



BUTTE COUNTY BOARD OF SUPERVISORS

Regular Meeting Agenda

May 9, 2023

8:15 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

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[eComment Tutorial](#)

[Public Comment - Ecomment Report](#)

[Public Comment - Email Report](#)

1. CALL TO ORDER

[Pledge of Allegiance](#)

[Observation of a Moment of Silence](#)

2A. CORRECTIONS AND/OR CHANGES TO THE AGENDA

Item 3.07 second action item should be removed, as it is not needed

Item 3.12 was removed from the Consent Agenda and placed on the Regular Agenda for further Board consideration and discussion

Item 5.03E has been removed from the agenda as a settlement was reached

2B. ANNOUNCEMENT(S) OF RECUSAL

None

3. CONSENT AGENDA

- A. Supervisor Comments on Consent Agenda Items
- B. Adopt Consent Agenda

Action: Approve the Consent Agenda with the exception to item 3.12, which was placed on the Regular Agenda, for further consideration and discussion, and the corrections noted.

Motion: Supervisor Connelly
Seconded: Supervisor Ritter

Motion passed unanimously

- 3.01 Amendment to Joint Powers Agreement (JPA) with Glenn and Colusa County for the Shared Ownership and Use of the Heavy Capacity Weight Truck (HCWT)

In January 2000, Butte, Colusa and Glenn Counties entered into a JPA for the joint purchase and shared use of a HCWT. The HCWT is used by the County Sealers to test and certify heavy capacity scales throughout their respective counties. In October 2021, Glenn County formally withdrew from the JPA after purchasing their own HCWT. Due to California Air Resource Board regulations, starting January 1, 2025 Butte County will no longer will be able to use the HCWT because it will not comply with diesel particulate emission standards, and retrofitting is not an option. Due to low mileage usage and population statistics, Colusa County meets an exemption from these regulations. On March 28, 2023 Colusa County approved the amendment to the existing JPA which would allow for Butte County to transfer ownership to Colusa County starting October 1, 2024 and allow Butte County to keep the maintenance and replacement funds of the HCWT. Currently there is approximately \$72,972 in the HCWT Maintenance and Replacement Fund. The Department of Agriculture recommends the Board of Supervisors approve the amendment to the JPA. (Agriculture)

Action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

- 3.02 Agreement with Casa Serenity, Inc. (Casa Serenity) for Board & Care Residential Services

Casa Serenity operates a 24-hour residential care facility for adults with persistent mental health conditions rendering the client unable to conduct life in societal conditions. This residential facility provides safety, support, structure and individual/group activities for adults in need of mental health services. Casa Serenity assists clients with care and treatment needed for improved stability and potential future transition to an independent living environment. Due to the high level and emergent need for board and care services in Butte County the Department of Behavioral Health contracts with providers who can perform

services required by the Department. The Department recommends entering into an agreement with Casa Serenity to provide 24-hour board and care residential services. The term of the agreement is July 1, 2023 through June 30, 2024 not-to-exceed \$62,050. (Behavioral Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.03 Contract with Cell Staff LLC for Locum Nurse Services

Due to the shortage of nurses, the Department of Behavioral Health contracts with vendors annually to supply nurses to work at various Department clinics, as needed. The Department released a Request for Qualifications (RFQ) on April 1, 2022. The Department received four responses: Maxim Healthcare Staffing Services Inc. (Maxim) of Columbia, MD, Cell Staff LLC of Tampa, FL, ShareSTAFF LLC of Stockton, CA, and Worldwide Travel Staffing Limited of Tonawanda, NY. All respondents were awarded a contract. The RFQ is valid for 3 years. On October 1, 2022 a contract was approved with Cell Staff LLC, the term of the contract was October 1, 2022 through June 30, 2023, not-to-exceed \$92,500. Under the contract, Cell Staff LLC will provide on-site nurse services and coverage to the Department at various Department clinics. The Department recommends entering into a new contract with Cell Staff LLC for locum nurse services. The term of this contract is July 1, 2023 through June 30, 2024, not to exceed \$123,334. (Behavioral Health)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.04 Contract with Maxim Healthcare Staffing Services Inc. for Locum Nurse Services

Due to the shortage of nurses, the Department of Behavioral Health contracts with vendors annually to supply nurses to work at various Department clinics, as needed. The Department released a Request for Qualifications (RFQ) on April 1, 2022. The Department received four responses: Maxim Healthcare Staffing Services Inc. (Maxim) of Columbia, MD, Cell Staff LLC of Tampa, FL, ShareSTAFF LLC of Stockton, CA, and Worldwide Travel Staffing Limited of Tonawanda, NY. All respondents were awarded a contract. The RFQ is valid for 3 years. On October 3, 2022 a contract was approved with Maxim, the term of the contract was October 3, 2022 through June 30, 2023, not-to-exceed \$92,500. Under the contract, Maxim will provide on-site nurses to provide services at various Department clinics. The Department recommends entering into a new contract with Maxim for locum nurse services. The term of this contract is July 1, 2023 through June 30, 2024, not to exceed \$312,000. (Behavioral Health)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.05 Contract with ShareSTAFF LLC for Locum Nurse Services

Due to the shortage of nurses, the Department of Behavioral Health contracts with vendors annually to supply nurses to work at various Department clinics, as needed. The Department released a Request for Qualifications (RFQ) on April 1, 2022. The Department received four responses: Maxim Healthcare Staffing Services Inc. (Maxim) of Columbia, MD, Cell Staff LLC of Tampa, FL, ShareSTAFF LLC of Stockton, CA, and Worldwide Travel Staffing Limited of Tonawanda, NY. All respondents were awarded a contract. The RFQ is valid for 3 years. On October 25, 2022 a contract was approved with ShareSTAFF LLC, the term of the contract was October 1, 2022 through June 30, 2023, not-to-exceed \$92,500. Under the contract, ShareSTAFF LLC will provide on-site nurses to provide services at various Department clinics. The Department recommends entering into a new contract with ShareSTAFF LLC for locum nurse services. The term of this contract is July 1, 2023 through June 30, 2024, not to exceed \$167,500. (Behavioral Health)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.06 Contract with Worldwide Travel Staffing, Limited (Worldwide) for Locum Nurse Services

