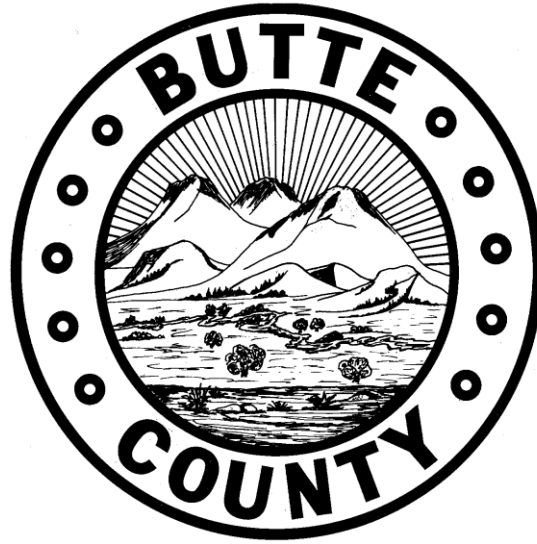


# BUTTE COUNTY BOARD OF SUPERVISORS

## MINUTES

February 8, 2011



### County Supervisors

Bill Connelly, District 1

Larry Wahl, District 2

Maureen Kirk, District 3

Steve Lambert, District 4

Kim Yamaguchi, District 5

Paul Hahn, 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: Connelly, Wahl, Kirk, Yamaguchi, and Chair Lambert. Also present: Paul Hahn, 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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**1103-001**    **CONSENT AGENDA**

1. Skyway House - amendment to the agreement with Skyway House for drug and alcohol treatment programs. The amendment increases the maximum amount payable by \$58,147.96 (department budget utilizing grant funds) – action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
  
2. Behavioral Health Board – action requested – AT THE REQUEST OF THE BEHAVIORAL HEALTH BOARD: REAPPOINT SALVADOR VENTURA AS A FAMILY MEMBER TERM TO END DECEMBER 31, 2013. (Behavioral Health)
  
3. Request Donation of Harts Mill Fire Station to Butte County – Supervisor Connelly requests that the Board of Supervisors authorize staff to work with Assemblyman Dan Logue’s office on legislation that will require the State Department of General Services to donate surplus State property known as Harts Mill Forest Fire Station to the County. Butte County would then work with other local stakeholders, including the community of Berry Creek and the Feather River Recreation and Park District (FRRPD), to determine various uses for the structure and to transfer ownership of the property to another valid entity as soon as possible – action requested – AUTHORIZE STAFF TO WORK WITH ASSEMBLYMAN LOGUE’S OFFICE ON LEGISLATION FOR THE DONATION OF THE HARTS MILL FOREST FIRE STATION TO BUTTE COUNTY; AND UPON DONATION OF PROPERTY FROM THE STATE, DIRECT STAFF TO WORK WITH THE BERRY CREEK COMMUNITY AND FRRPD TO PASS ON OWNERSHIP OF THE PROPERTY. (Supervisor Connelly)
  
4. Approval of Minutes - submitted are minutes of January 11, 2011 - action requested – APPROVE MINUTES. (Chief Administrative Office)

5. Holdredge & Kull Consulting - amendment to the agreement with Holdredge & Kull Consulting for work related to the New Era Mine reclamation. The amendment extends the term of the agreement through June 30, 2011 and increases the maximum amount payable by \$42,926. A budget adjustment of \$42,926 from the General Fund Appropriation for Contingencies is requested for this amendment in order to implement the 2010-2011 Winter Storm Water Pollution Prevention Plan (SWPPP), as required by applicable regulations, and as advised by the State of California Regional Water Quality Control Board and the project contractor, Lorang Brothers Construction, Inc. - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER AND APPROVE RELATED BUDGET ADJUSTMENT. (Development Services)
6. Resolution Recognizing January 23 through January 29, 2011 as Employment and Eligibility Staff Recognition Week in Butte County - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
7. Relocation of the Veterans Service Office (VSO) – The department will be relocating the VSO to the Chico Community Employment Center (CEC) within the next several months. Staff of the Department of Employment and Social Services (DESS) met with local veterans associations to discuss the concept of the relocation, and the outreach effort was well received by the veterans. After these discussions, DESS determined that the relocation will help the department better assist Butte County’s veterans, their dependents and survivors, and the general public – action requested – ACCEPT AS INFORMATION. (Employment and Social Services)
8. Resolution Acknowledging the Partnership between the California Department of Veterans Affairs and the Butte County Veterans Service Office (VSO) – DESS executed an agreement with the California Department of Veterans Affairs on September 16, 2010 for on-site AmeriCorps volunteers in the VSO. The State is now requiring counties to submit a resolution which authorizes that agreement - action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Employment and Social Services)
9. Acceptance of U.S. Department of Homeland Security SAFER Grant - On January 14, 2011 the Butte County Fire Department received a notice of award from the U.S. Department of Homeland Security for a Staffing for Adequate Fire and Emergency Response (SAFER) Grant. The total grant amount is \$480,837 and will provide for two fire captains over a two-year period ending April 6, 2013 – action requested – ACCEPT THE SAFER GRANT AND DIRECT DEPARTMENT STAFF TO ACCOMPLISH GRANT REQUIREMENTS. (Fire)
10. Notice of Completion – All contract work related to the construction and site work of Fire Station 55 located at 7540 Oro Bangor Highway, Bangor, CA 95914 has been completed in accordance with the plans and specifications – action requested - ACCEPT CONTRACT WORK; AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF COMPLETION; AND DIRECT THE RECORDING OF THE NOTICE OF COMPLETION. (General Services)

