



BUTTE COUNTY BOARD OF SUPERVISORS

Regular Meeting Agenda

February 27, 2024

9:00 AM

ANDY PICKETT,
CHIEF ADMINISTRATIVE
OFFICER
CLERK OF THE BOARD

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

MEMBERS OF THE BOARD

BILL CONNELLY,
DISTRICT 1

PETER DURFEE,
DISTRICT 2

TAMI RITTER,
DISTRICT 3

TOD KIMMELSHUE,
DISTRICT 4

DOUG TEETER,
DISTRICT 5

BRAD STEPHENS,
COUNTY COUNSEL

[Meeting Agenda](#)

[eComment Tutorial](#)

[Public Comment Packet](#)

1. CALL TO ORDER

[Pledge of Allegiance](#)

[Observation of a Moment of Silence](#)

2A. CORRECTIONS AND/OR CHANGES TO THE AGENDA

Item 5.03 Remove 3) "Waive the First Reading of the Ordinance" from Action requested.

2B. ANNOUNCEMENT(S) OF RECUSAL

None

3A. SUPERVISOR COMMENTS ON CONSENT AGENDA ITEMS

3B. ADOPT CONSENT AGENDA

Action: Approve the Consent Agenda

Motion: Supervisor Connelly

Seconded: Supervisor Ritter

Motion passed unanimously.

3.01 Approval of Board of Supervisors Regular Meeting Minutes

Submitted for approval are the February 13, 2024 Board of Supervisors Regular Meeting Minutes. (County Administration)

Action Requested - APPROVE THE BOARD OF SUPERVISORS REGULAR MEETING MINUTES FOR FEBRUARY 13, 2024

Minutes

3.02 Letter of Support for the Incorporating National Support For Unprecedented Risks and Emergencies (INSURE) Act (Schiff)

Homeowners in Butte County, particularly those in high wildfire risk areas, have been experiencing higher degrees of property insurance premium increases and policy non-renewals in recent years. Increasingly, these households and others throughout the state are becoming reliant upon the Fair Access to Insurance Requirements (FAIR) Plan. The federal INSURE Act (H.R. 6944) aims to improve this issue by addressing the availability and affordability of property insurance in California, particularly in high wildfire risk areas where insurers are currently withdrawing from the market. Specifically, the INSURE Act has the potential to aid property owners by creating a catastrophic property loss reinsurance program, thereby alleviating the cost and availability issues currently challenging insurers nationwide. The INSURE Act will also benefit homeowners by creating a grant program to promote loss prevention investments, which is particularly useful in rural California communities with large populations of socio-economically disadvantaged residents. While home hardening measures for wildfire mitigation are crucial to decreasing loss potential for insurers, they can be cost-prohibitive. Staff recommends the Board approve a letter of support for the INSURE Act. (County Administration)

Action Requested - APPROVE THE LETTER AND AUTHORIZE CHAIR TO SIGN

Staff Report

3.03 Contract with Matrix Consulting Group, Ltd. for a Comprehensive Review and Evaluation of County User Fees

The California Constitution grants counties the authority to establish fees to recover the cost of providing services, products, and enforcing regulations. Fees are established and regularly updated through a comprehensive review and evaluation of county user fees (user fee study). Typically, user fee studies are completed every 5 years, with the last one being completed in May 2017. In October 2023, staff published a request for proposal (RFP) seeking a consulting firm to conduct a user fee study. Two companies submitted proposals and an evaluation panel comprised

of representatives from Development Services, Public Health, Public Works, and County Administration reviewed the proposals and interviewed the consulting firms in January 2024. Upon completion of the RFP process, the evaluation panel recommends contracting with Matrix Consulting Group, Ltd (Matrix) of San Mateo, California. The Department recommends entering into a contract with Matrix for a comprehensive review and evaluation of County user fees. The term of the contract is from February 27, 2024, through February 27, 2025, not-to-exceed \$102,000. After completion of the user fee study staff will return to the Board with the results of the study and present the County's cost recovery options. After receiving direction from the Board regarding a cost recovery strategy, staff will return with user fee recommendations. (County Administration)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.04 Grant Agreement for California Friday Night Live Partnership Prevention Grant through Tulare County Office of Education

