



BUTTE COUNTY BOARD OF SUPERVISORS

Regular Meeting Agenda

February 28, 2023

8:45 AM

ANDY PICKETT,
CHIEF ADMINISTRATIVE
OFFICER
CLERK OF THE BOARD

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

MEMBERS OF THE BOARD

BILL CONNELLY,
DISTRICT 1

PETER DURFEE,
DISTRICT 2

TAMI RITTER,
DISTRICT 3

TOD KIMMELSHUE,
DISTRICT 4

DOUG TEETER,
DISTRICT 5

BRAD STEPHENS,
COUNTY COUNSEL

[PDF of Agenda](#)

[PDF of Supplemental Agenda](#)

[How to Submit Public Comment Virtually](#)

1. CALL TO ORDER

[Pledge of Allegiance](#)

[Observation of a Moment of Silence](#)

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

None

3. CONSENT AGENDA

A. Supervisor Comments on Consent Agenda Items

B. Adopt Consent Agenda

Action: APPROVE THE CONSENT AGENDA.

Motion: Supervisor Durfee

Seconded: Supervisor Ritter

Motion passed unanimously

- 3.01 Amendment to Medical Director Locum Services Agreement with California Locums, P.C.

The Department of Behavioral Health released a Request for Proposal for Locum Onsite Medical Director services. Three Locums agencies responded and were all awarded contracts; California Locums, P.C., Monroe and Weisbrod LLC, and Adelphi Medical Staffing. The term of the agreements are January 1, 2023 through June 30, 2023, not-to-exceed \$10,000 each. California Locums, P.C. has a licensed physician who is available full-time to serve as the Medical Director for the Department of Behavioral Health. The Medical Director performs services and duties that ensures quality medical psychiatric treatment and acts as a key participant in the ongoing clinical review of programs and services, across the Department. The Department recommends amending the agreement with California Locums, P.C., to increase continuity of services by securing one full-time Locums Onsite Medical Director. The amendment increases the maximum payable by \$200,000, not to exceed \$210,000. All other terms remain the same. (Behavioral Health)

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

Staff Report

- 3.02 Ratification of Letter Objecting to Placing Out of County Sexually Violent Predator in Butte County

At its February 14, 2023, the Board of Supervisors directed staff to send a letter to the Santa Cruz Superior Court objecting to the placement of Sexually Violent Predator Michael Thomas Cheek in Butte County upon his release from custody. The letter was sent by staff on February 17, 2023. (County Administration)

Action requested - RATIFY LETTER

Staff Report

- 3.03 Distribution of Excess Proceeds from the Sale of Tax-Defaulted Property

From June 11-14, 2021, the Treasurer-Tax Collector held a tax sale of 51 tax defaulted properties, as required by Revenue and Taxation Code section 3691 et. seq, and claims for excess proceeds were reviewed by the County Counsel's Office and approved by the Board of Supervisors on October 11, 2022. One claim, however, from Gayle King as an heir of a former owner of record was not presented to the Board at that time because the claim required further review. Since that time, a related court case has been resolved and additional information has been provided by the claimant, and the Department recommends that the Board approve distribution of the excess proceeds for the last remaining parcel as follows: ASSESSOR'S PARCEL NUMBER 072-050-021-000: The amount of excess proceeds is

\$109,229.69 and one claim was received from Gayle King as an heir of the former owner of record. The claim is supported by a court order and a birth certificate. Pursuant to Revenue and Taxation Code section 4675, the Board of Supervisors may order distribution of the excess proceeds as recommended. (County Counsel)

Action requested - 1) ADOPT THE RECOMMENDATION OF THE COUNTY COUNSEL REGARDING DISTRIBUTION OF EXCESS PROCEEDS FROM THE SALE OF TAX DEFAULTED PROPERTY; AND 2) ORDER DISTRIBUTION PURSUANT TO REVENUE AND TAXATION CODE SECTION 4675

Staff Report

- 3.04 Contract with Russell Gallaway Associates, Inc. (RGA) for Architectural and Engineering Services for Front Lobby and Security Remodel at 78 Table Mountain Boulevard

