and one (1) allocation be changed to Human Resources Analyst I / Human Resources Analyst II / Human Resources Analyst III / and Principal Human Resources Analyst classification levels. This is a result of department restructuring. There is no change in cost with these recommended actions. Total allocations to remain unchanged. LIBRARY: Extend the term of 2 flexibly staffed Library Assistant I / Library Assistant II Sunset positions from 12/31/2023 to 12/31/2026. Extend the term of 1 flexibly staffed Library Assistant I / Library Assistant II Term position from 12/31/2023 to 12/31/2026. This change represents an estimated annual increase of \$159,581. Funding for the three positions is provided by grant funding through the Department of Employment and Social Services to support continuation of the Access to Technology program. Total allocations to remain unchanged. SHERIFF-CORONER: Delete 1 Department Human Resources Technician position. On September 12, 2023 the Sheriff's Office added a Senior Sheriff's Clerk position to better suit the needs of the department. The Sheriff's Office promoted an existing staff member to the Senior Sheriff's Clerk position and the vacated position is being deleted. Total allocations to decrease by 1. (Human Resources)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-151

3.26 Resolution to Amend the Salary Ordinance

Effective January 1, 2024, the California State Minimum Wage will increase to \$16.00 per hour. In order to be in compliance with the new law and to maintain consistency of the County's salary plan, the Department of Human Resources recommends the Butte County Salary Schedule be updated to change classifications where the current step 1 is below minimum wage to a salary range that is compliant with the new minimum wage. The following classifications will be impacted by this change: Account Clerk I, Assessment Technician I, Behavioral Health Worker I, Cook I, Custodian, Deputy County Clerk Recorder I, Health Services Assistant I, Legal

Office Assistant I, Library Assistant I, Office Assistant I, Peer Support Specialist, Public Health Laboratory Aide, and Scale Attendant I. These changes will impact other classifications within the classification series. In order to maintain the County's salary plan and maintain existing salary differentials between classifications in the series, Human Resources also recommends the adjustment of the following series classifications: Account Clerk II, Assessment Technician II, Behavioral Health Worker II, Cook II, Health Services Assistant II, Legal Office Assistant II, Library Assistant II, Office Assistant II, Scale Attendant II, Senior Account Clerk, Senior Custodian, Senior Health Services Assistant, Senior Legal Office Assistant, and Senior Office Assistant. Other changes include amendments to the Classifications with Flat Rate Assignments section of the Salary Ordinance in order to remain in compliance it with the new California State Minimum Wage and the deletion of the Courier classification as it is no longer used. Respective bargaining groups have approved of this action. All changes can be referenced on Attachments A, B, and C. Attachment A (Salary Schedules for General Unit Classifications) Attachment B (Salary Schedules for Skilled Trades Unit Classifications) Attachment C (Salary Schedules for Flat Rate Classifications) (Human Resources)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-152

3.27 Side Letter Agreement with Teamsters Social Services Workers Unit-Standby Pay for Children Services

In response to the ongoing workforce shortages in Children Services, a Workforce Committee comprised of Social Workers, Supervisors, Program Managers, the Assistant Director, and Union Representatives was developed to work through potential solutions to address mandated Standby Pay. The department requests to amend the MOU between the County and the Teamsters Social Service Workers Unit that provides different levels of Standby Pay depending on an individual's role in the Children Services Division. The amended rates for these shifts would be: 1) \$60 per shift when assigned to the Call Only Team; 2) \$90 per shift when assigned to the Response Only Team; and 3) \$45 per shift when assigned to the Reserve Response Team. (Human Resources)

Action Requested - APPROVE SIDE LETTER AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.28 Capital Asset Surplus and Disposal - Five Video Conferencing Units

The Board of Supervisors has authority to declare capital assets surplus that are no longer serviceable or no longer needed by the County. The Department of Public Health recommends the Board of Supervisors declare five capital assets (video conferencing units) surplus to the needs of the County and provide approval for

disposal. The capital assets were purchased in 2010 and 2011 and are no longer utilized by the Department. The technology is obsolete, no longer supported by the manufacturer, and the cameras no longer functioning correctly. (Public Health)

Action Requested - 1) DECLARE CAPITAL ASSETS (5) SURPLUS TO THE NEEDS OF THE COUNTY; AND 2) APPROVE DISPOSAL OF CAPITAL ASSETS.

Staff Report

3.29 California Children's Services (CCS) Annual Plan for Fiscal Year 2023-24

California Department of Health Care Services (DHCS) guidelines and regulations require the Department of Public Health to prepare an annual Integrated Systems of Care Division (ISCD) Plan for the CCS program. The ISCD plan provides budget information for the CCS program. The CCS program provides specialized medical care and medical case management to children with medically eligible conditions who meet the program criteria. Public school-based medical therapy units provide physical and occupational therapy under a physician's order. Per ISCD plan and fiscal guidelines, a signed certification statement and budget that reconciles to the annual allocation must be submitted within 60 days of the allocation announcement letter. (Public Health)

Action Requested - 1) AUTHORIZE SUBMISSION OF THE FY 2023-24 PLAN TO THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES FOR CCS; AND 2) AUTHORIZE THE CHAIR TO SIGN PROGRAM CERTIFICATION STATEMENT

Staff Report

3.30 Contract Amendment Six with Gen-Probe Sales and Services, Inc (Hologic) for Lab Supplies, Testing Kits, and Use of Equipment

The Public Health Laboratory conducts testing for the Department of Public Health Clinics and Communicable Disease Program on a regular basis. Testing conducted includes, but is not limited to testing for Chlamydia, Gonorrhea, Hepatitis C Virus, and Trichomonas. Contracting with Hologic allows the Department to receive a discounted and fixed rate on test kits and supplies over the term of the contract. On June 11, 2019, the Board of Supervisors approved a contract with Hologic, the term of the contract was July 1, 2019 through June 30, 2024, not-to-exceed \$350,000. In 2020, the contract was amended five times to support the Departments response to COVID-19. Two of the amendments modified the scope of work and three increased the not-to-exceed amount. The Department recommends amending the contract to add specific Panther Fusion and Aptima Mycoplasma Genitalium test kits and increase the maximum amount payable by \$350,000, not-to-exceed \$1,097,450. All other terms remain the same. (Public Health)

Action Requested - APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

This item was removed from the Consent Agenda and placed on the Regular Agenda for further consideration.