Due to the shortage of nurses, the Department of Behavioral Health contracts with vendors annually to supply nurses to work at various Department clinics, as needed. The Department released a Request for Qualifications (RFQ) on April 1, 2022. The Department received four responses: Maxim Healthcare Staffing Services Inc. (Maxim) of Columbia, MD, Cell Staff LLC of Tampa, FL, ShareSTAFF LLC of Stockton, CA, and Worldwide Travel Staffing Limited of Tonawanda, NY. All respondents were awarded. The RFQ is valid for 3 years. On September 20, 2022 a contract was approved with Worldwide, the term of the contract was September 20, 2022 through June 30, 2023, not-to-exceed \$92,500. Under the contract, Worldwide will provide on-site nurses to provide services and coverage to the Department at various Department clinics. The Department recommends entering into a new contract with Worldwide for locum nurse services. The term of the contract is July 1, 2023 through June 30, 2024, not to exceed \$123,334. (Behavioral Health)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.07 Contract Amendment to Contract with State of California Department of Rehabilitation (DOR) for Vocational Rehabilitation Services

DOR provides vocational rehabilitation services to eligible adults and transitional age youth which will prepare them with skills necessary to secure and maintain employment. Under this agreement, mutual clients of DOR and the Butte County Department of Behavioral Health will receive the following services: personal, vocational and social adjustment, vocational assessment, employment services, and employment job coaching. These services will be delivered through contracts with Caminar and Dreamcatchers. To qualify for services, clients must be a resident of

Butte County, have a mental health diagnosis, and be a client of the Department. On July 26, 2022, the Board of Supervisors approved an agreement with DOR for the term of July 26, 2022 through June 30, 2025, with DOR contributing \$916,476 in funding and services, and the Department contributing a service match equivalent to \$401,190. DOR has increased the funding they will provide by \$49,730 for FY 2023-24 through 2024-25, with no increase to the matched service provided by the Department. The Department recommends amending the contract with DOR for vocational rehabilitation services. The amendment increases the maximum financial obligation by \$49,730, not-to-exceed \$966,206. All other terms remain the same. (Behavioral Health)

Action requested - 1) APPROVE CONTRACT AMENDMENT; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

The second action item should be removed, as it is not needed.

3.08 Agreement with ExMed, Inc. for Outpatient Psychiatry Services

Due to the shortage of psychiatrists, the Department of Behavioral Health contracts with vendors annually to supply psychiatrists to work at various Department Outpatient Clinics via telehealth, as needed. The psychiatrists provide clinical psychiatric services and assists the Department in meeting the required level of mental health services available to the County. 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. (ExMed) of Burbank, CA , Golden State of Alpharetta, GA, and Traditions Behavioral Health of Larkspur, CA. The RFP is valid for three years. On July 1, 2022 a contract was approved with ExMed Inc., the term of the contract was July 1, 2022 through June 30, 2023, not-to-exceed of \$457,600. The Department recommends entering into a new contract with ExMed for outpatient psychiatry services. Under the contract ExMed Inc. will supply psychiatrists to work at various Department Outpatient Clinics either onsite or via telehealth, as needed. The term of this contract is July 1, 2023 through June 30, 2024, not-to-exceed \$35,000. (Behavioral Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.09 Agreement with Health Advocates Network, Inc. for Locum Clinician Services

Due to the shortage of clinicians, the Department of Behavioral Health contracts with vendors annually to supply clinicians to work at various Department clinics, as needed. The Department released a Request for Proposal (RFP) on December 17, 2021. The Department received two responses: Health Advocates Network Inc. (formerly Staff Today Inc.) of Covina, CA and AB Staffing of Gilbert, AZ. Both respondents were awarded a contract. The RFP is valid for 3 years. On December 13, 2022, a contract was approved with Health Advocates Network Inc. (HAN), the

term of the contract was December 13, 2022 through June 30, 2023, not-to-exceed \$700,000. Under the contract, HAN will provide on-site clinicians to provide services and coverage to the Department at various Department clinics. The Department recommends entering into a new contract with HAN for locum clinician services. The term of this contract is July 1, 2023 through June 30, 2024, not-to-exceed \$91,479. (Behavioral Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.10 Contract with Thomas Cuisine Management LLC dba Thomas Cuisine

The Department of Behavioral Health Psychiatric Health Facility, (PHF) provides inpatient psychiatric care to clients in a locked 16-bed facility. Due to the high level of need for PHF meal services, the Department contracts with local providers who are able to provide the level of service required by the Department. The Department recommends entering into a contract with Thomas Cuisine Management LLC, dba Thomas Cuisine, for the provision of daily meals for inpatient clients at the PHF. The term of the contract is July 1, 2023 through June 30, 2024, not-to-exceed \$94,373. (Behavioral Health)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.11 Capital Asset Purchase - Elections Virtual Server Equipment

The Clerk-Recorder's network server equipment serves as an essential tool to the function of the Department. This equipment is critical in preparing and conducting elections as mandated by law. The Department recommends replacing outdated and failing equipment with new and updated virtual server equipment. Cost savings related to maintenance, hardware, support and energy consumption is expected when compared to the current equipment. The Department recommends the Board of Supervisors approve capital asset authority to purchase specified server equipment. The cost of the new server equipment is \$151,144. The Department has secured a Secretary of State Grant Agreement to reimburse 75% of the total cost or \$113,358. The remaining \$37,786 will be paid for by General Fund and is included in the Departments budget. (Clerk-Recorder)

Action requested - APPROVE CAPITAL ASSET PURCHASE

Staff Report

3.12 Intergovernmental Subrecipient Agreement for Community Development Block Grant

Disaster Recovery Infrastructure Project - The Department of Housing and Urban Development (HUD) allocated \$1 billion in Community Development Block Grant -

Disaster Recovery (CDBG-DR) funding related to the Federal Emergency Management Agency (FEMA) Major Disaster Declarations DR-4382 from July to September 2018 and DR-4407 in November 2018. The California Department of Housing and Community Development (HCD) is the grantee for the CDBG-DR funds. HCD allocated \$317,428,488 of the CDBG-DR funding to the Disaster Recovery Infrastructure Program (DR-Infrastructure). HCD allocated Butte County \$72,722,679 for DR-Infrastructure projects. On October 25, 2022 the Butte County Board of Supervisors approved Resolution No 22-155 establishing funding priorities which included the Sewerage Commission-Oroville Region (SC-OR) plant upgrade and expansion project. The County has requested authorization from HCD to incur Pre-Master Standard Agreement costs. This would allow Butte County to incur costs toward evaluation and development of the applications for the potential projects. HCD sent their approval for this request on February 14, 2023 and it is included with the transmittal. Staff has drafted an Intergovernmental Subrecipient Agreement with SC-OR for grant administration and project set-up costs not to exceed \$220,000. This expense will be reimbursed by CDBG-DR Infrastructure grant funds. (County Administration)

Action requested - APPROVE THE INTERGOVERNMENTAL SUBRECIPIENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Item 3.12 was pulled from the Consent Agenda and placed on the Regular Agenda for further Board consideration and discussion per Supervisor Connelly.

