

# BUTTE COUNTY BOARD OF SUPERVISORS

## MINUTES

MARCH 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.

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0907-001 CORRECTIONS AND/OR CHANGES TO THE AGENDA. (None)

0907-002 ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION.

1. Oroville Cemetery District - action requested - APPOINT ERIC H. RAMSEY TO A TERM TO END JANUARY 1, 2011. (Supervisor Connelly)(Board of Supervisors)

SUPERVISOR CONNELLY REQUESTED THIS ITEM BE REMOVED. IT WILL RETURN ON A FUTURE AGENDA.

2. Recommended Adjustments to the Fiscal Year (FY) 2008/2009 Budget - approval is requested for two adjustments to the FY 2008/2009 budget. The Elections budget contains a \$1,274,636 revenue gap caused by budgetary timing and reimbursement for the FY 2007/2008 special election costs. The FY 2007/2008 year-end General Fund balance inadvertently included \$136,490 of funds deposited with Development Services in FY 2007/2008 for the "Las Plumas Master Environmental Assessment" project. This revenue will not be realized for FY 2008/2009 as it has already been received as revenue for FY 2007/2008. The Board's approval of this action will leave a remaining balance of \$600,977 in Appropriations for Contingencies - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

SUPERVISOR KIRK REQUESTED THIS ITEM BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

3. Superior Court of California, County of Butte - approval is requested for the Fiscal Year 2008/2009 services agreement with the Superior Court of California, County of Butte. The agreement identifies the service to be provided, the method of service delivery, the term of the agreement which is July 1, 2008 through June 30, 2009, the anticipated services outcome, and the cost of services to be provided - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)

SUPERVISOR KIRK REQUESTED THIS ITEM BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

4. Resolution to Amend the Salary Ordinance (Item 3.25) -

SUPERVISOR DOLAN AND RUDY JENKINS REQUESTED THIS ITEM BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

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**CONSENT AGENDA**

- 0907-003 1. State of California Department of Rehabilitation (DOR) - approval is requested for an agreement with DOR for the provision of vocational rehabilitation services to mutual clients receiving services from the Butte County Department of Behavioral Health (BCDBH) and DOR. The term of the agreement is January 1, 2009 through June 30, 2011 with a maximum amount payable of \$250,000 (department budget utilizing MHA funding) - action requested - APPROVE AGREEMENT SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RELATED RESOLUTION 09-034 WHICH AUTHORIZES THE DIRECTOR OF BEHAVIORAL HEALTH TO SIGN AGREEMENT AND CERTAIN AMENDMENTS AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
2. Superior Court of California, County of Butte - approval is requested for a revenue agreement with the Superior Court for the provision of Alcohol and Drug Services and substance abuse testing for clients involved in Prop 36 Treatment Court. The term of the agreement is July 1, 2008 through June 30, 2009 with a maximum amount receivable of \$44,000 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

3. Crestwood Behavioral Health, Inc. - amendment - approval is requested for an amendment to the sole source agreement with Crestwood Behavioral Health, Inc. for the provision of Institutions for Mental Disease (IMD) and Enhancement Services. There is an increased need for placement of clients. The amendment increases the maximum amount payable by \$141,484.20 (department budget utilizing realignment funds)- action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
4. Youth with a Mission - amendment - approval is requested for an amendment to the agreement with Youth with a Mission for the Reach for the Future Conference due to an increased number of registrants. The amendment increases the maximum amount payable by \$5,591.04 (department budget utilizing grant revenue)-action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
5. Caminar, Inc. - amendment - approval is requested for an amendment to the agreement with Caminar, Inc. in order to extend the vocational services program Rehabilitation of our Friends (ROOF) through June 30, 2009. The amendment increases the maximum amount payable by \$87,161.54 (department budget utilizing realignment funding) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
6. Butte County Behavioral Health Board - action requested - APPOINT ERIC ALMQUIST AS A COMMUNITY MEMBER TO A TERM TO END DECEMBER 31, 2011. (Behavioral Health)
7. Substance Abuse and Mental Health Services Administration (SAMHSA) Grant for Fiscal Year (FY) 2008/2009 - The SAMHSA Block Grant funds are to be used to provide integrated services to adults and children who are at risk of or currently suffering from substance abuse or serious mental health issues. The FY 2008/2009 award to Butte County will be \$339,416. The term of the agreement is July 1, 2008 through June 30, 2009 - action requested - APPROVE THE REQUEST FOR CONTINUED FUNDING AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
8. Department of Alcohol and Drug Programs - Safe and Drug Free Schools and Communities - approval is requested for a revision to this revenue agreement in order to allocate funding for FY 2008/2009, which is Project Year 2. The amount receivable for Project Year 2 is \$220,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

9. Approval of Minutes - action requested - APPROVE MINUTES FROM MARCH 3, 2009 BOARD OF SUPERVISORS MEETING. (Chief Administrative Office)
10. Introduction of an Ordinance Amending Chapter 8 of the Butte County Code Relating to Emergency Services - consideration of an ordinance which will change the name of the Butte County Office of Emergency Services to the Butte County Office of Emergency Management in order to remain consistent with the California Emergency Management Agency, formerly called the State Office of Emergency Services. The ordinance also contains minor changes to be consistent with State and Federal emergency response guidelines - action requested - WAIVE FIRST READING OF THE ORDINANCE. (Chief Administrative Office)
11. Annual Audit Reports for Fiscal Year (FY) 2007/2008 - submitted are the Comprehensive Annual Financial Report, the Single Audit Report, and the Independent Accountant's Report for the Appropriations Limit Calculation for the FY ending June 30, 2008 - action requested - ACCEPT FOR INFORMATION. (Chief Administrative Office)
12. 2008 DNA Identification Fund Report - pursuant to Government Code Section 76104.6, submitted is the 2008 DNA Identification Fund Report. The report includes the total fines collected, allocated, and expended for each authorized program under the DNA Fingerprint, Unsolved Crime and Innocence Protection Act. The County is required to submit the report to the Legislature and the Department of Justice by April 1 each year - action requested - ACCEPT REPORT FOR INFORMATION. (Chief Administrative Office)
13. Butte County Department of Development Services (DDS) - approval is requested for a Plan of Cooperation with DDS in order to utilize the services of a Code Enforcement Officer for early intervention services in the collection of child support owed by non-custodial parents. The term of the agreement is March 1, 2009 through June 30, 2009 with a maximum payable to DDS of \$30,000 (salary savings within CSS budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFERS AS DETAILED IN THE AGENDA REPORT. (Child Support Services)

