BUTTE COUNTY
BOARD OF SUPERVISORS

Regular Meeting Agenda
February 13, 2024
9:00 AM

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

ANDY PICKETT,
CHIEF ADMINISTRATIVE OFFICER
CLERK OF THE BOARD

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

eComment 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 3.15, 3.18 and 3.23 were pulled from the Consent Agenda for further Board consideration and discussion.
Item 4.03 has an updated letter and has been updated on Granicus.
Item 4.05 Action for the Board should read "Approve Transfer".
Item 5.01.B was settled.

2B. ANNOUNCEMENT(S) OF RECUSAL

None

3A. SUPERVISOR COMMENTS ON CONSENT AGENDA ITEMS

3B. ADOPT CONSENT AGENDA

Action: Approve the Consent Agenda with the exception of items 3.15, 3.18 and 3.23 that were pulled for further Board consideration and discussion.

Motion: Supervisor Teeter
Seconded: Supervisor Ritter

Motion passed unanimously.

3.01 Approval of Board of Supervisors Regular Meeting Minutes

Submitted for approval are the January 23, 2024 Board of Supervisors Regular Meeting Minutes. Additionally, the following minutes are submitted for approval, bringing all past minutes up to date: October 25, 2022; November 8, 2022; December 13, 2022; January 10, 2023; January 24, 2023; February 14, 2023; February 28, 2023; March 9, 2023 Special Meeting; March 14, 2023; March 28, 2023; April 11, 2023; April 25, 2023; May 9, 2023; May 23, 2023; June 13, 2023; June 27, 2023; July 25, 2023; August 8, 2023; August 22, 2023; September 12, 2023; and September 26, 2023. (County Administration)

Action Requested - APPROVE THE BOARD OF SUPERVISORS REGULAR AND SPECIAL MEETING MINUTES BEGINNING OCTOBER 25, 2022 THROUGH SEPTEMBER 26, 2023 AND JANUARY 23, 2024

Minutes

3.02 Letter of Concern Thermalito Diversion Pool State Law Enforcement Shooting Range

The Department of Water Resources operates a shooting range located near the Thermalito Diversion Pool. This range is used by State Park Rangers and various State law enforcement agencies and shooting occurs at all times of the day and night. The range is ill-suited in its current location, being in the vicinity of both residential and recreational areas. Due to the location and typography of the area, those living or recreating nearby are subjected to repeated gunshot noises - including in the middle of the night. Approval of a letter of concern is recommended requesting the range be relocated to a more appropriate location or minimally that the hours and usage be reduced.(County Administration)

Action Requested - APPROVE LETTER OF CONCERN

Staff Report

3.03 Revised Resolution for the South County Food Pantry Project and Contract Amendment with Community Action Agency of Butte County (CAA)

On October 11, 2022, a Community Development Block Grant Coronavirus Response Round 2 and 3 (CDBG-CV2-3) award from the California Department of Housing and Community Development (HCD) was amended by the Board to fund the construction of the South County Food Pantry Project. CAA was contracted to perform the work and completed construction of the South County Food Pantry Project in October of 2023. With $151,365 remaining in the contract and $28,261 available in general administration funds, staff recommends increasing the total value of the contract from $370,937 to $399,198 and expanding the scope of work to allow CAA to purchase food for the pantry with all remaining funds. Staff recommends the Board approve the contract amendment and sign a revised resolution authorizing these changes in the Standard Agreement with HCD. (County Administration)

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

Staff Report

Resolution 24-014

3.04 Resolution Ratifying Local Disaster Proclamation

Meegan Jessee, Acting Chief Administrative Officer, proclaimed a local emergency on February 6th, 2024 due to the extreme winter storms. A series of atmospheric river systems brought high winds, substantial precipitation, flooding and widespread power outages to all areas of Butte County. In order to obtain State assistance to help with the recovery, a local emergency must be proclaimed. In accordance with the California Emergency Services Act Section 8630(b) the governing body must ratify the proclaimed emergency within seven (7) days for it to remain in effect. (County Administration)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE CHAIR TO SIGN

Staff Report

Resolution 24-015

3.05 Capital Asset Purchase (Vehicle) and Budget Adjustment

In the Fall of 2023, a Ford Fusion belonging to the Department of Behavioral Health was involved in an accident and declared a total loss. The estimated cost to replace this vehicle is $30,000 with the Department being responsible for the deductible of $15,000. The balance of the replacement will be covered by insurance. The Department requests the Board of Supervisors approve the capital asset purchase of one new vehicle and approve a budget adjustment for the use of salary savings for the Department’s share of cost. (Behavioral Health)

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

Staff Report

3.06 Payment for Compassion Pathways Behavioral Health for Crisis Residential Treatment at Bella Vida

The Department of Behavioral Health has a contract with Compassion Pathways Behavioral Health for Crisis Residential Treatment at Bella Vida. The term of the contract is July 1, 2023 to June 30, 2024, not-to-exceed $1,379,699. The Department's internal audit procedures identified claims and services that exceed the contract by a total of $241,315, of which $149,301 was paid to Compassion Pathways Behavioral Health in July and August of 2022 and $92,014 is outstanding for services provided. The Department recommends the Board of Supervisors ratify the $149,301 in paid claims and approve payment of claims for services provided in the amount of $92,014. (Behavioral Health)

Action Requested - APPROVE REQUESTED PAYMENTS

Staff Report

3.07 Payment for Managed Care Hospital, Sierra Vista Hospital, Inc.

Butte County clients experiencing a mental crisis outside of the County may be placed with State authorized "Managed Care" hospitals for treatment. When this occurs, the State hospitals invoice the Department of Behavioral Health for services rendered to County clients. As these placements may occur across various facilities, the State posts provider rates for these services. The majority of providers are not contracted with the County and are able to provide the services under the posted rates. The Department of Health Care Services (DHCS) sets a threshold of $60,000 for these services. The Department received invoices from Sierra Vista for fiscal year 2022-23 above the threshold, totaling $125,944. The services were provided to County clients, however as they are outside of the DHCS threshold, a contract is warranted but cannot be entered into retroactively. The Department recommends the Board of Supervisors approve a payment to Sierra Vista for services provided in fiscal year 2022-23 in the amount of $125,944. (Behavioral Health)

Action Requested - APPROVE REQUESTED PAYMENT

Staff Report

3.08 Amendment to Mental Health Services Agreement with Caminar in Correlation with Department of Rehabilitation (DOR) for Vocational Rehabilitation Services

On July 1, 2023, the Board of Supervisors approved a mental health services agreement with Caminar for vocational rehabilitation services for the Department of Behavioral Health. The agreement is funded by the DOR. The term of the agreement is July 1, 2023 through June 30, 2024, not-to-exceed $142,371. The Department recommends that the Board approve an amendment to increase services due to additional funding from DOR for fiscal year 2023-24. The amendment increases the maximum amount payable by $1,695, not-to-exceed $144,066. All other terms remain the same. (Behavioral Health)

