



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

OCTOBER 10, 2023

9:00 AM

MEMBERS OF THE BOARD

BILL CONNELLY, DISTRICT 1

PETER DURFEE, DISTRICT 2

TAMI RITTER, DISTRICT 3

TOD KIMMELSHUE, DISTRICT 4

DOUG TEETER, DISTRICT 5

ANDY PICKETT
CHIEF ADMINISTRATIVE OFFICER &
CLERK OF THE BOARD

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

BRAD STEPHENS, COUNTY COUNSEL

1. CALL TO ORDER

Pledge of Allegiance
Observation of a Moment of Silence

Rules of Decorum

The Board of Supervisors welcomes the public to its meetings and encourages and appreciates public engagement. The Board of Supervisors expects members of the public to act in a courteous, civil, and respectful manner. Individuals who address the Board shall not make personal, impertinent, slanderous, or profane remarks to any member of the Board, staff, or the general public. The Board of Supervisors will not tolerate loud, threatening, personal, or abusive language, or disorderly conduct, which disrupts, disturbs, or otherwise impedes the orderly conduct of Board meetings. Violation of these rules of decorum will result in the meeting being recessed.

2A. CORRECTIONS AND/OR CHANGES TO THE AGENDA

2B. ANNOUNCEMENT(S) OF RECUSAL

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

3.01 Resolution In Recognition of Maria Solis Upon her Retirement from The Auditor-Controller's Office
The Auditor-Controller's Office recommends that the Board of Supervisors adopt a resolution recognizing the retirement of Maria Solis upon her retirement on October 30, 2023 after serving the people of Butte County for 22 years – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Auditor-Controller)

3.02 Resolutions Establishing Appropriation Limit for Fiscal Year (FY) 2023-24 - In November of 1979, California voters passed Proposition 4, which added Article XIII B to the State Constitution. This Article establishes limits on the appropriation of proceeds of taxes. Proposition 4 establishes and defines annual appropriation limits on State and local governmental entities based on annual appropriations for the prior fiscal year, adjusted for changes in cost of living and population. Revenues received in excess of appropriations permitted by this measure are required to be

returned by revision of tax rates or fee schedules within the next two subsequent fiscal years, and appropriation limits may be established or temporarily changed by the electorate. The legislation, which implemented Proposition 4 (Government Code Section 7910), requires that a jurisdiction's governing body establish by resolution its appropriation limit for the following fiscal year no sooner than 15 days after documentation used to determine the limit is available to the public. County appropriations are compliant with Proposition 4 limitations, so no further action is required and the potential of future noncompliance is minimal. The FY 2023-2024 Proposition 4 limit is \$226,747,831 and the FY 2023-24 total adjusted appropriations subject to the limit is \$149,616,683. Additionally, all special district appropriations are subject to their respective limits. The Auditor-Controller recommends the Board of Supervisors adopt two resolutions confirming Proposition 4 appropriation limit calculations for the County of Butte and all special districts under the control of the Board of Supervisors for FY 2023-24 – action requested – ADOPT RESOLUTIONS (2) AND AUTHORIZE THE CHAIR TO SIGN. (Auditor-Controller)

- 3.03 Amendment with ExMed, Inc. for Outpatient Psychiatry Services - The Department of Behavioral Health contracts with locum agencies to provide Psychiatrists, Nurse Practitioners/Physician's Assistants, Clinicians, and Nurses due to the shortage of available practitioners for hire. The Department released a Request for Proposal (RFP) on March 18, 2022, received five responses and awarded contracts to all five respondents as follows: AB Staffing of Gilbert, AZ; CA Locums P.C. of Alpharetta, GA; ExMed Inc. of Burbank, CA; Golden State of Alpharetta, GA; and Traditions Behavioral Health of Larkspur, CA. The RFP is good for three years. On May 9 2023, the Board of Supervisors approved a contract with ExMed, Inc. The term of the contract is July 1, 2023 through June 30,2024, not-to-exceed \$35,000. Under the contract ExMed, Inc. supplies psychiatrists to work at various Department Outpatient Clinics either on-site or via telehealth, and assists the Department in meeting the required level of mental health services available to the County. The current needs are projected to exceed the current contract maximum payable amount. The Department recommends amending the contract with ExMed, Inc. for outpatient psychiatry services. The amendment increases the maximum payable amount by \$290,000, not to exceed \$325,000. All other terms remain the same - action requested – APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
- 3.04 Amendment with California Locums, P.C. for Outpatient Psychiatric Services - The Department of Behavioral Health contracts with locum agencies to provide Psychiatrists, Nurse Practitioners/Physician's Assistants, Clinicians, and Nurses due to the shortage of available practitioners for hire. On July 1, 2022, the Department entered into contract with California Locums P.C. in the amount of \$2,298,920 for the fiscal year 2022-23. Due to a decrease in available candidates from other locum agencies, and a need to provide a continuum of care, psychiatrist placements through California Locums P.C. increased resulting in a substantial overage. The Department had budget authority to cover the overage, however the overage was not discovered until the closing of the fiscal year, resulting in an inability to process an amendment to increase the contract amount. The services provided exceeded the contract by \$229,710. The Department and the Auditor-Controller have coordinated an atypical payment process for the expense to accrue to fiscal year 2022-23 to appropriate funds for remittance. To prevent future overage occurrences, the Department has developed a new standard operating procedure for contract monitoring which incorporates a fail-safe with redundancy. Additionally, the Contractor has been provided counseling as to their responsibility regarding monitoring the contract maximum. California Locums, P.C. provided services to ensure continuity of care for clients and continue to play a critical role in the Department's ability to provide care for clients. The Department