14. A Matter on Which a Public Hearing Has Been Held and a Motion of Intent Adopted - Appeal of Six Conditions of Approval on Tentative Parcel Map (TPM) 06-09 (Hennigan) - At the January 27, 2009 Board of Supervisors meeting, the Board considered the appeal of six conditions of approval on TPM06-09 (Hennigan). The Board made a motion of intent with findings to: 1) deny in part the appeal, by maintaining Condition 20 with some modifications, and; 2) grant in part the appeal, modifying conditions 15, 17, 18, 25, and 28 as requested. Staff has incorporated the changes to the conditions of approval and corresponding findings as detailed in the resolution provided with the agenda report - action requested - ADOPT RESOLUTION 09-035 GRANTING IN PART AND DENYING IN PART THE APPEAL BY THE APPLICANT AND AUTHORIZE THE CHAIR TO SIGN. (Development Services)
15. Adoption of an Ordinance Amending Section 32A-7 of Chapter 32A of the Butte County Code - consideration of an ordinance which will amend Chapter 32A of the Butte County Code to allow travel time in cost recovery and to clarify administrative costs - action requested - -action requested - ADOPT ORDINANCE No. 4000 AND AUTHORIZE THE CHAIR TO SIGN. (FROM 3-3-09 [Item 4.05])(Development Services)
16. State Department of Toxic Substances Control (DTSC) - amendment - approval is requested for an agreement amendment with DTSC for the District Attorney to assist in the enforcement of laws and regulations governing the generation, storage, transportation, and disposal of hazardous waste. The amendment extends the term of the agreement through March 14, 2011 and increases the maximum amount receivable by \$311,463 -action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT. (District Attorney)
17. Resolution Recognizing March 2009 as Social Work Month in Butte County - action requested - ADOPT RESOLUTION 09-036 AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)

18. Transitional Housing Placement - Plus (THP-Plus) Program - approval is requested for amendments to three agreements for the provision of the THP-Plus program, which was established by the State to provide affordable housing and comprehensive supportive services for youths transitioning out of foster care and probation. The State of California is providing increased allocations for the (THP-Plus) Program for FY 2008-2009. The amendment with Northern California Youth and Family Programs increases the maximum amount payable by \$25,980. The amendments with Youth for Change and Remi Vista, Inc. increase the maximum amount payable on each agreement by \$2,580 - action requested - APPROVE AGREEMENT AMENDMENTS (3) AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT. (Employment and Social Services)
19. Butte County Department of Behavioral Health (BCDBH) - amendment - approval is requested for an amendment to the agreement with BCDBH for the provision of alcohol and other drug, mental health, substance abuse, and domestic services for CalWORKS participants. The amendment increases the maximum amount payable by \$102,474 (unanticipated revenue from the State of California) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT. (Employment and Social Services)
20. In-Home Supportive Services Advisory Committee - action requested - APPOINT ROBIN KEEHN AND LAURA FUNKHOUSER TO TERMS TO END DECEMBER 19, 2011. (Employment and Social Services)
21. Surplus Vehicles and Equipment - approval is requested to declare surplus a total of twenty-three items which include vehicles and equipment. Various departments requested the disposal of the vehicles and equipment which are described in the agenda report. An auction of this equipment through Ramay Auctions proceeded Board authorization, therefore, this action requires ratification. A total of \$32,450 in revenue was received through the auction - action requested - DECLARE VEHICLES AND EQUIPMENT SURPLUS AND RATIFY THE DISPOSITION BY THE PURCHASING AGENT. (General Services)
22. Resolution Recognizing Shirley Ekroll for 55 Years of Service to the Butte County Libraries - action requested - ADOPT RESOLUTION 09-037 AND AUTHORIZE THE CHAIR TO SIGN. (Library)

23. Library Donations - pursuant to Government Code Section 2535, donations of \$600 from the Oroville Friends of the Library; \$3,400 from Chico Friends of the Library; \$2,400 from Paradise Friends of the Library; \$1,000 from Loy Brayley and Joan Regan; and \$171 from an anonymous source have been received for Books; \$471.60 Paradise Friends of the Library; and \$100 from Oroville Friends of the Library for operations - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION. (Library)
24. Category Five Professional Consultants, Inc. - approval is requested for a sole source agreement with Category Five Professional Consultants, Inc. for the development and/or update of plans for effective operation during and after emergencies such as natural disasters, terrorist attacks, hazardous material releases, and pandemics as required by the California Department of Public Health-Emergency Preparedness Office and the Centers for Disease Control. The term of the agreement is February 24, 2009 through July 31, 2009 with a maximum amount payable of \$55,845 (grant funded) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Health)
25. California Family Health Council, Inc. (CFHC) - approval is requested for a revenue agreement with CFHC for family planning services. The term of the agreement is January 1, 2009 through December 31, 2009 with a maximum amount receivable of \$124,617 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Health)
26. Accept Unanticipated Revenue - approval is requested to accept and appropriate \$87,441 in unanticipated revenue from the State of California. Appropriations must be spent by August 9, 2009 and will be used for the following programs: Federal Pandemic Influenza, CDC Emergency Preparedness, and the Hospital Preparedness Program (HPP) - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT. (Public Health)

