



BUTTE COUNTY BOARD OF SUPERVISORS

Regular Meeting Agenda

March 26, 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

Meeting Agenda

Supplemental Agenda (Item 4.17)

eComment Tutorial

Public Comment Packet

1. CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

2A. CORRECTIONS AND/OR CHANGES TO THE AGENDA

Item No's 3.12 and 3.17 have been pulled from the Consent Agenda and will be heard on the Regular Agenda under Item 4.16 for further Board consideration and action.

Item 4.09 On page 7, Section 4 of the proposed ordinance, "CAL FIRE" has been removed.

2B. ANNOUNCEMENT(S) OF RECUSAL

None.

3A. SUPERVISOR COMMENTS ON CONSENT AGENDA ITEMS

3B. ADOPT CONSENT AGENDA

Action: Approve the Consent Agenda with the exception of items 3.12 and 3.17 which were moved to the Regular Agenda for consideration and discussion.

Motion: Supervisor Teeter

Seconded: Supervisor Connelly

Motion passed unanimously.

3.01 Approval of Board of Supervisors Regular Meeting Minutes

Submitted for approval are the March 12, 2024 Board of Supervisors Regular Meeting Minutes. (County Administration)

Action requested - APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING MINUTES FOR MARCH 12, 2024

Minutes

3.02 Resolution Recognizing March 2024 as American Red Cross Month

In efforts to recognize those who have assisted the community in times of crisis, the American Red Cross requests that the Board of Supervisors adopt a resolution recognizing March 2024 as American Red Cross Month. (County Administration)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 24-027

3.03 Mid-Year Budget Adjustment

County Administration conducted a mid-year budget analysis and identified two departments that needed additional appropriation due to unanticipated costs. County Counsel needs a budget adjustment of \$696,000 for the use of external attorneys for specialized areas of law due to unanticipated litigation and investigations. The UC Cooperative Extension Department has experienced a significant increase in utility costs as well as a vehicle repair and needs \$46,000. County Administration recommends the Board of Supervisors approve a budget adjustment from General Fund Appropriation for Contingencies for \$742,000 for County Counsel and UC Cooperative Extension. This action will reduce General Fund Appropriation for Contingencies to \$9,022,205. (County Administration)

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

Staff Report

3.04 Amendment to Agreement with Department of Health Care Services (DHCS) for Performance Requirements Under Mental Health Services Act (MHSA) and Resolution Authorizing the Director of Behavioral Health to Sign the Amendment

DHCS administers the MHSA and oversees County provision of mental health services provided with realignment funds. DHCS requires a performance agreement between DHCS and the County to outline performance terms and conditions to maintain compliance with the regulations of providing specialty mental health services and to continue County eligibility for State funding. DHCS requires a resolution authorizing the Director of Behavioral Health to sign. On September 14, 2021, the Board of Supervisors adopted a Resolution authorizing the Director of Behavioral Health to sign an agreement between DHCS and the Department. The current resolution expires June 30, 2024 in accordance with the term of the agreement. DHCS recently proposed an amendment to extend the agreement by one year, through June 30, 2025. The Department recommends that the Board adopt a new resolution approving the amendment and authorizing the Director to execute the amendment to extend the agreement with DHCS by one year. The new term of the agreement is July 1, 2021 through June 30, 2025. (Behavioral Health)

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

Staff Report

Resolution 24-028

3.05 Contract with Nick Evans dba ABC Nicks Pioneer for County Wide Abandoned Vehicle Abatement (AVA) Tow Services

In February 2024, the Department of Development Services released a request for proposals for vendors to provide County wide AVA Tow services. The Department did not receive any responses to the request for proposal. Vendors providing services must maintain membership on California's Highway Patrol's (CHP) rotation list, follow the protocols of the CHP Tow Service Agreement, and be compliant with the regulations of the AVA program. Only vendors that are compliant can provide services to Butte County for the responsible removal of abandoned vehicles on public roads or as part of Nuisance Abatements. The Department recommends renewing a contract with their current contractor Nick Evans dba ABC Nicks Pioneer (ABC Nicks Pioneer), contract expiring May 1, 2024. ABC Nicks Pioneer meets the vendor requirements to provide towing services to the County. The new contract with ABC Nicks Pioneer would allow for the County to continue addressing complaints regarding abandoned vehicles and the removal of vehicles under the AVA program. The term of the contract begins May 2, 2024 and ends May 2, 2029, not-to-exceed \$500,000. (Development Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE CHAIR TO SIGN

Staff Report

3.06 Contract with RRM Design Group

In December 2023, the Department of Development Services released a request for qualifications for vendors to provide professional design services for Accessory Dwelling Unit (ADU) Prototype Plans. The Department received a total of five responsive bids with RRM Design Group selected as the most qualified. The contract with RRM Design Group would allow for the creation of ADU Prototype Plans that will be made available to the public free of charge as an incentive to promote the construction of smaller ADU housing that is more affordable by design due to the smaller size of the units. In FY 2020-21, the Department entered into a Letter Agreement with Butte County Association of Governments for the sub allocation of the Regional Early Action Planning (REAP) Grant funding from the California Department of Housing and Community Development. On August 14, 2023, the REAP grant was amended to change the project from the CEQA Document for the North Chico Special Planning Area Project to the Design Services for Accessory Dwelling Unit Prototype Plans Project. The Department will receive a reimbursement from the grant up to \$116,251 to fund the ADU Prototype Plans. The Department recommends entering into a contract with RRM Design Group. The term of the contract begins upon execution and ends 1 year after execution, not-to-exceed \$100,010. (Development Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE CHAIR TO SIGN