- 3.13 Contract with Russell Gallaway Associates, Inc. (RGA) for Architectural and Engineering Services for Oroville Veterans Memorial Park For All of Butte County (OVMP)

RGA of Chico has been the design firm developing plans and specifications for construction through the last three phases of development of the OVMP. The scope of the proposed contract covers the remaining undeveloped areas of the OVMP and will represent the final design services contract for the project. The scope includes design, engineering and permitting package for bidding purposes to complete construction of the OVMP, as well as quality control oversight through construction. The Department of General Services recommends entering into a contract with RGA for the final phase of the OVMP. The term of the contract is Notice to Proceed through June 30, 2024, not-to -exceed \$44,800. (General Services)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

- 3.14 Lease Amendment with John A. Tedesco Survivors Trust for 88 Table Mountain Blvd, Oroville, for Department of Behavioral Health

The Department of Behavioral Health has occupied 88 Table Mountain Blvd in Oroville since 2007 to operate their Oroville Community Counseling Center. The current lease agreement for the 7,547 square foot facility has a term of January 1,

2018 to December 31, 2022 and an ending base rent rate of \$2.12 per square foot exclusive of utilities and common area maintenance costs. The current lease includes an option to extend for an additional five-year term at a rent rate to be negotiated at the time of extension. In September 2022, the County notified the landlord of its intention to exercise the option to extend the term and the lease has continued in holdover through negotiations. To continue to meet the needs of the Department through development of long term plans for their Oroville facilities, the extended term has been renegotiated to commit to a three-year term with two additional one-year extensions available. The Departments of General Services and Behavioral Health recommend approval of lease amendment with John A. Tedesco Survivors Trust for 88 Table Mountain Blvd, Oroville to extend the lease term to December 31, 2025 with additional optional extensions to December 31, 2027. The base rent rate for the extended term remains at \$2.12 per square foot for the first year with an annual increase of 3% beginning in year two. The cumulative cost of the lease amendment through the initial three-year extension is \$593,194 and if the two additional one-year extensions are taken is a total of \$1,019,751. (General Services)

Action requested - APPROVE LEASE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

- 3.15 Resolution to Amend the Salary Ordinance - The Department of Human Resources recommends the Board of Supervisors adopt a resolution amending the Salary Ordinance for the following departments:

Employment and Social Services: Add 1 flexibly staffed Senior Legal Office Assistant/Legal Office Assistant II/Legal Office Assistant I position and delete 1 Legal Office Assistant II/Legal Office Assistant I/Senior Office Assistant/Office Assistant II/Office Assistant I position. These changes will better meet the needs of the department by allowing additional oversight and leadership within the Legal Office Assistant series and results in an overall annual increase of \$3,000 covered by salary savings. Total allocations to remain the same. Library: Add 2 flexibly staffed Library Assistant I/Library Assistant II TERM positions that are set to end on 12/31/2023. These positions will be funded by State of California Lunch at the Library grant funds. The positions will help the Library Department achieve its strategic goals of creating opportunities for children to access reading and learning through diverse and fun programs. Total allocations increasing by 2. (Human Resources)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-048

- 3.16 Contract Amendment with Consor North America Inc. for Professional Services Related to the Dark Canyon Road 2019 Storm Damage

Dark Canyon Road suffered a road failure during the 2019 winter storms and qualified for FEMA permanent restoration funding. On May 26, 2020, the Board of Supervisors approved a contract with Consor North America (formerly Quincy Engineering) of Sacramento, California, to provide preliminary engineering services and develop a scope and budget for the permanent restoration. The term of the contract is May 26, 2020 through May 26, 2023, not-to-exceed \$534,300. In November 2022, the Department of Public Works amended the contract to recognize Quincy Engineering's change in ownership to Consor North America Inc., and assign the Rights and Obligations to Consor North America, Inc. All other terms remained the same. The permanent restoration scope of services and budget has been completed and the project is ready to move forward. The Department recommends amending the contract with Consor North America Inc. to extend the term through May 26, 2027; increase the maximum payable amount by \$329,800, not-to-exceed \$864,100; and amend the scope of work to include: final design engineering, right-of-way acquisition, bidding assistance, construction support, preparation of record drawings, and revised contractor compensation data. Additional details are provided in the staff report. All other terms remain the same. (Public Works)

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

Staff Report

3.17 Notice of Completion for Groundwater Monitoring Well Project at Neal Road Recycling and Waste Facility

On December 13, 2022, the Board of Supervisors awarded a contract to ABC Liovin Drilling, Inc. of Signal Hill, California, to install groundwater monitoring wells at NRRWF for \$326,260. Contract work is complete and required one contract change order that decreased the contract amount by \$57,665. The total cost of the project is \$268,595. The Department of Public Works recommends that the Board accept the work as complete and authorize the Chair to sign the Notice of Completion. (Public Works)

Action requested - 1) ACCEPT THE CONTRACT WORK AS COMPLETE AND AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION

Staff Report

3.18 Resolution Recognizing May 15, 2023 as Peace Officers Memorial Day and the Week of May 14 through May 20, 2023 as National Peace Officer Memorial Week

May 14, 2023 through May 20, 2023 is National Peace Officer Memorial Week, a time to honor and remember those law enforcement officers who have died in the line-of-duty protecting their communities. In 2022, 11 California peace officers died in the line-of-duty, and 226 officers died nationally while protecting their communities, 70 of which were COVID-19 related. The 11 California officers will be memorialized in Sacramento and the 226 officers killed nationwide will be memorialized in Washington D.C. These memorial ceremonies are a time to

remember the brave and dedicated peace officers who accept a job that is difficult and dangerous. (Sheriff)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-049

Supervisor Durfee read the resolution. Sheriff Kory Honea spoke and accepted the resolution.

