



**BUTTE COUNTY
BOARD OF SUPERVISORS
REGULAR MEETING AGENDA
MARCH 12, 2024
9:00 AM**

MEMBERS OF THE BOARD

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

BRAD STEPHENS, COUNTY COUNSEL

**ANDY PICKETT
CHIEF ADMINISTRATIVE OFFICER &
CLERK OF THE BOARD**

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

1. CALL TO ORDER

Pledge of Allegiance
Observation of a Moment of Silence

Rules of Decorum

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

2A. CORRECTIONS AND/OR CHANGES TO THE AGENDA

2B. ANNOUNCEMENT(S) OF RECUSAL

3A. SUPERVISOR COMMENTS ON CONSENT AGENDA ITEMS

3B. ADOPT CONSENT AGENDA

- 3.01 Approval of Board of Supervisors Regular Meeting Minutes - Submitted for approval are the February 27, 2024 Board of Supervisors Regular Meeting Minutes - action requested - APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING MINUTES FOR FEBRUARY 27, 2024. (County Administration)
- 3.02 Letter of Support for Senate Bills 542 and 972 (Dahle) - SB 542 excludes from taxable income settlement payments made in connection with the Dixie and Mill fires. SB 927 excludes from taxable income settlement payments made in connection with any declared state of emergency made by both the Governor and President of the United States. The intent of these bills is to help victims be properly compensated by not having to pay taxes on settlement payments they receive following a natural disaster outside of their control. The County of Butte knows from a series of catastrophic wildfires including the Camp Fire for which PG&E was also found responsible, settlement payments are essential compensation toward alleviating the financial burden of recovery. County Administration staff recommends the Board approve a letter of support for SB 542 and SB 972 - action requested - APPROVE THE LETTER AND AUTHORIZE CHAIR TO SIGN. (County Administration)

- 3.03 2022 Community Development Block Grant (CDBG) Single Family Housing Rehabilitation Program Guidelines and Subrecipient Agreement for Housing Consultant Services - On June 14, 2022, the Board of Supervisors approved a resolution authorizing submission of a grant application through the California Housing and Community Development (HCD) CDBG Program for Single Family Housing Rehabilitation. HCD awarded the County \$500,000 and authorized use of \$82,000 in available program income for single family housing rehabilitation. The Standard Agreement was approved by HCD on October 26, 2023. Habitat for Humanity Yuba-Sutter (Habitat) was selected through a solicitation process to serve as the Program Administrator for all of Butte County's Housing Rehabilitation Programs. Staff recommends the Board approve the agreement with Habitat for Housing Consultant Services, adopt the County of Butte Housing Rehabilitation Assistance Program Guidelines, and approve a budget adjustment of \$375,000 to allow the program to operate in the remainder of the current fiscal year - action requested - 1) APPROVE SUBRECIPIENT AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN; 2) ADOPT COUNTY OF BUTTE HOUSING REHABILITATION ASSISTANCE PROGRAM GUIDELINES; AND 3) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED). (County Administration)
- 3.04 Ratify Letter Supporting Yosemite Clean Energy's Application for Funds From the CAL FIRE Business and Workforce Development 2024 Q1 Grant Program - Yosemite Clean Energy (YCE) is a biofuels company developing a hydrogen and renewable natural gas (RNG) production plant called the "Paradise Project" in unincorporated Butte County. The company's intent is to utilize waste woody biomass produced through sustainable forest management and end-of-life orchard removal for the production of renewable biofuels. YCE's grant request will help fund the purchase of a horizontal chipper/grinder and a loader and retrofit an existing chipper for use providing biomass feedstock. Constructing the plant requires significant private financial investment, and CAL FIRE's investment in updated equipment will help ensure the successful and efficient long-term planning and operation of the Paradise Project which will help YCE secure the remaining private investment funds necessary for plant construction. To date, YCE has received the 2022 California Department of Conservation Forest Biomass to Carbon-Negative Biofuels Pilot Program Grant, the 2022 CAL FIRE Business and Workforce Development Grant, the 2022 US Forest Service Wood Innovations Grant, and a \$5M grant from the California Energy Commission using a letter of support approved by this Board in April of 2023. Given the CAL FIRE grant deadline, the support letter was signed by the Chief Administrative Officer and is being brought before the Board with a request to ratify the letter-action requested - RATIFY LETTER OF SUPPORT. (County Administration)
- 3.05 Contract Amendment with Perpetual Storage, Inc. for Off-Site Storage of County's Archival Microfilm - In the event of a disaster, it is imperative for the County Clerk-Recorder's office to be able to recreate the County's records, both historic and current. Housing the archival microfilm of these records at an appropriate off-site location is the acknowledged standard to accomplish this goal. The County Clerk-Recorder's office recommends amending the contract with Perpetual Storage Inc. of Utah, for the off-site storage of the County's archival microfilm. The amendment will extend the contract term through March 31, 2028 and increase the not-to-exceed amount from \$40,000 to \$80,000 - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Clerk-Recorder)
- 3.06 Amendment to the Conflict of Interest Code of Chico Area Recreation and Park District (CARD) On August 24, 2023, the CARD Board of Directors adopted a resolution to amend the District's Conflict of Interest Code to reflect changes to staffing titles. The amendment is being submitted for approval by the Board of Supervisors as the code reviewing body. County Counsel has reviewed the amendment to the Conflict of Interest Code and deems it to be

