



BUTTE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

NOVEMBER 6, 2018

9:00 AM

MEMBERS OF THE BOARD

STEVE LAMBERT, CHAIR, DISTRICT 4

BILL CONNELLY, DISTRICT 1

LARRY WAHL, DISTRICT 2

MAUREEN KIRK, VICE CHAIR, DISTRICT 3

DOUG TEETER, DISTRICT 5

SHARI McCracken
CHIEF ADMINISTRATIVE OFFICER &
CLERK OF THE BOARD

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

BRUCE ALPERT, COUNTY COUNSEL

1. CALL TO ORDER

Pledge of Allegiance
Observation of a Moment of Silence

2. CORRECTIONS AND/OR CHANGES TO THE AGENDA

3. CONSENT AGENDA

3.01 Contract Amendment with Aurora Behavioral Healthcare for Managed Care Inpatient Hospital Placement - Aurora Behavioral Healthcare provides inpatient psychiatric hospitalization services. The Department of Behavioral Health recommends amending the contract with Aurora Behavioral Healthcare for inpatient hospital placement. The amendment increases the maximum payable amount by \$417,730, not-to-exceed \$1,652,730. All other terms remain the same – action requested – APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)

3.02 Contract with Nicole Diamond and Contract Amendment with Denver Latimer for Indigent Defense Services - Butte County fulfills its obligation to provide criminal indigent defense services through a consortium of private sector attorneys who contract with the County and work with the Court to provide these services. One of the consortium attorneys, Corie Caraway, was recently appointed to the Butte County Superior Court bench as Court Commissioner. The County Administration Department recommends the resulting vacancy be filled by increasing public defender Denver Latimer's contract from half time to full time, and contracting with Nicole Diamond as a half time public defender. The contract amendment with Mr. Latimer increases the maximum financial obligation by \$211,668, not-to-exceed \$449,500 over the three-year term. All other terms remain the same. The term of the contract with Ms. Diamond is November 1, 2018 through June 30, 2021, not-to-exceed \$211,668. Mr. Latimer is well-known to the County and the Court, having been part of the public defender consortium for several years. Ms. Diamond has several years' experience as a prosecutor, and is well respected by all sides in the criminal justice system. The recommendations are supported by the District Attorney and the Court – action requested – 1) APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN; AND 2) APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 3.03 Termination of Local Disaster Proclamation Resolution Due to the Cherokee and La Porte Fires
 A declared local emergency presently exists in Butte County due to the Cherokee and La Porte fires in accordance with the proclamation made by the Chief Administrative Officer on October 9, 2017, and reaffirmed and ratified by the Board of Supervisors on October 10, 2017. The local disaster proclamation enables the County to obtain State and federal dollars to help with the recovery. The declared local disaster will end upon the adoption of the recommended resolution as the cleanup of the hazardous debris has been completed – action requested – 1) CONFIRM THE NEED FOR TERMINATING THE LOCAL DISASTER PROCLAMATION; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.04 Termination of Public Health Emergency Proclamation Resolution Due to the Cherokee and La Porte Fires - A declared public health emergency presently exists in Butte County due to the Cherokee and La Porte fires in accordance with the proclamation made by the local Health Officer on October 18, 2017, and ratified by the Board of Supervisors on October 24, 2017. Debris resulting from the Cherokee and La Porte fires that contained hazardous material in the ash of the burned structures posed a substantial potential hazard to human health and safety and to the environment. The declared public health emergency will end upon the adoption of the recommended resolution as the cleanup of the hazardous debris has been completed – action requested – 1) CONFIRM THE NEED FOR TERMINATING THE PUBLIC HEALTH EMERGENCY; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.05 Resolution Approving Fiscal Year (FY) 2018 Homeland Security Grant Application - In order for the Butte County Operational Area to apply for grant funds from the Department of Homeland Security/Federal Emergency Management Agency, the Board of Supervisors must approve a resolution authorizing the Emergency Services Officer to apply. Approval of the resolution also gives authorization to the Chief Administrative Officer, Assistant Chief Administrative Officer, Deputy Chief Administrative Officers, and the Emergency Services Officer to sign grant documents. The grant application would be in the amount of \$300,808, and the funds would be used to enhance prevention, preparedness, response, and recovery capabilities from threats and incidents of terrorism and all hazards, whether natural or man-made. The grant specifies that an Anti-Terrorism Approval Body (Approval Authority) will determine the best use of funds. The Approval Authority consists of the Public Health Officer, County Fire Chief, County Sheriff, a municipal Fire Chief, and a municipal Chief of Police. The Approval Authority creates sub-committees to make expenditure recommendations that will be forwarded to the Board for final approval. All expenditures for equipment, training, planning, and exercises must meet grant guidelines – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.06 Resolution Approving Application for the FY 2018 Emergency Management Performance Grant