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

3.19 Accept Equipment Donation from Butte County Search and Rescue

Butte County Search and Rescue acquired a 2023 Polaris Ranger with a value of \$45,000, a 2021 Polaris Ranger with a value of \$30,000, a 2023 PJ Trailer with a value of \$4,500, and a 2022 Polaris Snowmobile with a value of \$15,500. Search and Rescue will use the equipment to assist the Sheriff's Office when responding to calls for service. The Sheriff's Office will assume the cost to register, maintain, and insure the equipment. The Sheriff's Office recommends accepting the donation of the two Polaris Rangers as capital assets and the trailer and snowmobile as equipment. (Sheriff)

Action requested - ACCEPT DONATION

Staff Report

3.20 Contract with Jiemen Zhou, MD for Forensic Pathology Services

The County Coroner is required to perform autopsies and inquests into certain deaths under Government Code sections 27460 et seq. There are circumstances during which the Coroner must work in consultation with a forensic pathologist certified by the American Board of Pathology. In addition to Butte County Coroner cases, the Sheriff's Office is now providing autopsy services to other counties and is in need of a third pathologist that will be used when other contracted pathologists are not available. Revenue from these counties will cover the costs of the contract services. The Sheriff's Office recommends contracting with Jiemen Zhou, MD for Forensic Pathology Services. The term of the contract begins upon execution and ends three years after execution, not-to-exceed \$540,000. (Sheriff)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

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

3.21 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, some members noticed that their term periods do not align with their district Supervisors' term period. Further investigation concluded that due to past clerical error, some of the terms of the LAB members need to be adjusted. Members who need their terms corrected are as follows: Margaret Bomberg - District 4 - 01/06/2025; Eva Shepherd Nicoll - District 2 - 01/04/2027; Patrick Newell - District 5 - 12/13/2026; and Hilary Herman - District 3 - 01/09/2027. (Other - Library Advisory Board)

Action requested - APPROVE TERM CORRECTIONS

Staff Report

4. REGULAR AGENDA

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

A. Appointments to Listed Vacancies

4.01. A1. Reappointment to the Planning Commission

The Planning Commission is a five member commission that acts on matters related to planning and development and advises the Board of Supervisors on various land use matters. Some of their objectives are to prepare and adopt a comprehensive, long-term general plan for the physical development of Butte County; to develop a plan for the conservation, development, and economic utilization of the natural resources of this County; and generally to conserve and promote the public health, safety, and general welfare. Each member of the Board of Supervisors may nominate one member of the commission, and each commission member shall be appointed by the Board. Supervisor Ritter nominates Henry Schleiger to be reappointed to the Planning Commission, as the District 3 Commissioner, with a term ending January 2, 2027. (District 3)

Action requested - REAPPOINT HENRY SCHLEIGER TO THE PLANNING COMMISSION, AS THE DISTRICT 3 COMMISSIONER WITH A TERM ENDING JANUARY 2ND, 2027

Staff Report

Kayla Reaster, Assistant clerk of the Board, presented this item to the Board.

No public comment was submitted for this item.

Action: REAPPOINT HENRY SCHLEIGER TO THE PLANNING COMMISSION, AS THE DISTRICT 3 COMMISSIONER WITH A TERM ENDING JANUARY 2ND, 2027

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

Motion passed unanimously

4.01. A2. Appointments to Disabled Access Appeals Board

The Disabled Access Appeals Board hears and rules on appeals of the Development Services Department based on Disabled Access Laws. The Board of Appeals shall consist of five members comprised of the following: two members who are persons with disabilities; two members experienced in construction; one member of the public. Each member shall be appointed to two-year terms ending on January 18, 2025. The Department of Development Services requests that the following appointments be made to the Disabled Access Appeals Board: Andrew Wood to a Person Experienced in Construction Seat; Donald Russell to a Person Experienced in Construction Seat; John Starr to a Person with a Disability Seat; Ricky Mauldin to a Person with a Disability Seat; and Amy Rohrer to the Member of the Public Seat. (Other - Disabled Access Appeals Board)

Action requested - APPOINT ANDREW WOOD TO A PERSON EXPERIENCED IN CONSTRUCTION SEAT; DONALD RUSSELL TO A PERSON EXPERIENCED IN CONSTRUCTION SEAT; JOHN STARR TO A PERSON WITH A DISABILITY SEAT; RICKY MAULDIN TO A PERSON WITH A DISABILITY SEAT; AND AMY ROHRER TO THE MEMBER OF THE PUBLIC SEAT ALL TO TWO-YEAR TERMS ENDING JANUARY 18, 2025

Staff Report

Kayla Reaster, Assistant clerk of the Board, presented this item to the Board.

No public comment was submitted for this item.

Action: APPOINT ANDREW WOOD TO A PERSON EXPERIENCED IN CONSTRUCTION SEAT; DONALD RUSSELL TO A PERSON EXPERIENCED IN CONSTRUCTION SEAT; JOHN STARR TO A PERSON WITH A DISABILITY SEAT; RICKY MAULDIN TO A PERSON WITH A DISABILITY SEAT; AND AMY ROHRER TO THE MEMBER OF THE PUBLIC SEAT ALL TO TWO-YEAR TERMS ENDING JANUARY 18, 2025

Motion: Supervisor Ritter
Seconded: Supervisor Durfee

Motion passed unanimously

4.01. A3. Appointments to the Local Appeals Board

The Local Appeals Board hears appeals brought by any person adversely affected by the application of any California Building Standards Code, Local Building Ordinance, or rule or regulation being enforced by the County of Butte. The Local Appeals Board shall not meet regularly, but shall only convene as necessary to hear appeals. The Local Appeals Board shall be comprised of five members who are to be appointed by the Board of Supervisors to four year terms. The Department of Development Services shall determine whether individuals are qualified to serve on the Local Appeals Board. The Department shall submit the names of the qualified individuals to the Board of Supervisors for appointment. In addition, the Board of Supervisors shall appoint two alternate members. The Department of Development Services requests that the following appointments be made to the Local Appeals Board: Andrew Wood to a General Contractor Seat; John Starr to a General Contractor Seat; Donald Russell to the Engineer/Member of the Public Seat; Ricky Mauldin to the Retired Code Official/Member of the Public Seat; Amy Rohrer to a Member of the Public Seat; and Richard Doan to a Member of the Public Alternate Seat. Each member shall be appointed to a four-year term ending on June 30, 2027. (Other - Local Appeals Board)

