

BUTTE COUNTY BOARD OF SUPERVISORS

MINUTES

August 23, 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 9:04 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.

1119-001 CORRECTIONS AND/OR CHANGES TO THE AGENDA.

1. Integrated Regional Water Management (IRWM) Planning Section of Prop 84 for Development of the Northern Sacramento Valley Integrated Regional Water Management Plan (NSVIRWM Plan) – request for the following agreements related to the NSVIRWM Plan: 1) West Yost Associates – agreement with West Yost Associates for the development of NSVIRWM Plan. The term of the agreement is September 15, 2011 through September 30, 2013 with a maximum amount payable of \$855,000 (department budget utilizing IRWM grant funds); 2) Department of Water Resources (DWR) – agreement with DWR for developing and completing a new or updating an existing IRWM plan to meet IRWM Plan standards. The term of the agreement is the date the agreement is executed through September 30, 2013 with a maximum amount payable of \$855,000 – action requested – 1) APPROVE AGREEMENTS AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; 2) APPROVE RELATED RESOLUTION ACCEPTING GRANT FUNDING AND APPOINTING THE PROJECT MANAGER AND AUTHORIZE THE CHAIR TO SIGN; AND 3) APPROVE RELATED BUDGET ADJUSTMENT. (4/5 vote required)(Item 3.39 on agenda)

THIS ITEM WAS REMOVED FROM THE AGENDA AT THE REQUEST OF THE DEPARTMENT OF WATER AND RESOURCE CONSERVATION. IT WILL RETURN ON A FUTURE AGENDA. NO ACTION WAS TAKEN TODAY.

2. Resolution to Amend the Salary Ordinance - The combination of changes listed below will increase the total County allocations by ten positions:

Human Resources: requests to make the following changes to the Salary Ordinance: 1) change the titles of the Mental Health Clinician Intern and Mental Health Clinician classifications to Mental Health Clinician I and Mental Health Clinician II respectively; 2) add the classification of Mental Health Clinician III to section 57, reference F of the Salary Ordinance titled, "Management, Confidential and Supervisory Unit." The salary range for this classification shall be set at range 48. These classification changes have been agreed to by the both the Human Resources Department and applicable Employee Association.

Behavioral Health: In conjunction with the request by Human Resources above, the Behavioral Health Department requests to change the titles of the Mental Health Clinician/Mental Health Clinician Intern classifications in the department to Mental Health Clinician II/Mental Health Clinician I. As part of this action, the department requests to flexibly staff three of these positions to include the Mental Health Clinician III classification. This change will leave the total allocations

in the department unchanged and potentially increase the Department costs by approximately \$14,106 annually. The increased costs for these changes will not have any fiscal impact on the General Fund.

Probation: The department is part of the impending Community Corrections Plan by AB 109 to provide Post-Release Community Supervision for those being released from the State Prison after October 1, 2011. While the plan is being developed, it is imperative for Probation to have a basic infrastructure to handle its responsibilities imposed by AB 109. In order to meet a minimum state of preparedness by October 1, 2011, the department requests to add two Probation Officer III/II/I positions. This change would increase the allocations in budget unit 430-001 from 89 to 91 and increase Department costs by approximately \$136,684 annually. The increased costs will be offset by a portion of the County's AB109 funding allocation. The Department will request additional positions when the Community Corrections Plan is brought forward to the Board of Supervisors for consideration.

Sheriff: The department is part of the impending Community Corrections Plan by AB 109 to provide Alternative Custody and Pre-Trial Release Programs for those being released from the State Prison after October 1, 2011. While the plan is being developed, it is imperative for the Sheriff's Office to have a basic infrastructure to handle its responsibilities imposed by AB 109. In order to meet a minimum state of preparedness by October 1, 2011, the department requests to add the following positions: three Correctional Officers; four Correctional Technicians; and one Sheriff's Clerk III/II/I. This change would increase the allocations in budget unit 360 from 267 to 275 and increase Department costs by approximately \$380,543 annually. The increased costs will be offset by a portion of the County's AB109 funding allocation. The Department will request additional positions when the Community Corrections Plan is brought forward to the Board of Supervisors for consideration – action requested – ADOPT RESOLUTION 11-089 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

