



BUTTE COUNTY BOARD OF SUPERVISORS

Regular Meeting Agenda

April 9, 2024

9:00 AM

ANDY PICKETT,
CHIEF ADMINISTRATIVE
OFFICER
CLERK OF THE BOARD

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

MEMBERS OF THE BOARD

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

BRAD STEPHENS,
COUNTY COUNSEL

[PDF of Agenda](#)

[eComment Tutorial](#)

1. CALL TO ORDER

[Pledge of Allegiance](#)

[Observation of a Moment of Silence](#)

2A. CORRECTIONS AND/OR CHANGES TO THE AGENDA

Item 4.14 was pulled and will be brought forward at a later date.

2B. ANNOUNCEMENT(S) OF RECUSAL

None.

3A. SUPERVISOR COMMENTS ON CONSENT AGENDA ITEMS

None.

3B. ADOPT CONSENT AGENDA

Action: Approve the Consent Agenda with the exception of item 3.05 which was moved to the Regular Agenda for consideration and discussion.

Motion: Supervisor Ritter
Seconded: Supervisor Durfee

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

3.01 Approval of Board of Supervisors Regular Meeting Minutes

Submitted for approval are the March 26, 2024 Board of Supervisors Regular Meeting Minutes. (County Administration)

Action Requested - APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING MINUTES FOR MARCH 26, 2024

Minutes

3.02 Continuation of Local Emergency due to the 2024 Early February Storms

On February 4, 2024, Butte County was impacted by a powerful, slow-moving, atmospheric river and damaging wind, causing property damage and power outages. On February 6, 2024, the Acting County Administrative Officer Proclaimed a Local Emergency, requesting state and Federal assistance. The Board of Supervisors further ratified this local emergency proclamation on February 13, 2024. Significant damages to public infrastructure have been documented and validated by our state and Federal partners. On March 22, 2024, the Governor of the State of California expanded the existing State of Emergency, seeking a Major Disaster declaration to 19 counties, including Butte County. State law requires the Board of Supervisors to review the need to continue the local emergency every 60 days. At this point, the full impact of the emergency has not yet been determined. (County Administration)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 24-041

3.03 Annual Report Regarding Compliance with Continuing Disclosure Requirements for Debt Issuance

The County is required to meet continuing disclosure requirements for long term financings. Annually, a report on the status of compliance with these disclosure requirements is provided to the Board of Supervisors. The County's long term financings include Bonds Payable, Certificates of Participation, and Capital Leases for buildings and equipment. Each long term financing includes one or more of the following continuing disclosure requirements: 1) timely delivery of the County's Annual Budget, 2) timely delivery of the County's Annual Comprehensive Financial Report (ACFR), 3) timely delivery of the County's Annual Single Audit Report (SAR), and when applicable, 4) timely Notification of Events that could have an impact on

long term financings (material events and/or voluntary events). Additionally, the County has a Bond Payable financing that requires timely posting of the Budget, ACFR, and Notification of Events with the Municipal Securities Rulemaking Board (MSRB) via the Electronic Municipal Markets Access (EMMA) website. The Trustee for the Bond Payable financing acts as the Dissemination Agent and completes the EMMA postings. The County has complied with all of the continuing disclosure requirements since the last report to the Board in April 2023 with the following exceptions. First, the ACFR for the year ended June 30, 2023 was not delivered timely to some lenders. Second, the ACFR was not posted timely with the MSRB. Both defaults resulted from external auditor delays. A Notice of Failure to Provide Audited Financial Statements was prepared by County staff. This notice was provided to the Bond Financing Trustee for posting to EMMA by the ACFR due date. Upon issuance, the ACFR was provided to the Trustee and posted to EMMA. Lenders accepted notification of the delay and there were no penalties. (County Administration)

Action Requested - ACCEPT FOR INFORMATION

Staff Report

3.04 Contract Amendments with 3CORE and the Small Business Development Center (SBDC) for Micro-Enterprise Loan Program

On July 20, 2021, the Board of Supervisors approved two contracts with 3CORE and the SBDC to operate the Micro-Enterprise Loan Program funded by a Community Development Block Grant. On May 23, 2023, the Board of Supervisors amended guidelines to relaunch the program which provides forgivable loans up to \$20,000 underwritten by 3CORE to eligible low-income businesses of five or fewer employees, and technical assistance provided by SBDC in the form of business classes and business advising. As the grant nears close-out, SBDC does not foresee utilizing all of the technical assistance funding currently budgeted for in their contract, and 3CORE is in a position to utilize those funds to underwrite additional loans. Under existing grant terms, funds can be moved from the SBDC contract to the 3CORE contract to fully spend down the grant. Staff recommends approving two contract amendments: (1) Decreasing the maximum payable to SBDC by \$24,087, not-to-exceed \$63,897; and (2) Increasing the maximum payable to 3CORE by \$24,087, not-to-exceed \$168,603. The amendments also extend both contract terms by 17 days through June 17, 2024 to take advantage of all remaining activity time to spend down the funds. All other terms remain the same. (County Administration)

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

Staff Report

3.05 Letter of Support for AB 2902 (Wood) Organic Waste Recycling: Right-Sizing and Flexibility

SB 1383 (Lara, 2016), requires the state to reduce landfill disposal of organic waste to 75 percent below 2014 levels by 2025. Local governments are working to implement SB 1383, but California is not a one-size-fits-all state. The state's smallest counties are exempted from certain aspects of SB 1383 through 2026, but they face significant implementation challenges if their exemptions sunset. AB 2902 would extend the current exemption for some of the State's smallest counties. While AB 2902 does not directly impact the SB 1383 implementation timeline in Butte County, the County desires to support reasonable adjustments to SB 1383 in recognition to the differing needs and challenges in rural areas throughout the state. Approval of a letter of support is recommended. (County Administration)