Tulare County Office of Education is administering the Friday Night Live (FNL) Social Emotional Learning (SEL) Grant. The Department of Behavioral Health has been awarded \$200,000 for the FNL SEL grant. The grant is intended to facilitate prevention activities, mentoring programs, and school events which focus on providing school-aged youth with tools, education, and outreach to create a youth development framework that supports young people as decision makers and change agents. The Department will use the grant funds to engage students from diverse peer groups on campus, provide opportunities to build relationships outside of their peer groups, engage youth in skill-building activities in mental and emotional health, and provide substance use prevention strategies. The Department recommends the Board approve the Friday Night Live SEL grant agreement with Tulare County Office of Education. The term of the agreement is July 1, 2023 through June 30, 2024, not-to-exceed \$200,000. (Behavioral Health)

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

Staff Report

3.05 Amendment of Contract for Electroconvulsive Therapy (ECT) with Therapeutic Solutions, PC

On June 27, 2023, the Department of Behavioral Health entered into a sole source contract with Therapeutic Solutions, PC for ECT services in the amount of \$87,670. The term of the contract is July 1, 2023 through June 30, 2024. ECT is a therapy for those clients with significant mental health challenges that have not benefited from traditional therapy. ECT is considered best practice for the treatment of severe depression. Due to an increase in clients and frequency of treatment, costs have increased significantly in the 2023-24 fiscal year. The Department recommends that the Board of Supervisors approve an amendment to increase the maximum amount payable by \$105,126, not-to-exceed \$192,796. All other terms remain the same.

(Behavioral Health)

Action Requested - APPROVE AMENDMENT AND AUTHORIZE CHAIR TO SIGN

Staff Report

3.06 Amendment to the Conflict of Interest Code of Paradise Irrigation District

On December 20, 2023, the Board of Directors of the Paradise Irrigation District adopted a resolution to amend the District's Conflict of Interest Code to reflect the addition of two designated positions; Assistant Engineer and Meter Shop Operations Manager. 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. (County Counsel)

Action Requested - APPROVE THE AMENDMENT TO THE PARADISE IRRIGATION DISTRICT'S CONFLICT OF INTEREST CODE

Staff Report

3.07 Notice of Completion for the Oroville Veterans Memorial Park (OVMP) Shade Structure at 2450 Montgomery Street, Oroville, CA, 95965

On September 20, 2022, the Board of Supervisors approved a contract for construction with DENSICORP General Contractors in the amount of \$325,435 for the OVMP Shade Structure Project. During the course of construction there were no change orders issued to DENSICORP General Contractors. The Department of General Services recommends the Board approve and sign the Notice of Completion for the referenced project. (General Services)

Action Requested - APPROVE NOTICE OF COMPLETION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.08 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: DISTRICT ATTORNEY: Add 1 flexibly staffed Administrative Analyst position. This change will allow for greater efficiency of operations to better meet the current and future needs of the District Attorney's Office. An internal recruitment for the new position will be held and the District Attorney's Office will return to the Board with an action to delete the resulting vacancy. The District Attorney's Office anticipates the position to be an annual increase of less than \$5,000 once the new position is filled and the existing one deleted; which will be absorbed in existing appropriations. Total allocations to increase temporarily by 1. PUBLIC HEALTH: Add 1 flexibly staffed Regular Help Administrative Assistant position and delete 1 flexibly staffed

Administrative Assistant Term 6/30/2024 position. Add 1 Peer Support Specialist position to fill an immediate need in the Nurse Family Partnership Home Visiting Program. The estimated annual increase is \$54,276. These positions are funded through ongoing grant funds. Total allocations to increase by 1. (Human Resources)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 24-021

- 3.09 Contract with Change Healthcare Solutions LLC (Change Healthcare) to Implement Electronic Data Interchange (EDI) Transaction Services for Billing Medi-Cal