Staff Report

3.07 2023 General Plan and Housing Element Annual Progress Report

California Government Code 65400 mandates that all counties submit an annual progress report (APR) on the status of the General Plan and progress on its implementation to their legislative bodies, the Governor's Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD) by April 1 of each year (covering the previous calendar year). The General Plan APR provides the Board of Supervisors and the public with information regarding the implementation of the General Plan and informs the public on the progress in meeting community goals. The Housing Element APR is focused on housing permits issued and sorted by State affordability categories and other data categories. The 2023 Butte County General Plan and Housing Element Annual Progress Reports are included for the Board's information. Both reports will be transmitted to the state prior to April 1, 2024 in accordance with state law. (Development Services)

Action Requested - ACCEPT FOR INFORMATION

Staff Report

Annual Element Progress Report

3.08 Letter of Support for State Funding through Homeless Housing, Assistance and Prevention Program (HHAP)

Over the past five years, HHAP funding has been made available by the State to counties, large cities, and Continuums of Care. HHAP funding has supported regional coordination as well as the expansion and development of local capacity to address immediate homelessness challenges. The HHAP program is working and transforming the lives of homeless or those at risk of becoming homeless throughout the State by helping secure permanent housing and related services. Despite the fact that Counties remain on the frontlines of responding to the homelessness crisis, the Governor's Proposed Budget for fiscal year 2024-25 does not include future HHAP funding. In Butte County, HHAP funding has supported 1,662 individuals through Emergency Shelter, 162 individuals through Street Outreach, and 354 individuals and households have gained permanent housing. In response to the Governor's Proposed Budget, the California Statewide Association of Counties, in coordination with the League of California Cities, Big City Mayors, and Bring California Home coalition, have requested the Governor prioritize dedicating ongoing HHAP funding to address homelessness. The Department recommends the Board of Supervisors approve two (2) letters of support to Assembly Budget Subcommittee #5 and Senate Budget and Fiscal Review Subcommittee #4 to continue HHAP funding. (Employment & Social Services)

Action Requested - APPROVE TWO (2) LETTERS OF SUPPORT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

- 3.09 Contract Amendment with Frontier Consulting Engineers, Inc. for Engineering Services on the Countywide Heating, Ventilation and Air Conditioning (HVAC) Replacement Project at 308 Nelson/3 County Center Drive, Oroville

On July 26, 2022, the Board of Supervisors approved a contract with Frontier Consulting Engineers, Inc. to evaluate and prepare construction plans for the Countywide HVAC Replacement Project. The term of the contract was one year, through July 25, 2023 with a fixed price of \$220,000. On May 23, 2023, the Board approved an amendment to extend the term one year, through July 25, 2024 and increase the maximum payable by \$24,000, not-to-exceed \$244,000. On January 24, 2024, the Department of General Services approved a second amendment to increase the maximum payable by \$2,000, not-to-exceed \$246,000 and extend the term to July 25, 2025. On October 10, 2023, the Board approved funding the 308 Nelson Avenue/3 County Center Drive HVAC Redesign project via the County Facility Deferred Maintenance Program. The Department recommends the Board approve an third amendment to the contract with Frontier Consulting Engineers, Inc. to include HVAC at 308 Nelson and 3 County Center Drive. The amendment increases the maximum payable amount by \$65,000, not-to-exceed \$311,000. All other terms remain the same. (General Services)

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

Staff Report

3.10 Change Order #4 with Hankins Group Inc. for the Public Safety Facility Generators Construction Project (Project)

On June 28, 2022, the Board of Supervisors approved a construction contract with Hankins Group Inc. for the construction of public safety facility generators. The contract is for a fixed fee amount of \$1,820,472. The Department of General Services has executed change orders #1-3 in the total amount of \$60,030 to meet immediate needs of the project and extend the term of the construction contract due to long procurement durations for the specialized equipment. Additionally, engineering plans have been revised to account for manufacturing changes in equipment, unforeseen conditions within the facilities, and to match PG&E engineering and policy changes. To execute the larger engineering revisions, the Department recommends the Board approve change order #4 in the amount of \$239,599 and ratify change orders #1 through #3. Total not-to-exceed is \$2,120,101. The cost of change order #4 will be funded within the current project budget, with approximately \$250,000 remaining in project contingencies. (General Services)

Action Requested - 1) RATIFY CHANGE ORDERS #1-3; AND 2) APPROVE CHANGE ORDER #4 AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.11 IRS 1075 POLICY UPDATES TO BUTTE COUNTY PERSONNEL RULES

The Department of Human Resources requests to update Appendix IX: IRS Publication 1075 Compliance Policy of the Butte County Personnel Rules. The updates to the IRS Publication 1075 Compliance Policy are required by the IRS and reduce the number of years background and reinvestigation reports may reference when completing them. For background reports, the time is reduced from 10 to 5 years. For reinvestigation reports, the time is reduced from 7 to 5 years. Both of these reports are used by the County for new hires and transfers of employees between departments. (Human Resources)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 24-029

3.13 Grant Agreement with California Department of Public Health (CDPH) for HIV Care Program (HCP) services under the Ryan White HIV/AIDS Program

The Ryan White HIV/AIDS Program was implemented in 1990 and is administered by the U. S. Department of Health and Human Services, Health Resources and Services Administration, and the HIV/AIDS Bureau. CDPH is the grant administrator for the State of California. HCP provides services to uninsured and under-insured clients with HIV infection, who do not have access to primary care-related services and/or support services through other means. The Department of Public Health serves approximately 90 clients annually. The program provides services through four

service categories: outpatient/ambulatory health services; non-medical case management services; food bank/home-delivered meals; and medical transportation. The Department recommends entering into a grant agreement with CDPH for HCP services under the Ryan White HIV/AIDS Program. The term of the grant agreement is April 1, 2024, through March 31, 2029, with a maximum receivable of \$705,405. (Public Health)

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

Staff Report

3.14 Grant Agreement with California Department of Public Health (CDPH) for the Pre-Exposure Prophylaxis (PrEP) and Post-Exposure Prophylaxis (PEP) Initiation and Retention (PPIR) Initiative