proper - action requested - APPROVE THE AMENDMENT TO THE CHICO AREA RECREATION AND PARK DISTRICT'S CONFLICT OF INTEREST CODE. (County Counsel)

- 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 - action requested - ACCEPT FOR INFORMATION. (Development Services)
- 3.08 Contract Amendment with Russell, Gallaway Associates, Inc. for Architectural and Engineering Services on New Probation Building - On September 13, 2022, the Board of Supervisors approved a contract with Russell, Gallaway Associates, Inc. to provide architectural and engineering services for the design of a new Probation building. The term of the contract was September 13, 2022 through December 31, 2023, not-to-exceed \$1,387,275. The contract was amended twice in 2023; the first amendment corrected an identified language conflict and the second amendment extended the term through June 30, 2025. After a professional cost estimate determined construction cost escalation and utility pricing to be beyond the available funding, the Departments of Probation and General Services changed the location of the new facility to the existing site to save substantial costs. This change requires revising plans outside the original scope of work. The Department of General Services recommends the Board approve a third amendment to the contract with Russell, Gallaway Associates, Inc. to increase the maximum amount payable by \$44,550 not-to-exceed \$1,431,825. All other terms remain the same - action requested - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (General Services)
- 3.09 Change Order Ratifications and Notice of Completion for the Concow Fire Station #37 Reconstruction Project - On November 8, 2022, the Board of Supervisors approved a contract with DH Slater & Son for the reconstruction of Fire Station #37 located at 3595 Shuman Lane in Concow. The term of the contract was 365 days from Notice to Proceed with a \$2,148,000 fixed fee. Fire Station #37 was destroyed in the 2018 Camp Fire and its reconstruction is funded through the County's property insurance claim. Through the course of construction, the Department of General Services executed 25 change orders totaling \$157,971 to complete the project. The work has been inspected and approved by the Departments of General Services and Development Services. The Certificate of Occupancy was issued on February 20, 2024, and all costs have been accepted by the County's insurer. The Department of General Services recommends that the Board ratify the 25 change orders, accept the work as complete, and authorize the Chair to sign the Notice of Completion - action requested - 1) RATIFY CHANGE ORDERS 1 THROUGH 25; 2) ACCEPT THE CONTRACT WORK AS COMPLETE; AND 3) AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION. (General Services)
- 3.10 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 Butte County Salary Ordinance 4236 by adding a new classification titled Civil Law Clerk to Section 280 – “Classifications With Flat Rate Assignments” with a flat rate of \$22.00 per hour. Adding this classification will better meet the operational needs of County Counsel.