 The Butte County Operational Area has been allocated \$170,933 by the California Office of Emergency Services through the FY 2018 Emergency Management Performance Grant Program to support activities that contribute to the mitigation, prevention, preparation, response, and recovery from emergencies and disasters, whether natural or man-made. Participation in this grant would require a match and would reimburse 50% of eligible emergency management expenses, up to \$170,933. The grant and required match are included in the FY 2018-19 Adopted Budget. Approval of the resolution authorizes the Emergency Services Officer to apply for the grant and also gives authorization to the Chief Administrative Officer, Assistant Chief Administrative Officer, Deputy Chief Administrative Officers, and the Emergency Services Officer to sign grant documents – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 3.07 Contract with Foster Morrison for Local Hazard Mitigation Plan Update - On January 9, 2018, the Board of Supervisors authorized the Emergency Services Officer to apply for funding under the Hazard Mitigation Grant Program to hire a consultant to update the Multi-Jurisdictional Local Hazard Mitigation Plan. A Request for Proposals was issued with four responses received that were distributed to a review panel. The County Administration Department recommends entering into a contract with Foster Morrison to update the Butte County 2014 Local Hazard Mitigation Plan. The term of the contract is November 4, 2018 through December 31, 2019, not-to-exceed \$99,000. This grant has a 25% match requirement. The Department's budget has sufficient appropriations for the required match – action requested - APPROVE CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.08 Resolution Recognizing November 26 through November 30, 2018, as California Clerk of the Board of Supervisors Week - In California, the Clerk of the Board satisfies numerous statutory and locally mandated requirements and serves as the official record keeper of actions taken by each County's Board of Supervisors. County Administration recommends the Board of Supervisors adopt a resolution recognizing November 26 through November 30, 2018, as California Clerk of the Board of Supervisors week – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.09 Resolution Approving the Closure of County Offices December 24, 2018, and a Corresponding Holiday for County Employees - On Monday December 24, 2018, in honor of Christmas Eve, in recognition of the hard work of dedicated County employees, and in acknowledgment of the reduced amount of County business that is typically conducted by County residents on Christmas Eve day, the Chief Administrative Officer recommends the closure of County Offices and a corresponding holiday for County employees. County offices that operate 24 hours per day, 7 days per week, and County offices required by legislation, regulation, or other mandate will continue their operations as required. The provisions outlined in the Personnel Rules regarding employees who work on holidays will apply to the additional holiday. The County's Personnel Rules specify that days declared by the President or Governor as federal or State holidays shall be observed as County holidays. The President sometimes declares Christmas Eve as a holiday. This typically happens with very little notice and is difficult to plan for. Should the President or Governor declare Christmas Eve as a holiday it would not result in an additional holiday from the holiday approved by the Board of Supervisors. The Board of Supervisors' adoption of a resolution approving the closure of County Offices on December 24, 2018, and the approval of the corresponding additional holiday for County employees in 2018, is one-time in nature and is not to be construed as precedent setting for any future year – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)
- 3.10 Approval of Minutes for Board of Supervisors Meeting - Submitted for approval are the minutes for the October 23, 2018, Board of Supervisors regular meeting – action requested - APPROVE BOARD MINUTES FOR OCTOBER 23, 2018, AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

