

# BUTTE COUNTY BOARD OF SUPERVISORS

## MINUTES

**JUNE 23, 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 9:00 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.

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

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0917-001 CONSENT AGENDA

1. Clean King by DeHart - approval is requested for an agreement with Clean King for the provision of Environmental Housekeeping/Janitorial services for 592 Rio Lindo Avenue, Chico. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum compensation of \$91,399.70 (department budget utilizing Realignment revenue) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
2. Counseling Solutions - amendment - approval is requested for an amendment to the agreement with Counseling Solutions for the provision of mental health services to children with full scope Medi-Cal. The amendment increases the maximum amount payable by \$98,287 for Fiscal Year 2008/2009 (department budget utilizing Federal and State Medi-Cal funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract X17317) (Behavioral Health)
3. Counseling Solutions - approval is requested for an agreement with Counseling Solutions for the provision of mental health services to children. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$253,387.40 (department budget utilizing Federal and State Medi-Cal funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

4. Gary Bess & Associates - approval is requested for this agreement for the provision of evaluation consultation services for children and families. The term of the agreement is July 1, 2009 through June 30, 2010 for a maximum amount payable of \$62,914 (department budget utilizing SAMHSA funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
5. Valley Oak Children's Services - approval is requested for this agreement for the provision of specialty mental health services to children with Medi-Cal. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$47,544.84 (department budget utilizing Federal and State Medi-Cal funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
6. James R. Glover, M.D. - amendment - approval is requested for an amendment to the agreement with James R. Glover, M.D. for the provision of psychiatric services and medical treatment. The amendment extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$227,500 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
7. Northern Valley Catholic Social Services - approval is requested for this agreement for the provision of mental health services to children from Butte County with full scope Medi-Cal who meet the criteria of medical necessity. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$1,608,107.99 (department budget utilizing Federal and State Medi-Cal funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
8. Feather River Tribal Health, Inc. - approval is requested for this agreement for the provision of mental health services to children with full scope Medi-Cal who meet the criteria of medical necessity. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$425,368.32 (department budget utilizing Federal and State Medi-Cal funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

9. Thomas Lancaster, M.D. - approval is requested for an agreement with Thomas Lancaster, M.D. for the provision of psychiatric services and medical treatment. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum payable of \$214,815 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
10. George Richard Heitzman, M.D. - approval is requested for an amendment to the agreement with George Richard Heitzman, M.D. for the provision of psychiatry services. The amendment decreases the maximum amount payable by \$22,230 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER (Contract No. X17318) (Behavioral Health)
11. Ahmed Abouesh, M.D. - approval is requested for an agreement with Ahmed Abouesh, M.D. for the provision of Electro-Convulsive Therapy treatments. The term of the agreement is from February 15, 2009 through June 30, 2009 with the maximum amount payable of \$26,000 (department budget utilizing general realignment revenue) - action requested - APPROVE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
12. Debra Villasenor - approval is requested for a sole source agreement with Debra Villasenor for the development of plans for the use of Mental Health Services Administration (MHSA) housing funds for the benefit of Behavioral Health clients. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$76,500 (department budget utilizing MHSA funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
13. Butte County Department of Employment and Social Services (DESS) - approval is requested for an agreement with DESS for the services of two part-time Eligibility Specialists who will assist Behavioral Health clients apply and receive Medical and/or CMSP benefits. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$61,975.15 (department budget utilizing MHSA funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

14. State Department of Mental Health (DMH) - Hospitalization Agreement - approval is requested for an agreement with DMH for the provision of professional and inpatient hospital services to persons who are acutely mentally ill and those persons requiring health care services. Behavioral Health is required to establish a community mental health service to cover the entire area of the county and to reimburse the State Department of Mental Health for its use of state hospital beds. The term of the agreement is July 1, 2008 through June 30, 2009. It is a zero dollar contract as County realignment funds are offset to pay the State for the use of one hospital bed - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND ADOPT RELATED 09-104 AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
15. Superior Court of California, County of Butte - approval is requested for a revenue agreement with Butte County Superior Court for the provision of substance abuse treatment for high-risk multiple DUI offenders. The term of the agreement is September 1, 2008 through August 31, 2009 with a maximum amount receivable of \$72,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
16. Housing Authority of County of Butte (HACB) - amendment - approval is requested for an amendment to the agreement with HACB for the provision of housing assistance payments and/or deposits for consumers participating in the Homeless Mentally Ill Program. The amendment increases the maximum amount payable by \$10,000 (department budget utilizing MHSA and HUD funds). All other terms remain the same - action requested - APPROVE THE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
17. Housing Authority of County of Butte (HACB) - approval is requested for a new agreement with HACB for the provision of housing assistance payments and/or deposits for consumers participating in the Homeless Mentally Ill Program. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$78,000 (department budget department budget utilizing MHSA and HUD funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

18. Resolution Recognizing the Historical Significance of the Jonesville Hotel - action requested - ADOPT RESOLUTION 09-105 AND AUTHORIZE THE CHAIR TO SIGN. (Supervisor Yamaguchi)
19. Budget Transfer - approval is requested for a \$258,322 budget transfer from the Butte Lightning Fire cost center to the Department of Public Works to reimburse costs incurred during the 2008 fires. The County received these reimbursement funds through the Federal Emergency Management Agency and the State Office of Emergency Services - action requested - APPROVE BUDGET TRANSFER (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Chief Administrative Office)
20. Butte County Fair Association - approval is requested for an agreement with the Association for the operation and maintenance of the Gridley Swimming Pool (County Service Area 34). The term of the agreement begins July 1, 2009 and will continue annually unless terminated by either party with 90 days written notice. The Association will submit quarterly invoices for actual expenses for reimbursement - action requested -APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)
21. Authorization to Submit an Application to the U.S. Department of Homeland Security (DHS) - approval is requested for the submission of an application to DHS for a fire station construction grant - action requested - AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO DHS; AND AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER OR DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO THE GRANT. (Chief Administrative Office)
22. Provide Authorization for Chief Administrative Officer (CAO) to Borrow Internally from Restricted Fund Balances - On November 4, 2008, after receiving the First Quarter Financial Report, the Board authorized the CAO to borrow internally among otherwise restricted fund balances with direction to make repayment by June 30, 2009. This action allowed options to resolve short-term cash flow needs. Due to the State of California's continuing cash flow crisis and possible inability to meet all of its payment obligations after July 28, 2009, it is requested for this authorization to allow the CAO to borrow internally among otherwise restricted fund balances with direction to make repayment by June 30, 2010 - action requested - EFFECTIVE JULY 1, 2009 AUTHORIZE THE CAO OR DESIGNEE TO BORROW INTERNALLY AMONG OTHERWISE RESTRICTED FUND BALANCES WITH DIRECTION TO MAKE REPAYMENT BY JUNE 30, 2010. (Chief Administrative Office)