recommends that the Board of Supervisors authorize an atypical payment to California Locums, P.C., in the amount of \$229,710 – action requested – APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)

- 3.05 Atypical Payment for Locum Psychiatry Services - California Locums, P.C. - The Department of Behavioral Health contracts with locum agencies to provide Psychiatrists, Nurse Practitioners/Physician's Assistants, Clinicians, and Nurses due to the shortage of available practitioners for hire. On July 1, 2022, the Department entered into contract with California Locums P.C. in the amount of \$2,298,920 for the fiscal year 2022-23. Due to a decrease in available candidates from other locum agencies, and a need to provide a continuum of care, psychiatrist placements through California Locums P.C. increased resulting in a substantial overage. The Department had budget authority to cover the overage, however the overage was not discovered until the closing of the fiscal year, resulting in an inability to process an amendment to increase the contract amount. The services provided exceeded the contract by \$229,710. The Department and the Auditor-Controller have coordinated an atypical payment process for the expense to accrue to fiscal year 2022-23 to appropriate funds for remittance. To prevent future overage occurrences, the Department has developed a new standard operating procedure for contract monitoring which incorporates a fail-safe with redundancy. Additionally, the Contractor has been provided counseling as to their responsibility regarding monitoring the contract maximum. California Locums, P.C. provided services to ensure continuity of care for clients and continue to play a critical role in the Department's ability to provide care for clients. The Department recommends that the Board of Supervisors authorize an atypical payment to California Locums, P.C., in the amount of \$229,710 - action requested – APPROVE ATYPICAL PAYMENT. (Behavioral Health)
- 3.06 Grant Amendment with the Mental Health Services Oversight & Accountability Commission for the Mental Health Student Services Act - On February 1, 2022, Department of Behavioral Health received a Notice of Intent to Award from the Mental Health Services Oversight & Accountability Commission (MHSOAC) for the Mental Health Student Services Act (MHSSA) grant. The grant award is \$4,000,000 with a term expiring June 30, 2026. Funding under this grant program allows the Department to expand access to mental health treatment for children and youth, including campus-based services, and assists to facilitate linkages and access through ongoing and sustained services. Emphasis for the grant will be placed on outreach to include children and youth in foster care; those who identify as lesbian, gay, bisexual, transgender, or queer; or those who have been expelled or suspended from school. The Department recommends amending the agreement with MHSOAC for the MHSSA. The amendment extends the term of the agreement by six months through December 31, 2026, and increases the funding by \$1,079,602, not-to-exceed \$5,079,602 – action requested – APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
- 3.07 Land Conservation (Williamson) Act Contract with Farmland Reserve, Inc. - The Williamson Act Advisory Committee recommends entering into a contract to enroll approximately 40.01 acres owned by Farmland Reserve, Inc., in the Williamson Act. The enrollment consists of one parcel (APN: 047-100-155) located at 5948 Cana Hwy, approximately 4,500 feet west of Hamilton-Nord-Cana Hwy, northwest 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 (LCA23-0003) on September 11, 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 CEQA per Categorical Exemption 15317 Open Space Contracts or Easements - action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