- 3.11 Authorize the Auditor-Controller to Manage Cash Flow Between County Funds – The County's Finances are organized in a series of separate funds as required by governmental accounting standards. The General Fund's cash balances tends to be low in the fall prior to the receipt of the first installment of property tax payments and again in the spring prior to the second installment of property tax payments. Historically the County utilized Tax Revenue Anticipation Notes, a type of borrowing, to manage cash during those low points, though this hasn't been necessary for a number of years. The County has available cash in other funds that can provide for temporary cash flow within the course of the fiscal year. County Administration, the Auditor-Controller and the Treasurer-Tax Collector recommend the Board of Supervisors authorize the Auditor-Controller to temporarily transfer cash between funds during the course of the fiscal year to manage cash flow. All funds must be repaid prior to the close of the fiscal year unless a loan has been approved by the Board of Supervisors to cross fiscal years – action requested - AUTHORIZE THE AUDITOR-CONTROLLER TO TEMPORARILY TRANSFER CASH BETWEEN FUNDS DURING THE CURRENT FISCAL YEAR TO MANAGE CASH FLOW. (County Administration)
- 3.12 Distribution of Excess Proceeds from the Sale of Tax-Defaulted Property - In September 2017, the Treasurer-Tax Collector sold 15 parcels of tax-defaulted property, and claims for excess proceeds were received on two of the parcels. The Treasurer-Tax Collector requested that County Counsel evaluate the claims received and the Department's recommendations regarding the two parcels that are included in the staff report. Pursuant to Revenue and Taxation Code section 4675, the Board of Supervisors may order distribution of the excess proceeds as recommended – action requested – 1) ADOPT THE RECOMMENDATIONS REGARDING THE DISTRIBUTION OF EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY; AND 2) ORDER DISTRIBUTION PURSUANT TO REVENUE AND TAXATION CODE SECTION 4675. (County Counsel)
- 3.13 Accept 2018 Local Agency Conflict of Interest Code Biennial Notices for Agencies that File Form 700s with the Clerk-Recorder - The following agencies have reviewed their Conflict of Interest Codes pursuant to California Government Code section 87306.5(b) and have determined that their agency's code is current and in no need of revision. County Counsel has reviewed the 2018 Local Agency Biennial Notices and believes them to be proper: Butte County Association of Governments, and Durham Recreation and Park District – action requested - ACCEPT 2018 LOCAL AGENCY BIENNIAL NOTICES. (County Counsel)

- 3.14 Land Conservation (Williamson) Act Tentative Parcel Map Consistency Review and Amended Contract with Stephens-Edmonds Ranch LLC for Parcels on Nord Highway - The Williamson Act Advisory Committee recommends that tentative parcel map application TPM13-0011 for Stephens-Edmonds Ranch LLC is consistent with the Williamson Act, and recommends entering into an amended contract for 342.3 acres enrolled in the Act. The property consists of five parcels (former APN 047-150-138) located on the north side of Nord Highway 0.75 miles west of Meridian Road. The amended contract would be for orchard use. The application meets all requirements of the Williamson Act program. The Williamson Act Advisory Committee reviewed the tentative parcel map and application for amended contract LCA13-0004 (Stephens-Edmonds) on June 1, 2015, and recommended that the tentative parcel map and contract amendment are consistent with the Williamson Act. The Zoning Administrator reviewed the tentative parcel map application on August 5, 2015, and approved the project subject to payment of all applicable fees. The Zoning Administrator's approval is conditional pending a determination by the Board of Supervisors of the compatibility of the land division with the Williamson Act. An Initial Study/Mitigated Negative Declaration was prepared for the project under the California Environmental Quality Act, and found no significant impacts that could not be reduced to a less-than-significant level with mitigation incorporated. On August 23, 2017, the Zoning Administrator approved a six-year extension of the tentative subdivision map (MEXT17-0006) until August 5, 2023 – action requested - 1) DETERMINE THAT THE TENTATIVE PARCEL MAP IS CONSISTENT WITH THE WILLIAMSON ACT PROGRAM; AND 2) APPROVE AMENDED CONTRACT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
- 3.15 Resolution Recognizing November 2018 as Adoption Awareness Month - The Department of Employment and Social Services recommends that the Board of Supervisors adopt a resolution proclaiming November 2018 as Adoption Awareness Month in Butte County – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
- 3.16 Lease Agreement with Guillon, Inc. for the Lease of 205 Mira Loma Drive, Suite 10 in Oroville for Occupancy by the Department of Employment and Social Services - The Department of Employment and Social Services currently occupies 205 Mira Loma Drive, Suite 10, in Oroville under a lease hold over. The Department of General Services recommends that the Board of Supervisors approve a new lease with a planned termination date of November 30, 2025, and the option to extend for an additional 84-month period. The current rate for the 4,389-square-foot suite is \$1.16012 per square foot for a total payment of \$5,091 per month. Under the new lease, the initial rate will be \$1.199817 per square foot, for a total monthly payment of \$5,266 including Base Rent and Common Area Maintenance charges with a provision for escalation reflecting current market conditions. Funding is included in the budget – action requested - APPROVE LEASE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (General Services)