27. California Department of Public Health - amendments - approval is requested for the following three (3) amendments to agreements with the State for a variety of AIDS related services under Master Agreement 07-65042: 1) Early Intervention Program - decreases the maximum amount receivable by \$1,900; 2) HIV/AIDS Surveillance Program - decreases the maximum amount receivable by \$1,435; and 3) HIV/AIDS Counseling and Testing Program - decreases the maximum amount payable by \$12,118. The total decrease in revenue for FY 2008/2009 is \$15,453 - action requested - APPROVE MASTER AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; APPROVE THREE (3) RELATED AMENDMENTS TO PROGRAMS AND AUTHORIZE THE DIRECTOR OF PUBLIC HEALTH TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET TRANSFER DECREASING REVENUE AND APPROPRIATIONS AS DETAILED IN THE AGENDA REPORT. (Public Health)
28. Resolution for Acquisition of Real Property for Public Road Purposes and Temporary Construction Easements for the Lower Wyandotte Road Safe Routes to School Project, Butte County Project Number 23513-06-01 - consideration of a resolution authorizing the Director of Public Works to negotiate and enter into agreements with landowners of the properties adjacent to the project. The temporary easements would only be required until construction is complete - action requested - ADOPT RESOLUTION 09-038 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
29. Resolution for Acquisition of Real Property for Public Road Purposes and Temporary Construction Easements for the Monte Vista Avenue Safe Routes to School Project, Butte County Project Number 23521-07-01 - consideration of a resolution authorizing the Director of Public Works to negotiate and enter into agreements with landowners of the properties adjacent to the project. The temporary easements would only be required until construction is complete - action requested - ADOPT RESOLUTION 09-039 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works)
30. URS Corporation - amendment - approval is requested for an amendment to the agreement with URS for the provision of environmental monitoring and reporting for Neal Road Sanitary Landfill. The amendment extends the term of the agreement through January 31, 2010 and increases the maximum amount payable by \$12,004 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Works)

31. Budget Transfer - approval is requested for a \$421,854 budget transfer from the Roads and Bridges Countywide Impact Fund to the Public Works Road fund to provide reimbursement for two recently completed traffic signal projects - action requested - APPROVE BUDGET TRANSFER ACCEPTING AND APPROPRIATING REVENUE AS DETAILED IN THE AGENDA REPORT. (Public Works)
32. California Department of Boating and Waterways (DBAW) - approval is requested for a revenue agreement with DBAW for the provision of safety education and enforcement on Butte County Waterways. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount receivable of \$159,342 - action requested - APPROVE AGREEMENT SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER AND AUTHORIZE THE SHERIFF OR HIS DESIGNEE TO SIGN THIS AGREEMENT AND ALL OTHER DOCUMENTS RELATED TO THIS GRANT; AND ADOPT RELATED RESOLUTION 09-040 AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff-Coroner)
33. Letter Regarding the Non-Payment of Funding for Work Completed Under Proposition 50 - approval is requested for the department to send a letter to the State Department of Water Resources (DWR) regarding the economic hardship to Butte County associated with the stop-work orders issued by the State for bond-funded projects and to encourage payment - action requested - AUTHORIZE THE DIRECTOR OF WATER AND RESOURCE CONSERVATION TO SEND LETTER TO DWR. (Water and Resource Conservation)
34. Recommendation of the Butte County Water Commission to Submit an Application to the CALFED Science Program - consideration of a resolution which will authorize an application to the CALFED Science Program to fund a pilot project of the Environmental Monitoring Program -action requested - ADOPT RESOLUTION 09-041 AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE DIRECTOR OF WATER AND RESOURCE CONSERVATION TO PREPARE AND SIGN ALL NECESSARY DOCUMENTS FOR SUBMITTAL OF THE APPLICATION. (Water and Resource Conservation)
35. Resolution Recognizing April 2009 as Sexual Assault Awareness Month - action requested - ADOPT RESOLUTION 09-042 AND AUTHORIZE THE CHAIR TO SIGN. (Other Departments and Agencies)
36. Resolution Designating the Friends of the Arts-Butte County, a Program of the 501C Upstate Community Enhancement Foundation, as the Local Partner for the California Arts Council's State-Local Partnership Program - consideration of a request from the California Arts Council that the Board renew its designation of the Friends of the Arts-Butte County as the local arts agency for the purpose of participating in the State-Local Partnership Program - action requested - ADOPT RESOLUTION 09-043 AND AUTHORIZE THE CHAIR TO SIGN. (Other Departments and Agencies)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA, WITH THE EXCEPTION OF ITEMS 3.13, 3.15, 3.25 WHICH HAVE BEEN REMOVED FOR DISCUSSION ON THE REGULAR AGENDA AND ITEM 3.09 WHICH WILL BE REMOVED FROM THIS AGENDA AND WILL RETURN ON A FUTURE AGENDA.

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

REGULAR AGENDA

0907-004 Boards, Commissions and Committees.

- 1. Appointments to Listed Vacancies. (None)
- 2. Board Member or Committee Reports.

SUPERVISOR YAMAGUCHI REPORTED ON HIS ATTENDANCE AT A REGIONAL COUNCIL OF RURAL COUNTIES.