Action Requested - APPROVE LETTER OF SUPPORT

Staff Report

3.06 Agreement Amendment with Dreamcatchers Empowerment Network (Dreamcatchers) for Vocational Services

On June 13, 2023 the Board of Supervisors approved an agreement with Dreamcatchers for Vocational Services. The term of the agreement is July 1, 2023 through June 30, 2024, not-to-exceed \$135,866. Dreamcatchers is a nonprofit organization providing employment preparation services, job placement assistance, and retention services. Dreamcatchers provides vocational services to individuals recovering from and/or living with mental health issues and people with physical disabilities as they transition to independent living within their communities. Vocational services provide opportunities for clients to work on effective communication, multi-tasking skills, direction following, and time management skills. The Department of Behavioral Health had a slight increase (3.9%) in allocations for Dreamcatchers in the fiscal year 2023-24 due to the rising costs of providing services. As a cost-driven program, the Department delayed the increase to examine cost allocations and ensure the increase was applied towards client-driven expenses. Under the agreement, Dreamcatchers has a measurable goal of providing supported employment vocational training to a minimum of 20 clients, and to transition a minimum of 18 clients to community employment and/or a higher level of vocational services. The Department recommends the Board approve an amendment to the Dreamcatchers agreement to increase funding by \$5,368 not-to-exceed \$141,234. All other terms remain the same. (Behavioral Health)

Action Requested - APPROVE AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.07 Resolution Recognizing Rick Dennis Upon His Retirement from the Department of Behavioral Health

The Department of Behavioral Health recommends that the Board of Supervisors adopt a resolution recognizing the retirement of Rick Dennis on the occasion of his retirement after 21 years of service. (Behavioral Health)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 24-042

3.08 Contract Amendment with Sophia Meyer Law, P.C. (Meyer Law) for Legal Services

County Counsel contracts with attorneys for specialized legal services provided to the Department of Employment and Social Services, Children's Services Division. Contract attorneys provide legal representation and consultation on matters such as juvenile dependency, guardianship issues, and termination of parental rights. On September 13, 2022, the Board of Supervisors approved a contract with Meyer Law to provide one full-time attorney for specialized legal services with the term ending September 12, 2025. On April 11, 2023 the Board approved a contract with Cashel White for half-time legal services with a term ending April 10, 2026. Ms. White has terminated her contract with Butte County, effective April 8, 2024, and intends to join Meyer Law. The Department recommends amending the contract with Meyer Law for legal services, adding a half-time attorney, work currently performed by Ms. White, along with an additional 10 hours per week increase due to workload. The contract amendment increases the maximum payable amount, funded by the Department of Employment and Social Services, by \$189,250, not to exceed \$732,678. All other terms remain the same. (County Counsel)

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

Staff Report

3.09 Resolution Recognizing National Crime Victims' Rights Week in Butte County

Board approval is requested for a Resolution which recognizes April 21-27, 2024 as National Crime Victims' Rights Week in Butte County. National Crime Victims' Rights Week provides an opportunity to recognize the County's commitment to victim services and to assist survivors with relevant services that support justice and healing of all victims of crime. (District Attorney)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 24-043

3.10 Amendments to Butte County Code Chapters 26 and 28A Regarding Age of Allowable Manufactured Homes

At the February 27, 2024 meeting, the Board voted 5-0 in favor of an ordinance amending Chapters 26-2 and 28A-1 of the Butte County Code and waived the first

reading. These amendments include modifying the age limitation of manufactured homes installed in the County from 10 years of age to manufactured homes manufactured on or after September 1, 2008. (Development Services)

Action Requested - ADOPT THE ORDINANCE AMENDING BUTTE COUNTY CODE, CHAPTER 26, (BUILDINGS) AND CHAPTER 28A, (MOBILEHOME AND MOBILEHOME LOT STANDARDS); AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Ordinance 4242

3.11 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 Salary Ordinance No. 4236, Section 28E - "Mid-Management" by adding a new classification series titled Public Works Project Manager I/II/III at Salary Ranges 68/83/98. Associated labor groups have agreed to these changes. PUBLIC WORKS: Concurrent with Human Resources request above, the Public Works Department requests to delete one (1) vacant Senior Civil Engineer position and one Associate Civil Engineer position and add two (2) of the Public Works Project Manager I/II/III series classification positions. These changes will better suit the current and future operational needs of the Department. These positions will be funded by the Road Fund. The funding is available in the Department's budget, there are no fiscal impacts to the Road Fund. Total allocations to remain unchanged. (Human Resources)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 24-044

3.12 Capital Asset Surplus-Library Radio Frequency Identification (RFID) and RFID System

The Board of Supervisors has authority to declare capital assets as surplus that are no longer serviceable or no longer needed by the County. The County Library recommends the Board declare the Library Radio Frequency Identification (RFID) and RFID System as surplus to the needs of the County, as the assets are at end of life and no longer supported and remove the equipment from the capital asset ledger. (Library)

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

Staff Report

3.13 Contract with Imperial County Office of Education (ICOE) for High-Speed Broadband

On March 14, 2017, the Board of Supervisors approved the County Library to participate in a statewide initiative to connect California's public libraries to a high-speed data network. The California State Library appointed a non-profit library consortium to manage the roll out and billing process for these services. Since that time, the California State Library has appointed various organizations for the administration of high-speed broadband services across the States' public libraries. On October 11, 2022, the Board approved a contract with CTC for library high-speed broadband services. The term of the contract was July 1, 2022 through July 1, 2027, not-to-exceed \$321,807. On December 31, 2023, CTC ended their contract early and the California State Library contracted with a new partner, ICOE, to administer library high-speed broadband services. The County Library recommends the Board approve a contract with ICOE. The term of the contract is January 1, 2024 through July 1, 2027, not-to-exceed \$232,100. The appropriations for the contract area included in the County Library's FY 2023-24 budget. (Library)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.14 Contract with Clinisys Inc for a Laboratory Information Management System (LIMS)