PUBLIC WORKS: Add 1 flexibly staffed Assistant Civil Engineer, Associate Civil Engineer, Senior Civil Engineer position and delete 1 flexibly staffed Associate Civil Engineer, Senior Civil Engineer position. Flexibly staffing this position to include Assistant Civil Engineer will better suit the operational needs of the Neal Road Recycling and Waste Facility and will be covered by funding available in the Department’s budget. Total allocations to remain unchanged. (Human Resources)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

- 3.11 Notice of Completion for Forbestown Road Rehabilitation - On August 8, 2023, the Board of Supervisors awarded the Forbestown Road Rehabilitation Project to Knife River Construction of Chico, CA. The project replaced the existing asphalt pavement from Old Olive Highway to Hurleton Swedes Flat Road. The contract award amount was \$1,762,762. One contract change order was approved by the Board of Supervisors on February 13, 2024, for \$127,029. The resulting total cost of work is \$1,889,792. All contract work has been completed per the project plans and specifications - action requested – 1) ACCEPT THE CONTRACT WORK AS COMPLETE; AND 2) AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION. (Public Works)
- 3.12 Ratify a Memorandum of Understanding (MOU) Between Butte County and City of Oroville for the Ophir Road Community Development Block Grant - Disaster Recovery (CDBG-DR) Project Ophir Road is a minor arterial road in the south Oroville area actively used for Camp Fire recovery efforts. The extraordinary number and weight of debris removal trucks after the Camp Fire recovery efforts resulted in devastating road damage. In response to this damage, the County and City applied for and received CDBG-DR grant funding to assist with repairing and restoring their respective road sections to pre-disaster design, function, and capacity. This project encompasses a total roadway length of approximately 1.63 miles, with approximately 1.06 miles under County jurisdiction and 0.57 miles within City limits. The County and City recognize that entering into this MOU can help expedite project delivery by unifying and standardizing project delivery processes and procedures, providing tremendous community benefit. Under the MOU, the County will coordinate with the City and deliver the project on the City’s behalf. Following collaboration of the MOU terms between the County and City Public Works departments, Andy Pickett, the Chief Administrative Officer, executed an MOU with the City to jointly repair Ophir Road to meet a February 23, 2024 deadline. The Department recommends that the Board of Supervisors ratify the MOU as executed - action requested - RATIFY THE MOU SIGNED BY THE CHIEF ADMINISTRATION OFFICER. (Public Works)
- 3.13 Notice of Completion for Pavement Preservation Project 2023 - On August 8, 2023, the Board of Supervisors awarded the 2023 Pavement Preservation Project to VSS International of West Sacramento, CA. The project consisted of various surface treatments on roads throughout Butte County. The contract award amount was \$954,459. One contract change order (CCO) was executed, resulting in a decrease to the contract of \$19,641. The total cost of work is \$934,817. All work has been completed per the project plans and specifications - action requested - 1) ACCEPT THE CONTRACT WORK AS COMPLETE; AND 2) AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION. (Public Works)

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

- 1) Appointments to the In-Home Supportive Services (IHSS) Advisory Committee
Established pursuant to Welfare and Institutions Code section 12301.2, the IHSS Advisory Committee (Committee) provides recommendations and initiates proposals and forwards them to the Board of Supervisors on the preferred modes of service to be utilized in the County for IHSS. Additionally, the Committee provides recommendations to any administrative body in the County that is related to the delivery and administration of IHSS including the governing body and administrative agency of the Public Authority, nonprofit consortium, contractor, and public employees. The Committee consists of 11 members composed of a combination of IHSS recipients, providers, community/agency members, and/or County staff. Staff recommends the Board reappoint Carnella Marks as Provider Representative, and appoint Tammy Solano as Advocate Representative, each to a term ending December 31, 2026 - action requested - APPOINT CARNELLA MARKS TO THE IHSS ADVISORY COMMITTEE AS A PROVIDER REPRESENTATIVE, AND TAMMY SOLANO AS ADVOCATE REPRESENTATIVE, EACH TO A TERM ENDING DECEMBER 31, 2026. (Other – IHSS Advisory Committee)

B. Board Member / Committee Reports and Board Member Comments

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

- 4.02 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.

