

BUTTE COUNTY BOARD OF SUPERVISORS

MINUTES

FEBRUARY 24, 2009



County Supervisors

Bill Connelly, District 1
Jane Dolan, District 2
Maureen Kirk, District 3
Steve Lambert, District 4
Kim Yamaguchi, District 5

Gregory G. Iturria, Interim Chief
Administrative Officer and
Clerk of the Board

Bruce Alpert, County Counsel

Called to order at 9:03 a.m. in the Board of Supervisors Room, County Administration Building, 25 County Center Drive, Oroville. Supervisors present: Dolan, Kirk, Lambert, Yamaguchi, and Chair Connelly. Also present: Gregory G. Iturria, Interim Chief Administrative Officer; Bruce Alpert, County Counsel and Kathleen Moghannam, Assistant Clerk of the Board.

Pledge of Allegiance to the Flag of the United States of America.

Observation of a Moment of Silence.

0905-001 **CORRECTIONS AND/OR CHANGES TO THE AGENDA.**

1. Debra Villasenor - amendment - approval is requested for an amendment to the sole source agreement with Debra Villasenor for the development of plans for the use of Mental Health Services Administration Housing funds for the benefit of Behavioral Health clients. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$36,000 (department budget utilizing MHSA funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

THIS ITEM WAS PULLED FROM THE CONSENT AGENDA BY RUDY JENKINS FOR DISCUSSION ON THE REGULAR AGENDA.

2. Proposition 63 - Mental Health Services Act (MHSA) Capital Facilities and Information Technology (IT) Plan - submitted is the MHSA Capital Facilities and IT Plan which details a strategy to modernize and transform clinical and administrative systems to improve quality of care, operational efficiency, and cost effectiveness; and also provides tools for increasing client and family access to health information - action requested - ACCEPT FOR INFORMATION.

THIS ITEM WAS PULLED FROM THE CONSENT AGENDA BY SUPERVISOR DOLAN FOR DISCUSSION ON THE REGULAR AGENDA.

CONSENT AGENDA

- 0905-002
1. Youth Leadership Institute (YLI) - approval is requested for a sole source agreement with YLI to continue to work with the department in the areas of youth development evaluation, training, and youth-adult partnerships. The term of the agreement is February 15, 2009 through September 30, 2009 with a maximum amount payable of \$27,775 (department budget utilizing grant funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
 2. Willow Glen Care Center - amendment - approval is requested for an amendment to the sole source agreement with Willow Glen Care Center which provides residential board and care for Behavioral Health clients. The amendment, which adds 915 additional bed days due to increased need for client placement, increases the maximum amount payable by \$80,560 (department budget utilizing realignment revenue)- action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
 3. Butte County Behavioral Health Board - action requested - APPOINT PATTY KRAUSE TO A TERM TO END DECEMBER 31, 2011. (Behavioral Health)
 4. North Highland - approval is requested for an agreement with North Highland for the provision of an emergency services planning consultant for a Northern Planning Area Interoperability Assessment. The term of the agreement is February 24, 2009 through February 1, 2010 with a maximum amount payable of \$482,760 (utilizing 2007 Public Safety Interoperable Communications (PSIC) Grant funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)
 5. Transfer of Equipment - approval is requested to transfer two computers from the District Attorney's office to the Butte Interagency Narcotic Task Force (BINTF). The computers are not in the DA's fixed asset ledger and the market value for each is under \$50 -action requested - AUTHORIZE THE TRANSFER OF TWO COMPUTERS DESCRIBED IN THE AGENDA REPORT TO BINTF. (District Attorney)