23. Certification of Statement of Votes Cast - pursuant to California Elections Code Section 15372, the County Clerk-Recorder/Registrar of Voters submits the certification for the Special Statewide Election held on May 19, 2009 - action requested - ACCEPT CERTIFICATION OF STATEMENT OF VOTES CAST. (Clerk-Recorder/Elections)
24. Resolution Recognizing Rosemary L. Dickson Upon her Retirement from Butte County - action requested - ADOPT RESOLUTION 09-106 AND AUTHORIZE THE CHAIR TO SIGN.(Clerk-Recorder/Elections)
25. David W. Kennedy - amendment - approval is requested for an amendment to the agreement with David W. Kennedy for the provision of specialized legal services to the Children's Service Division of the Department of Employment and Social Services. The amendment extends the term of the agreement through June 30, 2011 and retains the existing compensation terms - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER. (County Counsel)
26. Neil H. McCabe - amendment - approval is requested for an amendment to the agreement with Neil H. McCabe for the provision of attorney services. The amendment extends the term of the agreement through June 25, 2010 and retains the existing compensation terms - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER.(County Counsel)
27. Griffith & Masuda, A Professional Law Corporation - amendment - approval is requested for an amendment to the agreement with Griffith & Masuda for the provision of legal services. The amendment extends the term of the agreement through June 30, 2010 and amends the compensation and reimbursement rates under section 2 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY THE AUDITOR-CONTROLLER. (County Counsel)
28. Valley Toxicology Services, Inc. - amendment - approval is requested for an amendment to the agreement with Valley Toxicology Services, Inc. for the provision of forensic alcohol and drug toxicology testing, reporting and court testimony. The amendment extends the term of the agreement through June 30, 2010 and increases the maximum budget by \$82,036 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16918)(District Attorney)

29. Accept Unanticipated Revenue - approval is requested to accept \$76,089 from Child Support recoupment for Foster Care assistance payments and \$50,726 in unanticipated state revenues. This revenue is a result of the delay of full implementation of the statewide child support collection system. These delayed payments were expected to be received in Fiscal Year 2007/2008 - action requested - APPROVE BUDGET TRANSFERS (4/5 VOTE REQUIRED) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Employment and Social Services)
30. 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. Each amendment extends the terms through June 30, 2010 and increases the maximum amount payable by the following amounts: 1) Northern California Youth and Family Programs - \$167,220; 2) Youth for Change - \$143,820; and 3) Remi Vista, Inc. -\$143,820 (department budget) - 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 TRANSFERS ACCEPTING AND APPROPRIATING UNANTICIPATED REVENUE AS DETAILED IN THE AGENDA REPORT. (Employment and Social Services)
31. In-Home Supportive Services (IHSS) Advisory Committee - action requested - APPOINT PATRICIA ANTHONY TO A TERM TO END DECEMBER 19, 2011. (Employment and Social Services)
32. California Security Services, Inc. DBA Elite Universal Security - amendment - approval is requested for an amendment to the agreement with California Security Services, Inc. for the provision of security to DESS facilities. This amendment extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$239,062.50 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)

33. 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 extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$900,116 - 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)
34. Department of Child Support Services (CSS) - amendment - approval is requested for an amendment to the Plan of Cooperation (POC) with CSS for the provision of services required under Title IV-D of the Social Security Act. The amendment extends the term of the agreement through June 30, 2009 and increases the maximum amount payable by \$29,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)
35. Child Abuse Prevention Council of Butte County - approval is requested for an agreement with the Child Abuse Prevention Council of Butte County which provides information, referral, and outreach services to Butte County citizens. The term of the agreement is July 1, 2009 through June 30, 2011 with a maximum amount payable of \$65,000 (department budget utilizing Community-based Child Abuse Prevention grant funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)
36. Youth for Change - approval is requested for an agreement with Youth for Change for the purchase of services or items for families or children receiving services through the Foster Care program. The term of the agreement is July 1, 2009 through June 30, 2010 with a maximum amount payable of \$810,000 (department budget)- action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Employment and Social Services)
37. Resolution Recognizing Patty Smith Upon her Retirement from Butte County - action requested - ADOPT RESOLUTION 09-107 AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)

38. Private Industry Council (PIC) of Butte County - amendment - approval is requested for an amendment to the agreement with PIC for the provision of Assessment Testing, Work Experience Site Development and Enhancement Services for CalWORKS Welfare-to-Work participants. The amendment extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$380,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16682)(Employment and Social Services)
39. Joe M. Azevedo, Ph.D. - amendment - approval is requested for an amendment to the agreement with Joe M. Azevedo, Ph.D. for the provision of learning disability evaluations for CalWORKS participants. The amendment extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$45,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16507)(Employment and Social Services)
40. Butte-Glenn Community College District - amendment - approval is requested for an amendment to the agreement with Butte-Glenn Community College District for the provision of the Vocational English as a Second Language Program (VESL) for CalWORKS participants. The amendment extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$172,515 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X16819)(Employment and Social Services)
41. Chico Veterans Memorial Hall Committee - action requested - APPOINT BILL EDMISTON, DELEGATE AND JOE TURNER, ALTERNATE, AMERICAN LEGION CHICO POST 17; GENE CLEMENTS, DELEGATE AND GARY IMHOFF, ALTERNATE, AMERICAN VETERANS (AMVETS); GABE MARTINEZ, DELEGATE AND JAMES WOLSKE, ALTERNATE, DISABLED AMERICAN VETERANS (DAV) CHAPTER 125; LARRY WAHL, DELEGATE AND KEN HARMER, ALTERNATE, VETERANS OF FOREIGN WARS OF U.S. CHICO POST 1555; SCOTT WILL, DELEGATE AND MICHAEL BENNETT, ALTERNATE, VIETNAM VETERANS OF AMERICA (VVA) BUTTE COUNTY CHAPTER #582 TO TERMS TO END JUNE 30, 2010. (General Services)