The goal of the PPIR Initiative is to support and expand PrEP and PEP navigation services to increase PrEP and PEP initiation and retention among individuals at a perceived higher risk of new human immunodeficiency virus (HIV) infection. The four strategies that will be used to accomplish this goal are to promote knowledge about PrEP/PEP among priority populations and service providers, engage priority populations and increase PrEP/PEP accessibility, navigate priority population participants to PrEP/PEP and other necessary services and retain priority population participants in PrEP/PEP services. The Department of Public Health recommends entering into a grant agreement with CDPH for the PPIR Initiative. The term of the grant agreement is upon execution through June 30, 2027, with a maximum amount receivable of \$600,000. (Public Health)

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

Staff Report

3.15 Resolution Recognizing April 1-7, 2024 as National Public Health Week

A presidential proclamation in 1995 designated the first full week of April as National Public Health Week to highlight efforts in communities across the nation and to heighten awareness of important public health issues. The American Public Health Association has declared April 1-7, 2024, as National Public Health Week. The theme for the 2024 National Public Health Week is "Protecting, Connecting and Thriving: We Are All Public Health". The Department of Public Health will join other counties in California and across the nation to raise awareness that healthy communities start with healthy individuals. Butte County Public Health is dedicated to providing services and programs that protect health, prevent disease, and promote health education. During National Public Health Week, the department will provide educational information that highlights efforts to promote prevention along with services that align with this year's theme. All public health professionals and advocates provide an important role in protecting and furthering the health and welfare of residents, and their dedicated efforts are appreciated and worthy of commendation. (Public Health)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 24-031

3.16 Contract with Sentinel Offender Services (Sentinel) for the Alternate Custody Supervision (ACS) Program

The Sheriff's Office ACS Program provides individualized education and counseling intended to change behavior and reduce recidivism to inmates utilizing a contracted service provider at the Sheriff's Day Reporting Center (DRC). Services provided include classes such as cognitive and life skills, moral reconnection therapy, anger management and problem resolution, substance abuse, parenting and family values, and educational services. In addition, inmates in need of a high school diploma are offered GED classes, and all inmates are offered training on computer literacy and job readiness. In October of 2023, the Sheriff's Office performed a solicitation to locate a vendor to provide DRC Operations and Programming Services. Two responses were received and Sentinel Offender Services was selected. Sentinel will provide full-time staff who provide education and counseling services and work with ACS correctional deputies to direct and supervise inmates and assist with the day-to-day operation of the DRC. The Sheriff's Office recommends entering into a contract with Sentinel Offender Services for the ACS Program. The term of the contract is April 1, 2024 through March 31, 2029, not-to-exceed \$1,754,136. (Sheriff)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.18 Contract Amendment with Paygov.US LLC for Electronic Payment Processing Services

The Treasurer-Tax Collector's Office has had a contract with Paygov.US LLC (Paygov) for electronic payment processing services in place since September 12, 2017. This contract began after the Board of Supervisors approved an Electronic Payment Policy in 2016. Since then, this contract has been amended three times; all for continuing service by extending the term and increasing the total contract amount. The Treasurer-Tax Collector's Office recommends amending the contract with Paygov by extending the term by three years through June 30, 2027. The total contract price of \$475,000 is not changing. All other terms remain the same. (Treasurer-Tax Collector)

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

Staff Report

3.19 Contract amendment with Tracker, a Division of C2, LLC, for Treasury Portfolio Reporting Services

The Treasurer-Tax Collector's Office has had a contract in place with Tracker, a Division of C2, LLC (Tracker) for treasury portfolio reporting services since November 1, 2018. This is an on-line, web-based portfolio management service provider. There have been 4 amendments to this contract since then which have increased the maximum amount payable, extended the term, provided necessary training, and added a necessary service module. The Treasurer-Tax Collector's Office recommends amending the contract with Tracker for Treasury Portfolio Reporting Services. The amendment extends the term of the contract by three years through June 30, 2027, and increases the maximum payable amount by \$23,580, not-to-exceed \$62,630. All other terms remain the same. (Treasurer-Tax Collector)

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

Staff Report

4. REGULAR AGENDA

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

A. Appointment to Listed Vacancies

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 - Enjoyed a much needed vacation.

Supervisor Ritter - Meeting with appointee of Mosquito and Vector Control, attended Disability Action Network, Butte County Continuum of Care, NAACP, Agenda Review for Air Quality, First 5 Commission meeting, and participated in the "Deputy for a Day" event. Requests an update regarding the fire victim's trust and asks for a letter of support towards how Butte County enacts SB1383.

Supervisor Connelly - Thanked Code Enforcement for their work in Palermo and also to Public Works for the stop signs at Crane Avenue. Attended a Vets Memorial meeting, discussions about a proposed solar project in Bangor, met with Congressman LaMalfa and Congressman Tokuda from Hawaii.

Supervisor Kimmelshue - Traveled to Washington D.C. to discuss issues pertaining to the following: Lumpkin Road Rehabilitation project, Paradise Library Open Plus program, Substance Abuse Acute Care Facility

study, Emergency Operations Center Technical updates, groundwater recharge projects, funding due from FEMA, and the fire insurance crisis.

Supervisor Teeter - Traveled to Washington D.C. and attended a meeting with the US Forest Service - spoke about reforestation, seed shortages, insect disease, categorical exclusions, and housing on forest service lands for workers. Met with National Association of Counties (NACo) regarding FEMA reimbursement, Project Room Key and mental health, spoke with the Department of Transportation to discuss Lumpkin Road, North Valley rail, evacuation routes, Safe Streets for All and charging stations, and met with Bureau of Land Management regarding the Good Neighbor Authority and other BLM lands in Butte County. He further states he spoke with members from the California Conservation Corp. about what they do.

- 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) Diana Cynthia Joy, Julie Threet, Diana Dreiss, The Cameraman, and Noemi Rodriguez (in person).