3.31 Memorandum of Understanding (MOU) with Chico State Enterprises for Research and Evaluation Services

In June of 2023, the Probation Department entered into a grant award agreement with the Board of State and Community Corrections to utilize Edward J. Byrne Memorial Justice Assistance Grant (JAG) Program funding. JAG Program funding was used to implement the Community Alliance Program to provide reentry services and cognitive behavioral therapy to help prevent probationers from substance use and provide education and employment assistance. The JAG Program required grantees to set aside 5% of the funding for research and evaluation efforts. Public agency applicants were strongly encouraged to use outside evaluators to ensure objective and impartial evaluations. Specifically, public agency applicants were encouraged to partner with state universities or community colleges for evaluations. Prior to proposal submission, the Department identified California State University, Chico as a research and evaluation partner. Both agencies collaborated in the development of the proposal to ensure the goals and objectives listed in the proposal were measurable. The Department recommends the Board of Supervisors approve a MOU with Chico State Enterprises for research and evaluation services to meet the requirements of the JAG Program. The term of the MOU is December 12, 2023 through December 31, 2026, not to exceed \$107,250. (Probation)

Action Requested - APPROVE MEMORANDUM OF UNDERSTANDING AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.32 Capital Asset Purchase - Vehicle Acquisition

In July 2023, the Board of Supervisors adopted the FY 2023-24 budget, which included five SUVs. After the budget was adopted, the Probation Department determined that the purchase of one diesel 4X4 truck in place of one of the SUVs would better suit the needs of the Department. There is no anticipated cost difference between the two vehicles. The Department recommends the Board approve capital asset authority and use of existing appropriation for the vehicle purchase. (Probation)

Action Requested - APPROVE CAPITAL ASSET PURCHASE

Staff Report

3.33 Approve the Final Subdivision Map for Rowdy Estates Subdivision

Rowdy Estates, a private road subdivision, APN 047-710-008 & -009, is located on the east side of Garner Lane, directly east of the intersection of Garner Lane and Kittyhawk Drive, outside of Chico. The Planning Commission approved the Tentative

Subdivision Map (TSM20-0003) on October 28, 2021. A resolution granting an appeal to modify Condition No. 16 for the Tentative Subdivision Map was approved by the Board of Supervisors on January 11, 2022. The developers propose to divide two existing parcels, totaling 9.56 acres, into eight parcels ranging from 1 acre to 1.6 acres with private road access off Garner Lane. The County Surveyor has approved the subject map and found it in conformance with the Tentative Map and Butte County Code, Chapter 20, Subdivisions. The developers have completed the required construction improvements and provided the final draft of the Covenants, Conditions, and Restrictions establishing the Homeowners Association's responsibility for the ongoing maintenance of improvements. The Department of Public Works recommends that the Board of Supervisors approve the Final Map for Rowdy Estates Subdivision, accept the relinquishment of abutter's rights of access from Garner Lane as offered for dedication in the Owner's Statement, and accept the Public Utility Easement on behalf of the public. (Public Works)

Action Requested - 1) APPROVE THE FINAL MAP FOR ROWDY ESTATES SUBDIVISION AND AUTHORIZE THE CLERK OF THE BOARD TO SIGN; AND 2) ACCEPT ON BEHALF OF THE COUNTY KITTYHAWK DRIVE AND THE RELINQUISHMENT OF ABUTTER'S RIGHTS OF ACCESS FROM GARNER LANE AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT; AND 3) ACCEPT ON BEHALF OF THE PUBLIC THE PUBLIC UTILITY EASEMENTS AS OFFERED FOR DEDICATION IN THE OWNER'S STATEMENT

Staff Report

- 3.34 Contract with Housing Tools, LLC, for Labor Compliance Services for the Community Development Block Grant-Disaster Recovery (CDBG-DR) Infrastructure Program

The Department of Housing and Community Development (HCD) allocated the County \$72,722,680 through the CDBG-DR Infrastructure program. In 2022, the Board of Supervisors adopted Resolution No. 22-155, which authorized staff to administer and deliver the projects under the Master Standard Agreement (MSA) the County executed with HCD. Public Works projects funded through the CDBG-DR program include roadway rehabilitation projects to repair the 2018 Camp Fire damage. Labor Compliance support is needed to comply with the MSA between the County and HCD for the CDBG-DR-funded road rehabilitation projects. A Request for Proposals for Labor Compliance Services was issued on July 5, 2023, and the County received one proposal. The selection committee included representatives from multiple departments. Housing Tools, LLC, of Sacramento, was selected as the qualified respondent. Housing Tools, LLC, has been awarded other county contracts in 2023. In aggregate, these contracts exceed the annual contract authority for Director approval, and staff recommends the Board of Supervisors approve the contract and authorize the chair to sign. The Department recommends that the Board award a contract with Housing Tools, LLC. The term of the contract is December 12, 2023, through November 30, 2028, not-to-exceed \$72,160. (Public Works)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.35 Resolutions (9) Certifying the Urgent Need National Objective is Being Met in the Application for Funding from the Community Development Block Grant-Disaster Recovery (CDBG-DR) Program

The State of California's Action Plan for the CDBG-DR was approved by the Department of Housing and Urban Development on November 19, 2020. Butte County was allocated \$72,722,679 for CDBG-DR Infrastructure Projects. On October 25, 2022, the Board of Supervisors established project priorities for the CDBG-DR Infrastructure Projects and directed staff to execute the Master Standard Agreement (MSA) between the County and HCD and deliver all project applications and related documentation required to effectuate the terms of the MSA. The MSA was executed on June 21, 2023, and requires meeting the national objective, submitting a project application, and issuing a Notice to Proceed with HCD for each project. The CDBG-DR Infrastructure Projects approved under the MSA must meet one of the national objectives by benefiting low- and moderate-income persons or meeting an urgent need. Staff recommends the Board of Supervisors adopt the urgent need resolutions for Honey Run Road, Centerville Road, Skyway, Pentz Road, New Skyway, Lakeridge Drive, Andover Road and Wycliff Road, Magalia Local Roads, and Ophir Road (County), and authorize the Chair to sign - action requested - . (Public Works)

Action Requested - ADOPT RESOLUTIONS (9) AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-153 to 23-161

The following member(s) of the public submitted Public Comment on this item: John Stonebraker (electronically)

3.36 Resolution Appropriating Monies from the County Service Area (CSA) Revolving Loan Fund and Authorizing a Loan to County Service Area 141 - Mountain Oaks Subdivision

The Mountain Oaks Subdivision County Service Area (CSA 141) is located along portions of Messilla Valley and Pentz Road. It is approximately three miles south of the Town of Paradise and provides financing for sewer-related services and regulatory permitting. The annual per-parcel service charge has remained unchanged since 2004. Permitting and wastewater management costs have increased significantly since 2004, outpacing CSA revenue and depleting its available fund balance. CSA 141 fund balances are projected to be \$297 by the end of the current fiscal year and do not include mandatory regulatory permitting costs of \$13,393. This fund balance is insufficient to satisfy current permitting costs and fund the necessary Proposition 218 protest election to increase parcel fees and restore fiscal health to the CSA. The Department requests a temporary \$30,000 loan to fund regulatory permitting costs and a Proposition 218 protest election. The proposed loan will help the CSA maintain a positive fund balance until a successful Proposition 218 protest election is completed and fee increases go into effect. The Proposition 218 protest election is scheduled for later this spring. (Public Works)

Action Requested - 1) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN;
AND 2) APPROVE BUDGET ADJUSTMENT (4/5 Vote Required)

Staff Report

Resolution 23-162

3.37 Contract with Leachate Management Specialists to Provide Leachate Evaporation Technology for the Neal Road Recycling and Waste Facility (NRRWF)