The Department requests to enter into a contract with Change Healthcare to implement EDI Transaction Services for billing Medi-Cal. This service allows the department to submit billing for Medi-Cal benefits electronically. The Department recommends entering into a contract with Change Healthcare for EDI transaction services. The term of the contract is the date of execution through termination by either party, at a cost of \$79.00 a month, not-to-exceed \$948.00 annually. (Public Health)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

- 3.10 Contract with Mark Thomas and Company, Inc. to Develop a Bicycle, Pedestrian, and Motor Vehicle Safety Action Plan for Communities within Butte County

The Department of Public Health has received grant funding through the U.S. Department of Transportation Federal Highway Administration Office of Safety for the Safe Streets and Roads for All Program. The funds will be used to update and create new bicycle and pedestrian safety plans for communities within Butte County. A request for proposal was published and Mark Thomas and Company, Inc. was selected and awarded the contract. Mark Thomas and Company, Inc. will manage, facilitate, and develop a Butte County Safety Action Plan to improve the safety of people in automobiles, walking, and bicycling within the unincorporated Butte County areas, and three (3) participating community agencies: Cities of Chico, Gridley, and Oroville. The safety action plan will provide an overarching document that incorporates public input and leverages adopted local agency bicycle plans, pedestrian plans, and Safe Routes to Schools plans. The Department recommends entering into a contract with Mark Thomas and Company, Inc. to develop the Butte County Safety Action Plan. The term of the contract is February 27, 2024, through September 30, 2025, not-to-exceed \$449,864. (Public Health)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

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

4. REGULAR AGENDA

4.01 Boards, Commissions, and Committees

(List available at <https://www.buttecounty.net/327/Board-Commission-Vacancies>)

A. Appointment to Listed Vacancies

None

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

Supervisor Ritter - Attended First 5 meeting, Disability Action Network, NAACP, Passages Adult Resource Center Advisory Board, Butte County Behavioral Health Advisory Board, BCAG and Air Quality meetings.

Supervisor Connelly – Cattlemen's Dinner, Vet Memorial meeting, SBFCA, Feather River Recovery Alliance, Air Quality, BCAG, meeting with Firemen in Oroville. He further states he's spoken to a constituent who is a fire victim and is rebuilding, and initially wasn't required to pull solar permits, with the knowledge he had to install solar to get the project signed off on. He is now told that requirements have changed. He further requests that staff look into assistance.

Supervisor Durfee – Received concerns from constituents regarding Bitcoin machines and possible fraudulent activities associated with them. He requests staff look into it further and have the issue agendized. He further states that he has a constituent that is having issues renewing homeowner's insurance.

Supervisor Teeter - States insurance requirements are a problem. He attended a meeting with SPI regarding fire related matters, PRPD community meeting on the effectiveness of buffers outside of Paradise for fire prevention. He further attended RCRC meeting in Sacramento. Congratulates Josh Pack, Director of Public Works for working hard on pothole repairs.

Chair Kimmelshue - Thanks Josh Pack, Director of Public Works for working on the potholes and for his work preparing the County for upcoming winter storms. He further attended NCWA lobbying event, Cattlemen's Dinner, NAACP Forum, Black History performance at Central Middle School. Thanks Scott Kennelly for presenting information about Proposition 1 at local community meetings.

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

The following member(s) of the public submitted Public Comment on this item: Reed Johnson, Bryant Hart, Michael Kehoe and Diana Dreiss (both in person and ecomment)

