

BUTTE COUNTY BOARD OF SUPERVISORS

MINUTES

June 14, 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 9:03 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.

1113-001 **CORRECTIONS AND/OR CHANGES TO THE AGENDA.**

1. Budget Adjustment – Due to the closure of the Private Industry Council (PIC) the County has incurred a number of unanticipated costs on leased facilities and the Southside Community Center (SCC). For leased facilities the County has incurred \$144,086 in costs and for the SCC the County estimates costs at \$75,654. County Departments occupying the leased facilities will cover \$128,996 of the costs, with the balance of \$15,090 covered by the County's General Fund. Offsetting revenues from the Southside Community Center, in the amount of \$42,980, leave the County's General Fund responsible for \$32,674 in costs. The total request from General Fund Appropriation for Contingencies for the costs related to leased facilities and the SCC is \$47,764. The balance in the General Fund Appropriation for Contingencies as of 6/1/11 is \$9,164,507 – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (General Services)

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

2. Recommendations of the Butte County Water Commission for appointments to the Butte County Water Advisory Committee – As recommended by the Water Commission, appoint John Scott as Cherokee Sub-Inventory Unit Representative; Matthew Meninga as Chico Urban Area Sub-Inventory Unit Representative; Mike Miller as Pentz Sub-Inventory Unit Representative; Larry Lloyd as At-Large Foothill/Mountain Inventory Units Representative; Sharon Wallace as At-Large Big Chico Creek Watershed Alliance Representative; and Mark Sorenson as At-Large Municipality – City of Chico Representative – action requested – APPROVE APPOINTMENTS. (Water and Resource Conservation)

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

1113-002 **CONSENT AGENDA**

1. Unclaimed Property Tax Refunds – the Auditor-Controller has verified unclaimed refunds in the amount of \$3,656.07 which meet the requirements prescribed by Revenue and Taxation Code Sections 5096-5108 and is requesting Board approval to transfer those funds to the General Fund – action requested – AUTHORIZE THE UNCLAIMED AMOUNTS TO BE TRANSFERRED TO THE COUNTY GENERAL FUND AS DETAILED IN THE AGENDA REPORT. (Auditor-Controller)

2. J.Gregory Long, D.O. - agreement with J.Gregory Long, D.O. for psychiatric services. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$263,125 (department budget utilizing State and Federal 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)
3. Sierra-Cascade Research Associates, Inc. - agreement with Sierra-Cascade Research Associates, Inc. for psychiatric services for adult clients. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$43,750 (department budget utilizing State and Federal 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)
4. Thomas Lancaster, M.D. - agreement with Thomas Lancaster, M.D. for psychiatry services for adult clients at the Butte County Department of Behavioral Health Psychiatric Health Facility. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$373,615 (department budget utilizing State and Federal 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)
5. Han T. Nguyen, M.D. - agreement with Han T. Nguyen, M.D. for psychiatric services for adult clients at the Butte County Department of Behavioral Health Oroville Adult Outpatient Clinic. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$169,000 (department budget utilizing State and Federal 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. Charis Youth Center - amendment to the agreement with Charis Youth Center for intensive day treatment, day rehabilitation services and medication support services to emotionally disturbed adolescents. The amendment decreases the maximum amount payable by \$4,516.85 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
7. Youth for Change - amendment to the agreement with Youth for Change for an increase in mental health units of service. The amendment increases the maximum amount payable by \$70,003.06 (department budget utilizing Federal and State Medi-Cal funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
8. Youth for Change - amendment to the agreement with Youth for Change for the Multidimensional Treatment Foster Care (MTFC) Program which cares for emotionally disturbed youth. The amendment decreases the maximum amount payable by \$69,999.33 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