6. Premier InfoSource - approval is requested for an agreement with Premier InfoSource for the provision of alcohol and drug testing services. The term of the agreement is March 1, 2009 through June 30, 2009 with a maximum amount payable of \$60,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Employment and Social Services)
7. California Department of Social Services (CDSS) - approval is requested for an agreement with CDSS. This agreement specifies the duties of CDSS and DESS to provide for adoptive planning services and the placement of children in out-of-home care. The term of the agreement is October 1, 2008 through June 30, 2013. There are no costs to the County under this agreement - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RELATED RESOLUTION 09-020 AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
8. Adjustment of Library Hours at the Chico Branch Library - approval is requested to close the Chico Branch Library on Easter Sunday, April 12, 2009. No other branches will be impacted by the adjustment -action requested - AUTHORIZE THE CHICO BRANCH LIBRARY TO CLOSE ON APRIL 12, 2009. (Library)
9. Paradise Unified School District (PUSD) - approval is requested for an agreement with PUSD in which one officer will serve as a Truancy Officer at District schools. The term of the agreement is July 1, 2008 through June 30, 2009 with PUSD contributing \$41,027 to the County from the Safe Schools Healthy Students grant - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Probation)
10. Contract Change Order for the Construction of the Durham-Dayton Highway Bridge across Hamlin Slough; Federal Project No. BHLS-5912(056), County Project No. 44201-02-1 - approval is requested for this change order which provides for the following: 1) a decrease in the Engineer's Estimate for roadway embankment, liquid asphalt, sand cover, and asphaltic emulsion; 2) an increase in funding for completion of a stream fence; and 3) funding for the hydroseeding of the project area. This contract change order results in an overall decrease to the contract of \$12,266.47 - action requested - APPROVE CONTRACT CHANGE ORDER AND AUTHORIZE CHAIR TO SIGN. (Public Works)

- 11. Notice of Completion - Durham-Dayton Highway Bridge across Hamlin Slough; Federal Project No. BHLS-5912(056), County Project No. 44201-02-1 - All contract work has been completed in accordance with the plans and specifications - action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND AUTHORIZE THE RECORDING OF THE NOTICE OF COMPLETION. (Public Works)
- 12. Southgate Acres Subdivisions, County Service Area 90, Zones 1 and 2 - consideration of a resolution to direct the commencement of procedures to impose an increased annual service charge and to set a public hearing to consider the charges. The property owners have petitioned the County to increase the maximum service charge to provide for storm drainage maintenance - action requested - ADOPT RESOLUTION 09-021 AND AUTHORIZE THE CHAIR TO SIGN; AND DIRECT A PROTEST HEARING AND BALLOT PROCEEDING BE SET FOR APRIL 21, 2009 AT 9:45. (Public Works)
- 13. Resolution Amending the Improvement Standards in the Paradise Urban Area - consideration of a resolution which will amend the improvement standards for developments within the Paradise Sphere of Influence/Urban Area. The Town of Paradise approved these standards on December 8, 2008 - action requested - ADOPT RESOLUTION 09-022 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
- 14. Resolution of Appreciation to Supporters of the Twelfth Annual Community-Wide True Love Waits Campaign - action requested - ADOPT RESOLUTION 09-023 AND AUTHORIZE THE CHAIR TO SIGN. (SUPERVISOR CONNELLY)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF ITEMS 3.01 AND 3.04 WHICH WERE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

PRESENTATION OF RESOLUTION RECOGNIZING THE TRUE LOVE WAITS CAMPAIGN. THE FOLLOWING STUDENTS ADDRESSED THE BOARD: LUKE LUNDBERG, CHRISTIE ENGLUND, LOGAN RYAN, KENDALL MAXWELL, ALYSSA BRINKER, CHRISTIAN SOLIS, MACY THAO, NATALIE WILKIE, MONICA VALLE, TREVOR CLARK, ZACH TWEEDT, DEVIN JENSEN, AND EMILY LUNDBERG.

REGULAR AGENDA

0905-003 Boards, Commissions and Committees.

1. Appointments to Listed Vacancies.

MOTION: I MOVE TO REAPPOINT KORY HAMMAN TO THE ECONOMIC DEVELOPMENT COMMITTEE AND RENE VERYCRUSEN, JR TO THE SURFACE MINING AGGREGATE OPERATIONS COMMITTEE.

2 M

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

2. Board Member or Committee Reports. (NONE)

0905-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer.

GREGORY G. ITURRIA, INTERIM CHIEF ADMINISTRATIVE OFFICER PROVIDED A REPORT ON THE STATE BUDGET THAT WAS JUST PASSED LAST WEEK.

HE ALSO PROVIDED A VERBAL REPORT OF RECOMMENDATIONS FOR \$11 MILLION DOLLARS IN COST REDUCTION MEASURES. HE INFORMED THE BOARD THAT THERE WILL BE A FORMAL REPORT ON THE MARCH 3, 2009 BOARD OF SUPERVISORS AGENDA.