- 4.03 Butte County Broadband Planning and Feasibility Study

On May 25, 2021, the Board of Supervisors opted in to a single grant application submitted by Golden State Finance Authority (GSFA) to the Economic Development Administration (EDA) to develop Broadband Planning and Feasibility Studies for Rural County Representatives of California member counties. On June 22, 2021, the Board executed a Memorandum of Understanding with GSFA to provide input to the selected consultant, contribute a 20% match of \$25,000, and present the final Study to the Board. GSFA was awarded the EDA grant in September of 2022, and the Board approved the match funded by American Rescue Plan Act funds in November of 2022. Tilson Technologies, selected by GSFA to develop the Broadband Planning and Feasibility Study (Study) for Butte County, researched the telecommunications industry landscape including locations of existing fiber optic cable and other assets, service areas and services of retail Internet service providers (ISPs), locations of premises lacking access to adequate broadband service, and available funding for broadband infrastructure. This analysis and recommendations to support broadband network deployment are included in the Study. On September 28, 2021, the Board executed a resolution authorizing participation in Golden State Connect Authority (GSCA), a Joint Powers Authority of participating RCRC member counties. The mission of GSCA is to ensure quality internet is available for rural California. With Butte County's participation, GSCA will work to further the recommendations in the Study including identifying opportunities for funding and establishing partnerships for novel solutions. County Administration recommends the Board accept the Study for information. (County Administration)

Action Requested - ACCEPT FOR INFORMATION

Staff Report

PowerPoint

Katie Simmons, Deputy Administrative Officer & Shelley Westall, Tilson Technologies, presented this item to the Board.

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

Action: ACCEPT FOR INFORMATION

4.04 Budget Adjustment and Agreement Amendment with Compassion Pathway Behavioral Health, LLC for the Crisis Residential Treatment Program

On July 1, 2023, the Board of Supervisors approved an agreement with Compassion Pathway Behavioral Health, LLC for crisis residential treatment at the Crisis Residential Treatment (CRT) facility at 556 Cohasset Road in Chico. The term of the agreement is one year, through June 30, 2024, not-to-exceed \$1,379,699. The CRT is a 10 bed, drug and alcohol-free facility that provides a home-like, temporary, and therapeutic environment where adult community members struggling with a mental health crisis receive 24-hour support and services. Due to rising census numbers, the need for additional occupancy and support services have increased significantly over the 2023-24 fiscal year. The Department of Behavioral Health recommends the Board approve an amendment to increase the maximum payable by \$982,423, not-to-exceed \$2,362,123, and approve a budget adjustment to increase funding for the services. The funding for the amendment is paid for by the Mental Health Services Act and federal Medi-Cal revenue. (Behavioral Health)

Action Requested - 1) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED), AND; 2) APPROVE AMENDMENT AND AUTHORIZE CHAIR TO SIGN

Staff Report

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

Action: 1) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED), AND; 2) APPROVE AMENDMENT AND AUTHORIZE CHAIR TO SIGN

Motion: Supervisor Ritter

Seconded: Supervisor Durfee

Motion passed unanimously.

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

At the January 9, 2024 meeting, the Board directed staff to prepare amendments to Chapters 26-2 and 28A-1 of the Butte County Code to change the age limitation on manufactured homes installed in the County from 10-years of age to manufactured homes manufactured on or after September 1, 2008. (Development Services)

Action Requested - WAIVE THE FIRST READING OF THE ORDINANCE

Staff Report

Paula Daneluk, Director of Development Services & Efrain Ruvalcaba presented this item to the Board.

Action: 1) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED); AND 2) APPROVE AMENDMENT AND AUTHORIZE CHAIR TO SIGN

Motion: Supervisor Connelly
Seconded: Supervisor Durfee

Motion passed unanimously.

4.06 Budget Adjustment for Program Appropriations and Capital Asset Purchase - Vehicle

Each year the Department of Employment and Social Services prepares a budget based on anticipated allocations and expected expenditures. Midway through the year, a budget adjustment is often required once State and federal allocations are finalized. State and federal allocations have been finalized and allows for an additional \$7.7 million in appropriations. The Department will also allocate \$3.1 million from the 2011 Realignment Fund balance and \$25,000 from the Social Services Operating Fund balance. These allocations will be appropriated to support contracts and assistance services. Programs benefiting from these allocations include: Adult Protective Services, Bringing Families Home, Child Welfare Services, Housing and Disability Advocacy Program, CalWORKs Housing Support Program, CalWORKs Stage One Childcare, CalFresh, and foster care. The Department requests capital asset authority to purchase one SUV vehicle funded with Permanent Local Housing Allocation dollars in the amount of \$70,000. Existing appropriation will be used to cover the cost. The Department recommends the Board of Supervisors approve the budget adjustment and the capital asset purchase (Employment & Social Services)

Action Requested - 1) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED); AND 2) APPROVE CAPITAL ASSET PURCHASE

Staff Report

Shelby Boston, Director of Employment & Social Services presented this item to the Board.