9. George Richard Heitzman, M.D. - agreement with George Richard Heitzman, M.D. for psychiatric services for adult clients at the Butte County Department of Behavioral Health Oroville Adult Outpatient Clinic. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$206,250 (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)
10. Thomas Michael Buckley, M.D. - agreement with Thomas Michael Buckley, M.D. for psychiatric services at the Oroville Outpatient Clinic. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$100,000 (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)
11. Consolidated Area Housing Authority of Sutter County (CAHASC) – amendment to the agreement with CAHASC for staff services related to the Housing Rehabilitation Loan Program. The amendment clarifies roles and responsibilities and payment of services. A budget adjustment is also requested in the amount of \$71,298 (grant funding) for the costs of administrative and activity delivery services related to the housing rehabilitation program - action requested - APPROVE AGREEMENT AMENDMENT, INCLUDING EXHIBIT 5, AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required). (Chief Administrative Office)
12. Approval of Minutes – submitted are the minutes for May 10, 2011 and May 24, 2011 – action requested – APPROVE MINUTES. (Chief Administrative Office)
13. Resolution Recognizing Mary Randall for 31 Years of Dedicated Service – action requested – ADOPT RESOLUTION NO. 11-056 AND AUTHORIZE THE CHAIR TO SIGN. (Child Support Services)
14. David W. Kennedy - amendment to the agreement with David W. Kennedy for legal services for the Department of Employment and Social Services; Children Services Division. The amendment extends the term of the agreement through June 30, 2013 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (County Counsel)
15. George E. Washington (Washington & Heithecker) - amendment to the agreement with George E. Washington (Washington & Heithecker) for attorney services. The amendment amends the hourly rate of compensation - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (County Counsel)

16. McWilliams Mailliard Technology Group (MMTG) - agreement with MMTG for user software license, subscription and support for access to their automated aging and adult client tracking system, known as AACTS, for use by Adult Protective Services (APS). The term of the agreement is June 1, 2011 through June 30, 2012 with a maximum amount payable of \$58,649.89 (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)
17. IDEA Consulting - amendment to the agreement with IDEA Consulting for collaboration and support of the Northern California Partnership for the Safe and Stable Families project. The amendment extends the term of the agreement through September 30, 2011 and increases the maximum amount payable by \$42,622 (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. (Employment and Social Services)
18. Butte County Department of Behavioral Health (BCDBH) - amendment to the agreement with BCDBH to provide a designated Behavioral Health counselor to work with parents who are clients of Butte County Children's Services Division (CSD) whom have been referred to alcohol and drug services. The amendment extends the term of the agreement through September 30, 2011 and increases the maximum amount payable by \$90,526.50 (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. (Employment and Social Services)
19. Counseling Solutions, Inc. – amendment to the agreement with Counseling Solutions, Inc. for counseling, parent education and support groups to Children's Services clients. The amendment increases the maximum amount payable by \$30,000 (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)
20. Regents of the University of California – UC Davis - agreement with Regents of the University of California – UC Davis for training services to successfully meet federal and State welfare reform requirements. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$89,870 (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)
21. California Security Services, Inc. - amendment to the agreement with California Security Services, Inc. for security to department facilities in Oroville and Chico offices. The amendment extends the term of the agreement through December 31, 2011 and increases the maximum amount payable by \$119,531.22 - 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)

22. Gudgel Roofing, Inc. – agreement with Gudgel Roofing, Inc. for the replacement of the roof at 25 County Center Drive, Oroville. The term of the agreement is June 14, 2011 and shall be completed within sixty calendar days after receipt of notice to proceed and has a maximum amount payable of \$212,578 – action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (General Services)
23. George Roofing – agreement with George Roofing for the replacement of a portion of the roof at 33 County Center Drive, Oroville. The term of the agreement is June 14, 2011 and shall be completed within sixty calendar days after receipt of notice to proceed and has a maximum amount payable of \$137,574 – action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (General Services)
24. Request for Temporary Construction Easement and a Storm Drain Easement – Robert Feeney of Feeney Engineering & Surveying, Inc., on behalf of the Roman Catholic Bishop of Sacramento for the St. Thomas More Catholic Church located at 767 Elliott Road in Paradise, has requested a temporary construction easement and a storm drain easement across County owned real property located at 747 Elliot Road in Paradise – action requested – AUTHORIZE DIRECTOR OF GENERAL SERVICES TO COMPLETE AND EXECUTE ALL NECESSARY DOCUMENTATION TO GRANT THE TEMPORARY CONSTRUCTION EASEMENT AND STORM DRAIN EASEMENT TO THE ROMAN CATHOLIC BISHOP OF SACRAMENTO. (General Services)
25. Budget Adjustment – request for approval of a budget adjustment in the amount of \$85,000 for General Services to oversee the re-location of the Women, Infants and Children (WIC) program (Department of Public Health budget) – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (General Services)
26. Accept Unanticipated Revenue – approval is requested to accept \$13,606 in grant funds from the U.S. Department of Education’s Literacy is for Everyone (LIFE) grant. The purpose of the grant is to extend, strengthen, and enhance the delivery of Literacy Services for adults, children and families in Butte County. The total award is \$150,000 for a 3-year term – action requested – ACCEPT UNANTICIPATED REVENUE AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required). (Library)
27. Accept Unanticipated Revenue - approval is requested to accept \$7,847 in grant funds from the First 5 Butte County Children & Families Commission Early Learning with Families (ELF) grant – action requested – ACCEPT UNANTICIPATED REVENUE AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required). (Library)
28. Greg Costo - agreement with Greg Costo to serve as the Public Health Department’s Lab Director. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$90,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Health)

