



BOARD OF SUPERVISORS

MINUTES

OCTOBER 8, 2024

1. CALL TO ORDER

Pledge of Allegiance

Observation of a Moment of Silence

2. INTRODUCTORY ITEMS

Rules of Decorum

2.1. Corrections and/or Changes to the Agenda

The following standard items were inadvertently left off the agenda and will be added as they require no Board action:

Item 4.8 - Update of Budget, Legislative, and other Current Issues by the Chief Administrative Officer - 2024 Summer Fires Recovery Update

Item 4.9 - Board of Supervisors Public Comment (Continuation as needed)

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

2.2. Announcement(s) of Recusal

3. CONSENT AGENDA

The following members of the public submitted Public Comment: John Stonebraker for item 3.6.a

Action: ADOPT THE CONSENT AGENDA

Motion: Supervisor Durfee

Second: Supervisor Connelly

Motion approved unanimously with the exception of Item 3.2.c (Ayes: Supervisor Connelly, Durfee, Teeter and Chair Kimmelshue; Nays: Supervisor Ritter; Abstain: None)

3.1. Auditor-Controller's Office

3.1.a. Resolution Establishing Appropriation Limit for Fiscal Year 2024-2025

3.2. County Administration

3.2.a. Approval of Board of Supervisors Meeting Minutes

3.2.b. Letter to Department of Motor Vehicles (DMV) Regarding Northwest Lineman College Examinations

3.2.c. Letter to Secretary Frank Kendall Regarding Beale Air Force Base

3.2.d. Resolution Ratifying Local Disaster Proclamation

3.2.e. Ratify Letter of Support for Park Fire Federal Declaration

3.3. County Counsel's Office

3.3.a. Accept 2024 Local Agency Conflict of Interest Code Biennial Notices for Agencies that File Form 700s with the Clerk of the Board of Supervisors

3.3.b. Accept 2024 Local Agency Conflict of Interest Code Biennial Notices for School Districts that File Form

700s with the Butte County Office of Education

3.4. Department of Agriculture

3.4.a. Revenue Agreement with California Department of Food and Agriculture (CDFA) for the High Risk Pest Exclusion Program

3.5. Department of Behavioral Health

3.5.a. Managed Care Agreement with BHC Heritage Oaks Hospital, Inc. (Heritage Oaks)

3.5.b. Managed Care Agreement with Sierra Vista Hospital, Inc. (Sierra Vista)

3.5.c. Payment for Willow Glen Care Center (Willow Glen)

3.6. Department of Development Services

3.6.a. Resolution Recognizing Code Enforcement Officer Appreciation Week

3.6.b. Land Conservation (Williamson) Act Program Enforcement for APN 041-330-044 (Nguyen)

3.6.c. Land Conservation (Williamson) Act Program Enforcement for APN 029-090-060 (Compton)

3.6.d. Land Conservation (Williamson) Act Contract Partial Rescission and New Contract for APN 0025-300-011 (Kullar).

3.7. Department of Employment & Social Services

3.7.a. Contract with Catalyst Domestic Violence Services for Domestic Violence and Sexual Assault Advocacy Services

3.8. Department of General Services

3.8.a. Contract with American Alarm Co. Inc. (American Alarm) for Design Services for the Juvenile Hall Integrated Security System

3.8.b. Contract Amendment with NV5, Inc. (NV5) for Special Inspection Services

3.9. Department of Human Resources

3.9.a. Resolution to Amend the Salary Ordinance

3.10. Department of Information Systems

3.10.a. Resolution Recognizing October 2024 as Cybersecurity Awareness Month

3.11. Department of Public Health

3.11.a. Allocation Agreement with the California Department of Public Health (CDPH) for Tobacco Control Education Program

3.11.b. Resolution Ratifying Local Health Emergency Proclamation

3.12. Probation Department

3.12.a. Contract with Skyway House, Inc. (Skyway House) for Substance Use Disorder Treatment Services

3.12.b. Contract with Northern Valley Catholic Social Service (NVCSS) for Juvenile Hall Services