The Public Health Laboratory plays a crucial role in safeguarding public health by processing and testing samples from hospitals, primary care providers, public health clinics, and walk-in individuals for Butte and surrounding counties. The local testing capabilities include, but are not limited to Mycobacteriology, Bacteriology, Enteric cultures, Mycology, Rabies, Insect and Tick Identification, Molecular Testing, and Water Testing. The laboratory is operating with an outdated legacy file system which includes paper documents and Excel spreadsheets and is not in line with the State's laboratory interoperability initiatives. The Department of Public Health initiated a request for proposals for a modern LIMS that can easily be supported and maintained, to improve process efficiency and communication within the laboratory network and submitters. The County solicitation process determined Clinisys Inc. to be the most qualified candidate based on experience, references, cost, and capabilities. This modern LIMS will increase the interoperability of all the machines within the laboratory and will increase staff productivity. The Department recommends entering into a contract with Clinisys Inc. for a LIMS software solution. The term of the contract is upon execution through April 8, 2029, not-to-exceed \$546,401. (Public Health)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.15 Agreement Amendment with the California Department of Public Health (CDPH) for the Disease Intervention Specialist (DIS) Workforce Development Program

The Department of Public Health entered into a grant agreement in fiscal year 2021-22 with CDPH to implement a DIS Workforce Development Program. The purpose of the program is to develop, expand, train, and sustain the DIS workforce. The agreement provides funding intended to hire personnel to address projected jurisdictional sexually transmitted disease (STD), HIV, COVID-19, and other infectious disease prevention and response needs. The program activities focus on key strategic targets such as the increased capacity to conduct disease investigation, linkage to prevention and treatment, case management and oversight, and outbreak response for STD, HIV, COVID-19, and other infectious diseases. The original term of the grant agreement is July 1, 2021, through December 31, 2025, with a maximum award amount of \$653,645. CDPH is amending the grant agreement to extend the term and remove award allocations for calendar year 2024 and 2025. The Department recommends amending the grant agreement with CDPH for the DIS Workforce Development plan. The amendment extends the term of the contract by one (1) month through January 31, 2026, and decreases the maximum award amount by \$261,458, not-to-exceed \$392,187. All other terms remain the same. (Public Health)

Action Requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN

Staff Report

3.16 Budget Adjustment for County Service Area (CSA) 17 Zone 1 South Oroville/Las Plumas Park Street Lighting District

CSA 17 Zone 1 is located in four distinct, developed neighborhoods in the south Oroville area and provides financing for street lighting services to approximately 1,357 parcels. Administrative costs for CSA oversight have increased with time, expending funds beyond the current budget appropriations. The Department of Public Works recommends increasing appropriations in CSA 17 Zone 1 by \$4,500 to offset administrative costs for the remainder of the fiscal year. The anticipated FY 2023-24 ending fund balance will be reduced by \$4,500, from \$87,541 to \$83,041. (Public Works)

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

Staff Report

3.17 Budget Adjustment for County Service Area (CSA) 21 Zone 1 (Skansen) Oakridge Subdivision Sewer District

CSA 21 Zone 1 is located southeast of Chico at Rocky Bluff Drive and Spanish Garden Drive. Zone 1 provides sanitary sewer services to approximately 35 parcels. Unanticipated maintenance issues have expended funds beyond the current budget appropriations. The Department of Public Works recommends increasing appropriations in CSA 21 Zone 1 by \$10,000 to offset maintenance costs for the remainder of the current fiscal year. The anticipated FY 2023-24 ending fund balance will be reduced by \$10,000, from \$42,365 to \$32,65. (Public Works)

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

Staff Report

3.18 Budget Adjustment for County Service Area (CSA) 24 Chico-Mud Creek Drainage District

CSA 24 encompasses most of the Chico urban area and surrounding rural areas north of Highway 32 to the Chico Municipal Airport and provides financing for area-wide drainage services and the Mud Creek Levee System. The CSA consists of approximately 15,200 parcels. Increased administrative costs for CSA oversight, necessary equipment purchases, and increased maintenance (flood responses, frequent removal of debris, and coordination with the City of Chico to meet state flood preparedness requirements) have expended funds beyond the current budget appropriations. In addition, deferred maintenance must be addressed in the coming months. The Department recommends increasing appropriations in CSA 24 by \$200,000 to offset current maintenance and administrative costs and allow flexibility to address deferred maintenance as required for state compliance. (Public Works)

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

Staff Report

3.19 Notice of Completion for the Highway Safety Improvement Program (HSIP) Cycle 10 Valley Road Edgelines Project

On July 25, 2023, the Board of Supervisors awarded the HSIP Cycle 10 Valley Road Edgelines Project to Chrisp Company of Fremont, CA. The project provided for installing high-visibility thermoplastic striping on various roads within the County. The contract award amount was \$251,312. One contract change order was approved, resulting in a decrease of \$5,000. The resulting total cost of work is \$246,312. All contract work has been completed per the project plans and specifications. (Public Works)

Action Requested - 1) ACCEPT THE CONTRACT WORK AS COMPLETE; AND 2) AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION

Staff Report

3.20 Capital Asset Surplus Vehicles for Auction

The Board of Supervisors has authority to declare vehicles surplus that are no longer serviceable or needed by the County before auctioning the items. The Department recommends the Board declare ten vehicles and two equipment items as surplus to the needs of the County, as the assets either have high mileage or the repairs exceed the value of the asset and remove the vehicles from the capital asset ledger. (Public Works)

Action Requested - DECLARE (10) CAPITAL ASSETS AND (2) EQUIPMENT ITEMS SURPLUS TO THE NEEDS OF THE COUNTY

Staff Report

3.21 Agreement with California Department of Parks and Recreation for the Division of Boating and Waterways (DBAW) Boating Safety and Enforcement Aid Program