The NRRWF currently hauls leachate off-site to publicly owned treatment works receiving facilities, which helps sustain on-site storage capacity and compliance with waste discharge requirements. The cost to haul millions of gallons of leachate annually are considerable, and the Department of Public Works is interested in technologies that can help reduce these costs through evaporation technology. The Department recently released a Request for Proposals seeking regulatory-approved and cost-effective technology to reduce or eliminate landfill leachate. On October 11, 2023, the Department received three proposals from firms proposing their technologies to enhance leachate evaporation. Those proposals were evaluated and ranked based on experience, capacity, qualifications, and overarching professional credentials. The Department determined Leachate Management Specialists, LLC, of Parker, Colorado, to be the most qualified firm due to its aptitude for its proposal to develop a Wind-Aided Intensified Evaporation (WAIV) system that can reduce leachate by an estimated 50,000 gallons per week. The Department has given assurances the evaporative equipment will pose no environmental risk nor will it create any negative consequences. The Department recommends the Board approve a contract with Leachate Management Specialists, LLC, to design and furnish two WAIV units at a total cost of \$979,976. A future construction contract will be necessary to install the WAIV units. Leachate Management Specialists, LLC, indicates a two-unit system can reduce leachate by nearly 2.5 million gallons annually. The Department anticipates an annual cost savings of \$200,000 based on current leachate hauling costs. (Public Works)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.38 Budget Amendment for Contract with MBS Engineering, Inc. for Construction of the Module 4 Landfill Gas Collection System Expansion 2023 at the Neal Road Recycling and Waste Facility (NRRWF)

On September 12, 2023, the Board of Supervisors approved plans, specifications and the solicitation of bids for the Module 4 Landfill Gas Collection System Expansion at the NRRWF. The project will drill and install nine additional landfill gas wells, vertical landfill gas wellheads, gas conveyance pipes, and various pipe fittings and fixtures. The California Air Resources Board and CalRecycle require this project to mitigate excess landfill gas emissions and comply with permit conditions for the NRRWF's closed landfill module 4. The Department of Public Works received two bids on November 1, 2023, with the lowest responsive and responsible bid from MBS Engineering, Inc. of San Ramon, California, in the amount of amount of

\$491,718. The Department recommends that the Board approve a budget amendment, award the contract to MBS Engineering, Inc. and authorize the Director of Public Works to sign the contract and order changes or additions in work performed per Public Contract Code section 20142. (Public Works)

Action Requested - 1) APPROVE BUDGET AMENDMENT (4/5 VOTE REQUIRED); AND 2) AWARD THE CONTRACT TO MBS ENGINEERING, INC.; AND 3) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN THE CONTRACT AND ORDER CHANGES OR ADDITIONS IN THE WORK BEING PERFORMED

Staff Report

- 3.39 Resolution Supporting the Boating Enforcement Program and Authorizing Application for the Division of Boating and Waterways (DBAW) Boating Safety and Enforcement Aid Program Grant

The Sheriff is charged with the enforcement of boating laws and regulations by means of vessel, foot, and vehicle patrol. Each year the Sheriff's Office applies for \$159,342 in grant funds from DBAW for year-round patrols of the Feather River, Sacramento River, and Lake Oroville. Uniformed law enforcement personnel will provide year-round patrols on all waterways, provide education to the public on State and local boating laws, conduct vessel inspection programs for compliance with required safety equipment and vessel registration, and provide supervision of on-the-water boating activities. The program funds a full-time uniformed Deputy Sheriff, a leased patrol vehicle, marine equipment, and supporting program services. The State requires the County to utilize annual boat tax revenue of \$150,028 prior to utilizing the grant funds. Boat tax revenue is used to partially fund a full-time Sheriff's Sergeant to oversee the water enforcement program. The State requires a resolution in support of the Boating Enforcement Program and authorizing the application for funds. (Sheriff)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-163

- 3.40 Resolution Declaring Unclaimed Monies held in the County Treasury to be Property of Butte County and Authorizing the Transfer of These Monies to the General Fund

California Government Code Section 50050 provides how unclaimed monies of estates of deceased without known heirs may be escheated to the County's General Fund. The funds must remain in the County treasury for 3 years. Unclaimed items over \$15 must be published in a County wide newspaper as notice that the funds will become property of the County if they remain unclaimed for 45-60 days from publication. Once the unclaimed items become the property of the County, a claim may no longer be submitted. On August 27 and September 3, 2023, the Chico Enterprise Record and the Oroville Mercury Register published an official list of unclaimed estates held by the County Treasurer. The total amount was \$39,245.03.

The Affidavit of Publication is included in the staff report and contains the published list. One claim of \$21,080.44 was made and subsequently approved, leaving an unclaimed total of \$18,164.59 to be escheated to the County's General Fund. The Department recommends the Board of Supervisors adopt the resolution declaring unclaimed monies held in the County Treasury to be property of the County of Butte and authorizing transfer of unclaimed monies to the General Fund. (Treasurer-Tax Collector)

Action Requested - ADOPT RESOLUTION DECLARING UNCLAIMED MONIES HELD IN THE COUNTY TREASURY TO BE PROPERTY OF BUTTE COUNTY AND AUTHORIZING TRANSFER OF UNCLAIMED MONIES TO THE GENERAL FUND

Staff Report

Resolution 23-164

- 3.41 Resolution Amending Salary Ordinance and Budget Adjustment Adding One Full-Time Permanent Position to the Department of Water and Resource Conservation to Support the Vina and Wyandotte Creek Groundwater Sustainability Agencies

The County of Butte is a Member Agency to both the Vina and Wyandotte Creek Groundwater Sustainability Agencies (GSAs) by Joint Powers Authorities (JPA) and has been providing financial and in-kind administrative, management, and technical services to the GSAs to fulfill activities required by the Sustainable Groundwater Management Act (SGMA). Per Section 12.3 of both JPAs, "the Agency may engage one or more of the Members to manage any or all of the business of the Agency on terms and conditions acceptable to the Board of Directors." The GSAs, in coordination with the County, have opted to employ a Program Development Manager to serve as the GSA Program Manager through the County to be housed in the Butte County Department of Water and Resource Conservation. This position will be funded completely by the GSAs as set for in the Cost Share Agreement fully executed by the agencies on November 7, 2023. This Cost Share Agreement, sets forth the terms on which the County will continue to provide administrative, management, and technical services to the GSAs. The Department of Water and Resource Conservation recommends the Board of Supervisors adopt a resolution amending the Salary Ordinance to add one full-time permanent Program Development Manager position and approve a budget adjustment. (Water & Resource Conservation)

Action Requested - 1) ADOPT RESOLUTION AMENDING THE SALARY ORDINANCE AND AUTHORIZE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)

Staff Report

Resolution 23-165

- 3.42 Subrecipient Agreement with the Feather Ridge Estates Water Association for the Feather Ridge Estates Water System Improvement Project