- 3.08 Operational Letter of Understanding between Butte County Fire Department and Hamilton City Fire Department for Fire Rescue Automatic Aid - Renewal of the current Operational Letter of Understanding between the Butte County Fire Department and the Hamilton City Fire Department which defines the areas of automatic-aid, levels of response, resource management and authority, communications, dispatching, and operational guidelines. There is one change in the Operational Letter of Understanding to update the response map. Request for consent to authorize the Fire Chief to sign the Operational Letter of Understanding on behalf of the Board of Supervisors and to authorize any future updates to the agreement – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Fire)
- 3.09 Resolution Approving Grant Agreement with the Department of Forestry and Fire Protection for the Volunteer Fire Assistance Program - The Butte County Fire Department received a grant award from the Department of Forestry and Fire Protection for the Volunteer Fire Assistance Program in the amount of \$20,000. The Grant provides for Wildland Personal Protective Equipment (PPE) to replace old and worn out PPE, safety helmets, gloves, and hoods for Volunteer Firefighters. The grant requires a \$20,000 local match, which is included in the Department's FY 2023-24 budget, for a total of \$40,000. The Department recommends approval of a grant agreement and adoption of a resolution authorizing the acceptance of the grant agreement. The term of the grant agreement is from approval through June 30, 2024 – action requested – ADOPT RESOLUTION AND AUTHORIZE CHAIR TO SIGN. (Fire)
- 3.10 Resolution in Recognition of Raymond Valverde Upon His Retirement from the Department of General Services - The Department of General Services recommends that the Board of Supervisors adopt a resolution recognizing the retirement of Raymond Valverde upon his retirement on September 29, 2023, after 17 years of dedicated service – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (General Services)
- 3.11 Communications Use Lease with U.S. Department of Agriculture, Forest Service for the St. John's Communications Site - The St. John's Communication Site (Site) is part of the Butte County Information Systems Communications structure. The Site is located atop St. John's Mountain in the Glenn County, on U.S. Forest Service land as part of the Mendocino National Forest. In January 1977, the U.S. Department of Agriculture, Forest Service (USFS), granted the County a special use permit to construct and operate the Site comprised of a tower and equipment vault. The permit was amended in 1979 and in 2017 to adopt updates to the USFS site management plan. The USFS has requested to replace the outdated permit with a new Communications Use Lease. The terms of the Communications Use Lease include the waiver of all rent through September 30, 2028 and a waiver renewal process in subsequent five year terms. The term of the lease is upon execution through December 31, 2050. – action requested – 1) APPROVE LEASE AND AUTHORIZE THE CHAIR TO SIGN; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (General Services)
- 3.12 Resolution Honoring Butte County Employees for Dedicated Years of Service - Each year, the Board of Supervisors recognizes employees who have reached service increments of 30, 35, 40, and 45 years of continuous service to Butte County for dedicated years of service. For 2023 the County recognizes Robert Hadley, Allen Jennings, Lisa Salzmman, Tiffany Shaw, and Michele

Townsend for 30 years of service – action requested – ADOPT RESOLUTIONS (5) AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

- 3.13 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:

HUMAN RESOURCES: Amend section 28D of Salary Ordinance No. 4224 of the County of Butte entitled “Social Services Workers’ Unit” by changing the classification title of Social Worker Assistant to Social Services Associate. The associated bargaining group has agreed to this change.

Action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

- 3.14 Budget Adjustment and Capital Asset Purchases (6) - Vehicle Acquisition - The Department of Public Health requests the purchase of six vehicles to add to the Department’s fleet of vehicles. Several new programs have been added that require staff use of county owned vehicles in order to fulfill the needs of the programs. The Department requests the addition of the following: (3) Sedans- Mid Size, 4- Door at \$35,000 each; (1) Compact SUV 4x4 at \$45,000; (2) Full Size Pickups, Extra Cab, Standard Bed half ton at \$50,000 each. The Department recommends the Board of Supervisors approve capital asset authority to purchase six vehicles for a total cost of \$250,000 with corresponding budget adjustment. The purchase will be paid for with Public Health Realignment funds – action requested – 1) AUTHORIZE CAPITAL ASSET PURCHASES (6); AND 2) APPROVE BUDGET ADJUSTMENT. (4/5 VOTE REQUIRED)(Public Health)

- 3.15 Grant Agreement with California Department of Public Health (CDPH) to implement the Local Cannabis Education and Youth Prevention Program – The Department of Public Health has received grant funding from CDPH to implement the Local Cannabis Education and Youth Prevention Program. The two main objectives of the project are 1) Educate County youth on the dangers of cannabis use and risks associated with cannabis exposure and 2) Protect County youth from access and exposure to cannabis and the promotion of cannabis products. The objectives will be met by partnering with Butte County Office of Education and utilizing evidence informed curriculum, Smart Talk: Cannabis Prevention and Awareness, for youth in 6th - 9th grade. The curriculum addresses key factors associated with youth cannabis use, such as, reducing stress, improving coping skills and changing adolescents’ attitudes toward cannabis and common misperceptions. The Department recommends entering into a grant agreement with CDPH to implement the Local Cannabis Education and Youth Prevention Program. The term of the grant agreement is July 1, 2023 through June 29, 2026, with a maximum amount receivable of \$600,000 – action requested – APPROVE GRANT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)