42. Gridley Veterans Memorial Hall Committee - action requested - APPOINT DAN COLE, DELEGATE AND JOHN KUCEK, ALTERNATE, AMERICAN LEGION SOUTH BUTTE POST 210; ARNULFO RUIZ, DELEGATE AND PHILIP HOHMAN, ALTERNATE, VETERANS OF FOREIGN WARS OF U.S. WARREN H. MCCUTCHEON POST 5731; MARION "AL" A. BYERS, EDWARD KAWASAKI, AND AND LOUIS J. DRASOVIC AS DELEGATES, AND SAM MCKEY, ALTERNATE, CITIZEN VETERANS TO TERMS TO END JUNE 30, 2010. (General Services)
43. Paradise Memorial Hall Committee - action requested - APPOINT PETER J. FREITAG, DELEGATE AND HARRY HUDSON, ALTERNATE, AMERICAN LEGION PARADISE POST 259, INC.; WALT KOERNER, DELEGATE AND DAVE CURRY, ALTERNATE, CALIFORNIA VETERANS SQUARE DANCE ASSOCIATION; JOSEPH FRANK, DELEGATE, AND CARROLL TRADER, ALTERNATE, DISABLED AMERICAN VETERANS PARADISE CHAPTER 106; RAYMOND S. JOHNSON, DELEGATE, PARADISE VETERANS COUNCIL; RICHARD CAMPBELL, DELEGATE AND MIKE MIDGETT, ALTERNATE, VETERANS OF FOREIGN WARS OF THE U.S. MAX BILLE POST 2039 TO TERMS TO END JUNE 30, 2010. (General Services)
44. Award of Contract for the Butte County Sheriff's Generator Replacement Project - Five bids were received in response to Invitation for Bids (IFB) 54-09. The lowest responsible and responsive bidder was REM Construction, Paradise, CA with a bid of \$338,122 -action requested - AWARD CONTRACT TO REM CONSTRUCTION; AND APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (General Services)
45. Signature Services, A Property Management Company - approval is requested for a recast lease agreement with Signature Services for the property located at 5910 Clark Road, Suite W. The Department of Behavioral Health operates the Paradise Community Counseling Center out of this location. The facility is comprised of approximately 2,285 square feet of office space with a courtyard and ample parking. The term of the agreement is July 1, 2009 through March 30, 2012 with an initial monthly payment of \$2,289.02 which is \$.88550 per square foot. The maximum amount payable for this agreement is \$76,226.43 for the full term of the lease - action requested - APPROVE RECAST LEASE AGREEMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (General Services)

46. Fixed Asset Purchase - approval is requested for the purchase of an upgrade for Mainsaver, a computerized maintenance management system utilized by the Facilities Services Division. The cost of the upgrade, including the necessary modules, training and first year maintenance is \$12,900 (department budget) - action requested - APPROVE THE FIXED ASSET PURCHASE OF THE MAINSAVER UPGRADE. (General Services)
47. Conveyance of Property to the City of Biggs - On March 24, 2009, the Board adopted Resolution 09-046 to decommission 280 B Street in Biggs as a Veterans Memorial Hall. Because the property is no longer required for County use, terms have been negotiated for the conveyance of the property to the City of Biggs for an acquisition price of \$1.00. This conveyance includes a deed restriction requiring future use of the property be for the benefit of the community - action requested - APPROVE THE CONVEYANCE OF 280 B STREET, BIGGS (4/5 VOTE REQUIRED); AND AUTHORIZE THE PROPERTY MANAGER TO PREPARE AND EXECUTE ALL NECESSARY DOCUMENTS TO CONCLUDE THE CONVEYANCE. (General Services)
48. Surplus Equipment - approval is requested to declare surplus a total of thirty-six vehicles and equipment. Various departments requested the disposal of the vehicles and equipment as described in the agenda report. The item will be auctioned through Ramay Auctions - action requested - DECLARE VEHICLES AND EQUIPMENT SURPLUS AND AUTHORIZE DISPOSITION BY THE PURCHASING AGENT. (General Services)
49. Land Conveyance - On March 13, 2007, the Board directed staff to negotiate the exchange of APN 030-540-013, a 70 acre parcel commonly known as Rabe Road, with the State Department of Fish and Game (DFG) for a series of parcels totaling 100 acres currently owned by DFG. In a concurrent action, the 100 acres obtained from the State was to be conveyed to the Feather River Recreation and Park District (FRRPD). After extensive negotiations with both DFG and FRRPD, it is recommended that the County convey both parcels directly to FRRPD for the purchase price of \$1.00 with the condition that FRRPD shall effect the exchange directly with the DFG, pay \$98,000 for the State parcel and perform as required by the State - action requested - DIRECT THE BUTTE COUNTY PROPERTY MANAGER TO PREPARE AND EXECUTE ALL NECESSARY DOCUMENTS TO CONVEY BOTH RABE ROAD AND THE STATE-OWNED PARCELS TO FRRPD WITH TERMS SPECIFIED IN THE AGENDA REPORT. (General Services)
50. Resolution Honoring a Butte County Employee for Dedicated Years of Service - presentation of award to Julie Nelson for thirty years of service to Butte County - action requested - ADOPT RESOLUTION 09-108 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

51. SIGMA Data Systems, Inc. - amendment - approval is requested for an amendment to the agreement with Sigma Data Systems, Inc. for the provision of software maintenance and support services. The amendment extends the term of the agreement through March 5, 2010 and increases the maximum amount payable by \$4,675 (department budget). The amendment also reflects the company will be changing its name to NEOGOV - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.(Human Resources)
52. Resolution to Amend the Salary Ordinance - The resolution will amend the salary ordinance as follows:

HUMAN RESOURCES - requests to change the classifications of Behavioral Health Counselor and Behavioral Health Counselor, Senior to Behavioral Health Counselor I and Behavioral Health Counselor II in Section 57c of the Salary Ordinance titled, "General Unit". These changes along with changes to the job descriptions, will better meet the staffing needs of the department. The department also requests to add the classification of Supervisor, Building & Grounds to Section 57f of the Salary Ordinance titled, "Management, Confidential and Supervisory Unit". This new classification was created in response to a reorganization within the Department of General Services and will replace the classifications of Supervisor, Facilities Maintenance and Supervisor, Grounds Maintenance effective July 1, 2009.

GENERAL SERVICES - requests to add the following positions effective July 1, 2009: two (2) positions of Janitor; one (1) position of Graphics Machine Operator; and one (1) position of Supervisor, Building and Grounds. The department also requests to delete the following positions effective July 1, 2009: two (2) positions of Janitor, Lead; one (1) position of Graphic ~~Machine~~ Communications Officer; one (1) position of Supervisor, Facilities Maintenance; and one (1) position of Supervisor, Grounds Maintenance.

The department is also requesting to reduce one (1) position of Veteran's Service Officer and one (1) position of Veteran's Service Representative from one hundred percent (100%) FTE's to seventy percent (70%) FTE's effective July 1, 2009. These changes will decrease the total allocations in the department from 53 to 51.4. This is one component of the department's reorganization that was approved by the Board of Supervisors as part of the FY 2009-2010 budget. After all components of the department's reorganization are complete, the total allocations in the department will be decreased to 50.

CHILD SUPPORT SERVICES - requests to reclassify one (1) position of Accounting Specialist/Account Clerk, Senior/Account Clerk to Child Support Assistant. This reclassification was agreed to by both the Butte County Employee's Association and the Human Resources Department.

DEVELOPMENT SERVICES - requests to add (1) position of Administrative Analyst, Senior and delete one (1) position of Manager, Program Development effective July 1, 2009. This change will leave the total allocations in the department unchanged at 24.8.