Action Requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.09 Agreements with Compassion Pathway Behavioral Health, LLC for Adult Residential Services at Gold City ARF and Monte Vista ARF

In September of 2023, the Department of Behavioral Health was awarded a Behavioral Health Bridge Housing grant to increase the availability of in-County adult residential services. In October of 2023, The Department released a Request for Proposals (RFP) for residential services (Board and Care facilities) in the County. Compassion Pathway Behavioral Health, LLC responded and was determined to have the experience, knowledge, and resources to meet the need. In response to the RFP, Compassion Pathway Behavioral Health, LLC created two facilities in Oroville- Gold City ARF and Monte Vista ARF. Each facility is a 24-hour, 6 bed residential care facility for adults experiencing mental illness. With the high level and emergent need for these services within the County, the Department recommends the Board of Supervisors approve two agreements with Compassion Pathway Behavioral Health, LLC for residential services at Gold City ARF and Monte Vista ARF. The term of each agreement is date of execution through June 30, 2024, not-to-exceed $207,000 per agreement ($414,000 total). (Behavioral Health)

Action Requested - APPROVE AGREEMENTS AND AUTHORIZE CHAIR TO SIGN

Staff Report

3.10 Letter to California Department of Housing and Community Development (HCD) Regarding Construction Standards for New and Relocated Manufactured Housing Units Installed in the Wildland Urban Interface (WUI)

On January 23, 2024, the Butte County Board of Supervisors directed staff to draft a letter to HCD regarding the state's current policy limiting the required construction standards for relocated Manufactured Housing Units (MHUs) installed in the Wildland Urban Interface (WUI). HCD oversees the permitting of all MHUs and in the WUI requires that new MHUs meet ignition-resistant construction standards. These standards help to protect our communities and residents in the WUI. However, these same standards are not required for the installation of used MHUs in the WUI. Allowing relocated structures that do not meet ignition-resistant construction standards to be installed in the WUI places our citizens and surrounding communities at unnecessary risk. For these reasons, the Butte County Board of Supervisors is advocating for ignition-resistant construction standards for all MHUs installed in the Wildland Urban Interface. (County Administration)

Action Requested - APPROVE LETTER AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

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

3.11 Contract Amendment with Birdseye Planning Group, LLC for Professional Planning Services

In September 2020, the Department of Development Services released a request for qualifications for vendors to provide planning services. On January 12, 2021, the County entered into a contract with Birdseye Planning Group, LLC, with a contract term through January 12, 2026, not-to-exceed $99,999. On February 25, 2021, the contract was amended to allow Birdseye Planning Group, LLC to utilize subcontractors to provide specialized services in order to complete County planning applications. The contract provides planning application processing, building permit review, and other planning services as needed by the Department of Development Services. The contract for planning services allows the Department to continue providing timely service to the public and meet the State required timelines for processing land use applications and is funded by user fees. The Department recommends amending the contract with Birdseye Planning Group, LLC, increasing the maximum amount payable by $125,000, not-to-exceed $224,999. All other terms to remain the same - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

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

Staff Report

3.12 Ground Lease Agreement with Jim D. Petropoulos as Owner of Sherman Village Apartments for Assessor's Parcel Number (APN) 003-480-107, Chico

In 1978, the County acquired in-fee ownership of two adjoining parcels in Chico from the Chico-Leland Stanford Masonic Temple. The purpose of the acquisition was construction of the Chico Library. The Chico Library and its parking lot sit fully on the larger of the two parcels with an address of 1108 Sherman Avenue. The adjoining parcel, APN 003-480-107, is 0.5 acres of unimproved land approximately 60' wide and running the length of the Northeast property line between 1108 Sherman Avenue and the neighboring Sherman Village Apartments. In 1994, the Board of Supervisors approved a lease agreement with the then-owner of the Sherman Village Apartments for their development and maintenance of APN 003-480-107 as recreational space for their apartment tenants including installation of fencing and irrigation. The lease held a term of 5 years and a rent rate of $1.00 per year. In 1998, due to failure to extend the term or effectuate hold-over the lease became invalid. In June 2023, ownership of Sherman Village Apartments transferred to Jim D. Petropoulos who inquired on the availability of a new ground lease. The Department of General Services issued notice of the County's interest in leasing this land to all adjacent properties. Jim D. Petropoulos was the only respondent. The Department recommends entering into a new ground lease agreement with Jim D. Petropoulos for APN 003-480-107 with an initial term of five years beginning March 1, 2024 and an option to extend the term an additional five years at the agreement of both parties. The rent is $2400 per year through the initial and optional terms. (General Services)

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

Staff Report

3.13 Contract with Nacht & Lewis Architects for Architectural and Engineering Services for Accessibility Upgrades to Existing Jail Showers

The showers in the dormitory and intake areas of the existing jail facilities were constructed prior to modern requirements of the Americans with Disability Act. Architectural and engineering services are required to prepare construction documents to upgrade the showers to current codes. The Department of General Services requested proposals from two nearby design firms that are experienced in detention facilities and received one proposal from Nacht & Lewis Architects of Sacramento, CA. The Department recommends that the Board of Supervisors approve a contract with Nacht & Lewis Architects for architecture and engineering services. The term of the contract is 10 months from issuance of Notice to Proceed, not-to-exceed $97,750. (General Services)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.14 Contract with American Alarm Co. Inc. for Construction Services for the Integrated Security System for the SB863 Jail Project

The County is constructing a new 35,706 square foot stand alone detention facility consisting of new medical/mental health housing, medical clinic, programming space, and general housing (Project) which requires the design and construction of an integrated security system. Following solicitation of design and construction services, the Department of General Services received 6 proposals ranging in cost from $1,090,000 to $2,326,155 inclusive of design and construction. On June 13, 2023, the Board approved a contract with the lowest responsive bidder, American Alarm Co. Inc, for the design services portion of the solicitation at a cost of $60,000. The Department of General Services and the Sheriff's Office recommend the Board approve a contract with American Alarm Co. Inc. for the construction services portion of the solicitation for a fixed price of $1,030,000 and term of notice to proceed through August 29, 2025. (General Services/Sheriff)

Action Requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.15 Update to the Violence in the Workplace Policy of the Butte County Personnel Rules

The Human Resources Department recommends updating the Butte County Personnel Rules Appendix V: Violence in the Workplace Policy. The significant updates to the Violence in the Workplace policy include allowing employees to possess a firearm in a private vehicle; so long as the firearm is secured within an attended personal vehicle or concealed from view within a locked unattended personal vehicle (in accordance with California Penal Code Sections 16850, 25400, 25610 and 30945). Additionally, employees who carry Inflammatory Agents for personal protection while coming and going to and from work (including pepper spray, tear gas, or MACE) shall be allowed to bring the canister onto a County worksite if the employee's possession of the Inflammatory Agent is otherwise in compliance with State and federal law. No other updates to this policy are recommended at this time. All proposed updates have been approved by the applicable Butte County Bargaining Groups. (Human Resources)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 24-016

Item 3.15 was pulled from the Consent Agenda for further Board consideration and discussion.