MELISSA ROMERO ADDRESSED THE BOARD.

RECESS: 9:40 A.M.

RECONVENE: 9:35 A.M.

0905-005 Update of General Plan 2030 Process by Director-Development Services.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

0905-006 Update Regarding Upcoming Butte County Code Amendments.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

THE BOARD REQUESTED THAT THIS ITEM RETURN ON ONLY ONE AGENDA PER MONTH.

PUBLIC HEARINGS AND TIMED ITEMS

Public Hearings - Itemized Cost of Nuisance Abatement for the Following Properties -

0905-007 A. 939 Dewsnap Avenue, Gridley, APN 021-190-026 - After the hearing officer's decision, the property was self-abated by the property owner between February 14 - March 17, 2008 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$1,898.57; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

PUBLIC HEARING OPENED: 10:03 A.M.
PUBLIC HEARING CLOSED: 10:03 A.M.

MOTION: I MOVE TO APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$1,898.57; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0905-008 B. 1962 Cox Lane, Oroville, APN 027-350-200 - After the hearing officer's decision, the property was self-abated by the property owner as of December 2, 2008 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$3,453.90; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

PUBLIC HEARING OPENED: 10:05 A.M.
PUBLIC HEARING CLOSED: 10:07 A.M.

THE PROPERTY OWNER, MR. DOMINGUEZ ADDRESSED THE BOARD.

MOTION: I MOVE TO APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$3,453.90; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0905-009 C. 18 Melandjo Court, Oroville, APN 078-250-021 - After the hearing officer's decision, the property was self-abated by the property owner between July 9 - August 6, 2008 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$2,693.70; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

PUBLIC HEARING OPENED: 10:08 A.M.
PUBLIC HEARING CLOSED: 10:08 A.M.

MOTION: I MOVE TO APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$2,693.70; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0905-010 D. 1134 14th Street, Oroville, APN 030-181-016 - After the hearing officer's decision, the property was self-abated by the property owner as of July 29, 2008 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$4,744.12; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

PUBLIC HEARING OPENED: 10:10 A.M.
PUBLIC HEARING CLOSED: 10:10 A.M.

MOTION: I MOVE TO APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$4,744.12; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0905-011 E. 1147 Berrington Road, Chico, APN 039-090-048 - This property was abated May 23 - 27, 2008 -action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$2,887.64; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES. HE REPORTED THAT THE PROPERTY OWNER MADE PAYMENT ON THE COSTS OF THE ABATEMENT AND THERE WAS NO BOARD ACTION NEEDED.

NO ACTION WAS TAKEN.

0905-012 F. 3431 Hoffman Road, Concow, APN 058-310-016 - This property was abated November 5 - 6, 2008 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$7,110.48; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

PUBLIC HEARING OPENED: 10:13 A.M.
PUBLIC HEARING CLOSED: 10:13 A.M.

MOTION: I MOVE TO APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$7,110.48; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

2 M

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0905-013 G. 1645 20th Street, Oroville, APN - 030-071-028 - This property was abated between June 20 - 24, 2008 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$2,719.55; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES.

PUBLIC HEARING OPENED: 10:14 A.M.
PUBLIC HEARING CLOSED: 10:25 A.M.

ONE OF THE PROPERTY OWNERS, DENNIS JOHNSON ADDRESSED THE BOARD.

MOTION: I MOVE TO APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$2,719.55; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

2 M
VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0905-014 H. 5855 Pine Canyon Drive, Magalia, APN 066-360-033 - After the hearing officer's decision, the property was self-abated by the property owner between July 7 - September 16, 2008 - action requested - APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$2,700.29; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED. (Development Services)

AT THE REQUEST OF THE PROPERTY OWNER, MR. POPPLEREITER, THIS HEARING WILL BE CONTINUED TO MARCH 24, 2009 AT 9:55.

NO ACTION WAS TAKEN AT THIS TIME.