THIS ITEM WAS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

1119-002 **CONSENT AGENDA**

1. Pat Rowen Customized Landscape and Maintenance - amendment to the agreement with Pat Rowen Customized Landscape and Maintenance for landscaping services at 556 Cohasset and 592 Rio Lindo in Chico. The amendment extends the term of the agreement through September 30, 2011 and increases the maximum amount payable by \$2,400 (department budget utilizing Behavioral Health Realignment and State Medi-Cal funding) – action requested – APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
2. Casa Serenity, LLC - agreement with Casa Serenity, LLC for 24-hour residential Board and Care services for clients of Behavioral Health. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$43,800 (department budget utilizing Realignment funding) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)

3. Northern Valley Catholic Social Services – Master Lease Program - agreement with Northern Valley Catholic Social Services for the Master Lease Program which expands housing options for Butte County Behavioral Health clients enrolled in the SEARCH Full Service Partnership Program. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$61,610 (department budget utilizing MHSA and Community Services & Supports funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Behavioral Health)
4. Northern Valley Catholic Social Services – Homeless Program - amendment to the agreement with Northern Valley Catholic Social Services for peer based services to homeless individuals with mental illness. The amendment extends the term of the agreement through June 30, 2012 and increases the maximum amount payable by \$150,661.35 (department budget utilizing MHSA and State and Federal 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)
5. Resolution Not to Contract with Northern California Treatment Services – The department requests approval of a resolution of intent not to contract with Northern California Treatment Services because of their recent certification by the State Department of Alcohol and Drug Programs (ADP) to provide Drug Medi-Cal services. The certification will increase the administrative costs and an increase in residents in the program that will not be referrals from Butte County Behavioral Health – action requested – ADOPT RESOLUTION 11-086 AND AUTHORIZE THE CHAIR TO SIGN. (Behavioral Health)
6. Prospect High School - agreement with Prospect High School for school-based mental health services. The term of the agreement is August 23, 2011 through June 30, 2012 with a maximum amount receivable of \$4,830 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET ADJUSTMENT IN THE AMOUNT OF \$4,830 (4/5 vote required). (Behavioral Health)
7. Budget Adjustment – request for a budget adjustment in the amount of \$32,100. This amount represents the Fiscal Year (FY) 2010/2011 Drug Free Community grant funds that were unspent as of June 30, 2011 – action requested - APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Behavioral Health)
8. Han T. Nguyen, M.D. – request to rescind an agreement, which was approved by the Board on June 14, 2011, for a maximum amount payable of \$169,000. The item was submitted in error, and the correct agreement with Dr. Nguyen in the amount of \$208,000 was approved at the June 28, 2011 Board meeting. The term of the corrected agreement is July 1, 2011 through June 30, 2013 – action requested – RESCIND AGREEMENT FOR THE AMOUNT OF \$169,000. (Behavioral Health)

9. Community Action Agency (CAA) of Butte County, Inc. – At the recommendation of the Executive Director of CAA, approval is requested to appoint Mr. David Burris to a vacant position on the CAA Board. The term date of the appointment is January 7, 2013 – action requested – APPOINT DAVID BURRIS. (Supervisor Connelly)
10. Butte County Economic Development Corporation (EDC) - agreement with EDC for various economic development services which includes video/radio production, events/programs, social media and general administration and technical assistance. The term of the agreement is July 1, 2011 through June 30, 2012 with a maximum amount payable of \$30,000 (department budget) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)
11. CSU, Chico Research Foundation - amendment to the agreement with CSU, Chico Research Foundation for mapping services and data analysis in support of the Chico Urban Area Nitrate Compliance Program. The amendment extends the term of the agreement through June 30, 2012 and increases the maximum amount payable by \$10,000 (utilizing CSA 114 funds) - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)
12. Tamara Miller, PE - amendment to the agreement with Tamara Miller, PE for engineering services related to the submittal of a loan application to State Water Resources Control Board (SWRCB) for sewer infrastructure installation in the greater Chico urban area. The amendment extends the term of the agreement through June 30, 2012 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)
13. Resolution Recognizing September 2011 as National Emergency Preparedness Month – action requested – ADOPT RESOLUTION 11-087 AND AUTHORIZE THE CHAIR TO SIGN. (Chief Administrative Office)
14. Regional Housing Authority of Sutter and Nevada Counties - amendment to the agreement with Regional Housing Authority of Sutter and Nevada Counties (formally known as the Consolidated Area Housing Authority of Sutter County) for the administration and implementation of the housing rehabilitation and reconstruction portion of the Community Development Block Grant Disaster Recovery Initiative Program. The term of the agreement amendment is August 23, 2011 through November 30, 2013 with a maximum amount payable of \$592,920 (CDBG grant funds) - action requested - APPROVE AGREEMENT AMENDMENT AND RELATED EXHIBIT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Chief Administrative Office)