3.16 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:

DEVELOPMENT SERVICES: Add 0.88 FTE flexibly staffed Office Assistant I Term 6/30/2025 position. Delete 1 flexibly staffed Office Assistant I Term 6/30/25 position. This position is funded by the PG&E Settlement Fund and it aligns the position with the actual hours worked. Add 1 flexibly staffed Code Enforcement Officer I Term 12/31/2028 position and 1 Administrative Assistant Term 12/31/2028 position. The Department is utilizing USDA Forest Service Community Wildfire Defense grant funding for these and was approved by the Board on January 23, 2024. These changes will better suit current and future needs of the department and safety of the community. Extend 1 Information Technology Manager Term 3/13/2024 position to end on 3/13/2025. This position will be funded by General Fund Appropriation for Contingency per the Board's direction on January 23, 2024 and is responsible for the transition and full implementation of Accela, the new Land Management Software. Total allocations to increase by 2.88. HUMAN RESOURCES: Add a new classification titled Senior Program Manager of Public Health - Environmental Health to Section 28E - Mid Management at salary range 107 to the Butte County Salary Ordinance 4236. The new classification has been agreed to by the applicable employee unit. INFORMATION SYSTEMS: Add 1 Information Systems Analyst I term 4/1/2027 position. This position will be paid for by the Information Systems Department budget and reimbursed by transfers from the PG&E Settlement fund as approved by the Board on January 23, 2024. It will assist with the full implementation of Accela, the new Land Management Software. Total allocations to increase by 1. LIBRARY: Add 1 Librarian I Term 12/31/2024 position funded by Lunch at the Library program grant. This position is responsible for planning, implementing and supervising the Summer 2024 Lunch at the Library program. Allocations to temporarily increase by 1. PUBLIC HEALTH: Add 1 Environmental Health Technician position. This cost of this position will be covered by new grant funding. Add 1 Senior Program Manager of Public Health -

Environmental Health position and 2 Program Supervisor positions. Delete 1 Program Manager position and 1 Administrative Analyst Supervisor Term 6/30/2024 position. Delete 1 flexibly staffed Health and Human Services Analyst I position. These requested changes will better suit the needs of the Department by providing appropriate levels of supervision and assistance to staff in meeting program goals within the Environmental Health Division. For the current year, sufficient salary savings exist for these changes. For future years, Public Health Realignment will cover the increased costs. Total allocations to increase by 1. SHERIFF-CORONER: Delete 1 Sheriff's Records Supervisor position. One Program Supervisor position was previously added to better allow utilization of existing staff for management of large projects related to records management. The position was filled using a departmental recruitment and the vacated position is being deleted. Total allocations to decrease by 1.

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

Staff Report

Resolution 24-017

3.17 Contract Amendment with ByWater Solutions for Library Support Services

On February 15, 2014 the Board approved a contract with ByWater for library support services, in the form of technical support and development of software that is used for an Integrated Library System (ILS). The ILS is used to track books in circulation, acquisition of reading materials and resources, and cataloging data. Patrons of the library use the ILS to check out books, search for materials, and pay fines. Library staff use the ILS to manage data, run reports and inventory library collections. The term of the contract was five years, through February 14, 2019, not-to-exceed $104,500. On October 4, 2018, the contract was amended to extend the term fours years and six weeks, through March 31, 2023, modify the compensation model and increase the maximum payable by $84,668, not-to-exceed $189,168. On April 11, 2023, the contract was amended to extend the term one year, through March 31, 2024, modify the compensation model and increase the maximum payable by $17,942, not-to-exceed $207,110. The Department recommends amending the contract with ByWater Solutions for library support services. The services remain integral for library operations. The amendment extends the term of the contract by four years and eight weeks, through May 30, 2028, modifies the compensation model, and increases the maximum payable amount by $78,920, not-to-exceed $286,030. All other terms remain the same ($18,840 for FY 2024-25 and FY 2025-26; $19,034 for FY 2026-27 and $22,206 for FY 2027-28). (Library)

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

Staff Report

3.18 Capital Asset Purchase - Six (6) Laboratory and Clinical Equipment Pieces

The Department of Public Health requests the purchase of replacement laboratory and clinical equipment pieces for the Public Health Laboratory and Public Health Clinic. The new equipment will replace equipment that is old/outdated or no longer in good working condition. The equipment consists of the following: One (1) Auto Clave at $74,000; one (1) Microscope Light/Camera at $30,000; two (2) Laboratory Freezers at $23,000 each; one (1) Laboratory Ultra Low Freezer at $27,000; and one (1) Vaccine Refrigerator at $12,000. The purchases will be paid for with federal funds awarded to the Department for the Epidemiology and Laboratory Capacity Enhancing Detection Expansion funding and the Immunization Assistance Program. No budget adjustment is necessary as there are sufficient funds currently budgeted to cover these purchases. The Department recommends the Board of Supervisors approve capital asset authority to purchase six (6) pieces of laboratory and clinical equipment pieces for a total cost of $189,000. (Public Health)

Action Requested - APPROVE CAPITAL ASSET PURCHASE (6)

Staff Report

Item 3.18 was pulled from the Consent Agenda for further Board consideration and discussion.

3.19 Resolution Giving Notice of Hearing to Abandon a One-Foot No-Access Easement at the East End of Crane Avenue

The Department has received a petition to vacate a one-foot no-access easement at the east end of Crane Avenue east of Oroville. As provided by the County's abandonment procedures, the Department has evaluated the request and determined that the easement is unnecessary for public purposes. The Enterprise Rancheria Indian Housing Authority owns the affected parcel (Assessor's Parcel 079-150-001). The no-access easement is shown on the recorded subdivision map "Phase 1 Copley Acres Unit 3," which was recorded on May 23, 1986, in Book 100 of Maps, Pages 94 and 95, in the office of the Recorder of the County of Butte. Abandonment of the no-access easement will allow legal access to Assessor's Parcel Number 079-150-001, where the proposed development of 12 single-family residential dwelling units under the Enterprise Rancheria Indian Housing Authority (ERIHA) rental program has been approved. A petition for vacation was signed by five freeholders and submitted on November 14, 2023, under Section 8321 of the California Streets and Highway Code. California Government Code Section 65402 requires that the proposed easement abandonment be presented to the Planning Commission to determine consistency with the General Plan and comply with State law. On September 23, 2023, the Planning Commission reviewed this request and determined that it conforms with the Butte County General Plan and complies with State law. The attached Resolution of Intent sets the public hearing date to consider the easement abandonment on March 12, 2024. (Public Works)