- 3.17 Lease Agreement with Guillon, Inc. for the Lease of 205 Mira Loma, Suite 20 in Oroville for Occupancy by the Department of Employment and Social Services - The Department of Employment and Social Services currently occupies 205 Mira Loma, Suite 20, in Oroville, with a planned lease termination date of January 31, 2019. The department now desires to terminate the lease and enter into a new lease with terms more consistent with Suite 10 in the same facility. The Department of General Services recommends that the Board of Supervisors approve a new lease with a planned termination date of November 30, 2025, and the option to extend for an additional 84-month period. The current rate for the 7,477-square-foot suite is \$1.23 per square foot, for a total of \$9,196 per month. Under the new lease, the initial rate will be \$1.199947 per square foot for a total monthly payment of \$8,972 including Base Rent and Common Area Maintenance charges with a provision for escalation reflecting current market conditions. Funding is included in the budget – action requested - APPROVE LEASE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (General Services)
- 3.18 Lease Agreement with Guillon, Inc. for the Lease of 205 Mira Loma, Suite 50 in Oroville for Occupancy by the Department of Employment and Social Services - The Department of Employment and Social Services currently occupies 205 Mira Loma, Suite 50, in Oroville under a lease hold over. The Department of General Services recommends that the Board of Supervisors approve a new lease with a planned termination date of November 30, 2028, and the option to extend for an additional 120-month period. The current rate for the 16,784 square foot suite is \$.839907 per square foot for a total payment of \$14,097 per month. Under the new lease, the initial rate will remain \$.839907 per square foot, for a total monthly payment of \$14,097 including Base Rent and Common Area Maintenance charges with a provision for escalation reflecting current market conditions. Funding is included in the budget – action requested - APPROVE LEASE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (General Services)
- 3.19 Sublease Agreement with Debra Lucero & Associates for 269 E. 3rd Street, Suite 100 in Chico for Occupancy by Supervisor-Elect Debra Lucero – Supervisor-Elect Debra Lucero has leased 269 E. 3rd Street, Suite 100 in Chico to operate both her personal office and her County office as the Supervisor of District 2. The Department of General Services recommends that the Board of Supervisors approve a sublease with Debra Lucero & Associates effective December 1, 2018, with a planned termination date of January 31, 2023. Supervisor-Elect Lucero will pay the full rental rate for the suite at \$1,475 per month, including water, sewer, and trash removal. Under the new sublease, the County will reimburse Supervisor-Elect Lucero for 75% of the costs to operate this office in the form of a rental reimbursement of \$1,106.25 per month and a utility reimbursement of 75% of the actual costs of PG&E, phone, and data services. Funding is included in the budget – action requested - APPROVE SUBLEASE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN. (General Services)
- 3.20 Budget Adjustment for Repairs to the Southside Oroville Community Center - The Boys and Girls Club recently vacated a section of the Southside Oroville Community Center. Since the building was originally constructed, the vacated area has not been remodeled. Flooring, wall condition, paint, and some fixtures have surpassed normal wear and tear and are no longer serviceable. Although the Oroville Southside Community Improvement Association recently paid to replace one of the main heating, ventilation and air conditioner units serving portions of the facility, the below-market rent revenue from the vacated area has not been sufficient to fund necessary repairs. The Department of General Services recommends that the Board of Supervisors approve a \$37,900 budget adjustment from General Fund Appropriation for Contingencies so the Department can make the facility rent-ready – action requested - APPROVE BUDGET ADJUSTMENT FROM GENERAL FUND APPROPRIATION FOR CONTINGENCIES (4/5 VOTE REQUIRED). (General Services)