LIBRARY - requesting to transfer a seventy five percent (75%) Library Assistant position from budget unit 629 to budget unit 630. This change will leave the total allocations in the department unchanged at 29.25 - action requested - ADOPT THE RESOLUTION 09-109 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

53. Personnel Rule Update - approval is requested for a side letter agreement with Butte County Employees Association adding the classification of Behavioral Health Counselor I/II to the Employee Promotional Appraisal Process in order to better meet the staffing needs of the department - action requested - APPROVE SIDE LETTER AGREEMENT AMENDING THE PERSONNEL RULES APPENDIX A. (Human Resources)
54. Library Donations - pursuant to Government Code Section 25355, donations of \$600 from Oroville Friends of the Library; \$800 from the Chico Friends of the Library; \$409.40 from Ruthmarie Ferris; \$3,600 from Paradise Friends of the Library; \$100 from John Copeland honoring James Lindsey; and \$100 from Stephen and Bette Jane Haskell honoring James Lindsey; \$100 from the Gridley Friends of the Library; \$200 from Maudie Penney; \$100 from Shirley Ekroll; and \$100 from the Paradise Women of the Moose have been received for books; \$470.56 from Paradise Friends of the Library; for Operations - action requested - ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION. (Library)
55. Paradise Friends of the Library - approval is requested for an agreement with the Paradise Friends of the Library to provide supplemental funding for the Paradise Library Branch. The Paradise Friends of the Library have pledged to provide funding for twelve open hours per week to supplement the thirty County-funded hours. The term of the agreement is for July 1, 2009 through June 30, 2010 with a maximum amount receivable of \$79,800 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Library)

56. Resolution Establishing Public Service Hours for Butte County Library - The Paradise Friends of the Library and the City of Chico provide funding for additional hours beyond the County-funded hours at both the Paradise and Chico Library branches. This resolution proposes a revised schedule for open hours at each of these branches. In Fiscal Year 2009/2010, the Paradise Friends of the Library will fund 12 hours per week and the City of Chico will fund 18 hours per week - action requested - ADOPT RESOLUTION 09-110 AND AUTHORIZE THE CHAIR TO SIGN. (Library)
57. July 4<sup>th</sup> Holiday Closure - approval is requested to allow the four branch libraries normally open on Saturdays to remain open on Friday, July 3, a designated County holiday and to allow each of those branches to be closed on Saturday, July 4 in observation of the holiday. Human Resources has reviewed the plan and confirmed it complies with related union agreements - action requested - AUTHORIZE THE LIBRARY BRANCHES IN CHICO, GRIDLEY, OROVILLE, AND PARADISE TO REMAIN OPEN ON FRIDAY, JULY 3 AND TO CLOSE ON SATURDAY, JULY 4, 2009. (Library)
58. Resolution Authorizing the California Victim Compensation and Government Claims Board Funeral Burial/Domestic Violence Agreement - consideration of a resolution authorizing the Chief Probation Officer to sign for the Joint Powers funding under this agreement - action requested - ADOPT RESOLUTION 09-111 AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF PROBATION OFFICER TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO THE GRANT. (Probation)
59. Resolution Authorizing Application for Juvenile Accountability Block Grant (JABG) Funds - consideration of a resolution authorizing the Chief Probation Officer to apply for \$12,650 in available grant funds from the Corrections Standards Authority for Fiscal Year 2009/2010. The grant requires a \$1,406 cash match -action requested - ADOPT RESOLUTION 09-112 AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF PROBATION OFFICER TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO THE GRANT. (Probation)
60. Fixed Asset Purchase - approval is requested for the fixed asset purchase of an electronic medical records and practice management system for use within Public Health Clinics. The eClinicalWorks software system is designed to manage a medical practice or clinic for initial patient contact through billing for services. Th cost of the software for the first year is \$30,951.92 with annual maintenance and support fees of \$5,316 - action requested - APPROVE THE FIXED ASSET PURCHASE OF THE eCLINICALWORKS SOFTWARE SYSTEM. (Public Health)

61. Fixed Asset Purchase - approval is requested for the purchase of a Surge Capacity trailer that will allow Public Health to be prepared to transport equipment and supplies to Alternate Care and Point of Dispensing sites to service the public in an event of emergencies or disasters - action requested - APPROVE THE FIXED ASSET PURCHASE OF THE SURGE CAPACITY TRAILER IN THE AMOUNT OF \$6,800; AND APPROVE RELATED BUDGET TRANSFER ACCEPTING AND APPROPRIATING AS DETAILED IN THE AGENDA REPORT. (Public Health)
62. Linda Lewis - approval is requested for an amendment to the agreement with Linda Lewis for the provision of epidemiology services for the Butte County Public Health Emergency Preparedness Program. The amendment extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$67,600 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Contract No. X17266)(Public Health)
63. California Department of Public Health - approval is requested for an amendment to the agreement with California Department of Public Health for the Women, Infant and Children (WIC) program. The amendment increases the maximum receivable by \$100,000 - 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 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT.(Public Health)
64. Butte County Public Guardian - amendment - approval is requested for an amendment to the agreement with the Public Guardian for the provision of Targeted Case Management (TCM) services in Butte County. The amendment increases the maximum amount payable by \$8,182.74 - 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 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Contract X17463)(Public Health)

65. Chico State Research Foundation - approval is requested for an amendment to the agreement with Chico State University, Chico Research Foundation for the provision of Targeted Case Management (TCM) services. The amendment increases the maximum amount payable by \$11,817.36 (department budget utilizing TCM revenue) - 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 (4/5 vote required) ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Contract X17658) (Public Health)
66. Fixed Asset Purchase - approval is requested for the fixed asset purchase of EnvisionConnect Suite software which is a billing and tracking system utilized by the Environmental Health Division. The cost of the software for the first year is \$77,764 (department budget) with an annual service charge of \$27,405 per year for the second and third years of the agreement -action requested - APPROVE FIXED ASSET PURCHASE OF ENVISIONCONNECT SUITE SOFTWARE; AND APPROVE RELATED AGREEMENT WITH DECADE SOFTWARE COMPANY, LLC AND AUTHORIZE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Health)
67. Waste Tire Products (WTP) - amendment - approval is requested for an amendment to the agreement with WTP for the collection and removal of electronic waste at the Neal Road Landfill. The amendment extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$10,000 (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Works)
68. Butte County Sheriff's Office - approval is requested for an agreement with the Sheriff's office for the Inmate Labor Program. Under this program, the Public Works department funds one correctional officer position to supervise an inmate crew performing vegetative and landfill debris cleanup - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Works)
69. Fixed Asset Sale and Relief of Accountability - In compliance with California Air Resources Board mandates, approval is requested to dispose of the old line striper truck (Fixed Asset No. 22852). Tehama County has agreed to purchase the truck for \$30,000. The DMV paperwork will be completed by Purchasing Services to release the County's liability and responsibility for the vehicle - action requested - APPROVE SALE OF FIXED ASSET NO. 22852; RELIEVE ACCOUNTABILITY; AND AUTHORIZE REMOVAL FROM THE FIXED ASSET LEDGER. (Public Works)