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

Staff Report

Resolution 24-018

3.20 Contract Amendment with Chico Scrap Metal, Inc., for Appliance Processing and Metal Recycling

The Neal Road Recycling & Waste Facility (NRRWF) receives over 250 appliances per month containing hazardous waste like freon, ammonia, or compressor oil. The Environmental Protection Agency (EPA), Government Code section 608, requires certified technicians to recover hazardous appliance waste. On August 24, 2021, the Department entered into a three-year contract with Chico Scrap Metal, Inc., for appliance processing and metal recycling at their Durham location. Since contract adoption, the Department has noticed an increased quantity of appliances delivered to NRRWF. The Department requests an $85,000 increase to cover the remaining contract term, not to exceed $337,000. All other contract terms will remain the same. (Public Works)

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

Staff Report

3.21 Approve Contract Change Order (CCO) No. 1 for the Forbestown Road Rehabilitation Project

On August 8, 2023, the Board of Supervisors awarded the Forbestown Road Rehabilitation Project to Knife River Construction of Chico, CA for $1,762,762. The project replaces the existing asphalt pavement from Old Olive Highway to Hurleton Swedes Flat Road. CCO No. 1 provides for changes in contract quantities to match actual quantities at the contract unit prices for the various line items and approves miscellaneous extra work items. CCO No. 1 increases the contract by $127,030 due to underestimated quantities for shoulder backing and hot mix asphalt, and exceeds the authority of the Director of Public Works to approve per Public Contract Code section 20142. The resulting total cost of work is $1,889,792. The Department of Public Works recommends that the Board approve CCO No. 1 and authorize the Chair to sign - action requested - On August 8, 2023, the Board of Supervisors awarded the Forbestown Road Rehabilitation Project to Knife River Construction of Chico, CA for $1,762,762. The project replaces the existing asphalt pavement from Old Olive Highway to Hurleton Swedes Flat Road. CCO No. 1 provides for changes in contract quantities to match actual quantities at the contract unit prices for the various line items and approves miscellaneous extra work items. CCO No. 1 increases the contract by $127,030 due to underestimated quantities for shoulder backing and hot mix asphalt, and exceeds the authority of the Director of Public Works to approve per Public Contract Code section 20142. The resulting total cost of work is $1,889,792. The Department of Public Works recommends that the Board approve CCO No. 1 and authorize the Chair to sign. (Public Works)

Action Requested - APPROVE CCO NO. 1 AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

3.22 Approve the Routine Maintenance Agreement (RMA) with California Department of Fish and Wildlife (CDFW)

The County is responsible for approximately 1,300 miles of roadway, which includes culverts and roadside ditches. CDFW maintains permitting authority for numerous culverts, bridges, and other infrastructure along these roadways. Due to environmental and cultural regulations, these features are difficult to maintain and replace promptly without a RMA. Since 2022, Public Works developed the RMA with CDFW to streamline this process. The RMA provides for vital maintenance projects to move forward with a proper environmental and cultural review in a significantly shorter time frame. On June 13, 2023 the Board of Supervisors adopted a resolution approving an Initial Study, Environmental Review Checklist, and Mitigated Negative Declaration as part of the RMA process with CDFW. Since that time staff has worked with CDFW to complete the RMA permit process. The RMA permit was finalized by CDFW on January 22, 2024. (Public Works)

Action Requested - APPROVE THE RMA WITH CDFW

Staff Report

3.23 Public Auction Sale of Tax-Defaulted Properties

The Treasurer-Tax Collector recommends the Board of Supervisors adopt a resolution to hold a tax auction and requests approval to sell tax-defaulted properties at a public auction for a minimum price. There are currently 371 properties on the auction list that will be offered. Annually, owners of tax-defaulted properties are notified of their tax delinquency, how to redeem their property, and the provisions by which the Treasurer-Tax Collector assumes the power of sale over the property. A list of parcels which became tax-defaulted and subject to the power of sale was published pursuant to Section 3361 of the California Revenue and Taxation Code in The Enterprise-Record and The Mercury-Register. The property owners and other parties of interest (as defined in Section 4675 of the California Revenue and Taxation Code) will be mailed a notice of sale of tax-defaulted property and have until 5:00 pm on Thursday, June 06, 2024 to redeem their property. The Treasurer-Tax Collector's Office plans to schedule the auction for June 7th-10th, 2024 - action requested. (Treasurer-Tax Collector)

Action Requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Staff Report

Resolution 24-019

Item 3.23 was pulled from the Consent Agenda for further Board consideration and discussion.

3.24 Amendment to Grant Agreement with the State of California Department of Water Resources for Proposition 1 Integrated Regional Water Management Implementation

On November 19, 2019, the Board of Supervisors adopted a resolution authorizing the Department of Water and Resource Conservation to submit an application for a

Proposition 1 (Water Quality, Supply, and Infrastructure Improvement Act of 2014) Integrated Regional Water Management (IRWM) Implementation grant on behalf of the Northern Sacramento Valley (NSV) Board and to execute a grant agreement with the Department of Water Resources. The application included five projects 1) Canal Pre-screen Project by Orland-Artois Water District; 2) Rock and Sand Creek Flood Mitigation by Rock Creek Reclamation District; 3) Primary Influent Pump Station by Sewage Commission-Oroville Region; 4) Gilsizer North Detention Basin Improvement Project, and 5) Trash Capture Device in Gilsizer Slough. Each project has its own work plan, budget and schedule specified in the grant agreement and is carried out by the Local Project Sponsor agency. On April 13, 2021, the Board approved grant agreement 4600013825. The Department has been managing the grant on behalf of the Local Project Sponsors through subrecipient agreements. The Department has prepared an amendment to the grant agreement to reflect changes in project schedules, a shift in the budget for Project 1 from one budget category to another, and minor adjustments to Project 2 and Project 5 work plans to reflect project implementation. The overall grant agreement end date is extended to June 30, 2026 with no change in the grant amount of $5,000,739. The Department will continue to administer the grant on behalf of the Local Project Sponsors and the NSV IRWM region. The original authorizing resolution authorizes the Director of Water and Resource Conservation to execute the agreement. Staff is seeking Board approval of the amendment and to confirm the Director's authorization to sign. (Water & Resource Conservation)

Action Requested - APPROVE AMENDMENT ONE AND AUTHORIZE DEPARTMENT OF WATER AND RESOURCE CONSERVATION DIRECTOR TO SIGN

<u>Staff Report</u>

3.25 Resolution Amending Salary Ordinance and Budget Adjustment Adding Three Grant Funded Positions to Support Vina and Wyandotte Creek Groundwater Sustainability Agency Projects in Water & Resource Conservation Department