The Sheriff's Office was awarded \$159,342 in grant funds from DBAW for year-round patrols of the Feather River, Sacramento River, and Lake Oroville. The Sheriff is charged with the enforcement of boating laws and regulations by means of vessel, foot, and vehicle patrol. Uniformed law enforcement personnel will provide year-round patrols on all waterways, provide education to the public on State and local boating laws, conduct vessel inspection programs for compliance with required safety equipment and vessel registration, as well as, provide supervision of on-the-water boating activities. The program funds a full-time Deputy Sheriff, a leased patrol vehicle, marine equipment, and supporting program services. The State requires the County to utilize annual boat tax revenue of \$140,601 prior to utilizing the grant funds. Boat tax revenue is used to partially fund a full-time Sheriff's Sergeant to oversee the water enforcement program. The department recommends entering into a contract with California Department of Parks and Recreation for the Division of Boating and Waterways (DBAW) Boating Safety and Enforcement Aid Program. The term of the agreement is July 1, 2024 through June 30, 2025, not-to-exceed \$159,342. (Sheriff)

Action Requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN

Staff Report

3.22 Approve Application for US Department of Justice, Office of Community Oriented Policing Services (COPS) Law Enforcement Mental Health and Wellness Act (LEMHWA) Grant Funds

The Sheriff's Office is requesting approval to apply for federal fiscal year 2023-24 COPS LEMHWA Grant funds to expand and further the mission of the existing Health and Wellness Program (Program). The Program works to improve mental health and wellness of Law Enforcement Officers and support staff by providing physical and mental health resources such as counselors, physical therapy, and other peer support training and events. These services are provided to all members of the Butte County Sheriff's Office as well as members of all other law enforcement agencies in Butte County. The COPS LEMHWA Grant is a competitive federal grant with a deadline of April 30, 2024. If funds are awarded, acceptance of the funds and the associated budget amendment will be brought to the Board of Supervisors at a future meeting. The Sheriff's Office recommends approval of the COPS LEMHWA Grant application. (Sheriff)

Action Requested - APPROVE APPLICATION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.23 Budget Adjustment to Complete Capital Asset Purchases of Vehicle and Related Equipment

Each year the Sheriff's Office budgets for the purchase of multiple vehicles and related equipment. As part of the fiscal year 2023-24 budget, the Sheriff's Office included funds from its State Asset Forfeiture Sub Fund to purchase one truck and related equipment for an estimated total cost of \$65,000. The Sheriff's Office also budgeted funds from its 2011 Rural County Assistance Sub Fund to purchase equipment for one truck that was received in fiscal year 2022-23 for an estimated cost of \$21,550. Due to inflation and increases in the cost of labor, the actual costs for the vehicle, equipment, and installation labor have exceeded the estimates that were developed in February, 2023, and additional appropriations are needed. The Sheriff's Office is requesting an additional \$6,850 be allocated from the State Asset Forfeiture Sub Fund and \$4,070 be allocated from the 2011 Rural County Assistance Sub Fund balance in order to complete the purchases necessary to put both vehicles into service. (Sheriff)

Action Requested - APPROVE BUDGET ADJUSTMENT TO COMPLETE CAPITAL ASSET PURCHASES (4/5 VOTE REQUIRED)

Staff Report

3.24 Accept Vehicle Donation from Butte County Search and Rescue

Butte County Search and Rescue acquired a 2014 Rokon Trailblazer 2WD Motorcycle with a value of \$5,000 to donate to the Sheriff's Office. Search and Rescue will use the vehicle 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 vehicle. The Sheriff's Office recommends accepting the donation of the vehicle as a capital asset. (Sheriff)

Action Requested - ACCEPT DONATION

Staff Report

4. REGULAR AGENDA

4.01 Boards, Commissions, and Committees (List available at <https://www.buttecounty.net/327/Board-Commission-Vacancies>)

A. Appointment to Listed Vacancies

None.

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 Teeter - Attended meetings for the Upper Feather River IRWM, California Wildfire and Forest Resiliency Taskforce meeting, spoke with Girl Scout camp representatives regarding air curtain burners.

Supervisor Ritter - Attended meetings including the Brain Conference at Enloe, Point in Time Planning Committee, BCAG, Air Quality, NorCal Contractors, Pancakes for CHAT, Met with County Staff regarding projects, preliminary budget review, Butte Resilience Collaborative, Sac Valley Air Basin, and attended a meeting regarding Everhard Village. She further states Passages is looking for volunteers and she urges everyone to respond to the survey for future funding of County services.

Supervisor Durfee - Attended several meeting including CALFIRE, BCAG, Founders Sustainability Awards, preliminary budget review, Audit Committee meeting, Investment Pool Oversight Committee meeting, meeting to repeal Prop 47 and bring it back to the ballot.

Supervisors Kimmelshue - Attended meetings including preliminary budget review, LAFCo, and UC Davis Medical School meeting. He further states he will be on a panel for a meeting regarding SGMA.

- 4.02 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, at the beginning of the regular 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) Julie Threet, The Cameraman, and Sunni Estrada (in person).

- 4.03 Sheriff's Office Military Equipment Use Policy, Annual Report and Ordinance Renewal

Effective January 1, 2022, Government Code sections 7070-7075 requires a law enforcement agency (LEA) to obtain approval from the applicable governing body prior to obtaining LEA funding for acquiring military equipment. This involves adoption of a Military Equipment Use Policy by ordinance. In addition, the Sheriff's Office is required to provide an annual report on use of military equipment and the Board of Supervisors is to determine if the adopted ordinance shall be renewed annually. The original policy was approved by the Board of Supervisors in May of 2022. The Sheriff's Office recommends the Board review the Military Equipment Use Policy, accept the annual report for information, and waive the first reading of the ordinance. (Sheriff)

Action Requested - 1) ACCEPT THE ANNUAL REPORT AS INFORMATION; AND 2) WAIVE THE FIRST READING OF THE ORDINANCE

Kory Honea, Sheriff, Matthew Calkins, Undersheriff, and Joshua Brazzi, Sheriff Lieutenant presented this item to the Board.

No public comment was submitted for this item.

Action: 1) Accept the Annual Report as Information; and 2) Waive the first reading of the ordinance.

