



BUTTE COUNTY BOARD OF SUPERVISORS

Regular Meeting Agenda

November 7, 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](#)

[Public Comment Packet](#)

1. CALL TO ORDER

[Pledge of Allegiance](#)

[Observation of a Moment of Silence](#)

2A. CORRECTIONS AND/OR CHANGES TO THE AGENDA

Planning Commission Appeal (TSM-210001) was incorrectly noticed in the paper for today's meeting at 9:30 am, but will be noticed and agendaized for the December 12, 2023 Board of Supervisors meeting.

2B. ANNOUNCEMENT(S) OF RECUSAL

None

3. CONSENT AGENDA

A. Supervisors Comments on Consent Agenda Items

B. Adopt Consent Agenda

Action: Approve the Consent Agenda

Motion: Supervisor Durfee

Seconded: Supervisor Connelly

Motion passed unanimously.

3.01 Approval of Board of Supervisors Regular Meeting Minutes

Submitted for approval are the October 24, 2023 Board of Supervisors Regular Meeting Minutes (County Administration)

Action Requested - APPROVE THE OCTOBER 24, 2023, BOARD OF SUPERVISORS REGULAR MEETING MINUTES

Minutes

3.02 Update from the Alliance for Workforce Development (AFWD) on Operations in Butte County

As part of the Northern Rural Training and Employment Consortium, AFWD delivers the federal Workforce Investment Act programs for Adults, Youth, Dislocated Workers, and Businesses throughout Butte County. AFWD has prepared an update for the Board of Supervisors with an update on the status of services provided in Butte County during the 2022-2023 program year. (County Administration)

Action Requested - ACCEPT FOR INFORMATION

Staff Report

3.03 Contract with Nichols Consulting Engineers Chartered (NCE) for Environmental Consultant Services for the Community Development Block Grant-Disaster Recovery (CDBG-DR) Infrastructure Program

The Department of Housing and Community Development, (HCD) allocated Butte County \$72,722,680 for CDBG-DR Infrastructure funds. The Board of Supervisors has authorized staff to execute and deliver all project applications under the Master Standard Agreement (MSA). As directed by the Board, these projects include roads, facilities, and sewage treatment facility improvements. In preparation to submit the applications under the MSA, environmental studies are needed for the facilities projects. A Request for Qualifications for Environmental Consultant Services was issued on July 25, 2023, and the County received six proposals. The selection committee comprised of representatives from the Department of General Services selected NCE of Sacramento as the most qualified respondent. The term of the contract is November 7, 2023 through November 7, 2025; not-to-exceed \$223,100. These expenses are appropriated in the 2023-24 project budgets and are eligible for reimbursement from the CDBG-DR grant. County Administration recommends the Board of Supervisors approve the contract and authorize the Chair to sign. (County

Administration)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

- 3.04 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 Butte County \$72,722,680 for CDBG-DR infrastructure grant funds. The Board of Supervisors has authorized staff to execute and deliver all project applications under the Master Standard Agreement (MSA). As directed by the Board of Supervisors, these projects include roads, facilities, and sewage treatment facility improvements. In preparation for the facilities projects, Labor Compliance Services are needed. A Request for Proposals for Labor Compliance Services was issued on July 5, 2023, and the County received one proposal. The selection committee comprised of representatives from the Departments of General Services and Public Works selected Housing Tools, LLC, of Sacramento, as the most qualified respondent. The term of the contract is November 7, 2023 through October 30, 2028; not-to-exceed \$136,440. These expenses are appropriated in the 2023-24 project budgets and are eligible for reimbursement from the CDBG-DR grant. County Administration recommends the Board of Supervisors approve the contract and authorize the Chair to sign. (County Administration)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

- 3.05 Fiscal Year 2022-23 Year End Budget Adjustments

Each year, as part of the year-end process, an analysis is completed to identify budget adjustments to address deficit budget balances from the previous year. The recommended budget adjustments include net increased appropriations of \$179,082 in various funds, offset by intra-fund transfers and the use of fund balances. (County Administration)

Action Requested - 1) APPROVE FY 2022-23 YEAR END BUDGET ADJUSTMENTS (4/5 VOTE REQUIRED); AND 2) CAPITAL ASSET AUTHORITY FOR BOTH THE DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES 78 TABLE MOUNTAIN CAPITAL PROJECT AND ANNUAL PAYMENT FOR THE TREASURER-TAX COLLECTOR'S TAX SALE MODULE

Staff Report

- 3.06 Behavioral Health Capital Asset Surplus

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

Behavioral Health recommends that the Board declare one mechanical-assist mobile shelving system (shelves for medical records) surplus to the needs of the County as the item is no longer needed by the Department. (Behavioral Health)

Action Requested - DECLARE CAPITAL ASSET SURPLUS TO THE NEEDS OF THE COUNTY

Staff Report

3.07 Amendment to Agreement with Wayfinder Family Services (Wayfinder) for Youth Specialty Mental Health Services (SMHS)

Wayfinder is a nonprofit organization licensed by the State of California to provide specialty mental health treatment and support services in the community. Wayfinder provides SMHS services for vulnerable youth (ages 8 to 14) and transitional age youth (ages 15 to 25) populations. The Board of Supervisors approved an agreement with Wayfinder for SMHS on June 26, 2023. The term of the agreement is July 1, 2023, through June 30, 2024, not-to-exceed \$38,397. The Department of Behavioral Health recommends amending the agreement with Wayfinder. The amendment adds Crisis Intervention services, redistributes SMHS line items, revises the financial summary and rate table to better reflect services provided, and adds rates and duration ranges in accordance with the State's CalAIM reform. The amendment will increase the maximum payable by \$2,095, not-to-exceed \$40,492. All other terms remain the same. (Behavioral Health)

Action Requested - APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.08 City of Chico Request for Consolidation of Measure on Ballot

Chico City Council submits Resolution No. 63-23 calling for an election to be held on March 5, 2024 for the purpose of submitting to the qualified voters the referendum of the Valley's Edge Resolution 09-23 and the General Plan Amendment 08-23. The City of Chico requests the election for these two measures to be consolidated with the Primary Election to be held on March 5, 2024. In addition, the City of Chico is requesting the Butte County Clerk-Recorder's Office to perform all duties to conduct this election for which the City of Chico agrees to reimburse the County. If the measures are approved by a majority of eligible votes cast on the measure, the City of Chico shall adopt the Valley's Edge resolution and the amendment to the General Plan respectively. (Clerk-Recorder)

Action Requested - APPROVE CONSOLIDATION

Staff Report

**The following member(s) of the public submitted Public Comment on this item:
Fal Asrani (in person and electronically)**

3.09 Contract with BPR Consulting Group for Building Permit Services

In June 2023, the Department of Development Services released a request for qualification for vendors to provide plan review, permitting, and inspection services for Building Permits as needed. Three vendors were selected as the most responsive and qualified. The Department of Development Services recommends entering into a contract with BPR Consulting Group, allowing the Department of Development Services to utilize contracted Building Permit services when the demand for such services is in excess of the capacity of County staff. The term of the contract begins January 1, 2024 and ends on December 31, 2029, not-to-exceed \$500,000. (Development Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.10 Contract with CSG Consultants, Inc. for Building Permit Services