The front lobby and security remodel at the Department of Employment and Social Services location, 78 Table Mountain Boulevard, is an improvement project that will relocate the reception area and security office to increase safety for clients and Department staff. The project will also improve the flow of traffic in the facility and make it easier for visitors to locate and receive services. The Department requires a consultant to provide bidding assistance and construction administration services. RGA is a California licensed architect and engineering firm operating in Chico, California. RGA will provide bidding assistance and construction administration services for the front lobby and security remodel project. Bidding assistance services include attendance at pre-bid project site visits, answering questions pertaining to design and responding to requests for information. RGA will also assist the County with bid opening and evaluation. Construction administration services include regular attendance at site meetings and review and process of change orders and pay requests. The Department recommends entering into a contract with RGA for bidding assistance and construction administration services for the front lobby and security remodel at 78 Table Mountain Boulevard. The term of the contract is January 1, 2023 through August 31, 2023, not-to-exceed \$21,000. (Employment and Social Services)

Action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

- 3.05 Donate Water Tender to Stirling City Historical Society

The Board of Supervisors declares vehicles surplus that are no longer serviceable or no longer needed by the County. The Fire Department recommends the Board declare Water Tender 12 surplus. The water tender no longer meets the need of the Department due to it not being repairable. The Department recommends the Board direct staff to donate Water Tender 12 to the Stirling City Historical Society. The Stirling City Historical Society would like to assume possession of the water tender for display at the Stirling City Historical Museum. (Fire)

Action requested - 1) DECLARE CAPITAL ASSET SURPLUS TO THE NEEDS OF THE

COUNTY; AND 2) DONATE CAPITAL ASSET TO THE STIRLING CITY HISTORICAL SOCIETY

Staff Report

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

The County entered into a contract with Pro-Line Cleaning Services, Inc. on March 24, 2020 to provide janitorial services for County leased facilities occupied by the Departments of Behavioral Health, Employment and Social Services, Public Health, and Child Support Services. The contract has been amended five times: in 2021 to add service locations and increase maximum payable amount by \$9,598 bringing the contract total to not-to-exceed \$2,184,804; in January 2022 to revise service locations and increase maximum payable amount by \$4,932 bringing the contract total to not-to-exceed \$2,189,736; in February 2022 to add a service location and increase maximum payable amount by \$20,595 bringing the contract total to not-to-exceed \$2,210,331; in July 2022 to update location information with no changes to the rates; in November 2022 to add service locations and increase maximum payable amount by \$3,575 bringing the contract total to not-to-exceed \$2,213,906. The Department of General Services recommends amending the contract a sixth time, to extend the term of the contract by one year through March 31, 2024, and increases the maximum payable amount by \$929,985, not-to-exceed \$3,143,891. All other terms remain the same. (General Services)

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

Staff Report

3.07 Contract Amendment with Ray Morgan Company for County-wide Desktop Printers, Scanners and Service

The County entered into a contract with Ray Morgan Company on January 24, 2017 to provide county-wide desktop printers, scanners and service. The contract has been amended five times: in 2018 to change the billing frequency and allow for updates to the model numbers of the printers and scanners; in 2020 to update the pricing sheet, extend the term by 730 days through January 24, 2022, and increase the maximum payable amount by \$160,000 bringing the contract total to not-to-exceed \$250,000; in 2021 to update the pricing structure with a minimal reduction in monthly cost, extend the term by 157 days through June 24, 2022, and increase the maximum payable amount by \$80,000 bringing the contract total to not-to-exceed \$330,000; in 2022 to extend the term by 191 days through December 31, 2022, and increase the maximum payable amount by \$30,000 bringing the contract total to not-to-exceed \$360,000; in 2023 to only extend the term by 120 days through April 30, 2023 with no change to the contract maximum. Due to re-soliciting for these services after the collapse of RFP 17-23 and the need to extend the contract term to ensure the new solicitation (RFP 50-23) and subsequent awarded contract is in place before the contract expires, the Department of General Services recommends approval of a sixth amendment to the contract with Ray

Morgan Company for desktop printers, scanners and service. The sixth amendment extends the term by 60 days through June 30, 2023. All other terms remain the same. (General Services)

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

Staff Report

3.08 Contract Amendment with Ray Morgan Company for County-wide Multi-Function Copier Services

The County entered into a contract with Ray Morgan Company on March 8, 2016 to provide county-wide multi-function copier services. The contract has been amended seven times: in 2017 and in 2018 to update the printer model numbers with no changes to the rates; in 2020 to increase the maximum payable amount by \$650,000 bringing the contract total to not-to-exceed \$3,050,000; in 2021 to extend the term by 115 days through June 30, 2021, and increase the maximum payable amount by \$250,000 bringing the contract total to not-to-exceed \$3,300,000; in 2021 to extend the term by 365 days through June 30, 2022, and increase the maximum payable amount by \$535,580 bringing the contract total to not-to-exceed \$3,835,580; in 2022 extended the term by 184 days through December 31, 2022, and increase the maximum payable amount by \$300,000 bringing the contract total to not-to-exceed \$4,135,580; in 2023, extended the term by 120 days through April 30, 2023 and increase the maximum payable amount by \$180,000 bring the contract total to not-to-exceed \$4,315,580. Due to re-soliciting for these services after the collapse of RFP 17-23 and the need to extend the contract term to ensure the new solicitation (RFP 50-23) and subsequent awarded contract is in place before the contract expires, the Department of General Services recommends approval of an eighth amendment to the contract with Ray Morgan Company for county-wide multi-function copier services. The eighth amendment extends the term by 60 days through June 30, 2023, and increases the maximum payable amount by \$80,000 bringing the contract total to not-to-exceed \$4,395,580. All other terms remain the same. (General Services)