Motion: Supervisor Durfee

Seconded: Supervisor Ritter

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

PowerPoint

4.04 Inmate Access by U.S. Immigration and Customs Enforcement (ICE) Agents

Pursuant to California Government Code section 7283.1(d), the Board of Supervisors will hold a public hearing to receive information from the Sheriff regarding access to individuals housed in the Butte County Jail, by agents of the U.S. Immigration and Customs Enforcement. The Board will also receive and consider public comment related to this issue. (Sheriff)

Action Requested - ACCEPT FOR INFORMATION AND RECEIVE PUBLIC COMMENT

Kory Honea, Sheriff, Matthew Calkins, Undersheriff, and Brian Meyer, Correctional Lieutenant, presented this item to the Board.

No public comment was submitted for this item.

Accepted for information and public comment.

Staff Report

PowerPoint

4.05 California Department of Health Care Services (DHCS) Behavioral Health Continuum Infrastructure Program Grant through Advocates for Human Potential (AHP).

On November 30, 2022, DHCS through its agent, AHP has awarded a grant to Butte County in the amount of \$5,201,740 to build capacity for children and youth services as well as perinatal and parenting women within the County. Since that time, DHCS, AHP and counties across the State worked to develop a grant agreement template to meet the needs of the counties and effectively administer the grant. The grant agreement includes a County match of \$469,211 which is allocated in the 2023-24 fiscal year Department of Behavioral Health's budget,

bringing the project total to \$5,670,951. This grant will fund the expansion of the Department's Chico Stepping Stones Facility, increasing its service capacity with a building purchase and renovation that will accommodate an additional 148 behavioral health clients and an additional 43 substance use disorder clients in an outpatient setting. The facility expansion will be conducive to individual treatment and groups, enhance services for mothers and children, and for children and youth requiring treatment. The Department recommends the Board of Supervisors approve the DHCS grant agreement in the amount of \$5,201,740 and adopt the resolution authorizing the Director of Behavioral Health to sign the agreement and program documents as required by the DHCS and AHP. The term of the grant is December 7, 2022, through June 30, 2027. (Behavioral Health)

Action Requested - 1) APPROVE GRANT FUNDING AGREEMENT; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

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

No public comment was submitted for this item.

Action Requested - 1) Approve Grant Funding Agreement; and 2) Adopt Resolution and Authorize the Chair to sign.

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

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

Resolution 24-045

4.06 Contract with Traditions Psychiatry Group, P.C. DBA Traditions Behavioral Health (TBH) for Psychiatry Services at the County Psychiatric Health Facility (PHF).

The Department of Behavioral Health released a Request for Proposal (RFP) in 2021 for psychiatric services. The RFP is good for three years. The Department received seven responses: TBH of Larkspur, CA; Cross County Locums, of Berkeley Lake, GA; ExMed of Burbank, CA; Golden State Physician Services of Alpharetta, GA; Locum Tenens of Alpharetta, GA; Staff Care of Coppell, TX; and Vista Staffing Solutions of Cottonwood Heights, UT. TBH was chosen as the most responsive proposal. TBH is a locum agency which provides on-site, on-call, and telemedicine psychiatrists. Under the contract, TBH will provide on-site and on-call psychiatrists to provide coverage at the Psychiatric Health Facility (PHF). A rotating pool of 8 to 12 psychiatrists will work 16-hour shifts to provide coverage, as well as daily on-call shifts. The PHF is a critical facility and with the current shortage of psychiatrists in the County, TBH provides a crucial service in securing doctors to staff the facility at its intended capacity. The Department recommends the Board of Supervisors approve a contract with TBH for psychiatry services at the PHF. The term of this contract is July 1, 2024 through June 30, 2025, not to exceed \$1,861,500. (Behavioral Health)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

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

No public comment was submitted for this item.

Action Requested - Approve contract and authorize the Chair to sign.

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

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

4.07 Contract with Traditions Psychiatry Group, P.C. DBA Traditions Behavioral Health (TBH) for Outpatient Psychiatry Services

In 2022, the Department of Behavioral Health released a Request for Proposal (RFP) for outpatient psychiatric services. The RFP is good for three years. The Department received five responses and awarded contracts to all five responders as follows: AB Staffing of Gilbert, AZ; CA Locums P.C. of Alpharetta, GA; ExMed of Burbank, CA; Golden State of Alpharetta, GA; and TBH of Larkspur, CA. The psychiatrists provide clinical psychiatric services and assist the Department in meeting the required level of mental health services available in the County. The Department recommends the Board of Supervisors approve a contract with TBH for outpatient psychiatry services. Under the contract, TBH will supply psychiatrists to provide services at various Department outpatient clinics either on-site or via telehealth, as needed. The Department recommends entering into an agreement with TBH for psychiatrist services. The term of this contract is July 1, 2024 through June 30, 2025, not-to-exceed \$874,000. (Behavioral Health)

Action Requested - APPROVE CONTRACT AND AUTHORIZE CHAIR TO SIGN

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

No public comment was submitted for this item.

Action Requested - Approve contract and authorize the Chair to sign.

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

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

4.08 Budget Adjustment for Facility Repairs for 18 County Center Drive, Oroville

18 County Center Drive, Oroville was constructed in 1951 as a nursing home adjacent to the former County Hospital. The facility was expanded in 1975 and over the years has been occupied by a number of County departments, most recently by the Department of Behavioral Health. On June 13, 2023, the Board of Supervisors approved a lease agreement for the Department of Behavioral Health to relocate from 18 County Center Drive, leaving the facility vacant. The Department of General Services proposes use of the facility over the next 10 years as temporary or semi-permanent occupancy by departments while their regular facilities undergo significant repairs and/or rehabilitation. The first of such use is by the Probation Department who requires a temporary location for approximately 18 months while the new Probation facility is constructed on the same site as the current facility. 18 County Center Drive requires rehabilitation prior to any occupancy including roof replacement, exterior waterproofing, HVAC replacement, and interior repairs resulting from water intrusion. The estimated total cost of rehabilitation is \$3.32 million. On October 10, 2023, the Board of Supervisors approved the use of \$50.7 million in PG&E Settlement funds for the County Facility Deferred Maintenance and Rehabilitation Program to address facility needs such as 18 County Center Drive. The Department of General Services recommends the Board approve a budget adjustment from PG&E Settlement funds for the County Facility Deferred Maintenance and Rehabilitation Program in the amount of \$2.7 million. The Department has included funding the remainder of the total project budget as major maintenance in the FY2024-25 budget. (General Services)

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

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

No public comment was submitted for this item.