In June 2023, the Department of Development Services released a request for qualification for vendors to provide plan review, permitting, and inspection services for Building Permits as needed. Three vendors were selected as the most responsive and qualified. The Department of Development Services recommends entering into a contract with CSG Consultants, Inc., allowing the Department of Development Services to utilize contracted Building Permit services when the demand for such services is in excess of the capacity of County staff. The term of the contract begins January 1, 2024 and ends on December 31, 2029, not-to-exceed \$500,000. (Development Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.11 Contract with TRB & Associates, Inc. for Building Permit Services

In June 2023, the Department of Development Services released a request for qualification for vendors to provide plan review, permitting, and inspection services for Building Permits as needed. Three vendors were selected as the most responsive and qualified. The Department of Development Services recommends entering into a contract with TRB & Associates, Inc., allowing the Department of Development Services to utilize contracted Building Permit services when the demand for such services is in excess of the capacity of County staff. The term of the contract begins January 1, 2024 and ends on December 31, 2029, not-to-exceed \$500,000. (Development Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.12 Contract Amendment with enCodePlus, LLC to add Planning and Zoning Consulting Services

In September 2022, the Department of Development Services entered into a contract with enCodePlus, LLC. The term of the contract was through October 1, 2027, not-to-exceed \$90,905. enCodePlus, LLC provides County staff a tool for managing and reporting Land Use Ordinances to the web, increasing the efficiency of communicating Land Use and related regulations to the community. enCodePlus, LLC offers On-Call Planning and Zoning Consulting Services that the Department of Development Services can utilize as needed to support the design, development, and production of Land Use and related regulatory reports. The Department of Development Services recommends amending the contract with enCodePlus, LLC, to include on-call planning and zoning consulting services, increasing the maximum amount payable by \$34,500, not-to-exceed \$125,405. All other terms remain the same. (Development Services)

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

Staff Report

3.13 Resolution Recognizing November as In-Home Supportive Services Home Care Workers Month

Since the 2000 Proclamation of National Family Caregivers Month by President Bill Clinton, November has been designated as National Family Caregivers Month to honor millions of caregivers across the country who support aging parents, ill spouses or other loved ones with disabilities who remain at home. Celebrated every November, National Family Caregivers Month is a time to raise awareness of care giving issues, educate communities, and increase support for caregivers. The Department of Employment and Social Services recommends the Board of Supervisors adopt a resolution recognizing November 2023 as In-Home Supportive Services Home Care Workers Month. (Employment & Social Services)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-136

Supervisor Ritter read the resolution, Justin Meyers, Lead Union Representative for United Domestic Workers District 6, spoke and received the resolution.

3.14 Resolution Recognizing November as Adoption Awareness Month

The National Adoption Month campaign seeks to increase public awareness of the needs of children waiting for permanent homes, as well as the enduring and valuable contribution of adoptive parents. Butte County recognizes that all children need a place to call home, that provides them with security, support and most of all love. The Department of Employment and Social Services recommends the Board of Supervisors adopt a resolution recognizing November 2023 as Adoption Awareness Month in Butte County. (Employment & Social Services)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-137

- 3.15 Memorandum of Understanding (MOU) with County Library for Continuation of the Access To Technology (ATT) Program and Budget Adjustment

The California Department of Aging created the ATT Program to improve broadband speed and Internet access to adults 60 years of age and older, and adults with disabilities. The Department of Employment and Social Services was awarded funding for the ATT program on October 1, 2022. The funding provides technology and training to older adults and adults with disabilities in Butte County through outreach programs; hardware acquisitions; internet connectivity; and technical training and support. The intention of the ATT Program is to help reduce isolation, increase connections, and enhance self-confidence. The funding for the ATT Program ends December 31, 2023. The Department plans to continue the ATT Program and partnership with the Library to serve older adults and adults with disabilities, and extend the ATT Program to include parents with children living in Butte County. The Department recommends the Board of Supervisors approve an MOU between the Department and the Library for the continuation of the ATT program. The term of the MOU is three years-January 1, 2024 through December 31, 2026, not-to-exceed \$1,000,000. (Employment & Social Services)

Action Requested - APPROVE MOU AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)

Staff Report

- 3.16 Contract Amendment with Northern California Youth and Family Programs for the Transitional Housing Placement Plus (THP-Plus) Program

Northern California Youth and Family Programs provide comprehensive social services to foster care and probation youth by assisting them with the transition to independent adulthood. The THP-Plus Program works with community resources, such as Independent Living Program, education, housing and support services to meet the needs of young adults leaving the foster care system. On June 8, 2021, the Board of Supervisors approved a contract with Northern California Youth and Family Programs for THP-Plus Program services. The term of the contract was July 1, 2021 through June 30, 2022, not-to-exceed \$118,140. The contract was amended on May 24, 2022, to increase the maximum payable amount by \$236,280, not-to-exceed \$354,420 and extend the term through June 30, 2024. The Department of Employment and Social Services has received an allocation from the California Department of Housing and Community Development to allow for the expansion of THP-Plus Programs. The expansion will add five additional participants to the THP-Plus Program, for a total of 10 participants at a time and includes funding for a Housing Navigator to assist youth with finding affordable housing. The Department recommends amending the contract with Northern California Youth and Family

Programs for THP-Plus Program services. The amendment increases the maximum payable amount by \$179,382, not to exceed \$533,802. All other terms remain the same. (Employment & Social Services)

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

Staff Report

3.17 Contract Amendment with Youth for Change for the Transitional Housing Placement Plus (THP-Plus) Program

Youth for Change provides comprehensive social services to foster care and probation youth by assisting them with the transition to independent adulthood. The THP-Plus program works with community resources, such as Independent Living Program, education, housing and support services to meet the needs of young adults leaving the foster care system. On June 8, 2021, the Board of Supervisors approved a contract with Youth for Change for THP-Plus Program services. The term of the contract was July 1, 2021 through June 30, 2022, not-to-exceed \$114,420. The contract was amended on May 10, 2022, to increase the maximum payable amount by \$222,840, not-to-exceed \$334,260 and extend the term through June 30, 2024. The Department of Employment and Social Services received an allocation from the California Department of Housing and Community Development to allow for the expansion of THP-Plus Programs. This expansion will add five additional participants to the THP-Plus program, for a total of 10 participants at a time and includes funding for a Housing Navigator to assist youth with finding affordable housing. The Department recommends amending the contract with Youth for Change for the THP-Plus program services. The amendment increases the maximum payable amount by \$172,662, not to exceed \$506,992. All other terms remain the same. (Employment & Social Services)

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

Staff Report

3.18 Resolution Proclaiming November 2023 as Runaway and Homeless Youth Prevention Month

Runaway and Homeless Youth Prevention Month is a statewide awareness campaign spearheaded each November by the California Coalition for Youth (CCY), its members, supporters, and advocates for youth and young adults experiencing homelessness in California. It also coincides with National Runaway Prevention Month, the national effort of the National Runaway Safeline. The CCY's mission is to increase awareness, advocate, and educate on behalf of youth and young adults experiencing homelessness and youth runaways in California. Through a month-long social media campaign and a variety of events being held by their member organizations, CCY hopes to point out the overlap between at-risk and under-served youth and young adult populations. The Department of Employment and Social Services recommends the Board adopt a resolution recognizing November as

Runaway and Homeless Youth Prevention Month (Employment & Social Services)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-138

Supervisor Teeter read resolution, Josh Indar and Willow Belak, Butte County Office of Education, spoke and accepted the resolution.