15. Agency Response to Grand Jury – In compliance with Penal Code Sections 933 and 933.05, staff has prepared a draft Board of Supervisors response to the findings and recommendations contained in the 2010-11 Grand Jury Final Report. The responses of the elected and appointed department heads prepared for the Presiding Judge of Butte County Superior Court are also included – action requested – APPROVE GRAND JURY RESPONSE. (Chief Administrative Office)
16. Resolution Recognizing August 2011 as Child Support Awareness Month - action requested - ADOPT RESOLUTION 11-088 AND AUTHORIZE THE CHAIR TO SIGN. (Child Support Services)
17. Accept Unanticipated Revenue – request to accept \$11,000 from county law enforcement agencies and the Probation Department to train nurses in the California Medical Protocol for sexual assault and child sexual abuse victims. Upon completion of the course the county will have fifteen qualified sexual assault nurse examiners – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required) ACCEPTING AND APPROPRIATING UNANTICIPATED FUNDS. (District Attorney)
18. Return Carryover Grant Funds to the California Department of Insurance (CDI) –request to transfer restricted cash to operating cash in order for the department to the unspent grant funds to CDI. The department is receiving CDI grant funds in FY 2011/2012 and this action creates more transparency and accuracy in accounting for this grant – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (District Attorney)
19. State of California Department of Toxic Substance Control (DTSC) – request for a revenue agreement with DTSC for the reimbursement to the county for general funds used to pay for an employee with expertise to assist DTSC with statewide enforcement of laws governing handling and disposal of toxic substances. The term of the agreement is March 15, 2011 through May 27, 2011 with a maximum amount receivable of \$57,851 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (District Attorney)
20. Grant Awarded for District Attorney's Economic Crime Prosecution and Public Education Program – In April 2011, the department was awarded \$128,216 in grant money from the Indian Gaming Local Community Benefit. The grant funds will be used to continue the Economic Crime Prosecution and Public Outreach Program – action requested – APPROVE BUDGET ADJUSTMENT. (4/5 vote required). (District Attorney)
21. Annual Federal Equitable Sharing Agreement and Certification - request for FY 2010-2011 Equitable Sharing Agreement and Certification which will be submitted to the Department of Justice and the United States Department of the Treasury as required by law. The program provides for the sharing of proceeds obtained from illegal activities such as drug sales - action requested - AUTHORIZE THE CHAIR TO SIGN AGREEMENT AND CERTIFICATIONS. (District Attorney)