- 3.21 Child Health and Disability Prevention (CHDP) and California Children's Services (CCS) Joint Plan
 Each year, the Department of Public Health prepares a Children's Medical Services Plan for submittal to the State for the CHDP and CCS programs. The plan summarizes program activities that will be accomplished within the CHDP and CCS programs for the year. The CHDP program provides for early and periodic health screening of children, adolescents, and young adults. The CCS program provides financial help for medical care and physical/occupational therapy for children who have serious or disabling health problems – action requested – 1) APPROVE SUBMISSION OF THE FY 2018-19 PLAN TO THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES; AND 2) AUTHORIZE THE CHAIR TO SIGN PLAN DOCUMENTS. (Public Health)
- 3.22 Grant Agreement with CAL FIRE for a Program to Clear Brush Along County Roadways in High Fire Severity Areas - The California Department of Forestry and Fire Protection (CAL FIRE) awarded a grant to the Department of Public Works in the amount of \$166,630 for a program to reduce fuel loading along high fire severity County roadways. This will improve safety for residents, improve site distance at intersections, and reduce repetitive fire losses such as burned guardrails and street signs. The brush clearing is along 600 miles of roadway in the communities of Cohasset, Forest Ranch, Stirling City, Magalia, Concow, Yankee Hill, and various south-County areas such as Lumpkin, Swedes Flat, and Forbestown. The work is anticipated to begin in late fall 2018 and conclude by March 1, 2020. The total cost of the project is \$295,674, which includes a \$129,044 (45%) local match from the Road Fund for both labor and equipment. Once the November 6 General Election results are known, the ability of the Road Fund to support the local match will be better understood. This agreement has a "30 day out" clause in the event County matching funds are not available to fulfill the County's local match. The Department recommends the Board of Supervisors approve the grant agreement and authorize the Director of Public Works to sign once it is determined the County Road Funds can provide the local match. CAL FIRE requires the grant agreement be submitted by November 30, 2018 – action requested - APPROVE GRANT AGREEMENT AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN. (Public Works)
- 3.23 Capital Asset Purchase, Capital Improvement Purchase, and Capital Asset Surplus for the Neal Road Recycling and Waste Facility (NRRWF) - The NRRWF uses an 11-year-old bulldozer for daily operations to move and process solid waste. The bulldozer has over 12,000 hours and will require significant repairs, which exceed its value. The Department of Public Works recommends acquiring a new bulldozer for \$900,000. The current bulldozer will be used as a trade-in with a value of \$95,000. In addition, the NRRWF is planning to construct a concrete pad to consolidate the hazardous and toxic materials processed as part of the recycling operations. The new area will improve customer service and increase safety for the public and employees. The estimated project cost is \$100,000. The Department recommends approval of a capital asset purchase for a bulldozer in the amount of \$900,000 as well as approval of a capital improvement purchase for a concrete pad in the amount of \$100,000. The Department also recommends the Board of Supervisors declare the existing bulldozer surplus to the needs of the County and authorize the Director to trade-in the vehicle – action requested - 1) AUTHORIZE CAPITAL ASSET PURCHASE; 2) AUTHORIZE CAPITAL IMPROVEMENT PURCHASE. (Public Works)
- 3.24 Capital Asset Surplus – Vehicles - The Board of Supervisors declares vehicles surplus that are no longer serviceable or no longer needed by the County prior to auctioning the items – action requested – DECLARE CAPITAL ASSETS (16) SURPLUS TO THE NEEDS OF THE COUNTY. (Public Works)

- 3.25 Capital Asset Surplus and Release of Surplus Vehicle to Alaska National Insurance Company - A 2011 Ford Expedition was severely damaged in a traffic collision on February 18, 2018. Alaska National Insurance Company proposed to purchase the vehicle at the price of \$19,953.86 as part of the settlement agreement. All reusable safety equipment has been removed from the vehicle. The Board of Supervisors declare vehicles surplus that are no longer serviceable so they can be released. The Department of Public Works recommends the Board declare the vehicle surplus to the needs of the County and authorize the Director to release it to Alaska National Insurance Company – action requested – DECLARE CAPITAL ASSET SURPLUS TO THE NEEDS OF THE COUNTY. (Public Works)
- 3.26 Contract Amendment with VieVue, LLC for Body Worn Video Cameras - The Sheriff-Coroner recommends amending the contract with VieVue, LLC for body-worn cameras to include data cloud storage and increase the number of cameras by eight. Deputy Sheriffs wear the cameras to record and document public contacts and crime scenes. The amendment increases the maximum payable amount by \$25,080, not-to-exceed \$298,680. All other terms remain the same – action requested - APPROVE CONTRACT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff-Coroner)
- 3.27 Capital Asset Surplus – Computer Equipment - The Sheriff's Office has 17 capital asset items, all computer systems related, that need to be removed from the County's Capital Assets Certified Ledger. In 2017 and 2018, the Department implemented new systems for the jail, evidence, records, and dispatch. The following assets are no longer in use:
- Data 911 Hard/Software, 911 Sys Hard/Software Enhancement
Warrants System Software for CAD Software License and Oracle 81 Standard Edition
Jail Management Computer Sys and Motorola Offendertrak Upgrade
WIN 2K Domain Controller
Proliant ML370 Firewall
Quetel Evidence Tracking System
Server Operating System
HP Storageworks
HP Proliant DL 180 Server
Offendertrak Server
- Action requested – DECLARE CAPITAL ASSET ITEMS (17) SURPLUS TO THE NEEDS OF THE COUNTY.
(Sheriff-Coroner)
- 3.28 Butte County Public Law Library FY 2017-18 Annual Report - The Butte County Public Law Library Trustees hereby submits for information the FY 2017-18 Annual Report pursuant to Business and Professions Code sections 6349 and 6350 – action requested - ACCEPT FOR INFORMATION. (Other – Butte County Public Law Library)
- 3.29 Resolution Recognizing November 2018 as Homeless and Runaway Youth Awareness Month
The Butte County Runaway and Homeless Youth Task Force recommends that the Board of Supervisors adopt a resolution recognizing November 2018 as Homeless and Runaway Youth Awareness Month – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Other – Runaway & Homeless Youth Task Force)