- 4.03 Update to Resolution Authorizing Temporary Correctional Deputy I/II Hiring Bonus Program

On December 13, 2023 the Board of Supervisors approved a temporary Correctional Deputy Hiring Bonus Program. The goal of this was to assist with staff recruitment and retention challenges that have been ongoing despite recent salary increases and traditional efforts to find and keep entry-level staff. The attached resolution is updating the terms of the previously approved resolution. The original resolution established that the bonus be paid over three milestones with the last one being at the end of the successful probationary period. The updated resolution changes the milestones to two with the 2nd payment being at the end of the successful completion of the Field Training Officer program. The total bonus amount of \$10,000 for entry-level applicants and \$30,000 lateral applicants shall remain the same. The Board previously authorized these bonuses to be available for the next eleven hires beginning December 12, 2023. Hiring Bonus Program costs, which are estimated to be between \$110,000 and \$333,000, depending on the mix of new hires and laterals, are recommended to be funded equally by two sources: Community Corrections Partnership (CCP) one-time funds and 2011 Local Innovation Funds. The CCP has approved the use of the funds, and the Local Innovation Funds are under the control of the Board of Supervisors. The budget amendment for this action will take place at the end of the fiscal year once the actual costs are known. (Human Resources/Sheriff)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Sheri Waters , Director of Human Resources, presented this item to the Board.

No public comment was submitted for this item.

Action: ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

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

Motion passed unanimously.

Staff Report

Resolution 24-032

4.04 Update to Resolution Authorizing Temporary Law Enforcement Referral Bonus Program

On July 26, 2022, the Board of Supervisors approved a temporary Law Enforcement Referral Bonus Program to assist with the staff recruitment and subsequent retention issues that have taken place in the last several years. This resolution modifies how the bonuses are to be paid. The total bonus amount of \$1,500 shall remain the same. However, the full amount of the referral bonus will be provided upon successful hire of the referred candidate. It is estimated that this temporary program will be in place for two years. (Human Resources/Sheriff)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Sheri Waters , Director of Human Resources, presented this item to the Board.

No public comment was submitted for this item.

Action: ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

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

Motion passed unanimously.

Staff Report

Resolution 24-033

4.05 Resolution Authorizing Temporary Hiring Bonus Program for Deputy District Attorney Classifications

Staff recruitment and subsequent retention for Deputy District Attorney positions in the District Attorney's Office have presented an ongoing challenge for Butte County

for several years despite traditional efforts to find and keep staff. Additionally, the decreased staffing associated with recruitment difficulties and turnover has continued to add to the burden on current employees who have to carry larger caseloads. In response to general recruitment challenges, other agencies have recently implemented recruitment and retention incentives such as hiring bonuses to attract applicants and maintain staffing at required levels. The District Attorney recommends implementing a hiring bonus that would be up to \$30,000. This bonus would be structured with \$15,000 paid upon successful hire and the additional \$15,000 upon completion of the new hire probationary period. By authorizing a similar program as other agencies there is an opportunity to potentially entice qualified applicants to apply for and be successful in these extremely difficult to fill positions. The hiring bonuses up to \$30,000 are recommended to be paid by restricted AB109 funds within the District Attorney's allocation. The District Attorney recommends the Board of Supervisors authorize a limited hiring bonus program, available for the next four hires, subject to implementation and management by the Human Resources Director. The budget amendment for this action will take place at the end of the fiscal year once the actual costs are known. (Human Resources/District Attorney)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Sheri Waters , Director of Human Resources and Mike Ramsey, District Attorney, presented this item to the Board.

No public comment was submitted for this item.

Action: ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

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

Motion passed unanimously.

Staff Report

Resolution 24-034

4.06 Resolution Authorizing Temporary Longevity Bonus Program for Deputy District Attorney Classifications

Staff recruitment and subsequent retention for Deputy District Attorney positions in the District Attorney's Office have presented an ongoing challenge for Butte County for several years despite traditional efforts to find and keep staff. Additionally, the decreased staffing associated with recruitment difficulties and turnover has continued to add to the burden on current employees who have to carry larger caseloads. In response to general recruitment and retention challenges, other agencies have recently implemented recruitment and retention incentives such as hiring and longevity bonuses to attract applicants and maintain staffing at required levels. The District Attorney recommends implementing a temporary longevity bonus that would be up to \$15,000. This bonus would be structured with a first payment of \$7,500 paid to those full time Deputy District Attorneys employed on

April 1, 2024 and \$7,500 paid to those same employees still employed on April 1, 2025. By authorizing a similar program as other agencies there is an opportunity to potentially entice qualified employees to remain in these extremely difficult to fill positions. Program costs, which are estimated to be \$300,000 are recommended to be paid by restricted AB109 funds within the District Attorney's allocation. The District Attorney recommends the Board of Supervisors authorize a limited longevity bonus program, available for one year, subject to implementation and management by the Human Resources Director. The budget amendment for this action will take place at the end of the fiscal year once the actual costs are known. (Human Resources/District Attorney)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Sheri Waters , Director of Human Resources and Mike Ramsey, District Attorney, presented this item to the Board.

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

Action: ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

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

Motion passed unanimously.

Staff Report

Resolution 24-035

4.07 Resolution to Amend the Salary Ordinance for Probation Reclassification of Juvenile Detention Officers

In June 2023, pursuant to SB 823, the State Division of Juvenile Justice (DJJ) permanently closed for the housing of youthful offenders, thereby transferring the responsibility to local county jurisdictions. In addition to the closure of DJJ, SB 823 mandates additional changes related to the care of youth within local juvenile halls. These new expectations of juvenile hall staff more closely align with the responsibilities of the Deputy Probation Officer series. The consolidation of all Probation Department sworn positions into one classification series will improve the recruitment efforts and the addition of a Deputy Probation Officer III in the series will address Department needs and support retention efforts. In addition to reclassifying all Juvenile Detention Officers to Deputy Probation Officers this action will make adjustments to various Senior and Supervisor positions to align with the classification change and address compaction. The increased salary and benefit costs are covered by SB 823 Juvenile Justice Realignment funds. The Departments of Human Resources and Probation recommend the Board of Supervisors adopt a resolution amending the Salary Ordinance for the Probation Department. (Human Resources/Probation)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Sheri Waters , Director of Human Resources and Melissa Romero, Chief Probation Officer, presented this item to the Board.