22. Town of Paradise Fire Department – automatic aid agreement with Town of Paradise Fire Department for prompt emergency intervention based on the closest resources regardless of jurisdiction. The Operational Letter of Understanding will define the areas of automatic-aid, levels of response, resource management and authority, communications and dispatching, and operational guidelines. The term of the agreement is five years from the effective date - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Fire)
23. Real Property Conveyance to Chico Unified School District and Accept Unanticipated Revenue – The department recommends the conveyance of APN 005-421-033 to the Chico Unified School District as the District desires to construct a solar array on the parcel which is currently utilized as the parking area for the Chapman Elementary School. The property is surplus to the needs of Butte County, therefore staff recommends conveyance of the parcel to the District for \$40,000 with certain deed restrictions – action requested – AUTHORIZE THE GENERAL SERVICES DIRECTOR TO SIGN ALL DOCUMENTS NECESSARY TO CLOSE ESCROW FOR THE CONVEYANCE OF THE PARCEL TO THE DISTRICT; AND ACCEPT UNANTICIPATED REVENUE IN THE AMOUNT OF \$40,000. (General Services)
24. Steven and Carol Seidenglanz Family Revocable Living Trust – lease agreement with Steven and Carol Seidenglanz Family Revocable Living Trust for property located at 2167 Montgomery Street in Oroville. The location will be utilized by the Butte County Department of Behavioral Health's Oroville Live Spot and Stepping Stones Perinatal Programs. The term of the agreement is September 1, 2011 through August 31, 2016 with a monthly rate of \$3,378.85 (\$0.786 per square foot)(department budget) – action requested – APPROVE LEASE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (General Services)
25. Library Donations – The Library has received the following donations for books: \$100 from Maudie A. Penney and \$115.80 from Butte County Health Care Education Coalition – action requested – ACCEPT DONATIONS AND AUTHORIZE LETTERS OF APPRECIATION. (Library)
26. Resolution in Recognition of Chief Probation Officer John Wardell Upon His Retirement from Butte County – action requested - ADOPT RESOLUTION 11-090 AND AUTHORIZE THE CHAIR TO SIGN. (Probation)
27. Juvenile Accountability Block Grant (JABG) – request for a resolution authorizing the application for grant funds available through the federal JABG. If awarded, the funds would be used to reduce recidivism of youthful offenders by providing programs known to be effective in delinquency prevention. The funding will run from October 1, 2011 through September 30, 2013. The department will request \$184,725 which requires a \$20,525 match (department budget) – action requested – ADOPT RESOLUTION 11-091 AND AUTHORIZE THE CHAIR TO SIGN; AND AUTHORIZE THE CHIEF PROBATION OFFICER TO EXECUTE ALL NECESSARY DOCUMENTS RELATED TO THE GRANT. (Probation)

28. Assessments.com - amendment to the agreement with Assessments.com for a software and training program designed to evaluate the criminogenic risk factors and treatment needs of juvenile probationers. The amendment extends the term of the agreement through June 30, 2012 - action requested - APPROVE AGREEMENT AMENDMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Probation)
29. Childhood Lead Poisoning Prevention Contract – The California Department of Public Health has made available funding in the amount of \$274,715 to cover public health prevention, education and case management services directed towards the reduction of lead poisoning in Butte County. The term of the agreement is July 1, 2011 through June 30, 2014 with a maximum amount receivable of \$274,715 – action requested – APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Health)
30. Budget Adjustments – request for budget adjustments to provide reimbursement for the installation of new monitoring wells in County Service Area 21, Zone 1, Skansen Sewer and Zone 4, Rocky Bluffs Sewer/County Service Area 169, Zone 1 Pheasant Landing Subdivision - action requested – APPROVE BUDGET ADJUSTMENTS (4/5 vote required). (Public Works)
31. Fixed Asset Purchase and Budget Adjustment – request for the fixed asset purchase of a pump which would allow storm water to move between storm water basins at the Neal Road Recycling and Waste Facility – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required) AND FIXED ASSET PURCHASE IN THE AMOUNT OF \$37,000. (Public Works)
32. Wildlands, Inc. – Sacramento River Ranch LLC - agreement with Wildlands, Inc. – Sacramento River Ranch LLC for Butte County’s mitigation requirements for impact to the Valley Elderberry Longhorn Beetle for construction of the Ord Ferry Road Bridge Seismic Retrofit Project at the Sacramento River per the County’s compliance with the National Environmental Policy Act (NEPA). The maximum amount payable is \$32,000 (utilizing Federal Highway Bridge program funds) - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER. (Public Works)
33. Annual Federal Equitable Sharing Agreement and Certification – submitted is the department’s annual Federal Equitable Sharing Agreement and Certification as required by Federal Asset Forfeiture laws. The report is a summary of activities for Fiscal Year 2010-11 – action requested – APPROVE REPORT AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff-Coroner)
34. Budget Adjustment – request to appropriate \$81,000 in Jail COPS funds to purchase digital hand held radios and computer equipment – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Sheriff-Coroner)
35. Oroville Union High School District - agreement with Oroville Union High School District for a School Resource Deputy at the Las Plumas High School campus. The term of the agreement is August 22, 2011 through June 8, 2012 with a maximum amount receivable of \$40,000 - action requested - APPROVE AGREEMENT AND AUTHORIZE THE CHAIR TO SIGN SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; AND APPROVE RELATED BUDGET ADJUSTMENT IN THE AMOUNT OF \$5,000 (4/5 vote required). (Sheriff-Coroner)