- 4.03 Bitcoin ATM Fraud - Bitcoin is a decentralized digital currency that operates without the need for a central bank. It enables transactions to be made directly between individuals using cryptography for security. Bitcoin can be accessed through ATM-like machines. However, unlike traditional ATMs, they are not regulated by the same financial institutions and carry additional risks. Fraudsters can use various tactics to trick users into depositing cash into the Bitcoin ATM to purchase Bitcoin that ends up in their own wallets. This can involve impersonating legitimate organizations, creating fake investment opportunities, or exploiting relationships. Additionally, malicious actors might install skimming devices on Bitcoin ATMs to capture card information or compromise user data. Fraudsters often target the most vulnerable in the community. Bitcoin ATM fraud and scams are on the rise. Chico Police Department Detective Kevin Hass, a subject matter expert, will provide information to the Board, and discuss various options to deter and prevent Bitcoin ATM fraud - action requested - PROVIDE DIRECTION TO STAFF. (County Administration)

- 4.04 Resolution Adopting Disaster Rebuild Permit Payment Program - The Camp Fire of 2018 and North Complex Fire of 2020 destroyed 4,417 residences in unincorporated Butte County. According to the Camp Fire Housing Study completed in September 2020, over 60% of homeowners were under-insured, limiting their financial ability to rebuild. The lack of

adequate insurance is further identified in the August 2020 State of California Proposed Action Plan for Disaster Recovery publication. The Disaster Rebuild Permit Payment Program will allow fire affected residents of Butte County the opportunity to begin the rebuilding and permitting process with little up front cost, while making monthly installments over a two-year period for the balance of fees. The applicant will pay a down payment for the permit fees related to the home rebuild and the Department of Development Services will invoice 24 equal monthly installments due and collectible within 60 days from invoice date - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

- 4.05 Discussion of Potential Traffic Calming Measures on Melrose Drive - On November 7, 2023, the Board of Supervisors adopted a resolution approving a general plan amendment, rezone, and development plan (PUD21-0002) for the Enterprise Rancheria project. At that meeting, the Board directed staff to investigate the use of speed humps or other traffic calming measures along Melrose Drive east of Oroville to mitigate current and future traffic concerns. The Department has completed its analysis and will present its findings to the Board - action requested - PROVIDE DIRECTION TO STAFF. (Public Works)
- 4.06 Update on the Neal Road Recycling and Waste Facility (NRRWF) Master Plan - The Department presented a comprehensive discussion on the draft NRRWF Master Plan to the Board of Supervisors on October 10, 2023. The presentation aimed to identify the future needs of the NRRWF, highlighting the challenges posed by outdated facilities, including inefficiencies and safety concerns for residents and commercial users. The Department also underscored the difficulties in meeting the evolving regional and state regulatory and permitting requirements. During this meeting, the Board provided valuable feedback and input, which has been incorporated into a revised presentation. The NRRWF Master Plan seeks to balance the development of necessary programs and the maintenance of reasonable fees to prevent unintended consequences such as illegal dumping and increased business costs. Butte County is in a unique position compared to many California counties, with substantial landfill space that offers an opportunity to manage waste disposal costs effectively through the 21st century. By leveraging its solid waste assets, including site longevity, prime location, and permitting programs, the County is poised to operate autonomously and collaborate with the private sector to provide cost-effective services in compliance with State regulations. The Master Plan proposes several significant upgrades to modernize the NRRWF. These upgrades include the construction of a new access road and scale house, establishing a public drop-off area, constructing a modern administration building, and creating a "reuse" area alongside a construction and demolition processing facility - action requested - PROVIDE DIRECTION TO STAFF. (Public Works)
- 4.07 Interim Appointment - Director of Libraries - The Chief Administrative Officer (CAO) recommends that the Board of Supervisors appoint Misty Wright, Assistant Director of Libraries, as Interim Director of Libraries, effective March 12, 2024 until the Board appoints a permanent Director. The CAO recommends setting the salary at the minimum salary (\$118,930/year) as listed in section 29, Reference A, of the Butte County Salary Ordinance. In addition, the CAO recommends providing the Appointed Department Head mileage allowance of \$620/month. Ms. Wright will retain all other rights and benefits of her current position in the Non Represented Unit and the right to return to her current position of Assistant Director of Libraries when the interim assignment is completed - action requested – 1) APPOINT MISTY WRIGHT AS INTERIM DIRECTOR OF LIBRARIES EFFECTIVE MARCH 12, 2024; 2) SET THE SALARY FOR THE INTERIM APPOINTMENT AS THE MINIMUM ANNUAL SALARY FOR THE DIRECTOR OF LIBRARIES AT \$118,930; 3) PROVIDE MILEAGE ALLOWANCE AT THE RATE OF \$620/MONTH; AND 4) DOCUMENT BY MINUTE ORDER MS. WRIGHT'S INTERIM APPOINTMENT; THE ANNUAL