4. REGULAR AGENDA

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

4.02 Boards, Commissions, and Committees

(List available at <http://www.buttecounty.net/clerkoftheboard/AppointmentsList.aspx>)

A. Appointments to Listed Vacancies

1. Appointments to the Behavioral Health Board - The Behavioral Health Board recommends William (Dave) Dowlen be appointed to the vacant Community Member position, with a term ending December 31, 2019; and Daniel Cavanaugh be reappointed to a Consumer Member position, with a term ending December 31, 2021 – action requested - APPOINT DAVE DOWLEN TO THE BEHAVIORAL HEALTH BOARD AS A COMMUNITY MEMBER, WITH A TERM ENDING DECEMBER 31, 2019; AND REAPPOINT DANIEL CAVANAUGH AS A CONSUMER MEMBER, WITH A TERM ENDING DECEMBER 31, 2021. (Behavioral Health)
2. Appointments to the Chico Veterans Memorial Hall Committee – The Chico Veterans Memorial Hall Committee recommends Don Campbell be appointed as an Alternate Member to the Chico Veterans Memorial Hall Committee, with a term ending June 30, 2019; and reappoint Michael Halldorson as a Delegate Member, with a term ending June 30, 2019 – action requested - APPOINT DON CAMPBELL AS AN ALTERNATE MEMBER TO THE CHICO VETERANS MEMORIAL HALL COMMITTEE, WITH A TERM ENDING JUNE 30, 2019; AND REAPPOINT MICHAEL HALLDORSON AS A DELEGATE MEMBER, WITH A TERM ENDING JUNE 30, 2019.

B. Board Member / Committee Reports and Board Member Comments

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

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

4.04 Introduction of the Salary Ordinance - The Department of Human Resources has prepared an updated Salary Ordinance. The ordinance includes details on allocated positions, and the salary plans for classified positions, elected and appointed officials, and members of the Board of Supervisors. The ordinance is based on Board's actions regarding positions through October 23, 2018, as well as cleanup of the format of the ordinance to improve readability – action requested - WAIVE THE FIRST READING OF THE ORDINANCE. (Human Resources)

4.05 Community Choice Aggregation (CCA) Feasibility Study Update - On August 8, 2017, the Board of Supervisors approved a contract with EES Consulting, Inc. to perform a technical study to determine the feasibility of creating a CCA in the Butte County region. The results of the study, which showed that creating a CCA in Butte County is financially feasible provided the unincorporated area of the County and the City of Chico were included, were presented to the Board on July 24, 2018, and staff were directed to gather input from residents and businesses, as well as research funding options for initiating a CCA in the Butte County Region. Staff will provide an update on these two items along with other key variables – action requested – 1) ACCEPT FOR INFORMATION; AND 2) DIRECT STAFF TO CONTINUE TO SEEK INFORMATION ON FINANCING; THE IMPACTS OF THE CHANGES TO THE POWER CHARGE INDIFFERENCE ADJUSTMENT; JOINT POWERS AUTHORITY FORMATION; AND POTENTIAL EXPANSION OF INITIAL PARTICIPANTS. (County Administration)