- 36. Accept Unanticipated Revenue – request to accept \$125,160 in funds from the State of California for Rural County Supplemental funding which will be used for the purchase of ballistic vests and other necessary equipment – action requested – APPROVE BUDGET ADJUSTMENT (4/5 vote required). (Sheriff-Coroner)
- 37. Monthly Investment Report – submitted is the monthly investment report for June 30, 2011 in accordance with Butte County Statement of Investment Policy dated July 1, 2010 – action requested – ACCEPT FOR INFORMATION. (Treasurer/Tax Collector)
- 38. Resolution Recognizing September 2011 as Prostate Cancer Awareness Month – action requested – ADOPT RESOLUTION AND AUTHORIZE THE CHAIR TO SIGN. (Other Departments and Agencies)

MOTION: I MOVE TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF ITEM 3.39 WHICH WAS REMOVED FROM THE AGENDA AND WITH THE EXCEPTION OF ITEM 3.25 WHICH WAS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA.

M 2

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

1119-003 Presentation of Resolutions Adopted on the Consent Agenda:

- 1. Recognition September 2011 as National Emergency Preparedness Month
- 2. Recognition of August 2011 as Child Support Awareness Month
- 3. Recognition of September 2011 as Prostate Cancer Awareness Month
- 4. Recognition of Chief Probation Officer, John Wardell Upon his Retirement from Butte County.

1119-004 Items Removed from the Consent Agenda for Board Consideration and Action.

Resolution to Amend the Salary Ordinance - The combination of changes listed below will increase the total County allocations by ten positions:

Human Resources: requests to make the following changes to the Salary Ordinance: 1) change the titles of the Mental Health Clinician Intern and Mental Health Clinician classifications to Mental Health Clinician I and Mental Health Clinician II respectively; 2) add the classification of Mental Health Clinician III to section 57, reference F of the Salary Ordinance titled, "Management, Confidential and Supervisory Unit." The salary range for this classification shall be set at range 48. These classification changes have been agreed to by the both the Human Resources Department and applicable Employee Association.

Behavioral Health: In conjunction with the request by Human Resources above, the Behavioral Health Department requests to change the titles of the Mental Health Clinician/Mental Health Clinician Intern classifications in the department to Mental Health Clinician II/Mental Health Clinician I. As part of this action, the department requests to flexibly staff three of these positions to include the Mental Health Clinician III classification. This change will leave the total allocations in the department unchanged and potentially increase the Department costs by approximately \$14,106 annually. The increased costs for these changes will not have any fiscal impact on the General Fund.

Probation: The department is part of the impending Community Corrections Plan by AB 109 to provide Post-Release Community Supervision for those being released from the State Prison after October 1, 2011. While the plan is being developed, it is imperative for Probation to have a basic infrastructure to handle its responsibilities imposed by AB 109. In order to meet a minimum state of preparedness by October 1, 2011, the department requests to add two Probation Officer III/II/I positions. This change would increase the allocations in budget unit 430-001 from 89 to 91 and increase Department costs by approximately \$136,684 annually. The increased costs will be offset by a portion of the County’s AB109 funding allocation. The Department will request additional positions when the Community Corrections Plan is brought forward to the Board of Supervisors for consideration.