Consistent with Resolution 22-009, the Department of Water and Resource Conservation executed a grant agreement in August 2022 with the California Department of Water Resources Small Community Drought Relief Program as the grantee to conduct the Feather Ridge Estates Water System Improvement Project (Project). This Project will replace two existing drinking water wells including well development, pump and motor installation, and chlorination equipment installation. The total grant award is \$1,191,485 with the term of the grant agreement beginning on August 31, 2022. On June 27, 2023 a contract was entered into between Butte County and Luhdorff & Scalmanini Consulting Engineers for an amount not-to-exceed \$234,537 to conduct the first phase of the work including planning, engineering and design of the project, permitting, and contracting and procurement support for the construction phase of the project. Since the construction phase is now ready to begin, the Feather Ridge Estates Water Association will conduct the next phase of the project which includes construction tasks: 1. Well Development and Surface Improvements, and 2. Installation of Pipelines/Storage/Services/Meters. The Department recommends entering into a subrecipient agreement with the Feather Ridge Estates Water Association for completion of the construction phase of the Project. The term of the contract begins November 1, 2023 and ends June 30, 2025 with payment not-to-exceed \$882,525. (Water & Resource Conservation)

Action Requested - APPROVE SUBRECIPIENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

4. REGULAR AGENDA

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

A. Appointments to Listed Vacancies

A.1 Appointment to the Northern California Water Association Board

The Northern California Water Association (NCWA) was established to ensure reliable and affordable water supplies to the Northern Sacramento Valley and is governed by a Board of Directors, who are elected every other year. It's requested the Board of Supervisors appoint one member and one alternate to serve a two-year term on the NCWA Board of Directors. Chair Kimmelshue currently serves as Member and Supervisor Connelly serves as the Alternate Member. (Other - NCWA)

Action Requested - 1) APPOINT ONE MEMBER OF THE BOARD OF SUPERVISORS TO THE NCWA BOARD OF DIRECTORS TO SERVE A TWO-YEAR TERM EFFECTIVE JANUARY 1, 2024 ENDING DECEMBER 31, 2025 AND; 2) APPOINT ONE MEMBER OF THE BOARD OF SUPERVISORS TO SERVE AS ALTERNATE TO THE NCWA BOARD OF

DIRECTORS TO SERVE A TWO-YEAR TERM EFFECTIVE JANUARY 1, 2024 ENDING DECEMBER 31, 2025

Staff Report

Melissa Kitts, Assistant Clerk of the Board, presented this item to the Board.

No public comment was submitted for this item.

Action: 1) APPOINT CHAIR KIMMELSHUE TO THE NCWA BOARD OF DIRECTORS TO SERVE A TWO-YEAR TERM EFFECTIVE JANUARY 1, 2024 ENDING DECEMBER 31, 2025 AND; 2) APPOINT SUPERVISOR CONNELLY TO SERVE AS ALTERNATE TO THE NCWA BOARD OF DIRECTORS TO SERVE A TWO-YEAR TERM EFFECTIVE JANUARY 1, 2024 ENDING DECEMBER 31, 2025

**Motion: Supervisor Ritter
Seconded: Supervisor Durfee**

Motion passed unanimously.

A.2 Appointment to the Butte County Library Advisory Board

The Library Advisory Board (LAB) was created for the following purposes: to maintain a strategic plan for the Butte County Library; develop and maintain a long range library financial plan; provide an annual report on the Library; develop fundraising plans for the Board of Supervisors approval; provide oversight of the funds deposited with the North Valley Community Foundation; oversee the development of relationships with community partners; assist with the relationships with municipalities in the County; 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 the development and advancement of the public library system. The LAB is comprised of 10 voting members, with two members residing in each supervisorial district, appointed by the Board of Supervisors. Due to a recent resignation, the District 3 Member seat is currently vacant. Supervisor Ritter requests that the Board of Supervisors appoint Michael S. Smith to the LAB District 3 seat for the remaining unexpired term ending January 4, 2027. (Other - LAB)

Action Requested - APPOINT MICHAEL S. SMITH TO THE LAB DISTRICT 3 SEAT TO SERVE THE REMAINING UNEXPIRED TERM ENDING JANUARY 4, 2027

Staff Report

Melissa Kitts, Assistant Clerk of the Board, presented this item to the Board.

No public comment was submitted for this item.

Action: APPOINT MICHAEL S. SMITH TO THE LAB DISTRICT 3 SEAT TO SERVE THE REMAINING UNEXPIRED TERM ENDING JANUARY 4, 2027

**Motion: Supervisor Ritter
Seconded: Supervisor Durfee**

Motion passed unanimously.

A.3 Appointments to the Durham Mosquito Abatement District

The mission of the Durham Mosquito Abatement District (District) is to suppress mosquito-transmitted disease and reduce the annoyance levels of mosquitoes and diseases associated with ticks, fleas and other vectors through environmentally compatible control practices and public education. As of December 31, 2023, the District will have three available seats due to a recent resignation and two expiring terms. Two Members have submitted applications requesting reappointment and one application has been received to fill the remaining vacant seat. Each applicant meets the qualifications set forth by the District stating that members must be registered voters and must reside within the District's service area. Pursuant to the District By-laws, the term of office for a Trustee shall be for a term of two or four years, which is at the discretion of the Board of Supervisors. The District has requested that the Board of Supervisors appoint John Azevedo, Lance Smith and Chuck Jenkins as Regular members to the Durham Mosquito Abatement District to each serve 4-year terms effective January 1, 2024 to December 31, 2027. (Other - Durham Mosquito Abatement District)

Action Requested - APPOINT JOHN AZEVEDO, LANCE SMITH AND CHUCK JENKINS AS REGULAR MEMBERS TO THE DURHAM MOSQUITO ABATEMENT DISTRICT TO EACH SERVE 4-YEAR TERMS EFFECTIVE JANUARY 1, 2024 TO DECEMBER 31, 2027

Staff Report

Melissa Kitts, Assistant Clerk of the Board, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Kenneth Scherer (in person)

Action: APPOINT JOHN AZEVEDO, LANCE SMITH AND CHUCK JENKINS AS REGULAR MEMBERS TO THE DURHAM MOSQUITO ABATEMENT DISTRICT TO EACH SERVE 4-YEAR TERMS EFFECTIVE

JANUARY 1, 2024 TO DECEMBER 31, 2027

Motion: Supervisor Durfee

Seconded: Supervisor Connelly

Motion passed unanimously.

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

Supervisor Connelly – Attended tree lighting, stated downtown Oroville is vibrant fun and crime free, attended the light parade, Christmas parties and meetings, and expressed thanks to all voters for confidence in him as he is running unopposed.

Supervisor Durfee – Attended Farm City bus tour, met with constituents, met with Jim Morgan from the Torres Shelter, attended Grower Day with Butte County Farm Bureau, attended holiday parties, honored Tom DeGiovanni, former President of Downtown Chico Business Association (DBCA), attended Butte County Association of Governments (BCAG) meeting, and expressed thanks to the outstanding job to the Butte County Fire Department.

Supervisor Teeter – Attended the Disaster Council meeting, served for the last meeting as Chair of Rural County Representatives of California (RCRC) - next year will serve as Past President, attended the Cohasset Emergency Planning Committee meeting, recognized Robin Bennett, Jason Schwenkler, and Courtney Farrell for their coordination and influence in creating baskets for the RCRC fundraiser.