11. Private Industry Council (PIC) – amendment to the agreement with PIC for the construction of a portion of the Oroville Veterans Memorial Park for All of Butte County. The amendment modifies the reimbursement schedule to allow an initial payment of \$30,000 (utilizing grant funds) at the commencement of work, a fifty percent reimbursement payable upon completion of the work and acceptance by General Services, and the remainder payable upon issuance of a Certificate of Occupancy by Development Services - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (General Services)
12. Resolution to Amend the Salary Ordinance - The resolution will amend the salary ordinance as follows:

LIBRARY – requests to add one flexibly staffed position of Administrative Analyst, Senior/Administrative Analyst. Once a departmental recruitment is conducted to fill the new position, the vacated position will then be deleted at a future Board meeting. Any change in cost will not be known until an internal recruitment has been conducted and an individual chosen. Any change in cost will be absorbed by the department’s current budget. This change will initially increase the total allocations in the department from 25.75 to 26.75 until the vacated position is deleted at a future Board meeting – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)
13. California Children’s Services Program Administrator – After conducting a broad based recruitment the department requests the advanced step hiring of Tonya Erickson to fill the vacant Program Administrator position for Public Health – action requested – APPROVE ADVANCED STEP HIRE OF TONYA ERICKSON AT STEP 4 OF THE PROGRAM ADMINISTRATOR, CALIFORNIA CHILDREN’S SERVICES POSITION. (Human Resources)
14. 2010/2011 Children’s Medical Services Child Health and Disability Prevention Program (CHDP) and the California Children’s Services (CCS) Program Joint Plan – submitted is the 2010/2011 Children’s Medical Services CHDP/CCS Joint Plan which summarizes the overall program activities that will be accomplished within each program – action requested - APPROVE THE SUBMISSION OF THE 2010/2011 JOINT PLAN TO THE STATE DEPARTMENT OF HEALTH SERVICES AND AUTHORIZE THE CHAIR TO SIGN THE PLAN DOCUMENT. (Public Health)
15. Letter Agreement between the County of Butte and the City of Chico for the Hegan Lane Rehabilitation Project – This letter agreement will provide for joint City and County funding to rehabilitate the section of Hegan Lane between the Midway and Union Pacific Railroad Tracks. The County’s proposed share is \$347,000 (utilizing Proposition 1B funds). The City of Chico will contribute up to \$750,000 from their Chico Urban Area traffic impact fee funds – action requested – APPROVE LETTER AGREEMENT AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN; APPROVE THE HEGAN LANE REHABILITATION PROJECT AND DIRECT THE DIRECTOR OF PUBLIC WORKS TO ADVERTISE THE PROJECT FOR BIDS. (Public Works)
16. Budget Adjustments - request for budget adjustments totaling \$92,110 from the inmate welfare fund to purchase and train a new jail K-9 and for catastrophic inmate medical expenses incurred in October 2010 - action requested - APPROVE BUDGET ADJUSTMENTS (4/5 vote required).