70. Construction of the Proposed Asphalt Overlay of Lower Honcut Road from State Route 70 to Palermo-Honcut Highway, County Project Number 04451-09-1 - The Public Works Department has applied for and is currently working on this project to be funded by the American Recovery and Reinvestment Act. In order to complete this project prior to the local rice and fruit harvests and in order to meet the advertisement requirements for bids, the department would like to expedite the award and execution of the contract. In order to meet this time frame, authorization is requested for the Director of Public Works to award and execute a contract for construction of this project to the lowest responsive bidder. The department will then return to the Board to report on the actions taken - action requested - 1) APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE THE CHAIR AND DIRECTOR TO SIGN PLANS; 2) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ADVERTISE FOR BIDS; AND 3) AUTHORIZE THE DIRECTOR TO AWARD BID AND EXECUTE THE CONTRACT TO THE LOWEST RESPONSIVE BIDDER. (Public Works)
71. Construction of the Proposed Asphalt Overlay of Midway from Richvale Highway to South Abutment of Western Canal, County Project Number AC-2009-1 - The Public Works Department has applied for and is currently working on this project to be funded by the American Recovery and Reinvestment Act. In order to complete this project prior to the local rice and fruit harvests and in order to meet the advertisement requirements for bids, the department would like to expedite the award and execution of the contract. In order to meet this time frame, authorization is requested for the Director of Public Works to award and execute a contract for construction of this project to the lowest responsive bidder. The department will then return to the Board to report on the actions taken - action requested - 1) APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE THE CHAIR AND DIRECTOR TO SIGN PLANS; 2) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ADVERTISE FOR BIDS; AND 3) AUTHORIZE THE DIRECTOR TO AWARD BID AND EXECUTE THE CONTRACT TO THE LOWEST RESPONSIVE BIDDER. (Public Works)
72. Construction of the Proposed State Route 99 (SR-99) Frontage Road from Entler Avenue to Comanche Creek, County Project Number 50255C-2005-1 - approval is requested for construction of the SR-99 Frontage Road Improvements from the Intersection at Entler Avenue towards Comanche Creek. The engineer's estimate for the project is approximately \$878,000. The funding for the project is budgeted from the Chico Area Traffic Impact Fees - action requested - 1) APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE THE CHAIR AND DIRECTOR TO SIGN PLANS; and 2) AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO ADVERTISE FOR BIDS. (Public Works)

73. Fixed Asset Purchase - approval is requested for the purchase of a Combi Oven-Steamer for the jail kitchen to replace the steam cooker that was removed from the kitchen due to escalating maintenance costs and excessive down-time - action requested - APPROVE THE FIXED ASSET PURCHASE OF A NEW OVEN-STEAMER IN THE AMOUNT OF \$6,965; AND APPROVE RELATED BUDGET TRANSFER ACCEPTING AND APPROPRIATING FUNDS AS DETAILED IN THE AGENDA REPORT. (Sheriff-Coroner)
74. Columbia Ultimate Business Systems, Inc. - amendment - approval is requested for an amendment to the agreement with Columbia Ultimate Business Systems, Inc. for software licensing, service, and support. The amendment extends the term of the agreement through June 30, 2010 and increases the maximum amount payable by \$23,270 (department budget). All other terms and provisions remain the same - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Treasurer-Tax Collector)
75. Monthly Investment Report - submitted is the Monthly Investment Report dated May 29, 2009, in accordance with the Statement of Investment Policy dated July 1, 2008 - action requested - ACCEPT FOR INFORMATION. (Treasurer-Tax Collector)
76. Drought Status Report - The department has submitted this report which details current drought situation in California and the Drought Task Force's (DTF) priorities for drought response - action requested - ACCEPT FOR INFORMATION. (Water and Resource Conservation)
77. Paradise Irrigation District (PID) - approval is requested for an amendment to the agreement with PID for the reimbursement of \$480,000 in construction costs for the PID's Magalia Raw Water Bypass Project. The reimbursement is to be paid from a Department of Water Resources (DWR) grant agreement which was approved in September 2008. Due to non-payment by DWR, the agreement with PID needs to be extended through June 30, 2010 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Water and Resource Conservation)

- 78. Cash Advance to Water Fund - Due to the continuing financial crisis, the State of California issued a stop-work order in January 2009 to all projects that were funded through General Obligation Bonds. Currently, the department anticipates an approximate cash deficit of \$150,000 in the Water Fund due to expenses that have not been reimbursed from the State. In order to avoid impacting the General Fund and operating cash, the department requests approval of a cash advance in the amount of \$150,000 from the restricted cash account from Table A Water Sales. The advance will be repaid upon receipt of reimbursement funds from the State - action requested - APPROVE CASH ADVANCE OF UP TO \$150,000 FROM GENERAL FUND - TABLE A WATER SALES RESTRICTED ACCOUNT FOR FISCAL YEAR 2008/2009. (Water and Resource Conservation)
- 79. First 5 Butte County Children and Families Commission Fiscal Year 2009/2010 Budget - pursuant to Butte County Code, submitted is the Fiscal Year 2009/2010 budget which will be on the Commission's agenda on June 19, 2009 for adoption. Should any modifications occur, an update to this budget will be submitted to the Board of Supervisors prior to the June 23, 2009 Board meeting - action requested - ACCEPT FOR INFORMATION. (Other Departments and Agencies)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA.  
M 2  
VOTE: 1 Y 2 Y 3 Y 4 Y 5 Y (MOTION CARRIED UNANIMOUSLY)

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0917-002 PRESENTATION OF RESOLUTIONS ADOPTED ON THE CONSENT AGENDA.

- 1. Resolution Recognizing the Jonesville Hotel - BILL CASEY ACCEPTED THE RESOLUTION ON BEHALF OF THE JONESVILLE HOMEOWNERS ASSOCIATION.
- 2. Resolution Recognizing Patty Smith Upon her Retirement - PATTY SMITH ACCEPTED THE RESOLUTION.
- 3. Resolution Honoring Julie Nelson for 30 Years of Service to Butte County - JULIE NELSON ACCEPTED THE RESOLUTION.
- 4. CHAIR CONNELLY PRESENTED A CERTIFICATE OF APPRECIATION TO STEVE ORSILLO FOR HIS WORK IN THE OROVILLE COMMUNITY. (22:38)

RECESS: 9:25 A.M.  
RECONVENE: 9:30 A.M.