SALARY; MILEAGE ALLOWANCE; AND RETENTION OF ALL OTHER RIGHTS TO AND BENEFITS OF MS. WRIGHT'S CURRENT POSITION WHEN THE INTERIM ASSIGNMENT IS COMPLETED. (County Administration)

- 4.08 Amendment to Employment Contract for Director of Behavioral Health - Approval is requested to amend the employment contract with the Behavioral Health Director, Scott Kennelly. The annual salary shall increase by 3% to \$169,990 as of the first pay period following the effective date of the amendment and shall increase to \$176,790 as of the first pay period following February 11, 2025. All other terms remain the same - action requested - APPROVE THE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 4.09 Amendment to Employment Contract for Director of Public Health - Approval is requested to amend the employment contract with the Public Health Director, Danette York in order to correct a past calculation error. The annual salary shall increase by 5% to \$177,373 as of the first pay period following the effective date of the amendment. All other terms remain the same - action requested - APPROVE THE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 4.10 Mid-Year Financial Report for Fiscal Year 2023-24 - The Mid-Year Financial Report provides an economic update, summarizes the analysis of expenditures and revenues, provides an update on disaster impacts, budget outlook, cash balances and reports on current pension, retiree health liabilities and long-term debt obligations for the period ending December 31, 2023 - ACCEPT FOR INFORMATION. (County Administration)
- 4.11 Update of Budget, Legislative, and Other Current Issues by the Chief Administrative Officer
- 4.12 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.
- 4.13 Items Removed from the Consent Agenda for Board Consideration and Action

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 9:30 am - Public Hearing - Commencement of Election and Public Hearing to Impose an Increased Maximum Service Charge in County Service Area (CSA) 141 Mountain Oaks - The Mountain Oaks Subdivision County Service Area (CSA 141) was formed by Board Resolution No. 92-57, adopted on June 9, 1992, and is located from Messilla Valley Road to approximately one mile north, west of Pentz Road, and south of Paradise. It provides financing for sewer services and is comprised of 56 assessed parcels. The annual per-parcel service charge is currently \$166.26/parcel, which has remained unchanged since the last parcel fee increase was established in 2004. Permitting and wastewater management costs have increased significantly since 2004, outpacing CSA 141 revenue and depleting fund balance. Permitting costs for fiscal year 2023-24 were billed at \$13,393.00; however, the CSA fund balance was insufficient to satisfy permitting costs. On December 12, 2023, the Butte County Board of Supervisors approved a \$30,000 revolving fund loan to fund current-year permitting costs, assist with the cost of an election, and maintain a positive fund balance until assessment fee increases go into effect. To ensure the ongoing fiscal health of the special district and meet mandatory permitting requirements in the future, the Department recommends increasing the annual parcel charges to \$495.00/parcel beginning in FY 2024-25, with annual inflationary adjustments in future years to account for escalating costs outlined in the San

Francisco/Oakland/San Jose Metropolitan Area Consumer Price Index for all Urban Customers. On January 23, 2024, the Board of Supervisors authorized a resolution of intent directing the commencement of procedures to impose an increased maximum service charge for CSA 141 and to set a public hearing for March 12, 2024, to consider the proposed charge. This process includes the counting of ballots mailed to the residents of the Mountain Oaks Subdivision during the public hearing and concluding results of the protest election - action requested - 1) OPEN A PUBLIC HEARING; 2) COUNT THE BALLOTS RECEIVED FOR THE PROPOSITION 218 PROTEST ELECTION; AND 3) ADOPT RESOLUTION TO INCREASE FEES AND CHARGES FOR SEWER SERVICES IN COUNTY SERVICE AREA (CSA) 141 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