0907-005 PRESENTATION OF RESOLUTIONS ADOPTED ON THE CONSENT AGENDA:

- 1. RESOLUTION RECOGNIZING MARCH 2009 AS SOCIAL WORKER MONTH. CATHI GRAMS, DIRECTOR OF DEVELOPMENT SERVICES ACCEPTED THE RESOLUTION.
- 2. RESOLUTION RECOGNIZING SHIRLEY EKROLL FOR 55 YEARS OF SERVICE. SHIRLEY EKROLL ACCEPTED THE RESOLUTION AND THANKED THE BOARD.
- 3. RESOLUTION RECOGNIZING APRIL 2009 AS SEXUAL ASSAULT AWARENESS MONTH. THE RESOLUTION WAS ACCEPTED BY NICHOLAS SIMONE, A REPRESENTATIVE FROM RAPE CRISIS.

0907-006 Boards, Commissions and Committees. (CONTINUED)

- 2. Board Member or Committee Reports.

BRUCE ALPERT, COUNTY COUNSEL REPORTED THAT HE AND THE FERC SUBCOMMITTEE (CHAIR CONNELLY AND SUPERVISOR LAMBERT) MET WITH FEDERAL LEGISLATORS IN WASHINGTON D.C.

SUPERVISOR LAMBERT REPORTED HE AND REPRESENTATIVES FROM SUTTER COUNTY MET WITH FEMA REPRESENTATIVES IN WASHINGTON D.C.

CHAIR CONNELLY REPORTED ON HIS ATTENDANCE AT THE NATIONAL ASSOCIATION OF COUNTIES (NACO) MEETING IN WASHINGTON D.C.

CHAIR CONNELLY REPORTED THAT HE ATTENDED THE CSAC EXECUTIVE BOARD MEETING WHERE THE MAY 19 SPECIAL ELECTION BALLOT MEASURES WERE DISCUSSED.

CHAIR CONNELLY REPORTED THAT HE MET WITH GOVERNOR SCHWARZENEGGER'S STAFF TO REQUEST THE HIGHEST FEMA DECLARATION POSSIBLE FOR THE FIRES IN BUTTE COUNTY 2008.

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0907-007 Update on Current Budget and Legislative Issues by the Interim Chief Administrative Officer.

GREGORY G. ITURRIA, INTERIM CHIEF ADMINISTRATIVE OFFICER REPORTED THAT THE STATE OF CALIFORNIA IS PROJECTING A \$8 BILLION BUDGET DEFICIT EVEN IF THE BALLOT MEASURES IN THE MAY 2009 SPECIAL ELECTION PASS. HE STATED THE STATE IS ESTIMATING A \$13 BILLION OR MORE DEFICIT IF THE BALLOT MEASURES DO NOT PASS.

MR. ITURRIA DID REPORT THAT HE WILL PROVIDE A COMPLETE UPDATE ON THE BUTTE COUNTY BUDGET WILL BE DISCUSSED DURING THE SCHEDULED 1:30 TIMED ITEM ON THIS AGENDA.

0907-008 Update of General Plan 2030 Process by Director-Development Services.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED AN UPDATE TO THE BOARD ON THE GP 2030 PROCESS.

HE REQUESTED THAT THE BOARD SCHEDULE A SESSION THAT COULD TAKE AT LEAST A COUPLE OF HOURS AT A FUTURE MEETING TO DISCUSS THE GENERAL PLAN PREFERRED LAND USE ALTERNATIVE MAP, DRAFT 2. THE BOARD REQUESTED A SPECIAL MEETING BE SET FOR THIS ITEM.

AFTER THIS MEETING, IT WAS DETERMINED THAT THE SPECIAL MEETING WILL BE HELD ON TUESDAY, APRIL 14, 2009 AT 9:00 A.M. IN THE BOARD OF SUPERVISORS CHAMBERS.

PUBLIC HEARINGS AND TIMED ITEMS

0907-009 Public Hearing - Adoption of an Ordinance Amending Chapter 2 Administration; Chapter 3 Fees; Chapter 4 Animals; Chapter 11 Junk Dealers, Pawnbrokers and Secondhand Dealers; Chapter 23-C Registration Requirements for Commercial Weighing and Measuring Instruments; Chapter 36 Incarceration; Chapter 40 Alarm Systems; and Chapter 43 Public Health Department Fees of Butte County Code - consideration of the following: 1) an ordinance to remove existing fee tables and reference a new Master Fee Schedule; 2) a resolution to establish a New Master Fee Schedule with existing fees; and 3) a resolution to amend the Butte County Master Fee Schedule with proposed fee revisions - action requested - ADOPT ORDINANCE NO. 4001 AND AUTHORIZE THE CHAIR TO SIGN; ADOPT RELATED RESOLUTIONS (2) NOS. 09-044 AND 09-045 ESTABLISHING A NEW COMPREHENSIVE MASTER FEE SCHEDULE WITH EXISTING FEES AND ADOPTING PROPOSED FEE REVISIONS. (Chief Administrative Office)

PRESENTATION BY SEAN FARRELL, DEPUTY CHIEF FINANCIAL OFFICER AND KEVIN TAGGART, MANAGEMENT ANALYST. (40:31:00)

PUBLIC HEARING OPENED: 10:56 A.M.  
 PUBLIC HEARING CLOSED: 10:56 A.M.