29. California Department of Public Health (CDPH) – The Butte County Department of Public Health has received a grant from CDPH to provide training on the use of regional immunization registries, to draft provider participation agreements, and to recruit new providers. Approval is requested for an agreement amendment with CDPH for Butte County Public Health to provide these services. The amendment decreases the maximum amount receivable to \$87,334 (department budget) - 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. (Public Health)
30. Fixed Asset Purchase – approval is requested for the purchase of modular furniture in the amount of \$31,000 for the Chico office of Women, Infants and Children (WIC) and California Children’s Services (CCS) – action requested – APPROVE FIXED ASSET PURCHASE OF MODULAR FURNITURE. (Public Health)
31. Look Ahead Veterinary Hospital - amendment to the agreement with Look Ahead Veterinary Hospital for boarding, medical services, and euthanasia to animals impounded by the Animal Control Division. The amendment extends the term of the agreement from June 30, 2011 through June 30, 2012 and increases the maximum amount payable by \$20,000 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Health)
32. Drake Haglan & Associates - agreement with Drake Haglan & Associates for preliminary engineering and design services for the Oregon Gulch Road across Morris Ravine bridge replacement. The term of the agreement is upon date executed by the County through June 30, 2013 with a maximum amount payable of \$99,920. The project is funded through the Federal Highway Bridge Program (HBP) and the Off Federal-aid System (OFS) Highway Bridge Program - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Works)
33. Budget Adjustment – request for approval of a budget adjustment in the amount of \$1,250 to relocate telephone lines in order to re-roof the main jail – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Sheriff-Coroner)
34. Accept Unanticipated Revenue – approval is requested to accept \$8,095 in unanticipated revenue from Fire Star Productions to cover the overtime expenses needed to produce a training video for firefighters and EMS providers throughout the state and nation – action requested – ACCEPT UNANTICIPATED REVENUE AND APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Sheriff-Coroner)
35. Budget Adjustment – request for approval of a budget adjustment in the amount of \$1,700 to purchase an armored vehicle and miscellaneous supplies and parts for guns – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Sheriff-Coroner)

- 36. California Water Service Company - agreement with California Water Service Company for the supply of Table A water. The term of the agreement is January 1, 2011 through December 31, 2038. The County is increasing the amount charged by \$16 per acre foot over and above the amount that the County is required to pay Department of Water Resources (DWR) and the base amount of supply reserved for Cal Water for its current and future needs is to be determined in five year increments. The agreement also includes language that reflects current practices and procedures utilized by the County in the management and administration of the Table A allocation - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Water and Resource Conservation)
- 37. Del Oro Water Company (DOWC) - agreement with DOWC for the supply of Table A water. The term of the agreement is January 1, 2011 through December 31, 2038. The County is increasing the amount charged by \$16 per acre foot over and above the amount that the County is required to pay the Department of Water Resources (DWR) and the base amount of supply reserved for DOWC for its current and future needs is to be determined in five year increments. The agreement also includes language that reflects current practices and procedures utilized by the County in the management and administration of the Table A allocation - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Water and Resource Conservation)
- 38. Northern Sacramento Valley Integrated Regional Water Management, Technical Advisory Committee (TAC) – action requested – PER HIS REQUEST, APPOINT MARK KIMMELSHUE AS LANDOWNER REPRESENTATIVE ON THE TAC. (Other Departments and Agencies)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF ITEMS 3.26 AND 3.37 WHICH WERE REMOVED FROM THE AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

2 M

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

REGULAR AGENDA

1113-003 Items Removed from the Consent Agenda for Board Consideration and Action.