- 3.16 Allocation Agreement with the California Department of Public Health (CDPH) for Tobacco Control Education Program - CDPH provides funding to local agencies for Tobacco control education programs from Proposition 99 (Tobacco Tax and Health Promotion Act of 1988) and Proposition 56 (Cigarette Tax to Fund Healthcare, Tobacco Use Prevention, Research and Law Enforcement). The Department of Public Health houses a tobacco control education program. The focus of the program for fiscal year 2023-24 is as follows: 1) Complete 21 activities with at least one County jurisdiction that may lead to policy change to eliminate the sale and/or distribution of flavored tobacco products and ban smoking and tobacco use in outdoor public places, including: parks, sidewalks, and events; 2) Complete 17 activities with at least one County jurisdiction that may

lead to policy change to prohibit smoking and vaping of all products in multi-unit housing of two or more units; 3) Maintain a community coalition with a minimum of eight diverse organizations in the County, at least half of which will represent priority populations as defined by the Tobacco Education and Research Oversight Committee's Master Plan. The Department recommends entering into an allocation agreement with CDPH to provide services through the Tobacco Education Program. The term of the allocation agreement is July 1, 2023 through June 30, 2024 with a maximum amount receivable of \$311,694 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (Public Health)

- 3.17 Contract with Youth for Change for Wraparound, Child and Family Team (CFT), Mental Health and Counseling Services - Youth for Change is a nonprofit public benefit organization dedicated to supporting and enhancing the well-being of children, individuals, families, and communities. Youth for Change specializes in community collaboration and social services programs with more than 19 major programs serving Butte County and surrounding counties. The Probation Department released a Request for Proposal for a Mental Health Clinician in April 2023 and Youth for Change was the only respondent and was selected. Due to extenuating circumstances, services were provided prior to the execution of the contract under an approved atypical procurement process to ensure the continuation of counseling services to youth in Juvenile Hall. Services under the contract include, wraparound and mental health services, individual, family and group therapy, plan development, case management, rehabilitation, crisis services, and anger management. The Department recommends the Board of Supervisors approve a contract with Youth for Change for wraparound, CFT, Mental Health Treatment and Counseling Services. The term of the contract is July 1, 2023 through June 30, 2024, not-to-exceed \$501,683 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Probation)
- 3.18 Presentation of the Butte County Office of Education (BCOE) Community Partners Award to Butte County Public Works Recognizing the Bicycle Collection Program at the Neal Road Recycling and Waste Facility (NRRWF) – On August 11, 2023, BCOE presented the Department of Public Works with a Community Partners Award. The award is in recognition of the bicycle collection program administered at NRRWF. As part of the program, BCOE staff removes bicycles that would typically be recycled as scrap metal and refurbishes them for use by disadvantaged community members. In 2022, a total of 275 bikes were provided to the community by the BCOE through this program – action requested – ACCEPT FOR INFORMATION. (Public Works)
- 3.19 Contract with RELX, Inc. (RELX) for providing an address search program for unlocated parties with delinquent accounts – RELX provides an address search program to locate parties with delinquent accounts. RELX contracts with the State of California to provide the address search program under state contract 5-23-70-4-01. The Treasurer-Tax Collector's Office recommends entering into a related contract with RELX for unlocated parties with delinquent accounts for the Central Collections and Property Tax Divisions. The term of the contract is January 1, 2024 through December 31, 2027, not-to-exceed \$37,384 – action requested – APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Treasurer-Tax Collector)
- 3.20 Contract Amendment with RT Lawrence Corporation for purchase of new Backup Scanner for Remittance Processing Solution Support - In 2012, the Treasurer-Tax Collector's Office purchased the RT Lawrence Remittance Processing System to interface with the County's Megabyte Property Tax System. The goal was to electronically post and scan upwards of 200,000 payments annually and generate electronic files to transmit directly to the County's bank. Prior to utilizing the

remittance processing system, the Department hand keyed the payments and manually processed the checks for deposit. In 2013, the Board of Supervisors approved a three-year agreement with RT Lawrence Corporation to provide software support services. The agreement has been amended three times to extend the term and increase the maximum amount payable to continue service over the years. The current contract for software support service is in effect until June 30, 2028. After the Board approved the current extension on June 13, 2023, Canon notified RT Lawrence that the backup scanner is at end of life and no longer supported. RT Lawrence has provided a quote for the purchase of a new scanner with support through the contract term. The purchase price includes credits for the return of the unsupported scanner and the annual support already paid this fiscal year on the unsupported scanner. The Department recommends amending the software support contract with RT Lawrence Corporation to purchase the new backup scanner and increase the maximum payable amount by \$2,970, not-to-exceed \$105,700. All other terms remain the same – action requested – APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Treasurer-Tax Collector)