The County of Butte is a Member Agency to both the Vina and Wyandotte Creek Groundwater Sustainability Agencies (GSAs) by Joint Powers Authorities (JPA) and has been providing in-kind administrative, management, and technical services to the GSAs to fulfill activities required by the Sustainable Groundwater Management Act (SGMA). On November 7, 2023, the agencies approved a Cost Share Agreement that sets forth duties for the Administration and Management of the GSAs that includes coordination and management of the Projects and Management Actions of the Groundwater Sustainability Plans (GSPs). As set forth in the Cost Share Agreement, the County shall provide services required by the Agreement through employees or consultants of the County. In addition, each GSA has been awarded approximately $5.5 million in Sustainable Groundwater Management grant project funds, portions of which will be allocated to the County to fund these positions. Lastly, approximately one-quarter of one Program Coordinator position and one-eighth of the Administrative Analyst position will be funded by the Palermo Clean Water Consolidation Project and the Palermo Drainage Master Plan. The Department of Water and Resource Conservation recommends the Board of Supervisors adopt a resolution amending the Salary Ordinance to add two full-time sunset Program Coordinator positions (sunset 6/30/2026) and one full-time flexibly staffed sunset Administrative Analyst I/II/III position (sunset 6/30/2026) and approve a budget adjustment of $135,000 for FY 2023-24. (Water & Resource Conservation)

Action Requested - 1) ADOPT RESOLUTION AMENDING THE SALARY ORDINANCE AND AUTHORIZE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED)

Staff Report

Resolution 24-020

3.26 Membership Certification of the Local Planning Council

The Butte County Local Child Care Planning Council (LPC) serves as an advisory body to the Butte County Board of Supervisors, the Butte County Superintendent of Schools, and the Butte County Children and Families Commission. The LPC develops policy proposals, recommends priorities on child care and child development services, assesses early care and education needs, and plans for 'specialized child care systems through collaborative partnerships'. Each year, the Butte County Office of Education submits its annual request for Board of Supervisors' certification of the composition of the membership for the Butte County LPC. The Certification Statement Regarding Composition of LPC Membership identifies the voting membership and the category that each council member represents. The categories have been defined by the state to ensure appropriate representation on the Council and is verified by the County Board of Supervisors, the County Superintendent of Schools and the Local Child Care and Development Planning Council Chairperson. (Other - Butte County Office of Education)

Action Requested - APPROVE THE MEMBERSHIP COMPOSITION OF THE LPC AND AUTHORIZE THE CHAIR TO SIGN THE CERTIFICATION STATEMENT

Staff Report

4. REGULAR AGENDA

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

A. Appointments to Listed Vacancies

1) Appointments to the Kimshew Cemetery District

The Kimshew Cemetery District (District) owns and maintains four active cemeteries and various inactive pioneer and historic cemeteries. The District is managed by five trustees who serve one, two, or three year terms for both appointed and reappointed terms. Currently there are two vacant seats and on January 10, 2024, a notice of vacancy was posted. Two applications have been received by two well-qualified candidates, including incumbent, Alfred Howard. The District recommends the Board of Supervisors reappoint Alfred Howard as Trustee to serve a two year term ending February 12, 2026 and appoint Merle Loomis as Trustee to serve a 3 year term ending February 12, 2027. (Other - Kimshew Cemetery District)

Action Requested - REAPPOINT ALFRED HOWARD TO SERVE AS TRUSTEE FOR A 2 YEAR TERM ENDING FEBRUARY 12, 2026 AND APPOINT MERLE LOOMIS AS TRUSTEE TO SERVE A 3 YEAR TERM ENDING FEBRUARY 12, 2027

Staff Report

Melissa Kitts, Assistant Clerk of the Board, presented this item to the Board.

No public comment was submitted for this item.

Action: REAPPOINT ALFRED HOWARD TO SERVE AS TRUSTEE FOR A 2 YEAR TERM ENDING FEBRUARY 12, 2026 AND APPOINT MERLE LOOMIS AS TRUSTEE TO SERVE A 3 YEAR TERM ENDING FEBRUARY 12, 2027.

Motion: Supervisor Teeter
Seconded: Supervisor Connelly

Motion passed unanimously.

2) Appointment to the Butte County Board of Law Library Trustees

The Board of Trustees was established to govern the Butte County Public Law Library (BCPLL) under the provisions of Business and Professions Code sections 6300 et seq. The membership of the Board of Trustees consists of seven voting members and one advisory member. Pursuant to the Board of Trustees Bylaws, the Law Library Director serves as the advisory member and Secretary. The current Law Library Director, John Zorbas, is planning his retirement from the position, and is now requesting to continue serving as a Board Trustee. On December 28, 2023, a notice of vacancy was posted for the 3 vacancies currently on the BCPLL Board and Mr. Zorbas is the only applicant. Mr. Zorbas exceeds the eligibility requirements for the Board, therefore it is requested that Mr. Zorbas be appointed by the Board of Supervisors to serve as Trustee to a term ending February 12, 2025. (Other - Butte County Board of Law Library Trustees)

Action Requested - APPOINT JOHN A. ZORBAS BUTTE COUNTY BOARD OF LAW LIBRARY TRUSTEE TO A TERM ENDING FEBRUARY 12, 2025

Staff Report

Melissa Kitts, Assistant Clerk of the Board, presented this item to the Board.

No public comment was submitted for this item.

Action: APPOINT JOHN A. ZORBAS BUTTE COUNTY BOARD OF LAW LIBRARY TRUSTEE TO A TERM ENDING FEBRUARY 12, 2025

Motion: Supervisor Durfee
Seconded: Supervisor Teeter

Motion passed unanimously.

3) Appointment to the Butte County Water Commission

The Water Commission was formed to provide advice to the Board of Supervisors on water matters, including developing and recommending County water policy to the Board and reviewing and monitoring State and federal legislation and water policy. The Commission consists of nine members comprised of one member nominated by each member of the Board of Supervisors, and four at-large commissioners; two served by private wells and two served by district water. Currently there is one vacancy for the at-large landowner position served by district water and one application has been received by the incumbent, Matthew Tennis. The Water Commission requests the Board of Supervisors reappoint Matthew Tennis as the at-large Landowner - Served by District Water position to serve a 4 year term ending February 12, 2028. (Other - Water Commission)

Action Requested - REAPPOINT MATTHEW TENNIS AS AT-LARGE LANDOWNER - SERVED BY DISTRICT WATER POSITION TO A 4 YEAR TERM ENDING FEBRUARY 12, 2028

Staff Report

Melissa Kitts, Assistant Clerk of the Board, presented this item to the Board.

No public comment was submitted for this item.