Action Requested - Approve budget adjustment (4/5 VOTE REQUIRED)

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

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

4.09 Subrecipient Agreement Between the Vina Groundwater Sustainability Agency (GSA) and Butte County Department of Water and Resource Conservation

In December 2022, the Vina GSA submitted a grant application to the Sustainable Groundwater Management (SGM) grant program and in October 2023 the GSA received an award notification letter indicating that the proposal in the amount of \$5.535 million was awarded funding to complete the work described in the

application. The Vina GSA Board directed staff to develop a subrecipient agreement with Butte County to provide overall grant management and project management services and to retain consultants to complete surface water supply and recharge feasibility study, inter-basin coordination, modeling and reporting, and conduct an outreach program on behalf of the GSA. Butte County is a member agency of the Vina GSA and has staff with specialized knowledge and expertise to conduct the projects for the benefit of the Vina subbasin, its communities, and agricultural industry. The Department recommends entering into a subrecipient agreement with the Vina GSA to conduct project and grant management services, retain and manage consultants and provide technical assistance to complete grant components and tasks on behalf of the Vina GSA to be funded by the Sustainable Groundwater Management Act implementation grant. The term of the agreement is March 13, 2024 through April 15, 2026, not-to-exceed \$1,470,000. (Water & Resource Conservation)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Kamie 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: Patrizia Hironimus (in person).

Action Requested - Approve contract and authorize the Chair to sign.

Motion: Supervisor Durfee

Seconded: Supervisor Teeter

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

4.10 Subrecipient Agreement Between the Wyandotte Creek Groundwater Sustainability Agency (GSA) and Butte County Department of Water and Resource Conservation

In December 2022, the Wyandotte Creek GSA submitted a grant application to the Sustainable Groundwater Management (SGM) grant program and in October 2023 the GSA received an award notification letter indicating that the proposal in the amount of \$5.527 million was awarded funding to complete the work described in the application. The Wyandotte Creek GSA Board directed staff to develop a subrecipient agreement with Butte County to provide overall grant management and project management services and to provide technical assistance on the Groundwater Sustainability Plan (GSP) on behalf of the GSA. Butte County is a member agency of the Wyandotte Creek GSA and has staff with specialized knowledge and expertise to expand the capacity of the GSA to complete tasks associated with the Wyandotte Creek GSP projects and management actions implementation for the benefit of the groundwater subbasin, its communities, and agricultural industry. These tasks will include retaining a consultant to support inter-basin coordination, modeling, and enhancements to the data management

system. The Department recommends entering into a subrecipient agreement with the Wyandotte Creek GSA to conduct grant administration and project management on behalf of the GSA and to provide technical assistance on the GSP to be funded by the Sustainable Groundwater Management Act implementation grant. The term of the agreement is April 9, 2024 through April 15, 2026, not-to-exceed \$1,025,000. (Water & Conservation District)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

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

No public comment was submitted for this item.

Action Requested - Approve contract and authorize the Chair to sign.

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

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

- 4.11 Contract with Geosyntec Consultants, Inc. for Water Supply and Recharge Feasibility Analysis for the Vina Groundwater Sustainable Agency and Data Management System Enhancements for the Wyandotte Creek Groundwater Sustainable Agency.

The Water Supply and Recharge Feasibility Analysis for the Vina Groundwater Sustainable Agency (GSA) and Data Management System Enhancements for the Wyandotte Creek GSA tasks were included in Sustainable Groundwater Management Act Implementation Grant Program applications submitted by the Vina and Wyandotte Creek GSAs to the California Department of Water Resources. The GSA Boards approved an approach whereby Butte County Department of Water and Resource Conservation will conduct the work on behalf of the GSAs, to be funded by the grant funding through Subrecipient agreements with the GSAs. A Request for Proposals was issued on December 8, 2023 and three proposals were received. The proposals were reviewed by a committee of County staff, a member of the Butte County Technical Advisory Committee, and a member of the Butte County Water Commission. The review committee unanimously recommended the County enter into a contract with Geosyntec Consultants, Inc., of Rancho Cordova CA, based on capabilities, experience, references, scope of services, schedule, and cost. The Department recommends entering into a contract with Geosyntec Consultants, Inc. to conduct Water Supply and Recharge Feasibility Analysis for the Vina GSA and Data Management System Enhancements for the Wyandotte Creek GSA. The term of the contract is upon execution through April 15, 2026, not-to-exceed \$685,000. (Water & Resource Conservation)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

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

No public comment was submitted for this item.

Action Requested - Approve contract and authorize the Chair to sign.

Motion: Supervisor Durfee

Seconded: Supervisor Teeter

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

4.12 Contract with Errol L. Montgomery & Associates, Inc. for Inter-basin Coordination and Modeling for Groundwater Subbasins

The Inter-basin coordination and modeling tasks were included in Sustainable Groundwater Management Act Implementation Grant Program applications submitted by the Vina and Wyandotte Creek Groundwater Sustainability Agencies (GSAs) to the California Department of Water Resources. The GSA Boards approved an approach whereby Butte County Department of Water and Resource Conservation will conduct the work on behalf of the GSAs, to be funded by the grant funding through Subrecipient agreements with the GSAs. A Request for Proposals was issued on December 8, 2023 and three proposals were received. The proposals were reviewed by a committee of County staff, a member of the Butte County Technical Advisory Committee, and a member of the Butte County Water Commission. The review committee unanimously recommended the County enter into a contract with Errol L. Montgomery & Associates, Inc., of Sacramento, CA, based on capabilities, experience, references, scope of services, schedule, and cost. The Department recommends entering into a contract with Errol L. Montgomery & Associates, Inc to conduct Inter-basin Coordination and Modeling for Groundwater Subbasins. The term of the contract is upon execution through April 15, 2026, not-to-exceed \$467,000. (Water & Resource Conservation)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

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

No public comment was submitted for this item.