- 3.21 Resolution Recognizing October 2023 as Domestic Violence Awareness Month – As domestic violence affects people of all genders, sexual orientations, ages, racial, ethnic, cultural, social, religious, and economic groups in the United States and in California, Catalyst Domestic Violence Services requests the Board of Supervisors adopt a resolution recognizing October 2023 as Domestic Violence Awareness Month – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Other - Catalyst Domestic Violence Services)
- 3.22 Corrections to Library Advisory Board Member Terms - The Library Advisory Board (LAB) works with local government and the community to support and strengthen the library system and services in Butte County. Each member of the County Board of Supervisors appoints two LAB members to represent their district. These members shall serve terms concurrent with the appointing Supervisor. During the January LAB meeting, members noticed that their term periods do not align with their district Supervisors' term periods. Further investigation concluded that due to past clerical error, some of the terms of the Library Advisory Board members need to be adjusted. The LAB recommends the Board amend members terms as follows: Patrick Newell - District 5 - Term Ends 01/06/2025; Hilary Herman - District 3 - Term Ends 01/04/2027; William Bodnar - District 3 - Term Ends 01/04/2027; Jean K. Ping - District 2 - Term Ends 01/04/2027 – action requested – APPROVE TERM CORRECTIONS. (Other – Library Advisory Board)

4. REGULAR AGENDA

4.01 Boards, Commissions, and Committees

(List available at www.buttecounty.net/clerkoftheboard/appointmentslist)

A. Appointments to Listed Vacancies

- 1) Board Member Appointment to the Vina Groundwater Sustainability Agency Board of Directors – The Vina Groundwater Sustainability Agency (Vina GSA) is responsible for implementing the provisions of the Sustainable Groundwater Management Act (SGMA) and, specifically, the Vina Subbasin Groundwater Sustainability Plan (GSP) that was adopted in December 2021. The Vina GSA is comprised of three member agencies through a joint powers agreement that includes Butte County, the City of Chico, and Durham Irrigation District. There are two GSAs that cooperatively implement the Vina Subbasin GSP through a cooperation agreement. The member agencies each appoint a Regular Member and an Alternate Member to the Vina GSA Board of Directors.

Supervisor Kimmelshue has served as the Regular Member and Supervisor Ritter was appointed to the Alternate seat on January 10, 2023, both with the term ending May 21, 2023. The Vina GSA is requesting that the Board of Supervisors appoint a Board member to serve as a Regular Member and a Board member to serve as Alternate to the Vina GSA Board of Directors with a term end date of October 10, 2027 – action requested – APPOINT ONE BOARD MEMBER TO SERVE AS A REGULAR MEMBER AND ONE BOARD MEMBER TO SERVE AS AN ALTERNATE MEMBER TO THE VINA GSA BOARD OF DIRECTORS WITH A TERM ENDING OCTOBER 10, 2027. (Other – Vina Groundwater Sustainability Agency)

- 2) Appointments to the Vina Groundwater Sustainability Agency Board of Directors - Agricultural Stakeholder Director Primary and Alternate Positions - The Vina Groundwater Sustainability Agency (GSA) was created on April 9, 2019 through the Vina GSA Joint Powers Agreement (Vina JPA) adopted by three member agencies, Butte County, the City of Chico, and the Durham Irrigation District (DID). The Vina GSA is the exclusive agency responsible for implementing the Sustainable Groundwater Management Act (SGMA) and the Groundwater Sustainability Plan (GSP) for its portion of the Vina subbasin. The Vina 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 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 applications from five qualified candidates for the Agricultural Stakeholder Director position on the Vina GSA Board for a term ending on October 10, 2027. The applicants included: Lance Atkins, Steven Koehnen, Andrew Mendonca, Brian Mori, and Jeff Rohwer. Per Section 7.3 of the Vina JPA, the Butte County Board of Supervisors is to appoint the Agricultural Stakeholder Director and an alternate from the list of nominees provided by the Agricultural Groundwater Users of Butte County (AGUBC). The AGUBC provided letters of support for the following four candidates: Steven Koehnen, Andrew Mendonca, Brian Mori, and Jeff Rohwer. Per Section 7.3 of the Vina JPA, the Vina GSA ad-hoc Nomination Committee (consisting of the DID Member Agency Director and City of Chico staff), reviewed the candidates on September 22, 2023, and recommends that the Board of Supervisors appoint Jeff Rohwer to the primary Agriculture Stakeholder Director position and Steve Koehnen to the alternate position – action requested – 1) APPOINT JEFF ROHWER AS PRIMARY AG STAKEHOLDER DIRECTOR TO THE VINA GSA BOARD WITH A TERM ENDING OCTOBER 10, 2027; AND 2) APPOINT STEVE KOEHNEN AS ALTERNATE AG STAKEHOLDER DIRECTOR TO THE VINA GSA BOARD WITH A TERM ENDING OCTOBER 10, 2027. (Other – Vina Groundwater Sustainability Agency)
- 3) Appointments to the Vina Groundwater Sustainability Agency - Domestic Well User Stakeholder Director Primary and Alternate Positions - The Vina Groundwater Sustainability Agency (GSA) was created on April 9, 2019 through the Vina GSA Joint Powers Agreement (Vina JPA) adopted by three member agencies, Butte County, the City of Chico, and the Durham Irrigation District (DID). The Vina GSA is the exclusive agency responsible for implementing the Sustainable Groundwater Management Act (SGMA) and the Groundwater Sustainability Plan (GSP) for its portion of the Vina subbasin. The Vina 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 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 applications from two eligible candidates to fill the Domestic Well User Stakeholder Director position on the Vina GSA Board for a term ending on October 10, 2027. The two applicants include: Evan Tuchinsky and Claudia Rawlins. Per Section 7.3 of the Vina JPA, the Vina GSA ad-hoc Nomination Committee (consisting of the DID Member Agency Director and City of Chico staff), reviewed the candidates on September 22, 2023, and recommended that the Board of Supervisors appoint Evan Tuchinsky to the Domestic Well User Stakeholder Director primary position and Claudia Rawlins to the alternate position – action requested – 1) APPOINT EVAN TUCHINSKY AS PRIMARY DOMESTIC WELL USER DIRECTOR TO THE VINA GSA BOARD WITH A TERM ENDING ON OCTOBER 10, 2027; AND 2) APPOINT CLAUDIA RAWLINS AS ALTERNATE DOMESTIC WELL USER STAKEHOLDER DIRECTOR TO THE VINA GSA BOARD WITH A TERM ENDING ON OCTOBER 10, 2027. (Other – Vina Groundwater Sustainability Agency)