Action: REAPPOINT MATTHEW TENNIS AS AT-LARGE LANDOWNER - SERVED BY DISTRICT WATER POSITION TO A 4 YEAR TERM ENDING FEBRUARY 12, 2028

Motion: Supervisor Teeter
Seconded: Supervisor Connelly

Motion passed: 4-1 vote.
Ayes: Supervisor Connelly, Durfee, Teeter and Chair Kimmelshue
Nays: Supervisor Ritter

4) Appointment to the Wyandotte Creek Groundwater Sustainability Agency (Wyandotte Creek GSA) Board of Directors - Agriculture Stakeholder Director Primary Position

The Wyandotte Creek GSA is responsible for implementing the provisions of the Sustainable Groundwater Management Act (SGMA) and, specifically, the Wyandotte Creek Subbasin Groundwater Sustainability Plan (GSP) that was adopted in December 2021. The Wyandotte Creek GSA is comprised of three member agencies through a Joint Powers Agreement that includes Butte County, the City of Oroville, and Thermalito Water and Sewer District. The Wyandotte Creek GSA Board of Directors has one seat for each Member Agency and two Stakeholder Directors that consist of an Agricultural Stakeholder and a Domestic Well User Stakeholder. The Stakeholder Directors are appointed by the Butte County Board of Supervisors. The term for the Agriculture Stakeholder Director primary position expires on February 11, 2024. The Butte County Clerk of the Board and Department of Water & Resource Conservation issued a notice of vacancy (December 28, 2023) and received one application from incumbent Kyle Daley, to fill the Agriculture Stakeholder Director position for a term ending February 11, 2028. Mr. Daley meets the eligibility requirements for appointment and on January 25, 2024, the Wyandotte Creek GSA Board of Directors recommended that Mr. Daley be appointed as the Agriculture Stakeholder Director. (Other - Wyandotte Creek GSA)

Action Requested - APPOINT KYLE DALEY TO THE AGRICULTURE STAKEHOLDER DIRECTOR PRIMARY POSITION ON THE WYANDOTTE CREEK GROUNDWATER SUSTAINABILITY AGENCY BOARD OF DIRECTORS FOR A TERM ENDING FEBRUARY 11, 2028

Staff Report

Melissa Kitts, Assistant Clerk of the Board, presented this item to the Board.

No public comment was submitted for this item.

Action: APPOINT KYLE DALEY TO THE AGRICULTURE STAKEHOLDER DIRECTOR PRIMARY POSITION ON THE WYANDOTTE CREEK GROUNDWATER SUSTAINABILITY AGENCY BOARD OF DIRECTORS FOR A TERM ENDING FEBRUARY 11, 2028

Motion: Supervisor Connelly
Seconded: Supervisor Durfee

Motion passed unanimously.

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 Connelly – Attended Local Agency Formation Commission (LAFCO) meeting and State LAFCO, met with Sutter Butte Flood Control, received calls regarding Clipper Mills Code Enforcement, and taught hunter safety class

Supervisor Durfee – Attended Proposition 1 meeting hosted by Behavior Health, AGUBC, Butte County Association of Governments (BCAG), met with Cal Fire, attended the Farm Bureau dinner, Local Government Committee meeting, and attended downtown Chico Business Association annual meeting.

Supervisor Teeter – Rural County Representative of California (RCRC) went to Washington DC.

Supervisor Ritter – Attended Proposition 1 meeting hosted by Behavioral Health, attended Regional Homelessness Planning Symposium, Behavioral Health meeting, Economic Forecast, Local Master Plan on Aging, Air Quality meeting, United Way event, attended multiple meetings with folks who lease land in mobile home parks, First Five Executive Committee meeting, Sacramento Valley Basin Meeting, Local Government meeting, held a Townhall for District 3, attended Roots meeting with Chico State, and Continuum of Care meeting.

Chair Kimmelshue – Attended Colusa Farm Show breakfast, Oroville Rotary Roundup, Super Ritter's Townhall, and met with City of Biggs Mayor.

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

The following member(s) of the public submitted Public Comment on this item: Diana Dreiss (electronically) Diana Dreiss, Cynthia Joy, Julie Threet, The Cameraman, and George Deeds (in person)

4.03 Letter of Opposition to the California Public Utilities Commission (CPUC) for AT&T's Request to Discontinue Landline Service

AT&T is a "Carrier of Last Resort" (COLR) and, thereby, required to provide "Plain Old Telephone Service," also known as POTS or landline phone service, upon request to all residential and business customers. POTS has a uniform set of minimum service standards and regulations that does not extend to new technologies that provide similar service, such as wireline Voice Over Internet Protocol (VoIP). While it is not unusual for one company to replace another as a COLR, AT&T is requesting permission to abandon its COLR obligation without finding a replacement. If approved by the CPUC, over 580,000 affected AT&T customers would be left with fewer options in terms of choice, quality, and affordability. Alternative services, such as VoIP and wireless, have no obligation to serve a customer or to provide equivalent services to AT&T landline customers, including no obligation to provide reliable access to 9-1-1 or LifeLine program discounts. In Butte County, AT&T's request would affect 29 census-designated places including incorporated jurisdictions and unincorporated communities. The CPUC is holding a number of public hearings on this proposal in February and March as well accepting public comment on their website at www.cpuc.ca.gov/proceedings-and-rulemaking/cpuc-public-participation-hearings. The Sheriff's Office and County

Administration recommend the Board approve a letter of opposition to the CPUC. (County Administration/Sheriff)

Action Requested - APPROVE THE LETTER AND AUTHORIZE CHAIR TO SIGN

Staff Report

Letter

Meegan Jessee, Assistant Chief Administrative Officer, and Matthew Calkins, Undersheriff, presented this item to the Board.

Updated letter has been uploaded to the item.

The following member(s) of the public submitted Public Comment on this item: Neil Meyer (electronically) Cynthia Joy (in person)

Action: APPROVE THE LETTER, WITH SUGGESTED BOARD CHANGES, AND AUTHORIZE CHAIR TO SIGN

Motion: Supervisor Teeter
Seconded: Supervisor Durfee

Motion passed unanimously.

4.04 Contract Amendment with Katherine Raven, MD for Forensic Pathology Services

The County Coroner is required to perform autopsies and inquests into certain deaths under Government Code sections 27460 et seq. There are circumstances during which the Coroner must work in consultation with a board-certified forensic pathologist certified by the American Board of Pathology. The Sheriff's Office entered into a contract with Katherine Raven, MD for forensic pathology services in December, 2020, with the intention of utilizing Dr. Raven as a secondary pathologist. In July, 2022, the contract was amended to increase the not-to-exceed amount when Dr. Raven became the primary pathologist. The contract is being amended again to ensure the rate being paid for full autopsy services remains competitive with amounts being paid by other Counties. The rate for a full autopsy is being increased from $1,700 per case to $2,000 per case. In addition, the need for Dr. Raven's services has exceeded estimates done in 2022 and the maximum amount payable under the contract needs to be increased. The Sheriff's Office recommends amending the contract with Katherine Raven, MD for Forensic Pathology Services. The amendment increases the rate being paid for full autopsies and the maximum payable amount by $1,600,000, not-to-exceed $2,577,872. All other terms remain the same. (Sheriff)

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

Staff Report

Matthew Calkins, Undersheriff, presented this item to the Board.

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

Action: APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Durfee
Seconded: Supervisor Connelly

Motion passed unanimously.