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

Staff Report

3.09 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:

BEHAVIORAL HEALTH: Delete 2 vacant flexibly staffed Business Systems Analyst III positions and add 2 flexibly staffed Administrative Analyst II positions. The proposed change will better meet the operational needs of the Department and results in an estimated cost decrease of \$15,372 for Fiscal Year 2022-23 and an estimated annual decrease of \$46,116. Total allocations to remain unchanged. DEVELOPMENT SERVICES: Delete 1 vacant Administrative Assistant position and add 1 flexibly

staffed Administrative Analyst III position. The proposed change will better meet the operational needs of the Department and results in an estimated annual increase of \$13,728. The Department filled a vacant flexibly staffed position at the lower classification. The position had previously been filled and budgeted at a higher classification, and the change in classification created salary savings. The cost of the proposed change will be offset by the ongoing salary savings. Total allocations to remain unchanged. HUMAN RESOURCES: Amend Section 28C - General Unit of Salary Ordinance No. 4224 of the County of Butte by adding a new classification titled "Disease Intervention Specialist I/II". Disease Intervention Specialist I at Range 40 increasing to Range 44 effective July 8, 2023 and Disease Intervention Specialist II at Range 50 increasing to Range 54 effective July 8, 2023 to internally align with Health Education Specialist I/II. The associated bargaining group has agreed to the additional classification and range placement. Amend Section 28E - Mid Management of Salary Ordinance No. 4224 of the County of Butte by adding a new classification titled "Quality and Compliance Manager" at Range 107. The associated bargaining group has agreed to the additional classification and range placement. PUBLIC HEALTH: Delete 1 vacant Program Manager position and add 1 flexibly staffed Disease Intervention Specialist II position and 1 Quality and Compliance Manager position. The proposed change will better suit the needs of the Department and results in an estimated annual increase of \$81,432, paid for by Future of Public Health and Public Health realignment funds. Total allocations to increase by 1. SHERIFF'S OFFICE: Add 1 Program Supervisor position. The Department will perform an internal recruitment and return to the Board recommending elimination of the vacated position. The proposed change will better suit operational needs of the department. The estimated change in costs is unknown until the position is filled. Total allocations to increase by 1. (Human Resources)

Action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 23-021

3.10 Contract Amendment with Bibliotheca for Radio Frequency Identification (RFID) Services

The County Library entered into a contract with Bibliotheca on September 13, 2016 to provide self-serve RFID technology solutions which assists library branches in checking in and out library materials and collecting late fees. The Contract has been amended two times: in September 2017 to add services to the contract and increase the not-to-exceed amount by \$2,995 bringing the contract total to not-to-exceed \$43,925; and in July 2018 to change the schedule of charges decreasing the not-to-exceed by \$9,980 bringing the new contract total to not-to-exceed \$33,945. The County Library recommends amending the contract a third time, extending the term of the contract by one year through September 12, 2023, and increases the maximum payable amount by \$5,990, not-to-exceed \$39,935. All other terms remain the same. (Library)

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

Staff Report

3.11 Agreement Amendment with the California Department of Public Health (CDPH) for the Oral Health Program

The Department of Public Health currently has a grant agreement with CDPH for the Oral Health Program. CDPH is amending the agreement to reallocate \$74,750 from the Department's previous funding term (January 1, 2018 to June 30, 2022) to allow for the continuation of school-based/school-linked activities that were not completed in the previous term due to school closures and staff redirection. The funding will expand the Local Oral Health Program by including education, disease prevention, facilitating community-clinical linkages, and surveillance. The Department recommends amending the grant agreement to increase the maximum amount receivable by \$74,750, not to exceed \$1,141,205. All other terms remain the same. (Public Health)

Action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.12 Capital Asset Purchases (2) - Chemical Storage Buildings