No public comment was submitted for this item.

Action: ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Connelly

Seconded: Supervisor Durfee

Motion passed unanimously.

Staff Report

Resolution 24-036

- 4.08 Grant Agreement and Resolution for the California Health Care Services (DHCS), Behavioral Health Bridge Housing (BHBH) Grant through Advocates for Human Potential (AHP).

In September of 2023, DHCS through its agent, AHP, has awarded a BHBH grant in the amount of \$7,510,000 to Butte County to address the immediate housing and treatment needs of people experiencing homelessness who have serious mental health conditions. The BHBH grant is one in a series of grants aimed to facilitate the expansion of in-County residential sites, enabling clients to remain in their community. In-County residential sites are proven to be more effective in increasing the individual's capacity for stability and improvement. This expansion will facilitate the provision of an additional twenty beds over a four year period. The Department of Behavioral Health recommends the Board of Supervisors approve the DHCS grant agreement through AHP in the amount of \$7,510,000 and adopt the resolution authorizing the Department Director to sign the agreement and relative documents as required by the grantor. The term of the grant is September 5, 2023 to June 30, 2027. (Behavioral Health)

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

No public comment was submitted for this item.

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

Motion: Supervisor Ritter

Seconded: Supervisor Connelly

Motion passed unanimously.

Staff Report

Resolution 24-037

4.09 County-Initiated Amendments (ZCA23-0004) to Butte County Code, Chapter 24 Zoning Ordinance - Outdoor Festivals

At the Board of Supervisors Hearing on February 27, 2024, the Board provided direction to staff to make amendments to the proposed Outdoor Festival Ordinance. The changes included recommendations to include fee exemptions for tax-exempt organizations (as defined in section 501(C)(3) of the Internal Revenue Code) and for previously permitted festivals held on established sites up to five times per calendar year. The direction also included a recommendation to apply the \$219.35 Administrative Permit fee, established in the Master Fee Schedule, to Outdoor Festival Administrative Permits. Lastly, the direction included recommendation for staff to pursue full cost recovery during the upcoming User Fees Schedule update. (Development Services)

Action Requested - 1) FIND THE ZONING ORDINANCE AMENDMENTS ARE NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND THEREFORE EXEMPT; 2) ADOPT THE ORDINANCE AMENDING BUTTE COUNTY CODE, CHAPTER 24, (ZONING ORDINANCE) AND CHAPTER 12 (LICENSES)

Paula Daneluk, Director of Development Services and Dan Breedon, Planning Manager, presented this item to the Board.

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

Action: 1) FIND THE ZONING ORDINANCE AMENDMENTS ARE NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND THEREFORE EXEMPT; 2) ADOPT THE ORDINANCE AMENDING BUTTE COUNTY CODE, CHAPTER 24, (ZONING ORDINANCE) AND CHAPTER 12 (LICENSES).

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

Motion passed unanimously.

Staff Report

PowerPoint

Ordinance 4239

4.10 Budget Adjustment to Offset FEMA Hazard Mitigation Grant Program

Following the 2018 Camp Fire, the Department of Development Services applied through CalOES for a FEMA Hazard Mitigation Grant Program (HMGP) to fund three positions, critical to the recovery effort, for a total of three years. The HMGP grant application was filed in 2019, completed programmatic review in April of 2020, and following numerous additional reviews and coordination meetings, the County was

notified in February 2021, that pending environmental review, the funds would be awarded to the County. Unfortunately, this project was combined with two other HMPG projects in the Butte County area for environmental review resulting in a three year delay. Given the importance of the recovery services and the County's understanding that the grant would be processed timely the County moved forward in 2019 to create and hire the positions and begin work using a combination of general funds and PG&E settlement funds. FEMA has not completed the environmental review yet and cannot provide a timeline for completion, though some progress has been made. In consideration of the uncertain timeline of receiving the grant funds, the Department is requesting to utilize \$75,161 from General Fund Appropriations for Contingencies to continue funding two Building Inspectors and the Re-Build Advocate/Permit Center Supervisor through June 30, 2024, reducing the balance of General Fund Appropriations for Contingencies to \$8,947,044. If the grant funds are not available by June 30, 2024 the positions will come to an end due to lack of funding. (Development Services)

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

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

No public comment was submitted for this item.

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

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

Motion passed unanimously.

Staff Report

4.11 Budget Adjustment and Capital Asset Authority for Butte County Library Projects Under the California State Library Building Forward Grant Award

On December 12, 2023, the Board of Supervisors adopted a resolution accepting \$14,159,321 in grant funds for building improvements at the Oroville and Chico Branch Libraries from the California State Library "Building Forward" grant. The improvements include addressing critical building maintenance such as roofing, weather proofing, and electrical upgrades in Oroville, improved ADA access and electrical upgrades in Chico, improved energy efficiency, and preparing both facilities for future digital access systems. The required local match will be paid from the Facility Deferred Maintenance and Rehabilitation Program approved by the Board on October 10, 2023 utilizing PG&E Settlement Funds. The total budget of the Oroville Branch project is \$9,569,945, including \$1,913,989 in local match. The total budget of the Chico Branch project is \$8,129,206, including \$1,625,841 in local match. The first installment of the grant award, in the amount of \$7,000,000, arrived in March 2024, with the remainder expected in the current fiscal year. In order to begin the projects, the Department of General Services and the County Library recommend the Board approve a budget adjustment totaling \$17,699,151 for the two projects, approve capital asset authority to each project, and appoint

the Director of General Services as officer of the projects. (General Services/Library)

Action Requested - 1) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED); 2) APPROVE CAPITAL ASSET AUTHORITY; AND 3) APPOINT THE DIRECTOR OF GENERAL SERVICES AS OFFICER OF THE PROJECTS

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

No public comment was submitted for this item.