3.19 Contract with Parents in Training, Inc. for Wraparound Services

Wraparound services are the practice of partnering with families to provide intensive services to children and families with complex needs using a team-based approach. Parents in Training is an organization that provides Wraparound services with the goal of educating and empowering parents and caregivers in order to create healing environments for the children in their care. Services involve education, intensive family based coaching, therapeutic group sessions, in-home support, and community advocacy. Parents in Training has locations outside Butte County and can assist in providing Wraparound services for Butte County youth in out-of-county placements. The Department of Employment and Social Services recommends entering into a contract with Parents in Training for Wraparound services. The term of the contract is November 7, 2023 through November 6, 2024, not-to-exceed \$195,936. (Employment & Social Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.20 Resolution Approving Cooperative Agreement with California Department of Forestry and Fire Protection (CAL FIRE) for the Fire Prevention & Safety Program, Budget Adjustment, and Capital Asset Purchase

Following the 2017 Honey Fire, the District Attorney secured \$1,500,000 from PG&E for an enhanced Fire Prevention & Safety program. The settlement agreement designates funding for Defensible Space Inspectors, two vehicles, an all terrain vehicle, and other associated costs to effectuate the program. At the June 9, 2020 Board meeting, in support of the Fire Prevention & Safety Program, the Board of Supervisors directed staff to amend Chapter 38A of the Butte County Code, entitled "Fire Prevention and Protection" to add wildfire safety requirements and enforcement provisions in order to mitigate the impacts of future wildfires to Butte County communities. Since February of 2021, the fund has supported one Code Enforcement position to enforce the provisions of Chapter 38A. To continue the efforts of the program, the Butte County Fire Department is requesting use of the settlement funds to carry out the terms of the program, to continue inspections and enforcement and purchase a vehicle. Butte County Fire Department and Cal Fire have prepared a Cooperative Agreement to staff seven positions for six months over the course of two years. The purchase of the vehicle will support the contracted inspectors in completing inspections at a more efficient rate. In addition, the Butte

County Fire Department was recently awarded \$4.9 million through the USDA Community Wildfire Defense Grant Program to implement a 5-year comprehensive year-round Defensible Space Inspection program, in partnership with Development Services Code Enforcement Division, that focuses on community outreach and voluntary compliance while also providing a process to enforce local defensible space and vegetation management regulations for parcels that remain persistently non-compliant. The Butte County Fire Department recommends approval of the cooperative agreement with California Department of Forestry and Fire Protection (CAL FIRE) and adoption of a resolution to staff the Butte County Fire Prevention & Safety Program. The term of the agreement is July 1, 2023 through June 30, 2025, not to exceed \$527,858.00. Additionally recommended is a capital asset purchase and budget adjustment in the amount of \$90,000 for one (1) vehicle to support the program.

Action Requested - 1) ADOPT RESOLUTION AND AUTHORIZE CHAIR TO SIGN; AND 2) APPROVE CAPITAL ASSET PURCHASE AND BUDGET ADJUSTMENT. (4/5 VOTE REQUIRED)

Staff Report

Resolution 23-139

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

3.21 Budget Adjustment for Cost Increase of Capital Asset Purchase

The Butte County Fire Department is requesting approval for cost increase of vehicle asset purchase for two Type VI Fire Engines. The Type VI engines were ordered in Fiscal Year 2020-21, which was a year of widespread labor market difficulty and raw materials shortage as the country struggled with the COVID-19 pandemic. The increase of \$48,134 is due to the increased supplier costs as well as increased labor costs resulting from the COVID-19 pandemic resulting in a total purchase amount increase from \$437,580 to \$485,714. (Fire)

Action Requested - APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)

Staff Report

3.22 Change Order Ratifications and Notice of Completion for the Fire Training Tower Project

On June 28, 2022, the Board of Supervisors approved a contract with American Fire Training Systems, Inc. in the amount of \$499,936 for the fabrication, delivery and installation of a fire training tower located on the fire training facility at 1222 Openshaw Road, Oroville. Through the course of construction, the Department of General Services executed five changes orders totaling \$28,021 to complete the project. The work has been inspected and approved by the Departments of General Services and Development Services. The Department of General Services recommends that the Board ratify the five change orders, accept the work as

complete, and authorize the Chair to sign the Notice of Completion. (General Services)

Action Requested - 1) RATIFY CHANGE ORDERS ONE THROUGH FIVE; 2) ACCEPT THE CONTRACT WORK AS COMPLETE; AND 3) AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION

Staff Report

3.23 Budget Adjustment for Access Control Project at 25 County Center Drive, Oroville for the District Attorney's Office

On August 9, 2022, the Board of Supervisors committed \$160,000 in American Rescue Plan Act funding for the installation of an access control system ("Project") at 25 County Center Drive including the various suite doors to the District Attorney's Office and select common area doors. The Project will allow for an electronically-controlled door lock system that eliminates the frequent access code reprogramming and expensive re-keying when a key is lost, and allows for identifying doors left ajar/unlocked after hours, reducing the opportunity for safety and security events. The access control system will integrate with the security camera system installed in 2022. The 2022 solicitation for the camera system included the potential for future addition of access control, and the same contractor, Gaynor Telesystems, Inc. of Redding, will complete the Project in a contract to be executed by the Department of General Services for a cost of \$164,074. To fund the cost of the contract plus the related project expenses including permitting, hazardous material testing and abatement, project management and contingencies, the Department of General Services and the District Attorney's Office request a budget adjustment in the amount of \$25,000 from the District Attorney's Office budget to the capital project budget. The Departments are seeking a Risk Mitigation Grant in the amount of \$25,000 and will reimburse the District Attorney's Office budget if awarded. (General Services)

Action Requested - APPROVE BUDGET ADJUSTMENT. (4/5 VOTE REQUIRED)

Staff Report

3.24 Resolution to Approve Three Non-exclusive Easement Deeds to Pacific Gas and Electric Company (PG&E) for the Improvement of Underground Utilities

The County of Butte owns the real property identified as Assessor Parcel Numbers 031-040-045, 031-040-047, 031-040-020, and 031-040-023, which comprise much of the Oroville Government Campus. Facilities on these parcels include 3, 5, and 7 Gillick Way and 41 County Center Drive in Oroville (Properties) and public safety facilities occupied by the Sheriff's Office and Probation Department. The Department of General Services has appropriation in the FY 2023-24 budget for the Public Safety Facility Generators Construction Project (Project) which replaces the generator backup systems that support these facilities. Through the engineering for the Project, PG&E determined it necessary to replace and improve the main electrical service to the Properties; therefore, making it necessary to grant non-exclusive easements across three portions of the Properties for the construction,

installation, use and maintenance of the utility lines. Once construction of the lines is complete and accepted, the Easement Deeds will constitute covenants that will run with the lands for the benefit of PG&E. The Department of General Services recommends the Board of Supervisors adopt a resolution approving the conveyance of non-exclusive easement rights to PG&E, and authorize the Director of General Services to execute the Easement Deed and any other documents necessary to complete the conveyance.