The Department of Public Works included a chemical storage building as a capital asset within the Road Fund Budget for FY 2022-23. The planned use for the storage building is at the Department's Chico Yard. The total budgeted amount for the chemical storage building is \$220,000. The Department has identified the need for an additional chemical storage building in Oroville to store chemicals procured via a recently awarded CAL FIRE grant. The Department has identified prefabricated metal chemical storage buildings that would meet the need in both locations and the CAL FIRE grant requirements at the Oroville location at a cost of \$110,000 each. The Department recommends approving capital asset authority to purchase two prefabricated metal buildings for the Chico and Oroville Yards for a total cost of \$220,000. No budget adjustment is needed. (Public Works)

Action requested - APPROVE CAPITAL ASSET PURCHASES (2) - CHEMICAL STORAGE BUILDINGS

Staff Report

3.13 Budget Adjustment for County Service Area (CSA) 141 - Mountain View Subdivision

CSA 141 is located from Messilla Valley Road to approximately one mile north, west of Pentz Road, and south of Paradise. CSA 141 provides financing for sewer services, including annual permit fees for mandatory regulatory oversight of the wastewater treatment and disposal system by the Central Valley Regional Water Quality Control Board. For Fiscal Year 2022-23, annual permit fees have increased beyond what was initially budgeted. The Department of Public Works recommends increasing

appropriations in CSA 141 by \$2,154 to pay the State Water Resources Control Board annual permit fees. As a result, the anticipated FY 2022-23 year-ending fund balance will be reduced by \$2,154, from \$2,950 to \$796. (Public Works)

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

Staff Report

3.14 Grant Agreement Amendment with California Department of Parks and Recreation and Agreement Amendment with Butte Meadows Hillsliders Snowmobile Club (Hillsliders) for Butte Meadows Winter Recreation

For over 30 years, the California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Division's Over-the-Snow Vehicle (OSV) Green Sticker grant program has assisted with funding winter recreation activities in the Butte Meadows area. The Hillsliders have performed the OSV grant operations since the program's inception in 1990. On December 8, 2020, the Board of Supervisors approved a grant agreement with the California Department of Park and Recreation for OSV services in Butte Meadows. The term of the grant agreement is February 18, 2021, through September 30, 2024, not-to-exceed \$253,360. At the same meeting, the Board entered into an expense agreement with the Hillsliders to perform the OSV grant operations, including snow removal and trail grooming. The term of the expense agreement was December 8, 2020, through August 31, 2024, not-to-exceed \$253,360. The California Department of Parks and Recreation recently proposed an amendment to the grant agreement to revise the scope of work to include restroom maintenance and trail clearance; increase the maximum payable amount by \$93,340, not-to-exceed \$346,700; and extend the grant agreement by one year, through September 30, 2025. The Department recommends amending the grant agreement with the California Department of Parks and Recreation as proposed and amending the expense agreement with the Hillsliders to increase the maximum payable amount by \$93,340, not-to-exceed \$346,700, and extend the term one year, through August 31, 2025. (Public Works)

Action requested - 1) APPROVE GRANT AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.15 Contracts for On-Call Grant and Project Management Services

On November 14, 2022, the Department of Water and Resource Conservation issued a Request for Qualifications (RFQ) for on-call grant and project management services. The RFQ identified that the Department intended on entering into an on-call contract with one or more qualified firms to provide Groundwater Sustainability Agency (GSA) administrative services, support of Groundwater Sustainability Plan implementation activities, or grant and project management services to assist the Department. These contracts will provide administrative services, project management, and grant management to assist with the Department's support of SGMA activities and implementation of current or anticipated grant-funded

projects. On December 19, 2022, the Department received five Statements of Qualifications, which were evaluated based on experience, capacity, and overall professional qualifications. The Department recommends the Board of Supervisors enter into a contract with all five firms: Dudek of Encinitas, Luhdorff & Scalmanini Consulting Engineers of Woodland, Errol L. Montgomery and Associates, Inc. of Sacramento, Stantec Consulting Services Inc. of Sacramento, and West Yost Associates, Inc. of Davis. Three of the contracts are before the Board for execution with the remaining two expected to be considered at the Board's next meeting. It is anticipated that funding for any task orders issued to contractor(s) would be covered by 1) one-time funding from the Department's budget for administration of the GSAs for the FY 2022-23, 2) grant administration and project management costs identified in various grant applications, or 3) revenue provided from the GSAs for SGMA and Groundwater Sustainability Plan compliance. The term of each contract is Upon Execution through March 1, 2028, not-to-exceed \$500,000 for a total amount of \$2,500,000 for on-call services. (Water and Resource Conservation)