- 0905-015 Public Hearing - Annual Adjustment of Development Impact Fees - approval is requested for the adoption of the following three (3) ordinances:
- A. Adoption of an Ordinance Amending Sections 3-15, 3-175, 3-194, 3-213, 3-232, 3-251 and 3-270 of Chapter 3 of the Butte County Code - This ordinance will adjust Countywide Development Impact Fees as detailed in the agenda report; and
 - B. Adoption of an Ordinance Amending Sections 3-164 of Chapter 3 and Section 10-33.5 of Chapter 10 of the Butte County Code - This ordinance will adjust the North Chico Specific Plan Fees and Chico Urban Area Street Facilities Fees as detailed in the agenda report; and
 - C. Adoption of an Ordinance Amending Section 3-103(c) of Chapter 3 of the Butte County Code - This ordinance will adjust the Chico Storm Drainage Master Plan Area Storm Drainage Fees as detailed in the agenda report - action requested - ADOPT ORDINANCES (3) 3997, 3998, and 3999 AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office and Public Works)

PRESENTATION BY DAN BLAIR, SENIOR MANAGEMENT ANALYST AND STUART EDELL FROM PUBLIC WORKS.

PUBLIC HEARING OPENED: 10:35 A.M.
 PUBLIC HEARING CLOSED: 10:35 A.M.

MOTION: I MOVE TO ADOPT ORDINANCES (3) AND AUTHORIZE THE CHAIR TO SIGN.
 2 M
 VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

REGULAR AGENDA

0905-016 American Economic Recovery and Reinvestment Act - Federal Economic Stimulus Package - a report will be given that will provide a summary of the types of funding that have been approved by Congress and what funding may be available to Butte County. A list of projects and programs that may benefit from the economic stimulus plan will be provided in the report - action requested - ACCEPT FOR INFORMATION; APPROVE LIST, AMENDING AS NEEDED; AND AUTHORIZE STAFF TO PURSUE AVAILABLE ECONOMIC STIMULUS FUNDING FROM BOTH THE FEDERAL AND STATE GOVERNMENTS. (Chief Administrative Office)

REPORT BY SHARI MCCRACKEN, DEPUTY ADMINISTRATIVE OFFICER AND MIKE CRUMP, DIRECTOR OF PUBLIC WORKS.

MOTION: I MOVE TO ACCEPT FOR INFORMATION; APPROVE LIST, AMENDING AS NEEDED; AND AUTHORIZE STAFF TO PURSUE AVAILABLE ECONOMIC STIMULUS FUNDING FROM BOTH THE FEDERAL AND STATE GOVERNMENTS.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0905-017 ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION.

1. Debra Villasenor - amendment - approval is requested for an amendment to the sole source agreement with Debra Villasenor for the development of plans for the use of Mental Health Services Administration Housing funds for the benefit of Behavioral Health clients. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$36,000 (department budget utilizing MHSA funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

THIS ITEM WAS PULLED FROM THE CONSENT AGENDA BY RUDY JENKINS FOR DISCUSSION ON THE REGULAR AGENDA.

RUDY JENKINS ADDRESSED THE BOARD.

ED WALKER, INTERIM DIRECTOR OF BEHAVIORAL HEALTH ADDRESSED THE BOARD.

MOTION: I MOVE TO APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

2. Proposition 63 - Mental Health Services Act (MHSA) Capital Facilities and Information Technology (IT) Plan - submitted is the MHSA Capital Facilities and IT Plan which details a strategy to modernize and transform clinical and administrative systems to improve quality of care, operational efficiency, and cost effectiveness; and also provides tools for increasing client and family access to health information - action requested - ACCEPT FOR INFORMATION.

THIS ITEM WAS PULLED FROM THE CONSENT AGENDA BY SUPERVISOR DOLAN FOR DISCUSSION ON THE REGULAR AGENDA.

ED WALKER, INTERIM DIRECTOR OF BEHAVIORAL HEALTH ADDRESSED THE BOARD.

MOTION: I MOVE TO ACCEPT FOR INFORMATION.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

PUBLIC HEARINGS AND TIMED ITEMS

0905-018 Public Hearing - Resolution Adopting a Maximum Load Posting for the Bridge on Central House Road Crossing Wyman Ravine, State Bridge No. 12C-0111 - After required biennial inspections of bridges under County jurisdiction, Caltrans Area Bridge Maintenance Engineers have determined that the Maximum Load Posting for the bridge on Central House Road Crossing Wyman Ravine shall be revised from "22 tons per Truck, 34 tons per Semi-Trailer Combination, 34 tons per Truck and Full Trailer" to "20 tons per Truck, 31 tons per Semi-Trailer Combination, 38 tons per Truck and Full Trailer" - action requested - ADOPT RESOLUTION 09-031 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

PRESENTATION BY MIKE CRUMP, DIRECTOR OF PUBLIC WORKS.