Action Requested - 1) ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) AUTHORIZE THE DIRECTOR OF GENERAL SERVICES TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO COMPLETE THE CONVEYANCE

Staff Report

Resolution 23-140

3.25 Side Letter Agreement with Teamsters Mid-Management Unit-Move from CalPERS Health to Teamster's Health

On March 28, 2023 the Board of Supervisors adopted an MOU between the County and the Teamster's Mid-Management Unit. The adopted MOU contained a re-opener regarding the potential move from CalPERS Health Insurance to the Teamsters Health Plan. The County and the Teamsters Mid-Management Unit have met and conferred with respect to transitioning members from CalPERS Health Insurance to the Teamsters Health Plan. This Side Letter Agreement documents the new language needed and the operational changes needed to facilitate this transition. Additionally, the Side Letter Agreement includes the agreed upon language with regards to a limited number of current retirees impacted by this change. The effective date of this transition from CalPERS Health Insurance to Teamsters Health Plan would be January 1, 2024. (Human Resources)

Action Requested - 1) APPROVE SIDE LETTER AGREEMENT; AND 2) AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.26 Side Letter Agreement with Skilled Trades Unit-Move from CalPERS Health to Teamster's Health

On December 13, 2022, the Board of Supervisors adopted an MOU between the County and the Skilled Trades Unit. The County and the employee representative for the Skilled Trades Unit have met and conferred with respect to transitioning members from CalPERS Health Insurance to the Teamsters Health Plan. This Side Letter Agreement documents the new language needed and the operational changes needed to facilitate this transition. The effective date of this transition from CalPERS Health Insurance to Teamsters Health Plan would be January 1, 2024. (Human Resources)

Action Requested - 1) APPROVE SIDE LETTER AGREEMENT; AND 2) AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.27 Contract with OCCU-MED, Ltd. For Pre-Employment Occupational Medical Testing Services

In August of 2023, the Department of Human Resources released a Request for Proposal for pre-employment occupational medical testing services. The two vendors that submitted proposals were OCCU-MED, Ltd. of Fresno, California and Work Health Solutions of San Jose, California. They were scored based on qualifications of staff, experience of the firm/proposed work plan, references, and cost proposal. OCCU-MED was determined to be the highest scoring respondent. The Department of Human Resources recommends entering into a five-year contract with OCCU-MED beginning on November 7, 2023 and ending on November 7, 2028, not-to-exceed \$100,000. (Human Resources)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.28 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: CHILD SUPPORT SERVICES: Add 2 flexibly staffed Child Support Specialist I / Child Support Specialist II / Senior Child Support Specialist positions. Delete 1 vacant flexibly staffed Administrative Analyst I / Administrative Analyst II / Administrative Analyst III / Senior Administrative Analyst position and 2 vacant flexibly staffed Account Clerk I / Account Clerk II / Senior Account Clerk positions. The proposed changes will better meet the current needs of the Department and result in an estimated annual decrease of \$31,949. Total allocations to decrease by 1. DEVELOPMENT SERVICES: Extend the term of 2 flexibly staffed Building Inspector I / Building Inspector II term positions from 12/31/2023 to 6/30/2024. The proposed change is an estimated increase in salary and benefits of \$116,133 that will be funded by the Department until a FEMA Hazard Mitigation grant award is received. The award is anticipated early 2024. Total allocations to remain unchanged. (Human Resources)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-141

3.29 Capital Asset Authority and Contract with mk Solutions, Inc. for Library Radio Frequency ID (RFID) Self-Serve Technology

On August 9, 2022, the Board of Supervisors committed \$300,278 in American Rescue Plan Act (ARPA) funding for upgrades and expansion of the RFID Self-Serve technology in County Libraries. The upgrade will replace current technology at four

branches that has reached end-of-life and adds technology to two additional branches. Patrons will have more accessibility to checkout and return items independent of staff. The Library issued a Request for Proposal for the RFID Self-Serve technology and received four responses; Envisionware, Inc of Alpharetta, GA; FE Technologies of Southlake, TX; Bibliotheca of Norcross, GA; and mk Solutions of York, PA. mk Solutions, Inc. was determined to be the highest scoring respondent. The Library recommends the Board approve a contract with mk Solutions, Inc. The term of the contract is eight years from the date of execution, not-to-exceed \$399,000. The ARPA funding will cover initial implementation and software subscription and support for years one through three (\$300,278). Years four through eight will be paid for by the Library budget (\$98,722). The cost to the Library budget is not a new cost as RFID is an annual operating cost. (Library)

Action Requested - 1) APPROVE CAPITAL ASSET PURCHASE; AND 2) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.30 Grant Agreement with California Department of Public Health (CDPH) for Childhood Lead Poisoning Prevention Program

The Childhood Lead Poisoning Prevention Act was enacted in 1991 to address environmental lead contamination that results in childhood lead exposure. CDPH administers the act, providing grant funding to local jurisdictions. The Department of Public Health receives grant funding for its Childhood Lead Poisoning Prevention Program. The purpose of the program is to provide public health prevention, education and case management services focused on the reduction of lead poisoning in the County. Case management services are provided to children within the county who have been exposed to lead poisoning from circumstances such as deteriorating paint in older homes, houses undergoing renovations, contamination of imported food or toys, and take-home exposure from work sites. The Department recommends entering into a new grant agreement with CDPH for the administration of the Childhood Lead Poisoning Prevention Program. The term of the agreement is July 1, 2023 through June 30, 2026, with a maximum amount receivable of \$226,776. (Public Health)

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

Staff Report

3.31 Adoption of an Ordinance Regarding Partnership HealthPlan of California Commission (PHC)

On September 14, 2021, the Board of Supervisors adopted Ordinance No. 4207 authorizing Butte County to join the PHC to negotiate an exclusive contract with California Department of Health Care Services (DHCS) to provide Medi-Cal managed health care services in Butte County. The PHC successfully negotiated an exclusive contract with DHCS authorizing the expansion into Butte County. On September 1, 2023, DHCS announced PHC has met the criteria for operational readiness and the