- 1. Budget Adjustment – Due to the closure of the Private Industry Council (PIC) the County has incurred a number of unanticipated costs on leased facilities and the Southside Community Center (SCC). For leased facilities the County has incurred \$144,086 in costs and for the SCC the County estimates costs at \$75,654. County Departments occupying the leased facilities will cover \$128,996 of the costs, with the balance of \$15,090 covered by the County’s General Fund. Offsetting revenues from the Southside Community Center, in the amount of \$42,980, leave the County’s General Fund responsible for \$32,674 in costs. The total request from General Fund Appropriation for Contingencies for the costs related to leased facilities and the SCC is \$47,764. The balance in the General Fund Appropriation for Contingencies as of 6/1/11 is \$9,164,507 – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (General Services)

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

GRANT HUNSICKER, DIRECTOR OF GENERAL SERVICES ANSWERED QUESTIONS FROM THE BOARD.

MOTION: I MOVE TO APPROVE BUDGET ADJUSTMENT.

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

- 2. Recommendations of the Butte County Water Commission for appointments to the Butte County Water Advisory Committee – As recommended by the Water Commission, appoint John Scott as Cherokee Sub-Inventory Unit Representative; Matthew Meninga as Chico Urban Area Sub-Inventory Unit Representative; Mike Miller as Pentz Sub-Inventory Unit Representative; Larry Lloyd as At-Large Foothill/Mountain Inventory Units Representative; Sharon Wallace as At-Large Big Chico Creek Watershed Alliance Representative; and Mark Sorenson as At-Large Municipality – City of Chico Representative – action requested – APPROVE APPOINTMENTS. (Water and Resource Conservation)

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

JOHN SCOTT ADDRESSED THE BOARD.

MOTION: I MOVE TO APPOINT JOHN SCOTT AS CHEROKEE SUB-INVENTORY UNIT REPRESENTATIVE TO THE BUTTE COUNTY WATER ADVISORY COMMITTEE.

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

MOTION: I MOVE TO APPOINT THE REST OF THE NOMINEES AS LISTED: MATTHEW MENINGA AS CHICO URBAN AREA SUB-INVENTORY UNIT REPRESENTATIVE; MIKE MILLER AS PENTZ SUB-INVENTORY UNIT REPRESENTATIVE; LARRY LLOYD AS AT-LARGE FOOTHILL/MOUNTAIN INVENTORY UNITS REPRESENTATIVE; SHARON WALLACE AS AT-LARGE BIG CHICO CREEK WATERSHED ALLIANCE REPRESENTATIVE; AND MARK SORENSON AS AT-LARGE MUNICIPALITY.

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

PRESENTATION OF RESOLUTION RECOGNIZING MARY RANDALL UPON HER RETIREMENT. (15:23)

1113-004 Boards, Commissions and Committees

1. Appointments to Listed Vacancies

MOTION: I MOVE TO APPOINT WES GILBERT TO THE BUTTE COUNTY RESOURCE CONSERVATION DISTRICT. (AS THE DISTRICT 2 REPRESENTATIVE).

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

MOTION: I MOVE TO APPOINT JIM CUSICK TO THE SURFACE MINING AGREGATE OPERATIONS COMMITTEE. (AS DISTRICT 3 REPRESENTATIVE)

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

MOTION: I MOVE TO CONFIRM THE JANUARY 2010 APPOINTMENT OF ROBERT LEASK TO THE OROVILLE CEMETERY DISTRICT.

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

CLERK’S NOTE: IN JANUARY 2010, ROBERT LEASK WAS APPOINTED TO A TERM TO END JANUARY 1, 2014.