Action: 1) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED); 2) APPROVE CAPITAL ASSET AUTHORITY; AND 3) APPOINT THE DIRECTOR OF GENERAL SERVICES AS OFFICER OF THE PROJECTS.

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

Motion passed unanimously.

Staff Report

4.12 Contract Amendment with Pro-Line Cleaning Services, Inc. for Janitorial Services for County-Leased Facilities

On March 24, 2020, the Board of Supervisors approved a contract with Pro-Line Cleaning Services, Inc. for janitorial services at County-leased facilities occupied by the Departments of Behavioral Health, Employment and Social Services, Public Health, and Child Support Services. The term of the contract is April 1, 2020 through March 31, 2024, not-to-exceed \$2,175,206. The contract was amended eight times to address changes in addresses for service delivery and type and frequency of janitorial services, resulting in an overall increased maximum payable of \$1,033,955, not-to-exceed \$3,209,161. The Department of General Services recommends the Board approve an amendment to the contract with Pro-Line Cleaning Services, Inc. to extend the term by one year through March 31, 2025 and increase the maximum payable amount by \$1,074,364, not-to-exceed \$4,283,525. All other terms remain the same. (General Services)

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

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

No public comment was submitted for this item.

Action: APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

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

Motion passed unanimously.

Staff Report

4.13 Resolutions Approving Applications for 2018 Community Development Block Grant - Disaster Recovery (CDBG-DR) Mitigation Resilient Infrastructure Program, Committing Matching Funds and Naming the County's Certifying Officer

The California Department of Housing and Community Development received federal funding for the CDBG-DR Mitigation-Resilient Infrastructure Program (MIT-RIP). Eligible jurisdictions had 1% or more of total structures destroyed by fire in 2018 and have more than 0.4% of total land designated as moderate, high or very high fire hazard risk. Butte County has been allocated \$6,109,510 for infrastructure projects that reduce risks of natural hazards. County Administration, in coordination with various County departments, has identified priority projects for readiness, and recommends applying for the following activities: 1. Carpenter Ridge Communication Tower and Equipment (\$5,658,035); 2. Fire Station Infrastructure Stabilization Project (\$451,475). The Carpenter Ridge project would construct and equip a tower in the northern mountainous area of Butte County to extend first responder communication. The system would be comprised of a tower, vault, generator, storage, equipment and a security system. Projects that cannot meet the low-to-moderate income (LMI) requirements of the grant must provide a 10% non-federal match. Due to the nature of radio towers covering large geographic areas, the Carpenter Ridge project cannot meet the LMI requirement, and requires \$628,671 as 10% of the total project cost of \$6,286,705. The Fire Station Infrastructure Stabilization Project would stabilize the infrastructure investment of Fire Station 72 (Palermo) and Fire Station 55 (Bangor) to ensure immediate and efficient deployment and response to disasters in South County. These and other CDBG projects require the County to designate an Environmental Assessments (EA) Certifying Officer. County Administration recommends naming the Development Services Director as the authorized EA Certifying Officer. (County Administration)

Action Requested - 1) ADOPT RESOLUTION APPROVING APPLICATION AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO EXECUTE GRANT AGREEMENTS; 2) ADOPT RESOLUTION COMMITTING \$628,671 FROM THE GENERAL FUND AS THE LOCAL MATCH; AND 3) ADOPT RESOLUTION NAMING THE DEVELOPMENT SERVICES DIRECTOR AS THE COUNTY'S EA CERTIFYING OFFICER

Katie Simmons, Deputy Administrative Officer and Paul LaValley, Director of Information Services presented the item to the Board.

No public comment was submitted for this item.

Action: 1) ADOPT RESOLUTION APPROVING APPLICATION AND AUTHORIZE THE CHIEF ADMINSTRATIVE OFFICER TO EXECUTE GRANT AGREEMENTS; 2) ADOPT RESOLUTION COMMITTING \$628,671 FROM THE GENERAL FUND AS THE LOCAL MATCH; AND 3) ADOPT RESOLUTION NAMING THE DEVELOPMENT SERVICES DIRECTOR AS THE COUNTY'S EA CERTIFYING OFFICER.

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

Motion passed unanimously.

Resolution 24-038

Resolution 24-039

Resolution 24-040

Staff Report

- 4.14 Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer
- 4.15 Board of Supervisors Public Comment (Continuation as Needed) - Comments to the Board on issues and items not listed on the agenda. Please note that pursuant to California State law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda.
- 4.16 Items Removed from the Consent Agenda for Board Consideration and Action
- 3.12 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 department: DEVELOPMENT SERVICES: Add 1 flexibly staffed Code Enforcement I / II position. The addition of 1 FTE position will better suit the current and future needs of the Department due to the lack of qualified Extra Help applicants over the past four years. The 1 FTE position will be funded by salary savings of \$84,405 in Extra Help wages within the department's current budget. Total allocations to increase by 1. (Human Resources)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Sheri Water, Director of Human Resources and Paula Daneluk, Director of Development Services presented this item the Board.

No public comment was submitted for this item.

Action: ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

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

Motion passed unanimously.

Staff Report

Resolution 24-030

3.17 Contract Amendment with First Corporate Solutions, Inc. for Tax Auction Parties of Interest Search

The Treasurer-Tax Collector's Office is conducting a public auction of tax defaulted properties in June. As part of the auction preparation process, the owners and other parties with a financial interest in the properties must be notified of the sale date and deadline to redeem the taxes. Annually, owners of tax-defaulted properties are notified of their tax delinquency and how to redeem their property. If taxes remain unpaid for five years after the date of default, the property will be subject to the Treasurer-Tax Collector's power to sell and may subsequently be sold at public auction. Prior to conducting a tax auction, the Department notifies the owner and other parties of interest of the auction proceedings. On August 10 2021, the Board of Supervisors approved an agreement with First Corporate Solutions, Inc. to conduct the tax auction searches for parties of interest. Since then, the contract was amended one time in anticipation of the high number of parcels expected to be sold during the upcoming auction. The Treasurer-Tax Collector's Office recommends amending the contract with First Corporate Solutions, Inc. to conduct the tax auction parties of interest searches. The original expiration date was June 30, 2024, and additional services are needed. This amendment extends the term through August 9, 2026, and increases the maximum payable amount by \$31,875, not-to-exceed \$150,000. All other terms remain the same. (Treasurer-Tax Collector)

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

Troy Kidd, Treasurer-Tax Collector presented this item the Board.