Action: 1) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED); AND 2) APPROVE CAPITAL ASSET PURCHASE

Motion: Supervisor Durfee
Seconded: Supervisor Ritter

Motion passed unanimously.

4.07 IT Steering Committee

IT Steering Committees are used by public and private sector organizations to ensure Information Technology resources are effectively used to meet business objectives. The Information Systems Department will work proactively with Department management and technical resources to ensure it is doing what is needed to support the strategic plans of individual Departments and the County as a whole. (Information Systems)

Action Requested - ACCEPT FOR INFORMATION

Staff Report

PowerPoint

Paul LaValley, Director of Information Systems presented this item to the Board.

Action: ACCEPT FOR INFORMATION

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

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

The following member(s) of the public submitted Public Comment on this item: Cynthia Joy, Julie Threet, Katie Posey and Lymarie Gonzalez

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

5. PUBLIC HEARINGS AND TIMED ITEMS

5.01 9:30 am - Public Hearing - Resolution Adopting an Initial Study and Mitigated Negative Declaration (ISMND) for the Central House Road Bridge Replacement Project

The Department proposes replacing a bridge structure along Central House Road crossing Wyman Ravine, Bridge 12C-0111. Located south of the City of Oroville, just off State Route 70 on Central House Road, the project will replace an existing narrow sub-standard bridge with a 190-foot-long modern reinforced concrete structure that will accommodate two 12-foot lanes with appropriate shoulders. The new bridge will be constructed on a straightened alignment, and traffic will be maintained on a temporary detour constructed at the site. The total construction cost for this project is estimated at \$5.4 million and is included in the Public Works Infrastructure Master Plan. The California Environmental Quality Act (CEQA) requires an environmental analysis of all projects that are not categorically exempt from analysis and may affect the environment. The Initial Study and supporting environmental studies justify a Mitigated Negative Declaration. The Proposed ISMND has been prepared per State CEQA Guidelines. The 30-day public review period for the ISMND began on December 8, 2023, ending January 9, 2024. No comments were received during the public review period. (Public Works)

Action Requested - 1) OPEN THE PUBLIC HEARING AND ACCEPT COMMENTS; 2) ADOPT THE ISMND FOR THE CENTRAL HOUSE ROAD BRIDGE REPLACEMENT

PROJECT AND AUTHORIZE THE CHAIR TO SIGN; AND 3) ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

PowerPoint

Resolution 24-022

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

Action: 1) OPEN THE PUBLIC HEARING AND ACCEPT COMMENTS; 2) ADOPT THE ISMND FOR THE CENTRAL HOUSE ROAD BRIDGE REPLACEMENT PROJECT AND AUTHORIZE THE CHAIR TO SIGN; AND 3) ADOPT THE RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Durfee

Seconded: Supervisor Connelly

Motion passed unanimously.

5.02 10:00 am – Public Hearing - Itemized Costs and Penalties Related to Nuisance Abatement to Record a Lien and Impose a Special Assessment

- A. Code Enforcement Case numbers CE21-00873, CE21-01962 and CE21-02238 at 14705 Duramen Court, Magalia (APN 065-380-005).