Action Requested - Approve contract and authorize the Chair to sign.

Motion: Supervisor Durfee

Seconded: Supervisor Teeter

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

4.13 Resolutions Authorizing Funding Agreement for Community Wide Regional Funding Grant Program, Amendment to the Salary Ordinance, and Approving Agreements for Water Hauling with Butte Water Truck Service and Cali Dozer Co. LLC

In coordination with the Departments of Public Health and Water and Resource Conservation, County Administration is seeking authorization to enter into a funding agreement with the State Water Resources Control Board. County Administration applied to receive grant funds through the Community Wide Regional Funding Grant program and received an award of \$5,745,082 for the Butte County Drought Resilience and Outreach Project (DROP). This multi-year project will allow the County to provide short-term and long-term solutions for those impacted by dry wells. This includes water hauling, tank installation, well replacement and repair, and the addition of a Drought Navigator Position to guide residents through the process of finding short and long term water solutions. Staff issued an Invitation for Bid seeking water haulers to provide hauled water; three bids were received, and staff recommend approving contracts with the two lowest bidders, Butte Water Truck Service and Cali Dozer Co. LLC. Staff recommend Board consideration of 1) A resolution authorizing the County to enter into a funding agreement with the State Water Resources Control Board; 2) A resolution amending the salary ordinance for County Administration to add one Administrative Technician position (Drought Navigator) that will sunset on June 30, 2025; and 3) Approval of contracts in the amount of \$233,395 each with Butte Water Truck Service and Cali Dozer Co. LLC for a term contract execution through April 30, 2026. (County Administration)

Action Requested - 1) ADOPT RESOLUTION AUTHORIZING TO ENTER INTO THE FUNDING AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; 2) ADOPT RESOLUTION AMENDING THE SALARY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN; AND 3) APPROVE CONTRACTS AND AUTHORIZE THE CHAIR TO SIGN

Briana Haberman, Deputy Administrative Officer and Elaine McSpadden, Environmental Health Division Director presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Janelle Luke, Loren Freeman, Julie Threet and Kenneth Scherer (in person).

Action Requested - 1) Adopt Resolution authorizing to enter into the funding agreement and authorize the Chair to sign; 2) Adopt Resolution amending the salary ordinance and authorize the chair to sign; and 3) Approve contracts and authorize the Chair to sign.

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

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

PowerPoint

Resolution 24-046

Resolution 24-047

- 4.14 Intergovernmental Subrecipient Agreement for Community Development Block Grant - Disaster Recovery (CDBG-DR) Infrastructure Program Funds with the Sewerage Commission-Oroville Region (SC-OR)

The Department of Housing and Urban Development allocated \$1 billion in CDBG-DR funding related to the Federal Emergency Management Agency 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 SC-OR plant upgrade and expansion project. On March 12, 2023 the BOS approved an Intergovernmental Subrecipient Agreement with SC-OR for grant administration and project set-up costs not to exceed \$220,000. Given the time necessary to develop the infrastructure project for application to HCD, no funds were expended in the initial contract and it was terminated in January of 2024. Staff has prepared an Intergovernmental Subrecipient Agreement with SC-OR for the entirety of the project including grant administration, and plant upgrade and expansion costs not to exceed \$10,394,613, the amount of DR-Infrastructure funds the Board committed to this project. This expense will be reimbursed by DR-Infrastructure funds. (County Administration)

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

Item 4.14 was pulled and will be brought forward at a later date.

Staff Report

- 4.15 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: Kenneth Scherer (in person).

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

**The following member(s) of the public submitted Public Comment on this item:
Loren Freeman (in person).**

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

Item 3.05 - Letter of Support for AB 2902 (Wood) Organic Waste Recycling: Right-Sizing and Flexibility Approved by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly)

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

Action: Approve letter of support.

Motion: Supervisor Ritter

Seconded: Supervisor Teeter

Motion passed unanimously.

5. PUBLIC HEARINGS AND TIMED ITEMS

5.01 10:00 am - Public Hearing - Itemized Costs and Penalties Related to Nuisance Abatement to Record a Lien and Impose a Special Assessment

- A. Code Enforcement Case Number CE23-00775 at 3901 Tippy Top Road, Oroville (Assessor's Parcel Number 041-370-048) in the amount of \$26,017.43.

On September 15, 2023 a Hearing Officer declared a public nuisance existed on the property pursuant to Butte County Code Chapters 34A - Medical Marijuana Ordinance and 34C - Non-medical Marijuana Ordinance. This hearing has been scheduled to authorize the Board of Supervisors to record a lien and impose a special assessment to recover the County's costs for Code Enforcement Case Number CE23-00775 at 3901 Tippy Top Road, Oroville (Assessor's Parcel Number 041-370-048) in the amount of \$26,017.43 (\$18,500.00 for penalties and \$7,517.43 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$18,500.00 AND A SPECIAL ASSESSMENT OF \$7,517.43

Paula Daneluk, Director of Development Services, and Chris Jellison, Code Enforcement Division Manager, and Cortney Kingsley, Office Assistant I, presented this item to the Board.

No public comment was submitted for this item.

Action: APPROVE THE PROPOSED LIEN OF \$18,500.00 AND A

SPECIAL ASSESSMENT OF \$7,517.43.

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

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

PowerPoint

- B. Code Enforcement Case Number CE23-00851 at 4240 Mountain Pine Lane, Concow (Assessor's Parcel Number 058-340-022) in the amount of \$83,080.16.