Action requested - APPROVE CONTRACTS (3) AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.16 Letter in Support of Berry Creek Rancheria Tribal Wildfire Resilience Program Grant Application

At the request of Berry Creek Rancheria, staff have brought forward a letter in support of a grant application for wildfire resilience implementation projects that Berry Creek Rancheria plans to apply for. The grant funds will assist in managing ancestral lands and establishing wildfire safety within the community. (Other - Berry Creek Rancheria)

Action requested - APPROVE LETTER AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

4. REGULAR ITEMS

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

A. Appointments to Listed Vacancies

B. Board Member / Committee Reports and Board Member Comments

Supervisor Ritter – Toured Oroville Hospital, participated in the Behavioral Health meeting, attend Vina Ground Water Sustainability Agency (GSA) planning meeting, attended Long Term Master Plan on Aging Advisory Council, Air Quality meeting, Resiliency Hub meeting, First Five Commission meeting, and the memorial for Howard Slater.

Supervisor Connelly – Attended the Cal Local Agency Formation Commission (LAFCO) Leg meeting, Butte County Association of Government (BCAG) meeting, Wyandotte Creek Ground Water Sustainability Agency (GSA) meeting, Feather River Recovery Alliance meetings, and Oroville City Council meeting,

Chair Kimmelshue – Attended many of the same meetings as fellow Supervisor, and has been working with Lake Oroville Citizens Advisory Committee Commission.

Supervisor Teeter – Met with Paradise Park and Recreation District, attended Rural County Representatives of California (RCRC) Executive meeting, and met with staff regarding snow event.

Supervisor Durfee – Attended California State Associate of Counties (CSAC) new supervisor training, and has been working with constituents.

- 4.02 Board of Supervisors Public Comment - Comments to the Board on issues and items not listed on the agenda. Pursuant to California State law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda. Please note that Public Comment is in two separate sections. One, as the first regular item on the agenda, which will last a maximum of 15 minutes, with another to follow as the last item on the regular agenda with no time limits.

The following member(s) of the public submitted Public Comment on this item: Diana Dreiss (electronically) Diana Dreiss, Jolene Hausman, and John Stonebraker (in person)

- 4.03 PG&E Settlement Fund Policy Discussion

Butte County received a \$252 million settlement from PG&E to compensate the County for the impacts of the Camp Fire, which was caused by PG&E's criminal negligence. The County's net settlement after attorney fees is \$206.5 million dollars. On July 21, 2020, the Board of Supervisors directed the PG&E Settlement Fund (PG&E Fund) be established and committed to County stability, hazard mitigation, and disaster recovery. These funds can be used on matters throughout the County, with priority given to projects in the Camp Fire burn area. The Board has committed funds to 25 projects for a total of \$89 million since adopting the policy. On September 13, 2022, the Board committed \$24 million to finance the construction of a new building for the Probation Department with all funds plus interest revolving back to the PG&E Fund over 30 years. Annual interest is calculated at the average County Treasury Pool rate, which is variable, and estimated to be \$400,000 annually based on the current rate. The first annual interest payment is due January 1, 2024. During Board deliberation, the Board requested staff agendize a discussion about committing a portion of the PG&E Fund to projects and programs in the Camp Fire burn scar. On January 24, 2023, the Board considered an item to amend the PG&E Fund Policy to establish a cost center within the PG&E Fund, which would be funded with the interest earned each year from the Probation Building project and restricted to fund project and program requests for roadside clearance and maintenance along evacuation routes directly

in, or serving, the Camp Fire burn scar. The Board directed staff to estimate costs for the Department of Public Works to provide vegetation and brush removal on evacuation routes. The Department estimates the costs to be \$22,000 per mile or \$2.35 million for primary evacuation routes in and around the Camp Fire area. The roads would be treated over a three year period on a schedule, so the annual costs would be estimated at \$800,000 in perpetuity. A list of the primary evacuation routes and the estimates costs for vegetation and brush removal along each route is included with the agenda report for this item. (County Administration)

Action requested - PROVIDE DIRECTION TO STAFF

Staff Report

PowerPoint

Andy Pickett, Chief Administrative Officer, and Shannon Revie-Plum, Management Analyst, presented this item to the Board. Matt Michaelis, Deputy Administrative Officer, spoke to this item.