REGULAR AGENDA

0917-003 Boards, Commissions and Committees.

1. Appointments to Listed Vacancies.

MOTION: I MOVE TO APPOINT LYNN BUSSEY TO THE COMMUNITY ACTION AGENCY (TO A TERM TO END DECEMBER 31, 2011).

2 M

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

MOTION: I MOVE TO RE-APPOINT TODD KIMMELSHUE TO THE TRI-COUNTY ECONOMIC DEVELOPMENT CORPORATION AND TRI-COUNTY SMALL BUSINESS DEVELOPMENT (TO A TERM TO END JUNE 30, 2011).

2 M

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

2. Board Member or Committee Reports. (25:48)

SUPERVISOR YAMAGUCHI REPORTED ON THE BEHAVIORAL HEALTH BOARD.

SUPERVISOR YAMAGUCHI REPORTED THAT CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) IS LOOKING INTO A POSSIBLE LAWSUIT AGAINST THE STATE IF THE STATE PLANS TO TAKE GAS TAX REVENUE FROM THE COUNTIES. HE REPORTED THAT CSAC IS PLANNING A SUMMIT ON JULY 17 AND 18TH IN SACRAMENTO TO DISCUSS A CONSTITUTIONAL CONVENTION. HE REPORTED THAT ALL SUPERVISORS ARE ENCOURAGED TO GO.

SUPERVISOR KIRK REPORTED THAT SHE ATTENDED THE ESPLANADE HOUSE GRADUATION.

CHAIR CONNELLY REPORTED HE PARTICIPATED IN AN EMERGENCY CONFERENCE CALL WITH CSAC REGARDING CSAC'S SUPPORT OF A INCREASE IN THE GAS TAX AS LONG AS PORTION OF THE INCREASED TAX WILL GO TO COUNTIES FOR LOCAL ROAD MAINTENANCE.

0917-004 Update on Current Budget and Legislative Issues by the Chief Administrative Officer. (31:38)

GREGORY G. ITURRIA, INTERIM CHIEF ADMINISTRATIVE OFFICER PROVIDED AN UPDATE REGARDING THE STATE BUDGET. HE REPORTED THE STATE LEGISLATURE'S BUDGET CONFERENCE COMMITTEE HAS PROPOSED A BUDGET THAT INCLUDES \$11 BILLION IN PROGRAM REDUCTIONS AND CUTS. MR. ITURRIA REVIEWED THE IMPACTS THE PROPOSED STATE BUDGET WOULD HAVE ON BUTTE COUNTY. HE REPORTED THAT THE LEGISLATURE COULD POTENTIALLY VOTE ON THE PROPOSED BUDGET THIS WEEK.

LINDA BARNES, TREASURER/TAX COLLECTOR PROVIDED A REPORT THE COUNTY'S CASH FLOW SITUATION AND TAX REVENUE ANTICIPATION NOTES. (38:48)

**PUBLIC HEARINGS AND TIMED ITEMS**

0917-005 Public Hearing - Termination of a Portion of Berry Creek Road - consideration of a resolution terminating a portion of Berry Creek Road as a Public Highway and establishing the same as an unmaintained recreational access road. This action is supported by the Berry Creek Community Association - action requested - ADOPT RESOLUTION 09-113 AND AUTHORIZE THE CHAIR TO SIGN. (Public Works) (From 6-9-09 [item 3.28])(52:47)

PRESENTATION BY MIKE CRUMP, DIRECTOR OF PUBLIC WORKS.

PUBLIC HEARING OPENED: 9:59 A.M.  
PUBLIC HEARING CLOSED: 9:59 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)

0917-006 Timed Item - 2010 Census - Presentation by the U.S. Census Bureau which will include a summary the 2010 Census process. There will be discussions on the level of participation they request the County provide and the information and resources the Census Bureau can provide to the County to assist in outreach efforts - action requested -

1. ADOPT RESOLUTION 09-114 AFFIRMING SUPPORT OF THE PARTNERSHIP WITH THE CENSUS BUREAU AND AUTHORIZE THE CHAIR TO SIGN;
2. APPOINT THE CHIEF ADMINISTRATIVE OFFICER OR DESIGNEE AS THE COUNTY LIAISON, AUTHORIZE THE LIAISON TO SIGN THE 2010 CENSUS PARTNERSHIP AGREEMENT FORM AND AUTHORIZE THE LIAISON TO APPLY FOR ANY APPLICABLE FUNDING FOR CENSUS ACTIVITIES; AND
3. PROVIDE DIRECTION TO STAFF REGARDING ESTABLISHING A COMPLETE COUNT COMMITTEE. (CHIEF ADMINISTRATIVE OFFICE)

PRESENTATION BY SHARI MCCRACKEN, DEPUTY ADMINISTRATIVE OFFICER.

PRESENTATION BY PAM AMES OF THE CENSUS BUREAU. (54:25)

A MEMBER OF THE PUBLIC, MICHELLE DEESE ADDRESSED THE BOARD

MOTION: I MOVE TO ADOPT RESOLUTION AFFIRMING SUPPORT OF THE PARTNERSHIP WITH THE CENSUS BUREAU AND AUTHORIZE THE CHAIR TO SIGN; APPOINT THE CHIEF ADMINISTRATIVE OFFICER OR DESIGNEE AS THE COUNTY LIAISON; AUTHORIZE THE LIAISON TO SIGN THE 2010 CENSUS PARTNERSHIP AGREEMENT FORM AND AUTHORIZE THE LIAISON TO APPLY FOR ANY APPLICABLE FUNDING FOR CENSUS ACTIVITIES; AND UTILIZE EXISTING COMMUNITY ORGANIZATIONS AND EXISTING GROUPS TO ASSIST IN THE CENSUS COUNT. (1:05:18)

2 M

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

0917-007 Public Hearing - Resolution Approving the Submittal of a State Community Development Block Grant (CDBG) Application - consideration of a resolution to approve the submittal of a CDBG application for Housing Rehabilitation and Code Enforcement - action requested - ADOPT RESOLUTION 09-115 AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office)

PRESENTATION BY JENNIFER MACARTHY, MANAGER OF PROGRAM DEVELOPMENT. (1:06:48)

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PUBLIC HEARING OPENED: 10:17 A.M.  
PUBLIC HEARING CLOSED: 10:17 A.M.

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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)

0917-008 Timed Item - Presentation by BayTEC Alliance Regarding their Organization and the Energy Farm Project in Oroville - action requested - ACCEPT FOR INFORMATION. (Chief Administrative Office)

PRESENTATION BY JENNIFER MACARTHY, MANAGER OF PROGRAM DEVELOPMENT.

PRESENTATION BY VIRGINIA WALKER FROM BAYTEC ALLIANCE PROVIDED A REPORT TO THE BOARD.

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RECESS: 10:41 A.M.  
RECONVENE: 10:50 A.M.