Sheriff: The department is part of the impending Community Corrections Plan by AB 109 to provide Alternative Custody and Pre-Trial Release Programs for those being released from the State Prison after October 1, 2011. While the plan is being developed, it is imperative for the Sheriff’s Office to have a basic infrastructure to handle its responsibilities imposed by AB 109. In order to meet a minimum state of preparedness by October 1, 2011, the department requests to add the following positions: three Correctional Officers; four Correctional Technicians; and one Sheriff’s Clerk III/II/I. This change would increase the allocations in budget unit 360 from 267 to 275 and increase Department costs by approximately \$380,543 annually. The increased costs will be offset by a portion of the County’s AB109 funding allocation. The Department will request additional positions when the Community Corrections Plan is brought forward to the Board of Supervisors for consideration – action requested – ADOPT RESOLUTION 11-089 AND AUTHORIZE THE CHAIR TO SIGN. (Human Resources)

THIS ITEM WAS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION ON THE REGULAR AGENDA. SHERIFF JERRY SMITH GAVE A REPORT TO THE BOARD.

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

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

PUBLIC HEARINGS AND TIMED ITEMS

1119-005 Results of Financial Review of the Private Industry Council, Inc. (PIC) – In February 2011, PIC, a local non-profit agency that provided Workforce Investment Act services and other employment and training services announced it was closing its doors. In May 2011, PIC filed for bankruptcy. Auditor staff began financial reviews of the PIC, focusing on the operation of the Southside Community Center and the lease and lease-related payments to the PIC from the County. The Auditor-Controller will provide a report – action requested – ACCEPT AS INFORMATION. (Auditor-Controller and Administration)

SHARI MCCRACKEN, DEPUTY ADMINISTRATIVE OFFICER, INTRODUCED THE ITEM. DAVE HOUSER, AUDITOR-CONTROLLER, PROVIDED A REPORT. (32:35)

1119-006 **REGULAR AGENDA**

Boards, Commissions and Committees

1. Appointments to Listed Vacancies (None)

2. Board Member or Committee Reports

SUPERVISOR YAMAGUCHI REPORTED ON A BEHAVIORAL HEALTH BOARD MEETING HELD IN GRIDLEY.

SUPERVISOR CONNELLY REPORTING ON A MEETING WITH MEMBERS OF THE COMMUNITY OF FEATHER FALLS.

SUPERVISOR LAMBERT REPORTED ON A MEETING OF THE AGRICULTURE AND NATURAL RESOURCES COMMITTEE IN SACRAMENTO.

SUPERVISOR YAMAGUCHI REPORTED ON THE FEDERAL FUNDING RECEIVED FOR FEDERAL HIGHWAY 171. (51:53)

1119-007 **Update of Current Budget and Legislative Issues by the Chief Administrative Officer.**

PAUL HAHN, CHIEF ADMINISTRATIVE OFFICER PROVIDED A REPORT. (55:21)

PUBLIC HEARINGS AND TIMED ITEMS

1119-008 **Continued Public Hearing - Community Development Block Grant (CDBG) Program Income Reuse Plan Amendment** – Butte County receives Program Income from various previously funded CDBG activities. The State requires local jurisdictions to adopt a Reuse Plan for the purpose of establishing guidelines on the policies and procedures for the administration and utilization of Program Income. The County is required to amend the Reuse Plan to incorporate the CDBG Disaster Recovery Initiative (DRI) Program. At this time, the State still has not completed their review and approval of the proposed revisions to the Reuse Plan. At a future meeting, this item will return to the Board as noticed public hearing once all approvals have been received by the State – action requested – FOR INFORMATION. NO ACTION NECESSARY. (Administration)

JENNIFER MACARTHY, ECONOMIC AND COMMUNITY DEVELOPMENT MANAGER, PROVIDED A REPORT.