- 5.02 10:00 am - Public Hearing - Resolution to Abandon a One-Foot No-Access Easement at the East End of Crane Avenue - On February 13, 2024, the Board of Supervisors adopted a resolution setting a public hearing to consider a request to abandon a no-access easement as shown on the recorded subdivision map "Phase 1 Copley Acres Unit 3," which was recorded on May 23, 1986, in Book 100 of Maps, Pages 94 and 95, in the office of the Recorder of the County of Butte. The hearing has been properly noticed and posted at the site location according to California Streets and Highway Code section 8320. The Department has no objection to the abandonment. Abandonment of the no-access easement will allow legal access to Assessor's Parcel Number 079-150-001, where the proposed development of 12 single-family residential dwelling units under the Enterprise Rancheria Indian Housing Authority (ERIHA) rental program has been approved. The Planning Commission reviewed the abandonment request on September 28, 2023, and determined that the request conformed with the Butte County General Plan - action requested - 1) OPEN PUBLIC HEARING FOR THE ABANDONMENT OF THE NO-ACCESS EASEMENT AT THE EAST END OF CRANE AVENUE EAST OF OROVILLE; 2) FIND THAT THE NO-ACCESS EASEMENT DESCRIBED IN THE NOTICE OF HEARING IS UNNECESSARY; AND 3) ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

- 5.03 10:30 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 CE23-00449 at 3673 Broken Glass Circle, Concow (Assessor's Parcel Number 058-800-013) in the amount of \$13,444.66.

On November 30, 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 CE23-00449 at 3673 Broken Glass Circle, Concow (Assessor's Parcel Number 058-800-013) in the amount of \$13,444.66 (\$4,500.00 for penalties and \$8,944.66 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$4,500.00 AND A SPECIAL ASSESSMENT OF \$8,944.66.

- B. Code Enforcement Case Number CE23-00387 at 211 Obert Drive, Bangor (Assessor's Parcel Number 028-470-041) in the amount of \$57,450.18.

On August 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 CE23-00387 at 211 Obert Drive, Bangor (Assessor's Parcel Number 028-470-041) in the amount of \$57,450.18 (\$50,500.00 for penalties and \$6,950.18 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$50,500.00 AND A SPECIAL ASSESSMENT OF \$6,950.18.

- C. Code Enforcement Case Number CE23-00420 at 0 Pritchett Drive, Berry Creek (Assessor's Parcel Number 061-540-044) in the amount of \$69,272.57.

On July 29, 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 CE23-00420 at 0 Pritchett Drive, Berry Creek (Assessor's Parcel Number 061-540-044) in the amount of \$69,272.57 (\$62,000.00 for penalties and \$7,272.57 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$62,000.00 AND A SPECIAL ASSESSMENT OF \$7,272.57.

- D. Code Enforcement Case Number CE23-00488 at 0 Chipmunk Court, Berry Creek (Assessor's Parcel Number 071-390-018) in the amount of \$46,427.21.

On December 17, 2021 a Hearing Officer declared a public nuisance existed on the property listed under Butte County Code Chapter 32A- Property Maintenance and Abatement of Nuisances. This hearing has been scheduled to authorize the Board of Supervisors to record a special assessment and lien to recover the County's costs for Code Enforcement Case Numbers CE20-00828 and CE21-00323 at 13642 South Park Drive, Magalia (Assessor's Parcel Number 066-230-047) in the amount of \$21,560.41. (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$39,500.00 AND A SPECIAL ASSESSMENT OF \$6,927.21.

- E. Code Enforcement Case Number CE23-00957 at 0 Deer Valley Road, Oroville (Assessor's Parcel Number 028-450-022) in the amount of \$64,075.30.

On October 24, 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 CE23-00957 at 0 Deer Valley Road, Oroville (Assessor's Parcel Number 028-450-022) in the amount of \$64,075.30 (\$57,000.00 for penalties and \$7,075.30 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF \$57,000.00 AND A SPECIAL ASSESSMENT OF \$7,075.30.

ADJOURNMENT

Recess as the Butte County Board of Supervisors and convene as the In-Home Supportive Services Public Authority Board.

IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD

REGULAR MEETING AGENDA

MARCH 12, 2024

1. **CALL TO ORDER**

2. **CONSENT AGENDA** (NO ITEMS)

3. **REGULAR AGENDA**

3.01 **Contract with Pan American Life Insurance Company (PALIC) for Health Insurance Policy and Administrative Services** - The Butte County Public Authority and United Domestic Workers have agreed to a health plan contract for the In-Home Supportive Services (IHSS) providers for the plan year starting February 1, 2024. The cost remains \$285.79 per month for each eligible provider up to a maximum of 625 providers. The Department of Employment and Social Services recommends entering into a contract with PALIC for Health Insurance Policy and Administrative Services. The term of the contract is February 1, 2024 through February 1, 2025, not-to-exceed \$2,143,425 - action requested - 1) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) AUTHORIZE THE DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES DIRECTOR, IN HER CAPACITY AS THE EX-OFFICIO IHSS PUBLIC AUTHORITY DIRECTOR, TO SIGN ALL ADMINISTRATIVE DOCUMENTS WHICH ARE NECESSARY TO IMPLEMENT THE INSURANCE PROGRAM. (Employment & Social Services)

4. **PUBLIC COMMENT**

Comments to the In-Home Supportive Services Public Authority Board 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 In-Home Supportive Services Public Authority Board is prohibited from taking action on any item not listed on the agenda.

5. **CLOSED SESSION** (NO ITEMS)

ADJOURNMENT

Adjourn as the In-Home Supportive Services Public Authority Board and reconvene as the Butte County Board of Supervisors.

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) - three cases:

a. Lori Mazza v. Butte County; Workers' Compensation Appeals Board Case No. ADJ13812360 (Claim Number: 1997110112)

b. Amberlee Abbott v. Butte County; Workers' Compensation Appeals Board Case No. ADJ13176605 (Claim Number: 2097110019)

c. Alicia Pelletreau v. Butte County; Workers' Compensation Appeals Board Case No. ADJ3738198 (Claim Number: CBTE-73160)

2. Workers' compensation liability claim pursuant to Gov. Code sec. 54956.95(a) - one case:

a. Gail Leonard; Workers' Compensation Claim, Claim Number: 1997110118

6.04 Closed Session Public Comment

Butte County
Department Heads

Agricultural
Commissioner:
Louie Mendoza

Assessor*:
Alyssa Douglass

Auditor-Controller*:
Graciela Gutierrez

Behavioral Health:
Scott Kennelly

Chief Administrative
Officer:
Andy Pickett

Chief Probation Officer:
Melissa Romero

Child Support Services:
Sean Farrell

Clerk-Recorder/
Registrar of Voters*:
Keaton Denlay

County Counsel:
Brad Stephens

Development Services:
Paula Daneluk

District Attorney*:
Mike Ramsey

Employment&Social
Services:
Shelby Boston

Fire Chief:
Garrett Sjolund

General Services:
Michael Hodson

Human Resources:
Sheri Waters

Information Systems:
Paul LaValley

Library:
Misty Wright, Acting

Public Health:
Danette York

Public Works:
Joshua Pack

Sheriff-Coroner*:
Kory Honea

Treasurer-Tax Collector*:
Troy Kidd

UCCooperative
Extension Advisor:
Luis Espino

Water&Resource
Conservation:
Kamie Loeser

*Elected Official

Information and Procedures Concerning the Agenda and Board of Supervisors Meetings

Meeting Information:

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

Agenda Information:

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

Agenda Format and Meeting Order:

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

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

Public Participation:

It is the policy of the Board of Supervisors, and a requirement of the California Open Meetings Law, to allow members of the public the opportunity to comment on all matters before the Board. Public participation is limited to matters within the subject matter jurisdiction of the Board pursuant to Government Code Section 54954.3. The Board of Supervisors is also committed to making its proceedings accessible to all residents. Individuals with special needs should call the Clerk of the Board at 530.552.3300, Monday through Friday, 8:00 a.m. to 5:00 p.m. to request disability-related modifications/accommodations, or to request materials in alternate formats. All requests for special accommodations and/or alternative format documents must be made 48 hours prior to the meeting.

Disclosure of Campaign Contributions

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

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

Board of Supervisors Agenda – Commonly Used Acronyms:

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