- 4.06 Interim Chief Probation Officer Appointment - Per the Butte County Personnel Rules, all appointments to a department head position shall be made by the Board of Supervisors. The Courts and the Chief Administrative Officer (CAO) recommend that the Board of Supervisors appoint Wayne Barley, Chief Deputy Probation Officer, as Interim Chief Probation Officer (CPO), effective December 29, 2018, for a period not-to-exceed six months. The CAO recommends setting the salary at the minimum annual salary (\$138,488) for the CPO as listed in Section 29, Reference A, of the Butte County Salary Ordinance. In addition, the CAO recommends providing the Appointed Department Head mileage allowance of \$620/month and paid administrative leave at a rate of 10 days/year. Mr. Barley will retain all other rights and benefits of his current position in the PPOA Management Unit and the right to return to his current position of Chief Deputy Probation Officer when the interim assignment is completed – action requested – 1) APPOINT WAYNE BARLEY AS INTERIM CHIEF PROBATION OFFICER EFFECTIVE DECEMBER 29, 2018, FOR A PERIOD NOT TO EXCEED SIX MONTHS; 2) SET THE SALARY FOR THE INTERIM CPO AT THE MINIMUM ANNUAL SALARY FOR THE CPO AT \$138,488, AS LISTED IN SECTION 29, REFERENCE A, OF THE BUTTE COUNTY SALARY ORDINANCE, EFFECTIVE DECEMBER 29, 2018; 3) PROVIDE MILEAGE REIMBURSEMENT AT THE RATE OF \$620/MONTH AND PAID ADMINISTRATIVE LEAVE AT A RATE OF 10 DAYS/YEAR; AND 4) DOCUMENT BY MINUTE ORDER MR. BARLEY'S INTERIM APPOINTMENT; THE ANNUAL SALARY; MILEAGE ALLOWANCE OF \$620/MONTH; PAID ADMINISTRATIVE LEAVE AT A RATE OF 10 DAYS/YEAR; RETENTION OF ALL OTHER RIGHTS AND BENEFITS IN CURRENT PPOA MANAGEMENT MOU AND RETENTION OF ALL RIGHTS TO, AND BENEFITS OF, MR. BARLEY'S CURRENT POSITION WHEN THE INTERIM ASSIGNMENT IS COMPLETED. (County Administration)

5. PUBLIC HEARINGS AND TIMED ITEMS

- 5.01 9:25 am – Resolution Adopting Updated Community Development Block Grant (CDBG) Housing Rehabilitation Program Guidelines - On July 28, 2015, the Board of Supervisors adopted the current CDBG Housing Rehabilitation Program Guidelines (Guidelines). The County has recently been awarded 2017 CDBG grant funds to continue the Housing Rehabilitation Program and consulted with its Housing Rehabilitation Program Operator, the Regional Housing Authority, to make sure all components of the Guidelines were up to date. Requested changes to the Guidelines include: increased grant limits; updated income limits; and updated website links – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (County Administration)

5.02 9:30 am - Appeal of the Planning Commission Approval of a Clustered Tentative Subdivision Map on Stanley Avenue - Sara Knowles of Leland, Morrissey & Knowles, on behalf of Dr. David Gallo and Mr. Tom Hall, filed an appeal of the Planning Commission’s September 27, 2018, approval of Tentative Subdivision Map TSM17-0001 on Stanley Avenue. TSM17-0001 is a request for a Clustered Tentative Subdivision Map to divide an approximately 18.5-acre property into 22 parcels (21 residential lots and one open space lot) ranging in size from 0.19 acres to 12.02 acres. The project site is located at 1232 Stanley Avenue, on the south side of Stanley Avenue about a quarter mile east from Dayton Road. The project parcels are zoned VLDR-1.0 (Very Low Density Residential, 1-acre minimum). The project includes the following requests:

1) The use of Clustered Development per Butte County Code sections 24-84 through 24-90. The project includes the use of the Density Incentive provision to allow for an additional maximum density of 15%.

2) A determination for a residential setback pursuant to Butte County Code section 24-56.1 (Residential Setback from Orchards and Vineyards) along the eastern property lines of Parcels 13-18 and the northern property line of Parcel 11, from the adjacent active orchard (APN 039-370-102). The Department of Development Services, in consultation with the Agricultural Commissioner's Office, recommended a 50-foot setback – action requested - ADOPT THE RESOLUTION DENYING THE APPEAL, ADOPTING THE MITIGATED NEGATIVE DECLARATION, AND APPROVING TENTATIVE SUBDIVISION MAP TSM17-0001, AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