B. Board Member / Committee Reports and Board Member Comments

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

- 4.02 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.
- 4.03 2024 Board of Supervisors Regular Meeting Calendar - Pursuant to Butte County Code section 2-13, Board Meetings are held on the second and fourth Tuesday of each month, with the ability to alter the schedule by a majority vote. Typically, the meeting dates are altered to accommodate the California State Association of Counties Annual Conference, vacations and holidays. The 2024 meeting calendar follows County Code with meetings held on the second and fourth Tuesday of every month with the exception of July, November, and December, which each only have one meeting. Staff recommend the adoption of the Option 1 calendar which has the July meeting as the fifth Tuesday in July providing an extra week to accommodate summer vacations in July, but still leaving two weeks before it and the first meeting in August. Alternatively, the Board could adopt the Option 2 calendar which has the July meeting as the fourth Tuesday in July with an additional week between the July meeting and the first August meeting – action requested – 1) ADOPT OPTION 1 OF THE 2024 BOARD OF SUPERVISORS REGULAR MEETING CALENDAR. (County Administration)
- 4.04 County Facility Deferred Maintenance and Rehabilitation Program and PG&E Settlement Fund Request - Butte County owns 110 facilities. For decades, facility maintenance needs have outpaced available funding, resulting in deferral of substantial maintenance projects and life cycle replacement programs, and the application of stop-gap strategies rather than full scope repairs. For example, some patched roofs have continued to leak and allow water to permeate into walls, rotting the sills and structural beams underneath. In addition, older HVAC unit parts are no longer available, so as units fail their remaining parts are scavenged to keep the remaining units operational. Ultimately, short-term strategies have created increased long-term facilities costs. The Department recommends a three-phased approach to address deferred maintenance and future rehabilitation. Phase I proposes nine critical status deferred maintenance projects, with an estimated costs of \$20.5 million across four years. Phase II proposes the completion of a Facility Condition Assessment (FCA) and Facility Condition Index (FCI). Combined, the FCA and FCI will be used to prioritize and implement Phase III. The estimated costs of Phase II is \$600,000. Phase III includes scheduling and implementing the rehabilitation, renovation, and/or demolition of deferred maintenance projects outlined in the FCA and FCI. The requested cost for Phase III is \$30 million for fiscal years 2023-2033. The Department recommends the Board of Supervisors approve \$50.7 million in PG&E Settlement funds, across 10 years for the County Facility Deferred

Maintenance and Rehabilitation Program. 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 (PG&E Fund) 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 \$123.3 million in available, un-programmed PG&E Funds to date. Since policy adoption, the Board has approved the use of \$89.6 million to 25 projects and the \$50.7 million request would reduce the un-programmed balance to \$72.6 million – action requested – 1) APPROVE THE COUNTY FACILITY DEFERRED MAINTENANCE AND REHABILITATION PROGRAM; AND 2) APPROVE THE PG&E FUND REQUEST. (General Services/County Administration)