Action requested - APPOINT ANDREW WOOD TO A GENERAL CONTRACTOR SEAT; JOHN STARR TO A GENERAL CONTRACTOR SEAT; DONALD RUSSELL TO THE ENGINEER/MEMBER OF THE PUBLIC SEAT; RICKY MAULDIN TO THE RETIRED CODE OFFICIAL/MEMBER OF THE PUBLIC SEAT; AMY ROHRER TO A MEMBER OF THE PUBLIC SEAT; AND RICHARD DOAN TO A MEMBER OF THE PUBLIC ALTERNATE SEAT ALL WITH TERMS ENDING JUNE 30, 2027

Staff Report

Kayla Reaster, Assistant clerk of the Board, presented this item to the Board.

No public comment was submitted for this item.

Action: APPOINT ANDREW WOOD TO A GENERAL CONTRACTOR SEAT; JOHN STARR TO A GENERAL CONTRACTOR SEAT; DONALD RUSSELL TO THE ENGINEER/MEMBER OF THE PUBLIC SEAT; RICKY MAULDIN TO THE RETIRED CODE OFFICIAL/MEMBER OF THE PUBLIC SEAT; AMY ROHRER TO A MEMBER OF THE PUBLIC SEAT; AND RICHARD DOAN TO A MEMBER OF THE PUBLIC ALTERNATE

SEAT ALL WITH TERMS ENDING JUNE 30, 2027

Motion: Supervisor Connelly

Seconded: Supervisor Ritter

Motion passed unanimously

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

Supervisor Durfee – attended the Crime Victim United event in Sacramento, attended the Nor Tech Board meeting in Anderson, attended the Investment Pool Oversight meeting, met with the Chico Chamber CEO, attended the Chico Joint Powers Authority (JPA) meeting with Supervisor Ritter, attended a Candlelight vigil, and attended the CA Peace Officers memorial

Supervisor Teeter- attended the Upper Ridge Community Council meeting, Rural County Representatives of California (RCRC) Executive Committee meeting, attended the Golden State Natural Resources Board meeting, went on a county road tour with Josh Pack – Director of Public Works, and attended a planning meeting in Cohasset

Supervisor Connelly – attended the North Sac Valley Integrated Regional Management meeting, attended the Fire Safe council meeting, attended the Local Agency Formation Commission (LAFCO) meeting, attended the Leg meeting, and helping constituents

Supervisor Ritter – attended the Long Range Master Plan on Aging meeting, attended the Air Quality meeting, attend the Butte County Association of Government (BCAG) meeting, attended the Joint Powers Authority (JPA) meeting, met the new CPU liaison

Chair Kimmelshue – Chico Enterprise Record article for B-Line electric busses being purchased over the next several years Butte County Association of Government (BCAG) has been working on

- 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 (electronically) Diana Dreiss, Julie Threet, and Tara Pash (in person)

- 4.03 Agreement with Crestwood Behavioral Health, Inc. (Crestwood) for Residential Treatment Services

Crestwood operates skilled nursing facilities, mental health rehabilitation centers, and institutes for mental disease, which provide behavioral intervention and psychological and social rehabilitation to clients with mental disorders in secure residential settings. This agreement will provide access to 26 facilities for client referrals based on the level of client need and available capacity across the Crestwood system of care. The Department of Behavioral Health recommends entering into an agreement with Crestwood to provide behavior modification, skilled nursing, case management, and pre-vocational and life skills training to clients referred by the Department. The agreement funds the equivalent of approximately fifteen beds for the entire fiscal year. The term of the agreement is July 1, 2023 through June 30, 2024, not-to-exceed \$1,828,611. This agreement is not measured in terms of number of clients served, as the length of stay varies based on each client's specific needs. (Behavioral Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

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

No public comment was submitted for this item

Action: APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Ritter

Seconded: Supervisor Durfee

Motion passed unanimously

4.04 Contract with Global Office Inc. for County-Wide Multi-Function Device Lease with Service, Maintenance of County Owned/Rented Desktop Printers/Scanners and As Needed Short Term Rental of Multi-Function Devices

In January 2023, the Department of General Services published a Request for Proposals (RFP) for a five year contract for multi-function device lease, service and maintenance. Three companies responded with proposals and Global Office Inc. submitted the highest scoring proposal. This contract will provide for the replacement of approximately 200 copiers, scanners, and multi-function devices located in approximately 70 locations throughout County buildings. At the April 11, 2023 Board of Supervisors meeting, the Department recommended entering into a contract with Global Office Inc. for the leasing of multi-function devices with service and maintenance, service and maintenance of County owned or rented desktop printers and scanners and as-needed short term multi-function device rental with service and maintenance. The Board directed staff to return with a presentation on the RFP process. Staff has prepared a presentation and recommends that the Board approve a contract with Global Office Inc. The term of the contract is May 9, 2023 through June 30, 2028, not-to-exceed \$2,500,000. (General Services)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

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

The following member(s) of the public submitted Public Comment on this item: Ray Morgan, John Gallegos, Richard Whitlock, Jim Scarff, Greg Martin, Mike Waysong, Reid Scaff, Kyle Williams, Eric Kennedy, Vincent Rodriguez, and Jason Milan (electronically) Jim Scarff, Mike Drakulio, Spiro Theveos, Steve Tarpley, Reid Scarf, and Paul Bruun (in person)