5.03 1:00 pm - Ordinance Adding Chapter 53 Development Mitigation, Article I Oak Woodland Mitigation to the Butte County Code - The Oak Woodland Mitigation Ordinance is applicable only to discretionary project applications in the unincorporated area of Butte County, such as proposed subdivisions, parcel maps, and use permits. The ordinance sets impact thresholds and mitigations for removal of trees of the genus Quercus, which is commonly known as oak trees. The ordinance requires an Oak Woodland Evaluation Plan prepared by a qualified professional as part of a project application to identify the area of oak canopy on the project site and the percentage proposed for removal. The ordinance proposes that more than 10% removal of oak canopy area is considered a significant impact subject to replacement through several mitigation options. The area of oak canopy removed greater than 10% is required to be replaced at a ratio of 2:1 and increases to a ratio of 3:1 if removal exceeds 50% of the canopy. The ordinance limits oak canopy removal to 70%. Project applications that are inconsistent with the ordinance are required to have project-specific environmental review for the impacts to oak woodlands. The ordinance also requires the Department of Development Services to maintain an accompanying manual that assists with implementation of the ordinance. An Addendum to the previously certified General Plan Environmental Impact Report and Supplemental Environmental Impact Report was prepared – action requested - 1) WAIVE THE FIRST READING OF THE ORDINANCE; AND 2) ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)

6. BOARD OF SUPERVISORS PUBLIC COMMENT

Comments to the 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 Board of Supervisors is prohibited from taking action on any item not listed on the agenda.

7. BOARD OF SUPERVISORS CLOSED SESSION

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

1. Agricultural Commissioner
2. Behavioral Health Director
3. Chief Administrative Officer
4. Chief Probation Officer
5. Child Support Services Director
6. County Counsel
7. Development Services Director
8. Employment and Social Services Director
9. Human Resources Director
10. Information Services Director
11. Library Director
12. Public Health Director
13. Public Works Director
14. Water and Resources Conservation Director

7.02 Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4):
One potential case.

7.03 Conference with Labor Negotiator Pursuant to Government Code Section 54957.6:

Negotiators: Jack Hughes, Pamela Knorr, and Joe Ambrosini
Employee Organizations: Teamsters - General Unit; Teamsters - Social Services Workers' Unit; Butte County Management Employees Association; Butte County Probation Peace Officers Association; Butte County Probation Peace Officers Association - Management Unit; Butte County Professional Employees' Association; Butte County Deputy Sheriff's Association - General Unit; Butte County Deputy Sheriff's Association - Management/Supervisory Unit; Butte County Correctional Officers Association - General Unit; Butte County Correctional Officers Association - Supervisory Unit; UPEC Local 792 - Skilled Trades Unit; Butte County Deputy District Attorneys Association - Attorney Unit; Confidential Unit; Non-Represented Unit

7.04 Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8:

Property: 2959 Lower Wyandotte Road, Oroville
Agency Negotiator: Grant Hunsicker
Negotiating Partners: E-Center, and Ridgeline Pediatric
Negotiations: Terms and Conditions of Conveyance of Leasehold Interest

Butte County
Department Heads

Agricultural
Commissioner:
Luis Mendoza

Assessor*:
Diane Brown

Auditor-Controller*:
Dave Houser

Behavioral Health:
Dorian Kittrell

Chief Administrative
Officer:
Shari McCracken

Chief Probation Officer:
Steve Bordin

Child Support Services:
Sean Farrell

Clerk-Recorder-Registrar
of Voters*:
Candace Grubbs

County Counsel:
Bruce Alpert

Development Services:
Tim Snellings

District Attorney*:
Mike Ramsey

Employment & Social
Services:
Shelby Boston

Fire Chief:
Darren Read

General Services:
Grant Hunsicker

Human Resources:
Pamela Knorr

Information Systems:
Art Robison

Library:
Melanie Lightbody

Public Health:
Cathy Raevsky

Public Works:
Dennis Schmidt

Sheriff-Coroner*:
Kory Honea

Treasurer-Tax Collector*:
Peggy Moak

UC Cooperative
Extension Advisor:
Emily Symmes

Water & Resource
Conservation:
Paul Gosselin

***Elected Official**

Information and Procedures Concerning the Agenda and
Board of Supervisors Meetings

Meeting Information:

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

Agenda Information:

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

Agenda Format and Meeting Order:

- The agenda is usually organized into the following areas and meetings generally proceed in the following order:
1. **Consent Agenda:** these 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 Administration Office
25 County Center Drive, Suite 200, Oroville, CA 95965
530-552-3300