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0917-009 Update of General Plan 2030 Process by Director-Development Services.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED AN UPDATE ON GENERAL PLAN 2030.

0917-010 Update Regarding Upcoming Butte County Code Amendments.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED AN UPDATE ON UPCOMING CODE AMENDMENTS. (1:52:56)

SUPERVISOR DOLAN REQUESTED THAT DEVELOPMENT SERVICES (DDS) WORK WITH COUNTY COUNSEL AND PUBLIC WORKS TO DETERMINE HOW THE OWNERS OF OLDER HOMES ON LOTS THAT WERE NOT CREATED BY A PARCEL MAP CAN OBTAIN BUILDING PERMITS IN ORDER TO IMPROVE THE STRUCTURES. THE FULL BOARD REQUESTED THAT DDS LOOK INTO THESE SITUATIONS AND REPORT BACK AT A FUTURE BOARD MEETING.

0917-011 Comprehensive Economic Development Strategy (CEDs) Priority List - The Economic Development Administration (EDA) requires the Tri-County Economic Development District to complete a five year planning document, the CEDs, in order to guide regional economic development efforts. The Tri-County Economic Development Corporation (Tri-County EDC) utilizes the CEDs to identify and prioritize public works and other economic development projects within the District - action requested - AMEND, IF NEEDED, AND APPROVE THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY PRIORITY LIST AND DIRECT STAFF TO FORWARD TO TRI-COUNTY EDC. (Chief Administrative Office)(2:05:58)

JENNIFER MACARTHY, MANAGER OF PROGRAM DEVELOPMENT PROVIDED A REPORT TO THE BOARD.

SUPERVISOR DOLAN REQUESTED THE DRINKING WATER SYSTEM AT THE CALIFORNIA STATE UNIVERSITY, CHICO FARM BE ADDED TO THE LIST.

SUPERVISOR CONNELLY REQUESTED THAT THE PALERMO DRAINAGE AND GROUNDWATER POLLUTION BE ADDED TO THE LIST. HE INDICATED THIS IS SOMETHING THAT ENVIRONMENTAL HEALTH HAS BEEN WORKING ON.

SUPERVISOR LAMBERT REQUESTED THAT THE COUNTY LOOK INTO ESTABLISHING A VISITORS' CENTER AT THE FAIRGROUNDS IN GRIDLEY.

SUPERVISOR YAMAGUCHI REQUESTED THAT THE PROMOTION OF JOBS SHOULD BE INCLUDED IN PRIORITY A.

MIKE DONNELLY OF THE BUTTE COUNTY ECONOMIC DEVELOPMENT CORPORATION ADDRESSED THE BOARD.

MARC NEMENIC OF THE TRI COUNTY EDC ADDRESSED THE BOARD.

MOTION: I MOVE TO APPROVE THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY PRIORITY LIST WITH THE ADDITIONS DISCUSSED AND DIRECT STAFF TO FORWARD TO TRI-COUNTY EDC.

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

0917-012 Zoning Code Amendment - Outdoor Lighting in Residential Areas - review and discussion of a draft amendment to Chapter 24 of the Butte County Code. The draft amendment addresses glare and obtrusive light in residential areas - action requested - PROVIDE DIRECTION TO STAFF TO PREPARE A FINAL ORDINANCE FOR A FUTURE PUBLIC HEARING. (Department of Development Services)

CLAUDIA STUART, PRINCIPAL PLANNER WITH DEVELOPMENT SERVICES PROVIDED A REPORT.(2:22:43)

PETE CALARCO, ASSISTANT DIRECTOR OF DEVELOPMENT SERVICES ADDRESSED THE BOARD.

THE BOARD DIRECTED THAT THE DRAFT ORDINANCE BE AMENDED TO BETTER DEFINE THE TERMS "MISDIRECTED, EXCESSIVE, OR HAZARDOUS LIGHT." CLARIFICATION WAS ALSO REQUESTED FOR THE USE OF THE WORD "ADJOINING" ON LINES 53-54. THE BOARD DID AGREE WITH THE RECOMMENDED AMORTIZATION PERIODS CONTAINED IN THE DRAFT AMENDMENT. (2:30:01)

0917-013 Zoning Code Amendment - Residential Generator Noise - review and discussion of a draft amendment to Chapter 24 of the Butte County Code. The draft amendment addresses noise originating from residential generators - action requested - PROVIDE DIRECTION TO STAFF TO PREPARE A FINAL ORDINANCE FOR A FUTURE PUBLIC HEARING. (Department of Development Services)

CLAUDIA STUART, PRINCIPAL PLANNER WITH DEVELOPMENT SERVICES PROVIDED A REPORT.

MICHELLE DEESE ADDRESSED THE BOARD.

THE BOARD CONCURRED WITH THE CONTENT OF THE DRAFT ORDINANCE AND DIRECTED THE DEPARTMENT OF DEVELOPMENT SERVICES TO CONTINUE FINALIZING THE ORDINANCE FOR ADOPTION. (2:33:56)(2:41:50)

0917-014 Cash Advance for Butte County Department of Behavioral Health (BCDBH) - Because BCDBH continues to experience slow reimbursement of Federal Financial Participation (FFP) and Early Periodic Screening Diagnosis and Treatment (EPSDT) from the State, approval is requested for a cash advance of up to \$10 million from the Public Health realignment restricted cash accounts into the Behavioral Health Fund in order for the Auditor's Office to close out the Behavioral Health Fund without a cash deficit for Fiscal Year 2008/2009. BCDBH will repay the requested cash advance in full by April 2010 as detailed in the agenda report - action requested - AUTHORIZE CASH ADVANCE FOR UP TO \$10 MILLION FROM THE PUBLIC HEALTH REALIGNMENT RESTRICTED CASH ACCOUNTS INTO THE BEHAVIORAL HEALTH FUND. (Department of Behavioral Health)

PRESENTATION BY ED WALKER, INTERIM DIRECTOR OF BEHAVIORAL HEALTH.

MOTION: I MOVE TO AUTHORIZE CASH ADVANCE FOR UP TO \$10 MILLION FROM THE PUBLIC HEALTH REALIGNMENT RESTRICTED CASH ACCOUNTS INTO THE BEHAVIORAL HEALTH FUND. (2:58:21)

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

0917-015 Proposition 1B Local Streets and Roads Bond Funds - approval is requested to re-program \$647,058.51 of the Fiscal Year (FY) 2007/2008 Proposition 1B Local Streets and Roads Bond Fund and program the new \$1,573,922 FY 2008/2009 Local Streets and Roads Bond Fund Allocation - action requested - APPROVE THE RE-PROGRAMMING AND ALLOCATION OF EXCESS FY 2007/2008 PROPOSITION 1B LOCAL STREETS AND ROADS BOND FUND TO THE PROJECT DETAILED ON THE AGENDA REPORT; AND APPROVE THE PROGRAMMING AND ALLOCATION OF NEW FY 2008/2009 PROPOSITION 1B LOCAL STREETS AND ROADS BOND FUND. (Public Works)

PRESENTATION BY MIKE CRUMP, DIRECTOR OF PUBLIC WORKS.