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

Action: PROVIDE DIRECTION TO STAFF

Motion: Supervisor Teeter

Seconded: Supervisor Connelly

Motion passed unanimously

4.04 Budget Adjustment, Revenue Agreement with Business, Consumer Services and Housing Agency (BCSH) for Homeless Housing, Assistance, and Prevention (HHAP) Round 3 Funding, and Expense Contracts

The State of California through BCSH, administers the HHAP Round 3 program to build on regional coordination and support local jurisdictions to reduce and end homelessness. The Department of Employment and Social Services, on behalf of the County and Butte Countywide Continuum of Care (CoC), was awarded HHAP Round 3 funds to address the homelessness crisis in Butte County. BCSH awarded a total of \$3,663,302, with \$915,826 for FY 2021-22 and the remaining \$2,747,477 in the proposed revenue agreement. A majority of total funds will be used for the expense contracts below. The County issued a request for proposals on September 26, 2022 and received 16 project proposals. The proposals were reviewed by a panel including representatives from various Butte County agencies and the seven projects below were selected. The selected projects were reviewed by the CoC: 1) Catalyst Domestic Violence Services for Permanent Housing Search for Survivors (\$252,000); 2) Chico Housing Action Team for Marigold Housing Program (\$550,000); 3) City of Chico for Street Outreach and Emergency Shelter (\$500,000); 4) Jesus Provides Our Daily Bread for Renewal Center Emergency Family Shelter Program (\$400,000); 5) Safe Space Winter Shelter, Inc. for Outreach and Engagement (\$208,560); 6) True North Housing Alliance, Inc. for Torres Community Shelter and Navigation Center Program (\$562,834); 7) Youth for Change for Youth

Permanent Housing (\$401,477). The Department recommends entering into an agreement with BCSH for the remaining HHAP Round 3 funds, and entering into contracts with providers above for homeless support and services. The term for the revenue agreement is upon BCSH approval through December 31, 2026. The term for the expenditure contracts is March 1, 2023 through June 30, 2026, except for the City of Chico, for which the term is July 1, 2023 through June 30, 2026. The expenditure contracts shall not exceed \$2,874,871. The Department also recommends approving a budget adjustment in the amount of \$1,118,947 for fiscal year 2022-23. (Employment and Social Services)

action requested - 1) APPROVE REVENUE AGREEMENT AND AUTHORIZE THE DIRECTOR OF EMPLOYMENT AND SOCIAL SERVICES TO SIGN INCLUDING ALL RELATED DOCUMENTS; 2) APPROVE CONTRACTS (7), AND AUTHORIZE THE CHAIR TO SIGN; AND 3) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)

Staff Report

PowerPoint

Briana Harvey-Butterfield, Housing and Homeless Administrator, presented this item to the Board.

No public comment was submitted for this item.

Action: 1) APPROVE REVENUE AGREEMENT AND AUTHORIZE THE DIRECTOR OF EMPLOYMENT AND SOCIAL SERVICES TO SIGN INCLUDING ALL RELATED DOCUMENTS; 2) APPROVE CONTRACTS (7), AND AUTHORIZE THE CHAIR TO SIGN; AND 3) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)

Motion: Supervisor Ritter

Seconded: Supervisor Durfee

Motion passed unanimously

4.05 2022 Fire Prevention and Inspection Review

On January 26, 2021, the Board of Supervisors approved Chapter 38A Fire Prevention and Protection ordinance updates adding additional wildfire safety requirements and provided direction to implement a program to enforce the ordinance in an effort to mitigate the impacts of future wildfires to Butte County communities. The Butte County Fire Department and Department of Development Services implemented a defensible space and hazardous vegetation reduction inspection and enforcement program per Board direction. Funding is provided by the 2017 Honey Fire settlement with Pacific Gas and Electric and a FEMA fire prevention and safety grant award to the fire department. This presentation is to provide a review of the 2022 inspections and overall update on the program. (Fire)

Action requested - ACCEPT FOR INFORMATION

Staff Report

Power Point

Fire Chief Garrett Sjoland, and Paula Daneluk, Director of Development Services, presented this item to the Board.

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

Action: ACCEPT FOR INFORMATION

4.06 Enforcement of the Butte County Medical Marijuana Ordinance (Chapter 34A) and the Butte County Non-Medical Marijuana Ordinance (Chapter 34C) of the Butte County Code

The Department of Development Services is charged with the enforcement of Chapter 34A and Chapter 34C of the Butte County Code. The codes outline a complaint-driven civil process to remedy nuisances related to marijuana cultivation. Under the State Health and Safety Code section 11358(c) each person 18 years of age or over who plants, cultivates, harvests, dries, or processes more than six living cannabis plants shall be punished by imprisonment in a county jail for a period of not more than six months or by a fine of not more than five hundred dollars or by both. The State law does not require a complaint-driven enforcement process. The Department of Development Services has prepared a presentation to discuss the complaint process and receive direction regarding enforcement of Chapter 34A and Chapter 34C to deter large and egregious illegal commercial marijuana grows. (Development Services)

Action requested - PROVIDE DIRECTION TO STAFF

Staff Report

Power Point

Paula Daneluk, Director of Development Services, and Chris Jellison, Code Enforcement Manager, presented this item to the Board. Mike Ramsey, District Attorney, spoke to this item.