4.05 Approval of Intergovernmental Transfer of Public Funds

As of September 27, 2023, California Department of Health Care Services (DHCS) and the Department of Behavioral Health entered into two non-financial Intergovernmental (IGT) agreements for transfer of public funds for Cal-AIM Payment Reform for Drug Medi-Cal (DMC) and Specialty Mental Health Services (SMHS). DHCS is authorized to instruct the State Controller's Office to withhold a fixed percentage of state funding allocated to the department. Due to a DHCS implementation delay, DHCS is requesting manual transfers until the agreed upon withhold process is established in 2024. Transfers must be made for DMC in the amount of $27,986 and SMHS in the amount of $2,595,342. The Department requests approval to make these transfers to DHCS in the amount of $2,623,328. Once the transfers are made, DHCS will begin releasing the applicable reimbursement to the County. The fiscal impact associated with these payments to DHCS will net out to zero. (Behavioral Health)

Action Requested - APPROVE ACTION AND AUTHORIZE CHAIR TO SIGN

Staff Report

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

No public comment was submitted for this item.

Action for the Board should read "Approve Transfer".

Action: APPROVE TRANSFER AND AUTHORIZE CHAIR TO SIGN

Motion: Supervisor Ritter
Seconded: Supervisor Durfee

Motion passed unanimously.

4.06 Contract Amendment with Valley Oak Children's Services (VOCS) for CalWORKs Stage One Child Care Management Services

VOCS is a private nonprofit organization that provides Stage One Child Care Management Services to CalWORKs Welfare-To-Work (WTW) participants engaged in, preparing for, or participating in employment in the pursuit of self-sufficiency. There are three stages of childcare funding. Counties receive Stage One funding and the State of California provides funding directly to VOCS for CalWORKs Stages Two and Three child care. This sets up secure pricing for all levels of CalWORKs childcare services. In order to participate in an approved WTW activity for Stage One, participants often need supportive services to assist them in meeting their childcare needs. The Department of Employment and Social Services contracts with VOCS to provide childcare management services. Program participation has increased steadily over the years and VOCS is currently serving an average of 343 children. The increase in program participation has created the need to amend the contract with VOCS. The original contract was approved by the Board on May 10, 2022 and amended on April 11, 2023. The Department recommends the Board of Supervisors amend the contract with VOCS for CalWORKs Stage One Child Care Management Services. The amendment increases the maximum payable amount by $3,761,775, not-to-exceed $12,946,625. All other terms remain the same. (Employment & Social Services)

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

Staff Report

Ken MacKell, Assistant Director of Employment and Social Services, presented this item the Board.

No public comment was submitted for this item.

Action: APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Ritter
Seconded: Supervisor Durfee

Motion passed unanimously.

4.07 Opioid Awareness Presentation - Community Overdose Prevention Effort (COPE) Project

The COPE Project provides support and technical assistance to Counties that have the interest and capacity to strengthen an existing infrastructure to prevent overdose deaths and expand prevention and response efforts. Butte County is one of eight California Counties selected to participate in this project. Health Management Associates Community Strategies (HMACS) is working with the California Department of Health Care Services to administer this program. Funding for the project is provided by the State Opioid Response grant awarded by the federal Substance Abuse and Mental Health Services Administration. Butte County Public Health and Healthy Rural California are the two lead agencies working with HMACS in Butte County. Multiple organizations and agencies are involved in this county-wide effort. (Public Health)

Action Requested - ACCEPT FOR INFORMATION

Staff Report

PowerPoint

Danette York, Director of Public Health, Liddy Garcia-Bunuel & Ana Bueno, HMA Community Strategies, presented this item to the Board.

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

Action: ACCEPT FOR INFORMATION

4.08 Consideration to Adopt the Butte County Recharge Action Plan

On June 27, 2023, the Board of Supervisors approved a letter to the Sustainable Groundwater Management Office of the Department of Water Resources (DWR) in response to Governor Newsom's March 10th Executive Order (EO), N-4-23, which made it easier for agencies to divert floodwater to recharge groundwater. In the letter, Butte County communicated its approach and intent to pursue enhanced natural recharge. In addition, the letter outlined a series of activities to pursue, including the creation of a Butte County Groundwater Recharge Action Plan (Recharge Action Plan). Staff worked with an ad hoc committee of the Butte County Water Commission and Technical Advisory Committee to draft the Recharge Action Plan. On December 6, 2023 the Water Commission considered the final draft Plan and unanimously recommended the Board approve and adopt it. The Plan identifies five main actions with accompanying implementation steps that Butte County will pursue in partnership with other agencies, such as the groundwater sustainability agencies in the Vina, Wyandotte Creek, and Butte Subbasins. If approved, the Recharge Action Plan will also be shared with DWR to further communicate the County's intent to advance recharge activities and to support our request for additional technical assistance and funding to aid local agencies and the County in these efforts. (Water & Resource Conservation)

Action Requested - ADOPT THE BUTTE COUNTY RECHARGE ACTION PLAN

Staff Report

PowerPoint

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

The following member(s) of the public submitted Public Comment on this item: Allen Harthorn and Les Heringer (electronically) Wally Roney, and Claudia Rawlins (in person)

Action: ADOPT THE BUTTE COUNTY RECHARGE ACTION PLAN

Motion: Supervisor Connelly
Seconded: Supervisor Durfee

Motion passed unanimously.

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.

The following member(s) of the public submitted Public Comment on this item: Connie Cibart, Vivian Elmore, and Sunnie Estrada (in person)

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

3.15 **Update to the Violence in the Workplace Policy of the Butte County Personnel Rules**

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

Action: ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Connelly
Seconded: Supervisor Teeter

Motion passed unanimously.

3.18 **Capital Asset Purchase - Six (6) Laboratory and Clinical Equipment Pieces**

The following member(s) of the public submitted Public Comment on this item: Julie Threet, Diana Dreiss, Cynthia Joy, and Sunni Estrada (in person)

Action: APPROVE CAPITAL ASSET PURCHASE (6)

Motion: Supervisor Ritter
Seconded: Supervisor Teeter

Motion passed unanimously.

3.23 **Public Auction Sale of Tax-Defaulted Properties**

The following member(s) of the public submitted Public Comment on this item: Julie Threet and Diana Dreiss (in person)

Action: ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN

Motion: Supervisor Durfee
Seconded: Supervisor Teeter

Motion passed unanimously.

5. PUBLIC HEARINGS AND TIMED ITEMS

5.01 9:30 am - Public Hearings - Itemized Costs and Penalties Related to Nuisance Abatement to Record a Lien and Impose a Special Assessment

A. Code Enforcement Case Numbers CE21-01449 and CE22-00632 at 13789 Granada Drive, Magalia Assessor's Parcel Number 066-390-009

On November 2, 2021 and October 25, 2022, a Hearing Officer declared a public nuisance existed on the property pursuant to 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 lien and special assessment to recover the County's costs for Code Enforcement Case Numbers CE21-01449 and CE22-00632 at 13789 Granada Drive, Magalia (Assessor's Parcel Number 066-390-009) in the amount of $32,951.81. (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN AND A SPECIAL ASSESSMENT OF $32,951.81

Staff Report

PowerPoint

Paula Daneluk, Director of Development Services, and Chris Jellison, Code Enforcement Division Manger, presented this item to the Board.

No public comment was submitted for this item.

Action: APPROVE THE PROPOSED LIEN AND A SPECIAL ASSESSMENT OF $32,951.81

Motion: Supervisor Teeter
Seconded: Supervisor Durfee

Motion passed unanimously.