On February 28, 2022 and May 6, 2022, 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 CE21-00873, CE21-01962 and CE21-02238 at 14705 Duramen Court, Magalia (APN 065-380-005) in the amount of \$30,003.21. (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN AND A SPECIAL ASSESSMENT OF \$30,003.21

Staff Report

PowerPoint

Item presented by Paula Daneluk, Director of Development Services, Chris Jellison, Code Enforcement Division Manager and Cortney Kingsley, CE Office Specialist

Action: APPROVE THE PROPOSED LIEN AND A SPECIAL ASSESSMENT OF \$30,003.21

Motion: Supervisor Teeter
Seconded: Supervisor Durfee

Motion passed unanimously.

- B. Code Enforcement case Number CE20-00971 at 14142 Norwich Circle, Magalia (APN 064-490-021).

On March 2, 2022, a Hearing Officer declared a public nuisance existed on the property listed under Butte County Code Chapter 32A- Property Maintenance and Abatement of Nuisances. This hearing has been scheduled to authorize the Board of Supervisors to record a special assessment and lien to recover the County's costs for Code Enforcement case Number CE20-00971 at 14142 Norwich Circle, Magalia (APN 064-490-021) in the amount of \$16,733.49. (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN AND SPECIAL ASSESSMENT IN THE AMOUNT OF \$16,733.49

Staff Report

PowerPoint

Chris Jellison, Code Enforcement Division Manager and Cortney Kingsley, CE Office Specialist

Action: APPROVE THE PROPOSED LIEN AND SPECIAL ASSESSMENT IN THE AMOUNT OF \$16,733.49

Motion: Supervisor Teeter
Seconded: Supervisor Durfee

Motion passed unanimously.

- C. Code Enforcement Case Number CE21-01374 at 14745 Del Oro Drive, Magalia (APN 065-380-055).

On November 11, 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 Number CE21-01374 at 14745 Del Oro Drive, Magalia (APN 065-380-055) in the amount of \$12,353.25. (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN AND A SPECIAL ASSESSMENT OF \$12,353.25

Staff Report

PowerPoint

Item presented by Chris Jellison, Code Enforcement Division Manager and Cortney Kingsley, CE Office Specialist

Action: APPROVE THE PROPOSED LIEN AND SPECIAL ASSESSMENT IN THE AMOUNT OF \$12,353.25

Motion: Supervisor Teeter

Seconded: Supervisor Durfee

Motion passed unanimously.

- D. Code Enforcement Case Number CE20-00828 and CE21-00323 at 13642 South Park Drive, Magalia (Assessor's Parcel Number 066-230-047).

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 AND A SPECIAL ASSESSMENT OF \$21,560.41

Staff Report

PowerPoint

Item presented by Chris Jellison, Code Enforcement Division Manager and Cortney Kingsley, CE Office Specialist

Action: APPROVE THE PROPOSED LIEN AND SPECIAL ASSESSMENT IN THE AMOUNT OF \$21,560.41

Motion: Supervisor Teeter

Seconded: Supervisor Durfee

Motion passed unanimously.

- E. Code Enforcement Case Number CE21-000264 at 2047 Palermo Road, Palermo (APN 026-144-006).

On March 1, 2022, a Hearing Officer declared a public nuisance existed on the property listed under Butte County Code Chapter 32A- Property Maintenance and Abatement of Nuisances. This hearing has been scheduled to authorize the Board of Supervisors to record a special

assessment and lien to recover the County's costs for Code Enforcement case Number CE21-000264 at 2047 Palermo Road, Palermo (APN 026-144-006) in the amount of \$6,652.89. (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN AND A SPECIAL ASSESSMENT OF \$6,652.89

Staff Report

PowerPoint

Item presented by Chris Jellison, Code Enforcement Division Manager and Cortney Kingsley, CE Office Specialist

Action: APPROVE THE PROPOSED LIEN AND SPECIAL ASSESSMENT IN THE AMOUNT OF \$6,652.89

Motion: Supervisor Connelly

Seconded: Supervisor Durfee

Motion passed unanimously.