MOTION: I MOVE TO ADOPT ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN; ADOPT RELATED RESOLUTIONS (2) ESTABLISHING A NEW COMPREHENSIVE MASTER FEE SCHEDULE WITH EXISTING FEES AND ADOPTING PROPOSED FEE REVISIONS. (52:47:00)

2 M

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

0907-010 Continued Public Hearing - Itemized Cost of Nuisance Abatement for Property Located at 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. (Continued Open on 2-24-09 [Item 5.01-H]) (Development Services)

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES AND ROY WALLIS, CODE ENFORCEMENT OFFICER.

THE PROPERTY OWNER ADDRESSED THE BOARD.

PUBLIC HEARING OPEN: WAS CONTINUED OPEN FROM 2-24-09.  
PUBLIC HEARING CLOSED: 10:04 A.M.

MOTION: I MOVE TO 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.

2 M

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

RECESS: 10:06 A.M.  
RECONVENE: 10:20 A.M.

**REGULAR AGENDA**

0907-011 Introduction of an Ordinance Adopting Standards for Limited Density Owner-Built Dwellings with Findings - consideration of an ordinance adding regulations for Limited Density Owner-Built Rural Dwellings as provided in Title 25 of the California Code of Regulations to Chapter 26 of the Butte County Code - action requested - action requested - WAIVE FIRST READING OF THE ORDINANCE. (Development Services)

PRESENTATION BY TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES AND SCOTT RUTHERFORD,

THE FOLLOWING MEMBERS OF THE PUBLIC ADDRESSED THE BOARD: SEAN KELTY, JOHNNY CASPER, AND SARA SALZBERG.

THE BOARD DIRECTED THAT THREE REFERENCES TO THE "PRINCIPAL RESIDENCE" ON PAGES 2, 3 AND 5 OF THE PROPOSED ORDINANCE BE CHANGED TO ONLY SHOW "RESIDENCE."

MOTION: I MOVE TO WAIVE THE FIRST READING OF THE ORDINANCE.

M 2

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

THE BOARD DIRECTED THAT THIS SUBJECT RETURN TO THE BOARD IN APPROXIMATELY ONE YEAR TO DETERMINE IF OTHER AREAS IN BUTTE COUNTY COULD QUALIFY UNDER TITLE 25.

0907-012 Butte County Fire Department Volunteer Fire Program - The Fire Department will provide a report regarding the draft Volunteer Fire Fighter Training and Response Guidelines and the progress of other Volunteer Fire Program Initiatives, including the addition of a Volunteer Fire Program Liaison who will assist the department to improve communications with the volunteers - action requested - ACCEPT FOR INFORMATION. (Fire)

PRESENTATION BY DEPUTY CHIEF GEORGE MORRIS, BUTTE COUNTY FIRE.

0907-013 Resolution for Disposition - Biggs Veterans Memorial Hall - The Biggs Veterans Memorial Hall Committee submitted a letter to the County proposing the merger of the VFW Russel Baker Post 3811 and VFW Warren H. McCutcheon Post 5731 due to declining membership. The committee is proposing they relinquish the use of and all rights to the Biggs Veterans Memorial Hall located at 280 B Street, Biggs, CA with conditions as detailed in the agenda report - action requested - ACCEPT THE LETTER FROM THE BIGGS VETERANS HALL COMMITTEE AND AGREE TO THE CONDITIONS REQUESTED IN THE LETTER; AND ADOPT THE RESOLUTION 09-046 FOR DISPOSITION OF THE BIGGS MEMORIAL HALL AND THE HALL COMMITTEE AND AUTHORIZE THE CHAIR TO SIGN. (General Services)

PRESENTATION BY RICHARDS HALL, DIRECTOR OF GENERAL SERVICES.

MOTION: I MOVE TO ACCEPT THE LETTER FROM THE BIGGS VETERANS HALL COMMITTEE AND AGREE TO THE CONDITIONS REQUESTED IN THE LETTER; AND ADOPT THE RESOLUTION FOR DISPOSITION OF THE BIGGS MEMORIAL HALL AND THE HALL COMMITTEE AND AUTHORIZE THE CHAIR TO SIGN.

M 2

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

0907-014 Update Regarding Upcoming Butte County Code Amendments.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED AN UPDATE ON THE PROGRESS OF THE CODE AMENDMENTS.

THE BOARD PROVIDED DIRECTION THAT THEY WOULD ACCEPT DRAFT MINUTES OF PLANNING COMMISSION MEETINGS WHEN A PLANNING COMMISSION ITEM IS BROUGHT BEFORE THE BOARD OF SUPERVISOR. THE ACCEPTANCE OF DRAFT MINUTES MAY POTENTIALLY DECREASE THE AMOUNT OF TIME BETWEEN THE PLANNING COMMISSION DETERMINATION AND BOARD OF SUPERVISOR DETERMINATION.

SUPERVISOR DOLAN REQUESTED THAT CODE ENFORCEMENT ADVISORY BOARD PROVIDE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS REGARDING THE ITEM RELATING TO FENCING MATERIALS (SHOWN ON PAGE 8 OF THE AGENDA REPORT)

0907-015 ITEMS REMOVED FROM THE CONSENT AGENDA FOR BOARD CONSIDERATION AND ACTION.

- 1. Recommended Adjustments to the Fiscal Year (FY) 2008/2009 Budget - approval is requested for two adjustments to the FY 2008/2009 budget. The Elections budget contains a \$1,274,636 revenue gap caused by budgetary timing and reimbursement for the FY 2007/2008 special election costs. The FY 2007/2008 year-end General Fund balance inadvertently included \$136,490 of funds deposited with Development Services in FY 2007/2008 for the "Las Plumas Master Environmental Assessment" project. This revenue will not be realized for FY 2008/2009 as it has already been received as revenue for FY 2007/2008. The Board's approval of this action will leave a remaining balance of \$600,977 in Appropriations for Contingencies - action requested -APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

SUPERVISOR KIRK REQUESTED THIS ITEM BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

SEAN FARRELL, DEPUTY CHIEF FINANCIAL OFFICER ANSWERED QUESTIONS OF THE BOARD.