SUPERVISOR DOLAN REQUESTED THAT STAFF LOOK INTO PETITIONING THE BUTTE LOCAL AGENCY FORMATION COMMISSION (LAFCO) TO HAVE THE CITY OF CHICO ANNEX THE INTERSECTION OF MIDWAY AND HEGAN LANE.

MOTION: I MOVE TO APPROVE THE RE-PROGRAMMING AND ALLOCATION OF EXCESS FY 2007/2008 PROPOSITION 1B LOCAL STREETS AND ROADS BOND FUND TO THE PROJECT DETAILED ON THE AGENDA REPORT; AND APPROVE THE PROGRAMMING AND ALLOCATION OF NEW FY 2008/2009 PROPOSITION 1B LOCAL STREETS AND ROADS BOND FUND.

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

CLOSED SESSION

0917-016 THE BOARD RECESSED AT 12:17 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. JONES V. COUNTY OF BUTTE, ET AL. (CONSENT DECREE);
- 3. FIRST RESPONDER EMS, COUNTY OF BUTTE, ET AL V. CALIFORNIA EMS, ET AL; THIRD DISTRICT COURT OF APPEALS CASE NO. C060407.

PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER.

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.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 549556.8:

PROPERTY: APN 002-180-112, 002-180-113  
 AGENCY NEGOTIATOR: GRANT HUNSICKER  
 NEGOTIATING PARTY: TOM DIGIOVANI  
 NEGOTIATIONS: STATUS REPORT AND DIRECTION.

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

**THE BOARD RECONVENED AT 3:27 P.M. FROM CLOSED SESSION REGARDING:**

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

- 1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
- 2. JONES V. COUNTY OF BUTTE, ET AL. (CONSENT DECREE);
- 3. FIRST RESPONDER EMS, COUNTY OF BUTTE, ET AL V. CALIFORNIA EMS, ET AL; THIRD DISTRICT COURT OF APPEALS CASE NO. C060407.

PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT/RECRUITMENT, PURSUANT TO GOVERNMENT CODE SECTION 54957: CHIEF ADMINISTRATIVE OFFICER.

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.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

PROPERTY: APN 002-180-112, 002-180-113  
AGENCY NEGOTIATOR: GRANT HUNSICKER  
NEGOTIATING PARTY: TOM DIGIOVANI  
NEGOTIATIONS: STATUS REPORT AND DIRECTION.

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

0917-017 Recessed at 3:27 p.m. as the Butte County Board of Supervisors and Convened as the In-Home Supportive Services Public Authority Board.

BUTTE COUNTY  
IN-HOME SUPPORTIVE SERVICES  
PUBLIC AUTHORITY BOARD  
MINUTES  
JUNE 23, 2009

Called to Order at 3:27 p.m. in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Members present: Dolan, Kirk, Lambert, Yamaguchi and Chair Connelly. Also present: Assistant Clerk, Kathleen Moghannam.

Consent Agenda

0902-001 Adoption of Fiscal Year 2009/2010 Proposed Budget - consideration of the Authority's proposed operating budget for Fiscal Year (FY) 2009/2010. The recommended budget is \$445,927, which is a decrease of \$40,265 from FY 2008/2009 - action requested - ACCEPT PROPOSED BUDGET AND ADOPT AS FINAL BUDGET FOR FISCAL YEAR 2009/2010.

MOTION: I MOVE TO ACCEPT PROPOSED BUDGET AND ADOPT AS FINAL BUDGET FOR FISCAL YEAR 2009/2010.

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

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 is prohibited from taking action on any item not listed on the agenda.

Adjournment

Adjourned at 3:28 p.m. as the Butte County In-Home Supportive Services Public Authority Board and reconvened as the Butte County Board of Supervisors.

0917-018 Recruitment for Butte County Assessor - An update will be provided by Human Resources on the current recruitment for the Assessor - action requested - ACCEPT FOR INFORMATION; PROVIDE DIRECTION AS NEEDED; AND DETERMINE A SPECIAL MEETING DATE. (Human Resources)

LAURA BRUNSON, DIRECTOR OF HUMAN RESOURCES PROVIDED HER RECOMMENDATIONS FOR THE RECRUITMENT.

THE DIRECTOR'S RECOMMENDATIONS WERE AS FOLLOWS:

- 1) THE BOARD WILL SCHEDULE A SPECIAL MEETING DATE FOR CONSIDERATION OF 15 APPLICATIONS;
- 2) A QUESTIONNAIRE WILL BE DISTRIBUTED TO EACH CANDIDATE AND WILL BE DUE A WEEK PRIOR TO SPECIAL MEETING FOR BOARD REVIEW;
- 3) EACH CANDIDATE GIVE A 10 MINUTE STATEMENT BEFORE THE BOARD AT THE SPECIAL MEETING. THE ORDER OF THE STATEMENTS WILL BE DETERMINED BY A LOTTERY;
- 4) AFTER ALL STATEMENTS, EACH BOARD MEMBER WILL BE PROVIDED A LIST OF ALL OF THE CANDIDATES' NAMES. EACH BOARD MEMBER WILL CIRCLE THREE NAMES FROM THE LIST. THE CLERK OF THE BOARD WILL COMPILE THE NAMES OF THE CANDIDATES THAT HAVE BEEN CHOSEN BY AT LEAST THREE BOARD MEMBERS AND READ THOSE NAMES ALOUD;
- 5) THERE WILL BE FURTHER DISCUSSION OF THE LIST OF REMAINING CANDIDATES AND POSSIBLY A VOTE TO FILL THE ASSESSOR POSITION.

THE BOARD SCHEDULED THE SPECIAL MEETING DATE FOR TUESDAY, AUGUST 4, 2009 TO BEGIN AT 9:00 A.M. IN THE BOARD OF SUPERVISORS CHAMBERS. THE BOARD CONCURRED WITH THE RECOMMENDATIONS AS PRESENTED BY THE DIRECTOR OF HUMAN RESOURCES.

Items Removed from the Consent Agenda for Board Consideration and Action. (None)

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0917-019 PUBLIC COMMENT

MR. ROGERS ADDRESSED THE BOARD REGARDING A LOCAL PROPERTY OWNER.

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ADJOURNMENT :

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 4:15 P.M., TO RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, JULY 21, 2009 AT 9:00 A.M.

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BILL CONNELLY, CHAIR  
BUTTE COUNTY BOARD OF SUPERVISORS

ATTEST:

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

By: \_\_\_\_\_