C. Code Enforcement Case Number CE22-01211 at 0 All Seasons Drive, Forest Ranch Assessor's Parcel Number 063-240-061

On October 7, 2022 a Hearing Officer declared a public nuisance existed on the property listed pursuant to Butte County Code Chapters 34A - Medical

Marijuana Cultivation Ordinance and 34C - Non-medical Marijuana Cultivation Ordinance. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs for Code Enforcement Case Number CE22-01211 at 0 All Seasons Drive, Forest Ranch (Assessor's Parcel Number 063-240-061) in the amount of $64,716.84. (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF $64,716.84

Staff Report

PowerPoint

Paula Daneluk, Director of Development Services, and Chris Jellison, Code Enforcement Division Manger, presented this item to the Board.

No public comment was submitted for this item.

Action: APPROVE THE PROPOSED LIEN OF $64,716.84

Motion: Supervisor Durfee
Seconded: Supervisor Teeter

Motion passed unanimously.

D. Code Enforcement Case Number CE23-00363 at 13485 Cirby Creek Lane, Concow Assessor's Parcel Number 058-250-014

On September 1, 2023 a Hearing Officer declared a public nuisance existed on the property listed pursuant to Butte County Code Chapters 34A - Medical Marijuana Cultivation Ordinance and 34C - Non-medical Marijuana Cultivation Ordinance. This hearing has been scheduled to authorize the Board of Supervisors to record a lien and special assessment to recover the County's costs for Code Enforcement Case Number CE23-00363 at 13485 Cirby Creek Lane, Concow (Assessor's Parcel Number 058-250-014) in the amount of $52,511.87 ($44,500.00 for penalties and $8,011.87 for cost recovery). (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF $44,500.00 AND A SPECIAL ASSESSMENT OF $8, 011.87

Staff Report

PowerPoint

Paula Daneluk, Director of Development Services, and Chris Jellison, Code Enforcement Division Manger, presented this item to the Board.

No public comment was submitted for this item.

Action: APPROVE THE PROPOSED LIEN OF $44,500.00 AND A SPECIAL

ASSESSMENT OF $8, 011.87

Motion: Supervisor Teeter
Seconded: Supervisor Durfee

Motion passed unanimously.

E. Code Enforcement Case Number CE21-01818 for the property located at 268 Old Mount Ida Road, Oroville Assessor's Parcel Number 079-280-010

On December 12, 2021 a Hearing Officer declared a public nuisance existed on the property listed pursuant to Butte County Code Chapters 34A - Medical Marijuana Cultivation Ordinance and 34C - Non-medical Marijuana Cultivation Ordinance. This hearing has been scheduled to authorize the Board of Supervisors to record a lien to recover the County's costs and penalties for Code Enforcement Case Number CE21-01818 for the property located at 268 Old Mount Ida Road, Oroville (Assessor's Parcel Number 079-280-010) in the amount of $2,734.02. (Development Services)

Action Requested - APPROVE THE PROPOSED LIEN OF $2,734.02

Staff Report

PowerPoint

Paula Daneluk, Director of Development Services, and Chris Jellison, Code Enforcement Division Manger, presented this item to the Board.

No public comment was submitted for this item.

Action: APPROVE THE PROPOSED LIEN OF $2,734.02

Motion: Supervisor Connelly
Seconded: Supervisor Durfee

Motion passed unanimously.

Recess as the Butte County Board of Supervisors and convene as the Butte County Public Facilities Financing Corporation

1. CALL TO ORDER

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.

2. CONSENT AGENDA

No public comment was submitted for this item.

Action: Approve Consent Agenda

Motion: Supervisor Durfee
Seconded: Supervisor Ritter

Motion passed unanimously.

2.01 Butte County Public Facilities Financing Corporation - Annual Meeting

The Butte County Public Facilities Financing Corporation (Corporation) was formed on November 9, 1993. The Corporation is a nonprofit public benefit corporation organized under the Nonprofit Public Benefit Corporation Law of the State of California to provide financial assistance to the County, by acquiring, constructing, remodeling, rehabilitating, equipping, improving, and financing various public facilities, land, and equipment and by leasing certain facilities, land, and equipment for the use, benefit, and enjoyment of the public served by the County or any other purpose incidental thereto. The Board of Directors of the Corporation (Board) consists of the same individuals comprising the Board of Supervisors of Butte County. The Board must hold an annual meeting following the first scheduled County Board of Supervisors' meeting in February of each year to approve the Corporation Minutes from the prior year's meeting and transact other necessary business. Consistent with Section 4.02 of the Amended Bylaws of the Corporation, dated February 10, 2015, (Bylaws) the Board shall recognize the following officers of the Corporation: Tod Kimmelshue, President; Doug Teeter, Vice President; and Bill Connelly, Secretary/Treasurer. Pursuant to Section 4.07 of the Bylaws, the Board is asked to appoint the following subordinate officers as Lessee Representatives of the Corporation: Matt Michaelis, Deputy Administrative Officer; Rob Freitas, Principal Management Analyst; and Denise Baldwin, Management Analyst III. In accordance with Section 5.01 of the Bylaws, the Board is being asked to approve the execution of the Certificate of Authorized Officers authorizing the named officers to sign written instructions, consents, certificates, and other necessary documents on behalf of the Corporation. (County Administration)

Action Requested - 1) APPROVE THE CORPORATION MINUTES OF THE FEBRUARY 14, 2023 MEETING; 2) RECOGNIZE THE OFFICERS OF THE CORPORATION; 3) APPOINT THE SUBORDINATE OFFICERS OF THE CORPORATION; AND 4) AUTHORIZE THE EXECUTION OF THE CERTIFICATE OF AUTHORIZED OFFICERS DATED FEBRUARY 14, 2023

Staff Report

3. REGULAR AGENDA (NONE)

4. PUBLIC COMMENT

Adjourn as the Butte County Public Facilities Financing Corporation and convene as the In Home Supportive Services Public Authority Board.

1. CALL TO ORDER

2. CONSENT AGENDA (NONE)

3. REGULAR AGENDA (NONE)

4. PUBLIC COMMENT

No public comment was submitted for this item.

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 and Shelby Boston.

6. CLOSED SESSION PUBLIC COMMENT

No public comment was submitted for this item.

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

1. BOARD OF SUPERVISORS CLOSED SESSION

1.01 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

1.02 Conference with Labor Negotiator Pursuant to Government Code Section 54957.6: Negotiators: Jack Hughes, Sheri Waters, 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

1.03 County Counsel requests that the following actions be described and listed on the agenda as closed session matters:

1. Actual litigation pursuant to Gov. Code sec. 54956.9(d)(1) - one case: a. Planning and Conservation League et al v. Department of Water Resources et al, California Third District Court of Appeal Case No:C096304

Staff Report

1.04 Closed Session Public Comment

No public comment was submitted for this item.

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.**

Staff Report

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

Meeting 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