2024 Medi-Cal contract requirements. The Departments of Public Health, Behavioral Health and Employment and Social Services recommend the Board repeal Ordinance No. 4207 and replace with a new Ordinance. The new Ordinance authorizes the County to join the existing PHC and implement a county organized health system (COHS) in order to provide the delivery of publicly assisted medical care for Medi-Cal recipients in the County. Under the Ordinance, the Board is required to appoint three commissioners. Upon adoption of the Ordinance, the Departments and the Chief Administrative Officer will provide a recommendation of commissioners to the Board for consideration. On October 24, 2023, the Ordinance came before the Board of Supervisors and the Board voted to waive the first reading. It is now recommended that the Board of Supervisors adopt the Ordinance. Per Section 3(b) of the Ordinance, the Board of Supervisors must appoint three (3) commissioners to serve on the PHC for a term of four (4) years by a majority vote. The Chief Administrative Officer and Directors from the Departments of Behavioral Health, Employment and Social Services and Public Health recommend the following individuals be appointed: Dr. Andrew Miller - Enloe Medical Center; Shelby Boston-Director, Employment and Social Services; and Scott Kennelly, Director, Behavioral Health. (Public Health, Behavioral Health, Employment & Social Services)

Action Requested - 1) ADOPT THE ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPOINT BUTTE COUNTY PHC COMMISSION MEMBERS AS RECOMMENDED

Staff Report

Ordinance 4233

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

- 3.32 Resolution Accepting the Operation, Maintenance, Repair, Rehabilitation & Replacement (OMRR&R) Agreement and Funding from the Flood Maintenance Assistance Program (FMAP) for Named Area 3 - Butte County Public Works

As the Local Maintaining Agency (LMA), the Department of Public Works maintains the Mud and Sycamore Creek levees, part of the Chico area's flood control system (Named Area 3). The County-maintained levee system is an integral part of the State's Plan of Flood Control (SPFC) system, which is eligible for specific programs and funding opportunities through the California Department of Water Resources (DWR). FMAP is one program that provides grant funding to eligible Local LMAs to ensure proper maintenance of SPFC facilities, including levees. The primary objective of FMAP is to ensure SPFC facilities meet the requirements outlined in Title 33, section 208.10, of the Code of Federal Regulations, as well as the applicable Operation and Maintenance Manual requirements. FMAP funding will support the maintenance and development of the Mud and Sycamore Creek levees, including essential documents like the US Army Corp of Engineers' Letter of Intent and the System-wide Improvement Framework Plan. The Department recommends the Board of Supervisors adopt a resolution authorizing the Director of Public Works to execute the funding agreement with DWR and any amendments and take necessary actions to obtain funding for the Named Area 3- Butte County FMAP

Project. The Board of Supervisors approved Resolution 23-094, which authorized the application package on August 22, 2023. Before receiving FMAP funding, a resolution accepting the OMRR&R Agreement is required. This ongoing program will require a resolution accepting the OMRR&R Agreement annually. (Public Works)

Action Requested - 1) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; AND 2) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN THE AGREEMENT

Staff Report

Resolution 23-142

- 3.33 Approve Project Plans and Specifications and Award Contract to Dirt and Aggregate Interchange, Inc. for the East Foothills Metal Beam Guardrail (MBGR) Upgrade Project

On February 14, 2023, the Board of Supervisors authorized the Department of Public Works to advertise and solicit bids for the construction of projects included in the Public Works Infrastructure Master Plan (IMP), which included the East Foothills MBGR Upgrade Project. The project will remove the existing, outdated MBGR and replace it with the current standard Midwest Guardrail System (MGS), which has a taller height, improved end treatments, and additional design features that enhance motorist safety. Approximately 3.57 miles of new MGS will be installed along the following County-maintained roadways: Skyway, from Toadtown Way to Humbug Summit Road; Forbestown Road, from Rex Lane to Weiss Hill Road; Lime Saddle Road; Hurles Circle; Pentz Road; Humboldt Road; Stringtown Road; Hurleton Swedes Flat Road; and Lumpkin Road. The project was advertised on September 21, 2023, and two bids were received on October 12, 2023. The lowest responsive and responsible bidder was Dirt and Aggregate Interchange, Inc. of Fairview, Oregon, with a bid amount of \$797,797. The Department recommends that the Board of Supervisors approve the plans and specifications, award the contract to Dirt and Aggregate Interchange, Inc., and authorize the Director of Public Works to sign the contract and order changes or additions in the work being performed per Public Contract Code section 20142. (Public Works)

Action Requested - 1) APPROVE THE PROJECT PLANS AND SPECIFICATIONS; 2) AWARD THE CONTRACT TO DIRT AND AGGREGATE INTERCHANGE; AND 3) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN THE CONTRACT AND ORDER CHANGES OR ADDITIONS PER PUBLIC CONTRACT CODE SECTION 20142

Staff Report

- 3.34 Contract Amendment with Ontario Systems, LLC, dba Finvi (Finvi) for programming services to make required changes to the Franchise Tax Board (FTB) Intercept File

The Treasurer-Tax Collector's Office has used Finvi software (formerly Columbia Ultimate Inc.) since the inception of the Central Collections Division in 2001. On August 25, 2015, the Board of Supervisors approved the Software Support contract that is currently in place. Since then, there have been seven amendments increasing the maximum payable amount or extending the term that dealt with

reflecting the business name change, performing custom work to incorporate new AB177 Facility Codes, converting the database from a legacy system to a cloud-based system, and general data migration, service continuance, and database upgrades. The FTB is making enhancements to their Annual and Modification Files that requires changes to the layout of the FTB Intercept File. These changes are required to be migrated into production prior to December 31, 2023. The Department recommends amending the contract with Finvi for programming services to make the required changes to the FTB Intercept File. The amendment increases the maximum payable amount by \$3,000, for a revised not-to-exceed amount of \$264,970. All other terms remain the same. (Treasurer-Tax Collector)

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

Staff Report

4. REGULAR AGENDA

4.01 Boards, Commissions, and Committees

A. Appointments to Listed Vacancies

A.1 Nomination of California State Association of Counties (CSAC) Board of Directors Members

Under provisions of the CSAC Constitution, members of the Board of Directors and alternates are nominated by their respective Board of Supervisors to one-year terms of office commencing the first day of the CSAC annual conference. The 2023 conference begins November 13, 2023. Any member of the Board of Supervisors is eligible to be nominated as Director. Appointments will be done by the CSAC Executive Committee. Currently, Chair Kimmelshue is the Delegate Member, and Supervisor Ritter is the Alternate Member. (Other - CSAC)

Action Requested - 1) NOMINATE ONE MEMBER OF THE BOARD OF SUPERVISORS TO THE CSAC BOARD OF DIRECTORS, FOR A TERM OF ONE YEAR BEGINNING NOVEMBER 13, 2023; AND 2) NOMINATE ONE MEMBER OF THE BOARD OF SUPERVISORS AS THE ALTERNATE TO THE CSAC BOARD OF DIRECTORS, FOR A TERM OF ONE YEAR BEGINNING NOVEMBER 13, 2023

Staff Report

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

Action: 1) NOMINATE CHAIR KIMMELSHUE TO THE CSAC BOARD OF DIRECTORS, FOR A TERM OF ONE YEAR BEGINNING NOVEMBER 13,

2023; AND 2) NOMINATE SUPERVISOR DURFEE AS THE ALTERNATE TO THE CSAC BOARD OF DIRECTORS, FOR A TERM OF ONE YEAR BEGINNING NOVEMBER 13, 2023.