Action: APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

**Motion: Supervisor Teeter
Seconded: Supervisor Ritter**

Motion passed 4-1 vote

**Ayes: Supervisor Durfee, Teeter, Ritter and Chair Kimmelshue
Nays: Supervisor Connelly**

4.05 Grant Agreement with California Department of Public Health (CDPH) for the Immunization Assistance Program (IAP).

The Department of Public Health has received grant funding from CDPH to participate in the IAP Program. The IAP is a federally funded program to assist local health departments in preventing and controlling vaccine-preventable diseases. Prevention, surveillance and outbreak control activities help reduce illness, disability and death due to preventable disease including as polio, diphtheria, tetanus, pertussis, and hepatitis B. The IAP program has been a component of the Department for many years. In FY 2020-21 federal funding was expanded for activities related to COVID-19 vaccination planning and education. Activities related to the expanded funding will be utilized on education and outreach to communicate accurate vaccine information, promote vaccination within vulnerable populations and address vaccine hesitancy questions/concerns. The expanded funding and additional scope of work activities are available through FY 2024-25. Any expanded funds unspent will continue to roll into the next fiscal year until they expire June 30, 2025. The term of the agreement is July 1, 2022 through June 30, 2027 with a maximum amount receivable of \$2,665,420 (\$2,415,636 in the current fiscal year and \$62,446 each subsequent year). (Public Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

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

The following member(s) of the public submitted Public Comment on this item: Julie Threet and Angela Casler (electronically) Julie Threet and Diana Dreiss (in person)

Action: APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Ritter
Seconded: Supervisor Durfee

Motion passed unanimously

4.06 Contract with American Pavement Systems for the Cal-Recycle Rubberized Chip Seal 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). The Cal-Recycle Rubberized Chip Seal project is included in the IMP and consists of installing a rubberized chip seal on roads in and around the community of Nord. The Department advertised for bids on March 14, 2023 and a total of five bids were received on April 6, 2023. The lowest responsive and responsible bidder was American Pavement Systems, Inc. of Modesto, with a bid amount of \$1,255,400. The Department received a Cal-Recycle Rubberized Pavement Grant in the amount of \$218,079 to utilize recycled-content surfacing products derived from waste tires generated in California to decrease the adverse environmental impacts created by unlawful disposal and stockpiling of waste tires. Rubberized materials are a proven road paving material that has been used in California since the 1970s. It is made by blending ground tire rubber with asphalt binder mixed with conventional aggregate materials. The grant helps pay for the increased costs of including rubberized products in the traditional chip seal process. A rubberized chip seal may last up to twice as long as a traditional chip seal, making it a cost efficient option for future chip seal projects. The Department recommends that the Board award the contract to American Pavement Systems, Inc., approve the plans and specifications, and authorize the Director of Public Works to sign the contract and order changes or additions in work performed per Public Contract Code section 20142. (Public Works)

Action requested - 1) AWARD THE CONTRACT TO AMERICAN PAVEMENT SYSTEMS, INC.; 2) APPROVE THE PLANS AND SPECIFICATIONS; AND 3) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN THE CONTRACT AND ORDER CHANGES PER PUBLIC CONTRACT CODE SECTION 20142

Staff Report

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

No public comment was submitted for this item.

Action: 1) AWARD THE CONTRACT TO AMERICAN PAVEMENT SYSTEMS, INC.; 2) APPROVE THE PLANS AND SPECIFICATIONS; AND 3) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN THE CONTRACT AND ORDER CHANGES PER PUBLIC CONTRACT CODE SECTION 20142

Motion: Supervisor Durfee
Seconded: Supervisor Teeter

The motion passed unanimously

4.07 Contract, Plans and Specifications with Knife River Construction for the Miners Ranch Road Rehabilitation 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 2023 Public Works Infrastructure Master Plan (IMP). The IMP included the restoration of Miners Ranch Road in response to damage from the 2020 North Complex Fire. The project will replace existing asphalt concrete with new asphalt concrete on Miners Ranch Road from Highway 162 to Oro Bangor Highway. One bid was received on April 4, 2023. The lowest responsive and responsible bidder was Knife River Construction of Chico, with a bid amount of \$1,564,142. The Department recommends that the Board award the contract to Knife River Construction, approve the plans and specifications, and authorize the Director of Public Works to sign the contract and order changes or additions in work performed per Public Contract Code section 20142. (Public Works)

Action requested - 1) AWARD THE CONTRACT TO KNIFE RIVER CONSTRUCTION; 2) APPROVE THE PROJECT PLANS AND SPECIFICATIONS; AND 3) 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

Staff Report

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

No public comment was submitted for this item.

Action: 1) AWARD THE CONTRACT TO KNIFE RIVER CONSTRUCTION; 2) APPROVE THE PROJECT PLANS AND SPECIFICATIONS; AND 3) 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

Motion: Supervisor Connelly

Seconded: Supervisor Ritter

Motion passed unanimously

4.08 Contract, Plans and Specifications with Knife River Construction for the Lower Wyandotte Road Rehabilitation 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). The IMP included the restoration of Lower Wyandotte Road in response to damage from the 2020 North Complex Fire. The project will replace existing asphalt concrete with new asphalt concrete on Lower Wyandotte Road from District Center Drive to Foothill Boulevard. Two bids were received on April 11, 2023 from Knife River Construction of Chico and All-American Construction, Inc., of Live Oak. The lowest responsive and responsible

bidder was Knife River Construction of Chico, with a bid amount of \$441,901. The Department recommends that the Board approve the plans and specifications, award the contract to Knife River Construction and authorize the Director of Public Works to sign the contract and order changes or additions in work performed per Public Contract Code section 20142. (Public Works)

Action requested - 1) AWARD THE CONTRACT TO KNIFE RIVER CONSTRUCTION; 2) APPROVE THE PROJECT PLANS AND SPECIFICATIONS; AND 3) 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

Staff Report

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

No public comment was submitted for this item.