REGULAR AGENDA

1119-009 Award Contract for the Construction of Storm Water Management Improvements at the Neal Road Recycling and Waste Facility – At the July 26, 2011 meeting the Board of Supervisors authorized the Public Works Department to seek bids for the construction of a storm water detention basin and related improvements for the Neal Road Recycling and Waste Facility’s storm water management plan. A budget adjustment of \$175,000 was also approved to fund the program. As staff developed plans and specifications for the project the engineer’s estimate for the project increased to \$300,100, therefore an additional budget adjustment of \$125,100 from the Neal Road Recycling and Waste Facility Waste Fund is requested. The project was advertised and bids are scheduled to be opened on Monday, August 22, 2011. Public Works will present a summary of the contractors and bids and make a recommendation for the Board’s consideration at the August 23, 2011 meeting – action requested – AWARD CONTRACT TO THE LOWEST APPARENT BIDDER AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO EXECUTE THE CONTRACT SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER; ~~AND APPROVE RELATED BUDGET ADJUSTMENT (4/5 vote required).~~ (Public Works) (59:43)

MIKE CRUMP DIRECTOR OF PUBLIC WORKS PROVIDED INFORMATION REGARDING THE BIDS SUBMITTED ON THIS PROJECT. HE REPORTED THAT SEVEN BIDS WERE RECEIVED, AND THE MOST RESPONSIVE, RESPONSIBLE, AND LOWEST BIDDER WAS FRANKLIN CONSTRUCTION AT \$169,425.

MOTION: I MOVE TO AWARD CONTRACT TO THE FRANKLIN CONSTRUCTION FOR \$169,425 AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO EXECUTE THE CONTRACT SUBJECT TO REVIEW BY COUNTY COUNSEL AND THE AUDITOR-CONTROLLER.

2 M

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

1119-010 Introduction of an Ordinance Amending and Adding Multiple Sections to Article IV, Entitled “Flood Hazard Prevention,” of Chapter 26, Entitled “Buildings,” of the Butte County Code – consideration of a proposed ordinance which will amend Chapter 26 of the Butte County Code to revise the Flood Hazard Prevention Ordinance to meet the minimum requirements of the National Flood Insurance Program - action requested – WAIVE THE FIRST READING OF THE ORDINANCE. (Public Works)

MIKE CRUMP, DIRECTOR OF PUBLIC WORKS PROVIDED A REPORT. (1:03:28)

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

M 2

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

PUBLIC HEARINGS AND TIMED ITEMS

1119-011 Adoption of Urgency Ordinance Prohibiting the Consumption of Alcoholic Beverages and Possession of Open Alcoholic Beverage Containers along Specified Portions of the Sacramento River during the Labor Day Holiday Weekend – The California Governor recently signed Assembly Bill 494 into law which prohibits the consumption of alcoholic beverages and possession of open alcoholic beverage containers on the identified portions of the Sacramento River during the summer holiday periods so long as the Glenn and Butte County Boards of Supervisors enact ordinances prohibiting consumption of alcoholic beverages and possession of open alcoholic beverage containers on the land adjoining the identified portions of the Sacramento River. County Counsel has prepared this proposed Urgency Ordinance Prohibiting the Consumption of Alcoholic Beverages and Possession of Open Alcoholic Beverage Containers along the land adjoining the identified portions of the Sacramento River that lie in Butte County, in anticipation of another unsanctioned event this upcoming Labor Day weekend - action requested – WAIVE THE FULL READING OF THE ORDINANCE; AND ADOPT URGENCY ORDINANCE (4/5 vote required) AND AUTHORIZE THE CHAIR TO SIGN. (Sheriff-Coroner)

KORY HONEA, BUTTE COUNTY UNDERSHERIFF, PROVIDED A REPORT.

THE FOLLOWING INDIVIDUALS ADDRESSED THE BOARD: CITY OF CHICO CHIEF OF POLICE, MIKE MALONEY; FRED <last name not stated>; and JOHN SCOTT (1:41:05).

MOTION: I MOVE TO WAIVE THE FULL READING OF THE ORDINANCE; AND ADOPT URGENCY ORDINANCE AND AUTHORIZE THE CHAIR TO SIGN.

2 M

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

1119-012 Timed Item - Presentation on Managing and Conserving Butte County Water Resources – Butte County has established a Strategic Plan for 2011-2015 to manage and conserve water resources to benefit Butte County communities, economy and environment. The Department of Water and Resource Conservation is tasked with implementing most of the County’s water resource policies and programs. The Plan which was presented to the Butte County Water Commission on August 3, 2011 describes the strategic goals and actions that will be carried out in the 2011-12 fiscal year and priorities for the next four years – action requested – FOR INFORMATION ONLY. (Water and Resource Conservation)

PAUL GOSSELIN, DIRECTOR OF WATER AND RESOURCE CONSERVATION PROVIDED REPORTS.