5.03 10:30 am - Public Hearing - County-Initiated Amendments (ZCA23-0004) to Butte County Code, Chapter 24 Zoning Ordinance

The following amendments to Butte County Code Chapter 24, Zoning Ordinance, are proposed to apply to the unincorporated area of Butte County. The existing Outdoor Festival License requirement, through the Butte County Treasurer, including the \$100 application fee with a \$300 environmental review fee, and non-profits exemptions, under Chapter 12 (Licenses, Article III (Outdoor Festivals)), are recommended and replaced by a requirement for a \$219.35 Administrative Permit through the Department of Development Services, pursuant to the Zoning Ordinance under Chapter 24 (Zoning), Article IV, Division 1 (Temporary Uses), ensuring that the proposed use is compatible with the outdoor festival site's applicable zone and surrounding land uses, and that appropriate operational standards are applied. Staff recommends adopting a CEQA Guidelines Section 15268(a) - Ministerial Projects exemption. On January 25, 2024, Development Services presented Resolution PC24-05, recommending adoption of ZCA23-0004 with a recommendation for the application fee to increase to \$791.35. Butte County Planning Commission adopted Resolution PC24-05, recommending adoption of ZCA23-0004 to the Board of Supervisors, with the recommendation that the Board of Supervisors review the Department of Development Services' fee schedule, and consider a reduction in the proposed fee of \$791.35 for an Outdoor Festival Administrative Permit for certain festival events, potentially for those held on an annual basis. Department recommendations do not include the \$791.35 and requests Board direction to pursue a full cost recovery fee of \$791.35 during the upcoming User Fees schedule update. The Department of Development Services recommends an amendment the Ordinance and Outdoor Festival Permit application process and language, in addition to a fee increase to the current \$219.35 Administrative Permit fee established in the Master Fee Schedule, with the recommendation to continue to allow for fee exemptions for non-profit

organizations. (Development Services)

Action Requested - 1) FIND THE ZONING ORDINANCE AMENDMENTS ARE NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND THEREFORE EXEMPT; 2) ADOPT THE ORDINANCE AMENDING BUTTE COUNTY CODE, CHAPTER 24, (ZONING ORDINANCE) AND CHAPTER 12, (LICENSES); AND 3) WAIVE THE FIRST READING OF THE ORDINANCE

Staff Report

PowerPoint

Item presented by Paula Daneluk, Director of Development Services & Dan Breedon, Planning Division Manager

Action: Amend Ordinance and bring back to the Board for approval.

Motion: Supervisor Durfee

Seconded: Supervisor Connelly

Motion passed unanimously.

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

- 5.04 11:00 am - Public Hearing - County-Initiated Zoning Code Amendment (ZCA22-0005) to Butte County Code Chapter 24, Articles II, III, and VII, Deleting the "Personal Services-Restricted" Land Use Definition and Moving Those Uses to the "Personal Services" Land Use Definition

County-initiated zoning code amendments of Butte County Code, Chapter 24, to delete the Personal Services, Restricted, (i.e., tattoo parlors, body piercing, fortune telling, massage establishments, and other similar uses) land use classification and moving them to the standard Personal Service category. Specifically, the following amendments are proposed: 1. Deletion of the Personal Services, Restricted definition under Chapter 24 (Zoning), Article VII, Division 1 of Butte County Code. 2. Revise the Personal Service definition to add all currently restricted business types into the Personal Services land use classification. 3. Deletion of the Personal Services, Restricted land use from the Use Regulation Tables in Chapter 24 (Zoning), Article II (Zoning Districts, Land Uses, and Development Standards). 4. Deletion of the Personal Services, Restricted land use classification from Table 24-93-1 (Onsite Parking Requirements) in Chapter 24 (Zoning), Article III, Section 24-93. The proposed zoning code amendments would streamline the approval process for certain commercial businesses under the Personal Services, Restricted, category by removing the discretionary conditional use permit requirement for applicants wanting to start up, expand, or relocate these businesses to unincorporated areas of Butte County. Removal of the permit requirements would encourage economic growth throughout the county by reducing permitting costs and approval time frames, and remove uncertainties involved with the discretionary permit process. On January 25, 2024, the Planning Commission passed Resolution PC24-01 on a

vote of 4-1 finding the proposed Zoning Code Amendment exempt under section 15061(b)(3) of the California Environmental Quality Act and recommending adoption of Zoning Code Amendment ZCA22-0005. (Development Services)

Action Requested - ADOPT THE ORDINANCE AMENDING BUTTE COUNTY CODE CHAPTER 24, ARTICLES II, III, & VII, DIVISION 1, AND AUTHORIZE THE CHAIR TO SIGN.