3.13. Department of Public Works

3.13.a. Resolution Approving a Revenue Agreement Between the California Department of Transportation (CalTrans) and the County of Butte Department of Public Works

3.14. UC Cooperative Extension Program

3.14.a. Resolution Recognizing the Week of October 6 through October 12, 2024 as National 4-H Week

3.15. Other

3.15.a. Resolution Recognizing October 2024 as Domestic Violence Awareness Month

4. REGULAR AGENDA

4.1. Board Member/Committee Reports and Board Member Comment

Supervisor Connelly - Attended Salmon Dinner, Fire Safe Council, Rib Cookoff at Clipper Mills, and the Black and White ball at NAACP.

Supervisor Durfee - no report.

Supervisor Teeter - no report.

Supervisor Ritter - Attended Local Master Plan on Aging, BCAG, Air Quality Advisory Board, Special Board Meeting, Restorative Justice Steering committee, BCOE training, two Special meetings with CoC, Behavioral Health Advisory Board, Sacramento Valley Basinwide Air Pollution Control Council meeting, and 1 year anniversary for Executive Director of Fire Safe Counsel.

Supervisor Kimmelshue - Attended the Bidwell Ave cleanup, meeting with Supervisor Teeter and Tribal Members.

4.2. 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 members of the public submitted Public Comment: Julie Threet, Ron Owens Jr., Diana Dreiss, The Cameraman and John Stonebraker.

4.3. Budget Adjustment and Contract Amendments (2) with Compassion Pathway Behavioral Health (Compassion) for Board and Care Services

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

No public comment was received for this item.

Action Requested - 1) APPROVE CONTRACT AMENDMENTS (2) AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE BUDGET ADJUSTMENT (4/5 VOTE REQUIRED).

Motion: Supervisor Durfee

Second: Supervisor Ritter

Unanimously approved.

4.4. Amend Computer Use and Information Security (CUIS) Policy

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

No public comment was received for this item.

Action Requested - ADOPT AMENDED COMPUTER USE AND INFORMATION SECURITY POLICY.

Motion: Supervisor Ritter

Second: Supervisor Durfee

Unanimously approved.

4.5. 2025 Board of Supervisors Regular Meeting Calendar

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

No public comment was received for this item.

Action Requested - ADOPT THE 2025 BOARD OF SUPERVISORS REGULAR MEETING CALENDAR.

Motion: Supervisor Teeter

Second: Supervisor Durfee

Adopted unanimously.

5. PUBLIC HEARINGS AND TIMED ITEMS

5.1. 9:30 am - Timed Item - Presentation by Pioneer Community Energy (Pioneer) to Present the Findings of an Impact Assessment Study to Determine the Feasibility of the County Joining Pioneer

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

The following members of the public submitted Public Comment: John Stonebraker

Action Requested - Accept for Information

5.2. 10:00 am - Public Hearing - Resolutions for the Closeout and Completion of Community Development Block Grants 20-CDBG-CV2-3-00011 and 20-CDBG-CV2-3-00013

William Firth, Management Analyst II, presented this item to the Board

No public comment was received for this item.

Action Requested - ADOPT RESOLUTIONS (2) AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Ritter

Second: Supervisor Durfee

Unanimously approved.

5.3. 10:05 am - Public Hearing - Resolution for the Closeout of Park Avenue Multifamily Housing Project Funded by Community Development Block Grant Disaster Recovery Multifamily Housing Program Funding (CDBG-DRMHP)

Shelly Ohlms, Program Development Manager, presented this item to the Board

No public comment was received for this item.

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

Motion: Supervisor Ritter

Second: Supervisor Connelly

Unanimously approved.

5.4. 10:10 am - Public Hearing - Amendment to Butte County Code Chapter 2 (Administration), adding Sections 2-184 through 186-Indemnification Requirements

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

The following members of the public submitted Public Comment: John Stonebraker.

Action Requested - 1) ADOPT THE RESOLUTION FINDING THAT THE CODE AMENDMENTS ARE NOT A PROJECT UNDER CEQA AND AUTHORIZE THE CHAIR TO SIGN; AND 2) INTRODUCE AND WAIVE THE FIRST READING OF THE ORDINANCE.