- 4.05 Discussion on California Redemption Value (CRV) Buyback Centers in Chico and Butte County - On August 8, 2023, the Board of Supervisors directed the Department of Public Works to bring forward a discussion regarding CRV buyback centers in Chico and Butte County. During the discussion, the Department will present the draft results of its findings to the Board – action requested – ACCEPT FOR INFORMATION. (Public Works)
- 4.06 Discussion on the Neal Road Recycling and Waste Facility (NRRWF) Master Plan - The 2023 NRRWF Master Plan aims to address the future of the NRRWF. The outdated facilities have led to inefficiencies and safety concerns. The Department of Public Works has also struggled to meet emerging regional and State regulatory and permitting requirements. The 2023 Master Plan process attempts to balance the long-term needs for developing required programs with keeping fees as reasonable as possible to eliminate unanticipated consequences such as illegal dumping and cost increases on businesses. Unlike many counties in California, Butte County has the unique advantage of substantial landfill space, providing the opportunity to control waste management costs through the 21st century. By leveraging its considerable solid waste assets regarding site life, prime location, and permitted programs, the County can operate independently and partner with private-sector businesses to deliver cost-effective services while maintaining compliance with State laws and regulations. The 2023 Butte County Master Plan recommends several upgrades to modernize the NRRWF. These include constructing a new access road and scale house, establishing a public drop-off area, building a modern administration building, and creating a "reuse" area and a construction and demolition processing facility. The Department will present the draft results of the study and solicit feedback and input from the Board of Supervisors before finalizing the study later this year – action requested – PROVIDE DIRECTION TO STAFF. (Public Works)
- 4.07 Drought Update - Severe dry weather throughout California from 2020 through the fall of 2022 led to extreme drought conditions in Butte County and the North State. In response to this evolving disaster, several County Departments have been working together to address immediate needs, gather data for analysis, and provide drought relevant information to the public. The Environmental Health Division (EH) of the Public Health Department is tracking well permits, reporting dry wells, and is working with local small water systems to address drought-related well issues. In collaboration with the Department of Water & Resource Conservation (Water), EH is also working to integrate data collected at the County level with State-run programs. From October 1, 2022 to September 22, 2023, Water has been in direct contact with 26 residents who have either called or visited the office to report dry wells or filled out DWR dry well reports. Staff refer those impacted to assistance programs and resources, answer questions about their well and groundwater conditions in their neighborhoods and provide useful information on how to navigate their situation with available resources. The goal is to help residents find both short and long-term solutions for developing resiliency into their water supplies. The County Administration Office of Emergency Management (OEM) continues to work on the immediate

drought relief program. This program provides hauled water and temporary water storage tanks to County residents with drought-related well issues through October 2023. As of September 21, 2023, there are 83 households in the County receiving water deliveries and 51 water storage tanks (2,500 gallon capacity) have been installed for households without water storage capacity. Additionally, County Administration, EH and Water developed a grant application to the State Water Board called the Butte County Drought Resilience and Outreach Project (DROP) to potentially further support the drought effort. – action requested – ACCEPT FOR INFORMATION (Water & Resource Conservation)

- 4.08 Resolution in Support of the California State Association of Counties (CSAC) 'AT HOME' Plan - At the request of Supervisor Kimmelshue, staff prepared a resolution in support of the CSAC 'AT HOME' plan. CSAC's plan advocates for a more comprehensive plan to address homelessness that is less fragmented and more effective than the current approach. The AT HOME plan - using the six pillars of Accountability, Transparency, Housing, Outreach, Mitigation and Economic Opportunity - creates broad goals to help move the state towards a more comprehensive plan to address homelessness – action requested – APPROVE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Supervisor Kimmelshue, District 4)
- 4.09 Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer
- 4.10 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.
- 4.11 Items Removed from the Consent Agenda for Board Consideration and Action

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 9:30 AM – Timed Item - Application for Outdoor Festival License for the Chico Rugby Foundation (MISC23-0031 - Chic-O-Berfest) The Chico Rugby Foundation has submitted an application for an Outdoor Festival License per Chapter 12, Article III. Outdoor Festivals. The festival is proposed for one day, Saturday, October 21, 2023 from 10:00 a.m. to 10:00 p.m. The applicant anticipates a maximum of 500 attendees. The festival site is located at 2500 Estes Road (the end of Estes Road), south and west of Chico (APN 039-410-032, with parking upon APN 039-410-039). The "Chic-O-Berfest" festival is proposed as an all-ages harvest festival including live music performances, food and beverage vendors, and organized games/activities. The Department of Development Services completed an environmental review of the application, completed a site visit and determined since no permanent structures will be built, and temporary nature of the project is categorically exempt from the CEQA, per Section 15304 (e) of the CEQA Guidelines - "Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, etc." The Department recommends that the Board of Supervisors approve the application for an outdoor festival license, subject to the recommended conditions related to: hours of operation, amplified sound, potable water, solid waste management, restroom and hand washing stations, waste water management, encroachment permits for applicable signs, outreach to California Highway Patrol, dust control, traffic control, and a detailed event map with emergency and evacuation plans for the Butte County Fire Department – action requested – 1) FIND THE FESTIVAL TO BE CATEGORICALLY EXEMPT UNDER SECTION 15304(E) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND 2) APPROVE THE APPLICATION FOR AN OUTDOOR FESTIVAL LICENSE (MISC23-0031), SUBJECT TO CONDITIONS. (Development Services)