MOTION: I MOVE TO APPOINT STEVEN GRACE TO THE SURFACE MINING AGREGATE OPERATIONS COMMITTEE. (AS DISTRICT 5 REPRESENTATIVE)

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

2. Board Member or Committee Reports

SUPERVISOR YAMAGUCHI REPORTED ON THE BUTTE COUNTY ECONOMIC DEVELOPMENT CORPORATION. HE REQUESTED STAFF PROVIDE INFORMATION ON BUTTE COUNTY FEES FOR CERTIFICATES OF OCCUPANCY. TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES ANSWERED QUESTIONS AND WILL PROVIDE A REPORT TO THE BOARD AT A FUTURE MEETING.

SUPERVISOR YAMAGUCHI REPORTED ON A MEETING OF THE REGIONAL COUNCIL OF RURAL COUNTIES. HE REQUESTED STAFF PROVIDE INFORMATION ON STATE FUNDING FOR THE FIRST 5 CHILDRENS AND FAMILIES COMMISSION AT A FUTURE MEETING.

SUPERVISOR KIRK REPORTED ON THE CALIFORNIA STATE ASSOCIATION OF COUNTIES (CSAC) EXECUTIVE BOARD MEETING. SUPERVISOR CONNELLY ASLO REPORTED ON THE CSAC MEETING

SUPERVISOR YAMAGUCHI REPORTED ON A MEETING OF THE SIERRA NEVADA CONSERVANCY.

PUBLIC HEARINGS AND TIMED ITEMS

1113-005 Public Hearing – Itemized Cost of Nuisance Abatement – Cherokee at Hwy 70, Oroville, APN 041-330-023 (CE10-0251) - This property was abated between February 4, 2011 and February 18, 2011 – action requested – APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$5,992.27; 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. (Department of Development Services)

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES PROVIDED A REPORT.

MOTION: I MOVE TO APPROVE THE PLACEMENT OF A LIEN ON THE PROPERTY IN THE AMOUNT OF \$5,992.27; AND ORDER THE AMOUNT DUE BE PLACED UPON THE COUNTY TAX ROLL AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROPERTY TAXES ARE COLLECTED.

M 2

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

1113-006 Public Hearing – Adoption of the 2011 Butte County Bicycle Plan – In order to be eligible for Bicycle Transportation Account (BTA) funding from Caltrans, the County must have a current bicycle plan adopted by the Board of Supervisors and approved by the Butte County Association of Governments (BCAG) – action requested – 1) ADOPT THE 2011 BUTTE COUNTY BICYCLE PLAN; AND ADOPT RELATED RESOLUTION NO. 11-057 AND AUTHORIZE THE CHAIR TO SIGN; 2) AUTHORIZE THE SUBMITTAL OF THE ADOPTED BICYCLE PLAN TO BCAG FOR APPROVAL; 3) AUTHORIZE SUBMITTAL OF 2011 BUTTE COUNTY BICYCLE PLAN, APPROVED RESOLUTION AND LETTER OF APPROVAL FROM BCAG TO CALTRANS TO BECOME ELIGIBLE FOR BTA FUNDING. (Department of Public Works)

TOM BLIXT, SENIOR ADMINISTRATIVE ANALYST FROM THE DEPARTMENT OF PUBLIC WORKS PROVIDED A REPORT.

MOTION: I MOVE TO 1) ADOPT THE 2011 BUTTE COUNTY BICYCLE PLAN; AND ADOPT RELATED RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN; 2) AUTHORIZE THE SUBMITTAL OF THE ADOPTED BICYCLE PLAN TO BCAG FOR APPROVAL; 3) AUTHORIZE SUBMITTAL OF 2011 BUTTE COUNTY BICYCLE PLAN, APPROVED RESOLUTION AND LETTER OF APPROVAL FROM BCAG TO CALTRANS TO BECOME ELIGIBLE FOR BTA FUNDING.

2 M

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

REGULAR AGENDA

1113-007 Update of Current Budget and Legislative Issues by the Chief Administrative Officer.

PAUL HAHN, CHIEF ADMINISTRATIVE OFFICER PROVIDED A REPORT. (47:28)

1113-008 General Plan Follow-Up and Implementation by Director of Development Services.