Supervisor Ritter - Met with new appointee to the Library Board, met with a group based out of Chico State campus called Roots, attended Behavioral Health Advisory Board meeting, agenda review for Air Quality, Butte County Association of Governments (BCAG) – Jon Clark's (Director of BCAG) retirement, First 5 meeting, Sacramento Basin Control meeting, findings meeting for Rural Master Plan on Aging, and the celebration of life for Casey Hatcher.

Chair Kimmelshue – Attended many of the same meetings as colleagues, expressed thanks to County Emergency Services group that put together the Disaster Council meeting, attended the ceremony hosted by Gridley Veterans, American Legion and Veterans of Foreign Wars annual Pearl Harbor Ceremony at the Gridley Cemetery honoring survivors of Pearl Harbor and Warren McCutcheon, who was the first casualty at Pearl Harbor and buried at the Gridley Cemetery, attended the Butte County Association of Governments (BCAG) Director Jon Clark retirement after 30 years, invited California State Association of Counties (CSAC) new President, Bruce Gibson from San Luis Obispo, to come and tour Butte County, and attended Casey Hatcher's memorial services and expressed thanks to Andy Pickett, CAO, for his words at the service.

- 4.02 Board of Supervisors Public Comment - Comments to the Board on issues and items not listed on the agenda. Pursuant to California State law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda. Please note that Public Comment is in two separate sections. One, as the first regular item on the agenda, which will last a maximum of 15 minutes, with another to follow as the last item on the regular agenda with no time limits.

The following member(s) of the public submitted Public Comment on this item: Diana Dreiss, and Julie Threet (electronically) Diana Dreiss, Julie Threet, Richard Coon, Sharon Peck, and Kenneth Scherer (in person)

- 4.03 Resolution Authorizing Butte County Library Grant Application, Acceptance, and Execution of Grant Fund from State of California Budget Act of 2022 (AB 178) or 2023 (SB101).

Butte County Library was notified by the California State Library of the intent to award Butte County \$14.1 million in grant funds for building improvements at the Oroville and Chico Branch Libraries. The improvements include addressing critical building maintenance such as roofing, weather proofing, and electrical upgrades in Oroville and improved ADA access and electrical upgrades for Chico improving energy efficiency and preparing both facilities for future digital access systems. The California State Library approved the County Library's request for a 75% reduction in the required local match, resulting in a local match of \$3.5 million, which will be paid for with dedicated funds available for deferred maintenance projects. The Department is working with the Department of General Services to develop a project implementation plan and budget. The Department recommends adoption of a resolution accepting the funds and authorizing the Director of Libraries or designee to sign grant documents. (Library)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-166

Misty Wright, Acting County Librarian, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Unidentified (in person)

Action: ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Ritter

Seconded: Supervisor Teeter

Motion passed unanimously.

- 4.04 Contract with Northwoods Consultation Partners for Traverse Software Implementation and Development

Northwoods Consulting Partners provides Traverse software, which integrates the Child Welfare Services/Case Management System (CWS/CMS) application used by staff in the Children's Services Division of the Department of Employment and Social Services. Traverse is cloud-based software developed specifically for human services agencies. It provides document and forms management and mobility, case discovery, and a document and forms management portal. Traverse integrates with the current CWS/CMS case management application to enable working remotely, whether connected or disconnected to the Internet. Traverse simplifies administrative work so social workers have more time to work directly with families and children. Data compiled from surrounding counties using Traverse indicates a reduction in worker overtime and mileage fees, a reduction in turnover, creates efficiencies for staff boarding and document retrieval, and reduces storage costs for paper files. The Department recommends the Board of Supervisors approve a contract with Northwoods Consulting Partners for Traverse Software Implementation and Development. The term of the contract is January 1, 2024 through December 31, 2026, not-to-exceed \$1,042,600. (Employment & Social Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Shelby Boston, Director of Employment and Social Services, presented this item to the Board.

No Public Comment was received for this item.

Action: APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Ritter

Seconded: Supervisor Durfee

Motion passed unanimously.

- 4.05 Job Order Contracts with Hankins Group; T&S Intermodal Maintenance Inc. dba T&S West; Hignell Inc. dba Experts in Your Home; Mesa Energy Systems Inc. dba Emcor Services Mesa Energy.

Job Order Contracting (JOC) is an alternative project delivery process that allows contractors to complete a substantial number of individual projects with a single bid. Public Contract Code section 20128.5 allows the County to implement a JOC services process to select vendors to complete specific individual project for repairs, maintenance and other repetitive work to be done according to fixed unit prices under a single umbrella contract executed by the Board of Supervisors. JOC also allows staff to select firms for each job based on the firms' expertise and prior performance. On January 10, 2023, the Board awarded eight contracts associated with the Department of General Services 2023 JOC Program. The 2023 JOC program completed more than 35 job order projects totaling \$4.7 million for a variety of Departments. In addition to expedited delivery, JOC aids in reducing the cost of change orders; the 2023 projects included less than 1% in change order

expenditures. The Department's 2024 JOC Program was advertised on August 22, 2023 and a total of five responsive and responsible bids were received. The five bidders include a mix of contractors with various licenses (General, Electrical and Mechanical) effective for the common repair and maintenance needs of County facilities. Under Public Contract Code section 20128.5 and the current California Consumer Price Index, each JOC agreement is limited to one year and a maximum of \$5,797,275. The Department recommends a \$2,000,000 initial contract with each contractor and will seek additional approval from the Board to exceed that, as well as for any individual job order that exceeds \$250,000. The Department recommends that the Board award JOC contracts to: Hankins Group Inc.; T&S Intermodal Maintenance Inc. dba T&S West; Hignell Inc. dba Experts in Your Home; Mesa Energy Systems Inc. dba Emcor Services Mesa Energy. (General Services)

Action Requested - 1) AWARD (4) CONTRACTS; AND 2) AUTHORIZE THE CHAIR TO SIGN

Staff Report

Michael Hodson, Director of General Services, presented this item to the Board.

No public comment was received for this item.

Action: 1) AWARD (4) CONTRACTS; AND 2) AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Connelly

Seconded: Supervisor Durfee

Motion passed unanimously.

4.06 Veteran Memorial Halls Policy and Procedures

There are four Veteran Memorial Halls (Halls) in Butte County, irrevocably dedicated to Veteran Associations. In September 2020, the Board of Supervisors passed Resolution 21-132 which disbanded the existing Veteran Memorial Hall Organization Committees and ceased use of the Halls by the general public and County Departments except for elections. At that time, the Department of General Services was directed to create a policy supporting this new paradigm, however a combination of staff turnover and emergency response work delayed the completion of a new policy. On July 25, 2023, the Department returned to the Board seeking additional direction, clarification, and guidance in order to develop a policy for use and oversight. Direction was provided, and an ad hoc committee was formed. The Department, in coordination with County Administration, the ad hoc committee, and the various Veterans' groups, has developed a Veteran Memorial Halls Policy and Procedures. The Department recommends that the Board approve the Veteran Memorial Halls Policy and Procedures. (General Services)

Action Requested - APPROVE THE VETERAN MEMORIAL HALLS POLICY AND PROCEDURES

Staff Report

Michael Hodson, Director of General Services presented this item to the Board.