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

Action: PROVIDE DIRECTION TO STAFF

4.07 Exploratory Well Use Complaint Process

In May 2022, during marijuana nuisance abatement hearings, the Board of Supervisors directed staff to provide information regarding the complaint process for exploratory well use under existing guidelines and a discussion on the inclusion of Butte County Code Enforcement Officers as the complaining party for wells identified during abatement for illegal cannabis complaints. The Department of Public Health has prepared a presentation outlining the details requested. (Public

Health)

Action requested - ACCEPT FOR INFORMATION

Staff Report

PowerPoint

DeAnne Blankenship, Assistant Director Public Health, introduced the item. Elaine McSpadden, Environmental Health Division Manager, and Nikolay Ostrovskiy, Program Manger, presented this item to the Board. Danette York, Director of Public Health, spoke to this item.

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

Action: ACCEPT FOR INFORMATION

4.08 Agricultural Hoop Structure One Year Update

On January 11, 2022, the Board of Supervisors approved staff to implement a simplified permit process for pre-manufactured agricultural hoop structures of a limited size. The Board also directed staff to provide a one year update. Since implementing the new simplified permit process in 2022, the Department of Development Services processed one permit for a pre-manufactured agricultural hoop structure. The Department will provide a brief review of the definition and current permit requirements for pre-manufactured agricultural hoop structures. (Development Services)

Action requested - ACCEPT FOR INFORMATION

Staff Report

Efrain Ruvalcaba, Building Division Manager, and Paula Daneluk, Director of Development Services, presented this item to the Board. Curtis Johnson, Assistant Director of Development Services, and Louie Mendoza, Agricultural Commissioner/Director of Weights & Measures, spoke to the item.

No public comment was submitted for this item.

Action: ACCEPT FOR INFORMATION

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

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

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

5. PUBLIC HEARINGS AND TIMED ITEMS

5.01. 9:30 AM - Timed Item - Application for Outdoor Festival License for Wildflower Open Classroom (MISC23-0003 - Wildflower Open Classroom Fundraiser)

Wildflower Open Classroom has submitted an application for an Outdoor Festival License per Chapter 12, Article III. Outdoor Festivals. The festival is proposed for one day, Saturday, May 6, 2023 from 12:00 p.m. to 8:30 p.m. The applicant anticipates a maximum of 1,200 attendees. The festival site is located at 2500 Estes Road (the end of Estes Road), south and west of Chico (APN 039-410-032) with parking on an adjacent parcel (APN 039-410-039). The benefit concert fundraiser is proposed as a family-oriented fundraiser for a public charter school featuring live music performances and children's activities. The Department of Development Services completed an environmental review of the application, completed a site visit and determined since no permanent structures will be built, the project is categorically exempt from the California Environmental Quality Act (CEQA), per Section 15304 (e) of the CEQA Guidelines - "Minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, etc." The Department recommends that the Board of Supervisors approve the application for an outdoor festival license, subject to the recommended conditions related to: amplified sound, potable water, solid waste management, restroom and hand washing stations, wastewater management, fire control, encroachment permits for applicable signs, and outreach to California Highway Patrol, traffic control, dust control, and insurance requirements. (Development Services)

Action requested - FIND THE FESTIVAL TO BE CATEGORICALLY EXEMPT UNDER SECTION 15304(E) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVE THE APPLICATION FOR AN OUTDOOR FESTIVAL LICENSE (MISC23-0003), SUBJECT TO THE RECOMMENDED CONDITIONS

Staff Report

PowerPoint

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

No public comment was submitted for this item.