TIM SNELLINGS, DIRECTOR OF DEVELOPMENT SERVICES AND DAN BREEDON, PRINCIPAL PLANNER WITH DEVELOPMENT SERVICES PROVIDED A REPORT. (54:42)

1113-009 Resolution Adopting The Hartford Life Insurance Company as the Butte County Deferred Compensation Record Keeper - The Deferred Compensation Committee began a competitive solicitation process for deferred compensation record keepers in February 2011. Ten proposals were received and five firms were invited for interviews. The Committee has done a thorough review of written proposals, interviewed the top proposers and conducted reference checks, and recommends that the County contract with The Hartford for deferred compensation record keeper services beginning September 15, 2011. The Committee also recommends that the Board of Supervisors appoint the Reliance Trust Company to serve as Trustee of the County’s plan and authorize the Human Resources Director, as a member of the appointed Deferred Compensation Committee, to execute all necessary documents on behalf of the County – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

DAVE HOUSER, AUDITOR CONTROLLER PROVIDED A REPORT. (1:06:45)

VINCENT GALINDO FROM ARNERICH MESSINA PROVIDED A REPORT ON THE RFP PROCESS. (1:25:55)

JEFF MORROW FROM THE HARTFORD ANSWERED QUESTIONS FROM THE BOARD. (1:41:06)

KIM MORRIS, EMPLOYEE REPRESENTATIVE ON THE DEFERRED COMPENSATION COMMITTEE ADDRESSED THE BOARD. (2:02:30)

BRIAN RING, DIRECTOR OF HUMAN RESOURCES ADRESSED THE BOARD. (1:25:55)

MOTION: I MOVE TO DELAY THE DECISION ON THIS ITEM UNTIL THE JUNE 28, 2011 BOARD OF SUPERVISORS MEETING IN ORDER FOR THE HARTFORD TO PROVIDE ADDITIONAL INFORMATION ON THE FEES RELATED TO THIS PROGRAM.

2 M

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

PUBLIC HEARINGS AND TIMED ITEMS

1113-010 Timed Item – Workshop - Neal Road Recycling and Waste Facility (NRRWF) – Options for Sustainable Revenue – At the direction of the Board of Supervisors on March 29, 2011, department staff has provided additional information regarding franchise agreements that would provide additional waste to the NRRWF, projected gate fees using various scenarios and a proposed waste facility in Glenn County - action requested –

1. DIRECT STAFF TO NOT PARTICIPATE IN THE PROPOSED NORTH STATE SOLID WASTE CONVERSION FACILITY PROJECT IN GLENN COUNTY FOR REASONS SET FORTH IN THE STAFF REPORT;
2. DIRECT STAFF TO CONTINUE TO WORK WITH HAULERS ON PROPOSED FRANCHISE AGREEMENTS FOR THE UNINCORPORATED AREAS OF THE COUNTY WITH INTENT TO INCREASE FLOW OF MUNICIPAL SOLID WASTE TO THE NRRWF; AND NEGOTIATE AND RETURN TO THE BOARD FOR CONSIDERATION OF HIRING A COUNTY CONSULTANT TO REVIEW AND CONSIDER PROPOSED FRANCHISE AREAS FUNDED BY THE THREE MAJOR HAULERS;
3. DIRECT STAFF TO ISSUE A FORMAL NOTICE TO THE CURRENT LICENSE HOLDERS THAT THE COUNTY WILL BE PURSUING POSSIBLY ESTABLISHING SOME FORM OF A SOLID WASTE FRANCHISE COLLECTION SYSTEM IN THE UNINCORPORATED AREAS WITHIN FIVE YEARS;
4. DIRECT STAFF TO WORK WITH MUNICIPALITIES IN THE COUNTY TO COORDINATE SOLID WASTE COLLECTION PROGRAMS FOR THE UNINCORPORATED AREAS AND FORWARD ITS RECOMMENDATIONS TO THE BOARD FOR CONSIDERATION. (Public Works)

BILL MANNEL, SOLID WASTE MANAGER PROVIDED A REPORT TO THE BOARD.