On October 27, 2023 a Hearing Officer declared a public nuisance existed on the property pursuant to Butte County Code Chapters 34A - Medical Marijuana Ordinance and 34C - Non-medical Marijuana Ordinance. This hearing has been scheduled to authorize the Board of Supervisors to record a lien and impose a special assessment to recover the County's costs for Code Enforcement Case Number CE23-00851 at 4240 Mountain Pine Lane, Concow (Assessor's Parcel Number 058-340-022) in the amount of \$83,080.16 (\$74,000.00 for penalties and \$9,080.16 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$74,000.00 AND A SPECIAL ASSESSMENT OF \$9,080.16

Paula Daneluk, Director of Development Services, and Chris Jellison, Code Enforcement Division Manager, and Cortney Kingsley, Office Assistant I, presented this item to the Board

The following member(s) of the public submitted Public Comment on this item: Laurel D. Davis (in person)

Action: Continue item for a future meeting.

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

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Ritter, Teeter and Chair Kimmelshue; Nays: Supervisor Durfee; Absent: Supervisor Connelly).

Staff Report

PowerPoint

- C. Code Enforcement Case Number CE23-00384 at 40 Stoney Oaks Loop, Bangor (Assessor's Parcel Number 028-170-177) in the amount of \$14,352.40.

On October 23, 2023 a Hearing Officer declared a public nuisance existed on the property pursuant to Butte County Code Chapters 34A - Medical Marijuana Ordinance and 34C - Non-medical Marijuana Ordinance. This hearing has been scheduled to authorize the Board of Supervisors to record a lien and impose a special assessment to recover the County's costs for Code Enforcement Case Number CE23-00384 at 40 Stoney Oaks Loop, Bangor (Assessor's Parcel Number 028-170-177) in the amount of \$14,352.40 (\$8,500.00 for penalties and \$5,852.40 for cost recovery). (Development Services)

APPROVE THE PROPOSED LIEN OF \$8,500.00 AND A SPECIAL ASSESSMENT OF \$5,852.40

Paula Daneluk, Director of Development Services, and Chris Jellison, Code Enforcement Division Manager, and Cortney Kingsley, Office Assistant I, presented this item to the Board.

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

Action: APPROVE THE PROPOSED LIEN OF \$8,500.00 AND A SPECIAL ASSESSMENT OF \$5,852.40.

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

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

PowerPoint

- D. Code Enforcement Case Number CE23-00626 at 66 Green Cedar Way, Berry Creek (Assessor's Parcel Number 061-350-026) in the amount of \$63,106.20.

On August 25, 2023 a Hearing Officer declared a public nuisance existed on the property pursuant to Butte County Code Chapters 34A - Medical Marijuana Ordinance and 34C - Non-medical Marijuana Ordinance. This hearing has been scheduled to authorize the Board of Supervisors to record a lien and impose a special assessment to recover the County's costs for Code Enforcement Case Number CE23-00626 at 66 Green Cedar Way, Berry Creek (Assessor's Parcel Number 061-350-026) in the amount of \$63,106.20 (\$54,500.00 for penalties and \$8,606.20 for cost recovery). (Development

Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$54,500.00 AND A SPECIAL ASSESSMENT OF \$8,606.20

Paula Daneluk, Director of Development Services, and Chris Jellison, Code Enforcement Division Manager, and Cortney Kingsley, Office Assistant I, presented this item to the Board.

The following member(s) of the public submitted Public Comment on this item: Joy L. Lutz and unidentified gentleman (in person).

Action: Continue item for a future meeting.

Motion: Supervisor Teeter

Seconded: Supervisor Kimmelshue

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

PowerPoint

- E. Code Enforcement Case Number CE23-00954 at 0 Gold Mountain Road, Bangor (Assessor's Parcel Number 028-170-156) in the amount of \$34,447.18.

On November 2, 2023 a Hearing Officer declared a public nuisance existed on the property pursuant to Butte County Code Chapters 34A - Medical Marijuana Ordinance and 34C - Non-medical Marijuana Ordinance. This hearing has been scheduled to authorize the Board of Supervisors to record a lien and impose a special assessment to recover the County's costs for Code Enforcement Case Number CE23-00954 at 0 Gold Mountain Road, Bangor (Assessor's Parcel Number 028-170-156) in the amount of \$34,447.18 (\$27,000.00 for penalties and \$7,447.18 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$27,000.00 AND A SPECIAL ASSESSMENT OF \$7,447.18

Paula Daneluk, Director of Development Services, and Chris Jellison, Code Enforcement Division Manager, and Cortney Kingsley, Office Assistant I, presented this item to the Board.

No public comment was submitted for this item.

Action: APPROVE THE PROPOSED LIEN OF \$27,000 AND A SPECIAL ASSESSMENT OF \$7,447.18.

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

Motion passed by a 4-0-1 Vote (Ayes: Supervisors Durfee, Ritter, Teeter and Chair Kimmelshue; Nays: None; Absent: Supervisor Connelly).

Staff Report

PowerPoint

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 & Resource Conservation Director

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

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

Holman v. County of Butte; Butte County Superior Court Case No: 20cv00578

California Open Lands v. Butte County Department of Public Works et al; United States District Court, Eastern District of California Case No. 2:20-cv-00123 DJC-DMC

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

6.04 Closed Session Public Comment

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

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

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

4. **Public Hearing and Timed Items:** This is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.
5. **Closed Session:** The Board is authorized, by law, to meet in a closed session in certain circumstances. This area of the agenda identifies those items that will be discussed during the Closed Session.

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

**Meeting
Information:**

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

**Agenda
Information:**

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

**Agenda
Format and
Meeting
Order:**

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

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

**Public
Participation:**

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

The Board of Supervisors is also committed to making its proceedings accessible to all citizens. Individuals with special needs should call the Clerk of the Board at 530.552.3300, Monday through Friday, 8:00 a.m. to 5:00 p.m. to request disability-related modifications/accommodations or to request materials in alternate formats.

All requests for special accommodations and/or alternative format documents must be made 48 hours prior to the meeting.

For further information contact the:

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