(Sheriff-Coroner)

- 17. Resolution Recognizing February 2011 as National Teen Dating Violence Awareness and Prevention Month – action requested - ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Other Departments and Agencies)
- 18. Sacramento River Conservation Area Forum (SRCAF) – action requested – AT THE REQUEST OF SRCAF: REAPPOINT SHIRLEY LEWIS, LANDOWNER REPRESENTATIVE AND LES HERINGER, ALTERNATE LANDOWNER REPRESENTATIVE TO TERMS TO END DECEMBER 31, 2013. (Other Departments and Agencies)

MOTION: I MOVE TO ADOPT THE CONSENT AGENDA.\*

M            2

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

\*CLERKS NOTE: THE APPROVAL OF ITEM 3.18 (#18 on consent agenda minutes) WAS RESCINDED LATER IN THIS MEETING. (SEE BELOW PAGE 4 ) THE APPOINTMENTS TO THE SRCAF AS SHOWN ON THE CONSENT AGENDA WERE NOT MADE.

**REGULAR AGENDA**

**1103-002** Boards, Commissions and Committees

- 1. Appointments to Listed Vacancies

MOTION: I MOVE TO APPOINT SUE HUBBARD TO THE BUTTE COUNTY FAIR BOARD (GRIDLEY SWIMMING POOL) (AS DISTRICT 2 REPRESENTATIVE).

M            2

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

MOTION: I MOVE TO RESCIND THE APPROVAL OF ITEM 3.18 (APPOINTMENTS TO THE SACRAMENTO RIVER CONSERVATION AREA FORUM) ON THE CONSENT AGENDA.

2    M

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

- 2. Board Member or Committee Reports (None)

**1103-003** Update of Current Budget and Legislative Issues by the Chief Administrative Officer.

PAUL HAHN, CHIEF ADMINISTRATIVE OFFICER, PROVIDED A REPORT.

**1103-004** Update of General Plan 2030 Process by Director of Development Services.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES, PROVIDED A REPORT.

**1103-005** Update Regarding Upcoming Butte County Code Amendments by Director of Development Services.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED A REPORT.

**1103-006** Resolution Requesting Support from State Legislators for an Alcohol Ban on Specified Portions of the Sacramento River on Labor Day Weekend – consideration of a resolution which requests State Legislators’ support for an alcohol ban on the Sacramento River on Labor Day weekend as this annual event requires massive response by law enforcement and fire and rescue personnel and is a serious draw on public resources. State legislation is necessary to place a ban on specified portions of the Sacramento River while a local ordinance will be required to place a ban along the banks of the river – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff)

SHERIFF JERRY SMITH PROVIDED A REPORT TO THE BOARD.

CITY OF CHICO POLICE CHIEF, MIKE MALONE, ADDRESSED THE BOARD.

JIM CLARKS ADDRESSED THE BOARD.

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

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

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

**PUBLIC HEARINGS AND TIMED ITEMS**

**1103-007** Public Hearing – Appeal of Planning Commission Denial of Tentative Subdivision Map (TSM) 09-0003, APN 047-440-037 (Schuster Homes Inc.) – Consideration of an appeal of the Butte County Planning Commission’s denial of TSM09-0003 to divide approximately 26.4 acres into twenty-five 1-acre residential parcels and one 1.4-acre detention pond lot. The project parcel is located on the west side of Garner Lane in Chico, north of the intersection of Garner Lane and Guntren Lane and on the south end of Persimmon Lane. The appellant has submitted findings for an overrule request on the inconsistency determination made by the Butte County Airport Land Use Commission – action requested – staff recommends:

- 1) GRANT THE APPEAL AND APPROVE TSM09-0003 SUBJECT TO FINDINGS AND CONDITIONS;
- 2) ADOPT THE MITIGATED NEGATIVE DECLARATION WITH FINDINGS; AND
- 3) APPROVE THE OVERRULE OF THE BUTTE COUNTY AIRPORT LAND USE COMMISSION’S INCONSISTENCY DETERMINATION WITH FINDINGS. (Department of Development Services)

TIM SNELLINGS, THE DIRECTOR OF DEVELOPMENT SERVICES, REPORTED THAT THE DEPARTMENT HAS RECEIVED NEW FINDINGS THAT THEY WISH TO INCORPORATE INTO THE BOARD’S DETERMINATION. THE DEPARTMENT REQUESTED A CONTINUANCE TO THE MARCH 15, 2011 BOARD MEETING .

MOTION: I MOVE TO CONTINUE THIS ITEM TO MARCH 15, 2010 AS REQUESTED BY THE DEPARTMENT.

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

Recessed as the Butte County Board of Supervisors and convened as the Butte County Public Facilities Financing Corporation Board of Directors.