Motion: Supervisor Durfee

Second: Supervisor Connelly

Unanimously approved.

5.5. 10:15 am - Public Hearing - La Porte Road Solar and Battery Energy Storage Use Permit (UP23-0005)

10:15am Supervisor Teeter recused himself and left the chambers.

Rowland Hickel, Senior Planner, and Chris Boyd, Deputy Fire Marshal, presented this item to the Board.

The following members of the public submitted Public Comment: Julie Jones, Victoria Blake, Shirley Loomis, Marvin Loomis, Ray Shook, John Stonebraker, Chris Sommers, Farrell Savage, Linda Hill, Sharon McDowell, Irv Shiffman, David Halini, and Rob Prittle.

Action Requested - 1) GRANT THE APPEAL AND ADOPT A RESOLUTION APPROVING THE CONDITIONAL USE PERMIT (UP23-0005), AND ADOPT THE MITIGATED NEGATIVE DECLARATION FOR RPCA SOLAR 11, AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Ritter motioned to deny the appeal

Second: Supervisor Connelly

The motion passed 4-0-1 (Ayes: Supervisors Connelly, Durfee, Ritter and Chair Kimmelshue; Nays: None; Absent: Supervisor Teeter; Abstain: None)

11:40am Supervisor Teeter rejoins the session and is now seated

5.6. 11:00 am - Public Hearing - Gregory Howell Grading Permit (PWGRD23-0001/CEQA23-0001)

Rowland Hickel, Senior Planner, and Kim Hunter, Deputy Director of Land Management, presented this item to the Board

The following members of the public submitted Public Comment: Ryan Dubyak, Brigit Barnes, Greg Howell, Martha Bergstrom, Vicki Garner, Robert Ciernik, Bruce Bergstrom, and Paul Rabo

Action Requested - 1) GRANT THE APPEAL AND ADOPT A RESOLUTION APPROVING THE GRADING PERMIT (PWGRD23-0001), AND ADOPT THE MITIGATED NEGATIVE DECLARATION FOR GREGORY HOWELL, AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Durfee to grant appeal

Second: Supervisor Connelly

Motion passed 4-1 (Ayes: Supervisors Connelly, Durfee, Ritter and Chair Kimmelshue; Nays: Supervisor

Ritter)

5.7. 11:30 am - Public Hearing - County-Initiated Amendments (ZCA24-0002) to Butte County Code, Chapter 24, Article II, Division 2, Table 24-16-1, Article IV, Division 1, sec. 24-172, Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU)

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

The following members of the public submitted Public Comment: John Stonebraker

Action Requested - 1) FIND THE PROJECT EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTION 15268 (A) - MINISTERIAL PROJECTS; AND 2) ADOPT THE ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN.

Motion: Supervisor Teeter

Second: Supervisor Connelly

Unanimously approved.

6. BOARD OF SUPERVISORS CLOSED SESSION

- 6.1. Public Employee Employment, Appointment, Recruitment, Performance Evaluations, Including Goals, Discipline/Dismissal/Release, pursuant to Government code Section 54957**
- 6.2. Conference with Labor Negotiators pursuant to Government Code section 54957.6**
- 6.3. Actual litigation pursuant to Gov. Code sec. 54956.9(d)(1) - two cases:**
- 6.4. Workers' compensation liability claims pursuant to Gov Code sec. 54956.95 (a) - five claims:**
- 6.5. Initiation of litigation pursuant to Gov. Code Sec. 54956.9(d)(4) - one potential case.**
- 6.6. Closed Session Public Comment**

There being no further business before the Board, the meeting adjourned. The Butte County Board of Supervisors will reconvene at the next regular meeting, scheduled for October 22, 2024.

ATTEST:

Andy Pickett, Chief Administrative Officer and
Clerk of the Board


Deputy
Assistant Clerk of the Board


Tod Kimmelsma, Chair
Butte County Board of Supervisors