No public comment was submitted for this item.

Action: APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN.

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

Motion passed unanimously.

Staff Report

4.17 Certification of Statement of Votes Cast for the March 5, 2024 Presidential Primary Election

Keaton Denlay, County Clerk-Recorder/Registrar of Voters, submits the certification of the Statement of Votes Cast for the Presidential Primary Election held in Butte County on March 5, 2024. (Clerk-Recorder/Registrar of Voters) **Item 4.17 was included on the Supplemental Agenda released Friday, March 22, 2024 at 1:30

PM**

Action Requested - Accept certification of the Statement of Votes Cast for the March 5, 2024 Primary Election

Keaton Denlay, Clerk-Recorder/Registrar of Voters presented this item the Board.

No public comment was submitted for this item.

Action: ACCEPT CERTIFICATION OF THE STATEMENT OF VOTES CAST FOR THE MARCH 5, 2024 PRIMARY ELECTION.

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

Motion passed unanimously.

Staff Report

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 CE23-00559 at 28 Outpost Road, Berry Creek (Assessor's Parcel Number 061-410-027) in the amount of \$44,277.65.

On August 9, 2023 a Hearing Officer declared a public nuisance existed on the property pursuant to Butte County Code Chapters 34A - Medical Marijuana Cultivation Ordinance and 34C - Non-medical Marijuana Cultivation 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 CE23-00559 at 28 Outpost Road, Berry Creek (Assessor's Parcel Number 061-410-027) in the amount of \$44,277.65 (\$38,500.00 for penalties and \$5,777.65 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$38,500.00 AND A SPECIAL ASSESSMENT OF \$5,777.65

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 \$38,500.00 AND A

SPECIAL ASSESSMENT OF \$5,777.65.

Motion: Supervisor Durfee

Seconded: Supervisor Connelly

Motion passed unanimously.

Staff Report

PowerPoint

- B. Code Enforcement Case Number CE23-00850 at 4208 Mountain Pine Lane, Concow (Assessor's Parcel Number 058-340-005) in the amount of \$65,200.34.

On October 13, 2023 a Hearing Officer declared a public nuisance existed on the property pursuant to Butte County Code Chapters 34A - Medical Marijuana Cultivation Ordinance and 34C - Non-medical Marijuana Cultivation 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 CE23-00850 at 4208 Mountain Pine Lane, Concow (Assessor's Parcel Number 058-340-005) in the amount of \$65,200.34 (\$58,000.00 for penalties and \$7,200.34 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$58,000.00 AND A SPECIAL ASSESSMENT OF \$7,200.34

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 \$58,000.00 AND A SPECIAL ASSESSMENT OF \$7,200.34.

Motion: Supervisor Teeter

Seconded: Supervisor Durfee

Motion passed unanimously.

Staff Report

PowerPoint

- C. Code Enforcement Case Number CE23-00454 at 0 Mountain Pine Lane, Concow (Assessor's Parcel Number 058-340-023) in the amount of \$44,580.62.

On July 12, 2023 a Hearing Officer declared a public nuisance existed on the property pursuant to Butte County Code Chapters 34A - Medical Marijuana Cultivation Ordinance and 34C - Non-medical Marijuana Cultivation 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 CE23-00454 at 0 Mountain Pine Lane, Concow (Assessor's Parcel Number 058-340-023) in the amount of \$44,580.62 (\$37,500.00 for penalties and \$7,080.62 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$37,500.00 AND A SPECIAL ASSESSMENT OF \$7,080.62

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 \$37,500.00 AND A SPECIAL ASSESSMENT OF \$7,080.62.

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

Motion passed unanimously.

Staff Report

PowerPoint

- D. Code Enforcement Case Number CE23-00463 at 0 Mountain Pine Lane, Concow (Assessor's Parcel Number 058-340-003) in the amount of \$20,855.75.

On September 4, 2023 a Hearing Officer declared a public nuisance existed on the property pursuant to Butte County Code Chapters 34A - Medical Marijuana Cultivation Ordinance and 34C - Non-medical Marijuana Cultivation 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 CE23-00463 at 0 Mountain Pine Lane, Concow (Assessor's Parcel Number 058-340-003) in the amount of \$20,855.75 (\$14,500.00 for penalties and \$6,355.75 for cost recovery).

Action Requested - APPROVE THE PROPOSED LIEN OF \$14,500.00 AND A SPECIAL ASSESSMENT OF \$6,355.75

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 \$14,500.00 AND A SPECIAL ASSESSMENT OF \$6,355.75.

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

Motion passed unanimously.

Staff Report

PowerPoint

- E. Code Enforcement Case Number CE23-00462 at 0 Mountain Pine Lane, Concow (Assessor's Parcel Number 058-340-021) in the amount of \$34,413.55.

On July 21, 2023 a Hearing Officer declared a public nuisance existed on the property pursuant to Butte County Code Chapters 34A - Medical Marijuana Cultivation Ordinance and 34C - Non-medical Marijuana Cultivation 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 CE23-00462 at 0 Mountain Pine Lane, Concow (Assessor's Parcel Number 058-340-021) in the amount of \$34,413.55 (\$26,500.00 for penalties and \$7,913.55 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$26,500.00 AND A SPECIAL ASSESSMENT OF \$7,913.55

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 \$26,500.00 AND A SPECIAL ASSESSMENT OF \$7,913.55.