Action: 1) AWARD THE CONTRACT TO KNIFE RIVER CONSTRUCTION; 2) APPROVE THE PROJECT PLANS AND SPECIFICATIONS; AND 3) 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

Motion: Supervisor Connelly

Seconded: Supervisor Durfee

Motion passed unanimously

4.09 Butte County Groundwater Status Report for the 2022 Water Year

Pursuant to Chapter 33 of the Butte County Code, the Department of Water and Resource Conservation is required to collect data on groundwater levels and report to the Board of Supervisors each year on the status of groundwater conditions. On September 16, 2014, Governor Brown signed into law a package of bills collectively called the Sustainable Groundwater Management Act (SGMA), which requires Groundwater Sustainability Agencies (GSAs) in a subbasin to adopt and implement a Groundwater Sustainability Plan (GSP). GSAs must also submit annual reports to the Department of Water Resources (DWR) by April 1st each year. The Department, in cooperation with the GSAs in the three subbasins, prepared an annual report for each subbasin to meet the requirements of SGMA. These reports are submitted to the DWR SGMA Portal (<https://sgma.water.ca.gov/portal/>). This is the second Butte County Groundwater Status Report (Report) since adoption of the GSPs in the three subbasins in the County: Butte, Vina, and Wyandotte Creek Subbasins. The Report contains an overview of the hydrologic conditions of the 2022 water year and a high level description of conditions in each subbasin based on content in their individual annual reports. The subbasin specific annual reports are included as attachments to the Report and contain an executive summary, general information and a location map for the subbasin, groundwater level data shown as graphs and contour maps, estimated groundwater extractions, surface water supply, total water use in the subbasin, and an estimate of change in groundwater storage. The annual reports also describe progress made toward implementing the GSP with an update on

projects and management actions. The Subbasin annual reports were reviewed by the Technical Advisory Committee of the Water Commission on March 20, 2023 and the Water Commission was presented with content from the Report and discussed it at their April 5, 2023 meeting. This Report is provided with the agenda item materials to the Board of Supervisors to meet the reporting requirements of Chapter 33. The full report and the appendices are available online at: <https://www.buttecounty.net/1212/Groundwater-Status-Report>. (Water)

Action requested - ACCEPT FOR INFORMATION

Staff Report

PowerPoint

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

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

Action: ACCEPT FOR INFORMATION

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

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

4.11 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.

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

3.12 **Intergovernmental Subrecipient Agreement for Community Development Block Grant**

Tracy Davis, Program Development Manager, took direction from the Board to come back with additional information at a later date.

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

5. PUBLIC HEARINGS AND TIMED ITEMS

5.01 10:15AM - Timed Item - Application for Outdoor Festival License for Friends of Butte Creek (MISC23-0015)

Friends of Butte Creek Benefit Music Festival) - Friends of Butte Creek has submitted an application for an Outdoor Festival License per Butte County Code Chapter 12, Article III. Outdoor Festivals. The festival is proposed for one day, Saturday, May 20 from 4:00 pm to 10:00 pm. The applicant anticipates a maximum of 250 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 on an adjacent parcel (APN 039-410-039). The festival is proposed to feature local art & music acts in support of the Friends of Butte Creek organization. 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, the project is categorically exempt from the California Environmental Quality Act (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: amplified sound, potable water, solid waste management, restroom and hand washing stations, wastewater management, fire control, encroachment permits for applicable signs, traffic control, dust control, insurance requirements, and outreach to California Highway Patrol. (Development Services)

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 SUBJECT TO THE RECOMMENDED CONDITIONS

Staff Report

PowerPoint

Paula Daneluk, Director of Development Services, introduced this item to the Board. Austin Forde, Assistant Planner, presented this item to the Board.

No public comment was submitted for this item.

Action: 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 SUBJECT TO THE RECOMMENDED CONDITIONS

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

Motion passed unanimously

5.02 10:25AM - Timed Item - Application for Outdoor Festival License for Chris Lamb (MISC23-0016 - Lamb Birthday Festival)

Chris Lamb has submitted an application for an Outdoor Festival License per Butte County Code Chapter 12, Article III. Outdoor Festivals. The festival is proposed for one day, Saturday, June 3 from 10:00 a.m. to 9:00 p.m. The applicant anticipates a

maximum of 250 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 festival is proposed as the 15th annual birthday celebration for the applicant, Chris Lamb, featuring food vendors & music acts. 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, the project is categorically exempt from the California Environmental Quality Act (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: amplified sound, potable water, solid waste management, restroom and hand washing stations, wastewater management, fire control, encroachment permits for applicable signs, traffic control, dust control, insurance requirements, and outreach to California Highway Patrol. (Development Services)

Action requested - FIND THE FESTIVAL TO BE CATEGORICALLY EXEMPT UNDER SECTION 15304(E) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVE THE APPLICATION FOR AN OUTDOOR FESTIVAL LICENSE (MISC23-0016), SUBJECT TO THE RECOMMENDED CONDITIONS

Staff Report

PowerPoint

Paula Daneluk, Director of Development Services, introduced this item to the Board. Austin Forde, Assistant Planner, presented this item to the Board.

No public comment was submitted for this item.

Action: FIND THE FESTIVAL TO BE CATEGORICALLY EXEMPT UNDER SECTION 15304(E) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVE THE APPLICATION FOR AN OUTDOOR FESTIVAL LICENSE (MISC23-0016), SUBJECT TO THE RECOMMENDED CONDITIONS

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

Motion passed unanimously

5.03 10:30AM - Timed Item - Itemized Cost and Penalties Related to Nuisance Abatement to Record a Lien and Impose a Special Assessment

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

5.03. A. Code Enforcement Case Number CE16-1089; 6585 Elmwood Drive, Magalia; APN 065-173-015

On February 20, 2019, a Hearing Officer declared a public nuisance existed on the property listed under Butte County Code Chapter 32A- Property Maintenance and Abatement of Nuisances. This hearing has been scheduled to authorize the Board of Supervisors to record a special assessment and lien to recover the County's costs for Code Enforcement case Number CE16-1089 at 6585 Elmwood Drive, Magalia (APN 065-173-015) in the amount of \$8,156.43. (Development Services)

Action requested - APPROVE THE PROPOSED LIEN AND SPECIAL ASSESSMENT IN THE AMOUNT OF \$8,156.43

Staff Report

PowerPoint

Chris Jellison, Code Enforcement Division Manger, and Ben Sandoval, Code Enforcement Supervisor, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Stacey Power of Attorney for property owner

Action: APPROVE THE PROPOSED LIEN AND SPECIAL ASSESSMENT IN THE AMOUNT OF \$8,156.43

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

Motion passed unanimously

5.03. B. Code Enforcement Case Number CE22-01609 at 327 Bald Rock Road, Berry Creek; APN 062-640-014

On November 3, 2022 a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE22-01609 at 327 Bald Rock Road, Berry Creek (APN 062-640-014) in the amount of \$56,111.49 (\$49,000.00 for penalties and \$7,111.49 for cost recovery). (Development Services)

Action requested - APPROVE THE PROPOSED LIEN OF \$49,000.00 AND A SPECIAL ASSESSMENT OF \$7,111.49