- 5.02 9:40 AM – Timed Item - Urgency Ordinance Amending Butte County Code Chapter 54 North Complex Fire Recovery - Pursuant to California Constitution Art. XI, section 7 and Government Code sections 25123(d) and 25131, the Department of Development Services recommends the adoption of an Urgency Ordinance pertaining to Butte County Code Chapter 54, "North Complex Fire Recovery." The amendments pertain to Articles II, III, and IV, extending the effective period currently expiring on December 31, 2023 to June 30, 2024, continue to allow temporary housing via an administrative permit through the effective period, and removing the following allowed uses: FEMA temporary housing sites, Truck and Equipment Staging and Laydown Yards, Temporary Log Storage Yards, and Basecamps. The Urgency Ordinance will take effect immediately upon a four-fifths approval of the Board of Supervisors – action requested - 1) WAIVE THE FIRST READING OF THE ORDINANCE; AND 2) ADOPT THE URGENCY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN. (4/5 VOTE REQUIRED) (Development Services)

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 Closed Session Public Comment

Butte County
Department Heads

Agricultural
Commissioner:
Louie Mendoza

Assessor*:
Alyssa Douglass

Auditor-Controller*:
Graciela Gutierrez

Behavioral Health:
Scott Kennelly

Chief Administrative
Officer:
Andy Pickett

Chief Probation Officer:
Melissa Romero

Child Support Services:
Sean Farrell

Clerk-Recorder/
Registrar of Voters*:
Keaton Denlay

County Counsel:
Brad Stephens

Development Services:
Paula Daneluk

District Attorney*:
Mike Ramsey

Employment & Social
Services:
Shelby Boston

Fire Chief:
Garrett Sjolund

General Services:
Michael Hodson

Human Resources:
Sheri Waters

Information Systems:
Paul LaValley

Library:

Public Health:
Danette York

Public Works:
Joshua Pack

Sheriff-Coroner*:
Kory Honea

Treasurer-Tax Collector*:
Troy Kidd

UCCooperative
Extension Advisor:
Luis Espino

Water & Resource
Conservation:
Kamie Loeser

*Elected Official

Information and Procedures Concerning the Agenda and Board of Supervisors Meetings

Meeting Information:

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

Agenda Information:

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

Agenda Format and Meeting Order:

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

1. **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.

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

Disclosure of Campaign Contributions

Pursuant to Government Code section 84308, members of the Board of Supervisors are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the Board member received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the County's decision on the agenda item since January 1, 2023. Members of the Board of Supervisors who have received, and applicants, contractors or their agents who have made, campaign contributions totaling more than \$250 to a Board member since January 1, 2023, are required to disclose that fact for the official record of the subject proceeding. Disclosures must include the amount of the campaign contribution and identify the recipient Board member and may be made either in writing to the Clerk of the Board of Supervisors prior to the subject hearing or by verbal disclosure at the time of the hearing.

For further information contact the:
Clerk of the Board of Supervisors
County Administration Office
25 County Center Drive, Suite 200, Oroville, CA 95965
530.552.3300

Board of Supervisors Agenda – Commonly Used Acronyms:

AB – Assembly Bill	EIR – Environmental Impact Report
APN – Assessor’s Parcel Number	EOC – Emergency Operations Center
AQMA – Air Quality Management Act	EPA – Environmental Protection Agency
ARPA – American Rescue Plan Act	FEIR – Final Environmental Impact Report
BCAG – Butte County Association of Governments	FEMA – Federal Emergency Management Agency
BLUF – Bottom Line Up Front	FY – Fiscal Year
BOE – Board of Equalization	GP – General Plan
BCFD – Butte County Fire Department	IMP – Infrastructure Master Plan
BCGP – Butte County General Plan	JPA – Joint Powers Authority
BCOE – Butte County Office of Education	LAFCO – Local Agency Formation Commission
BCSO – Butte County Sheriff’s Office	MOU – Memorandum of Understanding
BINTF – Butte Interagency Narcotics Task Force	MUP – Minor Use Permit
BRCP – Butte Regional Conservation Plan	NOC – Notice of Completion
CAL FIRE – California Department of Forestry and Fire	NOP – Notice of Preparation
Cal OES – California Office of Emergency Services	OEM – Office of Emergency Management
CalTrans – California Department of Transportation	RFP – Request for Proposals
CDBG – Community Development Block Grant	SB – Senate Bill
CEQA – California Environmental Quality Act	SBFCA – Sutter Butte Flood Control Agency
CSA – County Service Area	SGMA – Sustainable Groundwater Management Agency
DEIR – Draft Environmental Impact Report	SHARP – Self-Help Assistance and Referral Program
DID – Durham Irrigation District	TAC – Technical Advisory Committee
DOT – Department of Transportation	YTD – Year-to-date
DWR – Department of Water Resources	