CANDACE GRUBBS, CLERK-RECORDER ADDRESSED THE BOARD.

MOTION: I MOVE TO APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.

M 2

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

- 2. Superior Court of California, County of Butte - approval is requested for the Fiscal Year 2008/2009 services agreement with the Superior Court of California, County of Butte. The agreement identifies the service to be provided, the method of service delivery, the term of the agreement which is July 1, 2008 through June 30, 2009, the anticipated services outcome, and the cost of services to be provided - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)

SUPERVISOR KIRK REQUESTED THIS ITEM BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

MOTION: I MOVE TO APPROVE AGREEMENT 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)

3. Resolution to Amend the Salary Ordinance - the department has prepared a resolution which will amend the salary ordinance as follows:

COUNTY COUNSEL - requests to delete one (1) position of Chief Deputy County Counsel/Deputy County Counsel IV/Deputy County Counsel III/Deputy County Counsel II/Deputy County Counsel I; and one (1) position of Deputy County Counsel IV/Deputy County Counsel III/Deputy County Counsel II/Deputy County Counsel I. These changes will decrease the total allocated positions in budget unit 100 from 11 to 9.

ASSESSOR - requests to delete one (1) position of Assessment Clerk, Senior/Assessment Clerk; one (1) position of Supervisor, Property Appraiser/Property Appraiser, Principal; one (1) position of Property Appraiser, Senior/Property Appraiser/Property Appraisal Specialist; and one (1) position of Auditor Appraiser. These changes will decrease the total allocated positions in budget unit 080 from 43 to 39.

LIBRARY - requests to delete one (1) position of Library Assistant, Senior/Library Assistant; and one and a half (1.5) positions of Library Assistant. These changes will decrease the total allocated positions in budget unit 630 from 31.5 to 29.

GENERAL SERVICES - requests to delete one (1) position of Grounds Maintenance Worker, Senior/Grounds Maintenance Worker; and one (1) position of Building Crafts Worker, Senior/Building Crafts Worker. These changes will decrease the total allocated positions in budget unit 720 from 39 to 37.

CHIEF ADMINISTRATIVE OFFICE - requests to delete one (1) position of Administrative Assistant, Senior/Administrative Assistant; and one (1) position Management Analyst, Principal/Management Analyst, Senior/Management Analyst/Management Analyst, Associate. These changes will decrease the total allocated positions in budget unit 020 from 31 to 29.

TREASURER/TAX COLLECTOR - requests to delete one (1) position of Office Specialist, Senior/Office Specialist/Office Assistant; and one (1) position of Accounting Specialist/Account Clerk, Senior/Account Clerk. These changes will decrease the total allocated positions in budget unit 070 from 25 to 23.

PUBLIC WORKS - From budget unit 440-004, the department requests to delete one (1) position of Surveyor, Associate/Surveyor, Assistant; and one (1) position of Engineering Technician, Senior/Engineering Technician, Associate/Engineering Technician, Assistant. These changes will decrease the total allocated positions in budget unit 440-004 from 8 to 6. From budget unit 533, the department requests to delete one (1) position of Surveyor, Associate/Surveyor, Assistant; and one (1) position of Engineer Assistant, Engineering Technician, Senior/Engineering Technician, Associate/Engineering Technician, Assistant/Engineering Aide. These changes will decrease the total allocated positions in budget unit 533 from 108.75 to 106.75.

DISTRICT ATTORNEY - requests to delete one (1) position of Deputy District Attorney IV/Deputy District Attorney III/Deputy District Attorney II/Deputy District Attorney I; one (1) position of Supervisor, Information Systems Analyst/Information Systems Analyst, Principal; and one (1) position of Assistant Chief Investigator. These changes will decrease the total allocated positions in budget unit 320-001 from 83.5 to 80.5.

SHERIFF-CORONER - requests to delete one (1) position of Sheriff's Clerk III/Sheriff's Clerk II/Sheriff's Clerk I. This change will decrease the total allocated positions in budget unit 360-001 from 56 to 55.

PROBATION - requests to delete one (1) position of Administrative Analyst, Senior/Administrative Analyst/Administrative Analyst, Associate; two (2) positions of Legal Office Specialist; and one (1) position of Office Specialist, Senior/Office Specialist/Office Assistant. These changes will decrease the total allocated positions in budget unit 430-001 from 96 to 92.

PUBLIC HEALTH - requests to delete two (2) positions of Public Health Assistant, Senior/Public Health Assistant; one (1) position of Accounting Specialist/Account Clerk, Senior/Account Clerk; one (1) position of Environmental Health Specialist, Senior/Environmental Health Specialist/Environmental Health Specialist, Associate; one (1) position of Medical Records Technician, Senior/Medical Records Technician/Public Health Assistant, Senior/Public Health Assistant; one (1) position of Office Specialist, Senior/Office Specialist/Office Assistant; two (2) half time positions of Public Health Nurse, Senior/Public Health Nurse/Public Health Nurse, Associate/Staff Nurse, Senior/Staff Nurse/Staff Nurse, Associate; one and a half

(1.5) positions of Certified Nurse Practitioner/Physicians Assistant/Public Health Nurse, Senior/Public Health Nurse/Public Health Nurse, Associate; one (1) position of Administrative Assistant/Office Specialist, Senior; one (1) position of Information Systems Analyst, Senior/Information Systems Analyst/Information Systems Analyst, Associate; one (1) position of Clinic Manager; one (1) position of Community Relations Coordinator; and .80 position of Occupational Therapist, Senior/Occupational Therapist/Physical Therapist, Senior/Physical Therapist. These changes will decrease the total allocated positions in budget unit 540-011 from 176.35 to 163.05.