Action: FIND THE FESTIVAL TO BE CATEGORICALLY EXEMPT UNDER SECTION 15304(E) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVE THE APPLICATION FOR AN OUTDOOR FESTIVAL LICENSE (MISC23-0003), SUBJECT TO THE RECOMMENDED CONDITIONS

Motion: Supervisor Teeter

Seconded: Supervisor Connelly

Motion passed unanimously

5.02. 9:40AM - Timed Item - Priority County Projects for Community Project Funding (CPF) and other Funding Opportunities

Congress established the Community Project Funding (CPF) in federal fiscal year (FFY) 2022 and continued it for FFY 2023. The funding was previously referred to as earmarks. The process provides funding directly to certain local projects in the annual federal appropriations bills each year. The Veterans Memorial Park for all of Butte County in Oroville was funded in FFY 2022 and the Cohasset Road Widening and Fire Safety Project and the Palermo Drinking Water Project were both funded in FFY 2023. Staff is waiting to receive the funding from FFY 2022 and awaiting programs guidelines for the projects funded in FFY 2023. Both Senator Feinstein and Senator Padilla announced their internal due dates for consideration of project funding (earmarks) in the FY 2024 appropriations process. Projects are due to Senator Padilla by March 3, 2023 and to Senator Feinstein by March 13, 2023. Senator Feinstein released Fiscal Year 2024 Senate Appropriations Committee Congressionally Directed Spending Guidance, which is included with the full agenda packet for this item. Congressman LaMalfa announced he is accepting project submissions, but a deadline has not been set for the House of Representatives. The deadline will likely be in the next few weeks. Congressional representatives were limited in the number of projects they could submit in prior fiscal years. The federal government has also made new funding available for projects in a wide variety of areas such as infrastructure, water management, and wildfire mitigation. Staff brings this item before the Board of Supervisors for consideration for the CPF and in consideration of the potential new federal funding available for various projects. Staff recommends the Board of Supervisors consider the list of priority projects identified by Board Members and departments and direct staff to work with Congressman LaMalfa, Senator Feinstein, and Senator Padilla to seek funding through the CPF for the projects that best align with legislator's priorities. Staff will work with the Ferguson Group to identifying potential federal funding for projects not funded by the CPF in FFY 2024 and will continue internal efforts to identify funding for disaster recovery and mitigation projects. (County Administration)

Action requested - PROVIDE DIRECTION TO STAFF TO SEEK FUNDING FOR IDENTIFIED PROJECTS AND SEND LETTERS OF SUPPORT SIGNED BY THE CHAIR AS NEEDED FOR THE CPF PROCESS

Staff Report

Casey Hatcher, Deputy Administrative Officer, and Kristi Moore, The Ferguson Group, virtually presented this item to the Board.

No public comment was submitted for this item.

Action: PROVIDE DIRECTION TO STAFF TO SEEK FUNDING FOR IDENTIFIED PROJECTS AND SEND LETTERS OF SUPPORT SIGNED BY THE CHAIR AS NEEDED FOR THE CPF PROCESS

Motion: Supervisor Connelly

Seconded: Supervisor Durfee

Motion passed unanimously

6. BOARD OF SUPERVISORS CLOSED SESSION

6.01 Public Employee Employment, Appointment, Recruitment, Performance Evaluations, Including Goals, Pursuant to Government Code Section 54957:

- A. Agricultural Commissioner
- B. Behavioral Health Director
- C. Chief Administrative Officer
- D. Chief Probation Officer
- E. Child Support Services Director
- F. County Counsel
- G. Development Services Director
- H. Employment and Social Services Director
- I. General Services
- J. Human Resources Director
- K. Information Systems Director
- L. Library Director
- M. Public Health Director
- N. Public Works Director
- O. Water and Resources Conservation Director

- 6.02 Conference with Labor Negotiator Pursuant to Government Code Section 54957.6: Negotiators: Jack Hughes, Sheri Waters, and Casey Hatcher Employee Organizations: Teamsters - General Unit; Teamsters - Social Services Workers' Unit; Butte County Management Employees Association; Butte County Probation Peace Officers Association; Butte County Probation Peace Officers Association - Management Unit; Butte County Professional Employees' Association; Butte County Deputy Sheriff's Association - General Unit; Butte County Deputy Sheriff's Association - Management/Supervisory Unit; Butte County Correctional Officers Association - General Unit; Butte County Correctional Officers Association - Supervisory Unit; UPEC Local 792 - Skilled Trades Unit; Butte County Deputy District Attorneys Association - Attorney Unit; Confidential Unit; Non-Represented Unit; Board of Supervisors Executive Assistants
- 6.03 Initiation of litigation pursuant to Gov. Code Sec. 54956.9(d)(4) - one potential case.

Board voted unanimously to join a motion to intervein in the lawsuit Forest Service Employees for Enviromental Ethics versus United States Forest Services case CV00168 United States District Court for the District of Montana.

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

**Meeting
Information:**

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

**Agenda
Information:**

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

**Agenda
Format and
Meeting
Order:**

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

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

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

**Public
Participation:**

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

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

For further information contact the:

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