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

Motion passed unanimously.

Staff Report

PowerPoint

- F. Code Enforcement Case Number CE23-00944 at 1449 Stoney Oaks Loop, Bangor (Assessor's Parcel Number 028-170-149) in the amount of \$82,826.01.

On October 7, 2023 a Hearing Officer declared a public nuisance existed on the property pursuant to Butte County Code Chapters 34A - Medical Marijuana Cultivation Ordinance and 34C - Non-medical Marijuana Cultivation 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 CE23-00944 at 1449 Stoney Oaks Loop, Bangor (Assessor's Parcel Number 028-170-149) in the amount of \$82,826.01 (\$76,000.00 for penalties and \$6,826.01 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$76,000.00 AND A SPECIAL ASSESSMENT OF \$6,826.01

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 \$76,000.00 AND A SPECIAL ASSESSMENT OF \$6,826.01.

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

Motion passed unanimously.

Staff Report

PowerPoint

5.02 10:30 am - Public Hearing - Rezone (REZ23-0003) for the Runge Living Trust

Proposed rezoning to amend the official zoning of 88.94 acres of vacant land from Planned Development (PD) to Medium Density Residential (MDR) to conform to the existing Medium Density Residential General Plan land use designation. The project area's zoning will be replaced with the MDR zone; however, no development of the vacant land is planned at this time. The project site is located on the southeast corner of State Highway 162 and Apica Avenue, approximately ¾-mile west of Miners Ranch Road, in the unincorporated area of Butte County, approximately 3 miles east of the City of Oroville; Assessor Parcel Numbers: 069-520-023, -054, & -056. The Department recommends finding the project categorically exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines (Common Sense Exemption). The Planning Commission considered this item at a public hearing held on February 22, 2024 and recommended, on a 5-0 vote, the Board of Supervisors find the project categorically

exempt from an environmental review, and approval of the Rezone. (Development Services)

Action Requested - ADOPT THE ORDINANCE AMENDING THE ZONING MAP AND AUTHORIZE THE CHAIR TO SIGN

Paula Daneluk, Director of Development Services and Rowland Hickel presented this item to the Board.

No public comment was submitted for this item.

Action: ADOPT THE ORDINANCE AMENDING THE ZONING MAP AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Connelly

Seconded: Supervisor Teeter

Motion passed by a 4-1 Vote (AYES: Supervisors Connelly, Durfee, Teeter and Chair Kimmelshue; NAYS: Supervisor Ritter)

Staff Report

PowerPoint

Ordinance 4240

5.03 10:45 am - Public Hearing - Amendments to Butte County Zoning Ordinance Chapter 24, Article II, Section 24-20, Table 24-20-3

A County-initiated Zoning Code Amendment (ZCA23-0002) to create a distinction between setback standards for primary and accessory structures within the Very Low Density Residential (VLDR) zone and reducing the rear and side-yard setback standards to 5 feet for all accessory structures equal to or under 16 feet in height within the zone. Accessory structures exceeding 16 feet in height will still be subject to the existing larger setback. The zoning code amendment is exempt from environmental review pursuant to CEQA Guidelines Section 15268(a) - Ministerial Projects exemption. Ministerial projects are defined by the Zoning Ordinance as those projects processed by the County involving only the use of fixed standards or objective measurements and not requiring the exercise of discretion. The proposed zoning code amendment will only apply to fixed setback standards for accessory structures within the VLDR zone, the application of which will require no exercise of discretion. On February 22, 2024, the Planning Commission passed Resolution PC24-07 on a vote of 5-0 finding the proposed Zoning Code Amendment exempt under section 15268(a) of the California Environmental Quality Act and recommending adoption of Zoning Code Amendment ZCA23-0002. (Development Services)

Action Requested - 1) FIND THE PROJECT IS EXEMPT FROM CEQA; AND 2) ADOPT THE ORDINANCE AMENDING CHAPTER 24, ARTICLE II, SECTION 24-20, TABLE 24-20-3, AND AUTHORIZE THE CHAIR TO SIGN

Paula Daneluk, Director of Development Services and Dan Breedon, Planning Manager, presented this item to the Board.

No public comment was submitted for this item.

Action: 1) FIND THE PROJECT IS EXEMPT FROM CEQA; AND 2) ADOPT THE ORDINANCE AMENDING CHAPTER 24, ARTICLE II, SECTION 24-20, TABLE 24-30-3, AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Teeter
Seconded: Supervisor Ritter

Motion passed unanimously.

Staff Report

PowerPoint

Ordinance 4241

1. CALL TO ORDER

2. CONSENT AGENDA

2.01 Thompson Flat Cemetery District - Approval of Minutes

The Board of Supervisors became the Thompson Flat Cemetery District Board of Trustees on August 10, 1999. Pursuant to Health and Safety Code section 9029, the Trustees are required to meet at least once every three months. Submitted for approval are the following minutes for the Thompson Flat Cemetery District Board, bringing all past minutes up to date: December 13, 2022, March 28, 2023, June 27, 2023, August 22, 2023, October 24, 2023, and January 23, 2024. (General Services)

Action Requested - APPROVE THE THOMPSON FLAT CEMETERY DISTRICT MINUTES FROM DECEMBER 13, 2022, MARCH 28, 2023, JUNE 27, 2023, AUGUST 22, 2023, OCTOBER 24, 2023, AND JANUARY 23, 2024

Action: Approve the Consent Agenda

Motion: Supervisor Durfee
Seconded: Supervisor Ritter

Motion passed unanimously.

Minutes

3. REGULAR AGENDA (No items)

4. PUBLIC COMMENT Comments to the Thompson Flat Cemetery District Board of Trustees on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California State law, the Thompson Flat Cemetery District is prohibited from taking action on any item not listed on the agenda.

5. CLOSED SESSION (No Items)

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 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.

**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