**The following member(s) of the public submitted Public Comment on this item:
Unidentified and Pastor Kevin Thompson (in person)**

Action: APPROVE THE VETERAN MEMORIAL HALLS POLICY AND PROCEDURES

Motion: Supervisor Teeter

Seconded: Supervisor Connelly

Motion passed 4-1 vote.

Ayes: Supervisor Connelly, Durfee, Teeter and Chair Kimmelshue

Nays: Supervisor Ritter

**4.07 Introduction of an Ordinance Prohibiting the Use of County Highways by
Commercial Vehicles Exceeding a Total Vehicle Length of Sixty Feet on Keefer Road
from Hicks Lane to Cohasset Road**

Keefer Road is a two-lane county road connecting State Highway 99 to Cohasset Road in the unincorporated area of North Chico. Keefer Road is made up of two distinct road sections: the major urban collector from State Highway 99 to Hicks Lane, which is approximately 2.2 miles long and 32 feet wide, and the minor rural collector from Hicks Lane to Cohasset Road, which is also approximately 2.2 miles long and reduces to 20 feet wide at its narrowest section. Due to the narrow road widths and the rural nature of the roadway, the proposed ordinance entitled "Commercial Vehicle Length Limit-Keefer Road" will limit commercial vehicles over sixty feet in length on Keefer Road for 2.2 miles between Hicks Lane and Cohasset Road, as allowed per the California Vehicle Code Section 35401. Signs will be posted to prohibit commercial trucks over sixty feet in length from using this section of roadway. Alternate routes are identified as State Highway 99 and Cohasset Road. The Department of Public Works recommends the Board of Supervisors waive the first reading of the ordinance. (Public Works)

Action Requested - WAIVE THE FIRST READING OF THE ORDINANCE

Staff Report

PowerPoint

Joshua Pack, Director of Public Works, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: John Stonebraker (electronically)

Action: WAIVE THE FIRST READING OF THE ORDINANCE

Motion: Supervisor Durfee

Seconded: Supervisor Teeter

Motion passed unanimously.

4.08 Employment Contract for Director of Public Works

Approval is requested for an employment contract with Public Works Director, Joshua Pack. The term of the contract is January 4, 2024 through January 3, 2027. The proposed annual salary is \$194,201, which is a 5% increase. The annual salary shall increase by 3% to \$200,027 beginning January 4, 2025 and by 1.7% to \$203,449 beginning January 4, 2026. (County Administration)

Action Requested - APPROVE THE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Andy Pickett, Chief Administrative Officer, presented this item to the Board.

No Public Comment was received for this item.

Action: APPROVE THE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Durfee

Seconded: Supervisor Ritter

Motion passed unanimously.

4.09 Employment Contract for Agricultural Commissioner/Director of Weights and Measures

Approval is requested for an employment contract with Agricultural Commissioner/Director of Weights and Measures, Luis Mendoza, Jr. The term of the contract is January 11, 2024 through January 10, 2028. The proposed annual salary is \$152,456, which is no change from the previous contract. (County Administration)

Action Requested - APPROVE THE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Andy Pickett, Chief Administrative Officer, presented this item to the Board.

No Public Comment was received for this item.

Action: APPROVE THE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Connelly

Seconded: Supervisor Teeter

Motion passed unanimously.

4.10 Contract with David Bruce Canton D.O., M.P.H., J.D. (Dr. Canton) for Butte County Health Officer

Dr. Canton currently serves as the Butte County Health Officer under an employment contract effective April 30, 2022. Dr. Canton no longer resides in California, prompting the Department of Public Health and Dr. Canton to discharge the employment contract and recommend approval of a professional service agreement with Dr. Canton to serve as interim Health Officer. This contractual change will allow the County to maintain its current Health Officer until recruitment for a new Health Officer is fulfilled. The Department recommends the Board approve a professional service contract with Dr. Canton. The term of the contract is December 23, 2023, through December 22, 2024, not to exceed \$210,002. (Public Health)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Danette York, Director of Public Health, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Julie Threet and Bill Monroe (in person)

Action: APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Ritter

Seconded: Supervisor Teeter

Motion passed unanimously.

4.11 Consideration for Hauled Water as a Permanent Source for Domestic Water

At the October 10, 2023 Board of Supervisors meeting, Supervisor Connelly gave direction to explore alternative solutions to allow for the delivery of domestic water as a permanent source of water for development. A subcommittee of the Drought Task Force consisting of staff from the Butte County Departments of Administration, Public Health/Division of Environmental Health, Development Services, and Water and Resource Conservation met to identify and discuss 1) long-term challenges of providing hauled water to existing residences without water due to drought and/or fire disaster and 2) regulatory requirements for a permanent water source at the time of issuance of a building permit. The State Water Code requires that a permanent water source be identified for building permit issuance with one exception "does not apply to a residence that will be rebuilt because of a fire or natural disaster." Many residences within the Camp and North Complex burn scars are receiving hauled water and are still seeking a permanent water source long-term. Currently, the Governor's Executive Order (EO) N-7-22 allows delivery of water for domestic use for those with dry wells, but this is only a short-term solution. Because of the long-term effects of the drought, the question now is whether hauled water to storage tanks can be a permanent water supply solution. The mechanism to change the law will require legislative advocacy and working with state representatives and lobbyists to amend the California Water Code. The Department recommends the Board of Supervisors provide direction to staff. (Water & Resource Conservation)

Action Requested - PROVIDE DIRECTION TO STAFF

PowerPoint

Staff Report

Kamie Loeser, Director of Water & Resource Conservation, and Paula Daneluk, Development Services Director, presented this item to the Board.

No Public Comment was received for this item.

Action: PROVIDE DIRECTION TO STAFF

The Board directed staff that no further action is required.

4.12 Land Management Software Request for PG&E Settlement Funds

The County's land management software is at end of life and no longer supported. Land management software is used to automate and integrate development processes across County Departments. Multiple wildfire rebuild efforts remain on-going making a working land management software system critical. In 2022, the Board of Supervisors approved contracts for the implementation of Accela, a new land management software, and committed \$1.6 million in PG&E Settlement funds including a project manager for one year, an on-line public facing portal and the first three years of software costs. The Accela Program Board (Program Board) and Implementation Team were created to provide leadership for software migration and to oversee the implementation across the Departments of Development Services, Public Health (Environmental Health), Public Works, Fire, Agriculture, County Administration, and Information Systems. The implementation team, under the leadership of the Program Board, are currently in the process of the Accela implementation and have identified some unmet needs including 1) items not anticipated by the original Scope of Work; 2) opportunities for greater automation to increase efficiencies and 3) the need for additional short term staff support to complete the implementation. To address these needs the Program Board recommends the Board commit \$1,111,827 of PG&E Settlement Funds for changes to the initial scope of work and additional staff for the implementation the software. Butte County received a \$252 million settlement from PG&E for the impacts of the Camp Fire. The County's net settlement was \$206.5 million. On July 21, 2020, the Board of Supervisors directed the PG&E Settlement Fund to be established and committed to County stability, hazard mitigation, and disaster recovery with priority given to projects in the Camp Fire burn scar area, projects that leverage other funding, and projects with an urgent timeline. Including interest, there is \$72.6 million in available, un-programmed PG&E Settlement Funds to date. (County Administration)

Action Requested - COMMIT \$1,111,827 OF PG&E SETTLEMENT FUNDS FOR CHANGE ORDERS AND STAFF COSTS FOR THE IMPLEMENTATION OF LAND MANAGEMENT SOFTWARE

Staff Report

PowerPoint

Danielle Nuzum, Deputy Chief Administrative Officer, presented this item to the Board. Paula Daneluk, Development Services Director, spoke to the item.