**Motion: Supervisor Connelly
Seconded: Supervisor Ritter**

Motion passed unanimously.

A.2 Appointment to the In-Home Supportive Services (IHSS) Advisory Committee (Committee).

Established pursuant to Welfare and Institutions Code section 12301.2, the IHSS Committee provides recommendations and initiates proposals and forwards them to the Board of Supervisors on the preferred modes of service to be utilized in the County for IHSS. Additionally, the Committee provides recommendations to any administrative body in the County that is related to the delivery and administration of IHSS including the governing body and administrative agency of the Public Authority, nonprofit consortium, contractor, and public employees. The Committee consists of 11 members composed of a combination of IHSS recipients, providers, community/agency members, and/or County staff. The Committee recommends the Board appoint Melinda Rayford as Provider Representative, with a term ending December 31, 2026. (Employment & Social Services)

Action Requested - APPOINT MELINDA RAYFORD TO THE IHSS ADVISORY COMMITTEE AS A PROVIDER REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2026

Staff Report

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

Action: APPOINT MELINDA RAYFORD TO THE IHSS ADVISORY COMMITTEE AS A PROVIDER REPRESENTATIVE, WITH A TERM ENDING DECEMBER 31, 2026.

**Motion: Supervisor Connelly
Seconded: Supervisor Ritter**

Motion passed unanimously.

A.3 Appointment to the Biggs-West Gridley Water District in Lieu of an Election

In Biggs-West Gridley Water District, the number of qualified candidates filing for the three Director at Large Board of Directors

seats did not exceed the number of positions to be filled and no petition calling for election was submitted. Pursuant to California Elections Code section 10515, the Butte County Board of Supervisors shall appoint nominees to the seat in lieu of election. Biggs-West Gridley Water District requests that the Board of Supervisors appoint Clark Becker, Dominic Nevis and Charles Sheppard each to four year terms as Directors at Large on the Board in lieu of an election. (Other - Biggs-West Gridley Water District)

Action Requested - APPOINT CLARK BECKER, DOMINIC NEVIS AND CHARLES SHEPPARD EACH TO FOUR YEAR TERMS TO SERVE AS DIRECTOR AT LARGE ON THE BIGGS-WEST GRIDLEY WATER DISTRICT BOARD IN LIEU OF AN ELECTION

Staff Report

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

Action: APPOINT CLARK BECKER, DOMINIC NEVIS AND CHARLES SHEPPARD EACH TO FOUR YEAR TERMS TO SERVE AS DIRECTOR AT LARGE ON THE BIGGS-WEST GRIDLEY WATER DISTRICT BOARD IN LIEU OF AN ELECTION.

Motion: Supervisor Connelly

Seconded: Supervisor Ritter

Motion passed unanimously.

A.4 Appointment to Reclamation District 833 in Lieu of an Election

In Reclamation District 833, the number of qualified candidates filing for the Board of Trustees seat did not exceed the number of positions to be filled and no petition calling for election was submitted. Pursuant to California Elections Code section 10515, the Butte County Board of Supervisors shall appoint nominees to the Board of Trustees seat in lieu of election. Reclamation District 833 requests that the Board of Supervisors appoint Jon Moss to a four year term in lieu of an election pursuant to California Water Code section 50742. (Other - Reclamation District 833)

Action Requested - APPOINT JON MOSS TO SERVE A FOUR YEAR TERM ON THE RECLAMATION DISTRICT 833 BOARD IN LIEU OF AN ELECTION PURSUANT TO CALIFORNIA STATE WATER CODE SECTION 50742

Staff Report

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

Action: APPOINT JON MOSS TO SERVE A FOUR YEAR TERM ON THE RECLAMATION DISTRICT 833 BOARD IN LIEU OF AN ELECTION PURSUANT TO CALIFORNIA STATE WATER CODE SECTION 50742

**Motion: Supervisor Durfee
Seconded: Supervisor Teeter**

Motion passed unanimously.

A.5 Appointment to Rock Creek Reclamation District in Lieu of an Election

In Rock Creek Reclamation District, the number of qualified candidates filing for the Board of Trustees seats did not exceed the number of positions to be filled and no petition calling for election was submitted. Pursuant to California Elections Code section 10515, the Butte County Board of Supervisors shall appoint nominees to the Board of Trustees seat in lieu of election. The Rock Creek Reclamation District requests that the Board of Supervisors appoint Jon Lavy, Daniel Paiva and Jay Payne each to a four year term in lieu of an election pursuant to California Water Code section 50742. (Other - Rock Creek Reclamation District)

Action Requested - APPOINT JON LAVY, DANIEL PAIVA AND JAY PAYNE EACH TO A FOUR YEAR TERM ON THE ROCK CREEK RECLAMATION DISTRICT IN LIEU OF AN ELECTION PURSUANT TO CALIFORNIA WATER CODE SECTION 50742

Staff Report

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

Action: APPOINT JON LAVY, DANIEL PAIVA AND JAY PAYNE EACH TO A FOUR YEAR TERM ON THE ROCK CREEK RECLAMATION DISTRICT IN LIEU OF AN ELECTION PURSUANT TO CALIFORNIA WATER CODE SECTION 50742

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

Motion passed unanimously.

A.6 Appointment to Sacramento River Reclamation District in Lieu of an Election

In Sacramento River Reclamation District, the number of qualified candidates filing for the Board of Trustees seats did not exceed the number of positions to be filled and no petition calling for election was submitted. Pursuant to California Elections Code section 10515,

the Butte County Board of Supervisors shall appoint nominees to the Board of Trustees seat in lieu of election. The Sacramento River Reclamation District requests that the Board of Supervisors appoint Roy Roney and James Strong, each to a four year term on the Board, in lieu of an election pursuant to California Water Code section 50742. (Other - Sacramento River Reclamation District)

Action Requested - APPOINT ROY RONEY AND JAMES STRONG, EACH TO SERVE A FOUR YEAR TERM ON THE SACRAMENTO RIVER RECLAMATION DISTRICT BOARD, IN LIEU OF AN ELECTION PURSUANT TO CALIFORNIA STATE WATER CODE SECTION 50742

Staff Report

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

Action: APPOINT ROY RONEY AND JAMES STRONG, EACH TO SERVE A FOUR YEAR TERM ON THE SACRAMENTO RIVER RECLAMATION DISTRICT BOARD, IN LIEU OF AN ELECTION PURSUANT TO CALIFORNIA STATE WATER CODE SECTION 50742

Motion: Supervisor Durfee

Seconded: Supervisor Connelly

Motion passed unanimously.