In addition, the department is requesting to extend the following sunset and term positions to end June 30, 2010: one (1) position of Butte County Children and Families Commission, Director; three (3) positions of Administrative Analyst, Senior/Administrative Analyst/Administrative Analyst, Associate; one (1) position of Administrative Assistant/Office Specialist, Senior; and one (1) position of Public Health Education Specialist, Senior/Public Health Education Specialist/Public Health Education Specialist, Associate. All positions have been included in the FY 2009-2010 budget and are fully funded through June 30, 2010.

EMPLOYMENT AND SOCIAL SERVICES - requests to delete one (1) position of Administrative Analyst/Administrative Analyst, Associate and one (1) position of Manager, Support Services. These changes will decrease the total allocated positions in budget unit 570-001 from 157 to 155.

INFORMATION SYSTEMS - requests to delete one (1) position of Telecommunications Specialist, Senior/Telecommunications Specialist. This change will decrease the total allocated positions in budget unit 725 from 6 to 5.

DEVELOPMENT SERVICES - requests to reduce one (1) position of Plan Check Engineer (Class Code 3305) from a one hundred percent (100%) position to an eighty percent (80%) position effective January 16, 2009. The department is also requesting to delete the following positions effective January 16, 2009: one (1) position of Office Specialist, Senior/Office Specialist/Office Assistant; two (2) positions of Permit Technician/Permit Assistant; one (1) position of Planner, Senior/Planner, Associate/Planner, Assistant; one (1) position of Supervisor, Code Enforcement; one (1) position of Building Plans Examiner; and one (1) position of Code Enforcement Officer. These changes will decrease the total allocated positions in budget unit 440-001 from 37 to 29.8.

CHILD SUPPORT SERVICES - requests to delete three (3) positions of Account Clerk, Senior/Accounting Specialist and adds two (2) positions of Child Support Specialist. These changes will better fill the needs of the department to complete case management activities. These changes will

decrease the total allocated positions in budget unit 550-001 from 111 to 110.

HUMAN RESOURCES - requests to make the following changes to the ranges of Non-Represented Classifications - Salary Plan for Classified Positions: With the exception of the Assistant Chief Probation Officer, Superintendent, Juvenile Hall and the Assistant, Treasurer Tax-Collector, certain classifications are being adjusted based on the performance measures received by their respective department heads. The Assistant Chief Probation Officer and Superintendent, Juvenile Hall salaries are being adjusted due to the contract renewal received by the Chief Probation Officer on July 15, 2008. The Assistant Treasurer Tax-Collector is being adjusted to include the CPI increase that the Treasurer Tax-Collector received in July 2008. The salaries for the following classifications that are linked to department head salaries and will be adjusted effective July 1, 2008:

REFERENCE K, NON-REPRESENTED CLASSIFICATIONS - Assistant Director, General Services- from range 69 to 71; Assistant Director, Public Works from range 75 to 77; Assistant Director, Water and Resource Conservation - from range 69 to 73; Assistant Treasurer Tax Collector) - from range 66 to 67; Assistant Chief Probation Officer - from range 73 to 74; and Superintendent, Juvenile Hall - from range 64 to 65.

In addition, concurrent with the Public Works Department's request to reclassify the position of Manager, Solid Waste (Class Code 4341) to Manager, Waste Management Division (Class Code 4340), the Human Resources Department is requesting to add the classification of Manager, Waste Management Division (Class Code 4340) to section 57, Reference F of the Salary Ordinance titled, "Management, Confidential, And Supervisory Unit". The salary range for the classification will be set at 64. The effective date of this change will be retroactive to July 22, 2008.

PUBLIC WORKS - requests to reclassify one (1) position of Manager, Solid Waste (Class Code 4341) to Manager, Waste Management Division (Class Code 4340). This reclassification was agreed to by both the Butte County Management Employee Association and the Human Resources Department. The effective date for this change will be retroactive to July 22, 2008.

AGRICULTURE - requesting to extend one (1) sunset position of Agricultural Biologist/Weights & Measures Inspector I (Class Code 1116) to end June 30, 2010. This position was included in the requested FY 2009/2010 budget and is fully funded - action requested - ADOPT RESOLUTION 09-047 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

SUPERVISOR DOLAN AND RUDY JENKINS REQUESTED THIS ITEM BE REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

LAURA BRUNSON, DIRECTOR OF HUMAN RESOURCES ADDRESSED THE BOARD.

RUDY JENKINS ADDRESSED THE BOARD.

THE BOARD DIRECTED THAT THERE BE A DISCUSSION AS SOON AS POSSIBLE TO LOOK AT CHANGING THE CURRENT PROCESS OF HOW DEPARTMENT HEADS AND ASSISTANT DEPARTMENT HEADS ARE COMPENSATED AND HOW THEIR SALARIES ARE SET. (2:27:26)

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

M 2

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

CLOSED SESSION

0907-016 THE BOARD RECESSED AT 11:46 A.M. TO CLOSED SESSION REGARDING:

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION(NIGC); CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA;
3. LIGHTNER V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 136070;
4. BORGE DEVELOPMENT V. COUNTY OF BUTTE - USDC CASE NO. 06-02228.

PUBLIC EMPLOYEE EMPLOYMENT, 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 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.