The following member(s) of the public submitted Public Comment on this item: John Stonebraker (in person)

Action: COMMIT 25% FROM PG&E SETTLEMENT FUNDS AND 75% FROM APPROPRIATIONS AND CONTINGENCIES FOR CHANGE ORDERS AND STAFF COSTS FOR THE IMPLEMENTATION OF LAND MANAGEMENT SOFTWARE.

Motion: Supervisor Teeter

Seconded: Chair Kimmelshue

Motion passed 4-1 vote.

Ayes: Supervisor Connelly, Durfee, Teeter and Chair Kimmelshue

Nays: Supervisor Ritter

4.13 Resolution Electing Implementation Date of Senate Bill 43 (2023-2024 Reg Session) Statutes 2023, Chapter 637 (SB43)

The Lanterman-Petris-Short (LPS) Act (Welfare and Institutions Code section 5100, et seq.) provides for the evaluation and treatment of a person who is gravely disabled, which is defined to mean a condition in which a person, as a result of a mental health disorder, is unable to provide for their basic personal needs for food, clothing, or shelter. SB 43, signed by the Governor on October 10, 2023, expands the definition of gravely disabled to include a person who, as a result of a mental health disorder, a severe substance use disorder (SUD), or a co-occurring mental health disorder and a severe substance use disorder, or as a result of impairment by chronic alcoholism, is unable to provide for their basic personal needs for food, clothing, shelter, personal safety, or necessary medical care. This expanded definition of gravely disabled becomes effective on January 1, 2024. The responsibility for evaluation and treatment of persons who are gravely disabled fall largely on counties. The expansion of the definition of grave disability will require a significant effort to expand available treatment, workforce, delivery networks, housing capacity, models for locked treatment settings, or models of care for involuntary SUD treatment to successfully meet the conservatorship needs of the population. The breadth of that effort requires more time than SB 43's effective date affords. In recognition of this, Welfare and Institutions Code section 5008, subdivision (h)(4), as enacted by SB 43, provides that a county, by adoption of a resolution by its governing body, may elect to implement the changes made to this section January 1, 2026. The Department recommends that the Board sign and adopt a resolution to implement January 1, 2026 to allow for sufficient time for treatment and other resources to be made available. (Behavioral Health)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

PowerPoint

Resolution 23-167

Scott Kennelly, Director of Behavioral Health, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Andrew Miller, Larry Mitchell, Melissa Kavalich and Shirley Howell (electronically) Shirley Howell and Ron Reed (in person)

Action: ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN - WITH DIRECTION TO STAFF TO PROVIDE UPDATES EVERY FOUR MONTHS AND IF RESOURCES ARE MADE AVAILABLE BEFORE JANUARY 1, 2026, THEN IMPLEMENTATION MAY BEGIN SOONER.

Motion: Supervisor Ritter

Seconded: Supervisor Connelly

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

4.15 Board of Supervisors Public Comment (Continuation as Needed) - Comments to the Board on issues and items not listed on the agenda. Please note that pursuant to California State law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda.

The following member(s) of the public submitted Public Comment on this item: The Cameraman and John Stonebraker (in person)

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

3.30 Contract Amendment Six with Gen-Probe Sales and Services, Inc (Hologic) for Lab Supplies, Testing Kits, and Use of Equipment

The following member(s) of the public submitted Public Comment on this item: Julie Threet (in person)

Action: APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Durfee

Seconded: Supervisor Ritter

Motion passed unanimously.

5. PUBLIC HEARINGS AND TIMED ITEMS

5.01 9:30 AM - Public Hearing - Itemized Costs and Penalties Related to Nuisance Abatement to Record a Lien and Impose a Special Assessment

On March 1, 2023 a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien and special assessment to recover the County's costs for Code Enforcement Case Number CE22-01116 at 2723 Highway 70, Palermo (Assessor's Parcel Number 025-160-147) in the amount of \$103,591.03. (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN AND SPECIAL ASSESSMENT OF \$103,591.03

PowerPoint

Staff Report

Paula Daneluk, Development Services Director, and Chris Jellison, Code Enforcement Division Manager, presented this item to the Board.

No Public Comment was received for this item.

Action: APPROVE THE PROPOSED LIEN AND SPECIAL ASSESSMENT OF \$103,591.03

Motion: Supervisor Durfee

Seconded: Supervisor Connelly

Motion passed unanimously.

5.02 10:00 AM - Public Hearing - Appeal of the Planning Commission's Denial of Tentative Subdivision Map (TSM21-0001)

As previously discussed at the July 25, 2023, Board of Supervisors meeting, the applicant appealed the Planning Commission's denial of Tentative Subdivision Map (TSM21-0001) to subdivide a parcel totaling 22.07 acres into single-family residential parcels within the Butte County Airport Land Use Compatibility Plan B2 zone. The Planning Commission had considered this item at a public hearing held on June 22, 2023 and based on inconsistency with the Butte County Airport Land Use Compatibility Plan as determined by the Butte County Airport Land Use Commission (BCALUC), denied the Tentative Subdivision Map on a 4-0 vote. The appellant then submitted findings for an overrule request on the inconsistency determination made by the BCALUC. The proposed project's density (5.3 dwelling units per acre) is inconsistent with the B2 Compatibility Zone density (0.2 dwelling units per acre), creating a safety issue, and the project site does not meet the infill criteria of the Butte County Airport Land Use Compatibility Plan. The Board of Supervisors considered the overrule request on July 25, 2023, and with a two-thirds vote (4-1) adopted a motion of intent to support the overrule based on findings submitted by the applicant. Subsequently, as required by state law, the findings were then distributed to the BCALUC and the Aeronautics Program of the CalTrans Division of Transportation Planning. Both the BCALUC and Aeronautics Program of the CalTrans

Division of Transportation Planning determined the findings provided do not support an overrule. A 2/3 vote of the legislative body (4/5 vote by the Board of Supervisors) is required pursuant to Public Utilities Code sections 21676.5 and 21670 to approve an overrule. (Development Services)

Action Requested - REVIEW THE COMMENTS FROM THE BUTTE COUNTY AIRPORT LAND USE COMMISSION (ALUC) AND THE CALTRANS DIVISION OF TRANSPORTATION PLANNING IN RESPONSE TO THE BOARD'S MOTION OF INTENT TO SUPPORT THE APPLICANT'S OVERRULE REQUEST AND ADOPT THE RESOLUTION TO OVERRULE ALUC'S INCONSISTENCY DETERMINATION BY A 2/3 VOTE (4/5 VOTE BY THE BOARD OF SUPERVISORS) PURSUANT TO PUBLIC UTILITIES CODE SECTIONS 21676.5 AND 21670

PowerPoint

Staff Report

Resolution 23-169

Paula Daneluk, Development Services Director, presented this item to the Board.