A.7 Appointment to the Wyandotte Creek Groundwater Sustainability Agency (Wyandotte Creek GSA) Board of Directors - Domestic Well User Stakeholder Director Primary Position

Domestic Well User Stakeholder Director Primary Position - The Wyandotte Creek GSA is responsible for implementing the provisions of the Sustainable Groundwater Management Act (SGMA) and, specifically, the Wyandotte Creek Subbasin Groundwater Sustainability Plan (GSP) that was adopted in December 2021. The Wyandotte Creek GSA is comprised of three member agencies through a Joint Powers Agreement that includes Butte County, the City of Oroville, and Thermalito Water and Sewer District. The Wyandotte Creek GSA Board of Directors has one seat for each Member Agency and two Stakeholder Directors that consist of an Agricultural Stakeholder and a Domestic Well User Stakeholder. The Stakeholder Directors are appointed by the Butte County Board of Supervisors. The term for the Domestic Well User Stakeholder Director primary position expired on August 27, 2023. The Butte County Clerk of the Board and Department of Water & Resource Conservation issued a notice of vacancy (from August 24 to September 13, 2023) and received one application to fill the Domestic Well User Stakeholder Director position for a term ending four years from the date of appointment. One application was received by the Clerk of the Board from the incumbent, Mr. William

Bynum. Mr. Bynum meets the eligibility requirements for appointment. As per the Joint Powers Agreement Amendment #1, Article 7 Section 7.3(b), the Wyandotte Creek GSA Board of Directors confirms a nomination for the Domestic Well User Stakeholder Director from a list of qualified nominees submitted to Butte County. On October 26, 2023, the Wyandotte Creek GSA Board of Directors recommended that Mr. William Bynum be appointed as the Domestic Well User Stakeholder Director. (Other - Wyandotte Creek GSA)

Action Requested - APPOINT WILLIAM BYNUM TO THE DOMESTIC WELL USER STAKEHOLDER DIRECTOR PRIMARY POSITION ON THE WYANDOTTE CREEK GROUNDWATER SUSTAINABILITY AGENCY BOARD OF DIRECTORS WITH A TERM ENDING NOVEMBER 7, 2027

Staff Report

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

Action: APPOINT WILLIAM BYNUM TO THE DOMESTIC WELL USER STAKEHOLDER DIRECTOR PRIMARY POSITION ON THE WYANDOTTE CREEK GROUNDWATER SUSTAINABILITY AGENCY BOARD OF DIRECTORS WITH A TERM ENDING NOVEMBER 7, 2027.

Motion: Supervisor Connelly

Seconded: Supervisor Ritter

Motion passed unanimously.

B. Board Member / Committee Reports and Board Member Comments

Supervisor Connelly – had nothing to report, as he was on vacation.

Supervisor Durfee – attended Nor Tec Board meeting, met constituent Mr. Taylor regarding Rock Creek and Keefer Slew and had good conversation, met with a Chico State student that was really excited about Butte County and wanted some direction to work in Probation, and went on a wonderful vacation.

Supervisor Teeter – attended Rural County Representative of California (RCRC) ad hoc meeting on insurance, attended Golden State Natural Resources meeting in Tuolumne County, attended Butte County Fire grand opening of the training tower which was a pretty awesome demonstration, spoke in Sacramento regarding the Camp Fire, and RCRC published in the Sacramento Bee an article on Supervisor Tetter.

Supervisor Ritter - attended the local Long Range Master Plan on Aging, First 5 Committee meeting, attended the grand opening of the new Fire tower, and lastly took vacation to officiate sister's wedding.

Chair Kimmleshue – attended several water meetings, Wyandotte Creek GSA, Vina GSA, Sacramento Valley Integrated Regional Water Management meeting, Butte Sub Basin, and California Water Association, attended the dedication of the Fire tower and Chief Sjolund did a great job, well done, was able to attend the celebration of completion of 52 million dollar water supply project at Grey Lodge Wildlife Area which was very nice, and finally attended with his wife the Day of the Dead, Dia de los Muertos, in Gridley which was a great celebration.

- 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, Julie Threet, Sean Reese (in person) Diana Dreiss, Julie Threet, John Stonebraker (electronically)

- 4.03 Authorization to Advertise Projects for Bid and Approval of the 2024 Public Works Infrastructure Master Plan (IMP).

The 2024 IMP represents a five-year, \$114 million investment in the community and establishes a planning and programming mechanism to address community needs better and improve transparency and accountability. Upon approval by the Board of Supervisors, the 2024 IMP will be utilized for future operating budget implementation efforts and will be available on the County's website. Under the Government and Public Contract Codes, the Department of Public Works traditionally requests authorization from the Board to advertise projects for bid and to adopt the project plans and specifications on a project-by-project basis. To improve efficiency in delivering Public Works projects, the Department also requests broader authorization to advertise for projects, in the amount of \$37 million, scheduled for construction in the 2024 IMP. Approving an authorization to advertise projects for bid in this manner will allow the Department to begin advertising projects for construction immediately after project design is complete. Upon completion of the bidding process, the Department will request that the Board approve the construction contract and the project plans and specifications per the Public Contract Code. Any projects not identified in the attached document would require separate action by the Board on a case-by-case basis. (Public Works)

Action Requested - 1) APPROVE THE 2024 PUBLIC WORKS IMP; AND 2) AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO ADVERTISE AND SOLICIT BIDS FOR CONSTRUCTION OF PROJECTS INCLUDED IN THE 2024 IMP; AND 3) APPOINT THE DIRECTOR OF PUBLIC WORKS AS OFFICER OF THE PROJECTS

Staff Report

PowerPoint

Joshua Pack, Director of Public Works, presented the item to the Board. Ashley also presented information to the Board.

Action: 1) APPROVE THE 2024 PUBLIC WORKS IMP; AND 2) AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO ADVERTISE AND SOLICIT BIDS FOR CONSTRUCTION OF PROJECTS INCLUDED IN THE 2024 IMP; AND 3) APPOINT THE DIRECTOR OF PUBLIC WORKS AS OFFICER OF THE PROJECTS.

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

Motion: Supervisor Ritter
Seconded: Supervisor Teeter

Motion passed: 4-1
Ayes: Supervisor Durfee, Ritter, Teeter and Chair Kimmelshue
Nays: Supervisor Connelly

4.04 Contract with Scarberry Trucking, LLC for Export of Landfill Liquids from the Neal Road Recycling and Waste Facility (NRRWF).

On August 16, 2023, the Department of Public Works released an Invitation for Bids (IFB) for hauling and disposal of landfill leachate to Publicly Owned Treatment Works (POTW) receiving facilities. NRRWF relies on leachate exports to sustain on-site storage capacity in the NRRWF liquid waste impoundment to comply with waste discharge requirements. On September 13, 2023, the Department received six bids, and the lowest, most responsive bidder was Scarberry Trucking, LLC of Gridley. Scarberry Trucking, LLC provided unit prices ranging from \$0.075 to \$0.19 per gallon depending on the travel distance to receiving POTW facilities. In recent years, the NRRWF averaged 10,000 to 14,000 gallons per day transported off site. The Department recommends the Board approve a contract with Scarberry Trucking, LLC, for three years, not to exceed \$1,500,000. (Public Works)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

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

Action: APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Connelly
Supervisor: Supervisor Teeter

Motion passed unanimously.