JIM BROBECK ADDRESSED THE BOARD. (2:30:30)

1119-013 Timed Item - Basin Management Objective (BMO) Program – Ordinance Amending Chapter 33A of the Butte County Code – The Butte County BMO program is a required element of a Groundwater Management Strategy and integrated regional water management plans. The Butte County Water Commission reviewed the plans and had recommended modifications to the Groundwater Management Ordinance, which is Chapter 33A of the Butte County Code. The Water Commission also recommended amendments to the Water Advisory Committee by-laws as detailed in the staff report - action requested – WAIVE THE FIRST READING OF THE ORDINANCE; AND APPROVE THE AMENDMENTS TO THE WATER ADVISORY COMMITTEE BY-LAWS. (Water and Resource Conservation)

PAUL GOSSELIN, DIRECTOR OF WATER AND RESOURCE CONSERVATION PROVIDED A REPORT.

JIM BROBECK ADDRESSED THE BOARD.

MOTION: I MOVE TO WAIVE THE READING OF THE ORDINANCE; AND APPROVE THE AMENDMENTS TO THE WATER ADVISORY COMMITTEE BY-LAWS.

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

1119-014 PUBLIC COMMENT (each speaker limited to five minutes)
 Comments to the Board on issues and items not listed on the agenda. Presentations will be limited to five minutes. Please note that pursuant to California state law, the Board of Supervisors is prohibited from taking action on any item not listed on the agenda.

LESLIE MOORE ADDRESSED THE BOARD.

Recessed at 12:06 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
AUGUST 23, 2011

Called to order at 12:06 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 AND REGULAR AGENDA (NO ITEMS)

1105-001

PUBLIC COMMENT (None)

GOLDEN SIZEMORE AND PAULINE MACKENZIE ADDRESSED THE BOARD. (3:04:56)

1105-002

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

LABOR NEGOTIATOR: CATHI GRAMS, JACK HUGHES & BRIAN RING
EMPLOYEE ORGANIZATION: CUHW

THIS CLOSED SESSION ITEM WAS HEARD CONTEMPORANEOUSLY WITH THE BUTTE COUNTY BOARD OF SUPERVISORS CLOSED SESSION ITEMS.

ADJOURNMENT

Adjourned at approximately 2:00 p.m. as the In-Home Supportive Services Public Authority Board and reconvened as the Butte County Board of Supervisors.

CLOSED SESSION

1119-015

THE BOARD RECESSED AT APPROXIMATELY 12:18 P.M. TO CLOSED SESSION REGARDING:

ACTUAL LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(a): 3 CASES

1. LAKE OROVILLE INTERVENTION (FERC PROJECT 2100);
2. SOLANO COUNTY WATER AGENCY v. CALIFORNIA DWR, SACRAMENTO SUPERIOR COURT CASE NO. 016388;
3. BEC v. COUNTY OF BUTTE; BUTTE COUNTY SUPERIOR COURT CASE NO. 152362.

POTENTIAL LITIGATION PURSUANT TO GOV.CODE SEC. 54956.9(c) – 1 POTENTIAL CASE

CONSULTATION WITH AND INSTRUCTION TO LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6(a):

LABOR NEGOTIATOR: BRIAN RING

EMPLOYEE ORGANIZATION: UNREPRESENTED EMPLOYEES.

THIS CLOSED SESSION ITEM WAS HEARD CONTEMPORANEOUSLY WITH THE BUTTE COUNTY IN HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD.

THE BOARD RECONVENED AT APPROXIMATELY 2:00 P.M. FROM CLOSED SESSION. (NO ANNOUNCEMENTS)

ADJOURNMENT:

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD THE MEETING WAS ADJOURNED AT APPROXIMATELY 2:00 P.M. AND WILL RECONVENE AT A REGULAR MEETING OF THE BOARD TO BE HELD TUESDAY, SEPTEMBER 13, 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