PUBLIC HEARING OPENED: 11:07 A.M.
PUBLIC HEARING CLOSED: 10:08 A.M.

MOTION: I MOVE TO ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

0905-019 Public Hearing - Resolution of Necessity Regarding Acquisition of Real Property or Interest in Real Property by Eminent Domain for Public Road Purposes; Road Construction (Code of Civil Procedure Section 1245.230(a)), Skyway Road FH-171 Highway Project, Project No. CA PFH 171-1(1) - consideration of eight (8) resolutions of necessity to acquire necessary rights-of-way for the following properties: 1) 059-140-007; 2) 059-180-031; 3) 060-100-041; 4) 059-180-036; 5) 059-180-028; 6) 059-180-034; 7) 060-100-047; and 8) 060-100-051 - action requested - ADOPT RESOLUTIONS (8) AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)

PRESENTATION BY MIKE CRUMP, DIRECTOR OF PUBLIC WORKS AND STU EDELL.

MR. CRUMP REQUESTED THAT THE PROPERTY FOR 059-180-036 (#4 ABOVE) BE REMOVED FROM THIS ACTION TODAY. THE DEPARTMENT IS STILL NEGOTIATING WITH THE OWNER OF THAT PROPERTY.

THE FOLLOWING MEMBERS OF THE PUBLIC ADDRESSED THE BOARD: MAGGIE HILL.

PUBLIC HEARING OPENED: 11:17 A.M.
PUBLIC HEARING CLOSED: 11:22 A.M.

MOTION: I MOVE TO ADOPT RESOLUTIONS (7) 09-024 through 09-030 AND AUTHORIZE THE CHAIR TO SIGN. (THE RESOLUTION FOR APN 059-180-036 WAS NOT APPROVED DUE TO ONGOING NEGOTIATIONS)

2 M
VOTE: 1 Y 2 Y 3 Y 4 N 5 Y (MOTION CARRIED 4-1)

0905-020 PUBLIC COMMENT

Richard Meyers addressed the Board regarding the State Mining and Geology Board.

CLOSED SESSION

0905-021 **THE BOARD RECESSED AT 11:30 A.M. TO CLOSED SESSION REGARDING:**

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): THREE CASES

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. COUNTY OF BUTTE V. DLR (BUTTE COUNTY SUPERIOR COURT CASE NO. 137233);
3. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION(NIGC); CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA.

PUBLIC EMPLOYEE EMPLOYMENT, PERFORMANCE EVALUATIONS, INCLUDING: GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957:

1. AGRICULTURAL COMMISSIONER
2. BEHAVIORAL HEALTH DIRECTOR/INTERIM DIRECTOR
3. INTERIM 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 RESOURCE CONSERVATION DIRECTOR.

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

LABOR NEGOTIATORS: BILL AVERY/LAURA BRUNSON

EMPLOYEE ORGANIZATION: BCEA, BCMEA, CWA, DSA -
MANAGEMENT/SUPERVISORY UNIT, DSA -
GENERAL UNIT, BCCOA - SUPERVISORY
UNIT, BCCOA - GENERAL UNIT, PPOA, AND
PEA.

INITIATION OF LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(c) -
ONE POTENTIAL CASE.

THE BOARD RECONVENED AT 1:45 P.M. TO CLOSED SESSION REGARDING:

ACTUAL LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(a): THREE
CASES

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. COUNTY OF BUTTE V. DLR (BUTTE COUNTY SUPERIOR COURT CASE
NO. 137233);
3. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION(NIGC); CASE
NO. 08-519 USDC - DISTRICT OF COLUMBIA.

PUBLIC EMPLOYEE EMPLOYMENT, PERFORMANCE EVALUATIONS, INCLUDING:
GOALS, PURSUANT TO GOVERNMENT CODE SECTION 54957:

1. AGRICULTURAL COMMISSIONER
2. BEHAVIORAL HEALTH DIRECTOR/INTERIM DIRECTOR
3. INTERIM 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 RESOURCE CONSERVATION DIRECTOR.