4.05 Cost Share Agreement with Vina Groundwater Sustainable Agency and Wyandotte Creek Groundwater Sustainable Agency (GSA) for a GSA Program Manager

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. Any Member so engaged shall have such responsibilities as set forth in an agreement for such Member's services, which shall be approved by a super-majority vote of the Directors." The GSAs, in coordination with the County, have opted to employ a GSA Program Manager through the County to be housed in the Butte County Department of Water and Resource Conservation. This position would be funded completely by the GSAs. 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 Scope of County Services shall include the appointment of a single employee as the GSA Program Manager, with additional technical services provided by existing County staff or consultants. The Cost Share Agreement also includes details on the duties and responsibilities of the parties to the agreement to make fiscal contributions on a semi-annual basis, in arrears on January 15 and July 15, or on a schedule otherwise agreed upon by all parties. The GSAs will share in the costs on a 70% Vina GSA/30% Wyandotte Creek GSA split for program management and administration with a 50% split for both GSAs for technical services and office costs. Other contract items (i.e., terms, insurance, mutual indemnity, and general provisions) are also described in the Cost Share Agreement. The Exhibit A of the Agreement further elaborates on the scope of services and terms of compensation that are included in the Cost Share Agreement. On October 11, 2023, the Vina GSA Board of Directors unanimously approved the Cost Share Agreement and authorized the Vina GSA Board of Directors Chair to sign. On October 25, 2023, the Wyandotte GSA Board of Directors approved, with a 4-0-1 vote, the Cost Share Agreement and authorized the Wyandotte Creek GSA Board of Directors Chair to sign. (Water & Resources Conservation)

Action Requested - APPROVE THE COST SHARE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Kamie Loeser, Director of Water and Resource Conservation, presented this item to the Board.

Action: APPROVE THE COST SHARE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN.

**Motion: Supervisor Connelly
Seconded: Supervisor Durfee**

Motion passed unanimously.

The Sierra-Sacramento Valley Emergency Medical Services Agency (S-SV EMS) serves as the local EMS agency (LEMSA) for Butte County through a Joint Powers Agreement (JPA) (CA Health & Safety Code Section 1797.200 and CA Government Code Section 6500, et seq.). A LEMSAs may create one or more exclusive ground ambulance operating areas in the development of a local plan, if a competitive process is utilized to select the provider or providers of the services pursuant to the plan (CA Health & Safety Code Section 1797.224). The current Butte County exclusive ground ambulance provider (Butte County EMS, LLC.) was previously selected through a competitive process approximately 10 years ago, and their previous contract expired on September 30, 2023. S-SV EMS conducted a competitive process and Butte County EMS (current provider) was selected as the successful proposer. On September 8, 2023, the S-SV EMS JPA Governing Board of Directors approved a contract with Butte County EMS to ensure that a new EOA is in place. The term of the contract is October 1, 2023- September 30, 2028. Regional Executive Director of S-SV EMS, John Poland will provide an update. (Other - Sierra-Sacramento Valley EMS Agency)

Action Requested - ACCEPT FOR INFORMATION

Staff Report

John Poland, Regional Executive Director, S-SV EMS, presented this item to the Board.

Action: ACCEPT FOR INFORMATION

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

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

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

5. PUBLIC HEARINGS AND TIMED ITEMS

5.01 10:00 AM - Public Hearing - General Plan Amendment, Rezone, and Development Plan (PUD21-0002) for the Enterprise Rancheria

Proposal to develop 12 single-family residences, site improvements, and access roads on a 64.1-acre parcel. The project includes a General Plan Amendment to change the land use designation from Rural Residential to Planned Unit Development, Rezone from RR-5 (Rural Residential, 5-acre minimum parcel size) to PD (Planned Development), and development plan approval. The project also includes abandoning a County "1-foot No Access Strip" easement (RA23-0003)

along the easterly end of the Crane Avenue right-of-way within the Copley Acres Subdivision, west of the project site, which will be scheduled before the Board of Supervisors at a later date. The project site encompasses 64.1 acres east of the Copley Acres Subdivision, off Crane Avenue, 500 feet east of Melrose Drive, in an unincorporated area of Butte County, approx. one mile southeast of the City of Oroville; APN: 079-150-001. An Initial Study and Mitigated Negative Declaration were prepared for the Project in accordance with CEQA. The Mitigated Negative Declaration supports that the Project will not cause a significant adverse effect on the environment because recommended mitigation measures will address potentially significant impacts identified during the review. The Planning Commission considered this item at a public hearing held on September 28, 2023 and recommended adoption of the Mitigated Negative Declaration and approval of the General Plan Amendment, Rezone, and Development Plan to the Board of Supervisors on a 5-0 vote. (Development Services)

Action Requested - 1) ADOPT THE RESOLUTION APPROVING THE MITIGATED NEGATIVE DECLARATION, AMENDING THE GENERAL PLAN LAND USE MAP, AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT THE ORDINANCE AMENDING THE ZONING MAP, APPROVING DEVELOPMENT PLAN, AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

PowerPoint

Resolution 23-143

Ordinance 4234

Rowland Hickel, Senior Planner, Development Services, presented this item to the Board. Paula Daneluk, Director of Development Services, also spoke to the item.

Action: 1) ADOPT THE RESOLUTION APPROVING THE MITIGATED NEGATIVE DECLARATION, AMENDING THE GENERAL PLAN LAND USE MAP, AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT THE ORDINANCE AMENDING THE ZONING MAP, APPROVING DEVELOPMENT PLAN, AND AUTHORIZE THE CHAIR TO SIGN.

The following member(s) of the public submitted Public Comment on this item: Richard Brucker, and Cecil Hamilton (in person); Kent & Kathryn McKenzie, Linda Moore, Philip & Lynndee Caput, Richard Brucker, and Rob Barth (electronically)

Supervisor Connelly stated that he had ex parte communication on this item.

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

Motion passed unanimously.

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 Actual litigation pursuant to Gov. Code Sec. 54956.9(D)(1) - Six Cases:

- A. Chadwick Walberg v. Butte County; Workers' Compensation Appeals Board
Case No: ADJ13908082, Claim #BTWC-551019
- B. Chadwick Walberg v. Butte County; Workers' Compensation Appeals Board
Case No: ADJ18337852, Claim #4A2310LBMTQ-0001
- C. Penny Stratton v. Butte County; Workers' Compensation Appeals Board
Case No: ADJ16044817, Claim #4A2204H235B-0001
- D. Penny Stratton v. Butte County; Workers' Compensation Appeals Board
Case No: Unassigned, Claim #BUAN-551201
- E. Penny Stratton v. Butte County; Workers' Compensation Appeals Board
Case No: Unassigned, Claim #BUAN-551218
- F. Penny Stratton v. Butte County; Worker's Compensation Appeals Board
Case No: Unassigned, Claim #Unassigned 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.

6.04 Closed Session Public Comment

- 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.
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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