RHYNE JOHNSON, CONSULTANT FOR KVB/NORTH STATE SOLID WASTE CONVERSION FACILITY ADDRESSED THE BOARD. (2:48:32) (3:00:00)(3:07:31)

WOODY CULLETON AND WARD HABRIEL ADDRESSED THE BOARD. (3:23:28)

MOTION: I MOVE TO DIRECT STAFF TO PARTICIPATE IN THE STUDY (RELATED TO THE PROPOSED NORTH STATE SOLID WASTE CONVERSION FACILITY PROJECT) WITH FINANCING PROVIDED BY SOMEONE IN THE PRIVATE SECTOR.

M 2

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

MOTION: I MOVE TO DIRECT STAFF TO CONTINUE TO WORK WITH HAULERS ON PROPOSED FRANCHISE AGREEMENTS FOR THE UNINCORPORATED AREAS OF THE COUNTY WITH INTENT TO INCREASE FLOW OF MUNICIPAL SOLID WASTE TO THE NRRWF; AND NEGOTIATE AND RETURN TO THE BOARD FOR CONSIDERATION OF HIRING A COUNTY CONSULTANT TO REVIEW AND CONSIDER PROPOSED FRANCHISE AREAS FUNDED BY THE THREE MAJOR HAULERS.

2 M

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

MOTION: I MOVE TO DIRECT STAFF TO ISSUE A FORMAL NOTICE TO THE CURRENT LICENSE HOLDERS THAT THE COUNTY WILL BE PURSUING POSSIBLY ESTABLISHING SOME FORM OF A SOLID WASTE FRANCHISE COLLECTION SYSTEM IN THE UNINCORPORATED AREAS WITHIN FIVE YEARS.

2 M

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

MOTION: I MOVE TO DIRECT STAFF TO WORK WITH MUNICIPALITIES IN THE COUNTY TO COORDINATE SOLID WASTE COLLECTION PROGRAMS FOR THE UNINCORPORATED AREAS AND FORWARD ITS RECOMMENDATIONS TO THE BOARD FOR CONSIDERATION.

M 2

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

REGULAR AGENDA

1113-011 County of Butte Fiscal Year 2011/2012 Recommended Budget - submission of the fiscal year 2011/2012 Recommended Budget - action requested - 1) ACCEPT RECOMMENDED BUDGET FOR FISCAL YEAR 2011/2012 AS THE AUTHORITY FOR EXPENDITURES DURING PREPARATION OF THE ADOPTED BUDGET FOR FISCAL YEAR 2011/2012, AND AS THE BASIS FOR BUDGET HEARINGS; AND 2) SET THE PUBLIC HEARING FOR CONSIDERATION OF THE BUDGET FOR TUESDAY, JUNE 28, 2011, AT 1:30 P.M. (Administration)

PAUL HAHN, CHIEF ADMINISTRATIVE OFFICER PROVIDED A REPORT.

MOTION: I MOVE TO 1) ACCEPT RECOMMENDED BUDGET FOR FISCAL YEAR 2011/2012 AS THE AUTHORITY FOR EXPENDITURES DURING PREPARATION OF THE ADOPTED BUDGET FOR FISCAL YEAR 2011/2012, AND AS THE BASIS FOR BUDGET HEARINGS; AND 2) SET THE PUBLIC HEARING FOR CONSIDERATION OF THE BUDGET FOR TUESDAY, JUNE 28, 2011, AT 1:30 P.M.

2 M

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

Recessed at 12:45 p.m. as the Butte County Board of Supervisors and convened as the Butte County In-Home Supportive Services Public Authority

BUTTE COUNTY
IN-HOME SUPPORTIVE SERVICES
PUBLIC AUTHORITY BOARD
MINUTES
JUNE 14, 2011

Called to order at 12:45 p.m. in the Butte County Board of Supervisors Room, 25 County Center Drive, Oroville. Members present: Connelly, Kirk, Wahl, Yamaguchi and Chair Lambert. Also present: Assistant Clerk, Kathleen Moghannam.

CONSENT AGENDA

1102-001 Liebert Cassidy Whitmore - amendment to the agreement with Liebert Cassidy Whitmore for legal services for In-Home Supportive Services labor negotiations. The amendment increases the hourly rate for attorney time to \$270 per hour and the paraprofessional’s hourly rate to \$185 per hour (department budget) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

SEAN FARRELL, ASSISTANT DIRECTOR OF DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES ADDRESSED THE BOARD.