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

LABOR NEGOTIATORS: BILL AVERY/LAURA BRUNSON

EMPLOYEE ORGANIZATION: BCEA, BCMEA, CWA, DSA -
MANAGEMENT/SUPERVISORY UNIT, DSA -
GENERAL UNIT, BCCOA - SUPERVISORY
UNIT, BCCOA - GENERAL UNIT, PPOA, AND
PEA.

INITIATION OF LITIGATION PURSUANT TO GOV. CODE SEC. 54956.9(c) -
ONE POTENTIAL CASE. (No Announcements)

PUBLIC HEARINGS AND TIMED ITEMS

0905-022 Timed Item - Update on Butte County Wastewater Program - Staff will provide a report on the progress of the establishment of a comprehensive wastewater program that will provide regulatory oversight for meeting current and future infrastructure needs - action requested -

- 1) ACCEPT INFORMATION ON INDIVIDUAL ON-SITE WASTEWATER ORDINANCE AND MANUAL; AND
- 2) PROVIDE DIRECTION ON THE PROPOSED ESTABLISHMENT OF A COUNTY SERVICE AREA TO SERVE AS THE COUNTY'S MANAGEMENT ENTITY FOR ITS COMMUNITY WASTEWATER SYSTEMS AND DIRECT STAFF TO ADDRESS THE CUMULATIVE GROWTH IMPACTS IN THE BUTTE COUNTY GENERAL PLAN 2030 PROCESS; AND
- 3) PROVIDE DIRECTION REGARDING THE AREAS IN WHICH THE PROPOSED COMMUNITY WASTEWATER ORDINANCE WILL BE APPLICABLE AND DIRECT THE PROPOSED COMMUNITY WASTEWATER SYSTEMS MANAGEMENT ENTITY BE CONSISTENT WITH THE GENERAL PLAN 2030 PREFERRED LAND USE ALTERNATIVE; AND
- 4) APPROVE THE PROPOSED TIMELINE AS DETAILED IN THE AGENDA REPORT FOR COMPLETION OF THE COMMUNITY WASTEWATER ORDINANCE AND THE ESTABLISHMENT OF A COMMUNITY WASTEWATER SYSTEMS MANAGEMENT ENTITY. (Departments of Public Health, Public Works, and Development Services)

THE FOLLOWING STAFF MEMBERS PROVIDED REPORTS: MIKE CRUMP, DIRECTOR OF PUBLIC WORKS; PHYLLIS MURDOCK, DIRECTOR OF PUBLIC HEALTH; BRAD BANNER, DIRECTOR OF ENVIRONMENTAL HEALTH; CHUCK THISTLEWAITE, PLANNING MANAGER.

GREG GHIRONZI OF NBS CONSULTANTS PROVIDED A REPORT. (*2098)(2:26:55)

MOTION: I MOVE TO ACCEPT INFORMATION ON INDIVIDUAL ON-SITE WASTEWATER ORDINANCE AND MANUAL; AND 2) REGARDING THE ESTABLISHMENT OF A MANAGEMENT ENTITY: DIRECT STAFF TO PROCEED WITH A SANITATION DISTRICT UNLESS STAFF DEMONSTRATES THAT THERE ARE FINANCIAL ADVANTAGES TO DEVELOPING A BUDGET WITH A CSA; AND 3) DIRECT THAT THE APPLICABLE AREAS OF THE PROPOSED COMMUNITY WASTEWATER ORDINANCE BE THE GROWTH AREAS OF THE PREFERRED LAND USE ALTERNATIVES OF THE GENERAL PLAN; AND 4) APPROVE THE PROPOSED TIMELINE AS DETAILED IN THE AGENDA REPORT FOR COMPLETION OF THE COMMUNITY WASTEWATER ORDINANCE AND THE ESTABLISHMENT OF A COMMUNITY WASTEWATER SYSTEMS MANAGEMENT ENTITY AND ANCILLARY CEQA REVIEW.

M 2

VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 2:55 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, MARCH 3, 2009 AT 9:00 A.M.

BILL CONNELLY, CHAIR
BUTTE COUNTY BOARD OF SUPERVISORS

ATTEST:

Gregory G. Iturria, Interim Chief Administrative
Officer and Clerk of the Board

By: _____