**THE BOARD RECONVENED AT 1:30 P.M. TO CLOSED SESSION REGARDING:**

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

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. BUTTE COUNTY V. NATIONAL INDIAN GAMING COMMISSION(NIGC); CASE NO. 08-519 USDC - DISTRICT OF COLUMBIA;
3. LIGHTNER V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 136070;
4. BORGE DEVELOPMENT V. COUNTY OF BUTTE - USDC CASE NO. 06-02228.

PUBLIC EMPLOYEE EMPLOYMENT, 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 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.

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CHAIR CONNELLY REQUESTED A MOMENT OF SILENCE TO REMEMBER THE FOUR OAKLAND POLICE OFFICERS WHO WERE KILLED IN THE LINE OF DUTY OVER THE WEEKEND.

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**PUBLIC HEARINGS AND TIMED ITEMS**

0907-017 Timed Item - Recommendations for Ongoing Cost Reductions - Pursuant to the most recent review of the County's revenue streams in March 2009, the Butte County General Fund has an annualized structural budget deficit of \$19.1 million due to the deepening global economic recession and reductions in State funding sources. The interim Chief Administrative Officer will provide recommendations for immediate cost reduction measures which will provide approximately \$4.4 million of the \$19.1 million in savings needed for a balanced budget. The immediate cost reduction measures include the reduction of an additional 42.3 County positions and an annualized amount of approximately \$2.5 million in contracted services for fire protection with CalFire - action requested -

- 1) DIRECT STAFF TO IMPLEMENT STAFF ALLOCATION REDUCTIONS AS PROVIDED IN ATTACHMENT A;
- 2) DIRECT STAFF TO WORK WITH CALFIRE TO REDUCE CURRENT FISCAL YEAR EXPENSES BY APPROXIMATELY \$250,000; AND
- 3) DIRECT STAFF TO WORK WITH CALFIRE TO REDUCE CONTRACT COSTS FOR FISCAL YEAR 2009/2010 BY APPROXIMATELY \$2.5 MILLION IN THE SCHEDULE-A AGREEMENT BETWEEN THE COUNTY AND CALFIRE. (Chief Administrative Office)

PRESENTATION BY GREGORY G. ITURRIA, INTERIM CHIEF ADMINISTRATIVE OFFICER.

LINDA BARNES, TREASURER-TAX COLLECTOR PROVIDED A PRESENTATION ON THE COUNTY'S CASH FLOW STATUS AND TAX REVENUE ANTICIPATION NOTES (TRANS). (35:00:00)(\*\*280)

HENRI BRACHAIS, BUTTE COUNTY FIRE CHIEF PROVIDED A REPORT TO THE BOARD. (57:37:00)(\*\*1033)

THE FOLLOWING INDIVIDUALS ADDRESSED THE BOARD: ANN ELLIOT, DARRELL WILSON, JOHNNY CASPER, NANCY PEARCE, PAMELA SAGE, JOHN REMALIA, BILL HAGGERTY, JERRY KUNKLE, GERRI BENEDICT, THOMAS KELLY, RICHARD ALLOWAY.

RECESS: 3:13 P.M.  
RECONVENE: 3:30 P.M.

THE FOLLOWING INDIVIDUALS ADDRESSED THE BOARD: JEFF BURROWS, BARBARA ST. JOHN, JAN SKINNER, SEAN FARLEY, DON SANKOVICH, (1:52:38)(\*\*3539), BOB FREELAND, GARY SHALLENBERGER, AND JOAN OLMSTEAD.

GREGORY G. ITURRIA, THE INTERIM CHIEF ADMINISTRATIVE OFFICER; BUTTE COUNTY FIRE CHIEF, HENRI BRACHAIS; DEPUTY ADMINISTRATIVE OFFICER, SHARI MCCRACKEN; DEREK WOLFGRAM, DIRECTOR OF LIBRARIES; ANDY PICKETT, DEPUTY ADMINISTRATIVE OFFICER ANSWERED QUESTIONS FROM THE BOARD. (2:16:13)(\*\*\*0)(3:03:16)(\*\*\*2586)

MOTION: I MOVE TO 1) DIRECT STAFF TO IMPLEMENT STAFF ALLOCATION REDUCTIONS AS PROVIDED IN ATTACHMENT A; 2) DIRECT STAFF TO WORK WITH CALFIRE TO REDUCE CURRENT FISCAL YEAR EXPENSES BY APPROXIMATELY \$250,000; AND 3) DIRECT STAFF TO WORK WITH CALFIRE TO REDUCE CONTRACT COSTS FOR FISCAL YEAR 2009/2010 BY APPROXIMATELY \$1.3 MILLION, NOT \$2.5 MILLION AS RECOMMENDED IN THE SCHEDULE-A AGREEMENT BETWEEN THE COUNTY AND CALFIRE.

M 2

VOTE: 1 N 2 Y 3 Y 4 N 5 N (MOTION FAILED TO CARRY 2-3)

MOTION: I MOVE TO 1) DIRECT STAFF TO IMPLEMENT STAFF ALLOCATION REDUCTIONS AS PROVIDED IN ATTACHMENT A; 2) DIRECT STAFF TO WORK WITH CALFIRE TO REDUCE CURRENT FISCAL YEAR EXPENSES BY APPROXIMATELY \$250,000; AND 3) DIRECT STAFF TO WORK WITH CALFIRE TO REDUCE CONTRACT COSTS FOR FISCAL YEAR 2009/2010 BY APPROXIMATELY \$2.5 MILLION IN THE SCHEDULE-A AGREEMENT BETWEEN THE COUNTY AND CALFIRE.

2 M

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

PUBLIC COMMENT (NONE)

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.

**ADJOURNMENT :**

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 5:15 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, APRIL 7, 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: \_\_\_\_\_