RUDY JENKINS ADDRESSED THE BOARD. (3:36:34)

BRIAN RING, DIRECTOR OF HUMAN RESOURCES ADDRESSED THE BOARD.

MOTION: I MOVE TO NOT APPROVE THIS AGREEMENT AND DIRECT STAFF TO LOOK INTO OTHER OPTIONS.

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

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 12:55 p.m. as the In-Home Supportive Services Public Authority Board and reconvened as the Butte County Board of Supervisors.

1113-012 PUBLIC COMMENT

JOHN SCOTT ADDRESSED THE BOARD.

1113-013 CLOSED SESSION

THE BOARD RECESSED AT APPROXIMATELY 1:05 P.M. TO CLOSED SESSION REGARDING:

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: JACK HUGHES & BRIAN RING
EMPLOYEE

ORGANIZATIONS: BCEA, SSW, BCMEA, PPOA, PEA,
DSA - MANAGEMENT/SUPERVISORY UNIT,
DSA- GENERAL UNIT,
BCCOA - SUPERVISORY UNIT,
BCCOA - GENERAL UNIT
NON-REPRESENTED EMPLOYEES

ACTUAL LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(a) – THREE CASES

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. BEC V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 152362; AND
3. CALIFORNIA SPORTFISHING PROTECTION ALLIANCE V. COUNTY OF BUTTE; USDC-EASTERN DISTRICT CASE NO. 10-03203.

THE BOARD RECONVENED AT APPROXIMATELY 2:25 P.M. FROM CLOSED SESSION REGARDING:

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: JACK HUGHES & BRIAN RING
EMPLOYEE

ORGANIZATIONS: BCEA, SSW, BCMEA, PPOA, PEA,
DSA - MANAGEMENT/SUPERVISORY UNIT,
DSA- GENERAL UNIT,
BCCOA - SUPERVISORY UNIT,
BCCOA - GENERAL UNIT
NON-REPRESENTED EMPLOYEES

ACTUAL LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(a) – THREE CASES

3. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
4. BEC V. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 152362; AND
3. CALIFORNIA SPORTFISHING PROTECTION ALLIANCE V. COUNTY OF BUTTE; USDC-EASTERN DISTRICT CASE NO. 10-03203. (No Announcements)

PUBLIC HEARINGS AND TIMED ITEMS

1113-014 **Public Hearing – Supervisorial Redistricting** – Every ten years, following the federal census and using the census data as a basis, the boundaries of any of the supervisorial districts of the County must be adjusted so the districts are as closely equal in population as possible, as required by local, state, and federal law. On May 10, 2011, a public hearing was held to consider redistricting proposals from the public and the Board of Supervisors. The proposals as drafted on May 10 have been available for public viewing on the Clerk-Recorder/Registrar of Voters' website - action requested - 1) PROVIDE DIRECTION TO STAFF AND RECEIVE INPUT FROM THE PUBLIC ON DRAFTING NEW SUPERVISORIAL DISTRICTS; AND 2) SCHEDULE DATE FOR ADOPTION -OR- DIRECT STAFF TO RETURN AT FUTURE DATE FOR ADDITIONAL HEARING. (Clerk-Recorder/Registrar of Voters)

CANDACE GRUBBS, CLERK-RECORDER/REGISTRAR OF VOTERS REVIEWED FIVE PROPOSED MAPS THAT WERE CREATED BASED ON INPUT FROM BOARD MEMBERS AND MEMBERS OF THE PUBLIC.

MICHAEL WORLEY, MICHAEL PIKE, AND JOHN GILLANDER ADDRESSED THE BOARD.

THE BOARD DIRECTED THIS ITEM RETURN ON JULY 12, 2011 AT 1:00 P.M. FOR ANOTHER HEARING TO OBTAIN ADDITIONAL INPUT FROM THE BOARD AND THE PUBLIC.

ADJOURNMENT:

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD THE MEETING WAS ADJOURNED AT APPROXIMATELY 3:50 P.M. AND WILL RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, JUNE 28, 2011 AT 9:00 A.M.

STEVE LAMBERT, CHAIR
BUTTE COUNTY BOARD OF SUPERVISORS

ATTEST:
Paul Hahn, Chief Administrative Officer
and Clerk of the Board