Action: REVIEW THE COMMENTS FROM THE BUTTE COUNTY AIRPORT LAND USE COMMISSION (ALUC) AND THE CALTRANS DIVISION OF TRANSPORTATION PLANNING IN RESPONSE TO THE BOARD'S MOTION OF INTENT TO SUPPORT THE APPLICANT'S OVERRULE REQUEST AND ADOPT THE RESOLUTION TO OVERRULE ALUC'S INCONSISTENCY DETERMINATION BY A 2/3 VOTE (4/5 VOTE BY THE BOARD OF SUPERVISORS) PURSUANT TO PUBLIC UTILITIES CODE SECTIONS 21676.5 AND 21670.

Supervisors Durfee, Connelly and Chair Kimmelshue stated they had ex parte communication on this item.

The following member(s) of the public submitted Public Comment on this item: George Kammerer and John Stonebraker (in person)

Motion: Supervisor Durfee

Seconded: Supervisor Connelly

Motion passed: 4-1 vote.

Ayes: Supervisor Connelly, Durfee, Ritter and Chair Kimmelshue

Nays: Supervisor Teeter

5.03 11:00 AM - Timed Item - Resolution Authorizing Temporary Correctional Deputy I/II Hiring Bonus Program

Correctional Deputy I/II staff recruitment and subsequent retention have presented an ongoing challenge for Butte County for several years despite recent salary increases and traditional efforts to find and keep entry-level staff. Additionally, the lack of adequate staffing associated with recruitment difficulties and turnover has continued to add to the burden on current employees covering the increased and

inequitable distribution of workload. This problem is exacerbated by the need to hire additional staff in order to open and operate the new jail facility which is under construction and on schedule to be completed in 2025. In response to general law enforcement recruitment challenges, several local law enforcement agencies have recently implemented recruitment and retention incentives such as hiring bonuses to attract applicants and maintain public safety staffing at required levels. By authorizing a similar program in Butte County, there is an opportunity to potentially entice qualified applicants to apply for and be successful as Correctional Deputies. The hiring bonuses up to \$10,000 for an Entry-Level applicant (Newly Hired to Butte County) and \$30,000 for a Lateral applicant will present a limited fiscal impact compared to the potentially long-term dividends the program could bring to the Sheriff's Office. The Board of Supervisors is asked to authorize the temporary hiring bonus program, subject to implementation and management by the Human Resources Director. To fund this, the Sheriff's Office has approached the Community Corrections Partnership about using reserves from the 2011 Community Correction Partnership. The Community Corrections Partnership has approved the one-time use of these funds for this purpose. The budget amendment for this action will take place at the end of the fiscal year once the actual costs are known. At that time, the Board will also be asked to allocate 2011 local innovation realignment funds for this purpose. Costs for this program will range from \$110,000 to \$333,000; with a projected outcome of hiring 2-5 laterals which would result in a cost from \$230,000 to \$290,000. (Human Resources and Sheriff)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

PowerPoint

Resolution 23-168

Sheri Waters, Director of Human Resources and Kory Honea, Sheriff, presented this item to the Board.

**The following member(s) of the public submitted Public Comment on this item:
The Cameraman, John Stonebraker, and Julie Threet (in person)**

Action: ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Durfee

Seconded: Supervisor Connelly

Motion passed unanimously.

5.04 1:00 PM - Timed Item - Report from Team CivX and FM3 on Public Opinion Polling and Outreach

During the Fiscal Year 2023-24 budget hearings in June, members of the public urged the Board of Supervisors to consider a revenue measure in order to maintain

library and fire services. On July 7, 2023, County Administration issued a Request for Proposal for public opinion polling and outreach services related to a potential revenue measure and on September 26, 2023 the Board awarded a contract to Team CivX and FM3. Team CivX is the Lead Contractor and FM3 is the sub-contractor. The project is organized into 2 parts: Phase 1 focused on polling and opinion research and Phase 2 includes informational messaging, content regarding funding needs, public presentations, and the development of a ballot measure. Phase 1 has now been completed. Team CivX and FM3 will present the results of the research. (County Administration)

Action Requested - ACCEPT FOR INFORMATION

PowerPoint

Staff Report

Andy Pickett, Chief Administrative Officer, introduced this item to the Board and Joy Kummer, Team CivX, and Richard Bernard, FM3, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Neil Meyer and Sara Denton (electronically) John Stonebraker, Bill Monroe, Elizabeth Griffin and Loran Freeman (in person)

Action: ACCEPT FOR INFORMATION

6. BOARD OF SUPERVISORS CLOSED SESSION

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

- A. Agricultural Commissioner
- B. Behavioral Health Director
- C. Chief Administrative Officer
- D. Chief Probation Officer
- E. Child Support Services Director
- F. County Counsel
- G. Development Services Director

- H. Employment and Social Services Director
- I. General Services Director
- J. Human Resources Director
- K. Information Systems Director
- L. Library Director
- M. Public Health Director
- N. Public Works Director
- O. Water & Resources Conservation Director

6.02 Conference with Labor Negotiator Pursuant to Government Code Section 54957.6: Negotiators: Jack Hughes, Sheri Waters, and Andy Pickett Employee Organizations: Teamsters - General Unit; Teamsters - Social Services Workers Unit; Teamsters - Mid Management Unit; 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; Skilled Trades Unit; Butte County Deputy District Attorneys Association - Attorney Unit; Confidential Employee Unit; Non-Represented Employee Unit; Board of Supervisors Executive Assistants

6.03 1. Real Property Negotiation pursuant to Gov. Code Sec. 54956.8 - one matter:

Property: PG&E's Miocene water rights

Negotiating Parties: PG&E and Butte County

Agency Negotiators: Andy Pickett, Butte County CAO; Mike Schonherr, PG&E

6.04 Closed Session Public Comment

1. **Consent Agenda: These items are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.**

2. **Public Comment:** This is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction. Public Comment is limited to 3 minutes, and may be adjusted at the discretion of the Chair.

3. **Regular Agenda:** This is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.

4. **Public Hearing and Timed Items:** This is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.

5. **Closed Session:** The Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the Closed Session.

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

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

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

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

1. **Consent Agenda:** these are items that are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.
2. **Regular Agenda:** this is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.
3. **Public Hearing and Timed Items:** this is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.

4. Public Comment: this is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction.
5. Closed Session: the Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the closed session.

**Public
Participation:**

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

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

For further information contact the:

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