Staff Report

PowerPoint

Item presented by Paula Daneluk, Director of Development Services & Dan Breedon, Planning Division Manager & Kory Honea, Sheriff

Action: Adopt the Ordinance with the exception of massage establishments, which will remain in the Personal Services – Restricted land use classification

Motion: Supervisor Durfee

Seconded: Supervisor Teeter

Abstain: Supervisor Connelly

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

5.05 11:10 am - Timed Item - Federal Legislative Update and Priority County Projects for Community Project Funding (CPF) and other Funding Opportunities

The Community Project Funding (CPF) process, previously referred to as earmarks, was established in federal fiscal year (FFY) 2022. The process provides funding directly to 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. FFY 2024 appropriations have not yet been approved, but four County CPF projects are currently up for funding in 2024 including funds for a Type I Fire Engine, Public Safety Communications, Lumpkin Road Rehabilitation and Roadside Vegetation Management. While the FFY 2024 appropriations process has not been completed, the FFY 2025 process has begun. Kristi More of the Ferguson Group, the County's federal legislative advocate, will present a federal legislative update and, along with staff, present a list of priority projects for the Board of Supervisors to consider for the FFY 2025 CPF process. 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 Butler, 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. (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

Meegan Jessee, Assistant Chief Administrative Officer & Kristi More

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.

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

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

1. CALL TO ORDER

2. CONSENT AGENDA

- 2.01 Approval of Minutes for the February 13, 2024 In-Home Supportive Services Public Authority Board Meeting

Submitted for approval are the minutes for the February 13, 2024 In-Home Supportive Services Public Authority Board Meeting. (County Administration)

Action Requested - APPROVE THE FEBRUARY 13, 2024 IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD MEETING MINUTES AND AUTHORIZE THE CHAIR TO SIGN

Minutes

Action: Approve the Consent Agenda

Motion: Supervisor Connelly

Seconded: Supervisor Teeter

Motion passed unanimously.

3. REGULAR AGENDA (NO ITEMS)

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.

The following member(s) of the public submitted Public Comment on this item: Bonnie Gonzales and Carnella Marks

5. CLOSED SESSION (To be held concurrently with the Board of Supervisors Closed Session)

5.01 Conference with Labor Negotiator Pursuant to Government Code Section 54957.6
Labor Negotiators: Jack Hughes, Sheri Waters, Aaron Quin and Shelby Boston

6. CLOSED SESSION PUBLIC COMMENT

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 Closed Session Public Comment

1. **Consent Agenda: These items are considered routine and are handled by one motion and vote of the Board. If you wish to discuss any item on the Consent Agenda you can either fill out a speaker card (located in the back of the board room) and give it to the Clerk of the Board (sitting to the right of the Board) or, when the Chair asks if there is anything anyone would like to remove from the Consent Agenda, stand and approach the podium and request the item be removed. The removed items are discussed at the end of the Regular Agenda.**
2. **Public Comment: This is the area of the agenda where members of the audience may address the Board on any matter not listed on the agenda. The Board, by law, cannot take action on any matter not listed on the agenda, but may respond to statements or questions and provide staff direction. Public Comment is limited to 3 minutes, and may be adjusted at the discretion of the Chair.**
3. **Regular Agenda: This is where presentations to the Board and items that require full discussion are heard. Items removed from the Consent Agenda are discussed under this section.**

4. Public Hearing and Timed Items: This is where items that are required by law to be heard as a public hearing are set. This is the section where appeals before the Board are usually discussed. Hearings may start after the time listed, but will never start before the time listed.

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

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

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

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

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

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