Staff Report

PowerPoint

Chris Jellison, Code Enforcement Division Manger, and Bend Sandoval, Code Enforcement Supervisor, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Tara Pash

Action: APPROVE THE PROPOSED LIEN OF \$49,000.00 AND A SPECIAL ASSESSMENT OF \$7,111.49

Motion: Supervisor Connelly

Seconded: Supervisor Teeter

Motion passed unanimously

5.03. C. Code Enforcement Case Number CE22-00413 at 0 Maple Avenue, Oroville; APN 026-030-001

On November 21, 2022, a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE22-00413 at 0 Maple Avenue, Oroville (APN 026-030-001) in the amount of \$54,291.40 (\$47,500 for penalties and \$6,791.40 for cost recovery). (Development Services)

Action requested - APPROVE THE PROPOSED LIEN OF \$47,500 AND A SPECIAL ASSESSMENT OF \$6,791.40

Staff Report

PowerPoint

Chris Jellison, Code Enforcement Division Manger, and Ben Sandoval, Code Enforcement Supervisor, presented this item to the Board.

Supervisor Connely recused himself from this item.

The following member(s) of the public submitted Public Comment on this item: Fred Dalia and Diana Dreiss

Action: APPROVE THE PROPOSED LIEN OF \$47,500 AND A SPECIAL ASSESSMENT OF \$6,791.40

Motion: Supervisor Teeter

Seconded: Supervisor Durfee

Motion passed 3-1 vote

Ayes: Supervisor Durfee, Teeter and Chair Kimmelshue

Nays: Supervisor Ritter

Recused: Supervisor Connely

5.03. D. Code Enforcement Case Number CE22-00734 at 121 Kirsty Crescent Road, Forbestown; APN 073-340-008

On September 5, 2023 a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the

Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE22-00734 at 121 Kirsty Crescent Road, Forbestown (APN 073-340-008) in the amount of \$136,970.40 (\$128,500.00 for penalties and \$8,470.40 for cost recovery). (Development Services)

Action Request - APPROVE THE PROPOSED LIEN OF \$128,500.00 AND A SPECIAL ASSESSMENT OF \$8,470.40

Staff Report

PowerPoint

Chris Jellison, Code Enforcement Division Manger, and Bend Sandoval, Code Enforcement Supervisor, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Diana Dreiss and Julie Threet

Action: APPROVE THE PROPOSED LIEN OF \$128,500.00 AND A SPECIAL ASSESSMENT OF \$8,470.40

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

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

- 5.03. E. Code Enforcement Case Number CE22-01715 at 74 Black Apple Way, Chico; APN 056-100-058

On November 30, 2022 a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE22-01715 at 74 Black Apple Way, Chico (APN 056-100-058) in the amount of \$21,682.90 (\$16,000.00 for penalties and \$5,682.90 for cost recovery). (Development Services)

Action requested - APPROVE THE PROPOSED LIEN OF \$16,000.00 AND A SPECIAL ASSESSMENT OF \$5,682.90

Staff Report

PowerPoint

This item has been removed from the agenda, as a settlement was reached.

- 5.03. F. Code Enforcement Case Number CE22-01077 at 2526 Forbestown Road, Oroville; APN 072-310-011

On October 31, 2022 a Hearing Officer declared a public nuisance existed on the property listed. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE22-01077 at 2526 Forbestown Road, Oroville (APN 072-310-011) in the amount of \$33,754.60 (\$26,000.00 for penalties and \$7,754.60 for cost recovery). (Development Services)

Action requested - APPROVE THE PROPOSED LIEN OF \$26,000.00 AND A SPECIAL ASSESSMENT OF \$7,754.60

Staff Report

PowerPoint

Chris Jellison, Code Enforcement Division Manger, and Bend Sandoval, Code Enforcement Supervisor, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Lauren Aguliar (electronic) unidentified, Lauren Aguliar brother in law (in person)

Action: APPROVE THE PROPOSED LIEN OF \$26,000.00 AND A SPECIAL ASSESSMENT OF \$7,754.60

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

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

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
- J. Human Resources Director
- K. Information Systems Director
- L. Library Director
- M. Public Health Director
- N. Public Works Director
- O. Water and Resources Conservation Director

6.02 Conference with Labor Negotiator Pursuant to Government Code Section 54957.6: Negotiators: Jack Hughes, Sheri Waters, and Casey Hatcher Employee Organizations: Teamsters - General Unit; Teamsters - Social Services Workers' Unit; Butte County Management Employees Association; Butte County Probation Peace Officers Association; Butte County Probation Peace Officers Association - Management Unit; Butte County Professional Employees' Association; Butte County Deputy Sheriff's Association - General Unit; Butte County Deputy Sheriff's Association - Management/Supervisory Unit; Butte County Correctional Officers Association - General Unit; Butte County Correctional Officers Association - Supervisory Unit; UPEC Local 792 - Skilled Trades Unit; Butte County Deputy District Attorneys Association - Attorney Unit; Confidential Unit; Non-Represented Unit; Board of Supervisors Executive Assistants

6.03 Actual litigation pursuant to Gov. Code sec. 54956.9(d)(1) - two cases:

- A. Melissa Little v. Butte County; Workers' Compensation Appeals Board Case No: ADJ13798964 (Claim No. BAUN-550522)
- B. County of Butte v. DWR, Third District Court of Appeals, Case No: C071785.

The Board of Supervisors voted unanimously to seek review in the California Supreme Court regarding this case.

6.04 Significant exposure to litigation pursuant to Gov. Code Sec. 54956.9(d)(2) - one potential case:

A. See February 23, 2023 letter from U.S. Department of Justice.

6.05 Real Property Negotiation pursuant to Gov. Code Sec. 54956.8 - one matter: Property: PG&E's Miocene Water Rights Negotiating Parties: PG&E and Butte County Agency Negotiators: Andy Pickett, Butte County CAO; Mike Schonherr, PG&E Negotiations: Terms and Conditions Regarding Transfer of Water Rights

6.06 Closed Session Public Comment

No public comment was submitted for this item.

Staff Report

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

Meeting Information:

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

Agenda Information:

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

Agenda Format and Meeting Order:

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

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

on the agenda, but may respond to statements or questions and provide staff direction.

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

**Public
Participation:**

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

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

For further information contact the:

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