**PUBLIC FACILITIES FINANCING CORPORATION**  
**BOARD OF DIRECTORS**  
**MINUTES**  
**FEBRUARY 8, 2011**

Called to order at 9:56 a.m. - Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Board members present: Connelly, Wahl, Kirk, Yamaguchi and Chair Lambert. Also present – Kathleen Moghannam, Deputy Clerk

**1101-001**

**CONSENT AGENDA**

1. Approval of Minutes – action requested – APPROVE MINUTES OF FEBRUARY 23, 2010. (Supervisor Wahl to abstain from vote)
2. Appointment of New Officers – Appoint officers as follows: President – Chair Steve Lambert; Vice President – Vice Chair Maureen Kirk; Secretary/Treasurer – C. Linda Barnes; Lessee Representatives – C. Linda Barnes and Peggy Moak – action requested – MAKE APPOINTMENTS AND AUTHORIZE THE CHAIR TO SIGN CERTIFICATE OF AUTHORIZED OFFICERS.

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA.

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

**PUBLIC COMMENT** (each speaker limited to five minutes) (NONE)

**ADJOURNMENT**

Adjourned at 9:57 a.m. as the Public Facilities Financing Corporation and convened as the Thompson Flat Cemetery District Board of Trustees.



**THOMPSON FLAT CEMETERY DISTRICT**  
**BOARD OF DIRECTORS**  
**MINUTES**  
**FEBRUARY 8, 2011**

**CALLED TO ORDER** - Butte County Board of Supervisors Room, 25 County Center Drive, Oroville.

Supervisors present: Dolan, Kirk, Lambert, Yamaguchi, and Chair Connelly. Also present: Paul Hahn, Chief Administrative Officer; Bruce Alpert, County Counsel and Kathleen Moghannam, Assistant Clerk of the Board.

**1101-001** **REGULAR AGENDA**

1. Election of a Special District "Enterprise" Regular Commissioner – The Butte Local Agency Formation Commission (LAFCO) is calling for nominations for a Special District "Enterprise" Regular member to serve on the Commission. LAFCO requests the Thompson Flat Cemetery Board of Trustees to nominate a member of a "Enterprise" Special District – action requested – NOMINATE A MEMBER OF AN "ENTERPRISE" SPECIAL DISTRICT - OR - DECLINE TO MAKE A NOMINATION.

MOTION: I MOVE TO DECLINE TO MAKE A NOMINATION.

VOTE:           2           M  
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 as the Thompson Flat Cemetery District Board of Directors and reconvened as the Butte County Board of Supervisors.

**1103-008** **PUBLIC COMMENT** (each speaker limited to five minutes)

MRS. SMITH ADDRESSED THE BOARD. (59:03)

**PUBLIC HEARINGS AND TIMED ITEMS**

**1103-009** Continued Public Hearing - Itemized Cost of Nuisance Abatement - 15245 Reese Road, Chico, APN 047-200-040 (CE08-0159) – This property was abated between June 6, 2008 through January 9, 2009 by the property owner. On January 11, 2011, the Board of Supervisors directed staff to meet with the current property owner, who inherited this property via probate, to determine if a payment plan could be reached. The property owner submitted a \$3,000 payment on January 24, 2011 – action requested – CONSIDER THE \$3,000 AMOUNT PAID TO BE ACCEPTABLE WITHOUT THE PLACEMENT OF A LIEN. (Department of Development Services)

MOTION: I MOVE TO CONSIDER THE \$3,000 AMOUNT PAID TO BE ACCEPTABLE WITHOUT THE PLACEMENT OF A LIEN.

M 2

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

**1103-010** Timed Item – Presentation of Annual California Public Library Survey for California State Library for Fiscal Year 2009/2010 – The department will provide a report on budget data, usage statistics, and library services - action requested – ACCEPT FOR INFORMATION. (Library)

LINDA MIELKE, LIBRARY DIRECTOR PROVIDED A REPORT.

**1103-011** Timed Item – Butte County Library Advisory Board Long Range Strategic Plan – The Chair of the Library Advisory Board will provide a report – action requested – REVIEW AND APPROVE PLAN. (Library)

The Chair of the Library Advisory Board provided a report.

MOTION: I MOVE TO APPROVE THE PLAN.

M 2

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



**ADJOURNMENT:** THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED TO RECONVENE AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS TO BE HELD TUESDAY, FEBRUARY 22, 2011 AT 9:00 A.M.